

Regulator Analysis Template

Analysis of Impact of Proposed Rule

1. Persons affected by the proposed rule

- Classes of persons that will bear the costs of the proposed rule:

None or N/A

- Classes of persons that will benefit from the proposed rule:

The delegated permitting program saves the public money in the form of DNR construction permit fees. Those fees are not paid for permits issued by the local permitting authorities. This cost savings is retained through the direct implementation of the Iowa Code.

Impact of the proposed rule, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred

- Quantitative description of impact:

The delegated permitting program saves the public money in the form of DNR construction permit fees. Those fees are not paid for permits issued by the local permitting authorities. This cost savings is retained through the direct implementation of the Iowa Code.

- Qualitative description of impact:

The Department has determined that, solely by using the authority in the Iowa Code, cities with qualified engineering staff can continue to issue minor water and sewer extension permits locally without the need to submit those permits to the Department for initial approval. In other words, while the program is important, the rule itself is unnecessary.

2. Costs to the state

- Implementation and enforcement costs borne by the agency or any other agency:

None. The Iowa Code authorizes and self-implements this program regardless of rules. This rescission will not add or subtract any costs to the Department.

- Anticipated effect on state revenues:

None. The Iowa Code authorizes and self-implements this program regardless of rules. This rescission will not add or subtract any costs to the Department.

3. Comparison of the costs and benefits of the proposed rule to the costs and benefits of inaction

This rulemaking is for cleanup and alignment with the Iowa Code only. The cost and benefits to the public and the state are fully recognized through the implementation of the delegated authority program in Iowa Code section 455B.183 on its own. The rescission or retention of the rules in 567 IAC chapter 9 have no impact on the cost and benefit.

4. Determination if less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule

Yes. The rules are unnecessary due to the provisions of the Iowa Code and are being rescinded.

5. Alternative methods considered by the agency

- Description of any alternative methods that were seriously considered by the agency:

The Department adopted these rules and implemented them for several years.

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- Reasons why they were rejected in favor of the proposed rule:

Through the implementation, the Department saw no benefit to the rule's existence due the provisions of Iowa Code section 455B.183.

Small Business Impact

If the rule will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rule on small business:

- Establish less stringent compliance or reporting requirements in the rule for small business.
- Establish less stringent schedules or deadlines in the rule for compliance or reporting requirements for small business.
- Consolidate or simplify the rule's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rule for small business.
- Exempt small business from any or all requirements of the rule.

If legal and feasible, how does the rule use a method discussed above to reduce the substantial impact on small business?

N/A.

Text of Proposed Rule:

[567 IAC Chapter 9 is rescinded in full.]