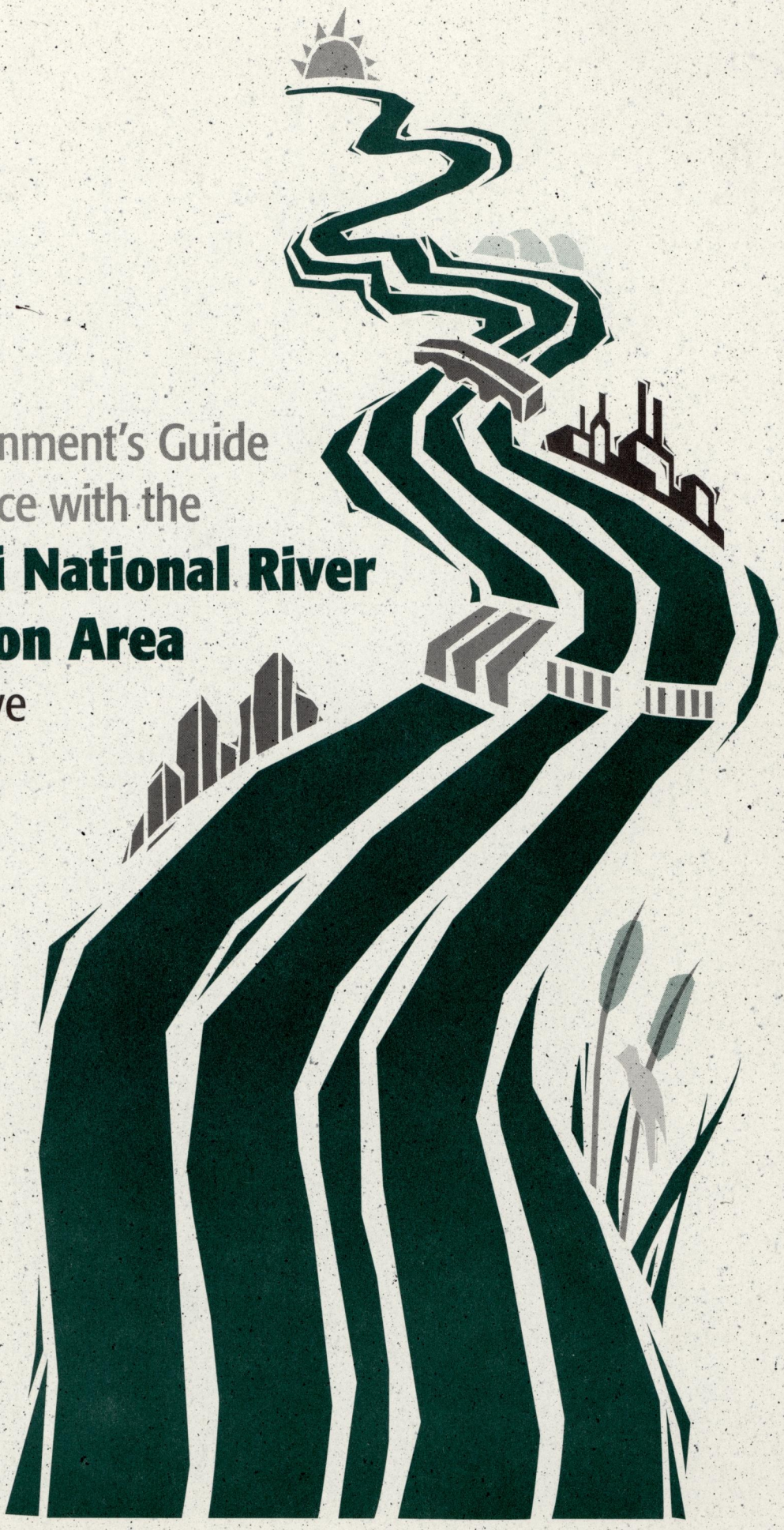
Duncan



A Local Government's Guide to Conformance with the

# Mississippi National River & Recreation Area

Comprehensive Management Plan

72727



# Table of Contents


Introduction . . . . . 1

*Mississippi National River and Recreation Area Comprehensive Management Plan:*
- Two-Tiered Implementation Framework . . . . . 3
  - Tier 1 . . . . . 3
  - Tier 2 . . . . . 3
  - Partner Roles . . . . . 4
    - Metropolitan Council . . . . . 4
    - Department of Natural Resources . . . . . 5
    - National Park Service . . . . . 6

*Commitment to the Future of the Mississippi River:*
- Upgrading to Tier 2 . . . . . 7
  - Preliminary Steps . . . . . 7
  - Community Commitment . . . . . 8
  - Upgrading to Tier 2 . . . . . 9
  - Matching Grants . . . . . 9

*Tier 2 Implementation Criteria* . . . . . 11
- Land Use and Protection:
  - Riverfront Location Policies . . . . . 12
  - Corridorwide Location Policies . . . . . 13
  - Site Development Policies . . . . . 14
  - Variance Policies . . . . . 15
- Open Space and Trails Policies . . . . . 15
- Public Land Ownership Policies . . . . . 16
- Commercial Navigation Policies . . . . . 17
- Resource Management:
  - Air and Water Policies . . . . . 18
  - Native Flora and Fauna Policies . . . . . 19
  - Threatened and Endangered Species Policies . . . . . 20
  - Floodplains and Wetlands Policies . . . . . 20
  - Cultural Resources Policies . . . . . 21
  - Economic Resources Policies . . . . . 22
- Visitor Use and Interpretation:
  - Visitor Activities and Recreational Resources Policies . . . . . 23
  - Visitor Use Management Policies . . . . . 23

*How to Begin/Who to Ask Questions* . . . . . 25

*Appendix A:*
Mississippi National River and Recreation Area Comprehensive Management Plan Summary . . . . . 27

*Appendix B:*
Minnesota's Critical Areas Act of 1973: A Brief Overview . . . . . 31



# Introduction

On May 22, 1995, Secretary of the Interior Bruce Babbitt approved the Comprehensive Management Plan (CMP) for the Mississippi National River and Recreation Area (MNRRA). Approval of the plan marked the end of an extensive, four year planning process. The planning process was guided by the National Park Service and the Mississippi River Coordinating Commission (Commission). However, the process was successful primarily because of the extensive participation and input of the Twin Cities community. Persons representing all levels of government, interest groups, and the general public provided the National Park Service and Commission with ideas and advice that has made the CMP an exciting blueprint for the future of the river corridor.

Success of the CMP is dependent on community support for the plan, its policies, and its visions. To encourage local efforts to implement the CMP, the plan has been constructed to avoid unnecessary duplication of authority, programs, and services. The CMP seeks to build on existing state and local plans and regulatory frameworks to achieve its goals. A key aspect of the CMP is the adoption and incorporation-by-reference of existing state and regional land use management programs.

This reference guide summarizes key components of the MNRRA CMP, especially as they relate to existing management programs such as the state critical area, shoreland management, wetland and floodplain programs. The guide illustrates policies the CMP shares with these programs, and also highlights policies that, if implemented, would provide an even higher level of protection to corridor resources. The primary purposes of the reference guide are to:

- Provide elected officials and local government staff a better understanding of the relationship between the MNRRA CMP and existing land use and resource protection programs
- Assist elected officials and local government staff in assessing the benefits of revising local plans and ordinances
- Explain federal incentives to encourage conformity to the MNRRA CMP

To clearly understand the above items, it is necessary to have a general familiarity with the Mississippi National River and Recreation Area, the Area's CMP, and the Minnesota Critical Areas Act of 1973. A summary of the CMP can be found in Appendix A of this guide. A summary of the Critical Areas Act can be found in Appendix B.

Copies of the full CMP can be obtained by contacting the National Park Service at 290-4160.



# Mississippi National River and Recreation Area Comprehensive Management Plan:

## Two-Tiered Implementation Framework

The MNRRA Comprehensive Management Plan prescribes a two-tier approach to achieving consistency with the plan through local government planning and management. The first level, Tier 1, incorporates the planning and regulatory requirements and standards already in place as part of the state Critical Areas Act, the Shoreland Management Act, and other applicable state and regional land use management programs. The MNRRA CMP envisions that with administrative reorganization and increased funding, the critical area and shoreland management programs could become a viable way of achieving many of the MNRRA CMP visions and assuring existing state requirements are being met in the Mississippi corridor.

The second level of implementation, Tier 2, consists of the additional land and water use, resource protection, and open space concepts, policies, and guidelines that have been developed as part of the MNRRA CMP. In some cases, these concepts, policies, and actions go beyond the minimum state and regional requirements. Conformance with Tier 2 by communities is not mandatory; however, conformance with Tier 2 is necessary in order to receive the acquisition and development grants authorized under the MNRRA legislation.

### Tier 1

Under Tier 1, the existing Mississippi River Critical Area, state shoreland management, and all other land use management programs remain in place. Implementation of these programs will be improved. To streamline program oversight, the Mississippi River Critical Area Program recently was transferred from the Minnesota Environmental Quality Board (EQB) to the Minnesota Department of Natural Resources (state Reorganization Order 170, 1995). The National Park Service already has provided supplemental funding to the DNR and to the Metropolitan Council to assist program implementation in the MNRRA corridor. Local governments are required to continue to administer a critical area and shoreland protection ordinance and to have a critical area plan in place. The purpose of the Mississippi River Critical Area Program is to preserve and enhance its natural aesthetic, cultural, and historical value for the public use, and protect its environmentally sensitive areas, as the 1976 Critical Area Executive Order states. Local governments are already required to comply with these standards, and this will not change.

### Tier 2

Under Tier 2, local governments can voluntarily move to a second level of planning and management by updating their community plans and ordinances to incorporate the land use, resource protection, and open space policies described in the MNRRA CMP. Funding is available to assist local governments in updating their plans and ordinances to substantially conform to the new concepts and higher standards in the MNRRA CMP, and technical assistance is available from the Metropolitan Council for plan development and from the Department of Natural Resources for ordinance development. Updated plans would continue to serve as a community's critical area plan. Ordinance implementation would be overseen by the DNR in the same way it oversees the critical area and shoreland management programs.

