

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

MINNESOTA STATE REGULATION

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Department of Natural Resources
(Agency or Board)

Regulation No. NR 1000 (amended)

Subject: Boundary Waters Canoe Area

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
MAY 21 1974 10:05 am
BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 5-21-74

Rev. 9-72

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST, COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES, STATE OF MINNESOTA

In the Matter of Amending or Repealing a Rule of the Commissioner of Natural Resources Governing the Termination Date of Boat Storage Permits Issued by the Commissioner of Natural Resources Under Department of Natural Resources Boundary Waters Canoe Area Rules N.R. 1000 (b) (2) (bb)

AMENDMENT

TO

ORDER FOR HEARING

The Order for Hearing in the above entitled matter is hereby amended to designate Milton Stenlund, Regional Administrator in Natural Resources Region 2, as the hearing officer who shall conduct the hearing.

Dated: January 4, 1974

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST, Commissioner
Department of Natural Resources

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In The Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing The
Termination Date of Boat
Storage Permits Issued by
The Commissioner of Natural
Resources under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

ORDER FOR HEARING

The Commissioner of Natural Resources has determined that it is in the public interest to convene a public rule making hearing pursuant to Minnesota Statutes 1971, § 15.0412, to receive evidence on the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb) pursuant to authority vested in me by Minnesota Statutes 1971, § 84.03.

NOW THEREFORE, IT IS ORDERED this 14th day of November, 1973, that a public hearing on the matters captioned above be held in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., such hearing continuing until all representatives of associations or interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State

for that purpose and all persons who are presently members of the Minnesota Legislature.

IT IS FURTHER ORDERED that notice of said hearing be published once in a legal newspaper in each of the following cities: Duluth, Minnesota; Grand Marais, Minnesota; Ely, Minnesota; and Two Harbors, Minnesota.

IT IS FURTHER ORDERED that C. B. Buckman, Deputy Commissioner of Natural Resources, shall be the hearing officer who shall conduct this hearing.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST
Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971, § 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST
Commissioner

Affidavit of Publication

DNT

Notice of Hearing
State of Minnesota
County of Ramsey

Before Robert L. Herbst, Commissioner, Department of Natural Resources, State of Minnesota.

In the Matter of Amending or Repealing a Rule of the Commissioner of Natural Resources Governing the Termination Date of Boat Storage Permits Issued by the Commissioner of Natural Resources Under Department of Natural Resources Boundary Waters Canoe Area Rules N.R. 1000 (b) (2) (bb).

Notice is Hereby Given that a public hearing will be held pursuant to Minnesota Statutes 1971, 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

STATE OF MINNESOTA,
DEPARTMENT OF NATURAL RESOURCES,
ROBERT L. HERBST,
Commissioner.

D.N.T. Nov. 28, Dec. 5, 1973 No. 2768

State of Minnesota } ss.
COUNTY OF ST LOUIS

ROGER E. WILKINSON

..... being duly sworn, on oath says he is and during all the times herein stated has been the foreman for the publisher and printer of the newspaper known as the Duluth News-Tribune and has full knowledge of the facts herein stated as follows:

1. Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches.
2. Said newspaper is a daily and is distributed 7 days each week.
3. Said newspaper has 25% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements.
4. Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post office.
5. Said newspaper purports to serve the City of Duluth in the County of St. Louis and it has its known office of issue in the City of Duluth in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the publisher or persons in his employ and subject to his direction and control during all such regular business hours and at which said newspaper is printed.
6. Said newspaper files a copy of each issue immediately with the State Historical Society.
7. Said newspaper has complied with all the foregoing conditions for at least two years preceding day or dates of publication mentioned below.
8. Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966, and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of hearing ..... hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for 2 times successive weeks; that it was first so published on Wednesday the 28 day of November 19 73 and was thereafter printed and published on every week to and including Wednesday the 5 day of December 19 73 and that the following is a printed copy of the lower case alphabet A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz—6 Pt.
abcdefghijklmnopqrstuvwxyz—5½ Pt.

