

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes
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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	No fiscal impact					
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
Governor's Office of Indian Affairs	.0	3,000	3,000	3,000	.0	0	0	0	.0	0	0	0
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Commerce	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Archaeology and Historic Preservation	.4	98,000	98,000	98,000	1.7	368,000	368,000	368,000	1.7	362,000	362,000	362,000
Department of Archaeology and Historic Preservation	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Ecology	1.0	370,151	370,151	370,151	3.1	0	0	941,785	3.1	0	0	921,785
Department of Ecology	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Recreation and Conservation Funding Board	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Fish and Wildlife	.2	60,000	60,000	60,000	.5	242,000	242,000	242,000	.5	242,000	242,000	242,000
Department of Fish and Wildlife	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Natural Resources	Non-zero but indeterminate cost and/or savings. Please see discussion.											
<b>Total \$</b>	<b>1.6</b>	<b>531,151</b>	<b>531,151</b>	<b>531,151</b>	<b>5.3</b>	<b>610,000</b>	<b>610,000</b>	<b>1,551,785</b>	<b>5.3</b>	<b>604,000</b>	<b>604,000</b>	<b>1,525,785</b>

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	No fiscal impact								
Local Gov. Total									

### Estimated Capital Budget Expenditures

Agency Name	2021-23			2023-25			2025-27		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Governor's Office of Indian Affairs	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Commerce	.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 Transportation	.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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.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>

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	No fiscal impact								
Local Gov. Total									

### Estimated Capital Budget Breakout

Recreation and Conservation Funding Board	Non-zero but indeterminate cost and/or savings. Please see discussion.
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<b>Prepared by:</b> Lisa Borkowski, OFM	<b>Phone:</b> (360) 742-2239	<b>Date Published:</b> Final 2/24/2022
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 086-Governor's Office of Indian Affairs
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## 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
<b>Account</b>					
General Fund-State 001-1	0	3,000	3,000	0	0
<b>Total \$</b>	0	3,000	3,000	0	0

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Greg Vogel	Phone: 360-786-7413	Date: 02/11/2022
Agency Preparation: Seth Flory	Phone: 360-407-8165	Date: 02/14/2022
Agency Approval: Seth Flory	Phone: 360-407-8165	Date: 02/14/2022
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/15/2022

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 .

Substitute House Bill 1753 requires State projects and programs utilizing Climate Commitment Act (CCA) allocations to undergo an archeological review and tribal consultation through the Department of Archeology and Historical Preservation (DAHP).

The review and consultation process is already an established practice, this legislation expands the requirement to CCA activities. The Governor's Office of Indian Affairs played a role in establishing the review and consultation process and is available to facilitate communications with Tribal authorities. The GOIA's role is not expected to change and this legislation is not expected to significantly increase GOIA's involvement long term. In the near term, the agency does foresee a need to review processes and conduct outreach activities, which could lead to additional travel and meeting expenses in the first year after implementation.

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.

If adopted into law, the Governor's Office of Indian Affairs feels that the archaeological review and tribal consultation process as it currently exists should be reviewed by affected parties and updated where needed. This review would require a limited series of meetings and discussions held in fiscal year 2022 between GOIA, DAHP, and a representative cross-section of tribal authorities. Hosting and facilitating these meetings is expected to result in \$1000 in meeting expenses (rentals & refreshments) as well as \$2000 in travel and per diem expenses during the year of review.

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	0	3,000	3,000	0	0
Total \$			0	3,000	3,000	0	0

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

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services		1,000	1,000		
G-Travel		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-					
<b>Total \$</b>	0	3,000	3,000	0	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*

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> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 100-Office of Attorney General
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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: 02/11/2022
Agency Preparation: Allyson Bazan	Phone: 360-586-3589	Date: 02/16/2022
Agency Approval: Dianna Wilks	Phone: 360-709-6463	Date: 02/16/2022
OFM Review: Tyler Lentz	Phone: (360) 790-0055	Date: 02/17/2022

## 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 fiscal impact. This legislation is not expected to generate any costs or savings for the Attorney General's Office (AGO). The AGO completed an analysis for legal services and fiscal impact from the most likely state agencies.

The AGO Ecology Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Ecology. Ecology does not plan to undertake a rulemaking under the authority to do so included in this striker amendment. Legal advice needs on implementing the consultation procedure in general and as applied to specific funding or permitting actions, including advice on potential formal mediation under Section 1(6) of the bill will be minimal. New legal services are nominal and costs are not included in this request.

The AGO Public Lands Conservation Division (PLC) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Natural Resources and Washington Department of Fish and Wildlife. PLC currently provides legal services to these agencies related to consultation on tribal issues. While this bill may impose additional duties on client agencies related to tribal consultation regarding the use of certain funds, any legal services would be minimal. New legal services are nominal and costs are not included in this request.

The AGO Agricultural and Health Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Archaeology and Historic Preservation (DAHP). It assumes enactment of this bill will require provision of some additional legal services to DAHP for advice related to its significant role in consultation and consultation reviews in Sec.1 (2) and (4), and development of an agency consultation policy under Sec. 1(8), but estimate it will be minimal. New legal services are nominal and costs are not included in this request.

