

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6061 E S SB	<b>Title:</b> Housing development/SEPA
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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	Fiscal note not available					
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 Commerce	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Archaeology and Historic Preservation	.5	131,000	131,000	131,000	1.0	252,000	252,000	252,000	1.0	252,000	252,000	252,000
Department of Transportation	Fiscal note not available											
Department of Ecology	.2	0	0	43,841	.0	0	0	0	.0	0	0	0
Environmental and Land Use Hearings Office	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.7</b>	<b>131,000</b>	<b>131,000</b>	<b>174,841</b>	<b>1.0</b>	<b>252,000</b>	<b>252,000</b>	<b>252,000</b>	<b>1.0</b>	<b>252,000</b>	<b>252,000</b>	<b>252,000</b>

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	Fiscal note not available								
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 Commerce	.0	0	0	.0	0	0	.0	0	0
Department of Archaeology and Historic Preservation	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	Fiscal note not available								
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Lisa Borkowski, OFM	<b>Phone:</b> (360) 742-2239	<b>Date Published:</b> Preliminary 2/28/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6061 E S SB	<b>Title:</b> Housing development/SEPA	<b>Agency:</b> 103-Department of Commerce
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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: Ryan Blake	Phone: 360-786-7303	Date: 02/26/2024
Agency Preparation: Buck Lucas	Phone: 360-725-3180	Date: 02/28/2024
Agency Approval: Pouth Ing	Phone: 360-725-2715	Date: 02/28/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/28/2024

## 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.*

Difference between ESSB 6061 and SB 6061:

Changes are made to Sections 1 and 2, which have no fiscal impact on the Department of Commerce (department).

Summary of ESSB 6061:

Section 1 removes existing categorical exemption language for residential housing developments under the State Environmental Policy Act (SEPA).

Section 2 adds a new section to RCW 43.21C (SEPA) that addresses a categorical exemption for local housing developments, in order to accommodate infill under comprehensive planning requirements of the Growth Management Act (Chapter 36.70A RCW).

### 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.*

There is no fiscal impact to the department. This bill does not amend the Growth Management Act (GMA). The department will review and revise local government GMA technical guidance under this bill, which is part of the department's existing responsibilities and can be accomplished with minimal additional staff time.

## 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

<b>Bill Number:</b> 6061 E S SB	<b>Title:</b> Housing development/SEPA	<b>Agency:</b> 355-Department of Archaeology and Historic Preservation
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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
<b>Account</b>					
General Fund-State 001-1	0	131,000	131,000	252,000	252,000
<b>Total \$</b>	0	131,000	131,000	252,000	252,000

### 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: Ryan Blake	Phone: 360-786-7303	Date: 02/26/2024
Agency Preparation: Diann Lewallen	Phone: 360-407-8121	Date: 02/27/2024
Agency Approval: Diann Lewallen	Phone: 360-407-8121	Date: 02/27/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/27/2024

## 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 2 of the bill requires an environmental analysis for exempted developments that adequately addresses analysis and protection of cultural resources and required mitigation for impacts to cultural resources.

The impact to the Department of Archaeology and Historic Preservation (DAHP) comes from an increasing number of local government environmental documents and project proposals for DAHP to review as the local governments work to increase the availability of housing and housing developments. DAHP anticipates needing one commerce specialist 3 to address the increased workload.

### 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 DAHP will need approximately 1 FTE for a commerce specialist 3 to review local government documents and project proposals.

On-going costs:

In GFY25 a Commerce Specialist 3 at range 58 step L will make \$84,518 per year, plus related benefits estimated at \$29,344 per year, at current benefits rates. Goods and services for 1 FTE are estimated at \$6,884 per fiscal year for communications, payroll processing, training, supplies and other staff costs. Travel costs are estimated at \$5,254 per year.

One-time costs:

An amount of \$5,557 is also needed in fiscal year 2025 for computer equipment and furniture.

## 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	131,000	131,000	252,000	252,000
<b>Total \$</b>			0	131,000	131,000	252,000	252,000

**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		84,518	84,518	169,036	169,036
B-Employee Benefits		29,344	29,344	58,688	58,688
C-Professional Service Contracts					
E-Goods and Other Services		6,327	6,327	13,768	13,768
G-Travel		5,254	5,254	10,508	10,508
J-Capital Outlays		5,557	5,557		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	131,000	131,000	252,000	252,000

**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
Commerce Specialist 3	82,056		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			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

<b>Bill Number:</b> 6061 E S SB	<b>Title:</b> Housing development/SEPA	<b>Agency:</b> 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	0.4	0.2	0.0	0.0
<b>Account</b>					
Model Toxics Control Operating Account-State 23P-1	0	43,841	43,841	0	0
<b>Total \$</b>	0	43,841	43,841	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: Ryan Blake	Phone: 360-786-7303	Date: 02/26/2024
Agency Preparation: Jessica Moore	Phone: 360-529-7583	Date: 02/28/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/28/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/28/2024

## 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 changes between SB 6061 and ESSB 6061 are as follows:

Section 1 previous subsections 3 and 4 are removed from RCW 43.21C.229 and placed into a new section 2.