Roger E. Wilkinson

Subscribed and swore to before me this 5 day of December 19 73

Grace D. Renquist

GRACE D. RENQUIST
Notary Public, St. Louis County, Minn.
My Commission Expires Dec. 13, 1978

Notary public, ... County, Minnesota
My Commission Expires ..... 19.....

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA,
County of Lake } ss.

James Hunt being duly sworn on oath says: that he now is, and during all the times herein stated has been the publisher X and printer ..... of the newspaper known as Two Harbors Chronicle & Times and has full knowledge of the facts herein stated. That for more than one year immediately prior to the publication thereof of the printed

Notice of Hearing

hereto attached, said newspaper was printed and published in the English language from its known office of publication within the City of Two Harbors in the county of Lake, State of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing of the same: Two Harbors Chronicle & Times

has had in its makeup not less than fifty per cent of its news columns devoted to local news of interest to said community it purports to serve, the press work of which has been done in its said known office of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 500 copies regularly delivered to paying subscribers; has been entered as second class mail matter in the local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualification as a newspaper for publication of legal notices; and that its publishers have compiled with all demands of said County Auditor for proofs of its said qualification.

That the printed Notice of Hearing

hereto attached as part hereof was cut from the columns of said newspaper; was published therein in the English language once each week for 2 successive weeks; that it was first so published on the 29th day of Nov., 1973 and thereafter on Thursday of each week to and including the 6th day of Dec., 1973 and that the following is a copy of the lower case alphabet which is acknowledged to have been the size and kind of type used in the said publication of said

Notice of Hearing

abcdefghijklmnopqrstuvwxyz

James D. Hunt

Subscribed and sworn to before me this 6th day of December, 1973.

Lois A. Lundberg

LOIS A. LUNDBERG
Notary Public - Lake Co., Minn.
My Commission Expires Nov. 30, 1977

Clerk of Court, Notary Public, County, Minnesota.

My commission expires

NOTICE OF HEARING
Before Robert L. Herbst
Commissioner Department
Of Natural Resources
State of Minnesota

State of Minnesota
County of Ramsey
In the Matter of Amending or Repealing a Rule of the Commissioner of Natural Resources Governing the Termination Date of Boat Storage Permits Issued by the Commissioner of Natural Resources Under Department of Natural Resources Boundary Waters Canoe Area Rules N.R. 1000 (b) (2) (bb).

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971, 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

STATE OF MINNESOTA
Department of Natural Resources
Robert L. Herbst
Commissioner

Ch. Nov. 29, Dec. 6, 1973

NOTICE OF HEARING

STATE OF MINNESOTA
COUNTY OF RAMSEY
BEFORE ROBERT L. HERBST
COMMISSIONER
DEPARTMENT OF NATURAL RESOURCES
STATE OF MINNESOTA
NOTICE OF HEARING

In the Matter of Amending or Repealing a Rule of the Commissioner of Natural Resources Governing the Termination Date of Boat Storage Permits issued by the Commissioner of Natural Resources Under Department of Natural Resources Boundary Waters Canoe Area Rules N. R. 1000 (b) (2) (bb).

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971 S 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N. R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973, at Saint Paul, Minnesota.

STATE OF MINNESOTA
DEPARTMENT OF
NATURAL RESOURCES
ROBERT L. HERBST
Commissioner

11/28 & 12/5-73

Publication

STATE OF MINNESOTA } ss.
St. Louis,

Mrs. FRED C. CHILDERS, being duly sworn, on oath says she is and during all the times herein stated has been the publisher and printer of the newspaper known as THE ELY MINER, and has full knowledge of the facts herein stated as follows. (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which is purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulaton currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purport to serve the CITY OF ELY in the County of ST. LOUIS and has its known office of issue in the CITY OF ELY in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by THE PUBLISHER or persons in HIS employ and subject to his direction and control during all such regular business hours and AT WHICH SAID NEWSPAPER IS PRINTED (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966, and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by THE PUBLISHER OF SAID NEWSPAPER and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of Hearing - State of Minnesota, Department of Natural Resources hereto attached as part hereof was cut from the colums of said newspaper, and was printed and published therein in the English language, once each week, for 2 successive weeks; that it was first so published on Wednesday the 28th day of Nov. 28, 1973, and was thereafter printed and published on every Wednesday to and including Dec. 5, 1973, and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

Columbia P Childers

Subscribed and sworn to before me this 6th day of December 1973

Mary G. Anderson

Notary public, St. Louis County, Minnesota

MARY G. ANDERSON, Notary Public, St. Louis Co., Minn.
My Commission Expires March 15th, 1978.

