

Multiple Agency Fiscal Note Summary

Bill Number: 1076 HB	Title: Salmon voluntary stewardship
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	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	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Commerce	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Ecology	.6	0	0	180,456	.6	0	0	180,456	.6	0	0	180,456
Recreation and Conservation Funding Board	.5	124,600	124,600	124,600	.5	125,200	125,200	125,200	.5	125,200	125,200	125,200
Environmental and Land Use Hearings Office	.0	0	0	0	.3	81,686	81,686	81,686	.3	81,686	81,686	81,686
State Conservation Commission	.5	143,600	143,600	143,600	.5	144,100	144,100	144,100	.5	144,100	144,100	144,100
State Conservation Commission	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Fish and Wildlife	6.6	2,749,000	2,749,000	2,749,000	6.9	2,307,000	2,307,000	2,307,000	7.1	2,338,000	2,338,000	2,338,000
Total \$	8.2	3,017,200	3,017,200	3,197,656	8.8	2,657,986	2,657,986	2,838,442	9.0	2,688,986	2,688,986	2,869,442

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other			20,000			20,000			20,000
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			20,000			20,000			20,000

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Commerce	.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
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
State Conservation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	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

Prepared by: Matthew Hunter, OFM	Phone: (360) 902-0000	Date Published: Final
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Individual State Agency Fiscal Note

Bill Number: 1076 HB	Title: Salmon voluntary stewardship	Agency: 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: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Preparation: Buck Lucas	Phone: 360-725-3180	Date: 01/09/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 01/09/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 01/11/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 2 amends RCW 36.70A.080 by including salmon recovery as an optional comprehensive plan element.

Section 3 adds a new section to RCW 36.70A RCW creating the framework for counties and cities to create salmon recovery work plans, which may address in-water and upland habitats, water quality, and other natural features that contribute to anadromous fish habitat on a watershed basis. The section outlines the details of this work plan.

Section 6 adds a new section to RCW 36.70A stating within 18 months, a county or city must: develop, adopt and implement a work plan approved by Washington Department of Fish and Wildlife (WDFW) that protects and enhances the functions and values of anadromous fish habitat on a watershed basis. WDFW must consult with the Department of Commerce (department) and other state agencies before approving or disapproving the proposed work plan. WDFW's decision is appealable to the Growth Management Hearings Board.

Section 7 adds a new section to RCW 36.70A outlining parameters for WDFW consultation with counties, cities and state agencies on levels of adequate funding to implement new requirements of this bill, and it outlines WDFW reporting requirements to the Legislature.

Section 8 adds a new section to RCW 36.70A establishing and outlining the statewide salmon recovery advisory committee

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The costs associated with this legislation are indeterminate until additional information is available to determine workload impacts, such as the total funding available, grant thresholds, or the number of projects awarded funds that will require contract management.

Agency assumptions:

- The department's involvement in consultation with WDFW, under Section 6, would be accomplished within existing resources.
- The department may have some updates to the PlanView tracking database and rulemaking guidance, but those would be accomplished within existing resources.
- The department concurs with WDFW assumptions regarding the potential number of counties and cities that would choose to participate and the beginning timeline of July 1, 2023.
- For purposes of this fiscal note, the department assumes the most likely jurisdictions to volunteer for this new program are the 9 fully planning counties which are not currently participating in Voluntary Stewardship Program (VSP): Whatcom, Snohomish, King, Pierce, Kitsap, Island, Clallam, Jefferson, Clark.

It is further assumed 174 fully planning cities, whether they are in VSP-participating counties are not, would consider participating in this new program. The department concurs with WDFW assumptions that there is no way to know how many cities would choose to do so. Cities vary in population, geographic area size, planning staff capacity, etc., so we cannot assume a funding level that participating cities would need.

- If adequate funding is appropriated, as referenced in Section 2-7, the department assumes it would develop and administer

a grant program, based on prior GMA planning grants provided for local comprehensive plan updates schedule to with deadlines in FY24-FY27 (June 2024-June 2027). The department assumes that all counties and cities will receive a periodic update grant during the next cycle. However, during in the last periodic update cycle, due grant fund limitations, only small population jurisdictions received an update grant.

- Sections 2-7 do not specify the amount of grants or the number of non-profit organizations they go to. The department has no information to base an assumption on for grant distribution. According to WFDW assumptions, the amount of this funding has not yet been determined, however, the funding for a similar program VSP is currently provided by the State Conservation Commission (SCC) \$230,000, per biennium ongoing, to counties to support their implementation of the local VSP work plans and other work, such as the reporting requirements.
- The department assumes it would not be involved in developing new technical assistance for counties and cities to implement Sections 2-8 with counties and cities, deferring that role to WDFW.

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: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

This bill may require rule making activities by the department, amending Chapter 365-196 WAC. Section 2-8 may require review and revision of GMA guidance for counties and cities, consistent with the statute.

Individual State Agency Fiscal Note

Bill Number: 1076 HB	Title: Salmon voluntary stewardship	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.6	0.6	0.6	0.6	0.6
Account					
Model Toxics Control Operating Account-State 23P-1	90,228	90,228	180,456	180,456	180,456
Total \$	90,228	90,228	180,456	180,456	180,456

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: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Preparation: Jessica Moore	Phone: 360-529-7583	Date: 01/05/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/05/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/11/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Under current law, local governments are required to complete and maintain comprehensive plans and development regulations to guide future growth to meet the requirements of chapter 36.70A RCW (Growth Management Act). The Department of Ecology works in partnership with the Department of Commerce, other state agencies, and local governments to implement the Growth Management Act (GMA).

In 2011, the Voluntary Stewardship Program (VSP) was created to allow participating counties to develop local work plans to protect critical areas, which are reviewed by a VSP Technical Panel and approved by the Conservation Commission. Ecology participates on the panel along with other agencies. Twenty-seven counties are using VSP.

Under current law, local governments are not required to include a salmon recovery element under the GMA. This bill would amend chapter 36.70A RCW to provide an option for local governments to develop salmon recovery as an element in their comprehensive plan. A county or city that opted in would be required to develop work plans for improving fish habitat. These work plans would need to be submitted to the Washington Department of Fish and Wildlife (WDFW) for approval and reviewed by a salmon recovery technical panel.

