

Operating

5/18/2021 \$ in thousands - Biennialized FTEs
2021-23 Carryforward Base Budget

		Enacted Budget 5/18/2021				
		FTE	GF-State	MTCA ¹	Other	Total
		1,743.2	59,788	248,384	291,445	599,617
Maintenance Level Changes						
1	NWRO Lease Rate Increase		146	710	354	1,210
2	Public Participation Grants			1,289		1,289
3	Teck Metals Litigation Support			1,334		1,334
4	Lease Adjustments		2	9	3	14
5	Data Center Migration Reduction	(2.3)	(342)	(1,654)	(940)	(2,936)
6	Plastic Bags ²				(265)	(265)
7	Oil Transportation Safety ²				(228)	(228)
8	Firefighting/Toxic Chemicals ²			(78)		(78)
9	Regulating Antifouling Paint ²				(25)	(25)
10	Nonnative Finfish ²			(6)	(6)	(12)
11	Water Rights Compliance ²		(625)			(625)
12	Federal Authority Reduction ^{2,3}				(10,000)	(10,000)
13	Workers' Compensation		7	36	22	65
14	Self-Insurance Liability Premium		(86)	(424)	(254)	(764)
15	Pension and DRS Rate Change		(798)	(3,362)	(3,039)	(7,199)
16	Adjust PEB Rate for Use of Reserves		82	332	306	720
17	Other ML Changes ⁴		168	206	140	514
Policy Level Changes						
General Fund-State Reduction Options						
18	15% Reduction: Shift GF-S to MTCA		(8,781)	8,781		-
19	Water Resources GF-S Reduction	(1.2)	(178)			(178)
Reduce and Prepare for Climate Impacts						
20	Implementing GHG Limits Program	0.9		243		243
21	Climate Commitment Act (SB 5126)	52.2	18,000		5,139	23,139
22	Clean Transportation Fuel Standards (HB 1091)	9.2	3,174		382	3,556
23	Fluorinated Gases (HB 1050)	4.3	1,102			1,102
Prevent and Reduce Toxic Threats and Pollution						
24	Safer Products for Washington (Consumer Product Safety)	3.6		1,554		1,554
25	Preventing Federal Nonattainment (Air Quality Assistance)	1.7		2,062		2,062
26	Expand Product Testing	7.5		2,305		2,305
27	Sustainable Recycling (Recycling Markets)	0.6			620	620
28	Antifouling Paint Technical Review	1.5			377	377
29	Local Solid Waste Assistance			14,000		14,000
30	Biosolids Permitting Efficiencies	1.2			268	268
31	Hanford SEPA Evaluation Support	1.2			268	268
32	Hanford Unauthorized Unit Closures	1.2			338	338
33	Meeting Air Operating Permit Needs	0.7			218	218
34	Shift to Voluntary Cleanup Account			68	344	412
35	Enhanced Product Testing			398		398
36	Hanford Cleanup Litigation				1,600	1,600
37	Oil Transportation ²			345		345
38	PFAS Alternatives Assessment ²			135		135
39	Recycling, Waste and Litter (SB 5022)	4.4		847		847
40	Tire Chemical Studies			718		718
41	Carbon Dioxide Assessment		500			500
42	PCB Monitoring & Data	3.5	2,180			2,180
43	Asphalt Facility Odor Reduction		30			30

Operating 5/18/2021 \$ in thousands - Biennialized FTEs		Enacted Budget 5/18/2021				
		FTE	GF-State	MTCA ¹	Other	Total
Protect and Manage Our State's Waters						
44	Aquaculture Section 401 Permitting	2.9		716		716
45	Federal Waters of the U.S. Rollback	2.9		642		642
46	Water Right Adjudications	2.3	1,250			1,250
47	Increase Water Cleanup Plans	9.8		3,897		3,897
48	Floodplain Management Grants				1,529	1,529
49	Equipment Cache Grant Delay			242		242
50	OpCert Program Fund Shift ⁵				-	-
51	Move Aquatic Grants to Capital ⁶	(2.4)			(2,034)	(2,034)
52	WCMAC Operating Shift ⁷				150	150
53	Fish Passage Project Permits (SB 5381)	0.2		43		43
54	Deep Lake Water Quality Project		146			146
55	Guemes Island Aquifer Study		80			80
56	Water Resources of San Juan County		92			92
57	Kelp Conservation and Recovery		994			994
58	Spokane River Task Force			2,000		2,000
59	Spanaway Lake Clean Up		300			300
60	Vancouver Lake Clean Up Plan		150			150
61	Water Banking Grants ⁸		10,000			10,000
62	Water Banking Report	0.3	40			40
63	Salmon Recovery Projects (HB 1382)	1.2		262		262
Other						
64	Advancing EJ and Title VI Compliance	1.2	328			328
65	Env. Justice Task Force Recs (SB 5141)	5.1	200	983	354	1,537
66	eHub System Support & Licensing		104	514	380	998
67	WCC Member Wages and Benefits		163		328	491
68	NWRO Relocation Furniture Costs ⁹		39	192	97	328
69	State Public Employee Benefits Rate		16	67	67	150
70	WFSE Staff - Planned Furloughs ¹⁰					-
71	State Rep Employee Benefits Rate		84	331	306	721
72	Remove Agency Specific FSA Funding		(28)	(50)	(24)	(102)
73	Other PL Changes ⁴		254	1,130	666	2,050
Total Changes		113.7	28,793	40,817	(2,559)	67,051
Total Operating Budget		1,856.8	88,581	289,201	288,886	666,668

Notes:

¹ Model Toxics Control Operating Account (23P-1, 23P-7).

² Reflects Maintenance level (ML) adjustments that the Office of Financial Management included in the Governor's proposed 2021-23 Operating Budget, based on information provided by Ecology with its 2021-23 Operating Budget Request. These planned adjustments had been discussed with both OFM and legislative fiscal staff.

³ General Fund-Federal appropriation authority reduction in 2021-23 and ongoing to account for a National Estuary Program Watershed Grant from the Environmental Protection Agency that is ending in 2019-21.

⁴ Reflects seven statewide maintenance level and six policy level items, including adjustments for legal services, audit services, and central services (OFM, DES, CTS).

⁵ Fund shift of \$552,000 from Water Quality Permit Account (Fund 176-1) to Wastewater Treatment Plant Operator Certification Account (Fund 21H-1).

