

Multiple Agency Fiscal Note Summary

Bill Number: 1758 E S HB	Title: Hatchery maintenance permits
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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 Ecology	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	0	0	(48,000)	.0	0	0	(48,000)	.0	0	0	(48,000)
Total \$	0.0	0	0	(48,000)	0.0	0	0	(48,000)	0.0	0	0	(48,000)

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 Ecology	.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

NONE

Prepared by: Matthew Hunter, OFM	Phone: (360) 529-7078	Date Published: Final 3/13/2023
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Individual State Agency Fiscal Note

Bill Number: 1758 E S HB	Title: Hatchery maintenance permits	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Karen Epps	Phone: 360-786-7424	Date: 03/07/2023
Agency Preparation: Jessica Moore	Phone: 360-529-7583	Date: 03/08/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 03/08/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 03/09/2023

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.

The differences between 1758 ESHB and 1758 HB are as follows:

Sections 2 (4) and 3 (1) add public utility districts to the list of entities covered by this bill, in addition to the Department of Fish and Wildlife and federally recognized Indian tribes.

The changes would result in no change in the fiscal impact to Ecology.

Under current law, Ecology works in partnership with local governments to implement chapter 90.58 RCW (Shoreline Management Act) to promote public access, encourage water-dependent uses, protect shoreline resources, and develop, adopt, and administer shoreline master programs (SMPs). RCW 90.58.355 and WAC 173-27-044 specify certain developments that are exempted from obtaining shoreline permits or local government reviews under SMPs.

This bill would create a new exception to routine maintenance activities at the Department of Fish and Wildlife (WDFW), tribal government, and public utility district fish hatcheries taking place within the existing hatchery footprint under the Shoreline Management Act (SMA), Chapter 90.58 RCW.

Section 1 would declare that fish hatcheries need routine maintenance.

Section 2 would amend RCW 90.58.355 to include fish hatchery maintenance activities, that are described in section 3, in the list of actions that need no formal review by local governments under the SMA.

Section 3 would add a new section to chapter 90.58 RCW to define the kinds of activities necessary to maintain the operation of fish hatcheries that would not require formal review under local SMPs. The activities would be required to be within the existing facility footprint. WDFW, tribal governments and public utility districts would be required to ensure compliance with the substantive requirements of the SMA, including not adversely affecting public access or shoreline ecological functions. WDFW, tribal governments and public utility districts would be required to notify both Ecology and local governments before conducting repair and maintenance activities that are allowed to bypass shoreline review.

Ecology assumes that amendments to WAC 173-27-044 would be necessary to incorporate the new statutorily created exception into rule. Ecology updates rules for the SMA on an ongoing cyclical basis. These changes to the update schedule would be included in Ecology's next rulemaking effort. Therefore, there would be no new fiscal impact from rulemaking as a result of this bill.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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.

Ecology assumes that amendments to WAC 173-27-044 would be necessary to incorporate the new statutorily created exception into rule. Ecology updates rules for the Shoreline Management Act on an ongoing cyclical basis. These changes to the update schedule would be included in Ecology's next rulemaking effort.

Individual State Agency Fiscal Note

Bill Number: 1758 E S HB	Title: Hatchery maintenance permits	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
Account					
Fish, Wildlife, and Conservation Account-State 24N-1	(24,000)	(24,000)	(48,000)	(48,000)	(48,000)
Total \$	(24,000)	(24,000)	(48,000)	(48,000)	(48,000)

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: Karen Epps	Phone: 360-786-7424	Date: 03/07/2023
Agency Preparation: Patty Steele	Phone: (360) 902-2401	Date: 03/09/2023
Agency Approval: Patty Steele	Phone: (360) 902-2401	Date: 03/09/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 03/09/2023

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.

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

Section 2 grants an exemption to the Department of Fish and Wildlife (WDFW), federally recognized Indian tribes, or a public utility district from certain permits or reviews conducted by a local government, included in the Shoreline Management Act, that meet specific conditions.

