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Mississippi Hea - Annual report.



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Mississippi Headwaters Board Annual Report

July, 1981 — December, 1982

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THE MIGHTY
MISSISSIPPI
BEGINS
TO FLOW
ON ITS
WINDING WAY
2552 MILES
TO THE
GULF
OF MEXICO

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1981/82

Pursuant to Mn Stat 114B.07





Pictured l to r back row: Commissioners Gerner, Predovich, Kujawa. Seated: Kalhstorf, Foster, Hauge, McCollum. Not pictured: Schroeder.

LETTER TO THE 1983 LEGISLATURE

January 3, 1983

Pursuant to the requirements of M.S.A. 114B et. seq., we have prepared this Annual Report of our program.

The 1981-83 biennium is the first period during which the Mississippi Headwaters Board began program implementation.

During this period the program has been jointly funded through county monies and a Legislative Commission on Minnesota Resources (L.C.M.R.) 50/50 matching grant.

In its first two years of operation, the Mississippi Headwaters Board has become nationally recognized as a model program.

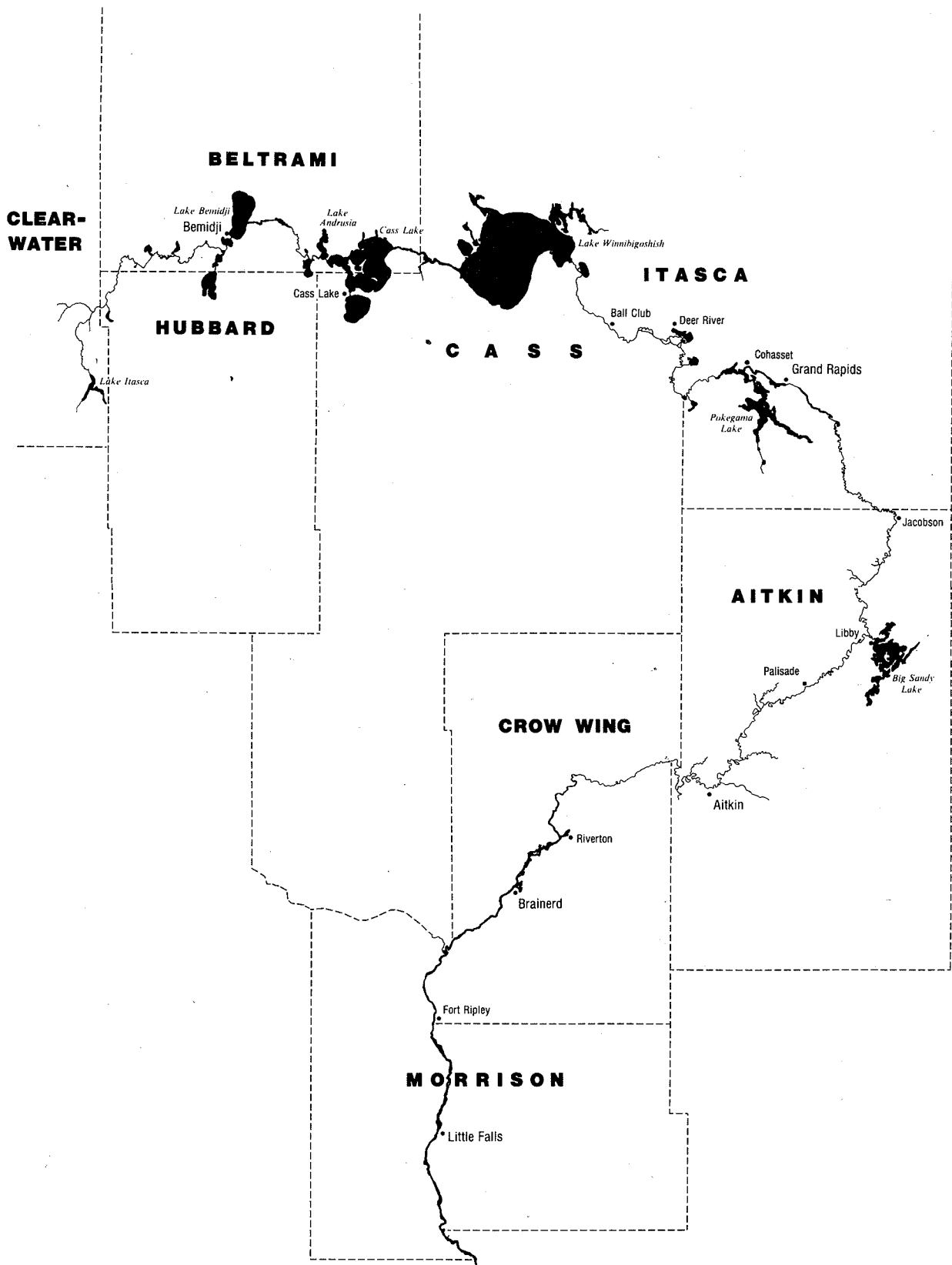
During the reporting period covered in this report (July 1, 1981-December 1, 1982) the Board made significant progress toward implementing its legislatively-mandated program objectives. Our results are highlighted in this report. Given the fact that a cooperative, interlocal resource management program such as ours has never been attempted anywhere else; the program has run remarkably smoothly.

In this report, we have provided a detailed description of the project history and the perspective of its originators. We have done so because we feel that the program can only be understood within this context.

We appreciate the support provided by the Legislature. We look forward to continuing this relationship which has produced such positive results.

Virgil F. Foster
Chairman

RIVER MANAGEMENT AREA



PROJECT HISTORY

On January 3, 1975, President Gerald Ford signed P.L. 93-621 which authorized a study of the upper 466 miles of the Mississippi River from Lake Itasca to Anoka for possible designation as a National Wild and Scenic River.

In October, 1975, the preliminary draft plan prepared by the U.S. Bureau of Outdoor Recreation (BOR) was completed, and in May, 1977, Assistant Secretary of Interior Robert Herbst submitted the Study and the Environmental Impact Statement (EIS) to Congress and President Carter.

On June 15, 1977, a bill which would have designated the ten segments recommended in the BOR study, was introduced in the U.S. Senate. On October 31, 1977, H.R. 9855, a bill to amend the National Wild and Scenic Rivers Act in order to designate the Upper Mississippi, was introduced.

In January, 1978, Congressman James Oberstar amended the bill to require a more complete, specific study. The Mississippi designation provision was subsequently deleted from the Omnibus Parks and Recreation bill passed by Congress.

In August, 1979, President Jimmy Carter included the Upper Mississippi in his Environmental Message and called for a study "to determine the specific requirements for protecting the river corridor and providing public access, campgrounds and other recreational facilities...." He also directed the National Park Service to complete the study by April, 1980.

After objections to this deadline were raised, the target date for completion of this study was left open.

