

DEPARTMENT OF ECOLOGY

2025 Supplemental Operating and Capital Budget

Washington State Department of Ecology Olympia, Washington

September 24, 2024

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Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300

Northwest Region 206-594-0000

Central Region 509-575-2490 Eastern Region 509-329-3400

Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	P.O. Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 West Alder Street Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 North Monroe Spokane, WA 99205	509-329-3400
Headquarters	Statewide	P.O. Box 46700 Olympia, WA 98504	360-407-6000





STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

September 24, 2024

TO: Pat Sullivan, Director

Office of Financial Management (OFM)

FROM: Laura Watson, Director

SUBJECT: Ecology's 2025 Supplemental Budget Requests

As the state's lead environmental agency, Ecology's mission is to protect and preserve the environment for current and future generations, while valuing and supporting Washington's economic success. We're tackling challenges that are unique to our times and require us to take a broad and holistic approach to our work that focuses on not only *what* we do, but also *how* we do it.

Ecology's strategic goals are to:

- Support and engage our communities, customers, and employees.
- Reduce and prepare for climate change impacts.
- Prevent and reduce waste, toxic threats, and pollution.
- Protect and manage our state's waters.

Our agency's deep commitment to environmental justice is tied to each of our strategic goals and guides the way we work to accomplish those goals.

Ecology's 2025 supplemental operating budget request reflects a zero-sum maintenance level fund shift between General Fund-Federal and the Radioactive Mixed Waste Account to support the transition of workload related to permitting and oversight of mixed waste management activities at the Hanford site. Please note: Ecology submitted a companion 2025-27 decision package (*ML ED-Hanford Workload Adjustment*), which requests this same fund shift on an ongoing basis beginning in fiscal year 2026.

Ecology's 2025 supplemental capital budget request of \$1,618,000 is for design and construction costs associated with the relocation of the Washington State Parks and Recreation Commission into Ecology's Headquarters Building in Lacey, WA. As part of this relocation, Ecology vacated approximately 33,000 sq. ft. of space in the building, including the moving of its Southwest Regional Office, over 200 cubicles, numerous offices, conference rooms, and storage/support spaces. The requested funding will support the completion of this required work in fiscal year 2025.

Pat Sullivan, Director September 24, 2024 Page 2

Thank you for considering Ecology's 2025 supplemental budget requests. We will work with our assigned OFM operating budget analysts as they review this request in detail. Please let us know if you have questions.

Attachment

Distribution to:

Myra Baldini, Capital Budget Advisor to the Governor, OFM Lisa Borkowski, Budget Advisor to the Governor, OFM Wendy Brown, Senior Fiscal Analyst, Senate Ways & Means Committee Jim Cahill, Senior Budget Advisor to the Governor, OFM K.D. Chapman-See, Legislative Liaison, Legal and Legislative Affairs, OFM Debbie Driver, Senior Policy Advisor, Transportation, Office of the Governor Rob Duff, Executive Director, Policy & Outreach, Office of the Governor Dawn Eychaner, Fiscal Analyst, House Capital Budget Committee Adam Eitmann, Governmental Affairs Director, Department of Ecology Jed Herman, Senior Fiscal Analyst, Senate Ways & Means Committee Dan Jones, Fiscal Analyst, House Appropriations/Natural Resources Committee Kelci Karl-Robinson, Capital Budget Coordinator, House Capital Budget Committee Becky Kelley, Senior Policy Advisor, Climate, Office of the Governor Anna Lising, Senior Policy Advisor, Energy, Office of the Governor Jennifer Masterson, Senior Budget Advisor to the Governor, OFM Ruth Musgrave, Senior Policy Advisor, Natural Resources, Office of the Governor Sheri Sawyer, Executive Director, Legislative Affairs, Office of the Governor Carrie Sessions, Senior Policy Advisor, Environment & Water, Office of the Governor Nona Snell, Budget Division Director, OFM Garret Ward, Chief Financial Officer, Department of Ecology Shelly Willhoite, Capital Budget Advisor to the Governor, OFM



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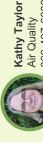
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Revised July 23, 2024



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360-791-0879

Stephanie Schleif Nuclear Waste 509-372-7905

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360-515-8348 Management Solid Waste Peter Lyon



Preparedness & Response Carlos Clements Spill Prevention 360-763-2038



Barry Rogowski

Vince McGowan 360-407-6405 Water Quality



Water Resources

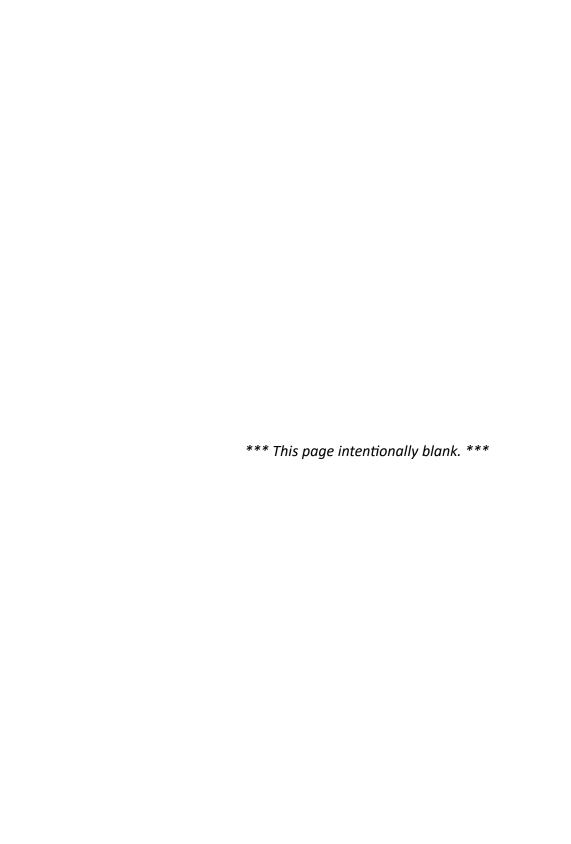




Department of Ecology 2025 Supplemental Operating and Capital Budget

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ABS024 Recommendation Summary Department of Ecology 2025Second Supplemental Budget Session S2 - 2025 Supplemental Agency Request

