

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Wetlands Assimilation
(LAC 33:IX.1105, 1109, and 1113) (WQ068)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Water Quality regulations, LAC 33:IX.1105, 1109, and 1113 (Log #WQ068).

The proposed rule will amend the water quality standards in LAC 33:IX.Chapter 11 to protect wetland areas that may receive treated wastewater effluent. Wetlands are being proposed as a water body exception category. Definitions, which include classifications of wetlands types, and biological criteria for wetlands to receive treated and disinfected sanitary effluent are included in the rule. The current description of "biological and aquatic community integrity" is amended to include plants as indicative of the aquatic community in the case of wetlands. The proposed rule cites procedures in the department's current Water Quality Management Plan that further outline the implementation process. Subsidence in wetlands in southern Louisiana has been caused by a combination of impoundment by artificial levees and flood control drainage. These features have essentially stopped the inflow of water and natural soil building materials into the wetlands that would normally be present during spring flooding events. Extensive scientific studies (including use attainability analyses) conducted over the past ten years or more on wetland sites in southern Louisiana have demonstrated that controlled discharges of treated municipal wastewater to these wetlands helps to control subsidence and increases wetland productivity. The basis and rationale for this rule are to establish protective wetlands criteria and designated uses for wetlands that may receive treated wastewater inflow.

This proposed rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on September 26, 2006, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Parking in the Galvez Garage is free with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by WQ068. Such comments must be received no later than October 3, 2006, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of WQ068. This regulation is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

**Title 33
ENVIRONMENTAL QUALITY**

Part IX. Water Quality

Subpart 1. Water Pollution Control

Chapter 11. Surface Water Quality Standards

§1105. Definitions

* * *

Bottomland Hardwood Swamps—those areas inundated or saturated by surface water or groundwater of negligible to very low salinity at a frequency and duration sufficient to support, and that under normal conditions do support, bottomland hardwood vegetation. These ecosystems are commonly found wherever streams or rivers occasionally cause flooding beyond their channel confines. They are deciduous forested wetlands, made up of different species of gum (*Nyssa* spp.), oak (*Quercus* spp.), dwarf palmetto (*Sabal minor*), and bald cypress (*Taxodium distichum*), and other species. These swamps cannot tolerate continuous flooding; typically areas are flooded two to six months per year.

Brackish Marshes—those areas inundated or saturated by surface water or groundwater of moderate salinity at a frequency and duration sufficient to support, and that under normal circumstances do support, brackish emergent vegetation characterized by a prevalence of species typically adapted for life in such soil and contiguous surface water conditions. Typical vegetation would include bulltongue (*Sagittaria* spp.), wild millet (*Echinochloa walteri*), bullwhip (*Scirpus californicus*), sawgrass (*Cladium jamaicense*), wiregrass (*Spartina patens*), three-cornered grass (*Scirpus olneyi*), ~~eoeo~~ (*Scirpus robustus*), and widgeongrass (*Ruppia maritima*). *Brackish marshes* are also characterized by interstitial water salinity ~~that~~ which normally ranges between 37 and 15 parts per thousand (ppt) or practical salinity units (psu).

* * *

Cypress-Tupelo Swamps—those areas inundated or saturated by surface water or groundwater of negligible to very low salinity at a frequency and duration sufficient to support, and that under normal circumstances do support, cypress-tupelo vegetation. Typical vegetation includes water tupelo (*Nyssa Sylvatica* var. *aquatica*), bald cypress (*Taxodium distichum*), red maple (*Acer rubrum*), buttonbush (*Cephalanthus occidentalis*), and common wax myrtle (*Myrica cerifera*). *Cypress-tupelo swamps* can tolerate continuously flooded conditions and are divided into two subtypes: continuously flooded and seasonally flooded. Continuously flooded swamps are those areas that have standing water present all year round. They range from forests with a closed canopy to open canopy conditions with understory freshwater emergent wetland vegetation. Seasonally flooded swamps are those areas that are typically flooded for more than six months per year. They typically have a closed canopy that limits understory vegetation.

