

HOUSE BILL NO. 1175

Introduced by

Representatives Kempenich, Lefor, Zubke

Senator Bowman

1 A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota
2 Century Code, relating to permits for dredging.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Permit for dredging.**

7 If a body of water or waterway is designated by the director to require a permit for dredging,
8 before a person that for hire engages in dredging that body of water or a waterway, that person
9 must obtain a permit from the director. The director shall adopt rules that designate a body of
10 water or waterway as requiring a permit for dredging. The designation may include a body of
11 water or waterway if it is used or may be used by the public for fishing or recreation and may
12 not include a roadway right of way, or a person engaging in dredging on that person's own
13 property. The director shall make rules that set the qualifications of a dredger to conduct
14 dredging on a designated body of water or waterway. These qualifications must be based on
15 having adequate financial responsibility, obtaining the necessary permits, having an adequate
16 dredging plan, using the appropriate equipment, and planning for lessening the impact on the
17 public use. The director shall create an informational packet on the permitting process and the
18 required permits for dredging and shall make this informational packet available on the
19 department's website and at the department's offices.