

Multiple Agency Fiscal Note Summary

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| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects |
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Estimated Cash Receipts

NONE

| Agency Name | 2021-23 | | 2023-25 | | 2025-27 | |
|---------------------|--|-------|-----------|-------|-----------|-------|
| | GF- State | Total | GF- State | Total | 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 Operating Expenditures

| Agency Name | 2021-23 | | | | 2023-25 | | | | 2025-27 | | | |
|---|------------|------------------|------------------|------------------|------------|------------------|------------------|------------------|------------|----------|-------------|----------|
| | FTEs | GF-State | NGF-Outlook | Total | FTEs | GF-State | NGF-Outlook | Total | FTEs | GF-State | NGF-Outlook | Total |
| Office of the Governor | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Department of Archaeology and Historic Preservation | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Department of Ecology | 1.2 | 0 | 0 | 262,202 | 1.2 | 0 | 0 | 262,202 | .0 | 0 | 0 | 0 |
| Recreation and Conservation Funding Board | .6 | 151,538 | 151,538 | 151,538 | .6 | 151,538 | 151,538 | 151,538 | .0 | 0 | 0 | 0 |
| Department of Fish and Wildlife | 3.1 | 1,006,000 | 1,006,000 | 1,006,000 | 3.0 | 944,000 | 944,000 | 944,000 | .0 | 0 | 0 | 0 |
| Puget Sound Partnership | 1.3 | 418,000 | 418,000 | 418,000 | 1.3 | 418,000 | 418,000 | 418,000 | .0 | 0 | 0 | 0 |
| Department of Natural Resources | .1 | 0 | 0 | 23,200 | .1 | 0 | 0 | 23,200 | .1 | 0 | 0 | 0 |
| Total \$ | 6.3 | 1,575,538 | 1,575,538 | 1,860,940 | 6.2 | 1,513,538 | 1,513,538 | 1,798,940 | 0.1 | 0 | 0 | 0 |

| Agency Name | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
| | 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 | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---|------------|----------|----------|------------|----------|----------|------------|----------|----------|
| | FTEs | Bonds | Total | FTEs | Bonds | Total | FTEs | Bonds | Total |
| Office of the Governor | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Archaeology and Historic Preservation | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Ecology | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Recreation and Conservation Funding Board | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Fish and Wildlife | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Puget Sound Partnership | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Natural Resources | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Total \$ | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0 |

| Agency Name | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
| | 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 Breakout

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| Prepared by: Leslie Connelly, OFM | Phone: (360) 878-4371 | Date Published: Final 3/ 9/2021 |
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Individual State Agency Fiscal Note

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|----------------------------------|--|---|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 075-Office of the Governor |
|----------------------------------|--|---|

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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|---------------------------------|-----------------------|------------------|
| Legislative Contact: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Jim Jenkins | Phone: 360-902-0403 | Date: 03/03/2021 |
| Agency Approval: Jamie Langford | Phone: (360) 870-7766 | Date: 03/03/2021 |
| OFM Review: Tyler Lentz | Phone: (360) 790-0055 | Date: 03/04/2021 |

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.

The changes related to this new bill version does not create a fiscal impact to the Office of the Governor.

Second substitute bill impact:

Section 4 adds a null and void clause if funding is not provided by June 30, 2021, in the omnibus appropriations act.

The changes related to this version of the bill does not change the fiscal impact to the Office of the Governor.

Any work related the Office of the Governor can be done within current resources by reprioritizing workload.

Previous bill impact:

This bill streamlines the environmental permitting process for salmon recovery projects.

This bill creates the habitat recovery pilot program and approval permitting process for environmental restoration projects.

Section 2 of this bill expires June 30, 2025.

The requirements of this bill do not create a fiscal impact to the office of the governor.

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

| | | |
|----------------------------------|--|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 355-Department of Archaeology and Historic Preservation |
|----------------------------------|--|--|

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: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Chad Johnson | Phone: 360 407-8130 | Date: 03/05/2021 |
| Agency Approval: Chad Johnson | Phone: 360 407-8130 | Date: 03/05/2021 |
| OFM Review: Ramona Nabors | Phone: (360) 902-0547 | Date: 03/08/2021 |

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.

S HB 1382 creates a streamlined permitting process with flood review.

This bill does not mention DAHP as part of the multiagency permitting team. No fiscal impact.

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

| | | |
|----------------------------------|--|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 461-Department of Ecology |
|----------------------------------|--|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|---|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.2 | 1.2 | 1.2 | 1.2 | 0.0 |
| Account | | | | | |
| Model Toxics Control Operating Account-State 23P-1 | 131,101 | 131,101 | 262,202 | 262,202 | 0 |
| Total \$ | 131,101 | 131,101 | 262,202 | 262,202 | 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.

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|-----------------------------------|-----------------------|------------------|
| Legislative Contact: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Jessica Moore | Phone: 360-407-6994 | Date: 03/03/2021 |
| Agency Approval: Erik Fairchild | Phone: 360-407-7005 | Date: 03/03/2021 |
| OFM Review: Lisa Borkowski | Phone: (360) 902-0573 | Date: 03/04/2021 |

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.

Compared to 2SHB 1382, E2SHB 1382 has the following change:

“Indian tribe” is replaced with “federally recognized tribe” throughout the bill.

This change would not change the fiscal impact to Ecology.

Under current law, Chapter 77.55 RCW, Hydraulic Code, is administered by the Washington Department of Fish and Wildlife (WDFW). Ecology oversees the State Environmental Policy Act (SEPA) chapter 43.21C RCW rules and guidance for the state and provides technical assistance to agencies, applicants, and citizens in the SEPA review process. Ecology serves as the SEPA lead or co-lead agency for some proposals.

