

Good morning. My name is Jerry Heiser and I am the Sovereign Land Manager with the Office of the State Engineer.

The State Engineer has the statutory responsibility to identify those rivers and lakes within the state that are navigable in fact and therefore sovereign to the state of North Dakota.

The State Engineer is also responsible for administering the state's surface interests and non-hydrocarbon related mineral interests in North Dakota's sovereign lands.

The State takes title to the ordinary high watermark on navigable waters. The primary field indicator of the ordinary high water mark is vegetation. The ordinary high water mark is that line where the vegetation goes from predominantly upland vegetation to predominantly wetland vegetation.

The OHWM delineates the boundary between the riparian owner and the State-owned sovereign lands.

At this time, the following waters have been determined to be navigable by the State Engineer under the federal standard of the Equal Footing Doctrine and therefore sovereign to the State of North Dakota:

1. Missouri River
2. Yellowstone River
3. Red River
4. Sheyenne River
5. James River
6. Pembina River
7. Mouse River
8. Cannonball River
9. Heart River
10. Knife River
11. Devils Lake
12. Lake Metigoshe
13. Painted Woods Lake
14. Upper Des Lacs Lake
15. Sweetwater Lake
16. Long Lake – Bottineau County

Wetlands Bank:

Senate Bill 2234 requires that state owned and managed lands be reviewed for their suitability for the creation of a state wetlands bank.

Sovereign lands are currently wetlands. Therefore, the ability to use sovereign lands as mitigation acres under SB 2234 to offset other wetland impacts does not exist.

If you would like more detailed information on sovereign lands and sovereign lands management, you can visit our website at www.swc.nd.gov.

There you will find the Sovereign Land Management Plan and the Navigability Report.

You can also contact at any time and I will be glad to assist you.

Thank You.