

License #

For internal use only



Minnesota Department of Natural Resources
Application for
License to Cross Public Lands and Waters
 (Submit 1 copy of the application and attachments)



The Applicant, pursuant to Minnesota Statutes, section 84.415 and Minnesota Rules, Chapter 6135, applies for a license to cross PUBLIC LANDS or WATERS described below, in accordance with all maps, plans, specifications and other supporting data submitted with this application and made a part hereof.

<input type="radio"/> Send completed license to Applicant (listed below)		<input type="radio"/> Send completed license to Applicant's Agent (listed below)	
Applicant's Name (as it will appear on official license):		Agent's Company:	
Applicant's Mailing Address: Street City and State Zip Code		Agent's Mailing Address: Street City and State Zip Code	
Applicant's Contact Person:		Agent's Contact Person:	
Office Telephone Number () -	Alternate No. (i.e. Cell) () -	Office Telephone Number () -	Alternate No. (i.e. Cell) () -
Applicant's E-mail Address:		Agent's E-mail Address:	
Applicant's Project No.:			
I. UTILITY: one utility type per application (check one box) ELECTRIC: <input type="radio"/> Transmission <input type="radio"/> Distribution Specify Voltage or Rating: _____ PIPELINE: <input type="radio"/> Gases <input type="radio"/> Liquids <input type="radio"/> Solids in suspension Specify Pipe Diameter: _____ COMMUNICATION: <input type="radio"/> Telephone <input type="radio"/> Cable TV <input type="radio"/> Other (specify) _____			
II. LICENSE OPTIONS TERM of LICENSE: Choose one. <input type="radio"/> 50 year or <input type="radio"/> 25 year RENEWAL of LICENSE: Choose one. <input type="radio"/> Yes or <input type="radio"/> No TYPE OF LICENSE: Choose one. <input type="radio"/> Water Crossing License or <input type="radio"/> Land Crossing License			
III. INFORMATION TO ATTACH TO APPLICATION A. APPLICATION FEE AND WAIVER FORM B. CROSSING TABLE C. MAPS AND PLANS D. ENVIRONMENTAL REVIEW AND ENVIRONMENTAL STANDARDS SUPPLEMENTAL INFORMATION (if applicable). Please indicate if this project has previously been reviewed pursuant to Minnesota Rules Chapter ,4410, the National Environmental Policy Act (NEPA), a Conditional Use Permit, or Natural Heritage Information System (NHIS) Information Request or other similar reviews. <input type="radio"/> Yes or <input type="radio"/> No <input type="checkbox"/> This proposed crossing does NOT comply with the environmental standards as listed in Minnesota Rules 6135.1100. Attached is an explanation of the conflict or discrepancy.			
IV. CERTIFICATION Applicant declares that the information submitted herein and statements made herein are a true and correct representation of the facts, and that the filing of this application and information with the Commissioner of Natural Resources is prima facie evidence of the correctness thereof. Applicant agrees to conform with and be bound by the terms of Minnesota Statutes, sec. 84.415 and Minnesota Rules, Chapter 6135, and additional terms of the license applied for, this application and all attachments of which will become a part.			
Applicant's Signature		Title	Date

APPLICATION FEE AND WAIVER FORM

The application fee, unless waived as described below, must be included with the application. Choose one.

- Water Crossing License, Application fee \$2,250.00 or
- Land Crossing License, Application fee \$3,500.00

The application fee, unless waived as described below, MUST ACCOMPANY THE APPLICATION. Make the check payable to the Minnesota Department of Natural Resources. No action will be taken on the application until the application fee is received (except as noted below). The application fee is not refundable, even if the application is withdrawn or denied. DO NOT INCLUDE A LICENSE CROSSING FEE OR MONITORING FEE WITH THE APPLICATION. The Applicant will be notified of the license crossing fee and monitoring fee when the license is sent out for signature(s).

Joint Applications: Is this a "joint application for residential use" pursuant to Minnesota Statutes, Section 84.415, Subdivision 3a.? Yes or No

If yes, separate applications submitted for the same crossing shall be joined together and processed as one application, provided that the applications are submitted within one year of each other and the utility lines are for residential use only.

Existing Public Road Right-of-Way Applications: Does this application include crossings on an existing public road right-of-way pursuant to Minnesota Statutes, Section 84.415, Subdivision 7? Yes or No

If Yes, check the type of public road right-of-way: State highway County highway Township road or Municipal or platted road

Have you consulted with the road authority for placement of the utilities as shown on this application? Yes or No

Name the existing public road and the road authority:

If all crossings on this application are on an existing public road right-of-way, the application fee and the license fee will be waived effective July 1, 2014.

