



## **Ballast Water 2016 Fiscal Impact Statement**

Oregon Department of Environmental Quality  
Northwest Region Office  
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This rulemaking consists of two independent sets of rules. The primary and substantive rulemaking in this proceeding is to amend rules related to regulating the discharge of ballast water. The second element of this rulemaking is simply an administrative one that affects only DEQ's noise regulations, found at OAR 340-035. Tables that are part of those noise rules, but which currently are not published with the official Secretary of State version of those rules, are being incorporated into the official published version of the administrative rules. There is no wording or substantive change to the noise rules or the tables and no change in the meaning or effect of the rules or tables. There is therefore no fiscal impact of any kind to any person or entity as a result of this administrative action concerning the noise rules.

### **Fiscal and Economic Impact - Summary**

#### Ballast Water Rules

This rulemaking amends invasive species prevention practices required of commercial vessels greater than 300 gross tons that intend to discharge ballast water while operating in state waters. The vast majority of affected vessels are owned and operated by large foreign businesses. The proposed rules do not involve a significant cost of compliance for these foreign businesses and are not expected to have any indirect effects on local businesses that are dependent upon maritime commerce.

#### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

### **Statement of Cost of Compliance**

## **State and federal agencies**

### Ballast Water Rules

This rulemaking will not require additional resources for the Department of Environmental Quality, nor other state or federal agencies.

### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

## **Local governments**

### Ballast Water Rules

This rulemaking only affects commercial vessels greater than 300 gross tons arriving from outside of Oregon waters and therefore has no fiscal impact on local governments.

### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

## **Public**

### Ballast Water Rules

These rules would not impose a negative economic impact on the general public. Rather, these rules are intended to protect the general public by preventing the introduction of aquatic invasive species, which have caused devastating economic impacts for public and private sector entities in other regions of the country.

### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

## **Large businesses - businesses with more than 50 employees**

### Ballast Water Rules

No significant economic impact is anticipated as a result of the proposed rules. The proposed rules do not impose fees or require the use or installation of new equipment or management practices.

#### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

### **Small businesses – businesses with 50 or fewer employees**

#### Ballast Water Rules

No significant economic impact is anticipated as a result of the proposed rules. Our state ballast water management regulations establish a minimum vessel size criteria (> 300 gross tons with ballast tanks) and exemptions for commercial fishing vessels whereby no small businesses are subject to these rules. Moreover, the proposed rules do not establish fees or require new operational practices to manage ballast water, and thus, under normal operational conditions, would not impose significant economic impacts, either directly or indirectly, to any small businesses.

#### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

### **a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.**

#### Ballast Water Rules

This rulemaking only affects commercial vessels greater than 300 gross tons arriving from outside of Oregon waters and therefore has no fiscal impact.

#### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

**b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.**

Ballast Water Rules

This rulemaking only affects commercial vessels greater than 300 gross tons arriving from outside of Oregon waters and therefore has no fiscal impact.

Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

**c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.**

Ballast Water Rules

This rulemaking only affects commercial vessels greater than 300 gross tons arriving from outside of Oregon waters and therefore has no fiscal impact

Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

**d. Describe how DEQ involved small businesses in developing this proposed rule.**

Ballast Water Rules

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Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

## Documents relied on for fiscal and economic impact

### Ballast Water Rules

This rulemaking only affects commercial vessels greater than 300 gross tons arriving from outside of Oregon waters and therefore has no fiscal impact.

### Noise Table Rules

This rulemaking makes no wording or substantive change to DEQ's noise regulations and therefore has no fiscal impact on any person or entity.

Document title	Document location
N/A	

## Advisory committee

DEQ appointed an advisory committee.

As ORS 183.33 requires, DEQ asked for the committee's recommendations on:

- Whether the proposed rules would have a fiscal impact,
- The extent of the impact, and
- Whether the proposed rules would have a significant impact on small businesses and complies with ORS 183.540.

The committee reviewed the draft fiscal and economic impact statement and found:

its findings are stated in the approved minutes dated **DATE**.

The advisory committee:

The committee **Enter specifics about the committee's fiscal impact review**. The committee determined the proposed rules **would/would not** have a significant adverse impact on small businesses in Oregon.

## **Housing cost**

### Ballast Water Rules

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would have an effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. DEQ determined the proposed rules would have no effect on the development costs because the rules only affect commercial vessels discharging ballast water that had been sourced from outside state water and the changes to regulations do not impose significant changes in operational costs or investment.

### Noise Table Rules

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would have an effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. DEQ determined the proposed rules would have no effect on the development costs because the changes to the noise rules are administrative only and have no substantive effect.