

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6454 SB	<b>Title:</b> Salmon habitat planning
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Commerce	.3	84,228	84,228	.4	108,412	108,412	.1	28,930	28,930
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.5	755,000	755,000	1.0	335,000	335,000	.5	168,000	168,000
<b>Total \$</b>	<b>0.8</b>	<b>839,228</b>	<b>839,228</b>	<b>1.4</b>	<b>443,412</b>	<b>443,412</b>	<b>0.6</b>	<b>196,930</b>	<b>196,930</b>

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Commerce	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Leslie Connelly, OFM	<b>Phone:</b> (360) 902-0543	<b>Date Published:</b> Final 5/18/2020
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6454 SB	<b>Title:</b> Salmon habitat planning	<b>Agency:</b> 103-Department of Commerce
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	0.6	0.3	0.4	0.1
<b>Account</b>					
General Fund-State 001-1	0	84,228	84,228	108,412	28,930
<b>Total \$</b>	0	84,228	84,228	108,412	28,930

### 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: Greg Vogel	Phone: 360-786-7413	Date: 01/20/2020
Agency Preparation: Matthew Ojennus	Phone: 360-725-4047	Date: 02/06/2020
Agency Approval: Darrell Stoa	Phone: (360) 725-2723	Date: 02/06/2020
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 02/07/2020

## 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.*

Section 2 amends RCW 36.70A.050 to require Commerce to consult with the Department of Fish and Wildlife regarding the conservation and protection of anadromous fisheries using the guidelines adopted by the Department of Fish and Wildlife consistent with Section 3 of this act.

Section 3 amends RCW 36.70A.172 to require the Department of Fish and Wildlife to adopt guidelines for the conservation and protection of anadromous fisheries by January 1, 2021. Permits Commerce and the Department of Fish and Wildlife to exempt cities and counties from elements of the guidelines if there is no or minimal critical habitat for salmon within the boundaries of the local government.

Section 5 creates a new section in RCW 36.70A requiring Commerce and the Department of Fish and Wildlife to review and report on county and city adoption of critical areas policies and regulations that implement the amendments to RCW 36.70A.172.

### 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.*

None.

### 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.*

Sections 2 and 3

Requires the department to amend its rules and guidance regarding the protection of critical areas. The department would wait until the Department of Fish and Wildlife has completed their work in Section 3.

Assumptions

0.5 FTE Commerce Specialist 3 (1,044 hours) FY21-FY22 to complete the rule and guidance updates. They will coordinate with the Department of Fish and Wildlife to ensure that the guidelines are developed in a manner that is ready for inclusion in WAC 365-195, conduct stakeholder outreach during the guideline development process, conduct public hearings after the completion of the guidelines and finalize the publication of the guidelines.

Salaries and Benefits

FY21-FY22: \$51,845 per fiscal year

Goods and Services, Travel and Equipment

FY21: \$32,383

FY22: \$27,637

The department assumes travel costs associated with conducting stakeholder meetings and public hearings for the rule-making process. This includes mileage, per diem pay for two days and one overnight lodging expense per fiscal year.

The department assumes a one-time equipment purchase of a workstation, computer and monitors.

\*Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs and agency administration. Agency administration costs (e.g., payroll, HR, IT) are funded under a federally approved cost allocation plan.

## Section 5

Requires the department, in consultation with the Department of Fish and Wildlife to produce a report by December 1, 2023 on county and city adoption of critical areas policies and development regulations.

### Assumptions

0.2 FTE Commerce Specialist 3 (418 hours) FY23-FY24 to review all adopted local government critical areas regulations (approximately 80 from King, Pierce and Snohomish counties) for consistency with the requirements of this act and the guidelines developed by the Department of Fish and Wildlife. They will coordinate with the Department of Fish and Wildlife in their review of the regulations. Together with the Department of Fish and Wildlife they will prepare a report for the Legislature on the status of the amendments to local government critical areas regulations.

### Salaries and Benefits

FY23-FY24: \$20,737 per fiscal year

### Goods and Services

FY23-FY24: \$8,193 per fiscal year

\*Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs and agency administration. Agency administration costs (e.g., payroll, HR, IT) are funded under a federally approved cost allocation plan.

