

Multiple Agency Fiscal Note Summary

Bill Number: 6164 S SB	Title: County emergency management
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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
Military Department	.5	132,002	132,002	132,002	1.0	252,504	252,504	252,504	1.0	252,504	252,504	252,504
Department of Ecology	2.0	0	0	577,132	4.0	0	0	1,154,264	4.0	0	0	1,154,264
Department of Fish and Wildlife	2.0	680,000	680,000	680,000	4.0	1,360,000	1,360,000	1,360,000	4.0	1,360,000	1,360,000	1,360,000
Total \$	4.5	812,002	812,002	1,389,134	9.0	1,612,504	1,612,504	2,766,768	9.0	1,612,504	1,612,504	2,766,768

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
Military Department	.0	0	0	.0	0	0	.0	0	0
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

Prepared by: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Final 2/13/2024
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Individual State Agency Fiscal Note

Bill Number: 6164 S SB	Title: County emergency management	Agency: 245-Military Department
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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	1.0	0.5	1.0	1.0
Account					
General Fund-State 001-1	0	132,002	132,002	252,504	252,504
Total \$	0	132,002	132,002	252,504	252,504

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: Maggie Douglas	Phone: 3607867279	Date: 01/31/2024
Agency Preparation: Serina Roberts	Phone: 2535127388	Date: 02/05/2024
Agency Approval: Regan Hesse	Phone: 253-512-7698	Date: 02/05/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/05/2024

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.

Revisions to Section 1 (ii) (a) requires local organizations or joint local organizations to provide public meetings to inform the public about the hazardous material spill or releases that necessitate the establishment of the Incident Command System.

WA Emergency Management Division (EMD) receives hazardous material incidents and release reports on behalf of the Washington Department of Ecology during non-business hours. For the calendar year 2023 the number of reports was 2619. As the bill is written due to the large volume of hazardous material incident and releases in Washington State, requiring a local organization to provide at least one public meeting for each hazardous material incident or release that implemented Incident Command System (ICS) could require local organizations in Washington to hold thousands of public meetings a year. WA EMD will need to track these meetings which would require 1 full-time employee at an Emergency Management Program Specialist (EMPS-2).

Revisions to Section 1 (ii) (B) requires these public meetings allow for remote 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.

The military department expenditures necessary to implement this legislation are primarily comprised of staff salary and benefits for a Program Coordinator (EMPS-2) in its EMD Operations Unit. This would be a total of 1 FTE of staff beginning in SFY 25. A summary of estimated costs and assumptions is provided below.

Assumptions:

Object A: Salaries and Wages estimated at \$70,800.00 per year

Object B: Employee Benefits (48% of Salary) \$33,984.00 per year

Object E: Goods and Services \$5,000.00 per FTE per year for central service costs, supplies, cell phone, and other misc. expenses

Object J: Capital Outlays \$5,000.00 per FTE in first year for a computer and technology equipment

Object T: Intra-Agency Reimbursements (Indirect Charges 15%)

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	0	132,002	132,002	252,504	252,504
Total \$			0	132,002	132,002	252,504	252,504

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.0	0.5	1.0	1.0
A-Salaries and Wages		70,800	70,800	141,600	141,600
B-Employee Benefits		33,984	33,984	67,968	67,968
C-Professional Service Contracts					
E-Goods and Other Services		5,000	5,000	10,000	10,000
G-Travel					
J-Capital Outlays		5,000	5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		17,218	17,218	32,936	32,936
9-					
Total \$	0	132,002	132,002	252,504	252,504

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
Emergency Management Program Specialist 2	70,800		1.0	0.5	1.0	1.0
Total FTEs			1.0	0.5	1.0	1.0

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.

Individual State Agency Fiscal Note

Bill Number: 6164 S SB	Title: County emergency management	Agency: 461-Department of Ecology
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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	4.0	2.0	4.0	4.0
Account					
Oil Spill Response Account-State 223-1	0	156,308	156,308	312,616	312,616
Model Toxics Control Operating Account-State 23P-1	0	420,824	420,824	841,648	841,648
Total \$	0	577,132	577,132	1,154,264	1,154,264

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: Maggie Douglas	Phone: 3607867279	Date: 01/31/2024
Agency Preparation: Ryan Olson	Phone: 360-584-4086	Date: 02/06/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/06/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/12/2024

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.