Recognizing the need to protect the Upper Mississippi, and in response to an overwhelming desire on the part of the residents of the region to do so through local control, State Senator Robert Lessard suggested in the summer of 1979 that there be some joint effort by local governments to protect the river. Subsequent discussions led to the suggestion at a January, 1980 meeting of six counties that a joint powers board be formed to develop a plan to protect the river.

On February 22, 1980, a joint powers agreement was signed by eight counties: Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison. This coalition was named the Mississippi Headwaters Board (MHB) and became the largest (in number) joint powers board in state history.

In response to an inquiry by Sonja Stevens, Itasca County attorney, regarding the formation and administration of the Mississippi Headwaters Board, the Attorney General found the Mississippi Headwaters Board was legally constituted under Minnesota Statutes 471.59 and had the authority to: pay for necessary planning, contract for services in the same manner as individual counties, and re-

view zoning decisions of the individual counties regarding the Upper Mississippi.

The stated purpose of the Mississippi Headwaters Board was to: formulate plans for the area under its jurisdiction, and protect the Upper Mississippi River from uncontrolled and unplanned development through the preparation and adoption of a comprehensive management plan for the river and adjacent lands. The county management plan was to provide for the adoption of strong local zoning ordinances, recreational use of the river and adjacent public lands, donation or purchase of critical lands in the public interest and sound management of existing public lands along the river.

The board also recognized that any workable plan must consider the views of all the diverse interests affected.

THE JOINT POWERS BOARD

The joint powers board is comprised of one county commissioner from each county. The MHB was formed for several reasons: to recognize the need for some uniform zoning and land management guidelines, to share in the cost of producing a high quality river protection plan, and to eliminate the possible criticism that a "single county board is too open to local pressure — sometimes to the detriment of sound natural resources management."

There are several advantages to an interlocal (joint powers board) planning effort. The advantages cited in a State Planning Agency report on interlocal cooperation include:

1. **Cooperation 'Is Useful in Broadening the Geographical Base for Planning and Administering Governmental Services and Controls.** Conflicting land uses, differing codes, confusing jurisdictional rules and inattention to those problems not capable of solution by one unit of government are the main criticisms of the small unit of local government.
2. **Cooperation Tends to Enlarge the Scale and Administration of Local Services Making Lower Unit Costs Possible.** This is an obvious advantage to interlocal cooperation. By expanding a service area, communities can take advantage of the economies of scale that often accrue in most services.
3. **Cooperation Is Helpful in Guiding the Orderly Growth of An Area.** Planning is an especially useful example. If several units of government (including townships, municipalities, and counties) jointly plan the development of an area, the cooperating units of government can prepare for the expansion of governmental services well in advance of the time when serious problems might necessitate stopgap, less than satisfactory solutions.



6 counties offer alternative to U.S. river plan



By Dean Rebuffal Staff Writer... to keep local control... six Min...

in," said Bill Farrand, who is heading the agency's study of the Mississippi. They appear to be after the same thing we are: protection of the river.

ard, an International Falls DFLer who has long had a reputation as an opponent of environmentalists (a tag he contends is erroneous).

Interior may accept MHB plan for river

Mississippi Headwaters Board members headed for Walker this morning (Thursday), cautiously optimistic about prospects that the U.S. Department of the Interior may be willing to accept local control over 400 miles of the Mississippi river.

which implement the plan. Formed by Beltrami, Cass, Itasca, Aitkin, Crow Wing and Morrison, the board is now operating under a joint powers agreement.

"I'm more of an environmentalist than some of these so-called preservationists," Lessard said Thursday, "to protect the river."

IN NORTHERN MINNESOTA Feds OK Local Control of River

By Lloyd Nesseth Itasca County (Minn.) Administrator... The growing conflict over local versus federal control of America's natural resources is a source of bitter contention in many counties, particularly in the West.

Wild and scenic river revision sought in DC

The U.S. Departments of Interior and Agriculture have jointly proposed a revision of guidelines for the selection, classification and management of rivers in the nation.

Lessard's river plan deserves a chance

Every once in a while an idea comes along that is so good it begs to be tried. Such is the case with Sen. Bob Lessard's joint-powers plan for the Upper Mississippi River.

Local plan for the river

This Friday, eight counties will sign an agreement to manage about 340 miles of the Mississippi River. In so doing, the counties will be taking a major and innovative step that is designed to keep the long arm of the federal government away from northern Minnesota.

Government officials hail MHB river plan

U.S. Sen. Dave Durenberger, Congressman Jim Oberstar, Gov. Al Quie and Attorney General Warren Spannaus joined in hailing the progress of the Mississippi Headwaters Board (MHB) alternative for local protection and control of the Upper Mississippi river.



EDITORIAL Senate hearing

The Upper Mississippi Headwaters Board, billed by some as a model for local government control, was the focus of a U.S. Senate subcommittee hearing Tuesday in Grand Rapids. The hearing is made up of representatives from Morrison County north—including Crow Wing, Cass, Aitkin, Beltrami and Itasca.

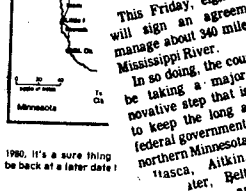
Each county selected one of its board members to represent them. Robert G. Nesseth, Itasca County Administrator, was the only one to have moved "editorial ver."

Mississippi River Headwater counties to set ordinance hearings. Public hearings to secure information from the public about proposed Mississippi River ordinances are being formulated by the Upper Mississippi River Headwaters Board.

December to seek financial assistance and to establish a permanent governing board to regulate the ordinances for the river. The Minnesota legislature will be asked to underwrite the costs for the first two years of operation of the joint board.

A special law would have to be enacted, Priesnitz said, for the funds to be secured from the state. The bill to get the funds, if approved by the legislature, would then be approved by each county before it would be signed into law.

When would establish a permanent board under state law and provide for its funding. "We're requesting \$174,750 and multiple..."



1980, it's a sure thing to be back at a later date!

Sen. Bob Lessard, DFL-International Falls, came up with the idea of the joint powers alternative. Lessard approached one of the state's leading environmentalists, Mike Priesnitz, a former DNR assistant commissioner, to draft the joint powers

Our future demands the new ideals you represent. Attorney General Spannaus, another early backer of the plan, hailed the plan as unique and said that it shows what can be done when local citizens and officials work together. "The toughest job is to make sure the plan works right, protect the river for the future and to maintain the high quality of life in Minnesota."

Lessard's plan would allow the type of local control that has been advocated again and again by northern Minnesota residents. It would have the advantage of taking into consideration local and unique factors in providing management of the river.

The plan will rise or fall on how it addresses the environmental protection of the Mississippi. If the federal government sees the counties' plan as an effort merely to sidestep the federal protection, chances are they will opt for their own plan. If, however, the Carter Administration and the park service see a sound local alternative while providing protection for the river that they see as necessary, they may go along with it. The federal government will be watching the development of the plan closely.