Section 2(2)(b) modifies the requirement in the previous version that exempt development must be connected to a sewer system to clarify in the new version that exempt development would be required to be capable of being connected to an established sewer system.

Section 2(2)(c) removes three requirements related to analysis of impacts to the state highway system from the previous version: that sufficient subarea detail identify the potential development ceiling and impacts to facilities; that impacts identified by the Department of Transportation be required to be addressed through mitigation; and that cities and counties would be permitted to address adverse impacts to state-owned transportation facilities by including them in concurrency programs and subdivision and dedication approval processes.

Section 2(2)(c)(i) would require that the environmental analysis include documentation that cultural resources are considered, mitigated, and adequately addressed.

Section 2(3)(c) of the previous version would have provided that there would be no right for a private party to seek judicial relief from compliance with the bill. This is removed in the new version.

A new section 2(2)(d) is added that would require cities and counties to take action to establish the categorical exemption by the date of the jurisdiction's next required implementation progress report or five years after the next comprehensive plan review.

A new section 2(5) is added that clarifies that "middle housing" is defined the same in this new section as in RCW 36.70A.030.

These changes do not change the fiscal impact for Ecology.

Under current law, the State Environmental Policy Act (SEPA), chapter 43.21C RCW, provides a way to identify possible environmental impacts that may result from governmental decisions. Ecology is responsible for SEPA Rules (Chapter 197-11 WAC). Ecology rules include default "categorical exemptions" for certain actions that do not have to undergo environmental review. The RCW includes a variety of other kinds of exemptions from SEPA, and optional exemptions, that allow for further exemptions beyond those contained in Ecology rules.

Section 2 would add a new section to chapter 43.21C RCW, SEPA, to add a mandatory categorical exemption from environmental review under SEPA for residential development in cities. The exemption would be limited to housing projects that would eventually be served by city sewer.

### 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 less than \$50,000 in Fiscal Year (FY) 2025 to implement the requirements of section one.

This bill would amend a significant new SEPA categorical exemption that was previously adopted in 2023. Ecology developed guidance on that exemption to address the many questions the exemption raised. Ecology assumes that the guidance would need to be updated to remain consistent with the categorical exemption in the statute. Based on previous experience, Ecology estimates that this work would require 0.30 FTE Environmental Planner 5 in FY 2025.

SUMMARY: The expenditure impact to Ecology under this bill is \$43,841.

FY 2025: \$43,841 and 0.35 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.

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
23P-1	Model Toxics Control Operating Account	State	0	43,841	43,841	0	0
<b>Total \$</b>			0	43,841	43,841	0	0

#### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.4	0.2		
A-Salaries and Wages		23,543	23,543		
B-Employee Benefits		8,028	8,028		
E-Goods and Other Services		1,814	1,814		
G-Travel		662	662		
J-Capital Outlays		386	386		
9-Agency Administrative Overhead		9,408	9,408		
<b>Total \$</b>	0	43,841	43,841	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 5	78,476		0.3	0.2		
FISCAL ANALYST 2			0.0	0.0		
IT APP DEV-JOURNEY			0.0	0.0		
<b>Total FTEs</b>			0.4	0.2		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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6061 E S SB	<b>Title:</b> Housing development/SEPA	<b>Agency:</b> 468-Environmental and Land Use Hearings Office
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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: Ryan Blake	Phone: 360-786-7303	Date: 02/26/2024
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 02/28/2024
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 02/28/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/28/2024

## 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.*

Sec. 1: Removes the categorical housing development exemption from this section of the State Environmental Policy Act (SEPA).

Sec. 2: New Section – Defines a categorical housing development exemption from SEPA. In addition to existing requirements, a jurisdiction must determine that the proposed development is capable of being connected to an established sewer system at the time of construction. The amended version removes the provision that the environmental analysis must include sufficient subarea detail to identify the potential development ceiling and impact to facilities. Requires the environmental analysis include documentation that the requirements for analysis and protection of cultural resources, and mitigation for impacts to cultural resources, have been adequately addressed. The amended bill removes the provision providing that nothing in the subsection grants the right to seek judicial relief requiring compliance with the subsection.

This bill will likely result in the filing of some additional appeals before the Growth Management Hearings Board (GMHB), however, impacts are anticipated to be minimal and can be absorbed by the GMHB.

### 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.*

None

### 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.*

None

## 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

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.*