* * *

Forested Wetlands—a category of wetlands that includes *bottomland hardwood swamps, cypress-tupelo swamps, and oligotrophic seasonally flooded pine forests* as defined in this Section.

* * *

Freshwater Emergent Wetlands (including freshwater marshes)—those areas inundated or saturated by surface water or groundwater of negligible to very low salinity at a frequency and duration sufficient to support, and that under normal circumstances do support, freshwater emergent vegetation. Typical vegetation includes cattail (*Typha angustifolia*), bulltongue (*Sagittaria* spp.), maiden cane (*Panicum hemitomon*), water hyacinth (*Eichornia crassipes*), pickerelweed (*Pontederia cordata*), alligatorweed (*Alternanthera philoxeroides*), and *Hydrocotyl* spp. Freshwater emergent wetlands also are characterized by interstitial water salinity that is normally less than 2 ppt or psu. There are two subtypes of freshwater emergent wetlands: floating and attached. Floating wetlands are those areas where the wetland surface substrate is detached and is floating above the underlying deltaic plain (also called “buoyant” and “flotant”). Attached wetlands are those areas where the vegetation is attached to the wetland surface and is contiguous with the underlying wetland substrate and can be submerged or emergent.

Freshwater Swamps and Marshes—~~Repealed.~~ those areas inundated or saturated by surface water or groundwater of negligible to very low salinity at a frequency and duration sufficient to support, and that under normal circumstances do support, emergent vegetation characterized by a prevalence of species typically adapted for life in such soil and contiguous surface water conditions. Typical freshwater swamp vegetation includes bald cypress marshes and open areas within freshwater swamps would include bulltongue (*Sagittaria* spp.), maiden cane (*Panicum hemitomon*), water hyacinth (*Eichornia crassipes*), pickerelweed (*Pontederia cordata*), alligatorweed (*Alternanthera philoxeroides*), and *Hydrocotyl* sp. Freshwater swamps and marshes are also characterized by interstitial water salinity which is normally less than 2 parts per thousand.

Intermediate Marshes—~~Repealed.~~ those areas inundated or saturated by surface water or groundwater of low salinity at a frequency and duration sufficient to support, and that under normal circumstances do support, emergent vegetation characterized by a prevalence of species typically adapted for life in these soil and contiguous surface water conditions. Typical vegetation includes wiregrass (*Spartina patens*), deer pea (*Vigna luteola*), bulltongue (*Sagittaria* spp.) wild millet (*Echinochloa walteri*), bullwhip (*Scirpus californicus*), and sawgrass (*Cladium jamaicense*). Intermediate marshes are also characterized by interstitial water salinity which normally ranges between 3 and 6 parts per thousand.

* * *

Non-Forested Wetlands—a category of wetlands that includes *freshwater emergent wetlands, brackish marshes, and salt (saline) marshes* as defined in this Section.

* * *

Oligotrophic Seasonally Flooded Pine Forests—palustrine, seasonally saturated pine communities on hydric soils that may become quite dry for part of the year and generally occur in flat or nearly flat areas not associated with a river or stream system. They are usually dominated by loblolly pine (*Pinus taeda*). These pine forests are seasonally flooded and receive very low nutrient inputs. Because of their oligotrophic nature, these forests are characterized by unique understory vegetation communities that may include insectivorous plants.

* * *

~~Saline Marshes~~—~~Repealed, those areas that are inundated or saturated by surface water or groundwater of salinity characteristic of nearshore Gulf of Mexico ambient water at a frequency and duration sufficient to support, and that under normal circumstances do support, emergent vegetation characterized by a prevalence of species typically adapted for life in such soil and contiguous surface water conditions. Typical vegetation includes oystergrass (*Spartina alterniflora*), glasswort (*Salicornia spp.*), black rush (*Juncus roemerianus*), saltwort (*Batis maritima*), black mangrove (*Avicennia germinans*), and salt grass (*Distichlis spicata*). Saline marshes are also characterized by interstitial water salinity that normally exceeds 16 ‰ (parts per thousand).~~