⁶ Budget shift of grant program from the Operating to Capital Budget.

⁷ Budget shift from DNR to Ecology for ongoing costs of facilitating operations and meetings of the Washington Coastal Marine Advisory Council (WCMAC).

⁸ Also funded in the Enacted Capital Budget at \$5 million from State Building Construction Account.

⁹ Amount adjusted for the Governor's budget proposal, in consultation with the Office of Financial Management, after Ecology budget request was submitted in September 2020. Amount in Enacted Budget matches needed funding for Ecology in 2021-23.

¹⁰ Operating Budget totals shown above for do not match VRS report totals. Variance is due to the buyback of the "WFSE Staff row not yet being included in the VRS reports for the Enacted Budget. These amounts can be found in the Compensation LEAP reports, found at: <http://leap.leg.wa.gov/leap/budget/detail/2021/so2123Bien.asp>.

Protecting the Environment | Ensuring Public Health | Supporting Economic Growth & Jobs

As the state's lead environmental agency, Ecology's mission is to protect, preserve, and enhance 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 toxic threats and pollution.
- Protect and manage our state's waters.
- Protect and restore Puget Sound.

The following summarizes each budget item for Ecology. The numbers for each item correspond with the numbers in the spreadsheet at the beginning of this section.

Please note that the Operating Budget notes below are subject to change as the Office of Financial Management (OFM) and legislative staff finalize language later this fall.

Maintenance Level

- 1. NWRO Lease Rate Increase. \$1,210,000.** Funding is provided ongoing to cover increased lease costs of Ecology's new office location in Shoreline. Ecology received authorization and funding in the 2019-21 Operating Budget to relocate its Northwest Regional Office from its current location in Bellevue to Shoreline, and co-locate with the Washington State Department of Transportation. As part of this relocation project, Ecology worked with the Office of Financial Management's Facilities Oversight Program and the Department of Transportation to negotiate a 20-year lease for its space within the Shoreline facility. (Multiple Funds)
- 2. Public Participation Grants. \$1,289,000.** The Public Participation Grant Program is a competitive grant program that provides funding to help individuals and not-for-profit public interest organizations facilitate public participation in the investigation and remediation of contaminated sites, carry out waste management education projects, and promote or improve state or local solid waste or hazardous waste management plans. A maintenance level adjustment is provided to keep grant funding aligned with the mandated level of one percent of moneys collected under RCW 82.21.030, Hazardous Substance Tax. (Model Toxics Control Operating Account)
- 3. Teck Metals Litigation Support. \$1,334,000.** This request aligns with the Office of the Attorney General's (AGO) budget request for Phase 3 of the Pakootas v. Teck Metals, Ltd. (Teck) litigation, in which Washington and the Confederated Tribes of the Colville Reservation are co-plaintiffs in federal district court. Phases 1 and 2 of the litigation previously established Teck's liability for releases of metals and other chemicals into the Columbia River from its smelting complex in Canada. Phase 3 of the litigation is needed to recover natural resource injuries and damages as a result of pollution from the smelter operations. This request is to support expert and

AGO resources needed for Phase 3 of the litigation, which Ecology will then be billed for.
(Model Toxics Control Operating Account)

4. **Lease Adjustments. \$14,000.** Funding is provided for a lease increase for the Department of Ecology's Bellingham Field Office in Whatcom County. (Multiple Funds)
5. **Data Center Migration Reduction. (\$2,936,000), (2.3) FTE.** In the 2018 Supplemental Operating Budget, Ecology received funding to update and migrate the agency's business applications into the State Data Center and/or a cloud environment by June 2021. Maintenance level funding is reduced from multiple fund sources for the associated costs of this project. (Multiple Funds)
6. **Plastic Bags. (\$265,000).** Funding adjustment made to match the 2021-23 funding level identified in Ecology's final fiscal note for Chapter 138, Laws of 2020 (SSB 5323). (Waste Reduction/Recycling/Litter Control Account)
7. **Oil Transportation Safety. (\$228,000).** Funding was provided to implement Engrossed Second Substitute Senate Bill 6269 in the 2018 Supplemental Operating Budget. Funding is adjusted to align with the 2021-23 funding level identified in Ecology's final fiscal note for the bill. (Oil Spill Prevention Account)
8. **Firefighting/Toxic Chemicals. (\$78,000).** Funding was provided to implement Engrossed Substitute Senate Bill 6413 in the 2018 Supplemental Operating Budget. Funding is adjusted to align with the 2021-23 funding level identified in Ecology's final fiscal note for the bill. (Model Toxics Control Operating Account)
9. **Regulating Antifouling Paint. (\$25,000).** Pursuant to Substitute House Bill 2634, funding was provided in the 2018 Supplemental Operating Budget for Ecology to research safer alternatives to copper-based antifouling paint. Funding was provided only for Fiscal Years 2019 and 2020, therefore the remaining funding in Ecology's base budget is removed. (Hazardous Waste Assistance Account)
10. **Nonnative Finfish. (\$12,000).** Funding was provided to implement Engrossed House Bill 2957 in the 2018 Supplemental Operating Budget. Funding was provided only for Fiscal Years 2019 and 2020, therefore the remaining funding in Ecology's base budget is removed. (Model Toxics Control Operating Account, Water Quality Permit Account)
11. **Water Rights Compliance. (\$625,000).** Funding was provided in the 2018 Supplemental Operating Budget for staff to address unpermitted water use. Funding was provided only for Fiscal Years 2019 and 2020, therefore the remaining funding in Ecology's base budget is removed. (General Fund-State)
12. **Federal Authority Reduction. (\$10,000,000).** A National Estuary Program Watershed Grant from the Environmental Protection Agency is ending in 2019-21. General Fund-Federal appropriation authority can be reduced in 2021-23 on an ongoing basis. (General Fund-Federal)
13. **Workers' Compensation. \$65,000.** Adjustments are made to reflect each agency's anticipated share of charges from the Department of Labor and Industries for workers' compensation benefits. (Multiple Funds)

