

## Introduction

Minnesota Statutes, Section 103G.005, subdivision 14 defines "ordinary high water level" (OHWL) as the boundary of waterbasins, watercourses, public waters, and wetlands and:

- (1) the OHWL is an elevation delineating the HIGHEST water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial;
- (2) for watercourses, the OHWL is the elevation of the top of the bank of the channel; and
- (3) for reservoirs and flowages, the OHWL is the operating elevation of the normal summer pool.

The OHWL is the landward extent of DNR jurisdiction over anyone who works in the bed of public waters or public waters wetlands (collectively referred to as public waters) - see Figure 1. It is commonly used in public waters work permits and by local zoning authorities to determine lot size, structure setback, and drainfield location and elevation. It is NOT:

- a runout elevation;
- an average water level;
- an extreme high water level;
- nor an arbitrary elevation set by an individual, group or agency.

It has no significance with respect to private ownership.