Salt (Saline) Marshes—those areas that are inundated or saturated by surface water or groundwater of salinity characteristic of nearshore Gulf of Mexico ambient water at a frequency and duration sufficient to support, and that under normal circumstances do support, saline emergent vegetation. Typical vegetation includes oystergrass (*Spartina alterniflora*), glasswort (*Salicornia spp.*), black rush (*Juncus roemerianus*), saltwort (*Batis maritima*), black mangrove (*Avicennia germinans*), and salt grass (*Distichlis spicata*). Salt marshes are also characterized by interstitial water salinity that normally exceeds 16 ppt or psu.

* * *

~~Wetlands~~—those areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. ~~Wetlands generally include swamps, marshes, bogs, bottomland hardwood forests, and similar areas. Those areas that have one or more of the following attributes: support hydrophytic (water tolerant) vegetation during most of the year; contain predominately undrained hydric (water saturated) soils; and/or are periodically inundated or saturated by surface water or groundwater.~~

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1).
 HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 10:745 (October 1984), amended LR 15:738 (September 1989), LR 17:264 (March 1991), LR 20:883 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:2401 (December 1999), LR 26:2545 (November 2000), LR 29:557 (April 2003), LR 30:1473 (July 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 32:**.

§1109. Policy

Water quality standards policies concerned with the protection and enhancement of water quality in the state are discussed in this Section. Policy statements on antidegradation, water use, water body exception categories, compliance schedules and variances, short-term activity authorization, errors, severability, revisions to standards, and sample collection and analytical procedures are described.

A. – B.3.f. ...

C. Water Body Exception Categories. ~~Poor water quality will be viewed as a problem to be solved, not as an impediment to categorizing water bodies or assigning designated uses. However,~~ Some water bodies, because of natural water quality or physical limitations, may qualify for an excepted use classification. ~~This classification will be made on a case by case basis.~~ Whenever data indicate that an excepted classification is warranted, the department will recommend the exception to the ~~state~~ administrative authority for approval. In all cases where exceptions are proposed, the concurrence of the regional administrator of the EPA must be obtained and the opportunity for public participation must be provided during the exceptions review process. In most cases, the proposed exception will be considered during the public participation process along with a permit application or management plan update. Exceptions are allowed for the following ~~three~~ four categories of water bodies: certain intermittent streams, man-made water bodies, ~~and~~ naturally dystrophic waters, and wetlands. ~~Applications~~ Requests for excepted water use classifications may be considered for certain water bodies that ~~which~~ satisfy one of the following descriptions.

1. – 3. ...

4. Wetlands

a. Wetlands, as defined in LAC 33:IX.1105, are a valuable resource to the state of Louisiana. Because of the state's natural low elevations, extensive riverine and riparian environments, and the presence of the Mississippi River delta, Louisiana has a large and diverse amount of wetland habitat. Specific values of Louisiana wetlands include commercial, recreational, and cultural uses. In addition, Louisiana wetlands provide important biological and physiochemical functions that include, but are not limited to, buffering against hurricanes and storms, holding excess floodwaters during high rainfall or high tides, recharging groundwater aquifers used for drinking water and irrigation, and improving water quality by filtering pollutants and taking up nutrients.

b. There are two basic types of Louisiana wetlands: forested wetlands and non-forested, or marsh, wetlands. Forested wetlands include bottomland hardwood swamps, continuously flooded cypress-tupelo swamps, seasonally flooded cypress-tupelo swamps, and oligotrophic seasonally flooded pine forests. Non-forested or marsh wetlands include floating freshwater emergent wetlands, attached freshwater emergent wetlands, brackish marshes, and salt (saline) marshes. Each of these wetland types are defined in LAC 33:IX.1105.

c. A wastewater discharge may be proposed for a wetland of any defined type only if the discharge will not cause impairment of the wetland or applicable general and site-specific criteria.

d. Wetlands are assigned the following designated uses: secondary contact recreation and fish and wildlife propagation.

e. The applicable biological criteria for water bodies classified as wetlands under this exception are found in LAC 33:IX.1113.B.13.

f. Procedures for a proposed discharge to water bodies classified as wetlands can be found in the current Water Quality Management Plan, Volume 3, Permitting Guidance for Implementation of Louisiana's Water Quality Standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 10:745 (October 1984), amended LR 15:738 (September 1989), LR 17:264 (March 1991), LR 17:966 (October 1991), LR 20:883 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2546 (November 2000), LR 29:557 (April 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 32:**.

