

Individual State Agency Fiscal Note

Bill Number: 1057 HB	Title: Clean air act/enjoyment term	Agency: 461-Department of Ecology
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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.

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Agency Preparation: Pete Siefer	Phone: 360-407-6646	Date: 01/12/2021
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/12/2021
OFM Review: Lisa Borkowski	Phone: (360) 902-0573	Date: 01/13/2021

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.

Under current law, Chapter 70A.15 RCW, the Department of Ecology (Ecology), as well as local air authorities, have the authority to respond to outdoor nuisance odors.

This bill would amend RCW 70A.15.1030, in the Washington Clean Air Act, clarifying that “enjoyment of life and property” may include a person’s use or enjoyment of certain outdoor public spaces.

In consultation with the Attorney General’s office, the department determined that the working definition of Ecology’s nuisance odor and air pollution related authority is the same as the definition in the proposed legislation and would not expand Ecology’s existing authority. There is no new directive or work requirement. In the future, Ecology may choose to update the definition of air pollution in agency regulations under WAC 173-400-030 as part of a regularly scheduled rulemaking update, but it is assumed this added language would not be controversial and would impose no new rulemaking cost. For these reasons, there is no fiscal impact to Ecology.

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