ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME
State Water Resources Control Board

CONTACT PERSON
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TELEPHONE NUMBER
916-341-5196

DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400
Emergency Actions due to Insufficient Flow for Specific Fisheries in Tributaries to the Russian River

A. ESTIMATED PRIVATE SECTOR COST IMPACTS  Include calculations and assumptions in the rulemaking record.

1. Check the appropriate box(es) below to indicate whether this regulation:

   □ a. Impacts business and/or employees
   □ b. Impacts small businesses
   □ c. Impacts jobs or occupations
   □ d. Impacts California competitiveness
   □ e. Imposes reporting requirements
   □ f. Imposes prescriptive instead of performance
   □ g. Impacts individuals
   □ h. None of the above (Explain below):

   If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
   If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.

2. The ___________________________ estimates that the economic impact of this regulation (which includes the fiscal impact) is:

   □ Below $10 million
   □ Between $10 and $25 million
   □ Between $25 and $50 million
   □ Over $50 million [If the economic impact is over $50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c)]]

3. Enter the total number of businesses impacted:

   ___________________________

   Describe the types of businesses (Include nonprofits):

   ___________________________

   Enter the number or percentage of total businesses impacted that are small businesses:

   ___________________________

4. Enter the number of businesses that will be created: ____________________________ eliminated: ____________________________

   Explain: ____________________________

5. Indicate the geographic extent of impacts:

   □ Statewide
   □ Local or regional (List areas):

6. Enter the number of jobs created: ____________________________ and eliminated: ____________________________

   Describe the types of jobs or occupations impacted:

   ____________________________

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? □ YES  □ NO

   If YES, explain briefly: ____________________________

   ____________________________

   ____________________________

   ____________________________
ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS  Include calculations and assumptions in the rulemaking record.

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? $ ____________________________
   a. Initial costs for a small business: $ ____________________________ Annual ongoing costs: $ ____________________________ Years: ____________________________
   b. Initial costs for a typical business: $ ____________________________ Annual ongoing costs: $ ____________________________ Years: ____________________________
   c. Initial costs for an individual: $ ____________________________ Annual ongoing costs: $ ____________________________ Years: ____________________________
   d. Describe other economic costs that may occur: ____________________________________________________________

2. If multiple industries are impacted, enter the share of total costs for each industry: ____________________________________________________________

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted. $ ____________________________

4. Will this regulation directly impact housing costs?  
   YES  NO
   If YES, enter the annual dollar cost per housing unit: $ ____________________________
   Number of units: ____________________________

5. Are there comparable Federal regulations?  
   YES  NO
   Explain the need for State regulation given the existence or absence of Federal regulations: ____________________________________________________________

   Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: $ ____________________________

C. ESTIMATED BENEFITS  Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: ____________________________________________________________

2. Are the benefits the result of:  
   specific statutory requirements, or  goals developed by the agency based on broad statutory authority?
   Explain: ____________________________________________________________

3. What are the total statewide benefits from this regulation over its lifetime? $ ____________________________

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: ____________________________________________________________

D. ALTERNATIVES TO THE REGULATION  Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: ____________________________________________________________
2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Benefit: $</th>
<th>Cost: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative 1</td>
<td>Benefit: $</td>
<td>Cost: $</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>Benefit: $</td>
<td>Cost: $</td>
</tr>
</tbody>
</table>

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?  

   YES  NO

   Explain:

E. MAJOR REGULATIONS  Include calculations and assumptions in the rulemaking record.

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed $10 million?  

   YES  NO

   If YES, complete E2. and E3

   If NO, skip to E4

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

   Alternative 1: ____________________________

   Alternative 2: ____________________________

   (Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Total Cost $</th>
<th>Cost-effectiveness ratio: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative 1</td>
<td>Total Cost $</td>
<td>Cost-effectiveness ratio: $</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>Total Cost $</td>
<td>Cost-effectiveness ratio: $</td>
</tr>
</tbody>
</table>

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding $50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

   YES  NO

   If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

   The increase or decrease of investment in the State:

   The incentive for innovation in products, materials or processes:

   The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency:
A. FISCAL EFFECT ON LOCAL GOVERNMENT  Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate) (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

$ ____________________________

☐ a. Funding provided in ____________________________ or Chapter __________, Statutes of ____________________________

☐ b. Funding will be requested in the Governor’s Budget Act of ____________________________ Fiscal Year:

☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate) (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

$ ____________________________

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

☐ a. Implements the Federal mandate contained in ____________________________

☐ b. Implements the court mandate set forth by the ____________________________ vs. ____________________________ Case of:

☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. ____________________________ Date of Election:

☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected:

____________________________________________________________________

☐ e. Will be fully financed from the fees, revenue, etc. from:

Authorized by Section: ____________________________ of the ____________________________ Code;

☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in ____________________________

☐ 3. Annual Savings. (approximate)

$ ____________________________

☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

☐ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain Not a State mandate; generally applicable regulation.

