



Submerged Lands & Water Management: Minnesota

Vicki Sellner | Attorney – Division of Lands and Minerals

Submerged Land Management

- Utility Licenses to Cross Public Waters
- Public Waters Work Permits
- Mineral Exploration/Mining in Public Waters
- Sunken Log Removal from Inland Waters


Utility Licenses to Cross Public Waters

(Minn. Stat., sec. 84.415, and Minnesota Rules, Ch. 6135)

Term: 25 years or 50 years

License can be renewed at end of current term

Minnesota

DNR License to Cross Public Lands and Waters Law effective June 13, 2015 - for both land and water crossing licenses			
UTILITY TYPE	CRITERIA	APPLICATION FEE REQUIRED	LICENSE CROSSING FEE REQUIRED
Electric Lines, Cables, or Conduits (distribution or transmission)	Less than 100 kV	No	Yes
	100 kV or greater	Yes	Yes
Pipeline (gas, liquids, or solids in suspension)	Non main	No	Yes
	Main	Yes	Yes
Communication (telephone, cable TV, fiber optic, or other)	All 	No	Yes

Water Crossing License Application Fee: \$2,250.00

Application fee per MN Rules (\$500): generally deposited into the State General Fund. However, for use of beds of navigable waters – deposited into Permanent School Fund

Supplemental application fee (\$1,750): deposited into DNR land management account - pays for the cost of reviewing the application and preparing the license

Monitoring Fee: covers the reasonable costs for monitoring the construction of the utility line and preparing special terms and conditions of the license to ensure proper construction. Amount will vary for each application. Fee deposited into DNR land management account.

Under Minn. Stat., sec. 84.415, subd. 6(d):

If the fees collected [supplemental application and monitoring fees] ... “are not sufficient to cover the costs of reviewing the applications and preparing the licenses, the commissioner shall improve efficiencies and otherwise reduce department costs and activities to ensure the revenues raised ... are sufficient, and that no other funds are necessary to carry out the requirements.”

License Fee

underwater crossing fee schedules found in Minn. Rules, Ch. 6135

Table 1 (less than 10' width of disturbance at water's edge) and

Table 2 (greater than 10' width of disturbance at water's edge)

For licenses using the beds of navigable waters, license fees are deposited into the Permanent School Fund

Public Waters Work Permits (Minn. Stat., Ch. 103G; Minnesota Rules, Ch. 6115)

- **Application Fee: \$150 - \$1,000**
 - 1% of project cost; or
 - Length of shoreline affected in feet x \$0.75/ft.; or
 - Volume of fill or excavation material in public waters in cubic yards x \$0.75/yd³

State of Minnesota and U.S. federal agencies exempt from application fee

Commissioner can delegate public water work permit authority to local units of government

Field Inspection Fees

- Minimum of \$100, but not more than actual inspection costs

All fees collected are deposited into the water management account of the natural resources fund



MPARS

MNDNR PERMITTING AND REPORTING SYSTEM

Welcome!

MPARS supports five permit types:

Water Appropriation, Public Waters Work, Dam Safety, Aquatic Plant Management and Invasive Aquatic Plant Management

MPARS features:

- View information and request changes to your existing permits
- Apply for new DNR permits (individual permits and general permit authorizations)
- Request a Preliminary Well Construction Assessment
- Begin the Joint Notification process for multi-agency permitting for work in waters and wetlands
- Generate a report of your application which you can email/mail to other permitting agencies
- Submit annual Water Use Reports
- Pay permit-related fees online via connection to a secure banking system
- Communicate with DNR staff

Instructions:

- [Creating an Account](#)
- [Changing Your Password](#)
- [Changing Your Email Address](#)

Questions:

For Water Appropriation, Public Waters Work, or Dam Safety permits:
mpars.dnr@state.mn.us

For Aquatic Plant Management or Invasive Aquatic Plant Management permits:
mparsapm.dnr@state.mn.us

Ready to get started?

Enter your email address.

Email Address

Create an account

Already have an account?

Email Address

Password

Sign In

[Reset Password](#)