- 14. Self-Insurance Liability Premium. (\$764,000).** Adjustments are made to reflect each agency's share of actuarially projected costs of the Self-Insurance Liability Account. This includes adjustments to existing funding levels as well as enhancements for anticipated liabilities in the 2021-23 biennium. (Multiple Funds)
- 15. Pension and DRS Rate Change. (\$7,199,000).** Employer pension contributions are adjusted to reflect the rates adopted by the Pension Funding Council. (Multiple Funds)
- 16. Adjust PEB Rate for Use of Reserves. \$720,000.** Funding is adjusted for state employer health insurance to reflect an increase in the enacted FY 2021 rate of \$976 to the projected net rate of \$993 per employee per month. The enacted FY 2021 rate included the use of excess funds that brought the rate below the projected cost of the benefits. (Multiple Funds)
- 17. Other Maintenance Level (ML) Changes. \$514,000.** Seven ongoing adjustments are provided for changes in agency-wide costs for items like central services costs, audit and legal services, records management, etc. (Multiple Funds)

Policy Level

General Fund-State Reduction Options

- 18. 15% Reduction: Shift GF-S to MTCA. \$8,781,000 MTCA-Operating / (\$8,781,000) GF-S.** A mix of one-time and ongoing fund shifts for specific operating budget activities from General Fund-State to the Model Toxics Control Operating Account will reduce the demand on GF-S, while maintaining funding needed for critical environmental and public health work. Many of these activities support state environmental priorities, such as Southern Resident orca recovery and protection, and climate change. (General Fund-State, Model Toxics Control Operating Account)
- 19. Water Resources GF-S Reduction. (\$178,000), (1.2) FTE.** One-time savings are achieved through Ecology holding a 1.0 FTE vacancy in its Water Resources Program for the 2021-23 biennium. This program is responsible for statewide water resource management activities, which include making decisions on applications for water rights, establishing instream flows, and enforcing the water code. (General Fund-State)

Reduce and Prepare for Climate Impacts

- 20. Implementing GHG Limits Program. \$243,000, 0.9 FTE.** In 2020, the Legislature passed Chapter 79, Laws of 2020 (E2SHB 2311), updating greenhouse gas (GHG) limits and amending reporting requirements. Funding is provided for Ecology to complete work required under this law, including tracking progress toward meeting the state's emissions reductions limits, providing technical assistance to state agencies to develop action plans and long-term strategies to meet emissions limits, and updating the agency's own long-term plan to meet emissions limits. (Model Toxics Control Operating Account)
- 21. Climate Commitment Act. \$23,139,000, 52.2 FTE.** One-time General Fund-State and ongoing Climate Investment Account funds are provided for Engrossed Second Substitute Senate Bill 5126 (Climate commitment act), which establishes a new program for regulating greenhouse gas emissions in Washington. The Department of Ecology's (Ecology) costs include rulemaking,

setting up and overseeing auctions for allowances, environmental justice assessments, and other responsibilities. (Climate Investment Account, Model Toxics Control Operating Account)

22. Clean Transportation Fuel Standards. \$3,556,000, 9.2 FTE. A combination of one-time and ongoing funding and staff are provided to implement the clean fuels program in Engrossed Third Substitute House Bill 1091 (Transportation fuel/carbon). This work includes rulemaking, compliance tracking and monitoring with a low-carbon fuel standard, and development of a registration system for affected fuel producers and importers. (Clean Fuels Program Account, General Fund-State)

23. Fluorinated Gases (HB 1050). \$1,102,000, 4.3 FTE. Funding is provided through FY 2024 to implement a refrigerant management program, pursuant to Engrossed Second Substitute House Bill 1050 (Fluorinated gases). (General Fund-State)

Prevent and Reduce Toxic Threats and Pollution

24. Safer Products for Washington. \$1,554,000, 3.6 FTE. The Safer Products Act, passed in 2019, requires Ecology to identify consumer products that are significant sources or uses of hazardous chemicals, determine whether there are safer alternatives, and implement restrictions and reporting requirements as necessary. Ongoing funding is provided to implement the next phases of the law's five-year regulatory cycle, which includes the evaluations of safer alternatives to priority toxic chemicals in products, and if needed, the development of regulations to restrict their use. (Model Toxics Control Operating Account)

25. Preventing Federal Nonattainment. \$2,062,000, 1.7 FTE. Ongoing funding is provided for grant funding and technical assistance to communities for projects that reduce air pollution in areas at risk of nonattainment of federal air quality standards. (Model Toxics Control Operating Account)

26. Expand Product Testing. \$2,305,000, 7.5 FTE. Ongoing funding for additional staff and lab resources for increased testing capacity for toxics in children's products and other general consumer goods is provided. (Model Toxics Control Operating Account)

27. Sustainable Recycling. \$620,000, 0.6 FTE. The Sustainable Recycling Act, passed in 2019, created a Recycling Development Center to research, develop, expand, and incentivize markets for recycled commodities. To continue implementation of the act, ongoing additional funding allows Ecology to conduct research and development, marketing, and policy analysis to further the development of recycling markets. (Waste Reduction/Recycling/Litter Control Account)

28. Antifouling Paint Technical Review. \$377,000, 1.5 FTE. Chapter 67, Laws of 2020 (SSB 6210) postpones a ban on copper restrictions in antifouling paint, and requires Ecology to conduct a technical review of antifouling products. A combination of one-time and ongoing funding are provided to complete related work, including an analysis of whether new regulatory restrictions on paint ingredients are needed and identification of safer alternatives. (Hazardous Waste Assistance Account)

29. Local Solid Waste Financial Assistance. \$14,000,000. Ongoing funding is provided for financial assistance grants to local governments to clean up solid, hazardous, and household

waste; implement local recycling contamination reduction and outreach plans; and support other solid waste management and enforcement activities. (Model Toxics Control Operating Account)