Local schools may incur cost of up to $3,412.50. Local agencies may incur cost of up to $48,587.50. See attachment for details.
B. FISCAL EFFECT ON STATE GOVERNMENT
Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ 2,275

It is anticipated that State agencies will:

☐ a. Absorb these additional costs within their existing budgets and resources.

☐ b. Increase the currently authorized budget level for the __________________ Fiscal Year

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ ______________

☐ 3. No fiscal impact exists. This regulation does not affect any State agency or program.

☐ 4. Other. Explain ____________________________

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS
Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ ______________

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ ______________

☐ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

☐ 4. Other. Explain ____________________________

FISCAL OFFICER SIGNATURE

[Signature]

DATE: 3/17/16

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY

[Signature]

DATE: 3/18/16

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER

[Signature]

DATE:
Attachment 1: Fiscal Impact Statement

Summary

The fiscal effects of the proposed emergency regulation relevant to Government Code section 11346.5, subdivision (a)(6) are the costs that would be incurred by state and local government agencies to respond to any requests for additional information the State Water Board may require pursuant to the prior informational orders and any new informational orders.

The total cost for all local (including city, county, schools and publically owned water suppliers) and state agencies to respond to additional information requested by the State Water Board under the proposed regulation is estimated to be $54,275 ($2,275 for the State of California, $3,412.50 for local schools and school districts, and $48,587.50 for other local government entities).

Fiscal Impact of Proposed Section 876 Subdivision (e)

The potential fiscal impacts of the information orders issued pursuant to proposed section 876, subdivision (e) include the costs to local government agencies to complete and submit an informational order response form and supporting documentation and respond to any requests for additional information under prior informational orders or a new informational order.

To conservatively estimate the cost of the proposed regulation, the State Water Board determined the total number of state and local agency-owned parcels in the four priority tributaries and multiplied that number by an average time to complete the informational order response form and submit any supporting documentation, multiplied by an average staff cost per hour. The State Water Board conservatively estimates the average amount of time required to provide additional information requested by the State Water Board under the prior informational order or any new informational orders to be 2.5 hours per parcel or water supplier. This time estimate is based on assistance provided by State Water Board staff to parcel owners and water suppliers over the phone and in person in implementing the prior version of the emergency regulation. The average time to respond to Order WR 2015-0026-DWR: Order for Additional Information in the Matter of Diversion of Water from the Dutch Bill Creek, Green Valley Creek, portions of Mark West Creek, and Mill Creek Watersheds as defined in California Code of Regulations, Title 23, Section 876(c)(1) has varied between five minutes to two hours per parcel or water supplier. Therefore, the conservative estimate of one hour per parcel or water supplier was used for this fiscal analysis. In addition, the State Water Board included 1.5 hours for gathering the information required by an informational order on the assumption that state and local agencies would have already gathered most of the information that would be requested pertaining to the sources and use of water in response the Order WR 2015-0026-DWR.

The State Water Board has identified 31 state and local agencies, which received Order WR 2015-0026-DWR under the prior version of the emergency regulation. These state and local agencies own 334 parcels, identified via ParcelQuest, and may be required to fill out an
informational order response form or provide additional information for each parcel identified by unique assessor's parcel number. The State of California owns 14 parcels within the four priority watersheds and will therefore incur an estimated cost of $2,275 (14 state owned parcels multiplied by $65 per hour, multiplied by 2.5 hours). Local schools, school districts and water suppliers own 21 parcels within the four priority watersheds and will incur an estimated cost of $3,412.50 (21 local schools, school districts, and water supplier-owned parcels multiplied by $65 per hour, multiplied by 2.5 hours). Other local government entities, including but not limited to city and county agencies, own 299 parcels within the four priority watersheds and will incur an estimated cost of $48,587.50 (299 local agency-owned parcels multiplied by $65 per hour, multiplied by 2.5 hours). Therefore, the total cost estimated to all local (including city, county, schools and publicly-owned water suppliers) and state agencies to complete the informational order response form and submit the supporting documents is $54,275 (334 local and state agency- and water supplier- owned parcels multiplied by $65 per hour, multiplied by 2.5 hours).