Because many of the concepts and policies in the CMP were borrowed from the best of existing plans and programs for the river corridor, reaching Tier 1 and more effectively implementing existing state and regional programs will have many beneficial effects and achieve many of the CMP's visions. The long-term goal of the plan, however, is to have all communities in the corridor reach Tier 2 and fully implement the MNRRA CMP and achieve all its visions. If funded by Congress, a matching grant program for acquisition and development of lands and waters or interests therein that is authorized in the MNRRA legislation will be used as an incentive to encourage communities to implement Tier 2. To be eligible for this grant program local governments will have to adopt plans and ordinances consistent with the new concepts and higher standards described in the Comprehensive Management Plan that exceed existing state and regional requirements in the critical area, shoreland management, or other existing land use management programs for the metropolitan area.

It is not the intent of the CMP to impose on any federal- or state-regulated industry standards or requirements related to construction, operation, and maintenance that conflict with those enforced by existing federal or state agencies for the safe and environmentally sound conduct of business. The National Park Service is not a regulatory agency in the corridor. Rather, The Park Service will work to coordinate the activities of others, to achieve the purposes of the MNRRA legislation, and to encourage implementation of the Comprehensive Management Plan.

## Partner Roles

Successful implementation of the MNRRA CMP will depend on a strong partnerships and cooperation among federal, state, and regional agencies and local communities. Three of the primary agency partners are the Metropolitan Council, the Minnesota Department of Natural Resources (DNR), and the National Park Service. Following is a short summary of the implementation roles of each of these agencies.



**The Metropolitan Council.** The Metropolitan Council will conduct a review of local comprehensive and critical area plans for consistency with the Tier 1 and Tier 2 implementation levels of MNRRA CMP. The council staff will assist local governments electing to implement Tier 2 planning and management policies by:

- Identifying aspects of local plans needing modification to achieve Tier 2,
- Coordinating review of draft plan amendments
- Providing technical assistance on amending these plans

In preparing draft local plan amendments, communities can propose policies and provisions that are generally consistent with the MNRRA CMP, but that tailor the plan to fit the specific resources in their section of the river and thus might not be in strict conformance with specific policies of the plan. The local community shall state the rationale for any proposed policy that does not fully conform to the CMP. The non-conforming policy or provision will be considered by the Metropolitan Council in reviewing the proposed local plan amendment and, if it is determined that the CMP's visions and general concepts are achieved and resources are protected in a balanced and sustainable manner, the provisions would become part of the approved local plan and determined to be in substantial conformance with the MNRRA CMP. In reviewing draft plan amendments, the Metropolitan Council staff will seek comments from the National Park Service and the DNR. The Metropolitan Council will advise the National Park Service on whether the updated plans substantially conform to the CMP. The final

determination on whether conformance has been achieved and whether a community is ultimately eligible for the acquisition and development grant program will be made by National Park Service.

There is nothing in the MNRRA CMP that exceeds the existing Metropolitan Council authority. There is no intervention or control over local land use decisions proposed for the Metropolitan Council, except for efforts carried out on behalf of the National Park Service to encourage communities to revise their plans to substantially conform to the CMP, similar to what they have done under the state critical area program.



The existing land use planning process occurs under the authority of the Metropolitan Land Planning Act (Minn. Stat. 473.851-473.872) and the Critical Areas Act of 1973 (Minn. Stat., ch. 116G). The council's role in the land use planning process under these statutes is as follows. Pursuant to the Critical Areas Act of 1973, the council has the authority to review local plans and regulations to determine their consistency with regional objectives and the provisions of the governor's order designating the area of critical concern.The council then submits its evaluation of the plans and regulations to the DNR for approval.

The Metropolitan Land Planning Act, which was passed in 1976, subsequent to the Critical Areas Act, requires that each local community in the seven-county metropolitan area prepare comprehensive plans that are reviewed by the Metropolitan Council for their consistency with regional policies. The council might require modifications to local comprehensive plans if the plans could constitute a substantial impact on or a substantial departure from the council's plans for the four metropolitan systems of wastewater treatment, transportation, aviation, and parks and open space. Local comprehensive plans must also contain an implementation program, including a description of official controls addressing at least the matters of zoning and subdivision and a schedule for the preparation, adoption, and administration of the official controls. The Metropolitan Land Planning Act also requires that local communities adopt official controls that are consistent with the objectives of the local comprehensive plan.

**Department of Natural Resources.** The DNR will have the lead in administering existing state land use management programs for the corridor, which is a key to achieving Tier 1 implementation of the MNRRA CMP. It will also develop a model ordinance in consultation with the National Park Service and the Metropolitan Council and assist local government adoption and enforcement of ordinances that are consistent with the MNRRA CMP (if they choose to implement Tier 2 planning and management policies described in the CMP). Local governments will have an active role in the model ordinance preparation, and they will have the lead in preparation of their own plans and ordinances. The model ordinance will be provided as a sample of how an ordinance could be revised for substantial conformance with the CMP but will not be made mandatory. Communities will be able to tailor the ordinance to their needs or write their own ordinance to substantially conform to the MNRRA CMP. The DNR will review updated ordinances and advise the National Park Service on whether they substantially conform to the CMP. A final determination on whether conformance has been achieved and whether a community is eligible for the acquisition and development grant program will be made by the National Park Service.

In reviewing draft local ordinance amendments, the DNR will seek comments from the National Park Service and the Metropolitan Council. The MNRRA legislation requires that the National Park Service contract with the state or a political subdivision to review local ordinances and monitor enforcement and land use implementation actions for conformance with the Comprehensive Management Plan. It is understood that there is some low level of action that could be excluded from this review without violating the intent of the MNRRA legislation to monitor development in the corridor. This threshold level will be assessed in follow-up discussions between the National Park Service and the DNR in consultation with the affected communities. Under the MNRRA CMP, the Department of Natural Resources will have no more authority than available under existing state law. The Department of Natural Resources will not create a new review process for this effort but rather build on its existing relationships with local governments and the shoreland management program. The DNR will not have certification (veto) authority over local decisions except to certify to the National Park Service that revised ordinances and implementation programs are consistent with the MNRRA CMP.

**National Park Service.** The Park Service will monitor general implementation progress along with the Mississippi River Coordinating Commission. The Park Service will offer various types of technical assistance to communities on matters related to the river corridor or plan implementation. The Park Service will contract with the Metropolitan Council and Department of Natural Resources to provide assistance to corridor communities to encourage substantial conformance of their plans and actions with the MNRRA CMP. The National Park Service (acting for the Secretary of the Interior) will make the final determination on whether communities are conforming to the CMP, as specified in section 705(d) of the MNRRA legislation. The National Park Service will administer the grants program authorized by the enabling legislation for communities that choose to implement Tier 2 and substantially conform to the CMP, and the National Park Service will assist local governments in identifying and seeking other funding that could be used for river corridor projects that are compatible with this plan. The National Park Service, working with the Mississippi River Coordinating Commission and other agencies, will have the lead to develop more detailed plans, such as a resource management plan and visitor use management plan. The National Park Service will carry out its mandated federal review responsibilities, emphasizing natural, cultural, and economic resource protection as articulated by the visions, concepts, and policies contained in the plan. The National Park Service could also review other major nonfederal actions that require a state environmental assessment worksheet, or if requested by another agency or the project applicant. These reviews will be done within existing project review processes, with an emphasis on coordinated timeframes. The National Park Service does not have approval authority over state or federal permit applications, local critical area plans, or zoning ordinances. The National Park Service does not have authority to approve or deny specific local land use decisions.





# Commitment to the Future of the Mississippi River: Upgrading to Tier 2

As previously stated, one long-term goal of the MNRRA Comprehensive Management Plan is to have all communities in the metropolitan Mississippi River corridor reach Tier 2 and fully implement the CMP and achieve all its visions. While existing state programs provide sound protection for the river corridor, the policies and actions described in the CMP are expected to induce even greater beneficial effects for the corridor's resources.

The need to protect the nationally significant resources of the river corridor is obvious. The river corridor within the metropolitan area still contains significant undeveloped areas. Those areas are often heavily wooded or possess other features that preserve a natural character within the urban environment. Also within the corridor are many historic, scientific, and cultural sites. These sites indicate the importance the people of the region have attached to the river through the centuries. Additionally, the river is identified as a transportation route vital to the economy of the region and the state, a multi-dimensional venue for outdoor recreation, and a critical source for the region's water supply.

As further incentive to communities that elect to adopt and implement Tier 2 of the MNRRA CMP, the National Park Service will administer matching grants to cover not more than 50 percent of the cost of acquisition and development of lands and interests therein within the river corridor. This program is described in more detail below.

Following is an outline of the process communities will follow if they wish to revise their plans and ordinances to be consistent with Tier 2.

## Preliminary Steps

The process of implementing the MNRRA CMP already has begun. The National Park Service has entered into cooperative agreements with the Metropolitan Council and the Department of Natural Resources to enable those agencies to begin implementing their responsibilities under the CMP. As part of the cooperative agreements, the National Park Service has provided federal funds to enhance administration of the state critical area program and other related land use and resource protection programs within the metropolitan Mississippi River corridor.

In the coming months, existing critical area plans and ordinances for all communities in the MNRRA corridor will be reviewed. Although the state's critical area program calls for periodic review of critical area plans and ordinances, few have been examined since their adoption nearly 20 years ago.

The Metropolitan Council will review the critical area plans to ensure that the plans are up-to-date and consistent with existing state requirements. Deficiencies, if any, in existing plans and ordinances will be noted. Then, the Council will outline how the existing plans would need to be updated to become consistent with the Tier 2 of the MNRRA CMP. The results of both review steps will be provided to each community.

Concurrently, the Department of Natural Resources will be reviewing existing ordinances related to the critical area plans. Like the review of critical area plans, this review is intended to ensure that ordinances are current and consistent with existing state requirements. The DNR also will outline how existing

ordinances would need to be updated to become consistent with Tier 2 of the CMP. Results of these reviews will be reported to each community. The DNR also is preparing a model ordinance that incorporates requirements of Tier 2. Communities that elect to update their ordinances to become consistent with Tier 2 may use the model ordinance for guidance.

In assessing how plans and ordinances need to be updated to become consistent with Tier 2, the Metropolitan Council and the DNR will use the criteria described in the following section of this guide. The criteria consists of policies from the CMP. The policies have been divided into three categories: 1) policies already required under state statute or rules, 2) policies that require a statement of commitment within community critical area plans (that is, a "policy commitment"), and 3) policies that must be integrated into community ordinances.

