



Utility License Training

DNR Division of Lands and Minerals | Regional Operations

Training Overview

1. Introduction to the Utility License Program
2. Legal Information
3. Utility License Application Overview
4. Funding Restrictions
5. Submitting a Complete Application
6. Finalization of the Utility License Application Process
7. Maintenance of Existing Utility Lines
8. Additional Resources & Conclusion





Section 1 - Introduction to the Utility License Program

Section 1 - Overview

1. Region Staff Introductions
2. General Overview
3. Public Land Crossings
4. Public Water Crossings



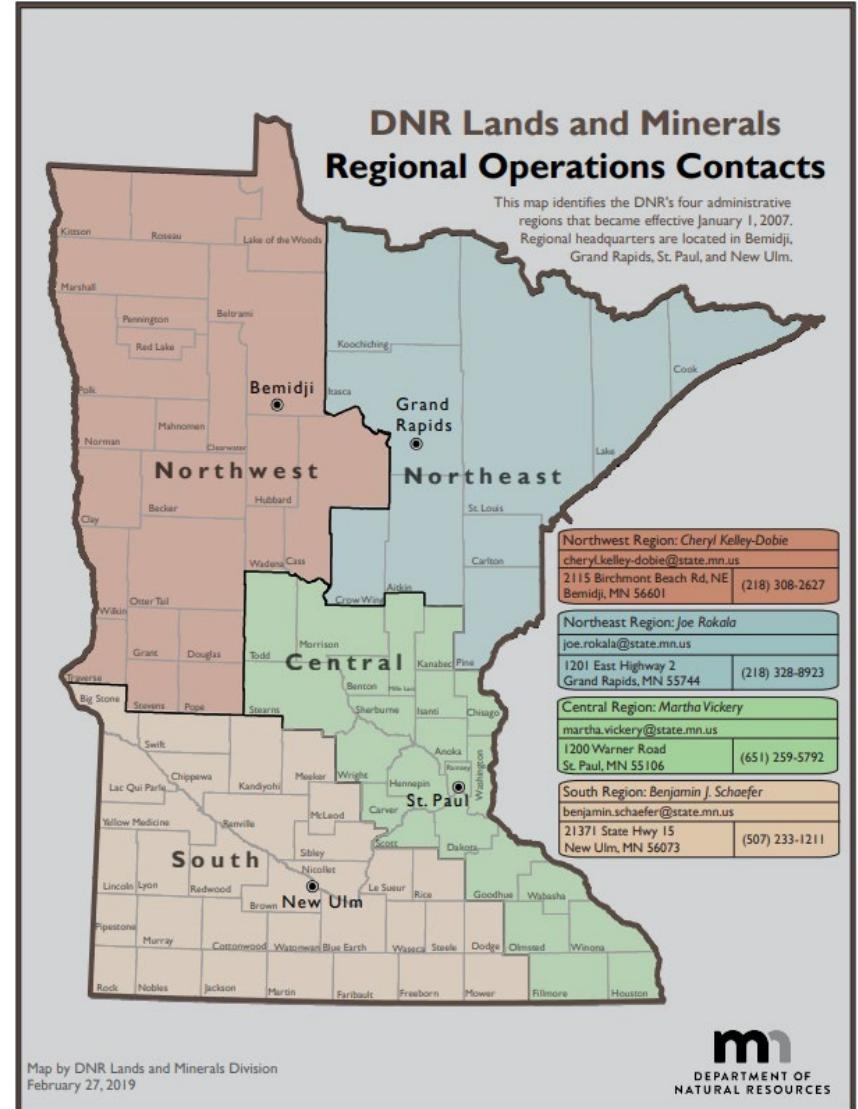
Region Staff Introductions

Utility licenses are processed by DNR staff who work in the region in which your project is located.

Our regional offices are located in:

Bemidji
Grand Rapids
St. Paul
New Ulm

A link to this statewide DNR region map is located on our webpage. [DNR LAM Regional Operations Contact \(state.mn.us\)](https://www.state.mn.us/dnr/lam/rocs.html)



General Program Overview

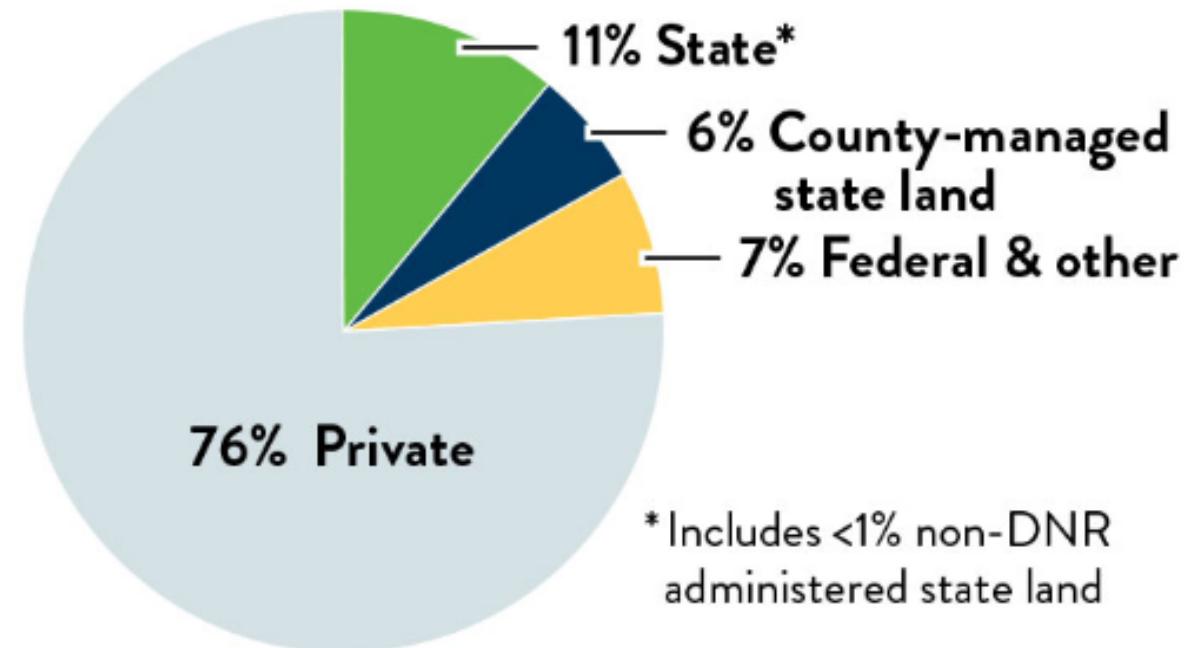
The DNR manages 5.6 million acres of state land on behalf of the citizens of Minnesota.

A utility crossing license must be obtained from the Department of Natural Resources (DNR) for the passage of any utility crossing over, under, or across any state land or public water.

Utility licenses are generally required for the installation of electrical, pipeline, and communication projects.

The DNR's Division of Lands & Minerals is responsible for granting licenses to utility companies crossing state land or public water with utility infrastructure projects.

Utility licenses are granted for a term of 25 or 50 years and may be renewed when they expire. Most licenses are issued for a term of 50 years.

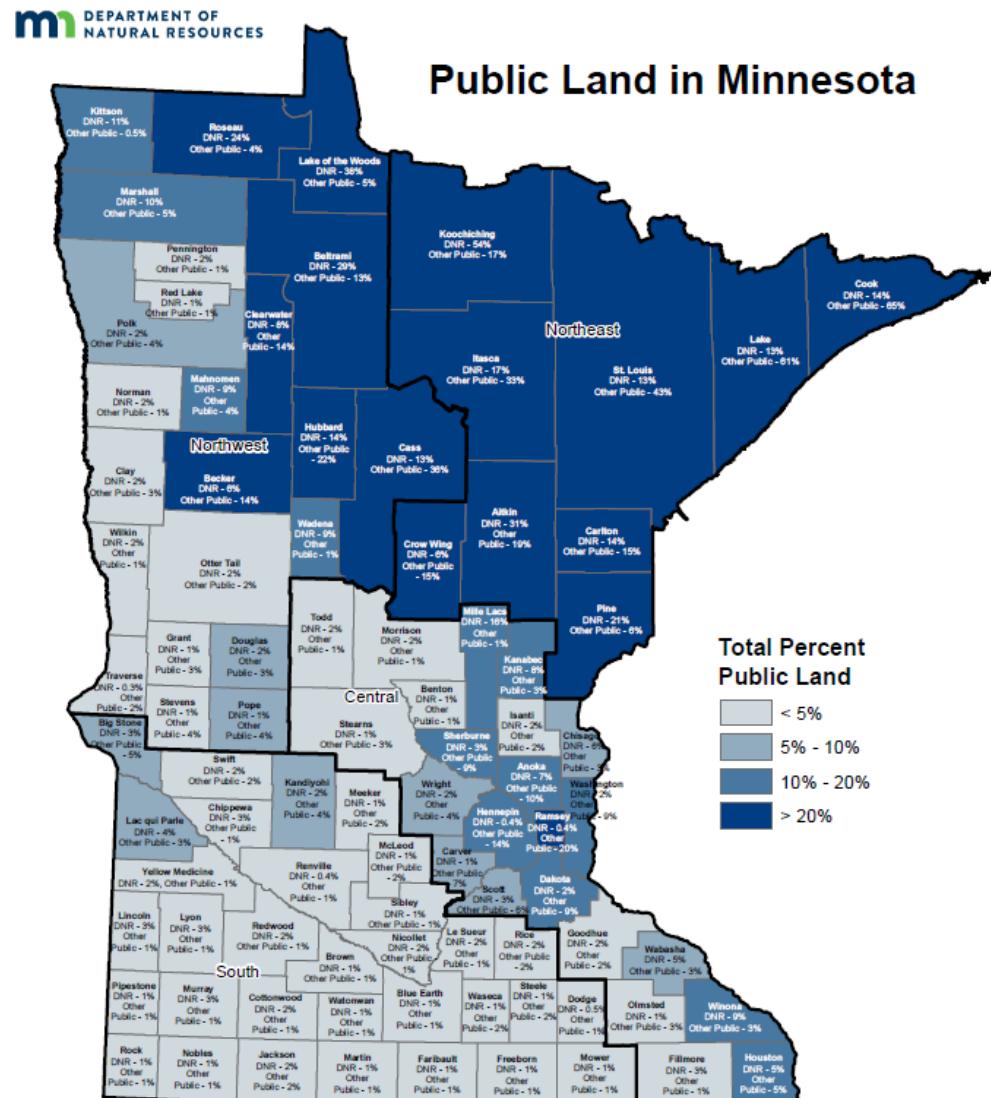


Public Lands Crossings

To confirm that your project crosses state land managed by DNR, consult the DNR website for interactive maps.