REDUCTION IN LICENSE FEE

The license fee for a crossing may be reduced by 50% if it is in an existing licensed utility right-of-way. The Applicant must provide the appropriate documentation in the application.

Does this application include crossings in an existing utility license right-of-way? Yes or No

List the specific crossings that are in an existing utility license right-of-way:

Instructions for Completing an Application for License to Cross Public Lands and Waters

Please Do Not Submit These Instructions with the Application Form

CROSSING TABLE INSTRUCTIONS

- A. Number the crossings consecutively, starting with number one. An application may have as many crossings as necessary if they are all part of the same project and the same utility type.
- B. Include the exact Quarter Quarter ("40") or Government Lot description for each crossing. For water crossings, if multiple "40's" or government lots are part of one crossing, enter the same crossing number for each of the entries. Public waters are any water bodies (lakes, rivers, and some wetlands) identified as such on the Protected Waters and Wetlands Maps (PWI). These maps were produced on a county-by-county basis and are available for downloading. For some counties, GIS-based PWI maps in electronic format are also available at [Public Waters Inventory Maps](#). ArcGIS shapefiles of basins and watercourses used to construct the GIS-based PWI maps are available from the [MN DNR Data Deli](#). To confirm that your project crosses a public water, locate your crossing on a PWI map.

For land crossings on state land managed by DNR, enter multiple "40's" or government lots as separate crossings and number them consecutively. Subdivision of a "40" or Government Lot is not necessary. To confirm that your project crosses state land managed by DNR, consult the DNR website for interactive maps at [MN DNR Recreation Compass](#) or [MN DNR Landview](#). ArcGIS shapefiles depicting state land administered by DNR are available for downloading at the [MNDNR Data Deli](#). The DNR Division of Lands & Minerals Regional staff are also available to confirm state land managed by DNR.

The utility license does not cover crossings on state land managed by another agency or tax forfeited land managed by a county. For permission to cross those lands, contact the state agency or county directly.

- C. Identify the section, township, range and county for **each** "40" or Government Lot crossed.
- D. Review a Public Waters Inventory (PWI) map, or other sources, and enter the name of the public water body being crossed by the utility line on the application. DNR land units are named by the managing division. The DNR Division of Lands & Minerals Regional staff are available to assist with land unit names.
- E. Indicate if the crossing is on an existing public road right-of-way.
- F. Indicate the method of crossing as over or under, and low impact if applicable.
1. The DNR encourages low impact crossings, which typically do not disturb the resource. Low impact construction methods are defined as installation by means of 1) boring or jacking, 2) attachment to a bridge, 3) use of existing conduit, pole or structure, or 4) plowing into the roadbed passing over a water body, or other method approved by the Commissioner of Natural Resources. Low impact crossings require less review, and result in faster issuance of the license, while reducing the impact on resources. Enter the appropriate low impact method in the low impact column, if applicable.
 2. For "over" or "under" crossings, enter the crossing method in the appropriate column to indicate the general method of crossing land or water by **other than** low impact methods. The applicant must

provide the details of construction and placement on the plan and cross-section sheet to be attached for each crossing.

- G. The indications of *right-of-way width and length*, along with type of utility, will be used by the DNR to determine the license fee. Therefore accuracy and completeness in this section are very important. For a water crossing, the right-of-way *width* is the disturbance measured along the water's edge. For both land and water crossings, the right-of-way width of the utility corridor should identify the width needed for construction and maintenance. The right-of-way *length* of the crossing is the distance across DNR land or the distance across the public water body (determined by either measuring the distance from bank to bank or shore to shore). Enter the length **separately for each** "40" or Government Lot.

MAPS & PLANS

- A. For each crossing, attach a *separate plat, plan and cross section*. All three may be placed on one sheet of paper (11" x 17" recommended). The scale should be suitable to show the necessary detail of the proposed utility line location including crossing width and length, depth of burial and elevations, and location of structures. Aerial maps are also recommended. The plat should clearly indicate the right-of-way relative to each "40" crossed as well as section, township and range. If the application includes more than one crossing, also provide a route map on 11" x 17" paper showing all crossings in relation to each other.

If the crossing(s) are on an existing public road right-of-way, the maps must clearly show the width of the road right-of-way in relation to the proposed utility. For each water crossing, include a Public Waters Inventory (PWI) map showing the length and width of the proposed crossing in addition to the items listed above.