Local control deserves a chance. Credit the counties for coming up with this approach. It is one of the best developments in environmental protection in recent years, and we hope for its success.

4. **Cooperation is Flexible and Versatile.** One of the outstanding advantages of interlocal cooperation is its flexibility in adapting to new conditions which may develop after communities are already cooperating in a particular local government service. Everyday problems that occur can be remedied within the practical framework of cooperation without necessitating major changes in the legal or administrative rules.
5. **Cooperation Allows Flexibility of Boundaries.** Cooperation has the added advantage of being able to include other units of government in the agreement should they have need for the particular service.
6. **Cooperation is Politically Feasible.** Cooperation does not result in the political re-structuring of an area. No units of government are eliminated and, usually, none created. Citizens still retain control over the function through their elected and appointed local governmental officials.
7. **Cooperation Results in the Better Performance of a Service.** Cooperation, if properly performed, can result in the infusion of new ideas and original approaches to problem solutions that better serve the local citizen. This is no small factor in an age of complexity and citizen participation in government.
8. **Cooperation Protects the Political Identity of the Community.** Most persons are extremely proud and protective of their independent political existence. Although a municipality may lose partial control over the administration of the function in the process of cooperation, it does not give up its political identity.

The current Mississippi Headwaters Board membership is:

- Mr. Virgil Foster, Chairman (Cass County)
- Mr. Felix Kujawa, Vice Chairman (Morrison County)
- Mr. George Predovich, Secretary/Treasurer (Itasca County)
- Mr. Al Gerner (Beltrami County)
- Mr. Alvin Hauge (Crow Wing County)
- Mr. Ervin Kahlstorf (Hubbard County)
- Mr. Donald McCollum (Clearwater County)
- Mr. L.H. "Gus" Schroeder (Aitkin County)

From the Board's perspective, the plan they developed had several major advantages over the federal management alternative. Some of these advantages include:

1. **Cost**
By adoption of strong local zoning ordinances, sound management of existing state and county lands, judicious purchase of lands or scenic easements from willing sellers and more use of existing opportunities for land exchanges, the MHB plan could better protect the river at a lesser cost.

2. **Responsiveness**
Because the plan was to be prepared by the joint powers board it would uniquely strike the balance needed to respond to local concerns while accounting for the broader public interest.
3. **Public Support**
The effort generated considerable public support. Public support is essential to the ultimate success of any plan.
4. **Protection**
The essential goal of the Mississippi Headwaters Board was to prepare and implement a comprehensive, interlocal plan to protect the upper 400 miles of the Mississippi River. While the MHB plan would propose to develop facilities and opportunities for diverse recreational uses of the river and its adjacent lands, there were concerns about overuse that could result from federal designation. The book on river protection, **Flowing Free**, concluded that: "On the plus side, local or regional programs, escaping the publicity that attends federal or state scenic status, are less likely to result in large increases in recreational use."
5. **Timing**
The implementation of the joint powers plan could also be conducted in a more timely fashion than could a new federal program.

PLAN FORMULATION PROCESS

At the beginning, many state and federal officials and citizens were skeptical of both the Board's motives and its abilities to protect 400 miles of the Upper Mississippi River.

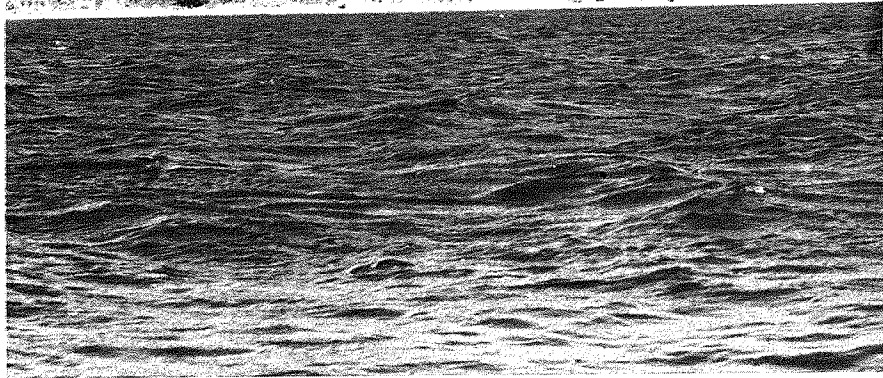
The MHB recognized that if they were to have any hope of convincing these skeptics, the plan they were to develop would have to consider a broad range of interests beyond those of strictly a local nature. For this reason the MHB's first step in the process of developing an alternative management plan was to establish a technical advisory committee and a citizens advisory committee, with membership of these advisory committees to include the broadest possible range of perspectives.

The Board's decision to involve all interested parties directly in the planning process proved to be perhaps the most critical to the ultimate success of the program.

The Technical Advisory Committee was formed to review study drafts, discuss management policy alternatives, and to advise the MHB on the technical and procedural aspects of the management plan to ensure that it established sound land and water management objectives.

The current membership of the Technical Advisory Committee is:

- Dan Logelin
Dir. of Environmental Services
Clearwater County



Bob Hoffman
Forester, Land Department
Hubbard County

Lennard C. Bergstrom
Land Commissioner
Beltrami County

Merlyn L. Wesloh
Regional Administrator
Department Natural Resources

Carol Newstrand (Chairperson)
Planning & Zoning Administrator
Cass County

Charles L. French
Township Officer

Terry Greenside
Planning & Zoning Administrator
Itasca County

Roger Howard
Land Commissioner
Aitkin County

Otto Schalow
Planning & Zoning Administrator
Crow Wing County

Jo Barnier
Public Affairs Specialist
Chippewa National Forest
Route 1, Box 25
Cass Lake, MN 56633

Roger Kanten
Land & Forest Department
Clearwater County

Vern Massie
Planning & Zoning Administrator
Hubbard County

William J. Patnaude
Planning & Zoning Administrator
Beltrami County

Ruth Smith
Township Officer

Larry Olson
Wildlife Manager, Land Dept.
Cass County

Bill Marshall
Former Land Commissioner
Itasca County

Charles Bonneville
Planning & Zoning Administrator
Aitkin County

Lansin Hamilton
Land Commissioner
Crow Wing County

Kathy Kendall
Planning & Zoning Administrator
Morrison County

Paul Swenson
Supervisor, River Section
Department of Natural Resources

Mel Gullickson
Wood Fibers Employees Legislative Council
Inger Route
Deer River, MN 56636

The second advisory committee established by the MHB was the Citizens Advisory Committee. The primary purpose of this committee was to critique the study drafts prepared by MHB's consultant, staff and Technical Advisory Committee and to advise the Board as to any plan changes needed to account for the broadest possible range of interests affected.

The committee membership represents land-owners, agricultural, forestry, conservation, business and labor interests. With this diverse membership, the Citizens Advisory Committee was able to advise the board on various plan elements and policy decisions to ensure that it was responsive to public concerns.

