

Mississippi River Corridor Critical Area Program:

**SUMMARY OF STAKEHOLDER ENGAGEMENT AND
POTENTIAL MANAGEMENT OPTIONS**

Report Prepared by Friends of the Mississippi River

For the Minnesota Department of Natural Resources

November 27, 2007

ACKNOWLEDGEMENTS

Friends of the Mississippi River (FMR) would like to thank the individuals who participated in the stakeholder meetings described in this report. This process would not have been successful without the time and thoughtful input provided by stakeholders from a variety of backgrounds and vocations.

FMR also acknowledges the following organizations for their advice and assistance in the design and conduct of the Mississippi River Corridor Critical Area program stakeholder engagement process:

**Minnesota Department of Natural Resources
Minnesota Environmental Quality Board
Metropolitan Council
National Park Service, Mississippi National River and Recreation Area**

The above agencies and individuals in no way bear responsibility for this report. Findings and conclusions are the responsibility of Friends of the Mississippi River, and questions about the report should be directed to FMR as provided below:

**Irene Jones, Outreach Director
Friends of the Mississippi River
360 North Robert Street
Suite 400
Saint Paul, MN 55101
651-222-2193 ext. 11
651-222-6005
E-mail: ijones@fmr.org**

Dave Dempsey assisted in the preparation and drafting of this report.

INTRODUCTION

In October and November 2007, Friends of the Mississippi River (FMR) organized and facilitated a series of stakeholder meetings designed to assist the Minnesota Department of Natural Resources (DNR) in responding to a mandate from the Legislature to report on the status of the state critical area program for the Mississippi River corridor in the Twin Cities region.

The Legislature appropriated funds for and directed the DNR to conduct a study of and report on the program in Minnesota Session Laws 2007 as follows:

SF 2096 – Article 1, Section 4 – Line 28.3 -- *\$50,000 in the first year is for the commissioner, in consultation with the Environmental Quality Board, to report to the house and senate committees having jurisdiction over environmental policy and finance by February 1, 2008, on the Mississippi River critical area program. The report shall include the status of critical area plans, zoning ordinances, the number and types of revisions anticipated, and the nature and number of variances sought. The report shall include recommendations that adequately protect and manage the aesthetic integrity and natural environment of the river corridor.*

DNR contracted with FMR to assist in the study by facilitating a stakeholder engagement process. The purpose of the stakeholder process was to gather and document input from corridor cities, river businesses and developers, and environmental, civic and neighborhood groups about the strengths and weaknesses of the Mississippi River Critical Area program and possible solutions to ensure protection of this local, state and national resource.

DNR also contracted with Dave Dempsey to research potential management options and to assist with writing this report on the stakeholder process, a description of management options generated through the process, and the identification of needs and potential obstacles to implementation of each option, such as dollars, staff, statutory authority, rulemaking, change of approach, change in attitudes, education, and incentives.

This report documents the stakeholder engagement process facilitated by FMR, catalogues the opinions and observations of meeting participants, summarizes the identified strengths and weaknesses, and analyzes management options developed in the stakeholder engagement process. It also contains as appendices a comprehensive set of materials associated with the process, including meeting attendees, meeting summaries, and other items.

STAKEHOLDER ENGAGEMENT PROCESS AND PARTICIPATION

FMR conducted outreach to 315 stakeholders through letters, email reminders and phone calls. The stakeholder list, which was reviewed by DNR and MNRRA, included stakeholders in the following quantities: River Corridor Businesses and Developers – 39, Environment/Civic Groups and Citizens – 133, Local, State and Federal Government – 81. In addition, 37 state legislators that represent

corridor districts were mailed an invitation letter and the 25 members of FMR's board and council of advisors were invited. A complete list of stakeholders notified is included in Appendix IV.b.

FMR organized and facilitated four meetings to solicit stakeholder input. The first three meetings were organized by stakeholder group:

- River Corridor Businesses and Developers (October 25, Minneapolis)
- Environment/Civic Groups and Citizens (October 30, St. Paul)
- Local, State and Federal Government (October 31, St. Paul)

FMR summarized themes and management options discussed at the three meetings and organized a meeting for all stakeholders to review, refine and further discuss the collated stakeholder input. This meeting took place on November 7, 2007 in St. Paul.

A total of 60 individuals attended the first three meetings. Twelve stakeholders attended the meeting for river corridor businesses and developers and 24 stakeholders attended each of the meetings of environment/civic groups and citizens, and local, state and federal government officials. Twenty-four individuals attended the all-stakeholders meeting on November 7, including six people that did not participate in the first round of meetings. Environment/civic groups and citizens stakeholders numbered the most at the Nov 7 meeting with 13 stakeholders. Two members of the developer/business stakeholder group attended; one was an architect and the other was from St. Paul Riverfront Corporation. Government representation at the Nov. 7 meeting included 9 stakeholders, seven from local units (St. Paul, Minneapolis, Rosemount, Lilydale, Grey Cloud Island Township and the University of MN). Representatives Rick Hansen, Erin Murphy and Sheldon Johnson attended the October 30 meeting and Representatives Murphy and Johnson also attended the all-stakeholder meeting. Five FMR board members participated in the meetings and were counted among the stakeholder participant totals. Two to five DNR staff attended each meeting and Steve Johnson of MNRRRA attended all four meetings. Project staff from DNR, MNRRRA and FMR were not counted in the participation totals.

A list of all individuals attending the meetings and their affiliations is included in Appendix IV.c.

In addition to the meetings, FMR created a page on its website to provide stakeholders with background information about Mississippi River Critical Area and the DNR study. The website also served to inform the public about the meetings and the stakeholder process.

SUMMARY OF STAKEHOLDER MEETINGS

The purpose of the first three meetings was to provide an overview of the process for the study, solicit views and comments from stakeholders on strengths and weaknesses of the Mississippi River Critical Area program, and develop a list of potential solutions and management options to address the identified weaknesses. At the final meeting, FMR presented a summary and analysis of common themes, areas of potential agreement, and areas where stakeholders had significant differences of opinion. FMR then facilitated discussion of the differences and conducted an exercise to measure stakeholder preferences and priorities. Agendas and handouts from the stakeholder meetings can be found in the appendices of this report.

Stakeholder Group Meetings: October 25, 30, 31, 2007

Each meeting began with a brief overview and history of the Mississippi River Critical Area program, the purpose of the stakeholder meetings and FMR's role as process convener.

Steve Johnson of the Mississippi National River Recreation Area (MNRRA) discussed the relationship between the state critical area and the corridor's designation as a National Park. He pointed out that MNRRA's comprehensive management plan "adopts and incorporates by reference the state critical area program, shoreland program, and other applicable state and regional land use management programs" that implement the plan's vision. The plan adds, "This plan does not create another layer of government but rather stresses the use of existing authorities and agencies to accomplish the policies and actions developed for the corridor."

DNR staff described the origin and purpose of the critical area study, the direction they were given by the state legislature and how the stakeholder engagement process fits into the overall study.

FMR then facilitated the group discussion by asking stakeholders to comment on strengths and weaknesses of the Mississippi River Critical Area program in each of the following areas:

- Executive Order 79-19: critical area law, language, intent, authorities
- Condition and significance of corridor resources
- Local government planning and enforcement
- DNR oversight and enforcement
- MNRRA role
- Standards and guidelines
- Boundaries

The remainder of the meeting was devoted to reviewing a range of potential management options, and discussing which solutions addressed weaknesses identified by stakeholders. The following broad options and the advantages and/or disadvantages of each were discussed:

Eliminate the Mississippi River Critical Area designation

This option would leave protection of critical area lands and associated cultural, natural, historical and other resources within the purview of local government planning and zoning options. Critical area lands within 300 feet of the river would have protections under the existing state shoreland program.

Maintain the existing Mississippi River Critical Area program

This option would preserve the existing DNR program at the current level of funding, staffing and priority.

Enhance the Mississippi River Critical Area program

This option would include one or more enhancements to the program, including additional funding for staff and/or technical assistance, training and outreach; rulemaking that would define terms (such as bluff line and bluff toe) and establish minimum land use standards; use of state-of-the-art tools such as the National Park Service viewshed analysis methods to help identify scenic resources to be protected; and other measures.

Change and/or move metro river corridor protection

This option would shift protection of the critical area corridor to another program and/or home either within DNR or another state or a regional agency. Alternatives discussed were:

- House the Mississippi River Critical Area program elsewhere (EQB and Met Council were mentioned as possible agencies to house critical area).
- Change metro river corridor protection to a different DNR program (specific mention was made of the DNR shoreland protection program and the wild and scenic rivers program).
- Change corridor protection program and house program in a different agency
- Create new program or agency (specific mention was made of a new joint powers organization consisting of all municipalities within the corridor, or an agency modeled after the Mississippi River Headwaters Board).

Synthesis/Discussion of Input from Stakeholder Group Meetings

FMR staff recorded all views expressed during the three stakeholder group meetings and compiled a complete set of notes for each meeting. That information was collated into a table that compared and contrasted issues and views expressed by the different stakeholder groups, and a synthesis of identified problems and proposed solutions was prepared. FMR also prepared a list and brief description of the proposed management options for the final discussion. All of these materials were given to stakeholders at the all-stakeholder meeting and can be found in the appendices of this report.

There was a surprising amount of agreement or overlap among stakeholder groups with regard to the strengths and weaknesses of the program, but there was less agreement about how and what potential solutions would best address protecting corridor resources. In spite of some differences, several options proposed had general agreement from all groups, including maintaining a unique state management framework for a significant resource, strengthening the partnership with MNRRA, increasing interagency coordination, establishing a process for early input by DNR and other stakeholders, and providing outreach and technical assistance to corridor communities. There was also general agreement on the need for a particular approach regarding some of the options, but it appeared there would be considerable conflict among stakeholder interests about the details of implementation. These options include the establishment and ranking of priorities among resource values, clear definitions of key terms and features, the implementation of consistent standards with some local flexibility, and a process for amending boundaries.

In preparing the proposed management options to be discussed at the all-stakeholder meeting, FMR analyzed the stakeholder input on strengths and weaknesses of the program, and tied concerns and issues to identified solutions with the potential to address those issues. A synthesis of this information was summarized in a handout for stakeholders that can be found in Appendix II.c.

In addition to the notes and summaries provided in the appendices of this report, the following is a discussion of the strengths and weaknesses identified by at least two of the three stakeholder groups.

Mississippi River Resource

Strengths

Water quality has improved, mostly from the clean up of point source pollution; parks, trails and access to the river have expanded significantly; and industrial uses are being converted to residential and commercial development; all of these things bring more people to the river.

Weaknesses

Increased development along the river puts pressure on natural and historic resources. Places with high scenic, ecological, historic and cultural values (such as bluffs, floodplain areas, historic downtowns) are threatened by the attractiveness and market value they create, and in need of special attention and protection. Storm- and ground-water pollution and polluted sites threaten the river's improved water quality.

Other Realities

The metro region is growing, triggering the urbanization of rural/exurban corridor lands and greater stormwater impacts to the river from well beyond the corridor.

Executive Order 79-19

Strengths

The values expressed in the purpose and intent remain important today, and the unique identity and conformance with the MNRRRA boundary are key strengths.

Weaknesses

The goals are vague, general, and lack specificity; numerous and sometimes conflicting goals make implementation difficult. The E.O. is outdated regarding current technology and practices, resource values and key terms are not well defined, and the district boundary change process/criteria is unclear.

Local Government Role

Strengths

Local values and landscapes are reflected in plans and ordinances customized to each community.

Weaknesses

Implementing the performance goals of Executive Order 79-19 through ordinance is complex, and not well understood, and it puts the burden of realizing regional and national goals on local units. The result is that many ordinances have not been updated to meet local critical area plans, causing confusion, heightened political lobbying activity, and inconsistency within and among city decisions.

DNR Role/Program Enforcement

Strengths

DNR has authority over plans, plan amendments and ordinances, important decision-making tools for corridor protection.

Weaknesses

Executive Order 79-19 lacks specific minimum standards, especially regarding building height, that DNR can apply in reviewing local government plans and ordinances. Limited DNR staffing and resources to implement the program, low priority for the critical area program within the department, and the absence of state oversight on corridor projects and local variances leads to inadequate corridor protection.

Program Home

Strengths

Key DNR strengths include experience overseeing other water-related land use programs that are implemented by local units of government through ordinance, and field staff who work directly with the local units within their region.

Weaknesses

DNR has limited expertise in historic resources, cultural landscapes and economic development issues, and more collaboration with other agencies is needed. Some stakeholders questioned what priority the DNR places on the critical area program and raised concerns that staffing levels and resources are insufficient to protect the corridor.

All Stakeholder Meeting - November 7, 2007

At the all-stakeholder meeting, FMR staff gave an overview of the stakeholder participation, meeting notes and other materials, and initial findings and themes from the first three meetings. After a brief review of the identified strengths and weaknesses, FMR presented a summary of the proposed management options with potential agreement, and areas where stakeholders had significant differences of opinion. A summary of the options presented with potential agreement and stakeholder discussion is included below, in this section. The final hour of the all-stakeholder meeting was devoted to discussion of the management options with opinion differences and an exercise to measure stakeholder preferences and priorities. A summary of those options, and the results of the exercise are also included in this section, and in the report appendices.

Potential Solutions with General Agreement

Maintain the critical area framework: The intent of the original corridor designation, to conserve the corridor's natural, historical, cultural, economic and other resources – remains valid. The corridor framework is unique and well suited to a corridor of local, regional, statewide and national significance.

