

Cooperative Management Plan
Lower St. Croix
National Scenic Riverway



Minnesota • Wisconsin

Recommended: Anthony L. Andersen Date: May 1, 2001
Anthony L. Andersen
Superintendent, Lower St. Croix National Scenic Riverway

Approved: William W. Schenk Date: 5/7/01
William W. Schenk
Regional Director, Midwest Region, National Park Service

Approved: Allen Garber Date: 5/2/01
Allen Garber
Commissioner, Minnesota Department of Natural Resources

Approved: Darrell Bazzell Date: 10/11/01
Darrell Bazzell
Secretary, Wisconsin Department of Natural Resources

Cooperative Management Plan

January 2002

LOWER ST. CROIX **National Scenic Riverway**

Wisconsin Department of Natural Resources
Minnesota Department of Natural Resources
U.S. Department of the Interior • National Park Service



SUMMARY

In 1972 Congress added the Lower St. Croix River (see the Region map) to the national wild and scenic rivers system (Public Law 92-560). The Lower St Croix was designated for its outstandingly remarkable scenic, recreational, and geologic values.

The Lower St. Croix National Scenic Riverway, which extends 52 miles from St. Croix Falls/Taylor Falls to the confluence with the Mississippi River at Prescott/Point Douglas, is jointly managed by the National Park Service (NPS), Minnesota Department of Natural Resources, and Wisconsin Department of Natural Resources. Many changes have occurred in the St. Croix Valley since the original riverway *Master Plan* was developed by the three managing agencies in 1976. Recognizing that the *Master Plan* was dated, the managing agencies have jointly developed this *Cooperative Management Plan* for the lower riverway.

This joint plan has been adopted by the federal and state river managing agencies after an analysis of the benefits, environmental impacts, and costs of alternative courses of action and a thorough consideration of public input.

The plan emphasizes maintaining and enhancing the riverway's diverse character. Long stretches of the lower riverway's natural and rural landscape will be maintained, while allowing limited, planned, development in communities that is consistent with the historic character of the communities. Limited new development could occur within existing municipalities along the river, although maintenance of the overall character of the municipalities will be emphasized. Outside of municipalities landowners will be encouraged to maintain the natural character of the landscape, particularly the blufflines, as seen from the water. Protection of natural resources, including the valley's important biological diversity, will be enhanced. Riverway users will continue to find opportunities to engage in a wide range of recreational experiences. The emphasis will be on maintaining and enhancing the diverse landscape character and diverse water-based recreational opportunities.

The Lower St. Croix Management Commission will continue as the primary policy body for joint management of the riverway. The Minnesota Department of Natural Resources, Wisconsin Department

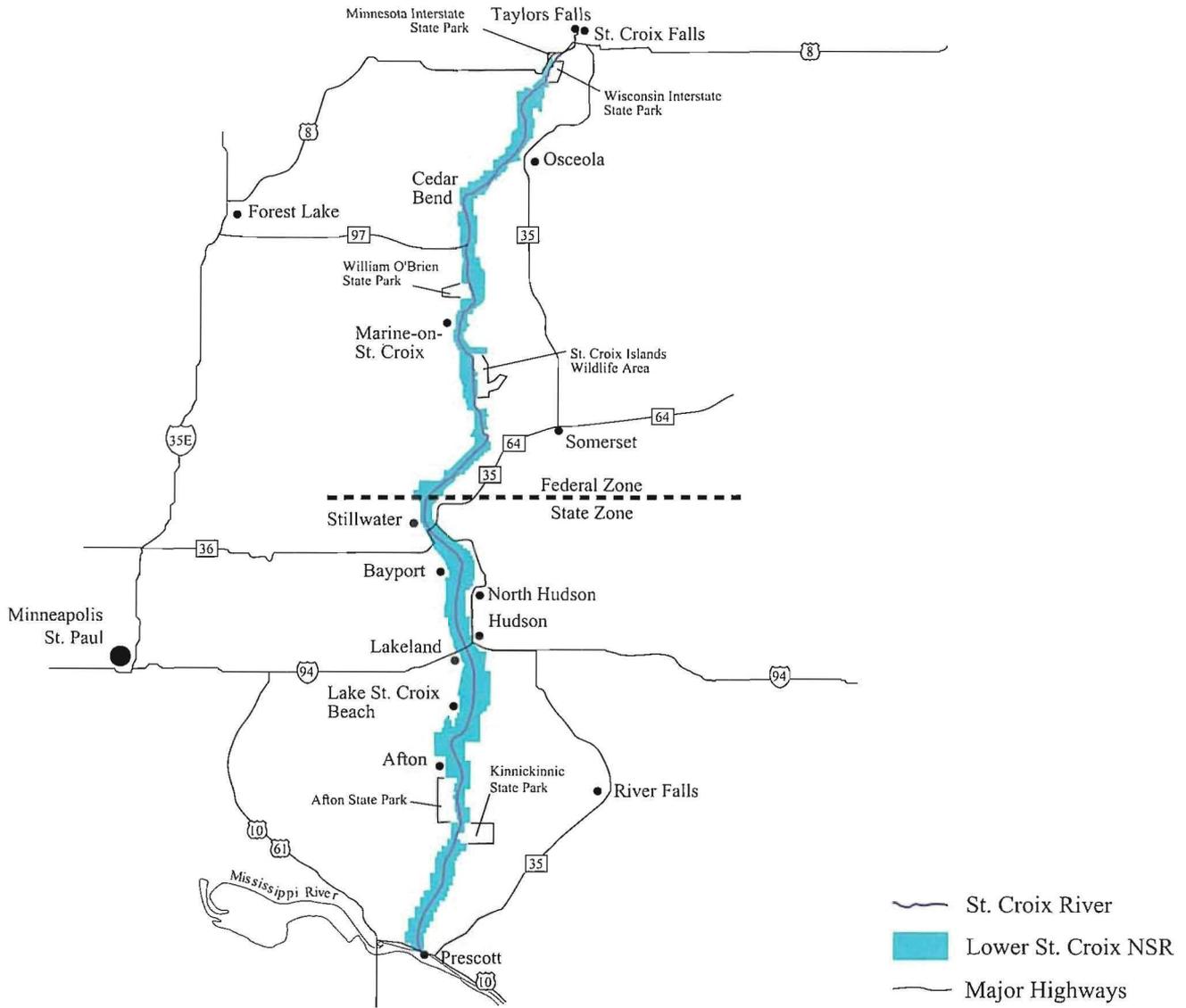
of Natural Resources, and the National Park Service will continue as the three voting members. The management commission will include an additional nonvoting member from the newly created Lower St. Croix Partnership Team that will serve an advisory role. The Minnesota-Wisconsin Boundary Area Commission will continue in its administrative support and nonvoting advisory roles.* The three managing agencies will provide staff for the management commission for riverway management and for plan implementation. The two state departments of natural resources will adopt land use rules to form a basis for riverway ordinances that local government will be required to adopt and enforce. The states will have objection (Wisconsin) or certification (Minnesota) authority over local ordinances, amendments to the ordinances, and variances.

The management commission's technical committee will review local zoning actions.

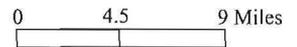
The technical committee and management agencies can comment on the proposed actions. Management agencies will have no veto authority over a local government's decision on a conditional use permit or subdivision; if there is disagreement, appeals can be made to the courts.

The managing agencies will adopt new water surface use rules or regulations to implement the guidance in this plan. Existing water use enforcement roles will continue, and the three agencies will provide staff for on-water law enforcement, rescue, and related activities. The three agencies will provide staff for management of lands each owns.

*After completion of this plan, the Minnesota-Wisconsin Boundary Area Commission was abolished. Its responsibilities under this plan will be reevaluated.



North



Region

Lower St. Croix National Scenic Riverway
Minnesota • Wisconsin

United States Department of the Interior • National Park Service
DSC • 643 • 20,029A • 5/00

CONTENTS

Background

- Purpose of and Need for the Cooperative Management Plan 1
- The Planning Process 1
- Brief Description of the Riverway 3
- Legislative Purposes for Establishing the Lower St. Croix 13
- Fundamental Principles for the Cooperative Management Plan 13
- Purposes, Significance, and Exceptional Resources/Values of the Lower Riverway 15
- Vision for the Lower St. Croix National Scenic Riverway 16
- Planning Issues And Concerns 16
- Other Related Planning Efforts 21

Management of the Lower Riverway

- Management Concept 23
- Management Areas 23
- Coordination and Cooperation among Managing Partners
and between Governmental and Private Entities 39
- American Indian Treaty Rights 39
- Riverway Stewardship 40
- Natural Resources Management 41
- Management of Hunting, Fishing, And Trapping 46
- General Types of Uses 47
- User Carrying Capacity 48
- User Safety 49
- Commercial Services and Concession Operations 49
- Accessibility for Individuals with Disabilities 49
- Interpretation and Education 50
- River Crossings 51
- Island and Public Shoreline Management 52
- Navigation Channel Maintenance 52
- Cultural Resources Management 53
- Land Protection/Boundary Adjustments 55

Management Structure

- Policy Development 57
- Land Use Management 58
- Water Surface Use Management 58

Appendixes

- A: Land Use Regulation Guidelines 59
- B: Water Surface Use Guidelines 65
- C: Implementation Costs 68
- D: Legislation 69

MAPS

Region v	
Boundary	5
Landownership	7-11
Land	31
Water	38

TABLES

1: Summary of Land Management Areas	27
2: Land Management Areas Distributions	29
3: Land Management Area Boundaries	29
4: Summary of Water Management Areas	36
5: Water Management Area Boundaries	37



BACKGROUND

PURPOSE OF AND NEED FOR THE COOPERATIVE MANAGEMENT PLAN

In 1976 the National Park Service (NPS), in cooperation with the Minnesota and Wisconsin Departments of Natural Resources (DNR), completed a *Master Plan* for managing the lower riverway. Many changes have occurred in the St. Croix Valley since 1976. For example, use of the riverway has increased, and people are using it in increasingly diverse ways. This *Cooperative Management Plan* for the Lower St. Croix Riverway takes a new look at the management of the river and addresses today's problems.

The purpose of this plan is to describe the direction the managing agencies intend to follow in managing the lower riverway for the next 15 to 20 years while meeting the riverway's stated purposes. This plan provides a framework for proactive decision making, including decisions on recreational use, land use, natural and cultural resource management, and general development in the lower riverway. It is consistent with the requirements of the national Wild and Scenic Rivers Act, the two state's Lower St. Croix acts, and will serve as the general

management plan as required by the National Parks and Recreation Act of 1978.

THE PLANNING PROCESS

Planning for the lower riverway began in the winter of 1995-96. The *Cooperative Management Plan* was developed through a collaborative effort, involving all interests that have a stake in the management of the lower riverway. With input from the public, the plan was prepared by an interagency planning team consisting of employees from the Minnesota and Wisconsin Departments of Natural Resources, National Park Service, and the Minnesota-Wisconsin Boundary Area Commission.

The Lower St. Croix Planning Task Force, which played a key role in completing this plan, guided development of the *Cooperative Management Plan*, facilitated participation of the riverway stakeholders in the planning process, provided feedback on the three riverway managing agencies' work, and helped build stakeholder consensus on the future management of the lower riverway. Membership of the task force was open throughout the planning process to all interested citizens.

For two years meetings were held to work on the plan – the meetings focused on issues facing the lower riverway; its purposes, significance, and exceptional resources; the development and refinement of the land use and water use alternatives; different options for the lower riverway management structure; guidelines for revisions to the states' land and water use regulations; and on the interagency planning team's work.

The first major step in the planning process was to collect data and identify goals for the lower riverway. The planning process reaffirmed the purposes, identified the significance and exceptional resources/values, examined desired futures, developed a vision statement, determined issues and concerns that needed to be addressed in the plan, and identified planning mandates and constraints. Data on the lower riverway's

resources, users, and the socioeconomic environment were also collected and analyzed.

A set of options was developed on the organizational structure for managing the lower riverway, and a preferred option was identified. Guidelines were also established for use by the states of Minnesota and Wisconsin to revise their land and water use regulations within the lower riverway's boundaries.

After the alternatives were completed, the environmental consequences and implications of each alternative were analyzed. Then all of the above information, including the land and water use alternatives, management structure options, environmental impact analysis, and the state guidelines, was incorporated into the *Final Cooperative Management Plan/Environmental Impact Statement*.

BRIEF DESCRIPTION OF THE LOWER RIVERWAY

In 1972 Congress added the Lower St. Croix River (see the Boundary and Landownership maps) to the national wild and scenic rivers system (Public Law 92-560).

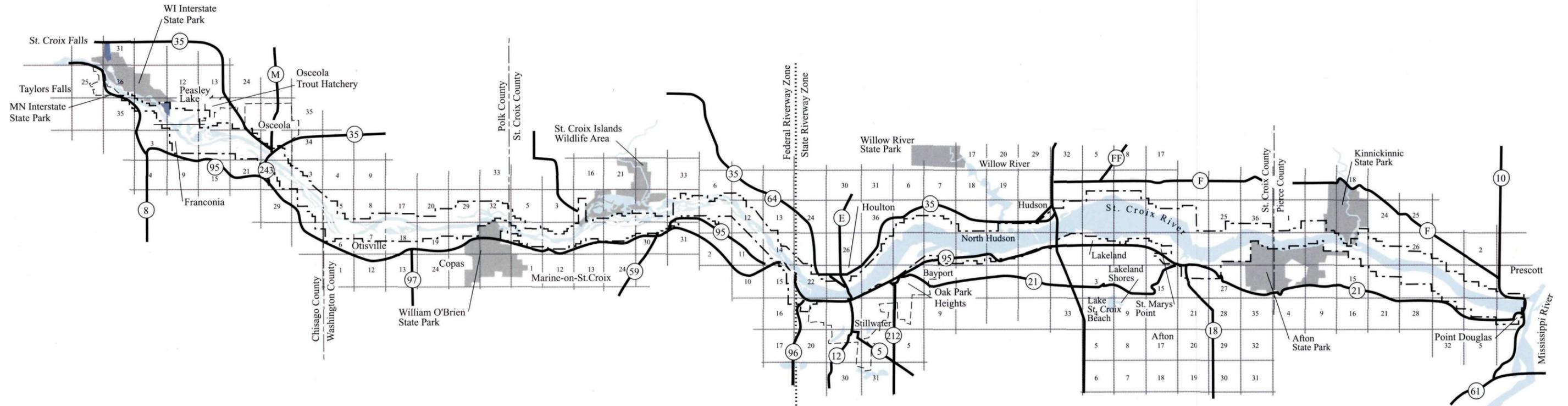
On September 19, 1975, the original boundary for the entire riverway was published, consistent with the requirements of section 3(b) of the national Wild and Scenic Rivers Act. In March 1977 all islands under jurisdiction of the Bureau of Land Management were withdrawn from entry, pursuant to a 1968 letter signed by the secretary of interior, and on August 6, 1986, they were transferred to the National Park Service. Additions and deletions were made in 1983, creating a net increase of 82 acres. In March of 1990 a boundary change was made in Prescott (Pierce County), Wisconsin. Legal descriptions are available from the managing agencies.

The Lower St. Croix Riverway is a narrow corridor that runs for 52 miles along the boundary of Minnesota and Wisconsin, from St. Croix Falls/Taylor Falls to the confluence with the Mississippi River at Prescott/Point Douglas. Although the riverway has a natural appearance for long stretches, much of the riverway is adjacent to the rapidly growing Twin Cities metropolitan area. Municipalities along the riverway include St. Croix Falls, Taylor Falls, Osceola, Marine-on-St. Croix, Stillwater, Oak Park Heights, Bayport, North Hudson, Hudson, Lakeland, Lakeland Shores, Lake St. Croix Beach, St. Mary's Point, Afton, and Prescott. The St. Croix passes through various landscapes — from a deep, narrow gorge with basalt cliffs to expansive views of a wide river valley — and includes diverse biological communities. The riverway's scenery, plentiful fish and wildlife, largely unpolluted, free-flowing character, numerous access points, and closeness to the Twin Cities attract many people in the late spring, summer, and fall. Users participate in a wide range of recreational activities in the lower riverway, including motorboating, sailing, canoeing, swimming, camping, picnicking, wildlife viewing, fishing, and hunting.

The authorized boundary for the Lower St. Croix National Scenic Riverway encompasses approximately 25,346 acres of land and water (see the Boundary map). The National Park Service manages the upper 27 miles of lands and waters (approximately 9,542 acres — referred to as the federally administered zone) under fee simple ownership or as conservation, riverfront, and scenic easements. The law requires that the lower 25 miles of the lower riverway (referred to as state-administered zone) be administered by the states of Minnesota and Wisconsin, and that development planning for the riverway be conducted jointly by the states and the secretary of the interior.

While the National Park Service's land acquisition authority is limited to the federally administered zone (north of Stillwater), the Park Service does have some management responsibilities in the state-administered zone (Stillwater south). Similarly the states have land management authority over private lands throughout the riverway (both north and south of Stillwater). The National Park Service and the states all have management responsibility over water surface use north of Stillwater, while the states have management responsibility from Stillwater south. The three agencies, as well as other state and federal agencies, share many other natural resource management responsibilities.

As of June 1997, approximately 15,804 acres of land and water were in the state-administered zone. Much of the land along the lower 25 miles is in private ownership. The two states have several scenic easements on land within the riverway, (202 acres in Wisconsin and 80 acres in Minnesota), and the state of Minnesota owns land for a public boat access. Several Wisconsin and Minnesota state parks and a Wisconsin wildlife management area also are adjacent to the riverway boundary.



