

**State of Minnesota
Department of Natural Resources**

**Proposed Amendment to
the Rules Governing the
Waters and Watercraft
Speed Limit Zones on the
Lower St. Croix River**

**Statement of
Need and
Reasonableness**

Introduction

The Washington County Board of Commissioners adopted a resolution on July 26, 1994, concerning boating on the Lower St. Croix River. The resolution requested that the Minnesota Department of Natural Resources (MDNR) amend Minn. Rule part 6105.0330 (1993), Restricted Speed Zones, for the Lower St. Croix River. The proposed rule amendment would create two slow speed zones: from approximately mile 16.5 to approximately mile 16.1 and from shore to shore in the area known as South Hudson Bay, in effect continuously; and, from approximately mile 31.0 to approximately mile 24.5, from May 15 through September 15, after 12:00 noon on Saturdays, Sundays and legal holidays until sunrise of the next day.

As required by Minnesota Statute section 86B.205, subdivision 9(a) (1994), the Washington County Board submitted the resolution to the MDNR, requesting the Commissioner of Natural Resources to amend the rules. The MDNR received the resolution on July 27, 1994. A notice of intent to solicit outside opinion was published on October 3, 1994. Numerous responses were received. The comments from the public have been incorporated in the text of this Statement of Need and Reasonableness (SONAR).

Rulemaking Authority

The Commissioner of Natural Resources is given the authority to promulgate rules regarding water surface use management in Minn. Stat. section 86B.205 (1994). The proposed amendment affects the rules which govern water surface use on the Lower St. Croix River, which are found in Minn. Rules parts 6105.0300-.0350 (1993).

St. Croix River Rulemaking History

In 1970, the Minnesota-Wisconsin Boundary Area Commission began conducting aerial surveys of the Lower St. Croix River. In 1973, Congress directed that the Lower St. Croix National Scenic Riverway be jointly managed by the National Park Service and the states of Minnesota and Wisconsin, forming the Lower St. Croix Management Commission (LSCMC). The LSCMC was directed to coordinate management and establish guiding policy for the Lower St. Croix River, and as a result, it became the LSCMC's responsibility to conduct the aerial surveys. Since 1977, aerial photographic surveys have been conducted on a biennial basis.

In 1978, the LSCMC created the Riverway Management Policy Resolution to provide guidance for the development of management strategies for the river. Among other things, the resolution establishes density standards for recreational boat traffic. Specifically, policy B.2 states:

"Water Surface Use Regulations shall be reviewed in high use bands when the density of the moving watercraft exceeds one per 15 acres of water, and adopted when the density of the moving watercraft exceeds one per 10 acres of water."

According to the LSCMC's Management Policy Resolution, when boat density exceeds the specified standard of one moving boat per ten acres of water surface, the LSCMC member agencies are required to evaluate the situation and determine a course of action. Moving watercraft density is evaluated by use of aerial photography on randomly selected dates during the summer recreational boating season. Density was monitored in this way in 1977, 1979, 1980, 1981, 1983, 1985, 1987, 1989, 1991 and 1993. For evaluation purposes, the river is divided into activity areas, sometimes referred to as "bands" or "zones". In response to this information, water surface use regulations have been revised several times since being first adopted by the two states in 1977.

The aerial photographs are used by the LSCMC to document changes on the river, especially the physical and recreational use changes. The photographs have shown that, since 1983, there has been a high density of moving watercraft during "peak use hours", in relation to the available water surface suitable for boating in the area north of Stillwater from the sandbars at approximately mile 30.0 to north city limits of Stillwater at mile 25.0 (Stillwater/Arcola area). For this stretch of the river, peak use hours are defined as after 12:00 noon until 6:00 p.m. on Saturdays, Sundays and Holidays from May 15 until September 15.

Since the densities had reached the level of activity established in the policy guide, the LSCMC felt it was necessary to evaluate the situation. As a result, the LSCMC in April 1994 suggested the rules be amended to restrict operation of watercraft to slow-no wake speed in the Stillwater/Arcola area. It was felt by the LSCMC member agencies that

creating a slow-no wake zone in this area was necessary to slow down boating traffic, diminishing the crowding and density concern, as well as addressing erosion concerns.

It was also brought to the LSCMC's attention that, in another portion of the river known as South Hudson Bay (approximately mile 16.5 to 16.1), there appears to be a shoreline erosion problem on the Minnesota side of the river, assumed to be the result of boat wakes crashing into the shoreline. This area is just south of an existing slow-no wake zone, and subsequently is an area where boats accelerate and decelerate. It is during acceleration and deceleration that a boat produces a wake with the greatest amount of impact on the shoreline. The smallest wake is produced when a watercraft is moving at slow-no wake speed or at planing speed.