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### Total Cost

FY21: \$84,228

FY22: \$79,482

FY23-FY24: \$28,930 per fiscal year

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	84,228	84,228	108,412	28,930
Total \$			0	84,228	84,228	108,412	28,930

### III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		0.6	0.3	0.4	0.1
A-Salaries and Wages		38,211	38,211	53,495	15,284
B-Employee Benefits		13,634	13,634	19,087	5,453
C-Professional Service Contracts					
E-Goods and Other Services		24,943	24,943	35,136	8,193
G-Travel		694	694	694	
J-Capital Outlays		6,746	6,746		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	84,228	84,228	108,412	28,930

**III. C - Operating FTE 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 2020	FY 2021	2019-21	2021-23	2023-25
Administrative Services	69,552		0.1	0.0	0.1	0.0
Commerce Specialist 3	74,196		0.5	0.3	0.4	0.1
Total FTEs			0.6	0.3	0.4	0.1

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

**IV. D - Capital FTE Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB

NONE

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.*

This bill will require the amendment of WAC 365-195.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6454 SB	<b>Title:</b> Salmon habitat planning	<b>Agency:</b> 468-Environmental and Land Use Hearings Office
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## Part I: Estimates

☒ **No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

NONE

### 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: Greg Vogel	Phone: 360-786-7413	Date: 01/20/2020
Agency Preparation: Nina Carter	Phone: 360 664-9171	Date: 01/23/2020
Agency Approval: Nina Carter	Phone: 360 664-9171	Date: 01/23/2020
OFM Review: Lisa Borkowski	Phone: (360) 902-0573	Date: 01/23/2020

## 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.*

Sec. 1 Intent section.

Sec. 2 amends the GMA by requiring Department of Commerce to consult with WDFW about conserving anadromous fisheries using Best Available Science as required in RCW 36.70A.172.

Sec. 3 amends GMA's Best Available Science provisions by requiring WDFW to adopt conservation and restoration guidelines to help local governments preserve anadromous fisheries.

Sec. 4 amends GMA by requiring counties and cities to review and update their critical area policies and regulations to implement WDFW guidelines specified in Sec. 3. Some local governments must implement the guidelines by January 1, 2021; others must implement by January 1, 2026.

Sec. 5 adds a new section to the GMA requiring Commerce and WDFW to review and report on local governments adoption of critical areas policies and development regulations to implement the guidelines.

SB 6454 has no fiscal impact on the Growth Management Hearings Board because if appeals are generated as a result of these changes the current Board would absorb the workload.

### 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.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

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

NONE

### III. D - Expenditures By Program (optional)

NONE



## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods*

NONE

**IV. D - Capital FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

## Part V: New Rule Making Required

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6454 SB	<b>Title:</b> Salmon habitat planning	<b>Agency:</b> 477-Department of Fish and Wildlife
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	1.0	0.5	1.0	0.5
<b>Account</b>					
General Fund-State 001-1	0	755,000	755,000	335,000	168,000
<b>Total \$</b>	0	755,000	755,000	335,000	168,000

### 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: Greg Vogel	Phone: 360-786-7413	Date: 01/20/2020
Agency Preparation: Aaron Dumas	Phone: 3609022528	Date: 01/23/2020
Agency Approval: Matt Hunter	Phone: 3605220944	Date: 01/23/2020
OFM Review: Leslie Connelly	Phone: (360) 902-0543	Date: 05/18/2020

## 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.*

Section 2 identifies the Department in RCW 36.70A.050 as the consulting agency regarding conservation and protection of anadromous fisheries in critical areas.

Section 3 directs the Department to adopt guidelines by January 1, 2021 in order to assist counties and cities in the preservation and enhancement of anadromous fisheries under RCW 36.70A.172. Specifically, the guidelines must identify:

- Priority marine nearshore, stream segments, and riparian habitat
- Incompatible land uses with salmon recovery and habitat preservation
- Methods for improving and preserving salmon habitat

The Department must consult with tribal fisheries restoration experts and other interested parties identified in RCW 36.70A.050 (2) in developing the guidelines.

The Department must complete the guidelines by January 1, 2021, in order to allow cities and counties to update critical area policies and development regulations as part of their next periodic review required under RCW 36.70A.130.

Section 4 states that following the adoption of department of fish and wildlife guidelines for the preservation and enhancement of anadromous fisheries under RCW 36.70A.172, counties and cities must review and update critical areas policies and development regulations in order to implement the guidelines.

