

June 27, 2022

Ms. Jill Grossman  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Grossman:

The Notice of Intent to amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,



Andrea Travnicek, PhD  
Director – Department of Water Resources

ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES  
RELATING TO DEPARTMENT OF WATER RESOURCES OPERATIONS

TAKE NOTICE that the Department of Water Resources will hold a public hearing to address proposed changes to the N.D. Admin. Code Title 89 at 9:30 am on August 11, 2022, at 900 East Boulevard Avenue, Bismarck ND 58505. The Department will provide a link at [www.dwr.nd.gov](http://www.dwr.nd.gov) for online participation.

A copy of the proposed rules may be obtained by writing the Department of Water Resources at 900 East Boulevard Avenue, Bismarck ND 58505, calling 701-328-4940, or online at [www.dwr.nd.gov](http://www.dwr.nd.gov). Also, written comments may be submitted to Department of Water Resources, 900 East Boulevard Avenue, Bismarck ND 58505, or via email to [cevaniuk@nd.gov](mailto:cevaniuk@nd.gov) with the subject "Administrative Code Comments," until 5 pm August 22, 2022. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department of Water Resources at the above telephone number or address at least 24-hours prior to the public hearing.

Dated this 27<sup>th</sup> day of June, 2022.



Andrea Travnicek, PhD

Director – Department of Water Resources

FULL NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES RELATING  
TO DEPARTMENT OF WATER RESOURCES OPERATIONS

TAKE NOTICE that the Department of Water Resources will hold a public hearing to address proposed amendments to the following N.D. Admin. Code articles:

89-01 (General Administration)

89-02 (Drainage of Water)

89-03 (Water Appropriations)

89-05 (Construction of Dikes)

89-06 (Funding from the Resources Trust Fund)

89-08 (Dams, Dikes, and Other Devices)

89-10 (Sovereign Lands)

89-11 (Drought Disaster Livestock Water Assistance Program)

89-12 (Municipal, Rural, and Industrial Water Supply Program)

89-14 (Public Highway Stream Crossings).

Most of the proposed changes are to update language to reflect the new structure of the department, with the director as the agency head rather than the state engineer, as enacted during the 2021 legislative session through House Bill 1353. In addition, proposed changes in N.D.A.C. Ch. 89-08-01 reflect changes to the definitions used for dam hazard classification.

The hearing will be held at 9:30 am on August 11, 2022, at 900 East Boulevard Avenue, Bismarck ND 58505. The Department will provide a link at [www.dwr.nd.gov](http://www.dwr.nd.gov) for online participation.

The proposed amendments are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the Department of Water Resources at 900 East Boulevard Avenue, Bismarck ND 58505. A copy of the proposed rules and a regulatory analysis may be requested by writing the above address, calling 701-328-4940, or online at [www.dwr.nd.gov](http://www.dwr.nd.gov). Written or oral comments on the proposed rules sent to the above address or via email to [cevoniuk@nd.gov](mailto:cevoniuk@nd.gov) with the subject "Administrative Code Comments," received by 5 pm August 22, 2022, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above telephone number or address at least 24-hours prior to the public hearing.

Dated this 27<sup>th</sup> day of June, 2022.



Andrea Travnicek, PhD

Director – Department of Water Resources