Section 4 would add a new section to GMA to require WDFW to seek review of submitted salmon recovery work plans by a Salmon Recovery Technical Panel of the directors (or designees) of specified state agencies including Ecology. The panel would need to review each work plan and make a recommendation to WDFW within 90 days. Ecology would need to provide technical input within that 90-day period.

Section 6 would add a new section to GMA to require WDFW to make decisions to approve or disapprove local government work plans, and certify development regulations submitted by local governments, in consultation with Ecology and other specified agencies. In addition, this section would outline an alternative compliance pathway for when a city or county does not develop an approved work plan or meet its benchmarks, or has not received adequate funding to implement a salmon recovery program. WDFW would be required to consult with Ecology and other specified agencies on whether the jurisdiction has adequate funds.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year (FY) 2024 and ongoing to implement the requirements of section 4. Costs for section 6 are indeterminate.

Section 4

Ecology would be required to participate on the salmon recovery technical panel to review local government work plans and provide input and recommendations to WDFW within 90 days of work plan submittal. WDFW assumes the level of participation of state agencies like Ecology on the salmon recovery technical panel would be similar to that of the department's effort to participate in the current VSP Technical Panel. WDFW assumes participation on the panel would begin July 1, 2023, and be ongoing. Based on Ecology's work with the VSP panel, Ecology estimates this would require 0.50 FTE of an Environmental Planner 5 in FY 2024 and ongoing.

Section 6

Ecology would be required to consult with WDFW for certifying local government regulations and whether criteria such as adequate funding are being met. Based on assumptions from WDFW, impacts associated with implementing these requirements of Section 6 are unknown, as it is not known how many jurisdictions would initiate participation in the voluntary program at the outset, and most of the actions further specified for participating jurisdictions under Section 6 must only be taken if other criteria are met. Therefore, Ecology’s fiscal impact for Section 6 is indeterminate.

SUMMARY: The expenditure impact to Ecology under this bill is estimated to be:
 FY 2024 and ongoing: \$90,228 and 0.58 FTE

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 36% of salaries.

Goods and Services are the agency average of \$5,224 per direct program FTE.

Travel is the agency average of \$1,563 per direct program FTE.

Equipment is the agency average of \$1,031 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.75% of direct program salaries and benefits, and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
23P-1	Model Toxics Control Operating Account	State	90,228	90,228	180,456	180,456	180,456
Total \$			90,228	90,228	180,456	180,456	180,456

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.6	0.6	0.6	0.6	0.6
A-Salaries and Wages	49,296	49,296	98,592	98,592	98,592
B-Employee Benefits	17,747	17,747	35,494	35,494	35,494
E-Goods and Other Services	2,612	2,612	5,224	5,224	5,224
G-Travel	782	782	1,564	1,564	1,564
J-Capital Outlays	516	516	1,032	1,032	1,032
9-Agency Administrative Overhead	19,275	19,275	38,550	38,550	38,550
Total \$	90,228	90,228	180,456	180,456	180,456

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 2024	FY 2025	2023-25	2025-27	2027-29
ENVIRONMENTAL PLANNER 5	98,592	0.5	0.5	0.5	0.5	0.5
FISCAL ANALYST 2		0.1	0.1	0.1	0.1	0.1
IT APP DEV-JOURNEY		0.0	0.0	0.0	0.0	0.0
Total FTEs		0.6	0.6	0.6	0.6	0.6

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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

Bill Number: 1076 HB	Title: Salmon voluntary stewardship	Agency: 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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
Account					
General Fund-State 001-1	62,000	62,600	124,600	125,200	125,200
Total \$	62,000	62,600	124,600	125,200	125,200

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: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Preparation: Mark Jarasitis	Phone: 360-902-3006	Date: 01/11/2023
Agency Approval: Brock Millierin	Phone: 360-789-4563	Date: 01/11/2023
OFM Review: Matthew Hunter	Phone: (360) 902-0000	Date: 01/11/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 4 (1)(b) designates the directors or director designee of the recreation and conservation office as part of the "salmon recovery technical panel".

Section 4 (2) the salmon recovery technical panel shall review the work plan and report to the department of fish and wildlife.

Section 6 (1)(a) the department of fish and wildlife shall consult with the recreation and conservation office (and other agencies) on proposed work plans.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Time for director designee to prepare for and participate in the technical panel.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	62,000	62,600	124,600	125,200	125,200
Total \$			62,000	62,600	124,600	125,200	125,200

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	47,000	47,000	94,000	94,000	94,000
B-Employee Benefits	15,000	15,000	30,000	30,000	30,000
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel		600	600	1,200	1,200
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 \$	62,000	62,600	124,600	125,200	125,200

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 2024	FY 2025	2023-25	2025-27	2027-29
Policy Specialist	93,900	0.5	0.5	0.5	0.5	0.5
Total FTEs		0.5	0.5	0.5	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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1076 HB	Title: Salmon voluntary stewardship	Agency: 468-Environmental and Land Use Hearings Office
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.3	0.3
Account					
General Fund-State 001-1	0	0	0	81,686	81,686
Total \$	0	0	0	81,686	81,686

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: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 01/09/2023
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 01/09/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/11/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Sec. 2 Amends RCW 36.70A.080. Adds new option for Salmon Recovery to the list of additional elements that a city of county may add to their comprehensive plan.

Sec. 3: Creates a new section to chapter 36.70A RCW to provide for the development of a work plan to improve fish habitat as part of the optional salmon recovery element within comprehensive plans, the mandatory process for the development of the work plan, required elements of the work plan, review by the Department of Fish and Wildlife, reporting requirements to the Department of Fish and Wildlife, and eligibility of landowner participating in the process to receive funding and assistance.

The GMHB may see new cases asserting violation of the mandatory process for the development of the work plan.

Sec. 6: Creates a new section to chapter 36.70A RCW providing that a county or city must develop a workplan approved by the Department of Fish and Wildlife, develop development regulations certified by the Department of Fish and Wildlife, or review development regulations if a county's or city's work plan is not approved by the Department of Fish and Wildlife, its work plan's goals and benchmarks have not been met, the Department of Fish and Wildlife determines that there is inadequate funding in the county or city to implement a salmon recovery program, or the adaptive management plan is not approved by the Department of Fish and Wildlife.

The GMHB may see new cases asserting violation of the mandatory requirement to develop a workplan or development/review development regulations.

Sec. 9: Sec. 9: Amends RCW 36.70A.280 removes language prohibiting the GMHB from hearing cases alleging noncompliance with RCW 36.70A.5801 and adds language allowing the GMHB to review cases that the approval or certification of the salmon recovery element is erroneous.