My Commission Expires ..... 19....

Bartsch

AFFIDAVIT OF PUBLICATION

COUNTY OF COOK)
)—ss.
STATE OF MINNESOTA)

RICHARD T. BASE, being duly sworn, on oath says he is and during all the times herein stated has been the publisher and printer of the newspaper known as the Cook County News-Herald and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50 percent of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75 percent of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the Village of Grand Marais in the County of Cook and it has its known office of issue in the Village of Grand Marais in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of Hearing

hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week,

for two successive weeks; that it was first so published on

Thursday, the 29th day of November, 1973

and was thereafter printed and published on every Thursday to and including the

6th day of December, 1973 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz—6 point
~~abcdefghijklmnopqrstuvwxyz—8 point~~

Richard T. Base

Subscribed and sworn to before me this 27th **day of** December **19**73

Betty J. Base

(Notarial Seal)

Notary public, Cook County, Minnesota.

My Commission Expires _____ **19**____

NOTICE OF HEARING
STATE OF MINNESOTA
COUNTY OF RAMSEY
BEFORE ROBERT L. HERBST
COMMISSIONER, DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In the Matter of Amending or Repealing a Rule of the Commissioner of Natural Resources Governing the Termination Date of Boat Storage Permits Issued by the Commissioner of Natural Resources Under Department of Natural Resources Boundary Waters Canoe Area Rules N.R. 1000 (b) (2) (bb).

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971, Sec. 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community-Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

State of Minnesota
Department of Natural Resources
ROBERT L. HERBST
Commissioner

Pub. Nov. 29 & Dec. 6, 1973

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

BEFORE ROBERT L. HERBST
COMMISSIONER OF THE
DEPARTMENT OF NATURAL
RESOURCES

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

Jeffrey P. Featherstone being first duly sworn, deposes and says:

That on the 21st day of November, 1973, at the City of Saint Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, and with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

Jeffrey P. Featherstone

Subscribed and sworn to before
me this 2nd day of January, 1974.

Helen A. Hanauer
Notary Public

HELEN A. HANAUER
Notary Public, Ramsey Co. Mn.
MY COMMISSION EXPIRES
Sept. 12, 1980

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971, § 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST
Commissioner

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

CERTIFICATE

I hereby certify that the attached 309 labels and one sheet constitute the complete list of persons, associations, and other interested groups who as of 2:30 o'clock P .m. this 19th day of November, 1973, have requested pursuant to Minn. Stat. 1971, Section 15.0412, Subd. 4, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearings on proposed rules on the subjects captioned above.

Arlen I. Erdahl
SECRETARY OF STATE
ARLEN I. ERDAHL

By Neil Dion

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

BEFORE ROBERT L. HERBST
COMMISSIONER OF THE
DEPARTMENT OF NATURAL
RESOURCES

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

AFFIDAVIT

OF

MAILING

Margaret M. Winkel being first duly sworn, deposes and says:

That on the 21st day of November, 1973, at the City of Saint Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, and with postage prepaid, to all legislators of the State of Minnesota.

Margaret M. Winkel

Subscribed and sworn to before
me this 3rd day of January, 1974.

Helen A. Hanauer
Notary Public

HELEN A. HANAUER
Notary Public, Ramsey Co. Minn.
MY COMMISSION EXPIRES
Sept. 12, 1980

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971, § 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST
Commissioner

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

BEFORE ROBERT L. HERBST
COMMISSIONER OF THE
DEPARTMENT OF NATURAL
RESOURCES

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Boundary Waters
Canoe Area Rules
N.R. 1000 (b) (2) (bb).

