

Economic Impact Statement

LSA Document #13-335

[IC 4-22-2.1-5](#) Statement Concerning Rules Affecting Small Businesses**Estimated Number of Small Businesses Subject to this Rule:**

Based upon 2010 U.S. Census data, an estimated 2,100 small businesses classified as agriculture, mining, utility, or manufacturing that are located within the Great Lakes Basin in Indiana would potentially be subject to this proposed rule.

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

Small businesses with significant water withdrawal facilities (SWWFs) installed after December 8, 2009, and regulated under [IC 14-25-15](#) will be required to register or permit water withdrawals and report water use annually. Statewide registration and water use reporting by SWWFs from all sectors have been required under [IC 14-25-7-15](#) since 1984. No fees for registration, permitting, or reporting are set forth by statute or by the proposed rule. Small businesses may also be required to develop water conservation and efficiency plans as specified in [IC 14-25-15](#). Costs associated with the development and implementation of these plans as required by [IC 14-25-15](#) could be significant. All potential costs to small businesses for the approval of a new or increased diversion of water from the Great Lakes Basin, or for mandatory water conservation planning, are due to the provisions of [IC 14-25-15](#) and not the result of this proposed rule. Small businesses located within the Great Lakes Basin in Indiana registered as a significant water withdrawal facility (SWWF) under [IC 14-25-7](#) prior to December 8, 2009, were grandfathered under [IC 14-25-15](#) and additional registration or permitting is not required unless withdrawal thresholds set forth in the statute are exceeded.

Estimated Total Annual Economic Impact on Small Businesses to Comply:

No fees for registration, permitting, and water use reporting are set forth by [IC 14-25-15](#) or by the proposed rule, and total annual economic impact to small businesses for compliance with these provisions of the proposed rule is anticipated to be minimal. Costs associated with the development and implementation of water conservation and efficiency plans as required by [IC 14-25-15](#) could be significant. All potential costs to small businesses for the approval of a new or increased diversion of water from the Great Lakes Basin, or for mandatory water conservation planning, are due to the provisions of [IC 14-25-15](#) and not the result of this proposed rule.

Justification Statement of Requirement or Cost:

There are potential costs that result for applicants to comply with the requirements of [IC 14-25-15](#), and these costs could be significant. All potential costs to small businesses for the approval of a new or increased diversion of water from the Great Lakes Basin, or for mandatory water conservation planning, are due to the provisions of [IC 14-25-15](#) and not the result of this proposed rule. However, no additional costs or fees are specified by the proposed rule. All eight Great Lake states have enacted the provisions of the Great Lakes Compact and are currently implementing its requirements. Prior to enactment of the Compact, no criteria existed to obtain approval for a diversion of water from the basin, and small businesses were uncertain of the data necessary to obtain an approval and the costs related to obtaining and providing that data to the states and provinces.

Regulatory Flexibility Analysis of Alternative Methods:

No regulatory flexibility analysis of alternative methods was conducted by DNR. All compliance and reporting requirements are set forth by [IC 14-25-15](#).

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