

Administrative Rule Changes

Interim Final Rules Effective Aug. 3, 2015

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 30-03-06
AQUATIC NUISANCE SPECIES

TAKE NOTICE that the North Dakota Game and Fish Department (NDGFD) will hold a public hearing to address the proposed amendments to North Dakota Administrative Code Chapter 30-03-06 at 1:15 P.M. on Tues., Sept. 15, 2015 at the North Dakota Game and Fish Department's auditorium located at 100 N. Bismarck Expressway, Bismarck, ND. The proposed rules are declared to be an emergency effective August 3, 2015, as interim final rules under North Dakota Century Code 28-32-03; North Dakota Century Code section 20.1-17-01-05 allows for emergency rulemaking for the prevention and control of aquatic nuisance species.

The proposed amendment of North Dakota Administrative Code chapter 30-03-06, Aquatic Nuisance Species, is necessary to reduce the risk of westward spread of zebra mussels.

The proposed changes are as follows:

Chapter 30-03-06-05 – In addition to existing statewide aquatic nuisance species rules, anglers may no longer transport live bait in water away from the Red River. That means all water must be drained from bait buckets as anglers leave the shore, or remove their boat from the water. All boats and other watercraft must have their plugs pulled when exiting the Red River. In addition, all boats entering North Dakota must have their plugs pulled.

Chapter 30-03-06-07 – Changes to the penalty.

The proposed amendments are not anticipated to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in this rulemaking action.

The proposed rules may be reviewed at the NDGFD office, 100 North Bismarck Expressway, Bismarck, ND 58501-5095 or on the Department's website at <http://gf.nd.gov/>. A copy of the proposed rules may be requested in writing from the above address to the attention of: Attn: Admin. Services Division Chief, or by calling 701-328-6305, or emailing ndgf@nd.gov. Written or oral comments on the proposed rules sent to the above mailing or email address, or telephone number and received by Sept. 25, 2015 will be fully considered.

ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the NDGFD at the above telephone number or address at least seven days prior to the hearing.

Dated this 3rd day of August, 2015.

/s/ Terry Steinwand
Terry Steinwand
Director

FINDING AND STATEMENT OF REASON
NORTH DAKOTA GAME AND FISH DEPARTMENT
REGARDING PROPOSED AMENDMENT
NORTH DAKOTA ADMINISTRATIVE CODE CHAPTER 30-03-06
AQUATIC NUISANCE SPECIES

FINDING

I find that emergency rulemaking to amend N.D. Administrative Code chapter 30-03-06, Aquatic Nuisance Species, is necessary as required under section 20.1-17-01-05.

STATEMENT OF REASON

Emergency rulemaking is necessary for the North Dakota Game and Fish Department to comply with section 20.1-17-01-05.

Dated this 3rd day of August, 2015.

Terry Steinwand
Director