For all crossings other than those using a "low impact construction method", a reclamation plan is required for each crossing that describes the potential impacts, measures to be taken during construction to minimize impacts, and steps to be taken immediately after construction to stabilize and restore the disturbed area. Common practices include use of sediment traps, silt fences, mulch, fiber blankets, and other methods. The reclamation plan may be included on the plat-plan-cross section sheet.

- B. If this is a renewal, provide an "as built" survey showing the actual location of the utility line.

ENVIRONMENTAL REVIEW

If the project has been previously reviewed pursuant to Minnesota Rules Chapter 4410, the National Environmental Policy Act (NEPA), a Conditional Use Permit, or Natural Heritage Information System (NHIS) Information Request or other similar review, please provide information on the type of review, previous project name(s) and Environmental Review Database number for NHIS correspondence.

If needed, environmental and archaeological reviews must be completed before the license can be acted on.

ENVIRONMENTAL STANDARDS

Minnesota Rules, Chapter 6135, contains specific language on these subjects. The Applicant is responsible for knowing and adhering to these rules. Where conflicts or discrepancies occur and the guidelines cannot be followed, a written statement must be submitted with the application explaining in detail the conflicts or discrepancies. A license will not be issued until all discrepancies have been corrected or approved by the Department of Natural Resources.

In addition, the Applicant is required to follow license terms and applicable rules, statutes and permit requirements (i.e. endangered, threatened, or special concern species and invasive species).

Use of low impact construction is encouraged and will result in a shorter time between application and issuance of license.

FEES

The water crossing application fee is \$2,250 and the land crossing application fee is \$3,500. The application fee must be included with the application. For each crossing, there is a one-time crossing fee which is either based on a fee table or the appraised value of the land. The applicant can use the fee tables found in Minnesota Rules, Chapter 6135, pp 4-7 [Minnesota Rules, Chapter 6135](#) to estimate the fee for a particular crossing. Timber damages may apply and a monitoring fee may also be assessed to ensure proper construction.

With the law change effective 7/1/2014, application and license fees are exempted on applications where all the proposed crossings are on an existing public road right-of-way.

For applications where some crossings are on existing public road right-of-way, the application fee must be submitted with the application. The license fee for crossings on existing public road right-of-way will be exempted and the license fee for the remaining crossings will be billed.

License payments should not be calculated and submitted with the license application. The only payment submitted with an application should be the application fee, if applicable. The DNR will calculate the correct fee and bill the applicant at the time the license is ready to be issued.

SUBMIT APPLICATION MATERIALS:

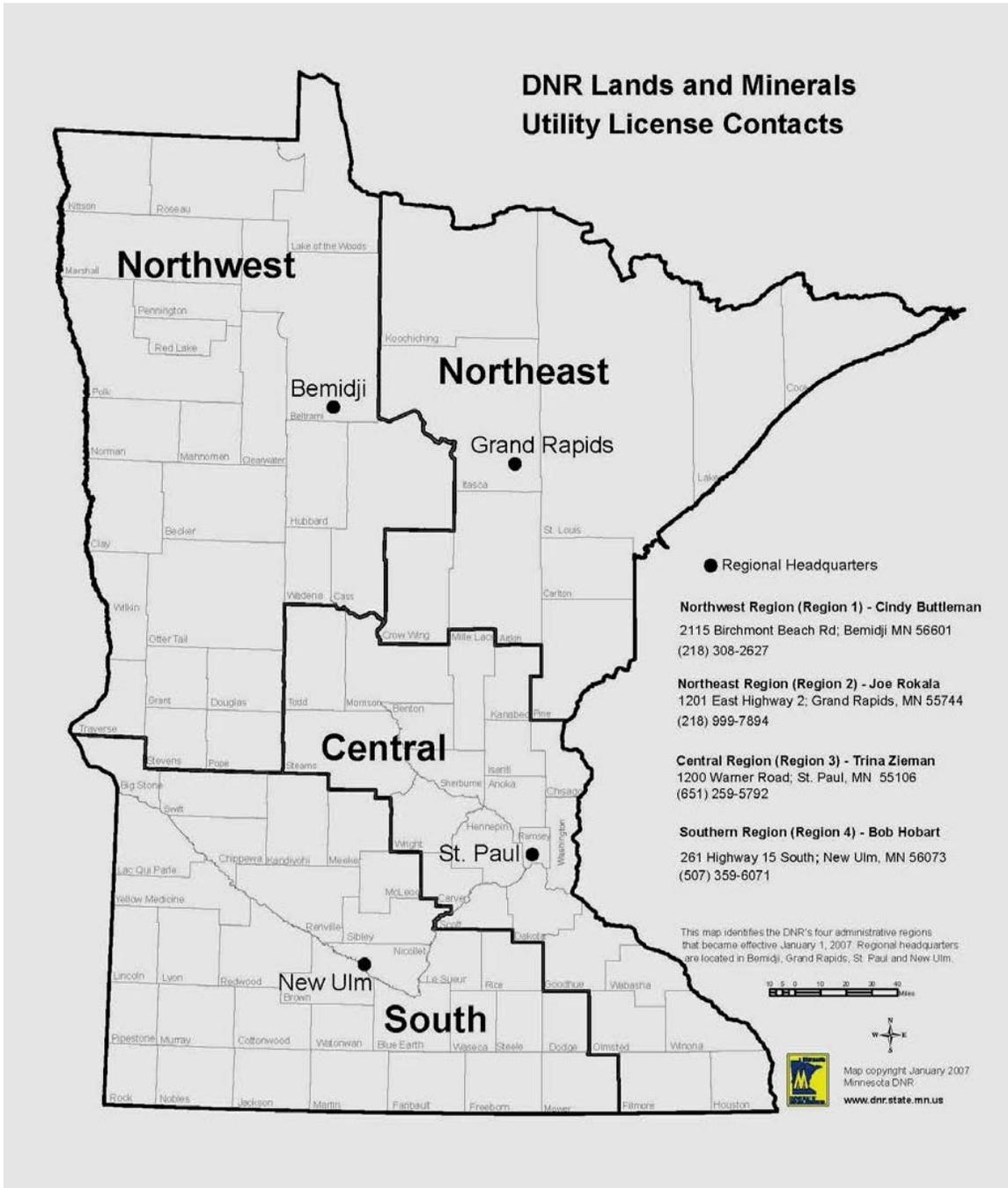
Please submit 1 COPY of the completed APPLICATION FORM (page 1), the application fee and waiver form (page 2), the applicable application fee, the crossing table (page 3), the maps and plans, and the applicable environmental review and standards information to the DNR Regional Lands and Minerals Office responsible for the county in which the public land or water crossings are located (see map below). Keep one copy of the completed application form for your records and to make part of the completed license. The application and supporting documents will be made a part of the license.

