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# State Register

STATE OF  
MINNESOTA



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Department of Administration

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# EXECUTIVE ORDERS

## EXECUTIVE ORDER NO. 130

### Designating the Mississippi River Corridor as a Critical Area

I, Wendell R. Anderson, Governor of the State of Minnesota, by virtue of the authority vested in me by the Critical Area Act of 1973, Minn. Stat. ch. 116G, hereby issue this Executive Order:

WHEREAS, the Mississippi River Corridor through the seven-county Twin Cities Metropolitan Area satisfies the following characteristics as outlined in MEQC 52(a) and pursuant to Minn. Stat. ch. 116G:

(1) It is an Area affected by existing or proposed major governmental development including: four major lock and dams across the River and a nine-foot navigational channel built and operated by the federal government; seven large industrial projects built with the help of public funds; six regional parks; a major regional sewage treatment plant and discharge points for six other existing or proposed waste treatment plants; one major airport and the facilities of another major airport; at least 22 river crossings for major roadways; and other governmental facilities, all of which facilities serve persons outside of the proposed corridor; and all of which generate substantial development or urbanization.

(2) It is an area containing historic, natural, scientific, or cultural resources of regional or statewide importance.

(a) The corridor contains historical resources of statewide or regional significance, including five areas listed on the National Register of Historic Places and twelve areas identified by the Minnesota Historical Society.

(b) The corridor contains natural resources of statewide or regional significance, including the river itself used for transportation, waste assimilation, recreation, sand and gravel deposits, and habitat suitable for the maintenance of fish and wildlife.

(c) The corridor contains cultural resources of statewide and regional significance, including Indian burial grounds, parks, water recreational facilities, and early settlements.

(d) The corridor contains scientific resources of statewide and regional significance including opportunities for floodplain and hydrological investigation, geological investigation, and historic investigation.

WHEREAS, the Mississippi River Corridor meets all of the criteria outlined in MEQC 52(b) to be designated as a critical area as follows:

(1) The area was recognized to be of significant regional or statewide public interest because it is a regional transportation corridor, a regional recreational area, and it has been or is being studied by a number of local, state and federal agencies and commissions;

(2) Other legal powers are unavailable to provide coordinated regulation of the area to protect the public interest:

## EXECUTIVE ORDERS

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(a) Four townships, twenty cities, five counties, three regional agencies, five special purpose governmental districts, four state agencies, and four federal agencies have regulatory or planning authority in the corridor.

(b) No state agency, or local government has the legal authority to coordinate the regulatory and planning authority of the state and local agencies involved.

(c) The Metropolitan Council has no zoning authority in the area and can only suspend particular development for a limited period of time.

(d) The Floodplain Management Act regulated floodplain development, but is primarily aimed at reducing flood damage. The Act will not control development outside of the floodplain.

(e) The Shoreland Management Act only regulates development within three hundred feet of the river or to the landward extent of the floodplain, whichever is greater. It does not assist in regulating development outside of this area which may have a major effect on the river.

(f) The State Wild, Scenic, and Recreational Rivers Act is unavailable for most of the corridor. Nor does it provide for coordination of planning among state and local governments.

(3) The area is one of a limited number within the state. No other area in Minnesota provides such important transportation, recreational, and water-related functions as the River does as it flows through the Metropolitan Area. Thus, it is a unique resource in Minnesota because of its importance and in its proximity to the large number of people in the Metropolitan Area.

(4) The area has been specifically identified by legal description.

WHEREAS, unregulated development and uncoordinated planning threatens the public interest in the Mississippi River Corridor; many decisions affecting the use of the River Corridor are made by local governmental units without adequate regard for protecting the regional interest in the regional resource; and

WHEREAS, the advantages of coordinated planning for the area will achieve development of the River Corridor as a regional multi-purpose resource, resolve the conflicts of use of land and water, preserve and enhance its natural, aesthetic, cultural, and historical value for the public use, and protect its environmentally sensitive areas;

NOW, THEREFORE, I order the Mississippi River Corridor located within the Twin Cities Metropolitan Area designated a critical area.

1. The boundaries of the Mississippi River Corridor Critical Area are delineated in the legal description which is attached and incorporated hereby into this Order.

2. The Standards and Guidelines to be followed by local units of government, regional agencies and state agencies in the preparation and adoption of plans and regulations for the Critical Area are attached and incorporated hereby into this Order.

3. The Interim Development Regulations to be followed in granting development permits during the Interim Period are attached and incorporated hereby into this Order.

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4. The Department of Natural Resources shall prepare the Scenic and Recreational Plan for the eight mile stretch of the river corridor in the Cities of Dayton and Ramsey. The Cities of Dayton and Ramsey shall prepare regulations for the implementation of the plan and both the regulations and the plan shall conform to the critical area standards and guidelines.

The DNR plan and the local regulations shall be submitted to the EQC for approval, and once approval is granted, the critical area designation order for the eight mile stretch of the river corridor shall lapse. At that time, the Department of Natural Resources shall assume management responsibilities under the authority of the State Wild and Scenic River Act.

5. The State Planning Agency shall determine and administer the amount of funds needed for the preparation and adoption of plans and regulations.

6. The designation order for the remainder of the critical area corridor shall be effective for no longer than three years pending final approval by the Legislature or the Metropolitan Council.

This Order shall be effective immediately and shall be in force until rescinded by the proper authority.

IN TESTIMONY WHEREOF, I hereunto set my hand on this 18th day of October, 1976.

*Wendell R. Anderson*

### Appendix A

#### Legal Description of the River Corridor

Ramsey:

Commencing at the point where the west boundary line of Anoka County intersects with the north boundary line of Hennepin County;

Thence north along said Anoka County west boundary line to the NW corner of the NW quarter of the SW quarter of Section 19 (T32N, R25W);

Thence east along the north side of the NW quarter of the SW quarter of Section 19 (T32N, R25W), to its intersection with the center line of U.S. Highway 10;

Thence along said center line in a southeasterly direction to the intersection with the north side of Section 30 (T32N, R25W);

Thence eastward along the north side of Section 30 to the NW corner of Section 29, (T32N, R25W);

Thence south along the west side of Section 29 to the SW corner of the NW quarter of said Section 29;

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Thence east along the south side of the NW quarter of said Section 29 to the NW corner of the NE quarter of the SW quarter of said Section 29;

Thence south along the west side of the NE quarter of the SW quarter of said Section 29 to SW corner of the NE quarter of the SW quarter of said Section 29;

Thence east along the north line of the south quarter of said Section 29; to the west boundary line of Section 28; (T32N, R25W);

Thence east along the northern boundary of Government Lot 1, Section 28, (T32N, R25W) to the NE corner of said lot;

Thence south to the SE corner of said Government Lot 1, Section 28, (T32N, R25W);

Thence east along the north side of Section 33 (T32N, R25W) to the NE corner of Government Lot 2 in said Section;

Thence south along the east side of Government Lot 2, Section 33 (T32N, R25W) to the SW corner of the northern half of the NE quarter of the NE quarter of Section 33;

Thence east to the west side of Section 34 (T32N, R25W);

Thence south to the SW corner of the NW quarter of the SW quarter of the NW quarter of Section 34 (T32N, R25W);

Thence east to the west side of Section 35 (T32N, R25W);

Thence south along the west side of Section 35 (T32N, R25W) to the NW corner of Government Lot 1, Section 35 (T32N, R25W);

Thence east to the NW corner of the SW quarter of the NE quarter of the SW quarter of Section 35 (T32N, R25W);

Thence south to the SW corner of the SW quarter of the NE quarter of the SW quarter of Section 35 (T32N, R25W);

Thence east along the south side of the NE quarter of the SW quarter of Section 35 (T32N, R25W) to its intersection with the west boundary of Anoka;

Thence northeasterly along the west boundary of Anoka to the intersection with the center line of U.S. Highway 10.

Anoka:

Thence southeasterly along said center line to the intersection with the center line of Park Street in the City of Anoka; south along the center line of Park Street to the intersection with the west side of Section 1 (T31N, R25W);



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Thence south along said west side to the intersection with the center line of Benton Street;

Thence southeasterly along said center line to the intersection with the center line of State Avenue;

Thence south along the center line of State Avenue to the intersection with the center line of Rice Street;

Thence east along the center line of said street to the intersection with the center line of Ferry Street;

Thence easterly along a line from said intersection to the intersection of the center lines of Madison Street and River Avenue;

Thence east from said point along the center line of Madison Street to the intersection with the center line of 1st Avenue;

Thence south along 1st Avenue to the intersection with the center line of Jefferson Street;

Thence east along the center line of said street to the intersection with the center line of 2nd Avenue;

Thence south along said center line to the intersection with the center line of Adams Street;

Thence east along said center line to the intersection with the center line of 3rd Avenue;

Thence south along said center line to the intersection with the center line of Oakwood Drive;

Thence easterly along said center line to the intersection with the center line of Kings Lane;

Thence southwesterly along said center line to the intersection with the center line of Birch Street;

Thence southeasterly along said center line to the intersection with the center line of Queens Avenue;

Thence south along said center line to the intersection with the center line of Pine Street;

Thence southeasterly along said center line to the intersection with the center line of 9th Avenue;

Coon Rapids:

Thence from this point, a straight line to the intersection of the center line of 115th Avenue with the west side of Section 17 (T31N, R24W);

From this point, east along a line to the intersection of the east side of the NW quarter of said Section 17 with the center line of Coon Rapids Boulevard;

From said point southeasterly along the center line of Coon Rapids Boulevard to the intersection with the center line of Mississippi Boulevard;

Thence southerly along said center line to the intersection with the center line of Hansen Boulevard;

Thence south along said center line to the intersection with the center line of 99th Avenue NW;

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Thence east along said center line to the SW corner of the NW quarter of the NW quarter of Section 26 (T31N, R24W);

Thence east along the south side of the north half of the NW quarter of said Section 26;

Thence continuing east along the south side of the NW quarter of the NE quarter of said Section 26 to the intersection with the center line of East River Boulevard. (Anoka County Highway 1);

Thence south along said center line to the intersection with the west side of the east half of the SE quarter of said Section 26;

Thence south along said line to the SW corner of the SE quarter of the SE quarter of said Section 26;

Thence continuing south along the west side of the east half of the NE quarter of Section 35 (T31N, R24W);

Thence continuing south along the west side of the NE quarter of the SE quarter of said Section 35 to the SW corner of the NE quarter of the SE quarter of said Section 35;

From this point, southeasterly along a diagonal to the NW corner of Section 3 (T30N, R24W);

From said corner, east along the north side of said Section 3 to the intersection with the center line of Anoka County Trunk Highway 1;

Fridley, Minneapolis:

Thence south along the center line of said highway to the Anoka-Hennepin County common boundary line;

Thence continuing south along the center line of now Hennepin County Trunk Highway 23 to the center line of 30th Avenue NE;

Thence east along said center line to the intersection with the center line of Randolph Street;

Thence south along said center line to the intersection with the center line of 26th Avenue NE;

Thence east along said center line to the intersection with the center line of Grand Street;

Thence south along said center line to the intersection with the center line of 13th Avenue NE;

Thence southwesterly along said center line to the intersection with the center line of Ramsey Street;

Thence southeasterly along said center line to the intersection with the center line of 7th Avenue NE;

Thence northeasterly along said center line to the intersection with the center line of Main Street;

Thence southeasterly along said center line to the intersection with the center line of 5th Avenue NE;

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Thence northeasterly along said center line to the intersection with the center line of University Avenue;

Thence southeasterly along said center line to the intersection with the center line of Oak Street;

Thence south along said center line to the intersection with the center line of Fulton Street;

Thence east along said center line to the intersection with the center line of Huron Street;

Thence southerly along said center line to the intersection with the center line of Interstate 94;

Thence southeasterly along said center line to the intersection with the Minneapolis-St. Paul common boundary line;

St. Paul:

Thence south along said line to the intersection with the center line of Otis Avenue;

Thence southeasterly along Otis Avenue to the intersection with the center line of Exeter Place;

Thence south along said center line to the intersection with the center line of Mississippi River Boulevard;

Thence east along said center line to the intersection with the center line of Cretin Avenue;

Thence south along said center line to the intersection with the center line of Goodrich Avenue;

Thence west along said center line to the intersection with the center line of Woodlawn Avenue;

Thence south along said center line to the intersection with the center lines of Randolph Avenue, Woodlawn Avenue and Mount Curve Boulevard;

Thence south along the center line of Mount Curve Boulevard to the intersection with the center line of Ford Parkway;

From this point southeasterly along a diagonal to the intersection of the center lines of Hampshire Avenue and Finn Street;

Thence south along the center line of Finn Street to the intersection with the center line of Magoffin Avenue;

