

6105.0210 PUBLIC USE OF WATERS AND LANDS WITHIN WILD, SCENIC, AND RECREATIONAL RIVER LAND USE DISTRICTS.

Subpart 1. **Policy.** In order to protect the rights of private landowners, to ensure quietude, to prohibit trespassing, to prevent littering, and to maintain the essential quality of wild, scenic, and recreational rivers and their land use districts, the commissioner and local governments shall adopt measures to manage the use and enjoyment of the rivers and their land use districts by the public.

The public use and enjoyment of wild, scenic, and recreational rivers and their land use districts is limited to the public waters and designated publicly owned lands and interests in land within the land use districts. Private lands which may be located within the land use district do not become public in any sense. As otherwise provided in parts 6105.0010 to 6105.0070, private landowners may grant scenic easements in their land to the state of Minnesota. However, unless specifically provided by the parties, no such easement shall give the holder or any beneficiary the right to enter on the land except for enforcement of the easement.

The restrictions set forth in subpart 2 shall not apply to persons who have been authorized by the commissioner or by the appropriate local government to possess such items for the sole purpose of removing such items from the area.

Subp. 2. **Restrictions.** Restrictions:

A. Pursuant to Minnesota Statutes, section 609.68, whoever unlawfully deposits garbage, rubbish, offal, or the body of a dead animal, or other litter in or upon any public highway, public waters or the ice thereon, public lands, or without the consent of the owner, private lands or water or ice thereon, may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$100.

B. No person shall discharge a firearm while traveling on or using a wild, scenic, or recreational river, except for the purpose of hunting during those times and in those areas in which hunting for protected animals is allowed.

C. No person traveling over or using publicly owned lands within wild, scenic, or recreational river land use districts shall use trail bikes, all-terrain vehicles, or vehicles of a similar nature, provided that snowmobiles may be provided for in accordance with the management plan. This provision shall not apply to the lawful use of such vehicles on public roads and public streets.

D. Overnight camping, fires, or campfires shall not be allowed on publicly owned lands within wild, scenic, or recreational river land use districts, except in areas posted or designated by the commissioner for such purposes.

E. No person traveling on or using a wild, scenic, or recreational river shall enter upon private lands within the land use district without permission from the landowner, lessee, or occupant.

F. Anyone violating any of the provisions of this subpart shall be guilty of a misdemeanor.

Subp. 3. **Water surface zoning.** Any regulations which may be necessary to reduce conflicts among users of a particular river, or between users and nearby residents, shall be promulgated as part of the management plan for the river, or as amendments thereto. The boundaries of such areas shall be described with particularity in the management plan.

Statutory Authority: *MS s 104.34*

History: *17 SR 1279*

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