

TITLE 85: DEPARTMENT OF LANDS AND NATURAL RESOURCES

CHAPTER 85-70

**SAIPAN AND NORTHERN ISLANDS SOIL AND WATER
CONSERVATION DISTRICT**

SUBCHAPTER 85-70.1

USE OF IRRIGATION WATER REGULATIONS

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Subchapter Authority: 1 CMC § 2654.

Subchapter History: Amdts Adopted 29 Com. Reg. 26877 (Sept. 17, 2007); Amdts Proposed 29 Com. Reg. 26549 (June 18, 2007); Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

*This page is erroneously numbered 23698 in the Commonwealth Register.

Commission Comment: For a complete history of the Department of Lands and Natural Resources, see the commission comment to chapter 85-10.

The "Soil and Water Conservation Act of 1984," PL 4-44 (effective May 1, 1985) is codified as amended at 2 CMC §§ 3211-3227. The act creates soil and water conservation districts under the Department of Natural Resources (now the Department of Lands and Natural Resources) and authorizes the Department to coordinate and manage soil and water conservation programs in cooperation with the districts. 2 CMC §§ 3221 and 3222.

Part 001 - General Provisions

§ 85-70.1-001 Authority

The regulations in this subchapter are being adopted by the Saipan and Northern Islands Soil and Water Conservation District (S&NISWCD), Department of Lands and Natural Resources, pursuant to Public Law 4-44 [2 CMC §§ 3211-3227] of the Commonwealth of the Northern Mariana Islands. These regulations shall be in effect until supplanted; and shall have the force and effect of law and shall be binding on all persons and entities subject to the jurisdiction of the Commonwealth of the Northern Mariana Islands.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-005 Purpose

(a) The purpose of the regulations in this subchapter is to establish requirements for Kagman farmers connecting to S&NISWCD water system, where and when the S&NISWCD water system is available and to establish fees for the use of and connection to the S&NISWCD water system.

- (b) The regulations include the following subject areas:
- (1) When a S&NISWCD water system is available for connection by a Kagman farmer customer for agricultural purposes only.
 - (2) Ownership and requirements for water service connections to S&NISWCD water lines.
 - (3) Establishment of fees for water use and connection to S&NISWCD water lines.
 - (4) Sanctions and penalties for failure to pay water charge and for any other violation of these regulations.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) and (b).

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-010 Applicability

The regulations in this subchapter are only applicable where S&NISWCD water systems exist in the Commonwealth of the Northern Mariana Islands.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

Part 100 - General Conditions

§ 85-70.1-101 Water Service Available

Any prospective Kagman farmer water consumer whose premises are within service limits established by S&NISWCD, and adjacent to a distribution main, may obtain water service where pressure and quantity conditions permit, provided that S&NISWCD has a sufficient water supply developed for that use. All Kagman farmer water consumers shall receive equal service of the S&NISWCD water insofar as possible and appropriate. Although the S&NISWCD will strive to provide equal volume and water pressure to all customers at scheduled times, it does not guarantee such service.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section titles in part 100.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-105 Water Service Rates

All water supplied by S&NISWCD will be in U.S. gallons. The amounts to be paid for water service shall be in accordance with the rates established by the S&NISWCD Board of Directors (“Board”). Rates shown are current rates and are subject to change by S&NISWCD.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-110 Meters and Service Connections

The S&NISWCD Board will determine the location, size and brand of manufacturer for all meters and service connections to its system. All service connections, including the meter box assembly, are the property of the S&NISWCD. Operation and maintenance after installation and new connections or disconnections may be made by S&NISWCD at any time. The farmer or water consumer is responsible for the daily maintenance of the farm turnout, which includes cleaning the filter and maintaining at least 8-foot diameter around turnouts.

Modified, 1 CMC § 3806(f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-115 Water Supply Shortage or Interruption

S&NISWCD will exercise reasonable diligence and care to deliver water for agricultural, non-potable irrigation water use only to the customer and to avoid shortage or interruptions in water service, but will not be liable for any interruption, shortage, insufficiency of supply, or any loss or damage occasioned thereby.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-120 Special Conservation Measures

(a) Whenever, in the opinion of the Board, special conservation measures are advisable in order to forestall water shortages and a consequent water emergency, the S&NISWCD will restrict the use of water until the water shortage no longer exists.

(b) Water scheduling to individual farm plots may be necessary. Tampering or manipulating the system, at such times, will be considered a violation of the regulations in this subchapter and may result in the disconnection or denial of water to those responsible.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) and (b).