Thence east along said center line to the intersection with the center line of Cleveland Avenue;

Thence south along said center line to the intersection with the center line of Norfolk Avenue;

Thence southeasterly and easterly along said center line to the intersection of the center line of Stewart Avenue;

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Thence northeasterly along said center line to the intersection with the center line of Alton Street;

Thence southeasterly along said center line to the intersection with the center line of Youngman Avenue;

Thence northeasterly along said center line to the intersection with the center line of Rankin Street;

Thence northwesterly along said center line to the intersection with the center line of Stewart Avenue;

Thence northeasterly along said center line to the intersection with the center line of Homer Avenue;

Thence northwesterly along said center line to the intersection with the south boundary line of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad;

Thence northeasterly along said boundary to the intersection with the center line of Watson Avenue;

Thence east along said center line to the intersection with the center line of Drake Street;

From this point, northeasterly along a diagonal to the intersection of the center lines of Randolph Avenue and Erie Street;

Thence north along the center line of Erie Street to the intersection with the center line of Jefferson Avenue;

Thence east along said center line to the intersection with the center line of Colbourne Avenue;

From this point, northeasterly along a diagonal to the intersection of the center lines of St. Clair Avenue and Western Avenue;

Thence east along the center line of St. Clair Avenue to the intersection with the center line of Ann Street;

Thence north along said center line to the intersection with the center line of Superior Street;

Thence east along said center line to the intersection with center line of Dousman Street;

Thence north along said center line to the intersection with the center line of Banfil Avenue;

Thence east along said center line to the intersection with the center line of Smith Street;

Thence north along said center line to the intersection with the center line of Goodrich Avenue;

Thence east along said center line to the intersection with the center line of Leech Street;

Thence north along said center line to the intersection with the center line of McBoal Street;

Thence east along said center line to the intersection with the center line of Wilkin Street;

Thence north along said center line to the intersection with the center line of Exchange Street;

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Thence northeasterly along said center line to the intersection with the center line of Kellogg Boulevard;

Thence easterly and northeasterly along said center line to the intersection with the center line of Interstate 94;

Thence southeasterly along said center line to the intersection with the center line of Maria Avenue;

Thence southeasterly along said center line to the intersection with the south side of Section 33 (T20N, R22W);

Thence east along said line to the intersection with the center line of Burns Avenue;

Thence east along said center line to the intersection with the center line of Upper Afton Road;

Thence southeasterly along said center line to the intersection with the center line of Hazel Avenue;

Thence south along said center line to the intersection with the north side of Section 11 (T28N, R22W);

Thence east along said side to the NE corner of the NW quarter of said Section 11;

Thence south along the east side of the NW quarter of said Section 11 to the SE corner of the NW quarter of said Section 11;

Thence east along the north side of the SE quarter of said Section 11 to the NW corner of the east half of the SE quarter of said Section 11;

Thence south along the west side of the east half of the SE quarter of said Section 11 to the south line of said Section 11;

Thence east along the south side of said Section 11 to the intersection with the center line of McKnight Road;

Thence south along said center line to the intersection with the center line of Carver Avenue;

Maplewood:

Thence east along said center line to the intersection with the west side of the east half of the NW quarter of Section 24, (T28N, R22W);

Thence south along said side continuing along the west side of the east half of the SW quarter of said Section 24, to the intersection with the center line of Interstate 494;

Thence southwesterly along said center line to the intersection with the centerline of 1st Avenue in Newport;

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### Newport:

Thence south along said center line to the intersection with the center line of 17th Street;

Thence east along said center line to the intersection with the center line of 3rd Avenue;

Thence south along said center line to the intersection with the center line of 12th Street West;

Thence east along said center line to the intersection with the center line of 4th Avenue;

Thence south along said center line to the intersection with the south side of the north half of Section 1 (T27N, R22W);

### St. Paul Park:

Thence east along said side to the center line of Third Street, City of St. Paul Park;

Thence south along said center line to the intersection of 6th Avenue (commonly known as Broadway);

Thence west along said center line to the intersection of the center line of Main Street;

Thence south along said center line to the intersection of the center line of Pullman Avenue;

Thence east along said center line to the intersection with the center line of 3rd Street;

Thence south along said center line to the South city limits of St. Paul Park;

### Grey Cloud:

Thence south along said center line to the intersection with the center line of Grey Cloud Trail;

Thence southeasterly along said center line to the intersection with the south side of Section 19 (T27N, R21W);

### Cottage Grove:

Thence east along said side to the SE corner of said Section 19;

Thence south along the west side of Section 29 (T27N, R21W) to the intersection with the NW corner of the SW quarter of the NW quarter of said Section 29;

Thence east along the north side of the SW quarter of the NW quarter of said Section 29 to the NE corner of the SW quarter of the NW quarter of said Section 29;

Thence south along the east side of the SW quarter of the NW quarter and along the east side of the NW quarter of the SW quarter of said Section 29 to the NW corner of the SE quarter of the SW quarter of said Section 29;

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Thence east along the north side of the SE quarter of the SW quarter of said Section 29 to the NE corner of the SE quarter of the SW quarter of said Section 29;

Thence south along the east side of the SW quarter of said Section 29 to the south side of said Section 29;

Thence east along the south side of Sections 29 and 28 to the southwestern corner of Section 27;

Thence north along the west side of said Section 27 to the NW corner of the SW quarter of said Section 27;

Thence east along the north side of the south half of said Section 27 to the east side of said Section 27;

Thence south along the east side of said Section 27 to the SE corner of said Section;

Thence east along the south side of Section 26 (T27N, R21W), to the intersection with the center line of U.S. Highway 61;

Denmark:

Thence southeasterly along said center line to the intersection with the center line of U.S. Highway 10;

Thence easterly along said center line to the intersection with the south side of Section 6 (T26N, R20W);

Thence east to the SE corner of said Section 6;

Thence southeasterly along a diagonal to the SE corner of the north half of the NW quarter of Section 8 (T26N, R20W);

Thence east along the south side of the north half of the NE quarter of said Section 8 to the east side of said Section 8;

Thence south along the east side of Section 8 to the intersection with the northeasterly boundary of Dakota County;

Ravenna:

Thence southeasterly along the Dakota County boundary to the intersection with the Dakota County-Goodhue County common boundary;

Thence south along said boundary to the intersection with the south side of Section 21 (T114N, R16W);

Thence west along the south side of said Section to the SW corner of said Section;

Thence north along the west side of said Section to the NW corner of said Section;

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Thence north along the west side of Section 16 (T114N, R16W) to the intersection with the center line of Dakota CSAH 54;

Thence northwesterly along said center line to the intersection with the south side of Section 31 (T115N, R16W);

Thence west along said line to the SW corner of said Section 31;

Thence north along the east side of Section 36 (T115N, R17W) to the NE corner of the SE quarter of the SE quarter of said Section 36;

Thence west along the south side of the NE quarter of the SE quarter of said Section 36 to the SW corner of the NE quarter of the SE quarter of said Section 36;

Thence north along the west side of the east half of the SE quarter of said Section 36 to the NW corner of the NE quarter of the SE quarter of said Section 36;

Thence west along the north side of the south half of said Section 36 and Section 35 (T115N, R16W) to the west side of said Section 35;

### Hastings:

Thence north along the west side of said Section 35 and Section 26 (T115N, R16W) to the intersection with the center line of 3rd Street;

Thence west along said center line to the intersection with the center line of Washington Street;

Thence north along said center line to the intersection with the center line of 2nd Street;

Thence west along said center line to the intersection with the center line of Dakota County Road 42;

### Nininger:

Thence northwesterly along said center line to the intersection with the center line of Dakota County Highway 87;

Thence northwesterly along said center line to the intersection with the center line of 125th Street east;

Thence west along said center line to the intersection with the center line of Isadore Avenue;

Thence south along said center line to the intersection with the center line of 127th Street east;

Thence west along said center line to the intersection with the center line of Idell Avenue;

Thence south along said center line to the intersection with the center line of Dakota County Road 42;

Thence southwesterly along said center line to the intersection with the center line of Minnesota Highway 55;



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Rosemount, Inver Grove Heights:

Thence west and then north along said center line to the intersection with the center line of Dakota County Road 77;

Thence north along said center line to the intersection with the center line of Minnesota State Highway 56;

Thence north along said center line to the intersection with the center line of 70th Street east;

Thence west along said center line to the intersection with the centerline of Delany Avenue east;

Thence north along said center line to the intersection with the center line of 69th Street east;

Thence west along said center line to the east side of Section 3 (T27N, R18W);

Thence north along said side to the NE corner of said Section 3;

Thence west along the north side of said Section 3 to the intersection with the center line of Henry Avenue;

South St. Paul:

Thence north along said center line to the intersection with the center line of Chestnut Street;

Thence east along said center line to a point directly in line with the southerly extension of Eldridge Avenue;

From this point, northwesterly along a diagonal to the intersection of the center lines of Spruce Street and Eldridge Avenue;

Thence north along the center line of Eldridge Avenue to the intersection with the center line of Dale Street;

Thence west along said center line to the intersection with the center line of Syndicate Avenue;

Thence north along said center line to the intersection with the center line of Warburton Street;

From this point, northwesterly, along a diagonal to the intersection of the center lines of 8th Street South and 1st Avenue South;

Thence north along the center line of 1st Avenue South to the intersection with the center line of Southview Boulevard;

Thence west along said center line to the intersection with the center line of 2nd Avenue South;

Thence north along said center line to the intersection with the center line of Marie Avenue;

Thence west along said center line to the intersection with the center line of 3rd Avenue North;

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Thence north along said center line to the intersection with the center line of 2nd Street North;

Thence west along said center line to the intersection with the center line of 4th Avenue North;

Thence north along said center line to the intersection with the center line of 3rd Street North and Grand Avenue;

Thence north along the center line of Grand Avenue to the intersection with the center line of 5th Avenue North;

From this point northwesterly along a diagonal to the intersection of the center lines of Turin and Stewart Avenues;

Thence north along the center line of Stewart Avenue to the intersection of the center lines of 8th Avenue North and Thompson Avenue;

From this point northwesterly along a diagonal to the intersection of the center lines of Highland Avenue and 10th Avenue North;

From this point, northwesterly along a diagonal to the intersection of the center lines of Bryant and Summit Avenues;

Thence north along the center line of Summit Avenue to the intersection with the center line of Orme Avenue;

From this point northwesterly along a diagonal to the intersection of the center lines of Butler and Stickney Avenues;

From this point northwesterly along a diagonal to the intersection of the center lines of Stanley and Evans Avenues;

Thence north along the center line of Evans Avenue to the intersection of the center lines of Stickney Avenue and Lewis Street;

Thence north along the center line of Stickney Avenue to the intersection with the St. Paul-South St. Paul common boundary;

St. Paul:

Thence west along said boundary to the intersection with the center line of new State Highway 56;

Thence north along said center line to the intersection with the center line of East Page Street;

Thence west along said center line to the intersection with the center line of Woodbury Street;

Thence north along said center line to the intersection with the center line of Prescott Street;

Thence west along said center line to the intersection with the center line of Oakdale Avenue;

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Thence north along said center line to the intersection with the center line of East King Street;  
Thence west along said center line to the intersection with the center line of Robert Street;  
Thence north along said center line to the intersection with the center line of George Street;  
Thence west along said center line to the intersection with the center line of Humboldt Avenue;  
Thence north along said center line to the intersection with the center line of Winifred Street;  
Thence west along said center line to the intersection with the center line of Hall Street;  
Thence north along said center line to the intersection with the center line of Delos Street;  
Thence west along said center line to the intersection with the center line of Bidwell Street;  
Thence south along said center line to the intersection with the center line of W. Congress Street;  
Thence west along said center line to the intersection with the center line of Ohio Street;  
Thence south along said center line to the intersection with the center line of Robie Street;  
Thence west along said center line to the intersection with the center line of Manomin Avenue;  
Thence south along said center line to the intersection with the center line of West George Street;  
Thence west along said center line to the intersection with the center line of Smith Avenue;  
Thence south along said center line to the intersection with the center line of West Stevens Street;  
Thence west along said center line to the intersection with the center line of Ottawa Avenue;  
Thence south along said center line to the intersection with the center line of Morton Street;  
Thence west along said center line to the intersection with the center line of Delaware Avenue;  
Thence south along said center line to the intersection with the center line of State Highway 13;

### Mendota Heights:

Thence west and southwesterly along said center line to the intersection with the center line of Sylvandale Road;  
Thence south along said center line to the intersection with the center line of Woodridge Drive;  
Thence southwesterly along said center line to the intersection with the center line of Cascade Lane;  
Thence south along said center line to the intersection with the center line of Arcadia Drive;