In order to reduce shoreline erosion in this area, the LSCMC determined that it is necessary to extend the current slow-no wake zone in the area known as South Hudson Bay area from shore to shore to minimize the impact of boat wakes. The resulting effect would be to protect two boat launching sites, a sailboat mooring area, city park land, a large marina, city courtesy dock and a commercial gas/pumpout service dock from fast-moving watercraft and wake impacts. In addition, the slow-no wake zone would protect properties subject to damage from the boat wakes on the Minnesota shore.

Based on the findings of the LSCMC and the criteria outlined in the Management Policy Resolution, the LSCMC requested that the two states, Minnesota and Wisconsin, amend their respective rules for these two areas. This proposed rule amendment is a result of this request.

In Minnesota, the rule amendment process for surface water use requires the adoption of a resolution by the county in which the body of water lies or borders, requesting the MDNR to amend the rule. In this case, the areas to be regulated on the Lower St. Croix River border Washington County. As a result of discussions between the LSCMC, the MDNR, and Washington County, the County passed a resolution requesting that the MDNR amend the rules. However, rather than requesting a slow-no wake designation in the areas discussed above, Washington County requested the areas to be designated as "slow speed". Slow speed zone, defined in Minn. Rule part 6105.0330 Restricted Speed Zones, means the operation of a motorboat at a leisurely speed, less than planing speed, whereby the wake or wash created by the motorboat is minimal.

Impact on Small Business, Fiscal Impact on Local Government and Impact on Agricultural Land.

The Commissioner is directed by the Minnesota Administrative Procedure Act Minn. Stat. ch. 14 (1994) and other related statutes to consider a number of issues during the process of rule development and adoption. These include:

1. Impact of the rules on small businesses. Minn. Stat. section 14.115 (1994).
2. Impact of the rules on expenditure of public monies by local public bodies. Minn. Stat. section 14.11, subd. 1 (1994).
3. Impact of the rules on agricultural land. Minn. Stat. sections 14.11, subd. 2, and 17.80 to 17.84 (1994).
4. Departmental charges imposed by the rules. Minn. Stat. section 16A.1285, subds. 4 and 5 (1994).

Impact on Small Business. Minn. Stat. section 14.115 (1994) requires that the MDNR consider and incorporate rule language that reduces the impact of the rules on small businesses to the extent that doing so would not be contrary to statutory objectives that are the basis of the proposed rules. However, section 14.115, subd. 7(1), exempts this process for "rules that do not affect small businesses directly." Although, the proposed rule amendments may have a tangential affect on some small businesses such as marinas in the area, there will be no direct impact which would initiate review under section 14.115.

Fiscal Impact on Local Government. Adoption of the rule may result in a minimal amount of expenditure of public monies by local governmental bodies, but will not exceed an estimated total cost of \$100,000 in either of the first two years of implementation. Thus, a fiscal note is not necessary.

Impact on Agricultural Lands. Adoption of the rule amendments will not have a direct or substantial adverse impact on agricultural land in the state.

Department Charge Imposed by the Rules. The proposed rules do not impose a charge or fee of any kind on the local units of government or the general public.

Notice of Solicitation and Comments

On October 3, 1994, a notice of intent to solicit outside opinion was published in the State Register by the MDNR requesting the public to comment on the proposed rule amendment as requested by the Washington County Board of Commissioners. The deadline for public comment was November 4, 1994. Numerous written and verbal comments were received. A log of the verbal comments was maintained for the record by the MDNR Boat and Water Safety staff.

The proposed rule amendments as submitted by the MDNR to the public for comment were as follows:

Amend Minnesota Rule part 6105.0330 to read:

to provide a slow speed zone from May 15 through September 15, after 12:00 noon on Saturdays, Sundays and legal holidays until sunrise of the next day from approximately mile 31.0 to approximately mile 24.5; and, provide a slow speed zone from approximately mile 16.5 to approximately mile 16.1 and from shore to shore in the South Hudson Bay.

In response to the MDNR request for public comment, 75 letters and 25 verbal comments were received. The letters were sorted into four categories: government, associations, form letter and original letters. The following discussion provides more detail as to the content of the letters, along with a summary of the verbal comments.

Six letters were from governmental agencies: the Minnesota-Wisconsin Boundary Area Commission, the LSCMC, Stillwater Township, the City of Lakeland, Pierce County Water Patrol and the Wisconsin Department of Natural Resources (WDNR). All six governmental agencies strongly encourage the development of a slow-no wake zone in both the Hudson area and Stillwater/Arcola (Zone 13) area due to the increasing number of boaters exceeding the LSCMC density guideline and the general degradation of the river, especially shoreline erosion. Pierce County Water Patrol and WDNR prefer the slow-no wake zone concept for ease of enforcement and understanding by the public. In addition, WDNR is of the opinion that slow-no wake zones address the concern of keeping the boat wake to a minimum, which diminishes the problem of shoreline erosion, more than a slow speed zone.