AFFIDAVIT

OF

MAILING

Christine Zabel being first duly sworn, deposes and says:

That she served the attached Notice of Hearing by depositing in the United States mail at the City of Saint Paul, Minnesota, a true and correct copy thereof, properly enveloped, and with postage prepaid, to all persons currently holding one of the above-mentioned permits.

Christine Zabel

Subscribed and sworn to before
me this 2nd day of January, 1974.

Helen A. Hanauer
Notary Public



STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing the
Termination Date of Boat
Storage Permits Issued by
the Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b) (2) (bb).

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1971, § 15.0412, Subdivision 4, in the above entitled matter in the Auditorium, Community Center Building, Ely, Minnesota, on Tuesday, January 8, 1974 at 1:30 o'clock p.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the necessity or desirability of amending or repealing the permit termination date of November 15, 1973, for the storage of boats on State water or land located in the Boundary Waters Canoe Area, under the Department of Natural Resources Rules N.R. 1000 (b) (2) (bb), by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

Dated this 14th day of November, 1973 at Saint Paul, Minnesota.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST
Commissioner

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of Amending
A Rule of the Commissioner
of Natural Resources Governing
the Termination Date of Boat
Storage Permits Issued by the
Commissioner of Natural
Resources Under Department of
Natural Resources Boundary
Waters Canoe Area Rules
NR 1000 (b)(2)(bb)

STATEMENT OF NEED

STATEMENT OF NEED

1. All permits authorizing storage of boats on state land within the Boundary Waters Canoe Area terminated on November 15, 1973, under the terms of Minnesota Regulations NR 1000 (b)(2)(bb).

2. It is desirable to extend the termination date for one year for the following reasons: (1) Alleviate possible economic hardship associated with shutdown of Reserve Mining Company; and (2) allow time to determine the appropriateness and necessity of the stored boat system as a method of making the Boundary Waters Canoe Area accessible to the physically incapacitated or disabled.

ROBERT L. HERBST
Commissioner of Natural Resources

By CB Buckman
CLARENCE B. BUCKMAN
Deputy Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER DEPARTMENT
OF NATURAL RESOURCES
STATE OF MINNESOTA

In the Matter of Amending
or Repealing a Rule of the
Commissioner of Natural
Resources Governing The
Termination Date of Boat
Storage Permits Issued by
The Commissioner of Natural
Resources Under Department
of Natural Resources Boundary
Waters Canoe Area Rules
N.R. 1000 (b)(2)(bb).

FINDINGS
OF
FACT

The above-entitled matter came on for hearing before the Regional Administrator of State Natural Resources Region 2, on January 8, 1974, at 1:30 o'clock p.m. in Room 126 of the Community Center Building, Ely, Minnesota, after proper notice required by Minn. Stat. 1971, Section 15.0412, was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

After affording such interested persons, associations, and other groups opportunity to present oral and written data, statements, and arguments, having heard all of the evidence adduced, and upon the records, files, and proceedings herein, I find the following:

1. The Boundary Waters Canoe Area (BWCA) is an area of approximately one million acres, located within the Superior National Forest, which is managed primarily for its primitive wilderness values. It is adjacent to Quetico Provincial Park in Canada, which is similarly managed. Together these areas encompass a unique interlocking wilderness waterway and include a portion of the historic "Highway of the Voyageurs."

2. Of the land area within the BWCA approximately one-tenth is owned by the State of Minnesota. Most of this state land is

administered by the Commissioner of Natural Resources. The waters of the BWCA are under the primary jurisdiction of the State of Minnesota and are administered by the Commissioner of Natural Resources.

3. The use by the public of state lands and waters in the BWCA is regulated, among other things, by Department of Natural Resources Rules and Regulations, (N.R. 1000), adopted December 31, 1970, and amended June 12, 1972. The use by the public of federal lands within the BWCA is regulated, among other things, by federal regulation 36 CFR, Section 251.85, and accompanying Guides of the Chief of the Forest Service. Both the federal and state rules, and the federal wilderness act 16 USCA § 1133 (d)(5) establish and give recognition to motorized routes within the BWCA.