- 30. Biosolids Permitting Efficiencies. \$268,000, 1.2 FTE.** Ecology revised the Biosolids general permit during the 2019-21 biennium to improve permit coverage and timeliness and increase technical assistance and field visits to meet program demands. Ongoing funding and staff are provided to implement the revised permitting process and provide stakeholder outreach and training. (Biosolids Permit Account)
- 31. Hanford SEPA Evaluation Support. \$268,000, 1.2 FTE.** Ongoing funding is provided for a dedicated position to support the completion of State Environmental Policy Act (SEPA) determinations at Hanford. The SEPA process analyzes environmental impacts associated with regulatory actions and permit decisions, including by Ecology's Nuclear Waste Program at Hanford. Numerous modifications are required each year to Hanford's dangerous waste permit. (Radioactive Mixed Waste Account)
- 32. Hanford Unauthorized Unit Closures. \$338,000, 1.2 FTE.** One-time increased expenditure authority is provided for a project position to ensure sufficient staffing resources to develop and issue plans for closing 13 units at the Hanford site. (Radioactive Mixed Waste Account)
- 33. Meeting Air Operating Permit Needs. \$218,000, 0.7 FTE.** The Air Operating Permit program sets air pollution limits for large industrial facilities, who are required to pay the full costs of the program. Each biennium, the Department of Ecology prepares a workload model to determine the funding necessary to administer the program. Ongoing funding and staff are provided to match the projected workload. (Air Operating Permit Account).
- 34. Shift to Voluntary Cleanup Account. \$412,000 (\$344,000 Voluntary Cleanup Account / \$68,000 MTCA Operating).** Funding is shifted from the Model Toxics Control Operating Account to the new Voluntary Cleanup Account on an ongoing basis. Through its Voluntary Cleanup Program (VCP), Ecology provides owners of contaminated sites with technical assistance and opinions on the sufficiency of independent cleanups. In 2019, Substitute House Bill 1290 authorized an expedited VCP program and created a new dedicated fee and account to support it. (Model Toxics Control Operating Account, Voluntary Cleanup Account) (Ongoing)
- 35. Enhanced Product Testing. \$398,000.** The 2019-21 operating budget increased the number of product testing studies conducted by Ecology each year through a combination of one-time and ongoing funding. Additional ongoing funding is provided to continue testing at the level funded in FY 2021. (Model Toxics Control Operating Account)
- 36. Hanford Cleanup Litigation. \$1,600,000.** The Attorney General's Office (AGO) is requesting funding to compel the U.S. Department of Energy (USDOE) to meet its Hanford cleanup deadlines in the Washington v. Brouillette (formerly Washington v. Perry) consent decree. Additionally, Ecology may issue a determination requiring USDOE to design new storage tanks as a contingency measure. If so, USDOE will likely appeal that determination. One-time funding is provided for anticipated AGO legal services. (Radioactive Mixed Waste Account)
- 37. Oil Transportation. \$345,000.** Additional ongoing funding is provided to implement Chapter 289, Laws of 2019 (ESHB 1578), in line with Ecology's final fiscal note. (Model Toxics Control Operating Account)

- 38. PFAS Alternatives Assessment. \$135,000.** Pursuant to Chapter 138, Laws of 2018 (ESHB 2658), funding was provided in the 2018 supplemental operating budget for an alternatives assessment of per- and polyfluoroalkyl substances (PFAS) use in food packaging. Funding is adjusted ongoing to align with the 2021-23 funding level identified in Ecology's final fiscal note for the bill. (Model Toxics Control Operating Account)
- 39. Recycling, Waste and Litter (SB 5022). \$847,000; 4.4 FTEs.** Funding is provided through FY 2024 for implementing and enforcing the provisions of Engrossed Second Substitute Senate Bill 5022 (Recycling, waste, & litter). The bill establishes minimum postconsumer recycled content requirements for certain products. (Model Toxics Control Operating Account-State)
- 40. Tire Chemical Studies. \$718,000.** One-time funding is provided for the department to conduct two studies: one on the assessment of potential hazards of certain chemicals used in tires, the other in collaboration with the Department of Transportation, the University of Washington and Washington State University to identify priority areas affected by 6PPD or other related chemicals toxic to aquatic life from roads and transportation infrastructure and on best management practices for reducing toxicity. (Model Toxics Control Operating Account-State)
- 41. Carbon Dioxide Assessment. \$500,000.** One-time funding is provided for Ecology to contract with a third-party to develop standards that provide a framework for assessing the quality of volume, validity, and durability of potential future carbon dioxide removal projects. (General Fund-State)
- 42. PCB Monitoring and Data. \$2,180,000; 3.5 FTEs.** Ongoing funding is provided from a new settlement account for establishing a database, monitoring program, and laboratory methods to address the extent of polychlorinated biphenyls (PCB) in the state and begin the process of mitigation. (General Fund-State)
- 43. Asphalt Facility Odor Reduction. \$30,000.** One-time funding is provided for Ecology to convene a stakeholder group to develop recommendations to reduce and mitigate air quality impacts in the form of noxious odors resulting from asphalt plants in the Puget Sound region. (General Fund-State)

Protect and Manage Our State's Waters

- 44. Aquaculture Section 401 Permitting. \$716,000, 2.9 FTE.** A June 2020 judicial ruling vacated the U.S. Army Corps of Engineers' Nationwide Permit 48 for the Washington shellfish industry. Shellfish farmers must now seek individual water quality certifications from the state. Onetime funding is provided for staff to support this additional workload. (Model Toxics Control Operating Account)
- 45. Federal Waters of the U.S. Rollback. \$642,000, 2.9 FTE.** The federal government's definition of waters of the United States now excludes some of Washington wetlands and other waters from federal protection. The state Water Pollution Control Act still provides protection for all Washington wetlands and waters. Funding is provided through FY 2024 for staff to address the new workload that will result from the increase in state authorizations. (Model Toxics Control Operating Account)