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From this point southwesterly along a diagonal to the northwest corner of Section 24 (T28N, R22W);

Thence west along the north side of Section 23 (T28N, R22W), to the intersection with the center line of the Northern States Power Company utility easement;

Thence south along said center line to the intersection with the south side of the north half of the NE quarter of said Section 23;

From this point, southwesterly along a diagonal to the intersection of the center lines of Victoria Road and Caren Road;

Thence westerly along the center line of Caren Road to the intersection with the center line of James Road;

Thence southwesterly along said center line to the intersection with the center line of Douglas Road;

Thence westerly along said center line to the intersection with the center line of James Road;

Thence westerly along said center line to the intersection with the center line of Lexington Avenue;

Thence south along said center line to the intersection with the center line of Orchard Place;

Thence westerly along said center line to the intersection with the center line of Hunter Lane;

Thence south along said center line to the intersection with the center line of State Highway 110;

Thence west along said center line to the intersection with the center line of Minnesota Highway 13;

Thence southerly along said center line to the intersection with the center line of Interstate 494;

Thence westerly along said center line to the intersection with the center line of State Highway 5;

Thence northeasterly along said center line to the intersection with the boundary line of the Fort Snelling State Park;

Thence northerly along said boundary line to the intersection with the center line of State Highway 55;

Minneapolis:

Thence northwesterly along said center line to the intersection with the center line of 47th Avenue South;

Thence north along said center line to the intersection with the center line of Minnehaha Avenue;

Thence northwesterly along said center line to the intersection with the center line of Nawadaha Boulevard;

Thence easterly along said center line to the intersection with the center line of 46th Avenue South;

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Thence north along said center line to the intersection with the center line of E. 46th Street;

Thence east along said center line to the intersection with the center line of 47th Avenue South;

Thence north along the center line of 47th Avenue South to the intersection with the center line of East 44th Street;

From this point north along a straight line to the intersection of the center lines of Dowling Street and 47th Avenue South;

Thence north along the center line of 47th Avenue South to the intersection with the center line of East 32½ Street;

Thence west along said center line to the intersection with the center line of 46th Avenue South;

Thence north along said center line to the intersection with the center line of East 35th Street;

Thence east along said center line to the intersection with the center line of 47th Avenue South;

Thence north along said center line to the intersection with the center line of East Lake Street;

Thence west along said center line to the intersection with the center line of 46th Avenue South;

Thence north along said center line to the intersection with the center line of Dorman Avenue;

Thence northwesterly along said center line to the intersection with the center line of 40th Avenue South;

Thence in a straight line northwest to the intersection of the center lines of Minneapolis Avenue and 34th Avenue South;

Thence northwest along the center line of Minneapolis Avenue to the intersection with the center line of 31st Avenue South;

Thence north along said center line to the intersection with the center line of Franklin Avenue;

Thence west along said center line to the intersection with the center line of Riverside Avenue;

Thence northwest along said center line to the intersection with the center line of 19th Avenue South;

Thence north along said center line to the intersection with the center line of 2nd Street South;

Thence northwest along the center line of 2nd Street South to the intersection of the center lines of 2nd Street South and Hennepin Avenue;

Thence north-northwest along the center line of 2nd Street North to the intersection with the center line of Mississippi Drive;

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Thence north-northeast along said center line to the intersection with the center line of Lyndale Avenue North;

Thence north along said center line to the intersection with the center line of Interstate 94;

Thence north along said center line to the intersection with the center line of 52nd Avenue North;

Thence west along said center line to the intersection with the center line of 4th Street North;

Thence northwesterly along said center line to the intersection with the center line of 55th Avenue North;

Brooklyn Center:

Thence westerly along said center line to the intersection with the center line of Camden Avenue North;

Thence north along said center line to the intersection with the center line of 62nd Avenue North;

Thence in a straight line northeasterly to the intersection of the center lines of State Highway 196 and Interstate 94;

Brooklyn Park:

Thence north along the center line of State Highway 196 to the intersection with the center line of 89th Avenue North;

Thence west along said center line to the west side of Section 13 (T31N, R24W);

Thence north along said side of said Section 13 to the NW corner of said Section 13;

From this point west along the south side of Section 11 (T31N, R24W) to the SW corner of the SE quarter of the SE quarter of said Section 11;

Thence north to the NW corner of the SE quarter of the SE quarter of said Section 11;

Thence in a straight line northwest to the intersection of the center lines of Logan Avenue North and 95th Avenue North;

Thence northeast along the center line of Logan Avenue North to the intersection with the center line of 96th Avenue North;

Thence northwest along said center line to the intersection with the center line of Newton Avenue North;

Thence north along said center line to the intersection with the center line of 97th Avenue North;

Thence west along said center line to the SE corner of the NW quarter of said Section 11;

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Thence north along the east side of the NW quarter of said Section 11 to the intersection with the center line of State Highway 169;

Thence northwest along said center line to the north side of the south half of the SW quarter of Section 2 (T31N, R24W);

Thence west along the said side to the west side of said Section 3;

Thence north-northwest in a straight line to the intersection of the center lines of Riverside Place and Sunset Road;

Thence northwest along the center line of Riverside Place to the intersection with the center line of France Avenue North;

Thence north-northeast along said center line to the intersection with the center line of U.S. Highway 169;

### **Champlin:**

Thence northwest along said center line to the intersection with the center line of Hayden Lake Road;

Thence west along said center line to the intersection with the center line of U.S. Highway 52;

Thence north along said center line to the intersection with the center line of U.S. Highway 169;

Thence northwest along said center line to the intersection with the center line of Hennepin County Road 12;

Thence northwest along said center line to the intersection with the east side of Section 14 (T120N, R22W);

### **Dayton:**

Thence north along said side of Section 14 to the SE corner of the NE quarter of the NE quarter of Section 14 (T120N, R22W);

Thence west along the south side of the NE quarter of the NE quarter of Section 14 to the SW corner of the NE quarter of the NE quarter of Section 14 (T120N, R22W);

Thence north along the west side of the NE quarter of the NE quarter of Section 14 to the south side of Section 11 (T120N, R22W);

Thence west along the south side of Section 11 (T120N, R22W) to the SW corner of the SE quarter of said Section;

Thence north along the west side of the SE quarter of Section 11 to the NW corner of the SW quarter of the SE quarter of Section 11 (T120N, R22W);

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Thence west along the north side of the south quarter of Section 11 to the intersection with the east side of Section 10 (T120, R22W)

Thence south along the west side of Section 11 to the SW corner of the N one-half of the NW quarter of the SW quarter of the SW quarter of Section 11 (T120N, R22W);

Thence west across Government Lot 6 to the east boundary of Government Lot 5, Section 10 (T120N, R22W)

Thence south along the east boundary of Government Lot 5 to the NE corner of the south 20 acres of Government Lot 5, (T120N, R22W);

Thence west to the SW corner of the NE quarter of the SE quarter of the SW quarter of Section 10 (T120N, R22W);

Thence north to the south side of Government Lot 4, Section 10 (T120N, R22W);

Thence west to the SW corner of Government Lot 4, Section 10 (T120N, R22W);

Thence north along the west side of Government Lot 4 to the NW corner of Government Lot 4, Section 10 (T120N, R22W);

Thence west to the east side of Section 9 (T120N, R22W);

Thence north along the east side of Section 9 to the SE corner of Government Lot 1, Section 9 (T120N, R22W);

Thence west along the south side of Government Lot 1 to the SW corner of Government Lot 1 within Section 9 (T120N, R22W);

Thence north along the west side of Government Lot 1 in Section 9 to the north side of Section 9 (T120N, R22W);

Thence west along the north side of Section 9 to the NE corner of the NE quarter of the NW quarter of Section 9 (T120N, R22W);

Thence south along the east side of the NE quarter of the NW quarter to the SE corner of the NE quarter of the NW quarter of Section 9 (T120N, R22W);

Thence west along the south side of the north quarter of Section 9 to the SW corner of the NW quarter of the NW quarter of Section 9 (T120N, R22W);

Thence north along the east side of Section 8 (T120N, R22W) to the SE corner of the northern half of the NE quarter of the NE quarter of Section 8 (T120N, R22W);

Thence west along the south side of the northern half of the NE quarter of the NE quarter in Section 8 to the SW corner of the northern half of the NE quarter of the NE quarter of Section 8 (T120N, R22W);



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Thence north along the west side of the northern half of the NE quarter of the NE quarter of Section 8 (T120N, R22W) to the south side of Section 5 (T120N, R22W);

Thence west to the SW corner of Government Lot 4 in Section 5;

Thence north along the west side of Government Lot 4 to the SE corner of Government Lot 3, Section 5 (T120N, R22W);

Thence west along the north side of the south quarter of Section 5 to the SW corner of the NW Quarter of the SW quarter of Section 5;

Thence north to the SW corner of Government Lot 2, Section 5;

Thence west to the SW corner of Government Lot 3, Section 6 (T120N, R22W);

Thence north along the western boundary of Government Lot 3 in Section 6 (T120N, R22W) to its intersection with the center line of Hennepin County Road 12;

Thence in a northwesterly direction along said center line traversing Government Lot 2 in Section 6 and continuing through Section 31 (T120N, R22W) to the intersection with the Hennepin-Wright County common boundary line at the mouth of the Crow River.

Thence northerly along said line to the Hennepin County-Sherburne County common boundary line;

Thence easterly along said line to the point where the west boundary line of Anoka County intersects with the north boundary line of Hennepin County.

### **Appendix B**

#### **Mississippi River Corridor Districts**

##### **1. Rural Open Space Districts**

###### **a. On the east side of the river:**

(1) From the Anoka County-Sherburne County common boundary to the west side of Section 35 (T32N, R25W) in Ramsey.

(2) From the St. Paul Park-Grey Cloud Township common boundary to the east side of Section 8 (T26N, R20W) in Denmark Township.

###### **b. On the west side of the river:**

(1) From the Dakota County-Goodhue County common boundary to the west sides of Sections 23, 26, and 35 (T115N, R17W) in Hastings.

(2) From the Hastings-Nininger common boundary to the west side of Section 21 (T115N, R18W) in Rosemount.

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(3) From the south side of the north half of Section 34 (T27N, R22W) to the north side of Section 14 (T27N, R22N) in Inver Grove Heights.

### 2. Urban Developed Districts

#### a. On the east side of the river:

(1) From the west side of Section 35 (T32N, R25W) in Ramsey to the center line of Interstate 694 in Fridley.

(2) From the south side of Section 26 (T28N, R22W) in Newport to the south side of the north half of Section 1 (T27N, R22W) which is the Newport and St. Paul Park common boundary.

(3) From the center line of Eight Avenue in St. Paul Park to the St. Paul Park-Grey Cloud Township common boundary.

#### b. On the west side of the river:

(1) From the north side of Section 14 (T27N, R22W) in Inver Grove Heights to the South St. Paul-Inver Grove Heights common boundary.

(2) From the eastern extension of the center line of 48th Avenue North in Minneapolis to the eastern extension of the center line of Hennepin County Highway 49.

### 3. Urban Open Space Districts

#### a. On the east side of the river:

(1) From the center line of Franklin Avenue in Minneapolis to the north side of Section 14 (T28N, R23W) (Otto Avenue) in St. Paul.

\*(2) From the west sides of Sections 3 and 10 (T28N, R22W) and the east boundary of the Chicago and Northwestern Railroad right-of-way in St. Paul to the western and northern boundaries of the Red Rock Industrial District, the western boundary of the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way, and the south side of Section 14 (T28N, R22W) in St. Paul.

#### b. On the west side of the river:

(1) From the north side of Section 7 (T28N, R22W) and the center line of Ohio Street in St. Paul to the center line of Interstate 494 in Mendota Heights on the Minnesota River.

(2) From the center line of Interstate 494 in Bloomington on the Minnesota River to the center line of Franklin Avenue in Minneapolis.

### 4. Urban Diversified Districts

#### a. On the east side of the river:

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\*With the exception of that area needed for the future approved expansion of the Metropolitan Waste Water Treatment Plant at Pig's Eye.

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(1) From the center line of Interstate 694 in Fridley to the center line of Franklin Avenue in Minneapolis.

(2) From the north side of Section 14 (T28N, R23W) (Otto Avenue) in St. Paul to the west sides of Sections 3 and 10 (T28N, R22W) and the east boundary of the Chicago and Northwestern Railroad right-of-way in St. Paul and including Twin City Barge and Towing Co's. turning basin, about 11.5 acres at the Northwest corner of Red Rock Industrial Park.

(3) From the western and northern boundaries of the Red Rock Industrial District, the western boundary of the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way, and the south side of Section 14 (T28N, R22W) in St. Paul, to the south side of Section 26 (T28N, R22W) in Newport.