The AGO Transportation and Public Construction Division (TPC) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Department of Transportation (WSDOT). If, and when, WSDOT administers competitive local grant programs appropriated from the Climate Investment Account, Climate Commitment Account, or the Climate Solutions Account, this would be new programs and thus require WSDOT to offer consultation with federally recognized Tribes on all funding decisions that could impact tribal rights and resources. WSDOT already has a robust tribal consultation process and would include this work to that effort. The enactment of this bill will not impact the provision of legal services to WSDOT because very minimal legal review is necessary of the template grant agreements and no legal services are associated with the consultation process. New legal services are nominal and costs are not included in this request.

The AGO Administration Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload and costs are not included in this request.

### 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> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<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:

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

### 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: 02/11/2022
Agency Preparation: Marla Page	Phone: 360-725-3129	Date: 02/16/2022
Agency Approval: Darrell Stoa	Phone: (360) 725-2723	Date: 02/16/2022
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/16/2022

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 .

Differences between the substitute house bill AMH LEKA and the proposed substitute house bill :

Section 1 adds federal law and federal agency requirements to the public participation process.

There are no differences between the SHB 1753 AMH LEKA and the proposed substitute house bill that effect the fiscal impact to the Department of Commerce (department).

Summary of the SHB 1753 AMH LEKA:

This bill relates to tribal consultation regarding the use of certain funding authorized by the climate commitment act; and adds a new section to chapter RCW 70A.65.

Section 1 requires all state agencies that allocate funding to administer grant programs appropriated from the climate investment account created in RCW 70A.65.250, the climate commitment account created in RCW 70A.65.260 and the natural climate solutions account created in RCW 70A.65.270 to offer early and individual consultation with any affected federally recognized tribe on all funding decisions and funding programs that may impact tribal resources.

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.

Costs associated with this legislation are indeterminate. Section 1 (8) requires the Governor's Office of Indian Affairs, in coordination with the Department of Archaeology and Historic Preservation and federally recognized tribes, to develop a state agency tribal consultation process. The department has no information to base an assumption on the number of consultations that will be required, or the cost associated with those consultation, until the process has been developed.

The department assumes the effect date to be 90 days after adjournment of the session in which the bill is passed.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 355-Department of Archaeology and Historic Preservation
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## 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	0.0	0.9	0.4	1.7	1.7
<b>Account</b>					
General Fund-State 001-1	0	98,000	98,000	368,000	362,000
<b>Total \$</b>	0	98,000	98,000	368,000	362,000

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

### 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: 02/11/2022
Agency Preparation: Diann Lewallen	Phone: 360-407-8121	Date: 02/15/2022
Agency Approval: Diann Lewallen	Phone: 360-407-8121	Date: 02/15/2022
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/15/2022

## 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 (1) Agencies that allocate funding or administer grant programs appropriated from the climate investment account must consult with affected federally recognized tribes on funding decisions and programs that may impact tribal resources.

Sec 1 (2)(a) requires applicants to consult the Department of Archaeology and Historic Preservation (DAHP) about the geographic location, scope of the project, preliminary application details, and all publicly available materials and funding sources.

Sec 1 (2)(b) applicants must offer to discuss the project with DAHP.

Sec 1 (2)(d) requires applicants to document discussions and deliver a copy of the application to DAHP.

Sec 1 (4) Federally recognized tribes must notify DAHP if they request a formal review of the consultation.

Sec 1 (8) requires the Governor's Office of Indian Affairs to develop a state agency tribal consultation process in coordination with DAHP and the tribes.

This bill would establish a new requirement for state agencies that allocate funding or administer grant programs appropriated from the Climate Investment, Climate Commitment, or Natural Climate Solutions Accounts to offer early and individual consultation with any affected federally recognized tribe on all funding decisions and funding programs that may impact tribal resources, including tribal cultural resources, fisheries, archaeological sites, or sacred sites, or other rights and interests in tribal lands. The consultation would be independent of, and in addition to, any public participation process required under current law. Under the 2021-23 enacted budget, state agencies do not have existing appropriations for grants or other projects from the accounts specified in this bill. Further, the process for state agency consultation with tribes has not been developed; it would be developed through the process provided in section 1(8). With no appropriations applicable to the consultation requirements under this bill, and no specified process for implementing consultations, Ecology is not able to determine an estimated future workload to implement this bill, therefore the fiscal impact is indeterminate. Subject to future legislative appropriation from these accounts for grants and projects, Ecology assumes there would be a new workload associated with implementing the consultation process under this bill, which would depend on the size, scope, and quantity of funded projects, as well as the consultation process determined under section 1 (8). We assume that we would request funding to address these needs at the time funding is appropriated from these accounts for this purpose. Ecology currently projects revenue collections to begin in the Climate Investment Account by June 2023, and revenue distributions to the Climate Commitment and Natural Climate Solutions Accounts begin in July 2024 under current law. In coordination with the Attorney General's Office, legal services for implementing the consultation process are assumed to be nominal and no costs are included in this fiscal note.

### 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 Department of Archaeology and Historic Preservation (DAHP) will need resources to conduct consultations and review materials submitted by applicants. It is assumed DAHP could begin receiving notifications from applicants in

January 2023. DAHP is not able to determine an estimated future workload to implement this bill, therefore the fiscal impact is indeterminate.