- 46. Water Right Adjudications. \$1,250,000, 2.3 FTE.** Adjudicating water rights is a judicial process intended to increase certainty for water users and the state. Ecology will begin pre-adjudication work in the Nooksack and Upper Columbia watersheds including mapping, identification of individuals subject to adjudication, and development of data systems. This item also provides Whatcom County pass-through funding for work and contracts for facilitation and mediation services in support of a water rights settlement process. (General Fund-State)
- 47. Increase Water Cleanup Plans. \$3,897,000, 9.8 FTE.** Ongoing funding is provided for technical staff and resources to create water cleanup plans that set limits to clean up toxic pollution sources across the state. (Model Toxics Control Operating Account)
- 48. Floodplain Management Grants. \$1,529,000.** Ongoing appropriation is provided for the Flood Control Assistance Account to pay for flood risk reduction activities, including grants to local governments to prepare comprehensive flood control management plans. (Flood Control Assistance Account)
- 49. Equipment Cache Grant Delay. \$242,000.** Due to the delayed issuance of grants connected to the Tumwater Brewery oil spill, a grant issued to the Jamestown S'Klallam Tribe for a new response vessel may not be able to be spent by the end of the 2019-21 biennium. One-time expenditure authority is provided in case the vessel purchase cannot be completed by the end of the 2019-21 biennium. (Model Toxics Control Operating Account)
- 50. Operator Certification Program. \$0.** Funding for certifying wastewater treatment plant operators is shifted from the Water Quality Permit Account to the newly established Wastewater Treatment Plant Operator Certification Account on an ongoing basis. (Water Quality Permit Account, Wastewater Treatment Plant Operator Certification Account)
- 51. Move Aquatic Grants to Capital. (\$2,034,000), (2.4) FTE.** Funding for the Freshwater Algae and Freshwater Aquatic Invasive Plants Grant programs is moved from the operating budget to the capital budget. (Aquatic Algae Control Account, Freshwater Aquatic Weeds Account)
- 52. WCMAC Operating Shift. \$150,000.** The ongoing costs of facilitating operations and meetings of the Washington Coastal Marine Advisory Council are shifted from the Department of Natural Resources to the Department of Ecology. (Aquatic Lands Enhancement Account)
- 53. Fish Passage Project Permits (SB 5381). \$43,000; 0.2 FTEs.** One-time funding is provided for Substitute Senate Bill 5381 (Fish passage project permits), including expedited permitting for Department of Transportation fish habitat enhancement projects. (Model Toxics Control Operating Account-State)
- 54. Deep Lake Water Quality Project. \$146,000.** One-time funding is provided for Ecology to work with landowners, state agencies and others to analyze the water quality of Deep Lake. (General Fund-State)
- 55. Guemes Island Aquifer Study. \$80,000.** One-time funding is provided for Ecology to work with the Guemes Island Planning Advisory Committee to follow on to a U.S. Geological Survey study of the islands aquifer recharge areas, quantify an updated water budget, and provide an accurate water-level analysis and water-table map of the two aquifers on the island. (General Fund-State)

- 56. Water Resources of San Juan County. \$92,000.** One-time funding is provided for Ecology to work with San Juan County Health and Community Services to address water resource concerns, including saltwater intrusion into drinking water supply. (General Fund-State)
- 57. Kelp Conservation and Recovery. \$994,000.** One-time funding is provided for Ecology to grant to certain entities for the purpose of coordination, monitoring, and research related to Puget Sound kelp conservation and recovery. (General Fund-State)
- 58. Spokane River Task Force. \$2,000,000.** Ongoing funding is provided for Ecology to grant to the Spokane River Regional Toxics Task Force to address elevated levels of polychlorinated biphenyls and other toxics in the Spokane River. (Model Toxics Control Operating Account-State) (Ongoing)
- 59. Spanaway Lake Cleanup. \$300,000.** One-time funding is provided for Ecology to support the Pierce County Health Department and the Friends of Spanaway Lake to treat and clean up elevated phosphorus and algae levels in Spanaway Lake. (General Fund-State)
- 60. Vancouver Lake Clean Up Plan. \$150,000.** One-time funding is provided for Ecology to work with Clark County to develop a plan to address water quality issues of Vancouver Lake. (General Fund-State)
- 61. Water Banking Grants. \$10,000,000.** One-time funding is provided to establish a pilot grant program for water banks in rural counties, including reviewing water banking grant applications, finalizing water banking agreements, and distributing grant funds. (General Fund-State)
- 62. Water Banking Report. \$40,000; 0.3 FTEs.** One-time funding is provided for Ecology to develop recommendations for increasing transparency for those who utilize water banking. (General Fund-State)
- 63. Salmon Recovery Projects (HB 1382). \$262,000; 1.2 FTEs.** Funding is provided through FY 2025 to implement Engrossed Second Substitute House Bill 1382 (Salmon recovery projects), which creates a four-year pilot project for streamlined permitting for certain salmon restoration projects. (General Fund-State) (Ongoing)

Other

- 64. Advancing EJ and Title VI Compliance. \$328,000, 1.2 FTE.** Ongoing staff resources are provided for Ecology to address requirements under Title VI of the Civil Rights Act for disability access, language coordination, grievance procedures, and sub-recipient accountability. Additionally, staff will work to align agency practices with recommendations from the Environmental Justice Task Force. (General Fund-State) (Ongoing)
- 65. Environmental Justice Task Force Recs (SB 5141). \$1,537,000; 5.1 FTEs.** Ongoing funding is provided for Engrossed Second Substitute Senate Bill 5141 (Env. Justice task force recommendations), including environmental justice assessments and incorporating environmental justice principles into agency budgeting and accounting activities. (General Fund-State; Waste Reduction/Recycling/Litter Control-State; Water Quality Permit Account-State; other accounts)

- 66. eHub System Support & Licensing. \$998,000.** Ecology received one-time funding in the 2019-21 Operating Budget to complete a financial systems replacement project. Ongoing funding is provided to maintain and license the new system. (General Fund-State; Reclamation Account-State; Flood Control Assistance Account-State; other accounts)
- 67. WCC Member Wages and Benefits. \$491,000.** The Washington Conservation Corps (WCC) collaborates with organizations to complete environmental restoration and recreation enhancement projects statewide. Ongoing appropriation authority is provided to increase the living allowance and benefits package for WCC AmeriCorps members to remain competitive with other opportunities, retain members for their full terms, and allow anyone eligible the opportunity to serve, regardless of socio-economic background. This is an equity adjustment in the living allowance to ensure it is comparable to, and consistent with, the state minimum wage law. (Model Toxics Control Operating Account, General Fund-Federal, General Fund-Private/Local)
- 68. NWRO Relocation Furniture Costs. \$328,000.** Ongoing funding is provided for a Certificate of Participation (COP) to finance the replacement of furniture, a cubicle system, and a high-density filing system. Ecology's Northwest Regional Office (NWRO) is relocating from Bellevue to Shoreline and will co-locate with the Washington State Department of Transportation (WSDOT). This relocation was approved by the Legislature in the 2019-21 operating budget and a lease has been executed between WSDOT and Ecology, with an anticipated move-in date on or before June 30, 2021. (General Fund-State; Reclamation Account-State; Flood Control Assistance Account-State; other accounts)
- 69. State Public Employee Benefits Rate. \$150,000.** Health insurance funding is provided for state employees who are not represented by a union, who are covered by a bargaining agreement that is not subject to financial feasibility determination, or who are otherwise not part of the Health Care Coalition of Unions. The insurance funding rate is \$936 per employee per month for FY 2022 and \$1,091 per employee per month for FY 2023. (General Fund-State; General Fund-Medicaid) (Ongoing)
- 70. WFSE Staff – Planned Furloughs. \$0.** This adjustment reflects the impact of the 2021-23 collective bargaining agreement. (Multiple Funds)
- 71. State Rep Employee Benefit Rate. \$721,000.** Health insurance funding is provided for state employees who are not represented by a union, who are covered by a bargaining agreement that is not subject to financial feasibility determination, or who are otherwise not part of the Health Care Coalition of Unions. The insurance funding rate is \$936 per employee per month for FY 2022 and \$1,091 per employee per month for FY 2023. (General Fund-State; General Fund-Federal) (Ongoing)
- 72. Remove Agency Specific FSA Funding. (\$102,000).** Agency-specific funding is adjusted for \$250 contributions to flexible spending accounts for certain employees making less than \$50,004 per year. This funding was added as part of the funding for collective bargaining agreements in the 2019-2021 biennial budget. This benefit will continue in the 2021-2023 biennium but is now covered as part of the employer's portion of Public Employees' Benefits Board funding rate. (General Fund-State) (Ongoing)