Section 2 would amend Chapter 77.55 RCW to create a habitat recovery pilot program for environmental restoration projects that directly benefit freshwater, estuarine, or marine fish, or the habitat they rely on. Projects would be required to be funded by the federal, tribal or state restoration programs itemized in the bill, including Ecology’s Floodplains by Design, Office of Chehalis Basin, and Office of Columbia River programs. To be eligible for the permit program, projects would be required to meet the criteria described in the bill. Projects must complete archaeological review before applying.

The bill would also create a Multi-Agency Permitting Team (MAP team) that would be led by WDFW and include participants from the local governments where the project is located, WDFW, Ecology, the Recreation and Conservation office, the Governor’s Salmon Recovery Office, the Department of Natural Resources, and the Puget Sound Partnership (if the project is in the Puget Sound Basin). WDFW would be required to make a decision on a given project between 25 and 45 days from a complete application. The bill would allow for local government to request consultation with the MAP Team, which would trigger a hold on the 45-day clock and a MAP Team meeting to review the project. The MAP Team would have 45 days to complete their review.

The pilot project would end June 30, 2025.

Section 3 would amend chapter 43.21C RCW (SEPA) to exempt projects that receive a permit under this bill from SEPA. This change would provide consistency with the SEPA exemption language in Section 2. This provision for exemption would end on June 30, 2025. Ecology assumes that rules for SEPA would not be required to be updated to incorporate this temporary exemption from SEPA. Ecology’s rule outlining SEPA categorical exemptions at WAC 197-11-800 states that statutory exemptions are not included, and refers lead agencies to the Act itself for review in determining whether a proposed action not listed as categorically exempt in rules is exempt by statute from threshold determination and EIS requirements.

Section 4 would require that specific funding for the purposes of this act be appropriated by the legislature by June 30, 2021, or the requirements of the bill would be null and void.

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.

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 between FY 2022 and FY 2025 to implement the requirements of section 2.

Ecology would be required to serve on the MAP team to conduct coordinated and expedited review of permit applications under the new habitat recovery pilot program established in section 2.

In consultation with WDFW, Ecology assumes the following:

- The pilot program would establish a new process for a new kind of HPA.
- It is assumed 100-150 projects per year would come from applicable programs. Approximately half would be additional projects as a result of this pilot and increases in infrastructure funding.
- The MAP team would be required to do an initial review of applications identified by WDFW as restoration projects, and have 15 days to call the review team together to review the project if any one of them deems it necessary.
- An estimated 40-60 projects would not be considered restoration projects and would follow the standard HPA process, 40-50 projects would be considered restoration projects that do not require consultation and stay on WDFW's permitting process, and 20-30 projects are assumed to require MAP team consultation.
- WDFW assumes 20-30 projects require one FTE per agency based on previous MAP team experience with WSDOT projects.
- The review process under the current WDFW Fish Habitat Enhancement Permit (FHEP) law (RCW 77.55.181) is not comparable to the expedited review with MAP participation authorized by this bill. FHEP projects tend to be smaller and less complex projects, with no shoreline permits required. WDFW conducts all the review without Ecology participation. By contrast, the projects that come from the list of eligible programs in this bill would typically be much larger and more complex. For example, Floodplains by Design projects alone are often multi-million dollar projects that involve significant environmental tradeoffs where levees are being set back, river channels moved, wetlands filled, etc. As such, it is likely that the 20-30 projects WDFW foresees invoking MAP team review are expected to be multifaceted and with difficult trade-offs to consider. The purpose of permit review is to make projects better, to ensure multiple interests are being considered, and inadvertent consequences are avoided.

Consistent with WDFW assumptions, Ecology estimates that this would require 1.0 FTE Environmental Specialist 4 from FY 2022 to FY 2025 to serve as Ecology's MAP team representative and conduct the following:

- Provide initial review within 15-days of all potential expedited restoration projects identified by WDFW to determine whether they require full MAP team review. Based on WDFW assumptions, this would include approximately 40-50 projects that would be considered restoration but ultimately follow the standard HPA process and 20-30 projects that would be deemed to require the full MAP team process each year. Ecology's representative would also need to meet with the review team within 15 days for applications that are identified by any agency or tribe as requiring MAP review.
- Provide expedited review within 45-days in coordination with the MAP team for all restoration project applications that have been determined to require MAP team review. Based on WDFW assumptions, there would be an estimated 20-30 projects that would be deemed to require this MAP process each year. This expedited process and additional coordination does not occur under current law or for projects outside this pilot program. In addition, WDFW assumes there would be more projects under this new kind of HPA, creating new workload for

application review.

- Coordinate with existing regional Ecology staff on Clean Water Act 401 permitting and shoreline permitting, and coordinate technical assistance for floodplain review. Ecology assumes existing regional permit review staff would provide local expertise. While the pilot program would move restoration projects out of the queue for review by regional permit specialists, workload for these staff is assumed to be similar to current levels in order to provide expertise for the expedited and coordinated review done by the MAP representative. Current staff levels in addition to the MAP representative would be required as the bill would establish a new expedited and coordinated review process not comparable to current process. Projects are anticipated to often be larger and more complex, and it is anticipated there would be more projects coming to Ecology for review as a result of this pilot program.
- Work with managers and policy leads, develop Standard Operating Procedures (SOPs) and policies as part of the new pilot program process.

SUMMARY: The expenditure impact to Ecology under this bill is:

FY 2022 – FY 2025: MAP Team Participation is estimated to require \$131,101 and 1.15 FTEs each year.

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 36.7% of salaries.

