

# Wild & Scenic Rivers

## Contact

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## Purpose

**Wild and Scenic Rivers** - The purpose of the Federal and State Wild and Scenic Rivers Acts are to preserve and protect Wild and Scenic Rivers and their immediate environments for benefit of present and future generations.

**Canoe and Boating Routes** - The purpose of Minnesota Statute 85.32 "Canoe and Boating Routes" is to mark rivers which have historic and scenic values and to mark appropriately points of interest, portages, campsites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe and watercraft travelers.

**Mississippi National River and Recreation Area (MNRRA)** - The purpose of Public Law 100-696 is to protect, preserve and enhance the significant values of the waters and land of the Mississippi River Corridor within St. Paul-Minneapolis River Corridor, and to encourage and facilitate coordinated resource management within this corridor.

The Mississippi National River and Recreation Area (MNRRA), a unit of the National Park System, was established by Congress in 1988 to protect and enhance the nationally significant historical, recreational, scenic, cultural, natural, economic, and scientific resources of the river corridor. The MNRRA extends along the Mississippi River and designated adjacent lands for approximately 72 miles in the Twin Cities Metro area from the communities of Dayton and Ramsey in the north to just south of Hastings. The MNRRA boundary is identical to that of the Mississippi River Critical Area. The MNRRA Comprehensive Management Plan incorporates by reference requirements of the state Mississippi River Critical Area, Shoreland and Floodplain programs. The plan directs the National Park Service to cooperate with local governments, the Minnesota Departments of Natural Resources, and the Metropolitan Council to implement state land use standards through local plans and ordinances.

## Threshold Criteria

See Appendix 1 for a list of rivers and locations in Minnesota that are Federal Wild and Scenic Rivers, State Wild and Scenic Rivers, Canoe and Boat Routes or part of the MNRRA. If a project includes work near one of the rivers listed, follow the guidance below.

### **Federal Wild and Scenic Rivers -- St. Croix River**

The St. Croix River includes a mixture of Federal and State authorities. Projects possibly affecting this river may require coordination with both the Minnesota and Wisconsin Departments of Natural Resources. Additionally, "The NPS has review authority for all projects on the upper portion and on all Federally funded projects on the lower segment" (letter from NPS to MnDOT dated June 11, 1991). Project Managers should contact Project Liaison or Environmental Services for additional guidance.

### **Federal Wild and Scenic Rivers -- Candidate Rivers**

Minnesota has 50 rivers identified as candidates for inclusion in the National Wild and Scenic River System. These 50 rivers, if within the project limits, require consideration as detailed in the memo dated December 14, 1984 from Joe Thomas to Lynn Eaton (see appendix). If the proposed action could have foreseeable adverse effects on a river on the National Wild and Scenic Rivers System or a river under study for designation to the National Wild and Scenic Rivers System, early coordination with the agency responsible for managing the listed or study river (i.e., National Park Service (NPS), Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), or Forest Service (FS)) should occur. Early coordination should also occur if the project will require a Corps of Engineers permit. Coordination should be documented in the environmental document.

### **State Wild and Scenic Rivers**

Minnesota has six state designated Wild and Scenic Rivers. These six rivers, if within project limits, require special consideration as detailed in the [memo dated November 26, 1985 from Joe Thomas to Del Gerdes](#).

### **Canoe and Boating Routes**

Consult the list of rivers in the appendix. If an identified river is within project limits, the issue of Canoe and Boating Routes should be formally addressed.

MnDOT's two main areas concerning Canoe and Boating Routes are:

- 1) providing for small watercraft navigational clearance under hydraulic structures and
- 2) coordinating water access requests with the Minnesota Department of Natural Resources (MnDNR).

### **MNRRRA Corridor**

The NPS and the MnDNR have review authority for projects occurring within the MNRRRA corridor. MNRRRA is a unit of the National Park System. MNRRRA staff (who are part of the National Park Service) would like early coordination (phone call, invitation to meetings, etc.) when projects in the MNRRRA exceed the criteria in Attachment B of the [Programmatic Categorical Exclusion Approval Agreement](#) between FHWA and MnDOT. Early coordination and comments from the MnDNR can be obtained using the MnDOT / MnDNR Questionnaire. Comments received from MNRRRA staff and MnDNR and should be summarized and addressed in the project's environmental document(s).