(4) From the south side of the north half of Section 1 (T27N, R22W) which is the Newport and St. Paul Park common boundary, to the center line of Eight Avenue in St. Paul Park.

b. On the west side of the river:

(1) From the west sides of Sections 23, 26, and 35 (T115N, R17W) in Hastings to the Hastings-Nininger common boundary.

(2) From the west side of Section 21 (T115N, R18W) in Rosemount to the south side of the north half of Section 34 (T27N, R22W) in Inver Grove Heights.

(3) From the South St. Paul-Inver Grove Heights common boundary to the north side of Section 7 (T28N, R22W) and the center line of Ohio Street in St. Paul.

(4) From the center line of Franklin Avenue in Minneapolis to a line collinear with the center line of 48th Avenue North in Minneapolis.

## **Appendix C**

### **Definitions**

The following terms as used in these Regulations shall have the following meanings, unless otherwise defined:

1. "Act" means the Critical Areas Act of 1973, Minn. Stat. §§ 116G.01 to 116G.14 (Supp. 1974).
2. "Accessory Use" means a use or portion of a use or structure subordinate to and serving the principal use or structure on the same lot and customarily incidental thereto.
3. "Adjacent" means having a boundary which physically touches or adjoins.
4. "Agriculture" means the utilization of land and structures thereon for production of farm crops, including but not limited to vegetables, fruit trees, grain, poultry and domestic farm animals and uses necessary or customarily incidental thereto.

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5. "Backwater" means a body of water connected with, but little affected by the main stream.
6. "Barge Fleeting Area" means an area on the river, on or off channel, where barges are temporarily parked and secured while tows are assembled or broken up.
7. "Barge Slip" means a basin, usually adjacent to a wharf, jetty, dock or other cargo handling facility, where barges are brought for the purpose of loading or unloading cargo.
8. "Bluffline" means a line delineating the top of a slope connecting the points at which the slope becomes less than 18 percent. More than one bluffline may be encountered proceeding landward from the water.
9. "Building Height" means the vertical distance to be measured from the grade of a building line to the top to the cornice of a flat roof, to the deck line of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch type roof, to the mean distance of the highest gable on a pitched or hip roof.
10. "Clear Cutting" means the removal of an entire stand of trees and shrubs.
11. "Cluster Development" means a pattern of subdivision which places housing units into compact groupings while providing a network of commonly owned or dedicated open space.
12. "Council" means the Minnesota Environmental Quality Council established pursuant to Minn. Stat. §§ 116C.01 to 116C.08 (Supp. 1974).
13. "Development" means the making of any material change in the use or appearance of any structure or land including, but not limited to: a reconstruction, alteration of the size, or material change in the external appearance of a structure on the land; a change in the intensity of use of the land; alteration of a shore or bank of a river, stream, lake or pond; a commencement of drilling (except to obtain soil samples), mining or excavation; demolition of a structure; clearing of land as an adjunct to construction; deposit of refuse, solid or liquid waste, or fill on a parcel of land; the dividing of land into two or more parcels.
14. "Development Permit" means a building permit, zoning permit, water use permit, discharge permit, permit for dredging, filling, or altering any portion of a watercourse; plat approval, re-zoning, certification, variance or other action having the effect of permitting any development as defined in the Act or these Interim Development Regulations.
15. "Dimension Variance" means a modification or variation of the height or setback provisions of the Interim Development Regulations where it is determined that by reason of special and unusual circumstances relating to a specific lot, that strict application of the provisions would cause an undue or unnecessary hardship, or that strict conformity with the provisions would be unreasonable, impractical or unfeasible under the circumstances.
16. "Dwelling unit" means a residential building or portion thereof intended for occupancy by a single family, but not including hotels, motels, boarding or rooming houses or tourist homes.
17. "Essential Services" means underground or overhead gas, electrical, steam or water distribution

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systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, and other similar equipment and accessories in conjunction therewith, but not including buildings or transmission services.

18. "Feedlots" means a confined unenclosed area for the feeding, breeding, raising or holding of livestock, where livestock manure can accumulate, and where there is no vegetation.

19. "Floodway" means the river channel and the portions of the adjoining floodplain which are reasonably required to carry and discharge the regional flood.

20. "Floodplain" means the areas adjoining the watercourse which has been or hereafter may be covered by a regional flood.

21. "Regional Flood" means a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval.

22. "General Advertising Signs" means those signs which direct attention to a product, service, business or entertainment not exclusively related to the premises where such sign is located.

23. "Government Development" means any development financed in whole, or in more than 50 percent of its total financing, directly or indirectly, by the United States, the State of Minnesota, or any agency or political subdivision thereof.

24. "Historic Preservation" means the protection by various means of buildings or other structures, land areas, or districts which are identified by the Minnesota Historical Society or the National Register of Historic Places.

25. "Industrial Use" includes without limitation, factory, office building, warehouse, elevators, material transfer site, pipeline, refuse and material storage areas.

26. "Interim Development Regulations" means the regulations in the Order which indicate the development that shall be permitted pending the adoption of plans and regulations consistent with the policies of the Act and MEQC 51 through MEQC 57.

27. "Landscaping" means plants such as trees, grass, and shrubs.

28. "Livestock" includes, but is not limited to horses, cattle, pigs and turkeys.

29. "Local Unit of Government" means any political subdivision of the State, including but not limited to counties, municipalities, townships, and all agencies and boards thereof.

30. "Lot" means a parcel, piece, or portion of land designated by metes and bounds, registered land survey, plat, or other means and separated from other parcels or portions by said description that is recorded or to be recorded in the Office of the Register of Deeds (or Registrar of Titles).

31. "Major Expansion" means an expansion involving a 20% or greater addition to the total land area presently covered or used by an industrial, commercial, recreational or public facility.

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32. "Metropolitan Development Framework" means that chapter of the Metropolitan Development Guide which deals primarily with the physical development of the metropolitan area.

33. "Metropolitan Plans, Guides, and Standards" means and refers to all documents, reports, and materials which have been adopted by the Metropolitan Council and includes, but is not limited to Metropolitan Development Guide Sections, including the Development Framework Chapter and policy plans for Development Programs of all Metropolitan Commissions.

34. "Metropolitan Systems" means those facilities for which the Metropolitan Council has planning responsibility including, but not limited to interceptor sanitary sewers, sewage treatment plants, transit facilities, regional parks, and major highways.

35. "Metropolitan Urban Service Area (MUSA)" means the portion of the Metropolitan Area having metropolitan sewer service available, good highway access, transit service, and most municipal services as designated in the Development Framework chapter of the Metropolitan Development Guide.

36. "Mining" means the extraction of sand, gravel, rock, soil or other material from the land in the amount of one thousand cubic yards or more and the removing thereof from the site without processing with the exception of the removal of materials associated with construction of a building, which is approved in a building permit.

37. "Mississippi River Corridor" means that area within the boundaries of the Mississippi River Corridor Critical Area.

38. "Mobile Home Court" means any area on which spaces are rented for the placement of occupied mobile homes.

39. "Mobile Home" means a housing unit designed for transportation after fabrication on streets and highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundations, connection to utilities and the like.

40. "Mutli-family Development" means three or more dwelling units in one structure, including but not limited to an apartment building.

41. "Normal Highwater Mark" means a mark delineating the highest water level that has been maintained for a sufficient period of time to leave evidence of the level upon the landscape. It is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. When the normal highwater mark is not evident, setbacks shall be measured from the stream bank of the following water bodies that have permanent flow or open water: the main channel, adjoining side channels, backwaters, and sloughs. At the option of the local unit of government, the normal highwater mark may be delineated as the 100-year floodway line as defined by the Minnesota Department of Natural Resources.

42. "Non-conforming Use" means any use of land established before the effective date of the Interim Development Regulations, which does not conform to the use restrictions of a particular use district of the

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Interim Development Regulations. This should not be confused with substandard dimensions of a conforming use.

43. "Order" means the Governor's Executive Order that formally designates the Mississippi River Corridor as a Critical Area.

44. "Plan" means a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public of the county, municipality, and township. It may include, but not be limited to the following: statement of policies, goals, standards, a land use plan, a community facilities plan, a transportation plan and recommendations for plan implementation.

45. "Public Facility" means all public buildings, including schools, libraries, fire stations, administrative offices, roads, bridges.

46. "Public Safety Facilities" means hydrants, fire alarm boxes, street lights, railway crossing signals, and similar facilities and accessories, but not including buildings.

47. "Public Transportation" means all modes of transportation provided by or dedicated to public use including, but not limited to roadways, transit facilities, railroads, and bikeways.

48. "Regional Agencies" means the Metropolitan Council, Metropolitan Waste Control Commission, Metropolitan Airport Commission, Metropolitan Transit Commission, and Metropolitan Park Board.

49. "Recreation Open Space" means recreation uses particularly oriented to and utilizing the outdoor character of an area; including, but not limited to hiking, riding trails, primitive campsites, campgrounds, parks, and recreation areas.

50. "Rules and Regulations" means the instruments by which state and local units of government control the physical development of the Mississippi River Corridor or any part or detail thereof. Regulations include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and the adoption of official maps.

51. "Re-zone" means a change of permitted uses within a local zoning district or of the boundaries of a local zoning district, adopted by ordinance by the local government unit.

52. "Selective Cutting" means the removal of single scattered trees or shrubs. Selective cutting shall not be construed to mean the removal of all trees or shrubs in a given area resulting in the clearing of the land.

53. "Compatible Use" means a use which may be compatible or desirable in a specified district, but requires special conditions for approval because if not carefully located or designed, it may create special problems such as excessive height or bulk or abnormal traffic congestion.

54. "Setback" means the minimum horizontal landward distance between any part of a structure and the normal highwater mark or the established bluffline.

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55. "Sewage Disposal System" means any system for the collection, treatment, and dispersion of sewage including, but not limited to, septic tank soil absorption systems.

56. "Single Family Unit" means a detached building containing one (1) dwelling unit.

57. "Structure" means anything constructed or installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure which can, while it is located on land, be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. Structure also includes roads, billboards, swimming pools, poles, pipelines, transmission lines, tracks and advertising signs.

58. "Subdivision" means the division of any parcel of land into two or more lots, including re-subdivision.

59. "Transmissions Services" means electric power, telephone, and telegraph lines, cables, pipelines or conduits that are used to transport large blocks of power between two points. In the case of electrical power, this will generally mean 69 kilovolts or more. For mains or pipelines for gas, liquids, or solids in suspension, this means those that are used to transport large amounts of gas, liquids, or solids in suspension between two points.

60. "Treeline" means the more or less continuous line formed by the tops of trees in a wooded area when viewed from a particular point. Such line shall be determined during all seasons as if under full foliage.

61. "Wetlands" are low-lying areas which may be covered with shallow water. They are frequently associated with a highwater table. Swamps, bogs, marshes, potholes, wet meadows, and sloughs are wetlands. They may occur adjacent to or within natural drainageways or as free-standing low areas. Wetlands shall consist of Types 1 to 8 as defined in U.S.D.I. Fish and Wildlife Service Circular 39.



# RULES

## Department of Natural Resources Parks and Recreation Division Adopted Rules Governing Designation, Classification and Management of the North Fork of the Crow River in Meeker County

### Rules as Adopted

#### Chapter Twenty-Five:

#### NR 2500 Designation.

A. The river. That portion of the North Fork of the Crow River from the spillway at the southern end of Lake Koronis to the Meeker-Wright County line, located entirely within Meeker County, is designated a component of the Minnesota Wild and Scenic Rivers System.

B. Authority. This designation is made by the Commissioner of Natural Resources pursuant to the authority of the Minnesota Wild and Scenic Rivers Act, Minn. Stat. §§104.31 to 104.40 (1974).

C. Shoreland included. The designation and these rules apply to the river and the adjacent lands indicated in the property descriptions for the Land Use District.

NR 2510 Classification. That portion of the North Fork of the Crow River in Meeker County from the spillway at the southern end of Lake Koronis to the Meeker-Wright County line, is classified as Recreational, in accordance with provisions of Minn. Stat. § 104.33, subd. 2, and NR 78 (f).

#### NR 2520 Management.

##### A. Land use provisions.

1. The Commissioner of Natural Resources hereby adopts the Recreational River Land Use Districts as identified in the Land Use District Property Descrip-

tions. The Land Use District was derived in accordance with NR 78 (g) (2) (bb).

a. The regulations contained in NR 78-81 and this management plan shall be applicable to all lands which are unincorporated at the time of designation within the Recreational River Land Use District.

b. The land use regulations contained in NR 82-84 and this management plan shall be applied to all incorporated lands, and shall be administered in conformity with the provisions of NR 81, as applicable.

c. All existing local ordinances and regulations, as adopted in accordance with NR 70-77, which are more protective than those in NR 78-81 shall continue to apply within the entire Land Use District, as applicable.