This section creates an avenue of appeals of Department of Fish and Wildlife actions to the GMHB.

Current Agency Structure and Workload: The Environmental & Land Use Hearings Office (ELUHO) is the administrative agency that supports three environmental and land use hearings boards – the Pollution Control Hearings Board (PCHB), Shoreline Hearings Board (SHB), and Growth Management Hearings Board (GMHB). Each GMHB case must be decided within 180 days of a filed appeal. ELUHO has a team of 3 legal assistants to support all three Boards.

Assume new GMHB appeals – The proposed bill would increase GMHB appeals by approximately 6 appeals per year as the counties and cities explore whether to incorporate the optional salmon recovery requirements into their planning documents. This estimate is based on past experience with cases filed after updates to the GMA.

Assume new appeals in FY 2026 – We assume it will take up to 2 years to for a county or city to develop optional salmon recovery requirements, so appeals to the GMHB are not likely to be filed until at least year two after the law takes effect. Appeals to the GMHB would align with local jurisdiction's periodic comprehensive plan update requirement.

Assume new Hearing Examiner FTE: The GMHB will need approximately 0.25 FTE for a Hearing Examiner experienced in land use law to assist in addressing the new appeals. RCW 43.21B.005(2) authorizes the ELUHO director to appoint such Hearing Examiners to assist the GMHB. The Hearing Examiner FTE will not serve as a member of the Board, but will conduct legal research and writing, mediate cases, draft Board memos and materials, and perform other legal duties to assist the Board.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

NONE

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

ELUHO estimates each GMHB appeal arising from the bill will require approximately 60 hours of Hearing Examiner work. These estimates are based on a current analysis of Board work.

60 hours/appeal x 6 appeals = 360 GMHB Hearing Examiner appeal hours total estimated.

ELUHO assumes this work on new appeals begins in FY 2026.

ELUHO assumes it would hire a quarter-time Hearing Examiner to do the work required in the bill. Hearing Examiner makes \$100,000 per year plus related benefits estimated at \$32,021 per year at current benefits rates. The agency needs a quarter-time Hearing Examiner, so the salary would be \$100,000 times 0.25 FTE = \$25,002. Related benefits would total \$8,005.

Goods and services are estimated at \$1,937 per year and include communications, payroll processing, training, and other staff costs. Estimates include some travel at the low cost per diem rates totaling \$1,048 per year. Also included is one time equipment costs for furniture and computers totaling \$5,557 in fiscal year 2026.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	0	0	81,686	81,686
Total \$			0	0	0	81,686	81,686

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				0.3	0.3
A-Salaries and Wages				50,000	50,000
B-Employee Benefits				16,000	16,000
C-Professional Service Contracts					
E-Goods and Other Services				3,874	3,874
G-Travel				698	698
J-Capital Outlays				11,114	11,114
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	0	0	81,686	81,686

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 2024	FY 2025	2023-25	2025-27	2027-29
Hearing Examiner	100,000				0.3	0.3
Total FTEs					0.3	0.3

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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

Bill Number: 1076 HB	Title: Salmon voluntary stewardship	Agency: 471-State Conservation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
Account					
General Fund-State 001-1	71,550	72,050	143,600	144,100	144,100
Total \$	71,550	72,050	143,600	144,100	144,100

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: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Preparation: Karla Heinitz	Phone: 360-878-4666	Date: 01/10/2023
Agency Approval: Ron Shultz	Phone: 360-790-5994	Date: 01/10/2023
OFM Review: Matthew Hunter	Phone: (360) 902-0000	Date: 01/10/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Under the WDFW assumptions for Sections, 4 and 5 WDFW will use the staffing model for the Voluntary Stewardship Program (VSP) as a basis for staffing the work outlined in Section 4 (reviewing and approving city/county work plans) and Section 5 (reviewing and approving city/county 5-year implementation reports) of the new voluntary salmon recovery program. The level of participation of the state agencies in the salmon recovery technical panel would be similar to the Conservation Commission's Voluntary Stewardship Program (VSP) Technical Panel. It is assumed the State Conservation Commission would participate in the salmon recovery technical panel. Using the Conservation Commission's VSP model of reviewing work plans, determining if a city/county is not meeting their goals and benchmarks at the 5-year report mark. The Conservation Commission's participation on the salmon recovery technical panel would be similar in time reviewing and providing feedback on the salmon recovery work plans. The Commission also anticipates staff time will be required to respond to requests for technical assistance, especially regarding the relationship between the program created in the bill and the existing VSP.

Section 8. WDFW assumes the meetings needed for the statewide salmon recovery advisory committee would be quarterly, 8-hours in duration.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Conservation Commission's participation on the salmon recovery technical panel would be similar to current duties under the Commission's VSP technical panel. The Conservation Commission assumes the first-year meeting will be in the Olympia area, no travel costs for the first year are anticipated. The Conservation Commission anticipates the program would have approximately 30 work plans per year to review, and assumptions of meeting with counties/cities to discuss the work plans as they are being developed.

A review of each work plan is estimated below

- Pre-review meetings to establish review and comment context: 20 hours
- Periodic program meetings: 10 hours/month. Assume meeting with counties and cities would be monthly, 120 hours per fiscal year for 8-hour meetings including estimated travel time.

For each plan (assumption is 30 plans):

- Review draft plan: 12 hours
- Evaluate plan and offer comments: 10 hours
- Meeting with the proponent to present plan and tech panel to provide feedback: 2 hours
- Work with individual plans to refine plans: 5 hours
- Meeting to approve plan: 2 hours

The number of counties and cities opting-in to the program with WDFW is unknown because the interest from cities and counties is undetermined at this time. Based on SCC experiences with VSP, the Commission anticipates the need for .5 FTE to engage on this process. The Commission anticipates there will be additional interactions with various counties as they consider whether to opt-in to the new comp plan requirements. The Commission anticipates counties would have

questions as to the relationship between this proposal and VSP, questions which will take time to answer.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	71,550	72,050	143,600	144,100	144,100
Total \$			71,550	72,050	143,600	144,100	144,100

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 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	49,296	49,296	98,592	98,592	98,592
B-Employee Benefits	17,254	17,254	34,508	34,508	34,508
C-Professional Service Contracts					
E-Goods and Other Services	5,000	5,000	10,000	10,000	10,000
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-					
Total \$	71,550	72,050	143,600	144,100	144,100