- [MN DNR Recreation Compass](#)
- ArcGIS shape files of DNR-managed land are available at [Minnesota Geospatial Commons](#).

If a project crosses state land managed by another agency (MnDOT, for example), the utility company proposing the crossing must contact that agency. If a project crosses tax-forfeited land, the utility company must contact the county in which the land is located.



Public Waters Crossings

The term “public waters” is defined by Minnesota law. Minn. Stat. sec. [103G.005, subdivision 15.](#)

Public waters are generally depicted on the Public Waters Inventory list, the Public Waters Inventory maps, or both.

It is important to confirm if a utility project crosses a public water body. Please locate all project crossings on [Public waters inventory maps.](#)

- Note: Not all public waters are on the PWI maps. Contact your [Regional LAM staff](#) with questions.

[Public waters basin GIS data](#) used for the GIS-based PWI maps are available at Minnesota Geospatial Commons.





Section 2 - Legal Information

Section 2 - Overview

- 1. Legal Requirements For DNR Utility Licenses**
- 2. Possible Constraints**
- 3. Limited Situations Where a DNR Utility License May Not Be Needed**
- 4. Signature Authority**
- 5. Application-Part of License**
- 6. Disclaimer**



Legal Requirements for DNR Utility Licenses

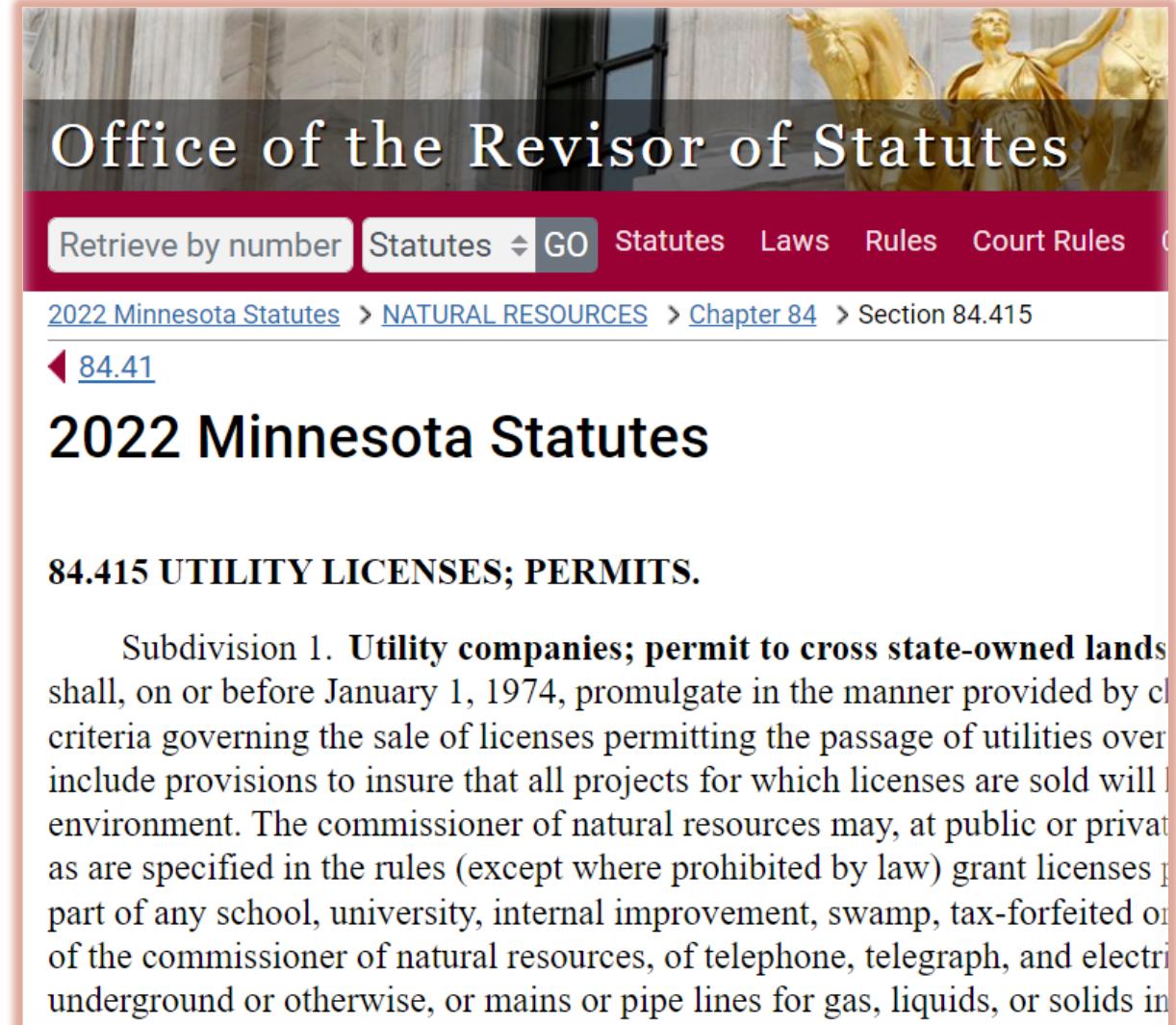
Minnesota Statutes section 84.415 and
Minnesota Administrative Rules
chapter 6135

- 6135.0820 - Fees
- 6135.1000 - Design standards

Minimum adverse impact on the
environment

Utility license statute permissive; DNR
not required to grant a license

- Existing land uses not compatible
- Resource review



The screenshot shows a screenshot of the Office of the Revisor of Statutes website. The header features a gold statue of a person on a horse. The main navigation bar includes 'Retrieve by number', 'Statutes' (with a dropdown menu), 'GO', 'Statutes', 'Laws', 'Rules', 'Court Rules', and 'Court Decisions'. Below the navigation is a breadcrumb trail: '2022 Minnesota Statutes' > 'NATURAL RESOURCES' > 'Chapter 84' > 'Section 84.415'. A backlink '◀ 84.41' is also present. The main content area is titled '2022 Minnesota Statutes' and contains the section '84.415 UTILITY LICENSES; PERMITS.' The text of the statute is partially visible, mentioning utility companies, permits to cross state-owned lands, and environmental impact.

Office of the Revisor of Statutes

Retrieve by number Statutes ▾ GO Statutes Laws Rules Court Rules Court Decisions

2022 Minnesota Statutes > NATURAL RESOURCES > Chapter 84 > Section 84.415

◀ 84.41

2022 Minnesota Statutes

84.415 UTILITY LICENSES; PERMITS.

Subdivision 1. **Utility companies; permit to cross state-owned lands** shall, on or before January 1, 1974, promulgate in the manner provided by criteria governing the sale of licenses permitting the passage of utilities over include provisions to insure that all projects for which licenses are sold will environment. The commissioner of natural resources may, at public or private as are specified in the rules (except where prohibited by law) grant licenses part of any school, university, internal improvement, swamp, tax-forfeited or of the commissioner of natural resources, of telephone, telegraph, and electric underground or otherwise, or mains or pipe lines for gas, liquids, or solids in

Possible Constraints

May not unduly interfere with existing land use

- Additional coordination may be needed (for example, state metallic mineral leases, existing easements, leases, licenses, etc.)

Restrictions on DNR's ability to grant utility licenses

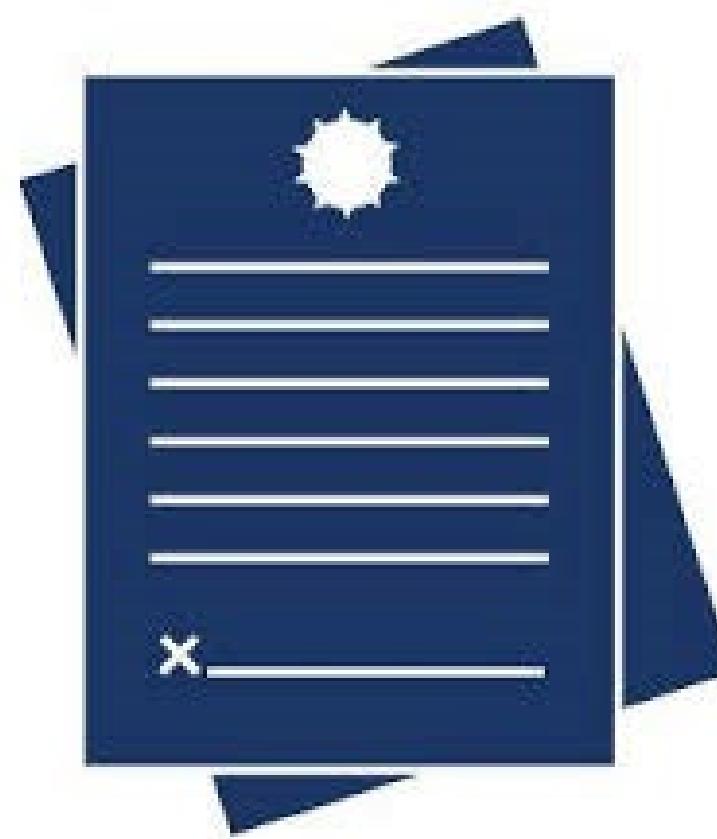
- Deed restrictions
- Funding restrictions



Limited Situations Where a DNR Utility License May Not Be Needed

Pre-existing right prior to State ownership

- Existing easement (look at language in the instrument)
- Prescriptive rights (supported by documentation)
- Only on land DNR acquired
- Not valid on lands State has owned since statehood (for example, School Trust Lands)



Signature Authority

Signature authority: person(s) signing a utility license on behalf of an entity must have legal authority to bind the entity to the license requirements.

- Note: The application can be signed by the utility company or its agent.

DNR may require additional documentation to evidence signature authority, such as an authorizing resolution.

- Delegation of Authority
- Board Resolution



Application-Part of License

The final application is incorporated into DNR's utility license document and becomes legally binding.

- Crossing location, installation method, etc.
- Other items licensee has committed to.



Disclaimer

NOTICE

This presentation is not legal advice.
Consult with your legal staff regarding legal questions.

Reach out to LAM Regional Operations with questions about DNR requirements.

https://www.dnr.state.mn.us/lands_minerals/regionalops.html



Section 3 - Utility License Application Overview

Section 3 - Overview

- 1. Overview of the Utility License Application**
- 2. Benefits of Submitting a Complete Application**
- 3. Construction Design To Limit Natural Resource Impacts (MN Rules 6135)**
- 4. Construction Methods**
- 5. Construction Plans and Maps**
- 6. Review of DNR Utility License Website**



Overview of the Utility License Application

State land crossings and public water crossings must be on separate applications. Only one company and utility type per application

Example: a fiber optic line and electric line would need separate applications even if using the same bore.