Continue to house program at DNR: DNR has staff, expertise and systems in place for management of rivers and natural and scenic resources. The program should stand on its own merits and work wherever it is housed.

DNR to regularly consult with other agencies: DNR has limited expertise in historic and cultural resources and economic development, and the agency would benefit from consultation with agencies that have such expertise, such as MNRRA, Met Council, Environmental Quality Board (EQB) and the State Historic Preservation Office (SHPO).

Strengthen partnership with MNRRA: MNRRA brings staff resources and expertise as well as National status, and the potential for Congressional appropriation of funds.

Increase funding for state and local implementation: Additional funding is needed to assure the program works well for the interests of both development and conservation.

Provide outreach, education, technical assistance: Additional outreach, education and technical assistance to developers, local government and citizens in critical area corridor communities are needed to ensure they have the tools and understanding to implement the law.

Survey and document scenic and cultural resources: A clearer definition and understanding of, and agreement on the scenic and cultural values to be protected and state-of-the art methods for doing so is needed. The National Park Service has a process for surveying and evaluating views that could be implemented for the MNRRA corridor.

Set priorities among Mississippi River Critical Area goals: The Mississippi River critical area program calls for protection of natural, cultural, historical, scenic, recreational and economic resources of the corridor – goals that can be in conflict with each other.

Establish process for early input on development proposals: Early involvement of DNR and other agencies with relevant expertise in discussions with local governments and developers about project planning and design would help forestall some conflicts and lead to better understanding.

Hold annual stakeholders meeting, issue annual report: An annual report on the implementation of the program (including the number of land use changes and variances), state of the resources, key issues, and/or an annual meeting of corridor communities and stakeholders could improve program understanding and accountability and connectivity up and down the river.

Stakeholder Discussion

Although there was no significant objection to the identified areas of general agreement, several meeting participants provided additional views:

- Representatives of some municipalities indicated an interest in using the DNR shoreland program framework and standards to protect the critical area corridor.
- Some citizens expressed concern about the program being administered by DNR, and the need for coordination with EQB, Met Council and other agencies was reiterated. In general, stakeholders held the belief that where the program is housed – DNR or another agency – is less important than the presence of adequate management priority, funding and commitment to Mississippi River Critical Area protection in that agency. The need for DNR to be better positioned to play an advocacy role was expressed by several stakeholders, including one legislator; and one stakeholder pointed out that the lack of adequate funding and priority comes from the governor and the legislature.

Potential Solutions with Opinion Differences

The final discussion at the all-stakeholder meeting probed participants' views on potential solutions with opinion differences identified at the first three stakeholder meetings. The purpose of the discussion was not to build consensus, but to further illuminate the solutions and differences of opinion. Solutions covered:

Regulatory Framework

- *State Rules:* Minimum standards, definitions and authorities of local and state government would be established through critical area rulemaking.
- *New Legislation:* New legislation could include definitions and set a direction for minimum standards. It is likely that rules would follow.
- *Update Local Ordinances:* Under the current model, local units could update their ordinances to be consistent with their critical area plans. Most corridor communities have updated their plans in the past 10 years, incorporating MNRRA goals into their revisions, but only a few communities have followed up with an updated critical area ordinance to ensure protections and standards are implemented. A model critical area ordinance has already been developed by MNRRA, and there is some outreach planned to local communities in 2008.

Regulation Standards

- *Dimensional Standards:* Provides consistency through standards for heights, setbacks, slopes, etc., that are numerical and are straightforward to measure/understand/enforce, but does not well accommodate differences in local conditions. Rulemaking would be required.
- *Performance-based Standards:* Provides flexibility through standards that require specific goals are met, such as preservation of scenic views, maintaining a natural shoreline/buffer or preventing erosion. These standards can be subject to debate and difficult to enforce. The existing Executive Order 79-19 standards and guidelines are generally of this type.
- *Combination:* Combines dimensional and performance standards to allow flexibility where it is most needed or logical. For example, standards for slopes and setbacks could be dimensional, and standards for heights and viewshed protection could be performance-based. Stakeholders expressed the need to have clear and specific resource values, priorities and definitions in order for performance standards to be effective.

Land Use Decision Oversight

Some mechanism for oversight of variances granted by local corridor communities could increase resource protection.

- *Technical Review Panel/Appeal Board:* An appeal board could help resolve and depoliticize some contentious variance disputes and provide a technical perspective for the entire corridor. If modeled after boards authorized by the state Wetland Conservation Act, the panel would comprise experts in relevant fields. It could also include membership from the regional/state agencies, MNRRA and other stakeholders.
- *Variance Certification:* Variance certification gives the DNR the authority to deny project variances granted at the local level. The Wild and Scenic Rivers program has variance certification. Shoreland rules do not. The legislature would need to authorize variance

certification for the Mississippi River Critical Area, and the process for implementation would be spelled out in rule.

- *Local Control/Authority:* Under the current model, local units have authority over variances, but are required to notify/consult with DNR. If DNR disapproves, the agency has the option to take a local unit to court.

Boundary Amendment Process

Some stakeholders believe methods of altering the boundaries of the four land use districts within the corridor should be explored to take into account rural-to-urban transformation, contiguous natural resources, streams and watersheds, and other factors, while other stakeholders believe the intent of the program was to preserve the character of the resources as they existed at the time of the program's inception, and thus changes in land use districts may not be desirable.

- *Corridor Boundary:* linear boundary that runs parallel to the river.
- *Corridor Districts:* boundaries between the four Mississippi River Critical Area districts: urban diversified, urban developed, urban open space and rural open space.

Stakeholder Priorities and Preferences (Dot Democracy)

During an exercise at the conclusion of the all-stakeholder meeting, participants were asked to state priorities among the potential solutions and management options. Each participant was given five adhesive dots or "votes" to state their priorities. Participants could place up to two dots on one preference. The options selected in order of priority were:

- Set priorities among Mississippi River Critical Area goals (22);
- Update regulatory framework (15)
- Establish land use decision oversight (14)
- Establish process for early input on development proposals (12);
- Provide outreach, education, technical assistance (10);
- Survey and document scenic and natural resources (10);
- Hold annual stakeholders meeting, issue annual report (9).
- Update regulation standards (5)
- Corridor boundary amendment process (3)
- District boundary amendment process (1)

The above results should not be taken as representative of stakeholders, only as a general statement of priorities among participants able to attend the meeting.

Each participant was also asked to express preferences among proposed solutions with opinion differences in the same manner as they were asked to rank proposed solutions with general agreement. Each participant had one dot for each category, and the results of the exercise were:

Regulatory Framework

- State Rules (3.5)
- New Legislation (14)

- Ordinance Updates (4.5)

Regulation Standards

- Dimensional (8)
- Performance
- Combination (13)

Land Use Decision Oversight

- Technical Review Panel/Appeal Board (16.5)
- Variance Certification (4.5)
- Local Control/Authority (3)

Corridor Boundary Amendment Process

- Yes, but boundary changes must be written into legislation or executive order (8)
- Yes, but the legislature should authorize a process whereby DNR has authority to approve corridor boundary amendments. (11)
- No, never

District Boundary Amendment Process

- No, districts meant to be permanent
- Yes, but only to a more protective district (16)
- Yes, districts meant to change with urban growth (3)

Again, these results should not be taken as representative of all stakeholders who attended the four meetings. The developer/business and local government interests were not well represented at the all-stakeholder meeting, so the dot democracy exercise was primarily reflective of citizen and civic/environmental group stakeholder interests.

DISCUSSION AND ANALYSIS OF POTENTIAL MANAGEMENT OPTIONS

The final section of this report is intended to synthesize stakeholder views and policy research into an analysis of the overall process. Each management option identified through the process is described along with a synopsis of the obstacles to and needs for implementation of each option, such as dollars, staff, statutory authority, rulemaking, change of approach, change in attitudes, education, and incentives. Advantages and disadvantages are also noted, especially where stakeholders discussed them.

At all of the stakeholder meetings, there was little support for eliminating the Mississippi River Critical Area designation. Stakeholders generally agreed that the resources that the designation was created to protect are at least as significant on a regional and statewide basis as they were at its inception in the 1970s.

It was also generally agreed that the current approach to maintaining the existing program is not satisfactory to stakeholders from the perspectives of both economic development and resource protection.

Further, there was little support for moving the state Mississippi River Critical Area program from its current location within DNR or creating a new program within a different agency. Most stakeholders feared a move of the program elsewhere within DNR or to another agency would cost significant program institutional memory and could result in a weakening of corridor conservation. Some stakeholders expressed concern that elimination of the critical area designation with regulatory authority assumed by another DNR program (such as shoreland protection) would sacrifice the uniqueness of the corridor area approach. At the final meeting, several stakeholders, pointing out that DNR has lacked sufficient resources and/or institutional interest in the program, said they support its continuation in the agency provided that DNR renews its commitment to the critical area program and seeks additional resources for its implementation.

Given the above, stakeholders devoted most of their suggestions to enhancements of the existing DNR program. There was substantial support for several reforms that could resolve uncertainties and controversies associated with the program. These included:

Developing a process and/or methodology by which to rank resources to be protected within the Mississippi River Critical Area corridor, potentially with different rankings in different reaches of the river. However, there was not enough time during the stakeholder engagement process to explore how this could be done in a way that would promote general agreement and the resources required to do so. Some stakeholders suggested that communities should have the opportunity to individually establish priorities for the corridor resource values within their jurisdiction, and to create a vision that defines what they are protecting. Other stakeholders suggested that resource values should be identified, evaluated for their regional and local significance, and prioritized on a corridor-wide basis.

Stakeholders identified a number of different values that Mississippi River Critical Area decision-making should take into account, including economic development and attention to water quality, as well as protecting natural, scenic and cultural resources. To address and resolve this issue, DNR would need additional resources to facilitate further stakeholder discussions and/or conduct a rulemaking process. The legislature could also be asked to develop statutory language specific to the Mississippi River Critical Area Corridor clarifying the priority of resources to be protected and/or a process for applying different priorities within different reaches of the corridor.

Establishing a process by which DNR and other state and federal agencies can be consulted in corridor development proposals before a final local decision is made in order to improve both the proposals and decision-making. Stakeholders generally agreed that limiting DNR's role to reviewing project designs and variance requests for consistency with local critical area plans and ordinances after a local issue has passed through most of the process does not promote optimal project design or corridor conservation, and does not necessarily lead to public acceptance of the decision. The 60-day rule for proposals to local units sometimes puts a complex process on a timeline too tight to allow for adequate DNR and stakeholder review.

This program enhancement could be implemented with new formal or informal administrative procedures and/or rulemaking. The technical review panel, suggested for an appeal board below, is one possible strategy for implementing early input on proposals. Projects would need to go before the panel prior to formally submitting their applications to local units, in order to prevent a conflict

with the quasi-judicial role required should a variance for the same project be later appealed to the board. This could be a barrier to early consultation by developers, but it would solve some of the tight timeline issues mentioned above.

This approach would likely require additional DNR staff resources, and potentially additional local resources, to foster increased early consultation.

Increasing outreach, technical assistance and education to developers, local governments in the corridor, corridor landowners and citizens in general to improve understanding and implementation of the law. Stakeholders generally agreed that these services would increase awareness of the requirements of the law, improve project design, enhance corridor conservation, and resolve some disputes. For example, local units need assistance with updating their ordinances to meet the goals of critical area plans and state law. A model critical area ordinance is one potential tool for this outreach. Also needed is ongoing education to elected and appointed officials, many of whom are new to their positions. Small cities and townships in particular need technical assistance to implement critical area goals for the corridor.

Because the Mississippi River Critical Area designation is 30 years old, stakeholders raised the importance of renewing commitment to the corridor through broad outreach to the public about Mississippi River Critical Area and the corridor's status as a National Park. Strategies to increase awareness of the river's unique values and national significance include more signage to let people know they are entering a National Park, more emphasis and frequent mention of the MNRRA during the many education and stewardship activities that take place in the corridor, and increased outreach to corridor communities through printed and electronic means, slide presentations and workshops focused on the river and MNRRA.

Substantial additional resources (federal and/or state appropriations and staff or consulting services) would be required to implement this recommendation, although asking local park implementing agencies and others who offer public programs in the corridor to give more emphasis to MNRRA could be accomplished through better understanding, partner communication and commitment to the goals and purposes of the National designation.

Defining, surveying, and documenting scenic and cultural resources in the corridor. Several stakeholders believe the technology and available models for identifying these resources, including viewsheds, has improved dramatically since the corridor was designated. Stakeholders in the business/developer group expressed the need to have science and specificity behind the identification of resources and potential threats to their integrity. This is particularly difficult with scenic resources because of unavoidable subjectivity. However, the National Park Service developed a multi-state process for evaluating viewsheds and implementing protection along the Blue Ridge Parkway, and MNRRA is considering its potential applications here.

Coordination with the National Park Service, extensive participation by stakeholders and additional resources for DNR and local units would be needed to accomplish this goal. Once agreed upon, resource value definitions might need to be formally set through legislation or rules.

Adopting specific standards and definitions through legislation and/or rule. There was considerable discussion about the need to establish minimum standards and clear definitions to guide land-use decisions throughout the corridor. Several citizens at the all-stakeholder meeting indicated a preference for putting definitions and standards directly into legislation, while other stakeholders were concerned about the uncertainties of the timing and outcome of the legislative process. Some stakeholders favored the agency rulemaking process, while potentially more time-consuming, because the process is more predictable. There is some debate about whether new legislation would be needed to authorize rulemaking for the Mississippi River Critical Area. If legislators wanted specific rules with specific content, and a specific timeline they would need to pass legislation with those specifications, and the process would require dedicated staff resources and funding. Although the importance of local control was raised, stakeholders seemed to be in general agreement that clear, consistent standards and definitions would benefit all three stakeholder groups. It was also noted that local ordinances would also need to be updated if rules were implemented.

