

Multiple Agency Fiscal Note Summary

Bill Number: 5390 SB	Title: Forestlands/safe harbor
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Estimated Cash Receipts

NONE

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 Fish and Wildlife	1.0	0	0	0	1.1	0	0	0	.8	0	0	0
Department of Natural Resources	1.8	748,600	748,600	748,600	1.3	770,800	770,800	770,800	1.3	588,800	588,800	588,800
Total \$	2.8	748,600	748,600	748,600	2.4	770,800	770,800	770,800	2.1	588,800	588,800	588,800

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
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
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

NONE

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Individual State Agency Fiscal Note

Bill Number: 5390 SB	Title: Forestlands/safe harbor	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	0.5	1.5	1.0	1.1	0.8
Account					
Total \$					

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: Jeff Olsen	Phone: 360-786-7428	Date: 01/21/2023
Agency Preparation: Tiffany Hicks	Phone: 3609022544	Date: 01/26/2023
Agency Approval: Tiffany Hicks	Phone: 3609022544	Date: 01/26/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/27/2023

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. 1 adds a new section to Chapter 76.09 RCW that authorizes the Department of Natural Resources (DNR) to administer the Safe Harbor Agreement (SHA). Sec 1 (3) states that “the department shall consult with and rely upon technical assistance from the department of fish and wildlife regarding habitat assessments...and implementation of the programmatic safe harbor agreement.” DNR and WDFW are directed to enter into and maintain an interagency agreement to implement the state’s obligations under the SHA, and provide technical expertise to support the SHA.

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.

Section 1(3) directs the DNR and WDFW to establish and maintain an interagency agreement, for WDFW to consult and provide technical assistance regarding habitat assessments of candidate parcels and the implementation of the programmatic Safe Harbor Agreement (SHA). Actual WDFW staff workload to assist DNR with SHA implementation phase will be dependent on components of SHA development and resulting implementation framework identified in the SHA. Once DNR secures the Safe Harbor Agreement, WDFW costs to support SHA implementation tasks including habitat assessments, consultation, and technical assistance will depend on the number of forest landowners interested in participating. These factors are unknown, therefore future costs are indeterminate.

The immediate workload impact, to support DNR staff during the SHA program development and rulemaking, is spread across programs with subject-matter expertise throughout the Department. WDFW will provide support and guidance on both SHA program development and SHA program implementation to address Northern Spotted Owl (NSO) habitat conservation. The following staff positions are required:

0.3 FTE Fish and Wildlife Biologist 3 in FY 2025, reducing to 0.2 FTE in FY 2026 and ongoing, providing regional and local NSO habitat expertise, as well as consultation and coordination with DNR regarding NSO SHA implementation and habitat assessments.

0.2 FTE Fish and Wildlife Biologist 4, in FY 2024, increasing to 0.7 FTE in FY 2025, decreasing to 0.6 FTE in FY 2026, 0.5 FTE in FY 2027, 0.3 FTE in FY 2028 and ongoing, providing NSO and SHA subject-matter expertise, to consult and coordinate with DNR regarding all aspects of NSO SHA program development and implementation.

0.2 FTE Environmental Planner 5, in FY 2024, increasing to 0.3 FTE in FY 2025 and FY 2026, and reduced to 0.2 FTE in FY 2026, FY 2028 and ongoing, for advising/coordinating with WDFW staff and DNR regarding all aspects NSO SHA program development, agreements, and implementation.

0.1 FTE Natural Resource Scientist 4, in FY 2024, increasing to 0.2 FTE in FY 2025 and then reducing to 0.1 FTE in FY 2026 and ongoing, for forest ecology support and technical advice regarding NSO SHA program implementation and management plan development.

Salaries and benefits total \$61,000 in FY 2024, \$173,000 in FY 2025, \$127,000 in FY 2026, \$129,000 in FY 2027, \$93,000 in FY 2028, \$93,000 in FY 2029 and ongoing.

Goods and services, Object E, 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.

Travel, Object G, includes Travel would include one night's lodging and meals for three HQ-based staff to attend 15 off-site in-person field visits to delineate habitat. Assumption is that most visits will occur in Western WA (\$264 per diem hotel and meals per staff). Vehicle travel is estimated at \$360 in fiscal year 2025 (3 leased motor pool TRUCK-SM-4X4 * 0.24/mile * 500 miles * 1 trip), \$1,440 in fiscal year 2026, (3 leased motor pool TRUCK-SM-4X4* 0.24/mile * 454 miles * 4 trips), \$1,440 in fiscal year 2027, (3 leased motor pool TRUCK-SM-4X4* 0.24/mile * 454 miles * 4 trips), \$1080 in fiscal year 2028, (3 leased motor pool TRUCK-SM-4X4* 0.24/mile * 454 miles * 3 trips), \$360 in fiscal year 2029 (3 leased motor pool TRUCK-SM-4X4 * 0.24/mile * 500 miles * 1 trip), and ongoing.

Equipment, Object J, includes \$4,000 in FY 2025 for a GPS Trimble unit for spatial mapping of Spotted Owl habitat, and \$500 in FY 2025 for supporting GPS software annual subscription. \$600 is required in FY 2025 for a range finder to measure tree height and distance.

Interagency Reimbursements, Object S, include -\$86,000 in FY 2024, -\$252,000 in FY 2025, -\$188,000 in FY 2026, -\$190,000 in FY 2027, and -\$134,000 and ongoing for interagency contract reimbursements from DNR for this work.