For purposes of the fiscal note it is assumed the agency will need 1 FTE of a Commerce Specialist 4 plus .1 FTE of an Office Assistant for every 25 projects reviewed.

It is assumed one to two FTE of a Commerce Specialist 4 will be needed to review information submitted plus .1 FTE to .2 FTE admin support to perform necessary support. Salary and benefits for the fulltime Commerce Specialist 4 is estimated at \$80,292 per year plus related benefits estimated at \$27,884 per year at current benefits rates. Salary and benefits for a full time Office Assistant 2 is \$40,440 per year plus related benefits estimated at \$20,751 per year at current benefits rates. The agency would need additional funding for Goods and Services and Travel to support the additional FTE's. In fiscal year 2023 those costs could range from \$4,000 to \$7,000 for six months. In fiscal year 2024 and beyond those costs could range between \$6,000 to \$13,000 for a full year plus additional amounts allocated through the central service model related to the increased FTE for the DAHP. It is also assumed the agency would need one-time equipment for furniture and computers estimated between \$5,600 and \$11,000 in fiscal years 2023 and 2024.

### 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	0	98,000	98,000	368,000	362,000
Total \$			0	98,000	98,000	368,000	362,000

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

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

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years		0.9	0.4	1.7	1.7
A-Salaries and Wages		64,300	64,300	253,000	253,000
B-Employee Benefits		23,000	23,000	90,000	90,000
C-Professional Service Contracts					
E-Goods and Other Services		4,000	4,000	14,600	14,600
G-Travel		1,100	1,100	4,400	4,400
J-Capital Outlays		5,600	5,600	6,000	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	98,000	98,000	368,000	362,000

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

#### 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
Commerce Specialist 4	80,292		0.8	0.4	1.5	1.5
Office Assistant 2	40,440		0.1	0.1	0.2	0.2
Total FTEs			0.9	0.4	1.7	1.7

#### 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> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

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

### 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: 02/11/2022
Agency Preparation: Megan Cotton	Phone: 360-705-7025	Date: 02/17/2022
Agency Approval: Megan Cotton	Phone: 360-705-7025	Date: 02/17/2022
OFM Review: Erik Hansen	Phone: (360) 810-0883	Date: 02/18/2022



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 .

See attached Fiscal Note.

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

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

III. B - Expenditures by Object Or Purpose

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

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> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes.	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

☐ No Fiscal Impact (Explain in section II. A)

*If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.*

☐ Indeterminate Cash Receipts Impact (Explain in section II. B)

☒ Indeterminate Expenditure Impact (Explain in section II. C)

☐ If fiscal impact is less 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 greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**

☐ Capital budget impact, **complete Part IV**

☐ Requires new rule making, **complete Part V**

☐ Revised

## Agency Assumptions

N/A

## Agency Contacts:

Preparer: Megan Cotton	Phone: 360-878-2666	Date: 2/17/2022
Approval: Megan Cotton	Phone: 360-878-2666	Date: 2/17/2022
Budget Manager: Chad Johnson	Phone: 360-259-3886	Date: 2/17/2022

## Part II: Narrative Explanation

### II. A - Brief description of what the measure does that has fiscal impact

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

*List the sections that have fiscal impact to WSDOT only. E.g., "Section 3 directs the Department to ..." No summarizing, no interpreting, and save any background context for the revenue and expenditure parts.*

PS HB 1753 requires that agencies that allocate funding or administer grant programs from the Climate Investment Account, the Climate Commitment Account, and the Natural Climate Solutions Account must offer early and individual consultation with any affected federally recognized tribe on all funding decisions and funding programs that may impact tribal resources, including tribal cultural resources, fisheries, archaeological sites, or sacred sites, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order.

# Individual State Agency Fiscal Note

Although WSDOT already consults with tribes at a level that meets or exceeds the requirements of this bill in many areas, if WSDOT administers competitive local grant programs appropriated from the Climate Investment Account, Climate Commitment Account, or the Climate Solutions Account, this would be new programs and thus require WSDOT to offer consultation with federally recognized Tribes on all funding decisions that could impact tribal rights and resources which would create a fiscal impact.

This substitute version amends the RCW 70A.65.250 that establishes the climate investment account under section 2 and adds a section 3 directing state agencies to make reasonable efforts to collaborate with Indian Tribes on the development of policies, agreements, and program implementation as well as designate a tribal liaison and ensure the liaison receives training for government-to-government tribal communications. Nothing in these sections creates new work for the agency.

## II. B - Cash receipts Impact

*If there are cash receipts components of the fiscal note, contact [BFA-Economics](#) to share your assumptions, and calculations. BFA-Economics will develop and supply cash receipts narrative to ensure consistent department messaging.*

N/A

## 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.*

WSDOT currently does not have any funding allocated to it from the accounts noted in the bill but may in the future be responsible for administering grant programs appropriated from the three accounts mentioned in this bill. This would require WSDOT to offer consultation with federally recognized Tribes on all funding decisions that could impact tribal rights and resources which at a level that is not currently performed for grant programs. The fiscal impact of this requirement is indeterminant for the following reasons:

1. It is unclear if WSDOT will receive grant funds from these accounts to suballocate.
2. It's unclear what types of programs/projects may be funded as well as the number of projects funded, and the level and complexity of consultation involved.
3. Consultations are an iterative process that occurs throughout project development, and depending on the type of project, it can range from very little consultation to robust consultation over years.