Goods and Services are the agency average of \$4,144 per direct program FTE.

Travel is the agency average of \$2,182 per direct program FTE.

Equipment is the agency average of \$1,201 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 27.4% 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 App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------|--|-------|---------|---------|---------|---------|---------|
| 23P-1 | Model Toxics Control Operating Account | State | 131,101 | 131,101 | 262,202 | 262,202 | 0 |
| Total \$ | | | 131,101 | 131,101 | 262,202 | 262,202 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.2 | 1.2 | 1.2 | 1.2 | |
| A-Salaries and Wages | 70,956 | 70,956 | 141,912 | 141,912 | |
| B-Employee Benefits | 26,041 | 26,041 | 52,082 | 52,082 | |
| E-Goods and Other Services | 4,144 | 4,144 | 8,288 | 8,288 | |
| G-Travel | 2,182 | 2,182 | 4,364 | 4,364 | |
| J-Capital Outlays | 1,201 | 1,201 | 2,402 | 2,402 | |
| 9-Agency Administrative Overhead | 26,577 | 26,577 | 53,154 | 53,154 | |
| Total \$ | 131,101 | 131,101 | 262,202 | 262,202 | 0 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|------------------------|--------|---------|---------|---------|---------|---------|
| ENVIRONMENTAL SPEC 4 | 70,956 | 1.0 | 1.0 | 1.0 | 1.0 | |
| FISCAL ANALYST 2 | | 0.1 | 0.1 | 0.1 | 0.1 | |
| IT APP DEVELOP-JOURNEY | | 0.1 | 0.1 | 0.1 | 0.1 | |
| Total FTEs | | 1.2 | 1.2 | 1.2 | 1.2 | 0.0 |

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

| | | |
|----------------------------------|--|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 467-Recreation and Conservation Funding Board |
|----------------------------------|--|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.6 | 0.6 | 0.6 | 0.6 | 0.0 |
| Account | | | | | |
| General Fund-State 001-1 | 75,769 | 75,769 | 151,538 | 151,538 | 0 |
| Total \$ | 75,769 | 75,769 | 151,538 | 151,538 | 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: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Mark Jarasitis | Phone: 360-902-3006 | Date: 03/03/2021 |
| Agency Approval: Wendy Brown | Phone: 360-902-3021 | Date: 03/03/2021 |
| OFM Review: Leslie Connelly | Phone: (360) 878-4371 | Date: 03/06/2021 |

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.

Section 2 (1) creates the habitat recovery pilot

Section 2 (4) (c) identifies the Recreation and Conservation Office (RCO)/Governor's Salmon Recovery Office (GSRO) as a member of the multi agency permitting team. The RCO/GSRO member will facilitate the multi agency permitting team for projects outside of the Puget Sound Basin. WDFW assumes eight meetings per year eight hours per meeting. There will be travel.

Section 2 (7) section expires 06/30/2025

Section 4 this bill will be null and void if it is not provided in the omnibus appropriations act by June 30, 2021.

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.

The GSRO Manager and the Salmon Section Manager will be involved up to 20% to participate and prepare for each meeting. This may include some facilitation. (Eight meetings per year). There will be travel to the meeting, at \$125/meeting, \$1,000 per year.

There will also be 20% from an Administrative Assistant to prepare, schedule and coordinate this process.

Additionally in order to review the non-RCO projects, there will be 8 hours of contractor analysis for each meeting to help RCO staff be fully prepared. At eight meetings per year this will mean a total of approximately 64 hours spent by contractors. At an estimated \$125/hour.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1 | General Fund | State | 75,769 | 75,769 | 151,538 | 151,538 | 0 |
| Total \$ | | | 75,769 | 75,769 | 151,538 | 151,538 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.6 | 0.6 | 0.6 | 0.6 | |
| A-Salaries and Wages | 49,416 | 49,416 | 98,832 | 98,832 | |
| B-Employee Benefits | 17,353 | 17,353 | 34,706 | 34,706 | |
| C-Professional Service Contracts | 8,000 | 8,000 | 16,000 | 16,000 | |
| E-Goods and Other Services | | | | | |
| G-Travel | 1,000 | 1,000 | 2,000 | 2,000 | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 75,769 | 75,769 | 151,538 | 151,538 | 0 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--|---------|---------|---------|---------|---------|---------|
| Administrative Assistant | 41,352 | 0.2 | 0.2 | 0.2 | 0.2 | |
| Executive Coordinator - Governor's Salmon Recovery | 106,824 | 0.2 | 0.2 | 0.2 | 0.2 | |
| Salmon Section Manager | 98,904 | 0.2 | 0.2 | 0.2 | 0.2 | |
| Total FTEs | | 0.6 | 0.6 | 0.6 | 0.6 | 0.0 |

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

| | | |
|----------------------------------|--|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 477-Department of Fish and Wildlife |
|----------------------------------|--|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------|---------|---------|-----------|---------|---------|
| FTE Staff Years | 3.2 | 3.0 | 3.1 | 3.0 | 0.0 |
| Account | | | | | |
| General Fund-State 001-1 | 534,000 | 472,000 | 1,006,000 | 944,000 | 0 |
| Total \$ | 534,000 | 472,000 | 1,006,000 | 944,000 | 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: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Amy Pizzollo | Phone: 360-791-7858 | Date: 03/03/2021 |
| Agency Approval: Amy Pizzollo | Phone: 360-791-7858 | Date: 03/03/2021 |
| OFM Review: Leslie Connolly | Phone: (360) 878-4371 | Date: 03/06/2021 |

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.