Five associations responded: the Minnesota Parks and Trail Council, the St. Croix River Association, the St. Croix Valley Interstate Group of the Sierra Club, the Midwest Marina Association, and the Waterways Association. Midwest Marina, along with the Waterways Association, support a slow speed zone in both areas. These groups suggest that the restriction be imposed from May 15 to September 15, Saturday, Sunday and holidays from noon to 6 p.m. Minnesota Parks and Trails Council supports a slow-no wake zone in Stillwater/Arcola area (Zone 13). St. Croix River Association supports a slow-no wake zone in both "areas under consideration". The St. Croix Valley Interstate Group submitted letters on behalf of itself, the Sierra Club Northstar Chapter, and Malacological Consultants, all which support the designation of slow-no wake zones in both areas.

Twenty-eight individuals submitted a form letter, drafted by the Waterways Association. They all "grudgingly support a slow speed zone in the Stillwater/Arcola area (Zone 13)", although they "find the hours and time of year goes beyond what can be considered peak use".

The MDNR received thirty-four original letters from concerned citizens. Four individuals submitted letters requesting that "some sort of control be established". Eleven individuals requested that the current laws be enforced, and suggest that no further restrictions are needed. Four letters were submitted requesting that the rule be amended to "slow-no wake" restrictions. Fifteen letters support the establishment of a slow speed zone in the Stillwater/Arcola area (Zone 13).

A major portion of the written comments concerned the Stillwater/Arcola area (Zone 13), the most controversial of the two zones. A number of individuals feel that the length of time the restriction is in place, noon until sunrise the following day, is too restrictive and suggest that the restriction be changed to noon until 6:00 p.m. during peak use hours.

All of the verbal comments were received by the MDNR by telephone. The callers comments were noted by MDNR staff and read back to the caller for accuracy. Twenty-five individuals called to voice their concerns regarding the proposed rule amendment. Eleven callers were concerned about the Stillwater/Arcola area (Zone 13) only; four individuals want slow-no wake, two individuals want slow speed and five individuals do not want any restrictions. Of the three individuals who commented on the Hudson area only, two want slow-no wake and the third person does not want any restrictions implemented. Eight out of the eleven individuals who commented about both zones do not want any restrictions imposed, while the remaining three support the adoption of the proposed rule--slow speed in both areas.

Proposed Rule Amendments

Since the LSCMC adopted its position in April of 1994, further investigation and evaluation of the situation by the MDNR has resulted in a change in the MDNR's position in the Stillwater/Arcola area. However, the MDNR still agrees with the LSCMC on the need for a slow-no wake zone for the Hudson area. Thus, the MDNR is withdrawing the proposed amendment of the rule governing the Stillwater/Arcola area, but is proposing to amend the rule as originally proposed by the LSCMC for the South Hudson Bay area rather than as requested by Washington County.

A. The Hudson Zone

At Lakeland/Hudson, the narrows of the main channel has been a no-wake zone since state regulations were first adopted in 1976-1977, and for many years earlier by county ordinance (see map attached as Attachment A). This no-wake zone is now proposed to be expanded south to Interstate 94 and east to include the area known as South Hudson Bay. Specifically, the new slow-no wake zone would exist from mile 16.5 to mile 16.1, and from shore to shore in the South Hudson Bay, as originally proposed by the LSCMC.

It is evident to the MDNR that shoreline erosion is a major concern in this area. The MDNR believes that the erosion is a result of the acceleration/deceleration of watercraft entering and leaving the existing slow-no wake zone in the Hudson Narrows. On the Minnesota shoreline immediately downstream of the existing no-wake zone, in the area where the no-wake zones is proposed to be extended, are several homes that have experienced extensive shoreline erosion not experienced in the no-wake zone immediately to the north. It is the MDNR's judgement that this erosion is caused by boat wakes from recreational craft accelerating as they exit the no-wake zone southbound as well as northbound craft rushing up to the beginning of the no-wake zone. In this area, the main channel is immediately adjacent to the Minnesota shore and it is here that the greatest boat traffic is concentrated.

The remainder of the proposed extension of the no-wake zone is in what is called South Hudson Bay which contains a concentration of recreational boat traffic sources, destinations and bottlenecks. These include, clockwise from the main channel area discussed above: an island that is perhaps the single most heavily used boating island on the St. Croix; a narrow, busy channel between the island and the old toll bridge dike that connects South Hudson Bay with the main channel; the Hudson Sailboat Mooring Area; the Hudson courtesy dock; the passage under the old toll bridge road; the Hudson seawall courtesy docking area; the Hudson public boat ramp; the largest marina on the St. Croix; a gas dock; and a privately owned public boat ramp. This produces a great deal of activity traveling in many different directions in a relatively small area.

