

Multiple Agency Fiscal Note Summary

Bill Number: 5636 SB	Title: Forest practices in cities
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Natural Resources	0	0	(10,000)	0	0	(10,000)	0	0	(10,000)
Total \$	0	0	(10,000)	0	0	(10,000)	0	0	(10,000)

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 Natural Resources	1.3	334,400	334,400	334,400	.0	0	0	0	.0	0	0	0
Total \$	1.3	334,400	334,400	334,400	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 Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	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

NONE

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Final 2/14/2023
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Individual State Agency Fiscal Note

Bill Number: 5636 SB	Title: Forest practices in cities	Agency: 490-Department of Natural Resources
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Forest Practices Application Account-State 19c-1	(5,000)	(5,000)	(10,000)	(10,000)	(10,000)
Total \$	(5,000)	(5,000)	(10,000)	(10,000)	(10,000)

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.3	1.3	1.3	0.0	0.0
Account					
General Fund-State 001-1	168,700	165,700	334,400	0	0
Total \$	168,700	165,700	334,400	0	0

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact:	Phone:	Date: 02/07/2023
Agency Preparation: Angela Konen	Phone: 360-902-2165	Date: 02/09/2023
Agency Approval: Collin Ashley	Phone: 360-688-3128	Date: 02/09/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/12/2023

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: The purpose of this act is to enable cities that plan under the growth management act the option to regulate forest practices within their jurisdictions in alignment with standards established by the Department of Natural Resources (DNR).

Amends Section 2 (2) RCW 76.09.240 and 2011 c 207 s 2: Notwithstanding the provision of subsection (1) of this section, a city within a county planning under RCW 36.70A.040 may elect to regulate all forest practices within its corporate limits. An ordinance adopted by a city making such an election must provide standards that are substantially equivalent to the requirements of this chapter and rules adopted by the department pursuant to this chapter.

These sections set DNR standards as the baseline for forest practice regulation within city jurisdictions. In order for these to take effect, rule-making would need to be done to eliminate the conflict with WAC 222-16-050 (5)(r).

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.

The change in forestry practice jurisdiction over urban forestlands in cities that qualify under this bill would reduce the revenue generated by forest practices applications to DNR. It is estimated that DNR would see a reduction of approximately 500 applications per year for a total revenue loss of \$5,000 per year, or \$10,000 each biennium, to the Forest Practices Application Account (19C-1P0).

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: This sets DNR standards as the baseline for forest practice regulation within city jurisdictions. It is assumed DNR would provide consulting or technical assistance services to cities looking to draft and adopt ordinances in line with DNR Forest Practices standards. This would require dedicated work of 0.5 FTE of an Environmental Planner 3 in the 2023-25 Biennium.

In order for Sections 1 and 2 to take effect, rule-making would need to be done to eliminate the conflict with WAC 222-16-050 (5)(r). This would require dedicated work of 0.5 FTE of an Environmental Planner 4 in the 2023-25 Biennium.

It is also anticipated that with increased city regulation over forest practices within their respective municipal jurisdictions, there will be a corresponding decrease in forest practices applications and fees submitted to DNR. The current estimate for that reduction is noted in the Cash Receipts Impact section.

The total costs in the 2023-25 Biennium are \$334,400.

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.

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	168,700	165,700	334,400	0	0
Total \$			168,700	165,700	334,400	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.3	1.3	1.3		
A-Salaries and Wages	85,100	85,100	170,200		
B-Employee Benefits	29,200	29,200	58,400		
C-Professional Service Contracts					
E-Goods and Other Services	9,900	9,900	19,800		
G-Travel	4,100	4,100	8,200		
J-Capital Outlays	3,000		3,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	37,400	37,400	74,800		
9-					
Total \$	168,700	165,700	334,400	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 3	80,952	0.5	0.5	0.5		
Environmental Planner 4	89,292	0.5	0.5	0.5		
Fiscal Analyst 2	55,872	0.3	0.3	0.3		
Total FTEs		1.3	1.3	1.3		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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.

Rule-making would need to be done to eliminate the conflict with WAC 222-16-050 (5)(r) in the following Sections:

Section 1: The purpose of this act is to enable cities that plan under the growth management act the option to regulate forest practices within their jurisdictions in alignment with standards established by DNR.

Section 2 (2) amends RCW 76.09.240 and 2011 c 207 s 2 to: Notwithstanding the provision of subsection (1) of this section, a city within a county planning under RCW 36.70A.040 may elect to regulate all forest practices within its corporate limits. An ordinance adopted by a city making such an election must provide standards that are substantially equivalent to the requirements of this chapter and rules adopted by the department pursuant to this chapter.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5636 SB

Title: Forest practices in cities

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

Legislation Impacts:

Cities: Cities within a county planning under the growth management act.

Counties:

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs:

Legislation provides local option: Cities are given the option to adopt an ordinance to regulate all forest practices within its corporate limits. Cities are given the option to adopt an ordinance to regulate all forest practices within its corporate limits.

Key variables cannot be estimated with certainty at this time: The number of cities that would adopt an ordinance in order to regulate forest practices under their jurisdiction, and the cost of adopting an ordinance for cities that choose to adopt the local option.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

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

Part III: Preparation and Approval

Fiscal Note Analyst: Chelsea Mickel	Phone: 518-727-3478	Date: 02/14/2023
Leg. Committee Contact:	Phone:	Date: 02/07/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/14/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/14/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

This bill gives cities that plan under the growth management act the option to regulate forest practices within their jurisdictions in alignment with standards established by the Department of Natural Resources (DNR).

Section 2 is amended to state that a city within a county planning under the growth management act may elect to regulate all forest practices within its corporate limits. An ordinance adopted by a city making such an election must provide standards that are substantially equivalent to the requirements of this chapter and rules adopted by the department pursuant to this chapter.

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 bill would have indeterminate expenditure impacts on local governments.

This bill gives cities the local option to adopt an ordinance to regulate all forest practices within their corporate limits.

Numerous cities throughout the state have urban forestry management plans, street tree regulations, and tree protection ordinances. Seattle, for example, has a Tree Protection Code embedded in its municipal code. Eligible cities that do not already have ordinances regulating urban forestry would incur costs if they chose to adopt an ordinance under the provisions of this bill. For discussion purposes, the Local Government Fiscal Note Program's cost models put the cost of adopting a simple ordinance with a public hearing is \$2,958, while adoption of a complex ordinance with a hearing is estimated to be approximately \$9,492. These costs include costs for draft ordinance, advisory commission meetings and recommendations, finalized ordinance, publication of ordinance, and general public information. Since it is unknown how many cities would adopt new ordinances under this legislation, or the level of complexity of the ordinances that cities would adopt, these costs are indeterminate.

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 bill would not have revenue impacts on local governments.

SOURCES:

Association of Washington Cities

City of Seattle Municipal Code, Ch. 15.11

Local Government Fiscal Note Program Unit Cost Model, (2023)

Municipal Research Services Center

Revised Code of Washington, RCW 36.70A.040, RCW 36.70A.130