Section 5 directs the Department to review and report on county and city adoption of critical area policies and development regulations that implement the guidelines for the preservation and enhancement of anadromous fisheries, under RCW 36.70A.172.

### 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.*

Section 3.

0.5 FTE Environmental Planner 4 (EP4) in FY 2021 will be required to manage the overall project, be lead author for the guidelines, obtain and direct consultants, coordinate efforts within the agency, and aid in adoption of guidelines by January 1, 2021. This person will be the lead agency representative at stakeholder meetings and work with communications staff to coordinate public outreach. They would travel to 20 meetings, with per diem meals needed for 20 days (\$76/day) and 10 hotel stays (\$100/night), and 360 miles round-trip per meeting (\$0.575/mi).

Object A Salaries and Object B Benefits estimated at \$58,000 in FY 2021.

Object E Goods and services include \$6,000 per FTE, per year, for WDFW standard costs, which cover an

average employee's supplies, communications, training, and subscription costs per year.

Travel costs, Object G, total \$7,000 in FY 2021, and \$3,000 in FY 2022.

Personal Services Contracts, Object C to total \$450,000 in FY 2021 to include:

Facilitator consultant for localized discussions:

-Facilitation and product development: \$350,000 one-time cost for two FTEs for six months, along with additional staff support, all travel, per diem and mileage for up to 14 workshops. These consultants would be responsible for facilitating workshops for each of the seven salmon recovery regions and development of the guidelines, including:

- One full day workshop and one half-day review workshop in each region, including travel.
- Scheduling of the workshops
- Develop agenda
- Facilitate discussion to achieve outcomes
- Recruit participation
- Summarize and report out results
- Support staff in guideline development by drafting chapters or components of the guidelines
- Manage public comment matrix and public hearings

Costs for travel, per diem, and mileage for consultants will be held to OFM rate schedule.

GIS Data management and gathering contractor: \$100,000 one-time cost for 0.5 FTE Journey-IT App Developer to assemble landscape data for prioritization of habitats, along with all travel, per diem and mileage for up to 14 workshops or meetings. Staff will need to attend workshops to aid in data transfer and work with WDFW staff to organize existing data. Costs for travel, per diem, and mileage for consultants will be held to OFM rate schedule.

An infrastructure and program support rate of 30.29 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

#### Section 4.

To manage the adopted guidelines, share guidelines with counties, provide support to counties, and coordinate with local area Habitat Biologists, requires 0.5 FTE EP4 in FY 2021, 1.0 FTE during initial stages of the guidance in FY 2022, and continuing 0.5 FTE until FY 2026 and all counties have completed their critical area ordinance updates.

Object A Salaries and Object B Benefits estimated at \$58,000 in FY 2021, \$116,000 in FY 2022, and \$58,000 in FY 2023 and ongoing.

Object E Goods and services include \$6,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year.

Object G Travel is estimated at \$3,000 in FY 2022 and ongoing to include: Travel to 20 meetings per FTE (assuming 10 meetings for 0.5 FTE), with per diem meals needed for 20 days (\$76/day) and 10 hotel stays (\$100/night), and 360 miles round-trip per meeting (\$0.575/mi).

An infrastructure and program support rate of 30.29 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Section 5.

The EP4 identified above for Section 3 would be responsible for review and reporting of adoption of the guidelines in the critical area ordinances. This task requires a 0.5 FTE Environmental Planner 4 in FY 2023.

Object A Salaries and Object B Benefits estimated at \$58,000 in FY 2023.

Object E Goods and services include \$6,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year.

Object G Travel is estimated at \$3,000 to include travel to 10 meetings per year, with per diem meals needed for 10 days (\$76/day) and 5 hotel stays (\$100/night) and 360 miles round-trip per meeting (\$0.575/mi).