The current membership of the Citizens Advisory Committee is:

Mr. Alvin Katzenmeyer
Lake Itasca, MN 56460

Mrs. Alice Dreyer
Star Route, Box 96
Bemidji, MN 56601

Mr. Dick Compton (Chairman)
Bena, MN 56626

Mrs. Helen Thorwardson
Lake Itasca, MN 56460

Mr. William Sliney
Rural Route 8
Bemidji, MN 56601

Mr. John Hohncke
Route 1, Box 87A
Little Falls, MN 56346

Mr. Alf Madsen
318 3d Avenue SE
Grand Rapids, MN 55744

Mr. Russel Ruud
Route 1
Palisade, MN 56469

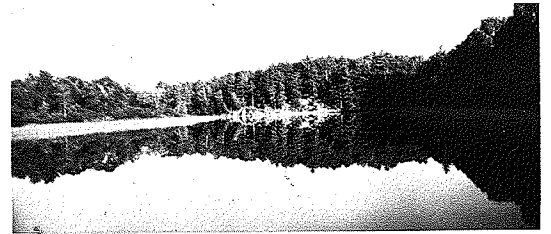
Mr. Donald Crust
Route 3, Box 221
Brainerd, MN 56401

Mr. Vincent Cafaro
P.O. Box 533
Bemidji, MN 56601

Otto Norenberg
Route 2, Box 63
Cass Lake, MN 56633

Mrs. Elayne Maki
Citizens Action Group
Route 1, Box 242
Deer River, MN 56636

Mr. Bill Cook
Route 3, Box 257
Aitkin, MN 56431



Mr. David Wilander
Becida, MN 56625

Mr. Cal Bengston
206 Riverwood
Little Falls, MN 56345

At-Large Members:

Mr. Jake Nordberg
United Power Association
Jacobson, MN 55752

Mr. Ford M. Robbins, P.A.
1200 2nd Avenue S., Suite 205
Minneapolis, MN 55403

Mr. Claude Titus
Mississippi Headwaters Assn.
Manager, Grand Rapids Area
Chamber of Commerce
Grand Rapids, MN 55744

Mr. John Zakelj
Audubon Society
250 Fuller
St. Paul, MN 55103.

Mrs. Laddie Elwell (alternate)
Route 8, Box 479
Bemidji, MN 56601

Mr. Archie D. Chelseth
Northwest Paper Division
Potlatch Corporation
P.O. Box 510
Cloquet, MN 55720

Mr. Wes Libbey
Izaak Walton League of America
Route 5, Box 282
Grand Rapids, MN 55744

Mr. Don Ledin, Exec, Director
MN Assoc. of Farmers,
Landowners & Sportsmen
C. W. Michael Building
490 North Snelling
St. Paul, MN 55104

Mr. Duane Moran
700 Minnesota Street
Bemidji, MN 56601

Both the Technical and Citizens Advisory Committees contributed greatly to the formulation of the entire MHB program. Committee members spent literally hundreds of hours evaluating program alternatives for the MHB.

The MHB and its advisory committees began work on its plan in March, 1980, and met biweekly throughout the planning process. Concurrently the National Park Service was preparing its plan for National Wild and Scenic River designation and management.

In July, 1980, the first draft of the MHB plan was distributed for public review, and, in August, public meetings were held throughout the region to solicit citizen comments on the plan. Also in August, 1980, the National Park Service released its draft "Conceptual Master Plan" for river management.

With both plans out for public review, Department of Interior and MHB officials agreed to meet to discuss the river protection options.

In September, the MHB responded to concerns about its management plan, which were raised by the Assistant Secretary of Interior, Robert Herbst. In October, the MHB revised its final plan and formally adopted it.

The final MHB plan also had to be adopted by each of the eight participating county boards. Public hearings were held in each county and the plan was adopted by the commissioners of all eight counties by a vote of 39 to 1.

In December 1980, the National Park Service held a final series of public meetings, at which time Department of Interior officials announced that its plan would be "shelved" and that the MHB plan for cooperative local management would be accepted by them as an alternative management proposal.

However, Department of Interior approval of the MHB was contingent on the MHB seeking and receiving state legislation which would:

1. **Ensure a permanent Board,**
2. **Vest the Board with necessary authority to carry out its plans, and**
3. **Obtain state cost-sharing assistance for plan implementation.**

PROGRAM DESCRIPTION

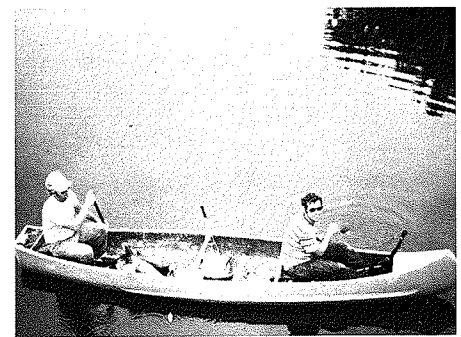
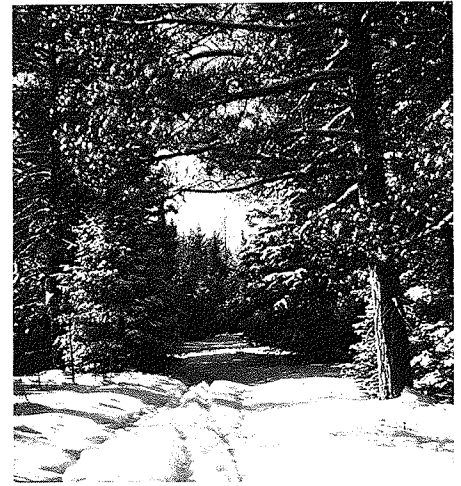
The final MHB management plan was approved and printed in January, 1981. This plan, which is referred to in the enabling state legislation, calls for the Mississippi Headwaters Board to protect and manage the upper 400 miles of the Mississippi, from Lake Itasca to the southern boundary of Morrison County.

Under the MHB plan, there are three major methods by which the board, and its member counties are to provide this protection and management: (1) the adoption and administration of comprehensive land and water use ordinances to control shoreland development, (2) management and improvement of public recreational opportunities on and along the River, and (3) establishment of public land management programs designed to improve the fish and wildlife, forestry, and the aesthetic qualities of the River and its adjacent lands.

Because all of these major areas of concentration include a number of specific objectives, and provide the basis of the program, they will be addressed in greater detail:

Administration

The plan calls for the adoption of comprehensive ordinances by each member county, and the Board, itself. These ordinances provide the primary method for guiding land use and preventing uncontrolled or unplanned development.



The model ordinance prepared by the MHB ensures the perpetuation of the essential environmental qualities which make the Upper Mississippi River such an important public resource. The ordinance provides minimum standards for the placement of structures along the River, regulates sewage system design and installation, regulates cutting of vegetation, and prohibits commercial or industrial use(s). The model ordinance also establishes criteria for the placement of utility transmission lines, public roads and bridges, and grading and filling activities.