73. Other Policy Level (PL) Changes. \$2,050,000. Seven ongoing adjustments are provided for changes in agency-wide costs for items like central services costs, audit and legal services, records management, etc. (Multiple Funds)

Capital 5/18/2021 \$ in thousands		Enacted Budget 5/18/2021			
		SBCA	MTCA ¹	Other	Total
Prevent and Reduce Toxic Threats and Pollution					
1	Protect Investments in Cleanup Remedies		11,093		11,093
2	Remedial Action Grant Program		71,194		71,194
3	Healthy Housing Remediation Program		10,911		10,911
4	Eastern Washington Clean Sites Initiative		20,820		20,820
5	PFAS Pilot Project	750			750
6	Reducing Diesel GHG and Toxic Emissions		15,000		15,000
7	Reducing Toxic Woodstove Emissions		3,000		3,000
8	ASARCO Everett Smelter Plume Cleanup		10,814		10,814
9	ASARCO Tacoma Smelter Plume Cleanup			3,000	3,000
10	Product Replacement Program		6,500		6,500
11	Swift Creek Natural Asbestos Flood Control and Cleanup	2,041			2,041
12	Waste Tire Pile Cleanup and Prevention			1,000	1,000
13	Pier 63 Creosote Removal		1,500		1,500
Protect and Manage Our State's Waters					
14	Water Pollution Control Revolving Program			300,000	300,000
15	Centennial Clean Water Program		40,000		40,000
16	Floodplains by Design	50,908			50,908
17	Stormwater Financial Assistance Program		75,000		75,000
18	Columbia River Water Supply Development Program	43,500		1,500	45,000
19	Streamflow Restoration Program			40,000	40,000
20	Yakima River Basin Water Supply	42,000			42,000
21	Chehalis Basin Strategy	70,000			70,000
22	Sunnyside Valley Irrigation District Water Conservation	4,281			4,281
23	State Match - Water Pollution Control Revolving Program			15,000	15,000
24	Coastal Wetlands Federal Funds			8,000	8,000
25	Freshwater Aquatic Invasive Plants Grant Program ²			1,700	1,700
26	Freshwater Algae Grant Program ²			730	730
27	Water Banking Grant Program ³	5,000			5,000
Protect and Restore Puget Sound					
28	Puget Sound Nutrient Reduction Grant Program	9,000			9,000
29	Clean Up Toxics Sites - Puget Sound		5,808		5,808
Facility Related					
30	Lacey HQ Parking Garage Preservation ^{4,5}				-
Total Capital Budget		227,480	271,640	370,930	870,050

¹ Model Toxics Control Capital (23N-1) and Stormwater (23R-1) Accounts.

² Budget shift of grant program from the Operating to Capital Budget.

³ Also funded in the Enacted Operating Budget at \$10 million from General Fund-State.

⁴ Ecology budget request amount was updated after original budget submittal in September 2020.

⁵ Section 7002(7) of the Enacted Capital Budget directs Ecology to finance the costs of the project through a Certificate of Participation (COP), and request appropriation authority in the 2022 supplemental budget.

Protecting the Environment | Ensuring Public Health | Supporting Economic Growth & Jobs

As the state's lead environmental agency, Ecology's mission is to protect, preserve, and enhance 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 toxic threats and pollution.
- Protect and manage our state's waters.
- Protect and restore Puget Sound.

The following summarizes each budget item for Ecology. The numbers for each item correspond with the numbers in the spreadsheet at the beginning of this section.

Please note that the Capital Budget notes below are subject to change as the Office of Financial Management (OFM) and legislative staff finalize language later this fall.

New Capital Projects

Prevent and Reduce Toxic Threats and Pollution

- 1. Protect Investments in Cleanup Remedies. \$11,093,000.** Funding is provided to meet legal requirements, protect public investments in cleanup, and protect human health and the environment from remedy failure under the Superfund State Contract that provides financial assurance and a legal commitment for the state to share costs. At Superfund financed sites or when Washington assumes liability for a cleanup, Washington State has financial responsibility for costs. (Model Toxics Control Capital Account)
- 2. Remedial Action Grant Program. \$71,194,000.** Funding is provided for grants to local governments to clean up contaminated sites in Washington. These projects support cleanup at contaminated industrial sites that impact the air, land, and water resources of the state and continued cleanup of Puget Sound. (Model Toxics Control Capital Account)
- 3. Healthy Housing Remediation Program. \$10,911,000.** The lack of sufficient safe and affordable housing results not only from traditional barriers but also from a multi-year trend of insufficient siting and construction of new, affordable housing. Funding is provided to five projects to expand buildable land footprints by cleaning up hazardous sites that are assessed and ranked as the mid- to lowest-level of concern, with the goal of incentivizing housing developers to continue to develop affordable housing. (Model Toxics Control Capital Account)
- 4. Eastern Washington Clean Sites Initiative. \$20,820,000.** Funding is provided for the Eastern Washington Clean Sites Initiative for remediation activities on contaminated sites, including cleanup work related to metals contamination, leaking underground storage tanks, landfills, salvage yards and wood treatment facilities. The funds will be used to pay for cleanup at contaminated sites where the responsible party (land user, facility operator, or property owner) is either unwilling or unable to pay costs related to the cleanup activities. Ecology will recover cleanup costs where possible. (Model Toxics Control Capital Account)
- 5. PFAS Contaminated Drinking Water. \$750,000.** Funding is provided to continue building a better understanding of the extent and nature of PFAS contamination in the Lower Issaquah