### **Other River Boards, Commissions, etc.**

In addition, the Project Manager should be aware that under Minnesota laws there are a number of boards or commissions which have influence or control over certain types of development along and adjacent to various rivers throughout the State. The Project Manager should be sensitive to this possibility and engage in early coordination. The following list is illustrative of such boards or commissions. The composition of these Boards or Commissions is subject to change, therefore the Project Manager has the responsibility to insure that a particular project is properly coordinated. Also listed is the Minnesota Statute regarding each commission.

- Watershed Management Organizations - Minnesota Statute [103B.211](#)
- Watershed Districts - [103D](#)
- Mississippi River Parkway Commission - Minnesota Statute [161.1419](#)
- Mississippi Headwaters Board - Minnesota Statute [103F.367](#)
- Southern Minnesota Rivers Basin Board - Minnesota Statute [103F.171](#) and [103F.173](#)
- South Dakota-Minnesota Boundary Waters Commission - Minnesota Statute [103B.451](#)

## Prepared Statement

If the project does not meet the threshold criteria, a statement to the effect that the project "will not involve any State or Federal (Potential) Wild & Scenic River, State Canoe and Boating River, or MNRRA" is adequate.

## Relationship to the HPDP

### Class I Action (Environmental Impact Statements)

#### Scoping Documents

Identify any Federal (Potential) and/or State Wild and Scenic Rivers, or any State Canoe and Boating Route, or portions of the MNRRA corridor that lie within project limits. Assess the potential for any significant impacts. Early coordination with the NPS and/or MnDNR is advised. Use of the MnDNR Questionnaire is recommended.

#### Draft Environmental Impact Statement (DEIS)

Discuss any possible adverse impacts to Wild and Scenic Rivers, State Canoe or Boating Rivers or the MNRRA and any potential measures that could be taken to alleviate or minimize these impacts for each alternative with impacts.

#### Final Environmental Impact Statement (FEIS)

Summarize the Wild and Scenic Rivers, Canoe and Boating, or MNRRA sections of the DEIS (if applicable), limiting the discussion to those facts pertinent to the selected alternative. Include what measures will be taken to mitigate these impacts.

### Class II Action (Categorical Exclusions)

#### Project Memorandum and Project Path Report

Identify any State or Federal (Potential) Wild and Scenic Rivers, State Canoe and Boating Rivers or portions of the MNRRA corridor that lie within project limits. Discuss any possible adverse impacts and any proposed measures to be taken to alleviate or minimize the impacts.

Early coordination with the MnDNR Regional Hydrologist and/or Trails and Waterways Coordinator (can use the MnDNR questionnaire) to discuss possible

concerns is appropriate. Any correspondence should include a copy for the MnDNR Office of Planning.

### **Class III Action (Environmental Assessments)**

#### **Environmental Assessment**

Discuss any possible adverse impacts to Wild and Scenic Rivers, State Canoe and Boating Rivers, or the MNRRA, and any potential measures that may be taken to minimize these impacts. (Also see the early coordination discussion for PPR's).

#### **Finding Of No Significant Impact (FONSI)**

Discuss the proposed measures to be taken that will minimize adverse impacts to the Wild and Scenic River, the State Canoe and Boating River or the MNRRA in the request for a FONSI package and the state Negative Declaration.

### **Agencies Involved**

<b>Agency(s)</b>	<b>When they are involved and why</b>
National Park Service Midwest Regional Office 1709 Jackson Street Omaha, NE 68102	Projects involving Federal (Potential) Wild and Scenic Rivers. St. Croix River projects must coordinate with NPS. NPS has review authority on 404 permits, and any federal license, permit or federal assistance.
National Park Service MNRRA 175 Fifth Street East, Suite 418, Box 41 St. Paul, MN 55101	Projects in the MNRRA that exceed the criteria in Attachment B of the <i>Programmatic Categorical Exclusion Approval Agreement between FHWA and MnDOT</i> , are of interest to MNRRA staff. Project Managers should consult MNRRA staff on these projects prior to completing the environmental document.
Minnesota Department of Natural Resources	Projects involving Federal Wild and Scenic River, Minnesota State Wild and Scenic Rivers, Minnesota Canoe and Boating Routes and MNRRA.
Wisconsin Department of Natural Resources	Projects involving Federal Wild and Scenic River (St. Croix) and MNRRA.
Mississippi River Parkway Commission	Projects affecting the Great River Road or Mississippi River Parkway. Commission works toward the planning, construction, maintenance, and improvement of the Great River Road or Mississippi River Parkway in Minnesota
Mississippi Headwaters Board	Projects in the shore land area of the Mississippi River in the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison. Board has authority to prepare, adopt, and implement a comprehensive land use plan designed to protect and enhance the Mississippi River and related shore land areas.