In addition to these standards for the river protection, the model ordinance also regulates development along eight (8) headwaters lakes.

The model ordinance adopted by each county, is administered through their respective county planning commissions, boards of adjustment and zoning offices. However, exceptions to the model ordinance standards, such as variances, rezoning or inconsistent plats, must be reviewed and approved by the Mississippi Headwaters Board. The MHB also reviews all conditional use permit applications.

Recreation Management

The maintenance and rehabilitation of existing river recreational sites and the acquisition and development of new ones is a major objective of the MHB plan.

The plan calls for the MHB to assume a leadership role as coordinator of public recreation management activities.

The plan stresses the use of existing public lands for locating most of these recreational opportunities; however, it also recommends the acquisition of important lands, or interests in lands. Acquisitions are to be on a willing seller basis only.

The plan also proposed that a recreational facility and use inventory be completed to assess demand and ensure that only facilities compatible with river protection be developed. A river-oriented, recreational trails system is envisioned in the plan. Finally, the plan proposes facility development for river users.

Since the Mississippi River and its shoreline were used as a prime travel route for the exploration and settlement of the region, it is very rich in historical and cultural value. For this reason the plan recommends that the Board actively pursue the preservation and restoration of historically-significant sites along the upper 400 miles of the River.

Land Management

The river management area established by the MHB is over 100,000 acres in size. Of this total acreage, approximately 50% is in public ownership. The public ownership is a mixture of federal, state and county lands.

With such a significant amount of public ownership, the MHB and its advisory committees felt that much could be done with this resource to improve river protection and management.

The plan, therefore, calls for employing a variety of land management techniques to improve fish and wildlife habitat, better manage the forest resource, and maintain the aesthetic qualities of the shoreland area.

Land exchanges are recommended in the plan to consolidate public ownership in order to reduce agencies' administrative costs and create new land management opportunities.

Forest management plans are required to be submitted to the MHB prior to timber harvesting in order to ensure the protection of aesthetic qualities of the shoreline and to also ensure reforestation of these areas.

To further improve the management of these public lands for public benefits, the plan recommends the forest inventory of public lands within the river corridor be accelerated.

Specific fish and wildlife improvement projects are also recommended in the plan.

Finally, recognizing the value of these public lands within the established river corridor the plan recommends that these lands be permanently retained.

The initial funding for the preparation of the MHB plan and its program implementation were derived solely from county funds and private contributions. The funds raised were for the period from program start-up in March, 1980 through June 30, 1981. Many felt that if the program was to be successful, a permanent board, with permanent authority and financing would have to be established. The Department of Interior's contingencies for MHB plan approval reflected these public concerns.

In December, 1980, the MHB's staff and legal counsel met with the Attorney General's Office to begin drafting legislation which would address these concerns.

After much input was received on the proposed legislation, a bill (S.F. 2/H.F. 510) was introduced in the 1981 Legislative Session.

Concurrently, a biennial budget request for a state cost-share program was made to the Legislative Commission on Minnesota Resources (L.C.M.R.).

After many hearings, the necessary MHB legislation was unanimously approved by the State Senate and passed by an overwhelming margin in the House. The legislation which was finally enacted required county board approval by each participating county before it became effective.

The 1981 Legislature also enacted a 50/50 state cost-share assistance program. The L.C.M.R. provided a matching grant of \$160,000 for the 1981-83 biennium. The approval was made to the De-



partment of Natural Resources to be used as a grant to the Mississippi Headwaters Board.

1981-83 BIENNIAL PROGRAM OBJECTIVES

This description addresses the actions taken by the board in order to implement the objectives of both the MHB enabling legislation (M.S.A. 114B et. seq.) and the L.C.M.R. work program. **For purposes of this report, the activities, projects and financial data are for the period July 1, 1981 to December 1, 1982.**

The MHB set six (6) major objectives to be accomplished during its first two years of operation. The six objectives which were made a part of the L.C.M.R. 1981-83 biennial work program are:

1. Carry out regular MHB administrative and operational activities.
2. Amend and update the current management plan and land use ordinances to reflect provisions of the 1981 legislation establishing the MHB as a permanent board.
3. Implement the recreation and historic site planning and management portion of the management plan.
4. Develop public involvement and informational services.
5. Develop a program for intergovernmental cooperation and communication.
6. Initiate special projects and activities.

Much work has been accomplished toward implementation of these objectives. **A summary of the specific projects or tasks carried out by the Board under each of these objectives is provided:**

1. Carry Out Regular MHB Administrative and Operational Activities.

- * When L.C.M.R. funding was received, a formal agreement describing the terms and conditions for transfer of funds from DNR to the MHB was signed by the respective agencies.
- * Procedures were established by the MHB to ensure compliance with the requirements of the enabling legislation and the L.C.M.R. appropriation.
- * The MHB established a central administrative office in the Cass County Courthouse at Walker.
- * The Cass County Auditor was designated as the fiduciary agent for the MHB.
- * A personnel subcommittee was established by the MHB to handle the hiring of an Executive Director, and other support staff.
- * The MHB held regular monthly meetings to conduct its business. Minutes of each meeting have been prepared and distributed.

2. Amend and Update the Current Management Plan and Land Use Ordinances to Reflect Provisions of the 1981 Legislation Establishing the MHB as a Permanent Board.

* The MHB legislation required that each member county adopt the legislation; and that they also adopt the MHB management plan and ordinance cited in the legislation. All member counties adopted the legislation and ordinance.

* However, in August, 1981, the County of Beltrami amended that ordinance by exempting six headwaters lakes and approximately seven river miles of the Mississippi River within Beltrami County from the coverage of the Mississippi Headwaters Zoning Ordinance. In response to the exemption made by Beltrami County, the Minnesota Department of Natural Resources filed a Petition for Alternative Writ of Mandamus which, in essence, asked the District court to direct Beltrami County to implement and enforce the Mississippi Headwaters Zoning Ordinance. The Mississippi Headwaters Board, with the unanimous support of the C.A.C., was granted leave to submit a Brief as Amicus Curie to the Minnesota Department of Natural Resources. In **Minnesota Department of Natural Resources v. the Board of Commissioners of Beltrami County**, (District Court, Ninth Judicial District) decided March 24, 1982, the Court held that Beltrami County could not exempt the areas in question from the minimum standards of the Mississippi Headwaters Zoning Ordinance. As a result of that decision, Beltrami County began to, and continues to implement and enforce the minimum standards in all areas of Beltrami County under the Mississippi Headwaters Zoning Ordinance.

* The MHB and county staffs are processing all applications required under the ordinance. Necessary site inspections are conducted by county and MHB personnel.

* Procedures have been established by the MHB for the consistent administration of the ordinance by all participating governmental units and agencies.