2. The maximum building height restriction contained in NR 79 (c) (3) (dd) shall not apply to buildings used primarily for agricultural purposes.

3. The grading and filling provisions shall be enforced by local ordinance, which shall require a grading and filling permit. Filling or drainage of federally determined type III-V wetlands (in accordance with U.S. Department of Interior circular #39) shall not be allowed within the Land Use District. A map showing the location and classification of these wetlands shall be provided to the local authority by the Commissioner of Natural Resources.

4. Clear cutting of vegetation, in accordance with NR 79 (g), shall not be allowed within 200 feet of the normal highwater mark, in order to correspond with the existing structural setback.

##### B. Land acquisition.

1. The Commissioner of Natural Resources hereby adopts the Scenic Areas, as identified in the Scenic Areas Property Descriptions, as priority areas for land or land interest acquisition.

a. All lands shown as Scenic Areas are recommended for scenic easement acquisition. However, in those areas where recreational sites are needed, fee title to the lands may be acquired, when possible.

b. Because acquisition of land, or interests in land, is from willing sellers, at the appraised value, some lands shown as Scenic Areas and not needed for recreational sites may be purchased in fee title. Purchase of fee title to lands would be based on an agreement between the State of Minnesota and the landowner(s).

c. Other forms of acquisition, such as use ease-

## RULES

ments or leases, may be used to acquire land interests in the Scenic Areas if considered feasible or necessary by the Commissioner of Natural Resources.

2. Lands, or interests in land, other than those identified as Scenic Areas, may be purchased in order to further the policies established in the Wild and Scenic Rivers Act and the management plan.

3. The lands or interests in land recommended to be acquired in this plan will be acquired where funds are available for such purchases from willing sellers, as provided for in Minn. Stat. § 104.37.

4. Land exchange will be expedited, wherever feasible, in order to acquire lands within the Land Use District boundaries. These exchanges will be expedited in the manner described by state law. However, land exchanges will not be recommended if such exchanges would adversely affect other Department of Natural Resources management programs.

### C. Recreation management.

1. As provided for in this management plan, the recreation management policy is to provide for the orderly use of public lands and waters within the Recreational River Land Use District. The development of selected land and river-oriented recreational facilities and the maintenance to these could help "protect the rights of private landowners, ensure quietude, prohibit trespassing, and maintain the essential quality of Wild and Scenic River Land Use Districts" as provided in NR 80 (a) (1).

2. As provided for in NR 79 (b) (2) and the management plan, development of public or private recreational facilities within the Recreational River Land Use District shall conform to the design specification guidelines shown in this plan.

3. No public river-oriented camping facilities will be provided in close proximity to private recreational developments which are designed to meet this need.

4. The recreational use of the North Fork of the Crow Recreational River and adjacent state lands will be regulated where necessary to insure that the use does not adversely affect the values for which the river qualified for designation.

5. The Commissioner of Natural Resources adopts the Recreation Management Maps for the protection,

recreational use and management of public lands or interests in land, for the North Fork of the Crow Recreational River and its adjacent lands within the Recreational River Land Use District. The locations, types, and number of sites show on the Recreation Management Map are recommendations.

6. The Division of Parks and Recreation shall allocate funds for maintenance of the Department of Natural Resources' recreational facilities within the North Fork of the Crow Recreational River area from the Department's river development and maintenance account.

7. The DNR's Division of Enforcement shall enter into discussions with the local units of government concerning delineation of responsibilities for enforcement of applicable Wild, Scenic, and Recreational River regulations.

8. Additional public snowmobile trails may be established within the Land Use District, when developed in cooperation with the Department of Natural Resources.

9. Development of any new recreational facilities (other than those shown on the Recreation Management Map) by the DNR shall be done only if assurances can be made that these facilities, and any increased use caused by them, will not adversely affect the quality of the river. Local authorities shall be consulted prior to future development of recreational facilities by the DNR.

### D. Administration.

1. Meeker County shall enact or amend such ordinances and maps as necessary to:

a. Establish the Recreational River Land Use District identified in the Land Use District property descriptions as given in this management plan.

b. Conform to the provisions of NR 78-81 and this management plan, as applicable.

2. The municipality of Kingston shall enact or amend such ordinances and maps as necessary to:

a. Establish the Recreational River Land Use District as delineated for its jurisdiction in the Land Use District property descriptions.

b. Conform to the provisions of NR 82-84 within

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

# RULES

the Land Use District, and administer these provisions according to NR 80-81, as applicable.

3. Meeker County, or its subdivisions, shall retain any existing regulations (adopted in accordance with NR 70-77) which are more protective than NR 78-81, and may adopt other more protective regulations as they deem appropriate.

4. The Department of Natural Resources shall assist the local units of government in the implementation of NR 78-81 and this management plan, in accordance with the provisions of Minn. Stat. § 104.36, subd. 2, (1974). The Department of Natural Resources shall delineate the Land Use District boundaries on the appropriate zoning maps, for the affected local units of government.

### E. Recommendations.

1. It is recommended that Meeker County work with the Board of Supervisors of the Soil and Water Conservation District in setting criteria for the use of Soil Conservation Service technical assistance for evaluating grading and filling permit requests relating to NR 79 (1) — Grading and Filling Provisions.

2. It is recommended that the Meeker County Highway Department and the Minnesota Highway Department cooperate with the Minnesota Department of Natural Resources by placing no-parking signs along any bridge crossing right-of-ways that are determined to be inadequate or dangerous as river access points.

3. It is recommended that the Meeker County Park Board complete development of lands it owns along the management area. DNR assistance will be provided for development, where appropriate.

4. It is recommended that the State Planning Agency, Office of Local and Urban Affairs, give priority to any local funding to requests for fee title acquisition of land for recreational sites within the management area, consistent with the goals of the State Comprehensive Outdoor Recreation Plan (SCORP).

5. No Department of Natural Resources "corridor" trails are proposed in this management plan for the Crow River area. Local residents and landowners may desire specific trails. If so, it is recommended that such trails be developed through DNR's trail assistance programs, which make funds for trail development and maintenance available to local units of government, and private clubs and organizations.

6. To insure that the historical heritage of the Crow River will be protected for the enjoyment of present and future generations, it is recommended that the State His-

torical Society consider the feasibility of conducting a study of historical and archaeological sites within the management area.

7. It is recommended that any recreational facilities, other than those shown on the Recreation Management Map, be developed by local units of government, to insure that maximum local input is obtained.

### Land Use District Acreage per River Mile

River Mile	Acreage	River Mile	Acreage
126-125	302.67	105-104	315.00
125-124	193.00	104-103	313.00
124-123	306.00	103-102	187.00
123-122	314.00	102-101	318.00
122-121	310.89	101-100	268.00
121-120	275.93	100-99	320.00
120-119	245.00	99-98	318.00
119-118	285.00	98-97	284.00
118-117	320.00	97-96	278.00
117-116	316.00	96-95	212.24
116-115	244.00	95-94	310.00
115-114	307.00	94-93	301.00
114-113	313.00	93-92	264.00
113-112	298.00	92-91	275.00
112-111	263.98	91-90	233.00
111-110	262.51	90-89	212.00
110-109	312.00	89-88	303.00
109-108	315.00	88-87	285.00
108-107	215.00	87-86	312.00
107-106	295.00	86-85.2	243.00
106-105	273.80		

Total Acreage 11,519.02

### Property Descriptions — Land Use District

(Area in which Land Use Provisions Apply)

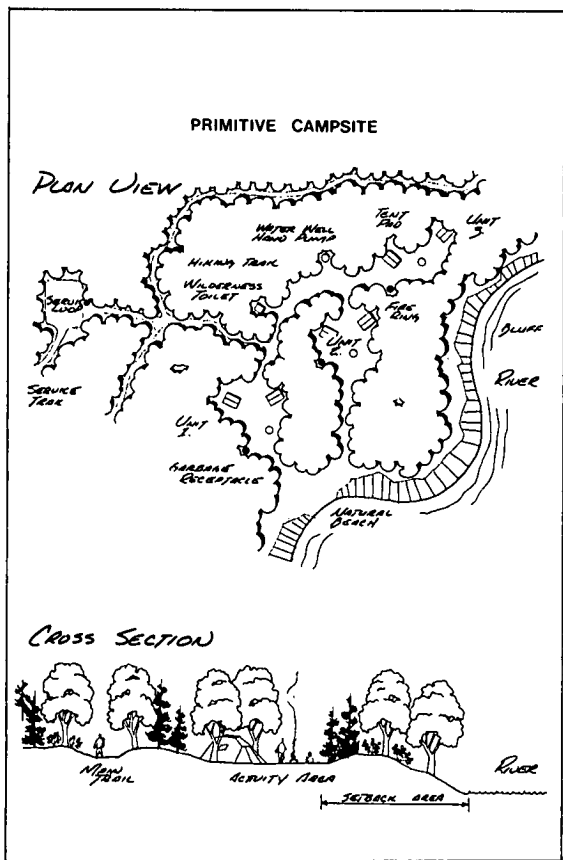
#### Starting from Lake Koronis

T 121 N — R 32 W

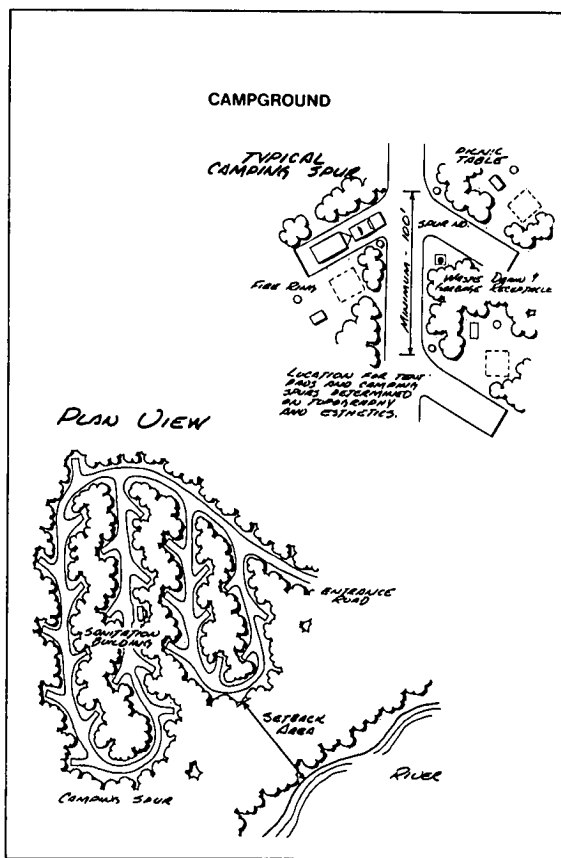
Section 3 — Government lot 5	16.48 East
Government lot 4	38.88
Section 10 — Government lot 4	31.30
Government lot 1	32.60
E½ of SE¼ of NW¼	20.00
Government lot 3	41.56
Government lot 2	39.53
Government lot 8	35.32
NE¼ of SE¼	40.00
Government lot 7	40.00 East
Section 11 — S½ of SW¼ of NW¼	20.00
SW¼ of SE¼ of NW¼	10.00
NW¼ of SW¼	40.00
SW¼ of SW¼	40.00
W½ of NE¼ of SW¼	20.00
W½ of SE¼ of SW¼	20.00

(continued on page 690)

