

Landowner Statement and Contractor Responsibility For Work in Wetlands or Public Waters

MN Statutes Sections 103G.2212 and 103G.241 stipulate that an agent or employee of another may not:

- 1) drain, excavate, or fill a wetland, wholly or partially; or
- 2) construct, reconstruct, remove, or make any change in any reservoir, dam, or the course, current, or cross-section of any public water;

unless the agent or employee has obtained a signed statement from the property owner stating that any permit or wetland replacement plan required for the work has been obtained, or that a permit or replacement plan is not required; **AND** this statement is mailed to the appropriate office with jurisdiction over the wetland or public water prior to initiating the work (see next page for information on where to send this notification).

This form is a notification only and is not an application or authorization for any activities described in it.

1. PROJECT INFORMATION

Project will affect (check all that apply):

<input type="checkbox"/> Lake, Watercourse, or Public Waters Wetland Jurisdiction	<input type="checkbox"/> Non-Public Waters Wetland	<input type="checkbox"/> Wetland of Unknown
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Address or description of project location (attach map if necessary):

Legal address						
County	Gov't Lot(s)	Quarter Section(s)	Section(s)	Township(s)	Range(s)	Lot, Block, Subd.

Description of proposed work (include sketch and/or attach additional pages if needed):

2. LANDOWNER STATEMENT

I certify that, as the owner of the property listed on this form (check one):

- I have obtained all permits or approvals required to perform the work described above.
 No permits or approvals are required for this work.

Property Owner (Print Name)	Address	
Signature	Date	Phone Number and E-mail Address (Optional)

3. CONTRACTOR VERIFICATION

By signing below, I verify that I have received a signed copy of this form and will be performing the indicated work as described above.

Company and Individual Performing Proposed Work (Print)	Address	
Signature	Date	Phone Number and E-mail Address (Optional)

Note: The contractor is responsible for ensuring this form is mailed to the appropriate office when complete.

This statement is invalid if any of the above information is not supplied or is inaccurate. Work in violation of this notification requirement is a separate and independent offense from other violations of Minnesota Statutes chapter § 103G and is a misdemeanor punishable by fines up to \$1,000 and/or 90 days in jail. The State Department of Natural Resources (DNR) Commissioner also has the authority to require restoration of any work done without the necessary permits or approvals or work that is beyond what was authorized.

4. INFORMATION AND RESOURCES

A Wetland Conservation Act (WCA) replacement plan is required for any wetland draining, excavation, or filling activity that is not exempt under Minnesota Rules Chapter 8420.0420. A DNR Waters permit is required for any work in public waters.

National wetland inventory maps are available for review at the County Soil and Water Conservation District (SWCD) office and online at <http://www.fws.gov/wetlands/Data/Mapper.html>. Many wetlands are not identified on the maps but are still restricted from draining, excavating, or filling. If you are unsure the proposed work will affect a wetland, contact your local government unit (LGU) or SWCD for assistance.

Public Waters of the State of Minnesota include the channel to the top of the channel bank for watercourses and the basin from the ordinary high water level waterward for public waters (i.e. lakes) and public waters wetlands. Public waters inventory maps are available for review at the County Auditor’s office, DNR Division of Waters regional offices, and online at http://www.dnr.state.mn.us/waters/watermgmt_section/pwi/download.html.

General information about public waters, wetlands, and related regulations are available on the DNR website at <http://mndnr.gov> and the MN Board of Water and Soil Resources (BWSR) website at <http://www.bwsr.state.mn.us>.

5. WHERE TO SEND THIS NOTIFICATION

- For work in public waters (lake, watercourse, or public waters wetland), send this completed form to the DNR Regional Enforcement Office serving the project’s area. See below for DNR regional office information. A map of DNR regions can be found on the DNR website at: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf
- For work in any wetland that is not a public waters wetland, send this completed form to the WCA LGU with jurisdiction over the project area. The LGU is usually the County or SWCD, except in urban areas the City is often the LGU. Contact any of these local governments or BWSR for assistance. BWSR also maintains a list of LGUs on its website at: <http://www.bwsr.state.mn.us/directories/WCA.pdf>.
- If it is not known if the wetland is a public waters wetland, send the completed form to both the DNR Regional Enforcement Office and the WCA LGU.

Department of Natural Resources Regional Offices

<u>Northwest Region:</u> 2115 Birchmont Beach Rd. NE Bemidji, MN 56601 Phone: 218-308-2700	<u>Northeast Region:</u> 1201 E. Hwy. 2 Grand Rapids, MN 55744 Phone: 218-327-4455	<u>Central Region:</u> 1200 Warner Road St. Paul, MN 55106 Phone: 651-259-5800	<u>Southern Region:</u> 21371 State Highway 15 New Ulm, MN 56073 Phone: 507-359-6000
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Keep a copy of this form for your records!