NO CHANGE FROM PREVIOUS FISCAL NOTE: Differences in this bill version do not change the fiscal impact for WDFW.

Section 2 requires WDFW, in conjunction with other agencies, to begin a habitat recovery pilot program. Projects from several state government sources, that meet the listed requirements for an environmental restoration project, will be reviewed by a multi-agency permitting (MAP) team to speed them along.

A process for notification and communication is laid out as follows. First, there is the initial notice when a project appears in the list of hydraulic project approval (HPA) projects under review, which goes to local governments, interested federally recognized tribes, and the multi-agency team. A second notice is required if, after review, an application meets the criteria of being a completed application, is a restoration project, and comes from one of the specified programs. At this point a notice and copy of the application is sent to local governments, Ecology, Recreation and Conservation Office, Natural Resources, and Puget Sound Partnership. After the notices goes out those entities will have 25 days to call the review team together to review the project, if any one of them deems it necessary. This team will be facilitated by the Puget Sound Partnership if the project occurs within the Puget Sound Basin, otherwise, it will be facilitated by the Recreation and Conservation Office.

This section includes language for appeals, citing RCW 77.55.021 (8) and 76.09, but this matches and does not change the current formal HPA appeals process, which ends at the Pollution Control Hearings Board.

Section 4 specifies that specific funding for this bill must be provided in the omnibus appropriations act by June 30, 2021, or the bill is null and void.

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.

Assumptions:

- This section describes a new process for a new kind of HPA. Although the language states it the project will be exempt from all other permits, it will be the HPA itself that grants this exempt status. This new HPA will include provisions and elements from WDFW's regulatory authority.
- There are generally more than 2,000 HPAs per year. 100-150 projects would come from the applicable programs, based on a review of the current project lists for those programs. Approximately half, would be additional projects. The additional projects would be a result of this pilot and increases in infrastructure funding, especially from the federal government.
- There are three possible pathways for a project once a completed application has been submitted to the HPA process. Those pathways are determined by the results of the two sets of notices and criteria the bill directs WDFW to implement.
 - o First, there is the initial notice when a project appears in the list of hydraulic project approval (HPA)

projects under review, which goes to local governments, interested federally recognized tribes, and the multi-agency team. A second notice is required if, after review, an application meets the criteria of being a completed application, is a restoration project, and comes from one of the specified programs. At this point a notice and copy of the application is sent to local governments, Ecology, Recreation and Conservation Office, Natural Resources, and Puget Sound Partnership. After the notices goes out those entities will have 25 days to call the review team together to review the project, if any one of them deems it necessary.

- o For all the projects from the applicable programs (100-150), the breakdown would be as follows:
 - Projects from the applicable programs that are not restoration projects will follow the standard HPA process (40-60 projects).
 - A project from the applicable programs, that is a restoration project, that does not provoke a consultation, will continue along WDFW's permitting process, (40-50 projects, FHPP).
 - It is assumed that consultation will be invoked 20-30 times per year. (20-30 projects to MAP team).
- A multiagency permitting team will be formed and will be responsible for reviewing projects for inclusion in the habitat recovery pilot program. Members of the team will come from local governments, Fish and Wildlife, Ecology, Recreation and Conservation Office, Natural Resources, and Puget Sound Partnership. These meetings will occur mostly in a virtual setting, but the possibility of site visits and in person meetings exists.
 - The Puget Sound Partnership will facilitate multiagency permit team meetings for projects within the Puget Sound Basin. Less than half of all HPAs are for projects inside the Puget Sound basin.
 - The Recreation and Conservation Office will facilitate multiagency permit team meetings for projects outside of the Puget Sound Basin. More than half of all HPAs are for projects in the Puget Sound basin.
 - WDFW uses our previous MAP team experience for DOT projects, where 20-30 projects required one FTE per agency. These teams are not doing the design work, but this team would look at the applications that come in and if they needed more than just WDFW's expertise, the team would work that project through the multi-agency process.
- Pilot projects will be exempt from local permits and fees, except for those necessary to implement federal programs. Habitat recovery pilot projects must be consistent with local, state, and federal flood reduction requirements. This is already the case and no new role is given to WDFW for flood risk reduction.
- WDFW already coordinates with tribes during the HPA approval process, so no additional workload is assumed for the notification and coordination.
- The Department of Fish and Wildlife:
 - o Update the online permitting system to accommodate these permits
 - o Update Hydraulic Project Approval workflow procedures specifically for habitat recovery pilot program projects (acceptance, approval, rejection, appeals, etc.)
 - o Travel will be required for some permit team meetings and site visits.
 - o Even though this project is a pilot, WDFW assumes rulemaking will be required to update WAC 220-660-030, 220-660-050, 220-660-460, 220-660-470. A new type of HPA is being created and the other types are being modified.
- The current HPA does not charge a fee, and this bill does not require one.
- Rulemaking or efforts very similar to rulemaking will be required. There is a unique rulemaking process applicable to pilot programs. It is governed by RCW 34.05.313, which requires that pilot projects "include public notice, participation by volunteers who are or will be subject to the rule, a high level of involvement from agency management, reasonable completion dates, and a process by which one or more parties may withdraw from the process or the process may be terminated."
- The habitat recovery pilot project program expires 6/30/2025.

Section 2 requires WDFW, in conjunction with other agencies, to begin a habitat recovery pilot program. This will require:

- 1.0 FTE Fish & Wildlife Biologist 4 from FY 2022 through FY25 to review design drawings from an environmental and fish life perspective, issue permits, coordinate and communicate with other members of MAP team, and use GIS tools to identify and examine the projects.