There was also debate around the use of dimensional versus performance standards. Some stakeholders like the flexibility to be creative through performance standards, but noted that the standards and protection values need to be well defined. Other stakeholders suggested the variance process allows for some flexibility if it is warranted, but the norm should be specific minimum standards applied consistently throughout the corridor.

Creating a process by which the linear boundary of the corridor, generally running parallel to the river, can be adjusted. Some specific locations were identified where boundaries could or should be adjusted to exclude existing land from the corridor or to include new land within the boundary that is adjacent the corridor. Parts of Cottage Grove and Ramsey were mentioned as possible candidates for exclusion because they lack an obvious relationship to the river. Pilot Knob and some of the tributary valleys were suggested as possible additions to the corridor because of their natural resource values and relationship to the river corridor.

Implementing this recommendation would require legislation and/or an executive order to adjust the legal boundary or define an administrative process by which they can be adjusted. There is some concern among stakeholders that opening up boundary definitions could result in less protection overall for the corridor.

Implementing a process by which the district boundaries can be adjusted. Some discussion took place at the stakeholder meeting about allowing modifications of the use district boundaries. The main theme of this discussion centered on whether the Mississippi River Critical Area was intended to remain static or to change as urbanization extends to the ends of the corridor. Cities that include the rural open space district face a variety of obstacles to implementing the goal of this very protective district, including Metropolitan Council policies that require urbanization, the need to eliminate septic pollution, and concerns about meeting economic development interests and needs.

At the final stakeholder meeting, it was noted that Executive Order 79-19 allows for local governments to propose “modifications of the use district boundaries as described in the interim guidelines if local units of government can demonstrate...the consistency of the modification with the general guidelines.” However, in the stakeholder exercise that took place at the conclusion of the all-

stakeholder meeting, strong majority sentiment was to allow such modifications only if they were in the direction of greater resource protection.

Providing a process through which local government decisions on Mississippi River Critical Area land use variances can be appealed to and/or reviewed by the DNR or another body.

Stakeholders at both developer and citizen meetings expressed concern that local government decisions to approve or deny projects and variances within the critical area corridor are too often political. Both groups want to see decisions based on standards that have clear information and solid rationale behind them, but there is likely disagreement about what that means. Both groups also lamented situations in which the other group got the upper hand with elected officials through political connections. Although there was not enough time in the stakeholder engagement process to identify any area of general agreement on a remedy, substantial interest was expressed in two options, either independently or in tandem:

- **A technical review panel or appeal board** consisting of members representing appropriate expertise, a regional point of view, and perhaps specified constituencies. This suggestion was originally identified as following the Wetland Conservation Act technical review panel as a model. Any aggrieved party (developer or citizen) could appeal a local Mississippi River Critical Area variance decision to the board and, provided the appeal had merit, could receive a timely and independent review. Action by the Legislature would be required to establish such an appeal board, and rules to guide its implementation would need to follow.
- **Variance certification by DNR.** DNR would review and approve or deny all local variances. The only way for DNR to disapprove a local variance at present is by suing the local unit of government. This has not happened in the history of the program. The legislature would need to authorize variance certification for the Mississippi River Critical Area by statute, and rules would spell out implementation. Some discussion occurred about moving the program to the Wild and Scenic Rivers program because variance certification is already authorized in those rules. Some stakeholders expressed concern that these cases can end up in court anyway and can be costly for local and state government.

ADDITIONAL MANAGEMENT OPTIONS

Although they were not as extensively discussed at the stakeholder meetings, FMR presented several additional management options that involve managing the river corridor through a new or different state program, and received limited comment on them. All of these additional options involve programs and concepts with which many stakeholders were unfamiliar. There was not enough time to properly orient meeting participants to these options, and stakeholders generally did not seem strongly inclined to support any of these management options without additional information. Stakeholders raised some concerns about options that would move authority to a different or new program or agency, because of the potential time involved and fear of losing the uniqueness of the Mississippi River Critical Area if it were incorporated into an existing statewide program. Below is a summary of these options.

Manage the Mississippi River Critical Area through the state shoreland program: Management of the Mississippi River Critical Area corridor could be administered by DNR under the state

shoreland program, but distinguish the program from other shorelands by identifying a special district for the corridor. The shoreland program provides statewide standards that local governmental units must adopt into their own land use controls to provide for the “orderly development and protection of Minnesota's shorelands (both rivers and lakes).” DNR provides technical assistance to local governments in the adoption and administration of their shoreland controls. A possible advantage with this option is that the shoreland program has parallels and some overlap with the critical area program. Much of the corridor, especially bluffslands, would not be covered under the shoreland program’s current definition of within 300 feet of the river, so statutory changes to incorporate the critical area boundaries and protections into a special district would need to be authorized by the legislature, and rule changes would follow. Staffing resources may need to be shifted and/or increased to implement this option.

Move management of the Mississippi River Critical Area to the State Wild and Scenic Rivers program: This alternative would shift management of the Mississippi River Critical Area corridor to the Wild and Scenic Rivers program, created in 1973 to protect rivers that have outstanding natural, scenic, geographic, historic, cultural, and recreational values. Under a Wild and Scenic designation, DNR develops management plans to protect the scenic, recreational, natural, historical, and cultural values upon which state rules and subsequent local ordinances are based. By rule, DNR could designate the Mississippi corridor as a Recreational River, one of three allowable categories for wild and scenic rivers. Recreational Rivers may have undergone some impoundment or diversion in the past and may have adjacent lands that are considerably developed, but are still capable of being managed so as to further the purposes of this act. Staffing resources may need to be shifted and/or increased to implement this option.

Create a new Joint Powers Board made up of local government units within the corridor: Existing state law allows two or more governmental units, by agreement through action of their governing bodies, jointly or cooperatively to exercise any power common to the units. All 25 municipalities or the five counties within the critical area corridor could initiate such a board and organization. The number of local governments whose participation would be needed to cover the entire corridor is further complicated by the diversity of jurisdiction types, including cities, townships, counties, and the University of Minnesota. Additionally, stakeholders expressed concerns that this model would not give the needed emphasis to protecting state and national resources. New local and/or state funding, and potentially new legislation, would be required to implement this option.

Establish new authority for federal oversight by MNRRA: By an act of Congress, the National Park Service / MNRRA could assume authority for protecting nationally significant resources and values in the Mississippi River corridor and implementing the MNRRA Comprehensive Management Plan. The NPS has land use regulatory powers in some parks.

The process facilitated by FMR demonstrated that there is considerable interest among diverse constituencies in elevating the priority of the program at both the state and local level, assigning additional resources to it, clarifying definitions and terms to prevent and resolve disputes, and enhancing local decision-making oversight and accountability. The Mississippi River Critical Area program, after more than 30 years, remains an important tool for protection of the unique natural, historic, cultural, recreational, aesthetic and economic resources of the corridor.

Appendices

I. Agendas

- a. Stakeholder groups meetings – Oct 25, 30, 31
- b. All Stakeholder meeting – Nov 7

II. Meeting Notes/Summaries

- a. Flipchart Notes from three stakeholder group meetings
- b. Collated Notes (comparison of themes by stakeholder group)
- c. Synthesis of Issues (strengths, weaknesses, and solutions)
- d. Flipchart notes from all stakeholder meeting

III. Summary of Options

- a. Overview of options for three stakeholder group meetings
- b. Summary of potential options for all stakeholder meeting

IV. Stakeholder Outreach and Participation

- a. Copy of stakeholder invitation letter to each group
- b. Names and contact info for of all stakeholders that were contacted (note: address, phone and email should be kept confidential for citizen contacts)
- c. Names and affiliations of all stakeholders who attended
- d. Copy of website content

V. Additional Comments from Stakeholders

- a. Hard copies of stakeholder feedback forms

**Mississippi River Critical Area Study Stakeholder Engagement
Overview and Stakeholder Input: River Businesses and Developers
October 25, 2007 • 9:00-11:30 a.m.**

Agenda

Welcome and Introductions – Whitney Clark, FMR executive director (5)

MNRRRA Connection – Mississippi National River and Recreation Area staff (5)

Overview of Critical Area Study – Dale Homuth, Department of Natural Resources (5)

Overview of Stakeholder Engagement Process – Irene Jones, FMR outreach director (5)

Critical Area Program Strengths and Weaknesses – Irene (55)

- Executive Order 79-19: critical area law, language, intent, authorities
- Condition and significance of corridor resources today
- Local government planning and enforcement
- DNR oversight and enforcement
- MNRRRA role
- Standards and guidelines
- Boundaries
- Other ideas from stakeholders

BREAK (10)

Potential Solutions and Management Options - Whitney (60)

- A. Eliminate Mississippi River Critical Area designation
- B. Maintain existing Mississippi River Critical Area program
- C. Enhance Mississippi River Critical Area program
- D. Move Mississippi River Critical Area Program to different agency
- E. Change metro river corridor protection to a different DNR program
- F. Change corridor protection program AND move to different agency
- G. Create new program or agency
- H. Other ideas from stakeholders

Wrap-up and Next Steps – Whitney (5)

Special Thanks to the McKnight Foundation for providing meeting space and beverages.

**Mississippi River Critical Area Study Stakeholder Engagement
Overview and Stakeholder Input: Environmental/Civic Groups & Citizens
October 30, 2007 • 6:30-9:00 p.m.**

Agenda

Welcome and Introductions – Whitney Clark, FMR executive director (5)

MNRRRA Connection – Mississippi National River and Recreation Area (5)

Overview of Critical Area Study – Rebecca Wooden, Department of Natural Resources (5)

Overview of Stakeholder Engagement Process – Irene Jones, FMR outreach director (5)

Critical Area Program Strengths and Weaknesses – Irene (55)

1. Executive Order 79-19: critical area law, language, intent, authorities
2. Condition and significance of corridor resources today
3. Government roles, oversight and enforcement: Local, DNR, MNRRRA
4. Standards, guidelines, districts and boundaries
5. Other ideas from stakeholders

BREAK (10)

Potential Solutions and Management Options - Whitney (60)

- A. Eliminate Mississippi River Critical Area designation
- B. Maintain existing Mississippi River Critical Area program
- C. Enhance Mississippi River Critical Area program
- D. Change and /or move metro river corridor protection
 - House the Critical Area program elsewhere
 - Change metro river corridor protection to a different DNR program
 - Change corridor protection program AND house program in a different agency
 - Create new program or agency
- E. Other ideas from stakeholders

Wrap-up and Next Steps – Whitney (5)

**Mississippi River Critical Area Study Stakeholder Engagement
Overview and Stakeholder Input: Local and State Government
October 31, 2007 • 9:00-11:30 a.m.**

Agenda

Welcome and Introductions – Whitney Clark, FMR executive director (5)

MNRRRA Connection – Mississippi National River and Recreation Area (5)

Overview of Critical Area Study – Rebecca Wooden, Department of Natural Resources (5)

Overview of Stakeholder Engagement Process – Irene Jones, FMR outreach director (5)

Critical Area Program Strengths and Weaknesses – Irene (55)

1. Executive Order 79-19: critical area law, language, intent, authorities
2. Condition and significance of corridor resources today
3. Government roles, oversight and enforcement: Local, DNR, MNRRRA
4. Standards, guidelines, districts and boundaries
5. Other ideas from stakeholders

BREAK (10)

Potential Solutions and Management Options - Whitney (60)

- A. Eliminate Mississippi River Critical Area designation
- B. Maintain existing Mississippi River Critical Area program
- C. Enhance Mississippi River Critical Area program
- D. Change and /or move metro river corridor protection
 - House the Critical Area program elsewhere
 - Change metro river corridor protection to a different DNR program
 - Change corridor protection program AND house program in a different agency
 - Create new program or agency
- E. Other ideas from stakeholders

Wrap-up and Next Steps – Whitney (5)

**Mississippi River Critical Area Study Stakeholder Engagement
All Stakeholder Review Meeting
November 7, 2007 • 6:30-8:30 p.m.**

Agenda

Welcome and Introductions – Whitney Clark, FMR executive director (10)

**Summary of Stakeholder Group Meetings, Participants and Documentation
- Irene Jones, FMR outreach director (10)**

Potential Solutions with General Agreement - Irene (10)

Potential Solutions with Opinion Differences – Whitney (15)

BREAK (10)

Regulations - Whitney (10)

- **State Rules**
- **New Legislation**
- **Ordinance Updates (current system)**

Standards - Whitney (10)

- **Dimensional**
- **Performance**
- **Combination**

Oversight - Whitney (10)

- **Technical Review Panel/Appeal Board**
- **Variance Certification**
- **Local Control/Authority**

Corridor Boundary Amendment Process – Irene (10)

- **Yes, through legislation or executive order**
- **Yes through rules administered by DNR**
- **Yes, by critical area plan amendment with DNR approval**
- **No, never**

District Boundary Amendment Process – Irene (10)

- **No, districts meant to be permanent**
- **Yes, but only to a more protective district**
- **Yes, districts meant to change with urban growth**

Preference Setting – Dot Democracy – Irene (10)

Closing Comments – Whitney (5)

Mississippi River Critical Area Study Stakeholder Meeting Notes River Businesses and Developers • October 25, 2007

STRENGTHS AND WEAKNESSES

Executive Order 79-19

- There could be more about economic development
- There should be more clarity about the overarching purpose of 79-19

Condition of River Resource

- Some areas are becoming more natural
- Other areas are being developed
- We are evolving our pollution standards to keep up with the challenges of a new era
- Condition of river is improved. Leaders are more aware of the river, but we must continue to be diligent
- There are more stewards. The resource is more valuable today. It has attracted more development as a result.
- More public use of river, more recreational use, more attention on the river.
- Improved water quality
- Today's fears about river more diffuse.
- Different issues in the downtowns.
- Cleaner river has made river more attractive
- More culturally diverse river users
- River is multi-modal – mixed use. Should continue to move toward mixed uses – passive and active, industry and recreation.
- There are more government programs, but less government resources to aid development.

