

**6105.0060 RIVERS ELIGIBLE FOR INCLUSION IN RIVER SYSTEM.**

Subpart 1. **General characterization and classification.** To be eligible for inclusion in the Minnesota wild and scenic rivers system, a river or segment of a river, and its adjacent lands must possess outstanding scenic, recreational, natural, historical, scientific, or similar values. The river or its segments shall be classified into one or more of the three classes of rivers: wild, scenic, and recreational. Each river shall be managed so as to preserve and protect the values which qualify it for designation and classification.

Subp. 2. **Wild rivers.** Wild rivers are those that exist in a free-flowing state with excellent water quality and with adjacent lands that are essentially primitive.

A. "Free-flowing" means existing in natural condition without significant artificial modification such as impoundment, diversion, or straightening. The existence, however, of low dams, diversion works, or other minor structures shall not automatically bar its inclusion as a wild, scenic, or recreational river.

B. "Excellent water quality" means that the water quality is in or approaches natural condition with no significant evidence of human activities.

C. "Adjacent lands that are essentially primitive" means that the river's adjacent lands should possess a wilderness or natural-like appearance. These adjacent lands should be substantially free of habitation and other evidence of human intrusion. However, the existence of a few unobtrusive structures along the river would not bar a river from wild river classification nor would a limited amount of domestic livestock grazing and pasture land, and cropland developed for the production of hay.

Wild rivers should not be paralleled by conspicuous and well-traveled roads or railroads. Short, inconspicuous, and well-screened stretches would not bar a river from wild river classification, nor would a bridge or utility crossings.

Subp. 3. **Scenic rivers.** Scenic rivers are those rivers that exist in a free-flowing state and with adjacent lands that are largely undeveloped.

A. "Free-flowing state" has the same meaning for scenic rivers as it does for wild rivers.

B. "Adjacent lands that are largely undeveloped" means that the adjacent lands still present an overall natural character, but in places may have been developed for agricultural, residential, or other land uses. Small communities that are limited to short reaches of the total area would not bar a river from scenic river classification.

Although roads and railroads may occasionally bridge certain rivers, this will not bar such rivers from scenic river classification, nor will short stretches of conspicuous roads and railroads and longer stretches of inconspicuous and well screened roads or railroads paralleling the river.

Subp. 4. **Recreational rivers.** Recreational rivers are those rivers that may have undergone some impoundment or diversion in the past and that may have adjacent lands which are considerably developed, but that are still capable of being managed so as to further the purposes of this act.

A. "May have undergone some impoundment or diversion in the past" means that there may be preexisting water resource development and diversions having an environmental impact greater than that described for wild and scenic rivers.

B. "May have adjacent lands that are considerably developed" means that the bordering lands may have already been developed for a full range of agricultural or other land uses. Recreational rivers also may be readily accessible by preexisting roads or railroads.

**Statutory Authority:** *MS s 104.34*

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