**74:02:08:07.02.  Category 2 spillway design flood exemption.** Unless the reservoir of a category 2 dam serves as the sole water supply source for a water distribution system, the spillway design flood for a new or rebuilt intermediate size category 2 dam may be lowered to a design flood between the 0.5 PMF and 100-year spillway design flood based upon a risk assessment. The risk assessment must be submitted to and approved by the chief engineer.

 **Source:** 14 SDR 67, effective November 8, 1987.

 **General Authority:** SDCL 46-2-5, 46-7-3.

 **Law Implemented:** SDCL 46-5-8, 46-5-30, 46-7-3, 46-7-5.