--- Lower St. Croix National Scenic Riverway Boundary

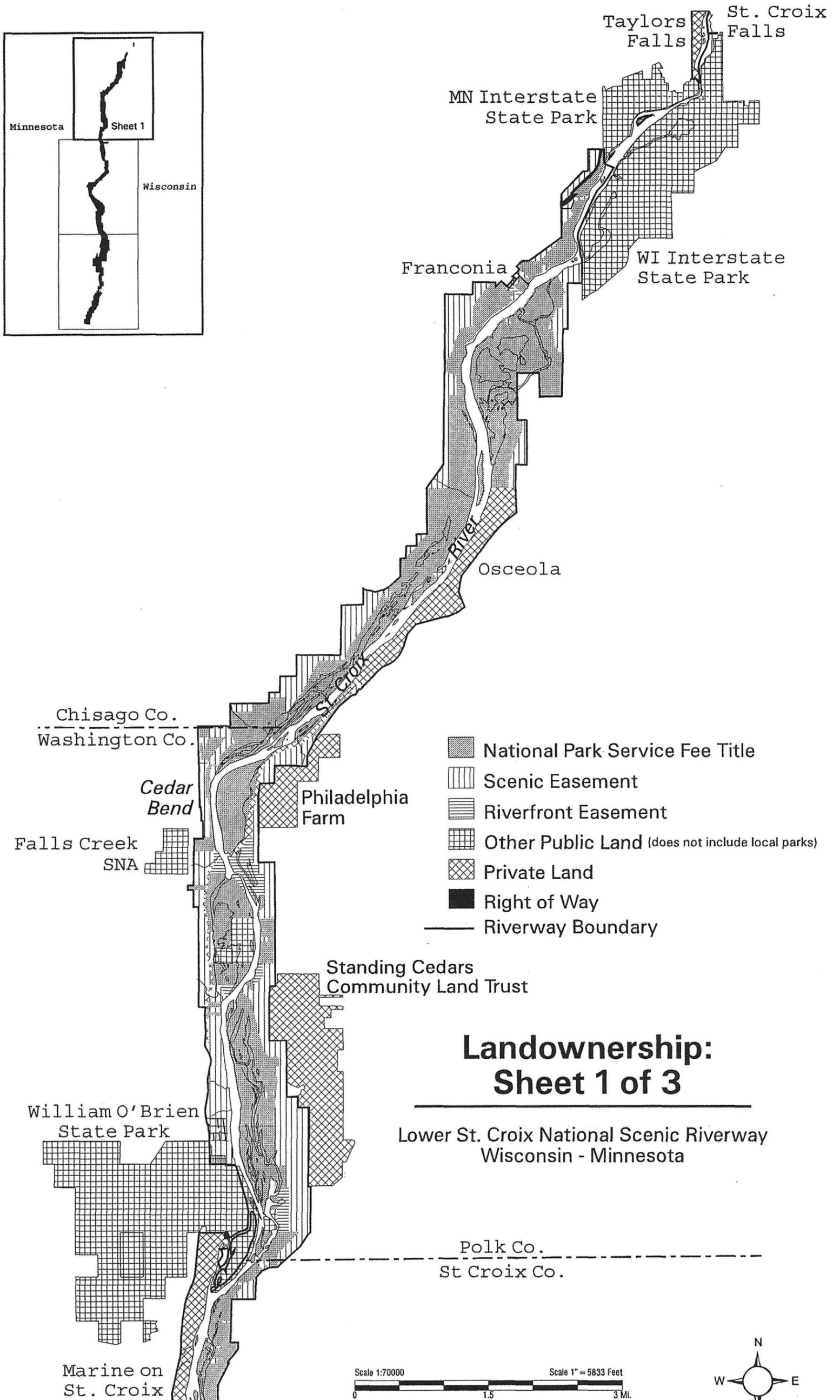
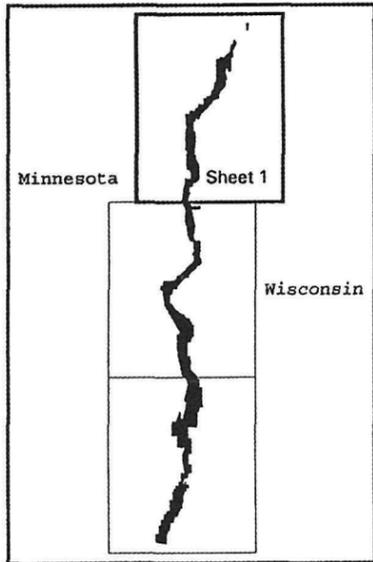
■ State Parks



Boundary

Lower St. Croix National Scenic Riverway
 United States Department of the Interior / National Park Service

643 20030A
 DSC June 2000

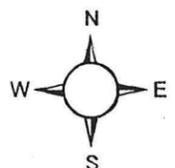
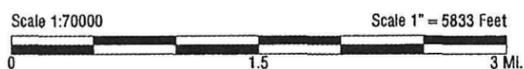


-  National Park Service Fee Title
-  Scenic Easement
-  Riverfront Easement
-  Other Public Land (does not include local parks)
-  Private Land
-  Right of Way
-  Riverway Boundary

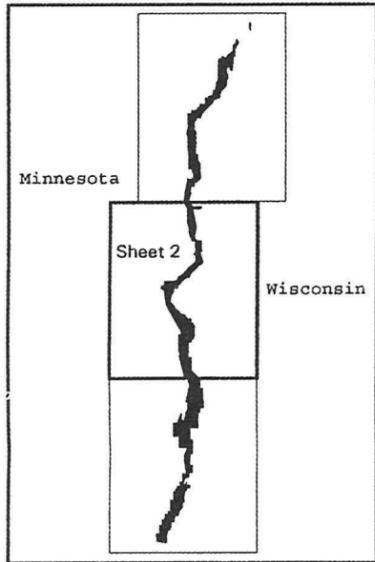
Landownership: Sheet 1 of 3

Lower St. Croix National Scenic Riverway
Wisconsin - Minnesota

Polk Co.
St. Croix Co.

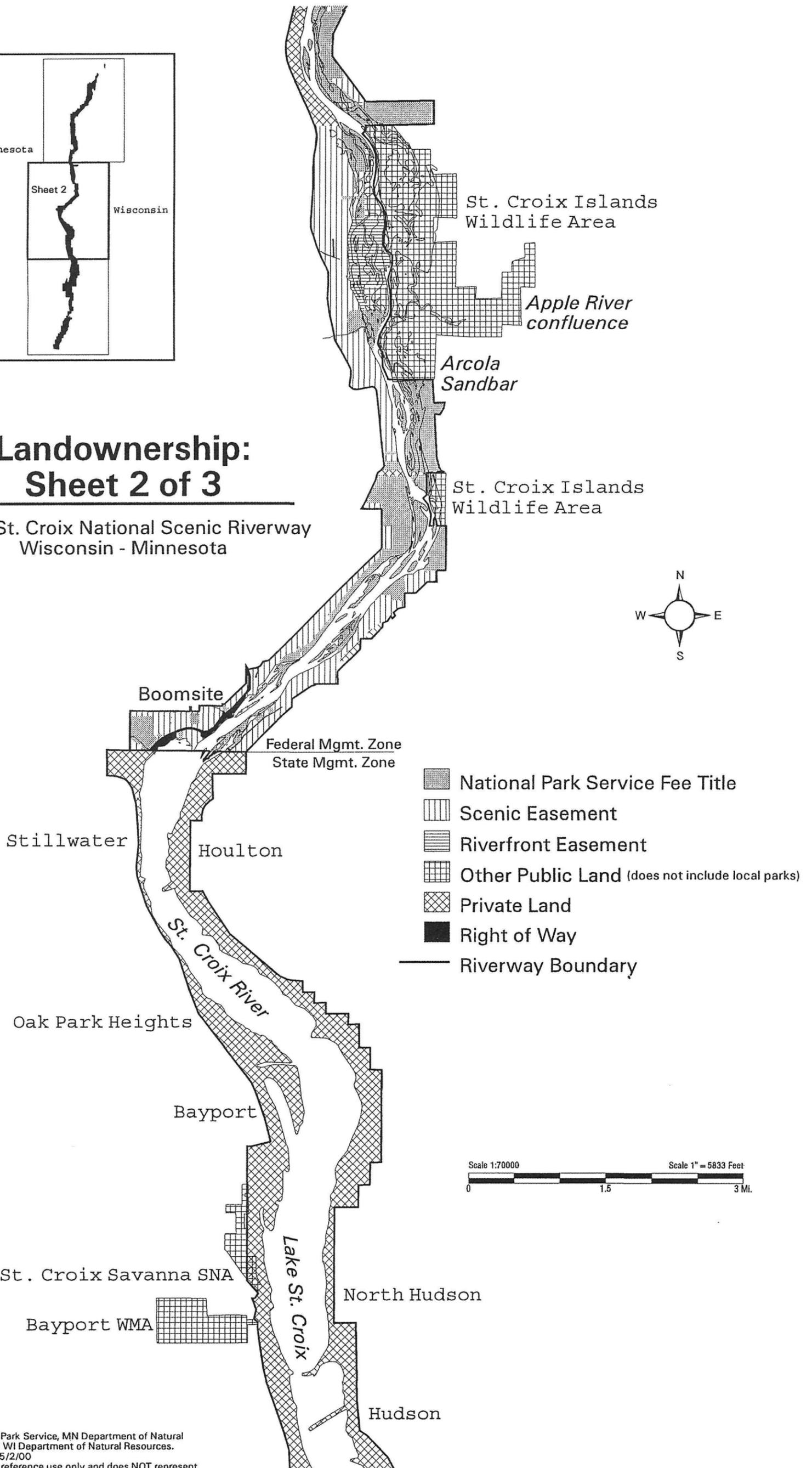


Data: National Park Service, MN Department of Natural Resources, and WI Department of Natural Resources.
Map produced 6/15/99
This map is for reference use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein.

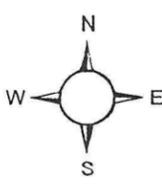
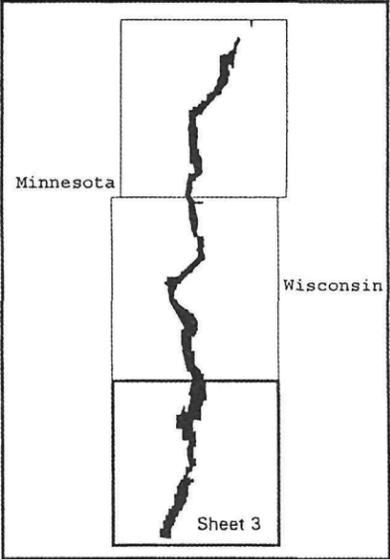
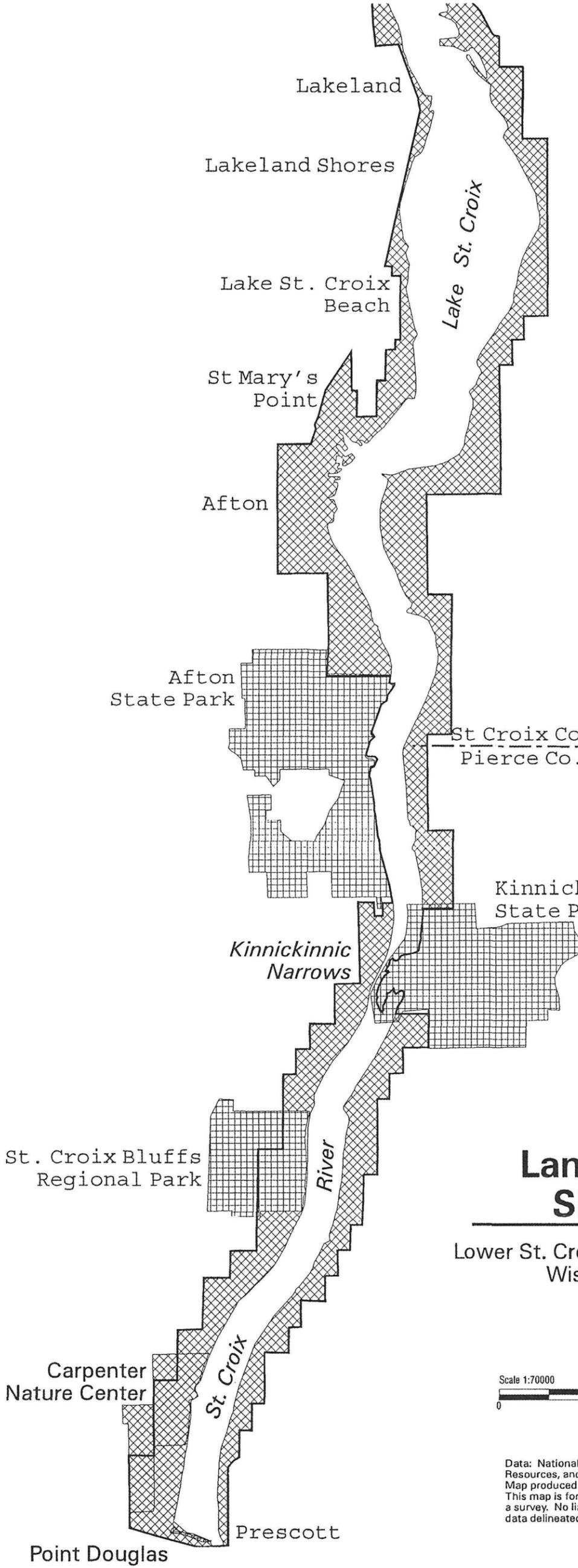


Landownership: Sheet 2 of 3

Lower St. Croix National Scenic Riverway
Wisconsin - Minnesota



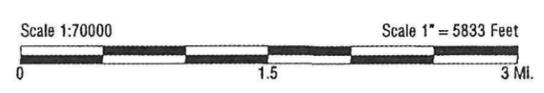
Data: National Park Service, MN Department of Natural Resources, and WI Department of Natural Resources.
Map produced 5/2/00
This map is for reference use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein.



-  Private Land
-  Other Public Land
(Does not include local parks)
-  Riverway Boundary

Landownership: Sheet 3 of 3

Lower St. Croix National Scenic Riverway
Wisconsin - Minnesota



Data: National Park Service, MN Department of Natural Resources, and WI Department of Natural Resources.
Map produced 6/15/99
This map is for reference use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein.

Point Douglas

LEGISLATIVE PURPOSES FOR ESTABLISHING THE LOWER ST. CROIX

By the 1950s decades of damming, development, and diversion had taken their toll on our country's rivers. During the 1960s, the country began to recognize the damage we were inflicting. Recognition led to action by Congress to preserve the beauty and free-flowing nature of some of our most precious waterways. In 1968 Congress passed and President Lyndon Johnson signed into law the Wild and Scenic Rivers Act. The purpose of the Wild and Scenic Rivers Act is to protect and enhance the free-flowing character, water quality, and immediate environment of certain rivers. To be eligible for designation a river must be free flowing and must possess one or more outstandingly remarkable resource values (i.e., scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar value). The Lower St. Croix was found eligible by a Department of Interior study of 1972 for its outstanding scenic, recreational, and geologic values.

The Congressional Record of October 1972, which led to the designation of the Lower St. Croix, provides more insight into the purposes for establishing the Lower St. Croix. It contains numerous references to the uniqueness of the Lower St. Croix. Senator Henry Jackson said:

“I should point out that this is one of the last remaining major rivers in the United States which lies within a major metropolitan area and is still relatively unspoiled. The river borders the eastern boundary of the Minneapolis-St. Paul urban area and is within easy access of over 2 million people. Ironically, it is this accessibility which places in jeopardy the features which make this

river an outstanding natural resource, and which makes it imperative that the river quickly receive protection under the Wild and Scenic Rivers Act. . . . Final action on the St. Croix bill is urgently needed. If comprehensive protection is not extended to the riverway, the St. Croix will eventually become one more city river, its waters poisoned with pollution, its shorelines gutted with indiscriminate development.”

Although the Lower St. Croix Riverway is within a rapidly expanding metropolitan area, it is important to remember that Congress established it specifically to keep it from becoming just “one more city river.”

FUNDAMENTAL PRINCIPLES FOR THE COOPERATIVE MANAGEMENT PLAN

Classification and Outstandingly Remarkable Values

Classification. Rivers designated under the national Wild and Scenic Rivers Act are classified as “wild,” “scenic,” or “recreational,” depending on the extent of development and accessibility along each segment of river. Wild rivers are generally inaccessible except by trail; scenic rivers are largely undeveloped but are accessible in places by road; and recreational rivers are readily accessible by road. The upper 10 miles of the Lower St. Croix are classified as scenic, whereas the lower 42 miles are classified as recreational. Rivers classified as recreational are often mistakenly thought to be somehow less deserving of protection than those classified as scenic or wild. The classification of a river is not intended to imply any management intent. For instance, a classification as recreational does not mean that

the river must be managed or developed specifically for recreational activities. All rivers are managed to protect and enhance the values that caused them to be eligible for inclusion in the national wild and scenic rivers system, regardless of their classification.

Classification is important only in that development and accessibility should not be allowed to increase to such an extent that a river's classification would change. In other words, development that will change a river's classification from wild to scenic or from scenic to recreational should not be allowed. However, while it may be unlikely, there is no similar prohibition against removing development to change a river's classification from recreational to scenic or from scenic to wild.

Outstandingly Remarkable Values.

Classification is often confused with outstandingly remarkable values. To be eligible for inclusion in the national wild and scenic rivers system, a river or its immediate environment must possess one or more of the following outstandingly remarkable values: scenic, recreational, geologic, fish and wildlife, historic, cultural, or others that are similar in nature. A river classified as scenic may or may not include scenery as an outstandingly remarkable value, and a river classified as recreational may or may not include recreation as an outstandingly remarkable value.

The Lower St. Croix was designated for its outstandingly remarkable scenic, recreational, and geologic values. Section 7(a) of the Wild and Scenic Rivers Act provides substantial protection to designated rivers. It states that

“no department or agency of the United States shall assist by loan, grant,

license, or otherwise in the construction of any water resources project that will have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration.”

The National Park Service is responsible for evaluating water resource projects proposed on the Lower St. Croix according to the provisions of section 7. Water resources projects are those that involve alterations to the bed or banks of the river and include bank stabilization projects, bridges, and docking facilities. Most require permits from the U.S. Army Corps of Engineers or U.S. Coast Guard.

The National Park Service and other agencies manage the Lower St. Croix to protect and enhance all its important resource values. Because of the wording of section 7(a), in evaluating the impacts of a project, the primary concern of the Park Service will be the potential impact of a project on the values for which the Lower St. Croix was designated — its scenic, recreational, and geologic values.

Several other key elements also form the foundation for this plan, including the purposes of the lower riverway, its significance and exceptional resources and values, and the vision or goal for the lower riverway. These elements set the direction and limits for the plan and are basic to all assumptions about how the riverway should be used and managed, beginning with the following principles:

1. The riverway must be managed cooperatively. There must be a framework for federal, state, and local cooperative management.

2. The river cannot be taken out of its watershed. While the riverway as a management entity is contained within a narrow corridor, it is profoundly influenced by activities in the larger watershed. Therefore, it is important to realize that this plan is being developed in conjunction with a companion *Watershed Stewardship Initiative*.

PURPOSES, SIGNIFICANCE, AND EXCEPTIONAL RESOURCES/VALUES OF THE LOWER RIVERWAY

The purposes, significance, and exceptional resources/values of the lower riverway are three of the key elements that shaped the development of this *Cooperative Management Plan*. These reaffirm the previously identified outstandingly remarkable values. The *purposes* tell why the Lower St. Croix was set aside as a unit in the national wild and scenic rivers system. The *significance* of the lower riverway addresses what makes the area special — why it is important to our natural and/or cultural heritage and how it differs from other rivers in the country. The lower riverway's *exceptional resources/values* further elaborate why the Lower St. Croix is significant.

Based on the above fundamental principles and the lower riverway's enabling legislation, legislative history, management agency policies, public input, and the knowledge and insights of the public, the following purpose and significance statements and exceptional resources/values

were identified for the Lower St. Croix National Scenic Riverway.

The *purposes* of the Lower St. Croix National Scenic Riverway are to

- preserve and protect (and restore and enhance where appropriate) for present and future generations the lower riverway's ecological integrity, its natural and scenic resources, and its significant cultural resources.
- accommodate a diverse range of recreational opportunities that do not detract from the exceptional natural, cultural, scenic, and aesthetic resources.
- provide an environment that allows the opportunity for peace and solitude.
- provide an opportunity for the education and study of the geologic, cultural, ecological, and aesthetic values to further enhance stewardship of the river.

The Lower St. Croix National Scenic Riverway is *significant* for the following reasons:

- The riverway is an exceptional combination of high-quality natural and cultural resources, and scenic, aesthetic, and recreational values.
- These resources and values exist in a distinctive river valley setting with a strong regional identity and character.
- These resources and values exist within the expanding Twin Cities metropolitan area.

The Lower St. Croix National Scenic Riverway contains the following *exceptional resources and values*:

- The valley's varied cultural resources reflect its significant role over thousands of years as a river transportation corridor.
- The values of the Minnesota and Wisconsin communities provide a broad constituency for the management and

preservation of the Lower St. Croix Riverway.

- The 52 miles of the Lower St. Croix River is at the junction of three major biomes: conifer-hardwood forest, deciduous forest-woodland, and the prairie. The river has high water quality from a myriad of sources in the watershed.
- The juxtaposition of landforms and geologic features, including the bluffs, islands, the Dalles, and Lake St. Croix, are unique.
- Towns along the river corridor retain their historic small town character.
- The diversity of scenic, geologic, economic, cultural, recreational, and exceptional natural resources combine to make the Lower St. Croix River an outstanding and accessible resource for the Upper Midwest.
- The natural communities, both terrestrial and aquatic, are diverse and of high quality. The sloughs, backwaters, braided streams, and other river features provide habitat for native plants and animals. Rare and endangered plants and animals, including mussels, eagles, and others, thrive here. The river corridor is an important flyway for migrating birds and contains an exceptionally diverse fishery.
- The exceptional characteristics and diversity of the linear riverway provide for a wide variety of high-quality recreational experiences. People can easily find opportunities, ranging from peace and solitude to dynamic social interaction.

VISION FOR THE LOWER ST. CROIX NATIONAL SCENIC RIVERWAY

Based on the lower riverway's purposes and significance, and the desired conditions for the riverway voiced by the public, a common vision or goal was agreed upon for the managing agencies to strive to achieve in the future. This vision, highlighted in the box below, describes the overall riverway resource conditions, recreational experiences, and land and water uses.

VISION

The Lower St. Croix National Scenic Riverway continues to be an important natural protected corridor for people to use and enjoy. The riverway maintains a diversity of scenic, natural, and cultural resources while also preserving rural and small town qualities. The riverway's unpolluted waters accommodate diverse recreational and living experiences, ranging from quiet solitude to highly social, motorized uses. This is an area of minimal conflicts, with riverway users, landowners, and managers working together and respecting each other. Coordinated and cooperative management of the riverway stresses and exemplifies stewardship.

PLANNING ISSUES AND CONCERNS

Several major issues were identified that form the focus of this *Cooperative Management Plan*. All have the potential to impact important natural and cultural resources. Some of these issues and concerns are not fully resolved in this management plan, but the plan establishes a framework to resolve them in the future.

