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## FISCAL IMPACT REPORT

SPONSOR Chasey/Garcia ORIGINAL DATE 2/10/18  
Richard/Louis LAST UPDATED 2/13/18 HM 81/aHSIVC

SHORT TITLE State Agency Decisions Affecting Environment SM \_\_\_\_\_

ANALYST Amacher

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	Unknown	Unknown		Unknown	Nonrecurring	

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SM 94/aSCONC

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
 State Land Office (SLO)

### SUMMARY

#### Synopsis of HSIVC Amendment

The House State Government, Indian & Veterans Affairs Committee amendment adds the Energy, Minerals and Natural Resources Department to the working group and directs that a copy of the report be provided to the secretary of that department.

#### Synopsis of Memorial

House Memorial 81 requests the Legislative Council to convene a working group to study and discuss “the need for deeper analysis, greater transparency and more public involvement in state agency decisions that affect the environment,” and present a report to the appropriate interim committee by October 31, 2018.

Specifically, the working group would be asked to consider the following issues:

- air and water quality in the state;
- the number of projects permitted each year by the department of environment, the state land office and the department of game and fish;
- how other states approach environmental analysis of state-permitted projects;

- the role of environmental analysis under the National Environmental Policy Act of 1969 (NEPA) in causing different decisions to be made by federal agencies than would have been made without the analysis;
- the costs and benefits of doing environmental impact analyses before the issuance of permits;
- the streamlining of permitting processes by having the same environmental analysis done for all permit applications submitted for the same project; and
- the current practices of state agencies with regard to environmental analyses and public participation.

Requested participants in the working group would include: legislators from both major parties; representatives from the department of environment, the state land office and the department of game and fish; and stakeholders from industry groups, conservation organizations, public health specialists, and other community members.

### **FISCAL IMPLICATIONS**

The proposed study would require staff time and travel costs. Additional costs may be incurred related to planning and holding of public meetings. However, given the vague description of the study parameters (“...to study and discuss the need for deeper analysis, greater transparency and more public involvement in state agency decisions that affect the environment”), it is difficult to estimate the fiscal impact of this memorial.

### **SIGNIFICANT ISSUES**

SLO states:

The breadth of the proposed study and the significant impacts on state government and other stakeholders probably cannot be adequately studied and reported on by October of 2018, particularly in light of the absence of any prior similar work or proposal of this nature.

The state land office would likely incur a significant administrative burden in providing information regarding 9 million surface acres and 13 million acres of mineral estate scattered around the entire state and otherwise addressing the considerable impact that a NEPA-type regulatory regime would have.

### **RELATIONSHIP**

SM 94/aSCONC duplicates HM 81 with two exception: the Senate Conservation Committee amendment adds a representative from the Energy, Minerals and Natural Resources Department to the working group and requires a copy of the memorial be given to the secretary of EMNRD.

JMA/al/jle