

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-0669/2	Introduction Number AB-0653
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Description
 Drainage districts and regulating the removal of material from certain drainage ditches

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 Permissive Mandatory
 - 2. Decrease Costs
 Permissive Mandatory
 - 3. Increase Revenue
 Permissive Mandatory
 - 4. Decrease Revenue
 Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	20.370 (4)(bi)

Agency/Prepared By	Authorized Signature	Date
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	1/26/2016

Fiscal Estimate Narratives

DNR 1/26/2016

LRB Number	15-0669/2	Introduction Number	AB-0653	Estimate Type	Original
Description Drainage districts and regulating the removal of material from certain drainage ditches					

Assumptions Used in Arriving at Fiscal Estimate

This bill creates an exemption from this prohibition for the removal of material from the bed of a drainage ditch operated by a drainage district. In order for the exemption to apply, certain conditions must be met including that the removal is for the purpose of maintaining the ditch, the material is not removed from an area listed by DNR in a database identifying contaminated properties, and the drainage district takes certain action to clean its equipment in order to prevent the spread of invasive species or viruses from one navigable water to another. Under current law, a person may not discharge dredged material into a wetland unless the discharge is authorized by a wetland general permit or an individual permit issued by DNR or the discharge is exempt from the permit requirement. Among the activities that are generally exempt from the permit requirement are normal farming, irrigation ditch construction, and drainage ditch maintenance. Current law provides that even if these activities are exempt, a permit must still be obtained if the discharge is incidental to an activity to bring a wetland into a use for which it was not previously subject and if the discharge affects the wetland in certain other ways. This bill specifies that in order for the permit exemption to be inapplicable, the activity must be one that brings a wetland into a land use for which it was not previously subject.

Current law also requires a drainage district board to obtain a permit to conduct certain activities affecting a drainage district drain including repairing, enlarging, clearing, or maintaining the drain (drain maintenance permit). This bill exempts a drainage district board from the requirement to obtain a drain maintenance permit to remove material from the bed of a drainage district drain if the board is also exempt from the requirement to obtain a permit from DNR to remove the material.

Fiscal Impact--DNR

A. Expenditures

The bill is expected to result in increased one-time workload related to updating program procedures and databases, revising application and exemption materials, legal review of documents, training staff, and conducting customer outreach. Implementation is estimated to require 0.27 FTE of time at one-time expenditure of \$22,300.

B. Revenues

Establishing an exemption for removal of material from the bed of a ditch if done by a drainage district will result in an estimated annual decrease in individual permit (IP) fees of \$10,553/year and general permit (GP) fees of \$379/year, for a total reduction of \$10,900/year. This estimate is based on permitting activity from 2012-2015, where there was an average of 17.5 IP permits/year for dredging that could potentially be exempt and an average of 1.25 GP permits/year that could potentially be exempt. Fees for IPs are \$603/activity and for GPs \$303/activity).

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2015 Session

Detailed Estimate of Annual Fiscal Effect

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Description
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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

Increased one-time expenditures of \$22,300 related to updating program procedures and databases, revising application and exemption materials, legal review of documents, training staff, and conducting customer outreach.

II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs

A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$	\$

B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		

III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)

	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		-10,900
SEG/SEG-S		
TOTAL State Revenues	\$	\$-10,900

NET ANNUALIZED FISCAL IMPACT

	State	Local
NET CHANGE IN COSTS	\$	\$
NET CHANGE IN REVENUE	\$-10,900	\$

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