

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1793 S HB AMS AWRD S2811.1 Striker	<b>Title:</b> Alternative water procuring
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## Estimated Cash Receipts

NONE

## Estimated Expenditures

Agency Name	2015-17			2017-19			2019-21		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Ecology	.1	22,102	22,102	.0	0	0	.0	0	0
<b>Total</b>	<b>0.1</b>	<b>\$22,102</b>	<b>\$22,102</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>

## Estimated Capital Budget Impact

NONE

<b>Prepared by:</b> Linda Steinmann, OFM	<b>Phone:</b> 360-902-0573	<b>Date Published:</b> Final 4/ 2/2015
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

ENPID: 41960

FNS029 Multi Agency rollup

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1793 S HB AMS AWRD S2811.1 Striker	<b>Title:</b> Alternative water procuring	<b>Agency:</b> 461-Department of Ecology
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	0.3	0.0	0.2	0.0	0.0
<b>Account</b>					
General Fund-State 001-1	22,102	0	22,102	0	0
<b>Total \$</b>	22,102	0	22,102	0	0

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Bonnie Kim	Phone: 7867316	Date: 03/30/2015
Agency Preparation: Jim Skalski	Phone: 360-407-6617	Date: 03/31/2015
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 03/31/2015
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 04/01/2015

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

SHB 1793 AMS AWRD S2811.1 Striker modifies HB 1793 by changing the legislative findings in section 1 and replacing section 2 with amended language from section 4 of the previous version. These changes do not change the fiscal impact to Ecology.

#### BACKGROUND:

Under current law, most uses of public waters require prior approval from the state, in the form of a water right permit or certificate. Approval is required for the use of surface water (lakes, ponds, rivers, streams, or springs) that began after the state water code was enacted in 1917. Likewise, withdrawals of groundwater since 1945 (when the state groundwater code was enacted) also require a water right permit or certificate, unless the use is specifically exempt from state permitting requirements under 90.44.050 RCW. While “permit-exempt” groundwater uses are excused from needing a state permit, they still are considered to be water rights. In order to obtain approval to use waters of the state, Ecology must determine that: (a) water is available (physically and legally), (b) water will be applied to a beneficial use, (c) there will be no impairment (negative effects) to existing rights, and that, (d) the proposed use will not be detrimental to the public interest. Basins across the state are currently encountering uncertainty when working to develop water supplies for future use. Current approaches to address this issue include purchasing water rights, participating in a water bank or connecting to preexisting piped water infrastructure.

#### SUMMARY:

Section 1 would establish findings that in-stream flow rules adopted by Ecology are inhibiting the availability of water use by residents in Washington, especially in rural areas. The legislature finds that alternative water supplies may be pursued as an option to support new development and economic activity in rural areas that lack access to water as a result of in-stream flow rules.

Section 2 provides under current law that each applicant for a building permit provide evidence of an adequate water supply for the intended use of the building. In counties not required to or pursuing planning under RCW 36.70A.040 Ecology and the Department of Health define areas required to follow section 2(1) and the Department of Enterprise Services mediates any disputes. This bill would add in section 2(4) that if an applicant is unable to provide evidence of adequate water supply under this section due to restrictions resulting from an in-stream flow rule, Ecology must inform the applicant about alternative water sources. Ecology may develop alternative water source information in cooperation with local governments.

Ecology would develop under section 2(4) information related to alternative supplies of water that includes the use of cisterns, trucked water and rainwater collection systems for use by local landowners. Ecology would initially compile existing information through a literature review, coordinate with other state and local agencies, and then make the information available using existing communication tools (internet, print, etc.) in the agency. Alternative water supply information would be provided to applicants.

Section 3 would direct Ecology to coordinate with local governments and utility districts to identify possible capital projects that may assist in providing alternative water sources in areas where in-stream flow rules result in

restrictions on the use of water. The bill specifically cites Water Resource Inventory Areas (WRIA) 3 and 4 as a place coordination should occur. Ecology would provide a report with recommendations by October 31, 2015.

The report required in section 3 would be developed and implemented with existing resources as this work is currently underway and within the existing program work plan.

## **II. B - Cash receipts Impact**

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

## **II. C - Expenditures**

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Ecology would require 0.25 FTE Environmental Planner 2 for one year to research alternative water supply options to include using cisterns, trucked water and rainwater collection systems and then compile such information to make it ready for distribution to applicants and the public. This staff would also coordinate with other state and local entities to ensure consistency of the information, messaging and distribution to the public. Staff would implement publication of the information with program and agency communications, web and management personnel.

Notes on costs by object:

Salary estimates are current actual rates at step H, the agency average for new hires.

Benefits are the agency average of 30.6% of salaries.

Goods and Services are the agency average of \$4,554 per direct program FTE.

Travel is the agency average of \$1,515 per direct program FTE.

Equipment is the agency average of \$823 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 32.75% of direct program salaries and benefits, and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT Specialist 2.

## **Part III: Expenditure Detail**

### **III. A - Expenditures by Object Or Purpose**

	<b>FY 2016</b>	<b>FY 2017</b>	<b>2015-17</b>	<b>2017-19</b>	<b>2019-21</b>
FTE Staff Years	0.3		0.2		
A-Salaries and Wages	11,754		11,754		
B-Employee Benefits	3,597		3,597		
C-Professional Service Contracts					
E-Goods and Other Services	1,139		1,139		
G-Travel	379		379		
J-Capital Outlays	206		206		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Agency Administrative Overhead	5,027		5,027		
<b>Total:</b>	<b>\$22,102</b>	<b>\$0</b>	<b>\$22,102</b>	<b>\$0</b>	<b>\$0</b>

**III. B - Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Environmental Planner 2	47,016	0.3		0.1		
Fiscal Analyst 2		0.0		0.0		
IT Specialist 2		0.0		0.0		
<b>Total FTE's</b>	47,016	0.3		0.2		0.0

**Part IV: Capital Budget Impact**

NONE

**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 1793 S HB AMS AWRD S2811.1 Striker	<b>Title:</b> Alternative water procuring
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## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

## Part III: Preparation and Approval

Fiscal Note Analyst: Sam Wilson	Phone: 360-725-5040	Date: 04/02/2015
Leg. Committee Contact: Bonnie Kim	Phone: 7867316	Date: 03/30/2015
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 04/02/2015
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 04/02/2015

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

#### **SUMMARY OF CHANGES BETWEEN THE TWO VERSIONS:**

The current version does not require counties subject to limited use on new and unmitigated ground or surface water withdrawals to develop and adopt specific ordinances outlining how specific alternative water procurement systems may be used to satisfy the potable water requirements of RCW 19.27.097.

#### **SUMMARY OF CURRENT LEGISLATION:**

Section 3 requires the Department of Ecology (Ecology) to coordinate with local governments and utility districts regarding possible capital projects to increase the availability of alternative water sources in areas where in-stream flow rules restrict water use. This includes, but is not limited to the Lower Skagit/Samish and Upper Skagit Washington Water Resource Inventory Areas.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

This legislation is not expected to impact local governments.

According to Ecology, the state would take leadership in coordination efforts and incur any additional costs. Additionally, the Washington Public Utility Districts Association estimated that PUDs would not incur additional expenses related to this legislation.

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

This legislation would not impact local government revenue.

#### **SOURCES:**

House bill report, HB 1793

Washington PUD Association

Washington State Department of Ecology