* Regular communication has been maintained between the MHB and county zoning offices as well as with other appropriate agencies and the advisory committees to ensure timely review of permit applications. All permit applications brought to the MHB for review and certification have been acted on within the 30-day period specified by law.

* Through this process, there has been a marked improvement in the quality and extent of review conducted by county zoning offices, planning commissions and boards of adjustment. Consequently, the MHB has fewer applications coming to it for approval where the requests are unjustified, based on the ordinance criteria.



**THE STEAMER
POKAGAMA,**
Will Make
Tri-Weekly Trips.
Carrying
FREIGHT AND PASSENGERS,
Between
Little Falls & Brainard

Leaving Little Falls every Tuesday,
Thursday, and Saturday, at
6 o'clock A. M.,
Leaving Brainard every Monday, Wednesday
and Friday morning, at 6 o'clock
A. M., for Little Falls.
All freight sent to care of C. COBURN, Agt.
St. Paul & Pacific R. R. Co., at Sauk Rapids,
or to A. TANNER, Little Falls, will be
promptly forwarded.
Freight from Little Falls to
Crow Wing.....20c per 100 lbs.
To Brainard.....25c per 100 lbs.
N. SINKS, Clerk. 5m2 GEO. HOUGHTON, Captain.

3. Implement the Recreation & Historic Site Planning and the Land Management Objectives of the Management Plan.

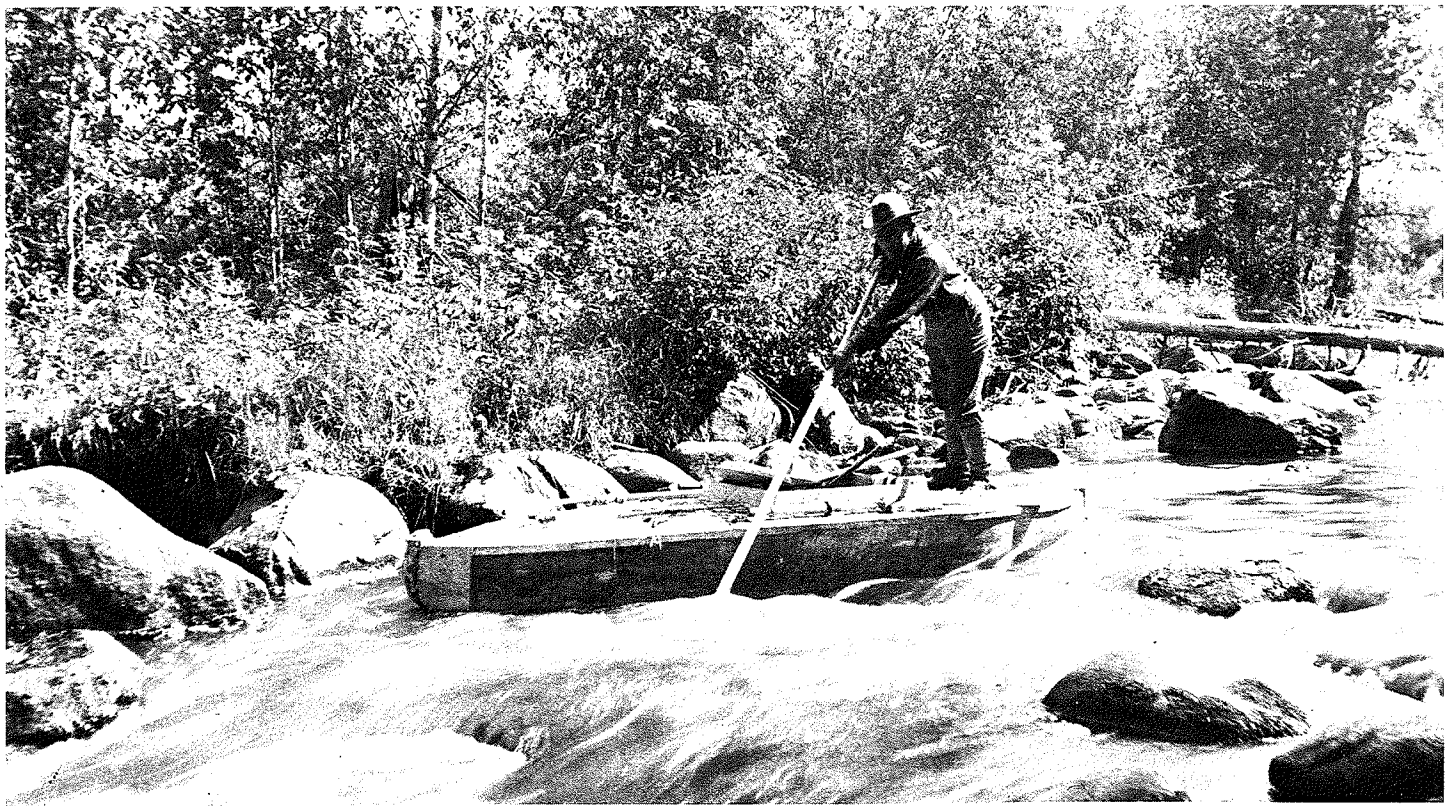
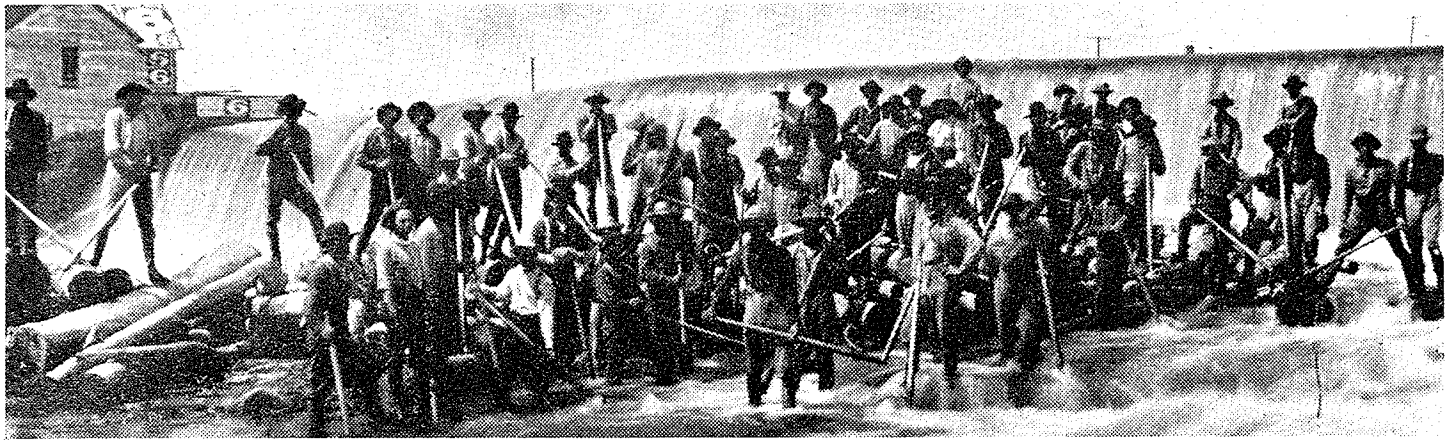
- * A multi-agency review of recreation areas and facilities along the upper 400 miles of Mississippi River was conducted.
- * In Morrison County, recreational park acreage was acquired and initial development begun.
- * In Aitkin County, major rehabilitation work was done in one county park; a new picnic shelter building was constructed in another. Public access, road and day-use facility improvement were made in a third riverside park. Planning was completed for a road improvement and bike path construction project, which will connect with a similar project in Itasca County.
- * In Itasca County, improvements were made to existing river accesses. Preliminary work was done on two new accesses. A road improvement and bike path construction project located along the river was also completed.
- * In Crow Wing County, a new access was completed; work was also done on a riverside picnic area.
- * In Hubbard County, a bridge project was completed by the county and the DNR.
- * In Clearwater County, a new public access near the headwaters of the Mississippi was constructed through a cooperative state and county effort.
- * The MHB staff worked with private organizations to secure protection of a French fur trading post site.
- * The MHB provided staff support and assistance to Itasca County in their effort to purchase an important recreational and historic site known as White Oak Point. This project was submitted for LAWCON funding. The grant request was approved by the L.C.M.R. and the L.A.C. in 1982. MHB and county staff are currently negotiating the purchase of the property.
- * A forest inventory and management plan were completed for all state and county lands within the river corridor in Hubbard County. The MHB reviewed and approved this management plan.
- * A forest management plan for county lands in Clearwater County was completed by the land commissioner's office. This plan was also reviewed and approved by the MHB.
- * Forest inventory and management planning activities were begun on lands along the River in Aitkin, Crow Wing, Itasca, Cass and Beltrami Counties.
- * Timber appraisals, sales and reforestation activities were carried out in Clearwater,

