

**89-10-01-10. Projects not requiring a permit.** The following projects do **not** require a permit:

**1. Boat docks if:**

- a. They are constructed, operated, and maintained by the riparian owner or the riparian owner's lessee for the riparian owner's or lessee's personal use;
- b. The dock is used only for embarkation, debarkation, moorage of boats, or recreation;
- c. Only clean, nonpolluting materials are used;
- d. The dock does not extend more than twenty-five feet [7.6 meters] in length within the ordinary high watermarks on a river and fifty feet [15.24 meters] in length within the ordinary high watermarks on a lake, and there is no unreasonable interference with navigation or access to adjacent riparian owner's property;
- e. The dock is connected to shore by a walkway, and removed from below the ordinary high watermark each fall;
- f. There is no excavation or filling below the ordinary high watermark in excess of that authorized in subsection 4; and
- g. Upon abandonment, the grantee restores the bank as closely as practicable to its original condition.

**2. Boat ramps if:**

- a. They are constructed, operated, and maintained by the riparian owner or the riparian owner's lessee for the riparian owner's or lessee's personal use;
- b. Excavation of the bank is limited to the minimum width necessary for the placement of a single lane boat ramp adjacent to privately owned property or a double lane boat ramp adjacent to publicly owned property;
- c. Material excavated from the bank is removed to a location above the ordinary high watermark;
- d. Only such clean, nonpolluting fill and riprap material free of waste metal, organic materials, and unsightly debris are placed below the ordinary high watermark as necessary to construct and stabilize the boat ramp; and
- e. Upon abandonment, the grantee restores the bank as closely as practicable to its original condition.

**3. Water intakes if:**

- a. They are constructed, operated, and maintained by the riparian owner or the riparian owner's lessee for riparian owner's or lessee's personal use;
- b. Excavation of the bank is limited to the minimum width necessary to install and maintain the water intake;
- c. Materials excavated from the bank are removed to a location above the ordinary high watermark;
- d. The intake is entirely removed each fall; and
- e. Upon abandonment, the grantee restores the bank as closely as practicable to its original condition.

**4. Dredging or filling if:**

- a. The work is completed and maintained by the riparian owner or the riparian owner's lessee;
- b. The amount of dredge or fill material does not exceed ten cubic yards as part of a single and complete project;
- c. No stream diversion results;
- d. No extension of a claim of ownership to an island or any portion of the bed of a navigable stream or water results; and
- e. Only clean, nonpolluting material free of waste metal, organic materials, and unsightly debris is used.

**5. Boats that are temporarily moored.**