Section 3 specifies that certain maintenance activities necessary to maintain the operation of fish hatcheries are exempt from certain permits or reviews, when undertaken by WDFW, a federally recognized Indian tribe, or a public utility district, including but not limited to: water intakes and discharges, fish ladders, water and power conveyances, weirs, and racks and traps used for fish collection. Requires proponents of projects to ensure compliance with the substantive requirements of the Shoreline Management Act and provide written notification to the local governments and the Department of Ecology, prior to beginning these maintenance or repair projects.

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 2 exempts WDFW, federally recognized Indian tribes, and public utility districts from the requirement to obtain certain substantial development permits, conditional use permits, variances, letters of exemption, or other reviews when the maintenance or repair projects are necessary to maintain the operation of a state, tribal, or public utility district managed fish hatchery. As a result, WDFW will not be required to pay for certain local government permits. To estimate the savings, WDFW reviewed recent jobs:

Permit fees on hatchery work, especially shoreline permitting
Wallace River Hatchery; \$17,500
Minter Creek Hatchery; \$6,500

WDFW estimates doing two hatchery work areas per fiscal year and used the combination of the two costs above to generate an estimated savings of \$24,000 per fiscal year.

Section 3 requires project proponents to provide written notification of projects authorized to the affected local governments and the Department of Ecology, prior to beginning these maintenance or repair projects. The workload associated with this correspondence is expected to be nominal, therefore no fiscal impact.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
24N-1	Fish, Wildlife, and Conservation Account	State	(24,000)	(24,000)	(48,000)	(48,000)	(48,000)
Total \$			(24,000)	(24,000)	(48,000)	(48,000)	(48,000)

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	(24,000)	(24,000)	(48,000)	(48,000)	(48,000)
G-Travel					
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 \$	(24,000)	(24,000)	(48,000)	(48,000)	(48,000)

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1758 E S HB

Title: Hatchery maintenance permits

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

Legislation Impacts:

- Cities:
- Counties: Decreased expenditures for counties issuing certain permits due to workload decrease, decreased revenue
- Special Districts: Public utility districts cost savings due to decreased permitting costs
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

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

Estimated expenditure impacts to:

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

Part III: Preparation and Approval

Fiscal Note Analyst: Angie Hong	Phone: 360-725-5041	Date: 03/08/2023
Leg. Committee Contact: Karen Epps	Phone: 360-786-7424	Date: 03/07/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 03/08/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 03/08/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES FROM PREVIOUS BILL VERSION

This substitute bill adds Public Utility Districts to the list of potentially permit-exempt parties when certain conditions are met.

SUMMARY OF CURRENT BILL VERSION

Section 1 describes legislative intent.

Section 2 amends RCW 90.58.355 [Shoreline Management Act – Persons, projects, activities for requiring certain permits... or local review] to list “projects undertaken by the Dept. of Fish and Wildlife, federally recognized Indian tribes, or Public Utility Districts that meet certain “conditions” as exempt from certain permits, variances, letters of exemption, or other local review.

Section 3 adds a new section to chapter 90.58 RCW [Shoreline Management Act] to describe eligible projects exempt from local review and describes obligations of the Dept. of Fish and Wildlife, federally recognized Indian tribes, and Public Utility Districts to receive exemptions.

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.

CHANGES FROM PREVIOUS BILL VERSION

This substitute bill adds Public Utility Districts to the list of potentially permit-exempt parties when certain conditions are met. This change expands the pool of potentially exempt parties and increases the scale of impact below.

SUMMARY OF CURRENT EXPENDITURE IMPACTS

This bill will result in an indeterminate decrease in expenditures for counties due to a decrease in workload for counties permitting eligible projects.

Public utility districts eligible for permit exemptions will experience an indeterminate cost savings due to decreased permitting costs.

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.

CHANGES FROM PREVIOUS BILL VERSION

This substitute bill adds Public Utility Districts to the list of potentially permit-exempt parties when certain conditions are met. This change expands the pool of potentially exempt parties and increases the scale of impact below.

SUMMARY OF CURRENT REVENUE IMPACTS

This bill will have an indeterminate decrease on county revenues due to a decrease in permit application fees for eligible projects.

SOURCES

Clallam County

Mason County