Hubbard, Beltrami, Cass, Itasca, Aitkin and Crow Wing Counties.

- * The MHB also reviewed DNR forest land management plans which were presented to it.
- * Fish and wildlife improvement projects were completed in Cass County.
- * Aitkin, Crow Wing and Itasca Counties investigated land exchange possibilities with private owners in order to consolidate public land holdings along the River. Aitkin County held several public hearings regarding a major (several thousand acres) land exchange it was proposing. However, this exchange is being re-examined and redeveloped consistent with a recent Attorney General's ruling.

4. Develop Public Involvement and Informational Services.

- * An advisory committee composed of 23 citizens representing a diverse group of interests has been established by the Board. Nominations to the committee were solicited from each of the county boards. Additional memberships on the committee, representing a broad range of statewide interests, were also submitted to the Board for their approval. Committee membership includes local citizen leaders and representatives of landowners, conservation, forestry, agriculture, and other interests.
- * The Citizens Advisory Committee has adopted a "Purpose & Responsibility Paper" which defines its function and relationship to the MHB. This paper also sets the procedures for the election of a chairman, replacement of members, and meeting procedures.
- * The Citizens Advisory Committee has held quarterly meetings to review the progress of the MHB on various elements of its L.C.M.R. work program and to advise the Board on important issues which require MHB action.
- * Citizen Advisory Committee members have received copies of all relevant zoning applications so that they can advise the MHB.
- * The MHB holds regular monthly meetings, which are open to the public, to conduct its business. Agendas are prepared and disseminated to the news media, interested groups, and the general public.
- * There have been numerous requests for information about the MHB from throughout Minnesota, and from other states, as well. MHB staff responds to all these public inquiries and does the necessary follow-up.
- * The MHB program has been featured on numerous television and radio programs and has been the subject of over 400 newspaper articles.
- * The MHB has also developed an informational brochure about its program. Brochures have



been made available to the public through the MHB, county, DNR, and U.S.F.S. offices.

- * MHB and county staffs have also prepared an ordinance summary. Copies of the ordinance and the summary are available to the public through the county zoning offices or from the MHB.

5. Develop a Program For Intergovernmental Cooperation and Communication.

- * The MHB has spent much time working with other state and federal agencies, as well as the member counties themselves, to prevent duplication of efforts and improve interagency cooperation.
- * A formal cooperative management agreement between the MHB and the DNR was signed in July, 1981. The agreement is designed to ensure compatible management of public waters.
- * A formal cooperative agreement and memorandum of understanding was signed between the MHB and the U.S. Forest Service in December, 1981. This agreement ensures cooperative land, water and recreation management by the U.S. Forest Service, MHB and its member counties, within the boundaries of the Chippewa National Forest.
- * The MHB also sent a proposed cooperative agreement to the U.S. Bureau of Land Management (B.L.M.) which owned many islands on the upper 400 miles of the Mississippi River.

This agreement, however, was held in abeyance, at the request of the B.L.M. until the issue of possible transfer of these land holdings had been resolved. The B.L.M. has reached agreement to transfer these lands to the State of Minnesota. Therefore, a cooperative management agreement is no longer necessary with the U.S. Bureau of Land Management. Mississippi Headwaters Board staff sent a letter requesting acknowledgement of this situation to the B.L.M.

- * The MHB legislation also directs the Board to negotiate a cooperative management agreement with the Leech Lake Reservation Business Committee. At the time of this report a cooperative management agreement between the Mississippi Headwaters Board and the Leech Lake Reservation Business Committee for the management of land lying within the exterior boundaries of the Leech Lake Indian Reservation has not been reached. Throughout the past year, negotiations have been conducted between the Mississippi Headwaters Board and the Leech Lake Reservation Business Committee for the purpose of reaching a cooperative management agreement. Part of the effort made by the Mississippi Headwaters Board includes its attempt to de-