§1113. Criteria

A. – B.11. ...

12. **Biological and Aquatic Community Integrity.** The biological and community structure and function in state waters shall be maintained, protected, and restored except where not attainable and feasible as defined in LAC 33:IX.1109.B.3. This is the ideal condition of the aquatic community inhabiting the unimpaired water bodies of a specified habitat and region as measured by community structure and function. The biological integrity will be guided by the fish and wildlife propagation use designated for that particular water body. Fish and wildlife propagation uses are defined in LAC 33:IX.1111.C. The condition of these aquatic communities shall be determined from the measures of physical, chemical, and biological characteristics of each surface water body type, according to its designated use (LAC 33:IX.1123). Reference site conditions will represent naturally attainable conditions. These sites should be the least impacted and most representative of water body types. Such reference sites or segments of water bodies shall be those observed to support the greatest variety and abundance of aquatic life in the region as is expected to be or has been recorded during past surveys in natural settings essentially undisturbed by human impacts, development, or discharges. This condition shall be determined by consistent sampling and reliable measures of selected, indicative communities of animals (i.e., fish, invertebrates, etc.) and/or ~~invertebrates~~ plants as established by the department and may be used in conjunction with acceptable chemical, physical, and microbial water quality measurements and records as deemed appropriate for this purpose.

13. Wetlands Criteria. Due to effluent addition, the discharge area of a wetland shall have no more than a 20 percent reduction in the rate of total above-ground wetland productivity over a five-year period as compared to a reference area. The discharge area is the area of a wetland directly impacted by effluent addition, typically within a 100-meter radius of the discharge pipe(s). For each location, the discharge area will be defined by the volume of discharge. The reference area is the wetland area that is nearby and similar to the discharge area but that is not impacted by effluent addition. Above-ground productivity is a key measurement of overall ecosystem health in the wetlands of south Louisiana. Primary productivity is dependent on a number of factors, and the methods for measurement of above-ground productivity are found in the current Water Quality Management Plan, Volume 3, Permitting Guidance for Implementation of Louisiana's Water Quality Standards.

143. Other Substances and Characteristics. General criteria on other substances and characteristics not specified in this Subsection ~~LAC 33:IX.1113.B~~ will be developed as

needed.

C. Numerical Criteria. Numerical criteria identified in LAC 33:IX.1123, Table 3, apply to the specified water bodies, and to their tributaries, distributaries, and interconnected streams and water bodies contained in the water management subsegment if they are not specifically named therein, unless unique chemical, physical, and/or biological conditions preclude the attainment of the criteria. In those cases, natural background levels of these conditions may be used to establish site-specific water quality criteria. Those water bodies officially approved and designated by the state and EPA as intermittent streams, man-made water bodies, ~~or~~ naturally dystrophic waters, or wetlands may be excluded from some or all numerical criteria as stated in LAC 33:IX.1109. Although naturally occurring variations in water quality may exceed criteria, water quality conditions attributed to human activities must not exceed criteria when flows are greater than or at critical conditions (as defined in LAC 33:IX.1115.C).

C.1. – Table 1A.Footnote d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 10:745 (October 1984), amended LR 15:738 (September 1989), LR 17:264 (March 1991), LR 17:967 (October 1991), repromulgated LR 17:1083 (November 1991), amended LR 20:883 (August 1994), LR 24:688 (April 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:2402 (December 1999), LR 26:2547 (November 2000), LR 27:289 (March 2001), LR 30:1474 (July 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 32:**.