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-125 Repairs to the System

S&NISWCD reserves the right at any and all times to shut-off water after reasonable notice for the purpose of making repairs, extensions, alterations, or for any other reasons necessary in the judgment of the Board. Customers depending upon a continuous supply of water should provide emergency water storage and any check valves or other devices necessary for the protection of plumbing fixtures. Repairs or improvements will be performed as rapidly as practical at such time as will cause the least inconvenience to the customer.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-130 Water Pressure and Quantity

S&NISWCD will make every effort to maintain proper water pressure and quantity, but will not accept responsibility for unforeseen loss of pressure or lack of quantity in its water mains.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-135 Property at Elevation

Where property is situated at such an elevation that it cannot be assured a dependable supply or adequate pressure from the S&NISWCD distribution system, the customer must agree to accept such water service as is available. When required by S&NISWCD, the customer shall install an air relief check valve, or other protective devices between the customer's supply pipe and the service connection.

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History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-140 Pressure of Water Supply

When the pressure of the S&NISWCD water supply is higher than that for which individual fixtures are designated, the district shall protect such fixtures by installing and maintaining pressure regulators for reducing pressure and relief valves. S&NISWCD will not be liable for damage due to pressure conditions caused by or arising from the failure or defective condition of such pressure regulators and relief valves or for damage that may occur through the installation, maintenance, or use of such equipment.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-145 Resale of Water Prohibited

The resale of water by the customer is not permitted. The act of selling water shall be sufficient cause for termination.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-150 Unauthorized Connections

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any part of the S&NISWCD water system. All S&NISWCD water systems are property of the S&NISWCD, and violators may be recommended for prosecution according to the law; water service shall be discontinued to violators; and violators shall be denied the right and privilege to farm in the Kagman commercial farm plots.

Modified, 1 CMC § 3806(f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

Part 200 - Application for Water Service and Service Connection

§ 85-70.1-201 Application Required

To receive water service, a prospective customer must apply for service from the S&NISWCD, subject to approval by the Board. The S&NISWCD may issue a conditional permit until the application is considered by the Board.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section titles in part 200.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-205 Payment of Charges

The customer shall be responsible for the payment of all charges for water service at the designated location outside the district water service area. Charges, including constriction and connection costs before service, will begin when the water service is established and will continue until due notification from the customer or until discontinued by S&NISWCD for failure of the customer to comply with the water regulations in this subchapter.

Modified, 1 CMC § 3806(d).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-210 Outstanding Water Service Bills

When an application for water service is made by a customer who neglected or failed to pay bills previously rendered, regardless of location or time incurred, S&NISWCD shall refuse to furnish water service to such applicant until outstanding S&NISWCD bills are paid.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-215 Use of Water without Permit

A person using water without an approved permit to S&NISWCD for water service to such property shall be liable for the water delivered. If proper application for water service is not made upon notification to do so by S&NISWCD, and if accumulated bills for water service are not paid upon presentation, the water service shall be discontinued without further notice.

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History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-220 Installation and Connection Fee

All new applicants for service shall be required to pay an installation and connection fee upon approval of the application by the Board, in the amount of \$250.00.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

Part 300 - Payment of Bills and Rates

§ 85-70.1-301 When and Where Paid

All bills shall be due and payable upon deposit in the United States mail by S&NISWCD or upon other presentation from the customer. Payments shall be made to the Commonwealth Treasury; account no. 6108-44150 with address below:

CNMI Treasury
P.O. Box 5234 CHRB
Saipan, MP 96950

Modified, 1 CMC § 3806(f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section titles in part 300.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-305 Delinquent Payments

Any bill, which is not paid within 30 days after the due date, shall be deemed delinquent and the water service shall be subject to discontinuance without further notice.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-310 Bills Payable Monthly

It is the responsibility of the water user to pay the bill monthly. Failure of a customer to receive a bill does not prevent the account from becoming payable when due.

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History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-315 Cost Per Gallon Rates

(a) “Operation, maintenance, and replacement costs will be borne by the water users and the Division of Plant Industry.” (Kagman Watershed Plan Environmental Impact Statement, page 84). The DLNR-S&NISWCD shall charge each water user a water rate of \$10.00 per month. Each water user shall pay the \$10.00 monthly water rate on the first day of each month, to the Commonwealth Treasurer, as provided in section 85-70.1-301. A water user who is connected to one Kagman Commercial Farm Plot Farm Turnout shall be billed and must pay \$10.00 a month for that Farm Turnout. A water user who is connected to more than one Kagman Commercial Farm Plot Farm Turnout shall be billed for each Farm Turnout and must pay the monthly water rate of \$10.00 for each Farm Turnout.

(b) The Secretary of Lands and Natural Resources, after consultation with the Saipan and Northern Islands Soil and Water Conservation District, may increase the monthly water rate of \$10.00 and may set a rate per gallon that will generate sufficient revenue necessary for DLNR-S&NISWCD to cover the regular maintenance costs of the irrigation system. Such maintenance cost shall include, but not necessarily be limited to, repair, replacement of parts, pumps, water meters, water conduits, procurement of repair supplies, weed control around the irrigation turnouts and waterlines, etc.