## Part III: Expenditure Detail

### III. A - Expenditures by Object or Purpose

N/A

## Part IV: Capital Budget Impact

N/A

## 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.*

N/A

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 461-Department of Ecology
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## 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	0.0	1.9	1.0	3.1	3.1
<b>Account</b>					
General Fund-State 001-1	0	370,151	370,151	0	0
Climate Investment Account-State 26B-1	0	0	0	941,785	921,785
<b>Total \$</b>	0	370,151	370,151	941,785	921,785

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

### 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: 02/11/2022
Agency Preparation: Pete Siefer	Phone: 360-407-6646	Date: 02/21/2022
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/21/2022
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/24/2022

## 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 PSHB 1753 (H-2386.2), SHB 1753 (AMH LEKA H2662.1) makes the following changes related to the Department of Ecology (Ecology):

Section 1 (2) (e) would add that nothing in the section could require the disclosure of information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, and that information cannot become part of the official application file.

Section 1 (3) would establish that if a tribe requests that action cease because the tribal consultation process has not occurred, any decision, program, project, or activity that would result in significant physical disturbance of the tribal resources would be required to cease until the consultation has been completed.

Section 1 (8) specifies that the tribal consultation process developed by the Governor's Office of Indian Affairs would need to be complete by June 30, 2023.

Section 1 (10) would allow agencies to adopt rules to implement this section.

Section 1 (11) would require Ecology to establish a tribal capacity grant program to provide funding to federally recognized tribes for the cost of implementing this section, subject to appropriations for this purpose.

Section 2 would add tribal capacity grants as an allowable usage of funds from the Climate Investment Account (CIA) and would establish that the distribution of CIA funds to the Climate Commitment Account and the Natural Climate Solutions Account (NCSA) would only be applicable to the funds that exceed the total tribal capacity grant appropriation amount.

Section 3 would update references in chapter 43.376 RCW (Government to Government Relationship with Indian Tribes) to reference the new proposed section in this bill.

The addition of the tribal capacity grant program under section 1 (11) would change the fiscal impact to Ecology.

Currently, under RCW 70A.65.110 of the Climate Commitment Act (CCA), Ecology is required to consult affected tribal nations on protocols for allocating no cost allowances to an eligible energy-intensive, trade-exposed (EITE) facility that is built on tribal lands or that is determined by Ecology to impact tribal lands and resources. This bill would add a new section to the CCA to establish requirements and processes for tribal consultation on decisions pertaining to the allocation of CCA funds from the CIA (RCW 70A.65.250), the Climate Commitment Account (RCW 70A.65.260), and the NCSA (RCW 70A.65.270).

Section 1(1) would require agencies that allocate funds or administer grants from the CIA, Climate Commitment Account, and NCSA to offer early and individual consultation with any affected federally recognized tribe, independent of any public engagement also being conducted. The goal of the consultation process would be to identify tribal resources or rights potentially affected by the funding decisions and funding programs, assess their effects, and seek ways to avoid, minimize, or mitigate any adverse effects on tribal resources or rights. The consultation would be independent of and in addition to any other public participation process required by state law, or by a state agency, and regardless of whether the agency receives a request for consultation from a federally recognized tribe.

Section 1(2) would require that funding applicants engage in a preapplication process with federally recognized tribes in the project area at the earliest possible date prior to submittal of an application. The process would include notification of the

application to the Department of Archaeology and Historic Preservation (DAHP), the Department of Fish and Wildlife, and all federally recognized tribes in the project area, an offer to meet for discussion, and pertinent project information. Documentation of this process would be filed with the application, with exemptions for any information exempt from disclosure pursuant to RCW 42.56.300 or federal law.

Section 1(3) would establish that if a funding decision, program, project, or activity that impacts lands or fisheries for which federally recognized tribes possess treaty rights is funded without the required consultation, then an affected tribe would be able to request that all further action on the decision, program, project, or activity would be ceased until meaningful consultation is completed.

Section 1(4) would allow an affected federally recognized tribe to request a formal review of the consultation by submitting a request to the Governor's Office of Indian Affairs (GOIA) and notifying the appropriate agencies and DAHP.

Section 1(5) would allow the federally recognized tribe or state agency to request that the Governor and an elected tribal leader or leaders meet to formally consider the recommendations from the formal review.

Section 1(6) would allow for a formal mediation after the meeting identified in subsection 5 has occurred. Absent an agreement, participation in mediation would not preclude any additional steps that any party could initiate, including legal review, to resolve a continuing disagreement.

Section 1(7) would not allow agencies to approve or release funding, or make other formal decisions, including permitting, that advance the proposed project during the proceedings outlined in subsection 4 through 6.

Section 1(8) would require the GOIA, DAHP, and federally recognized tribes to develop a state agency tribal consultation process, including best practices, early notification and engagement, and protocols for communication and collaboration by June 30, 2023. GOIA would provide training and other technical assistance to state agencies.