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

LOG #: WQ068

Person Preparing Statement: Dugan Sabins/Kris Pintado Dept.: Environmental Quality
 Phone: (225)219-3553 / (225)219-3596 Office: Environmental Assessment
 Return Address: DEQ Rule Title: Wetlands Assimilation
P.O. Box 4314 (LAC 33:IX.1105, 1109, 1113)
Baton Rouge, LA 70821-4314
 Date Rule Takes Effect: Upon promulgation

SUMMARY

(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This proposed rule is expected to have no significant costs to state or local governmental units. It is anticipated that there will be benefits to local governments through reduced costs for wastewater treatment. The wetlands can assimilate more treated wastes than existing water bodies, thus reducing the treatment expenses for local government.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no estimated effect on revenue collections of state or local governmental units as a result of the proposed rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There are no estimated significant costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition or employment as a result of the proposed rule.

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

Herman Robinson, CPM, Executive Counsel
Typed Name and Title of Agency Head or Designee

Date of Signature

Date of Signature

LFO 03/09/2001

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule will amend the water quality standards in LAC 33:IX.Chapter 11 to protect wetland areas that may receive treated wastewater effluent. Wetlands are being proposed as a water body exception category. Definitions, which include classifications of wetland types, and biological criteria for wetlands to receive treated and disinfected sanitary effluent, are included in the rule. The current description of "biological and aquatic community integrity" is amended to include plants as indicative of the aquatic community in the case of wetlands. The proposed rule cites procedures in the department's current Water Quality Management Plan that further outline the implementation process.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Subsidence in wetlands in southern Louisiana has been caused by a combination of impoundment by artificial levees and flood control drainage. These features have essentially stopped the inflow of water and natural soil building materials into the wetlands that would normally be present during spring flooding events. Extensive scientific studies (including use attainability analyses) conducted over the past ten years or more on wetland sites in southern Louisiana have demonstrated that controlled discharges of treated municipal wastewater to these wetlands helps to control subsidence and increases wetland productivity. This regulatory action is required to establish the protective wetlands criteria and designated uses for wetlands that may receive treated wastewater inflow.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session
(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule will not result in any increase in the expenditure of funds by the state.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- (a) Yes. If yes, attach documentation.
(b) No. If no, provide justification as to why this rule change should be published at this time.

The question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?
There is no anticipated increase or decrease in costs to implement the proposed action.

COSTS	FY 06-07	FY 07-08	FY 08-09
PERSONAL SERVICES _____			
OPERATING EXPENSES _____			
PROFESSIONAL SERVICES _____			
OTHER CHARGES _____			
EQUIPMENT _____			
TOTAL	-0-	-0-	-0-
MAJOR REPAIR & CONSTR.			
POSITIONS (#)	-0-	-0-	-0-

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

This is not applicable.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 06-07	FY 07-08	FY 08-09
STATE GENERAL FUND _____			
AGENCY SELF-GENERATED _____			
DEDICATED _____			
FEDERAL FUNDS _____			
OTHER (Specify) _____			
TOTAL	-0-	-0-	-0-

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The agency has sufficient funds to implement the proposed rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

This proposed rule is expected to have no significant costs to state or local governmental units. It is anticipated that there will be benefits to local governments through reduced costs for wastewater treatment. The wetlands can assimilate more treated wastes than existing water bodies, thus reducing the treatment expenses for local government.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

No significant effect on any sources of funding of local government units is anticipated.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

No significant increase or decrease in revenues is anticipated.

REVENUE INCREASE/DECREASE	FY 06-07	FY 07-08	FY 08-09
STATE GENERAL FUND _____			
AGENCY SELF-GENERATED _____			
RESTRICTED FUNDS* _____			
FEDERAL FUNDS _____			
LOCAL FUNDS _____			
TOTAL	-0-	-0-	-0-

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This is not applicable.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

No significant impact is anticipated.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

No significant impact is anticipated.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There will be no impact on competition or employment in the public or private sector from the proposed action.