Valley and other potentially impacted areas, fill data gaps after new state regulations are released, and help develop effective treatment techniques that will help remediate source areas. The funding provided is included in project 91000359 PFAS Pilot Project (sec. 3113). \$4.536 million was also provided in the Governor's capital budget to Department of Health for the Lakewood Water District PFAS Treatment Facility (40000052) (sec. 2078). (State Building Construction Account)

- 6. Reducing Diesel GHG and Toxic Emissions. \$15,000,000.** The Governor and Legislature have supported policies and initiatives designed to address climate change and improve public health by accelerating the transition from fossil fuels to a zero-emission transportation system. In 2020, the Legislature revised the state's long-term greenhouse gas emission reduction target to 95 percent below 1990 levels by 2050. The state is currently not meeting the diesel particulate target, and aggressive action is needed to meet the state's new long-term greenhouse gas emission target. Funding is provided for grants to reduce greenhouse gases and toxic emissions from diesel engines. Ecology will prioritize emissions reduction in communities with populations that are at high health risk and are already exposed to high levels of diesel pollution. (Model Toxics Control Capital Account)
- 7. Reducing Toxic Woodstove Emissions. \$3,000,000.** Ecology runs the competitive Wood Smoke Reduction Grant Program, helping local communities that violate or are close to violating federal fine particle pollution standards. Communities at highest risk include Clarkston, Colville, Darrington, Ellensburg, Marysville, Omak, Seattle, Spokane, Sunnyside, Tacoma, Toppenish, Twisp, Vancouver, and Yakima. Four additional communities measure pollution at levels creating public health concerns, including Columbia Valley, Leavenworth, Olympia/Tumwater/Lacey and Wenatchee. This funding is provided to replace wood stoves with cleaner home heating options and deploy cleaner burning emission control solutions. Priority is given to communities at high risk of violating national ambient air quality standards to prevent violations and avoid economic, environmental and public health consequences. (Model Toxics Control Capital Account)
- 8. ASARCO Everett Smelter Plume Cleanup. \$10,814,000.** Funding is provided to continue the cleanup of sites with contaminated soil resulting from the operation of the ASARCO smelter site in the city of Everett, following the Department of Ecology's 10-year cleanup plan. (Model Toxics Control Capital Account)
- 9. ASARCO Tacoma Smelter Plume Cleanup. \$3,000,000.** Expenditure authority is provided to continue cleanup activities at the Tacoma Smelter Plume site. Soil sampling and remediation planning work will continue as outlined in the cleanup plans. (Cleanup Settlement Account)
- 10. Product Replacement Program. \$6,500,000.** Removing toxic chemicals from consumer products before they cause environmental harm is one of the least expensive and most effective ways to help protect Washington's environment, the state's economy and public health. Funding is provided to continue and build on the success of the pilot program authorized in the 2019-21 biennium. In collaboration with local government partners, Ecology will provide financial incentives to Washington businesses to remove or replace the worst of these chemicals through technology and infrastructure upgrades, best management practices, disposal programs and the use of safer chemicals. (Model Toxics Control Capital Account)
- 11. Swift Creek Natural Asbestos Flood Control and Cleanup. \$2,041,000.** For 80 years, a large, slow-moving landslide on the slopes of Sumas Mountain has carried large volumes of natural

debris into Swift Creek and its floodplain east of Everson. Funding is provided to continue work on the Swift Creek cleanup and flood control. Additionally, funding from the 2017-19 and 2019-21 biennia are reappropriated for this project. (State Building Construction Account)

12. Waste Tire Pile Cleanup and Prevention. \$1,000,000. Funding is provided to continue prevention and removal of waste tire piles, and enforcement and education on tire storage and hauling regulations. (Waste Tire Removal Account)

13. Pier 63 Creosote Removal. \$1,500,000. (Model Toxics Control Capital Account)

Protect and Manage Our State's Waters

14. Water Pollution Control Revolving Program. \$300,000,000. Funding is provided to plan, design, acquire, construct and improve water pollution control facilities and related non-point source activities to meet state and federal water pollution control requirements. The Clean Water State Revolving Fund (CWSRF) established under Title VI of the federal Clean Water Act is for state-run, low-interest loan programs to finance water quality facilities and activities. The state Water Pollution Control Revolving Account, established under Chapter 90.50A RCW, implemented the CWSRF loan program to provide low-interest loans to local governments, special purpose districts and recognized tribes for high-priority water quality projects statewide. (Water Pollution Control Revolving Account)

15. Centennial Clean Water Program. \$40,000,000. Ecology administers the Centennial Clean Water Program, providing grants to public entities for the construction of water pollution control facilities and planning and implementing nonpoint pollution control activities. (Model Toxics Control Capital Account)

16. Floodplains by Design. \$50,908,000. Funding is provided for technical assistance and 11 projects to restore natural floodplain conditions by preserving open spaces, improving long-term community flood resilience, reducing flood risks to infrastructure, and development and improving habitat conditions for salmon and other species. Floodplains by Design combines flood hazard reduction actions with salmon recovery, river and habitat restoration and other public benefits. (State Building Construction Account)

17. Stormwater Financial Assistance Program. \$75,000,000. Funding is provided to finance stormwater retrofit projects that treat polluted stormwater in priority areas throughout the state to reduce toxics and other pollution in waterways and protect marine waters, estuaries, lakes, rivers and groundwater resources throughout the state. This investment provides economic benefits to local governments by providing critical grant resources for addressing the impacts of poor stormwater management and antiquated systems for managing urban stormwater, reducing pollutants and helping to resolve flooding issues through green infrastructure improvements. (Model Toxics Control Stormwater Account)