An application may have as many crossings as necessary if they are all part of the same project and the same utility type. Submit associated land and water crossing applications at the same time.

Please fill out the application completely, following the instructions and provide the requested additional information and maps. If we do not have a complete application, we will ask for more information and it will delay the processing of your application (2 weeks or more). We have multiple applications to process at any given time.

Minnesota Department of Natural Resources Application for Utility License to Cross State Lands or Public Waters (Submit 1 copy of the application and attachments)		License # _____ For internal use only	
 The Applicant, pursuant to Minnesota Statutes section 84.415 and Minnesota Rules chapter 6135, applies for a license to cross state lands or public waters as described below and in the maps, plans, specifications, and other supporting data submitted with this application.			
Applicant's Name (as it will appear on official license):	Agent's Company:		
Applicant's Mailing Address (Street, City, State, Zip Code):	Agent's Mailing Address (Street, City, State, Zip Code):		
Applicant's Contact Person:	Agent's Contact Person:		
Office Telephone No.:	Alternate No. (i.e., Cell):	Office Telephone No.:	Alternate No. (i.e., Cell):
Applicant's Email Address:		Agent's E-mail Address:	
Applicant's Project No. (only one project is allowed per application):			
Is this project funded in whole or in part by a state or federal grant? <input type="checkbox"/> no or <input type="checkbox"/> yes (grant name):			
1. Utility type (only one type is allowed per application) (choose one) Electric: <input type="checkbox"/> transmission <input type="checkbox"/> distribution ----- → for electric lines, specify voltage or rating: Pipeline: <input type="checkbox"/> gases <input type="checkbox"/> liquids <input type="checkbox"/> solids in suspension ----- → for pipelines, specify pipe diameter: Communication: <input type="checkbox"/> telephone <input type="checkbox"/> cable TV <input type="checkbox"/> fiber optic (broadband) <input type="checkbox"/> other (specify): _____			
2. License details Term of license: (choose one) <input type="checkbox"/> 50 years or <input type="checkbox"/> 25 years Is this a renewal of an existing license? (choose one) <input type="checkbox"/> no or <input type="checkbox"/> yes ----- → if yes, existing license # _____ Crossing type: (choose one) <input type="checkbox"/> water crossing or <input type="checkbox"/> land crossing			
3. Land crossings in existing right of way Pursuant to Minnesota Rules chapter 6135, the license fee for a land crossing may be reduced by 50 percent if an additional crossing is to be placed in an existing right-of-way as if the additional crossing were the original crossing in the right-of-way. This fee reduction applies to the original Applicant or any other Applicant. Does this application include one or more crossing(s) that are within an existing utility license right-of-way? <input type="checkbox"/> no or <input type="checkbox"/> yes ----- → if yes, please provide a copy of the existing utility license and list the specific crossings: DNR License No.: _____ License No.: _____ Crossing Location (Crossing Number and Legal Description): _____			
4. Environmental review and environmental standards information: Has this project been reviewed pursuant to Minnesota Rules chapter 4410, the National Environmental Policy Act (NEPA), a conditional use permit, Natural Heritage Information System (NHIS) Information Request, or other similar reviews? <input type="checkbox"/> yes (if yes, submit documentation with this application) or <input type="checkbox"/> no <input type="checkbox"/> This proposed crossing does <u>NOT</u> comply with the environmental standards in Minnesota Rules 6135.1100. An explanation of the conflict or discrepancy is attached.			
5. Submit this four-page application and the following: A. cover letter explaining the project B. maps and plans C. application fee (see instructions) D. environmental review and environmental standards supplemental information from part 4 above (if applicable)			
6. CERTIFICATION This application and the information submitted with this application will become part of the utility license, if issued. Applicant certifies that the information submitted with this application is true and correct. Applicant agrees to comply with the requirements of Minnesota Statutes section 84.415, Minnesota Rules chapter 6135, and the terms and conditions of the license. Applicant acknowledges that no work will take place before receiving the fully executed DNR utility license. If signing electronically, do not lock the document so attachments can be added or deleted.			
Applicant's Signature		Title	Date

Benefits of Submitting a Complete Application

Minnesota state law requires a utility license application.

Minnesota state and federal laws require avoiding the destruction of threatened and endangered species.

A complete application, including the required documentation, will save time for you and allow DNR staff to focus on the processing of applications.



Construction Design To Limit Natural Resource Impacts (MN Rules 6135)

The Department of Natural Resources is required to follow Minnesota Administrative Rules Chapter 6135, Utility Crossings. See: [6135 - MN Rules Chapter](#)

The application requirements help DNR to fulfill statute requirements.

Statute includes rules for:

- Fee schedules and rate tables
- Environmental protections
- Route and structure design
- Construction methods and more



Office of the Revisor of Statutes

Retrieve by number Rules GO Statutes Laws Rules Court Rules

Rules > Natural Resources Department > Chapter 6135

Minnesota Administrative Rules

CHAPTER 6135, UTILITY CROSSINGS

DEPARTMENT OF NATURAL RESOURCES

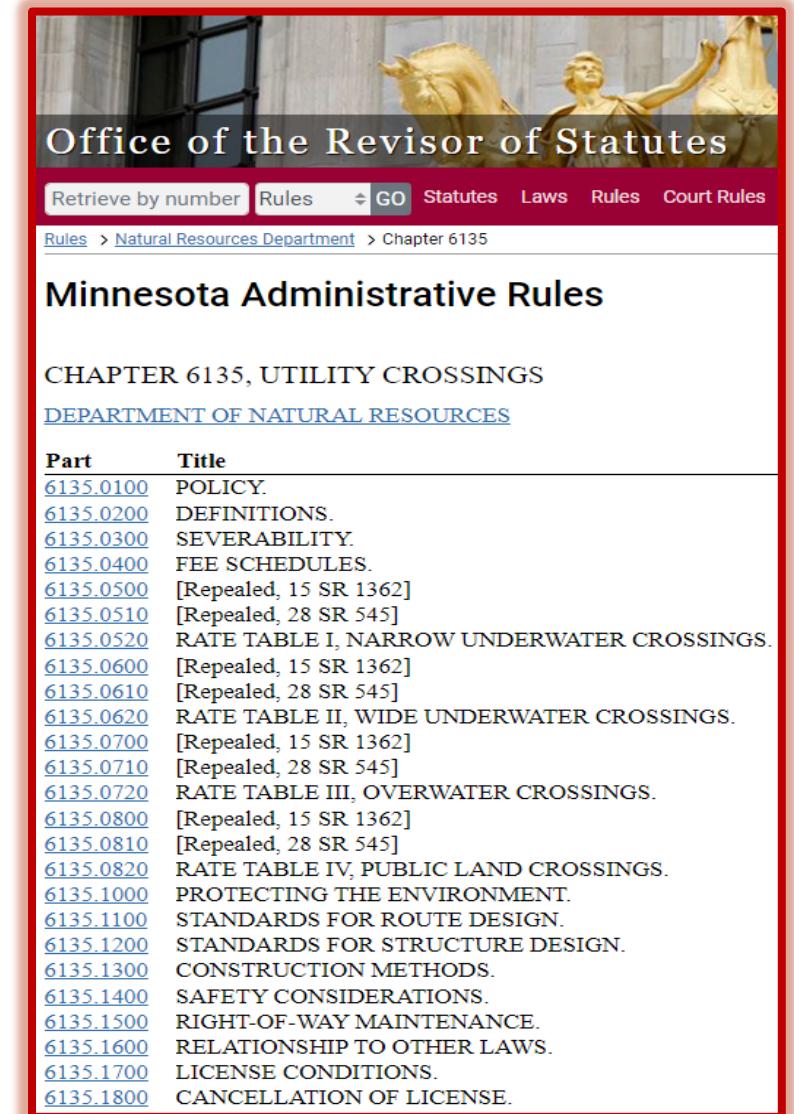
Part	Title
6135.0100	POLICY.
6135.0200	DEFINITIONS.
6135.0300	SEVERABILITY.
6135.0400	FEES SCHEDULES.
6135.0500	[Repealed, 15 SR 1362]
6135.0510	[Repealed, 28 SR 545]
6135.0520	RATE TABLE I, NARROW UNDERWATER CROSSINGS.
6135.0600	[Repealed, 15 SR 1362]
6135.0610	[Repealed, 28 SR 545]
6135.0620	RATE TABLE II, WIDE UNDERWATER CROSSINGS.
6135.0700	[Repealed, 15 SR 1362]
6135.0710	[Repealed, 28 SR 545]
6135.0720	RATE TABLE III, OVERWATER CROSSINGS.
6135.0800	[Repealed, 15 SR 1362]
6135.0810	[Repealed, 28 SR 545]
6135.0820	RATE TABLE IV, PUBLIC LAND CROSSINGS.
6135.1000	PROTECTING THE ENVIRONMENT.
6135.1100	STANDARDS FOR ROUTE DESIGN.
6135.1200	STANDARDS FOR STRUCTURE DESIGN.
6135.1300	CONSTRUCTION METHODS.
6135.1400	SAFETY CONSIDERATIONS.
6135.1500	RIGHT-OF-WAY MAINTENANCE.
6135.1600	RELATIONSHIP TO OTHER LAWS.
6135.1700	LICENSE CONDITIONS.
6135.1800	CANCELLATION OF LICENSE.

Construction Design To Limit Natural Resource Impacts (MN Rules 6135)

Companies are required to follow the least impactful environmental construction method regardless of cost.

If a company is unable to do a project with the least impactful construction method, the company must explain why another method was the only viable option.

- Project Description
- Underwater Application Considerations



The screenshot shows a red-bordered window of a web browser. The header reads "Office of the Revisor of Statutes" with a background image of classical statues. The menu bar includes "Retrieve by number", "Rules", "GO", "Statutes", "Laws", "Rules", and "Court Rules". Below the menu, the URL is "Rules > Natural Resources Department > Chapter 6135". The main content area is titled "Minnesota Administrative Rules" and "CHAPTER 6135, UTILITY CROSSINGS DEPARTMENT OF NATURAL RESOURCES". A table lists "Part" and "Title" for various rule numbers, many of which are marked as repealed. The table is as follows:

Part	Title
6135.0100	POLICY.
6135.0200	DEFINITIONS.
6135.0300	SEVERABILITY.
6135.0400	FEE SCHEDULES.
6135.0500	[Repealed, 15 SR 1362]
6135.0510	[Repealed, 28 SR 545]
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6135.1300	CONSTRUCTION METHODS.
6135.1400	SAFETY CONSIDERATIONS.
6135.1500	RIGHT-OF-WAY MAINTENANCE.
6135.1600	RELATIONSHIP TO OTHER LAWS.
6135.1700	LICENSE CONDITIONS.
6135.1800	CANCELLATION OF LICENSE.