Government Oversight

- We need clear and defined expectations about what cities should permit, and reduce the dissonance between communities.
- Leave local flexibility at same time – acknowledge differences between communities.
- Critical Area only as good as weakest link. Yet local management and enforcement is desirable – we need more clarity in the rules in standards.
- Local units lack the resources to adequately enforce and manage the Critical Area.
- Local control is preferred for permitting.
- Local planning and enforcement is good
- Minneapolis Critical Area Plan / Zoning is clear. It is important to have local control. Conditional Use Permitting Process allows for flexibility.
- Local values should be reflected. Local control provides for this
- Developers like consistency. Without it decisions are subject only to politics. There should be an overarching rule.
- St. Paul chose to utilize all four districts to provide flexibility. Tried to be as specific & finite as possible
- Lack of definition of view protection.
- Critical Area zoning can be constraint or enhancement. Can create value – affects value of property. That's why developers like clarity and consistency.

- Lots of complexity makes it hard to understand.
- St. Paul Park – DNR appearing to be on both sides of AUAR
- How does state’s Environmental Review relate to the Critical Area?
- Historic and cultural resources don’t always get adequate protection
- Some historic and cultural regulations need revision
- There is challenge of inconsistency on standards within a city.
- Want to know expectations and goals up-front.

POTENTIAL SOLUTIONS AND MANAGEMENT OPTIONS

Eliminate MR Critical Area designation/(revert to current shoreland law)

- Possible overlap with MNRRA might provide justification for that
- Not elimination but redefinition, change in implementation

Maintain Existing Critical Area Program

- Better than elimination
- Program has need for refinement, reevaluation
- Leave specifics of zoning regulations to cities, but definition of geography (bluff, river’s edge) could be standardized.

Enhance Critical Area Program

- Funding for key initiatives needed:
 - Communication/Education
 - Cleanup/assistance to developers, others
 - Protection of natural spaces, trails, etc.
- More technical and scientific support needed across system for definition of key Critical Area features
- Critical Area should define geographic features (bluff and setback, for example), while local municipalities define zoning and dimensional standards to their needs
- Add some definitional clarity to the more “amorphous” environmental assets
- Process: one approach is to define a process to help provide predictable path toward resolution on the amorphous issues

Change and/or Move Critical Area

- Ensure consistency among regulatory frameworks as much as possible
- Move to Wild & Scenic Rivers?
- More important to give DNR needed resources than to move or combine with others.
- Needs updating but not fundamentally broken, so maintain and enhance but do not change this radically
- Streamline and consolidate
- There may be other programs that need retooling to work better alongside Critical Area
- We’ve got a resource, don’t ruin it!
- Without key protections, we’re at risk of losing resource to death.

Citizens and Environmental/Civic Organizations • October 30, 2007

STRENGTHS AND WEAKNESSES

Executive Order 79-19

- Language is too general
- Many ecological functions not addressed – should be more specific
- Purpose is to protect for the future
- Interim guidelines add valuable specificity – goals are overbroad. The principles are good. It is meant to be a first step.
- Purposes are not prioritized. How do conflicts between them get resolved?
- Aesthetic values should apply both to and from River

Condition of River Resource

- Water quality is improved
- Protection of land (bluffs) sufficient to safeguard resource
- Water quality is still an issue
- Mississippi River is our commons. There is still lots of tension over public versus private values
- How do we gauge the impact on River as decisions present themselves, for example the Ford Dam?
- Toxics impacts are still emerging: PFOS, mercury, PCBs
- Wildlife is coming back – eagles, otters, mussels
- Cultural resources still very threatened particularly because River has become popular.
- Many landowners don't appreciate the regional significance of their property. More education is needed.
- Non-point runoff impacts on river originate far beyond corridor. Need to have flexible protections.
- Need more emphasis on opportunities for enhancement

Government Oversight

- Local decisions have regional or statewide impact, and are not protective enough of the resource.
- LGUs help landowners get around provisions; there is insufficient attention to the standards
- Consistency: from LGU to LGU and over time within cities. Could we set standards that hold their direction?
- Railroads play by different rules
- Developers can overwhelm the process
- In Minneapolis, the staff get it but the elected officials don't. There is not a real commitment to the Critical Area. The way CA plays out is too political
- There is an insufficient stick (lack of authority) to enforce CA guidelines, for example the new development in Minneapolis at Lake and W. River Pkwy.
- Too many variances, not enough enforcement
- No citizen suit provisions. If state/AG won't enforce, we're out of luck.

- Some projects are built without consulting LGU
- Suggestion: Annual performance evaluation of success
- Citizen activism and advocacy is needed to uphold standards. CA isn't enough by itself.
- Corridor land-use approach is insufficient to address water quality problems
- Need to address inconsistency.
- Aesthetics/scenic values are most endangered
- Need more work to define and protect historic resources.
- Are we trying to do too much in urban diversified districts?
- Must be some kind of state or federal oversight
- Natural areas and habitat not well-addressed by Critical Area
- Could WDs or WMOs be given more authority over corridor resources?
- Not enough funding for the Critical Area. Need stable funding source
- When redevelopment occurs, need process to re-publicize land
- Need to make critical area landowners aware of critical area and benefits they enjoy
- Counties – property tax statement should state that property is within critical area with link to the website.
- Economics too often overpowers decisions

POTENTIAL SOLUTIONS AND MANAGEMENT OPTIONS

Eliminate MR Critical Area designation/(revert to current shoreland law)

- Bad idea

Maintain Existing Critical Area Program

- Need more resources, not less
- Bad idea

Enhance Critical Area Program

- Need common definitions across Critical Area
- Need specific requirements, clear goals, support mechanisms, advocacy organization/coordination
- Citizen advisory role

Change and/or Move Critical Area

- Critical Area stamp holds possibility as funding, educational tool
- Educational outreach to city staff, councils, commissions
- Link Critical Area plan to other regional and area plans more deeply
- Tie incentives to good behavior
- Utilize exiting networks to reach municipal officials
- Boundaries reviewed, adjusted Pilot Knob example.
- Reach out to architects and developers
- How do we prioritize the goals of Critical Area when applied to specific cases? A process, or will goals be prioritized in document?
- Don't want program abolished. Where it is housed is not the issue. The program must stand alone.
- The program needs more money, and stronger enforcement

- Investigate the use of a levy authority to raise the money for the program
 - Look at extending the Critical Area boundaries up contributing creeks and watersheds.
 - Look at developing possible LEED-style standards for river projects
-
- We need more of a carrot in terms of funding, not just a regulatory stick
 - We need a lead group across the river
 - We need more structure for whole corridor to talk about issues
 - There is risk in legislative reorganization ending up with a result that weakens, not strengthens program
 - Could take some regulatory authority from wilde and scenic rivers, and existing shoreland program
 - Solution might be to take the best pieces of authority from other similar programs and give it to the Critical Area Program in the DNR
 - Add authority within the DNR
 - Change scope to increase communications among jurisdictions
 - Give the Mississippi River the stature it deserved
 - DNR's field staff has been advantage over housing in the EQB.
 - The diversity of staff expertise is an advantage of DNR
 - Cultural and historic knowledge is one missing area of expertise within DNR, but the NPS does have that.
 - Performance incentives should be tied to some standards for development, such as the river-focused LEED suggestion.
 - Definitions across the Critical Area should be in statute/rules – bluff features and wetland, for example.
 - We need someone who assesses each project's compliance with Critical Area in the organization where Critical Area is housed.
 - Watershed Districts and WMOs need to have more stake in the CA Program
 - In terms of changing the four district types defined within the Critical Area, cities want some autonomy, but across-the-board regulations would be beneficial
 - The idea of a joint powers board not ideal, given the way it has functioned in the headwaters area.
 - A private right to legal action would strengthen program, as would possible waiver of the 60-day rule for specific projects.
 - There needs to be more clarity/rules on under what circumstances a non-conforming use can be re-established.
 - Should the DNR be given variance certification authority for the Critical Area? It would build a record to help guide future development decisions.
 - Cities could better define viewsheds in their planning documents (though the challenge of multiple municipalities having a stake in a view complicates matters).

Mississippi River Critical Area Study Stakeholder Meeting Notes
Local and State Government • October 31, 2007

STRENGTHS AND WEAKNESSES

Executive Order 79-19

- Executive Order 79-19 has a lot of strengths
- Critical area very important tool to protect and enhance resources
- Executive order is static – doesn't evolve well
- Need clarity on if critical area districts intended to remain static
- 30 years later amazing we're still debating this – do we need another approach?
- Many assets or resource values are subject to protection, but often unclear how to resolve conflicting rules; awkward blending of many goals – do they all fit?
- Need to be clearer about priorities to help resolve conflicting goals

Condition of River Resource

- Increasing pressure on resource – bluffs are threatened
- We've done well protecting historic structures, not as clear how to protect cultural landscapes
- Much land has been converted to parks
- Not enough emphasis on native plants and habitat protection
- Working river – commercial use is changing; especially upstream of the Minnesota River
- Less industrial land use in corridor; still lots of polluted land
- Water quality is improving, but stormwater still a big issue – erosion, floatables
- Water quality issues very different than 30 years ago

Government Oversight

- Need to get critical area on a firm legal footing
- Need a clear definition of what we are trying to protect
- DNR has not made critical area a priority; leadership lacking
- Need consistency, funding, leadership; elected officials need to understand the resource and be brought in long term
- Education not enough; need state enforcement
- Specific developments come with political pressure – DNR doesn't have authority or tools to address projects
- Met Council 2030 policy document doesn't include critical area, but local planning handbook does; role is planning and plan review, not zoning ordinance review
- LGUs need better process for getting early input to shape early decisions related to proposals
- Lack of consistency/uniformity from city to city
- Critical area very hard to administer; lack of clarity, specificity
- Big difference between plans and ordinances – difficult to balance different interests and address new development patterns in the rural open space district (Ramsey)
- Critical area issues can take up a lot of LGU time
- Stronger state regulations would relieve LGU pressure, but fear that regs will make riverfront unbuildable

- Lots of discretion at LGU level results in some tension
- Small cities lack staff/expertise – rely on state to enforce; need leadership and guidance;
- Vegetation management is very difficult for LGUs to regulate and enforce
- 60-day rule creates liability for needed turnaround time

Standards, Guidelines, Boundaries

- Need consistent definitions (bluff, setback)
- How to balance regional goals vis-à-vis urbanization with river resource protection
- Rural open space district in conflict with MUSA line
- Cottage Grove – some parts of almost a mile from river
- St. Paul – some places corridor is too narrow, especially the upper gorge

Outreach/Education/Technical Assistance

- Lots of outreach/education did occur during 1998 comp plan updates
- Public and local officials aren't familiar with critical area today
- Most staff don't understand critical area; need regular updates and briefings to staff/electeds
- New technologies should be used to protect visual quality
- More tools needed for property owners within critical area
- Landowners don't understand how they benefit from critical area

Questions/Other

- What is regional context of critical area?
- Could critical area be combined with or rolled into shoreland program?
- Critical area should not interfere with redevelopment of historic and cultural areas (Hastings)
- Developers want certainty

POTENTIAL SOLUTIONS AND MANAGEMENT OPTIONS

Eliminate MR Critical Area designation/(revert to current shoreland law)

- Presence of MNRRA is powerful argument for keeping critical area
- Executive order is not up to date and elimination might be a good idea
- Some communities are not in shoreland
- Difference between shoreland and critical area: boundaries differ, blufflands in critical area, shoreland is 300 ft from river; shoreland has dimensional standards in rule, critical area has performance standards
- Add a chapter to shoreland rules about critical area
- If eliminated, LGUs could still implement protection
- Eliminating or re-naming critical area could influence trust issues with folks who use/rely on it

Enhance Critical Area Program

State rules/ authorities

- Give DNR comparable authority to St Croix Wild & Scenic and the resources to implement it
- Critical Area – put into statute and/or write rules – DNR has oversight and LGU knows minimum standards
- Need established rule on state level with minimum standards under one agency

Enforcement

- Enforcement needed, especially regarding variances; combination of rules, performance and dimensional standards
- Give funds to LGUs to implement, not money for state enforcement

Standards and Definitions

- Performance based standards are ok, but tell us how
- Performance standards better suit the diverse topography
- Clear definitions will give cities tools to make decisions; better than state override

Appeal Process

- Establish appeal process other than court
- Appeals often go back to LGU, could go to a different body
- Wetland Conservation Act has appeal process with local/technical panel to which citizens or agencies can appeal

Other

- Need to identify where land should be protected by purchase/easement

Change and/or Move Critical Area

- DNR has resources and expertise – should stay there; needs oversight on variances; rules need clarity/certainty
- Legislators want to hear about where to house critical area enforcement (Sheldon Johnson)

Move to EQB or Met Council?

