

**6105.0170 PERMITS FOR UTILITY TRANSMISSION CROSSINGS.**

Subpart 1. **Requirement.** All utility crossings (transmission and distribution) of wild, scenic, or recreational rivers, or of state lands within their land use districts which are under the control of the commissioner, require a permit from the commissioner pursuant to Minnesota Statutes, section 84.415 or 103G.245. In reviewing permit applications for such crossings, primary consideration shall be given to crossings that are proposed to be located with or adjacent to existing public facilities, such as roads and utilities.

Subp. 2. **Conditional use permit.** Utility transmission crossings of lands within the jurisdiction of the local authority within wild, scenic, or recreational river land use districts, require a conditional use permit from the local authority. Transmission means electric power, telephone, and telegraph lines, cables, or conduits which are used to transport large blocks of power between two points (with respect to electric power, generally, 69 kilovolts or more) or main or pipeline crossings for gas, liquids, or solids in suspension which are used to transport large amounts of gas, liquids, or solids in suspension between two points. A conditional use permit is not required for high voltage (200 kilovolts or greater) transmission lines under the control of the Environmental Quality Board, pursuant to Minnesota Statutes, section 216E.10.

"Distribution" means lines, cables, or conduits or mains or pipelines used to distribute power, water, gas, or other essential services to the utility company's customers. These are essential services. A conditional use permit is not required for essential services.

**Statutory Authority:** *MS s 104.34; 103F.321*

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