Six governmental agencies strongly encourage the development of a slow-no wake zone in the Hudson area. The St. Croix Valley Interstate Group which submitted letters on behalf of itself and the Sierra Club Northstar Chapter, and Malacological Consultants support the designation of a slow-no wake zone in this area. Of the three individuals who provided verbal comment on the Hudson area only, two want slow-no wake and the third does not want any restrictions implemented. Eight out of the eleven people who commented verbally about both zones do not want any restrictions imposed, while the remaining three supported the adoption of the restrictions proposed. However, Midwest Marina, along with the Waterways Association, supported a slow speed zone in both areas.

When the border states first imposed water surface use regulations on the St. Croix in 1977, the no-wake zone in the main channel in the Hudson area extended south to the Interstate 94 bridge, as is now proposed. But it existed only in the main channel along the Minnesota shore, bounded on the east by an imaginary line extended south from the above described island to the bridge. Before that first summer ended, enforcement officers approached the managing agencies and asked that the zone be shortened to the island because it was difficult to tell when boaters were east of the zone in that portion of the river. The rule was amended as requested the following winter and took effect for the 1978 boating season. As now proposed, the current rule amendment

would not face the same difficulty of enforcement as the no-wake zone boundary becomes the I-94 bridge all across the river, an easily identified landmark. It is reasonable to now expand the slow-no wake zone across the entire bay as the bay has seen much change since 1977 to justify such speed regulations: it is busier overall; both ramps have been improved and get more use; the marina is larger; the sailboat mooring area had not yet been designated in 1977; and the courtesy dock did not then exist.

In summary, the MDNR supports the LSCMC's recommendation to expand the current slow-no wake zone for the Hudson area. It has proven necessary because of increasing congestion and shoreline erosion, and complex traffic patterns that exacerbate safety problems. The slow-no wake zone is reasonable because it will effectively slow boat traffic to alleviate these problems and avoid the confusion that would be associated with Washington County's having adjacent areas with differing speed limits.

B. The Stillwater/Arcola Zone

The other area addressed in the Notice of Intent to Solicit Outside Opinion concerns a five-mile reach of river from the north limits of the City of Stillwater north to the sandbars at the mouth of the Apple River. This five-mile reach of river is unique. To the south is the 25.0-mile long broad, lake-like section of river known as Lake St. Croix. To the north is the shallow Arcola Sandbar formed by the mouth of the Apple River, which at normal water levels serves as a barrier preventing northbound motorboat traffic. The 22-mile reach of river north from the Arcola Sandbar to the dam at St. Croix Falls has been regulated as a slow-speed zone since 1977. That slow-speed designation is widely accepted by the public and has significantly changed the character of boating use of that reach of river by slowing traffic, reducing conflict between users, and reducing noise.

The five-mile stretch subject to the Notice of Intent is the only part of the river now available to deep-draft craft that is within the canyon-lined riverine environment north of Lake St. Croix, characterized by a braided-channel/island river environment flanked by scenic bluffs. These attributes make this reach of river especially attractive to boaters, since there is shelter from the wind, high scenic quality and many islands suitable for camping and other recreational uses. It is in the Stillwater/Arcola (Zone 13) area that the MDNR has chosen to withdraw its proposed amendments limiting speeds. There are a number of issues at work here which has led to MDNR's decision: user conflicts, congestion, potential safety problems and erosion.

In addition, there are now enforcement concerns. On February 23, 1995, the WDNR adopted a final rule amendment for Wisconsin's water surface use regulations for the Lower St. Croix River. The amendment extended the current slow-no wake zone at Hudson, as currently proposed by the MDNR. However, in the Stillwater/Arcola area

(mile 30.0 to mile 25.0)¹, the amendment identifies three different speed zones on Saturdays, Sundays and holidays from May 15 to September 15: unrestricted speed from sunrise to 12 noon, slow-no wake from noon until 6:00 p.m. and slow speed from 6:00 p.m. until sunrise the following morning. The final form of the rule amendment was based on public and written testimony collected during Wisconsin's public hearing process. MDNR feels this rule, as adopted by WDNR, establishing three different speed limits for the same area in a single day, is not reasonable. It would be very difficult to properly inform the public which rule is in effect at any given time, making enforcement extremely difficult.

The MDNR is aware that without a rule identical to that adopted by the WDNR, the recently adopted Wisconsin rule is unenforceable. In fact, Wisconsin Administrative Code, NR 5.36 requires that Wisconsin rules shall be effective upon the adoption of a similar rule by the State of Minnesota.

While a rule amendment is needed, the MDNR does not feel the Wisconsin amendment is a reasonable alternative at this time. However, there will be at least two research projects conducted this summer in this area: a social survey of users, and a shoreline erosion study. By the end of this summer, the MDNR will have stronger evidence and documentation, and therefore, a better understanding of the situation to make a recommendation to address the concerns stated earlier regarding the Stillwater/Arcola zone. At that time, MDNR will reevaluate the need for surface use regulations at that location.