- Is DNR best for diverse goals of critical area? EQB or Met Council has a broader perspective
- Could go back to EQB by administrative order of the Governor, but current staff inadequate, would need legislative appropriation
- Was moved to DNR because they have field staff
- Citizens League called for met council to integrate three rivers plan with regional parks and other council policy
- Caution about body of gubernatorial appointees – changes with governor, some don't like rules and regulations

Joint Powers Organization

- Some caution regarding joint powers organizations, especially with 32 local units
- Joint Powers – equity of representation is a problem

Wild & Scenic/Variance Certification

- Wild & Scenic – don't go too wild; it's an urban river
- W&S is also vulnerable
- Variance certification would be litigious

Mississippi River Critical Area Study Stakeholder Engagement

COLLATED NOTES: Stakeholder Group Meetings October 25, 30 and 31, 2007

Strengths and Weaknesses	GOV	DEV	CIT
EO 79-19			
Purpose/intent/principles good, needed to protect unique resource	X	X	X
Language should be more specific; interim guidelines provide value			X
E.O. static, outdated – doesn't evolve well	X	X	
Not clear on district boundary change process	X	X	
Conflicting goals need priority	X		X
Many ecological functions need to be better addressed			X
More clarity about economic resources/development		X	
River Resource			
Water quality is improved making river more attractive	X	X	X
Increased value of resource and development pressure	X	X	X
More public use/awareness and attention on the river		X	X
River is mixed use and has more culturally diverse users		X	
Much land has been converted to parks/natural areas	X	X	X
Wildlife is coming back – eagles, otters, mussels			X
Working river/commercial use is changing/declining	X	X	X
Less industrial land use in corridor	X		X
Riverfront uses and issues in downtowns have changed dramatically		X	
Bluffs and scenic views are threatened	X		X
Need to protect cultural landscapes	X		X
Protection of historic and cultural resources often inadequate		X	X
More emphasis needed on native plants and habitat protection	X		X
Many polluted sites	X		X
Stormwater issues threaten water quality; also emerging toxins	X		X
Pollution standards and stormwater management have evolved		X	X
Concerns today are more diffuse than 30 years ago		X	
River is our commons; tension around public vs. private values			X
Corridor impacts extend up tributaries and into watersheds			X
Government Oversight			
State/Regional Govt			
Critical area needs legal footing	X		X
Clear, more specific definition of what we are trying to protect needed	X	X	X
DNR low priority for leadership, enforcement, education, outreach, funding	X		X
DNR lacks authority/tools/resources to address projects and impacts	X		X
Met Council 2030 policy document inconsistent with critical area	X		

There is no citizen suit provision or advocate if AG won't enforce			X
Needs stable funding source			X
Local Govt			
Local decisions impact regional and statewide resources			X
Need more early input on proposals	X	X	
Lack of consistency/uniformity from city to city and within cities	X	X	X
LGU enforcement inadequate; too many variances			X
LGUs lack resources to adequately manage/enforce critical area law	X	X	X
LGUs help landowners/developers get around standards			X
Small cities lack staff/expertise	X		
Cities rely on state for leadership, guidance, enforcement	X		
Big difference between plans and ordinances within most cities	X		X
Difficult to administer; lack of clarity, specificity	X	X	X
Difficult to address changing development patterns, balance different interests	X		
Need to better define significant views and watershed protection requirements	X	X	X
Vegetation management difficult for LGUs	X		
Corridor land-use approach insufficient to address water quality problems			X
Aesthetics and cultural resources are most disregarded/endangered			X
Critical area issues are time consuming	X	X	X
Developers and/or economics can overwhelm process			X
60-day rule creates liability	X		X
Concern that state regs could make riverfront unbuildable	X		
Local control, planning, enforcement preferred – reflects local values		X	
Flexibility needed in process; acknowledges differences between/within cities		X	
LGU discretion results in some tension	X		
Local decisions are too political; not based on resource, science		X	X
Citizen activism and advocacy is needed to uphold standards			X
Critical area zoning affects property values – can be constraint or enhancement		X	
Need process to reclaim land for public domain, not just redevelop			X
Standards, Guidelines, Boundaries			
Need clear and consistent definitions (bluff, setback) and expectations	X	X	X
Developers want certainty, more clarity in local rules and standards	X	X	
Balancing regional urbanization goals with resource protection	X		
Process for moving district boundaries should be defined and allowed		X	
Rural open space district in conflict with MUSA line	X		
Critical area too wide (Cottage Grove)	X		
Critical area too narrow (St Paul Gorge)	X		
Need to be able to add contiguous resources – Pilot Knob, some stream valleys			X
Performance standards (at state level) better suit the diverse topography	X	X	
Standards need to be consistent, reliable, effective and enforced			X
Outreach/Education/Technical Assistance			
Public, city staff/officials aren't familiar enough with critical area today	X		X
Landowners need tools and education about benefits of critical area	X	X	X

Mississippi River Critical Area Stakeholder Input
Collated summary of results

New technologies needed to assess/protect visual quality	X	X	X
Potential Solutions and Management Options	GOV	DEV	CIT
Eliminate MR Critical Area designation/(revert to current shoreland law)			
Bad idea to eliminate critical area designation			X
Keep, but reevaluate, redefine, enhance and change implementation		X	
Keep critical area because of MNRRA	X		
Eliminate and use current shoreland law	X		
Keep critical area and add a chapter to shoreland rules for it	X		
Maintain Existing Program			
Resources are insufficient to meet critical area goals			X
Enhance Critical Area Program			
<i>State rules/ authorities</i>			
Put critical area into statute; write rules; establish definitions, min. standards	X		X
Modernize program so it is up to date, consistent with other regulations	X	X	
Model critical area authority on Wild & Scenic (take best pieces/align better)	X	X	X
Better link critical area planning to other municipal and regional plans	X		X
Clarify intent around district boundaries, definitions and process to amend		X	
Investigate use of levy authority for corridor lands			X
<i>Enforcement</i>			
Enforcement/oversight needed, especially regarding variances	X		X
Leave specifics of zoning regulations to cities	X	X	
Give funds to LGUs to implement, not money for state enforcement	X		
Increase DNR staffing to manage/enforce program	X		X
<i>Standards and Definitions</i>			
Establish priorities among goals for both regional and local resources	X		X
Provide guidance on implementation of performance based standards	X	X	
Establish clear, standardized definitions of geography (bluffline, etc)	X	X	X
Combination of performance and dimensional standards	X	X	X
<i>Appeal Process</i>			
Avoid costly variance certification litigation	X		
Establish appeal process other than court	X		
Technical review panel (like WACA)	X		
<i>Outreach/ Education/Technical Support</i>			
More outreach/education with electeds, staff, landowners, citizens	X	X	X
Funding for key initiatives – env. clean-up, open space protection, trails, etc.		X	X
Technical and scientific support to define/document key critical area features		X	X
Better coordination with MNRRA to implement and fund program	X		X
Identify land for protection by purchase/easement	X		X
Tie incentives for LGUs to good behavior (e.g. number variances)			X
LEED-style standards for river projects			X
Need advocacy approach/coordination			X
Annual performance evaluation/stakeholder meeting			X

Mississippi River Critical Area Stakeholder Input
Collated summary of results

Citizen advisory role			X
Critical Area stamp possible funding/educational tool			X
Change and/or Move Critical Area			
Keep with DNR; they have resources, expertise, field staff	X	X	X
Where it is housed is not the issue; program should stand on own merits		X	X
Move to EQB with legislative appropriation	X		
Move to Met Council and/or better integrate with Regional Parks	X		
Met Council incorporate critical area into a plan/policy for three metro rivers	X		
Move to Wild & Scenic Program not appropriate/ corridor is unique	X	X	X
Update wild & scenic, shoreland at same time to work better with critical area		X	
Join Powers Organization not recommended	X		X
Give WMOs some authority over corridor resources			X
Add MNNRA/federal oversight			X

Mississippi River Critical Area Study Stakeholder Meetings

SYNTHESIS: strengths and weaknesses with general agreement and potential solutions for resolving issues and weaknesses

Mississippi River Resource

Strengths

- Improved water quality
- More parks and public access
- Industrial land uses are declining

Weaknesses

- Increased development pressure
- Scenic values, especially bluffs are threatened
- Polluted sites need attention
- Historic/cultural resources need more attention
- Habitat improvement, native plants and vegetation management need funding and technical support

Other Realities

- Metro area is growing, urbanizing
- Stormwater impacts are from well beyond corridor

Potential Strategies/Solutions

- Coordinate survey of corridor resources, especially visual/scenic resources
- Provide funding for LGUs for corridor enhancements and open space acquisition
- Ask Congress to fully fund MNRRA grant program
- Develop long-term vision for corridor, especially dealing with urbanization and how this stretch of the river relates to tributaries, watersheds, river segments and development patterns north and south of the corridor

Executive Order 79-19

Strengths

- Purpose, intent, unique identity
- Designation boundary (mostly)
- MNRRA designation/partnership

Weaknesses

- Vague, general, resource and key terms not well defined
- Static, outdated, numerous and sometimes conflicting goals
- District boundary change process is unclear

Potential Strategies/Solutions

- Keep critical area framework, intent
- Write new legislation for critical area that includes definitions and minimum standards
- Write critical area rules to create more specificity, improve definitions
- Establish or rank priority resource values
- Examine designation boundary and district boundaries and propose process for making changes

Local Government Role

Strengths

- Local values and landscapes are reflected in plans and ordinances customized to each community

Weaknesses

- Complex process, not well understood,
- Inconsistencies between and within cities, process is too often political
- Outdated ordinances and lack of clear, consistent dimensional standards
- Local units bear responsibility to implement regional and national goals

Potential Strategies/Solutions

- Outreach, education and technical assistance for LGU staff/public officials and citizens
- More early input from DNR and other stakeholders on development projects
- Coordinate survey of corridor resources, especially visual/scenic resources
- Local units update ordinances with DNR and NPS assistance
- Write critical area rules to ensure consistency between cities

DNR Role/Program Enforcement

Strengths

- DNR has authority over plans, plan amendments and ordinances

Weaknesses

- Lack of authority and oversight of projects and variances
- Lack of enforceable minimum standards
- Limited staffing, money and low priority within department
- No alternative to court action if city permits projects that violate law

Potential Strategies/Solutions

- Write rules for critical area
- Give DNR authority to certify variances (through rule)
- Establish technical panel to act as an appeal board (like WCA)
- Combine with shoreland or wild/scenic to streamline staffing, rule making, enforcement
- Establish joint powers board to oversee project review

Program Home

Strengths

- DNR has staff, expertise and systems in place for river and resource management

Weaknesses

- Limited expertise in historic resources, cultural landscapes
- Limited staff/funds available to do outreach and/or enforcement

Potential Strategies/Solutions

- Keep program home at DNR
- Consult with other agencies, especially MNRRA, Met Council and SHPO
- Fund additional staff, outreach, etc.

Mississippi River Critical Area Study Stakeholder Meeting Notes

All Stakeholder Meeting • November 7, 2007

AREAS OF GENERAL AGREEMENT

Comments, suggested changes

- DNR consultation with other agencies should include those with development expertise
- DNR needs more fiscal resources to be effective at managing critical area
- Government group had some interest in creating a special district within the shoreland program to manage critical area
- Mississippi River is special and keeping in critical area would retain unique protections
- Fear that critical area will be lost
- House program at DNR only if it has top priority and adequate funding
- Would like the DNR to be a stronger, more vocal advocate for the resource
- More funding important – from the top!

AREAS WITH OPINION DIFFERENCES

Regulatory Framework: legislation, rules or ordinances (i.e. locally set standards)?

- Concern that rule-making is very time consuming – need new legislation
- Point of information – legislation and rules would still require updated ordinances
- Local ordinance updates with technical support/help will best address local circumstances
- Needs stronger oversight, but use other option
- Legislation to ensure protections, consistent definitions and the right authority
- Use standards from 79-19 interim guidelines.
- Legislation – current local authority goes contrary to goals/needs for protecting a state and national resource; need minimum standards and consistent definitions.
- Rules, but do it right; it's complicated and could be more so at the corridor-wide level
- Definitions need to have science behind them
- Legislation – better tool to prevent avoiding or circumventing regulation
- Legislation with technical assistance and variance certification
- Prioritization between critical area goals should be in legislation

Regulation Standards: dimensional, performance or both?

- Performance – needed for local differences
Need to better define performance standards
- Some performance – encourages creative solutions, better chance of win-win
- Dimensional standards; use variances to allow flexibility, but define a rational way to allow variances.
- Performance standards easily become politicized
Performance standards at state level and dimensional standards at local level
- Need standards/guidance for unstable bedrock, especially St. Peter's Sandstone; technical information helpful/needed
- Parks and public land need to be held to same standards as property owners; use of native vegetation, clear-cutting, pruning are examples of double standard

Land Use Oversight: variance certification, technical panel/appeal board or local control?

- Variance certification needed to prevent inappropriate variances
- Variance certification and appeal board
- Appeal board good if multiple viewpoints are represented
- Variance certification or higher level of oversight needed to stop politicization of variances
- Legislation could be made compatible with 60/120 rule exceptions (for example, requiring environmental review)
- Conditional use permits (CUP) used in Mpls and St Paul allow exceptions to critical area goals and are not recorded as variances

Boundaries: What process is needed for corridor and/or district boundaries?