	FY2 FTEs	General Fund State	Other Funds	Total Funds
CB T0PL Current Biennium Base	2,210.1	78,781	879,609	958,390
2023-25 Current Biennium Total	2,210.1	78,781	879,609	958,390
Total Carry Forward Level Percent Change from Current Biennium	2,210.1 .0%	78,781 .0%	879,609 .0%	958,390 .0%
Maintenance – Other Changes MLHA Hanford Workload Adjustment Maintenance – Other Total	0.0 0.0	0 0	0 0	0 0
Total Maintenance Level Percent Change from Current Biennium	2,210.1 .0% 0.0	78,781 .0%	879,609 .0%	958,390 .0%
Subtotal - Policy Level Changes	0.0	0	0	0
2023-25 Total Policy Level Percent Change from Current Biennium	2,210.1 .0%	78,781 .0%	879,609 .0%	958,390 .0%

ML HA Hanford Workload Adjustment

As the United States Department of Energy continues to ramp up mixed waste permitting and mixed waste management activities for the Hanford site, Ecology has observed a declining percentage of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup work at Hanford. This trend has been observed for several biennia and is expected to continue as tank waste treatment, storage, and disposal funding continues to increase in Hanford's federal budgets. Ecology requests a net-zero fund shift of expenditure authority in fiscal year 2025 from General Fund-Federal to the Radioactive Mixed Waste Account to support the transition of workload related to permitting and oversight of mixed waste management activities. (General Fund-Federal, Radioactive Mixed Waste Account)

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Department of Ecology

2023-25 Second Supplemental Budget Session

Maintenance Level - HA - Hanford Workload Adjustment

Agency Recommendation Summary

As the United States Department of Energy continues to ramp up mixed waste permitting and mixed waste management activities for the Hanford site, Ecology has observed a declining percentage of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup work at Hanford. This trend has been observed for several biennia and is expected to continue as tank waste treatment, storage, and disposal funding continues to increase in Hanford's federal budgets. Ecology requests a net-zero fund shift of expenditure authority in fiscal year 2025 from General Fund-Federal to the Radioactive Mixed Waste Account to support the transition of workload related to permitting and oversight of mixed waste management activities. (General Fund-Federal, Radioactive Mixed Waste Account)

Fiscal Summary

Fiscal Summary	Fiscal Years		Biennial	Fiscal Years		Biennial	
Dollars in Thousands	2024	2025	2023-25	2026	2027	2025-27	
Staffing							
FTEs	0.0	0.0	0.0	0.0	0.0	0.0	
Operating Expenditur	es						
Fund 001 - 2	\$0	(\$413)	(\$413)	\$0	\$0	\$0	
Fund 20R - 1	\$0	\$413	\$413	\$0	\$0	\$0	
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$0	
Revenue							
001 - 0381	\$0	(\$413)	(\$413)	\$0	\$0	\$0	
20R - 0294	\$0	\$413	\$413	\$0	\$0	\$0	
Total Revenue	\$0	\$0	\$0	\$0	\$0	\$0	

Decision Package Description

Background:

The Hanford Site, located in Benton County, is one of the largest environmental cleanup projects in the world. About 10% of the land area and 80 square miles of groundwater within, are unsafe for human use. Cleanup of the site includes collecting, removing, and/or safely storing chemically toxic and radioactive materials. Activities underway to address Hanford contaminants include soil and groundwater cleanup and demolishing legacy facilities to ensure the safety of future generations.

The United States Department of Energy (USDOE) conducts cleanup and closure activities at Hanford. Ecology is authorized by the Environmental Protection Agency (EPA) to regulate Hanford cleanup under the Resource Conservation and Recovery Act (RCRA), and Ecology partners with EPA to do this. EPA and Ecology have divided lead regulator responsibilities for all Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) activities. Under CERCLA, Ecology is responsible for leading some of the soil and groundwater cleanup, with EPA leading the remainder. EPA retains final decision-making authority of the CERCLA cleanup remedies at the site, so we partner closely.

The Hanford Federal Facility Agreement and Consent Order (HFFACO), also known as the Tri-Party Agreement, was established in 1989 to clarify the obligations of USDOE, EPA, and Ecology. The HFFACO designates who the lead regulatory agency is for CERCLA cleanup. Per the HFFACO, USDOE agrees to reimburse Ecology for all its costs related to implementation of the agreement. Ecology's Nuclear Waste Program carries out regulatory oversight of Hanford on behalf of Washington. Our largest efforts center around a mix of RCRA work funded by the fee-supported Radioactive Mixed Waste Account (RMWA) and the CERCLA Grant (General Fund-Federal).

Radioactive Mixed Waste Account:

Ecology performs work under RCRA to ensure proper storage, treatment, and disposal of radioactive mixed wastes. Per WAC 173-328-060, Ecology may annually bill the required fees necessary to fund all mixed waste management costs to facilities that treat, manage, store, and dispose of radioactive mixed waste. Fees collected are deposited in the RMWA. USDOE is responsible for paying the vast majority of this fee.

Work funded by this account primarily includes mixed waste management costs, such as Hanford Sitewide permit issuance and maintenance, closure plan approval, mixed waste facility oversight visits, and compliance audits to ensure mixed waste requirements are being met. The Hanford Sitewide Permit is the largest and most complex permit in the nation. It permits operations at 36 groups of radioactive mixed waste facilities ranging from non-operating facilities requiring closure, operating treatment, storage, and disposal facilities and the first of its kind tank waste treatment complex that includes 13 individual processing and operating units.

This permit continues to grow as more facilities are identified and as USDOE continues to receive increased federal funding to expand its tank waste mission. The Direct Feed Low-Activity Waste Treatment Plant is expected to begin operating in 2025, allowing vitrification of low-activity radioactive mixed waste. Construction of the High-Level Waste Treatment Plant is also expected to ramp up to eventually allow vitrification of high-level waste. With facilities expanding and the cleanup mission progressing, there is also an increased need to oversee the closure of storage,

treatment, and disposal facilities that have met their mission. All of these activities increase Ecology's costs.

General Fund-Federal: CERCLA Grant

Ecology reviews and drafts documents under CERCLA to regulate cleanup of legacy contamination at the Hanford Site. This includes oversight of the nature and extent of soil and groundwater contamination; review, approval, and implementation of cleanup actions; and ensuring cleanup actions are completed on schedule and in compliance with milestones established in the HFFACO. Over the past two biennia, workload associated with the grant has remained relatively consistent; however, it has also progressed slower than planned, with Ecology getting documents at a slower rate to review. This has resulted in underspends against the grant.