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 2024	FY 2025	2023-25	2025-27	2027-29
Environmental Planner 6 Step L	98,592	0.5	0.5	0.5	0.5	0.5
Total FTEs		0.5	0.5	0.5	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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

Bill Number: 1076 HB	Title: Salmon voluntary stewardship	Agency: 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 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	6.6	6.6	6.6	6.9	7.1
Account					
General Fund-State 001-1	1,405,000	1,344,000	2,749,000	2,307,000	2,338,000
Total \$	1,405,000	1,344,000	2,749,000	2,307,000	2,338,000

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Preparation: Tiffany Hicks	Phone: 3609022544	Date: 01/10/2023
Agency Approval: Tiffany Hicks	Phone: 3609022544	Date: 01/10/2023
OFM Review: Matthew Hunter	Phone: (360) 902-0000	Date: 01/10/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 4 directs the Department of Fish and Wildlife (WDFW) to receive work plans from cities and counties and forward them to the newly created Salmon Recovery Technical Panel that consists of the director, or director designee, of the WDFW, the Department of Ecology, the State Conservation Commission (SCC), and the Recreation and Conservation Office (RCO). The Panel is directed to assess the work plans for certain criteria and report their findings to WDFW within 90 days of the initial receipt of the work plan.

The Salmon Recovery Technical Panel will, within 90 days of receipt of a city or county submitted work plan, review and make a determination on whether each submitted city/county work plan will, on a more probable than not basis, achieve a certain level of protection and enhancement at the end of 10 years. If it determines the plan is insufficient, it must identify the reasons for that determination.

WDFW will submit to the Salmon Recovery Technical Panel for review the proposed work plans developed by cities/counties that are designed to result in improved habitat for anadromous fish; approve city/county proposed work plans if the technical panel recommends approval; advise any city/county whose proposed work plan is determined insufficient by the technical panel; and submit for resolution to the statewide Salmon Recovery Advisory Committee any city/county proposed work plan not approved within 2 years and 9 months of receipt of funding. WDFW must approve any work plan recommended for approval by the advisory committee.

Section 5 directs WDFW to review 5-year implementation reports submitted by participating cities/counties and determine whether the work plan's goals and benchmarks for protection and enhancement have been met. If WDFW determines the goals and benchmarks have not been met, WDFW must consult with the statewide Salmon Recovery Advisory Committee for a recommendation on how to proceed, which may include an additional six months of planning and implementation time.

Section 6 directs WDFW to adopt rules to implement subsection (1)(a) and (1)(c) of this section. After a city or county meets certain criteria, WDFW must also do the following:

Approve proposed city/county work plans, if WDFW determines on a more probable than not basis that the work plan will—in conjunction with other existing plans and regulations—protect and enhance functions and values of the natural features within the county or city that contribute to anadromous fish habitat on a watershed basis. WDFW must consult with Commerce, Ecology, RCO, SCC, and other relevant state agencies before approving or disapproving the proposed work plan. Within 90 days of receiving a request for certification from a city/county WDFW must make a decision on whether to certify city/county development regulations as being protective of natural features within the county or city that contribute to anadromous fish habitat on a watershed basis.

Section 7 directs WDFW to take specific actions by established deadlines, as follows:

- By July 31, 2026, consult with each participating city or county to determine which ones received adequate funding to establish and implement the program; and consult with other state agencies to determine if they have received adequate funding to support each participating city or county's program.
- By July 31, 2028, and every two years thereafter, make a determination whether adequate funding to implement the program was provided during the preceding biennium to each participating city or county.
- Not later than August 31, 2026, and every two years thereafter, submit a progress report (in consultation with the statewide Salmon Recovery Advisory Committee and other state agencies) to the legislature and to each city and county electing to participate under Section 3 of the act. The report is to be on the progress toward improvements in anadromous fish habitat made by participating counties and cities that have received adequate funding to establish and implement the program.

Section 8 directs WDFW to appoint a statewide Salmon Recovery Advisory Committee, consisting of two persons

representing county government, two persons representing city government, and two persons representing community interests. The committee, in conjunction with the governor's office, will also invite participation by two representatives of tribal governments. The WDFW Director serves as a non-voting chair of the committee, and members serve without compensation. The role of the Salmon Recovery Advisory Committee is to advise WDFW, and other agencies involved in development and operation of the Voluntary Salmon Recovery Program, including evaluation and resolution of county/city work plans; make recommendations of time extensions for county/city to achieve goals and benchmarks; and provide consultation regarding the progress toward improvements in anadromous fish habitat.

Summary of changes in costs from prior version of bill (1869-HB): WDFW amended the bill's original staffing model based on the agency's experience with coordinating a similar program, Voluntary Stewardship Program (VSP). This included adding a second Environmental Planner 4 to better distribute the anticipated workload and eliminating the Contracts Specialist 3. The agency also rounded FTEs up for hiring purposes and for positions to be fully dedicated to the new program. Another significant change is the inclusion of costs for sections 4, 5, and 7. These costs were excluded previously due to being indeterminate because of the unknown number of cities that may opt into the program.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Expenditure Summary:

Section 4 directs WDFW to receive work plans from cities and counties and forward them to the newly created Salmon Recovery Technical Panel (Panel), who is directed to review and determine if each submitted city/county work plan will result in an improvement in anadromous fish habitat on a watershed basis. Costs to implement this section are estimated based on the assumption that 20-40 city/county work plans will be developed. If more than 40 plans need to be reviewed, additional staffing or the turnaround times would likely need to be modified.

