

**6105.0640 LAND MANAGEMENT.**

Subpart 1. **Permitted utility crossings.** No permit will be issued for a utility crossing of the designated land use districts of the Kettle River, except for those utility crossings identified below:

- A. County State-Aid Highway (CSAH) 46 crossing;
- B. CSAH 52 crossing;
- C. CSAH 41 crossing;
- D. CSAH 61 crossing;
- E. CSAH 33 crossing;
- F. Section 14-15, Township 40N, Range 20W power line crossing; and
- G. Township road bridge crossing in SW 1/4 Section 10, T44N-R20W.

Further, utility crossings are particularly inappropriate within the wild river land use district. However, additional crossings would be allowed at the existing line crossing (Section 14-15, Township 40N, Range 20W) only if the preferred alternative of using a crossing above the designated area or using one of the corridors in the scenic portion of the river would generate even greater adverse environmental effects and if the crossings can be installed without significant additional right-of-way clearing within the land use district.

Subp. 2. **Tributaries.** The designated tributaries referred to in parts 6105.0110, subpart 3, item B, subitem (3) and 6105.0120 shall be:

- A. Birch Creek;
- B. Moose River;
- C. Willow River;
- D. Pine River;
- E. Cane Creek;
- F. Wolf Creek;
- G. Deer Creek;
- H. Fox Brook;
- I. Grindstone River;
- J. Cedar Creek;
- K. Deer Brook; and
- L. Kennedy Brook.

Subp. 3. **Management area.** The commissioner of natural resources adopts the land use district legal descriptions of part 6105.0730 according to part 6105.0070, subpart 2 for the protection and management of lands within the wild and scenic river land use districts.

A. The regulations contained in parts 6105.0010 to 6105.0250 shall be applicable to all unincorporated lands, at the time of designation, within the wild and scenic river land use districts, except for those under federal jurisdiction.

B. The lands or interests in land recommended to be acquired in this plan will be acquired where funds are available for such purchases from willing sellers, as provided for in Minnesota Statutes, section 103F.331.

C. The land use regulations contained in parts 6120.2600 to 6120.3900 shall be applied to all incorporated lands, and shall be administered in conformity with the provisions of parts 6105.0220 to 6105.0250, as applicable.

D. Because acquisition of land, or interests in land, is from willing sellers, at the appraised value, some lands recommended for scenic easement acquisition may be purchased in fee title. This change from the recommended acquisition would be based on the mutual agreement by and between the state of Minnesota and the landowner(s). Furthermore, additional lands, or interests in land, may be purchased in order to further the policies established in Minnesota Statutes, chapter 271, and this management plan.

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

**Statutory Authority:** *MS s 104.34; 104.35; 103F.321; 103F.351*

**History:** *12 SR 365*

**Published Electronically:** *October 8, 2013*