

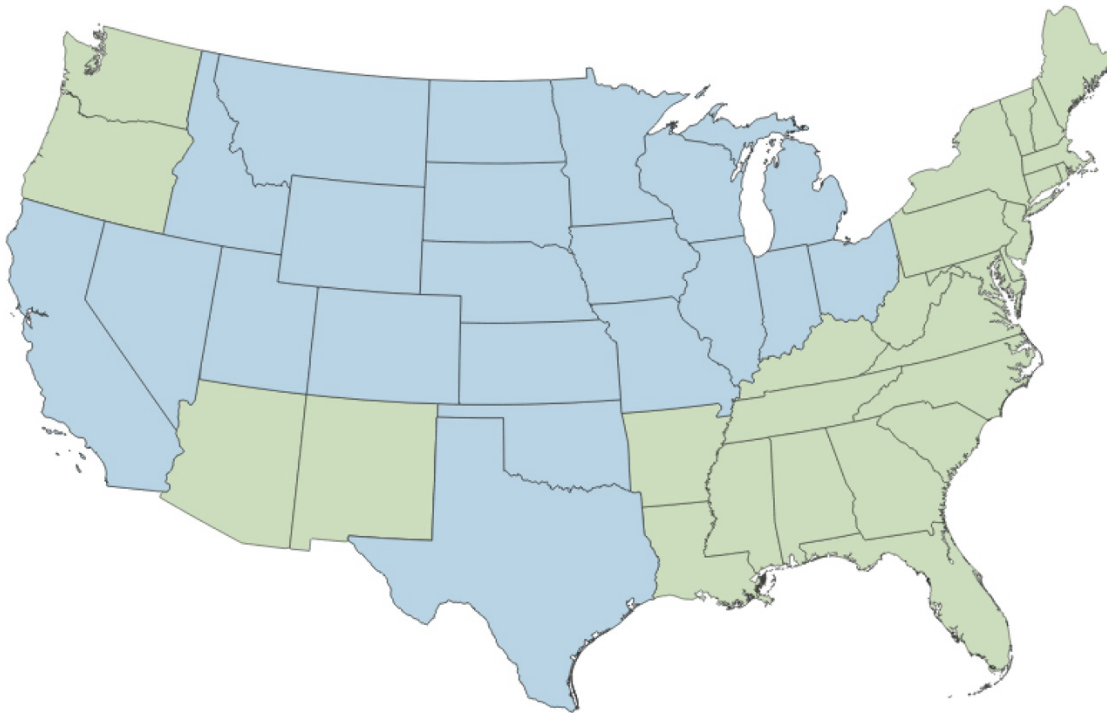
TESTIMONY OF

Aaron Carranza, Division Director, Regulatory Division

Chairman Porter, and members of the House Energy and Natural Resources Committee, I am Aaron Carranza, Regulatory Division Director of the Department of Water Resources. I'm here today to provide testimony in support of Senate Bill 2210.

During the 68th Legislative Session, significant discussion occurred surrounding the appropriate implementation of a watershed management-based approach in North Dakota. This ultimately led to the passage of Senate Bill 2372 and the creation of North Dakota Century Code §§ 61-16.1-11(8) and 61-16.1-15.1.

During this past interim, the Department of Water Resources recognized the gap in understanding on the use of watershed management in geographically similar states to North Dakota and thus commissioned a study to research current surface water management practices in the 21 states shown below in blue.



The Department's study concluded at the end of December 2024. A summary report with recommendations, along with an appendix of the state-specific regulations, were provided and are available here: https://www.dwr.nd.gov/info_edu/reports_and_publications/

The key recommendations from the report are summarized as follows:

- 1. Implement Ongoing Tracking Across the Key States:** Continue to track developments in watershed management across the Key States in order to facilitate future discussions or identify new trends.
- 2. Follow up with Key States' State Agencies Directly:** NDDWR may choose to follow up directly with the relevant state agencies to gather more precise and up-to-date information on specific areas of interest. The following states, in particular, have been identified for follow-up: Utah, Nebraska, Minnesota, Iowa, and Wyoming.
- 3. Support Cross-Political Boundary Water Management:** NDDWR may consider working with the legislature and water stakeholders to further study Joint WRDs and evaluate the potential for them to serve in an advisory capacity over the political-boundary based WRDs or to assist in broader water management planning. States identified with cross-jurisdictional regulations are Montana, Colorado, Idaho, Utah, Nevada, and Nebraska.
- 4. Incentivize Research into Surface Water Data Collection and Mapping Efforts:** North Dakota may choose to provide grant funding to Joint WRDs or other watershed-based political subdivisions in order for them to research and model the unique hydrology of their watershed.
- 5. Further Research Appeal and Dispute Resolution Pathways:** NDDWR may consider working with the North Dakota's legislature, and water stakeholders to consider doing a further review of North Dakota's administrative remedies to identify efficiencies and assure effective management for surface water. States identified with unique administrative remedies are Montana, Colorado, Idaho, Utah, Nevada, and Nebraska.

The Department recognizes that SB 2210 proposes to continue investigation on this important topic in responsible water resource management and supports this initiative, recommending use of the Department's recently completed report as a starting point.

Thank you for the opportunity to testify, and I'm happy to answer any questions.