Section 1 (10) would allow agencies to adopt rules to implement this section.

Section 1 (11) would require Ecology to establish a tribal capacity grant program to provide funding to federally recognized tribes for the cost of implementing this section, subject to appropriations for this purpose.

Section 2 would add tribal capacity grants as an allowable usage of funds from the CIA and would establish that the distribution of CIA funds to the Climate Commitment Account and the NCSA would only be applicable to the funds that exceed the total tribal capacity grant appropriation amount.

## **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 partially indeterminate, but estimated to be greater than \$50,000 per fiscal year beginning in FY 2023 and ongoing for the section 1 tribal consultation process and tribal capacity grant program.

### **Section 1 Tribal Consultation Process under the CCA**

This bill would establish a new requirement for state agencies that allocate funding or administer grant programs appropriated from the CIA, Climate Commitment Account, or NCSA to offer early and individual consultation with any

affected federally recognized tribe on all funding decisions and funding programs that may impact tribal resources. The consultation would be independent of, and in addition to, any public participation process required under current law.

Under the 2021-23 enacted budget, state agencies do not have existing appropriations for grants or other projects from the accounts specified in this bill. Further, the process for state agency consultation with tribes has not been developed; it would be developed through the process provided in section 1(8). With no appropriations applicable to the consultation requirements under this bill, and no specified process for implementing consultations, Ecology is not able to determine an estimated future workload to implement tribal consultation processes, therefore this would have an indeterminate fiscal impact.

Subject to future legislative appropriation from these accounts for grants and projects, and a consultation process to be established per section 1(8) by June 30, 2023, Ecology assumes there would be a new workload associated with implementing the consultation process under this bill, which would depend on the size, scope, and quantity of funded projects, as well as the consultation process determined under section 1(8). We assume that we would request funding to address these needs at the time funding is appropriated from these accounts for this purpose. Ecology currently projects revenue collections to begin in the CIA by June 2023, and revenue distributions to the Climate Commitment Account and NCSA begin in July 2024 under current law.

### Section 1 Tribal Capacity Grant Program

Section 1(11) would establish a tribal capacity grant program within Ecology to provide funding to federally recognized tribes for the cost of implementing this section. Ecology assumes that we would contract with a facilitator and issue invitations to the 29 federally recognized tribes to engage in developing criteria and a process for distributing grant funds. Ecology assumes that it would take approximately twelve months, beginning July 1, 2022, to hold facilitated meetings, incorporate Tribal input, and develop grant guidelines. Ecology assumes this process would repeat every two years thereafter in order to update guidelines as necessary.

Ecology assumes that grant guidelines would not need to be established into rule using the rulemaking authority provided in section 1(10) and that guidelines would be established through government to government coordination with participating Tribes.

Ecology assumes that the agency consultation process described in subsection 1(8) would be ready beginning July 1, 2023, and that we would make grant awards available in FY 2024. Grant expenditures are indeterminate, subject to availability of amounts provided for this purpose.

Expenditures below reflect estimated costs to establish and maintain grant guidelines and implement the funding program.

Ecology assumes the grant program would require the following staff:

1.0 FTE Environmental Planner 5 in FY 2023 and ongoing. This position would lead the Tribal Consultation Grant program, be responsible for hiring and supervising staff, participating in the facilitated meetings, incorporating Tribal input, and leading the process to determine criteria and design the process to equitably distribute the grant funds. This position would also develop and manage a contract for meeting facilitation.

1.0 FTE Environmental Specialist (ES) 4 in FY 2024 and ongoing. This position would act as the grant project manager. Based on the criteria and processes established through the facilitated meetings, this position would assist applicants and manage grant agreements beginning July 1, 2023.

0.25 FTE ES 4 in FY 2024 and ongoing to act as the financial manager (grant specialist). This position would provide technical assistance in Ecology's Administration of Grants and Loans (EAGL) program and provide technical assistance to the grant project manager and applicants as needed.



Also included are costs to establish and maintain the grant program and applications in the agency's grant and loan system (\$27,500 in FY 2024 and \$7,500 in FY 2025 and each year thereafter shown in object E).

0.5 FTE Community Outreach and Environmental Education Specialist 3 in FY 2023 and every two years thereafter to develop and implement statewide government to government coordination and engagement, develop invitation materials, coordinate with tribal contacts, and provide information as necessary.

0.1 FTE WMS Band 2 in FY 2023 and ongoing to provide contractual and managerial support to the Tribal Consultation Grants Workgroup as needed.

0.05 FTE WMS Band 3 in FY 2023 and ongoing for Ecology's Executive Advisor for Tribal Affairs. This position would attend facilitated meetings, and coordinate and advise the Tribal Consultation Grants Workgroup.

Ecology assumes we would contract for facilitation services. The contractor would perform extensive pre-work and outreach with each participating Tribe, culminating in three facilitated meetings where Ecology and participating Tribes would engage in developing grant guidelines that would establish criteria and processes for the equitable distribution of the tribal capacity grants. Based on Ecology's experience with a similarly structured consultation contract, we estimate contract costs at \$104,170 in FY 2023 and every two years thereafter in order to update grant guidelines as necessary.