An infrastructure and program support rate of 33.5 percent 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

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	1.5	1.0	1.1	0.8
A-Salaries and Wages	45,000	127,000	172,000	187,000	136,000
B-Employee Benefits	16,000	46,000	62,000	69,000	50,000
C-Professional Service Contracts					
E-Goods and Other Services	3,000	9,000	12,000	12,000	10,000
G-Travel		2,000	2,000	14,000	6,000
J-Capital Outlays		5,000	5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements	(86,000)	(252,000)	(338,000)	(378,000)	(271,000)
T-Intra-Agency Reimbursements	22,000	63,000	85,000	96,000	69,000
9-					
Total \$	0	0	0	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*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
ENVIRONMENTAL PLANNER 5	98,592	0.2	0.3	0.3	0.3	0.2
FISH & WILDLIFE BIOLOGIST 3	77,028		0.3	0.2	0.2	0.2
FISH & WILDLIFE BIOLOGIST 4	80,952	0.2	0.7	0.5	0.6	0.3
NATURAL RESOURCE SCIENTIST	91,524	0.1	0.2	0.2	0.1	0.1
Total FTEs		0.5	1.5	1.0	1.1	0.8

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: 5390 SB	Title: Forestlands/safe harbor	Agency: 490-Department of Natural Resources
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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	2.0	1.6	1.8	1.3	1.3
Account					
General Fund-State 001-1	321,300	427,300	748,600	770,800	588,800
Total \$	321,300	427,300	748,600	770,800	588,800

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: Jeff Olsen	Phone: 360-786-7428	Date: 01/21/2023
Agency Preparation: Zoe Catron	Phone: 360-902-1121	Date: 01/26/2023
Agency Approval: Brian Considine	Phone: 3604863469	Date: 01/26/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/27/2023

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 1 (2) The federal agencies administering the endangered species act have developed programs under 16 U.S.C. Sec. 1539 (a) (1) (A), whereby administrative authorities over species enhancement activities are transferred to state agencies under a programmatic permit.

Section 1 (2) and (5) allows the Forest Practices board to adopt or amend its rules, if necessary, to implement the safe harbor agreement for the northern spotted owl.

Section 1 (3) requires that DNR enter into an interagency agreement with WDFW as a consultant and provider of technical assistance to facilitate program implementation.

Section 1 (2), (4), (6) describes implementation of the program itself, and includes tasks of administering the federal permit, monitoring compliance, suspending or terminating landowner participation, and providing landowner technical assistance to facilitate participation.

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.

For the 2023-2025 Biennium:

The Department of Natural Resources (DNR) estimates 1.5 FTEs of a Natural Resource Specialist 4 (NRS4) position in FY24 and 1.2 FTEs of a NRS4 position in FY25. The positions will be utilized for:

- working with the US Fish and Wildlife Services to obtain final approvals and the programmatic permit to set up DNR as a state administrator of the programmatic safe harbor agreement for forestlands,
- lead and facilitate rule making with the Forest Practices Board, and
- lead the Department of Natural Resources (DNR) negotiation of the interagency agreement with the Washington Department of Fish and Wildlife (WDFW).

The total costs for the 23-25 Biennium are estimated to consist of 2.7 FTEs, accompanying standard cost expenses and an interagency agreement (IAA) with WDFW for a total of \$748,600.

For the 2025-2027 Biennium and thereafter:

The costs of appropriately administering the program once established include: reviewing applications, awarding and administering the federal permit, monitoring compliance with terms of certificate or inclusion, suspending or terminating landowner participation from the program, and providing landowners with technical assistance.

This is estimated to require 1 FTE NRS4 as the permanent DNR Safe Harbor Agreement project manager and will require an assigned agency vehicle equipped with handheld radio as well as standard costs.

DNR has coordinated with WDFW to include the appropriate amounts for the IAA.

The total estimated cost is \$770,800 in the 2025-27 BN and \$588,800/BN thereafter to support this work.

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. For fiscal note purposes, this cost is represented as a Fiscal Analyst 2 position (0.5 FTE in FY24, 0.3 FTE Ongoing).

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	321,300	427,300	748,600	770,800	588,800
Total \$			321,300	427,300	748,600	770,800	588,800

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.0	1.6	1.8	1.3	1.3
A-Salaries and Wages	115,500	89,800	205,300	154,000	154,000
B-Employee Benefits	43,200	33,600	76,800	57,800	57,800
C-Professional Service Contracts					
E-Goods and Other Services	107,900	263,600	371,500	397,800	290,800
G-Travel	1,200	900	2,100	14,600	14,600
J-Capital Outlays	2,800		2,800	75,000	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	50,700	39,400	90,100	71,600	71,600
9-					
Total \$	321,300	427,300	748,600	770,800	588,800

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
Fiscal Analyst 2	55,872	0.5	0.4	0.5	0.3	0.3
Natural Resource Specialist 4	77,028	1.5	1.2	1.4	1.0	1.0
Total FTEs		2.0	1.6	1.8	1.3	1.3

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.

Section 1 (2) states that under these provisions, the department would enroll participants, issue certificates of inclusion and facilitate program implementation and compliance under this authority – and states that legislative intent is to make these incentive based programs available to nonfederal landowners – consistent with the board’s process.

Section 1 (5) The board may adopt or amend its rules as necessary to implement the programmatic safe harbor agreement for the northern spotted owl.

In order to fully implement the programmatic Safe Harbor Agreement program, rule-making would need to occur with the Forest Practices Board under Title 222 WAC – Forest Practices Rules