(c) The DLNR-S&NISWCD must endeavor to increase the water rate and per gallon rate when sufficient supply of irrigation water is available or when water meters have been installed on all plots at the Kagman Commercial Farm Plots, whichever occurs first. It shall be the policy of DLNR-S&NISWCD to charge a water user on a per gallon used so as to promote and encourage users of the Kagman Watershed Project irrigation system to conserve water. A per gallon used shall be billed based on the metered quantity of water a water user uses. Increase of a new water rate and per gallon rate shall only be effective after DLNR-S&NISWCD has amended this section by promulgation in the Commonwealth Register.

History: Amdts Adopted 29 Com. Reg. 26877 (Sept. 17, 2007); Amdts Proposed 29 Com. Reg. 26559 (June 18, 2007); Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Modified, 1 CMC § 3806(g).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

The 2007 amendments made significant amendments to this section. The original paragraphs were undesignated. The Commission designated them as subsections (a), (b), and (c). The Commission substituted section numbers pursuant to 1 CMC § 3806(d).

Part 400 - Discontinuation of Water Service

§ 85-70.1-401 Introduction

Water service may be discontinued for reasons as follows in this part.

Modified, 1 CMC § 3806(d), (g).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: This section was originally an introduction to article V, codified at part 400. The Commission created the section title and changed the final colon to a period.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-405 Non-payment of Bills

Water service may be discontinued for the non-payment of a bill within 30 days after the mailing or presentation thereof to the customer. If a customer is receiving service at more than one location, service at any or all locations may be discontinued if service at any one or more locations are not paid for within the period specified herein.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-410 Violation of Regulations

If the customer fails to comply with any of the regulations in this subchapter, S&NISWCD will have the right to discontinue the service.

Modified, 1 CMC § 3806(d).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-415 Intent to Vacate Premises

Each customer about to vacate any premises supplied with water by S&NISWCD shall give 10 working days notice of the intention to vacate prior to specifying the date service is to be discontinued.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-420 Fraud, Abuse, Tampering, Unauthorized Use

S&NISWCD may refuse or discontinue water service to any premises if necessary, without giving notice, to protect itself against fraud, abuse, illegal tampering, unlawful pumping or unauthorized use of water.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-425 Negligent or Wasteful Use

Where negligent or wasteful use of water exists on any premises, S&NISWCD shall discontinue the water service if such conditions are not corrected within five days after giving the consumer written notice of the S&NISWCD intent to do so.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-430 Excessive Demand

S&NISWCD will refuse to furnish water to any premises where the demands of the customer will result in inadequate service and inequitable distribution of water to the rest of the existing system.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-435 Fraud

S&NISWCD shall have the right to refuse service or discontinue service if the acts of the customer or the conditions upon the premises are such as to indicate intention to defraud S&NISWCD.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-440 Failure to Pay Bills

If water service is turned off because of failure to pay the monthly water use bill, or for violation of any of the regulations of S&NISWCD, or for other reasons, all outstanding accounts against the customer must be paid before water service will be restored. In addition, the re-connection charge must be paid before water service will be restored.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section title.

*This page is erroneously numbered 23698 in the Commonwealth Register.

Part 500 - Customer's Pumping Installation

§ 85-70.1-501 Pumping to Mains Prohibited

Customers shall not be permitted to install or operate pumps that pump water directly from or into the mains of the S&NISWCD system.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: The Commission created the section titles in part 500.

*This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-505 Storage System Required

If a customer would like to have a pumping system in his own premises, such pumping should be done from his own storage tanks. Such storage tanks should be constructed after the meter and there should be a 6" air gap between the inlet pipe to the tank and the maximum water level of the tank.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-510 Existing Customer Pumps

All existing customer pumps, after the effective date of the regulations in this subchapter, shall cease to operate until approval is given by the S&NISWCD. Failure on the part of

the customer to comply with these regulations may result in the disconnection of the customer's water services until requirements have been complied with.

Modified, 1 CMC § 3806(d).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

Part 600 - Miscellaneous Provisions

§ 85-70.1-601 Water Resources Conservation and Water Pollution

All decisions regarding water resources conservation and water pollution are to be made in accordance with applicable laws.

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-605 Severability

If any article, section, sentence, clause, or phrase of the regulations in this subchapter or their application to any person or circumstance or property is held to be unconstitutional or invalid, the remaining portion of these regulations or the application of these regulations to other persons or circumstances or property shall not be affected and shall therefore remain in force and effect.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.

§ 85-70.1-610 Effective Date

The regulations in this subchapter shall be effective immediately upon their adoption pursuant to law.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 26 Com. Reg. 23098* (Nov. 30, 2004); Proposed 26 Com. Reg. 22988 (Oct. 26, 2004); Proposed 26 Com. Reg. 22842 (Sept. 24, 2004).

Commission Comment: *This page is erroneously numbered 23698 in the Commonwealth Register.