Current law under RCW 38.52.070 requires local or joint local organizations that produce a local comprehensive emergency management plan to include a communication plan for notifying the public of life safety information during an emergency.

Section 1(3)(a)(i) of this bill would add a requirement that those communication plans include expeditious notification of citizens reasonably determined to be at risk during a hazardous material spill or release. It would also require that notification to be via the most appropriate technology available to determine citizen risk levels.

Section 1(3)(a)(ii)(A) would require that when an incident command system is established for a hazardous material release or spill, a local or joint local organization must provide at least one public meeting to inform the public about the release or spill.

Section 1(3)(a)(ii)(B) would require that the public meeting under section 1(3)(ii)(A) must allow for remote participation. It would also allow for the public meeting to be held jointly with a county legislative authority's regularly scheduled meeting or a special meeting as provided in RCW 42.30.080.

Section 1(3)(a)(ii)(C) would require the public meeting under section 1(3)(ii)(A) to include representatives from the Department of Ecology, Department of Fish and Wildlife, and the party liable for the release or spill.

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.

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year (FY) 2025 and ongoing to implement the requirements of section 1(3)(a)(ii).

Section 1(3)(a)(ii)(A) would require at least one public meeting be held when there is a hazardous material release or spill where the Incident Command System (ICS) is established. Section 1(3)(a)(ii)(B) would require these public meetings to allow for remote participation. Section 1(3)(a)(ii)(C) would require a representative of Ecology to attend each meeting.

Based on bill language that specifically requires local organizations to provide meetings, and for Ecology and the Washington Department of Fish and Wildlife (WDFW) to provide a representative to those meetings, in coordination with Commerce Local Government and WDFW, Ecology assumes that local governments would organize and run all the required meetings. Therefore, Ecology is only including estimated staff costs to provide a representative at these meetings. If Ecology needed to take a larger role in organizing and running meetings, such as when we are identified as the state liaison for the response, this could have a much larger fiscal impact not assumed in this fiscal note.

Based on the number of incidents reported to the Alert and Warning Center in 2023, the Emergency Management Division of the Washington Military Department estimates there would be approximately 2,613 incidents where the Incident Command System would be established. Ecology assumes that the average public meeting length is two hours.

Of the assumed 2,613 incidents a year where ICS is established that would require a public meeting, Ecology estimates that

2,183 of these incidents would not involve Ecology in the incident response. In these cases, Ecology estimates that it would require 2.2 FTE Environmental Specialist 4 to remotely participate in a meeting run by a local organization.

Ecology estimates that there would be approximately 430 incidents where Ecology is involved in the incident response. In these cases, Ecology estimates that it would require 1.3 FTE Environmental Specialist 4 to prepare for and attend the public meeting. Ecology estimates that one-quarter of these meetings would require lodging and per diem at the standard rate for one night.

SUMMARY: The expenditure impact to Ecology under this bill is \$577,132 in FY 2025 and ongoing to participate in public meetings for hazardous material releases or spills where ICS is established.

Ecology estimates costs associated with the incidents where Ecology is involved in the incident response to be in the Oil Spill Response Account, and costs associated with attending the other public meetings to be in the MTCA-Operating Account based on the fund source currently used for related activities.

THE TOTAL EXPENDITURE IMPACT to Ecology under this bill is estimated to be:
 FY 2025 and ongoing: \$577,132 and 4.0 FTEs

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 34.1% of salaries.

Goods and Services are the agency average of \$6,048 per direct program FTE.

Travel is the agency average of \$2,205 per direct program FTE. Travel also includes \$17,845 each year for additional travel associated with attending public meetings.

Equipment is the agency average of \$1,286 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 29.8% of direct program salaries and benefits, and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
223-1	Oil Spill Response Account	State	0	156,308	156,308	312,616	312,616
23P-1	Model Toxics Control Operating Account	State	0	420,824	420,824	841,648	841,648
Total \$			0	577,132	577,132	1,154,264	1,154,264

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		4.0	2.0	4.0	4.0
A-Salaries and Wages		302,134	302,134	604,268	604,268
B-Employee Benefits		103,028	103,028	206,056	206,056
E-Goods and Other Services		21,168	21,168	42,336	42,336
G-Travel		25,563	25,563	51,126	51,126
J-Capital Outlays		4,501	4,501	9,002	9,002
9-Agency Administrative Overhead		120,738	120,738	241,476	241,476
Total \$	0	577,132	577,132	1,154,264	1,154,264

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 SPEC 4	86,324		3.5	1.8	3.5	3.5
FISCAL ANALYST 2			0.4	0.2	0.4	0.4
IT APP DEV-JOURNEY			0.2	0.1	0.2	0.2
Total FTEs			4.0	2.0	4.0	4.0

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.