We assume the initial meeting would last two hours and that we would hold two additional meetings at four hours each. These meetings are assumed to be held in an in-person and virtual hybrid setting, and estimated expenditures do not include additional travel costs.

In coordination with the Attorney General's Office, legal services for implementing the consultation process are assumed to be nominal and no costs are included in this fiscal note.

Please note, funding for Tribal Capacity CCA Implementation is included in the Governor's 2022 supplemental budget PL C03 (HB 1816 subsection 302(46)). Consistent with the Governor's budget proposed funding and OFM's four-year outlook, fiscal impacts are estimated in the operating budget from General Fund-State in FY 2023 and from the Climate Investment Account in FY 2024 and ongoing, as authorized in subsection 2 (2) of this bill.

SUMMARY: The expenditure impact to Ecology under this bill would be :

Grant Guidelines and Grant Program Implementation :

FY 2023: \$370,151 and 1.9 FTEs

FY 2024: \$398,428 and 2.8 FTEs

FY 2025: \$543,357 and 3.3 FTEs

FY 2026: \$378,428 and 2.8 FTEs

FY 2027: \$543,357 and 3.3 FTEs

Grants:

FY 2024 and ongoing: Indeterminate

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 36.5% of salaries.

Goods and Services are the agency average of \$4,834 per direct program FTE. Included is \$1,000 each for public hearings, including three meetings in each of FY 2023, FY 2025 and FY 2027 as well as \$27,500 in FY 2024 and \$7,500 in FY 2025 and ongoing to create and maintain the grants in the agency's grant and loan system.

Travel is the agency average of \$2,234 per direct program FTE.  
 Equipment is the agency average of \$1,230 per direct program FTE.  
 Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.3% 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
001-1	General Fund	State	0	370,151	370,151	0	0
26B-1	Climate Investment Account	State	0	0	0	941,785	921,785
Total \$			0	370,151	370,151	941,785	921,785

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

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

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years		1.9	1.0	3.1	3.1
A-Salaries and Wages		142,346	142,346	431,470	431,470
B-Employee Benefits		51,956	51,956	157,487	157,487
C-Professional Service Contracts		104,170	104,170	104,170	104,170
E-Goods and Other Services		10,976	10,976	63,621	43,621
G-Travel		3,686	3,686	11,841	11,841
J-Capital Outlays		2,030	2,030	6,521	6,521
9-Agency Administrative Overhead		54,987	54,987	166,675	166,675
Total \$	0	370,151	370,151	941,785	921,785

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

#### 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
COM OUTREACH & ENV ED SP 3	61,224		0.5	0.3	0.3	0.3
ENVIRONMENTAL PLANNER 5	95,484		1.0	0.5	1.0	1.0
ENVIRONMENTAL SPEC 4	70,956				1.3	1.3
FISCAL ANALYST 2			0.2	0.1	0.3	0.3
IT APP DEV-JOURNEY			0.1	0.0	0.1	0.1
WMS BAND 2	100,000		0.1	0.1	0.1	0.1
WMS BAND 3	125,000		0.1	0.0	0.1	0.1
Total FTEs			1.9	1.0	3.1	3.1

#### 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**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 467-Recreation and Conservation Funding Board
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

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

### Estimated Capital Budget Impact:

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

*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: 02/11/2022
Agency Preparation: Mark Jarasitis	Phone: 360-902-3006	Date: 02/14/2022
Agency Approval: Brock Millierin	Phone: 360-789-4563	Date: 02/14/2022
OFM Review: Jim Cahill	Phone: (360) 790-2630	Date: 02/15/2022

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 .

At the current time RCO has received no funds from the climate investment account created in RCW 70A.65.250, the climate commitment account created in RCW 70A.65.260, or the natural climate solutions account created in RCW 70A.65.270. Funds may be received in the future, but the amount is unknown, so the impact is indeterminate

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

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

III. B - Expenditures by Object Or Purpose

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

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

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

IV. B - Expenditures by Object Or Purpose

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

IV. C - Capital Budget Breakout

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

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

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> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<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 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.0	0.3	0.2	0.5	0.5
<b>Account</b>					
General Fund-State 001-1	0	60,000	60,000	242,000	242,000
<b>Total \$</b>	0	60,000	60,000	242,000	242,000

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

### 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: 02/11/2022
Agency Preparation: Matt Hunter	Phone: 360-522-0944	Date: 02/16/2022
Agency Approval: Matt Hunter	Phone: 360-522-0944	Date: 02/16/2022
OFM Review: Jim Cahill	Phone: (360) 790-2630	Date: 02/17/2022

## 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 1 implements a consultation process for projects funded by the climate investment account created in RCW 70A.65.250, the climate commitment account created in RCW 70A.65.260, and the natural climate solutions account created in RCW 70A.65.270. The Department is identified as a partner in the preapplication project review process, focused on impacts to fisheries and other pertinent related tribal rights and interests. Additionally, the Department will have to comply with preapplication requirements for submitted agency applications.