¹SPECIAL NOTE: There is a difference in the mileage description of the Stillwater/Arcola zone as used in Wisconsin's rule and that contained in the Washington County Board resolution. In preparing testimony for the WDNR hearing, the LSCMC realized the mile marker for the Arcola Sandbar (the north limits of the proposed zone and the south limit of the existing slow-speed zone) is mile 30.0, not 31.0. This error was contained on the map used to designate the original slow-speed zone in 1976-1977. The correct location of the Arcola Sandbar, and hence the boundary for this zone, is mile 30.0. There is also a difference in mile markers at the southern end of this zone. The original intent was to begin the zone at the north city limits of Stillwater (mile 25.0) where the river begins to narrow into the gorge that is found to the north, rather than the head of the maintained nine-foot navigation channel (mile 24.5). While the county's resolution says mile 24.5, MDNR feels the appropriate end-point for the zone is the north limits of the city of Stillwater at mile 25.0.

Witnesses

If these rules go to a Public Hearing, the witnesses listed below may testify on behalf of the Department in support of the need for and reasonableness of the rules. The witnesses will be available to answer questions about the development and content of the rules.

Steve Johnson, Division of Waters, 500 Lafayette Road, St. Paul, MN 55155;
Any other employee of the Minnesota Department of Natural Resources.

Conclusion

In conclusion, the Minnesota Department of Natural Resources proposes that Minnesota Rule part 6105.0330 be amended to provide a slow-no wake zone from approximately mile 16.1 and south of the dike from shore to shore in the South Hudson Bay. The rule is amended to read:

between the Coast Guard navigational buoys designating location of the navigation channel from the railroad swing bridge located at approximately mile 17.3 to the south side of the southernmost bridge in the Interstate Highway 94 corridor located at approximately mile 16.1 and from shore to shore in the area known as South Hudson Bay, downstream from the Hudson dike road to the embankment of Interstate Highway 94,

This action is reasonable and necessary in order to reduce shoreline erosion as a result of boat wakes.