To be consistent with Tier 2, community plans and ordinances must be in *substantial* conformance with each of the policies in the MNRRA CMP. The CMP recognizes, however, that individual communities must retain flexibility to address unusual issues and special situations. As long as the CMP's visions and concepts are achieved and resources identified in the enabling legislation are protected, communities can tailor detailed policies to the specific resources in their section of the river.

## Community Commitment

Each community will be notified by the DNR and Metropolitan Council of steps necessary to update plans and ordinances to become consistent with Tier 2. Upon receiving the assessments, each community must decide if it wishes to make the commitment to achieving this higher level of protection for the Mississippi River and its resources. The decision to revise



plans and ordinances to become consistent with Tier 2 is completely voluntary. Neither the National Park Service, the Department of Natural Resources, nor the Metropolitan Council can mandate that communities upgrade their plans and ordinances. Communities that elect to remain at the Tier 1 level of implementation will not be subject to sanctions or penalties (other than not being eligible to compete for National Park Service acquisition and development grants described above).

A variety of resources are available to those communities that wish to commit to updating plans and ordinances to conform with Tier 2. Staff from both the DNR and Metropolitan Council are available to provide advice and technical assistance to help communities bring their plans and ordinances into conformance with the CMP. National Park Service staff also are available to assist communities in understanding specific policies or other elements of the CMP.

In addition, the Metropolitan Council will administer pass-through funds from the National Park Service to provide financial assistance to communities wishing to upgrade their plans and ordinances.[1] The funds are intended to help communities review the status of their critical area plans and ordinances, and to assess the benefits of updating plans and ordinances to conform to Tier 2. The exact amount of money available to a community is dependent on federal budget appropriations and the number of communities interested in the funds (some communities may elect to pursue revision of their plans and ordinances without benefit of funding assistance). However, the average amount of aid to each community is expected to be about $15,000.

Depending on the number of communities that wish to make the commitment to Tier 2, and on the timing of requests for financial assistance, funding aid may need to be prioritized and spread-out over several years. For example, if ten communities wish to make an immediate commitment to Tier 2, there may only be sufficient funds to provide assistance to eight communities. The remaining two communities would be offered financial assistance in subsequent budget years (if funds are available). The Metropolitan Council will provide funding information and application

[1] These funds are not part of the matching grants program described elsewhere in this reference guide. Communities are not required to be in conformance with Tier 2 to be eligible for this assistance. The assistance is intended to assist communities in progressing toward Tier 2 conformance.

guidelines to corridor communities in advance of each year's funding cycle.

## Upgrading to Tier 2

When a community has completed a draft revision of its critical area plan and ordinances, the revision should be submitted to the Metropolitan Council and Department of Natural Resources. The Council and the DNR will review the revision to assess its consistency with existing state law and with Tier 2. The agencies will work with the community to rectify shortcomings, if any, identified during the review. When the Metropolitan Council and DNR believe the revised plans and ordinances substantially conform with Tier 2, the agencies will recommend the plans and ordinances to the National Park Service for Tier 2 certification. The National Park Service will make the final determination on whether communities are in conformance with Tier 2. Note the National Park Service review is only for conformance with Tier 2. The National Park Service has no certification authority regarding consistency between the plans and ordinances and existing state programs.

Once the National Park Service has determined that a community's plans and ordinances are consistent with Tier 2, that community becomes eligible for the matching acquisition and development grants authorized in the MNRRA legislation.

## Matching Grants

Public Law 100-696 authorizes the National Park Service to, "...make grants to the State of Minnesota or its political subdivisions to cover not more than 50 percent of the cost of acquisition and development within the Mississippi National River and Recreation Area of lands and waters or interests therein in a manner consistent with [the Public Law]." Projects selected for funding under this program must be consistent with the Comprehensive Management Plan, and must contribute to realization of the CMP's visions.




Tier 2 certification does not automatically ensure that a community will receive grants. Although the program has been authorized by Congress, no funds have been appropriated to-date. Therefore, Congress must first fund the program. Then, communities will compete for funds with other river corridor communities that have achieved Tier 2 conformance. Grant money will not be available for projects initiated before the program is funded.

The law limits distribution of the MNRRA grants to the state, regional government agencies, and local communities. However, the National Park Service will encourage and work with organizations, business and industry, and private individuals to develop imaginative proposals that could be accomplished in partnership with a local government. Likewise, the NPS will encourage state agencies and local governments to pursue partnership grant proposals with the private sector.

There is a broad range of projects potentially eligible for matching funds. A few examples of projects that would advance implementation of the MNRRA Comprehensive Management Plan (and, therefore, be eligible for matching funds) include:

- Proposals integrating public access facilities and/or natural areas within new residential or industrial development.
- Proposals that retrofit existing riverfront recreational facilities to make those facilities accessible to people with physical disabilities.
- Proposals that seek to establish adaptive reuses for historic structures along the river.
- Proposals to acquire land to establish protection zones around sensitive natural or archeological resources.

No funds will be available for maintenance or other operational activities. Educational programs and materials will be considered only as part of a broader project.

Communities that are interested in pursuing these matching grants are encouraged to begin revising their plans and ordinances to conform with Tier 2 as soon as possible. This will help ensure eligibility for the funds when they become available. Specific information about application procedures and selection criteria will be provided to eligible communities when the program is funded by Congress.



# Tier Two Implementation Criteria

This section outlines the specific criteria a community must adopt to conform to Tier 2. The criteria consist of policies described in the MNRRA CMP. The polices are arranged in topical areas that correspond to sections of the CMP. Within each topical area, the policies have been arranged in three columns. Column 1 contains polices within the CMP that already are required under state statute or rule (or, in other words, "Tier 1" of the MNRRA CMP). Columns 2 and 3 contain the additional policies that a community must adopt to conform to Tier 2.

**Column 1-Policies Required Under State Statute or Rule–** Many of the policies in the CMP are similar to those already established under various state programs. In fact, some of the policies have been directly excerpted from existing state statute or rules. Column 1 of the following tables contains MNRRA CMP policies that communities already are expected to implement under state programs. These policies, combined with other existing land use and environmental protection policies not listed here, comprise "Tier 1" as described in the CMP. Comprehensive plans, critical area plans, and related ordinances in each community within the river corridor already should be substantially consistent with the policies listed in Column 1.

**Column 2-Policies Requiring Community Commitment via Policy Statements–** Communities will need to incorporate a policy statement in their critical area plan that commits the community to implementation of each of these policies.

**Column 3-Policies Requiring Community Commitment via Ordinances–** Communities will need to develop a specific ordinance that reflects the goal of each of these policies. The DNR will prepare a model ordinance to assist communities in this step.

*Some policies appear in more than one column. Policies that appear in both Columns 2 and 3 will need to be incorporated both as a policy statement in critical area plans and as an ordinance. Policies that appear in Column 1 and also in Column 2 or 3 are only partially fulfilled under existing statutory and rules requirements.*

To implement Tier 2 of the CMP, and to become eligible for MNRRA grant funds, communities will need to demonstrate substantial conformance with the policies listed in columns 2 and 3 on the following pages. These more protective policies are not specifically reflected in existing state statute or rules.

It is important to restate that the choice to adopt Tier 2 criteria rests with the community. No agency can compel communities to adopt Tier 2 polices; no sanctions will be imposed against those communities that elect to remain at Tier 1. It also is important to remind decision makers that communities can tailor policies to fit the specific resources in their section of the river, so long as the general intent of the policy is sustained.

Note: For the sake of brevity, the policies and actions statements that follow have been paraphrased. Local government officials and planners should refer to the detailed policy statements in the Comprehensive Management Plan to fully understand the policy and to help frame community plan and ordinance revisions. Each policy is accompanied by a page reference from the CMP.

Most local officials also will find it helpful to review applicable state statute and rules, especially the critical area and shoreland management programs, if they are not already familiar with them.

LAID out in same order as plan.

# **Land Use and Protection:** Riverfront Location Policies



## Tier One
**Policies Already Required by Existing Statute/Rule**

- Emphasize compatible use in the narrow zone along the river.
  *[Page 16, Number 1]*
- Convert inconsistent land uses if the owners move away. Encourage landowners to leave vacated land as open space.
  *[Page 18, Number 3]*

DNR respon.

These are just policies from our plan.

Not all existing statutes are listed here.

## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Develop incentives for polluting industry that does not rely on the river to relocate away from the river.
  *[Page 18, Number 2]*
- Convert inconsistent land uses if the owners moves away. Encourage landowners to leave vacated land as open space.
  *[Page 18, Number 3]*

### Policies Requiring New Ordinances

- Convert inconsistent land uses if the owners move away. Encourage landowners to leave vacated land as open space.
  *[Page 18, Number 3]*

These are Paraphrasing: refer to CMP to get a full understanding of what these policies mean.



DNR doing model ordinances for each community. (To integrate into city codes).

# **Land Use and Protection:** Corridorwide Location Policies

## Tier One
**Policies Already Required by Existing Statute/Rule**

- Promote clustering of land uses.
  *[Page 18, Number 1]*
- Designate zones or districts for various purposes.
  *[Page 18, Numbers 2-7]*
- Support the regional transportation planning process.
  *[Page 18, Number 8]*
- Discourage development in areas with significant wildlife habitat.
  *[Page 18, Number 9]*

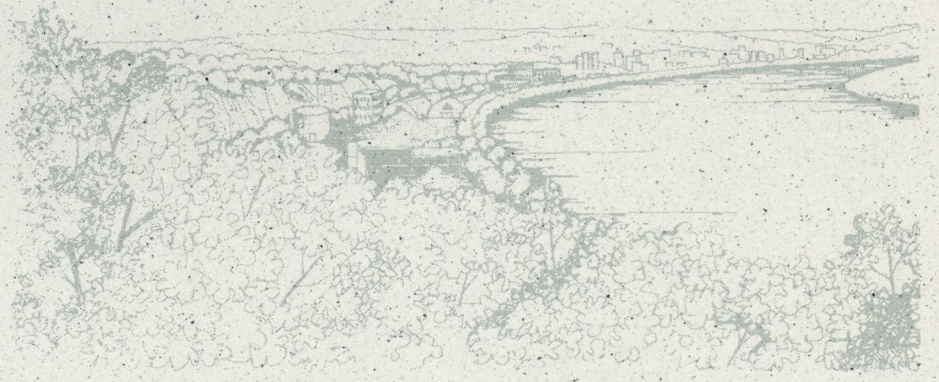
## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Promote clustering of land uses.
  *[Page 18, Number 1]*
- Support the regional transportation planning process.
  *[Page 18, Number 3]*
- Discourage development in areas with significant wildlife habitat.
  *[Page 18, Number 9]*

