152nd GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 422**
SPONSOR:	**Representative K. Johnson**
DESCRIPTION:	**AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL PERMITS IN OVERBURDENED COMMUNITIES.**

Assumptions:

1. This Act is effective upon signature of the Governor.

2. This Act, known as the Healthy Communities and Environmental Justice Act, establishes the Environmental Justice Board (Board) to make recommendations to the Department of Natural Resources and Environmental Control (DNREC).

3. DNREC and the Board are required to carry out other provisions of this Act relevant to the fiscal projection, including:
    a. Review and publish environmental justice impact reports.
    b. One community information session is required for each environmental justice impact report.
    c. In conjunction with the Board, DNREC shall establish, maintain, and publish on DNREC's website, a list of overburdened communities and update the list at least every two years.
    d. Manage required advertising for community information sessions in English and predominant non-English language.

4. This Act expands upon the responsibilities of DNREC. To implement the provisions of this Act, DNREC anticipates the need for 15 FTE positions as follows:
    a. Recurring Costs
        i. $1,067,163 for 9 months of funding including Other Employment Costs (OECs) at a rate of 32.94% for 1.0 FTE Administrative Specialist III; 3.0 FTE Ombudsman; 1.0 FTE Deputy Attorney General; 2.0 FTE Public Hearing Officers; 2.0 FTE Natural Resource Police Officers; 6.0 FTE Environmental Program Managers.
        ii. $219,250 for ongoing operating costs including fleet, supplies, capital outlay, and contractual services.
        iii. $135,000 for an annual spatial analysis.
        iv. $48,000 for Environmental Justice Board expenses.
    b. One-Time Costs
        i. $105,000 for furniture and equipment for new personnel.

5. Board expenses include costs related to meeting room rental fees, mileage, and reporting. DNREC anticipates approximately 50 permit requests in overburdened communities. This legislation will require a community information session and public hearing in the overburdened community for each permit request.

6. All Fiscal Year 2025 personnel costs have been estimated for 9-months of funding, with the annualization of the remaining 3-months incorporated into subsequent year estimates. Additionally, a 2% inflation cost has been included for projected increases in personnel costs.

Cost:

	One-Time	General Fund
Fiscal Year 2025:	$105,000	$1,574,413
Fiscal Year 2026:		$1,853,591
Fiscal Year 2027:		$1,882,618

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