Conflicts Between Boaters

Boaters seeking different types of experiences and engaged in different activities create conflicts along the riverway. These conflicts present management issues related to watercraft noise, horsepower, speed, type, and access from the Mississippi River; opportunities for solitude versus social experiences; boat wakes; angling; safety; special events (including large-group events); and the availability of boater facilities (such as accesses, waysides, beaches, campsites, private docks, moorings, and sanitary facilities).

Conflicts Between River Users and Riparian Landowners

Riparian landowners routinely express displeasure with the behavior of some boaters. For example, some landowners complain that boaters trespass and litter on their property, and that boat wakes create erosion of the shoreline. They feel the riverway is being managed in favor of boaters. Boaters, on the other hand, wish to continue recreational use of the river and are concerned about excessive restrictions.

Impacts of Changing Land Uses

The landscape along the lower riverway and in adjacent areas is undergoing rapid change in response to regional population growth, increasing urbanization, and changing land use patterns. These changes are affecting the riverway's natural and cultural resources, scenic quality, cultural character, and recreational experiences.

PLANNING ASSUMPTIONS

There are 13 fundamental assumptions that underpin the plan for the Lower St. Croix. These assumptions are considered "givens," which will hold regardless of how the lower riverway is managed in the future.

- The region will continue to urbanize, and the regional population will continue to increase.
- The values of people living along the lower riverway are changing as new people move into the area.
- User demand will increase.
- The potential for resource degradation will increase.
- The enabling legislation will not change.
- Planning will be grounded on the lower riverway's purposes, significance, and exceptional resources.
- The management agencies' missions will not change.
- State lands along the lower riverway will be managed in a manner consistent with the cooperative management plan.
- Management areas will be applied to all lands and waters within the riverway boundary.
- Numerous variables such as floods affecting the Lower St. Croix are not under the control of the riverway managing agencies.
- The lower riverway will be managed in a manner that provides as safe a condition as possible.
- The cooperative management plan will not solve all conflicts between user groups and between riparian landowners and user groups.
- Change in statutes, rules, and policies will be pursued to implement the plan.

Inconsistencies in the Application and Enforcement of Zoning Standards and Regulations

All county and municipal governments along the Lower St. Croix have adopted riverway zoning ordinances. However, there are different zoning standards for municipal and rural areas in both Minnesota and Wisconsin. Confusion and misunderstandings have resulted from unclear, subjective language in the ordinances. Complicating the situation further, the two state departments of natural resources have veto power over local riverway zoning decisions. Landowners are upset that the ordinances appear to be inconsistently applied and enforced by the local governments and departments of natural resources. Landowners sometimes get mixed messages about what they can and cannot do on their property. On the other hand, local governments have problems trying to interpret the intent of the ordinances and rules and in dealing with variance requests for improvements to existing developments.

Impacts on Water Quality and Quantity

Although the lower riverway's water quality today is generally considered to be good, differences in water quality standards, designations, and policies between Minnesota and Wisconsin could lead to inconsistencies in protection of the riverway's water quality. There are concerns about pollution entering the riverway from sources outside the boundary. Runoff from agricultural lands, roads, urban areas, and groundwater contamination from septic systems are all potential pollution sources that may be affecting the lower riverway's tributaries. In addition, discharges from municipal and industrial wastewater facilities may be affecting the riverway's water quality. As a

result of increasing nutrients in the riverway, Lake St. Croix and the riverway's backwaters are beginning to show signs of eutrophication (increased algae blooms and unpleasant odors). Fish also have been contaminated with polychlorinated biphenyls (PCBs) and several organic compounds, which has resulted in the states of Minnesota and Wisconsin issuing fish consumption advisories for the St. Croix. As the population and developments continue to increase near the river and its tributaries, the potential for degradation of the riverway's water quality will increase. Another concern is low water releases from operation of the St. Croix Falls dam in the winter could jeopardize mussel and fish populations by dewatering part of their habitat.

Potential Loss of Native Mussel Species

The St. Croix River has one of the richest freshwater mussel communities in the world. The segment of the lower riverway from the Northern States Power dam at St. Croix Falls/Taylor Falls (NSP dam) to Osceola has especially high-quality mussel habitat, as does the Hudson Narrows. However, native mussel species — including two federally endangered and many state listed species — are threatened by water pollutants, sedimentation, the spread of the zebra mussels, loss of habitat, direct human impacts, and fluctuation of water flows caused by hydropower peaking operations.

Effects of Recreational Use on Natural Resources

Islands and shorelines are being eroded; vegetation is being trampled at landings, campsites, and popular day use areas; and human wastes are being deposited in the

river. If recreational use continues to increase, other resource impacts are likely to increase, altering the riverway's soils, vegetation, wildlife, and water quality in localized areas.

Effects of Recreational Use on the Islands

For the past several generations, people have used the islands in the lower riverway for camping and picnicking. People beach their boats on the shoreline of the islands and set up camp. Without designated camping sites, these campers use most of the available space. As a result, ground vegetation is minimal or nonexistent, littering is common, and wastes have been left indiscriminately on the islands. Conditions have deteriorated to the point that some users have been displaced, and riparian landowners have made complaints.

Need for Concessions Management

The number of people using outfitters on the lower riverway is increasing, and these operations have the potential to significantly affect the experience of visitors on the riverway and its resources (e.g., crowding, noise, bank erosion, and sanitation problems).

Spread of Exotic Species

Although there is insufficient information regarding the distribution and abundance of nonnative or exotic species, they are found along the lower riverway. In 1985 more than 80 exotic plant species were listed for the riverway, including purple loosestrife, spotted knapweed, and reed canary grass (NPS 1985). The riverway's native species are being adversely affected by these species.

In late summer of 2000 divers determined that another species of concern, the zebra mussel, had become established in reproducing populations in the lower riverway. The divers found numerous young-of-the-year zebra mussels at various locations between Hudson and Prescott. The location of the adult zebra mussels that are the source of these juveniles remains unknown. Prior to this finding, zebra mussels had only been found on boats entering or harbored on the lower riverway.

Loss and Fragmentation of Native Plant Communities

Although remnants of all of the native plant communities still exist on the lower riverway and the vegetation appears to be "natural," the plant communities are continuing to be affected by people. Management practices along the riverway, grazing, use of fire and suppression of wildfires, clearing for agriculture and development, the introduction of exotic species, natural plant succession, and diseases (e.g., white pine blister rust and oak wilt) and insects (e.g., gypsy moth) are altering the native plant communities in varying degrees. The prairie and oak savanna communities along the lower riverway have been the most severely affected by people.

Lack of Information on Natural and Cultural Resources

Many resources of the lower riverway have not been inventoried and evaluated. Baseline data on many biological resources, including current biological characteristics and trends, is lacking. A lack of knowledge of the St. Croix fishery, for example, limits understanding of potential impacts to the fishery. Most of the riverway's natural resources are not being monitored. Some

basic cultural resource data, such as information on archeological sites and on cultural landscapes, is still lacking. Native American burial sites also are not known and frequently are not protected from development. Without this basic natural and cultural resource information, the managing agencies will not be aware of significant resources in the riverway, impacts that are occurring to those resources, or management strategies needed to protect and maintain these resources.

Lack of Cultural Resource Management

Cultural resource management has been a lower priority than management of natural resources. As a result, there is the potential for the degradation and loss of cultural resources and a loss in the opportunity to interpret the riverway's resources for users.

Impacts of New River Crossings

The Lower St. Croix Riverway is on the edge of the rapidly growing Twin Cities metropolitan area. Growth is occurring on both sides of the riverway. With the riverway's north-south alignment, there will be continued pressure for people, commodities, communications systems, and energy systems to cross the riverway. These various types of crossings potentially can affect the riverway's resources, although to different degrees. Proposals to build or expand highway or railroad bridges can significantly impact the riverway's scenic quality. Construction of submarine crossings can affect aquatic resources. Utility lines have a visual impact, and right-of-way maintenance for crossings such as pipelines can impact resources. A lack of coordination among the companies and agencies proposing projects, regulatory agencies, and river-

way managing agencies also encourages crossings to proliferate and compounds the potential for impacts.

Access to the Riverway

There are differing views as to whether boat access to the lower riverway is adequate. Some argue that increased boat access (e.g., more access points and marinas) is needed so more people can enjoy the riverway. Others argue that boat access needs to be reduced to decrease crowding and resource impacts and to provide opportunities for experiences that are rapidly disappearing in the region (e.g., quality fishing, quiet, and solitude).

Navigation Channel Maintenance

Congress authorized the U.S. Army Corps of Engineers to maintain a 9-foot navigation channel from the confluence with the Mississippi River to Stillwater, and a 3-foot navigation channel up to the NSP dam. However, the Corps has not maintained the 3-foot channel for many years. Channel maintenance plans for the 9-foot channel assume only the Kinnickinnic Narrows will require dredging in the next 40 years. The operation and maintenance of these channels can impact, and be impacted by, resource management strategies, recreational use characteristics, aesthetics, recreational boater safety, and aquatic resources.

Perceived Lack of Enforcement

Although five county sheriff departments, two state departments of natural resources, and the National Park Service provide on-water enforcement, there is uneven enforcement and uneven enforcement capabilities between all the agencies.

Inconsistencies in Regulation of Recreational Uses

Users have complained about inconsistencies in the way in which the National National Park Service and the Wisconsin and Minnesota Departments of Natural Resources regulate boating, fishing, hunting, and trapping in the riverway. For example, watercraft noise laws are slightly different in the two states and are difficult to enforce. In Minnesota, the counties have veto power over state water-surface use regulations, which also has the potential to lead to inconsistencies.

Lack of Coordination

There is a need for better coordination, communication, cooperation, and integrated management and planning between the riverway managing agencies and the federal, state, and local governments. In particular, local and regional governments have expressed frustration that they lack a vote or even a seat at the table when management policies are established for the lower riverway. Insufficient coordination occurs with other agencies that have management responsibilities on the St. Croix, such as the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, the Minnesota Pollution Control Agency, and the Minnesota and Wisconsin Departments of Transportation. There is also a need for better coordination and communication between the public and the riverway managing agencies.

OTHER RELATED PLANNING EFFORTS

Several other plans — both within the riverway and the larger watershed — are in place or are being developed, all of which

provide management direction to the lower riverway. These plans are summarized below.

An Interagency Cooperative Fisheries Management Plan for the riverway sets the framework for cooperative management of the fisheries resources of the riverway.

Recovery plans for the Higgins' eye mussel and the winged mapleleaf mussel prescribes management actions to protect the mussels and their habitat and to lead eventually to stable populations.

A General Management Plan for the Upper St. Croix National Scenic Riverway provides guidance for management of the upper river.

The St. Croix *Watershed Stewardship Initiative* has been undertaken in conjunction with the *Cooperative Management Plan* through efforts of the planning task force and partnership team members. This initiative involves participation by citizen and local and regional governments. Products include a guidebook, a watershed resources directory, and a website.

An NPS *Water Resource Management Plan* (NPS 1997) guides actions in the federally administered portions of both the upper and lower riverway.

The *St. Croix River Basin Water Resources Management Plan* provides guidance for protecting and improving the quality of the surface and groundwater resources of the St. Croix River basin through coordinated planning and management.

The *National Water Quality Assessment Program* examines the status and trends in water quality in the upper Mississippi River basin between Royalton, Minnesota, and

Lake Pepin (in both Wisconsin and Minnesota), including the St. Croix basin.

The *Zebra Mussel Task Force Action Plan* presents a strategy to prevent or slow the spread of the zebra mussel into the St. Croix Riverway. The task force, composed of representatives of the National Park Service, Minnesota and Wisconsin Departments of Natural Resources, U.S. Fish and Wildlife Service, Great Lakes Indian Fish and Wildlife Commission, and Minnesota-Wisconsin Boundary Area Commission updates this plan annually.

Several other NPS plans relate specifically to both the upper riverway and the federally administered portion of the lower riverway. These include the *Resources Management Plan*, *Land Protection Plan*, *Strategic Plan*, and *Fire Management Plan*.

The U.S. Army Corps of Engineers' 1997 *Channel Maintenance Management Plan* provides historic data on the St. Croix channel and states the Corps' dredging policy, mitigation strategies, and coordination for maintaining the navigation channel in the St. Croix. The plan specifically focuses on work needed to maintain the channel in the Kinnickinnic Narrows and at Hudson.

The Metropolitan Council's policies directed toward guiding the region's growth include the *Aviation Policy Plan*, the *Recreation Open Space Policy Plan*, the *Transportation Policy Plan*, the *Water Resources Management Policy Plan*, and the *Regional Blueprint*.

There are also many state, county, city, and regional plans that significantly influence the riverway.





MANAGEMENT OF THE LOWER RIVERWAY

MANAGEMENT CONCEPT

One hallmark of the Lower St. Croix National Scenic Riverway is its diversity. Both its landscape character and its water-based recreation reflect diverse uses. Surface water recreation reflects the diversity of the surroundings: experiences range from the quiet solitude of a nonmotorized area to a very social and highly motorized environment. This *Cooperative Management Plan* provides greater emphasis than ever to ensure continuation and enhancement of the Lower St. Croix National Scenic Riverway's diversity.

In the future it is likely that there will be increased demands for development within and adjacent to the lower riverway. Long stretches of the lower riverway's natural and rural landscape will be maintained, while allowing limited, planned development in municipalities that is consistent with the historic character of the riverway's communities. Protection of natural resources, including the valley's important biological diversity, will be enhanced. Riverway users on the river will continue to find opportunities to engage in a wide range of recreational experiences.

MANAGEMENT AREAS

To determine what resource conditions, experiences/uses, and developments were appropriate in the riverway, a series of management areas were developed to identify how different portions of the riverway will be managed to achieved desired resource and social conditions consistent with the riverway's purposes.

Five distinct land management areas and four distinct water management areas were developed for the lower riverway (see discussions below under Land Use and Water Surface Use). By shifting from two land management areas in the 1976 *Master Plan* to five, local governments will be provided with greater flexibility in administering land use controls and will be better able to target management to meet specific goals. Increasing water management areas from two in the *Master Plan* to four provides greater flexibility in managing water uses and ensuring that the diversity of water uses on the lower riverway is maintained.

Land management area boundaries are intended to remain static over time and will not change if a community annexes

adjacent land. Thus, when corporate limits are used as a line between management areas, the boundary of the management area should be interpreted to mean the corporate limit as it was in 2000.

Land Use Management

Management of private land use is a partnership between the states and local governments. Local governments enact and enforce zoning ordinances based on state standards. These standards apply to the lands within the riverway boundary (as published in the *Federal Register*) between the dam at St. Croix Falls/Taylor's Falls and the confluence of the Mississippi River. Under no circumstances will state standards adopted for the riverway be less restrictive than statewide shoreland management standards.

The rural landscape is divided into two land management areas to ensure continuation of its diverse character, while three land management areas provide flexibility for managing land use in the municipalities.

These land management areas are described below and in table 1, which summarizes the features, facilities, and types of experiences for each area. (Photographs further illustrate the characteristics of each land management area.)

River Town. This management area provides a feeling of being on a river flowing through or next to a small city. A mixture of commercial, park, and residential developments will be within the riverway; however, the historic character of the river towns will be maintained. Dense, intensive development also may be adjacent to the riverway, including utilities, multistory structures, and nonresidential buildings (e.g., shops, offices, apartments, factories, community centers). Thus, the built environment will

dominate the riverine landscape and shape the riverway experience to a significant degree.



Although most of the developments in the area will not be recreation-oriented, there will be private or public facilities to support river recreation (e.g., marinas, docks, launches, ramps, interpretive kiosks); some of these facilities will be relatively large. Large numbers of people and crowds often will be present. Noise levels from users and adjacent areas (e.g., business traffic) may be high. One will not expect to see many natural features other than the river. Most of the shoreline will be developed, although some natural vegetation may screen adjacent buildings. However, these natural features will be scattered and limited in area. There will be relatively few opportunities to view wildlife, but people will still find places to fish from shore.

Small Town. This management area is similar to the small town historic management area, except the predominant character of the landscape will be large-lot, single-family residences. Encounters with other people will be common, and noise levels may be moderate. Natural vegetation and landscaped environments will be interspersed with the built environment, which will be mostly residential in character. Shoreline areas generally will be a mix of natural vegetation and residential lawns, with some

portions being largely undisturbed. Public and private recreational support structures, primarily small docks and boat ramps, will be scattered along the river.



Small Town Historic. This management area is developed but it is almost exclusively single-family residences and primarily historic in character. While some dwellings will be obviously newer, the predominant character of the community will be that of a late 19th or early 20th century residential area. A combination of the river, man-made features, and natural landscape elements will shape the riverway experience in this area.



Encounters with other people will be common, although one will not see the large crowds found in the river town management areas. Noise levels within the riverway boundary may be moderate, typical of those

found in a residential area. Natural vegetation and landscaped environments will be interspersed with the built environment, which will be mostly residential in character. Shoreline areas generally will be a mix of natural vegetation and residential lawns; however, portions of the shoreline will be largely undisturbed. Opportunities for fishing and viewing wildlife will be limited. Public and private recreational support structures, primarily small docks and boat ramps, will be scattered along the river.

Rural Residential. This management area provides a feeling of being on a river in a sparsely developed landscape. As in the small town management areas, the river, natural features, and man-made features will shape the riverway experience. Users will encounter no large concentrations of development or people — small numbers of people will be the rule in this area, with little or no commercial development. Residential settings will be limited to large-lot development scattered along the shore and/or bluffs at a lower density than the small town or river town management areas. Natural vegetation will cover significant portions of the shoreline, with some stretches being largely undisturbed. Riverway users may anticipate moderate noise levels. The area will offer abundant opportunities to fish and view wildlife. There may be a few small public recreational support facilities (e.g., docks and launches) and some private docks.



Conservation. This management area provides users with a sense of being in a natural setting. Very few signs of development, such as homes, bridges, or agricultural fields, will intrude on this largely natural scene. The river and surrounding biological communities will dominate the user experience. The shoreline will not be disturbed by the few visible signs of development. Forest management will emphasize the undisturbed appearance. This area will provide many opportunities to view wildlife,

and there will be abundant opportunities for angling. Access to the river will be limited to a few public carry-in and small craft access points and a very few riparian landowner private docks. Recreational support facilities (e.g., primitive campsites, trails) will be small, limited in number, and largely screened by natural vegetation. With few access points, small numbers of people and infrequent encounters, there will be ample opportunity for quiet and solitude.



Table 1: Summary of Land Management Areas

LAND MANAGEMENT AREAS	Natural and man-made features	Landscape and shoreline	River access and support facilities	Number of people/encounter rate	Wildlife viewing opportunities	Noise levels
River Town	some natural features, scattered and limited in area, mostly man-made features	dominated by urban development, including shops, offices, historic, and residential structures	private and/or public river access and support facilities including marinas, docks, ramps (some of which may be large)	large numbers of people are often present, very high encounter rate	limited	may be high
Small Town	combination	developed, but less than river town, primarily large-lot, single-family residential, historic in character; portions of the shoreline will be largely undisturbed	public and private river access and facilities, primarily small docks and ramps scattered along the river	although large crowds are unlikely, large numbers of people may be encountered	limited	moderate, typical of residential areas
Small Town Historic	combination	developed, but less than river town, primarily single-family residential, historic in character; portions of the shoreline will be largely undisturbed	public and private river access and support facilities, primarily small docks and ramps scattered along the river	although large crowds are unlikely, large numbers of people may be encountered	limited	moderate, typical of residential areas
Rural Residential	combination	sparsely developed, scattered farms and residences, little or no commercial development, no large concentrations of development, shoreline largely undisturbed	a few public and private river access and support facilities, primarily small docks and launches	small numbers, no large crowds, low encounter rate	abundant	moderate
Conservation	sense of being in a natural setting; of park, natural, and minimally disturbed descriptions	dominated by river and surrounding biological communities; shoreline will not be disturbed by few visible signs of development; forest management will emphasize undisturbed appearance	access limited to a few public carry-in and small craft access points and a few riparian landowner docks	small numbers of people and infrequent encounters; ample opportunity for quiet and solitude	abundant to greatest opportunities	moderate to very low

The land management area allocation is intended to maintain long stretches of the river in a natural condition while still allowing development in municipalities. The “Land Management Areas” map on page 31 shows the location and distribution of management areas; table 2 shows the percentages of how much of the riverway is included in each management area, while table 3 identifies the boundaries of the management areas. As the map and tables indicate, the majority of the lands along the riverway are designated as rural residential (38%) and conservation (39%) management areas. Most of the conservation management areas are north of Stillwater. The rest of the lands are included in small town (12%), river town (5%), and small town historic (5%), management areas, all of which are scattered throughout the riverway.