4. The storage of 50 boats and motors at certain specified sites on state lands and waters primarily on these motorized routes, or on waters partly within and partly without the BWCA, has been authorized by State Regulation N.R. 1000 (b)(2)(bb), for a period ending November 15, 1973, under permits issued by and containing conditions prescribed by the Commissioner of Natural Resources. Although the storage and use of these stored boats within the BWCA is regarded as an intrusion upon the wilderness by many canoeists in the area, and is not in strict keeping with wilderness concepts, substantially all of the lakes upon which they are stored may be lawfully traversed and are traversed by motor boats other than those stored on state lands and waters.

5. These stored boats are used in part by persons who, because of physical incapacity or disability, find it impossible or difficult to travel in the area by canoe.

6. The rental of these boats by the resorts which possess the permits for the storage sites continues to be regarded by resorters

and other persons interested in the economic health of the area as significant to the economic well-being of the resorts and to the economic regions in which these resorts are located, an opinion previously expressed at hearings held in December, 1970. This economic factor is especially important at the western end of the BWCA where Reserve Mining Company's mining operations may be shut down pursuant to an order of federal district court now temporarily stayed. An additional year of permitted boat storage will serve to alleviate possible economic hardship in this area.

7. The continued use of state lands and water for the storage of 50 boats at sites previously designated by special use permit for an additional year will not unreasonably diminish the wilderness value of the BWCA, particularly on the motorized routes or the lakes partly within and partly without the BWCA. Additionally, the storage of motors on boats stored on motorized routes or on the lakes partly within and partly without the BWCA will not unreasonably diminish the wilderness value of the BWCA.

8. During this additional year the comments and suggestions of all interested persons will be invited to the question of whether the continued storage of some or all of these boats on state lands and waters should be continued only for the use of persons under physical incapacity and disability, and, if so, under what conditions and restrictions. Unless boat storage is continued, pursuant to rule and regulation subsequently adopted, for the use of physically incapacitated or disabled persons, the permitted storage of boats and motors on state lands and water pursuant to N.R. 1000 (b)(2)(bb) will terminate on November 15, 1974.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST, COMMISSIONER

by C B Buckman
CLARENCE B. BUCKMAN
Deputy Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ROBERT L. HERBST
COMMISSIONER OF THE
DEPARTMENT OF NATURAL
RESOURCES, STATE OF
MINNESOTA

In the Matter of Amending
A Rule of the Commissioner
of Natural Resources Governing
the Termination Date of Boat
Storage Permits Issued by the
Commissioner of Natural
Resources Under Department of
Natural Resources Boundary
Waters Canoe Area Rules
NR 1000 (b)(2)(bb)

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before Milton Stenlund, Regional Administrator, Region II, Department of Natural Resources, State of Minnesota, on Tuesday, January 8, 1974, at 1:30 p.m., in Room 126, Community Center Building, Ely, Minnesota, after proper notice required by Minnesota Statute 1971, Section 15.0412, was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

After affording such interested persons, associations, and groups opportunity to present oral and written data statements, and arguments, having heard all of the evidence adduced, and upon the records, files, and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that this amendment to Minnesota Regulations NR 1000 (b)(2)(bb), a true copy of which is attached to the original order, is adopted this 10 day of May, 1974.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

ROBERT L. HERBST
Commissioner
Department of Natural Resources

By C B Buckman
CLARENCE B. BUCKMAN
Deputy Commissioner

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Assistant Attorney General Philip J. Olfelt, do hereby declare that I have examined the proposed rules amendment and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

PHILIP J. OLFELT
Assistant Attorney General

Dated: May 10, 1974

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

RULES AND REGULATIONS

Chapter Twenty-One: Boundary Waters Canoe Area

NR 1000 (b)(2)(bb) is amended by changing "November 15, 1973" to "November 15, 1974".

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
MAY 21 1974
BY Ella Staudenmaier
AUTH. SIGNATURE
1005
A.M.

APPROVED AS TO FORM AND EXECUTION
5-21 1974
WARREN SPANNAUS, ATTORNEY GENERAL
BY Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 21 1974 - 9:15 a.m.
Arlen I. Erdahl
Secretary of State