The program costs needed include: \$688,000 in fiscal year 2024, \$693,000 in fiscal year 2025, \$655,000 in fiscal year 2026, \$651,000 in fiscal year 2027, \$697,000 in fiscal year 2028, and \$458,000 ongoing with the following FTEs:

- 0.5 FTE Environmental Planner 5 to supervise the Environmental Planner 4s, support the build out of the program, and represent WDFW on the Technical Panel in fiscal year 2024 and ongoing.
- 1.8 FTE Environmental Planner 4s to lead the review of local government proposed work plans and support the build out of the program. We expect this position to decrease over time as the program is built out, decreasing to 1.4 FTE in fiscal year 2026, 1.5 FTE in fiscal year 2027 and 2028, and 0.5 FTE in fiscal year 2029, but increase to 1.5 FTE per fiscal year to continue supporting work plan review.
- 0.3 FTE Fish & Wildlife Biologist 3 to provide consultation for the Environmental Planner 4s in their review of the proposed work plans, providing locally based knowledge about cities'/counties' conservation challenges, existing salmon recovery actions, etc. We expect this position to increase over time, starting at 0.2 FTE for fiscal years 2024-25, 0.4 FTE for fiscal years 2026-27, 0.6 FTE for fiscal year 2028 and 0.8 in fiscal year 2029 and ongoing to provide continued support.
- 0.4 FTE Fish & Wildlife Research Scientist 1 to provide consultation for the Environmental Planner 4s, providing statewide scientific expertise on what salmon recovery actions are needed/how proposed work plan goals and benchmarks will or will not achieve intended outcomes with a "more probable than not" chance.
- 0.3 FTE Administrative Assistant 3 to track dates and deadlines and other correspondence related to local governments' submission of proposed work plans to WDFW/Technical Panel for their review, and to provide administrative and logistical support for Technical Panel meetings.
- 0.9 FTE Management Analyst 4 and ongoing to manage state funds provided to WDFW passed on to local governments

via pass-through contracts and direct/provide oversight of the work of the Administrative Assistant 3.

- 0.1 FTE WMS3 Division Manager oversight of the Environmental Planner 4s and Environmental Planner 5 activities and coordination with other WDFW Senior/Executive Managers.

Travel would include one night's lodging and meals for three HQ-based staff to attend two off-site in-person meetings of the Technical Panel in fiscal year 2024, and four meetings each in fiscal years 2025 and ongoing. Assumes one meeting each year in Eastern WA (\$200 per meeting per diem hotel and meals per staff) and the rest in Western WA (\$300 per diem hotel and meals per staff). Vehicle travel is estimated at \$200 in fiscal year 2024 (1 leased motor pool SUV-medium hybrid 4x4 * 0.24/mile * 454 miles * 2 trips), and \$400 in fiscal year 2025 and ongoing (1 leased motor pool SUV- small hybrid 4x4 * 0.24/mile * 454 miles * 4 trips) and \$400 in fiscal year 2025 and ongoing. Total travel costs are \$1,400 in fiscal year 2024, and \$3,700 in fiscal year 2025 and ongoing.

Section 5 directs WDFW to review 5-year implementation reports submitted by participating cities/counties and determine whether the work plan's goals and benchmarks for protection and enhancement have been met. Costs to implement this section are estimated based on the assumption that 20-40 city/county work plans will be developed. If more than 40 plans need to be reviewed, additional staffing or the turnaround times would likely need to be modified.

The program costs needed include: \$327,000 and 2.0 FTE staff support in fiscal year 2029 and every five years ongoing.

- 0.2 FTE Environmental Planner 5 to supervise and provide support to the Environmental Planner 4s.
- 1.0 FTE Environmental Planner 4s to lead the review of 5-year implementation reports.
- 0.2 FTE Fish and Wildlife Biologist 3 to provide consultation for the Environmental Planner 4s in their review of the 5-year implementation reports, providing locally based knowledge about city/county work plans and local salmon recovery actions
- 0.2 FTE Fish & Wildlife Research Scientist 1 to provide consultation for the Environmental Planner 4s in their review of the 5-year implementation reports, providing scientific expertise on city/county salmon recovery goals and benchmarks.
- 0.2 FTE Administrative Assistant 3 to track dates and deadlines and other correspondence related to local governments' submission of 5-year implementation reports, and to provide administrative and logistical support for as needed Statewide Advisory Committee meetings.
- 0.1 FTE Management Analyst 4 to direct/provide oversight of the work of the Administrative Assistant 3.
- 0.1 FTE WMS3 Division Manager oversight of the Environmental Planner 4s and Environmental Planner 5 activities and coordination with other WDFW Senior/Executive Managers.

Section 6 directs WDFW to adopt rules to implement the review and approval of city/county work plans or development regulations associated with Section 6.

Funding is necessary for rulemaking for \$298,000 in fiscal year 2024 and \$298,000 in fiscal year 2025, \$112,000 in fiscal year 2026 and 2027, and \$93,000 in fiscal year 2028 and ongoing for the following staff:

- 0.2 FTE Environmental Planner 5 to oversee/coordinate rulemaking in fiscal years 2024-2025 and ongoing to provide supervision of the Environmental Planner 4s if criteria are triggered under Section 6.
- 0.1 FTE Environmental Planner 4s to lead rulemaking, including coordinating with AAG in fiscal years 2024-2025, increasing to 0.2 FTE in fiscal years 2026 and ongoing to support the review and certification of work plan/development regulations associated with Section 6 if criteria are triggered.
- 0.2 FTE Administrative Assistant 3 to assist with rulemaking admin/logistics in fiscal year 2024 and ongoing and provide administrative support if criteria are triggered for the review of work plans/development regulations associated with Section 6.
- 0.1 FTE WMS3 Division Manager oversight of Environmental Planner 4s and Environmental Planner 5 activities and coordination with other WDFW Senior/Executive Managers if criteria for that work are triggered in fiscal year 2024 and ongoing.

Assistant Attorney General consultation, object E, is \$50,000 to support rulemaking activities related to the new Chapter added to 36.70A RCW (\$25,000 in fiscal year 2024 and \$25,000 in fiscal year 2025). We assume this rulemaking would not

be considered “significant legislative rules” under the Administrative Procedures Act, but WDFW will need consultant support to determine the scope and to assist WDFW with extensive work such as environmental and/or economic impact statements. A personal services contract for \$125,000, object C, to assist with complex rulemaking, to conduct a SBEIS (Small Business Environmental Impact Statement), and a CBA (Cost-Benefit Analysis) (onetime costs \$50,000 in fiscal year 2024 and \$100,000 in fiscal year 2025).

Section 7 requires WDFW to submit a progress report to the legislature and to each city and county electing to participate every two years and to consult with each participating city or county to determine which ones received adequate funding to establish and implement the program. Costs to implement this section are estimated based on the assumption that 20-40 city/county work plans will be developed. If more than 40 plans need to be reviewed, additional staffing or the turnaround times would likely need to be modified.