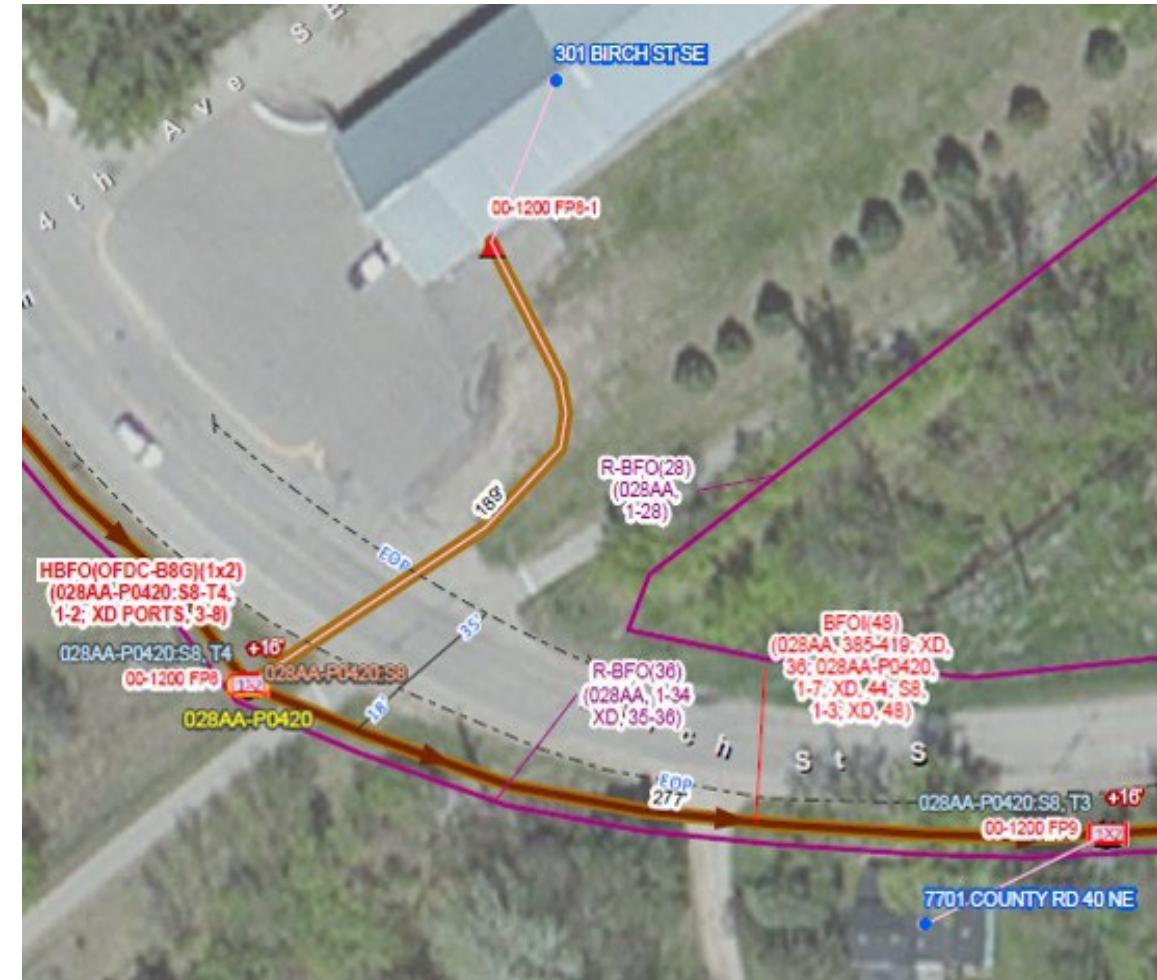
Construction Methods

- The DNR encourages 'low impact' crossings, which typically do not disturb the resource and process faster since there is no resource review needed.
- Example of 'low impact' construction methods include:
 - boring or jacking
 - attachment to a bridge
 - use of existing conduit, pole, or structure
 - plowing into the roadbed



Construction Plans and Maps

- ***Keep diagrams clean:*** details should include only those pertinent to the public land and water crossing.
- ***Use clear naming conventions:*** maps should have file names that are easy to understand, i.e. “cross-section diagram” (not just scan numbers)
- ***Number the pages and label each map:*** i.e. Crossing #1, Crossing #2...



More Information

- More utility crossing license information, including instructions and laws, are on the DNR [Utility Crossing License Webpage](https://www.dnr.state.mn.us/permits/utility_crossing/index.html) (https://www.dnr.state.mn.us/permits/utility_crossing/index.html)
- Request assistance by contacting the [Lands and Minerals Regional Operations staff](https://www.dnr.state.mn.us/lands_minerals/regionalops.html) (https://www.dnr.state.mn.us/lands_minerals/regionalops.html) in your area.

DEPARTMENT OF
NATURAL RESOURCES

RECREATION DESTINATIONS NATURE EDUCATION & SAFETY LICENSES, PERMITS & REGULATIONS EVENTS & SEASONS ABOUT DNR

Search for...

Home > Licenses, permits, and regulations > Permits >

Licenses, permits, regulations

Main page
Licenses
DNR license agents
Regulations
Permits
Fishing seasons
Hunting seasons
Recreation compass
Turn in poachers (TIP)
Critical habitat plates
Fish & wildlife habitat stamp program
Permits & licenses for people with disabilities
Online license sales

Legislative law changes effective July 1, 2023 — Each utility license requires an application fee - NEW [application \(PDF\)](#) and [instructions \(PDF\)](#) are now available.

Utility crossings over, under, or across state land administered by the Minnesota Department of Natural Resources or public water require a utility license. Any work performed without a DNR signed license is a trespass and is subject to penalties under Minnesota law.

We are requesting that Utility License applications be submitted electronically. Please send the completed Utility License application by email to the appropriate regional office — see [Lands and Minerals Regional Operations staff](#) to determine the correct location.

In addition, the DNR is now accepting electronic signatures on both the application and Utility License. The Utility License should be signed by an officer of your company and should include the officer's title. If the Utility License is signed by a person who is not an officer of the company, please send us a copy of the power of attorney or board resolution which authorized this person to sign the Utility License on behalf of the company.

Each utility license requires an application fee. Please mail the fee to the [Lands and Minerals Regional Operations staff](#) in your area and include a copy of the first 4 pages of the Utility License application.

Application

[Application for License to Cross Public Lands and Waters \(PDF\)](#) [Instructions for Utility License \(PDF\)](#)

Land and water crossings cannot be combined on the same application.

Applicants can complete the application by using one of these methods:

- Open the PDF file, fill it out interactively, and email to the [Lands and Minerals Regional Operations staff](#) in your area.
- Open the PDF file, fill it out interactively, and print the completed form.
- Open the PDF file, print the blank form, and fill it out by hand.
- Save the PDF file to your computer, fill out the saved copy, and print the completed form.

After the application is completed, the application along with the required attachments can be emailed to the [Lands and Minerals Regional Operations staff](#) in your area or sent by postal mail to the DNR office listed in the instructions. Send the applicable fees (checks only made payable to MN DNR) to the DNR office listed in the instructions.

Overview

The Lands and Minerals Division is responsible for granting permission to companies that propose to cross state land or public waters with utility infrastructure projects. The permission is in the form of a utility crossing license. Utility licenses are granted for a term of 25 or 50 years, and may be renewed when they expire. Applicants apply for a license by submitting an application. Utility licenses are generally required for the installation of electrical, pipeline, and communication projects.

[Full text of Minnesota Statutes 84.415](#)

Common questions

[Expand all sections](#)

Do I need a license to install a utility line across state land or public water?

What utilities are covered by a crossing license?

What is the process for requesting a utility crossing license?

What are the license fees?

What are the Utility Crossing License Laws and Rules?

How can I find out if my project will cross state land?

Is a land crossing license required if a utility line is being placed within a road right-of-way when DNR owns land adjacent to the road?

Current law

All license applications require that the following portion of the application fee be submitted with the application.

As of July 1, 2023*, there is a \$1,000 application fee for electric power lines, cables, or conduits of less than 100 megawatts; \$1,000 for gas lines, or solids in suspension which are not main pipelines; and for all communication lines (telephone, cable TV, fiber optic, or other).



Section 4 - Funding Restrictions

Section 4 - Overview

1. State And Federal Funding Reviews
2. What To Expect
3. Additional Information May Be Needed
4. Exceptions
5. State Land To Avoid

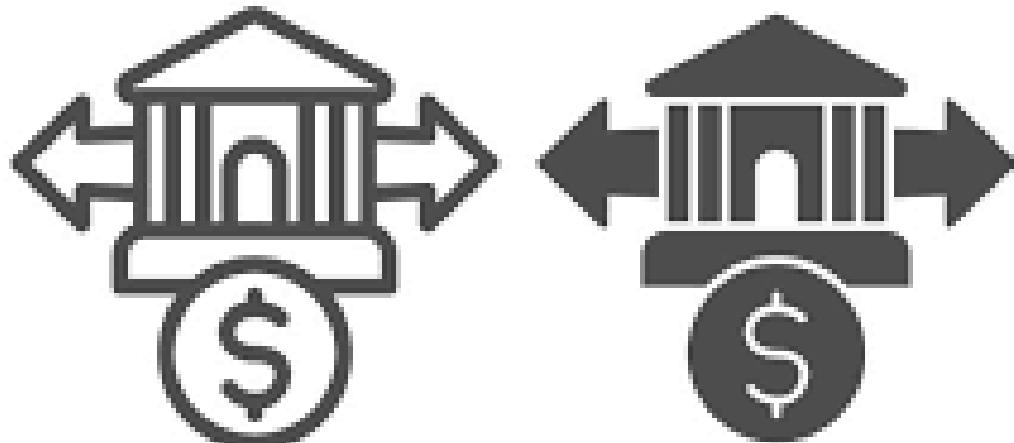


State and Federal Funding Reviews

State funding in the form of grants for land acquisition and habitat development can place land use restrictions on DNR land which could change the project plans.

Federal funding (for similar uses as state) often require DNR to submit an application to use DNR land for a non-conservation use.

Note: DNR land crossings are always reviewed for state and federal funding. Funding review is not necessary for water crossings.