Ecology Biennial Planning and Funding:

Due to the complex nature of work Ecology conducts across several dedicated fund sources, Ecology's Nuclear Waste Program undergoes rigorous biennial and mid-biennial planning processes to inform fee assessment and grant requests and to develop plans to operate within our appropriations. Positions are funded by one or more fund sources, with the majority being funded primarily by the RMWA, the CERCLA grant, or a mix of the two.

Problem/Opportunity:

Ecology has observed a declining ratio of CERCLA work that has shifted to work paid for by the RMWA. Workload is projected to continue to increase against the RMWA due to tank waste mission priorities increasingly emphasized in annual federal budgets and ongoing discussions with USDOE on work to be conducted on the Hanford Site.

Over the last several biennia, Ecology's average planned split for staff between RMWA and CERCLA work has gradually shifted from 70% RMWA and 30% CERCLA to 80% RMWA and 20% CERCLA in response to the types and proportion of cleanup actions being done by USDOE. Ecology's Nuclear Waste Program is currently funded at 78% RMWA and 22% CERCLA for salaries and benefits, and 75% RMWA and 25% CERCLA across all cost objects.

In the last two biennia, Ecology has observed disproportionate underspending under the CERCLA grant and insufficient authority to conduct work funded by the RMWA. This trend has carried into the 2023-25 biennium, and Ecology has reached its funding ceiling for the RMWA while running a substantial underspend against the CERCLA grant. This has required Ecology to hold vacant positions despite the critical workload being driven and sent by USDOE for regulatory review and modification. The continuing shift of Hanford priorities over time has caused a disparity between actual work and funded level within each fund source for regulation work at Hanford.

Proposed Solution:

Ecology requests a net-zero shift of General Fund-Federal expenditure authority to the RMWA for fiscal year 2025 to better align with workload occurring across the Hanford site, while maintaining capacity for a rise in CERCLA workload submitted to Ecology by USDOE. This request will result in a salaries and benefits split of 80% RMWA and 20% CERCLA, ultimately matching Ecology's planned workload splits. This request will result in a total split across all objects of 77% RMWA and 23% CERCLA. Future requests may be needed to seek funding alignment with work being conducted on the Hanford Site.

USDOE is both the administrator and payer of Ecology's annual CERCLA grant and would be the sole fee-payer affected by the fee increase. The net-zero expenditure shift would be backed by a net-zero shift in revenue source.

Ecology has a companion decision package requesting this shift ongoing, beginning in 2025-27.

Impacts on Population Served:

This request will provide resources necessary to better align Ecology's workload with dedicated fund sources. This will allow Ecology to oversee timely cleanup of the Hanford Site. Those impacted by this request include our federal partners (USDOE and EPA) and populations affected by cleanup of the Hanford Site, including the Yakama Nation, Nez Perce Tribe, and Confederated Tribes of the Umatilla Indian Reservation, who retain treaty rights. Effective Ecology oversight of Hanford contaminants promotes the current exercise of treaty rights and future restoration of full Tribal access to Hanford land.

Alternatives Explored:

Status Quo: Continuing operations as-is would result in a disparity between funded splits of RMWA and CERCLA work versus the work at Hanford requiring Ecology oversight. Most positions within Ecology's Nuclear Waste Program are planned for and funded by both the RMWA and the CERCLA grant due to the scope of the positions. Status quo would continue to result in Ecology bottlenecks, delays in oversight of radioactive mixed waste treatment and disposal, and significant underspends against the CERCLA grant.

State Fund Sources: Using positive variances in eligible state fund sources to cover disparity between actual work from funded level has also been considered. This solution is not ideal because Ecology's costs related to regulatory oversight of the Hanford Site are intended to be reimbursed by USDOE as agreed on in the HFFACO.

Consequences of Not Funding This Request:

If unfunded, Ecology would continue to operate at funded levels. As the ratio of workload continues to shift in favor of the RMWA, Ecology

would face a limitation on the number of staff we could employ to provide critical oversight of radioactive mixed waste permits. We would continue to run underspends against the CERCLA grant. This would result in bottlenecks and delays in Ecology's ability to provide oversight of operations at Hanford.

JUSTIFICATION FOR NEW OR INCREASED FEE REQUEST:

1. Fee Name: Mixed Waste Management Fee

2. Current Tax or Fee Rate: FY 2025: \$12,417,000

3. Proposed Rate: FY 2025: \$12,829,592

4. Incremental Change for Each Year:

FY 2025: \$412,892

5. Expected Implementation Date: 07/01/2024

6. Estimated Additional Revenue Generated by Increase:

FY 2025: \$412,892

- 7. Justification: The Mixed Waste Management and Fee is driven by workload analysis and level of effort required to carry out the responsibilities of the Nuclear Waste Program. Increased workload drives an equal offset of expenditures and revenue through increased billings to permitted entities.
- 8. Changes in Who Pays: N/A
- 9. Changes in Methodology: N/A
- 10: RecSum Code: HA
- 11. Alternatives: The alternative to this request is funding from General Fund State. This is not preferred as there is an established fund source directly correlated to the work being performed.
- 12. Statutory Change Required? No

Assumptions and Calculations

Historical Funding:

	FY2026	FY2027
FTE (xx direct FTE)	0.0	0.0
Total Funds (rounded to thousands)	\$0	\$0
Near General Fund (rounded to thousands)	\$0	\$0
Other Funds (rounded to thousands)	\$0	\$0

Administrative overhead related to this program or service is in the agency's Administration Activity A002, but is not shown in the totals above.

Expansion, Reduction, Elimination or Alteration of a current program or service:

This request expands Activities A016 – Treat and Dispose of Hanford's High-Level Radioactive Tank Waste and A017 – Ensure Safe Tank Operations, Storage of Tank Wastes, and Closure of the Waste Storage Tanks at Hanford for fiscal year 2025 because it will ensure the proper storage, treatment, and disposal of radioactive mixed waste on the Hanford Site.

This request will also result in an offsetting reduction to Activities A014 – Restore the Air, Soil, and Water Contaminated from Past Activities at Hanford, and A015 – Clean Up and Remove Large, Complex, Contaminated Facilities throughout Hanford for fiscal year 2025 to align with the shift in workload occurring at the Hanford Site.

Below is a summary of the 2021-23 and 2023-25 base funding and FTEs for this activity. Administrative overhead related to this activity is also in the agency's Administration Activity A002 but is not shown in the totals below.