- Corridor boundary could be updated. Boundary established in 79-19 followed roads, not river/natural/cultural features, and some politically-based decisions excluded some areas.
- Changes should not degrade resource
- District boundaries should not reduce protections

STAKEHOLDER PRIORITIES AND PREFERENCES (DOT DEMOCRACY)

Priorities among potential management options (5 dots for each participant)

- Set priorities among Mississippi River critical area goals (22);
- Update regulatory Framework (15)
- Establish land Use Decision Oversight (14)
- Establish process for early input on development proposals (12);
- Provide outreach, education, technical assistance (10);
- Survey and document scenic and natural resources (10);
- Hold annual stakeholders meeting, issue annual report (9).
- Regulation Standards (5)
- Corridor Boundary Amendment Process (3)
- District Boundary Amendment Process (1)

Preferences among proposed solutions with opinion differences (5 dots each)

Regulatory Framework

- State Rules (3.5)
- New Legislation (14)
- Ordinance Updates (4.5)

Regulation Standards

- Dimensional (8)
- Performance
- Combination (13)

Land Use Decision Oversight

- Technical Review Panel/Appeal Board (16.5)
- Variance Certification (4.5)
- Local Control/Authority (3)

Corridor Boundary Amendment Process

- Yes, but boundary changes must be written into legislation or executive order (8)
- Yes, but the legislature should authorize a process whereby DNR has authority to approve corridor boundary amendments. (11)
- No, never

District Boundary Amendment Process

- No, districts meant to be permanent
- Yes, but only to a more protective district (16)
- Yes, districts meant to change with urban growth (3)

Mississippi River Critical Area Study Stakeholder Group Meetings

Preliminary Potential Management Options

A. Eliminate Mississippi River Critical Area designation

If the Mississippi River critical area designation were eliminated through legislative repeal, the corridor would still be subject to state shoreland rules, administered by DNR. Shoreland covers 300 to 1,000 feet from the river, so some blufflands might not be protected.

B. Maintain existing Mississippi River Critical Area program

The program would not change and it would continue to be administered with current levels of staffing and funding.

C. Enhance Mississippi River Critical Area program

Enhancing the critical area program could include increased DNR staffing, outreach and education, technical support and/or other resources for local communities. It could also include rulemaking for critical area, which might require legislative action. Any enhancements, including rulemaking, would require additional appropriation of funds.

D. Change and /or move metro river corridor protection

Changing river protection to a new or existing program and/or moving it to a different state agency would require action of the Governor or Legislature. Possible options:

- *Move to a different existing management framework within DNR*
Management of the metropolitan Mississippi River corridor could move to a different program within DNR, such as Shoreland or Wild and Scenic Rivers. New legislation might be required if a new class of river were to be included in an existing program.
- *House the Critical Area program elsewhere*
The Mississippi River critical area program could move to a different state agency, such as the Environmental Quality Board (EQB). Each of these options would require legislative action.
- *Change corridor protection program AND house program in a different agency*
- *Create new program or agency*
A new river corridor program or agency could be established through legislation to manage the metro reach of the Mississippi. Another example would be to establish a new joint powers organization to provide some level of oversight.

E. Other ideas from stakeholders...

Mississippi River Critical Area Study Stakeholder Engagement

Summary of Key Options for All-Stakeholder Meeting

Potential Solutions with General Agreement

Keep critical area framework

The intent of the original corridor designation – to conserve the corridor’s natural, historical, cultural, economic and other resources – remains valid. The framework is unique and well suited to a corridor of local, regional, statewide and national significance.

Continue to house program at DNR

DNR has staff, expertise and systems in place for management of rivers and natural and scenic resource. The program should stand on its own merits and work wherever it is housed.

DNR to regularly consult with other agencies

DNR has limited expertise in historic and cultural resources that is needed to protect all of the values of the program and the agency would benefit from consultation with agencies that have such expertise.

Strengthen partnership with MNRRA

The Mississippi National River and Recreation Area brings staff resources and expertise as well as status and notoriety, and potentially congressional appropriation of funds.

Increase funding for state and local implementation

Additional funding is needed to assure the program works well for the interests of both development and conservation.

Provide outreach, education, technical assistance

Additional outreach, education and technical assistance to developers, local governments and citizens in critical area corridor communities are needed to ensure they have the tools and understanding to implement the law.

Survey and document scenic and cultural resources

A clearer definition, understanding, and if possible, agreement of the scenic and cultural resource values to be protected and state-of-the-art methods for doing so is needed. The National Park Service has a process for surveying and evaluating views that could be implemented for the MNRRA corridor.

Set priorities among critical area goals

The Mississippi River critical area program calls for protection of natural, cultural, historical, scenic, recreational and economic resources of the corridor—goals which can be in conflict with each other. Should values protected by the critical area designation be ranked within different river reaches and if so, how and by whom?

Establish process for early input on development proposals

Early involvement of DNR in discussion with local governments and developers of the design of corridor projects would help forestall some conflicts and lead to better decisionmaking.

Hold annual stakeholders meeting; annual report

An annual report on the implementation of the program (# of land use changes and variances), state of the resource, key issues, and/or an annual meeting of corridor communities and stakeholders could improve program understanding and accountability.

Potential Solutions with Opinion Differences

Regulatory Framework

State Rules: Minimum standards, definitions and authorities of local and state government would be established through critical area rulemaking.

New Legislation: New legislation could include definitions, and set a direction for minimum standards. It is likely that rules would follow.

Update Local Ordinances: Under the current model, local units could update their ordinances so that regulations are updated and consistent with critical area goals. A model critical area ordinance has already been developed by MNRRA.

Regulation Standards

Dimensional: Provides consistency through standards for heights, setbacks, slopes etc. that are numerical and are straightforward to measure/understand/enforce, but does not well accommodate differences in local conditions.

Performance: Provides flexibility through standards that require specific goals are met, such as preservation of scenic views, maintaining a natural shoreline/buffer or preventing erosion. These standards can be subject to debate and difficult to enforce.

Combination: Combines dimensional and performance standards to allow flexibility where it is most needed or logical.

Land Use Decision Oversight

Some mechanism for oversight of variances granted by local corridor communities would increase resource protection.

Technical Review Panel/Appeal Board: An appeal board could help resolve and de-politicize some contentious variance disputes and provide corridor-wide and technical perspective. If modeled after the wetland conservation act, the panel would be made up of experts in relevant fields. It could also include seats for the regional/state agencies, MNRRA and other stakeholders.

Variance Certification: Generally authorized through rule, variance certification gives the DNR the authority to deny project variances granted at the local level. The Wild & Scenic Rivers program has variance certification, Shoreland rules do not.

Local Control/Authority: Under the current model, local units have authority over variances, but are required to notify/consult with DNR. If DNR disapproves, they could take a local unit to court.

Boundary Amendment Process

Some stakeholders believe methods of altering the boundaries of the four land use districts within the corridor should be explored to take into account rural-to-urban transformation, contiguous natural resources, streams and watersheds, and other factors, while other stakeholders believe the intent of the program was to preserve the character of the resources as they existed at the time of the program's inception, and thus changes in land use districts may not be desirable.

Corridor Boundary: linear boundary that runs parallel to the river

Corridor Districts: boundaries between the four critical area districts: urban diversified, urban developed, urban open space and rural open space

October 8, 2007

First Name Last Name
Organization
Address
City State Zip

Dear (First Name):

Friends of the Mississippi River (FMR) invites you to participate in a community stakeholder engagement process focused on the State Mississippi River Critical Area Program. Because of your involvement and leadership within the river corridor, you would bring a valuable perspective to the process and we hope you will consider joining us.

DNR Critical Area Study Stakeholder Meeting: River Businesses/Developers
Thursday, October 25, 9:00-11:30 a.m.
McKnight Foundation - 710 South Second Street, Suite 400
Minneapolis, MN 55401

Metered street parking or the ramp on 2nd Street is available for \$3-5

Last Spring, the State Legislature directed the Minnesota Department of Natural Resources (DNR) to evaluate the effectiveness of the Mississippi River's 30-year old designation as a state critical area, and make recommendations about how to protect the natural and scenic qualities of the river corridor.

FMR is coordinating the stakeholder input process for the DNR study, with the goal of engaging local and state government officials, local businesses and developers, environmental and civic organizations, and interested citizens in a discussion about the Mississippi River Critical Area Program.

Stakeholders will have the opportunity to share their opinions about the strengths and weaknesses of the Critical Area Program as it is currently administered, as well as possible solutions and alternative management options for protection of the river corridor.

The format of the stakeholder engagement process is to hold three meetings in late October organized by stakeholder categories (find your meeting date and location above): 1) state and local government, 2) corridor businesses and developers, 3) environment/civic groups and citizens.

The input from these three meetings will be collated and presented in draft format at a meeting for all stakeholders:

DNR Critical Area Study All Stakeholder Meeting
Wednesday, November 7, 6:30-8:00 p.m.
Neighborhood House - 179 Robie St East – 2nd Floor
St. Paul, MN 55107

All the comments and responses from stakeholders will be compiled for the DNR by the end of November, and summarized in their final report to the Legislature on February 1, 2008.

For additional information about the study and the Mississippi River Critical Area Program, the study or the stakeholder engagement process, including directions to the meetings, please visit FMR's website at www.fmr.org on or after October 15. Questions may be directed to FMR outreach director, Irene Jones at 651/222-2193 ext. 11 or ijones@fmr.org.

Please RSVP for one or both of the meetings by contacting Ryan Kane at FMR: 651/222-2193 ext. 10 or rkane@fmr.org.

We look forward to your involvement!

Sincerely,

Whitney L. Clark
Executive Director

October 12, 2007

First Name Last Name
Organization
Address
City State Zip

Dear (First Name):

Friends of the Mississippi River (FMR) invites you to participate in a community stakeholder engagement process focused on the State Mississippi River Critical Area Program. Because of your involvement and leadership within the river corridor, you would bring a valuable perspective to the process and we hope you will consider joining us.

DNR Critical Area Study Stakeholder Meeting: Env/Civic Organizations & Citizens
Tuesday, October 30, 6:30-9:00 p.m.
Neighborhood House
179 Robie St East – Room 272
St. Paul, MN 55107
Free parking available

Last Spring, the State Legislature directed the Minnesota Department of Natural Resources (DNR) to evaluate the effectiveness of the Mississippi River's 30-year old designation as a state critical area, and make recommendations about how to protect the natural and scenic qualities of the metropolitan river corridor.

FMR is coordinating the stakeholder input process for the DNR study, with the goal of engaging local and state government officials, local businesses and developers, environmental and civic organizations, and interested citizens in a discussion about the Mississippi River Critical Area Program.

Stakeholders will have the opportunity to share their opinions about the strengths and weaknesses of the Critical Area Program as it is currently administered, as well as possible solutions and alternative management options for protection of the river corridor.

The format of the stakeholder engagement process is to hold three meetings in late October organized by stakeholder categories (find your meeting date and location above): 1) state and local government, 2) corridor businesses and developers, 3) environment/civic groups and citizens.

The input from these three meetings will be collated and presented in draft format at a meeting for all stakeholders on **Wednesday, November 7, 6:30-8:00 p.m. at Neighborhood House, Room 212.**

All the comments and responses from stakeholders will be compiled for the DNR by the end of November, and summarized in their final report to the Legislature on February 1, 2008.

For additional information about the study and the Mississippi River Critical Area Program, the study or the stakeholder engagement process, including directions to the meetings, please visit FMR's website at www.fmr.org on or after October 15. Questions may be directed to FMR outreach director, Irene Jones at 651/222-2193 ext. 11 or ijones@fmr.org.

Please RSVP for one or both of the meetings by contacting Ryan Kane at FMR: 651/222-2193 ext. 10 or rkane@fmr.org.

We look forward to your involvement!

Sincerely,

Whitney L. Clark
Executive Director

October 12, 2007

First Name Last Name

Organization

Address

City State Zip

Dear (First Name):

Friends of the Mississippi River (FMR) invites you to participate in a community stakeholder engagement process focused on the State Mississippi River Critical Area Program. Because of your involvement and leadership within the river corridor, you would bring a valuable perspective to the process and we hope you will consider joining us.

DNR Critical Area Study Stakeholder Meeting: Local, State & Federal Government

Wednesday, October 31, 9:00-11:30 a.m.

Neighborhood House

179 Robie St East – Room 212

St. Paul, MN 55107

Free parking available

Last Spring, the State Legislature directed the Minnesota Department of Natural Resources (DNR) to evaluate the effectiveness of the Mississippi River's 30-year old designation as a state critical area, and make recommendations about how to protect the natural and scenic qualities of the river corridor.

FMR is coordinating the stakeholder input process for the DNR study, with the goal of engaging local and state government officials, local businesses and developers, environmental and civic organizations, and interested citizens in a discussion about the Mississippi River Critical Area Program.

Stakeholders will have the opportunity to share their opinions about the strengths and weaknesses of the Critical Area Program as it is currently administered, as well as possible solutions and alternative management options for protection of the river corridor.

The format of the stakeholder engagement process is to hold three meetings in late October organized by stakeholder categories (find your meeting date and location above): 1) state and local government, 2) corridor businesses and developers, 3) environment/civic groups and citizens.

The input from these three meetings will be collated and presented in draft format at a meeting for all stakeholders on **Wednesday, November 7, 6:30-8:00 p.m. at Neighborhood House, Room 212.**

All the comments and responses from stakeholders will be compiled for the DNR by the end of November, and summarized in their final report to the Legislature on February 1, 2008.

For additional information about the study and the Mississippi River Critical Area Program, the study or the stakeholder engagement process, including directions to the meetings, please visit FMR's website at www.fmr.org on or after October 15. Questions may be directed to FMR outreach director, Irene Jones at 651/222-2193 ext. 11 or ijones@fmr.org.

Please RSVP for one or both of the meetings by contacting Ryan Kane at FMR: 651/222-2193 ext. 10 or rkane@fmr.org.

We look forward to your involvement!