### Policies Requiring New Ordinances

- Promote clustering of land uses.
  *[Page 18, Number 1]*
- Support the regional transportation planning process.
  *[Page 18, Number 8]*
- Discourage development in areas with significant wildlife habitat.
  *[Page 18, Number 9]*



# **Land Use and Protection:** Site Development Policies



## Tier One
**Policies Already Required by Existing Statute/Rule**

- Provide uninterrupted vegetated shoreline where practical. *[Page 19, Number 1]*
- Protect natural resources with preservation areas. *[Page 19, Number 2]*
- Encourage shoreline preservation and restoration. *[Page 20, Number 6]*
- Protect views from designated overlooks and develop new overlooks. *[Page 20, Number 8]*
- Establish a preferential order for increasing river crossing capacity. *[Page 20, Number 11]*
- Protect and restore wetlands. *[Page 20, Number 12]*
- Apply setback and height restrictions and encourage careful site design to maintain the ability to view the river from existing open space and developed areas. *[Page 20, Number 14]*
- Screen development to minimize its visibility from the river or opposite shore. *[Page 20, Number 15]*
- Maintain public access to the river. Increase access in new development and redevelopment projects. *[Page 20, Number 16]*
- Protect endangered, threatened and rare species and their habitats. *[Page 20, Number 18]*
- Require protective local construction codes. *[Page 20, Number 21]*

## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Coordinate land development policies to protect natural resources using preservation areas. *[Page 19, Number 2]*
- Minimize the cumulative impacts of development projects. *[Page 19, Number 3]*
- Encourage shoreline preservation and restoration. *[Page 20, Number 6]*
- Provide paths to connect the river to the community. *[Page 20, Number 7]*
- Protect views from designated overlooks and develop new overlooks. *[Page 20, Number 8]*
- Remove vacant, nonhistoric structures not needed for consistent uses. *[Page 20, Number 9]*
- Rehabilitate and adaptively reuse historic structures. *[Page 20, Number 10]*
- Establish a preferential order for increasing river crossing capacity. *[Page 20, Number 11]*
- Work to increase and restore wildlife habitat and biological diversity in development projects. *[Page 20, Number 13]*
- Apply setback and height restrictions and encourage careful site design to maintain the ability to view the river from existing open space and developed areas. *[Page 20, Number 14]*
- Maintain public access to the river. Increase access in new development and redevelopment projects. *[Page 20, Number 16]*
- Incorporate scenic road design concepts and architectural treatments into road and bridge construction projects. *[Page 20, Number 17]*
- Protect endangered, threatened and rare species and their habitats. *[Page 20, Number 18]*
- Consult with Native American groups if development will affect their cultural sites. *[Page 20, Number 19]*
- Encourage placing utilities underground. *[Page 20, Number 20]*
- Adopt sustainable building practices in municipal codes. *[Page 20, Number 21]*

### Policies Requiring New Ordinances

- Protect natural resources by preservation areas (suggests various dimensional standards). *[Page 19, Number 2]*
- Measure and minimize cumulative impacts of unrelated development. *[Page 19, Number 3]*
- Apply setback and height restrictions and encourage careful site design to maintain the ability to view the river from existing open space and developed areas. *[Page 20, Number 14]*
- Screen development to minimize its visibility from the river or opposite shore. *[Page 20, Number 15]*
- Maintain public access to the river. Increase access in redevelopment and new development projects if practical. *[Page 20, Number 16]*

## **Land Use and Protection:** Variance Policies



| Tier One<br>Policies Already Required by Existing Statute/Rule | Tier Two<br>Policies Requiring Commitments Via Policy Statements | Tier Two<br>Policies Requiring New Ordinances |
|---|---|---|
| ■ Require variance procedures.<br>*[Page 21]* | *No additional* | *No additional* |

## **Open Space and Trails Policies**



| Tier One<br>Policies Already Required by Existing Statute/Rule | Tier Two<br>Policies Requiring Commitments Via Policy Statements | Tier Two<br>Policies Requiring New Ordinances |
|---|---|---|
| ■ Identify potential locations for regional trails.<br>*[Pages 21-22]* | ■ Provide a continuous river trail.<br>*[Pages 20-22]* | *No additional* |



# Public Land Ownership Policies



## Tier One
**Policies Already Required by Existing Statute/Rule**

- Require new major private and all public facilities to provide river access.
  *[Page 25, Number 5]*
- Use existing authority to avoid or mitigate converting federal grant-acquired land to other than park use.
  *[Page 25, Number 9]*

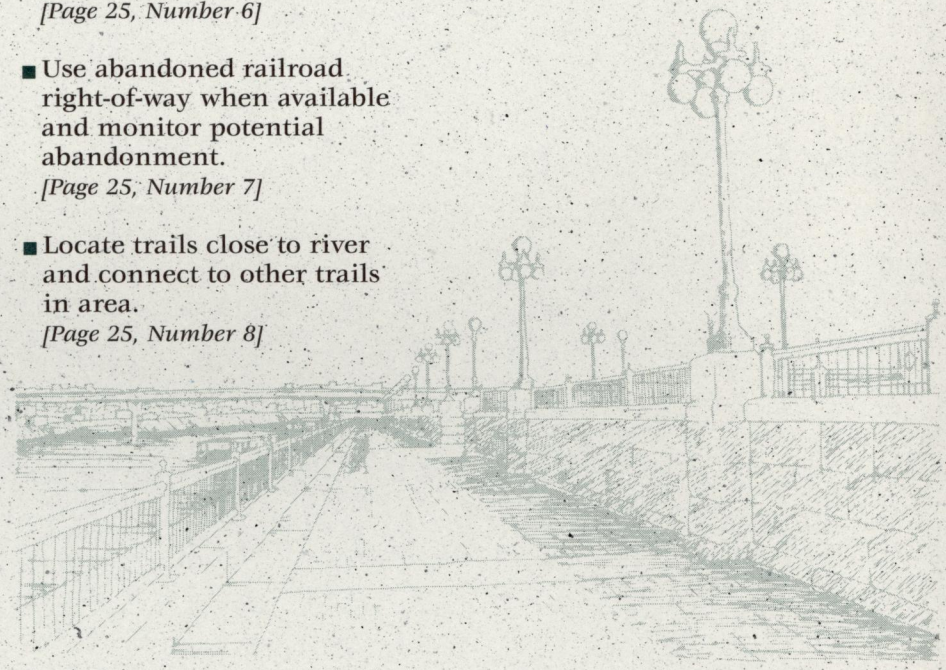
## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Provide easements for trails in developments.
  *[Page 24, Number 2]*
- Preserve most of the land in a natural state when developing parks in natural areas.
  *[Page 24, Number 3]*
- Require new major private and all public facilities to provide river access.
  *[Page 25, Number 5]*
- Provide pedestrian and bike paths, including on bridge crossings, to the greatest possible extent.
  *[Page 25, Number 6]*
- Use abandoned railroad right-of-way when available and monitor potential abandonment.
  *[Page 25, Number 7]*
- Locate trails close to river and connect to other trails in area.
  *[Page 25, Number 8]*

### Policies Requiring New Ordinances

- Provide easements for trails in developments.
  *[Page 24, Number 2]*
- Require new major private and all public facilities to provide river access.
  *[Page 25, Number 5]*



# Commercial Navigation Policies

## Tier One
**Policies Already Required by Existing Statute/Rule**

- Consistent with the purposes of Public Law 100-696, continue use of the river for commerce. *[Page 26, Number 1]*
- Locate barge fleeting areas appropriately. *[Page 26, Number 2]*
- Prohibit casual mooring, except in emergencies. *[Page 26, Number 6]*

## Tier Two

**Policies Requiring Commitments Via Policy Statements**

- Locate barge fleeting areas at least 200 feet from marinas. Locate fleeting near commercial or industrial areas. *[Page 26, Number 2]*
- Evaluate potential noise and visual impacts before making decisions to expand or locate barge operations. *[Page 26, Number 4]*

**Policies Requiring New Ordinances**

- Locate barge fleeting areas at least 200 feet from marinas. Locate fleeting near commercial and industrial areas. *[Page 26, Number 2]*
- Evaluate potential noise and visual impacts before making decisions to expand or locate barge operations. *[Page 26, Number 4]*



# **Resource Management:** Air and Water Policies



## Tier One
**Policies Already Required by Existing Statute/Rule**

- Comply with existing standards and develop incentives to do so better.
  *[Page 31, Number 1]*
- Reduce runoff through coordinated efforts.
  *[Page 31, Number 2]*
- Strictly enforce current regulations.
  *[Page 31, Number 4]*

## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Encourage compliance with existing air and water standards and provide incentives to do better.
  *[Page 31, Number 1]*
- Reduce runoff through coordinated efforts.
  *[Page 31, Number 2]*
- Develop educational programs.
  *[Page 31, Number 3]*
- Encourage pollution prevention and increased pollution control ... to protect sensitive resources.
  *[Page 31, Number 5]*
- Reduce the use of chemicals for fertilizer and pest control.
  *[Page 31, Number 6]*
- Encourage efforts to clean up corridor lands.
  *[Page 31, Number 7]*
- Reduce use of salt on area roads.
  *[Page 31, Number 9]*
- Increase the use of devices such as skimmers on small tributary creeks.
  *[Page 31, Number 10]*
- Encourage alternatives to lawns on the shoreline.
  *[Page 31, Number 14]*
- Support regional pollution control plans.
  *[Page 32, Number 16]*
- Cooperate with state agencies on monitoring programs.
  *[Page 32, Number 17]*
- Support Department of Natural Resources program for marina dumping stations.
  *[Page 32, Number 18]*
- Protect streambanks and water quality from negative impact from recreation.
  *[Page 32, Number 19]*
- Better manage and decrease toxic wastes.
  *[Page 32, Number 22]*

### Policies Requiring New Ordinances

- Reduce the use of chemicals for fertilizer and pest control.
  *[Page 31, Number 6]*
- Support the Department of Natural Resources program for marina dumping stations.
  *[Page 32, Number 18]*