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Activity A014 – Restore the Air, Soil, and Water Contaminated from Past Activities at Hanford						
	2021-23	2023-25				
FTEs Total	16.80	16.95				
001-1 General Fund – State	\$15,000	\$15,000				
001-2 General Fund – Federal	\$5,935,000	\$6,234,000				
20R-1 Radioactive Mixed Waste	\$1,321,000	\$1,346,000				
Fee						
216-1 Air Pollution Control	\$34,000	\$38,000				
219-1 Air Operating Permit	\$135,000	\$201,000				
TOTAL	\$7,440,000	\$7,834,000				

Activity A015 - Clean Up and Remove Large, Complex, Contaminated Facilities throughout Hanford						
	2021-23	2023-25				
FTEs Total	13.40	14.05				
001-1 General Fund – State	\$15,000	\$15,000				
001-2 General Fund – Federal	\$687,000	\$722,000				
176-1 Water Quality Permit	\$157,000	\$231,000				
20R-1 Radioactive Mixed Waste	\$2,338,000	\$2,528,000				
Fee						
216-1 Air Pollution Control	\$37,000	\$40,000				
219-1 Air Operating Permit	\$137,000	\$165,000				
TOTAL	\$3,371,000	\$3,701,000				

Activity A016 – Treat and Dispose of Hanford's High-level Radioactive Tank Waste						
	2021-23	2023-25				
FTEs Total	33.35	33.60				
001-1 General Fund – State	\$15,000	\$15,000				
001-2 General Fund – Federal	\$42,000	\$45,000				
20R-1 Radioactive Mixed Waste	\$8,330,000	\$8,487,000				
Fee						
216-1 Air Pollution Control	\$49,000	\$55,000				
219-1 Air Operating Permit	\$168,000	\$203,000				
TOTAL	\$8,604,000	\$8,805,000				

Activity A017 – Ensure Safe Tank Operations, Storage of Tank Wastes, and Closure of the Waste Storage Tanks at Hanford							
	2021-23	2023-25					
FTEs Total	18.40	18.60					
001-1 General Fund – State	\$18,000	\$18,000					
001-2 General Fund – Federal	\$24,000	\$26,000					
20R-1 Radioactive Mixed Waste	\$5,368,000	\$5,484,000					
Fee							
216-1 Air Pollution Control	\$54,000	\$61,000					
219-1 Air Operating Permit	\$176,000	\$213,000					
TOTAL	\$5,640,000	\$5,802,000					

Detailed Assumptions and Calculations:

For fiscal year 2025, Ecology requests a 1-to-1 reduction of General Fund-Federal expenditure authority and an offsetting increase to RMWA expenditure authority of \$825,786 (equivalent to 2.35 Environmental Specialist 5). This will allow Ecology to better align our funding in dedicated accounts with the actual workload being completed at the Hanford site while maintaining capacity for a rise in CERCLA workload submitted to Ecology by USDOE.

If funded, this request will result in a subsequent 1:1 reduction in General Fund-Federal revenue through reduction to Ecology's CERCLA grant for the Hanford Site and an increase to revenue in the RMWA. Revenue to the account is collected through assessment of the annual Mixed Waste Management Fee. Each of these revenue sources are paid for by USDOE, who supports this request.

Workforce Assumptions:

Expenditures by	y Object		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
	Total Objects		0	0	0	0	0	0
Staffing								
Job Class		Salary	FY 2024	FY 2025	<u>FY 2026</u>	FY 2027	FY 2028	FY 2029
	Total FTEs		0.00	0.00	0.00	0.00	0.00	0.00

Strategic and Performance Outcomes

Strategic Framework:

This request is essential to achieving the Governor's Results Washington Goal 3: Sustainable Energy and a Clean Environment and Ecology's Goal 3: Prevent and reduce waste, toxic threats, and pollution because it will better align our staff resources with the essential work to treat, store, and dispose of radioactive mixed waste occurring across the Hanford Site.

Performance Outcomes:

The outcome of this request will be better alignment between funding and actual workload for dedicated fund sources, allowing for better oversight of the storage, treatment, and disposal of radioactive mixed waste at the Hanford Site.

Equity Impacts

Community Inputs and Incorporation:

See Community Outreach and Engagement response.

Community Outreach and Engagement:

Ecology regularly engages with the Confederated Tribes and Bands of the Yakama Nation, the Nez Perce Tribe, and the Confederated Tribes of the Umatilla Indian Reservation on Hanford cleanup issues. These indigenous Tribes and nations have expressed significant interest in the restoration of lands historically inhabited as their ancestral territory.

Ecology's Nuclear Waste Program also regularly conducts community outreach and engagement to those who have been or may be affected by the Hanford site and cleanup activities. These communities are highly impacted by the timely cleanup of Hanford contaminants. Cleanup actions have been and will continue to be shared extensively with communities impacted by Hanford contamination. Ecology ensures these outreach and engagement activities are designed to be accessible, linguistically appropriate, and aim to reach and involve as many members of the community as possible.

Disproportional Impact Considerations:

As far as we can reasonably foresee, this request does not make decisions that are anticipated to result in negative health impacts and environmental burdens or harm. The legacy of environmental contamination from Hanford and ongoing environmental and public health risks has regional effects on economic and community wellbeing. These effects disproportionately impact people already overburdened by environmental and health concerns. This population faces numerous barriers to accessing government information or services, such as:

- Information about the Hanford Site
- Information about potential health risks
- Information about public involvement opportunities

This request will result in additional capacity to oversee the proper storage, treatment, and disposal of radioactive mixed waste on the Hanford Site.

Target Populations or Communities:

Those most vulnerable to harmful impacts from potential environmental and health threats created by Hanford waste are Tribal and indigenous people, overburdened communities, and low-income populations. Hanford lies on the traditional lands of the Confederated Tribes and Bands of the Yakama Nation, the Nez Perce Tribe, and the Confederated Tribes of the Umatilla Indian Reservation. The Wanapum Band is not a federally recognized Tribe, but state law recognizes the Wanapum Band's right to permits for taking salmon and other freshwater fish for ceremonial and subsistence purposes. These Tribes and Bands use natural resources on and adjacent to the Hanford Site, and contamination from dangerous waste poses a potential threat to people hunting, gathering, and fishing in the area.

The Hanford Site is located in Benton County, where 26% of the population has been identified as low-income. People of color make up 32% of the population, and 23% of the total county population are Hispanic/Latino. 17% of the population speak Spanish at home. According to the Washington State Department of Health's Environmental Health Disparities Map, this puts much of the county in the top 10 to 20% for communities of color. Across the Columbia River is Franklin County, another community highly invested in cleanup of the Hanford Site. The Franklin County population is 34% low-income, 61% people of color, and 49% of homes speak languages other than English. 54% of the county identify as Hispanic/Latino, and 45% of households speak Spanish.