### 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 1 directs agencies to notify the Department of project details during a preapplication process, facilitates dialogue between requesting agencies and the Department on project impacts to fisheries, and to submit a copy of the final project application to the Department. It is anticipated that there will be staff costs, ranging anywhere from \$19,000 - \$217,000 based on an indeterminant workload dependent FTE need ranging from 0.1 FTE to 1.0 FTE of an Intergovernmental Policy Liaison (Washington Management Service) position.

Agency Consultation Assistance Range:

The consultation expenditure estimate is shown for 0.5 FTE of the Intergovernmental Policy Liaison position, which would review projects for fishery and other related topics, be Department lead on all discussions, document feedback and assessments on project scope and impact, conduct site visits to assess project locations, and coordinate communication between the parties. The Department will require workload dependent resources to conduct consultations and review materials submitted by applicants. It is assumed the Department could begin receiving notifications from applicants in January 2023. Salaries and Benefits, Objects A & B, are \$39,000 in FY23 and \$80,000 FY24 and ongoing. 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, Object G, are factored in for onsite project review and in person consultations for \$3,000 in FY23 and \$5,000 FY24 and ongoing. An infrastructure and program support rate of 36.28% is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Section 1 also establishes a state agency and tribal consultation process to supplement the fund appropriated from the climate change invest accounts. Due to consultation occurring during the preapplication phase and the unknowns of the timing, quantity, scale, or scope of project applications, the fiscal impact to the Department is indeterminate.

Agency Preapplication Cost Range:

Pre-project work ensures potential cultural resources are identified by the state agency and communicated to tribal stakeholders with the intent of identifying and mitigating against potential impacts to tribal resources or rights. Salaries and benefits, Objects A & B, for a 0.4 to 0.8 FTE Archeologist (Commerce Specialist 4) ongoing to complete workload prior to the application process for 10 – 20 project applications each year, an average of 80 hours per project. The Archeologist will review project plans, research sites, gather additional required information, and coordinate requirements for the project



application process. This will ensure project compliance with the bill, Chapter 27.53 RCW, and Executive Orders 21-02. Total annual cost estimates range between \$42,000 - \$99,000 and are not displayed as expenditure estimates.

## 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	0	60,000	60,000	242,000	242,000
Total \$			0	60,000	60,000	242,000	242,000

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

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

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years		0.3	0.2	0.5	0.5
A-Salaries and Wages		33,000	33,000	110,000	110,000
B-Employee Benefits		6,000	6,000	50,000	50,000
C-Professional Service Contracts					
E-Goods and Other Services		2,000	2,000	8,000	8,000
G-Travel		3,000	3,000	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		16,000	16,000	64,000	64,000
9-					
Total \$	0	60,000	60,000	242,000	242,000

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

### 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
Intergovernmental Policy Liaison (Washington Manag	110,000		0.3	0.2	0.5	0.5
Total FTEs			0.3	0.2	0.5	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**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes	<b>Agency:</b> 490-Department of Natural Resources
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

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

### 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: 02/11/2022
Agency Preparation: Angela Konen	Phone: 360-902-2165	Date: 02/15/2022
Agency Approval: Tom Bugert	Phone: 360-902-1003	Date: 02/15/2022
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/16/2022

## 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 Department of Natural Resources (DNR) assumes indeterminate costs for this bill. While DNR's fiscal note is indeterminate, program staff initial assumptions are below. DNR estimates significant resilience work under the Climate Commitment Act and intends to invest in the tribal consultation infrastructure to complete that work. These assumptions will be updated as the tribal consultation framework is completed. The substitute bill continues to modify the framework for tribal consultation around the use of funds authorized by the climate commitment act that may impact tribal resources, including cultural resources, sacred sites, or other rights or interests in tribal lands.

The substitute bill adds modification to the tribal consultation in the following ways:

- States that information that is already exempt from disclosure shall not become part of the official application and the bill does not require disclosure of this information ;
- Allows tribes to opt out of meeting after the formal review is conducted, and also opt out of mediation ;
- Allows agencies subject to or implementing this section to adopt new rules ;
- Establishes a tribal capacity grant within appropriated amounts for tribes to implement this section.

Section 1 of this bill outlines the tribal consulting requirements for agencies that administer grant program funding from the climate investment, climate commitment and natural climate solutions account. This bill outlines the tribal consultation process to offer early and individual consultations with affected federally recognized tribes on all funding decisions and funding programs that impact tribal resources.

The bill requires agencies to:

- Prior to submittal of an application, applicants shall engage in a pre-application process with all affected federally recognized tribes within the project area.
- The pre-application process must include the applicant notifying the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized tribes within the project area.
- The applicant must also offer to discuss the project with the department of archaeology and historic preservation, and all affected federally recognized tribes within the project area.
- All affected federally recognized tribes may submit to the action agency or agencies a summary of tribal issues, questions, concerns, or other statements regarding the project, which must become part of the official application file.
- Upon completion of agency and tribal consultation, an affected federally recognized tribe may request a formal review of the consultation.
- States that information that is already exempt from disclosure shall not become part of the official application and the bill does not require disclosure of this information.
- Added to Part (3) ceases projects with "significant physical disturbance" until consultation is complete.
- After the state agencies and tribe or tribes have conducted a formal review, an affected federally recognized tribe or state agency may request that the governor and an elected tribal leader or leaders meet to formally consider the recommendations from the parties. Allows tribes to opt out of meeting.
- After the meeting has occurred, the governor or an elected tribal leader may call for the state and tribe or tribes to enter into formal mediation. Allows tribes to opt out of mediation.
- During the above proceedings, the action agency may not approve or release funding, or make other formal decisions, including permitting, that advance the proposed project except where required by law.
- The governor's office of Indian affairs, in coordination with the department of archaeology and historic preservation and federally recognized tribes, shall develop a state agency tribal consultation process, including best practices for consultation, by June 30, 2023
- Allows agencies subject to or implementing this section to adopt new rules.
- Establishes a tribal capacity grant within appropriated amounts for tribes to implement this section.