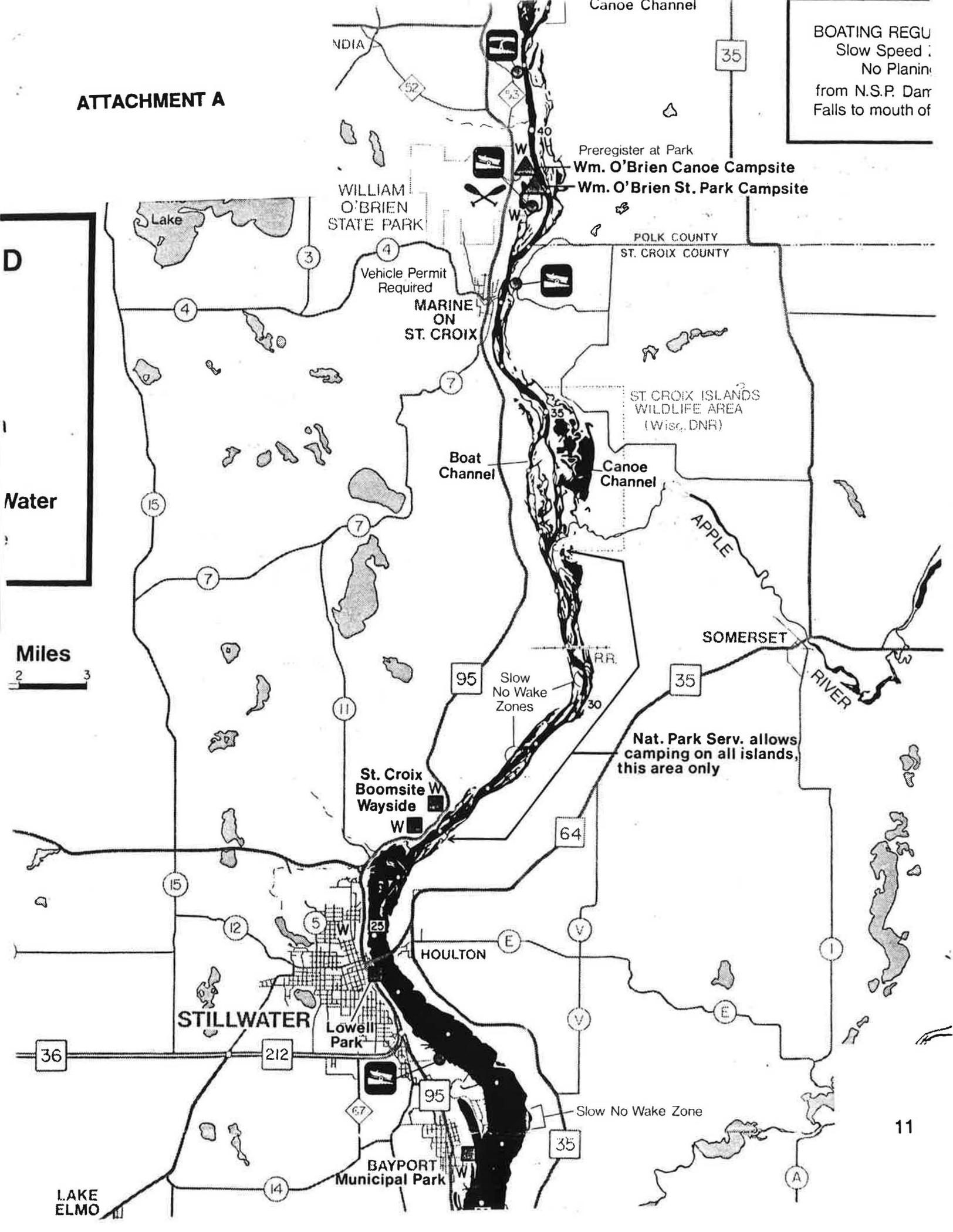
Date: _____

Rodney W. Sando
Commissioner
Department of Natural Resources

By _____
Gail I. Lewellan
Assistant Commissioner

ATTACHMENT A

BOATING REGULATIONS
Slow Speed :
No Planing
from N.S.P. Darr
Falls to mouth of



APPENDIX A

**Names and addresses of individuals
who provided comment on the proposed rules**

Written comment

Pat Bantli
Stillwater Township Clerk
Box 117
Stillwater, MN 55082

James Dollahon
Pierce County Water Patrol
Box 477, 432 West Main
Ellsworth, WI 54011

Dan McGuiness
MWBAC
619 Second Street
Hudson, WI 54016-1576

Clerk
City of Lakeland
600 Quinnell Avenue North
Lakeland, MN 55043

Terry Moe
LSCMC
610 Second Street
Hudson, WI 54016-1576

Bill Engfer
WDNR
101 South Webster Street
Box 7921
Madison, WI 53707

Paul Kiolbasa
7 River Heights Drive
Stillwater, MN 55082

Tom Mertz
700 Hamel Road
Hamel, MN 55340

Frank and Maggie Caruso
3235 Brunswick Avenue North
Crystal, MN 55422

Greg Doroff
14777 42nd Street South
Afton, MN 55001

Terrence and Bonnie Zilge
16830 21st South
Lakeland, MN 55043

Jay Montpetit
Downtown Car Wash
520 East Seventh Street
St. Paul, MN 55101

Joe Riley
Midwest Marina Association
P.O. Box 279
Afton, MN 55001

William Derchim, MD
1596 Beechwood Ave
St. Paul, MN 55116

Donald Peterson
12435 42nd Avenue North
Plymouth, MN 55441

Hillis & Phyllis Aldrich
6400 Knoll St. North
Golden Valley, MN 55427

Gary and Kathy Danyo
3540 Edward Street NE
St. Anthony Village, MN 55418

Larry Enzweiler
5691 139th Street Court
Apple Valley, MN 55124

Todd Kysyljan
139 East Wyoming Street
St. Paul, MN

Tom & Lynda Ockuly
1470 Pine Tree Lane
Houlton, WI 54082

Rick Hill
1619 West Pine Street
Stillwater, MN 55082

John Picha
1184 West Highway 96
St. Paul, MN 55112

Gary Kerkow
23420 Melanie Trail
N. Scandia, MN 55073

Chuck Rogers
2246 127th Street
New Richmond, WI 54017

Thomas Wegerer
87 Berwick Place
Mahtomedi, MN 55115

David Wothe
7907 Upper 26th Street North
Oakdale, MN 55128

W.A. Ulrich
Ulrich Mfg. Co.
2636 Central Avenue NE
Mpls., MN 55418

Patrick Bruner
1905 Helmo Road North
Oakdale, MN 55128

Missy Junker
807 South Fourth Street
Stillwater, MN 55082

Pool
Box 262
Lakeland, MN 55043

Riemenschnieder
9266 Norell Ave North
Stillwater, MN 55082

David Kerkow
640 13th Avenue NW
New Brighton, MN 55112

Jim Krueger
15605 136th Street North
Stillwater, MN 55082

Rick Martinez
684 Baker Road
Hudson, WI 54016

George Game
3830 Glenhurst
Mpls., MN 55416

Charles Stoddard
1678 Brueberry Lane
Arden Hills, MN 55112

Eric Nikolai
2402 University Avenue
St. Paul, MN 55114

Gary Hudson
Peterson Hudson & Co
118 East Chestnut Street, Suite 1
Stillwater, MN 55082