One of the closest cities to Hanford is Mattawa in Grant County. Mattawa has about 4,600 people. Of that, 98% identify as Hispanic/Latino, 61% are low-income, 76% have less than a high school education, and 52% speak languages other than English.

The following link provides further insight into the many communities at risk from Hanford contaminants: https://apps.ecology.wa.gov/publications/UIPages/SummaryPages/2205009.html

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Ecology has conducted outreach with USDOE, EPA, and the Tribes that hold treaty rights to the Hanford site. Cleanup remains a priority for Ecology, EPA, and the Tribes, and this has been communicated. All parties remain supportive of this request moving forward.

Stakeholder Response:

Ecology expects interested parties, such as those on the Hanford Advisory Board and the Oregon Hanford Cleanup Board, to support this request because it will aid in progressing cleanup timelines that directly align with the goals and initiatives of these groups.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

Requested resources will ensure Ecology meets obligations within HFFACO cleanup deadlines and milestones.

HEAL Act Agencies Supplemental Questions:

Yes, see attached.

Governor's Salmon Strategy:

N/A

Reference Documents

2025 Supp Handford Workload Adjustment-HEAL Act Attachment.pdf

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Agency Contact Information

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2025-27 Biennial Budget HEAL Act Template

Background

HEAL Act requirements

The Healthy Environment for All Act (HEAL Act), Chapter 314, Laws of 2021 (RCW <u>70A.02</u>) requires that "covered and opt in agencies" must implement the requirements of the HEAL Act. This includes the:

- Department of Ecology
- Department of Agriculture
- Department of Commerce
- Department of Health
- Department of Natural Resources
- Department of Transportation
- Puget Sound Partnership
- Office of the Attorney General

HEAL Act agencies that are considering a significant agency action initiated after July 1, 2023, are required to conduct an environmental justice assessment. RCW <u>70A.02.010(12)</u> specifies that significant agency actions include:

- The development and adoption of significant legislative rules as defined in RCW 34.05.328.
- The development and adoption of any new grant or loan program that the agency is explicitly authorized or required by statute to implement.
- A capital project, grant, or loan award costing at least \$12,000,000.
- A transportation project, grant, or loan costing at least \$15,000,000.
- The submission of agency request legislation to the Office of the Governor or OFM.

Under RCW 70A.02.080, beginning on or before July 1, 2023, covered and opt in agencies must, where practicable, take specific actions when making expenditure decisions or developing budget requests to OFM and the Legislature for programs that address or may cause environmental harms or provide environmental benefits. This includes:

- Focus applicable expenditures on creating environmental benefits that are experienced by overburdened communities and vulnerable populations, including reducing or eliminating environmental harms, creating community and population resilience, and improving the quality of life of overburdened communities and vulnerable populations.
- Create opportunities for overburdened communities and vulnerable populations to meaningfully participate in agency expenditure decisions.
- Clearly articulate environmental justice goals and performance metrics to communicate the basis for agency expenditures.
- Establish a goal of directing 40% of grants and expenditures that create environmental benefits to vulnerable populations overburdened communities.

To help OFM understand how HEAL Act agency budget requests meet HEAL Act requirements, covered agencies are required to complete additional questions related to the HEAL Act. These questions are shown below and are in addition to the equity related questions required of all agencies. Covered agencies are asked to complete the following questions and submit them through ABS.

HEAL Act questions

If you answer YES to any of these bullet points, please answer the six additional questions and submit them as an attachment through ABS.

•	Is this decision package part of an agency request legislation that is required to comple environmental justice assessment (RCW <u>70A.02.010(12)</u> ?	te an
	□ Yes	
	⊠ No	
•	Is this decision package requesting funding to support another significant agency actio is required to complete an environmental justice assessment (RCW <u>70A.02.010</u> (12)?	n that
	□ Yes	
	⊠ No	
•	Is this decision package requesting funding for a program/project/activity that may previous environmental benefits or reduce, mitigate, or eliminate environmental harms, not a significant agency action)? Note: This may include decision packages for program purposely directed to provide environmental benefits but may have an indirect or unintentional impact.	(that is
	⊠ Yes	
	□ No	
ou	answer YES to any of the above bullet points, please complete these additional	

If yo questions.

1. Please describe specific likely or probable environmental harms and/or benefits related to your decision package and the associated health impacts to overburdened communities and vulnerable populations.

The Hanford site is one of the largest cleanup sites in the world. The site, throughout its existence, has released radioactive and hazardous waste contaminants into the soil, air, groundwater, and the Columbia River; and will continue to do so until cleanup is completed.

Many of the communities surrounding the Hanford site are also at risk of these contaminants if there is a major infrastructure collapse. Those most vulnerable to harmful impacts from potential environmental and health threats created by Hanford waste are Tribal and indigenous people, overburdened communities, and low-income populations.

2. Please describe the estimated percentage and amount of the requested funds that will go towards creating environmental benefits in overburdened communities and vulnerable populations as defined in OFM's the OBC map or as determined by the agency. If applicable, please include your methodology for making this estimate, including project/award lists if available.

Ecology estimates 100% of requested funds would go towards creating environmental benefits and provide direct benefits to overburdened communities areas and vulnerable populations. However, this calculation is complicated by the characteristics of the Hanford site. The Hanford Site is not an overburdened community area on the OBC map. This is likely because this area within the census tract has restricted access and the criteria of the EHD map largely do not apply. However, the site has significant environmental and health impacts for the state and surrounding communities from a legacy of toxic and radioactive contamination and complex cleanup. Ecology's estimation is based on the Hanford site being located on the traditional lands of the Confederated Tribes and Bands of the Yakama Nation, Nez Perce Tribe, and Confederated Tribes of the Umatilla Indian Reservation. The Wanapum Band is not a federally-recognized Tribe, but state law recognizes the Wanapum Band's right to permits for taking salmon and other freshwater fish for ceremonial and subsistence purposes. These Tribes and Bands use natural resources on and adjacent to the Hanford Site, and contamination from dangerous waste poses a potential threat to people hunting, gathering, and fishing in the area.