# **Resource Management:** Native Flora and Fauna Policies



## Tier One
**Policies Already Required by Existing Statute/Rule**

- Preserve native vegetation and restore it.
  *[Page 33, Number 5]*

## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Protect habitat and biodiversity.
  *[Page 33, Number 1]*
- Increase and restore habitat and biodiversity in development projects.
  *[Page 33, Number 2]*
- Encourage uninterrupted and wide vegetated shorelines.
  *[Page 33, Number 3]*
- Coordinate land development policies to protect natural resources in a system of preservation areas.
  *[Page 33, Number 4]*
- Preserve native vegetation and restore it.
  *[Page 33, Number 5]*

### Policies Requiring New Ordinances

- Increase and restore habitat and biodiversity in development projects.
  *[Page 33, Number 2]*



# Resource Management:
## Threatened and Endangered Species Policies



| Tier One<br>Policies Already Required by Existing Statute/Rule | Tier Two<br>Policies Requiring Commitments Via Policy Statements | Tier Two<br>Policies Requiring New Ordinances |
|---|---|---|
| ■ Comply with existing federal, state, and local regulations. *[Page 33, Number 1]* | ■ Encourage preservation of habitat for species. *[Page 33, Number 2]* | ■ Encourage preservation of habitat for species. *[Page 33, Number 2]* |

# Resource Management:
## Floodplains and Wetlands Policies



| Tier One<br>Policies Already Required by Existing Statute/Rule | Tier Two<br>Policies Requiring Commitments Via Policy Statements | Tier Two<br>Policies Requiring New Ordinances |
|---|---|---|
| ■ Protect existing wetlands and restore former wetlands. *[Page 33, Number 2]* | ■ Comply with federal regulations. *[Page 33, Number 1]*<br>■ Protect existing wetlands and restore former wetlands. *[Page 33, Number 2]* | ■ Comply with federal regulations. *[Page 33, Number 1]*<br>■ Protect existing wetlands and restore former wetlands. *[Page 33, Number 2]* |

# **Resource Management:** Cultural Resources Policies[2]

## Tier One
**Policies Already Required by Existing Statute/Rule**

None, although the overriding purpose of protecting historical and cultural resources is well-established in state laws such as the Minnesota Historic Sites Act, the Minnesota Field Archaeology Act, and the state's enabling legislation for local historic preservation commissions *(Minnesota Statute 471.193)*.

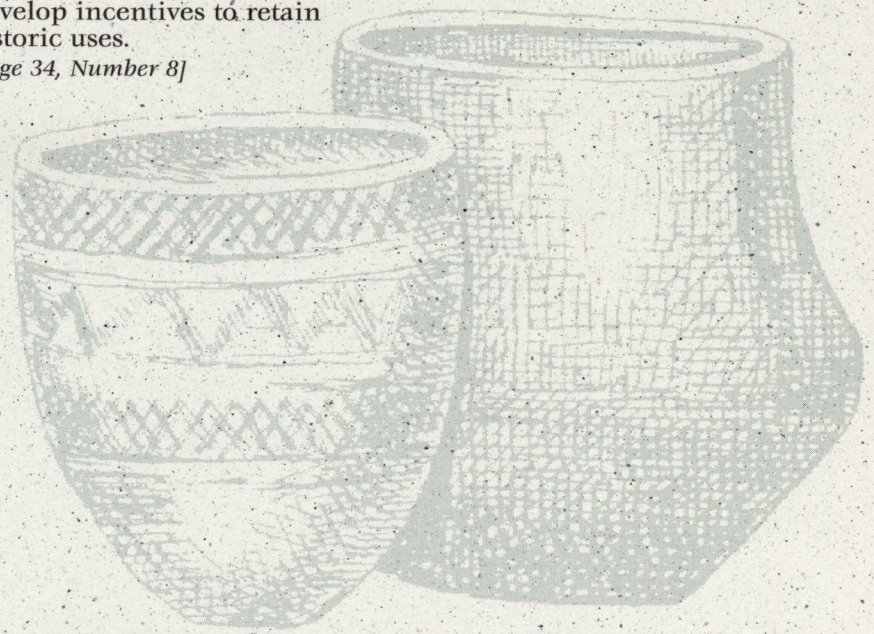
## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Continue historic uses of historic properties.
  *[Page 34, Number 1]*
- Encourage open space land use to preserve significant archaeological resources.
  *[Page 34, Number 2]*
- Preserve historic structures and landscapes if merited.
  *[Page 34, Number 3]*
- Rehabilitate historic structures for contemporary use if it would not alter them.
  *[Page 34, Number 4]*
- Restore historic structures if merited.
  *[Page 34. Number 5]*
- Encourage economic activities that preserve and rehabilitate historic resources.
  *[Page 34, Number 6]*
- Develop incentives to retain historic uses.
  *[Page 34, Number 8]*

### Policies Requiring New Ordinances

- Develop incentives to retain historic uses and preserve cultural resources.
  *[Page 34, Number 8]*



[2] To assist communities in developing strategies to address Tier 2 requirements for cultural resources, a model historic preservation ordinance is available from the Heritage Preservation Commission Coordinator, State Historic Preservation Office of the Minnesota Historical Society. The Coordinator can be reached at 296-5434.

# **Resource Management:** Economic Resources Policies



## Tier One
**Policies Already Required by Existing Statute/Rule**

- Continue existing land uses in the corridor.
  *[Page 36, Number 6]*
- Continue barge fleeting and allow some expansion.
  *[Page 36, Number 10]*
- Recognize transportation system's importance to the region.
  *[Page 38, Number 18]*

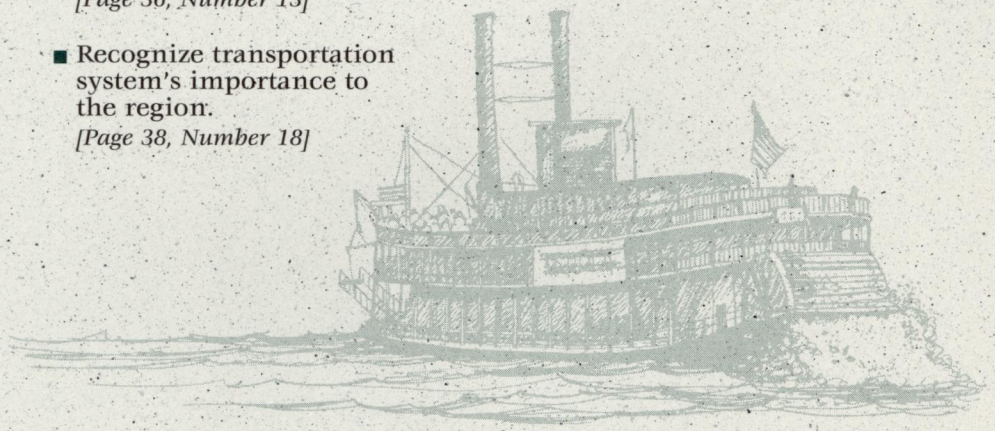
## Tier Two

### Policies Requiring Commitments Via Policy Statements

- Recognize the importance of economic activity and provide for it.
  *[Page 36, Number 1]*
- Encourage consistent business investment.
  *[Page 36, Number 2]*
- Preserve riverfront land for river dependent economic uses.
  *[Page 36, Number 3]*
- Protect historic buildings for adaptive re-use.
  *[Page 36, Number 4]*
- Encourage investment that preserves and rehabilitates historic structures.
  *[Page 36, Number 5]*
- Encourage sustainable economic activity.
  *[Page 36, Number 8]*
- Promote tourism.
  *[Page 36, Number 9]*
- Continue barge fleeting, allow some expansion.
  *[Page 36, Number 10]*
- Increase visitor access and recreational use.
  *[Page 36, Number 13]*
- Recognize transportation system's importance to the region.
  *[Page 38, Number 18]*

### Policies Requiring New Ordinances

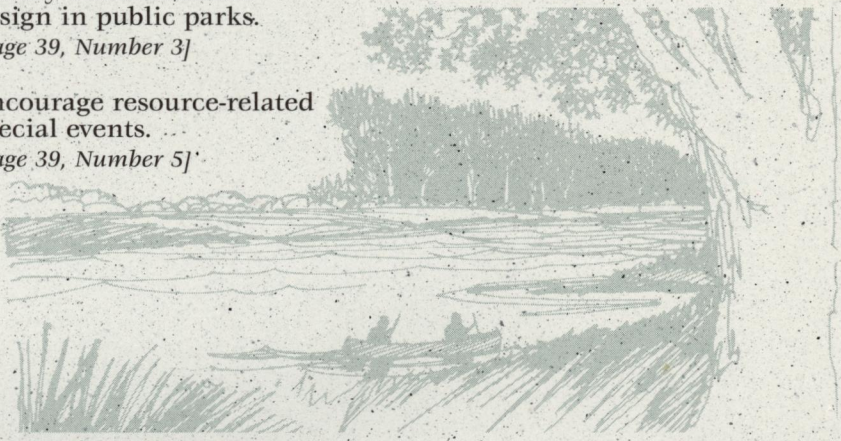
- Preserve riverfront land for river dependent economic uses.
  *[Page 36, Number 3]*
- Continue barge fleeting, allow some expansion.
  *[Page 36, Number 10]*
- Increase visitor access and recreational use.
  *[Page 36, Number 13]*



# Visitor Use and Interpretation:
## Visitor Activities and Recreational Resources Policies



| Tier One<br>Policies Already Required by Existing Statute/Rule | Tier Two<br>Policies Requiring Commitments Via Policy Statements | Tier Two<br>Policies Requiring New Ordinances |
|---|---|---|
| ■ Establish activity zones and manage access to minimize conflicts. *[Page 39, Number 2]* | ■ Establish activity zones and manage access to minimize conflicts. *[Page 39, Number 2]* | *No additional* |
| | ■ Provide diversity, high quality and consistent design in public parks. *[Page 39, Number 3]* | |
| | ■ Encourage resource-related special events. *[Page 39, Number 5]* | |



# Visitor Use and Interpretation:
## Visitor Use Management Policies



| Tier One<br>Policies Already Required by Existing Statute/Rule | Tier Two<br>Policies Requiring Commitments Via Policy Statements | Tier Two<br>Policies Requiring New Ordinances |
|---|---|---|
| ■ Encourage new major private development and all public facilities to provide trails and access. *[Page 40, Number 1]* | ■ Encourage new major private development and all public facilities to provide trails and access. *[Page 40, Number 1]* | ■ Encourage new major private development and all public facilities to provide trails and access. *[Page 40, Number 1]* |
| ■ Provide additional pedestrian and bike paths. *[Page 40, Number 3]* | ■ Provide additional pedestrian and bike paths. *[Page 40, Number 3]* | ■ Provide additional pedestrian and bike paths. *[Page 40, Number 3]* |
| ■ Provide visitor access in compliance with the Americans with Disabilities Act. *[Page 40, Number 7]* | ■ Acquire abandoned railroad right-of-ways for open space needs. *[Page 40, Number 4]* | |
| | ■ Assess the adequacy of visitor safety and enforcement in the corridor. *[Page 40, Number 6]* | |

Contact list



# How to Begin/Who to Ask Questions

Communities that are interested in updating their plans and ordinances to become consistent with the MNRRA CMP are encouraged to contact the National Park Service. All communities will eventually receive a report on how their local plans and ordinances would need to be revised to become consistent with the CMP. However, priority for these reports will be given to those communities that request an early review of plans and ordinances.