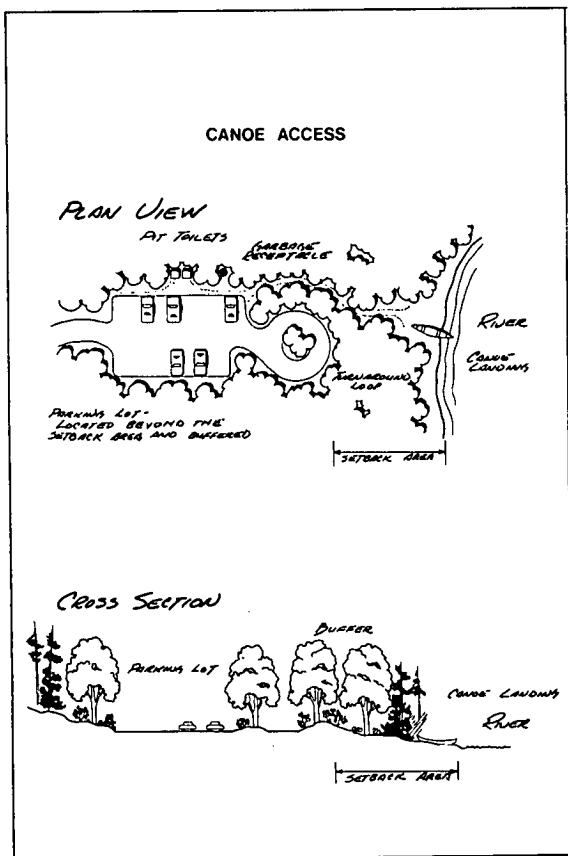
# Sites Typical



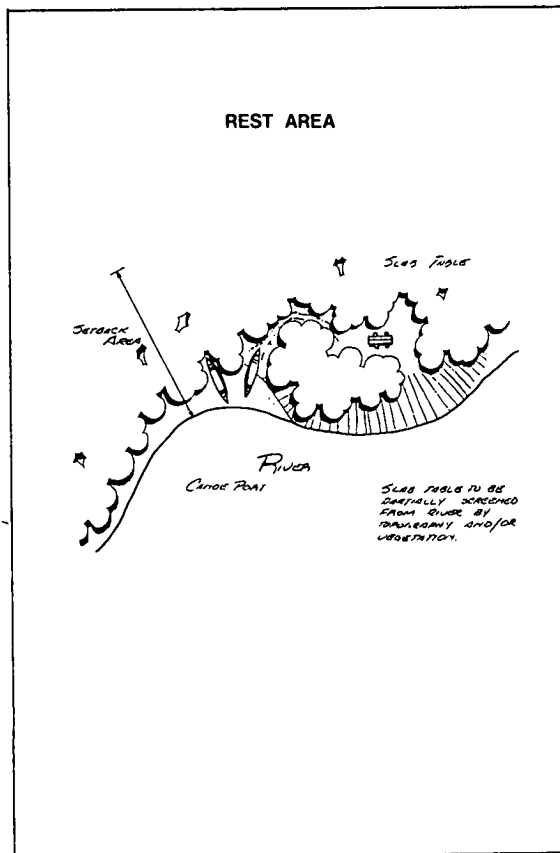
SITE TYPICAL



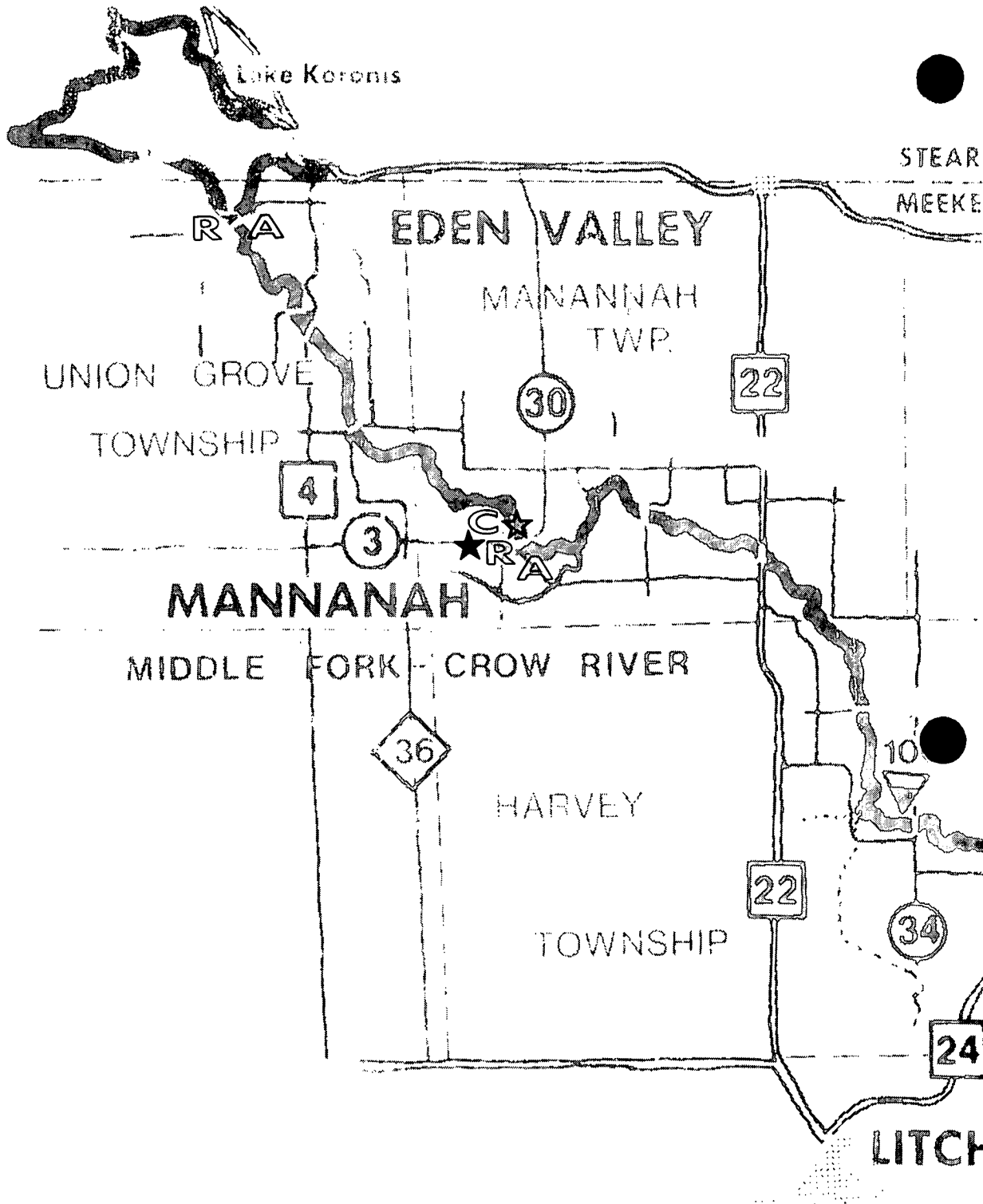
SITE TYPICAL



SITE TYPICAL



SITE TYPICAL



NORTH FORK  
CROW RIVER  
MANAGEMENT PLAN

# RECREATION

PROPOSED

**A**  
**R**

EXISTING

**A**  
**R**

FACILITY

ACCESS  
REST AREA



NS COUNTY  
R COUNTY

KIMBALL

55

15

MEEKER COUNTY  
WRIGHT COUNTY

133

24

KINGSTON  
TOWNSHIP

Lake Francis

2

KINGSTON

190

2

80

FOREST CITY  
Powers Lake

TOWNSHIP

35

Big Swan Lake

15

14

FIELD

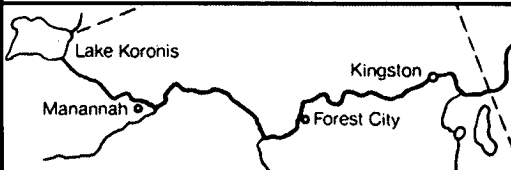
# MANAGEMENT



SCALE: 1" = 10,000'



CAMPSITE  
HISTORIC SITE



# RULES

(continued from page 686)

Section 14 — NW¼ of NW¼	40.00	SE¼ of SW¼	40.00
NE¼ of NW¼	40.00	W½ of NE¼ of SW¼	20.00
S½ of NW¼ of NE¼	20.00	SW¼ of SE¼	40.00
N½ of SE¼ of NW¼	20.00	S½ of SE¼ of SE¼	20.00
SW¼ of NE¼	40.00		
W½ of SE¼ of NE¼	20.00	Section 34 — N½ of NW¼ of NW¼	20.00
NW¼ of SE¼	40.00	NE¼ of NW¼	40.00
NE¼ of SE¼	40.00	NW¼ of NE¼	40.00
SE¼ of SE¼	40.00	NE¼ of NE¼	40.00
		SE¼ of NE¼	40.00
Section 13 — NW¼ of SW¼	40.00		
SW¼ of SW¼	40.00	Section 26 — S½ of SW¼ of SW¼	20.00
Section 23 — NE¼ of NE¼	40.00	Section 35 — NW¼	160.00
SE¼ of NE¼	40.00	NW¼ of SW¼	40.00
NE¼ of NE¼ of SE¼	10.00	NE¼ of SW¼	40.00
		SE¼ of SW¼	40.00
Section 24 — NW¼ of NW¼	40.00	S½ of SW¼ of NE¼	20.00
SW¼ of NW¼	40.00	SE¼	160.00
SW¼	160.00		
SE¼	160.00	T 120 N — R 31 W	
Section 25 — NE¼ of NE¼	40.00	Section 2 — NE¼ of NW¼	34.66
SE¼ of NE¼	40.00	E½ of SE¼ of NW¼	20.00
		NW¼ of NE¼	34.64
T 121 N — R 31 W		NE¼ of NE¼	34.61
		SW¼ of NE¼	40.00
Section 19 — Government lot 12	38.47	SE¼ of NE¼	40.00
Government lot 13	38.42	NE¼ of SE¼	40.00
		SE¼ of SE¼	40.00
Section 30 — Government lot 4	38.37		
Government lot 5	38.31	Section 1 — W½ of NW¼ of NW¼	17.58
Government lot 12	38.25	SW¼ of NW¼	40.00
Government lot 3	40.00	W½ of SE¼ of NW¼	20.00
Government lot 6	40.00	NW¼ of SW¼	40.00
Government lot 11	40.00	W½ of NE¼ of SW¼	20.00
Government lot 7	40.00	SW¼ of SW¼	40.00
Government lot 8	40.00	W½ of SE¼ of SW¼	20.00
Government lot 9	40.00		
Government lot 10	40.00	Section 11 — NE¼ of NE¼	40.00
Government lot 16	40.00	E½ of SE¼ of NE¼	20.00
SW¼ of NE¼	40.00	E½ of NE¼ of SE¼	20.00
NW¼ of SE¼	40.00		
SW¼ of SE¼	40.00	Section 12 — NW¼	160.00
SE¼ of SE¼	40.00	SW¼	160.00
S½ of NE¼ of SE¼	20.00	W½ of SW¼ of SE¼	20.00
Section 31 — NW¼ of NE¼	40.00	Section 13 — NW¼	160.00
NE¼ of NE¼	40.00	SW¼	160.00
SE¼ of NE¼	40.00	W½ of NW¼ of NE¼	20.00
		W½ of SW¼ of NE¼	20.00
Section 32 — NW¼	160.00	W½ of SW¼ of NE¼	20.00
NW¼ of NE¼	40.00	W½ of NW¼ of SE¼	20.00
SW¼ of NE¼	40.00	SE¼ of NW¼ of SE¼	10.00
		S½ of NE¼ of SE¼	20.00
Section 29 — SW¼ of SW¼	40.00	SW¼ of SE¼	40.00
SE¼ of SW¼	40.00	SE¼ of SE¼	40.00
NE¼ of SW¼	40.00		
NE¼	160.00	Section 24 — N½ of NE¼ of NE¼	20.00
SE¼	160.00		
Section 28 — NW¼	160.00	T 120 N — R 30 W	
NW¼ of SW¼	40.00		
NE¼ of SW¼	40.00	Section 18 — NW¼ of SW¼	36.78
N½ of SE¼ of SW¼	20.00	W½ of NE¼ of SW¼	20.00
S½ of SW¼ of NE¼	20.00	SW¼ of SW¼	36.83
SE¼	160.00	SE¼ of SW¼	40.00
		SW¼ of SE¼	40.00
Section 27 — SW¼ of SW¼	40.00	SE¼ of SE¼	40.00
NW¼ of SW¼	40.00		

