

MN DEPT OF NATURAL RESOURCES

# Semi-Annual Environmental Permit Performance Report

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150 Day permit decision goal

**2/1/2012**

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## Background

The mission of the Minnesota Department of Natural Resources (DNR) is to work with citizens to conserve and manage the state's natural resources, to provide outdoor recreation opportunities, and to provide for commercial uses of natural resources in a way that creates a sustainable quality of life. In accomplishing this mission, DNR implements a wide range of regulatory tools created by the Minnesota Legislature. Many of DNR's regulatory authorities have been in place for decades; other authorities have been enacted more recently to deal with new or emerging resource management issues and concerns. It is appropriate to review and adjust regulatory programs over time to ensure that they continue to effectively address the needs of the state. This includes prioritizing efforts, taking advantage of new technologies and business processes. The DNR is committed to maintaining a modern, efficient and effective regulatory system.

This report is completed in fulfillment of requirements set forth by the Minnesota Legislature in MS 84.027, Subd. 14a.

## Scope of Report: Environmental and Natural Resource Permits

As with the first permitting efficiency report submitted to the Legislature and Governor on August 1, 2011, this report will address on the following natural resource permits:

- Public waters work permits
- Water appropriation permits
- Metallic mineral mining permits (ferrous and non-ferrous)
- Peat mining permits
- Endangered or threatened species taking permits
- Aquatic plant management permits

As outlined in the August 2011 report, these are the permits that are relevant to the concerns underlying MS 84.027 Subd. 14a. Other permit programs administered by the DNR, which are primarily associated with the oversight of recreational activities such as hunting and fishing, are outside the scope of this report.

## Summary Statistics for 150 Day Goal Attainment

DNR achieved a 99.6% attainment rate with respect to the 150 day permit decision goal during the reporting period. Table 1 outlines DNR performance on permit decision time lines. Between July 1, 2011 and December 31, 2011, DNR received a total of 894 permit applications, deemed 855 permit

applications complete and made 891 permit decisions. The DNR missed the 150 day goal on three permits during the reporting period; all three permits have since been issued. Permit performance by program is outlined in Table 1. Causes for delay of the permits that exceeded the 150 day goal are included in Table 2.

Permitting programs operate on a continuous basis and there is overlap between reporting periods. Many of the permits decisions made during the first half of fiscal year 2012 were on applications made prior to July 1, 2011. Similarly there are complete permit applications that were submitted during the reporting period where no final action has yet been taken. The data reported here reflects the activity that occurred during the reporting period.

**Table 1: Summary Statistics for the Period of July 1, 2011 through December 31, 2011.**

	Number of application and amendment requests received during the reporting period	Number of application and amendment requests deemed complete during the reporting period for requests received after 3/3/2011	Number of final permitting decisions made during the reporting period for requests received after 3/3/2011	Median number of days to permit decision, where decisions have been made		Number of application and amendment requests where the files have been deemed complete for more than 150 days with no decision	Number of Application or Amendment Decisions made during the reporting period that took more than 150 days
				New Permit	Permit Changes		
Water Appropriations	307	276	287	1	28	0	2
Public Waters Work	318	316	341	15	14	0	1
Aquatic Plant Management	256	256	256	2	NA	0	0
Endangered Species Takings	11	6	6	4	NA	0	0
Mine – Iron Ore and Taconite	3	1	1	79	NA	0	0
Mine – Non-Ferrous Metallic Minerals	0	0	0	NA	NA	0	0
Mine – Peat	1	0	1	NA	79	0	0

**Table 2. Causes for Delay on Permit Decisions Taking Longer than 150 Days**

PERMIT	TYPE	Days to Complete	Days from initial submission until File complete	File Complete Date	Final Decision Date	Final Status	Causes for Delay				
							Responsive-ness of the Proposer	Lack of Staff	Scientific/ Technical Disagree-ment	Level of public engage-ment	Other
2011-0419	Water Appropriation	168	8	3/17/2011	9/1/2011	Issued		Caused by lack of staff, inability to refill positions and the State Shutdown - Issue now resolved			
2011-0501	Public Waters Work	224	19	5/3/2011	12/13/2011	Issued		Caused by heavy workload of field staff in that part of state - Issue now resolved			
2011-0581	Water Appropriation	174	32	6/24/2011	12/15/2011	Issued		Caused by lack of staff, inability to refill positions and the State Shutdown- Issue now resolved			

## Appendix 1: Cost of Report Preparation

### LEGISLATIVE REPORT – Cost of Preparation

NAME OF LEGISLATIVE REPORT –     Semi-Annual Environmental Permit Performance Report    

Based on: Legislative Direction

Minnesota Statute Reference: MS 84.027 Subd. 14a

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Description of Cost	Further explanation if necessary	Amount
Staff Time		
Project Staff	Approximately 25hours to compile, provide data quality assurance and to prepare and review report.	\$1,800
Duplication Cost (includes paper)		\$5
<b>TOTAL TO PREPARE REPORT</b>		
<i>(Note: Right click on amount cell and choose update to complete)</i>		\$1,805.00