Orwin Carter
1029 Third Avenue South
Stillwater, MN 55082

David McCurdy
1731 Princeton Avenue
St. Paul, MN 55105

James Monson
19 Dove Lane
St. Paul, MN 55127

Chris Hayner
11 Point Road
Bayport, MN 55003

Newman M. Avery
333 Lake Street South
Bayport, MN 55003

Irven R. Kiesow
603 South Broadway
Stillwater, MN 55082

Mitch Sondreaal
1457 Pine Tree Lane
Houlton, WI 54082

Bradley Krause
9133 78th Street South
Cottage Grove, MN 55016

Mark Pozzini
Suite 428, Green Gallery
10301 Bren Road West
Mpls., MN 55343

Peter Keppler
Waterways Association
P.O. Box 77
Bayport, MN 55003

Audrey Kelly
636 South Minnesota
Bayport, MN 55003

John Evert
550 South Grove Street
Stillwater, MN 55082

David Whalen
2821 Hallmark Avenue North
Oakdale, MN 55128

Karl Bremer
1051 North Quixote Avenue
Lakeland, MN 55043

226

Verbal comment

Floyd Sherrard
Sherrard Marina
9376 St. Croix Trail North
Stillwater, MN 55082

Peter Wilmes
14970 44th Street
Stillwater, MN 55082

Tom DuFresne
10777 Lansing
Stillwater, MN 55082

Jack Humphreys
1435 Shannon
Woodbury, MN 55125

Tom Casey
2854 Cambridge
Mound, MN 55364

John Mastel
16273 Kwei Street
Forest Lake, MN 55025

David Gorman
16542 Swede Hill Drive
Afton, MN

Roger Adams
3590 Rice Street
St. Paul, MN 55126

Bruce Ganzer
1581 Stillwater Ave
St. Paul, MN 55106

Lynn Wolf
Wolf Marina
514 East Alder
Stillwater, MN 55082

Robert Groth
116 Lakeside Drive
Stillwater, MN 55082

John Dooley
1660 Rivercrest Road North
Lakeland, MN 55043-9715

Steve Isakson
2270 Overlook Court
Stillwater, MN 55082

Paul Sherber
Stillwater Yacht Club
P.O. Box 231
422 East Mulberry Street
Stillwater, MN 55082

Rob SanCartier
11350 St. Croix Trail North
Stillwater, MN 55082

Robert Rolf
3309 173rd Lane NW
Anoka, MN 55304

Linda Sorem
9666 St. Croix Trail North
Stillwater, MN 55082

APPENDIX B

**Log of verbal comments received by the MDNR
during the public comment period.**

October 6, 1994

Floyd Sherrard, Sherrard Marina, 439-4453.

In Favor of slow-no wake zones in several areas on the river especially, at mile 26.3, Boy Scout Narrows, narrow area should be slow-no wake years ago. Sunk a 14 foot fishing Boat, 5-6 boats passing through the channel. Swamped 3 times this summer by larger boat. Another SNW zone at mile 24, Dutchtown Bay shallow area a few unreported accident, from DNR landing. Boat traffic has really changed, no consideration. Slow speed can still create large wake.

October 7, 1994

**James Corum, Brooklyn Center
Docks boat at Wolf Marina.**

Does not want speed limit at Hudson Narrows. Already takes 15 minutes to get through the Narrows. The area north of Stillwater does not affect him. All areas should be weekends only. Makes more wake at slow speed, than planing speed. (No Wake at Afton, should be weekends only.)

**Peter Wilmes
14970 44th Street
Stillwater, MN 55082
439-3733**

Not in favor of the slow speed zone north of Stillwater. No restrictions at all. No boats over 20-24 feet, 18 feet or less-no restrictions, boats higher have speed limit.

October 10, 1994

**Tom DuFresne
10777 Lansing
Stillwater, MN 55082**

No need for slow speed zone north of Stillwater. Believes people are considerate of each. Feels residents are violating the current slow speed zone.

**Jack Humphreys
1435 Shannon
Woodbury, MN 55125
Not in favor of either restriction.**

October 12, 1994

Tom Casey
2854 Cambridge
Mound, MN 55364

Tom is a canoeist and **encourages adoption of the slow-speed zone**. He will submit a written statement. Wants a copy of the public hearing notice.

351-0073

No name.

Would(n't) be in favor of slow speed zone, any where on the river.

October 17, 1994

No name or number.

Left message over weekend.

Does not want a slow speed zone north of Stillwater. Has an eighteen foot boat and likes to boat in this area to due to the wakes on the other portion of the river, but he likes to go fast. Is down on the river approximately twice a week, if the speed zone is adopted, will probably quit going to the St. Croix.

John Mastel
16273 Kwel Street
Forest Lake, MN 55025

Not Problem if slow no wake zone but problem if slow speed (causes more of a wake than going full throttle in Hudson area). Area north of Stillwater: keep area as is, otherwise you cannot make the trip in a day.

David Gorman
16542 Swede Hill Drive
Afton, MN
436-5430

Strongly in favor of DNR enforcement of speed control in area described in Sunday paper. In fact, would encourage speed control from Prescott north. Big boats are tearing up the place, docks, shoreline, etc.

Roger Adams
3590 Rice street
St. Paul, MN 55126
639-0569

Zones cause real problems. Its a hassle. Wants to be notified of public hearing. Too many restrictions.