Limited new development may occur within existing municipalities along the riverway. In the river town management area, development will be guided by the community’s underlying plans and ordinances. In the river town and small town historic management areas, new development will be allowed providing it is consistent with the historic character of the communities. New development also may be in the small town management areas, provided the existing large-lot, single-family character of the areas does not change. There are few industrial uses within the riverway; if an industrial site ever is abandoned, the most desirable future use of the riverfront portions of those properties will be public park.

The emphasis will be to ensure the overall character of the municipalities do not significantly change. Some state land use regulations will be relaxed in the river town, small town historic, and small town management areas to give local governments greater flexibility over land use. (See the

guidelines in appendix A for further details on suggested changes to the states’ existing land use regulations.)

Although there will be more flexibility than there is today in managing developments in municipalities, new developments and their effects will continue to be monitored within municipalities. To ensure that the character of the communities does not significantly change, and to help minimize impacts on adjacent rural areas, the riverway managing agencies will encourage local governments to cluster new development in the riverway towns. Local governments also will be encouraged to protect historic values in the river town and small town historic management areas through several methods. Examples of these methods will be adaptive reuse of existing historic structures, adoption and enforcement of historic preservation ordinances, and adoption of architectural standards that require new development to be consistent with the historic community character.

Outside municipalities’ landowners will be encouraged to maintain the natural character of the landscape, particularly the blufflines, seen from the water. Much of the land from Taylors Falls to just above the north limits of Stillwater is designated as conservation. This stretch contains the least disturbed portions of the lower riverway. The conservation designation will help ensure that the natural character of this stretch is maintained (and restored where possible). Recreational structures, such as toilet buildings, on this stretch will be screened by vegetation where practical. Boat access points will continue to be designed primarily for carry-in use and launching of small boats.

TABLE 2: LAND MANAGEMENT AREA DISTRIBUTIONS (%)

Management Area	Minnesota %	Wisconsin %	Overall Riverway %
River town	5	6	5
Small town historic	7	4	5
Small town	20	4	12
Rural residential	34	43	38
Conervation	35	43	39

Due to rounding, total numbers do not add up to 100%

TABLE 3: LAND MANAGEMENT AREA BOUNDARIES

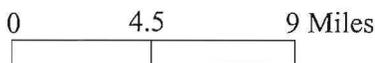
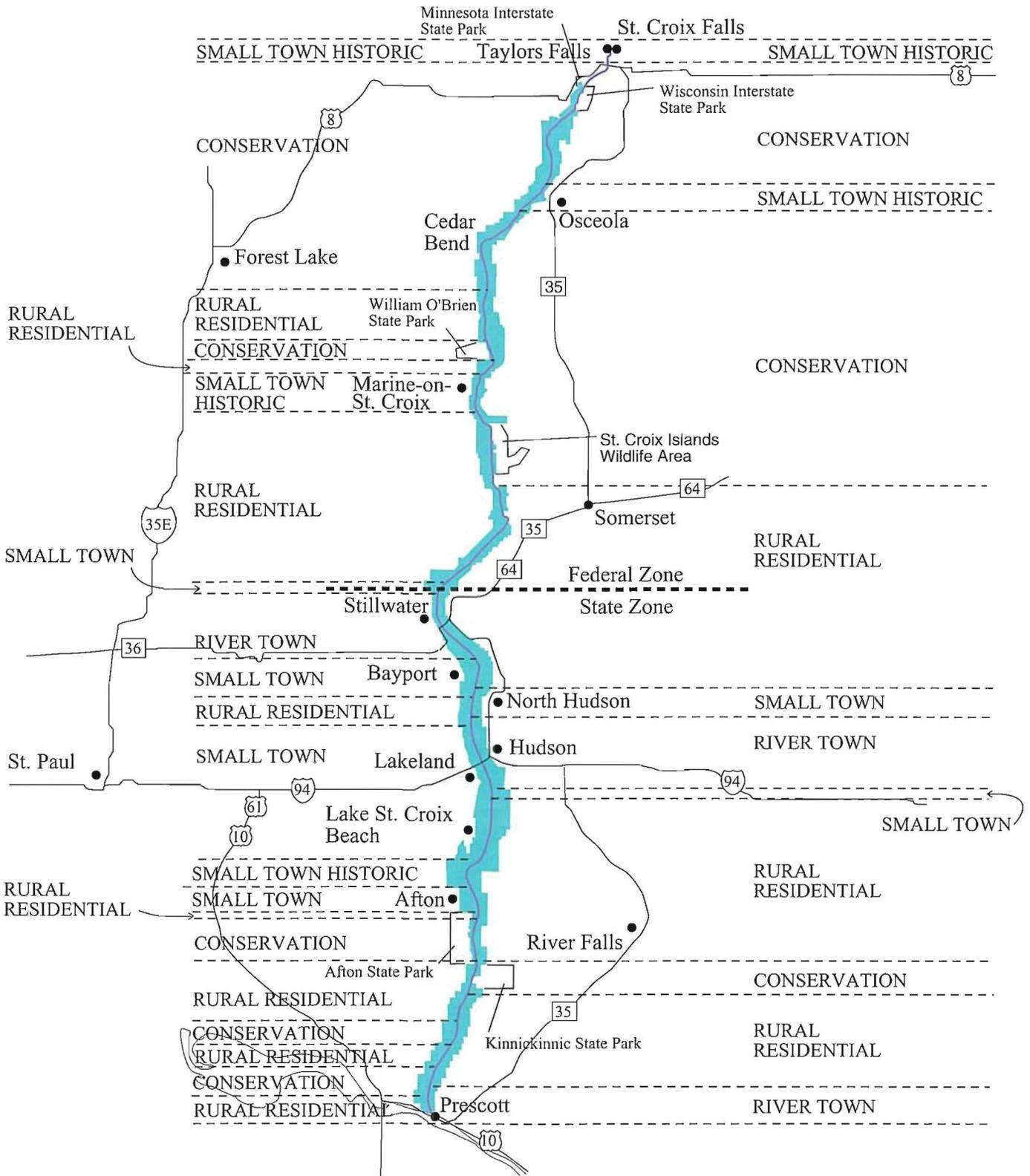
Land Segment	Management Area
Minnesota	
Taylor Falls	Small town historic
Interstate Park to south end of McLeod's Slough	Conervation
South end of McLeod's Slough to north edge of William O'Brien State Park	Rural residential
William O'Brien State Park	Conervation
South end of William O'Brien State Park to southern tip of Greenburg Island in Marine-on-St. Croix	Rural residential
Southern tip of Greenburg Island in Marine-on-St. Croix to southern boundary of Marine-on-St. Croix's Butternut Falls Addition	Small town historic
Southern boundary of Marine-on-St. Croix's Butternut Falls Addition to north limits of Stillwater	Rural residential
North end of Stillwater to train station	Small town
Train station to north limits of Bayport	River town
Bayport	Small town
South limits to Bayport to Hudson railroad bridge	Rural residential
Hudson railroad bridge to north end of old Afton Village	Small town
Old Afton Village	Small town historic
South part of Afton (north end of River Road to south end of River Road)	Small town
South end of River Road in Afton to Afton State Park	Rural residential
Afton State Park	Conervation
South end of Afton State Park to north boundary of St. Croix Bluffs Regional Park	Rural residential
St. Croix Bluffs Regional Park	Conervation
South end of St. Croix Bluffs Regional Park to north end of Carpenter Nature Center	Rural residential
Carpenter Nature Center	Conervation
South end of Carpenter Nature Center to the Mississippi River	Rural residential

TABLE 3: LAND MANAGEMENT AREA BOUNDARIES continued

Land Segment	Management Area
Wisconsin	
St Croix Falls	Small town historic
Interstate Park to north limits of Oseceola	Conervation
Osceola	Small town historic
South end of Osceola to Arcola high bridge	Conervation
Arcola high bridge to south edge of St. Croix Station subdivision in North Hudson	Rural residential
South edge of St. Croix Station subdivision to Orange Street	Small town
Orange Street to Mayer Road extended	River town
Mayer Road extended to Riverview Drive extended	Small town
Riverview Drive extended to north end of Kinnickinnic State Park	Rural residential
Kinnickinnic State Park	Conservation
South end of Kinnickinnic State Park to north end of Prescott	Rural residential
Prescott to the Mississippi River	River town

Land Management Areas

Lower St. Croix National Scenic Riverway



- St. Croix River
- Lower St. Croix NSR
- Major Highways

Limited new developments may still be allowed in rural residential management areas, so long as they comply with land use regulations. (See the proposed state land use guidelines in appendix A for further details regarding new residential developments.) For Minnesota and Wisconsin Interstate State Parks and St. Croix Bluffs Regional Park, the emphasis will be on maintaining current conditions and uses. The northern unit of Minnesota Interstate State Park, the potholes-Glacial Garden area, is being managed toward a ca. 1890 historic vista. The southern unit is being managed in a more natural state. At William O'Brien State Park the emphasis will be on keeping the appearance of a natural landscape as seen from the water. For Afton and Kinnickinnic State Parks new facilities and development will be consistent with adjacent riverway land management area designations — no changes will occur in the overall natural/development character of these two parks.

Water Surface Use Management

One of the unique characteristics of the Lower St. Croix National Scenic Riverway is the diversity of surface water recreational experiences users can find in a relatively small area, ranging from quiet solitude to faster or more social experiences. River users will be assured of finding opportunities to engage in a variety of recreational experiences far into the future. In general, existing access to the riverway will not change. To provide opportunities for quiet solitude, watercraft will be required to operate at no-wake speed in all backwaters north of Stillwater. The main channel between Taylors Falls and the Arcola sandbar will provide a relatively quiet experience for nonmotorized and slow-moving motorized craft. Between the Arcola sandbar and the north limits of Stillwater, motorized and nonmotorized recreational boaters

will continue to use the braided channel and wooded islands. Below the north limits of Stillwater, recreational users, primarily motorboaters, will continue to enjoy the open, lake-like section of the river. As motorboat densities increase, restrictions such as speed limits and slow no-wake zones, will be imposed to ensure safe conditions for all users and to minimize or avoid conflicts between different user activities. (See appendix B for suggested changes in the states' regulations that may be imposed on water users.)

The water management areas are described below and in table 4, which summarizes the features, facilities, and types of experiences for each area. (Photographs further illustrate the characteristics of each management area.)

Active Social Recreation. The user experiences in this management area will vary between peak times (i.e., summer weekends) and nonpeak times. During peak times on this section of the river people often will encounter large numbers of both people and watercraft; opportunities for solitude will be low. Users may experience high noise levels from sources on the water. The surface of the water will more commonly be agitated, with the possibility of relatively large wakes/waves. Human activity on the river surface will, at times, limit opportunities to fish in this area.

During nonpeak times users will encounter moderate numbers of people and boats; there will be moderate opportunities for solitude. Users may experience moderate levels of noise. The surface of the water will be commonly moderately agitated. However, during nonpeak times the area will offer abundant opportunities for angling.

The types of boats found in this area will vary widely during peak and nonpeak times: while most will be motorized, non-motorized watercraft may be present. Boat speeds will also vary significantly; they will be strictly controlled in some limited areas, but the river's highest boat speeds will be allowed in this management area.



Quiet Waters. Users in this management area usually will encounter a small number of other people engaged in “low-impact” activities during nonpeak times, but during peak use periods (i.e., summer weekends) large numbers of other users and boats may be encountered. Opportunities for solitude consequently will vary from low opportunities during peak times to moderate opportunities during nonpeak times. Management will be directed toward recreational uses that leave the surface of the river largely undisturbed. Both motorized and nonmotorized watercraft will be able to use this area. Watercraft speeds will be kept low to preserve the river's tranquil quality. Noise levels will be consistently low. Abundant opportunities for fishing will be available.

Moderate Recreation. Users in this management area will encounter moderate numbers of people and watercraft on the water. A variety of boat types, primarily motorized watercraft, may be present. Boats may travel at different speeds but tend toward slower speeds. Boat speeds may be strictly controlled in certain places. Noise levels from sources on the water generally will be moderate. The area will offer abundant opportunities for angling.



Natural Waters. Users in this management area will experience a sense of peace and quiet and may anticipate opportunities for solitude. The numbers of both users and watercraft will be low — users could anticipate a low probability of encountering other

people on the water. Watercraft speeds will be kept low to preserve the sense of a remote, backwater experience. Noise levels will be consistently low. There will be abundant opportunities for fishing.



Table 4: Summary of Water Management Areas

WATER MANAGEMENT AREA	Number of people	Opportunities for solitude	Watercraft number	Watercraft type	Boat speeds	Boat speed controls	Water surface	Fishing opportunities	Noise levels
Active Social — peak times	high	low	high	variety, primarily motorized, including sailboats	vary significantly, including the river's highest allowable boat speeds	strictly controlled in some areas	commonly agitated; possibility of relatively large wakes/waves	limited, especially during high use periods	likely to be high
Active Social — off peak times	moderate	moderate	moderate				moderately agitated	ample/abundant	moderate
Moderate Recreation	moderate	moderate	moderate	variety, primarily motorized	vary, tending towards slower speeds	may be strictly controlled in some areas	moderately agitated	ample/abundant	moderate
Quiet Waters — peak times	high	low	high	motorized and nonmotorized	low	restricted	largely undisturbed	abundant	consistently low
Quiet Waters — off peak times	low	high	low						
Natural Waters	low	high	low	variety, primarily human powered, nonmotorized	low	restricted	undisturbed	abundant	consistently low

The "Water Management Areas" map on page 38 shows the location and distribution of water management areas. Table 5 summarizes the features, facilities, and types of experiences for each area. All of the lower riverway above the north limits of Stillwater is designated as natural, quiet, and moderate recreation management areas, while below the north limits of Stillwater the riverway is designated as active social recreation waters. The active social recreation management area covers the largest portion of the lower riverway's main channel (25 miles), followed by quiet waters (22 miles) and moderate recreation waters (5 miles). All backwaters north of Stillwater are designated as natural waters (27 miles). The boundaries of the water management areas are as follows from north to south:

Water Use Management From Taylors Falls to Arcola Sandbar

The main channel will be managed as quiet waters, while 22 miles of the backwaters will be managed as natural waters. This will help ensure that opportunities for quiet and solitude do not significantly change.

Water Use Management From Arcola Sandbar to the North Limits of Stillwater

All of the main channel in this stretch (5 miles) will be a moderate recreation management area, while the backwaters (5 miles) will be a natural waters management area. This allocation is intended to maintain existing recreational opportunities: the moderate management area will provide a variety of boat types, primarily powerboats, traveling at moderate speeds, while the natural waters designation will provide opportunities for quiet and solitude.

Water Use Management From the North Limits of Stillwater to Prescott

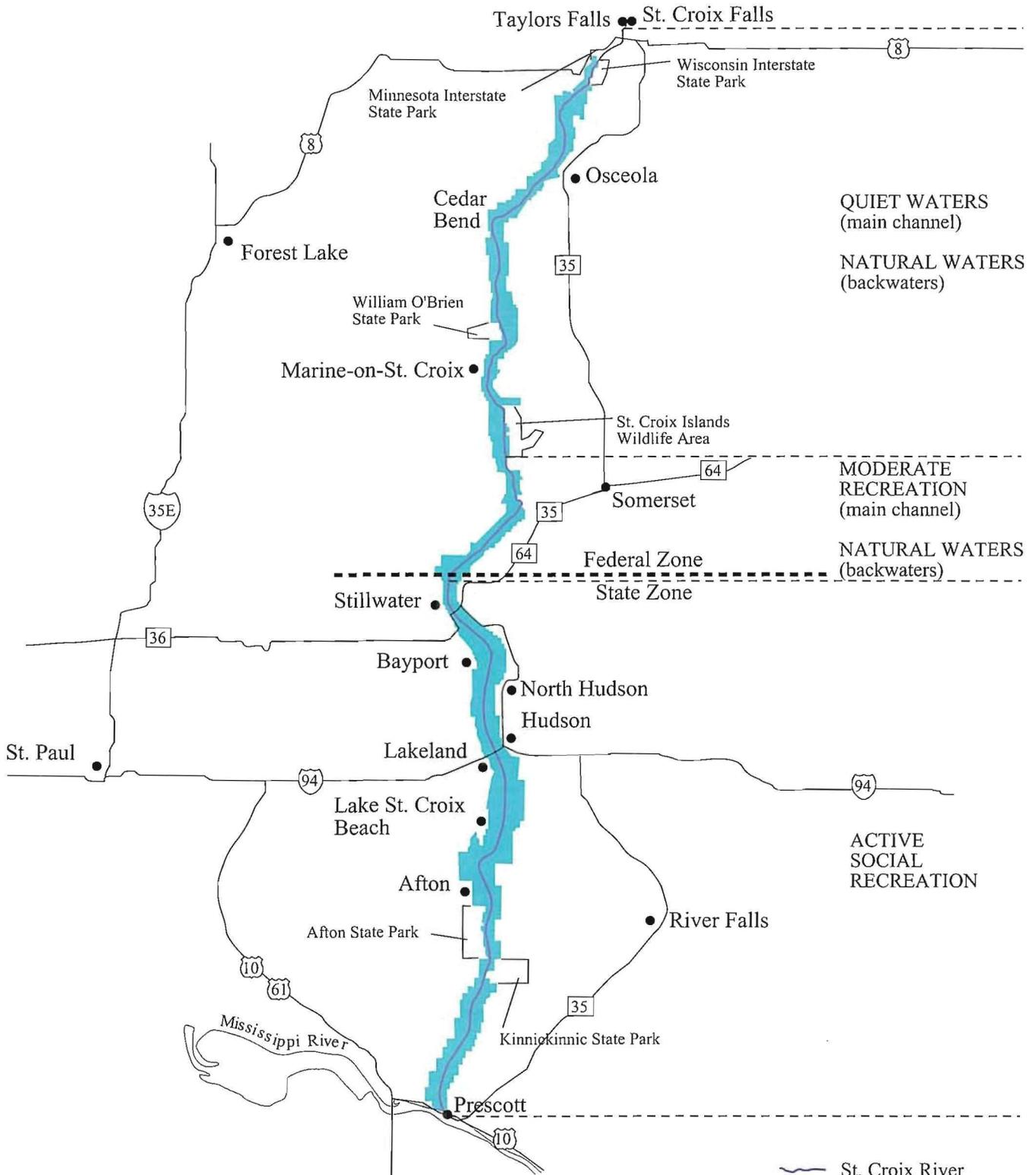
All of this stretch (25 miles) is designated as an active social recreation management area. Recreational users will be permitted to use powerboats and pursue a variety of recreational uses (including sailing and waterskiing). A speed limit for powerboats will be imposed to ensure boater safety and to enhance enjoyment of the scenic resource. One public access point will be added to this stretch, south of Stillwater near the Allan S. King power plant, in part replacing an access in Stillwater that has been closed.

TABLE 5: WATER MANAGEMENT AREA BOUNDARIES

Area	Classification
Backwaters north of Stillwater	Natural
Main channel from Taylors Falls to Arcola sandbar	Quiet
Main channel from Arcola sandbar to north limits of Stillwater	Moderate
Stillwater to Prescott/Point Douglas	Active Social Recreation

Water Management Areas

Lower St. Croix National Scenic Riverway



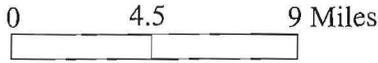
QUIET WATERS
(main channel)

NATURAL WATERS
(backwaters)

MODERATE
RECREATION
(main channel)

NATURAL WATERS
(backwaters)

ACTIVE
SOCIAL
RECREATION



- St. Croix River
- Lower St. Croix NSR
- Major Highways

COORDINATION AND COOPERATION AMONG MANAGING PARTNERS AND BETWEEN GOVERNMENTAL AND PRIVATE ENTITIES

The National Park Service, Minnesota Department of Natural Resources, and Wisconsin Department of Natural Resources have a long history of working together as managing partners on the lower riverway. The managing agencies will continue to work together to guide activities and management within the riverway consistent with the approved management plan. Because Minnesota and Wisconsin also manage lands that are adjacent but not within the riverway boundaries, the managing agencies will encourage management of both states' lands (state parks, wildlife management areas, and natural areas) in a manner that will be consistent with the *Cooperative Management Plan*.