Sincerely,

Whitney L. Clark
Executive Director

October 8, 2007

First Name Last Name
Organization
Address
City State Zip

Dear (First Name):

Last Spring the State Legislature directed the Department of Natural Resources (DNR) to evaluate the effectiveness of the Mississippi River's 30-year old designation as a state critical area, and make recommendations about how to protect the natural and scenic qualities of the river corridor by February 1, 2008.

Friends of the Mississippi River (FMR), a citizen-based organization that works to protect and enhance the Mississippi River in the Twin Cities, is coordinating the stakeholder input process for the DNR study, with the goal of engaging local and state government officials, local businesses and developers, environmental and civic organizations, and interested citizens in a discussion about the Mississippi River Critical Area Program.

You are invited to participate in any or all of the community stakeholder engagement meetings coming up in the next few weeks.

DNR Critical Area Study Stakeholder Meetings

River Businesses/Developers: Thursday, October 25, 9:00-11:30 a.m.

McKnight Foundation - 710 South Second Street, Suite 400, Minneapolis 55401
Metered street parking or the ramp on 2nd Street is available for \$3-5

Environmental/Civic Organizations & Citizens: Tuesday, October 30, 6:30-9:00 p.m.

Neighborhood House - 79 Robie St East – Room 272, St. Paul 55107
Free parking available

Local, State & Federal Government: Wednesday, October 31, 9:00-11:30 a.m.

Neighborhood House – Room 212

All Stakeholders: Wednesday, November 7, 6:30-8:00 p.m.

Neighborhood House – Room 212

Stakeholders will have the opportunity to share their opinions about the strengths and weaknesses of the Critical Area Program as it is currently administered, as well as possible solutions and alternative management options for protection of the river corridor.

The format of the stakeholder engagement process is to hold three meetings in late October organized by stakeholder categories (see above). The input from these three meetings will be collated and presented in draft format at a meeting for all stakeholders in early November.

All the comments and responses from stakeholders will be compiled for the DNR by the end of November, and summarized in their final report to the Legislature.

For additional information about the study and the Mississippi River Critical Area Program, the study or the stakeholder engagement process, including directions to the meetings, please visit FMR's website at www.fmr.org on or after October 15. Questions may be directed to FMR outreach director, Irene Jones at 651/222-2193 ext. 11 or ijones@fmr.org.

Please RSVP for one or both of the meetings by contacting Ryan Kane at FMR: 651/222-2193 ext. 10 or rkane@fmr.org.

We look forward to your involvement!

Sincerely,

Whitney L. Clark
Executive Director

First_Name	Last_Name	Organization
Anne	Anderson	Westwood Professional Services
Matt	Anfang	Centex Homes
Tim	Baylor	JADT Group, LLC
Bob	Bieraugel	Aggregate Industries
Bruce	Chamberlain	Hoisington Koegler Group, Inc.
Bob	Close	Close Landscape Architecture
Jean	Coleman	CR Planning
Linda	Donaldson	Brighton Development Corp.
Laura	Fernandez	For State Representative Rick Hansen
David	Frauenshuh	Frauenshugh Companies
Theresa	Greenfield	Rottlund Homes, Inc.
David	Hartwell	
Winston	Hewett	Opus
Mindy	Isaacs	American Iron
Don	Kern	Flint Hills Resources
Karolyn	Kirchgesler	Saint Paul RCVA
Nick	Koch	HGA
Michael	Lander	Lander Group
Chip	Lindeke	Rafferty, Rafferty, Tollefson
Lorrie	Louder	St. Paul Port Authority
Sherm	Malkerson	C. Chase Company
John	Mannillo	Capitol River District Council
Laurie	Miller	DR Horton Custom Homes
Laura	Mylan	Saint Paul Riverfront Corporation
Lee	Nelson	Upper River Services, Inc.
Gregory	Page	Saint Paul Riverfront Corporation
Dan	Pfeiffer	
Michael	Rainville	Twin Cities Official Visitors Guide
Karen	Reid	Neighborhood Development Alliance
Kit	Richardson	Schafer Richardson
Chris	Romano	Riverview Economic Developmen Assoc
Rusty	Schmidt	URS Corporation
David	Sellergren	Fredrikson & Byron, P.A.
John	Shardlow	Bonestroo/DSU
George	Sherman	Sherman Associates
Mark	Stutrud	Summit Brewing Company
Chuck	Sullivan	Sullivan Group Architects
Michael	Welch	Smith Partners
Steve	Wellington	Wellington Management

First_Name	Last_Name	Organization
Russ	Adams	Alliance for Metropolitan Stability
Nina	Archabal	MN Historical Society
Tom	Balcom	
Joyce	Barta	Prospect Park East River Rd Imp Assn
Shawn	Bartsh	
Brian	Bates	
Tom	Bell	
Sharell	Benson	Sierra Club - North Star Chapter
Gjerry	Berquist	
Gayle	Bonneville	St. Anthony West Neighborhood
Tim	Boyle & Sharon Wheeler	
Edna	Brazaitis	Friends of the Riverfront
Carol	Carey	Historic Saint Paul
Carolyn	Carr	LCC River Gorge Committee
Valeng	Cha	Hawthorne Area Community Council
Elissa	Cottle	Marcy Holmes Neighborhood Assn.
Rebecca & Scott	Cramer	
Dave	Dempsey	
Elizabeth	Dickinson & Christopher Childs	
Georgia	Dietz	Highland District Council
Tom	Dimond	
Karin	DuPaul	Daytons Bluff Community Council
Larry	Englund	Capitol River Coun./Dist. #17
Roberta	Englund	Webber-Camden Neighborhood Org
Jim	Erkel	MCEA
Jim	Fitzpatrick	Carpenter Nature Center
Meg	Forney & Jon Fagerson	
Katie and Rick	Fournier	
David	Frank	Warehouse Dist./North Loop Neighborhood
Carlos	Garcia Velasco	West Side Citizens Organization
Diane	Gerth	W. 7th / Fort Rd. Federation
Rhoda R.	Gilman	
Dennis	Gimmestad	State Historical Preservation Office
Carol & Rick	Greenwood	Seward Neighborhood Group
John	Grzybek	
Michael	Guest	
Rick & Suzanne	Hansen	
Karen and Scott	Harder	
Laurie	Hawkins	Hastings Environmental Protectors
Theresa	Heiland	Merriam Park Community Council
Phil	Heywood & Paula Vollmar	
Harland	Hiemstra	
Jill	Hirons Maraist	Capital River Council/Dist. #17
Michelle	Hoffman	
Tony & Diane	Hofstede	
Lisa	Hondros	Nicollet Island - East Bank Neighborhood Assoc.
Christina	Hong	District 1 Community Council
Louise	Hotka and Jill Meyer	
Joshua	Houdek	Sierra Club - North Star Chapter
Amy L.	Hubbard	Irwin Andrew Porter Foundation
Steve	Hunstad	St Paul Park City Council
Ed	Johnson	West Seventh - Fort Road Federation
Frank	Jossi	Sierra Club - North Star Chapter
Jerry	Kahlert	
Donald and Phyllis	Kahn	
Deborah	Karasov	Great River Greening
Tecla	Karpen	
John	Kerwin	
T.K. & Jan	Kilton	PPERIA

Rosemary	Knutson	
Ron	Kroese	McKnight Foundation
Pat	Kvidera	Marshall Terrace Neighborhood
Craig	Larson and Beverly Gerdes	
Kurt	Leuthold	Steven Leuthold Family Foundation
Amy	Luesebrink	Lind-Bohanon Neighborhood Assoc.
Don	Luna	WSCO
Margaret	Lund and Chris Steller	
Peggy	Lynch	Friends of the Parks St. Paul and Ramsey County
Mary Jamin	Maguire	Marshall Terrace Neighborhood
Sheldon	Mains	
Jack	Maloney	
Jill	Maraist	
Judith	Martin	
Judith	Martin	University of Minnesota - Urban Studies
Melissa	Martinez-Sones	Macalester Groveland Community Council
Matt	Massman	
Bonnie	McDonald	Preservation Alliance of Minnesota
Kevin	McDonald	
Dan	McGuiness	National Audubon Society
Diana	McKeown	
Debbie	Meister & Gene Christenson	
Chris	Morris	McKinley Neighborhood
Steve	Morse	
Erin	Murphy	MN House of Representatives
Laura	Musacchio	
Paulette	Myers-Rich	W. 7th / Fort Rd. Federation
Julia and Brian	Nerbonne	
Tim & Lara	Norkus-Crampton	
Katie	Nyberg	Mississippi River Fund
Hillary	Oppmann & Andy Holdsworth	
Sage	Passi	
Cordelia	Pierson	The Trust for Public Land
Fred	Poehler	
Dave	Polaschek	
Michael	Prichard	
Jane	Prince	
Sherrie	Pugh Sullivan	NRRC
Jack	Ray	
Jack	Ray	Urban Boatbuilders
Dean	Rebuffoni	
Judy	Richardson	
Christie	Rock-Hantge	Downtown Minneapolis Neighborhood Assn
Mike	Romens	
Robert and Sally	Roscoe	
Shelley	Shreffler	
Laura	Silver	West Bank Community Coalition
KT	Simon-Dastych & Gerald Dastych	
Jack	Skrypek	
Bob	Spaulding	Capitol River Coun./Dist. #17
Siah	St. Clair	Springbrook Nature Center
Kathy	Stack	
Chris	Steller	
John	Stiles & Javier Morillo-Alicea	
Erin	Stojan	
Chuck	Sullivan	
Carol	Swenson	
Peck	Tierney	
William L.	Tilton	Miss. Whitewater Park Dev. Corp.

Lyndon	Torstenson
Ted	Tucker
Christine	Viken
Joyce	Vincent
Scott	Vreeland & Lorie Bergstrom
Peter	Wagenius
Bernie	Waibel
Bernie	Waibel
Walter and Sue	Waranka
Terrence	Williams & Patricia Hampl
Jennifer	Winkelman
Georgianna	Yantos
Grit	Youngquist
Dave	Zumeta

Seward Neighborhood Group
Seward Neighborhood Group
Dayton's Bluff Community Council

Hawthorne Area Community Council

Nicollet Island - East Bank Neighborhood Assoc.
Sheridan Neighborhood Organization

First_Name	Last_Name	Organization
Jim	Abeler	MN House of Representatives
Cliff	Aichinger	Ramsey-Washington Watershed District
Joe	Atkins	MN House of Representatives
Karla	Bigham	MN House of Representatives
Larry	Bodahl	City of Newport
John	Burbanks	City of Cottage Grove
Ann	Calvert	City of Minneapolis CPED
Satveer	Chaudhary	MN Senate
Richard	Cohen	MN Senate
Sandra	Colvin Roy	Minneapolis City Council
Greg	Copeland	City of Maplewood
John	Cox	City of Champlin
Jim	Danielson	City of Mendota Hts.
Mike	Davis	MN DNR
Jim	Davnie	MN House of Representatives
Denise	Dittrich	MN House of Representatives
Augustine "Willie"	Dominguez	MN House of Representatives
Mark	Doneux	Capitol Region Watershed District
Tori	Dupre	Met Council Environmental Services
Sandy	Fecht	MN DNR - Waters
Leo	Foley	MN Senate
Matt	Fulton	City of Coon Rapids
Pat	Garofalo	MN House of Representatives
Kate	Garwood	County of Anoka
Amy	Geisler	City of Ramsey
Chris	Gerlach	MN Senate
Lisa	Goodman	Minneapolis City Council
Cam	Gordon	Minneapolis City Council
Steve	Gordon	St. Paul PlannignCommission
Rick	Hansen	MN House of Representatives
Michele	Hanson	Department of Natural Resources
Scott	Harlicker	City of Coon Rapids
Pat	Harris	Saint Paul City Council
Becky	Herman	Denmark Township
Scott	Hickok	City of Fridley
Linda	Higgins	MN Senate
John	Hinzman	City of Hastings
Brad	Hoffman	City of Brooklyn Center
Diane	Hofstede	Minneapolis City Council
Dale	Homuth	MN DNR - Division of Waters
Melissa	Hortman	MN House of Representatives
Steve	Hunstad	Saint Paul Park City Council
Anne	Hunt	City of St. Paul - Office of the Mayor
Craig	Johnson	League of Minnesota Cities
Sheldon	Johnson	Minnesota Legislature
Steve	Johnson	MNRRRA
Barbara	Johnson	Minneapolis City Council
Sheldon	Johnson	MN House of Representatives
Michael	Jungbauer	MN Senate

Phyllis	Kahn	MN House of Representatives
Barbara	Kienberger	Ravenna Township
Steven	King	City of South St. Paul
Robert	Kirchner	City of Anoka
Judith	Krupich	Nininnger Twp
Carolyn	Laine	MN House of Representatives
Dick	Lambert	MNDOT
Kathy	Lantry	Saint Paul City Council
Dan	Larson	MN Senate
Cara	Letofsky	City of Minneapolis - Office of the Mayor
Warren	Limmer	MN Senate
Kim	Lindquist	City of Rosemount
Thomas	Link	City of INver Grove Heights
Diane	Loeffler	MN House of Representatives
Marilyn	Lundberg	Lilydale City Council
Greg	Mack	Ramsey County Parks and Rec.
Carlos	Mariani	MN House of Representatives
Sue	McDermott	City of Mendota Heights
Michael	McDonough	Leg. Comm. on Minnesota Resources
Tom	McDowell	Hennepin Parks-Natural Resources Mgmt.
Denny	McNamara	MN House of Representatives
James	Metzen	MN Senate
Matt	Moore	S. Washington Watershed District
Jan	Morlock	Office of University Relations
Pat	Mosites	Metropolitan Airports Commission
Mee	Moua	MN Senate
Joe	Mullery	MN House of Representatives
Erin	Murphy	MN House of Representatives
Lonnie	Nichols	Minneapolis Park Board
Patrick	Nunnally	U of M Mississippi River Initiative
Dennis	O'Donnell	Washington County Planning and Zoning
Joan	Olin	City of Mendota
Dennis	Ozment	MN House of Representatives
Sandra	Pappas	MN Senate
Pat	Pariseau	MN Senate
Michael	Paymar	MN House of Representatives
Joyce	Peppin	MN House of Representatives
Jeff	Perry	Anoka County Parks
Lawrence	Pogemiller	MN Senate
Jennifer	Ringold	Minneapolis Park Board
Don	Samuels	Minneapolis City Council
Ciara	Schlichting	Bonestroo
Paul	Schoenecker	Grey Cloud Island Township Board
Scott	Schulte	City of Champlin
Cindy	Sherman	City of Brooklyn Park
Katie	Sieben	MN Senate
Barry	Sittlow	City of St. Paul Park
Linda	Slocum	MN House of Representatives
Kristina	Smitten	MFRA