The program costs include: \$157,000 in fiscal year 2026 and \$88,000 in fiscal year 2027 and ongoing with the following staff:

- 0.1 FTE Environmental Planner 5 in fiscal year 2026 to supervise and assist the Environmental Planner 4 in preparing the first biennial report; then decreasing to 0.1 FTE in fiscal year 2027 and ongoing as reporting becomes standardized.
- 0.3 FTE Environmental Planner 4s in fiscal year 2026 to lead consultation with participating cities and counties and state agencies to (a) determine funding adequacy for establishing and then implementing the program; and (b) prepare associated biennial reports to the Legislature and affected local governments; - decreasing to 0.2 in fiscal year 2027 and ongoing as reporting becomes standardized.
- 0.3 FTE Fish & Wildlife Research Scientist 1 in fiscal year 2026 to help establish criteria for determining whether sufficient progress is being made through the program, and then conducting the first evaluation. Decreases to 0.1 FTE in fiscal year 2027 and ongoing as reporting becomes standardized.
- 0.2 FTE WMS3 in fiscal year 2026 for Division Manager oversight of Environmental Planner 4s and Environmental Planner 5 activities and to coordinate with other Senior/Executive Managers; decreasing to 0.1 FTE in fiscal year 2027 and ongoing as reporting becomes standardized.

Section 8 creates a statewide Salmon Recovery Advisory Committee that the WDFW Director must serve on as a non-voting chair. The role of the Salmon Recovery Advisory Committee is to advise WDFW, and other agencies involved in development and operation of the voluntary salmon recovery program. Costs to implement this section are estimated based on the assumption that 20-40 city/county work plans will be developed. If more than 40 plans need to be reviewed, additional staffing or the turnaround times would likely need to be modified.

Program costs include \$419,000 starting in fiscal year 2024, \$353,000 in fiscal year 2025, \$249,000 in fiscal year 2026, \$283,000 in fiscal years 2027-28, and \$229,000 in fiscal year 2029 and ongoing. This will require the following staff:

- 0.3 FTE Environmental Planner 5 to supervise Environmental Planner 4s and coordinate with WMS3, Fish & Wildlife Research Scientist, Management Analyst 4, and Administrative Assistant 3 in support of the statewide Salmon Recovery Advisory Committee. Decreases to 0.2 FTE in fiscal year 2026 and ongoing once committee is established.
- 0.1 FTE Environmental Planner 4s in fiscal year 2024 and ongoing to manage/summarize information related to work in the other bill sections relevant for the work of this committee.
- 0.5 Fish & Wildlife Research Scientist 1 to provide statewide scientific and other technical expertise to the committee in support of their decision making. Decreases to 0.3 FTE in fiscal year 2029 to focus on other section work but is ongoing at 0.5 FTE.
- 0.5 FTE Administrative Assistant 3 to provide administrative/logistical support for the committee and for the WDFW Director/his designee as chair of the committee; including keeping track of nominations for committee members, scheduling meetings, and taking meeting notes in fiscal year 2024, decreasing to 0.3 FTE in fiscal year 2029 to focus on other section work, but ongoing at 0.5 FTE.
- 0.1 FTE Management Analyst 4 to direct the work of the Administrative Assistant 3 and provide higher level management assistance to the WMS3 in fiscal year 2024 and ongoing.

- 0.2 FTE Division Manager (WMS3) to lead WDFW's work on the committee, acting as chair, on behalf of the WDFW Director in fiscal year 2024 and ongoing.

Professional Services Contracts, Object C, equal \$75,000 in fiscal year 2024 and \$25,000 in fiscal year 2025 for environmental services contractors to assist with expedited setup of the program.

Travel, Object G, totals \$3,000 starting in fiscal year 2025 and ongoing for three staff to attend quarterly meetings in person. Travel involves one night's lodging and meals for three WDFW HQ-based staff to attend two off-site in-person meetings of the advisory committee each year starting in fiscal year 2024 and ongoing. Assume one meeting in Western WA and one in Eastern WA each year (\$467/night per diem and lodging * 3 staff * 2 meetings/year). Vehicle travel for the three WDFW staff to commute together to the two off-site, in person meetings of the advisory committee, as specified above. Vehicle travel is estimated at \$200 in fiscal year 2024 and ongoing (1 leased motor pool SUV-small hybrid 4x4 * 0.18/mile * 2 trips

Additional costs for each section add Goods and services, Object E, that includes \$6,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year. An infrastructure and program support rate of 33.5% is included in object T and is calculated based on WDFW's federally approved indirect rate.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	1,405,000	1,344,000	2,749,000	2,307,000	2,338,000
Total \$			1,405,000	1,344,000	2,749,000	2,307,000	2,338,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	6.6	6.6	6.6	6.9	7.1
A-Salaries and Wages	555,000	555,000	1,110,000	1,161,000	1,174,000
B-Employee Benefits	202,000	202,000	404,000	422,000	430,000
C-Professional Service Contracts	200,000	150,000	350,000	50,000	50,000
E-Goods and Other Services	92,000	92,000	184,000	82,000	85,000
G-Travel	4,000	7,000	11,000	14,000	14,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	352,000	338,000	690,000	578,000	585,000
9-					
Total \$	1,405,000	1,344,000	2,749,000	2,307,000	2,338,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
ADMINISTRATIVE ASSISTANT 3		1.0	1.0	1.0	1.0	1.0
ENVIRONMENTAL PLANNER 4		2.0	2.0	2.0	2.0	2.0
ENVIRONMENTAL PLANNER 5		1.0	1.0	1.0	1.0	1.0
FISH & WILDLIFE BIOLOGIST 3		0.2	0.2	0.2	0.4	0.7
FISH & WILDLIFE RESEARCH SCIENTIST 1		1.0	1.0	1.0	1.0	1.0
MANAGEMENT ANALYST 4		1.0	1.0	1.0	1.0	1.0
WMS 3 DIVISION MANAGER		0.4	0.4	0.4	0.5	0.4
Total FTEs		6.6	6.6	6.6	6.9	7.1

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Business Services (010)	198,000	190,000	388,000	326,000	329,000
Habitat (030)	1,207,000	1,154,000	2,361,000	1,981,000	2,009,000
Total \$	1,405,000	1,344,000	2,749,000	2,307,000	2,338,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Section 6 directs the Department adopt rules to implement Section 6(1)(a)(c) of this act. The rules will support the new section added to Chapter 36.70A RCW (Growth Management – Planning by Selected Counties and Cities).