- 0.5 FTE Environmental Engineer 3 from FY22 through FY25 to review plans and designs, answer questions with technical expertise, and use engineering tools and survey site data to identify and examine the projects to assist the bio capacity on the MAP team.

- 0.5 FTE Environmental Specialist 3 from FY22 through FY25 to schedule, organize, and track due outs and maintain records for public disclosure. This position will also help with notification and communication to federally recognized tribes, local governments, and the MAP team.

-1.0 FTE Fish & Wildlife Biologist 3 from FY22 through FY25 to handle the additional HPA workload (half of 100-150 new projects) from the applicable agencies. This is not a switch in workload, it will be additional workload. This capacity is for projects that do not use the MAP team capacity above, because no consultation was invoked, or they were not restoration projects. This work is spread out statewide.

Salaries and benefits total \$332,000 in FY22 through FY25. Personal Service Contracts, Object C, includes \$20,000 in FY22 for a contractor to modify APPS. Goods and services, Object E, includes \$7,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year. Travel costs for meetings and site visits, Object G, include \$1,596 for mileage to travel from Olympia to Seattle, for example, (150 mi x \$0.56/mil x 4 meetings/yr) and site visits (150 mi x \$0.56/mi x 15 site visits/yr), \$1,140 for per diem (\$76/night x 15 site visits/yr), and \$2,640 for hotel stays (\$176/night x 15 site visits/yr). An infrastructure and program support rate of 31.82 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

The subtotal for the approval process is \$498,000 in FY22 and \$472,000 in FY23 through FY25.

Section 2 will also require rulemaking. This will require:

- 0.2 FTE Environmental Planner 5 in FY22 for rulemaking, public hearings, collecting public comment, preparing rulemaking documents, and administering the vendor contract for the modification of WDFW's online permitting system Aquatic Project Permitting System (APPS).

Salaries and benefits total \$23,000 in FY22. Goods and services, Object E, includes \$7,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year. \$1,080 (\$108 per hr x 10 hrs) for Attorney General time is required in FY22 to review the rulemaking documents, and \$2,000 for rule adoption and public hearings. An infrastructure and program support rate of 31.82 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

The subtotal for rulemaking is \$36,000 in FY22.

Total costs for WDFW are \$534,000 in FY22 and \$472,000 in FY23 through FY25.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------|---------------|-------|---------|---------|-----------|---------|---------|
| 001-1 | General Fund | State | 534,000 | 472,000 | 1,006,000 | 944,000 | 0 |
| Total \$ | | | 534,000 | 472,000 | 1,006,000 | 944,000 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|---------|-----------|---------|---------|
| FTE Staff Years | 3.2 | 3.0 | 3.1 | 3.0 | |
| A-Salaries and Wages | 250,000 | 231,000 | 481,000 | 462,000 | |
| B-Employee Benefits | 105,000 | 101,000 | 206,000 | 202,000 | |
| C-Professional Service Contracts | 20,000 | | 20,000 | | |
| E-Goods and Other Services | 25,000 | 21,000 | 46,000 | 42,000 | |
| G-Travel | 5,000 | 5,000 | 10,000 | 10,000 | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | 129,000 | 114,000 | 243,000 | 228,000 | |
| 9- | | | | | |
| Total \$ | 534,000 | 472,000 | 1,006,000 | 944,000 | 0 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|-----------------------------|--------|---------|---------|---------|---------|---------|
| ENVIRONMENTAL ENGINEER 3 | 95,484 | 0.5 | 0.5 | 0.5 | 0.5 | |
| ENVIRONMENTAL PLANNER 5 | 95,484 | 0.2 | | 0.1 | | |
| ENVIRONMENTAL SPECIALIST 3 | 61,224 | 0.5 | 0.5 | 0.5 | 0.5 | |
| FISH & WILDLIFE BIOLOGIST 3 | 74,604 | 1.0 | 1.0 | 1.0 | 1.0 | |
| FISH & WILDLIFE BIOLOGIST 4 | 78,408 | 1.0 | 1.0 | 1.0 | 1.0 | |
| Total FTEs | | 3.2 | 3.0 | 3.1 | 3.0 | 0.0 |

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

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

WDFW assumes rulemaking will be required to update WAC 220-660-030, 220-660-050, 220-660-460, 220-660-470, as a new type of HPA is being created and the other types are being modified.

Costs for rulemaking include:

Salaries and benefits for 0.2 FTE Environmental Planner 5 total \$23,000 in FY22. Goods and services, Object E, includes \$7,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year. \$1,080 (\$108 per hr x 10 hrs) for Attorney General time is required in FY22 to review the rulemaking documents, and \$2,000 for rule adoption and public hearings. An infrastructure and program support rate of 31.82 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

The total cost for rulemaking is \$36,000 in FY22.

Individual State Agency Fiscal Note

| | | |
|----------------------------------|--|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 478-Puget Sound Partnership |
|----------------------------------|--|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.3 | 1.3 | 1.3 | 1.3 | 0.0 |
| Account | | | | | |
| General Fund-State 001-1 | 209,000 | 209,000 | 418,000 | 418,000 | 0 |
| Total \$ | 209,000 | 209,000 | 418,000 | 418,000 | 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: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Sheridan Gatewood | Phone: 360-706-4955 | Date: 03/03/2021 |
| Agency Approval: Sheridan Gatewood | Phone: 360-706-4955 | Date: 03/03/2021 |
| OFM Review: Leslie Connolly | Phone: (360) 878-4371 | Date: 03/06/2021 |

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.

