

STATE OF MINNESOTA

Department of Natural Resources
Division of Waters

In the Matter of the Proposed Adoption
of Amendments to the Rules for
the Minnesota Scenic and Recreational
River, Minn. Rules 1983 6105.1290

STATEMENT OF NEED
FOR AND REASONABLENESS
OF THE PROPOSED AMENDMENT

Whereas, it has been determined that the proposed amendment to the above mentioned rules are non-controversial in nature and a public hearing will not be held; and

Whereas, pursuant to Minn. Stat. §14.23, the agency shall prepare a statement of need and reasonableness of the proposed amendment and have the same available to the public;

Therefore, to fulfill the requirements of Minn. Stat. §14.23:

The proposed amendment to Minn. Rule 1985 6105.1290 will remove approximately 20.7 acres from the Minnesota River Recreational Land Use District in Government Lot 3, Section 4, T115N-R39W of Yellow Medicine County, Minnesota (see attached map). This amendment is reasonable and needed because:

- a) The area being removed is west of State Hwy. 23. Inclusion of this area in the land use district is not necessary and its removal from the district will not conflict with the original intent of land use district delineation for purposes of protecting the Minnesota River corridor in this area.
- b) Given the existing boundaries of the land use district, land use in portions of the area proposed to be removed is unnecessarily restricted. Presently, commercial uses are not allowed. This proposal would remove areas best suited to commercial uses or areas anticipated for such use. The boundary amendment would more appropriately provide for land use consistent with the county's comprehensive planning and zoning efforts and land use controls would revert to "Urban Expansion District" in the area. The area is adjacent to the City of Granite Falls.
- c) Portions of the area being removed are considered prime habitat for the five-lined skink (*Eumeces fasciatus*), a state designated endangered species. These areas are not suited to commercial development and are presently in protective ownership status (The Nature Conservancy) or owned by the City of Granite Falls and intended to stay in open space (park) land use.

- d) Removal of the area from the land use district in Government Lot 3 as proposed, will not pose adverse impacts to small businesses or agricultural uses in the area.

The proposed amendment to Minn. Rule 1985 6105.1290 will also correct three typographical errors of land use district legal descriptions. These corrections will neither add land to or delete land from the district. Either a double counting of land occurred or misprints of legal descriptions refer to land obviously intended to be excluded from the district while areas logically in the district are not described.

This concludes the statement of need and reasonableness of the proposed amendments to Minn. Rules 1985 6105.1290.

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MAP 3