What To Expect

- Funding restrictions can delay DNR's ability to grant permission for certain non-conservation transactions, including utility licenses, **for up to a year or more**.
- DNR has staff who are specialists in federal funding. They prepare the applications requesting the federal funding agency to remove the funding restriction from parcels needed for non-conservation uses.
- It is mainly an “invisible process” for the utility license applicant.



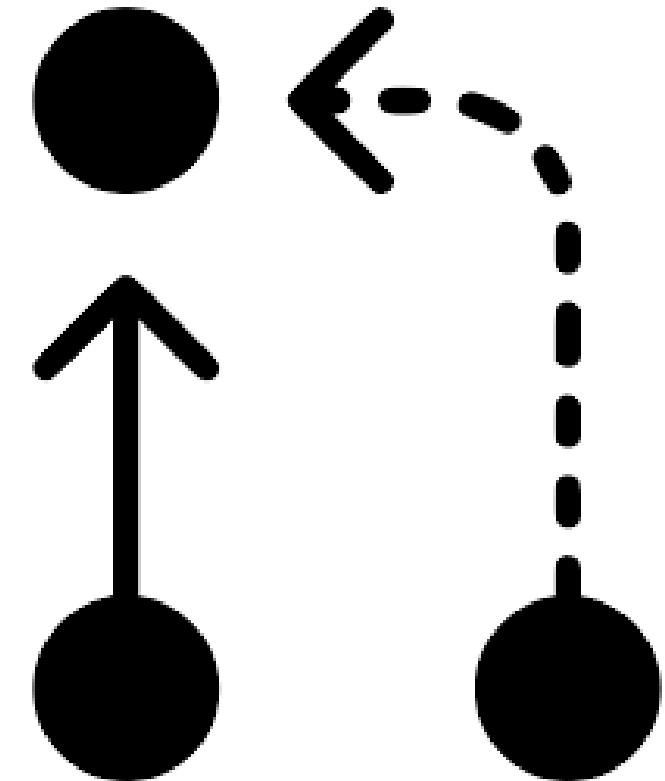
Additional Information May Be Needed

You may be asked to provide:

Alternatives to using the state conservation land for a utility project, and how each of the alternative remedies were considered and then rejected or deemed not to be a workable or viable course of action.

Cultural or heritage resource review documentation, including any previous correspondence with the state Historic Preservation Office (SHPO) or cultural resource surveys previously completed.

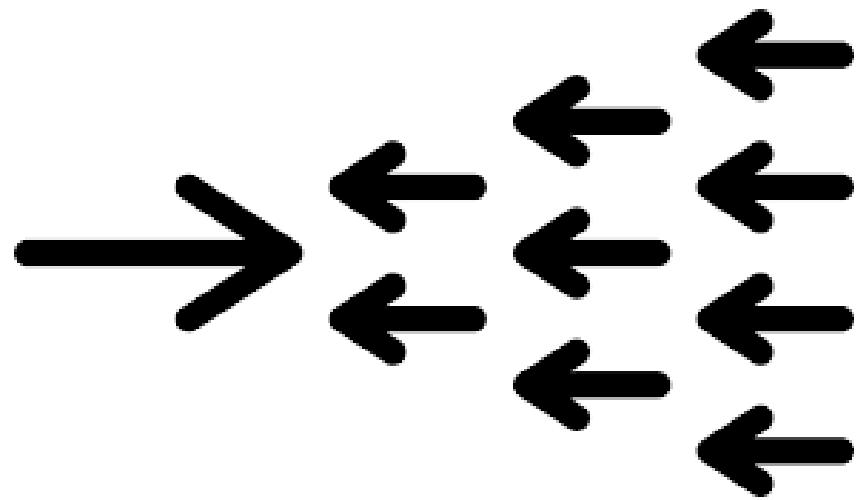
Endangered species review or correspondence with the U.S. Fish and Wildlife Service regarding endangered species.



Exceptions

For some funding programs there are **exceptions** based on pre-existing land use.

Example: Evidence of road or access drive existence prior to state ownership. For some funding programs this can trigger an exception to the funding review.



State Land to Avoid



State Parks

There are a lot of federal funds put into the development of state parks. They should be avoided as routes for utilities if at all possible. Applicant will need to show there is no alternative to use of the state park land.



Scientific and Natural Areas

These are areas set aside for conservation because they contain some of the rarest and most endangered plant and animal species. There is a high bar for any non-conservation use of these lands.



Section 5 - Submitting a Complete Application

Section 5 - Overview

1. Utility License Application
2. Crossing Table Instructions
3. Crossing Table Legal Descriptions
4. Crossing Table ROW Measurements
(Length and Width)
5. Plans And Maps For Land And Water
Crossings
6. Frequently Asked Questions



Utility License Application (page 1) – 1 of 3

Applicant's Section

Legal name of the company from Secretary of State's Active records must be used.

Applicant's Project Number

Enter your company's project number. Only one project is allowed per application.

Is The Project Funded In Whole Or In Part By A State Or Federal Grant

If yes, enter the name of the grant.

 DEPARTMENT OF NATURAL RESOURCES		License # <i>For internal use only</i>
Minnesota Department of Natural Resources Application for Utility License to Cross State Lands or Public 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 state lands or public waters as described below and in the maps, plans, specifications, and other supporting data submitted with this application.		
Applicant's Name (as it will appear on official license):		Agent's Company:
Applicant's Mailing Address (Street, City, State, Zip Code):		Agent's Mailing Address (Street, City, State, Zip Code):
Applicant's Contact Person:		Agent's Contact Person:
Office Telephone No.:	Alternate No. (i.e., Cell):	Office Telephone No.:
Applicant's Email Address:		Agent's E-mail Address:
Applicant's Project No. (only one project is allowed per application):		
Is this project funded in whole or in part by a state or federal grant? <input type="checkbox"/> no or <input type="checkbox"/> yes (grant name):		

Utility License Application (page 2 of 4)

Effective July 1, 2023 use the chart to determine the license type and fees (first 2 of 5 chart entries below)

UTILITY TYPE	CRITERIA	CROSSING TYPE	APPLICATION FEE SUBMIT WITH APPLICATION	LICENSE FEE (and other applicable fees*) SUBMIT WITH SIGNED LICENSE	ADDITIONAL APPLICATION FEE (\$500 per crossing)	
					License application with 1 or 2 crossings	License application with 3 or more crossings (\$500 per crossing on crossing #3 and each additional crossing) SUBMIT WITH SIGNED LICENSE
Electric Line, Cables, or Conduits (distribution or transmission)	Less than 100 kV	Water	\$1,000	Yes	No	Yes
		Land	\$1,000	Yes	No	Yes
Electric Line, Cables, or Conduits (distribution or transmission)	100 kV or greater	Water	\$2,250	Yes	No	Yes
		Land	\$3,500	Yes	No	Yes

Utility License Application (page 2 of 4) continued

Effective July 1, 2023 use the chart to determine the license type and fees (Last three entries on the chart, below)

Pipeline (gas, liquids, or solids in suspension)	Non Main	Water	\$1,000	Yes	No	Yes
		Land	\$1,000	Yes	No	Yes
Pipeline (gas, liquids, or solids in suspension)	Main	Water	\$2,250	Yes	No	Yes
		Land	\$3,500	Yes	No	Yes
Communication (telephone, cable TV, fiber optic, or other)	All	Water	\$1,000	Yes	No	Yes
		Land	\$1,000	Yes	No	Yes

Utility License Application (page 2 of 4) continued

Some fees are sent with application – others are sent along with the signed document. This increases accuracy of billing, minimizing refunds and minimizing the need to bill for additional fees.

APPLICATION FEE SUBMIT WITH APPLICATION	LICENSE FEE (and other applicable fees*) SUBMIT WITH SIGNED LICENSE	ADDITIONAL APPLICATION FEE (\$500 per crossing)	
\$1,000	Yes	License application with 1 or 2 crossings	License application with 3 or more crossings (\$500 per crossing on crossing #3 and each additional crossing) SUBMIT WITH SIGNED LICENSE
		No	Yes

Utility License Application (page 1) – 3 of 3

4 - Environmental Review/Standards Information:

Is an environmental review required for your project? If yes provide documentation.

5 - Submit this 3-page application and the following:

Cover letter, maps and plans, application fee if applicable, and environmental review if applicable

Applicant's Signature:

The application can be signed by the utility company or its agent.

4. Environmental review and environmental standards information:

Has this project been reviewed pursuant to Minnesota Rules chapter 4410, the National Environmental Policy Act (NEPA), a conditional use permit, Natural Heritage Information System (NHIS) Information Request, or other similar reviews?

yes (if yes, submit documentation with this application) or no

This proposed crossing does NOT comply with the environmental standards in Minnesota Rules 6135.1100. An explanation of the conflict or discrepancy is attached.

5. Submit this four-page application and the following:

- A. cover letter explaining the project
- B. maps and plans
- C. application fee (see instructions)
- D. environmental review and environmental standards supplemental information from part 4 above (if applicable)

6. CERTIFICATION

This application and the information submitted with this application will become part of the utility license, if issued. Applicant certifies that the information submitted with this application is true and correct. Applicant agrees to comply with the requirements of Minnesota Statutes section 84.415, Minnesota Rules chapter 6135, and the terms and conditions of the license. Applicant acknowledges that no work will take place before receiving the fully executed DNR utility license. **If signing electronically, do not lock the document so attachments can be added or deleted.**

Applicant's Signature	Title	Date
-----------------------	-------	------

Crossing Table Instructions

Crossing column: Number each crossing consecutively, starting with #1. Maps should be labelled with the same *crossing numbers*. For both land and water crossings, the utility line right-of-way width of the utility corridor should be the width needed for construction and maintenance.

Forty or Lot column: Must be a quarter-quarter section (forty) or a Government Lot number. *Do not use coordinates or county parcel numbers.*

Section, Township, Range and County: Must match maps and other materials throughout.

Water name or DNR land unit: Find water names on Public Waters Inventory map. Verify they are public waters. Find land unit names on map of Minnesota state land, such as the Recreation Compass, or an ArcMap layer.

- Note: Not all public waters are on the PWI maps. Contact your [Regional LAM staff](#) with questions.

Construction Method: If it is not a low-impact method, a Reclamation Plan must accompany the application.