Region 1 – Northwest MN
 Regional Operations Supervisor
 DNR Lands and Minerals
 2115 Birchmont Beach Road NE
 Bemidji, MN 56601
 (218) 308-2627

Region 2 – Northeast MN
 Regional Operations Supervisor
 DNR Lands and Minerals
 1202 E. Highway 2
 Grand Rapids, MN 55744
 (218) 999-7894

Region 3 – Central MN
 Regional Operations Supervisor
 DNR Lands and Minerals
 1200 Warner Road
 St. Paul, MN 55106
 (651) 259-5792

Region 4 – Southern MN
 Regional Operations Supervisor
 DNR Lands and Minerals
 261 Highway 15 South
 New Ulm, MN 56073
 (507) 359-6071



THE APPLICATION PROCESS - WHAT TO EXPECT.

Once an application is received by DNR Lands and Minerals Regional Staff and the application fee processed, a license number will be assigned. For non-low impact projects, and some low impact projects, an acknowledgment letter or email will be sent to the Applicant or Agent informing him/her of the license number and whom to contact to learn application status.

Once the application is approved, a license will be prepared. The license will be sent to the Applicant or Agent for signature and payment of the license fee and monitoring fee (if applicable).

After the Applicant returns the license along with the license fee, timber or other damages (if applicable) and monitoring fee (if applicable), DNR signatures will be obtained and a completed license will be returned to the Applicant or Agent. The Applicant must notify the DNR office before starting working as a condition the license.

Following the above process, low impact licenses can usually be issued in 30 days or less. Applicants proposing to cross state lands that are encumbered with federal funds should plan for a longer review process. Planning ahead and taking care to be complete and thorough in the application packet will help to speed up the process.

After installation, Licensees are requested to submit an "as built" survey showing the actual location of the utility lines and utility right-of-way. This "as built" survey may either be referenced to public land survey section lines or must show the location in either latitude and longitude, UTM's (Universal Transverse Mercator) or county coordinates, in the North American Datum (NAD) of 1983.

LICENSE RENEWAL

To renew an expiring license, the Licensee may submit a renewal application along with application fee. Review the original application and include the license number; exact "40" or government lot, section; township, range, county; method of crossing; right-of-way width and length; and separate plat, plans and cross section.

AMENDMENT AND ASSIGNMENT PROCESS

If an amendment or assignment is required, please contact DNR Lands and Minerals Regional Staff in the appropriate region for further instructions.

Instructions revised 6/1/2014