The enabling legislation for the riverway specifies that the National Park Service will have primary management responsibility north of Stillwater and that the states will be the primary managers from Stillwater south. In practice however, there is significant overlap in jurisdictions. The states have the same on-water law enforcement authority and the same oversight over private land use both north and south of Stillwater. Despite jurisdictions that sometimes overlap and sometimes do not, the three managing agencies will strive to manage the entire riverway holistically.

The managing agencies will coordinate management activities and responses to riverway issues and concerns to facilitate an integrated and consistent management approach. Whenever possible, the agencies will actively pursue and support cooperative studies and planning for land and water

resources management in areas of mutual interest.

Many other agencies and organizations within and outside the riverway also affect the management and use of the Lower St. Croix National Scenic Riverway. These include many private businesses, five counties, numerous municipalities and townships, the U.S. Fish and Wildlife Service, U.S. Coast Guard, U.S. Army Corps of Engineers, the Environmental Protection Agency, other state agencies, and private groups and individuals. The cooperation of these organizations is essential to the effective and efficient management of the lower riverway. The managing agencies will work cooperatively with all levels of government and the private sector to ensure the protection of the riverway's resources and maintain quality experiences for all users; manage land use, water surface use, vegetation, wildlife, and fisheries; and deal with other issues of mutual concern. Cooperative relationships will be fostered through regular communication and establishment of informal and formal partnerships or agreements such as implementation of the *Zebra Mussel Task Force Action Plan*. The managing agencies will coordinate enforcement of laws and regulations with local governments and other state and federal agencies (e.g., Minnesota Pollution Control Agency, U.S. Army Corps of Engineers, U.S. Coast Guard, U.S. Environmental Protection Agency).

AMERICAN INDIAN TREATY RIGHTS

Eight Anishinaabe, or Chippewa bands, the Mille Lacs, Fond du Lac, St. Croix, Bad River, Lac du Flambeau, Lac Court Oreilles, Sokagon, and Red Cliff, have had off-reservation treaty rights reaffirmed

within the riverway. In the treaty signed in 1837, the Chippewa ceded lands to the U.S. government, but retained the rights to hunt, fish, and gather on these lands, including those along the St. Croix north of Cedar Bend (river mile 41, south of Osceola). All American Indian treaty rights will be respected. The managing partners will work with the affected tribes to ensure that tribal subsistence hunting, fishing, and gathering rights within the riverway are available to and appropriately exercised by tribal members. The National Park Service and state authorities recognize these treaty rights and will work with the tribes, individual bands, and the Great Lakes Indian Fish and Wildlife Commission to ensure that the rights will be honored and that issues of common interest will be addressed.

Bands of the Sioux, or Dakota, nation at one time also occupied lands in the St. Croix valley. Although the Dakota have no treaty rights in the riverway, they retain historic and cultural ties to the area, which must be respected. The managing partners will consult with representatives of the Dakota nation to identify significant sites associated with the tribe's history and ensure proper interpretation of the Dakota's historic use of the riverway.

RIVERWAY STEWARDSHIP

On the Lower St. Croix, stewardship will involve ensuring the rights of the current generation to use and enjoy the riverway without interfering with the rights of future generations to use and enjoy the same high-quality resource.

The managing agencies will strongly encourage landowners, local governments,

and riverway users to adopt, with a cooperative spirit, the riverway's philosophy of preservation and protection of its significant resources and values. Building a stewardship commitment among river landowners, local officials, and users will be essential because the state and federal governments cannot achieve the long-term riverway protection goals alone.

The managing agencies will work to build public stewardship and support for riverway protection. They will promote awareness, understanding, and support for protection of the riverway's natural, cultural, scenic, and recreational values, and the rules, regulations, and policies that guide riverway activities and uses. This will be done in a variety of ways, such as interpretive exhibits, educational outreach programs, newsletters, and presentations to local governments and publics. Land and recreational use practices (e.g., soil erosion prevention, minimum impact camping) that protect and enhance riverway resources and values will also be encouraged, as will involvement by volunteer groups and individuals in organized river protection programs such as Adopt-a-River and Riverwatch. The Minnesota-Wisconsin Boundary Area Commission* and private organizations, such as land trusts and the Wisconsin Farmland Conservancy, are actively involved in a variety of efforts to promote private land stewardship in the riverway, and their roles are expected to continue in the future.

The riverway is strongly influenced by what happens in the greater watershed. Locally initiated stewardship efforts will be integral to managing and protecting environmental resources (e. g., wildlife habitat, remnant plant communities, scenic areas) not only

*After completion of the plan, the Minnesota-Wisconsin Boundary Area commission was abolished. Its responsibilities under this plan will be reevaluated.

within the riverway but within the greater viewshed, which frequently extends outside the riverway boundary and watershed. Local government programs and policies that will promote voluntary means to help protect and preserve the riverway's resources will be encouraged. Local initiatives within the watershed will complement the protective efforts within the riverway. Innovative and cooperative efforts such as the land stewardship program initiated by Washington and Chisago Counties in collaboration with their local units of government and citizens to create a protected green corridor, is an example of one such effort. Other ongoing programs by the Natural Resources Conservation Service, county conservation departments, and watershed districts will also continue to promote stewardship and use of best management practices. Forest stewardship programs are another example of landowner assistance with broad implications for watershed management.

The *St. Croix Watershed Stewardship Initiative* has been undertaken in conjunction with the Cooperative Management Plan through efforts of the planning task force and partnership team members. This initiative involves participation by citizen and local and regional governments. Products include a guidebook, a watershed resources directory, and a website.

NATURAL RESOURCES MANAGEMENT

The lower riverway's natural resources will continue to be managed in accordance with NPS and Minnesota and Wisconsin state policies and regulations. The managing agencies will strive to maintain all the components and processes of the riverway's naturally evolving ecosystems, including the

natural diversity and ecological integrity of the riverway's plants and animals.

The managing agencies will pursue resource inventory, monitoring, and research programs to enhance knowledge of vegetative communities, wildlife populations, and natural processes and to evaluate trends and threats. This information will provide the basis for the preparation and periodic updating of specific management plans (e.g., fisheries management plan, water resources management plan).

Cooperative management of resources will be encouraged by conducting joint/cofunded programs and preparing comprehensive, interagency management plans where appropriate.



Water Quality and Quantity

The water quality of the Lower St. Croix is relatively good and is one of the riverway's most important assets, but the quality of the river's water is slowly degrading from a variety of point and nonpoint sources. The managing agencies and the Minnesota Pollution Control Agency (MPCA) will work to protect and improve the water quality of the lower riverway. Recognizing that the water quality management programs of both states are not identical, effective water quality protection and improvement will be

enhanced by establishing uniform water quality goals for the lower river. The states will implement their planning, regulatory, and assistance programs to achieve agreed to water quality goals. This approach will apply to both point source and nonpoint source water quality management programs. The managing agencies and the MPCA, Environmental Protection Agency, and U.S. Geological Survey will continue to develop and implement water quality protection measures. The *St. Croix Water Quality Management Plan* addresses protection and improvement of both surface and groundwater resources within the entire St. Croix river drainage. Included in the analysis are water quality monitoring programs, nutrient loading issues, impoundment effects, and other subjects relative to water quality impacts.

Interagency development of a whole basin strategy for the St. Croix River will provide a more comprehensive and integrated effort to establish uniform water quality goals and protect water resources. Studies and data collection needed to obtain information to determine specific water-quality goals and priorities has been initiated and will continue. Surveys of resource conditions and major pollutants and ground water contaminants, determination of the sources of pollutants both within and outside the riverway, identification of impacts from land- and water- based uses, and establishment of a long-term monitoring program will be pursued. Based on this information, specific goals, projects, and mitigating measures will be developed and implemented. Interagency partnerships with local governments will be used to focus financial resources and expertise on issues of common concern.

Implementation of the basin water quality management plan will also be coordinated

and integrated with other related basin area activities. Examples of these activities include the Upper Mississippi National Water Quality Assessment Program, Wisconsin Department of Natural Resources, Minnesota Pollution Control Agency basin plans, local watershed plans, as well as other local programs by the Natural Resources Conservation Service, county conservation departments, and watershed districts.

Floods occur on a regular basis on the St. Croix. Damage to managing agencies' lands and facilities from floods is usually related to deposition of sediment or erosion of shorelines. In the event of a large-magnitude flood with severe damage, restoration of facilities will be evaluated on a case-by-case basis. The managing agencies might choose to close damaged facilities and restore the location to natural conditions. Where there was damage, such as bank erosion that was not associated with managing agency facilities, natural forces will be allowed to take their course. As dams on the St. Croix River and its tributaries age, their removal may become a reasonable and even desirable option. As part of the water basin planning effort and other ongoing resource studies, the effects of the hydropower and nonhydropower impoundments and their operations on the St. Croix River and its tributaries will be investigated. Both the positive and negative changes to river morphology, water quality, biological communities, recreation, and aesthetics will be evaluated. Potential benefits to the long-term natural hydrologic and ecological conditions of the river and watershed from dam removal or operational flow modification will be identified.

Air Quality

The managing agencies monitor air quality-related values of the riverway from adverse air pollution impacts. Air quality-related values include visibility, water quality, vegetation, wildlife, historic and prehistoric structures and objects, and other resources that could be degraded by air pollution. Air quality within the riverway and the effects of air pollutants upon the riverway's resources is difficult to evaluate without adequate information. State air quality management programs will continue to be a primary mechanism for addressing air quality monitoring and pollutant prevention and control. In addition, air quality indicators within the riverway, such as pollution-sensitive lichen species, will be identified and monitored to evaluate air quality trends.

Vegetative Management

The primary goals for vegetative management will be to screen structures from view as seen from the river and prevent disturbance of environmentally sensitive areas such as steep slopes or riverfront bluffs.

A secondary goal will be to encourage and promote vegetative management actions that will maintain and restore historically and ecologically significant plant communities and enhance diversity. Successional climax forest and presettlement disturbed oak savanna will be the preferred forest ecotype examples of significant plant communities. However, throughout the lower riverway, vegetative screening of existing structures and potential development sites will take priority over restoration and maintenance of significant plant communities.

Emphasis will be placed on voluntary actions, coupled with education and stew-

ardship, to preserve and restore plant communities. Removal of exotic species will be encouraged on all lands within the riverway. Control of insects and disease will be recommended if there will be a high likelihood that outbreak will threaten large areas of vegetative cover within the lower riverway or threaten to infest adjacent lands. In addition, pruning or removal of hazard trees will continue to be allowed. Hazard trees will be trees that exhibit damage resulting from insect, disease, age, or storm, and, if they fall, will be a safety risk to people or property. Pruning of normal tree growth to prevent property damage will also be allowed.

On local government lands voluntary efforts will be encouraged to maintain and restore preferred forest cover. On state and federal lands the managing agencies will maintain and restore preferred forest types. Vegetation on NPS fee lands will continue to be managed in accordance with NPS policies to perpetuate native plant communities. Plant succession will generally not be interfered with except to protect life or property, convert existing tree plantations to non-monocultures or mixed species communities, maintain native plant community diversity (e.g., prevent loss of prairie and oak savanna), and maintain habitat for threatened and endangered species. Manipulation of plant communities to maintain threatened and endangered species habitat will be carried out in a manner designed to restore or enhance the functioning of the plant and animal community of which the endangered species is a natural part.

On private lands voluntary efforts will also be encouraged to maintain and restore preferred forest cover so long as these efforts do not conflict with maintaining visual screening of existing structures and potential development sites. State regulations that restrict vegetation management on private

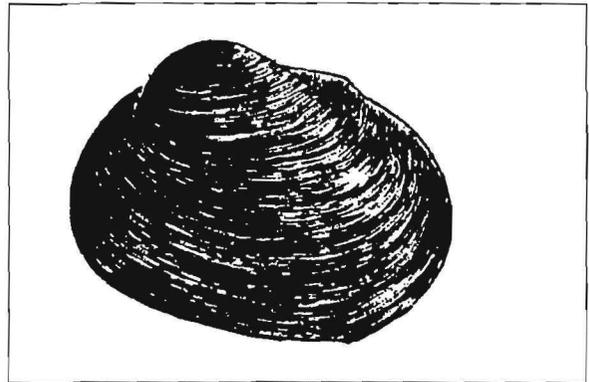
lands will be revised to allow maintenance and restoration of the natural diversity and ecological integrity of significant plant communities. A variety of management techniques, such as planting, seeding, pruning, thinning, harvesting, prescribed burning, and clearing, will be allowed and encouraged on private lands in both states to accomplish this goal. Federal and state scenic easements will be revised on a volunteer basis with individual landowners to allow these management techniques.

A specific action that will be taken to encourage significant plant communities concerns lands enrolled under forest tax law programs on the Wisconsin side of the riverway. (Minnesota does not have an equivalent law regarding forest management.) The Wisconsin Department of Natural Resources will pursue an amendment to the state land use standards within the riverway (Chapter NR 118). Under the proposed amendment landowners develop a forest management plan with department approval that will protect the scenic quality of the river, prevent disturbance of environmentally sensitive areas such as steep slopes or riverfront bluffs, and allow vegetation to be managed in a manner that will maintain significant plant communities.

Mussel Management

A cooperative interagency approach is underway and will continue to protect and conserve the native freshwater mussel assemblage and habitat found within the St. Croix watershed. Mechanisms to increase coordination and information exchange among all agencies, organizations, and institutions that study, manage, conserve, or recover native freshwater mussels in the St. Croix watershed will be identified and developed. Fundamental knowledge about the mussel fauna and habitat is critical to

effectively managing and conserving this resource. Studies will be initiated to enhance knowledge on the basic biology and habitat requirements, status and trends, and threats and impacts from various sources and activities to native mussel populations and their habitats. Management strategies will be developed to protect and reverse the decline of quality mussel habitat and to minimize or eliminate threats from zebra mussels and other nonnative species. The *Zebra Mussel Task Force Action Plan* will continue to be fully implemented. Regulations prohibiting the harvesting or taking of mussels will continue to be strictly enforced in the federally administered zone.



The future of the freshwater mussel fauna as well as other aquatic and aquatic-dependent species of the riverway will depend a great deal on the degree of public and other agency support for aquatic ecosystem protection and recovery programs. An information and education program will be developed and implemented to increase public awareness of the plight of mussels and the benefits of maintaining the ecological integrity of aquatic ecosystems and to develop support for protection efforts. Two mussel species, the winged mapleleaf and Higgins' eye, are listed as federally endangered species. The managing agencies will continue to support the successful implementation of the U.S. Fish and Wildlife

Service's recovery plans for these species. Habitat protection actions such as retrofitting bridges for spills containment and run-of-the-river hydropower generation at the NSP dam should be evaluated for implementation.

Fisheries Management

The managing agencies, in cooperation with the Chippewa tribes, will manage the lower riverway's fisheries to maintain the diversity and abundance of the riverway's native fisheries and maintain and restore their aquatic habitat. Fish harvests will be managed to be sustainable and consistent with sound resource management principles. Resource inventory, monitoring, and research programs will be pursued to enhance knowledge of fish populations and their habitats to determine and evaluate changes in response to habitat dynamics, recreational fishing, land use, and management actions. The managing agencies completed a Memorandum of Understanding related to fisheries management in the spring of 1998. One key element of the MOU is preparation of an interagency cooperative fisheries management plan for the entire riverway.

Exotic Species

A number of invasive exotic plant species are already present in the Lower St. Croix National Scenic Riverway. Some of these plants, such as purple loosestrife, Eurasian water milfoil, spotted knapweed, and buckthorn are threats to the riverway's natural ecosystems. The managing partners will survey and monitor the riverway for the presence of exotic plant species. They will control as best they can those exotic species that are a hazard to public safety, damage historic or archeological resources, interfere with natural processes and the perpetuation

of natural features or native species, or significantly hamper the management of the riverway or adjacent lands. High priority will be given to controlling exotic species that have a substantial impact on the riverway's resources and that can be successfully controlled.

In January 2001 the state of Minnesota declared that the St. Croix River from its confluence with the Mississippi River to River Mile 25.4 (the Boom Site Recreation Area) is infested with zebra mussels. The declaration stemmed from research obtained in the late summer of 2000 when divers found clear evidence of significant reproduction of zebra mussels in the river. (The location of the adult zebra mussels that are the source of these juveniles remains unknown.) A zebra mussel action plan has been prepared by the interagency Zebra Mussel Task Force and is updated annually. The managing agencies will implement the recommendations of the Zebra Mussel Task Force, as identified in the current action plan and any future revisions that are within the authority of the agencies to carry out. The Zebra Mussel Task Force will continue to monitor the status of the zebra mussel, inform and educate the public about the mussel and the threat it poses, and take actions including regulations and enforcement to prevent zebra mussels from spreading further within the riverway. In addition, the states have received funds from the National Aquatic Nuisance Species Task Force to implement the *St. Croix National Scenic Riverway Comprehensive Interstate Management Plan for the Prevention and Control of Nonindigenous Aquatic Nuisance Species*. This plan focuses much of its attention on the zebra mussel but also addresses the rusty crayfish, a snail of the genus *Cipangopaludina*, and the Asiatic clam, all of which have been in the St. Croix River. The plan also covers several

species that are found in the Mississippi River watershed that potentially threaten the St. Croix, including the spiny water flea, grass carp, bighead carp, rudd, ruffe, round goby, and white perch.

Threatened and Endangered Species

The federal Endangered Species Act provides special protection to all federally listed threatened and endangered species and their critical habitats. Plants and animals appearing on state lists of endangered, threatened, and special concern species also have special status. The riverway contains a number of plants and animals that appear on federal and/or state lists and therefore are provided special protection under state and federal laws. The National Park Service and the two departments of natural resources have special responsibilities to protect these species and their habitats. In addition, the three agencies will work with the U.S. Fish and Wildlife Service and the Great Lakes Indian Fish and Wildlife Commission to inventory, monitor, protect, and perpetuate the natural distribution and abundance of special status species. The agencies will implement their respective components of the recovery plans developed for threatened and endangered species.

MANAGEMENT OF HUNTING, FISHING, AND TRAPPING

The management of hunting and fishing as recreational activities will continue to be primarily the responsibility of the respective states. The two state departments of natural resources will set quotas and bag limits to maintain balanced game and non-game populations. The National Park Service will continue to cooperate with the state departments of natural resources and the affected Chippewa bands in regulating sporthunting,

fishing, and subsistence harvesting of wildlife and fish within the riverway. The Chippewa view hunting, fishing, and gathering as traditional subsistence activities. Their off-reservation treaty rights allow them under certain circumstances to trap furbearing animals and to spear and net fish in the riverway north from Cedar Bend.

Chippewa hunting, fishing, and trapping rights along a portion of the riverway were reserved in the Treaty of 1837. Tribal members exercising these rights are regulated by tribal codes that must be no more liberal (but that may be more restrictive) than the model off-reservation Conservation Code that the various bands sharing these off-reservation harvesting rights have adopted. Any licenses, permits, or tags that tribal members require are obtained from their tribe or from the Great Lakes Fish and Wildlife Commission, which was formed to assist its member tribes in the exercise of these rights. The commission also works with the tribes and other state and federal natural resource agencies to ensure that all harvests are sustainable and consistent with sound resource management principles. Other groups who have recently moved into the region have different cultural approaches to fishing. Some may not be entirely familiar with state regulations governing fishing in the riverway and federal regulations prohibiting the taking of mussels. The managing agencies will devise new or use existing outreach programs that will communicate natural resource regulations to these groups.

The safety of recreationists and the general public will be of primary concern, especially in areas of increasing development and human encroachment. The managing agencies may also limit access based on wildlife management and safety considerations. Trapping will continue to be managed

on all lands and waters on NPS fee lands as established by past federal court decision. Outside NPS jurisdiction, trapping will continue to be regulated by the two state departments of natural resources. There is an exception for qualified Native Americans exercising their treaty rights.

GENERAL TYPES OF USES

The cooperating managers will work to promote uses and behaviors that ensure high-quality and safe experiences for all users and help maintain and protect the riverway's resources. A variety of water uses will continue, including nonmotorized and motorized activities. Existing uses (e.g., biking, hiking, and the use of motorized vehicles) will continue on designated roads and trails within the riverway. Other than existing state regulations pertaining to trail uses, no additional regulations will be imposed unless they are needed for safety or resource protection, or to address conflicts that may arise from increased use or new types of uses. In general, recreational uses will continue unless it is demonstrated that unacceptable resource impacts, user conflicts, or conflicts with adjacent private landowners are occurring.

