

Final Regulatory Flexibility Analysis

Natural Resources Board Order WT-04-17, Clearinghouse Rule 17-097

This proposed rule does not impact small businesses. The primary entities who will be directly affected by this proposed rule are local government units. The local government units may be impacted by the administrative costs incurred in developing or updating their local ordinances. These administrative costs would be incurred whether they choose to use these model ordinances as guidelines or not. This rule is to assist local governments in developing ordinances consistent with the existing NR 151 performance standards, which are already being implemented at a statewide level.

There may be a perception that the regulated community will be fiscally impacted by the rule if a local unit of government chooses to adopt the model ordinances, but any cost will be minimal as compliance with the performance standards are already in place at the state level. The model ordinances will benefit the development community by facilitating uniformity and consistency with the existing NR 151 performance standards where the local ordinances are enacted. The desire for uniformity is the explicit purpose of s. 281.33(4), Stats., directing the department to prepare the model ordinances by administrative rule. The economic impact of implementing this rule is expected to have minimal fiscal impact (if any).