

6140.0300 NONBURNABLE FOOD OR BEVERAGE CONTAINERS.

Subpart 1. **Prohibition.** No person traveling over or using state lands or waters within the BWCA shall have in possession any nonburnable food or beverage containers which are not designed and intended for reuse or which have little or no commodity value for reuse, including containers on which deposits are commonly charged by vendors.

Subp. 2. **Reserved rights holders' exceptions.** These prohibitions shall not apply until January 1, 1976, to a holder of rights reserved by a grantor in a conveyance to the United States to occupy and use the surface only of a tract of land for residential, scientific, educational, or other noncommercial purposes, while the holder of these rights or the holder's agent is traveling to or from such a tract over state lands or waters on a route previously approved in writing by the commissioner.

Subp. 3. **Commissioner's approval after 1975.** On and after January 1, 1976, and until January 1, 1986, the prohibitions contained in this part shall not apply to a holder of such rights who has obtained this written approval from the commissioner previous to January 1, 1976, unless the commissioner terminates the previous approval after making written findings that damage to the primitive wilderness character of the BWCA is greater than any benefits which may result from the authorization previously granted.

Subp. 4. **Procedure for revocation of holder's approval.** Before making any such written findings, the commissioner shall give at least 30 days' written notice of intended action to the holder.

Subp. 5. **Canadian cabin owner's exception.** The prohibitions contained in this part also shall not apply to an owner or lessee of a noncommercial residential dwelling in Canada while traveling to or from the dwelling site across state lands and waters on a route previously approved in writing by the commissioner. The commissioner's approval shall be limited to foods and beverages for the owner's or lessee's own consumption. The commissioner may terminate the previous approval after making written findings that damage to the primitive wilderness character of the BWCA is greater than any benefits which may result from the authorization previously granted or for other good cause.

Subp. 6. **Procedure for revocation of cabin owner's approval.** Before making any such written findings, the commissioner shall give at least 30 days' written notice of intended action to the owner or lessee.

Subp. 7. **Lessees on state portages.** The prohibitions contained in this part also shall not apply to a lessee of the state who operates a mechanical portage on state land at the Loon River or Beatty portages while the lessee is on the leased state land and while traveling to and from the leased state land across state lands or waters on a route previously approved in writing by the commissioner. The commissioner's written approval shall terminate with

the termination of the lease, unless previously terminated in writing by the commissioner, and shall be limited to foods and beverages for the lessee's own consumption.

Subp. 8. **Nonprohibited containers.** Except as previously prohibited by this part, food and beverage containers specifically designed and intended for reuse are allowable. All containers, food, equipment, and other objects brought into the BWCA shall be packed out if not completely burned unless the objects are retained on lands of a holder of reserved rights or a lessee of the state by the holder or lessee. No containers, food, equipment, or other objects of any kind shall be deposited on or buried in state lands or waters in the BWCA except as may be authorized to be buried on state land by a lessee of the state. Every person camping in the BWCA shall be responsible for any such trash or litter deposited on or buried at the campsite whether or not by that person.

The commissioner of natural resources shall cooperate fully with federal authorities and private parties in providing suitable trash and refuse collection facilities at major entrance and exit points to and from the BWCA.

Statutory Authority: *MS s 84.027; 84.03; 105.39*

History: *17 SR 1279*

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