State, county, and city parks and non-governmental nature centers in both Wisconsin and Minnesota will continue to provide recreational opportunities (e.g., swimming beaches, picnic areas, campgrounds, trails) within or close to the riverway. Additional overlooks, picnic areas, and other opportunities to enjoy the river from the land will be encouraged in accordance with the riverway's management area scheme and will most likely be accomplished through public/private partnerships. The five state parks that abut the lower river, while technically not within the

official riverway boundary, will be managed in a way that is consistent with this plan.

Many miles of trails offer hiking, bicycling, horseback riding, skiing, snowmobiling, snowshoeing, and other activities. A number of private groups and communities in the St. Croix Valley are working to expand the network of existing trails. For example, a trail is proposed from William O'Brien State Park to Taylors Falls. The riverway managing agencies will work in partnership with user groups, communities, local agencies, and others in development of a comprehensive regional trail network to provide trail connections to link trails along or near the river and with other areas outside the river corridor. Trail development will be coordinated with state trail plans, county comprehensive plans, and other pertinent plans. Assistance of user groups and other trail supporters will continue to be integral to the development and maintenance of trails.

Existing railway rights-of-way may offer the potential to expand trails and river access for the nonboating public within the lower riverway. Abandoned railway rights-of-way, if and when available, will be pursued for conversion to trails consistent with the National Trails System Act. Also, when roads along the river are improved, the addition of bicycle lanes will be encouraged.

The amount of recreational use in the winter is far less than that which takes place during other seasons. Winter recreational uses that are consistent with the purposes of the riverway and that do not require major new facilities will continue to be allowed. New regulations will be instituted only as necessary for safety or to address conflicts or resource protection needs that may arise from increased use or new types of use. The

managing agencies will work to resolve inconsistencies in existing winter use regulations governing icehouse use and licensing.

The frozen river surface between Osceola and St. Croix Falls/Taylors Falls is closed to snowmobile use under 36 Code of Federal Regulations 7.9. Snowmobiles are allowed on the frozen river surface of the St. Croix south of Osceola and designated trails that traverse the riverway, and snowmobile use will continue in accordance with state and/or federal snowmobile use policy and regulations. This use will be restricted if there are unacceptable resource impacts, user conflicts, safety considerations, or conflicts with adjacent private landowners.

Cross-country skiers will continue to be permitted to use the frozen river or other unmarked, unofficial routes in the riverway. Although activities on the frozen river surface (e.g., cross-country skiing, snowshoeing, snowmobiling, ice fishing) will be permitted, the managing agencies will not encourage such use because of the inherent danger.

Any new activity within the riverway that will draw large gatherings of people and will likely cause the pollution, impairment, or destruction of the air, water, land, or other natural resources in the riverway will be prohibited.

Where there is no feasible and prudent alternative and the gathering is consistent with and reasonable and required for the promotion of the public health, welfare, and safety, the gathering may be permitted. Economic considerations alone will not constitute reason for approval by any agency or authority over the matter.



USER CARRYING CAPACITY

To properly administer areas designated as national wild and scenic rivers, managing agencies are required as part of the long-term planning process to address the issue of resource protection in relation to user carrying capacity. There are several processes for accomplishing this social science research, but each tries to answer the same question – at what level does use begin to degrade natural and cultural resources, aesthetic values, and user experiences? In other words, carrying capacity is not strictly interpreted as an absolute number of people (except in the case of health and safety) but as a prescription of user experience (social) and resource conditions.

To fully address the lower riverway's carrying capacity, after this plan is implemented additional work will be needed to set indicators and standards (which are minimum acceptable conditions) in the land and water management areas and to develop a variety of monitoring strategies. In addition, the managing agencies will continue to undertake water surface use monitoring studies conducted biennially since 1977.

USER SAFETY

Although users assume a certain degree of responsibility for their own safety when visiting the lower riverway, the managing partners will reduce hazards where practical and may limit access to certain areas at certain times based on safety considerations. Actions to prevent known hazards will not conflict with the managing partners' mandates to preserve the riverway's resources. Safe conditions will be maintained.

COMMERCIAL SERVICES AND CONCESSION OPERATIONS

A large number of people using canoe livery operators on the lower riverway has the potential to significantly affect the recreational experiences on the riverway as well as the riverway's resources. Therefore, the National Park Service and state departments of natural resources will evaluate the need to place canoe livery operators under a permit system. The purposes of this permit system will be to ensure that opportunities for a quality experience are maximized, to encourage the highest degree of safety and interpretation of the resources, and to ensure that riverway resources are protected. To determine the impacts of these operations on the resources, the permit system will also gather information to use in future planning efforts to ensure that the authorized services will not have an adverse impact on park resources.

The Minnesota Department of Natural Resources currently authorizes one concessioner that operates the canoe rentals at Minnesota Interstate Park and William O'Brien State Park. There does not seem to be a large demand for additional types of goods and services that could be provided through concessioner operations. A policy

for providing additional goods and services via concessioner operations within the lower riverway will be developed if demand is warranted. The managing agencies will only consider contracting for additional concessioner services if such services are necessary and appropriate for public use and enjoyment of the riverway and if they are consistent with the preservation and conservation of the areas. If such services are provided, additional staff and staff time will be required to manage and monitor concession contracts.

There are several commercial public excursion boat operations on the river. They provide river access for large numbers of people who might otherwise not be able to use the river. Excursion boat operations are acceptable if they operate from existing facilities and offer regular public cruises.

Transient docks available to the public provide opportunities for boaters to leave the river for brief periods to visit local businesses and public facilities. Transient docks are acceptable in existing facilities, providing dockage for more than 24 hours is prohibited.

ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The managing partners will strive to provide the highest level of accessibility possible to buildings, facilities, programs, and services, consistent with the nature and limitations of the area, the conservation of riverway resources, and the mandate to provide a quality experience for everyone. Any new developed user or employee facility and any alterations to existing facilities will be evaluated in accordance with the Americans with Disabilities Act (42 USC 12101) and *Uniform Federal Accessibility*

Standards (49 FR 31528) to provide full accessibility to all users. Wherever possible, information about facilities and programs for people with sensory and mental disabilities will be available.

INTERPRETATION AND EDUCATION

Interpretation within the riverway will focus on four primary goals:

- increase public awareness of the lower riverway as a component of the national wild and scenic rivers system
- increase appreciation and understanding of the riverway's resources and values
- provide information to visitors to ensure a safe and enjoyable visit
- promote visitor interaction with riverway resources that supports preservation of those resources for future generations

In support of these goals, there will be an increased emphasis placed on coordination of interpretive activities among the primary providers of interpretive services within the riverway, the National Park Service, Minnesota and Wisconsin state parks, and nongovernmental nature centers. The St. Croix Valley Interpreter's Association, an informal alliance of interpreters in the area, will continue to serve as the principal forum for coordination of interpretation, including the development of interpretive programs and activities (which are key ideas or stories that should be imparted to riverway users). The National Park Service visitor centers, state parks, and nongovernmental nature centers could focus on the same interpretive topic at the same time, offering complementary programs and activities.

Other cooperative efforts may also be pursued, such as development of a clearinghouse for information on programs and activities at the various interpretive facilities along the riverway, joint publication of information on facilities, programs, and activities, and development of common signage to be used on the riverway. Riverway interpretive programs may also be coordinated with the Mississippi National River and Recreation Area interpretive programs to expand the scope and outreach of both programs.

Cooperative partnerships with private interests (e.g., marinas, chambers of commerce, tourism organizations) may also be important to maintain and improve high-quality user services. This may include riverway orientation for employees of private sector groups.

Education efforts for both the Lower St. Croix riverway and the larger St. Croix watershed will be a major element in the implementation activities of this plan. Increased programs for the awareness of riverway water and land resources planning issues will be incorporated in educational pamphlets, public information sessions, and riverway public access signage (i.e., amended and revised boating rules, exotic species bulletins, camping guidelines, etc.). Agencies will host the St. Croix Expo, develop a St. Croix information website, and develop a St. Croix watershed stewardship guidebook.

Coordination and partnerships with the National Park Service, Minnesota Department of Natural Resources, Wisconsin Department of Natural Resources, and the Minnesota-Wisconsin Boundary Area

Commission* will continue and become more active in terms of educational programs and public involvement relating to the riverway and surrounding watershed area.

RIVER CROSSINGS

Being a linear resource near a growing metropolitan area, there is frequent interest in building new crossings of the riverway. Crossings come in three forms: bridges for roads, railroads, pedestrians; overhead wires for communications and electrical energy; and under-river crossings (often called submarine crossings) for communications, electrical energy, and material such as fuel or natural gas.

The long-term goal will be to reduce the number and size of visible river crossings. The managing agencies will encourage safe, compatible, multiple uses of existing corridors and structures that cross the riverway. All proposed changes to river crossings or corridors will require site-specific environmental evaluations and approval from applicable local, state, and federal agencies. The impacts of each proposal will be analyzed and documented before the managing agencies permit any change in a river crossing or corridor.

There will be no net increase in the number of transportation corridors. In general, transportation corridors will be replaced in or adjacent to the existing corridor. Existing transportation corridors will be relocated only if all of the following are true: 1) the need for the project is clearly justified, 2) the project is consistent with state and regional transportation plans, 3) there is

no feasible and prudent alternative to relocating the corridor, and 4) all built elements of the existing corridor are removed, and the corridor is restored to natural conditions. Existing corridors are defined as being roughly equivalent to the existing approach rights-of-way. Existing bridges may be replaced with new bridges provided that existing structures are removed.

Increased capacity within an existing transportation corridor may be expanded by widening an existing bridge or by constructing a parallel structure to an existing bridge so long as items 1 and 2 above are true.

Any new bridge or alteration of an existing bridge must be of a scale and character that the area was designated under the national Wild and Scenic Rivers Act (scenic, recreational, geologic). Construction projects must include appropriate mitigation to compensate for any impact on these values.

Utility lines may be replaced and new lines may be added to existing crossings. In addition, new lines may be placed under existing bridges. However, no new utility corridors will be permitted to cross the river, and existing line towers cannot be made larger. Consolidation of utility line crossings also will be encouraged. Submarine crossings can be expanded (i.e., the size and number of lines may be increased) or relocated to an existing corridor. New submarine crossings also will be permitted provided there are no visual impacts. However, the crossing technique having the least impact on the riverway's outstandingly remarkable values and impact on the resource will be required. Natural vegetation will be maintained as much as possible along utility line rights-of-

* After completion of this plan, the Minnesota-Wisconsin Boundary Area Commission was abolished. Its responsibilities under this plan will be reevaluated.

way that cross the riverway. Clearcutting of rights-of-way for pipeline inspections will be prohibited. If any river crossing project requires construction below the ordinary high water mark, the National Park Service will review the project, including the mitigation plan, pursuant to section 7 of the Wild and Scenic Rivers Act. The National Park Service will determine whether the project will or will not have a direct and adverse effect on the values for which the river was designated. If the National Park Service finds that the project will result in a direct and adverse effect, no federal funding, licenses, or permits will be issued for its construction.

ISLAND AND PUBLIC SHORELINE MANAGEMENT

North of Stillwater public day use of publicly owned islands and shoreline areas will continue.

Camping in the three state parks in the area will continue to be allowed only in designated campgrounds. On federal lands managed by the National Park Service, camping will be at designated sites only as defined in a comprehensive camping management plan. This plan will provide specific management objectives for reducing trampling of vegetation, reducing shoreline and island erosion, reducing the impact of human waste, protecting and enhancing natural resource conditions, protecting cultural resources, reducing user conflicts, and protecting the rights of private landowners. An important element of the plan will be development of a monitoring plan aimed at maintaining specific resource conditions.

When demand for sites exceeds the number of available sites, an overnight use permit/reservation system may be instituted to

allocate sites in advance. In addition the National Park Service may institute at any time, in compliance with national policy and regulations, a camper user fee system.

Regardless of other management strategies, camping on NPS lands will be limited to a maximum seven-night limit at any one site and a 30-night limit for the entire summer season at all sites. These limits may be reduced in certain areas to increase space allocation for a greater number of users. At no time will camping equipment or beached vessels be allowed to be left unattended for more than 24 hours.

South of Stillwater, overnight use of the Hudson Islands and day use of publicly owned shoreline areas will continue to be minimally regulated. To resolve sanitation problems on the Hudson Islands, users will be required to have portable toilets to transport human waste off the islands unless the managing agencies, local government, or volunteer organizations provide public facilities for this purpose. Camping in the two state parks and one regional park in the area will continue to be allowed only in designated areas.

NAVIGATION CHANNEL MAINTENANCE

In 1866 Congress authorized the U.S. Army Corps of Engineers to maintain a 3-foot navigation channel from Taylors Falls to the Mississippi River. Maintenance of the 3-foot channel was originally intended to provide a navigable channel for steamboats. Although some snag removal has been done since the end of the steamboat era on the St. Croix River around 1915, the Corps has not dredged the 3-foot channel since then and has not removed snags in recent years.

The U.S. Army Corps of Engineers (Corps) has not maintained the 3-foot navigation channel between Taylors Falls and the Arcola sandbar (river mile 31.0) in many years. As a result, prevailing shallow water levels at the sandbar effectively limit the majority of motorboat use to that portion of the river south of the sandbar. Above the sandbar, use is a mix of canoes and motorboats, with predominantly canoe use north of Cedar Bend. These conditions will likely change if water levels change at the sandbar.

To ensure that opportunities for a diversity of recreational experiences continue to be provided on the Lower St. Croix, it is important that channel maintenance does not resume north of the Arcola sandbar. Thus the managing agencies will recommend that Congress deauthorize the 3-foot navigation channel between the NSP dam and the Arcola sandbar. The managing agencies will work with the Corps to pursue this change in legislation.

No changes will be proposed regarding the Corps' authority to maintain a 3-foot navigation channel from the Arcola sandbar down to river mile 24.5 at Stillwater. This will allow limited snag removal when necessary for safe motorized use. The Corps is also authorized to maintain a 9-foot navigation channel from Stillwater (river mile 24.5) down to the confluence with the Mississippi River at Prescott. While channel maintenance has historically involved dredging at Hudson, Catfish Bar, and the Kinnickinnic Narrows, the Corps' *Upper Mississippi River Channel Maintenance Management Plan* (U.S. Army Corps of Engineers 1997) indicates that only the Kinnickinnic Narrows is expected to require dredging over the next 40 years. Given this, the managing agencies will support continued maintenance of the navigation channel.

No changes will be recommended to the channel's existing vertical clearance standards, which all existing bridges meet. However, the managing agencies will recommend that the Corps reduce the maintained channel width from 200 feet to 100 feet at the Kinnickinnic Narrows. A mussel survey will be required before maintenance dredging can occur at the Kinnickinnic Narrows. Dredged material will continue to be placed where it can be reused for beneficial purposes while minimizing impacts to aquatic resources, as described in the *Upper Mississippi River Channel Maintenance Management Plan*. Any watercraft entering the riverway to conduct dredging activities and buoy-tending will be checked and cleaned if necessary in a manner consistent with the zebra mussel prevention plan.

CULTURAL RESOURCES MANAGEMENT

For the purposes of this plan, cultural resources are museum objects, historic properties listed on the National Register of Historic Places, or properties that are eligible for listing on the register. Historic properties on or eligible for listing on the national register include archeological sites, or historic buildings, structures, objects, sites, and districts. In addition to national register properties, cultural resources are also traditional cultural properties (including those associated with American Indians) and historic landscapes (both designed and vernacular). The lower riverway and adjoining areas include properties currently listed on the national register, properties determined to be eligible for listing on the register, and some properties that have been identified but not yet evaluated. Cultural resources within the riverway boundary are on NPS fee land, nonfederal public land, private land (including parcels with NPS

scenic easements), and potentially in the river itself (e.g., shipwrecks, other submerged resources).

The National Park Service currently has several efforts underway to identify and evaluate historic buildings, structures, and landscapes in the riverway. These include: a historic resource study, to establish the broad historic context of the region; the List of Classified Structures, which evaluates NPS-owned properties; and the cultural landscape inventory, which identifies and evaluates significant cultural landscapes in and adjacent to the riverway. Other efforts currently underway are a cultural sites inventory and an archeological and ethnographic overview and assessment. These efforts focus solely on the portion of the lower riverway administered by the National Park Service and on historic properties located on National Park Service fee lands.

The managing agencies will work together to inventory, evaluate, and protect the riverway's cultural resources. All three managing agencies will better utilize their own internal expertise on cultural resource issues to better protect the riverway's cultural resources. The National Park Service will continue its efforts to identify and evaluate historic buildings, structures, cultural landscapes, archeological and ethnographic resources, and other cultural sites on the federally administered portion of the lower riverway in the state-administered portion of the riverway. The Minnesota and Wisconsin state historic preservation offices, American Indian interests, and private property owners will be responsible for the identification, preservation, and interpretation of historic properties. The National Park Service will support this effort by performing research on the historic contexts of the region. National Park

Service staff will work with these groups where appropriate in developing protection and treatment strategies and priorities. Property owners and managing partners will work together to develop challenge cost share grants and other cooperative ventures to preserve historic properties throughout the state-administered zone. The National Park Service will assist the state historic preservation offices in promoting the identification, evaluation, and protection of historic properties by local governments, landowners, and private institutions in areas that visually affect the river outside the riverway boundary.

Previously unidentified archeological sites may be encountered as the result of future excavations or other ground disturbances. Archeological surveys will precede any future ground disturbing activities undertaken by the managing agencies. These surveys will be conducted under the provisions of section 106 of the National Historic Preservation Act, in consultation with the Minnesota or Wisconsin state historic preservation offices. While section 106 typically applies only to federal actions, in this case actions by the state managing agencies within the riverway will voluntarily comply with the spirit of section 106, following procedures to be developed in cooperation with the state historic preservation office and consistent with state statutes and rules.

Local governments will be strongly encouraged and relied upon to play a key role in protecting historic properties. The managing agencies, in cooperation with the state historic preservation offices and local preservation organizations, will encourage local government efforts. These actions will include historic preservation measures in county comprehensive plans and other regional plans; establishment of local his-

toric preservation ordinances; participation in the certified local government program administered by the state historic preservation offices; and development of incentives (e.g., grants, loans, tax breaks) for the rehabilitation of historic buildings or preservation of archeological sites. The managing agencies also will increase their efforts to educate the public on the value of the lower riverway's cultural heritage.

Local governments will be required to adopt and enforce historic preservation ordinances and historic-theme architectural standards for use in the river town and small town historic districts.

LAND PROTECTION/BOUNDARY ADJUSTMENTS

Land Protection

The goals for riverway land protection are to protect the ecological integrity, scenic character, geologic resources, and cultural and historic resources of lands within the boundary of the Lower St. Croix National Scenic Riverway while providing for public use and enjoyment. The National Park Service has essentially completed acquiring land and interests in land as identified in the *Land Protection Plan* for the federally administered zone. The state DNRs will provide the opportunity for landowners to participate in a variety of land protection programs, such as forest stewardship plans and other land stewardship programs. Land protection needs and opportunities for areas outside the riverway that affect the integrity and character of the riverway will be addressed in the *Watershed Stewardship Initiative*.

The following tools and opportunities may be used in developing the land protection

program:

- At a minimum, local zoning in conformance with state minimum standards will continue to apply to all lands within the riverway, as published in the *Federal Register* between the dam at St. Croix Falls/Taylor's Falls, and the confluence with the Mississippi River. (The state departments of natural resources will pursue revision of the state minimum standards based on the suggested land use guidelines in appendix A.)
- Agencies will evaluate alternative methods of protection other than acquisition (e.g., cooperative agreements, environmental regulations, local zoning ordinances, private land stewardship). There will be support for greater use of land trusts and other nonregulatory and nongovernmental land protection methods.
- Agencies will renegotiate scenic easements where needed to include provisions for natural and cultural resource protection and modifications of vegetation management practices.
- NPS and state ownership of lands north of Stillwater may be modified to improve administration.
- Agencies will encourage inclusion of historic preservation measures in county comprehensive plans and other regional plans and establishment of local historic preservation ordinances.
- Agencies will encourage state and local incentives (e.g., grants, loans, tax breaks) for the rehabilitation of historic buildings or preservation of archeological sites.

The land protection program for the lower riverway addresses only those lands within the authorized boundary of the riverway. However, lands outside the riverway are also integral to the integrity and character of the riverway. The *Watershed Stewardship Initiative* will address land protection opportunities in the greater watershed.

Boundary Adjustments

There is a small gap in the boundary on the north edge of Wisconsin's St. Croix Islands

Wildlife Area resulting from an error in the original delineation of the riverway boundary. The riverway boundary will be extended to cover this area. Another minor boundary adjustment has been proposed in Bayport to remove part of a residential area that is not near the river.

