

7050.0335 DESIGNATED OUTSTANDING RESOURCE VALUE WATERS.

Subpart 1. **Restricted outstanding resource value waters.** For the purposes of parts 7050.0250 to 7050.0335, the following surface waters are restricted outstanding resource value waters:

A. Lake Superior, except those portions identified in subpart 3, item B, as a prohibited outstanding resource value waters;

B. those portions of the Mississippi River from Lake Itasca to the southerly boundary of Morrison County that are included in the Mississippi Headwaters Board comprehensive plan dated February 12, 1981;

C. lake trout lakes, both existing and potential, as determined by the commissioner in conjunction with the Department of Natural Resources, outside the boundaries of the Boundary Waters Canoe Area Wilderness and Voyageurs National Park and identified in parts 7050.0460 to 7050.0470;

D. the following state and federal designated scenic or recreational river segments:

(1) Saint Croix River, entire length;

(2) Cannon River from northern city limits of Faribault to its confluence with the Mississippi River;

(3) North Fork of the Crow River from Lake Koronis outlet to the Meeker-Wright county line;

(4) Kettle River from north Pine County line to the site of the former dam at Sandstone;

(5) Minnesota River from Lac qui Parle dam to Redwood County State-Aid Highway 11;

(6) Mississippi River from County State-Aid Highway 7 bridge in Saint Cloud to northwestern city limits of Anoka;

(7) Rum River from State Highway 27 bridge in Onamia to Madison and Rice Streets in Anoka; and

E. the following surface waters associated with calcareous fens. The number following the name of the fen is the occurrence number assigned by the Department of Natural Resources that uniquely identifies the record of information for the particular fen:

(1) Becker County: Spring Creek WMA NHR fen, 34 (T.142, R.42, S.13);

(2) Carver County: Seminary fen, 75 (T.116, R.23, S.35);

- (3) Clay County:
 - (a) Barnesville Moraine fen, 44 (T.137, R.44, S.18);
 - (b) Barnesville WMA fen, 10 (T.137, R.45, S.1);
 - (c) Barnesville WMA fen, 43 (T.137, R.44, S.18);
 - (d) Felton Prairie fen, 28 (T.142, R.46, S.36);
 - (e) Felton Prairie fen, 36 (T.141, R.46, S.13);
 - (f) Felton Prairie fen, 48 (T.142, R.45, S.31);
 - (g) Felton Prairie fen, 53 (T.141, R.46, S.24);
 - (h) Haugtvedt WPA North Unit fen, 54 (T.137, R.44, S.28, 29); and
 - (i) Spring Prairie fen, 37 (T.140, R.46, S.11);
- (4) Clearwater County: Clearbrook fen, 61 (T.149, R.37, S.17);
- (5) Dakota County:
 - (a) Black Dog Preserve fen, 63 (T.27, R.24, S.34);
 - (b) Fort Snelling State Park fen, 25 (T.27, R.23, S.4); and
 - (c) Nicols Meadow fen, 24 (T.27, R.23, S.18);
- (6) Goodhue County:
 - (a) Holden 1 West fen, 3 (T.110, R.18, S.1);
 - (b) Perched Valley Wetlands fen, 2 (T.112, R.13, S.8); and
 - (c) Red Wing fen, 72 (T.113, R.15, S.21);
- (7) Houston County: Houston fen, 62 (T.104, R.6, S.26);
- (8) Jackson County:
 - (a) Heron Lake fen, 45 (T.103, R.36, S.29); and
 - (b) Thompson Prairie fen, 20 (T.103, R.35, S.7);
- (9) Le Sueur County:
 - (a) Ottawa Bluff fen, 56 (T.110, R.26, S.3);
 - (b) Ottawa WMA fen, 7 (T.110, R.26, S.11); and
 - (c) Ottawa WMA fen, 60 (T.110, R.26, S.14);
- (10) Lincoln County: Hole-in-the-Mountain Prairie fen, 6; Pipestone (T.108, R.46, S.1; T.109, R.45, S.31);
- (11) Mahnomen County: Waubun WMA fen, 11 (T.143, R.42, S.25);

- (12) Marshall County:
 - (a) Tamarac River fen, 71 (T.157, R.46, S.2);
 - (b) Viking fen, 68 (T.155, R.45, S.18);
 - (c) Viking fen, 70 (T.155, R.45, S.20); and
 - (d) Viking Strip fen, 69 (T.154, R.45, S.4);
- (13) Martin County: Perch Creek WMA fen, 33 (T.104, R.30, S.7);
- (14) Murray County: Lost Timber Prairie fen, 13 (T.105, R.43, S.2);
- (15) Nicollet County:
 - (a) Fort Ridgely fen, 21 (T.111, R.32, S.6); and
 - (b) Le Sueur fen, 32 (T.111, R.26, S.16);
- (16) Nobles County: Westside fen, 59 (T.102, R.43, S.11);
- (17) Norman County:
 - (a) Agassiz-Olson WMA fen, 17 (T.146, R.45, S.22);
 - (b) Faith Prairie fen, 15 (T.144, R.43, S.26);
 - (c) Faith Prairie fen, 16 (T.144, R.43, S.35);
 - (d) Faith Prairie fen, 27 (T.144, R.43, S.25); and
 - (e) Green Meadow fen, 14 (T.145, R.45, S.35, 36);
- (18) Olmsted County:
 - (a) High Forest fen, 12 (T.105, R.14, S.14, 15); and
 - (b) Nelson WMA fen, 5 (T.105, R.15, S.16);
- (19) Pennington County:
 - (a) Sanders East fen, 65 (T.153, R.44, S.7);
 - (b) Sanders East fen, 74 (T.153, R.44, S.7); and
 - (c) Sanders fen, 64 (T.153, R.44, S.18, 19);
- (20) Pipestone County:
 - (a) Burke WMA fen, 57 (T.106, R.44, S.28); and
 - (b) Hole-in-the-Mountain Prairie fen, 6 (see Lincoln County, subitem (10));
- (21) Polk County:
 - (a) Chicog Prairie fen, 39 (T.148, R.45, S.28);