An infrastructure and program support rate of 30.29 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

A broad funding source such as general fund state is the best match for a broad public benefit like the conservation outcomes this bill is seeking.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	755,000	755,000	335,000	168,000
Total \$			0	755,000	755,000	335,000	168,000

III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		1.0	0.5	1.0	0.5
A-Salaries and Wages		86,000	86,000	172,000	86,000
B-Employee Benefits		30,000	30,000	60,000	30,000
C-Professional Service Contracts		450,000	450,000		
E-Goods and Other Services		6,000	6,000	12,000	6,000
G-Travel		7,000	7,000	12,000	6,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		176,000	176,000	79,000	40,000
9-					
Total \$	0	755,000	755,000	335,000	168,000

III. C - Operating FTE 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 2020	FY 2021	2019-21	2021-23	2023-25
ENVIRONMENTAL PLANNER 4	86,480		1.0	0.5	1.0	0.5
Total FTEs			1.0	0.5	1.0	0.5

III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods*

NONE

### IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

## Part V: New Rule Making Required

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 6454 SB	<b>Title:</b> Salmon habitat planning
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## Part I: Jurisdiction—Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☒ Cities: Must adopt policies to enhance and protect salmon habitat
- ☒ Counties: Same as above.
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☒ Variance occurs due to: Number of critical areas within a jurisdiction; Costs to plan the rehabilitation of critical areas.

## 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: Number of cities or counties that decide to opt into the measures outlined in this legislation.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Jordan Laramie	Phone: 360-725-5044	Date: 01/24/2020
Leg. Committee Contact: Greg Vogel	Phone: 360-786-7413	Date: 01/20/2020
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/24/2020
OFM Review: Leslie Connelly	Phone: (360) 902-0543	Date: 05/18/2020

## Part IV: Analysis

### A. SUMMARY OF BILL

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

The Department of Fish and Wildlife (WDFW) is responsible for the conservation and protection of anadromous fisheries in critical areas, utilizing the guidelines of RCW 36.70.172. In carrying out these duties the department must consult with local government representatives (cities, counties, developers, builders, owners of agricultural lands, environmental and conservation organizations, special district members, the governor and other federal agencies, and Indian tribes) and have public hearings that involve these representatives.

WDFW must adopt conservation and restoration guidelines in order to assist counties and cities in the preservation and enhancement of anadromous fisheries. Additions to WDFW guidelines must adhere to: protecting marine nearshore and riparian habitat that represent the most important habitat areas to preserve is a priority of this act; identifying lands that incompatible with salmon recovery and habitat preservation; as well as methods for improving salmon recovery and habitat preservation. The methods for improving and protecting salmon habitats must be done with the consultation with tribal fishery restoration experts and other interested parties.

WDFW can exclude a county or city from the elements of this section if the county or city has minimal to no critical habitat areas for salmon stock listed under federal endangered species act. The guidelines outline in this provision must be finalized by WDFW by January 1, 2021, to allow cities and counties to update critical area policies and development.

By December 1, 2023, WDFW and the department must review and report on county and city adoption of critical area policies and development regulations that implement the guidelines established in this provision.

### 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 would have an indeterminate fiscal impact because it is estimated that implementation for all 246 jurisdictions within the GMA could result in planning fees of \$30.20 million. Jurisdictions have varying levels of planning needs and it is anticipated that county jurisdictions will have greater costs than cities in the development process.

The goals outlined in this legislation require cities and counties to meet the regulations of the GMA framework. Local government will have to coordinate with the WDFW and the Department of Commerce to review and report on county and city adoption of critical areas policies. The establishment of a new ordinance that changes the definition of critical areas would have costs ranging from \$100,000 to \$300,000 depending on the jurisdiction. The timing of these expenditures is not known.

However, the guidelines have not been established by the WDFW. The cities and counties with comprehensive reviews due in 2023 and 2024, must begin the implementation of guidelines by January 1, 2021. All other counties and cities must implement guidelines by June 30, 2026.

#### CRITICAL AREA ORDINANCE CHANGE:

The WDFW and Department of Commerce would coordinate the review and report on county and city adoption of critical areas policies. The establishment of a new ordinance that changes the definition of critical areas, includes drafting, planning, review, environmental impact studies, and hearings is estimated to be \$100,000 for cities and \$300,000 for counties.

Full GMA planned implementation for 246 jurisdictions (Assuming \$100,000 per city and \$300,000 per county):

218 cities x \$100,000 + 28 counties x \$300,000 = 21.80 million + 8.40 million = \$30.20 million

### 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.*

There would be no revenue impact as a result of this legislation.

#### SOURCE:

Department of Commerce, Growth Management Service  
Washington State Association of Counties  
Senate Report SB 6454, 2020