Individual State Agency Fiscal Note

Bill Number: 6164 S SB	Title: County emergency management	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	4.0	2.0	4.0	4.0
Account					
General Fund-State 001-1	0	680,000	680,000	1,360,000	1,360,000
Total \$	0	680,000	680,000	1,360,000	1,360,000

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: Maggie Douglas	Phone: 3607867279	Date: 01/31/2024
Agency Preparation: Tiffany Hicks	Phone: (360) 902-2544	Date: 02/07/2024
Agency Approval: Tiffany Hicks	Phone: (360) 902-2544	Date: 02/07/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/07/2024

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.

Section 1 requires a representative from the department of fish and wildlife to attend public meetings conducted for hazardous material spills or releases.

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 requires WDFW to participate in public meetings related to all forms of hazardous material (HAZMAT) spills or release. WDFW's Oil Spill Team specializes in oil spill responses as part of the Incident Command System (ICS) structure that supports Ecology's Oil Spill Program. WDFW does not currently have capacity to attend and provide technical information to the public for all forms of HAZMAT incidents.

An average number of ICS incidents range from 2,000 to 4,000 per year. Assuming each associated public meeting is two hours in length, with an average of two hours of preparation per meeting, this equates to a minimum of 8,000 staff hours per year, or approximately 4 FTEs.

4.0 FTE Fish and Wildlife Biologists 4s are required to attend an estimated 2,000 public meetings per year in fiscal year 2025 and ongoing to prepare for and attend public meetings, and provide information regarding impacts to habitat, fish, and wildlife.

Total salaries and benefits are \$472,000 in fiscal year 2025 and ongoing.

Travel costs are not required, assuming WDFW will attend meetings remotely.

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.

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.

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	0	680,000	680,000	1,360,000	1,360,000
Total \$			0	680,000	680,000	1,360,000	1,360,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		4.0	2.0	4.0	4.0
A-Salaries and Wages		347,000	347,000	694,000	694,000
B-Employee Benefits		125,000	125,000	250,000	250,000
C-Professional Service Contracts					
E-Goods and Other Services		28,000	28,000	56,000	56,000
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		180,000	180,000	360,000	360,000
9-					
Total \$	0	680,000	680,000	1,360,000	1,360,000

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 and Wildlife Biologist 4	84,192		4.0	2.0	4.0	4.0
Total FTEs			4.0	2.0	4.0	4.0

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6164 S SB

Title: County emergency management

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

Legislation Impacts:

Cities: Indeterminate but likely substantial impacts to cities due to the requirement to organize and host a public meeting for each hazardous material spill or release within a city's boundaries that causes the Incident Command System to be used. Additionally, 95 cities would incur plan update costs totaling approximately \$6,650,000, plus an additional indeterminate amount for any jurisdictions that have to purchase a new notification system as a result of the proposed legislation.

Counties: Same as above but all 39 counties' Comprehensive Emergency Management Plan updates could total approximately \$2,730,000.

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: The number of public meetings that will be required; meeting space costs for the new public meetings; additional staff required to organize and host public meetings; staff and funding available to conduct Comprehensive Emergency Management Plan updates; which notification systems will be deemed "appropriate technology" and who will make that determination; the number of jurisdictions that may have to purchase and maintain a new notification system.

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: Kate Fernald	Phone: 564-200-3519	Date: 02/07/2024
Leg. Committee Contact: Maggie Douglas	Phone: 3607867279	Date: 01/31/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/07/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/07/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

This fiscal note compares SB 6164 to SSB 6164.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute version of the bill would require local jurisdictions to organize and host a public meeting any time the Incident Command System was used for a hazardous materials spill or release that occurred within the jurisdiction's boundaries.

SUMMARY OF CURRENT BILL:

Sec. 1. (3) would amend RCW 38.52.070. A local organization that produces a local comprehensive emergency management plan would be required to include in its communication plan an expeditious notification of citizens at risk during a hazardous material spill or release. Notification would be required to be via "the most appropriate technology available" to determine citizen risk levels.

Sec. 1 would also require local jurisdictions to plan and host at least one public meeting any time a hazardous material spill or release occurs within the jurisdiction and requires the Incident Command System to be used.

