

Individual State Agency Fiscal Note

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| Bill Number: 5784 S SB | Title: Deer & elk crop damage | 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 | 0.0 | 0.5 | 0.3 | 0.5 | 0.2 |
| Account | | | | | |
| General Fund-State 001-1 | 270,000 | 566,000 | 836,000 | 754,000 | 600,000 |
| Total \$ | 270,000 | 566,000 | 836,000 | 754,000 | 600,000 |

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.

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|-----------------------------------|-----------------------|------------------|
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| Agency Approval: Katie Guthrie | Phone: 3604800876 | Date: 02/01/2024 |
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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.

Differences between SSB 5784 and SB 5784:

- Section 2 adds a requirement to prioritize claim payments based on highest percentage of loss.
- Section 5 directs the department to develop a pilot program to collar elk nearest agriculture lands within the department's south central management region including data sharing to assist farmers with more efficiently deploying hazing techniques and provide a report on the pilot program by December 1, 2027.

New description of fiscal impact:

- Section 1 increases funding available to pay claims and assessment payments for commercial crop damage caused by deer and elk from \$30,000 General Fund State to \$300,000 per fiscal year.
- Section 2 sets an appeal of decision limit of \$30,000 and prohibits payments for new claims in excess of available funds beyond the subsequent fiscal year and requires claim payment prioritization based on highest percentage of loss.
- Section 3 increases the claim limit from \$10,000 to \$30,000 and eliminates appeals except as allowed in RCW 77.36.100.
- Section 4 requires WDFW to report to legislature a list of recommendations for changes to Washington statutes after reviewing crop and livestock wildlife damage programs in other states by December 1, 2024.
- Section 5 directs the department to develop a pilot program to collar elk nearest agriculture lands within the department's south central management region including data sharing to assist farmers with more efficiently deploying hazing techniques and provide a report on the pilot program by December 1, 2027.

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: Pass through funds, Object N, require additional General Fund State appropriations in the amount of \$270,000 per fiscal year for claims and assessment costs from wild deer or elk damage to commercial crops.

Total section 1 costs in fiscal year 2024 and ongoing, \$270,000.

Section 2 and Section 3:

The requirement to prioritize claim payments by highest percentage of loss calculated by award or crop value compared to gross sales or harvested value of crops of the previous tax year is challenging. It is impossible for some crops and claims to conform to this requirement due to agricultural practices, crop rotation, and other factors that impact value of crops not related to deer or elk damage. WDFW assumes this requirement will also prevent claims from being paid in a timely manner. All claims will be held until the end of the fiscal year for prioritizing. This change in procedure will significantly impact staff time with increased claimant communication and claim processing complexities. WDFW anticipates crop producer inquiries and communications to increase a minimum of five times per claim depending on the time between claim submission and final communication regarding prioritization order.

WDFW staff time, Objects A & B are estimated at 0.2 FTE for a Management Analyst 3 in each fiscal year for additional claim processing requirements, documentation collection and analysis, increased communication with claimants due to new timing challenges and document submission, \$21,000. Goods and services, Object E, includes \$8,000 for costs associated

with rulemaking in fiscal year 2025 and \$7,000 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 36.03% is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Total section 2 and 3 costs: \$41,000 in fiscal year 2025 and \$30,000 in fiscal year 2026 and ongoing.

Section 4: Contracts, Object C, are estimated at \$25,000. The Department assumes data collection would be contracted due to current staff restraints. The Department would form an oversight committee to direct data collection, analyze findings, and determine recommendations for changes to Washington statutes. An infrastructure and program support rate of 36.03% is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Total section 4 costs: \$34,000 in fiscal year 2025.

Section 5: WDFW assumes the pilot program will be effective July 1, 2025 – June 30, 2028. WDFW staff time, Objects A and B are estimated at 0.3 FTE for a Fish and Wildlife Biologist 4 for all collar related activities, including: data sharing and platform development, purchases, capture coordination and preparation, data analysis and report writing, \$35,000 per fiscal year. Contracts, Object C, are estimated at \$65,000 for fiscal year 2025 for helicopter and capture services. For fiscal years 2026 and 2027 estimated helicopter and capture services are \$10,000 per fiscal year. Goods and services, Object E, includes \$7,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year, \$1,700 per GPS collar for 30 collars totaling \$51,000. Collar data monitoring fees and related costs are \$10,000 per fiscal year. Total Object E, \$62,000 in fiscal year 2025 and \$12,000 in fiscal years 2026 and 2027. An infrastructure and program support rate of 36.03% is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Total section 5 costs: \$221,000 in fiscal year 2025 and \$77,000 in fiscal years 2026 and 2027.

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 | 270,000 | 566,000 | 836,000 | 754,000 | 600,000 |
| Total \$ | | | 270,000 | 566,000 | 836,000 | 754,000 | 600,000 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | 0.5 | 0.3 | 0.5 | 0.2 |
| A-Salaries and Wages | | 41,000 | 41,000 | 82,000 | 30,000 |
| B-Employee Benefits | | 15,000 | 15,000 | 30,000 | 12,000 |
| C-Professional Service Contracts | | 90,000 | 90,000 | 20,000 | |
| E-Goods and Other Services | | 71,000 | 71,000 | 26,000 | 2,000 |
| G-Travel | | | | | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | 270,000 | 270,000 | 540,000 | 540,000 | 540,000 |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | 79,000 | 79,000 | 56,000 | 16,000 |
| 9- | | | | | |
| Total \$ | | 270,000 | 566,000 | 836,000 | 600,000 |

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 |
|-----------------------------|--------|---------|---------|---------|---------|---------|
| Fish & Wildlife Biologist 4 | 84,192 | | 0.3 | 0.2 | 0.3 | |
| Management Analysis 3 | 74,376 | | 0.2 | 0.1 | 0.2 | 0.2 |
| Total FTEs | | | 0.5 | 0.3 | 0.5 | 0.2 |

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 2(4)(b) limits the payment authority to \$30,000 for an appeal thus requiring WAC 220-440-140 to be changed.

Section 2(5) changes the current perpetual payment carryover to a single year and change what documentation is required for submission by claimants thus requiring changes to both WAC 220-440-140 and WAC 220-440-150.

Section 3(1)(b) raises the claim payout that triggers an appeal from \$10,000 to \$30,000 thus requiring changes to WAC 220-440-150.