No.	Forty or Lot (i.e. SE 1/4 NW 1/4 or Govt. Lot No.)	Sec.	Twp.	Range	County	Water Name or DNR Land Unit	Crossing Table		Low Impact Construction Method (Click below for choices)	Right-of-way
							Crossing Method (Click below for choices)	Width		
1	SW1/4 NE1/4	7	140	25	CASS	Land O Lakes State Forest	Under	10'	Boring or jacking	1120'
2	NE1/4 NE1/4	7	140	25	CASS	Land O Lakes State Forest	Under	10'	Boring or jacking	153'
3	SE1/4 NE1/4	8	140	25	CASS	Land O Lakes State Forest	Under	10'	Boring or jacking	580'
4	SW1/4 NE1/4	8	140	25	CASS	Land O Lakes State Forest	Under	10'	Boring or jacking	220'
5	SE1/4 NW1/4	8	140	25	CASS	Land O Lakes State Forest	Under	10'	Boring or jacking	1320'
6	SW1/4 NE1/4	10	139	26	CASS	Spire Valley AMA	Under	10'	Boring or jacking	1320'

Crossing Table Legal Descriptions – Land Crossings

Land crossings – When crossing a DNR land unit (e.g., Land O Lakes State Forest), there may be many quarter-quarters (forties) or Government Lot descriptions as part of the land unit crossing.

Enter each forty or Government Lot description as a different crossing number (e.g., Crossing 1, Crossing 2, etc.).

Land Crossing Table Example: Each Legal Description is a Different Crossing Number

No.	Forty or Lot (i.e. SE ¼ NW ¼ or Govt. Lot No.)	Sec.	Twp.	Range	County	Water Name or DNR Land Unit	Crossing Method (Click below for choices)	Low Impact Construction Method (Click below for choices)	Right-of-way	
									Width	Length
1	SW1/4 NE1/4	7	140	25	CASS	Land O Lakes State Forest	Under	Boring or jacking	10'	1120'
2	NE1/4 NE1/4	7	140	25	CASS	Land O Lakes State Forest	Under	Boring or jacking	10'	153'
3	SE1/4 NE1/4	8	140	25	CASS	Land O Lakes State Forest	Under	Boring or jacking	10'	580'
4	SW1/4 NE1/4	8	140	25	CASS	Land O Lakes State Forest	Under	Boring or jacking	10'	220'
5	SE1/4 NW1/4	8	140	25	CASS	Land O Lakes State Forest	Under	Boring or jacking	10'	1320'
6	SW1/4 NE1/4	10	139	26	CASS	Spire Valley AMA	Under	Boring or jacking	10'	1320'

Crossing Table Legal Descriptions – Water Crossings

Water crossings – Ordinary High

Water Level (OHWL) (bank to bank or shore to shore), include each quarter-quarter (forty) or Government Lot description for each crossing.

One crossing may have multiple legal descriptions. If multiple forties or Government Lots are part of one water crossing, enter the same crossing number for each of the entries.

Water Crossing Table Example: Crossing #2 Crosses Two Legal Descriptions

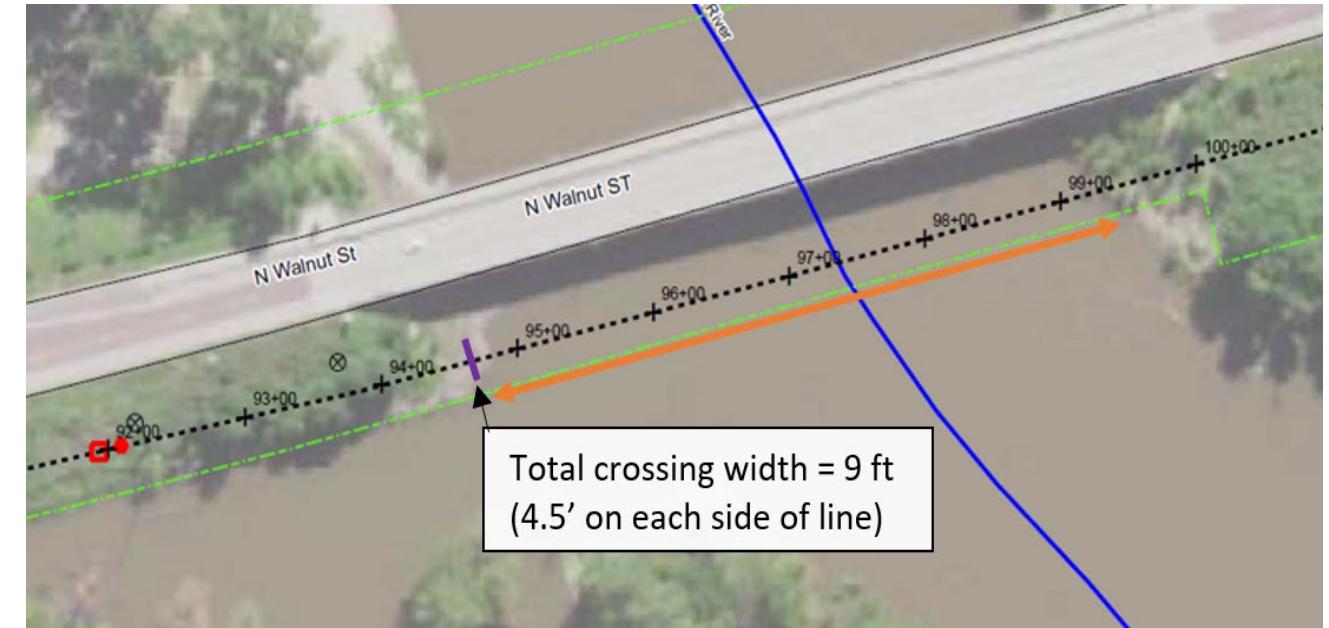
No.	Forty or Lot (i.e. SE 1/4 NW 1/4 or Govt. Lot No.)	Sec.	Twp.	Range	County	Water Name or DNR Land Unit	Crossing Table			Right-of-way	
							Crossing Method (Click below for choices)	Low Impact Construction Method (Click below for choices)	Width		
1	SE1/4 NE1/4	29	114	25	Sibley	Unnamed Stream	Under	Boring or jacking	9'	20'	
2	GL1 NW1/4 SW1/4	31	114	24	Sibley	Minnesota River	Under	Boring or jacking	9'	475'	
2	GL2 SW1/4 SW1/4	31	114	24	Scott	Minnesota River	Under	Boring or jacking	9'	475'	



Crossing Table Right-Of-Way Measurements: Water Crossing Utility – Width

Right-of-Way Width in Feet

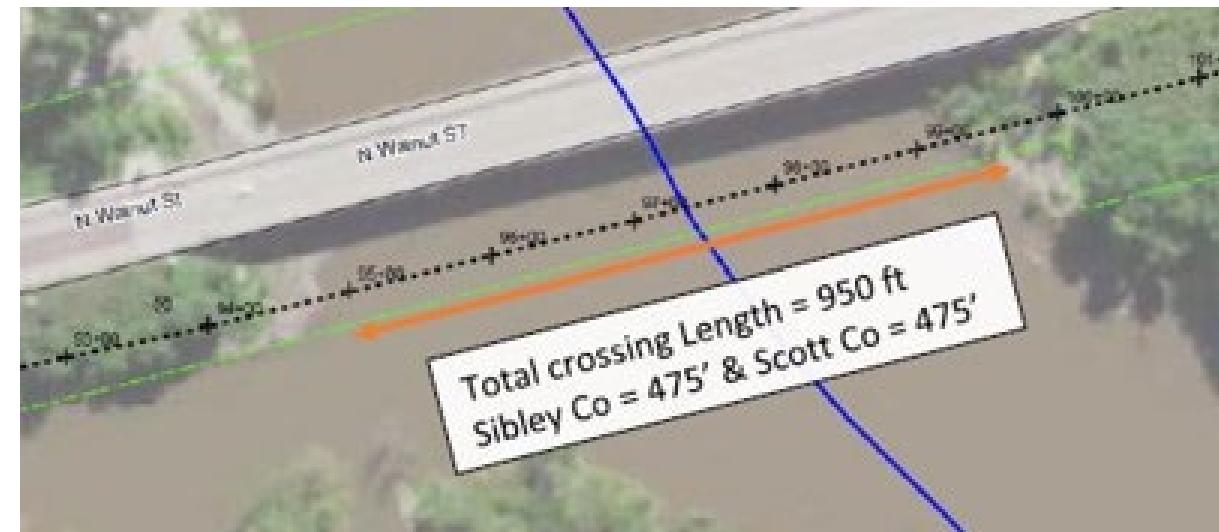
- Enter the width needed for installation and future maintenance. Please round up to the nearest whole number – do not use decimals.
- If the project is a narrow underwater crossing, enter nine feet (“less than 10 feet”) of width.



Crossing Table Right-Of-Way Measurements: Water Crossing Utility

Right-of-Way Length in Feet:

- Enter the distance across the public water body, either measuring from bank-to-bank or shore-to-shore for OHWL. Please round up to the nearest whole number – do not use decimals.
 - Do not determine the distance across the public water body by measuring the distance from bore pit to bore pit or from pole to pole.



Plans and Maps Should Include

- **Full Route Map:** The entire route of the project with numbered crossings that match the crossing table.
- **Closer view:** The crossing(s) with the surrounding area showing the project location in reference to state lands and water.
- **Zoomed-in view:** Show the exact location of each individual crossing with measurement.
- Note: Professional or engineering maps or plans are preferred; legible hand drawings/plans are acceptable. All plans should contain content specific to the project application.



Maps for Water Crossings

Aerial Maps - If the utility line is being placed along a roadway, the maps need to clearly show:

- The side of the road on which the line will be installed.
- The distance from centerline of road, with exact crossing location.
- The culvert or bridge width.
- Distance from bank-to-bank or shore-to-shore for OHWL of the public water.
- Bore pits or poles. The bore pits and poles should be a distance from the public water to avoid erosion.



