

**Economic Impact Statement**

LSA Document #09-806

**IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

**Estimated Number of Small Businesses Subject to this Rule:**

The proposed rule establishes a general license for the placement of qualified aerators in public freshwater lakes. The general license would have the greatest usage by individual riparian owners but might be used by an estimated 10 small businesses. Typically, the general license would provide any user with monetary savings. The general license eliminates the need to submit to the Department of Natural Resources (DNR) a \$100 nonrefundable application fee for a license under [IC 14-26-2](#) and would also obviate the need to prepare documents and notifications to affected persons at an estimated cost of \$100 to \$1,000 for each application. Some of the financial advantages of a general license would be offset for a person seeking to place an aerator in March. For this period, a warning sign would be required at an estimated cost of \$20. For small businesses with aerators on multiple piers, a second sign may be needed for a total cost of \$40.

Use of the general license is, however, not required. A small business may elect to seek an individual license to place an aerator upon filing a completed application and the application fee. A small business wishing to place an aerator in March could seek an individual license, under [IC 14-26-2](#), and present evidence to the DNR that the statutory requirements would be met without the placement of a warning sign.

Other aspects of the rule provide cross-references to a guidance document to assist with identifying the boundaries between riparian zones and eliminate the need to participate in mediation in an adjudicatory proceeding, if none of the parties wish to mediate. These amendments support clarity and efficiency and impose no regulatory requirements.

**Estimated Average Annual Reporting, Record Keeping, and Other Administrative Costs Small Businesses Will Incur for Compliance:**

None.

**Estimated Total Annual Economic Impact on Small Businesses to Comply:**

None.

**Justification Statement of Requirement or Cost:**

The amendments do not mandate additional requirements or costs on small businesses.

**Regulatory Flexibility Analysis of Alternative Methods:**

Because no additional requirements or costs are imposed, no flexibility analysis was performed.

*Posted: 05/19/2010 by Legislative Services Agency*

An [html](#) version of this document.