

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version: HB 199
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB199-DEC-WQ-04-06-17
Title: FISH/WILDLIFE HABITAT PROTECTION;
PERMITS
Sponsor: STUTES
Requester: House Fisheries Committee

Department: Department of Environmental Conservation
Appropriation: Water
Allocation: Water Quality
OMB Component Number: 2062

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2018	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Personal Services	211.6		211.6	211.6	211.6	211.6	211.6
Travel	9.0		6.0	6.0	6.0	6.0	6.0
Services	32.7		12.7	12.7	12.7	12.7	12.7
Commodities	15.0		1.0	1.0	1.0	1.0	1.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	268.3	0.0	231.3	231.3	231.3	231.3	231.3

Fund Source (Operating Only)

1004 Gen Fund (UGF)	268.3		92.5	92.5	92.5	92.5	92.5
1005 GF/Prgm (DGF)			138.8	138.8	138.8	138.8	138.8
Total	268.3	0.0	231.3	231.3	231.3	231.3	231.3

Positions

Full-time	2.0		2.0	2.0	2.0	2.0	2.0
Part-time							
Temporary							

Change in Revenues

1005 GF/Prgm (DGF)			138.8	138.8	138.8	138.8	138.8
Total	0.0	0.0	138.8	138.8	138.8	138.8	138.8

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 07/01/18

Why this fiscal note differs from previous version:

Not applicable, initial version

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Agency: Department of Environmental Conservation

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Date: 04/06/2017 10:52 AM
Date: 04/07/17

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2017 LEGISLATIVE SESSION

BILL NO. HB199

Analysis

HB199 requires several changes to the permitting program in the Department of Fish and Game, Habitat Division. These changes will impact the Department of Environmental Conservation's permitting and engineering plan review of wastewater discharges to all fresh waters in Alaska.

The bill at Section 2. Section 16.05.871 creates a rebuttable presumption that all waters in Alaska are anadromous. Alaska's Water Quality Standards at 18 AAC 70.255(h)(1) states that mixing zones will not be allowed in an area of anadromous fish spawning. The presumption per the bill can be rebutted by the Department of Fish and Game, but unless and until this occurs, all discharges will be presumed to be ineligible for mixing zones and thus needing to meet water quality criteria at the "end-of-pipe," the point at which the discharge enters the receiving water.

Division of Water permit application reviews are expected to increase in complexity as industry and municipalities work within the changed model of all fresh waters being presumed anadromous. This presumption increases complexity for applicants as it is predicted that numerous facilities will be required to meet the end-of-pipe limits.

Existing fees cover approximately 60% of the cost of permitting and plan review activities. It will take a year to enact new regulations before the Department can begin collecting fees to cover this activity. FY2018 will be funded entirely by general funds while new staff are brought on and trained and new regulations are developed. Revenues reflect a proportional shift to general fund program receipts starting in FY2019 as new regulations are implemented and additional fees are collected.

Personal Services:

An Environmental Program Specialist III will be responsible for permit application reviews and will be required to address the additional workload without causing a backlog in the permitting. An Engineer I at DEC will be needed for review and approval of engineering plans for treatment system changes needed to meet the more stringent limits. Both positions will be located in Anchorage.

Travel:

The new Environmental Program Specialist will require permit writer training, which is only available out of state at this time. Limited in-state travel will be required to conduct compliance inspections annually.

Contractual:

Contractual costs reflect estimated RSAs with the Department of Law for consultation during the development of new regulations.

Supplies:

Supplies include new employee equipment for the first year, and normal office supply needs in subsequent years.