Government Agencies Contacted

Appendix 4b

Douglas	Snyder	Mississippi WMO
Larry	Soderholm	City of Saint Paul - PED
Barbara	Sporlein	City of Minneapolis Planning Dept
Sarah	Strommen	Ramsey City Council
Erin	Stwora	City of Dayton
Steve	Sullivan	Dakota County Parks and Rec
Lucy	Thompson	City of Saint Paul - PED
Erik	Thorvig	City of Anoka
Dave	Thune	Saint Paul City Council
Patricia	Torres Ray	MN Senate
Allan	Torstenson	City of Saint Paul - PED
Patrick	Trudgeon	City of Ramsey
Libby	Ungar	Fresh Energy
Ron	Warren	City of Brooklyn Center
Bernard	Weitzman	City of Lilydale
Rebecca	Wooden	MN DNR - Waters
Carol	Zoff	MN DOT Office of Technical Support
Brian	Zweber	City of Rosemount

**Mississippi River Critical Area Study
Stakeholder Engagement Meeting Participation**

GROUP	First Name	Last Name	Organization/Affiliation	Group mtgs	All SH mtg
BOARD	Michelle	Beeman	Dakota County		Nov. 7
BOARD	Peter	Gove	FMR Board	Oct. 31	
BOARD	Hokan	Miller	Upper River Services		Nov. 7
BOARD	Edward	Oliver	FMR Board	Oct. 31	
BUS/DEV	Matt	Anfang	Centex	Oct. 25	
BUS/DEV	Tim	Baylor	JADT Group, LLC	Oct. 25	
BUS/DEV	Bob	Bieraugel	Aggregate Industries	Oct. 25	
BUS/DEV	Chuck	Derscheid	St. Paul Port Authority	Oct. 25	
BUS/DEV	Linda	Donaldson	Brighton Development Corp.	Oct. 25	
BUS/DEV	Chip	Lindeke	Rafferty, Rafferty, Tollefson	Oct. 25	Nov. 7
BUS/DEV	John	Mannillo	Capitol River District Council	Oct. 30	
BUS/DEV	Laurie	Miller	DR Horton Custom Homes	Oct. 25	
BUS/DEV	Gregory	Page	Saint Paul Riverfront Corporation	Oct. 25	Nov. 7
BUS/DEV	Kit	Richardson	Schafer Richardson	Oct. 25	
BUS/DEV	Chris	Romano	Riverview Economic Developmen Assoc	Oct. 25	
BUS/DEV	George	Sherman	Sherman Associates	Oct. 25	
ENV/CIV	Tom	Bell	Grey Cloud Island Township Planning Commission		Nov. 7
ENV/CIV	Sharell	Benson	Sierra Club - North Star Chapter	Oct. 30	Nov. 7
ENV/CIV	Gjerry	Berquist	West Side Citizens Organization Env Committee	Oct. 30	Nov. 7
ENV/CIV	Edna	Brazaitis	Friends of the Riverfront	Oct. 30	Nov. 7
ENV/CIV	Carol	Carey	Historic Saint Paul	Oct. 30	
ENV/CIV	Tom	Dimond		Oct. 30	Nov. 7
ENV/CIV	Jim	Erkel	Minnesota Center for Environmental Advocacy		Nov. 7
ENV/CIV	Joe	Ferrer		Oct. 30	
ENV/CIV	John	Grzybek	Climb the Wind Institute	Oct. 30	
ENV/CIV	Laurie	Hawkins	Hastings Environmental Protectors	Oct. 30	

ENV/CIV	Lisa	Hondros	Nicollet Island - East Bank Neighborhood Assoc.	Oct. 30	Nov. 7
ENV/CIV	Christina	Hong	District 1 Community Council	Oct. 30	Nov. 7
ENV/CIV	Jerry	Kahlert	Sierra Club - North Star Chapter	Oct. 30	Nov. 7
ENV/CIV	Carol	Keyes-Ferrer		Oct. 30	
ENV/CIV	Pat	Kvidera	Marshall Terrace Neighborhood	Oct. 30	
ENV/CIV	Peggy	Lynch	Friends of the Parks and Trails of St. Paul/Ramsey County	Oct. 30	Nov. 7
ENV/CIV	Ciara	Schlichting	Bonestroo	Oct. 31	
ENV/CIV	Shelley	Shreffler		Oct. 30	
ENV/CIV	Laura	Silver	West Bank Community Coalition	Oct. 30	Nov. 7
ENV/CIV	Chuck	Sullivan	Above the Falls Citizen Advisory Committee	Oct. 31	
ENV/CIV	Lyndon	Torstenson	Longfellow Community Council	Oct. 30	
ENV/CIV	Jennifer	Winkelman		Oct. 30	
ENV/CIV	Georgianna	Yantos	Hawthorne	Oct. 30	
ENV/CIV	Grit	Youngquist	Friends of Lilydale	Oct. 30	
GOV	Cliff	Aichinger	Ramsey-Washington Watershed District	Oct. 31	
GOV	John	Burbanks	City of Cottage Grove	Oct. 31	
GOV	Ann	Calvert	City of Minneapolis CPED	Oct. 31	Nov. 7
GOV	Tori	Dupre	Met Council Environmental Services	Oct. 31	
GOV	Chris	Essor	City of South St. Paul Parks and Recreation	Oct. 31	
GOV	Laura	Fernandez	Representing Rep. Rick Hansen	Oct. 25	
GOV	Amy	Geisler	City of Ramsey	Oct. 31	
GOV	Rick	Hansen	MN House of Representatives	Oct. 30	
GOV	John	Hinzman	City of Hastings	Oct. 31	
GOV	Anne	Hunt	City of St. Paul - Office of the Mayor	Oct. 31	Nov. 7
GOV	Mary	Jackson	Dakota County	Oct. 31	
GOV	Craig	Johnson	League of Minnesota Cities	Oct. 31	
GOV	Sheldon	Johnson	Minnesota Legislature	Oct. 31	Nov. 7
GOV	Jason	Lindahl	City of Rosemount	Oct. 31	Nov. 7
GOV	Marilyn	Lundberg	Lilydale City Council	Oct. 31	Nov. 7
GOV	Sue	McDermott	City of Mendota Heights	Oct. 31	

GOV	Michael	McDonough	Leg. Comm. on Minnesota Resources	Oct. 31	
GOV	Erin	Murphy	MN House of Representatives	Oct. 30	Nov. 7
GOV	Lonnie	Nichols	Minneapolis Park & Recreation Board	Oct. 31	
GOV	Patrick	Nunnally	University of Minnesota		Nov. 7
GOV	Molly	Shodeen	MN DNR - Waters		Nov. 7
GOV	Larry	Soderholm	City of Saint Paul - PED	Oct. 31	
GOV	Allan	Torstenson	City of Saint Paul - PED	Oct. 31	Nov. 7
GOV	Rita	Trapp	Hoisington Koegler Group	Oct. 31	
GOV	Harvey	Turner	University of Minnesota	Oct. 31	
GOV	Carol	Zoff	MN DOT Office of Technical Support	Oct. 31	
STAFF-FMR	Whitney	Clark	Friends of the Mississippi River	Oct. 25, 30, 31	Nov. 7
STAFF-FMR	Irene	Jones	Friends of the Mississippi River	Oct. 25, 30, 31	Nov. 7
STAFF-FMR	Ryan	Kane	Friends of the Mississippi River	Oct. 25, 30, 31	Nov. 7
STAFF-FMR	Bob	Spaulding	Friends of the Mississippi River	Oct. 25, 30, 31	Nov. 7
STAFF-GOV	Michele	Hanson	MN DNR - Waters	Oct. 30, 31	Nov. 7
STAFF-GOV	Dale	Homuth	MN DNR - Division of Waters	Oct. 25, 30, 31	Nov. 7
STAFF-GOV	Steve	Johnson	National Park Service/MNRRRA	Oct. 25, 30, 31	Nov. 7
STAFF-GOV	Kathy	Metzker	MN DNR - Waters	Oct. 25	Nov. 7
STAFF-GOV	John	Wells	Environmental Quality Board	Oct. 25, 30, 31	Nov. 7
STAFF-GOV	Rebecca	Wooden	MN DNR - Waters	Oct. 30, 31	Nov. 7

Mississippi River Critical Area Study Stakeholder Engagement

Friends of the Mississippi River (FMR) is coordinating the stakeholder input process for a study and report on the Mississippi River Critical Area Program being conducted by the Minnesota Department of Natural Resources (DNR). The goal of the stakeholder meetings is to engage local and state government officials, local businesses and developers, environmental and civic organizations, and interested citizens in a discussion about the critical area program and managing the river corridor.

The Legislation

Laws of Minnesota 2007, Chapter 57, Art. 1, Sec. 4, Subd. 8 directs the DNR, in consultation with the Environmental Quality Board, to report by February 1, 2008, on the Mississippi River critical area program. The report must include the status of critical area plans, zoning ordinances, the number and types of revisions anticipated, the nature and number of variances sought, and recommendations to adequately protect and manage the “aesthetic integrity and natural environment” of the river corridor.

DNR Critical Area Study and Report

The Mississippi River Critical Area corridor was designated over 30 years ago, extending approximately 72 miles and encompassing portions of some 30 governmental subdivisions. This report will address the status of plans and ordinances, discuss variances to the ordinances, and include options and recommendations for improving critical area management, especially for protecting the river corridor’s visual and natural amenities. DNR will complete the report, primarily using existing staff and resources. Staff will conduct a survey of local government units within the Critical Area corridor to obtain first-hand information on the status of critical area plans and ordinances, community perspectives on the program, and ascertain the number and types of variances sought and issued in each community. The DNR, with the assistance of Friends of the Mississippi River and research consultant Dave Dempsey, will convene a stakeholder group to provide input on management issues, to help develop alternative or improved management strategies, and to identify programmatic, statutory or rulemaking requirements or obstacles to improvement.

DNR Report

The report will provide background and discuss roles of the Environmental Quality Board, the Met Council, DNR, and the National Park Service/MNRRRA. It will discuss the status of critical area plans and ordinances in each of the communities, and it will include information received from the survey of local units of government. There will be a discussion of issues with the current management scheme, and a discussion of potential management options and the statutory, funding or other changes necessary to implement each.

DNR Study/Report Timeline:

Aug-Sep	Local Government Unit Survey
Oct-Nov	Stakeholder Engagement Process
Dec	Draft Report
Jan	Final Report

Critical Area Stakeholder Engagement Process

FMR is convening a series of stakeholder meetings this Fall to evaluate and generate options for management of the Mississippi River Corridor Critical Area. The input and ideas gathered through this process will be compiled into a written summary for the DNR and incorporated into their report and recommendation to the Legislature.

Stakeholder Group Meetings

The first three meetings, organized by stakeholder group, are being held in late October:

- Local, State and Federal Government
- River Corridor Businesses and Developers
- Environment/Civic Groups and Citizens

During these initial meetings, stakeholders will have the opportunity to share their opinions about the strengths and weaknesses of the Critical Area Program as it is currently administered, as well as possible solutions and alternative management options for protection of the river corridor. Input gathered through group discussion and written feedback forms will be collated for the All Stakeholder Meeting.

All Stakeholder Meeting

A follow-up meeting will be held for all stakeholders groups in early November. The input from the Stakeholder Group Meetings will be collated and presented in draft format for stakeholders to review, discuss and provide additional comments.

Critical Area Stakeholder Meeting Schedule

River Businesses/Developers: Thursday, October 25, 9:00-11:30 a.m.

McKnight Foundation - 710 South Second Street, Suite 400, Minneapolis 55401

Metered street parking or the ramp on 2nd Street is available for \$3-5

Environmental/Civic Organizations & Citizens: Tuesday, October 30, 6:30-9:00 p.m.

Neighborhood House - 179 Robie St East – Room 272, St. Paul 55107

Free parking available

Local, State & Federal Government: Wednesday, October 31, 9:00-11:30 a.m.

Neighborhood House – Room 212

All Stakeholders: Wednesday, November 7, 6:30-8:00 p.m.

Neighborhood House – Room 212

For Additional Information:

Visit http://www.fmr.org/projects/critical_area_study or contact Irene Jones at 651/222-2193 ext. 11 or ijones@fmr.org

The FMR-led Stakeholder Engagement Meetings are being funded by the DNR with additional support from the Mississippi River Fund.

Hard Copies of Stakeholder Feedback Forms

Copies of all stakeholder feedback forms collected through this process are available by request from Irene Jones at Friends of the Mississippi River (contact information included in the front of this report).