To request review of plans and ordinances, or to ask questions about the MNRRA Comprehensive Management Plan and Tier II implementation, contact:

**Nancy Duncan**
National Park Service
290-4160, ext. 237
*For communities in Ramsey, Washington, and Hennepin Counties (except Minneapolis)*

**Susan Overson**
National Park Service
290-4160, ext. 225
*For communities in Anoka and Dakota Counties, the City of Minneapolis, and the University of Minnesota*

National Park Service staff will work with staff from the Department of Natural Resources and Metropolitan Council to initiate and coordinate the review process.

Communities with questions about the state's Mississippi River Critical Area program should contact:

~~**Richard Thompson**~~ Sandra Pine
Metropolitan Council 291-6513
~~291-6457~~
*For questions related to revision of Critical Area plans and the relationship between Critical Area plans, community comprehensive plans, and the MNRRA CMP.*

~~**Robert Collett**~~ Sandy Fecht
Dept. of Natural Resources
~~772-7910~~ 297-2401
*For questions related to revision and development of ordinances, enforcement of the Critical Area program, and relationships between Critical Area, Shoreland Management, and other state programs and the MNRRA CMP.*

we are primary contacts, but call other if one not in.

The National Park Service, Minnesota Department of Natural Resources, and Metropolitan Council thank you for taking the time to review this reference guide. We look forward to working closely with Mississippi River communities as we cooperatively plan and work to ensure the future of this outstanding national resource.



# Appendix A:

## Mississippi National River and Recreation Area Comprehensive Management Plan Summary

The Mississippi is one of the world's great rivers and part of one of the most complex ecosystems on the planet. It is a critical migration corridor for millions of birds and is essential to the ecological health of the North American continent. The river environment is home to an incredible array of fish, wildlife, and plants. In turn, millions of people use and enjoy these diverse resources. The Mississippi River lies at the heart of what is American and more than any other natural feature is an unmistakable symbol of this nation. The Mississippi is one of the most recognized historic transportation routes in our country, and it is a corridor rich in nationally significant cultural resources. It is of spiritual importance to Native Americans and provides recreational opportunities to millions of people every year. The Mississippi is also a working river. Commercial navigation is important to the economy of the Minneapolis/St. Paul metropolitan area and the entire upper Midwest. The Mississippi is a vital commercial transportation link to national and international markets, providing safe, low-cost movement of bulk commodities in river barges.

On November 18, 1988, Public Law 100-696 established the Mississippi National River and Recreation Area as a unit of the national park system. The system is composed of over 370 areas administered by the National Park Service, an agency of the U.S. Department of the Interior. The Mississippi National River and Recreation Area was established by Congress to (1) protect, preserve, and enhance the significant values of the Mississippi River corridor through the Twin Cities metropolitan area, (2) encourage coordination of federal, state, and local programs, and (3) provide a management framework to assist the state of Minnesota and units of local government in the development and implementation of integrated resource management programs and to ensure orderly public and private development in the area.

The Mississippi National River and Recreation Area includes 72 miles of the Mississippi River and four miles of the Minnesota River and encompasses about 54,000 acres of public and private land and water in five Minnesota counties, stretching from the cities of Dayton and Ramsey to just south of Hastings. The segment of the Mississippi flowing through the Minneapolis/St. Paul metropolitan area has always been of major significance as a resource, a boundary, a transportation corridor, a source of sustenance and energy, a place for recreation, an artistic inspiration, and a tourist attraction. It has been a home and work place, a source of water, and a sometime sewer. Demands upon it have often been in conflict, and attempts to manage its resources have frequently challenged state agencies, local governments, organizations, and area citizens.

In 1988 Congress charged the Secretary of the Interior (through delegation to the National Park Service) with coordinating the efforts of the federal, state, and local governments to keep this 72-mile section of the Mississippi corridor in good condition and enhance its resources. Congress also mandated that a Mississippi River Coordinating Commission be appointed to assist the Secretary in developing an integrated resource management plan for the national river and recreation area. The Commission was appointed by the Secretary in May of 1990 and has worked in partnership with the National Park Service and many other

agencies and groups to develop a plan for managing the river corridor.

Congress directed the Commission to assist the Secretary, the state of Minnesota, and local units of government to develop policies and programs for

(1) The preservation and enhancement of the environmental values of the area

(2) Enhanced public outdoor recreation opportunities in the area

(3) The conservation and protection of the scenic, historical, cultural, natural, and scientific values of the area

(4) The commercial use of the area and its natural resources, consistent with the protection of the values for which the area was established

The basic visions and concepts identified for the national river and recreation area promote extensive partnerships between the corridor's political entities and various constituencies to create the desired future and achieve the legislative purpose for the 72-mile-long corridor through the Twin Cities area. Natural areas will be preserved, appropriate treatment of cultural resources will be ensured, economic resources will be protected, and public use will be enhanced.

The final Comprehensive Management Plan provides a proposal to guide the management and use of this section of the river. Major issues include land resource protection efforts, commercial navigation needs, park land and recreational facility opportunities, and the role of the National Park Service in preserving, interpreting, and managing the national river and recreation area corridor. The plan, as directed by the legislation, is a conceptual policy and program-level document concentrating on corridorwide issues. It provides basic visions, broad concepts, and general policies that can be used to preserve resources, provide for visitor use, and manage land and water use throughout the corridor. Except for proposed National Park Service facilities, it does not address site-specific issues.

After a great deal of study and consultation and after receiving and considering comments from a wide range of individuals and groups, the Mississippi River Coordinating Commission and the National Park Service study team developed a plan that provides a framework to balance and coordinate natural, cultural, and economic resource protection, visitor use, and sustainable development activities. It will minimize adverse effects on the river corridor and conflicts between users while providing for a broad spectrum of land and water uses and managed growth. It will protect fish and wildlife resources and emphasize the importance of biological diversity in the corridor. Corridor management policies will be applied in a practical manner with individual communities retaining flexibility to respond to unusual situations in special ways providing that the resources identified in the MNRRA legislation are protected. The most significant visual resources will be protected and restored where practical, including historic structures and landscapes. The river corridor will have continuous public or private open space along the shoreline to the maximum extent practical, and it will be connected to the downtowns and neighborhoods by open space and trails. This continuous open space might be a combination of public parks, trail corridors, and private land along the river that is retained as, or restored to, green space. It will be as wide as some of the existing major regional parks along the river or could be as narrow as the 40-foot shoreline preservation setback area. Except in existing commercial and industrial developments, downtown areas, and historic districts, the riverfront and bluff area will appear mostly natural from the river and its shoreline areas (as observed from the opposite bank). In downtown areas and historic districts, development will be more visible but still complement the aesthetics of the river corridor, appealing to area residents and serving as an attraction to visitors to the metropolitan area. Where the natural appearance has been altered in other areas, design guidelines and programs will be established to encourage shoreline restoration to a more natural appearance.

The plan adopts and incorporates by reference the state critical area program, shorelands program, and other applicable state and regional land use management programs that implement the visions and concepts identified for the corridor. The plan does not create another layer of government, but rather stresses the use of existing authorities and agencies to accomplish the policies and actions developed for the area. Land use management consistent with the MNRRA CMP will be encouraged through an emphasis on incentives, which will include a grant program authorized in the MNRRA legislation (if funded by Congress). Local government will retain local control of land use decisions in the corridor, consistent with applicable state and regional land use management programs. The plan will

not prevent new development or expansion of existing development in the corridor that is consistent with state and regional land use management programs. It is not a regulatory document and does not mandate actions by non-National Park Service entities. The National Park Service and the Commission do not have approval authority over local plans and ordinances, and they do not have authority to approve or deny project-specific land use decisions. The MNRRA legislation specifies that National Park Service regulatory authority in the *Code of Federal Regulations*, 36 CFR, only applies to lands that the National Park Service owns — envisioned in the plan to be less than 50 acres.

Additional public and private open space is a critically important resource in the corridor that will be stressed in plan implementation. Such space will be provided through a continued local land and easement acquisition program. The goal is to provide a continuous linear open space and trail along the riverfront in most of the corridor while protecting natural, cultural, and economic resources. Open space will include public and private lands that will be retained as primarily undeveloped. They might include land devoted to active or passive recreational use or land retained for visual or natural resource protection purposes. Some undeveloped areas will be acquired by local governments on the upper river (above the I-694 bridge) for open space purposes, although it is not feasible during the life of this plan to acquire a continuous public open space along the upper river due to extensive development. Where a riverfront trail is not practical, the trail will use available corridors such as nearby streets and utility easements. The potential for additional open space increases in the middle part of the Mississippi below the Minnesota River and is greatest in the lower river area (below the I-494 bridge). It is recognized that there are areas in all three portions of the corridor where a continuous public open space along both sides of the river is not practical. There will be an emphasis on working with local agencies to complete trail connections to provide a continuous trail system along or near the river and link with other areas outside the corridor.

The plan recognizes the importance of economic activities and provides for the commercial use of the corridor consistent with the MNRRA legislation. Economic activity has the ability to preserve nationally significant historic and economic resources, and this is encouraged by the plan. However, this document is not an economic development plan for the corridor.