# RULES

Section 19 — NW¼ of NW¼	36.73	NE¼ of SE¼	40.00
SW¼ of NW¼	36.46	SW¼ of NE¼	40.00
NE¼ of NW¼	40.00	SE¼ of NE¼	40.00
SE¼ of NW¼	40.00	S½ of NW¼ of NE¼	20.00
NE¼	160.00		
Section 17 — SW¼ of SW¼	40.00	T 120 N — R 29 W	
SE¼ of SW¼	40.00	Section 18 — S½ of SW¼ of NW¼	20.09
NE¼ of SW¼	40.00	NW¼ of SW¼	40.11
S½ of SE¼ of NW¼	20.00	SW¼ of SW¼	40.04
SW¼ of SE¼	40.00	NE¼ of SW¼	40.00
NW¼ of SE¼	40.00	SE¼ of SW¼	40.00
SW¼ of NE¼	40.00	S½ of SW¼ of SE¼	20.00
NW¼ of NE¼	40.00	NW¼ of SW¼ of SE¼	10.00
NE¼ of NE¼	40.00	S½ of SE¼ of SE¼	20.00
Section 20 — NW¼	160.00	Section 19 — NE¼ of NW¼	40.00
NW¼ of NE¼	40.00	NE¼	160.00
Section 8 — SE¼ of SE¼ East of CSAH #2	30.00	Section 17 — S½ of SW¼ of SW¼	20.00
NE¼ of SE¼ East of CSAH #2	10.00	S½ of SE¼ of SW¼	20.00
Section 16 — NW¼ of NW¼ of NW¼	10.00	S½ of SW¼ of SE¼	20.00
Section 9 — SW¼ of SW¼	40.00	S½ of SE¼ of SE¼	20.00
NW¼ of SW¼	40.00	Section 20 — NW¼	160.00
NE¼ of SW¼	40.00	NE¼	160.00
N½ of SE¼ of SW¼	20.00	Section 21 — NW¼	160.00
SW¼ of NW¼ SE of CSAH #2	23.00	NE¼	160.00
SE¼ of NW¼	40.00	Section 16 — S½ of SW¼ of SW¼	20.00
N½ of SW¼ of SE¼	20.00	S½ of SE¼ of SW¼	20.00
SE¼ of SE¼	40.00	S½ of SW¼ of SE¼	20.00
NW¼ of SE¼	40.00	S½ of SE¼ of SE¼	20.00
NE¼ of SE¼	40.00	Section 15 — SW¼ within 300 ft. of River	
SW¼ of NE¼	40.00	Bank Only	17.00
SE¼ of NE¼	40.00	S½ of SW¼ of SE¼	20.00
Section 15 — NW¼	160.00	S½ of SE¼ of SE¼	20.00
NE¼	160.00	Section 22 — NW¼ within 300 ft. of River	
Section 10 — SW¼	160.00	Bank Only	23.00
NW¼ of SE¼	40.00	NE¼	160.00
SW¼ of SE¼	40.00	Section 23 — NW¼	160.00
SE¼ of SE¼	40.00	NW¼ of NE¼	40.00
Section 14 — NW¼ of NW¼	40.00	SW¼ of NE¼	40.00
NE¼ of NW¼	40.00	SW¼	160.00
N½ of SW¼ of NW¼	20.00	W½ of NW¼ of SE¼	20.00
SW¼ of SW¼ of NW¼	10.00	W½ of SW¼ of SE¼	20.00
NW¼ of NE¼	40.00	Section 26 — NW¼	160.00
NE¼ of NE¼	40.00	W½ of NW¼ of NE¼	20.00
N½ of SE¼ of NE¼	20.00	SW¼ of NE¼	40.00
Section 11 — SW¼ of SW¼	40.00	SW¼	160.00
SE¼ of SW¼	40.00	SE¼	160.00
NE¼ of SW¼	40.00	Section 35 — NE¼ of NE¼	40.00
SW¼ of SE¼	40.00	N½ of NW¼ of NE¼	20.00
NW¼ of SE¼	40.00	Section 25 — NW¼ of SW¼	40.00
SE¼ of SE¼	40.00	SW¼ of SW¼	40.00
S½ of NE¼ of SE¼	20.00	SE¼ of SW¼	40.00
Section 13 — NW¼	160.00	S½ of NE¼ of SW¼	20.00
N½ of NE¼ of SW¼	20.00		
NW¼ of SE¼	40.00		

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.



# RULES

SE $\frac{1}{4}$ of SE $\frac{1}{4}$	40.00
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	40.00
S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
<b>Section 36 —</b> NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
<b>TOTAL ACREAGE</b>	<b>11,519.02</b>

<b>Section 29 —</b> S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ North of River	15.00
<b>Section 28 —</b> S $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ North of River	16.00
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ North of River	5.00
N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$	10.00

<b>Section 27 —</b> SW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
<b>Section 34 —</b> NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$	10.00
N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00

<b>Section 35 —</b> SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ NE of River	5.00
S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ NE of River	18.00
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ NE of River	16.00
W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ East of River	18.00

## Property Descriptions — Scenic Areas

(Priority Areas for Land or Land Interest Acquisition from Willing Sellers)

### Starting from Lake Koronis

#### T 121 N — R 32 W

<b>Section 3 —</b> Government lot 4	38.88
<b>Section 10 —</b> NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Government lot 8	40.00 35.32
<b>Section 11 —</b> S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of SW $\frac{1}{4}$ W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00 10.00 40.00 20.00
<b>Section 14 —</b> SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$	10.00
<b>Section 24 —</b> W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of SW $\frac{1}{4}$ North of River only S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00 20.00 10.00 20.00 20.00

#### T 121 N — R 31 W

<b>Section 30 —</b> Government lot 4 — SE $\frac{1}{4}$	10.00
Government lot 5 — NE $\frac{1}{4}$	10.00
Government lot 3 — SW $\frac{1}{4}$	10.00
Government lot 6	40.00
Government lot 11 — N $\frac{1}{2}$	20.00
Government lot 7 — S $\frac{1}{2}$	20.00
Government lot 10 — N $\frac{1}{2}$	20.00
Government lot 8 — S $\frac{1}{2}$	20.00
Government lot 9 — N $\frac{1}{2}$	20.00
Government lot 9 — SE $\frac{1}{4}$	10.00
Government lot 16 — NE $\frac{1}{4}$	10.00
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	10.00
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ North of CSAH #30	4.00
<b>Section 31 —</b> NE $\frac{1}{4}$ of NE $\frac{1}{4}$ South of River & NE of CSAH #30	18.00

#### T 120 N — R 31 W

<b>Section 2 —</b> NW $\frac{1}{4}$ of NE $\frac{1}{4}$ NE of River SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ SE $\frac{1}{4}$ of NE $\frac{1}{4}$ NE of River	20.00 10.00 15.00
<b>Section 1 —</b> SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of River W $\frac{1}{2}$ of W $\frac{1}{2}$ of SW $\frac{1}{4}$ East of River	7.00 18.00
<b>Section 12 —</b> NW $\frac{1}{4}$ of NW $\frac{1}{4}$ East of River SW $\frac{1}{4}$ of NW $\frac{1}{4}$ East of River W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ East of River NW $\frac{1}{4}$ of SW $\frac{1}{4}$ East of River SE $\frac{1}{4}$ of SW $\frac{1}{4}$ East of River SW $\frac{1}{4}$ of SW $\frac{1}{4}$ East of River	27.00 16.00 20.00 19.00 9.00 38.00 4.00
<b>Section 13 —</b> NE $\frac{1}{4}$ of NW $\frac{1}{4}$ East of River SE $\frac{1}{4}$ of NW $\frac{1}{4}$ East of River SW $\frac{1}{4}$ NE of River	35.00 30.00 42.00

#### T 120 N — R 30 W

<b>Section 18 —</b> S $\frac{1}{2}$ of S $\frac{1}{2}$ of SE $\frac{1}{4}$	40.00
<b>Section 19 —</b> N $\frac{1}{2}$ of NE $\frac{1}{4}$	80.00
<b>Section 20 —</b> N $\frac{1}{2}$ of NW $\frac{1}{4}$ W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$	80.00 20.00
<b>Section 17 —</b> S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of SW $\frac{1}{4}$ W $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of SW $\frac{1}{4}$ South of County Road SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Except Forest City Park SE $\frac{1}{4}$ of NW $\frac{1}{4}$ SE of County Road SW $\frac{1}{4}$ of NE $\frac{1}{4}$ SE of County Road & except Forest City Park NW $\frac{1}{4}$ of NE $\frac{1}{4}$ East of CSAH #2 NE $\frac{1}{4}$ of NE $\frac{1}{4}$ West of River	20.00 40.00 20.00 38.00 10.00 16.00 4.00 28.00 7.00 9.00
<b>Section 8 —</b> SE $\frac{1}{4}$ of SE $\frac{1}{4}$ East of CSAH #2	30.00

# RULES

Section 9 — NE¼ of SE¼	40.00
Section 10 — NW¼ of SW¼	40.00
E½ of SW¼ of SW¼	20.00
SE¼ of SW¼	40.00
S½ of NE¼ of SW¼	20.00
Section 15 — NE¼ of NW¼	40.00
E½ of NW¼ of NW¼	20.00
Section 14 — NW¼ of NW¼	40.00
Section 11 — S½ of NE¼ of SW¼ North of River	17.00
N½ of SE¼ of SW¼ West of River	10.00
SW¼ of NW¼ of SE¼ North of River	8.00
W½ of SW¼ of SE¼ North of River	2.00
Section 13 — E½ of W½ of NW¼	40.00
W½ of E½ of NW¼	40.00
T 120 N — R 29 W	
Section 18 — SE¼ of SW¼	40.00
Section 19 — NW¼ of NE¼ North of River	18.00
NE¼ of NW¼ North of River	4.00
Section 20 — NE¼ of NW¼ North of River	27.00
NW¼ of NE¼ North of River	26.00
N½ of NE¼ of NE¼	20.00
Section 21 — NW¼ North of River	68.00
N½ of NE¼ South of River	63.00
Section 22 — N½ of NW¼ of NE¼	20.00
SE¼ of NW¼ of NE¼	10.00
NE¼ of NE¼ South of River	4.00
Section 15 — SW¼ of SE¼ South of CSAH #27	9.00
Section 23 — NE¼ of NW¼ South of CSAH #27	14.00
SE¼ of NW¼	40.00
NE¼ of SW¼	40.00
SE¼ of SW¼	40.00
Section 26 — NE¼ of NW¼	40.00
SE¼ of NW¼	40.00
SW¼ of SW¼ of NE¼	10.00
NE¼ of SW¼ NE of River	8.00
W½ of NW¼ of SE¼ NE of River	19.00
SE¼ of SE¼ South of River	16.00
Section 25 — SW¼ of SW¼ South of River	17.00
SE¼ of SW¼	40.00
SW¼ of SE¼	40.00
W½ of SE¼ of SE¼	20.00
Section 36 — N½ of NW¼ of NE¼	20.00
NW¼ of NE¼ of NE¼	10.00
TOTAL ACREAGE	2,671.20

## Department of Public Welfare Income Maintenance Division Adopted Rules Governing Aid to Families with Dependent Children (AFDC)

DPW 44: Aid to Families with Dependent Children (AFDC)

A.-C. remain unchanged.

D. Eligibility factors.

1.-12. remain unchanged.

13. Income.

a. Generally, "income" is any benefit received by and available to an AFDC recipient as earnings or otherwise. Income may be earned or unearned. In family groups living together, the income of a spouse is considered available to his/her children under age 21. All income, except non-cash items provided free of cost and other items specifically disregarded in this rule, must be evaluated in determining the need of AFDC recipients. Real or personal property which has been converted to cash is treated within the property standards, stated in part D.5. not as newly received income.

b. Exclusions. The following income is not considered a resource for AFDC purposes:

(1) Inconsequential income (amounts up to \$30 per month providing such amount is less than the grant);

(2) Reimbursement for the maintenance costs incurred in providing foster care;

(3) WIN work and training allowances;

(4) Non-WIN training allowances received as a social service expense;

(5) Food Stamp bonuses;

(6) Comprehensive Employment and Training Act incentive payments;

(7) Home-produced food used in the home;

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

## RULES

(8) Reimbursement for out-of-pocket expense incurred for volunteer work;

(9) Corrective payments from the local agency;

(10) Assistance under the Uniform Relocation Act of 1970;

(11) Indian tribal payments specifically exempted by Congress;

(12) Loans and grants, such as scholarships, obtained and used under conditions that preclude their use for current living costs;

(13) Any grant or loan to any undergraduate student for educational purposes made or insured under any programs administered by the United States Commissioner of Education;

(14) Vietnam Veteran's Bonuses authorized by law;

(15) Benefits under Titles VI or VII of the Older Americans Act of 1965;

(16) Minnesota tax refunds for senior citizens and disabled persons;

(17) Federal payments for presidentially declared disaster areas when specifically identified in federal law;

(18) Volunteer payments under Title II and III of the Domestic Service Act of 1973;

(19) Assistance through the National School Lunch and Child Nutrition Act amendments of 1973;

(20) Up to \$20 per month in child support (Title IV-D) bonus payments;

(21) Allowances and expenses paid by Vocational Rehabilitation;

**(22) Annual supplemental housing allowances provided to AFDC recipients in lieu of income adjusted homestead credits under Minn. Stat. §§ 290A.01 to 290A.22 if approved by the United States Department of Health, Education and Welfare;**

[(22)] (23) Other income disregards as mandated by federal or state law.