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 PREVIOUS BILL VERSION:

The substitute version of the bill would add an indeterminate but likely moderate (\$50,000 to \$1,000,000) to substantial (\$1,000,000 to \$50,000,000) expenditure impact to cities and counties, as it would require each impacted jurisdiction to host a hybrid public meeting any time the Incident Command System (ICS) is used in their area for a hazardous materials spill or release. According to the Emergency Management Division (EMD), ICS was used more than 2,600 times in 2023, but that number was unusually small. EMD's historical data indicates that ICS is typically used between 4,000 to 5,000 times per year, meaning cities and counties could be hosting anywhere from 2,600 to 5,000 additional public meetings each year under the proposed legislation.

EXPENDITURE IMPACTS OF CURRENT BILL:

Cities and counties would experience substantial indeterminate impacts due to requiring jurisdictions to host a public meeting any time a hazardous materials spill or release occurs within the jurisdiction's boundaries and causes the Incident Command System (ICS) to be used. The legislation would also require 39 counties and 95 cities to update their local Comprehensive Emergency Management Plan, costing cities approximately \$6,650,000 and counties approximately \$2,730,000. Additionally, any jurisdiction deemed as lacking "the most appropriate technology available" for their notification software may be required to purchase and maintain a notification system that uses "appropriate technology" to notify residents of a hazardous materials spill or release any time that the Incident Command System is initiated.

The proposed bill would require notification to be via "the most appropriate technology available" to determine citizen risk levels. Under the provisions of this legislation, it is unclear who will make this determination and what types of notification will be allowed. The method of notification could vary by jurisdiction and may range from contact through land-line phones to cell phone notification service. Following the selection of appropriate technology options, each jurisdiction may be able to choose the method of notification, although this opportunity remains unclear. Due to these variables, the impacts of this legislation are indeterminate.

NUMBER OF PUBLIC MEETINGS:

The substitute bill would require a city, county or joint local organization to organize and host a public meeting every time the Incident Command System (ICS) is used for a hazardous materials spill or release within the jurisdiction's boundaries.

The Emergency Management Division (EMD) noted that the ICS was used 2,619 times in 2023, but that in years prior, ICS was used 4,000 to 5,000 times on average. Accordingly, the number of public meetings local jurisdictions would be required to hold each year would vary but would likely range from 2,600 to 5,000 public meetings per year.

It is not known if more than one hazardous materials public meeting may be held at once, or what would happen if one of the required representatives did not attend the meeting. If jurisdictions could batch the meetings, that could reduce costs by an unknown amount. If representatives did not attend the required meeting and another meeting had to be scheduled because of it, that would increase the cost impacts. Because of these variables, the number of meetings is highly uncertain.

Please note that counties with a higher frequency of reported spills or releases would be disproportionately impacted by the proposed legislation as they would be required to organize and host substantially more public meetings compared to jurisdictions with fewer reported hazardous materials incidents. For example, King County anticipates having to host more than 500 public meetings each year while other counties may host none at all. Based on 2023 data, King County would have been required to host 821 public meetings while Asotin County would have been required to hold one, so the number of public meetings each jurisdiction would be required to host would vary significantly by county.

To demonstrate the varied number of public meetings counties would be required to host (given their range of reported hazardous materials spills or releases), a random sampling of each county's number of hazardous materials spills or releases reported to EMD in 2023 is offered below. Each of these incidents required ICS to be used.

County Number of Incidents

Asotin	1
Benton	40
Chelan	11
Clark	106
King	821
Kitsap	166
Mason	32
Okanogan	8
Pierce	319
San Juan	44
Skagit	67
Skamania	5
Snohomish	184
Spokane	46
Thurston	92
Wahkiakum	4
Walla Walla	16
Whatcom	124
Whitman	7
Yakima	29

All 2023 hazardous materials spills or releases that required ICS: 2,619.

While the substitute version of the bill would allow hazardous- materials-related public meetings to be held jointly with the county legislative authority's regularly scheduled meeting or special meeting, the actual number of meetings that will be held jointly cannot be predicted in advance. Nonetheless, jurisdictions that experience significantly more hazardous spills and releases, such as King or Pierce Counties, will likely require additional public meetings even if some are held jointly

due to being required to host 800+ or 300+ public meetings per year, relatively.