Agency(s)	When they are involved and why
Southern Minnesota Rivers Basin Board	Projects that may affect "Southern Minnesota rivers basin area II" (the area within the watersheds of rivers and streams that are tributaries of the Minnesota River from the south between the cities of Ortonville and Mankato. Major rivers included within the watershed are the Yellow Bank, Lac Qui Parle, Yellow Medicine, Redwood, and Cottonwood. All of Lac Qui Parle, Yellow Medicine, and Redwood counties, and parts of Lincoln, Lyon, Pipestone, Murray, Cottonwood, and Brown counties are included within the boundaries of the area). There is a state grant-in-aid pilot program of providing financial assistance to units of local government, including counties, soil and water conservation districts, and watershed districts, located in the southern Minnesota river basin area II for project and construction costs for the building of floodwater retarding and retention structures within a general plan for floodplain management.
South Dakota / Minnesota Boundary Commission	Projects that may affect levels of boundary water levels.
Minnesota-Wisconsin Boundary Area Commission	Projects along the Minnesota-Wisconsin border that may affect:  joint regional planning for the development of boundary areas; measures for controlling air and water pollution, maintaining water quality, and controlling water use; programs for control of soil and river bank erosion and the general improvement of the river basins; diversion of waters from and into the rivers; restrictions and regulation of land use development designed to preserve the scenic and recreational attributes of the river basins; other restrictions, regulations or programs the commission may recommend to the party states.

## Permits and Approvals

Permit/Approval	Agency with Oversight	Reference in HPDP
Public Waters Work Permit	Minnesota Department of Natural Resources (MnDNR)	Minnesota DNR
Section 404 Permit	National Park Service	National Park Service Page

## Legal Basis

Description	Code
Federal "Wild and Scenic Rivers Act"	<a href="#">16 U.S.C. 1271-1287</a>
"Minnesota Wild and Scenic Rivers Act"	Minnesota Statute <a href="#">103F.301</a> to 103F.345
"Lower St. Croix Wild and Scenic River Act"	Minnesota Statute <a href="#">103F.351</a>
"Canoe and Boating Routes"	Minnesota Statute <a href="#">85.32</a>
Comprehensive Management Plan for projects within the Mississippi National River and Recreation Area (MNRRA) corridor	Public Law 100-696; see <a href="#">16 USC Chapter 1</a> , Subchapter CXI - Mississippi National River and Recreation Area

## Guidelines/Regulations

Creator (Agency/Author)	Subject of guideline/regulation
FHWA	<a href="#">T 6640.8A</a> , <i>Guidance for Preparing and Processing Environmental and Section 4(f) Documents</i> , Wild and Scenic Rivers section.
National Park Service	Letter to MnDOT
Minnesota Rules	Minnesota Rules <a href="#">6105.0010 - 6105.0250</a> , Wild, Scenic and Recreational Rivers
Office of Environmental Services	The Office of Environmental Services has also developed guidelines to follow. These guidelines are in memo form and are based upon verbal conversations with the respective government agencies. (See Appendix )

## Helpful Links

### National Park Service

[Map of Mississippi National River and Recreation Area \(MNRRA\) Corridor and Critical Area](#)

## Appendix

### List of Designated Rivers

#### Wild and Scenic Rivers (Federal and State) Canoe and Boating Routes, and MNRRA

River	District(s)	Federal Wild & Scenic Rivers (Federal) - location (See Note 1)	State Wild & Scenic Rivers (See Note 2)	Canoe & Boating Routes (See Note 3)
Ash	1	St. Louis		
Bear	1	St. Louis, Itasca		
Big Fork	1, 2	Koochiching, Itasca		Entire length
Black	2	Koochiching		
Blue Earth	7	Blue Earth, Faribault		
Brule	1	Cook		
Caldwell Creek	2	Koochiching		
Cannon	6, M	Rice, Dakota	Faribault to Mississippi	Entire length
Clearwater	2	Clearwater		
Cloquet	1	St. Louis, Lake		Entire length
Cottonwood	8, 7			Entire length
Crow Wing	3	Morrison		Entire length
Crow, N. Fork	3, 8		Meeker County	Entire length
Crow	M, 3	Hennepin		
Des Moines, W. Fork	7, 8	Murray, Cottonwood, Jackson		Entire length
Embarrass	1	St. Louis		
Kettle	1		Pine County	Entire length
Little Fork	1	Koochiching, St. Louis		Entire length
Lower Tamarack	1	Pine		
Manitou	1	Lake		
Middle	2	Marshall		
Minnehaha Creek	M	Hennepin		