October 19, 1994

Bruce Ganzer
1581 Stillwater Ave
St Paul, MN 55106
776-8199

In favor of proposed zones. Would like slow zone on entire river. Too much traffic on river, too many high powered boats, rescued many people who have been swamped. Either slow down traffic or restrict the horsepower. Copy of public hearing notice.

Jeff Gussy
725-3596, ext. 222
Wanted clarification of area north of Stillwater.

Lynn Wolf
Wolf Marina
514 East Alder
Stillwater, MN 55082
439-2341

Owns Wolf Marina. Mr. Wolf has a small business concern, the utilization of his gas dock and other concessions may be affected. New speed zones shouldn't be implemented until the St. Croix Master Plan is developed and completed: depending on the Master Plan, may not need speed zone. He heard some discussion that a day/night time speed on the entire river may be considered at some point, then speed zones may not be needed. If density is a concern on the island, then restrict access to camping on the island, which would reduce traffic and allow the vegetation to regenerate, reducing the erosion problem. Change in lift bridge schedule may have kept boats in area longer. He understands that the NPS and Paul Burk, F&W, suggested that an option to restrict the migration of zebra mussel may shut down the river traffic from the Croix to Mississippi.

Donald Johnston
Maple Grove
425-4102

Completely opposed to any further no wake regulations on the St. Croix River.

Robert Groth
116 Lakeside Drive
Stillwater, MN 55082
439-2490

Slow zone won't help, people don't no what a slow-no wake zone is. Nice when high water slow-no wake is in effect then the big boats must go slower. Return to original suggestion of **slow-no wake from the bridge north.** Concerned about the speed. Launch allows large boats access to the river thought the access was for fishing boats.

October 20, 1994

**Gary Adams
1981 Mesabi
St. Paul, MN 55109
456-2510**

Adamantly/strongly not in favor of the slow speed zones.

October 21, 1994

**Katherine O'Gorman
St. Paul, MN
Left a message**

In support of slow speed zone on the St. Croix River. She has a sailboat there. The number of speed boats moving fast is very disruptive to everybody else's enjoyment of the river.

October 24, 1994

**John Dooley
1660 Rivercrest Road North
Lakeland, MN 55043-9715
497-2330**

Lakeland City Council member. Based on testimony of landowner, there is erosion along the banks. Also recreational user of river. Prefer slow-no wake zone. But if slow-no wake is not possible, would like to see slow-no wake at least as a corridor to the bridge from Hudson Narrows.

October 25, 1994

**Julle Edstrom
Stillwater, MN
439-6747**

Left message.

Keeps a boat at Wolf Marine. Not in favor of any kind of slow zones, would rather see speed limit. Speed limit is more appropriate. The real problem is personal watercraft.

October 26, 1994

**Steve Isakson
2270 Overlook Court
Stillwater, MN 55082
522-3822**

Feels regulations are a drastic measure, but something does need to be done. The time frame of the proposed regs could end at approximately 6:00, they do not need to last until sunrise the following day. If the goal is to regulate the heavy traffic, then the restrictions should only apply during heavy traffic use. The restriction is tough on children and their parents, kids need to get back quickly at the end of the day. Like to go north of Stillwater, by the high bridge and islands, less wavy there. With proposed restrictions it would take one to one and a half hours to get back.

November 1, 1994

**Paul Sherber
Stillwater Yacht Club
P.O. Box 231
422 East Mulberry St
Stillwater, MN 55082**

Would like to see slow-no wake zone from the Stillwater Lift Bridge north to Arcola, to protect their gas dock. Tend to have lots of wave action, especially on weekends.

**Rob SanCartier
11350 St Croix Trail North
Stillwater, MN 55082**

Wants questions answered. **Does not want any more restrictions.** Feels that if any restrictions are imposed, especially slow speed or slow-no wake, that he will be shut off the river. If he can't use the river how he would like, then no one should be able to. If he could get up on planing speed, then he would create less wake. Set restrictions until 6 p.m. or 9 p.m. when there is heavy traffic, not until sunrise the next morning.

November 3, 1994

**Robert Rolf
3309 173rd Lane NW
Anoka, MN 55304**

Regarding the restrictions north of Stillwater: just a way to create more paperwork. Existing rules are not adequately enforced now. Typical government reaction. Need more manpower to enforce existing rules. (Sounds like **he is not in favor of any more restrictions--my comment.**)

Linda Sorem
9666 St. Croix Trail North
Stillwater, MN 55082
439-7026

No point in writing. Not worth the fight anymore. Does not believe DNR is committed to preservation of shoreline of rivers and streams as stated on the back of a shoreline regulation manual. We can't do enough to save the river. Bureaucrats have failed miserably from the NPS down, have power and doesn't use it. (**Wants restrictions**, safe to say she wants slow-no wake zone--north of Stillwater.)