Further, the Hanford Site is located in Benton County, where 26% of the population has been identified as low-income. People of color make up 32% of the population, and 23% of the total county population are Hispanic/Latino. 17% of the population speak Spanish at home. According to the Washington State Department of Health's Environmental Health Disparities Map, this puts much of the county in the top 10 to 20% for communities of color. Across the Columbia River is Franklin County, another community highly invested in the cleanup of the Hanford Site. The Franklin County population is 34% low-income, 61% people of color, and 49% of homes speak languages other than English. 54% of the County identify as Hispanic/Latino and 45% of households speak Spanish.

One of the closest cities to Hanford is Mattawa in Grant County. Mattawa has about 4,600 people. Of that, 98% identify as Hispanic/Latino, 61% are low-income, 76% have less than a high school education, and 52 speak languages other than English.

The communities above and those that have been and stand to be impacted by Hanford contamination are defined as overburdened communities and/or vulnerable populations on OFM's OBC map. This request would fund additional resources to support the proper storage, treatment, and disposal of radioactive mixed waste on the Hanford Site and would ultimately work towards reducing the impacts of Hanford contaminants on these communities.

3. Please describe any potential significant impacts to Indian Tribes' rights and interest in their tribal lands, as well as traditional practices.

Tribal Nations were forcibly removed from their lands and restricted access from what is now the Hanford Site. Until cleanup is complete, they will continue to face restrictions. Tribal

Nations adjacent to the Hanford Site have a vested interest in the restoration of lands that the Tribes have treaty rights to.

4. Describe how your agency engaged with Tribes in developing this proposal, including offers for tribal consultation including timelines, methods for feedback, and mechanisms for Tribes to express concern, opposition, or support., and any direction provided by Tribes through this engagement.

We have engaged with the Tribes that hold treaty rights to the Hanford Site through direct consultation on this proposal in the spring of 2024 and have received their support. The Tribes have expressed significant interest in the oversight and thorough cleanup of contaminated areas that once provided hunting, gathering and cultural resources for multiple sovereign Tribes and Nations.

We also have routine engagement with the Tribes via the Hanford Advisory Board and upon request from the Tribes as needed on topics identified in their request. We also have monthly meetings with the Confederated Tribes and Bands of the Yakama Nation and Nez Perce Tribes that have treaty rights to the Hanford Site. We provide routine permitting updates at those meetings and any specific permitting topics as requested by the Tribal Nations.

5. If the decision package is part of agency request legislation or supports another significant agency action that is required to complete an environmental justice assessment under RCW 70A.02.010(12), please submit the assessment as an attachment in ABS.

N/A

6. If the decision package is part of agency request legislation or constitutes a significant agency action that is required to complete an environmental justice assessment, please describe how your agency used the environmental justice assessment process to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits. If your agency determined that you were unable to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits, please provide a justification for not doing so.

N/A



State of Washington

September 10, 2024

Code

					,	•					, T	
				Request	Request for Fees and Taxes	d Taxes				AGENCY	461	Department of Ecology
				202	2025 Supplemental	ntal						
							Incre	Incremental Revenue	Sevenue			
							Do	Dollars in Thousands	nsands			
							GF-S		Other Funds			
										Tied to		
	Agency	, Fee	Name of	Is a bill	Z-Draft # (or	New, Increased,				Expenditure		
Agy #	# Name	Code	Fee/Tax	required?	Pending)	Continued?	FY 2024 F	Y 2025 FY	FY 2024 FY 2025 FY 2024 FY 2025	25 Change?	Fee Payer Position	Explanation of Change
461	Dept. of	f K003	K003 Mixed Waste	No	No Legislation	Increased			4.	413 Yes	Fee payers are aware of the annual	RCW 70.105.280 authorizes the department to
	Ecology	_	Management							See ML HA	adjustment. Adjustments to billing are	assess the Mixed Waste Management Fee for
			Fee								communicated to facilities.	regulation of radioactive mixed waste facilities.
												The Nuclear Waste Program bills the US
												Department of Energy at Hanford and three
												other mixed waste facilities. The Mixed Waste
												Management Fee is adjusted annually to fund
												program costs to implement 70.105 RCW and
												WAC 173-303 at radioactive mixed waste
											1	facilities.
Addi	Additional Comments:	nments:										





ABS 029 Summarized Revenue by Account and Source Department of Ecology Agency Level

Agency Level 2025 Second Supplemental Budget Session

S2 - 2025 Supplemental Agency Request

	Maintena	Maintenance Level	Poli	Policy Level	Ann	Annual Totals	
	FY2024	FY2025	FY2024	FY2025	FY2024	FY2025	Biennial Total
001 - General Fund 0381 - Dept of Energy - F							
HA - Hanford Workload Adjustment	0	(413)	0	0			
Total - 0381 - Dept of Energy - F	0	(413)	0	0		(413)	(413)
001 - General Fund - Federal		(413)				(413)	(413)
Total - 001 - General Fund		(413)				(413)	(413)
20R - Radioactive MW Acct 0294 - Hazardous Waste Fees - S							
HA - Hanford Workload Adjustment	0	413	0	0			
Total - 0294 - Hazardous Waste Fees - S	0	413	0	0		413	413
20R - Radioactive MW Acct - State		413				413	413
Total - 20R - Radioactive MW Acct		413				413	413
Agency: 461 ECY - State		413				413	413
Agency: 461 ECY - Federal Total - Agency: 461 ECY		(413) 0				(413)	(413)
		•					

Date Run: 9/9/2024 12:26:14PM



Department of Ecology 2025 Supplemental Operating and Capital Budget

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1.	Ten-Year Capital Plan Summary	33
2.	40000718 State Parks Relocation to Ecology Headquarters	
	Building	35