If other minor boundary adjustments are identified, they will be referred to the management commission for review and possible boundary adjustment.





MANAGEMENT STRUCTURE

POLICY DEVELOPMENT

The Lower St. Croix Management Commission (hereafter referred to as the management commission) will continue to be the primary policy body for the riverway — it will be responsible for policy development, including preparation and adoption of policy documents as needed and management plan updates every 20 years. The management commission also may review and comment on all actions by government and others that affect the lower riverway.

The organization of the management commission will continue as the primary policy body for joint management of the riverway. The Minnesota Department of Natural Resources, Wisconsin Department of Natural Resources, and the National Park Service will continue to be the three voting members. An additional nonvoting member from the newly created Lower St. Croix Partnership Team will serve an advisory role (see description of this new organization below). The Minnesota-Wisconsin Boundary Area Commission* will continue

in its administrative support and nonvoting advisory roles. In addition, a technical committee consisting of field-level staff would continue to address day-to-day issues. The three managing agencies will provide staff for the management commission for riverway management and for plan implementation.

A new organization, called the Lower St. Croix Partnership Team, will be established to serve as an advisor to the management commission. The team will have the following duties: serve as an advisor for development and revision of state water surface use regulations (see appendix B); serve as an advisor for development and revision of state land use regulations (see appendix A); conduct on a bimonthly basis post-decision review of local land use actions (variances, etc.) for consistency with intent; and appoint one nonvoting member to the Lower St. Croix Management Commission. The membership of the partnership team will be based on the Lower St. Croix Planning Task Force, but its membership will be more clearly

*After completion of this plan, the Minnesota-Wisconsin Boundary Area Commission was abolished. Its responsibilities under this plan will be reevaluated.

defined: the team will consist of representatives of local governments and a balanced list of stakeholder groups. Staff services to the partnership team will be provided by the two state departments of natural resources.

LAND USE MANAGEMENT

The two state departments of natural resources will adopt state rules that form the basis for local riverway ordinances. The Lower St. Croix Partnership Team will serve as a public forum for development of the state rules. Local governments will be required to adopt and enforce ordinances based on the states' rules (local ordinances could be more restrictive than state rules, but not less so); the departments of natural resources will have objection (in Wisconsin) or certification (in Minnesota) authority over local ordinances, amendments to those ordinances, and variances. The departments of natural resources also will provide regular training for local government officials on land use management questions.

In implementing the ordinances, local governments will provide notice of hearings to the managing agencies. To provide for cross-agency consultation, the management commission's technical committee will review all applications for variances and conditional use permits. Both the technical

committee and the departments of natural resources may comment on applications either in writing or at the local government hearings.

However, no riverway managing agency will have veto authority over a local government decision on a conditional use permit or subdivision. If disagreements occur, appeals may be made to the courts.

The partnership team will meet at least bimonthly and review all local land use decisions rendered during the previous months. It will make periodic reports and/or recommendations to the management commission and state departments of natural resources to improve the consistency of local government implementation of their riverway ordinances.

WATER SURFACE USE MANAGEMENT

On-water law enforcement will continue to be provided by the five county sheriff's departments, the two departments of natural resources, and the National Park Service. The three managing agencies will provide staff for on-water law enforcement, rescue, and related activities. Increased coordination among surface water law enforcement agencies will be led by staff of the management commission.



APPENDIXES

APPENDIX A: LAND USE REGULATION GUIDELINES

The purpose of this appendix is to provide suggested zoning guidelines for lands within the riverway boundary (as published in the *Federal Register*), between the dam at St. Croix Falls/Taylor's Falls and the confluence with the Mississippi River.

Rationale: Local governments adopt zoning ordinances based on state rules. Special zoning guidelines are needed in the riverway to protect the river's outstanding values as discussed in the *Cooperative Management Plan*. Lot development standards are needed to protect steep slopes to minimize erosion, prevent water quality degradation, and prevent negative visual impacts. River setback standards are needed for structures to minimize erosion, prevent water quality degradation, and prevent negative visual impacts. Minimum lot width and lot size standards are needed to ensure that development in certain areas does not change the character of the setting and to prevent additional impacts as seen from the river. Structure height standards are needed to help limit visual impacts. Limits on types of uses are needed to ensure that additional

development does not change the character of the setting and to help prevent additional impacts. Vegetative management standards are needed to protect scenic character, reduce erosion potential, maintain and restore ecologically and historically significant plant communities, and enhance diversity. Standards for nonconforming or sub-standard structures are needed to minimize visual and natural resource impacts.

Land management areas discussed on pages 24-32 form the basis for the land management districts described in this appendix.

Ordinances will have a general policy statement based on the following: "In order to reduce the effects of overcrowding and poorly planned shoreland development, to provide sufficient space on lots for sanitary facilities, to minimize flood damage, to maintain property values, and to preserve and maintain the exceptional scenic, natural and cultural characteristics of the waters and related lands of the Lower St. Croix River Valley in a manner consistent with the National Wild and Scenic Rivers Act

(PL 90-542), the Lower St. Croix Act (PL 92-560), the Minnesota Lower St. Croix Act (M.S. 103F.351), and the Wisconsin Lower St. Croix Act (W.S. 30.27), the (local government) hereby adopts the following provisions to be applicable to the St. Croix River District of the (local government) as herein designated, and as a section of the (local government) zoning code.” All codes will include the following definitions:

Bluffline is the top of a slope preservation zone.

Net project area means developable land area minus slope preservation zones, floodplains, roads rights-of-way, required setbacks, and wetlands.

Nonconforming use means any use of land that does not conform to the use restrictions of a particular zoning district.

Nonconforming or substandard structures are structures that contain a permitted use but that do not comply with the dimensional standards of the riverway ordinance.

St. Croix River District includes all lands within the riverway boundary (as published in the *Federal Register*) between the dam at St. Croix Falls/Taylors Falls and the confluence of the Mississippi River.

Slope preservation zone means areas with slopes greater than 12%, with the horizontal interval of measurement not exceeding 50 feet.

Visually inconspicuous means difficult to see or not readily noticeable in summer months as viewed from the river.

All codes will include the following standards:

In **slope preservation zones**, there will be no structures and no grading or filling, and vegetation management will follow standards described elsewhere. Structures will be set back at least 40 feet from all blufflines.

Bluffline setback: On blufflines visible from the river (without vegetation), structures will meet the following setback requirements: 40 feet in river town, small town historic, and small town districts; 100 feet in the rural residential district; 200 feet in the conservation district.

Structure color: In all districts, structures designated as historic or in designated historic districts may use earthtone colors, or may use colors appropriate to the period in history for which they were designated. Other new or expanded structures will conform to the following standards: Earthtone colors will be used for all new or expanded structures in all districts except the river town district. In the river town district, structure color requirements will be determined by local ordinance.

Minimum lot width: In the river town zoning district, minimum lot width will be determined by the community’s underlying zoning ordinance. In other districts, the following minimum lot width standards will apply (at building line and at side nearest and parallel to the river): 100 feet in the small town historic and small town districts, 200 feet in the rural residential district, 250 feet in the conservation district.

Minimum lot size: In the river town, small town, and small town historic districts, minimum lot size will be determined by the community’s underlying zoning ordinance.

In the rural residential and conservation districts, all lots will contain at least 1 acre of net project area. Where community sewage collection and treatment services are not available, each lot will have adequate land area for one principal dwelling structure and two onsite sewage treatment systems.

River setback: Structures will meet the following setback requirements from the river's edge: 100 feet in the river town, small town historic, and small town districts and 200 feet in the rural residential and conservation districts.

Structure height: New or expanded structures will meet the following maximum height requirements: 45 feet in the river town district; 35 feet in the small town historic, small town, and rural residential districts; and 25 feet in the conservation district. Structure height will be measured between the average ground elevation and the uppermost point of the structure.

A nonconforming or substandard structure may be retained and maintained. A nonconforming or substandard structure may be expanded within state rule limitations if: 1) the addition is visually inconspicuous, 2) steps are taken to mitigate for visual impact and for adverse impact to water quality and natural resources of the riverway, and 3) the addition neither creates a new nonconformity nor increases the degree of an existing nonconformity.

Vegetation management: All districts will require a restriction on disturbing vegetation in slope preservation zones, within 200 feet of the river's edge and within 40 feet of blufflines to protect scenic character and reduce the potential for erosion. Vegetative management standards will not prevent the removal of diseased, hazard-designated, noxious weeds, or exotic

species. These standards will also allow management practices to restore and promote preferred plant communities, such as successional climax forest and presettlement disturbed oak savanna ecotypes. Vegetative screening of structures will be emphasized over maintenance of preferred plant communities. Management actions will encourage, but not require, maintenance and restoration of preferred plant communities on private lands.

Codes will include appropriate sections of the following permitted uses: In the river town district, permitted uses will be those allowed by the community's underlying zoning ordinance. In the small town historic and small town districts, permitted uses include single-family structures; other uses permitted by the community's underlying zoning ordinance may be allowed as conditional uses. In the rural residential and conservation districts, permitted uses include single-family structures and agriculture. In the rivertown and small town historic districts, there will be historic preservation ordinances and historic-theme architectural standards for new development. Permitted uses in the rural residential and conservation districts include waysides, rest areas and overlooks, government resource management, and public and quasi-public natural resource educational facilities.

**TABLE A-1: PROPOSED LAND USE REGULATIONS
EXISTING STATE RULES AND PROPOSED RULES
WITH RATIONALE FOR CHANGE**

Topic	MN Rules	WI Rules	Proposed	Rationale
Bluffline setback — river town, small town, small town historic	40'	40'	40'	Existing standards adequately protect resources in developed areas
Bluffline setback - rural	100'	100'	100'	Existing standards adequately protect resources
Bluffline setback - conservation	100'	100'	200'	Greater level of protection needed for these very natural areas
Structure color - river town	Earthtone	Earthtone	Local standards*	Structure color standards determined by local ordinance to meet riverway character
Structure color - rural, conservation, small town, small town historic	Earthtone	Earthtone	Earthtone*	Existing standards adequately protect resources
Minimum lot width - river town	100/150'***	100'	Determined by underlying local zoning code	Local zoning adequate to protect lot width in developed urban areas
Minimum lot width - small town, small town historic	100/150'***	100'	100'	Existing standards adequately protect resources; uniformity between states desirable
Minimum lot width - rural	200'	200'	200'	Existing standards adequately protect resources
Minimum lot width - conservation	200'	200'	250'	Greater level of protection needed for these very natural areas
Minimum lot size - river town, small town, small town historic	20,000 sq. ft./ 1 acre**	Local zoning in effect 1/1/76	Local zoning***	Local zoning adequate to protect lot size in developed urban areas, provided there is adequate area for onsite sewage treatment

Topic	MN Rules	WI Rules	Proposed	Rationale
Minimum lot size - rural, conservation	2.5 acres	1 acre of net project area****	At least 1 acre of net project area***	To protect density, character, and resource values of these areas, a minimum lot size is applicable
River setback in river town, small town, small town historic	100'	100'	100'	Existing standards adequately protect resources
River setback in rural, conservation	200'	200'	200'	Existing standards adequately protect resources
Structure height - river town	35'	35'	45'	Greater flexibility appropriate for developed urban areas
Structure height - small town, small town historic, rural	35'	35'	35'	Existing standards adequately protect resources
Structure height - conservation	35'	35'	25'	Increase level of protection needed
Nonconforming or substandard structure	May be expanded within state rule limitations if the addition is visually inconspicuous; steps are taken to mitigate for visual impact and for adverse impact to water quality and natural resources of the riverway; and the addition neither creates a new nonconformity nor increases the degree of an existing nonconformity	Nonconforming structures regulated same as nonconforming uses. Goal is to achieve compliance with local riverway ordinances. Alterations to structures limited to 50% of assessed value and staying within other requirements of ordinance. Alternative methods of regulating alterations available by ordinance amendment	May be expanded within state rule limitations if the addition is visually inconspicuous; steps are taken to mitigate for visual impact and for adverse impact to water quality and natural resources of the riverway; and the addition neither creates a new nonconformity nor increases the degree of an existing nonconformity	The change provides regulatory agencies with greater flexibility in managing improvements to existing dwellings
Vegetation management (all districts)	Vegetative cutting restricted within 100 feet of river in river town, small town, small town historic; 200 feet of river in rural, park, natural, minimally disturbed; on steep slopes	Vegetative cutting restricted within 200 feet of river; within 40 feet of bluffline; on steep slopes; exemption provided for woodland tax law, forest crop law	Vegetative cutting restricted within 200 feet of riveredge; within 40 feet of bluffline; on steep slopes; exemption for restoration of preferred plant communities in areas where no impact on screening of structures	Interstate standardization needed to protect visual character; flexibility valuable for restoration of native species

Topic	MN Rules	WI Rules	Proposed	Rationale
Permitted uses - river town	Conservancy, agriculture, single-family residential, parks; other uses permitted by local zoning will be conditionally permitted	Conservancy, agriculture, single-family residential, parks; other uses permitted by local zoning	All uses permitted by local zoning	Increased flexibility appropriate in developed urban uses
Permitted uses - small town, small town historic	Conservancy, agriculture, single-family residential, parks; other uses permitted by local zoning will be conditionally permitted	Conservancy, agriculture, single-family residential, parks; other uses permitted by local zoning	Conservancy, agriculture, single-family residential, parks; other uses permitted by local zoning will be conditionally permitted	Some increase in flexibility, especially for existing structures, appropriate in these largely developed areas
Permitted uses - rural, conservation	Conservancy, agriculture, single-family residential, parks	Conservancy, agriculture, single-family residential, parks	Conservancy, agriculture, single-family residential, parks	Existing standards adequately protect resources

*A structure designated as historic or located in a designated historic district may use colors appropriate to the period in history for which it was designated.

**Difference in standard based on whether lot is sewerred or unsewerred.

***Where city sewer services are not available, each lot must have adequate land area for one principal dwelling structure and two onsite sewage treatment systems.

****Net project area means developable land area minus slope preservation zones, floodplains, road rights-of-way, required setbacks, and wetlands.

APPENDIX B: WATER SURFACE USE REGULATION GUIDELINES

Watercraft speed regulations were first established on the lower St. Croix River in the mid-1960s in the form of limited slow-no-wake zones in the Hudson, Kinnickinnic, and Prescott narrows. Those limits were established by order of the Washington County Sheriff.

As boating activity on the river grew rapidly in the 1960s and 1970s, there were increasing concerns that the river was becoming unsafe and that additional speed regulations will need to be imposed. The *Scenic River Study* of the Lower St. Croix, prepared in 1971 as directed by Congress (*Wild and Scenic Rivers Act, 1968*), concluded boating use of the river was by then unacceptably overcrowded and action was needed to reduce the perceived hazards associated with speeding boats in close proximity to one another, to enhance safety, and to reduce the impacts of boat wakes.

Following designation of the Lower St. Croix (*Lower St. Croix Act, 1972*) the inter-agency planning team undertook development of a management approach for regulating boating. The result was appendix B of the *Master Plan (1976)*, which contained a framework for state and federal boating regulations. Based on that framework, the states and the National Park Service in 1977 imposed water surface use regulations on the riverway.

In 1978 the Lower St. Croix Management Commission developed a Riverway Management Policy Resolution that provided guidance for future changes in those regulations. Based on that guidance, the state-federal regulations were amended in 1978, 1981, 1984, 1987, 1991 and 1996.

The purpose of this appendix is to provide a framework for future changes in the regulations. It is based on the following four water management districts:

WATER MANAGEMENT DISTRICTS

Active Social Recreation

In this district are found large numbers of both people and watercraft. The types of boats found in this area will vary widely: while most will be motorized, nonmotorized watercraft may be present. Boat speeds will also vary significantly; they will be strictly controlled in some limited areas (such as narrows areas), but the highest boat speeds allowed on the river will be in this district.

Moderate Recreation

This district may contain large numbers of watercraft at times, but use in this area will tend to be more moderate in terms of numbers of people and watercraft on the water, and in terms of the intensity of activity. A variety of boat types, primarily motorized watercraft, may be present. Boats may travel at different speeds, but tend toward slower speeds than the Active Social Recreation District, although faster than the Quiet Waters and Natural Waters districts. Boat speeds may be very strictly controlled in some limited areas (such as narrows areas); there will be an overall limit on boat speeds.

Quiet Waters

This district will provide for low-impact boating activities, but during peak use periods large numbers of watercraft may be

encountered. Management will be directed toward recreational uses that leave the surface of the river largely undisturbed. Both motorized and nonmotorized watercraft will be able to use these areas. Watercraft speeds will be kept low to preserve the river's tranquil quality.

Natural Waters

This district will provide an experience emphasizing a sense of peace and quiet, with some opportunities for solitude. Watercraft numbers will usually be very low. Most watercraft will be human-powered. Watercraft speeds will be kept low.

BOATING MANAGEMENT

The following regulatory approach to managing boating is recommended:

Speed Limits

Speed limits should be imposed on the St. Croix as follows, based on management area classification in the plan:

Active Social Recreation: 40 mph between sunrise and sunset, and 20 mph between sunset and sunrise

Moderate Recreation: 20 mph

Quiet Waters: slow speed, but in no case greater than 15 mph

Natural: slow-no-wake

Shore Activity Zone

A shore activity zone is needed to reduce boat speeds near shore to ensure the safety of swimmers and moored and beached boats and to prevent erosion. Boat speeds should be restricted to slow-no-wake within

100 feet of all shore, including islands, within 100 feet of swimmers, and within 100 feet of nonmotorized craft.

Slow-No-Wake Zones in Narrows Areas

Slow-no-wake zones have reduced boat speed (to increase safety, reduce resource damage and preserve diverse experiences) in narrows areas of parts of the Lower St. Croix since the 1960s. They exist to increase safety, reduce resource damage, and preserve diverse experiences. Slow-no-wake speed limits have historically been established in areas that exceed density standards.

High-Water No-Wake

During periods of high water, the river contacts the shore in areas that are highly susceptible to erosion. Watercraft traveling at speeds above a slow-no-wake speed produce wakes that accelerate erosion on these unstable shore areas, so speeds need to be restricted during these high-water events. All boating should be limited to a slow-no-wake speed whenever river levels reach or exceed 683 feet as measured at the Stillwater gauge.

Density Policy

The potential need for speed regulations should be studied when density exceeds 15 acres of water per moving boat, and speed regulations need to be imposed when density exceeds 10 acres of water per moving boat.

Craft Type Restrictions

Amphibious craft should not be permitted to drive onto publicly owned shore areas except at boat ramps. Personal watercraft are required to operate at no-wake speeds

near all shore, including islands, and near swimmers. This distance is set by state law and is 150 feet in Minnesota and 200 feet in Wisconsin. Personal watercraft are not allowed north of Stillwater.

Boat Noise

Watercraft noise limits are established by state law in each state.

ACCESS

Large numbers of watercraft use the Lower St. Croix on summer weekends. Management issues associated with high use include potential safety problems, potential resource damage, and strong management interest in preserving the existing diversity of recreational uses. In addition to water surface use controls aimed at managing existing use, access controls are justified to prevent significant growth in boating activity. Access to the river comes through private property, unlimited access from the Mississippi River at the mouth of the St. Croix, and public and quasi-public access from boat ramps and marinas.

Private Property

Residential riparian owners have a right to access the water through their property, but the exercise of that right is limited to their personal needs. Unless limited by other requirements, a dock may extend waterward the greater distance of: 1) a boat length, 2) the distance to the 4-foot water depth contour (at normal low water, which is 675 feet elevation from Stillwater south), or 3) the distance to a deeper contour if required by the draft of the craft using the dock but in no case should the dock extend beyond the 100-foot shore activity zone. The states should establish standards for allowable dock size.

Mooring buoys must be the minimum size and number necessary (in combination with berthage) to meet the owner's personal needs and must be placed within the 100-foot shore activity zone adjacent to the owner's property. Single riparian parcels in common ownership may be allowed a combination of berthage and moorage that total one watercraft per buildable frontage lot equivalent to what will be allowed if the property was developed for single-family homes. The total number of watercraft must be served by common docks or piers located to avoid negative impact on land and water resources.

Resource limitations of the site and river cannot be exceeded.

Mississippi River

The states should work with other agencies to improve the recreational appeal of this portion of the Mississippi as a way to encourage boaters to stay on that river.