18. Columbia River Water Supply Development Program. \$45,000,000. The 2006 Legislature authorized the implementation of the Columbia River Basin Water Supply Development Program (Chapter 90.90 RCW) that expands available water supply in the Basin, provides replacement supplies for some existing uses, and improves stream flow conditions within the Columbia and Snake Rivers. Funding is provided to continue to build on projects currently being implemented and new projects, including pursuing water supplies to benefit both instream and out-of-stream

uses through storage, conservation and voluntary regional water management agreements. (State Building Construction Account, Columbia River Basin Water Supply Revenue Recovery Account)

- 19. Streamflow Restoration Program. \$40,000,000.** Appropriation authority is provided to continue the implementation of the Streamflow Restoration Grant Program provided in Chapter 90.94 RCW. Funding is awarded on a competitive basis for projects throughout the state, including water acquisition, storage, retiming, aquifer storage and recharge, habitat improvement, water use, and streamflow monitoring. (Watershed Restoration and Enhancement Bond Account, Watershed Restoration and Enhancement Taxable Bond Account)
- 20. Yakima River Basin Water Supply. \$42,000,000.** In June 2009, the Department of Ecology, U.S. Bureau of Reclamation (USBR) and representatives from the Yakama Nation, irrigation districts, environmental organizations, and federal, state, county, and city governments developed the Yakima River Basin Integrated Water Resource Management Plan. Funding is provided to continue implementation of the Yakima River Basin water supply project identified in the Plan, in cooperation with the USBR and local stakeholders. This program will support the regional economy and protect the environment. (State Building Construction Account)
- 21. Chehalis Basin Strategy. \$70,000,000.** In 2016, the Legislature established the Office of Chehalis Basin in Ecology to aggressively pursue and oversee the implementation of an integrated Chehalis Basin Strategy to reduce long-term flood damage and restore aquatic species habitat in the basin. Funding is provided to continue the design and implement flood reduction and habitat restoration projects prescribed by the Strategy, including new grants, contracts, interagency agreements, and staff to support aquatic species habitat restoration and flood damage reduction projects implemented under the Strategy. (State Building Construction Account)
- 22. Sunnyside Valley Irrigation District Water Conservation. \$4,281,000.** The Yakima River below the Sunnyside Diversion Dam has suffered from chronic, low stream-flows in late summer and early fall. During the 1977 drought, the river below Sunnyside Dam was dry for a week because the entire flow of the river was diverted for irrigation. That year, a federal court ruling required the United States Bureau of Reclamation (USBR) to release water from storage to avoid dewatering salmon nests. Funding is provided for the state's 17.5 percent share of the Sunnyside Division Water Rights Settlement Agreement in the Yakima River Basin Water Rights Adjudication, to implement water conservation measures that reduce diversions to the Sunnyside Division from the Yakima River. (State Building Construction Account)
- 23. State Match – Water Pollution Control Revolving Program. \$15,000,000.** Funding is provided for the 20 percent state match requirement for the Clean Water State Revolving Fund annual federal capitalization grant. The Office of the State Treasurer is required to make transfers from the State Taxable Building Construction Account into the Water Pollution Control Revolving Account during the 2021-23 biennium. (State Taxable Building Construction Account)
- 24. Coastal Wetlands Federal Funds. \$8,000,000.** Expenditure authority is provided for federal grants to protect coastal and estuarine areas. The competitive National Coastal Wetland Conservation grant program is run by the U.S. Fish and Wildlife Service. The environmental benefits of the program include mitigating the impacts of sea level rise, protecting water quality, conserving salmon habitat, and protecting and improving habitat for other native fish and wildlife species in Puget Sound and marine shorelines along the coast. (General Fund-Federal)

- 25. Freshwater Aquatic Invasive Plants Grant Program. \$1,700,000.** Previous biennia funding for the Freshwater Aquatic Invasive Plants Grant Program was provided in the operating budget. Beginning in the 2021-23 biennium, funding is provided in the capital budget for grants and technical assistance to local and state governments, tribes and special purpose districts to reduce the propagation of freshwater aquatic invasive plants and to manage the problems these invasive plants cause. (Freshwater Aquatic Weeds Account)
- 26. Freshwater Algae Grant Program. \$730,000.** Previous biennia funding for the Freshwater Algae Grant Program was provided in the operating budget. Beginning in 2021-23 biennium, funding is provided in the capital budget for grants to manage excessive freshwater harmful algal blooms, with priority for the treatment of lakes in which harmful algal blooms have occurred within the past three years, nuisance algae monitoring and removal, and providing technical assistance to applicants and the public about aquatic algae control. Eligible entities include cities, counties, state agencies, tribes and special purpose districts. (Aquatic Algae Control Account)
- 27. Water Banking Grant Program. \$5,000,000.** One-time funding is provided to establish a pilot grant program for water banks in rural counties, including reviewing water banking grant applications, finalizing water banking agreements, and distributing grant funds. (State Building Construction Account)

Protect and Restore Puget Sound

- 28. Puget Sound Nutrient Reduction Grant Program. \$9,000,000.** The health of Puget Sound is significantly degraded by human sources of excess nutrients, which cause low dissolved oxygen, disrupt the food chain, and imperil our orca and salmon populations. To help address this situation, funding is provided for grants to Puget Sound municipalities for wastewater nutrient reduction planning and optimization projects, supporting local governments in implementing Ecology's new nutrient general permit, and projects that will help address significant impairments to the health of Puget Sound. (State Building Construction Account)
- 29. Clean Up Toxics Sites – Puget Sound. \$5,808,000.** Funding is provided for 11 cleanup projects to protect public and environmental health, create jobs and promote economic development in the Puget Sound Basin. These cleanups continue to advance work in seven priority bays that implement the objectives of the Puget Sound Action Agenda. (Model Toxics Control Capital Account)

Facility Related

- 30. Lacey HQ Parking Garage Preservation. \$0.** The parking garage at Ecology's Lacey headquarters building was constructed in 1993. While it has undergone regular maintenance and minor repairs over the years, major restoration is now required to preserve it and prevent further deterioration. Funding is provided for restoration. (State Building Construction Account)

To request an ADA accommodation, contact Ecology by phone at 360-407-6985 or email at valerie.pearson@ecy.wa.gov or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.