### c. Allocation of income.

(1) All income received must be reported promptly but no later than the fifth day of the month follow-

ing the month of receipt. For current recipients, the local agency will use this report to determine the amount of the grant for the month in which the report is submitted;

(2) Before applying income to need, income may be allocated from spouse to spouse and from parents to children under age 21 if such person resides with the AFDC recipient and is in need;

(3) The income and resources of an SSI recipient are not counted in determining the AFDC recipient's income;

(4) Trust funds for a particular person or purpose cannot be allocated to the family until that person's needs or the particular purpose are met; only legally restricted trust funds are excluded;

(5) RSDI payments are considered family income unless they are paid for a child who is excluded from the grant;

(6) Income from jointly-held property is allocated according to the share of ownership and availability to AFDC recipients.

d. Income cannot be allocated to meet past obligations. See DPW Rule 53.

e. During the period of eligibility, the county can determine income and work expenses monthly or average it over a three-month period.

f. All unexcluded unearned income and earned income minus allowable deductions must be applied against the AFDC Family Allowance Standards.

g. Income averaging involves dividing total income for the past three months by three; actual income variations are ignored when income averaging is used unless a significant change requires a stop in the averaging cycle; weekly income should be multiplied by 4.3, bi-weekly income by 2.16, and semi-monthly income by 2, to determine monthly income. Significant changes are: A change in net income totalling more than \$50 in a given month. A decrease in total income (disregard, available income and grant) to less than the need standard. An increase in net income which would result in ineligibility. The recipient's employment ends.

### h. Earned income.

(1) Generally, earned income includes any compensation from employment or self-employment (wages, salary tips, commissions, profits, etc.), plus training incentive payments and work allowances under the Equal Oppor-

## RULES

tunity Act and Title I of the Elementary and Secondary Education Act.

(a) \$30, plus one-third of the remainder of the family's total earned income is to be disregarded unless a family member has terminated or refused employment within the preceding 30 days (in which case the disregard is not applied for one month to the earnings of that individual); this disregard does not apply to income from WIN public service employment;

(b) The earned income of a child under age 14 shall be excluded;

(c) The earned income of a child over age 14 who is a full or part time student (but not employed full time) in a high school, college, university, vocational or technical courses, shall be excluded; if the money is set aside for specified educational goals, the amount may exceed the personal property maximum; the earnings of the student are considered in determining initial eligibility and afterward, excluded;

(d) In new applications, the \$30 and  $\frac{1}{3}$  earned income disregard is not applied to earned income unless the applicants' needs were met, whole or in part, by AFDC in any of the four months preceding the month of application.

(2) The following employment expenses are to be deducted in determining net earned income, if incurred, necessary, and reasonable:

(a) Mandatory retirement fund deductions;

(b) Transportation costs to and from work based on the actual cost of public transportation or car pool payments, or 13¢ per mile for the actual number of miles driven, not to exceed 100 miles per day of employment (unless the recipient can establish higher transportation costs that are both necessary and reasonable); cost of no fault insurance is included in the 13¢ per mile;

(c) Cost of work uniforms;

(d) FICA and SMI payments;

(e) Federal and state income taxes withheld;

(f) Union dues;

(g) Professional association dues required for employment;

(h) Child care costs unless these are paid as a social service, or paid to a relative included in the AFDC grant, or paid to a relative who is financially responsible for the family and able to contribute to it;

(i) Health insurance premiums;

(j) Cost of tools and equipment used on the job;

(k) One dollar per day for the cost of meals eaten during employment hours (unless the recipient can establish actual higher meal costs that are both necessary and reasonable);

(l) Public liability insurance required by the employer when an automobile is used in employment and the cost is not compensated for by the employer;

(m) Business expenses (except depreciation) as recognized by the federal and state tax authorities.

(3) Income from small businesses is the difference between gross receipts and business costs. (Capital expenditures and depreciation are not a business cost.)

(4) Farm income is the difference between gross receipt (sales, rents, soil conservation payments) and operating expenses. Home-produced foods for sale are included. (Capital expenditures are not included as an operating expense.)

(5) Income from child care in the home is the difference between gross receipts and the expenses allowed by IRS Schedule C; the cost of meals shall be 60¢ per meal per child, unless the actual reasonable cost exceeds this amount.

(6) Income from roomers and boarders is computed by allowing \$53 per month (for each boarder), \$42 per month (for each roomer), or \$95 per month (for each roomer and boarder), as the expenses of producing this income.

(7) Unearned income is not the direct result of labor performed by the recipient as an employee. Receipt of SII is a bar to receipt of AFDC, but not AFDC-FC. Serviceperson's income shall be counted after deducting the amount needed for the serviceperson's clothing, personal needs, and transportation, but cannot be greater than the amount actually received by the family.

i. Special situations.

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

# RULES

(1) Rental income is unearned income unless there is labor expended in obtaining the income from rental property. Deduct \$60 per year or two percent of market value (whichever is less) for upkeep and repairs, and deduct taxes, insurance, utilities and principal payments if the recipient lives on the property. Where the recipient lives on the property, these expenses shall be allocated according to the number of rooms.

(2) Unless otherwise excepted, lump sum payments and windfalls are unearned income in the month received and are considered property thereafter.

**(3) Income tax refunds are counted as income.**

[(3)] (4) Income tax refunds except those based on pre-AFDC earnings do not qualify for the \$30 and 1/3 disregard. If a refund is received for the income of a recipient and non-recipient, it shall be allocated according to the gross income of each. Recipients must be notified of the status of income tax refunds each January and April. Income tax refunds are counted as income.

**E. AFDC family allowance.**

**1. Standards of need.**

a. The need standards set forth in this section are to be used to determine the grant for every AFDC family in Minnesota (except AFDC-FC).

**b. Definitions.**

(1) An "eligible person" is one who is eligible for and receives AFDC; in most circumstances it means one caretaker relative and the dependent children he/she cares for (more than one caretaker may be included when eligibility is based on parental incapacity or unemployment of the father). All "eligible persons" receiving one AFDC grant constitute one "recipient unit".

[(2) A "non-shared household" is one in which all persons in the household are eligible for and receive assistance in one AFDC check, if two AFDC checks are received by the household because more than one county is financially responsible, the household is "non-shared".]

**(2) The "Child Only" applies to a family in which no adults are eligible persons.**

[(3) A "shared household" is one in which AFDC recipients live with one or more persons not eligible for AFDC or who receive AFDC as a separate recipient unit (see exception in definition b.(2) above). A shared house-

hold's standard of need is less than that of a non-shared household because, on a state wide average, the per capita living costs of shared households have been found to be less than non-shared households; the difference is not due to the income, actual or supposed, of the non-eligible person in a shared household.]

**(3) The "Family Standard" applies to families in which one or more adults are eligible persons. For purposes of AFDC, an eligible caretaker under age 18 is considered an adult.**

[(4) NOTE: If the only non-eligible person living with an AFDC recipient unit is a boarder (meals only), a foster child placed by a licensed child-placing agency, an agency placed or approved homemaker, housekeeper, or live-in attendant, an unborn child, or an SSI recipient, the household is "non-shared". If the non-eligible person is a roomer or boarder and roomer, the household is "shared".]

**[c. Needs standards**

# of Eligible Persons In Recipient Unit	Non-Shared Households	Shared Households
1	136	73
2	272	177
3	330	225
4	385	293
5	432	341
6	479	396
7	526	468
8	566	537
9	607	589
10	641	613
Each person over 10 add	33	24]

**c. Family Allowance**

Eligible Persons	Child Only Standard	Family Standard
1	136	272
2	216	330
3	268	385
4	330	432
5	366	479
6	398	526
7	437	566
8	471	607
9	505	641
10	533	641
Each person above 10 add	33	33

**d. Amount of grant. The amount of the AFDC grant for a recipient unit is the difference between the standard of need as determined by the above table and the recipients' non-exempt, non-disregarded income (see Part D. 13.).**

# OFFICIAL NOTICES

## EQC Monitor

### Environmental Quality Council

#### Actions Taken at the October 12, 1976 EQC Meeting

1. Determined the following Environmental Assessments (EAs) were adequate and no Environmental Impact Statement (EIS) is required.

a. Minneapolis Electric Steel Casting Company — Duluth

b. Half Moon Lake — St. Louis County

c. Hutchinson Municipal Utility — Hutchinson

2. Determined EA on Metropolitan Waste Control Commission sludge disposal facility inadequate.

3. Determined EA on Minnesota Pipeline Company — Illinois to Pine Bend — adequate and that EIS is required with Department of Natural Resources designated responsible agency.

4. Determined no EA required on Candlewood Subdivision — Deephaven petition.

5. Determined EA required on Bluff View Labs — Elgin petition project with Department of Agriculture designated responsible agency.

6. Found final EIS on "The Preserve" — Eden Prairie adequate.

7. Ordered hearing on proposed Permit Coordination Rules.

8. Accepted CPA/UPA\* route application — Delano to Willmarth (EQC Docket #CPA/UPA-TR-2).

9. Accepted Hearing Officer's findings and designated Floodwood/Fine Lakes site for MP&L\* 800 MW\* plant (EQC Docket # MP&L-P-2).

10. Determined to accept MP&L route application as of November 15, 1976 (EQC Docket # MP&L-TR-2).

\*CPA/UPA — Cooperative Power Association — United Power Association

MP&L — Minnesota Power and Light Company

MW — Megawatt

## Department of Administration Cable Communications Board

### Proposed Rules Governing Renewals and Amending of Cable Communications Franchises, and the Renewal of Certificates of Confirmation

#### Notice of Intent to Solicit Outside Opinion

Notice is hereby given that the Minnesota Cable Communications Board has begun consideration of proposed rules governing the renewal and amending of franchises and the renewal of certificates of confirmation. In order to adequately determine the nature and utility of such rules, the Minnesota Cable Communications Board hereby requests information and comments from all interested individuals or groups concerning the subject matter of the proposed rules.

All interested or affected persons/or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Minnesota Cable Communications Board  
3050 Metro Office Park  
Bloomington, MN 55420

Oral statements of information and comment will be received at a meeting scheduled as follows:

November 18, 1976, Thursday  
9:00 am  
3050 Metro Office Park  
Room 105 (Conference Room)  
Bloomington, Minnesota

Additionally, oral statements of information and comment will be received during regular business hours over the phone at (612) 854-1703, and in person at the offices of the Minnesota Cable Communications Board, 3050 Metro Office Park, Room 312, Bloomington, Minnesota.

All statements of information and comment must be received by November 29, 1976. Any written material received by the Board shall become part of the hearing record.

## OFFICIAL NOTICES

The proposed rules, if adopted, would amend current Board rules in the areas of renewal of franchises and the amendment of franchises by clarifying the definitions of renewal and amendment; in the area of certificates of confirmation by clarifying the effect of a renewal of a franchise or an amendment of a franchise on a special, interim, or regular certificate of confirmation and by clarifying the obligations of cable communications companies at the termination date of their special, interim, or regular certificate of confirmation.

Robert J. McDonald  
Executive Director

### Department of Commerce Banking Division

#### Maximum Lawful Rate of Interest for Mortgages for the Month of November, 1976

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to the Conventional Home Loan Assistance and Protection Act, Laws of 1976, ch. 300, hereby determines the maximum lawful rate of interest for home mortgages for the month of November 1976 is Eight and Three-Quarters (8.75) percent.

Robert A. Mampel  
Commissioner of Banks  
October 14, 1976

### Department of Public Welfare Chemical Dependency Program Division

#### Grants for Facilities for Chemically Dependent Persons

##### Notice of a Request for Proposals

A Request for Proposals has been issued by the Chemical Dependency Program Division, Department of Public Wel-

fare (State Alcohol and Drug Authority) on October 15, 1976, for the purpose of initiating board and lodging facilities for chronic chemically dependent persons. Grants, not exceeding \$10,000, will be awarded for acquiring, remodeling or furnishing a facility and/or three months operating costs. Proposals must be received by November 15, 1976. Persons or organizations wishing to receive this RFP should communicate with Doyle Kirby, Chemical Dependency Program Division, 4th Floor, Centennial Office Building, St. Paul, MN 55155. Telephone: (612) 296-4611.

### Teachers Retirement Association

#### Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association, will hold a meeting on Thursday, November 18, 1976, at 1:00 P.M. in the office of the Association, 302 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota, to consider matters which may properly come before the Board.

#### Errata

1. 1 S.R. 580: insert "for one year" between "LP gas per month" and "divided by 12" at EA 2004 C.
2. 1 S.R. 581: change "EA 2012 C.2." to EA 2021 A.2." at EA 2011 B.1.
3. 1 S.R. 582: change "\$255, or" to "\$255 times the number of mantles in each gas lamp, or" at EA 2032 E.1.a.
4. 1 S.R. 612: change "agent" to "grant" at SPA 102 E.1. change "control" to "controls" at SPA 104 C.
5. 1 S.R. 614: delete "applications" after "Final" and before "applications" at SPA 114.

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House of Representatives  
Attn: Edward Burdick, Chief Clerk  
Room 211 Capitol  
St. Paul, Minnesota 55155

I