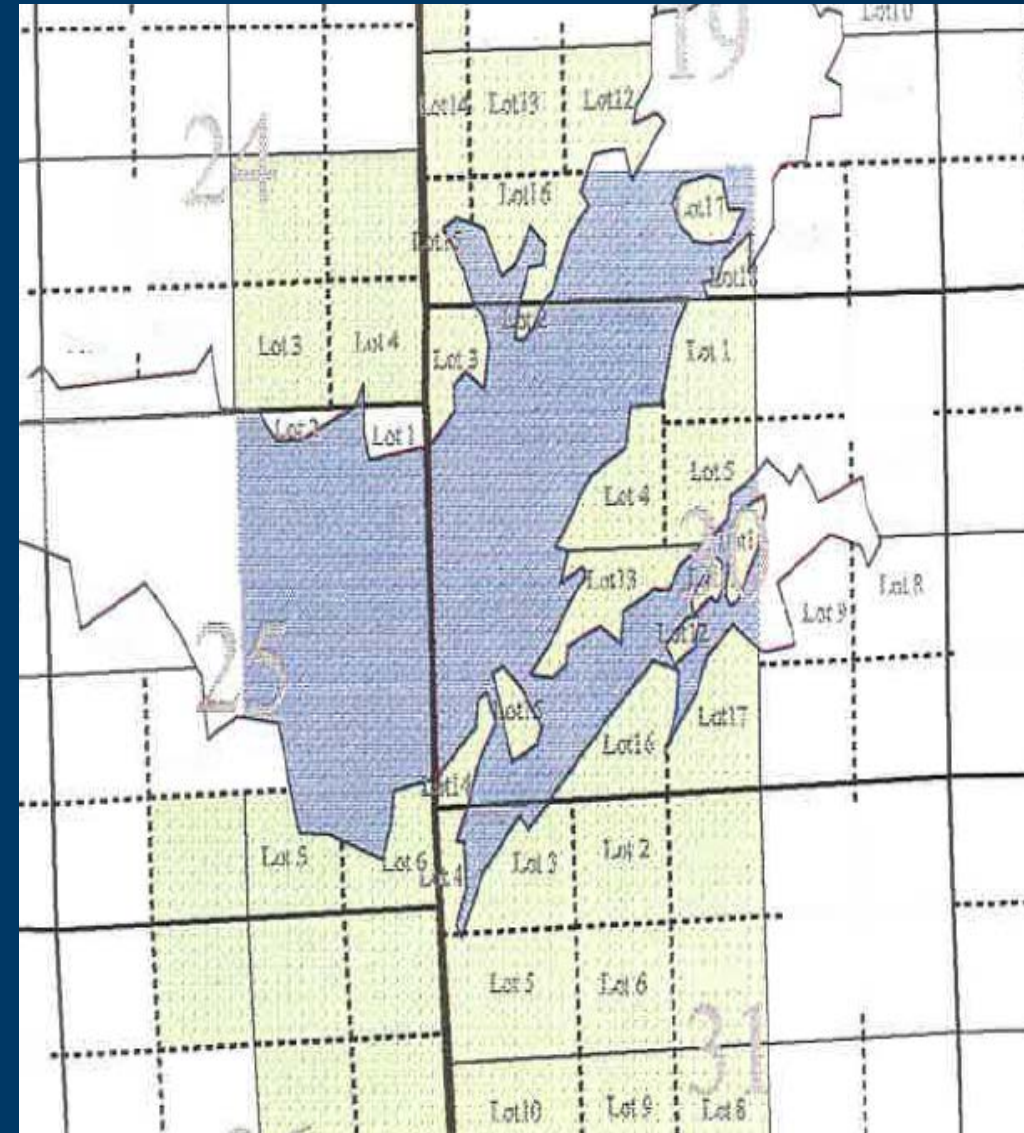


Mineral Exploration/Mining in Lakebeds

- Mining Units for lease can include lakebeds Minn. Stat., sec. 93.15
- Revenues (rents and royalties) distribution for lakebed mineral leases
Minn. Stat., sec. 93.22
 - 20% to minerals management account at DNR to cover costs for administration and management of mineral resources **(This is DNR's funding source for mineral lease activities)**
 - 80% to the Permanent School Trust Fund

Minnesota

- 1 active mineral lease involving a lakebed
- Non-ferrous metallic minerals lease issued in 1997 for a portion of Birch Lake in Lake and St. Louis counties
- Special Terms added to the lease
 - Winter drilling only (min. 30 inches of clear ice)
 - Drill cuttings removed immediately
 - Spill contingency plan
 - Water quality sampling plan
- 1999 lease amendment
 - Allowed drilling in ice-off conditions from a boat or barge



Minnesota



Sunken Log Removal

- 2000: Law passed authorizing the DNR Commissioner to issue leases to remove sunken logs from inland waters (Minn. Stat., sec. 103G650)
- DNR began a sunken log program and issues two leases. Concerns were raised by the public regarding release of contaminants from lakebeds.
- 2001: Legislative session law passed placing a moratorium on the further issuance of leases and that all current sunken log leases be cancelled. (Minnesota Laws 2001, Ch. 2, sec. 159)
- 2010: Law authorizing sunken log removal leases repealed. Law codified that leases for sunken log removal cannot be issued by DNR Commissioner (Minn. Stat., sec. 103G.651). No financial impact.

Thank You!



Vicki Sellner

vicki.sellner@state.mn.us

218-231-8454