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

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1 | General Fund | State | 209,000 | 209,000 | 418,000 | 418,000 | 0 |
| Total \$ | | | 209,000 | 209,000 | 418,000 | 418,000 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.3 | 1.3 | 1.3 | 1.3 | |
| A-Salaries and Wages | 89,000 | 89,000 | 178,000 | 178,000 | |
| B-Employee Benefits | 31,000 | 31,000 | 62,000 | 62,000 | |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | 17,000 | 17,000 | 34,000 | 34,000 | |
| G-Travel | 11,000 | 11,000 | 22,000 | 22,000 | |
| J-Capital Outlays | 5,000 | 5,000 | 10,000 | 10,000 | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | 56,000 | 56,000 | 112,000 | 112,000 | |
| 9- | | | | | |
| Total \$ | 209,000 | 209,000 | 418,000 | 418,000 | 0 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------|--------|---------|---------|---------|---------|---------|
| Ecosystem Recovery Coordinator | 68,000 | 0.3 | 0.3 | 0.3 | 0.3 | |
| Fiscal Analyst 2 | | 0.1 | 0.1 | 0.1 | 0.1 | |
| ITS 2 | | 0.1 | 0.1 | 0.1 | 0.1 | |
| PSAR Manager | 85,000 | 0.3 | 0.3 | 0.3 | 0.3 | |
| Salmon Recovery Manager | 85,000 | 0.5 | 0.5 | 0.5 | 0.5 | |
| Total FTEs | | 1.3 | 1.3 | 1.3 | 1.3 | 0.0 |

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

Fiscal Note

Bill Number: E2S HB1382 PSP Request #: 2021-5-6

Part II: Narrative Explanation

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

Substitute House Bill 1382 is intended advance salmon recovery projects to construction as quickly and efficiently as possible, thereby creating jobs and further bolstering the natural resources and natural resource economy of Washington.

Section 2 creates a habitat recovery pilot program. The program is part of the Department of Fish and Wildlife's (DFW) hydraulic project approval (HPA) permit program. The program creates a permit review and approval process for restoration projects that:

1. directly benefit freshwater, estuarine, or marine fish or their habitat, and
2. are reviewed, approved, or funded by one of several restoration programs.

Projects that meet the requirements of the section are not required to obtain other local or state permits or to conduct an environmental impact statement under the State Environmental Policy Act (SEPA).

Section 2(4) describes the process for a restoration project to utilize the pilot program.

Section 2(4)(b)(ii) requires that DFW convene a "multiagency permitting team" if a local government requests a consultation about a project in their jurisdiction. Where projects take place in the Puget Sound basin, representatives of the Puget Sound Partnership will facilitate the meetings of the multiagency permitting team.

- The multiagency permitting team will consist of representatives of the local government, DFW, ECY, RCO, GSRO, Office of Archaeology and historic preservation, and DNR.
- The consultation must proceed with good faith from all parties and not take longer than 45 days.
- The Team may have to make several determinations:
 - If the project adversely impacts human health, public safety, or the environment.
 - If the review and approval process of the pilot program is or is not appropriate for the proposed project.

Section 2(7) states that the pilot program expires on June 30, 2025.

The Partnership assumes this bill is effective 90 days after Sine Die.

II. B – Cash Receipts Impact

No cash receipt impact.

II. C – Expenditures

Fiscal Note

Bill Number: E2S HB1382 PSP Request #: 2021-5-6

The bill requires the formation of a Multiagency Permitting (MAP) team that is responsible for reviewing projects for inclusion in the habitat recovery pilot program. The bill lists the Partnership as a member of the MAP team that is responsible for reviewing MAP projects and facilitating MAP meetings for projects located within the Puget Sound basin. Lead assumptions estimate 20-30 projects annually that require MAP team consultation – and half of the HPA projects are located within the Puget Sound basin.

Section 2 requires the Partnership, and several other agencies, to begin a habitat recovery pilot program.

Section 2 creates the following workload for the Partnership:

- 0.50 FTE Salmon Recovery Manager to examine MAP projects from a salmon and fish recovery perspective, facilitate the Partnership's involvement in MAP project reviews, gather and convey subject matter expertise from across recovery programs, coordinate and communicate with MAP members. This position's workload is ongoing from FY22 through FY25.
- 0.30 FTE Puget Sound Acquisition and Restoration (PSAR) Manager to review MAP projects from a watershed and restoration perspective, create agendas and content development for Partnership facilitated meetings for projects within the Puget Sound basin. This position's workload is ongoing from FY22 through FY25.
- 0.30 FTE Ecosystem Recovery Coordinator (ERC) to schedule, organize and attend project review meetings facilitated by the Partnership. The ERC will track project actions and next steps, provide meeting summaries, maintain public records, facilitate communications and provide notifications between tribes, local governments, and MAP team members. This position's workload is ongoing from FY22 through FY25.

This workload requires travel to project sites and meetings. It is assumed that 20 meetings or site visits will occur per year at 150 miles per round-trip for a total \$2,000 of per year based on \$0.56 per mile. Per Diem and hotel costs for 15 site visits per year is \$3,000 for lodging, and \$2,000 for per diem. Basic employee travel costs are also included.

Fiscal Note

Bill Number: E2S HB1382 PSP Request #: 2021-5-6

Other Costs

Administrative and overhead costs are calculated at the Partnership's federally approved indirect rate of 36.46% of the direct program costs excluding contracts and sub-awards and is shown in object T (intra-agency reimbursements) at \$54,000 in FY 2022, and \$54,000 in FY 2023, and \$108,000 during the 2023-25 biennium. Administrative FTEs are shown as 0.15 FTE per each direct program FTE and are identified as Fiscal Analyst 2 and IT Specialist 2 for the purpose of determining program support costs.

Part IV: Capital Budget Impact

No capital budget impact.