Commercial navigation activities will be continued. Decisions about commercial navigation and facility activity will integrate the needs of the industry with the needs to protect natural, cultural, and economic resources in the corridor and provide for safe commercial and recreational traffic within the limits of river system capacity. River system capacity will include considerations of physical, biological, social, and safety limits. Local governments will continue to designate areas suitable for barge fleeting in corridor plans that are consistent with the plan. The U.S. Army Corps of Engineers and Minnesota Department of Natural Resources (DNR) will review these community plans for conformity with the commercial navigation policies in the MNRRA CMP. The National Park Service will review permit applications for fleeting areas under its legislated review responsibility.

A wide range of visitor use (interpretation and recreation) activities will be encouraged that will emphasize selected areas. A variety of passive and active resource-related recreational activities will continue to be available to visitors in the corridor. These include fishing, hunting, boating, canoeing, hiking, bicycling, jogging, cross country skiing, snowshoeing, picnicking, birding, taking photographs, and participating in a wide range of interpretive and educational programs.

The National Park Service will have a lead role in coordinating interpretation for the corridor. Because of the nature of the corridor and the proposed management concept, National Park Service facilities will be limited to interpretive centers and administrative offices. With the partnership arrangement and the extent of local interpretation, these will be cooperative ventures with only one interpretive facility owned and operated by the National Park Service. Based on the audience, site analysis, functions of each facility, and the interpretive themes, a system of interpretive facilities is proposed. This proposal capitalizes on the excellent interpretive work already being done in the corridor and seeks to fill the interpretive gaps and offer overall coordination of activities.

If corridor communities adopt and enforce the land use management and open space policies in the plan, sensitive resources in the corridor will be protected, a natural appearance will be preserved (and restored in some areas), and improvements will be made to recreation and open space opportunities in the area.



# Appendix B: Minnesota's Critical Areas Act of 1973: A Brief Overview[3]

The Mississippi River and its adjacent shorelands in the Twin Cities metropolitan area were designated a state critical area in 1976, pursuant to the state's Critical Areas Act of 1973. In 1979, the Metropolitan Council confirmed the designation, also pursuant to the Act. The designation has continued in effect at all times since that time. In 1991 the legislature amended the boundaries of the Mississippi River Critical Area to be fully conterminous with the area encompassed by the Mississippi National River and Recreation Area.

The Critical Areas Act of 1973 is codified as Minnesota Statutes chapter 116G. Pursuant to sections 116G.04 and .05, the Environmental Quality Board (EQB) adopted rules to implement the Act. The rules are identified as Minnesota Rules parts 4410.8100-4410.9910.

**NOTE: On July 28, 1995, Governor Arne Carlson signed Reorganization Order 170, which transferred from the EQB to the Minnesota Department of Natural Resources (DNR) responsibility for administration of the Mississippi River Critical Area. The DNR's responsibilities related to the *Mississippi River Critical Area* described throughout this reference guide stem from that transfer. The remainder of authority under the Critical Areas Act remains with EQB.**

The main elements of the Critical Areas Act of 1973, as amended, and its supporting rules as they apply to the Mississippi River Critical Area are summarized below:

**Policy.** The goal of the act is to identify areas of natural, historic, cultural, or aesthetic resources which are of regional or statewide significance, and to shield them from damaging development by working with local governments to make plans and regulations to protect them. (Minn. Stat. § 116G.02)

**Responsible Agency.** The DNR is assigned to make rules to implement the act. After designation, the DNR tracks and approves implementation by local governments. (Minn. Stat. § 116G.04, *et. seq.*).

**Implementation.** Local governments and state agencies use their existing authorities to develop, enact, and implement plans and regulations to govern the use of the critical area.

**Enforcement.** If after one year (of the date the critical area is designated) a local government has not submitted satisfactory plans and regulations, the DNR must prepare and adopt plans and regulations for the local unit, which are administered by the local unit.

**Updates.** Local governments may amend plans and regulations with DNR approval. The DNR is to review local regulations every two years. (Minn. Stat. 116G.10, Minn. Rules part 4410.9500)

**Development Permits.** Local governments and state agencies shall only grant a development permit as specified in the order designating the critical area. If plans and regulations have been approved, the local government shall permit development only in accordance with those plans and regulations (Minn. Stat. §116G.11 and § 116G.12)

[3] Excerpted from a report prepared by former Minnesota Assistant Attorney General A. William Clapp.



Printed on recycled stock
National Park Service, 1996

# Implementation Guidance for Local Governments

# Mississippi National River and Recreation Area (MNRRA)

***A Supplement to the "Local Government's Guide to Conformance with the Mississippi National River and Recreation Area Comprehensive Management Plan"***

## How Policies in the Comprehensive Management Plan Apply to Local Governments

The Comprehensive Management Plan contains 126 policy statements. Some of them are already addressed by local governments ***if their zoning ordinance conforms*** to the requirements of the Mississippi Critical Area; others need to be addressed in plans and/or ordinances if the local governments wish to conform to Tier II and become eligible for acquisition/development grants; still other policy statements are directed at federal or state agencies---local governments need not be concerned with those. The purpose of this **Implementation Guidance** is to help local governments understand which policy statements fall into each category. Page number references in *italics* are to the Comprehensive Management Plan.