- (b) Chicog Prairie fen, 40 (T.148, R.45, S.33);
 - (c) Chicog Prairie fen, 41 (T.148, R.45, S.20, 29);
 - (d) Chicog Prairie fen, 42 (T.148, R.45, S.33);
 - (e) Kittleson Creek Mire fen, 55 (T.147, R.44, S.6, 7);
 - (f) Tympanuchus Prairie fen, 26 (T.149, R.45, S.17); and
 - (g) Tympanuchus Prairie fen, 38 (T.149, R.45, S.16);
- (22) Pope County:
- (a) Blue Mounds fen, 1 (T.124, R.39, S.14, 15);
 - (b) Lake Johanna fen, 4 (T.123, R.36, S.29); and
 - (c) Ordway Prairie fen, 35 (T.123, R.36, S.30);
- (23) Redwood County:
- (a) Swedes Forest fen, 8 (T.114, R.37, S.19, 20); and
 - (b) Swedes Forest fen, 9 (T.114, R.37, S.22, 27);
- (24) Rice County:
- (a) Cannon River Wilderness Area fen, 18 (T.111, R.20, S.34); and
 - (b) Cannon River Wilderness Area fen, 73 (T.111, R.20, S.22);
- (25) Scott County:
- (a) Savage fen, 22 (T.115, R.21, S.17);
 - (b) Savage fen, 66 (T.115, R.21, S.16); and
 - (c) Savage fen, 67 (T.115, R.21, S.17);
- (26) Wilkin County:
- (a) Anna Gronseth Prairie fen, 47 (T.134, R.45, S.15);
 - (b) Anna Gronseth Prairie fen, 49 (T.134, R.45, S.10);
 - (c) Anna Gronseth Prairie fen, 52 (T.134, R.45, S.4);
 - (d) Rothsay Prairie fen, 46 (T.136, R.45, S.33);
 - (e) Rothsay Prairie fen, 50 (T.135, R.45, S.15, 16); and
 - (f) Rothsay Prairie fen, 51 (T.135, R.45, S.9);
- (27) Winona County: Wiscoy fen, 58 (T.105, R.7, S.15); and

(28) Yellow Medicine County:

- (a) Sioux Nation WMA NHR fen, 29 (T.114, R.46, S.17); and
- (b) Yellow Medicine fen, 30 (T.115, R.46, S.18).

Subp. 2. **Unlisted restricted outstanding resource value waters.** Until such time that surface waters identified as state or federally designated scenic or recreational river segments and state designated calcareous fens are designated in rule as restricted outstanding resource value waters, the commissioner shall restrict any proposed activity in order to preserve the existing water quality necessary to maintain and protect their exceptional characteristics.

Subp. 3. **Prohibited outstanding resource value waters.** For the purposes of parts 7050.0250 to 7050.0335, the following surface waters are prohibited outstanding resource value waters:

- A. waters within the Boundary Waters Canoe Area Wilderness;
- B. those portions of Lake Superior north of latitude 47 degrees, 57 minutes, 13 seconds, east of Hat Point, south of the Minnesota-Ontario boundary, and west of the Minnesota-Michigan boundary;
- C. waters within Voyageurs National Park;
- D. the following scientific and natural areas:
 - (1) Boot Lake, Anoka County;
 - (2) Kettle River in Sections 15, 22, 23, T.41, R.20, Pine County;
 - (3) Pennington Bog, Beltrami County;
 - (4) Purvis Lake-Ober Foundation, Saint Louis County;
 - (5) waters within the borders of Itasca Wilderness Sanctuary, Clearwater County;
 - (6) Iron Springs Bog, Clearwater County;
 - (7) Wolsfeld Woods, Hennepin County;
 - (8) Green Water Lake, Becker County;
 - (9) Black Dog Preserve, Dakota County;
 - (10) Prairie Bush Clover, Jackson County;
 - (11) Black Lake Bog, Pine County;
 - (12) Pembina Trail Preserve, Polk County; and
 - (13) Falls Creek, Washington County; and

E. the following state and federal designated wild river segments:

(1) Kettle River from the site of the former dam at Sandstone to its confluence with the Saint Croix River; and

(2) Rum River from Ogechie Lake spillway to the northernmost confluence with Lake Onamia.

Subp. 4. **Unlisted prohibited outstanding resource value waters.** Until such time that surface waters identified as state or federally designated wild river segments and surface waters necessary to maintain state designated scientific and natural areas are designated in rule as prohibited outstanding resource value waters, the commissioner shall prohibit any proposed activity that results in a net increase in loading or other causes of degradation.

Subp. 5. **Public hearing.** The commissioner shall provide an opportunity for a hearing before:

A. identifying and establishing additional outstanding resource value waters; or

B. changing the effective date of an outstanding resource value water according to part 7050.0255, subpart 13, item B, subitems (1) and (2).

Statutory Authority: *MS s 115.03; 115.44*

History: *41 SR 545*

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