Part V: New Rule Making Required

No rule making required.

Individual State Agency Fiscal Note

| | | |
|----------------------------------|--|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects | Agency: 490-Department of Natural Resources |
|----------------------------------|--|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| Account | | | | | |
| Aquatic Lands Enhancement Account-State 02R-1 | 6,400 | 6,400 | 12,800 | 12,800 | 0 |
| Resource Management Cost Account-State 041-1 | 5,200 | 5,200 | 10,400 | 10,400 | 0 |
| Total \$ | 11,600 | 11,600 | 23,200 | 23,200 | 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: | Phone: | Date: 03/02/2021 |
| Agency Preparation: Robert Brauer | Phone: 360-902-1244 | Date: 03/08/2021 |
| Agency Approval: Alex Smith | Phone: 3609021000 | Date: 03/08/2021 |
| OFM Review: Leslie Connolly | Phone: (360) 878-4371 | Date: 03/08/2021 |

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.

The intent of this bill is to streamline the environmental permitting process for salmon recovery projects.

Substitute E2SHB 1382 adds language that would require applicants to submit a JARPA if projects require a use authorization from DNR. This language resolves some of the policy concerns regarding this bill, however, the fiscal impact is unchanged.

Section 2: Creates the habitat recovery pilot program through WDFW, which would expedite the permit review and approval process for projects that benefit freshwater, estuarine, or marine fish, or the habitat they rely on.

Section 2(2)(d) Requires, for projects that require a lease or other land use authorization from the Department of Natural Resources (DNR), the project applicant to include in its permit application a signed Joint Aquatic Resources Permit Application, Attachment E, and to provide a copy of a completed application to the DNR no fewer than 30 days before the application may be filed with the WDFW.

Section 2(3) states that projects approved for inclusion in this pilot program and that are reviewed and approved according to the provisions of this section are not subject to the requirements of RCW 43.21C.030(2) and are not required to obtain local or state permits or approvals other than the permit issued under this section, except permits minimally necessary as a requirement of participation in a federal program.

Section 2(4)(c) states that the multiagency permitting team will include a representative from DNR.

Section 2(5) states that no local or state government may require permits or charge fees other than the permit issued under this section, except permits minimally necessary as a requirement of participation in a federal program.

Aquatics generally authorizes salmon restoration-related projects through a conservation Right of Entry (ROE). This authorization is needed any time a project conducts work on, over, or under state-owned aquatic land. This includes, but is not limited to, the placement of large woody debris, engineered log jams, culvert removal on state-owned aquatic land, eelgrass restoration, and more. Per Section 2(5), Aquatics would not be allowed to charge fees for these ROEs.

In addition, a member of DNR would be required to serve on the multiagency permitting team. Since salmon restoration projects generally occur on state-owned aquatic land (as opposed to uplands or forested lands, although this is not exclusively the case), the fiscal note assumes that this DNR representative would be from Aquatics.

DNR's Forest Practices Program also reviewed this bill.

Section 2(2)(a) has removed the family forest fish passage program as eligible for the habitat recovery pilot program. This bill also removed the references to hydraulic permitting decisions and appeals governed by the Forest Practices statute 76.09 RCW and how permit fees are collected and deposited in the Forest Practices Application Account.

For these reasons, there is no fiscal impact to Forest Practices.

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.

In the last five years Aquatics has authorized an average of five salmon restoration related Right of Entry (ROEs) per year. The fee for these ROEs is \$500 for the first year, then \$100 a year for the next four years. If the applicant needs the ROE for longer than five years, they must apply for a new ROE and the fee schedule begins over again.

For this bill Aquatics is assuming that most salmon restoration related ROEs are needed only for one year, since these projects generally must abide by strict in-water work windows to avoid impacts to salmon. Therefore, the fiscal impact of five ROEs per year would be a lost of \$2,500 a year.

Aquatics typically splits revenue between the ALEA (55%) and RMCA (45%) accounts.

| Fund | FY22 | FY23 | FY24 | FY25 | FY26 | FY27 |
|------|---------|---------|---------|---------|---------|---------|
| ALEA | \$1,375 | \$1,375 | \$1,375 | \$1,375 | \$1,375 | \$1,375 |
| RMCA | \$1,125 | \$1,125 | \$1,125 | \$1,125 | \$1,125 | \$1,125 |

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.

Aquatics is assuming that a staff member from the division would serve as DNRs representative on the multiagency permitting team. Section 4 describes the role of the multiagency permitting team:

Section 4(a): Applicant shall submit a copy of each permit application to the members of the multiagency permitting team.

Section 4(b): When WDFW concludes that a complete application has been submitted, WDFW shall provide notice to the members of the multiagency permitting team.

Section 4(b)(i): Unless the consultation process is invoked, WDFW shall make a determination on the permit application.

Section 4(b)(ii): If the local government within whose geographical jurisdiction the project would be located, or any member of the multiagency permitting team, requests consultation within 15 days of receiving a copy of the complete project application, WDFW shall place the application on hold and immediately convene a meeting of the multiagency permitting team and the appropriate local government to review and evaluate the project.

Section 4(b)(iv): The consultation process may not exceed 45 days from the request for consultation.

Per Section 4(b), it appears that Aquatics (as a member of the multiagency permitting team) will receive copies and notifications of all completed applications. Aquatics is assuming that it will need to evaluate or verify each of these applications to determine if they occur on state-owned aquatic land and for consistency with state laws and other use authorizations, just as it does as part of the review panel for the RCO salmon recovery funding board.

