

Administrative Procedures – Economic Impact Statement

Instructions:

In completing the economic impact statement, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule. This form must be completed for the following filings made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

Rules affecting or regulating public education and public schools must include cost implications to local school districts and taxpayers in the impact statement (see 3 V.S.A. § 832b for details).

The economic impact statement also contains a section relating to the impact of the rule on greenhouse gases. Agencies are required to explain how the rule has been crafted to reduce the extent to which greenhouse gases are emitted (see 3 V.S.A. § 838(c)(4) for details).

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person.

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I conclude that this rule is the most appropriate method of achieving the regulatory purpose. In support of this conclusion I have attached all findings required by 3 V.S.A. §§ 832a, 832b, and 838(c) for the filing of the rule entitled:

Rule Title: Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont.

_____, on _____.
(signature) (date)

Printed Name and Title:

Julie Moore, Secretary
Agency of Natural Resources

BE AS SPECIFIC AS POSSIBLE IN THE COMPLETION OF THIS FORM, GIVING FULL INFORMATION ON YOUR ASSUMPTIONS, DATABASES, AND ATTEMPTS TO GATHER OTHER INFORMATION ON THE NATURE OF THE COSTS AND BENEFITS INVOLVED. COSTS AND BENEFITS CAN INCLUDE ANY TANGIBLE OR INTANGIBLE ENTITIES OR FORCES WHICH WILL MAKE AN IMPACT ON LIFE WITHOUT THIS RULE.

1. TITLE OF RULE FILING:

Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont

2. ADOPTING AGENCY:

Department of Forests, Parks and Recreation, Agency of Natural Resources

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

VT Agency of Natural Resources and Department of Forests, Parks & Recreation, loggers, forest landowners, foresters and others associated with timber harvesting.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS:

There should be no impact on public education or schools from the changes to the regulations.

5. COMPARISON:

COMPARE THE ECONOMIC IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

If the proposed amendments were not adopted, the existing Rule would remain in effect. If the existing Rule was repealed, landowners and loggers would be required to obtain a discharge permit and/or a storm water permit to comply with the Federal Clean Water Act, the Vermont Water Pollution Control statute, Chapter 47 of the Vermont Statutes Annotated and Vermont's Water Quality Standards. The Federal Clean Water Act, as amended in 1977, specifies under

Section 208, that States must reduce silvicultural non-point source (NPS) pollution. As a result, states developed management practices to follow for protecting forest water quality when conducting logging operations. The proposed changes to the rule that require specifications to minimum structure sizes will give better guidance to landowners and loggers in sizing culverts and bridges. Initially, this may increase the cost of the structure over what could have been installed under the requirements of the existing rule. However, with properly sized structures, frequency of washouts and repair will be significantly lower. This will reduce costs in the long run, as well as prevent significant discharges from taking place.

For example, it costs approximately \$2,000 to install a 24 inch culvert and \$4,000 to install a 48 inch culvert. Over the life span of that culvert (approximately 40 years), the undersized culvert is likely to wash out at least once every 10-15 years. A landowner installing a 24 inch diameter culvert instead of a properly sized 48 inch culvert would save approximately \$2,000 at the time of installation. However, the cost of re-setting that culvert and bringing in gravel to replace what washed downstream two, four, or more times over the life span of the culvert would more than exceed the initial \$2,000 savings when the undersized culvert was installed.

Traditionally, there has been little information available to landowners and loggers on properly sizing permanent structures on intermittent streams. In the absence of this information, FP&R has observed landowners and loggers installing and re-installing undersized culverts that repeatedly fail. These amendments to the rule will help address this problem and reduce costs for landowners and loggers in the long term.

One alternative to this rule is to require all crossings be covered under the VT Department of Environmental Conservation stream alteration general

permit. This option would greatly increase the burden on the VT Department of Environmental Conservation program processing stream alteration general permits, add a permit fee for the landowner and increase the amount of time it would take for landowners and loggers to comply with water quality regulations.

6. FLEXIBILITY STATEMENT:

COMPARE THE BURDEN IMPOSED ON SMALL BUSINESS BY COMPLIANCE WITH THE RULE TO THE BURDEN WHICH WOULD BE IMPOSED BY ALTERNATIVES CONSIDERED IN 3 V.S.A. § 832a:

The burden imposed on small businesses would be minimal. This rule is intended to protect water quality, control soil erosion and maintain soil productivity for forest landowners, including small businesses.

7. GREENHOUSE GAS IMPACT: *EXPLAIN HOW THE RULE WAS CRAFTED TO REDUCE THE EXTENT TO WHICH GREENHOUSE GASES ARE EMITTED, EITHER DIRECTLY OR INDIRECTLY, FROM THE FOLLOWING SECTORS OF ACTIVITIES:*

A. TRANSPORTATION —

IMPACTS BASED ON THE TRANSPORTATION OF PEOPLE OR PRODUCTS (e.g., “THE RULE HAS PROVISIONS FOR CONFERENCE CALLS INSTEAD OF TRAVEL TO MEETINGS” OR “LOCAL PRODUCTS ARE PREFERENTIALLY PURCHASED TO REDUCE SHIPPING DISTANCE.”):

No impact

B. LAND USE AND DEVELOPMENT —

IMPACTS BASED ON LAND USE AND DEVELOPMENT, FORESTRY, AGRICULTURE ETC. (e.g., “THE RULE WILL RESULT IN ENHANCED, HIGHER DENSITY DOWNTOWN DEVELOPMENT.” OR “THE RULE MAINTAINS OPEN SPACE, FORESTED LAND AND /OR AGRICULTURAL LAND.”):

The rule supports Vermont's goals of sustaining a working forest landscape by protecting water quality and improving the dependability and function of forest infrastructure.

C. BUILDING INFRASTRUCTURE —

IMPACTS BASED ON THE HEATING, COOLING AND ELECTRICITY CONSUMPTION NEEDS (e.g., “THE RULE PROMOTES WEATHERIZATION TO REDUCE BUILDING HEATING AND COOLING DEMANDS.” OR “THE PURCHASE AND USE OF EFFICIENT ENERGY STAR APPLIANCES IS REQUIRED TO REDUCE ELECTRICITY

CONSUMPTION.”):
No impact

D. WASTE GENERATION / REDUCTION —

IMPACTS BASED ON THE GENERATION OF WASTE OR THE REDUCTION, REUSE, AND RECYCLING OPPORTUNITIES AVAILABLE (e.g., “THE RULE WILL RESULT IN REUSE OF PACKING MATERIALS.” OR “AS A RESULT OF THE RULE, FOOD AND OTHER ORGANIC WASTE WILL BE COMPOSTED OR DIVERTED TO A ‘METHANE TO ENERGY PROJECT’.”):
No impact

E. OTHER —

IMPACTS BASED ON OTHER CRITERIA NOT PREVIOUSLY LISTED:
No impact

Run Spell Check