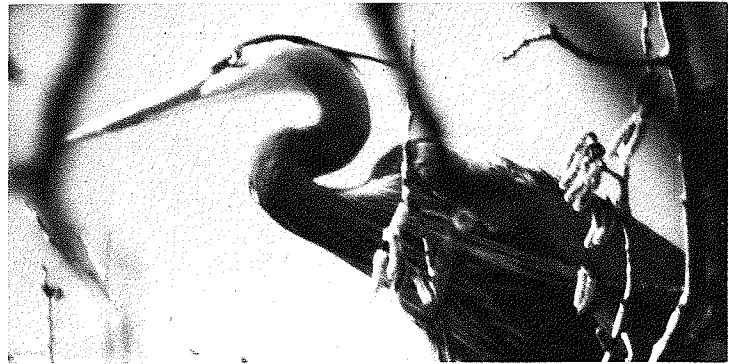
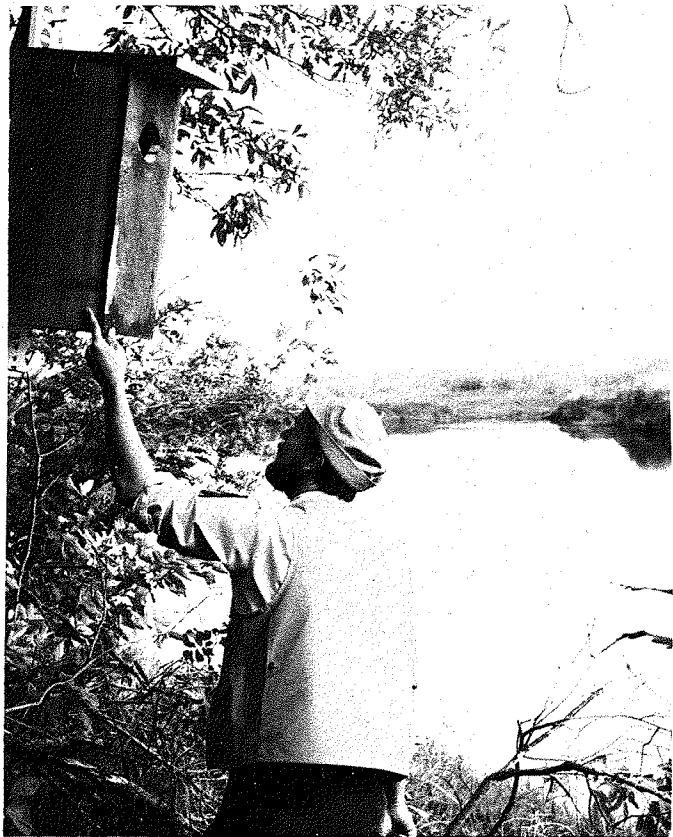
termine the interests of the four counties that will be affected by the cooperative management agreement, namely, the counties of Beltrami, Cass, Hubbard, and Itasca. During the past year, the Mississippi Headwaters Board has formulated and submitted two management proposals to the Leech Lake Reservation Business Committee. The Leech Lake Reservation Business Committee declined to accept either of those proposals. However, progress has been made. In its most recent proposal, the Mississippi Headwaters Board recognizes the management authority of the Leech Lake Reservation Business Committee over Indian Trust lands.

The remaining issue of disagreement concerns the management authority over fee lands that lie within the exterior boundaries of the Leech Lake Indian Reservation. In its attempt to reach an agreement on that issue, the Mississippi Headwaters Board has proposed that the Mississippi Headwaters Board would exercise primary management authority over all fee lands. The Leech Lake Reservation Business Committee, however, has declined to accept that proposal. At this time, negotiations are in progress.

- * Several cooperative recreational development projects have also been undertaken with state agencies. Recreation projects are being cooperatively developed under the Great River Road Program by Clearwater, Cass, Itasca and Aitkin Counties.
- * The concurrent review of permit applications and site inspections by MHB, DNR and county staffs has been encouraged in order to improve interagency response(s), reduce response time, and minimize conflicts.
- * The MHB hosted a meeting of state and county engineers and DNR officials to discuss road projects and bridge crossings. Interagency coordination regarding public water and land use permit reviews has been significantly improved.
- * The MHB Technical Advisory Committee, which includes federal, state and local officials meets on a regular basis to discuss areas where interagency communications and management activities can be improved.

6. Initiate Special Projects and Activities.

- * The MHB has arranged legislative tours and briefings to discuss the program.
- * A congressional field hearing was held in Grand Rapids by the U.S. Senate Intergovernmental Relations Subcommittee of the Governmental Relations Committee to discuss the MHB program and other non-federal management alternatives.
- * MHB staff gave presentations at the National Association of Counties' Western Conference.



- * MHB staff served as panelists at two (2) workshops on land acquisition and management alternatives, which were sponsored by the U.S. Senate Public Lands and Reserved Waters Subcommittee of the Senate Energy and Natural Resources Committee.
- * MHB staff and Citizen Advisory Committee members also spoke at other conferences on land policy and management alternatives held around the country.
- * The MHB was notified that it will receive an Outstanding Achievement Award from the National Association of Counties for its program.
- * The MHB was also notified that it will receive an Outstanding Achievement Award from the Association of Minnesota Counties.
- * MHB staff discussed its program and the opportunities for its application elsewhere at a recent National Conference on Water Policy.
- * The MHB also applied for a private foundation grant to provide some special public information services.
- * The member counties themselves have also worked on special projects. For example, in Cass County, the wildlife specialist works co-

operatively with the U.S.F.S. on bald eagle and osprey management. This year, the Cass County wildlife specialist also placed wood-duck nesting houses along the Mississippi. Further, the Aitkin County zoning office conducted a special survey of all sanitary sewage systems along the river within the county. This study also included follow-up with property owners to ensure that substandard sewage treatment systems were corrected.

FINANCIAL

The grant formula is specified in M.L. 1981, Chapter 356, Sec. 31, Subd. 4-q. The grant requires the expenditure of funds, or equivalent services by the eight member counties. County funds and services must be for the implementation of various elements of the plan and program authorized by M.S. Chapter 114.B. These county expenditures are then submitted to the DNR by the Mississippi Headwaters Board, acting as agent for the member counties. The DNR, after review and approval of county expenditures, is then authorized to reimburse the Mississippi Headwaters Board for an amount up to 50% of the total project cost. The actual disbursement of funds for the Board is made through the Cass County Auditor's Office.

SIGNIFICANT STATISTICS:

County Expenditures By Fund

7/1/81 — 12/1/82

	Tax Forfeit Res. Mgmt./ Reforestation	County Parks & Recreation	General Revenue	Com- munity Health	Road & Bridge
Aitkin	\$7,344	\$23,552	\$ 3,818	\$4,337	
Beltrami	3,975		6,874		
Cass	3,024		17,176		\$ 2,425
Clearwater	2,377		3,316		9,432
Crow Wing	3,080	2,922	9,268		
Hubbard	1,008		919		
Itasca	7,900		66,580		
Morrison		4,658	11,167		
	<u>\$28,708</u>	<u>\$31,462</u>	<u>\$119,118</u>	<u>\$4,337</u>	<u>\$11,857</u>
Total —	\$195,482				

1983-85 Biennial Budget Request

	Actual F.Y. 1982	Est. F.Y. 1983	Est. F.Y. 1984	Est. F.Y. 1985
Total Expenditures by Member Counties for program implementation:	\$138,965	\$151,000	\$176,000	\$176,000
Total Expenditures of State Grant:	\$ 56,475	\$103,525	\$ 91,000	\$ 91,000
Administrative Cost (DNR from Grant):	-0-	-0-	\$ 13,500	\$ 13,500



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Considerable information and data used in the preparation of this report were available from publications, records and files of Aitkin, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, and Morrison Counties.

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