**Wild and Scenic Rivers**

River	District(s)	Federal Wild & Scenic Rivers (Federal) - location (See Note 1)	State Wild & Scenic Rivers (See Note 2)	Canoe & Boating Routes (See Note 3)
Minnesota	4, 7, 8, M	from Chaska to source	Lac Qui Parle dam to Franklin	Entire length
Mississippi (see notes below for MNRRA <a href="#">(4)</a> )	M	St. Croix R. to Lock and Dam #1 in Minneapolis	St. Cloud to Anoka	Entire length
Moose	3, 1	Aitken, Cass		
Pigeon	1	Cook		
Pine	1			Entire length
Pomme de Terre within Swift county	4			Entire length
Prairie	1	Aitken, St. Louis		
Prairie	1	Itasca		
Rapid, E. Fork	2	Koochiching		
Rapid, N. Fork	2	Lake of the Woods		
Rapid	2	Koochiching, Lake of the Woods		
Rat Root, E. Fork	1	Koochiching, St. Louis		
Rat Root	1	Koochiching, St. Louis		
Red Lake	2	Polk, Red Lake		Entire length
Rice	1	St. Louis		
Root	6	Houston, Fillmore		Entire length
Roseau	2	Roseau		
Rum	3, M		entire length	
Rum	M, 3	Anoka, Mille Lacs, Isanti		Entire length
Sand Creek	1	Pine		
Sauk	3	Streamns		
Schoolcraft	2	Hubbard		
Shell	3	Wadena		
Shell Rock	6	Freeborn		
Snake	3, 1	Aitken, Kanabec		Entire length
St. Louis	1			Entire length

River	District(s)	Federal Wild & Scenic Rivers (Federal) - location (See Note 1)	State Wild & Scenic Rivers (See Note 2)	Canoe & Boating Routes (See Note 3)
St. Francis	3	Sherburne		
St. Croix	M, 1	Entire length	Entire length	Entire length
Straight	6			Entire length
Sturgeon Dark	1	St. Louis		
Temperance	1	Cook		
Turtle	2	Beltrami		
Vermilion	1	St. Louis		
Watonwan	7			Entire length
Whiteface	1	St. Louis		
Whitewater	6			Entire length
Wild Rice	4, 2	Clearwater, Norman, Mahnomen		
Willow	1, 3	Aitken		
Zumbro	6			Entire length

### Notes:

#### (1) Wild and Scenic Rivers (Federal)

An approximate location is listed - see listing from National Park Service for precise location. All rivers listed are potential candidates for federal Wild and Scenic Rivers Inventory except St. Croix River. If listed river is within the project limits, see memo from Joe Thomas to Lynn Eaton (12/14/84). Additionally, "the NPS must be contacted to review proposals for Federally funded projects; early coordination is recommended" (Letter from NPS to MnDOT dated June 11, 1991).

If on the St. Croix, the NPS has review authority for all projects on the upper portion and on all Federally funded projects on the lower segment" (letter from NPS to MnDOT dated June 11, 1991). Project Managers are encouraged to contact Project Liaison and Environmental Services for additional guidance.

#### (2) Wild and Scenic Rivers (State)

- if within project limits, see [memo from Joe Thomas to Del Gerdes](#) (11/26/85).  
additional information:

MnDNR Web page - <http://www.dnr.state.mn.us/maps/index.html>

(3) Canoe and Boating Routes - If within project limits, see [memo from Joe Thomas to Del Gerdes](#) (12/6/85).

additional information:

Minnesota Statue [85.32](#) (Canoe and Boating Routes)

MnDNR Web page - <http://www.dnr.state.mn.us/canoeing/routes.html>

**(4)** Mississippi National River and Recreation Area (MNRRA) -

MNRRA covers the Mississippi River and adjacent areas from the Crow River

(Hennepin/Wright county line) to the Dakota/Goodhue county line. MNRRA has a web site at [www.nps.gov/miss](http://www.nps.gov/miss).