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| **Riverfront Location Policies** | | | | |
| 1. The local government's plan should contain policies and the zoning ordinance should contain requirements for new development reflecting the standards on pages 16-18. | | X | X | |
| 2. Local plans should have a statement that it will use incentives where the opportunity arises *(p. 18)*. | | X | | |
| 3. Local plans should address this policy. Ordinances should require consistent uses if inconsistent uses are discontinued *(p. 18)*. | | X | X | |
| **Corridorwide Location Policies** | | | | |
| 1. Communities that conform to the standards of the Mississippi Critical Area and the Metropolitan Land Planning Act (including the Regional Blueprint) are consistent with this policy and need take no further action *(p. 18)*. | X | | | |
| 2. Communities that conform to the standards of the Mississippi Critical Area are consistent with this policy and need take no further action *(p. 18)*. | X | | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 3. Communities that conform to the standards of the Mississippi Critical Area are consistent with this policy and need take no further action *(p. 18)*. | X | | | |
| 4. Communities that conform to the standards of the Mississippi Critical Area are consistent with the first sentence and need take no further action. Local plans should address the policy in the second sentence *(p. 18)*. | X | X | | |
| 5. Communities that conform to the standards of the Mississippi Critical Area and the Metropolitan Land Planning Act are consistent with this policy and need take no further action *(p. 18)*. | X | | | |
| 6. Communities that conform to the standards of the Mississippi Critical Area are consistent with this policy and need take no further action *(p. 18)*. | X | | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 7. Communities that conform to federal and state laws need take no further action. Additional discussion of threatened and endangered species is found on page 33 of the MNRRA Plan. *(p. 18)* | X | | | |
| 8. Communities that have plans that conform to state and federal laws, the Regional Blueprint and Transportation Systems Plan are consistent with this policy *(p. 18)*. | X | | | |
| 9. Plans and ordinances need to discourage development in areas containing significant wildlife habitat. *(p. 18)* | | X | X | |
| **Site Development Policies** | | | | |
| 1. Plans and ordinances should address this policy *(p. 19)*. | | X | X | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 2. The **concept** of protecting natural resources is addressed in the Mississippi Critical Area program, but there are no specifics. Dimensional standards are included as a guide for communities that may have no standards, or have less restrictive standards, in their ordinances. One exception is the steep slope standard: protection of slopes greater than 18 percent is consistent with the Mississippi Critical Area program; consistency with MNRRA requires protection of slopes greater than 12 percent. Plans and ordinances must address bluff and shoreline preservation areas, establish criteria for site development and protect visual character, especially where the community is currently less restrictive *(p. 19)*. | X | X | X | |
| 3. Local governments need not take any special action with respect to this policy *(p. 19)*. | | | | X |
| 4. Local governments need not take any special action with respect to this policy *(p. 19)*. | | | | X |
| 5. Local governments need not take any special action with respect to this policy *(p. 19)*. | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 6. Local plans should encourage shoreline area preservation and restoration. Local governments should address in ordinances the first two, the fourth and the last two bulleted items *(p. 20)*. | | X | X | |
| 7. Local plans should address this policy *(p. 20)*. | | X | | |
| 8. Local plans should address this policy *(p. 20)*. | | X | | |
| 9. Local plans should address this policy *(p. 20)*. | | X | | |
| 10. Local plans should address this policy *(p. 20)*. | | X | | |
| 11. Communities that conform to the standards of the Mississippi Critical Area will require that river crossings be minimized and concentrated at existing crossings where possible. This policy, however, is primarily more appropriately addressed by regional and state agencies *(p. 20)*. | X | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 12. Compliance with existing law is a requirement of the Mississippi Critical Area program. Local plans and ordinances should address restoration of degraded wetlands, where practical *(p. 20)*. | X | X | X | |
| 13. Local plans should address this policy. Local ordinances should provide for implementation of the goals addressed in this policy.*(p. 20)* | | X | X | |
| 14. Local plans and ordinances should address this policy.*(p. 20)* | | X | X | |
| 15. Local plans and ordinances should address this policy. It should be clarified that screening development, in this context, is done with vegetation. *(p. 20)* | | X | X | |
| 16. Local plans and ordinances should address this policy. Implementation of this policy should be tied to implementation of the open space and trails policies found on pp. 21-25 of the Comprehensive Management Plan, to the riverfront location policies on pp. 16-17, and to policy 5 on page 25. *(p. 20)* | | X | X | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 17. Local plans should address this policy. *(p.20)* | | X | | |
| 18. Local plans should address this policy. *(p.20)* | | X | | |
| 19. Local plans should address this policy. *(p.20)* | | X | | |
| 20. Local plans should address this policy. *(p.20)* | | X | | |
| 21. Local governments are encouraged to incorporate sustainable building practices and energy efficiency into local codes. Water conservation (i.e., once-through cooling) is addressed by existing law and local plans and ordinances need to be consistent with that. *(p.20)* | X | X | X | |
| **Variance Policy** | | | | |
| Communities that conform to Minnesota Statutes, Sec. 462.357 or Sec. 394.27 need take no further action. | X | | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| **Open Space and Trails** | | | | |
| 1. The bulleted items are criteria that will be used to evaluate requests for MNRRA acquisition/development grants. Communities do not need to address these criteria in policies or ordinances. To be eligible for the grants, however, communities do need policies, and in some cases ordinances, that address MNRRA guidelines. The Comprehensive Management Plan and this supplement identify those guidelines. *(p. 24)* | | | | X |
| 2. Local plans and ordinances should address this policy. *(p. 24)* | | X | X | |
| 3. Local plans should address this policy. The policy could also be reflected in local park and open space plans. The glossary in the MNRRA Comprehensive Management Plan defines terms such as "natural area" and "open space" on page 107. *(p. 24)* | | X | | |
| 4. Local governments need not take any special action with respect to this policy. *(p. 25)* | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 5. Communities that conform to the standards of the Mississippi Critical Area (C.6.f) are already partially consistent with this standard. Local plans and ordinances should address this policy. *(p. 25)* | X | X | X | |
| 6. Local plans should address this policy; local governments should coordinate with MnDOT to ensure access across new and rebuilt bridges. *(p. 25)* | | X | | |
| 7. Local plans should embrace state and regional initiatives to convert abandoned rail lines to trails. *(p. 25)* | | X | | |
| 8. Local plans should address this policy. *(p. 25)* | | X | | |
| 9. Local governments need not take any special action with respect to this policy. *(p. 25)* | | | | X |
| 10. Local governments need not take any special action with respect to this policy. *(p. 25)* | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| **Commercial Navigation** | | | | |
| 1. Communities that conform to the standards of the Mississippi Critical Area are consistent with this standard and need take no further action. *(p.26)* | X | | | |
| 2. Local plans and ordinances should address this policy. *(p.26)* | | X | X | |
| 3. Local governments need not take any special action with respect to this policy.*(p.26)* | | | | X |
| 4. Local plans and ordinances should address this policy. *(p.26)* | | X | X | |
| 5. Local governments need not take any special action with respect to this policy. *(p.26)* | | | | X |
| 6. Local plans and ordinances should address this policy.*(p.26)* | | X | X | |
| 7. Local governments need not take any special action with respect to this policy. *(p. 28)* | | | | X |
| 8. Local governments need not take any special action with respect to this policy. *(p. 28)* | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| **Natural Resource Management** | | | | |
| 1. Communities that conform to the standards of the Mississippi Critical Area and state laws are consistent with this policy and need take no further action. *(p. 31)* | X | | | |
| 2. Communities that conform to the standards of the Mississippi Critical Area and other state laws, including the Metropolitan Surface Water Management Act, are consistent with this policy and need take no further action. *(p. 31)* | X | | | |
| 3. Local governments need not take any special action with respect to this policy. *(p. 31)* | | | | X |
| 4. Local governments need not take any special action with respect to this policy. *(p. 31)* | | | | X |
| 5. Local plans should encourage air and water pollution prevention and increase pollution control through cooperative efforts. *(p. 31)* | | X | | |
| 6. Local plans should encourage air and water pollution prevention and increase pollution control. *(p. 31)* | | X | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 7. Local plans should encourage air and water pollution prevention and increase pollution control. *(p. 31)* | | X | | |
| 8. Local governments need not take any special action with respect to this policy. *(p. 31)* | | | | X |
| 9. Local plans should address this policy. *(p. 31)* | | X | | |
| 10. Local plans should address this policy. *(p. 31)* | | X | | |
| 11. Local governments need not take any special action with respect to this policy. *(p. 31)* | | | | X |
| 12. Local governments need not take any special action with respect to this policy. *(p. 32)* | | | | X |
| 13. Local governments need not take any special action with respect to this policy. *(p. 32)* | | | | X |
| 14. Local plans should encourage air and water pollution prevention and increase pollution control. *(p. 32)* | | X | | |
| 15. Local governments need not take any special action with respect to this policy. *(p. 32)* | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 16. Local plans should address this policy. *(p. 32)* | | X | | |
| 17. Local governments need not take any special action with respect to this policy. *(p. 32)* | | | | X |
| 18. Individual DNR permits for marinas address dumping station requirements and a grant program exists to encourage existing marinas to install dumping stations. Local governments need not take any special action with respect to this policy. *(p. 32)* | | | | X |
| 19. Local plans should address this policy. *(p. 32)* | | X | | |
| 20. Local governments need not take any special action with respect to this policy. *(p. 32)* | | | | X |
| 21. Local governments should address this policy by providing for rigorous enforcement of local floodplain and wetland protection policies. Local plans and ordinances should also address restoration of degraded wetlands, where practical. *(p. 32)* | X | X | X | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 22. Local plans should encourage air and water pollution prevention and increase pollution control. *(p. 32)* | | X | | |
| 23. Local governments need not take any special action with respect to this policy.*(p. 32)* | | | | X |
| 24. Local governments need not take any special action with respect to this policy.*(p. 32)* | | | | X |
| 25. Local governments need not take any special action with respect to this policy.*(p. 32)* | | | | X |
| 26. Local governments need not take any special action with respect to this policy.*(p. 32)* | | | | X |
| **Native Flora and Fauna** | | | | |
| 1. Local plans should address this policy.*(p. 33)* | | X | | |
| 2. Local plans and ordinances should address this policy.*(p. 33)* | | X | X | |
| 3. Local plans and ordinances should address this policy.*(p. 33)* | | X | X | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 4. Local plans and ordinances should address this policy.*(p. 33)* | | X | X | |
| 5. Protection and management of vegetation is addressed by the standards of the Mississippi Critical Area. Additional revegetation standards and the use of native vegetation should be addressed in local plans and ordinances.*(p. 33)* | X | X | X | |
| **Threatened and Endangered Species** | | | | |
| 1. Compliance with existing law is a requirement of the Mississippi Critical Area program. *(p. 33)* | X | | | |
| 2. Local plans should address this policy. Local governments should consult with DNR when reviewing development projects to determine if sites contain listed species. *(p. 33)* | | X | | |
| **Floodplains and wetlands** | | | | |
| 1. Compliance with existing law is a requirement of the Mississippi Critical Area program. *(p. 33)* | X | | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 2. Compliance with existing law is a requirement of the Mississippi Critical Area program. Local plans and ordinances need to address restoration of degraded wetlands, where practical. *(p. 33)* | X | X | X | |
| **Cultural Resources Management** | | | | |
| 1. Local plans should address this policy. *(p. 34)* | | X | | |
| 2. Local plans and ordinances should address this policy. American Indian graves are protected by state law. *(p. 34)* | X | X | X | |
| 3. Local plans should address this policy. *(p. 34)* | | X | | |
| 4. Local plans should address this policy. *(p. 34)* | | X | | |
| 5. Local plans should address this policy. *(p. 34)* | | X | | |
| 6. Local plans should address this policy. *(p. 34)* | | X | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 7. Local plans should address this policy. *(p. 34)* | | X | | |
| 8. Local plans should address this policy. *(p. 34)* | | X | | |
| **Economic Resources Management** | | | | |
| 1. Local plans should address this policy. *(p. 36)* | | X | | |
| 2. Local plans should address this policy. *(p. 36)* | | X | | |
| 3. Local plans and ordinances should address this policy. This policy is related to the riverfront location policies on pages 16-18. *(p. 36)* | | X | X | |
| 4. Local plans should address this policy. This policy is related to the cultural resource policies on pages 34-36. *(p. 36)* | | X | | |
| 5. Local plans should address this policy. This policy is related to the cultural resource policies on pages 34-36. *(p. 36)* | | X | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 6. Communities that conform to the standards of the Mississippi Critical Area and the Metropolitan Land Planning Act are consistent with this policy and need take no further action. *(p. 36)* | X | | | |
| 7. Communities that conform to the standards of the Mississippi Critical Area will have standards that limit, but do not prohibit, redevelopment and expansion of commercial uses. Other elements of the plan also limit such redevelopment and expansion. *(p. 36)* | X | | | |
| 8. Local governments need not take any special action with respect to this policy. *(p. 36)* | | | | X |
| 9. Local governments need not take any special action with respect to this policy. *(p. 36)* | | | | X |
| 10. Local governments need not take any special action with respect to this policy. *(p. 36)* | | | | X |
| 11. Local governments need not take any special action with respect to this policy. *(p. 36)* | | | | X |
| 12. Local governments need not take any special action with respect to this policy. *(p. 36)* | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 13. Local plans should address this policy, consistent with resource protection policies.*(p. 36)* | | X | | |
| 14. Local governments need not take any special action with respect to this policy. *(p. 38)* | | | | X |
| 15. Local plans should address this policy. This policy is related to riverfront location polcies on pages 16-18. *(p. 38)* | | X | | |
| 16. Local plans should address this policy.*(p. 38)* | | X | | |
| 17. Local governments need not take any special action with respect to this policy.*(p. 38)* | | | | X |
| 18. Communities that conform to the standards of the Mississippi Critical Area are consistent with this policy and need take no further action. *(p. 38)* | X | | | |
| **Visitor Activities and Recreational Resources** | | | | |
| 1. Local plans should address this policy. *(p. 39)* | | X | | |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 2. Local governments interested in this policy should work with DNR to ensure it is implemented. *(p. 39)* | | | | X |
| 3. Local governments need not take any special action with respect to this policy. *(p. 39)* | | | | X |
| 4. Local governments need not take any special action with respect to this policy. *(p. 39)* | | | | X |
| 5. Local governments need not take any special action with respect to this policy. *(p. 39)* | | | | X |
| 6. Local governments need not take any special action with respect to this policy. *(p. 39)* | | | | X |
| **Visitor Use Management** | | | | |
| 1. This policy is addressed in site development policies on pages 18-20 and open space and trail policies on pages 21-25. *(p. 40)* | | | | |
| 2. Local governments need not take any special action with respect to this policy. *(p. 40)* | | | | X |

| Plan Policy | Existing Laws | MNRRA Policy Addressed in Plan (Tier 2) | MNRRA Ordinance (Tier 2) | Local Gov't. Need Not Address |
|---|---|---|---|---|
| 3. Local plans should address this policy. This is closely related to open space and trail policies on pages 21-25. Local governments should coordinate with MnDOT to ensure access across new and rebuilt bridges. *(p. 40)* | | X | | |
| 4. Local plans should embrace state and regional initiatives to convert abandoned rail lines to trails. *(p. 40)* | | X | | |
| 5. Local governments need not take any special action with respect to this policy. *(p. 40)* | | | | X |
| 6. Local plans should address this policy. *(p. 40)* | | X | | |
| 7. Communities that conform to the standards of the Mississippi Critical Area, federal and state laws are consistent with this standard and need take no further action. *(p. 40)* | X | | | |
| 8. Local governments need not take any special action with respect to this policy. *(p. 41)* | | | | X |

(Revised 4/1/98)