Section 2 of this bill amends 70A.65.250 to include the tribal capacity grant and adds language on how the State Treasurer distributes funds in the account.

Section 3 amends 43.376.020 and changes references from Section 6 to Section 1.

**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 overall fiscal impact of this bill for DNR is indeterminate. However, DNR assumes the following costs.

Fiscal impacts resulting from this bill will be dependent on the amount of funding received from the accounts listed. In order to estimate fiscal impacts, DNR Tribal Relations estimates significant resilience work under the Climate Commitment Act and intends to invest in the tribal consultation infrastructure to complete that work. These assumptions will be updated as the tribal consultation framework is completed. Meeting the requirements of the bill outlined above would require 1.0 FTE Deputy Tribal Liaison and 5.0 FTE Program Managers.

Costs per fiscal year (FY) are estimated at:  
Salaries and Benefits: \$664,800 in FY 2024; \$702,000 in FY2025; and \$664,800 per FY ongoing  
Goods & Services: \$78,600 in FY 2024 and \$65,600 per FY ongoing  
Travel: \$10,200 per FY ongoing  
Administrative costs: \$219,700 in FY2024 and \$215,600 per FY ongoing.

Overall costs are \$973,300 in FY 2024; \$993,400 in FY2025; and \$956,200 per FY ongoing

Goods and services and travel are calculated on actual program averages per person.

Administrative costs are calculated at 31% of staff salary and benefits and staff-related goods and services and travel.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

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

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

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

**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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 1753 S HB AMH LEKA H2662.1	<b>Title:</b> Climate funding/tribes
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## Part I: Jurisdiction—Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

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

## Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☒ Legislation provides local option: Applying for funds from the accounts in the Cap and Invest Program are a local option . Local governments may take trainings on the consultation requirements from the Governor’s Office of Indian Affairs
- ☒ Key variables cannot be estimated with certainty at this time: Number of potential projects that may impact tribal resources or rights. Number of local governments that may take trainings related to consultation requirements.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

None

## Part III: Preparation and Approval

Fiscal Note Analyst: Jordan Laramie	Phone: 360-725-5044	Date: 02/14/2022
Leg. Committee Contact: Greg Vogel	Phone: 360-786-7413	Date: 02/11/2022
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/14/2022
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/16/2022

## 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 VERSION OF THIS BILL

The amendments in this bill do not change the impact on local governments from the prior bill.

#### SUMMARY OF CURRENT BILL:

This legislation would establish consultation requirements with federally recognized Indian tribes for local governments that receive and disburse funds from accounts under the Climate Commitment Act. The purpose of these consultations is to determine whether a proposed project or program would, or could potentially, impact tribal resources or rights.

Sec. 1 would add a new section to chapter 70A.65 RCW (Climate Commitment Act)

(9) Local governments that receive and disburse funding from the Climate Investment Account, Climate Commitment Account, and the Natural Climate Solutions Account, must offer early and individual consultation with any affected federally recognized tribe on funding decisions that may impact tribal resources.

Training and technical assistance must be provided by the Governor's Office of Indian Affairs to support local governments in implementing the consultation requirements of this legislation.

### 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.*

#### CHANGES FROM PRIOR VERSION OF THIS BILL

The amendments in this bill do not change the impact on local governments from the prior bill.

#### EXPENDITURE IMPACT OF CURRENT BILL:

This legislation would have no fiscal impact as it is a local option for local governments to apply for funds from the accounts listed in the bill. The number of potential projects that may impact tribal resources or rights, which stem from program or project funds disbursed by local governments, cannot be known in advance.

The requirements for tribal consultation only apply to local governments if they are applicants for funding from the Climate Investment Account, Climate Commitment Account, or the Natural Climate Solutions Account. Applying for funding is voluntary, and tribal consultation would be a requirement for the application. Cities, counties, or special purpose districts choosing to apply would also be choosing to meet the consultation obligations.

There may be local government staff costs to receive training from the Governor's Office of Indian Affairs about the implementation of the consultation requirements of this act. However, these are not a requirement and would be a local option for jurisdictions that choose to receive training.

### 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.*

#### CHANGES FROM PRIOR VERSION OF THIS BILL

The amendments in this bill do not change the impact on local governments from the prior bill.

#### REVENUE IMPACT OF CURRENT BILL:

This legislation is not anticipated to impact local government revenue.

Cities, counties, or special purpose districts that apply for funding from the accounts described in the bill would be doing so as a local option.



SOURCES:

MRSC, Local Government Contract Awards – Who is Eligible  
Washington State Association Counties