PUBLIC MEETING SPACE:

Cities and counties that would be required to host significantly more public meetings could experience substantial public meeting space costs if there is not a public meeting space available often enough to meet the requirements of the legislation. Meeting space costs will vary by jurisdiction based on availability and rental fees, so the public meeting space expenditure impacts to local governments is indeterminate but potentially substantial based on cost estimates provided by the counties below.

ILLUSTRATIVE PUBLIC MEETING SPACE COSTS:

The future number of public meetings and meeting space that will be required cannot be predicted in advance; however, four counties provided potential cost estimates for securing a public meeting space. These estimated costs are offered for illustrative purposes only since actual facility costs are unknown at this time.

1. Skagit County anticipates public meeting space rental would cost \$500 per meeting; however, based on the reported number of hazardous materials spills and responses in Skagit County each year, there is not currently any public meeting space available often enough to host all the meetings that the legislation would require. Accordingly, Skagit County anticipates they will need to consider purchasing land and building a new Emergency Operations Center to meet the requirements of the legislation. While exact costs cannot be determined in advance, Skagit County estimates it could cost roughly \$10 million to purchase land and build a center where public meetings could be held.

2. King County anticipates facility costs could exceed \$150,000 per year for hosting approximately 500 or more additional public meetings per year. King County also notes that even if some meetings are combined with the legislative authority's regularly scheduled meetings, the remaining number of additional public meetings that they would have to host would likely disallow any other use of the facility since the facility would be used on an essentially full-time basis for public meetings required by the proposed legislation.

3. Whatcom County anticipates they would be required to hold more than 120 public meetings per year, which would require the county to stop work on any number of duties they currently perform, according to Whatcom County. Since they would not have an increase in their funding to pay for public meeting space rentals, hiring additional staff or purchasing meeting equipment, the county anticipates having to reduce the services they currently provide.

4. Chelan County anticipates public meeting space rental would cost approximately \$750 per meeting. Using 2023's EMD data provided above, Chelan County estimates they would spend approximately \$31,500 per year for facility rental, translation services and handouts.

STAFFING PUBLIC MEETINGS

The number of staff local jurisdictions will hire to organize and host the bill's required public meetings will vary by jurisdiction and is indeterminate. The number of staff jurisdictions will hire will be based on the number of reported hazardous materials spills that require ICS to be used, which will then indicate the number of public meeting to be held, which will then determine if and how many additional staff are needed to organize and run the meetings.

For illustrative purposes only, three counties offered potential staffing impacts that could result from the bill:

1. King County anticipates two new FTEs would be required to organize and host the county's 500 or more public meetings, totaling \$365,000 per year.

2. Skagit County anticipates three new staff would be hired to organize and host the public meetings, totaling \$177,741 per year.

3. Clark County anticipates two hours of Emergency Management Division staff time would be required to create each public meeting, send the meeting invitations and post the public meeting notification for public view. Additionally, the county expects each meeting would require approximately 90 minutes of staff time to set up and conduct, resulting in staff costs totaling \$200 per meeting, or \$21,200 per year (\$200 x 106 hazardous materials incidents reported to EMD in 2023 that required ICS to be used.)

MISCELLANEOUS PUBLIC MEETING COSTS:

Cities and counties would incur additional, indeterminate miscellaneous costs for hosting hybrid public meetings, though the miscellaneous costs will vary by city and county depending on the jurisdictions needs and frequency of meetings. According to various counties, miscellaneous costs could be incurred for: purchasing portable virtual meeting equipment such as audio and visual equipment; printing meeting materials, reporting expenses related to record keeping, report intakes and filling out required reports; and purchasing new equipment due to wear and tear.

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP) UPDATES:

According to the Municipal Research Services Program's January 16, 2024 article titled, "Local Government Emergency Planning," any local jurisdiction that chooses to have emergency management is required to have a Comprehensive Emergency Management Plan (CEMP). According to the Emergency Management Division, as of February 2024, 95 cities and all 39 counties have a CEMP.

The legislation would require all jurisdictions with a CEMP to modify it. Each CEMP would be required to add a communication plan during a hazardous materials spill or release. While actual costs to update a CEMP cannot be predicted in advance, the Emergency Management Division approximates that the average CEMP update costs roughly \$70,000 per jurisdiction based on EMD's experience working with cities and counties to update their CEMPs. Using EMD's average cost estimate, city and county expenditure impacts are approximated below.

