

Multiple Agency Fiscal Note Summary

Bill Number: 2117 S HB	Title: Aerial Firefighting/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	No fiscal impact					
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
Energy Facility Site Evaluation Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	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	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Energy Facility Site Evaluation Council	.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

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	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

NONE

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Final 2/ 3/2024
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Individual State Agency Fiscal Note

Bill Number: 2117 S HB	Title: Aerial Firefighting/Permits	Agency: 463-Energy Facility Site Evaluation Council
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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: Robert Hatfield	Phone: 360-786-7117	Date: 01/31/2024
Agency Preparation: Lisa McLean	Phone: 3606641345	Date: 02/02/2024
Agency Approval: Dave Walker	Phone: 360-664-1345	Date: 02/02/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/03/2024

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 requirement to seek DNR comment on the impact of siting of an energy facility on its aerial firefighting capabilities is already part of EFSEC's review criteria and requirements.

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.

Individual State Agency Fiscal Note

Bill Number: 2117 S HB	Title: Aerial Firefighting/Permits	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:

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: Robert Hatfield	Phone: 360-786-7117	Date: 01/31/2024
Agency Preparation: Andrew Hills	Phone: /	Date: 02/03/2024
Agency Approval: Angela Konen	Phone: 360-902-2165	Date: 02/03/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/03/2024

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.

This bill would address authorizing practices for permitting wind turbines and wind energy facilities as it pertains to aerial firefighting abilities by adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 80.50 RCW.

Sections 2, 3, and 4: This bill would allow concerns related to aerial firefighting as justification for adjusting permitting specifications for wind turbines, such as the height of the turbine or location of structures so that they do not interfere or endanger firefighting and wildfire suppression efforts. If the county determines such a potential obstruction, the county can adjust the location or reduce the height of the turbine.

Section 4 - notes that the county may seek out and consider information provided by wildfire suppression experts at the Department of Natural Resources (DNR), the state fire marshal, and local fire agencies and pilots regarding how a particular turbine configuration and location may impede or endanger aerial fire suppression activities in an area.

The applicant of a utility-scale wind energy facility must demonstrate to the county during the permitting process how the height, location, and configuration of the turbines are not an unreasonable impediment and endangerment of aerial fire suppression activities.

Authorizes the county to require location adjustments or reduction in the height of wind turbines.

Section 5 – The same as Section 4 with similar requirements for the Energy Facility Site Evaluation Council ("EFSEC")

Section 6 notes that “the state” and county must ensure that utility-scale wind energy facilities that have not been constructed by the effective date of the legislation but be compliant with the provisions within this legislation.

The adopted substitute strikes sections from the original bill that would have given local jurisdictions and counties the authority to restrict or change permitting specifications for wind turbines if the locality determined that it could potentially pose an obstruction to aerial firefighting efforts.

Instead, this substitute provides for and ensures that DNR can review applications for wind energy projects for DNR to be able to comment upon the application, and to identify, if relevant and applicable, potential conflicts with its aerial wildfire response capabilities relating to the placement and operations of the proposed project before a site certification application or construction permit is approved. (Requires EFSEC, counties, cities, or towns, upon their receipt of applications from applicants, to provide this application information about the proposed project to DNR so as for DNR to have the ability to comment.)

This bill has no fiscal impact and can be implemented alongside regular business.

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 2117 S HB

Title: Aerial Firefighting/Permits

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

Legislation Impacts:

- Cities:
- 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:
- Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

Fiscal Note Analyst: Kristine Williams	Phone: (564) 669-3002	Date: 02/02/2024
Leg. Committee Contact: Robert Hatfield	Phone: 360-786-7117	Date: 01/31/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/02/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/03/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

This note is on 2117 S HB and compares it to 2117 HB.

CHANGES BETWEEN THIS VERSION AND THE PREVIOUS VERSION:

This version of the bill removes additional permitting procedures for the siting of utility-scale wind energy facilities and adds a requirement for cities and counties to send written notice to the Department of Natural Resources prior to approving construction permits for certain alternative energy resources. These changes include:

Sections 2, 3, and 4, are amended to add new sections to chapter 35.63 RCW, 35A.63 RCW, and 36.70 RCW, respectively, which requires local government permitting authorities to provide written notice to the Department of Natural Resources prior to approving a construction permit for an alternative energy resource connected to electrical transmission facilities with voltage of at least 115,000 volts.

Sec. 6 is amended to remove the requirement for counties to evaluate projects that have not yet constructed for compliance with the act.

These changes affect the expenditure impacts discussed below.

This legislation would take effect 90 days after adjournment of the session in which the bill is passed.

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 IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND THE PREVIOUS BILL VERSION:

Changes in this version of the bill remove potential fiscal impacts for local governments related to the evaluation of permitted, but not yet constructed, projects.

EXPENDITURE IMPACTS OF CURRENT BILL:

This version of the bill would require local permitting authorities to send written notifications to the Department of Natural Resources prior to approving a construction permit for certain alternative energy resources. This requirement would be result in an indeterminate, but de minimus impact, for local governments.

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 have no impact on local government revenues.

SOURCES

Association of Washington Cities (AWC)

Washington State Association of Counties (WSAC)