In addition, WDFW has stated that this team will meet:

For projects within the Puget Sound Basin, WDFW assumes four meetings per year, eight hours per meeting. And for projects outside of the Puget Sound Basin, WDFW assumes four meetings per year, eight hours per meeting.

These meetings, and the preparation needed for attendance, would require the participation of an Environmental Planner 4 (EP4) position at 80 hours per year (.04 FTE) and a Property and Acquisition Specialist 3 (PAS3) time at 60 hours a year (.03 FTE).

Salaries - \$5,800 for FY22 and each year thereafter

Benefits - \$2,000 for FY22 and each year thereafter

Goods & Services - \$700 for FY22 and each year thereafter

Travel - \$500 for FY22 and each year thereafter

Admin - \$2,600 for FY22 and each year thereafter

Total - \$11,600 for FY22 and each year thereafter

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|-----------------|-----------------------------------|-------|---------|---------|---------|---------|---------|
| 02R-1 | Aquatic Lands Enhancement Account | State | 6,400 | 6,400 | 12,800 | 12,800 | 0 |
| 041-1 | Resource Management Cost Account | State | 5,200 | 5,200 | 10,400 | 10,400 | 0 |
| Total \$ | | | 11,600 | 11,600 | 23,200 | 23,200 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| A-Salaries and Wages | 5,800 | 5,800 | 11,600 | 11,600 | |
| B-Employee Benefits | 2,000 | 2,000 | 4,000 | 4,000 | |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | 700 | 700 | 1,400 | 1,400 | |
| G-Travel | 500 | 500 | 1,000 | 1,000 | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9-Admin | 2,600 | 2,600 | 5,200 | 5,200 | |
| Total \$ | 11,600 | 11,600 | 23,200 | 23,200 | 0 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|---------------------------------------|--------|---------|---------|---------|---------|---------|
| Environmental Planner 4 | 86,484 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Property and Acquisition Specialist 3 | 69,264 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Total FTEs | | 0.1 | 0.1 | 0.1 | 0.1 | 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

Part V: New Rule Making Required

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

| | |
|----------------------------------|--|
| Bill Number: 1382 E 2S HB | Title: Salmon recovery projects |
|----------------------------------|--|

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☒ Cities: City planning staff needed to consult with the multiagency permit (MAP) team; staff time necessary to review of permit applications.
- ☒ Counties: Same as above.
- ☐ Special Districts:
- ☒ Specific jurisdictions only: Only applies to jurisdictions where a Habitat Recovery Pilot Program project requires consultation with the MAP team.
- ☒ Variance occurs due to: The Department of Fish and Wildlife expects 20 to 30 habitat projects per year may require review, and may be located throughout Washington. These projects would have meetings facilitated by the Puget Sound Partnership (if project is located inside the Puget Sound Basin) and the Recreation and Conservation Commission (if project is located outside the Puget Sound Basin).

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: Local government staff time required to review project applications for the MAP team meetings; travel costs associated with meetings.

Estimated revenue impacts to:

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

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: 03/09/2021 |
| Leg. Committee Contact: | Phone: | Date: 03/02/2021 |
| Agency Approval: Allan Johnson | Phone: 360-725-5033 | Date: 03/09/2021 |
| OFM Review: Leslie Connelly | Phone: (360) 878-4371 | Date: 03/09/2021 |

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES FROM PRIOR BILL:

Removes the word “Indian” from this bill as well as the defining statute for “Indian tribe” used in Sec. 2(7).

SUMMARY OF CURRENT BILL:

This legislation would create the Habitat Recovery Pilot Program (Pilot Program), which would streamline the environmental permitting process for salmon recovery projects that have been reviewed, approved, or funded by habitat restoration programs sponsored by the state, federally recognized Indian tribes, and federal government sources. Certain types of projects would be subject to review by the Department of Fish and Wildlife’s multiagency permit team and local governments. Affected federally recognized Indian tribes must be consulted prior to, and during, the permit and project completion timelines, or after a cultural heritage site or human remains are found at a Pilot Program project site.

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.

NO CHANGE FROM PRIOR BILL:

The changes to this legislation would not result in any new expenditures for local governments.

SUMMARY OF CURRENT BILL:

There would be indeterminate expenditure impacts for the Habitat Recovery Pilot Program (Pilot Program) due to review and consultation process that may be necessary for projects within local government’s jurisdiction. Costs would include 8 hours of meeting time for at least one local government planning staff for each permitted project with an estimated total costs spread over the 8 assumed meetings of \$7,061.76 to \$11,343.36 for one years’ worth of multiagency permit (MAP) team meetings. The Pilot Program runs until June 30, 2025 with an average cost of \$9,202.56 $((\$7,061.76 \$11,343.36)/2 = \$9,202.56)$ for a total estimated cost of \$36,810.24 $(\$9,202.56 \times 4 \text{ years} = \$36,810.24)$. However, the distribution of local governments that would be required to conduct permit review and permit consultation for the Pilot Program in a given year of the program, is not known. There would also be indeterminate costs for travel to the MAP team review meetings and any local government staff time dedicated for preparation of the MAP team review meetings.

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.

NO CHANGE FROM PRIOR BILL:

The changes to this legislation would not result in any new revenues for local governments.

SUMMARY OF CURRENT BILL:

This legislation would have minor, but indeterminate, revenue reduction impacts for jurisdictions that have qualifying Habitat Pilot Program (Pilot Program) permit applications accepted by the Department of Fish and Wildlife.

Pilot Program projects would be exempt from local permits and fees, except for those necessary to implement federal programs.

SOURCES:

Department of Fish and Wildlife

Local Government Fiscal Note Program, 2021 Unit Cost Model

MRSC, Fish Culverts Case

Recreation and Conservation Commission