



LAND USE SCREENING CRITERIA FOR
PUBLIC NON-FERROUS METALLIC MINERALS LEASE SALES POST 2013

Exclusion of Lands from Public Lease Sales & Special Features or Uses

This list identifies the land use screening criteria that will be used for the next public non-ferrous metallic minerals lease sale.

The criteria were approved by Jess Richards, Director of the Lands and Minerals Division, on January 6, 2014.

Exclusion of lands from public lease sales

When preparing lands for a public non-ferrous metallic minerals lease sale, certain lands or features are excluded from leasing by law or by established procedures. Some of these exclusion lands are also excluded from negotiated leases, but some of the exclusion features (e.g., beds of public waters) may be included in a negotiated lease.

The following types of lands and features will be excluded from non-ferrous metallic mineral leases:

1) BWCAW and Voyageurs National Park

No lands or water areas within the BWCAW or Voyageurs National Park are offered for leasing.

2) State parks and state recreation areas

All lands within the statutory boundaries of state parks and state recreation areas are excluded from leasing, provided that exceptions may be made as to the Hill Annex State Park and the Cuyuna Country State Recreation Area, where the establishment of these two management units specifically recognized that mining may occur in the park/SRA.

3) Scientific and natural areas

All lands within the boundaries of Scientific and Natural Areas are excluded from leasing.

The following types of lands and features will be excluded from a public non-ferrous metallic mineral lease sale:

4) State BWCAW minerals management corridor.

All lands within the boundaries of the State BWCAW Minerals Management Corridor are excluded from public lease sales.

5) Black Bay management area – Rainy Lake

Some lands in the Management Plan for the Black Bay Area of Rainy Lake in Koochiching County near the Voyageurs National Park are excluded from public lease sales. (Some lands in the Black Bay Management area are offered with a special feature designation.)

6) Lakes listed in the Public Waters Inventory and major rivers

The beds of lakes listed in the Department of Natural Resources' Inventory of Public Waters, and the beds of major or significant rivers, are excluded from public lease sale, with the exception that mine pit lakes as identified in the Public Waters Inventory will not be excluded from public lease sales. Some lakes and rivers are not meandered, so the bed of the water body is included in the land descriptions; there is text added to the mining unit description to exclude the bed of such nonmeandered lake or river.

7) Islands

Islands are usually excluded from public lease sales, provided that management may decide to make an exception for large islands.

8) Mississippi River headwaters corridor

All lands identified in the Management Plan for the Upper Mississippi River (January 1981) in the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison are excluded from public lease sales.

9) North Shore Lake Superior Orientation Zone

All lands within the North Shore Lake Superior Orientation Zone as defined in the North Shore Management Plan (1988) are excluded from public lease sales.

10) Fish hatcheries, spawning areas, and rearing ponds

Lands containing fish hatcheries, spawning areas, and rearing ponds managed by the DNR's Division of Fish and Wildlife are excluded from public lease sales unless the FAW Division provides approval to include specific lands.

11) Small isolated parcels

Small isolated parcels of land of less than 5 acres are usually excluded from public lease sales.

12) High density residential/commercial development; platted lakeshore lots with cabins

High density residential and commercial development areas are excluded from public lease sales. Platted lakeshore lots with cabins are excluded from public lease sales.

13) Calcareous fen

Calcareous fens are excluded from public lease sales. Calcareous fens are identified by written order of the commissioner of natural resources pursuant to Minn. Stat., sec. 103G.223. The current list is available at:

http://files.dnr.state.mn.us/eco/wetlands/calcareous_fen_list.pdf

14) Old growth stands

Designated old growth stands and designated future old growth stands, as defined and identified through DNR old growth policy and procedures, are excluded from public lease sales, but the underlying minerals are offered. (The exception language is “excepting designated old growth in [forty/government lot]”.) Any activities within these areas must adhere to the DNR old growth policy.

Special features or uses

When preparing a mining unit book for a public non-ferrous metallic minerals lease sale and when negotiating a non-ferrous metallic minerals lease, a land use screening is conducted to identify features or uses that merit additional consideration and review at the time an exploration plan is submitted. When reviewing a proposed exploration plan submitted under the state mineral lease, the commissioner may require the lessee to adjust its exploration plans or plans for construction of roads or trails within the leased premises. The existence of a special feature or use will often involve another resource manager in the review of the exploration plan and may more frequently require adjustment in exploration plans.

The following types of features or uses will be currently identified in the public metallic mineral lease sale offerings and negotiated leases:

- 1) Old growth candidate stands
- 2) Designated trout streams
- 3) State trails

State trails designated in Minn. Stat., sec. 85.015 are identified as a special feature. In past sales, the following trails have been listed as a special feature: Taconite Trail, Arrowhead Trail (formerly the Tower to International Falls Trail), North Shore Trail, Willard Munger Trail, and Heartland Trail.

4) Wildlife management areas

5) Aquatic management areas

6) Rare natural heritage features

The database contains specific locations of state-listed species that are endangered or threatened, aggregation sites (e.g., colonial nesting sites), and species that are on a proposed list to be added to the state's endangered and threatened species list. (Specific location data is nonpublic data.)

7) Historic and archaeology sites

8) Peatland watershed areas

Lands that are within the boundaries of the watersheds of the designated peatland SNAs are identified as a special feature.

9) Black Bay management area – Rainy Lake

Some lands in the Management Plan for the Black Bay Area of Rainy Lake in Koochiching County near the Voyageurs National Park are identified as a special feature. (Some lands in the Black Bay Management area are excluded from lease sales.)

10) Water Trails

Water trails designated under Minn. Stat., sec. 85.32, on rivers contained within the section of a mining unit are identified as a special feature.

11) Recreation sites

The following types of sites included in this category are: public water access; state and federal campground/campsite; state highway rest area; and county, city or township park or picnic area.

12) USFS Research natural areas and State proposed research natural areas

Any access to federal land must adhere to federal policies. Any access to state proposed research natural areas will be reviewed and analyzed on a case-by-case basis.

13) Minnesota Biological Survey (MBS) sites of biodiversity significance that are ranked as outstanding or high.

14) National wildlife refuges and national waterfowl production areas.

- 15) Wellhead protection areas as defined in Minnesota Statutes, sec. 103I.005, subd. 24 and identified by the Department of Health, and municipal water intakes.
- 16) Wild rice waters as identified by the DNR.
- 17) Native plant communities that are identified as “state critically imperiled” or “imperiled” (S1 and S2).