- Cities could incur CEMP update costs totaling roughly \$6,650,000 (95 cities x \$70,000).
 - Counties could incur CEMP update costs totaling roughly \$2,730,000 (39 counties x \$70,000).
- However, actual costs will vary by jurisdiction and cannot be predicted in advance.

ILLUSTRATIVE CEMP UPDATE COSTS:

A sampling of jurisdictions' actual CEMP update costs are offered below to demonstrate what it could cost each jurisdiction to update their CEMP per the requirements of the proposed legislation:

- Asotin County: \$84,000 (actual cost from a different plan update with a similar process in complexity)
- Chelan County: \$10,000
- City of North Bend: \$50,000
- Franklin County: \$100,000
- Grant County: \$80,000
- Skagit County: \$150,000 to \$200,000
- Snohomish County: \$174,000 (maintenance year) or \$406,000 (update year)
- Whatcom County: \$141,925

NOTIFICATION SYSTEM:

The bill would require local jurisdictions to use "the most appropriate technology available" to notify residents of a hazardous materials spill or release any time that the Incident Command System is initiated. While all jurisdictions have access to a notification system, the types of notification systems jurisdictions use vary across the state. Any jurisdiction that was determined not to have "the most appropriate technology available" would incur indeterminate costs to purchase and maintain the notification system(s) deemed appropriate. Skagit County noted that they would also require one new

FTE in their Department of Emergency Management to manage the notification system project. Because no notification systems have been deemed “appropriate,” the cost of such a system, and the number of staff that may be required to manage it, is unknown until additional information becomes available.

ILLUSTRATIVE NOTIFICATION SYSTEM UPDATE COSTS:

According to the Emergency Management Division, notification systems vary by jurisdiction, but the two most common are Everbridge and CodeRED, which bill on a per capita basis. However, it is not known at this time which system each jurisdiction uses. As such, the number of jurisdictions that will need to purchase “the most appropriate technology available” is unknown. Those jurisdictions would be required to purchase and maintain a new notification system, so a sampling of various jurisdictions’ notification systems and their 2023 costs are offered below to demonstrate the potential cost impacts to jurisdictions required to purchase a new system:

- Benton County: \$25,700: CodeRED
- Chelan County: \$32,500: not reported
- City of Port Angeles: \$14,000: Everbridge
- Clallam County: \$14,000: Everbridge
- Clark County: \$104,213: Everbridge
- Franklin County: \$18,500: CodeRED
- Grant County: \$41,100: Everbridge
- Klickitat County: \$8,454: Rave Mobile Safety
- Snohomish County: \$100,000: Rave Mobile Safety
- Walla Walla County: \$19,550: Everbridge
- Whatcom County: \$60,000: Genays
- Yakima County: \$63,550: Everbridge

HAZARDOUS MATERIALS IMPACT ASSESSMENT:

The Emergency Management Division also reported that under current law, the first person to arrive on the scene of a reported hazardous materials spill or release becomes the incident command officer responsible for assessing and determining which residents could potentially be impacted by the spill or release. Because the bill would not change who or how residents at risk are determined, there is no cost impact to assessing and determining who is potentially impacted by a hazardous materials spill or release.

SHERIFFS AND COUNTY EMERGENCY MANAGERS:

In counties where sheriffs are also the county’s Emergency Manager, staff resources may be slim. These jurisdictions may require more time than well-resourced jurisdictions to complete CEMP updates due to limited funding and staff availability to complete the extra work, as reported by EMD.

COUNTY TREASURERS:

County treasurers’ workload to administer the Emergency Management Fund is not anticipated to increase significantly as a result of the legislation. According to current law, when two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management, each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision. According to Washington Association of County Officials and Thurston County, county treasurers’ workload to administer the Emergency Management Fund is not anticipated to increase significantly as a result of the legislation.

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 IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute version of the bill does not impact local governments’ revenue.

REVENUE IMPACTS OF CURRENT BILL:

The proposed legislation would not impact local government revenue.

SOURCES:

Asotin County
Association of Washington Cities
Benton County
Chelan County
City of North Bend
Clallam County
Clark County
Franklin County
Grant County
Department of Ecology
Department of Fish and Wildlife
Emergency Management Division
King County
Klickitat County
Municipal Research Services Program's "Local Government Emergency Planning" Jan. 2024
Skagit County
Snohomish County
State Emergency Response Commission
Walla Walla County
Washington State Association of Counties
Whatcom County
Yakima County