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1076 HB

Title: Salmon voluntary stewardship

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

Legislation Impacts:

- Cities: Two city representatives would support the Statewide Salmon Recovery Advisory Committee. An unknown number of cities may choose to adopt the voluntary salmon recovery element.
- Counties: Same as above
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option: The voluntary salmon recovery element is a local option for jurisdictions planning under the Growth Management Act.
- Key variables cannot be estimated with certainty at this time: The number of cities and counties that would choose to adopt the voluntary salmon recovery element; which local government representatives would be selected for the Statewide Salmon Recovery Advisory Committee and the workload of activities to support this committee.

Estimated revenue impacts to:

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

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	5,000	5,000	10,000	10,000	10,000
County	5,000	5,000	10,000	10,000	10,000
TOTAL \$	10,000	10,000	20,000	20,000	20,000
GRAND TOTAL \$					60,000

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

Part III: Preparation and Approval

Fiscal Note Analyst: Jordan Laramie	Phone: 360-725-5044	Date: 01/11/2023
Leg. Committee Contact: Robert Hatfield	Phone: 360-786-7117	Date: 01/03/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/11/2023
OFM Review: Matthew Hunter	Phone: (360) 902-0000	Date: 01/11/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This legislation would allow jurisdictions planning under the Growth Management Act to adopt an optional salmon recovery element into their comprehensive plan. The goal of this optional element is the protection and enhancement of anadromous fish habitat on a watershed basis. Adopting jurisdictions would be required to develop the optional element and work plans to implement salmon recovery programs. The Washington State Department of Fish and Wildlife would coordinate with participating jurisdictions to oversee, approve, and determine adequate funding of these salmon recovery plans, to ensure that benchmarks and goals are met.

This act would also create a new Statewide Salmon Recovery Advisory Committee, staffed in part by city and county representatives, who would assist the Department of Fish and Wildlife in the salmon recovery efforts established in this bill.

Sec. 2 would add salmon recovery as an optional element to a jurisdiction planning under the Growth Management Act.

Sec. 3 establishes the requirements of the optional salmon recovery element. The optional element must include a work plan that implements benchmarks and goals, which are designed to result in the protection and enhancement of anadromous fish habitat on a watershed basis. These benchmarks would be achieved through voluntary, incentive-based measures. The salmon recovery element work plan would be submitted to the Department of Fish and Wildlife for approval.

Sec. 5 establishes the requirements of an extension of the optional salmon recovery element for city or county intend to implement them.

Sec. 6 establishes the requirements of an optional salmon recovery element for a jurisdiction whose work plan is not approved by the Department of Fish and Wildlife, has not achieved protection and enhancement benchmarks, or if adequate funding under Sec. 7 is received.

Sec.7 would require the Department of Fish and Wildlife to determine if cities and counties receive adequate funding to implement a voluntary salmon recovery program by July 1, 2026.

Sec. 8 would establish a statewide salmon recovery advisory committee. Two members representing city government, and two members representing county government would be nominated to the committee by organizations that represent their respective groups. Members of the committee would not receive compensation or travel reimbursement to undertake the official duties of the committee.

Sec. 9 the Department of Fish and Wildlife's determination of required work plans and development regulations under Sec. 6(1)(a) and (b) could be petitioned to the Growth Management Hearings Board.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

This legislation would have indeterminate costs for local governments related to city and county representatives that staff the Statewide Salmon Recovery Advisory Committee (Committee).

Meeting costs for local government representatives that staff the Committee would depend on the meeting's location. Based on assumptions from the Department of Fish and Wildlife (WDFW) these travel costs may be less than \$10,000 per year for the two city and two county staff selected to assist the Committee (see calculations below). Costs for Committee work may be de minimis to more substantive based on the number of program participants that adopt the optional salmon

recovery element.

Jurisdictions planning under the Growth Management Act that choose to adopt the salmon recovery element would do so as a local option. These costs may start at \$230,000 per adopting county, and \$102,500 per adopting city. WDFW has indicated that the Department of Commerce would appropriate funding for this program for cities and counties that choose to opt-in.

POTENTIAL COSTS RELATED TO THE OPTIONAL SALMON RECOVERY ELEMENT:

Local option – Costs could likely exceed \$230,000 for each county and \$102,500 for each city that adopt the optional salmon recovery element and work plan to improve anadromous fish habitat. The number of cities and counties that would adopt the optional element is unknown.

For jurisdictions planning under the Growth Management Act that choose to adopt the optional salmon recovery element, there would be indeterminate costs related to establishing voluntary programs meant to protect and enhance of anadromous fish habitat. For reference, the State Conservation Commission (SCC) currently provides \$230,000 per biennium to counties in the Voluntary Stewardship Program (VSP) to support the implementation of local VSP work plans, and other activities, such as the reporting requirements. There may also be on-going operational costs of \$115,000 per year for counties that adopt the optional element.

Outreach to fully planning counties without VSPs indicate that \$230,000 per biennium may be sufficient for some counties but inadequate for most to assume the obligations of the optional salmon recovery element. The Board of Commissioners in some of these counties may be interested in adopting and taking on the work of the salmon recovery element, but the funding level may limit activities of salmon recovery programs.

Additional funding would be needed to support additional staffing, technical assistance, educational materials, and public involvement requirements. At \$115,000 per year, only one staff person (salary, benefits, equipment, and materials) could support activities related to the salmon recovery element. Some counties also expressed uncertainty about the level of anticipated funding that would be available for private landowners to complete restoration projects in Sec. 3(5).

Counties were not able to provide an estimate for an adequate level of funding given timeframe for this fiscal note. However, King County indicated the bare minimum to adopt the element and begin program work would be \$450,000, and \$300,000 for annual operations, as it would require the County to incur expenses in its regional planning, permitting, and program management functions

The Association of Washington Cities (AWC) estimate the costs for cities that adopt the salmon recovery element to range between 75,000 and \$100,000 per adopting city (Average $(75,000 + \$100,000)/2 = \$87,500$). Developing the work plan to improve anadromous fish habitat would have starting costs of \$15,000 per city. Together, the per city implementation costs would start at \$102,500 ($\$87,500 + \$15,000 = \$102,500$).

POTENTIAL COSTS RELATED TO THE STATEWIDE SALMON RECOVERY ADVISORY COMMITTEE:

Meeting Costs:

Less than \$2,500 per year, per representative – The Committee would be staffed by two members representing city government and two members representing county government, and selected through nomination by organizations representing each. Nominated members cannot be known in advance.

