

Memo to the Rule-making File

Subject: Small Business Economic Impact Statement for Water Quality Standards for Surface Waters of the State of Washington Rule Making 2014-15

From: Katarzyna Patora, Lead Agency Economist, Department of Ecology

Date: [complete at release]

The proposed amendments to the Water Quality Standards for Surface Waters of the State of Washington rule (chapter 173-201A WAC) do not require a Small Business Economic Impact Statement (SBEIS) to be prepared, per the requirements of the Regulatory Fairness Act (RFA; chapter 19.85 RCW).

The RFA states that:

[A]n agency shall prepare a small business economic impact statement: (i) if the proposed rule will impose more than minor costs on businesses in an industry; or (ii) if requested to do so by a majority vote of the joint administrative rules review committee within forty-five days of receiving the notice of proposed rule making under RCW [34.05.320](#).

As found in research supporting the draft Cost-Benefit and Least Burdensome Alternatives Analysis, the proposed rule amendments do not impose costs on existing businesses in any industry. The rule making, therefore, is not subject to the SBEIS requirement.

We note that typically the SBEIS is also the location in which we choose to document the involvement of small businesses (as required by the RFA) and local governments, in the rule-making process. Instead, we choose to document that in this memo, noting that representatives of all business sizes and local governments were involved as stakeholders in this rule-making process. They participated in workshops, attended presentations, exchanged questions and information, and provided suggestions and requests to the content of the rule itself, as well as the Cost-Benefit and Least Burdensome Alternatives Analysis. Additionally, while not as part of an official rule proposal, small businesses and local governments will be informed of the early release of rule language and associated analyses/supporting documents for this rulemaking.