Boat Ramps

There should be no new or expanded boat ramps or car-trailer parking on the Lower St. Croix, except for completion of the Minnesota public water access planned in the stretch of river near the A.S. King Generating Plant. State and local units of government are strongly encouraged to restrict parking adjacent to all launch ramps, public and private, on lands under their jurisdiction.

Marinas

New marinas should not be allowed on the riverway, and existing marinas should not be permitted to expand in any way, including dry storage. Marina capacity should not be transferred from one marina to another.

APPENDIX C: IMPLEMENTATION COSTS

	One-Time Cost*	Annual Cost*
Minnesota		
Management	\$40,000	\$187,500
Enforcement	7,500	112,500
Acquisition	0	0
Grants	0	20,000
Reserach	0	45,000
MN Total	\$47,500	\$365,000
Local Govt's in Minnesota		
Management	\$60,000	0
Enforcement	7,500	\$56,250
Total Local Govt's in Minnesota	\$67,500	\$56,250
Wisconsin		
Management	0	\$187,500
Enforcement	7,500	112,500
Research		45,000
Grants		20,000
WI Total	\$7,500	\$365,000
Local Govt's in Wisconsin		
Management	\$41,500	\$7,500
Enforcement	7,500	20,000
Total Local Govt's in Wisconsin	\$49,000	\$27,5000
National Park Service		
Management		\$81,000
Administration		75,000
Resource Management		172,000
Resource Protection		164,000
Interpretation/Visitor Services		199,000
Maintenance		117,000
Research		100,000
NPS Total		\$908,000
GRAND TOTAL	\$171,500	\$1,721,500

*Costs are in calendar year 2000 dollars.

APPENDIX D: LEGISLATION



Public Law 92-560
92nd Congress, S. 1928
October 25, 1972

An Act

86 STAT. 1174

To amend the Wild and Scenic Rivers Act by designating a segment of the Saint Croix River, Minnesota and Wisconsin, as a component of the national wild and scenic rivers system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Lower Saint Croix River Act of 1972".

Lower Saint
Croix River
Act of 1972.

SEC. 2. Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907; 16 U.S.C. 1274(a)) is amended by adding at the end thereof the following:

"(9) LOWER SAINT CROIX, MINNESOTA AND WISCONSIN.—The segment between the dam near Taylors Falls and its confluence with the Mississippi River: *Provided*, (i) That the upper twenty-seven miles of this river segment shall be administered by the Secretary of the Interior; and (ii) That the lower twenty-five miles shall be designated by the Secretary upon his approval of an application for such designation made by the Governors of the States of Minnesota and Wisconsin."

SEC. 3. The Secretary of the Interior shall, within one year following the date of enactment of this Act, take, with respect to the Lower Saint Croix River segment, such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act: *Provided*, That (a) the action required by such section shall be undertaken jointly by the Secretary and the appropriate agencies of the affected States; (b) the development plan required by such section shall be construed to be a comprehensive master plan which shall include, but not be limited to, a determination of the lands, waters, and interests therein to be acquired, developed, and administered by the agencies or political subdivisions of the affected States; and (c) such development plan shall provide for State administration of the lower twenty-five miles of the Lower Saint Croix River segment and for continued administration by the States of Minnesota and Wisconsin of such State parks and fish hatcheries as now lie within the twenty-seven-mile segment to be administered by the Secretary of the Interior.

Development
plan.

SEC. 4. Notwithstanding any provision of the Wild and Scenic Rivers Act which limits acquisition authority within a river segment to be administered by a Federal agency, the States of Minnesota and Wisconsin may acquire within the twenty-seven-mile segment of the Lower Saint Croix River segment to be administered by the Secretary of the Interior such lands as may be proposed for their acquisition, development, operation, and maintenance pursuant to the development plan required by section 3 of this Act.

Land acquisition.

SEC. 5. Nothing in this Act shall be deemed to impair or otherwise affect such statutory authority as may be vested in the Secretary of the Department in which the Coast Guard is operating or the Secretary of the Army for the maintenance of navigation aids and navigation improvements.

Navigation
aids.

SEC. 6. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$7,275,000 for the acquisition and development of lands and interests therein within the boundaries of the twenty-seven-mile segment of the Lower Saint Croix River segment to be administered by the Secretary of the Interior.

Appropriation.

Limitation.

(b) No funds otherwise authorized to be appropriated by this section shall be expended by the Secretary of the Interior until he has determined that the States of Minnesota and Wisconsin have initiated such land acquisition and development as may be proposed pursuant to the development plan required by section 3 of this Act, and in no event shall the Secretary of the Interior expend more than \$2,550,000 of the funds authorized to be appropriated by this section in the first fiscal year following completion of the development plan required by section 3 of this Act. The balance of funds authorized to be appropriated by this section shall be expended by the Secretary of the Interior at such times as he finds that the States of Minnesota and Wisconsin have made satisfactory progress in their implementation of the development plan required by section 3 of this Act.

Approved October 25, 1972.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 92-1579 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 92-1279 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 118 (1972):

Oct. 9, considered and passed Senate.

Oct. 13, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 8, No. 44:

Oct. 28, Presidential statement.



Public Law 93-621
93rd Congress, S. 3022
January 3, 1975

An Act

88 STAT. 2094

To amend the Wild and Scenic Rivers Act (82 Stat. 906), as amended, to designate segments of certain rivers for possible inclusion in the national wild and scenic rivers system; to amend the Lower Saint Croix River Act of 1972 (86 Stat. 1174), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wild and Scenic Rivers Act (82 Stat. 906), as amended, is further amended as follows:

Wild and
Scenic Rivers
Act, amend-
ments.
16 USC 1276.

(a) In subsection (a) of section 5 after paragraph (27) insert the following new paragraphs:

"(28) American, California: The North Fork from the Cedars to the Auburn Reservoir.

"(29) Au Sable, Michigan: The segment downstream from Foot Dam to Oscoda and upstream from Loud Reservoir to its source, including its principal tributaries and excluding Mio and Bamfield Reservoirs.

"(30) Big Thompson, Colorado: The segment from its source to the boundary of Rocky Mountain National Park.

"(31) Cache la Poudre, Colorado: Both forks from their sources to their confluence, thence the Cache la Poudre to the eastern boundary of Roosevelt National Forest.

"(32) Cahaba, Alabama: The segment from its junction with United States Highway 31 south of Birmingham downstream to its junction with United States Highway 80 west of Selma.

"(33) Clarks Fork, Wyoming: The segment from the Clark's Fork Canyon to the Crandall Creek Bridge.

"(34) Colorado, Colorado and Utah: The segment from its confluence with the Dolores River, Utah, upstream to a point 19.5 miles from the Utah-Colorado border in Colorado.

"(35) Conejos, Colorado: The three forks from their sources to their confluence, thence the Conejos to its first junction with State Highway 17, excluding Platoro Reservoir.

"(36) Elk, Colorado: The segment from its source to Clark.

"(37) Encampment, Colorado: The Main Fork and West Fork to their confluence, thence the Encampment to the Colorado-Wyoming border, including the tributaries and headwaters.

"(38) Green, Colorado: The entire segment within the State of Colorado.

"(39) Gunnison, Colorado: The segment from the upstream (southern) boundary of the Black Canyon of the Gunnison National Monument to its confluence with the North Fork.

"(40) Illinois, Oklahoma: The segment from Tenkiller Ferry Reservoir upstream to the Arkansas-Oklahoma border, including the Flint and Barren Fork Creeks.

"(41) John Day, Oregon: The main stem from Service Creek Bridge (at river mile 157) downstream to Tumwater Falls (at river mile 10).

"(42) Kettle, Minnesota: The entire segment within the State of Minnesota.

"(43) Los Pinos, Colorado: The segment from its source, including the tributaries and headwaters within the San Juan Primitive Area, to the northern boundary of the Granite Peak Ranch.

"(44) Manistee, Michigan: The entire river from its source to Manistee Lake, including its principal tributaries and excluding Tippy and Hodenpyl Reservoirs.

"(45) Nolichucky, Tennessee and North Carolina: The entire main stem.

"(46) Owyhee, South Fork, Oregon: The main stem from the Oregon-Idaho border downstream to the Owyhee Reservoir.

"(47) Piedra, Colorado: The Middle Fork and East Fork from their sources to their confluence, thence the Piedra to its junction with Colorado Highway 160, including the tributaries and headwaters on national forest lands.

"(48) Shepaug, Connecticut: The entire river.

"(49) Sipsey Fork, West Fork, Alabama: The segment, including its tributaries, from the impoundment formed by the Lewis M. Smith Dam upstream to its source in the William B. Bankhead National Forest.

"(50) Snake, Wyoming: The segment from the southern boundaries of Teton National Park to the entrance to Palisades Reservoir.

"(51) Sweetwater, Wyoming: The segment from Wilson Bar downstream to Spring Creek.

"(52) Tuolumne, California: The main river from its source on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir.

"(53) Upper Mississippi, Minnesota: The segment from its source at the outlet of Itasca Lake to its junction with the northwestern boundary of the city of Anoka.

"(54) Wisconsin, Wisconsin: The segment from Prairie du Sac to its confluence with the Mississippi River at Prairie du Chien.

"(55) Yampa, Colorado: The segment within the boundaries of the Dinosaur National Monument.

"(56) Dolores, Colorado: The segment of the main stem from Rico upstream to its source, including its headwaters; the West Dolores from its source, including its headwaters, downstream to its confluence with the main stem; and the segment from the west boundary, section 2, township 38 north, range 16 west, NMPM, below the proposed McPhee Dam, downstream to the Colorado-Utah border, excluding the segment from one mile above Highway 90 to the confluence of the San Miguel River."

16 USC 1276.

Studies and reports.

(b) In section 5 reletter subsections (b) and (c) as (c) and (d), respectively, and insert a new subsection (b), as follows:

"(b)(1) The studies of rivers named in subparagraphs (28) through (55) of subsection (a) of this section shall be completed and reports thereon submitted by not later than October 2, 1979: *Provided*, That with respect to the rivers named in subparagraphs (33), (50), and (51), the Secretaries shall not commence any studies until (i) the State legislature has acted with respect to such rivers or (ii) one year from the date of enactment of this Act, whichever is earlier.

"(2) The study of the river named in subparagraph (56) of subsection (a) of this section shall be completed and the report thereon submitted by not later than January 3, 1976.

Appropriations.

"(3) There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (28) through (56) such sums as may be necessary, but not more than \$2,175,000."

(c) In clause (i) of subsection (b) of section 7 strike the final comma and the following word "and" and insert in lieu thereof a colon and the following proviso: "Provided, That if any Act designating any river or rivers for potential addition to the national wild and scenic rivers system provides a period for the study or studies which exceeds such three complete fiscal year period the period provided for in such Act shall be substituted for the three complete fiscal year period in the provisions of this clause (i); and".

16 USC 1278.

(d) In the fourth sentence of subsection (a) of section 4:

16 USC 1275.

(1) between "rivers" and "with" insert "(i)", and

(2) strike "system." and insert in lieu thereof "system, and (ii) which possess the greatest proportion of private lands within their areas."

Sec. 2. Subsection (a) of section 6 of the Lower Saint Croix River Act of 1972 (86 Stat. 1174) is amended by deleting "\$7,275,000" and inserting in lieu thereof "\$19,000,000".

16 USC 1274 note.

Approved January 3, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 93-1359 accompanying H.R. 14791 (Comm. on Interior and Insular Affairs) and No. 93-1645 (Comm. on Conference).

SENATE REPORT No. 93-1207 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 120 (1974):

Oct. 3, considered and passed Senate.

Nov. 18, considered and passed House, amended, in lieu of H.R. 14791.

Dec. 20, House and Senate agreed to conference report.

MINNESOTA STATUTES:

LOWER ST. CROIX RIVER

103F.351 LOWER ST. CROIX WILD AND SCENIC RIVER ACT.

Subdivision 1. **Findings.** The lower St. Croix River, between the dam near Taylors Falls and its confluence with the Mississippi River, constitutes a relatively undeveloped scenic and recreational asset lying close to the largest densely populated area of the state. The preservation of this unique scenic and recreational asset is in the public interest and will benefit the health and welfare of the citizens of the state. The state recognizes and concurs in the inclusion of the lower St. Croix River into the federal wild and scenic rivers system by the Lower St. Croix River Act of the 92nd Congress, Public Law Number 92-560. The authorizations of the state are necessary to the preservation and administration of the lower St. Croix River as a wild and scenic river, particularly in relation to those portions of the river that are to be jointly preserved and administered as a wild and scenic river by this state and Wisconsin.

Subd. 2. **Comprehensive master plan.** (a) The commissioner of natural resources shall join with the secretary of the United States Department of the Interior and the appropriate agency of the state of Wisconsin in the preparation of the comprehensive master plan relating to boundaries, classification, and development required by section 3 of the Lower St. Croix River Act of 1972, and by section 3(b) of the Wild and Scenic Rivers Act, Public Law Number 90-542.

(b) The commissioner shall make the proposed comprehensive master plan available to affected local governmental bodies, shoreland owners, conservation and outdoor recreation groups, and the general public.

(c) Not less than 30 days after making the information available, the commissioner shall conduct a public hearing on the proposed comprehensive master plan in the county seat of each county which contains a portion of the area covered by the comprehensive master plan, in the manner provided in chapter 14.

Subd. 3. **Acquisition of land and easements.** The commissioner of natural resources may acquire land, scenic easements, or other interests in land by gift, purchase, or other lawful means, and may acquire scenic easement interests in land by eminent domain. The acquisitions must be proposed for acquisition by the state by the comprehensive master plan.

Subd. 4. **Rules.** (a) The commissioner of natural resources shall adopt rules that establish guidelines and specify standards for local zoning ordinances applicable to the area within the boundaries covered by the comprehensive master plan.

(b) The guidelines and standards must be consistent with this section, the federal Wild and Scenic Rivers Act, and the federal Lower St. Croix River Act of 1972. The standards specified in the guidelines must include:

(1) the prohibition of new residential, commercial, or industrial uses other than those that are consistent with the above mentioned acts; and

(2) the protection of riverway lands by means of acreage, frontage, and setback requirements on development.

(c) Cities, counties, and towns lying within the areas affected by the guidelines shall adopt zoning ordinances complying with the guidelines and standards within the time schedule prescribed by the commissioner.

Subd. 5. **Administration.** The commissioner of natural resources in cooperation with appropriate federal authorities and authorities of the state of Wisconsin shall administer state lands and waters in conformance with this section, the federal Wild and Scenic Rivers Act, and the federal Lower St. Croix River Act of 1972.

History: 1990 c 351 art 6 s 40

ment of their natural beauty, unique recreational and other inherent values in accordance with guidelines outlined in this section.

(3) DUTIES OF DEPARTMENT. The department in connection with wild rivers shall:

- (a) Provide active leadership in the development of a practical management policy.
- (b) Consult other state agencies and planning committees.
- (c) Collaborate with county and town boards and local development committees or boards in producing a mutually acceptable program for the preservation, protection and enhancement of the rivers.
- (d) Administer the management program.
- (e) Seek the cooperation of the U.S. forest service, timber companies, county foresters and private landowners in implementing land use practices to accomplish the objectives of the management policy.
- (f) Act as coordinator under this subsection.

30.27 Lower St. Croix River preservation. (1) PURPOSE. The Lower St. Croix River, between the dam near St. Croix Falls and its confluence with the Mississippi River, constitutes a relatively undeveloped scenic and recreational asset. The preservation of this unique scenic and recreational asset is in the public interest and will benefit the health and welfare of the citizens of Wisconsin. The state of Wisconsin is therefore determined that the Lower St. Croix River be included in the national wild and scenic rivers system under the wild and scenic rivers act, as amended, 16 USC 1271 to 1287, and the Lower St. Croix River act of 1972, 16 USC 1274 (a) (9). The purpose of this section is to ensure the continued eligibility of the Lower St. Croix River for inclusion in the national wild and scenic rivers system and to guarantee the protection of the wild, scenic and recreational qualities of the river for present and future generations.

(2) ZONING GUIDELINES. (a) As soon as possible after May 7, 1974, the department shall adopt, by rule, guidelines and specific standards for local zoning ordinances which apply to the banks, bluffs and bluff tops of the Lower St. Croix River. The guidelines shall designate the boundaries of the areas to which they apply. In drafting the guidelines and standards, the department shall consult with appropriate officials of counties, cities, villages and towns lying within the affected area. The standards specified in the guidelines shall include, but not be limited to, the following:

1. Prohibition of new residential, commercial and industrial uses, and the issuance of building permits therefor, where such uses are inconsistent with the purposes of this section.
 2. Establishment of acreage, frontage and setback requirements where compliance with such requirements will result in residential, commercial or industrial uses which are consistent with the purposes of this section.
- (b) The standards established under par. (a) shall be consistent with but may be more restrictive than any pertinent guidelines and standards promulgated by the secretary of the interior under the wild and scenic rivers act. If it appears to the department that the purposes of this section may be thwarted or the wild, scenic or recreational values of the river adversely affected prior to the implementation of rules under this section, the department may exercise its emergency rule-making authority under s. 227.24, and such rules shall be effective and implemented and enforced under sub. (3) until permanent rules are implemented under sub. (3).
- (c) The guidelines and standards established under par. (a) for nonconforming structures that are subject to a city, village or town zoning ordinance adopted under sub. (3) shall be the same as the guidelines and standards for nonconforming structures that are subject to a county zoning ordinance adopted under sub. (3). The guidelines and standards established under par. (a) shall allow a county, city, village or town zoning ordinance adopted under sub. (3) to differentiate between nonconforming structures and nonconforming uses.

(3) IMPLEMENTATION. Counties, cities, villages and towns lying, in whole or in part, within the areas affected by the guidelines adopted under sub. (2) are empowered to and shall adopt zoning ordinances complying with the guidelines and standards adopted under sub. (2) within 30 days after their effective date. If any county, city, village or town does not adopt an ordinance within the time limit prescribed, or if the department determines that an adopted ordinance does not satisfy the requirements of the guidelines and standards, the department shall immediately adopt such an ordinance. An ordinance adopted by the department shall be of the same effect as if adopted by the county, city, village or town, and the local authorities shall administer and enforce the ordinance in the same manner as if the county, city, village or town had adopted it. No zoning ordinance so adopted may be modified nor may any variance therefrom be granted by the county, city, village or town without the written consent of the department, except nothing in this section shall be construed to prohibit a county, city, village or town from adopting an ordinance more restrictive than that adopted by the department.

History: 1973 c. 197; 1983 a. 192; 1985 a. 182 s. 57; 1995 a. 225; 1999 a. 153.

30.275 Scenic urban waterways. (1) LEGISLATIVE INTENT. In order to afford the people of this state an opportunity to enjoy water-based recreational activities in close proximity to urban areas, to attract out-of-state visitors and to improve the status of the state's tourist industry, it is the intent of the legislature to improve some rivers and their watersheds. For this purpose a system of scenic urban waterways is established, but no river shall be designated as a scenic urban waterway without legislative act.

(2) DESIGNATION. The following waters are designated scenic urban waterways and shall receive special management as provided under this section:

- (a) The Illinois Fox River and its watershed and the Fox River, extending from Lake Winnebago to Green Bay, and its watershed.
- (b) The Rock River consisting of all of the following:
 1. The river from the point that the river flows into the city of Watertown to the point that it flows out of the city of Watertown.
 2. The river from the point it flows into the city of Jefferson to the point it flows out of the city of Fort Atkinson.
 3. The river from the point it flows into the city of Janesville to the Illinois border.

(3) DUTIES OF DEPARTMENT. The department in connection with scenic urban waterways shall:

- (a) Provide active leadership in the development of a practical management policy.
- (b) Consult with other state agencies and planning committees and organizations.
- (c) Collaborate with municipal governing bodies and their development committees or boards in producing a mutually acceptable program for the preservation, protection and enhancement of the rivers and watersheds.
- (d) Administer the management program.
- (e) Seek the cooperation of municipal officials and private landowners in implementing land use practices to accomplish the objectives of the management policy.
- (f) Act as coordinator under this section.
- (g) Develop the Wisconsin Fox River scenic urban waterway, as designated in sub. (2), as a historic and recreational site.

(4) DEPARTMENT AUTHORITY. The department in connection with scenic urban waterways may:

- (a) Acquire and develop land for parks, open spaces, scenic easements, public access, automobile parking, fish and wildlife habitat, woodlands, wetlands and trails.
- (b) Lay out and develop scenic drives.
- (c) Undertake projects to improve surface water quality and surface water flow.
- (d) Provide grants to municipalities, lake sanitary districts, as defined in s. 30.50 (4q), and public inland lake protection and



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