2 city representatives x \$2,500 = \$5,000

2 county representatives x \$2,500 = \$5,000

Per year meetings costs for all local government representatives: \$10,000

Members selected to the Committee may have costs to participate in Committee activities and assist the WDFW. WDFW assumes that engagement by the Committee may increase periodically to support the directives of the bill (e.g., two-year reports to legislature, consultation with WDFW regarding city and county progress).

The WDFW indicate that there would be quarterly meetings of approximately eight hours, each year for local government officials selected for the Committee. The jurisdictions of the representatives cannot be known in advance, however the following example describes potential meeting costs that could apply to impacted cities and counties.

Example of Meeting Costs:

-- Based on assumptions from WDFW, jurisdictions without VSPs are more likely to participate than those with current VSPs.

-- Each year, three meetings would be held in western Washington and one would be held in eastern Washington.

- Representatives from cities could include the Cities of Bellingham and Vancouver.

- Representatives from counties could include Clallam and King Counties.

- The three meetings in western Washington would be held in Olympia, and one meeting in eastern Washington would be held in Spokane Valley.

- Per diem rate applied to representatives costs for travel and lodging.

- Costs are calculated with the Local Government Fiscal Note Program Travel Calculator.

Two city representatives would have costs per meeting of \$934 for the meetings in Olympia, and \$1,808 for the meeting in Spokane Valley and a total annual cost of \$4,609. The illustrative combined costs for two years' meetings would be \$9,218 for city representatives.

Two county representatives would have costs per meeting of \$786 for meetings in Olympia, and \$1,726 for the meeting in Spokane Valley, and a total annual cost of \$4,083. The illustrative combined costs for two years' meetings would be \$8,166 for county representatives.

The total costs for the first two years' of local government representative's travel in this illustrative example would be \$17,384.

Committee Work Costs:

Indeterminate – Approximately 30 to 45 hours per year, per representative, for support activities related to the Committee's work outlined below. Work for the Committee is not to be compensated, per Sec. 8(1)(e). However, there may be de minimis to more substantive costs related to performing Committee activities for local government representatives that are selected for Committee positions.

Section 4(6) works with 4(5) and gives three months for the Committee to resolve any issues and make its recommendation before the city or county is put into Section 6 of the bill, so likely a number of meetings would need to be done in that timeframe to resolve issues and make recommendations. The SCC estimate that it would take four to six public meetings of the Committee within that three month time period, as well as time spent reviewing and evaluating the city or county plan by Committee members between those meetings. The SCC indicate that public meetings under part of this section in VSP typically took 90-120 minutes for each county. There would be six to 12 hours for meetings (1.5 hours x 6 meetings; 2 x 6 meetings), with an estimated 4 to 6 additional hours of review of materials outside of those meetings. Total 10 to 16 hours (6 hours of meetings + 4 hours of review; 12 hours of meetings + 4 hours of review).

Section 5 is equivalent to RCW 36.70A.730(2) where the VSP Statewide Advisory Committee members spend time between the meetings reviewing the adaptive management plan submitted by the county. According to the SCC, meetings

under this VSP section typically took 60-90 minutes. The SCC estimates Sec. 5 of this act to approximate to 4 hours of meetings with an additional 4 hours of review outside of those meetings.

Section 7(4) is roughly equivalent to RCW 36.70A.740(4), but adds to the VSP requirement to report on adequate funding a provision which includes progress towards improving anadromous fish habitat. This requires a few meetings of the VSP Statewide Advisory Committee, and time spent between those meetings to review the information. The SCC estimate that it would take Committee members more time to also review information on fish habitat. Programmatic updates typically take 30-60 minutes over 4-6 meetings for this topic at an estimate of 2-6 hours total.

Section 8(1) and (2) is similar to RCW 36.70A.745. However, Section 8(2)(a) establishes a different role for the Committee than the VSP Statewide Advisory Committee, in that the duty of the Committee specifically includes “evaluation” of plans rather than just “advise” on plans to the administering agency. The SCC indicates that evaluation takes more time and expertise. Committee members would have that additional duty, which the SCC estimate would take more time and effort on the part of the Committee members. The SCC estimates that this additional evaluation requirement would add as much as 50 percent more time to each provision related to Committee consultation, review, and meetings.

Committee Workload by Section:

Section 4(5): 10-16 hours

Section 5: 8 hours

Section 7: 2-6 hours

Subtotal: 20-30 hours

Modified by Section 8(2) (50% increase) = 30-45 hours

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This legislation would have indeterminate revenue impacts for cities and counties that choose to adopt the optional salmon recovery element.

The Local Government Fiscal Note Program cannot assume a funding level that participating counties and cities would need because the number of jurisdictions choosing to adopt the voluntary salmon recovery element is unknown. However, the revenue impact may be commensurate to costs detailed in the expenditure section, more than \$230,000 per adopting county and \$102,500 per adopting city.

JURISDICTIONS ADOPTING THE OPTIONAL SALMON RECOVERY ELEMENT:

Counties:

The Department of Fish and Wildlife (WDFW) assume that the most likely jurisdictions to volunteer for this new program are the nine fully planning counties which are not currently participating in Voluntary Stewardship Programs (VSP): Whatcom, Snohomish, King, Pierce, Kitsap, Island, Clallam, Jefferson, and Clark Counties.

The State Conservation Commission (SCC) currently provides \$230,000 per biennium to counties in the Voluntary Stewardship Program (VSP) to support the implementation of local VSP work plans, and other activities, such as the reporting requirements. Under the assumptions from the SCC, there may also be on-going operational costs of \$115,000 per year for counties that adopt the option element.

Cities:

WDFW assume that all ~174 fully planning cities, whether they are in VSP-participating counties or not, would consider participating in this new program. AWC estimate that adopting the salmon recovery element may have costs starting at \$102,500 on average, per adopting city. However, it is currently unknown which cities would choose to do so.

SOURCES:

Association of Washington Cities

King County

Kitsap County

Local Government Fiscal Note Program, FN 2S HB 1173 (2021)

Local Government Fiscal Note Program, Travel Calculator (2023)

Snohomish County

Washington Department of Fish and Wildlife, FN 1869 (2022)

Washington State Conservation Commission

Washington State Conservation Commission, Voluntary Stewardship Program – Program Factsheet

Whatcom County