461 - Department of Ecology Ten Year Capital Plan by Project Priority

2023-25 Biennium

Version: S2 2025 Supplemental

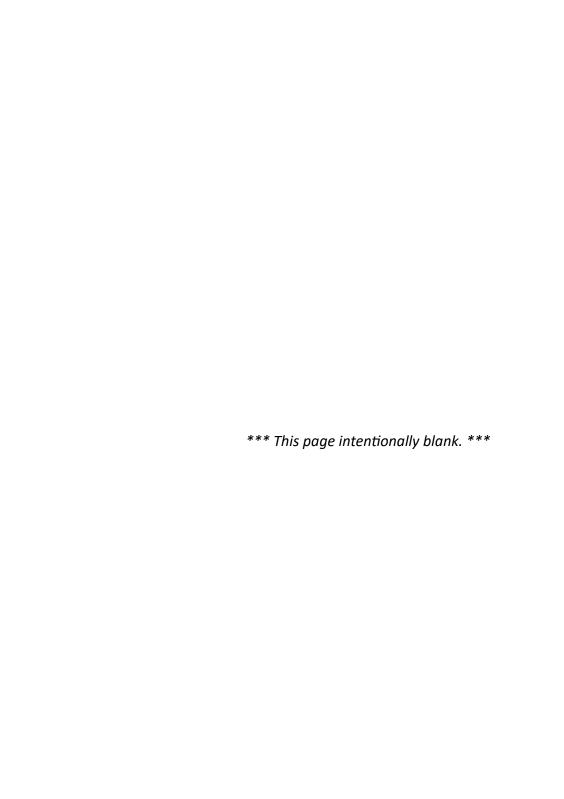
*

Report Number: CBS001 Date Run: 9/9/2024 12:32PM

Project by Agency Priority

New Estimated Prior Current Reapprop Approp Estimated Estimated Estimated Estimated Estimated Estimated 2031-33 iority Project by Account-EA Type Total Expenditures Expenditures 2023-25 2023-27 2027-29 2029-31 2031-33	ition to Ecology Headquarters Building 1,618,000	
Estima count-EA Type I	te Parks Relocation to E Bldg 1,618,00	
Priority Project by Account-EA Type	1 40000718 State Par 057-1 State Bldg Constr-State	

Total Account Summary									
					New				
	Estimated	Prior	Current	Reapprop	Approp	Estimated	Estimated	Estimated	Estimated
Account-Expenditure Authority Type	Total	Expenditures	Expenditures	2023-25	2023-25	2025-27	2027-29	2029-31	2031-33
057-1 State Bldg Constr-State	1,618,000				1,618,000				



461 - Department of Ecology Capital Project Request

2023-25 Biennium

Version: S2 2025 Supplemental Report Number: CBS002

Date Run: 9/1/2024 1:08PM

Project Number: 40000718

Project Title: State Parks Relocation to Ecology Headquarters Building

Description

Starting Fiscal Year: 2025
Project Class: Program

Agency Priority: 1

Project Summary

In order to meet legislative direction to reduce space leased by Washington State agencies and to reduce overall facility costs statewide, the Office of Financial Management directed Washington State Parks to relocate their headquarters into Ecology's Headquarters Building in Lacey. As part of the relocation, Ecology was required to vacate approximately 33,000 sq. ft. of space in the building, including over 200 cubicles and numerous offices, conference rooms, and storage/support spaces. This request is for funding to relocate Ecology staff, complete the construction in the Lacey Headquarters Building lobby to accommodate the Southwest Region Office, as well as other minor construction and moving costs. These costs are necessary to maintain Ecology's operability within the building. (State Building Construction Account)

Project Description

What is the proposed project?

Ecology is requesting \$1.618 million for the design and construction costs associated with Ecology vacating space at its Lacey Building to move Washington State Parks (Parks) Headquarters into the building.

In June of 2023, the Office of Financial Management (OFM) directed Parks and Ecology to move Parks headquarters into Ecology's Lacey Building. Parks required approximately 33,000 sq. ft. of space for their headquarters. Parks received appropriations for their moving costs and tenant improvements, but it did not include the funding Ecology needed to vacate the space or the construction required elsewhere in the building to maintain Ecology's operability.

Currently, Parks is located in a leased facility in Tumwater, WA. Moving Parks into Ecology's Lacey Building is an excellent use of state resources and will meet legislative direction for state agencies to reduce leased space. It will also reduce statewide facility costs by locating multiple agencies in a state-owned asset.

Parks will be relocating approximately 200 staff to Ecology's Lacey Building. To accommodate Parks staff and keep Ecology's functional programs and Ecology's Southwest Regional Office (SWRO) together, Ecology must restack much of the building, impacting more than half of the estimated 1,000 cubicles in the building. In addition, Ecology will be converting underutilized space within the building's lobby into office space for the SWRO.

This request would provide funding for Ecology staff to be relocated from Parks' future headquarters, which is located on the first floor, to other locations within the building. Additionally, it will cover the costs of other construction, including dividing conference rooms into several dedicated offices, building walls to distinguish between Ecology and Parks spaces, and adjusting the IT infrastructure, all of which are required for the SWRO to be located adjacently on the first floor.

Cost Breakdown:

Consultant Services (Escalated): \$200,247

Construction:

- SWRO Lobby Conversion: \$666,126
- General Construction Includes converting conference rooms into offices, building walls to separate Ecology and Parks spaces, and changes to IT infrastructure: \$291,500
- Moving and Reconfiguring cubicles: \$103,602Owner Construction Contingency: \$106,123
- Sales Tax: \$113,233
- Construction Sub-Total: \$1,280,584

461 - Department of Ecology Capital Project Request

2023-25 Biennium

Version:S2 2025 SupplementalReport Number:CBS002

Date Run: 9/1/2024 1:08PM

Project Number: 40000718

Project Title: State Parks Relocation to Ecology Headquarters Building

Description

- Construction Total (Escalated): \$1,288,524

Agency Project Administration (Escalated): \$129,564

Total Cost (Escalated): \$1,618,335

Total Cost (Escalated) (Rounded): \$1,618,000

What opportunity or problem is driving this request?

In June of 2023, OFM directed Parks and Ecology to relocate Parks Headquarters from their location in Tumwater, WA, into Ecology's Lacey building. In order to vacate the space required by Parks, Ecology must relocate staff, move the footprint of Ecology's SWRO, and complete minor construction in locations throughout the building, such as the splitting of conference rooms into multiple dedicated offices, the development of walls to differentiate between Ecology and Parks spaces, and changes to IT infrastructure.

Relocating Parks into Ecology's Lacey building will reduce statewide facility costs, but in order for Parks and Ecology to maintain operability within Ecology's Lacey building, adjustments to the facility must be completed.

The largest part of the construction costs are associated with redeveloping part of Ecology's lobby into office space. Which is required to maintain the SWRO's operations.

Ecology has 4 regional offices, which are critical to Ecology's field work throughout the state. The SWRO is located at Ecology's Lacey building and includes 155 staff. The regional offices are the hub of Ecology's field work, and though the SWRO is located within the same building as Ecology's Headquarters, it has functionally separate duties and requirements and could not be broken up throughout the building. There are 250 estimated staff assigned to SWRO.

In order to accommodate Parks on the first floor, which was the most advantageous location for their headquarters, Ecology was required to convert the underutilized space within its lobby into office space for use by the SWRO.