Aerial Route Map Water

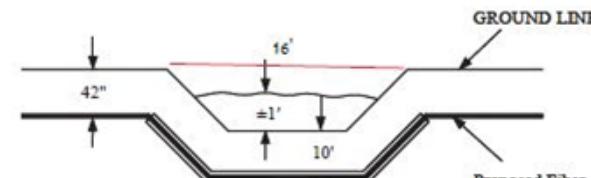
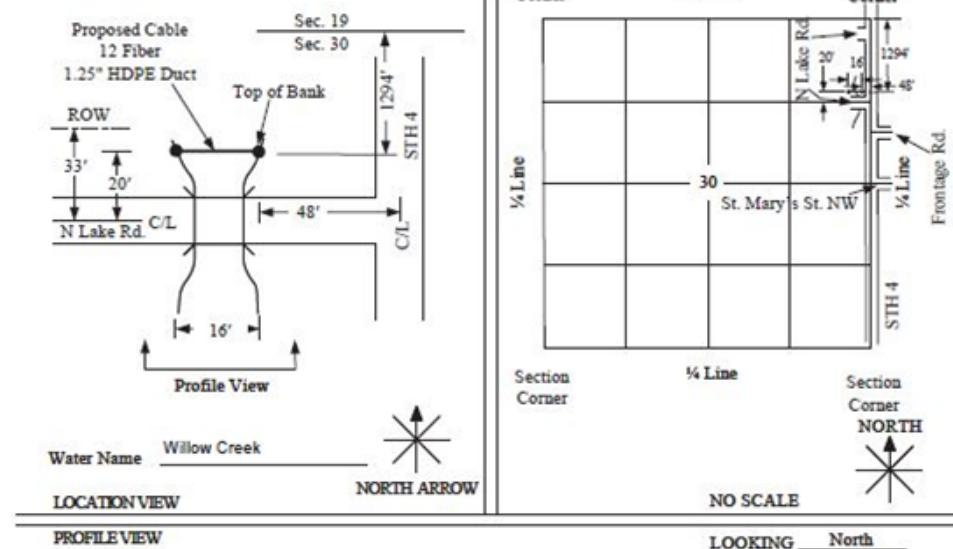


Aerial Crossing Map Water

Plans for Water Crossings

Water Crossing Plans & Cross-Section (profile view) should include:

- Width in feet and length in feet of public water crossing (bank-to-bank per instructions).
- Depth of line installation (minimum of 10' under the bed of the water; more may be necessary).
 - If less than 10', explain.



Water Crossing Plan/Cross-section

Maps for Land Crossings

Aerial Maps - If the utility line is parallel to a roadway, the maps should include:

- The distance from the centerline of road of the project.
- The exact crossing location.
- Distance in feet across state land with state land boundaries outlined
- Locations of any bore pits or poles. *If possible, do not place bore pits on state land.*
 - *Will trees be cut, if not, note on map*
 - *Note utility work will be done entirely within utility ROW*

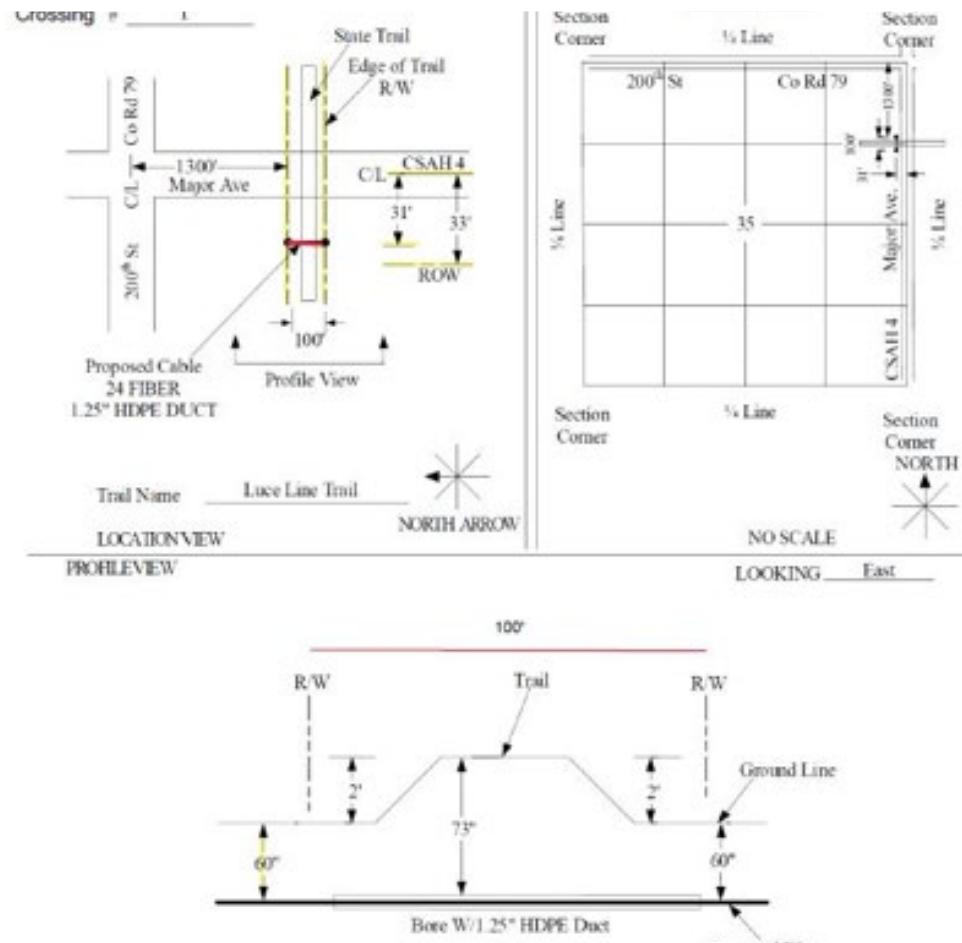


Land Crossing Plan

Plans for Land Crossings

Land Crossing Plans & Cross-Section (profile view) should include:

- Utility width needed for project.
- Length in feet across state land.
- Proposed depth of utility line below the surface of the state land.



Land Crossing Cross-section

Frequently Asked Questions

How big can one application be?

An application should be for a single project.

If there are multiple projects, prioritize which is to be done first. It is preferred that you email each application separately.

Can the application be e-signed?

Yes, but make sure the document isn't locked (an e-signature locks the document, and it cannot be edited).

- If e-signing, print out and scan in the relevant pages so that the doc will not be locked.
- Date of signature must be included every time an application is submitted, including when an in-process application is revised.

Note: Do not send the application instructions.



Section 6 - Finalization of the Utility License Application Process

Section 6 - Overview

1. Application Received By DNR
2. Application Approved By DNR
(Signature/Fee Needed)
3. DNR Executes Utility License
4. Additional Requirements



Application Received By DNR

- The DNR will assign a license number after the application and application fee (if applicable) are received and processed.
- For most projects other than certain low impact projects, the DNR will send an acknowledgment letter or email to the Applicant and Agent (if applicable) to let them know the license number and the DNR staff person to contact to discuss the application status.



Application Approved By DNR (Signature/Fee Needed)

- If the application is approved by the DNR, the DNR will prepare a utility license document. The DNR will send the license document to the Applicant and copy the Agent (if applicable) for signature and payment of the license crossing fee, and monitoring fee (if applicable).
- The license must be signed by someone with delegated authority. For companies, if the person signing is not an officer, the Applicant must also provide a copy of the power of attorney or board resolution which authorized this person to sign on behalf of the company.



DNR Executes Utility License

- After the Applicant returns the license document along with the license crossing fee and monitoring fee (if applicable), the DNR will sign the document.
- A copy of the completed, fully executed license will then be returned to the Applicant and the Agent will be copied (if applicable).

MINNESOTA DEPARTMENT
OF NATURAL RESOURCES

LICENSE NUMBER UWAT0XXXXXX
COMPANY PROJECT NO:

LICENSE FOR UTILITY TO CROSS PUBLIC WATERS

This license is issued by the State of Minnesota, acting by and through its commissioner of natural resources, and hereafter called the "State", under authority and subject to Minnesota Statutes, section 84.415, and Minnesota Rules Chapter 6135 and other applicable law, to the Licensee as named and for the fee and term as specified below.

Name and Address of Licensee: (company name and address here)

License Fee: (license fee)

Term (years): (choice of 25 or 50 years)

Effective Date: (start date – 1st or 15th of the month)

Expiration Date:

Purpose of License: Construction, maintenance and operation of a (type of utility) line under water under the covenants and agreements of the Licensee to use the following described waters:

That part of the following descriptions as shown on the attached application and map, all of which are made a part hereof by reference.
(list legal descriptions here)

This license is granted subject to the following provisions:

1. Use of premises.

A. This license is subject to the provisions of Minnesota Statutes, section 84.415 and Minnesota Rules Chapter 6135. All standards of Chapter 6135 are incorporated as terms and conditions of this license, except such variations as are identified and approved by the State in the license applications, plans and specifications which are attached and made part of the terms and conditions of this license. The Licensee is bound by the crossing location and installation method as detailed in the application and approved by the State. The Licensee shall not deviate from the terms and conditions of this license or the application as approved by the State unless it has first obtained written permission from the State.

B. When the installation occurs more than six months after the issuance of the license, the Licensee shall contact the State 20 days prior to installation.

C. No merchantable timber shall be cut, used, removed or destroyed without first paying the State the timber value in the sum stated above as determined by the State. Slash material on state water crossings must be disposed of within 30 days of clearing activities.

D. For overhead crossings of state waters, lines shall have a minimum clearance of 25 feet above the water, unless otherwise approved by the State.

E. When directed by the State as a condition of the license, flight diverters shall be placed on overhead utility lines.

F. Any cable or conduit located at a shoreline shall be sufficiently buried so that it does not become exposed.

G. When directed by the State as a condition of the license, underwater crossings shall be marked by permanent signs on the banks at the points where the line enters and leaves the public waters.

License Number UWAT0XXXXXX

1 of 5

Additional Requirements

- Under the terms of the license, the **Licensee must notify the DNR before starting work.**
- After installation of the utility, the **Licensee should submit an “as built” survey to the DNR** 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 one of the following recognized systems: latitude and longitude, UTM’s (Universal Transverse Mercator) or county coordinates, in the North American Datum (NAD) of 1983.





Section 7 - Maintenance of Existing Utility Lines

Section 7 - Overview

- 1. Maintenance Of Existing Utility Lines**
- 2. What To Provide With A Maintenance Request**



Maintenance of Existing Utility Lines

When an existing utility corridor over state land needs to be cleared, mowed, or infrastructure replaced, this is known as a maintenance activity.

- Maintenance is specified in the terms of the license. Refer to the license for allowed types of maintenance activities.
- DNR requests 20 business days to review proposed maintenance activities (starting when correct info is received), and assess any resource concerns for the state's land.



What to Provide with a Maintenance Request

Proof of land rights - provide license number or send a copy of your recorded utility line easement.

- Where no land rights exist, company is required to apply for a license for the existing corridor.

Include clear maps and legal descriptions

Describe the work to be done, and the expected timeline

- Resource staff may specify a modified timeline to protect resources (e.g., no tree work during bird nesting season).

Use of state land prohibited - A lease is required for any use of state land outside the utility corridor





Section 8 - Additional Resources & Conclusion

Section 8 - Overview

1. Utility License Website
2. Common Questions
3. Non-DNR Additional Resources
4. Answer Questions



Utility License Website

More information about the utility licenses program along with a link to the ‘Utility License Application’ and ‘Instructions’ can be found on the webpage link below:

https://www.dnr.state.mn.us/permits/utility_crossing/

The screenshot shows the DNR website with a dark blue header. The header includes the 'mn DEPARTMENT OF NATURAL RESOURCES' logo, a search bar with placeholder 'Search for...', and navigation links for RECREATION, DESTINATIONS, NATURE, EDUCATION & SAFETY, LICENSES, PERMITS & REGULATIONS, EVENTS & SEASONS, and ABOUT DNR.

The main content area has a breadcrumb trail: Home > Licenses, permits, and regulations > Permits > Utility crossing license.

Utility crossing license

Legislative law changes effective July 1, 2023 — Each utility license requires an application fee — NEW [application \(PDF\)](#) and [instructions \(PDF\)](#) are now available.

Utility crossings over, under, or across state land administered by the Minnesota Department of Natural Resources or public water require a utility license. Any work performed without a DNR signed license is a trespass and is subject to penalties under Minnesota law.

We are requesting that Utility License applications be submitted electronically. Please send the completed Utility License application by email to the appropriate regional office — see [Lands and Minerals Regional Operations staff](#) to determine the correct location.

In addition, the DNR is now accepting **electronic signatures** on both the application and Utility License. The Utility License should be signed by an officer of your company and should include the officer's title. If the Utility License is signed by a person who is not an officer of the company, please send us a copy of the power of attorney or board resolution which authorized this person to sign the Utility License on behalf of the company.

Each utility license requires an application fee. Please mail the fee to the [Lands and Minerals Regional Operations staff](#) in your area and include a copy of the first 4 pages of the Utility License application.

Overview

The Lands and Minerals Division is responsible for granting permission to companies that propose to cross state land or public waters with utility infrastructure projects. The permission is in the form of a utility crossing license. Utility licenses are granted for a term of 25 or 50 years, and may be renewed when they expire. Applicants apply for a license by submitting an application. Utility licenses are generally required for the installation of electrical, pipeline, and communication projects.

[Full text of Minnesota Statutes 84.415](#)

Common questions

- + Do I need a license to install a utility line across state land or public water?
- + What utilities are covered by a crossing license?
- + What is the process for requesting a utility crossing license?
- + What are the license fees?
- + What are the Utility Crossing License Laws and Rules?
- + How can I find out if my project will cross state land?
- + Is a land crossing license required if a utility line is being placed within a road right-of-way when DNR owns land adjacent to the road?

Application

Application for License to Cross Public Lands and Waters (PDF) • Instructions for Utility License Application (PDF) • Land and water crossings cannot be combined on the same application. Applicants can complete the application by using one of these methods:

- Open the PDF file, fill it out interactively, and email to the [Lands and Minerals Regional Operations staff](#) in your area.
- Open the PDF file, fill it out interactively, and print the completed form.
- Open the PDF file, print the blank form, and fill it out by hand.
- Save the PDF file to your computer, fill out the saved copy, and print the completed form.

After the application is completed, the application along with the required attachments can be emailed to the [Lands and Minerals Regional Operations staff](#) in your area or sent by postal mail to the DNR office listed in the instructions. Send the applicable fees (checks only made payable to MN DNR) to the DNR office listed in the instructions.

Current law

All license applications require that the following portion of the application fee be submitted with the application.

As of July 1, 2023*, there is a \$1,000 application fee for electric power lines, cables, or conduits of less than 100' overhead; \$1,000 application fee for gas lines, or solids in suspension which are not main pipelines; and for all communication lines (telephone, cable TV, fiber optic, or other).

Common Questions (1 of 3)

Do I need a license to install a utility line across state land or public water?

Yes, a license must be obtained from the DNR for the passage of any utility over, under, or across any state land or public water.

What utilities are covered by a crossing license?

General types

- Electrical transmission or distribution
- Pipeline transmission or distribution of liquids, gases or solids in suspension
- Communication cables, conduits, or other lines

What are the Utility Crossing License Laws and Rules?

The current law is effective 7/1/2023.

Minnesota Statutes, Section 84.415, authorizes the Commissioner of Natural Resources to establish rules for the sale of licenses which permit utilities to pass over, under, or across public lands and waters under the control of the Commissioner. As a result, Minnesota Rules, Chapter 6135 was adopted. Section 84.415 also sets forth other requirements for licenses, including but not limited to, certain requirements as to applications and fees. Effective July 1, 2023, section 84.415 was amended by [Minnesota Session Laws, Chapter 60, Article 4, Section 2](#) opens in a new browser tab.

What are the license fees?

Application Fee due with application:

Each utility license application requires an application fee. The following portion of the application fee must be submitted with the license application:

For main pipelines and 100 kilovolts or greater electric power lines, cables, or conduits, the fee is \$2,250 for a water crossing application and \$3,500 for a land crossing application.

Effective 7/1/23, the fee is \$1,000 for all other utilities (including non-main pipelines; electric power lines, cables, or conduits less than 100 kilovolts; and communication lines). The \$1,000 fee applies to both land and water crossing applications.

Fee(s) due at the time of license signing:

After the license is prepared, DNR will send the license to the utility company for signing and notify the company of the additional fees. All fees must be paid when the signed license is returned to DNR for approval and execution.

License fee - For each crossing, there is a one-time license fee which is either based on a fee table (for water crossings), or (for land crossings) on a fee table and the appraised value of the state land. The applicant can use the fee tables found in [Minnesota Rules, Chapter 6135](#) opens in a new browser tab to estimate the license fee.

Timber damages or other damages to the property of the state may apply, and a monitoring fee may also be assessed. Additional application fee - Effective 7/1/23, an additional application fee of \$500 will be due for the third and each additional crossing (i.e., for an application with three crossings, the additional application fee would be \$500; for four crossings, \$1,000, and so on). The application fee will be charged on both water crossing and land crossing applications.

Common Questions (2 of 3)

How can I find out if my project will cross state land?

A utility license is required to cross state land managed by the Department of Natural Resources. If your project crosses state land managed by another agency (MnDOT, for example), you must contact them for crossing permission. If your project crosses tax forfeited land managed by a county, you must contact the county. Plat books and county websites are good resources for checking land ownership.

To confirm that your project crosses state land managed by DNR, consult the DNR website for interactive maps.

[DNR Recreation Compass »](#)

ArcGIS shapefiles depicting state land administered by DNR are available for downloading at Minnesota Geospatial Commons.

[Minnesota Geospatial Commons](#) opens in a new browser tab »

Is a land crossing license required if a utility line is being placed within a road right-of-way when DNR owns the road?

It depends on the location. DNR often owns to the center of the road. If we do, then a land crossing license is required. To confirm DNR ownership contact [Lands and Minerals Regional Operations staff](#).

What is a public water and how can I find out if my project will cross one?

Public waters are any water bodies (lakes, rivers, public ditches, 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 download. For some counties, GIS-based PWI maps in electronic format are available.

[Public Water Inventory maps »](#)

ArcGIS shapefiles of basins and watercourses used to construct the GIS-based PWI maps are available at Minnesota Geospatial Commons.

[Minnesota Geospatial Commons](#) opens in a new browser tab »

To confirm if your project crosses a public water, locate your crossing on a PWI map.

Do public wetlands require a license?

The answer depends on the underlying facts. The first step is to check the Public Waters Inventory (PWI). Most Public Waters Wetlands are identified in the PWI with the suffix of "W." However, there are some wetlands that are classified as Public Waters and are identified in the PWI with a suffix of "P."

If the wetland is classified as Public Waters, a state License for Utility to Cross State Waters is needed. If the wetland is classified as a Public Waters Wetland, a state License for Utility to Cross State Land is only needed if the wetland is located on state-owned land managed by the DNR.

If the wetland is classified as a Public Waters Wetland, but the wetland is not located on state-owned land managed by the DNR, you do not need a state utility license but you will need to contact the other state agency or county (for tax forfeited land) or private property owner for permission to cross the lands. In addition, Public Waters Wetlands located on non-DNR managed land may require a Waters Permit if the utility company is going to be working below the Ordinary High Water Level and altering the course, current or cross section of the wetland. Please contact a DNR Hydrologist for further instructions in these instances.

[DNR Hydrologist](#) »

Common Questions (3 of 3)

Are there funding restrictions on State land?

Some lands owned by the State of Minnesota were purchased using funds that put restrictions on the lands. Before the DNR can grant a utility license over lands with funding restriction, DNR must receive written approval from the funding provider. This process can take up to a year or more.

The DNR encourages you to plan ahead for this review. Please contact your [Lands and Minerals Regional Operations staff](#). They will determine if the state land you would like a utility license over has funding restrictions.

If it is determined that funding approval is required, the items listed below should be submitted with your utility license application.

- Map that indicates scope of entire project - preferably with aerial photo background and clearly labeled.
- Detailed map of project segment on DNR land.
- Project and construction description sufficient to evaluate potential impacts to natural resources and to recreational users, including time of the year construction will take place, type of equipment, and environmental precautions used.
- A cultural review of the project must be completed by the State Historic Preservation Office (SHPO). Depending on the results of the initial cultural review, a more detailed survey of historical and cultural assets may be needed. A copy of the letter from SHPO must be included.
- Description of alternate routes that were considered.

What is the minimum depth a utility line should be placed under the bed of a public water?

Per DNR policy, the minimum depth is 10 feet; however, in some instances the DNR may require the line be placed deeper under certain public waters.

When are bird flight diverters required to be placed on overhead lines?

Per DNR policy, bird flight diverters are required when an overhead line crosses DNR land or public water. While we can negotiate on the exact location and type of diverter, the DNR standard is the yellow spiral swan flight diverter spaced every 15 feet.

What is the DNR process for approving maintenance activities through a utility corridor?

When maintenance activities are needed over DNR land please contact [Lands and Minerals Regional Operations staff](#). Our staff will guide you through the maintenance approval process.

Non-DNR Additional Resources

Prevailing Wage:

<https://www.dli.mn.gov/business/employment-practices/prevailing-wage-contracting-agencies>

DEED-Office of Broadband Development:

<https://mn.gov/deed/programs-services/broadband>

Minnesota Public Utilities Commission:

[Home / Public Utilities \(mn.gov\)](https://mn.gov/psc)

Minnesota County Websites:

[County Websites \(mncounties.org\)](https://www.mncounties.org)

Minnesota Office of Revisor of Statutes:

[MN Revisor's Office](https://mn.gov/revisor)





Thank You!

Lands and Minerals | Regional Operations

https://www.dnr.state.mn.us/lands_minerals/regionalops.html