What are the specific benefits of this project?

This request will reduce statewide facility costs by eliminating Parks current lease, maximize the use of Ecology's Lacey building, a state-owned asset, and maintain both Ecology and Parks operability.

What are the effects of non-funding?

Ecology is required to provide the space for the Parks headquarters. If Ecology does not receive funding for this construction and renovation project, core environmental and public health work would have to be reduced to absorb these costs.

Why is this the best option or alternative?

This work will allow Parks to relocate into Ecology's Lacey Building and allow Ecology to maintain its operability within the Lacey Building.

How will clients be affected and services change if this project is funded?

In 2019, 947 Ecology staff had their duty station at the Lacey Building. In July 2024, that number has risen to 1,211 staff. In addition, the Lacey Building houses the Washington State Conservation Commission and an office of the Environmental

461 - Department of Ecology Capital Project Request

2023-25 Biennium

Version: S2 2025 Supplemental Report Number: CBS002

Date Run: 9/1/2024 1:08PM

Project Number: 40000718

State Parks Relocation to Ecology Headquarters Building **Project Title:**

Description

Protection Agency. With the addition of Parks, Ecology's Lacey Building will have more than 1,500 individuals using it as their duty station, a growth of more than 36% in five years.

This funding will allow Ecology to house a new tenant, maintain its current operability, and meet its current business requirements.

What is the agency's proposed funding strategy for the project?

Consistent with how other state building construction projects are funded, Ecology is requesting funding from the State Building Construction Account (SBCA).

Are FTEs required to support this project?

None

How does the project support the agency and statewide results?

This request is essential to achieving the Governor's Results Washington Goal 5: Efficient, Effective, and Accountable Government and Ecology's Goal 1: Support and engage our communities, customers, and employees because it will reduce statewide facility costs and maximize the use of state assets.

Location

City: Lacey County: Thurston Legislative District: 022

Project Type

Program (Minor Works)

Growth Management impacts

N/A

Funding

New Facility: No

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			Expenditures		2023-25	Fiscal Period
Acct		Estimated	Prior	Current		New
<u>Code</u>	Account Title	Total	<u>Biennium</u>	<u>Biennium</u>	Reapprops	Approps
057-1	State Bldg Constr-State	1,618,000				1,618,000
	Total	1,618,000	0	0	0	1,618,000

	Future Fiscal Periods		
2025-27	2027-29	2029-31	

		2025-27	2027-29	2029-31	2031-33
057-1	State Bldg Constr-State				
	Total	0	0	0	0

Operating Impacts

461 - Department of Ecology Capital Project Request

2023-25 Biennium

Version: S2 2025 Supplemental Report Number: CBS002

Date Run: 9/1/2024 1:08PM

Project Number: 40000718

Project Title: State Parks Relocation to Ecology Headquarters Building

Operating Impacts

No Operating Impact

A	STATE OF WASHINGTON GENCY / INSTITUTION PROJECT COST SUMMARY Updated June 2024	
Agency	Dept. of Ecology	
Project Name	Parks Relocation	
OFM Project Number		

	Contact Information	
Name	James Pendowski	
Phone Number	360-250-0471	
Email	jpen461@ecy.wa.gov	

		Statistics	
Gross Square Feet	0	MACC per Gross Square Foot	
Usable Square Feet	NA	Escalated MACC per Gross Square Foot	
Alt Gross Unit of Measure	NA		
Space Efficiency		A/E Fee Class	В
Construction Type	Office buildings	A/E Fee Percentage	15.43%
Remodel	Yes	Projected Life of Asset (Years)	25
	Addition	al Project Details	
Procurement Approach	GCCM	Art Requirement Applies	No
Inflation Rate	3.33%	Higher Ed Institution	No
Sales Tax Rate %	9.70%	Location Used for Tax Rate	Lacey
Contingency Rate	10%		
Base Month (Estimate Date)	September-24	OFM UFI# (from FPMT, if available))5064, A09775, A0028
Project Administered By	Agency		

Schedule					
Predesign Start	January-24	Predesign End	May-24		
Design Start	June-24	Design End	August-25		
Construction Start	September-24	Construction End	December-24		
Construction Duration	3 Months				

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Project Cost Summary						
Total Project	\$1,607,484	Total Project Escalated	\$1,618,335			
		Rounded Escalated Total	\$1,618,000			
Amount funded in Prior Bienni	a		\$0			
Amount in current Bien	\$0					
Next Biennium			\$0			
Out Years			\$1,618,000			

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And the second		uisition	ćo
Acquisition Subtotal	\$0	Acquisition Subtotal Escalated	\$0
	Consult	ant Services	
Predesign Services	\$0		
Design Phase Services	\$124,284		
Extra Services	\$0		
Other Services	\$55,838		
Design Services Contingency	\$18,012		
Consultant Services Subtotal	\$198,134	Consultant Services Subtotal Escalated	\$200,247
	Cons	struction	
Maximum Allowable Construction	\$1,061,228	Maximum Allowable Construction Cost	\$1,067,808
Cost (MACC)		(MACC) Escalated	
GCCM Risk Contingencies	\$0		\$0
GCCM Management	\$0		\$0
Owner Construction Contingency	\$106,123		\$106,781
Non-Taxable Items	\$0		\$0
Sales Tax	\$113,233	Sales Tax Escalated	\$113,935
Construction Subtotal	\$1,280,584	Construction Subtotal Escalated	\$1,288,524
	Equ	ipment	
Equipment	\$0	iipinent	
Sales Tax	\$0 \$0		
Non-Taxable Items	\$0		
	\$0 \$0	Facility words Cultivated Facilities	\$0
Equipment Subtotal	ŞU	Equipment Subtotal Escalated	ŞU
	Aı	twork	
Artwork Subtotal	\$0	Artwork Subtotal Escalated	\$0
	Agency Proje	ct Administration	
Agency Project Administration	\$128,765		
Subtotal			
DES Additional Services Subtotal	\$0		
Other Project Admin Costs	\$0		
Project Administration Subtotal	\$128,765	Project Administration Subtotal Escalated	\$129,564
		er Costs	
Other Costs Subtotal	\$0	Other Costs Subtotal Escalated	\$0
	Project C	ost Estimate	
Total Project	\$1,607,484	Total Project Escalated	\$1 619 225
Total Floject	31,007, 4 04	•	\$1,618,335
		Rounded Escalated Total	\$1,618,000
		!	