

# Minnesota Department of Natural Resources

500 Lafayette Road · Saint Paul, Minnesota · 55155-4037

Office of the Commissioner

651-259-5555



January 21, 2015

Senator John Marty  
Chair  
Environment and Energy Committee  
[jmarty@senate.mn](mailto:jmarty@senate.mn)

Senator David Osmek  
Ranking Minority Member  
Environment and Energy Committee  
[sen.david.osmek@senate.mn](mailto:sen.david.osmek@senate.mn)

Senator David Tomassoni  
Chair  
Environment, Economic Development, and  
Agriculture Finance Division  
[sen.david.tomassoni@senate.mn](mailto:sen.david.tomassoni@senate.mn)

Senator Bill Ingebrigtsen  
Ranking Minority Member  
Environment, Economic Development, and  
Agriculture Finance Division  
[sen.bill.ingebrigtsen@senate.mn](mailto:sen.bill.ingebrigtsen@senate.mn)

Representative Denny McNamara  
Chair  
Environment, Natural Resources and Natural  
Resources Policy and Finance Committee  
[rep.denny.mcnamara@house.mn](mailto:rep.denny.mcnamara@house.mn)

Representative Rich Hansen  
DFL Lead  
Natural Resources and Natural Resources Policy  
and Finance Committee  
[rep.rick.hansen@house.mn](mailto:rep.rick.hansen@house.mn)

**Subject: Annual Report on Rulemaking Docket and Official Records for Rules Completed in 2014 as required by Minnesota Statutes, section 14.116(a)**

Dear Senators and Representatives:

Minnesota Statutes, section 14.116(a), requires the Department of Natural Resources (DNR) to submit its rulemaking docket and official rulemaking records for rules completed during the preceding calendar year.

The DNR's current rulemaking docket is enclosed with this letter. Our docket is always available on the [DNR's rulemaking webpage](#).

The DNR completed the following six permanent rules in 2014 under the Administrative Procedure Act, *Minnesota Statutes*, Chapter 14:

1. Adopted Expedited Permanent Rules Relating to Prohibited and Regulated Invasive Species, Revisor's File No. R-04118, effective 6/30/2014
2. Adopted Permanent Rules Relating to Southeast Trout Fishing, Revisor's File No. R-04234, effective 7/14/2014
3. Adopted Exempt Permanent Rules Relating to Taking Deer, Gray Partridge, Rabbits, Hares, and Muskellunge, Revisor's File No. R-04286, effective 10/6/2014
4. Adopted Permanent Rules Relating to Fishing Regulations, Aquatic Plants, Licenses and Permits, and Border Water Requirements, Revisor's File No. R-04114, effective 12/22/2014
5. Adopted Exempt Permanent Rules Relating to Display of Paddle Board License, Revisor's File No. R-04235, effective 12/22/2014



Please note that you have access to the key documents in any agency rulemaking at the revisor's website in a relatively new database entitled "Minnesota Rule Status – Basic Search" ([https://www.revisor.leg.state.mn.us/rules/rule\\_search.php](https://www.revisor.leg.state.mn.us/rules/rule_search.php)). Among other options, you can search state rulemaking documents by agency, keyword, rule type, dates, or statutory authority. You can access documents related to an adopted rule or the documents already made public for a rule that is still being promulgated.

If you have questions about this report, please contact Beth Carlson, DNR Rules Coordinator, at 651-259-5531 or [beth.carlson@state.mn.us](mailto:beth.carlson@state.mn.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Landwehr", written over a horizontal line.

Tom Landwehr  
Commissioner

Enclosure: DNR Public Rulemaking Docket

c: Bob Meier, DNR Assistant Commissioner  
Beth Carlson, DNR Rules Coordinator, DNR Division of Operations Services

## LEGISLATIVE REPORT – Cost of Preparation

NAME OF LEGISLATIVE REPORT – *Annual Report on Rulemaking Docket and Official Records for Rules Completed in 2014*

Based on: Records maintained by DNR Rules Coordinator

Minnesota Statute Reference: **Minnesota Statutes, section 14.116(a)**

Prepared by: Beth Carlson, Rules Coordinator, Department of Natural Resources

Phone: 651-259-5531

Email: beth.carlson@state.mn.us

Description of Cost	Further explanation if necessary	Amount
Staff Time – DNR Rules Coordinator	2.0 hours @ \$ 38.11	\$ 76
	<b>TOTAL TO PREPARE REPORT</b>	\$ 76



## Minnesota Department of Natural Resources

### Public Rulemaking Docket concerning permanent rules

Beth Carlson, DNR Rules Coordinator (651-259-5531 or [beth.carlson@state.mn.us](mailto:beth.carlson@state.mn.us))

**Last updated: 6 January 2015**

Rule types: **P** = Permanent; **ExpP** = Expedited Permanent §14.389; **GCE** = Good Cause Exempt §14.388; **Ex** = Exempt §14.386

Other abbreviations: **OA**H = Office of Administrative Hearings; **ALJ** = Administrative Law Judge

Contact the agency contact person to inspect written comments, written requests for a public hearing, and names of parties who requested a public hearing



#### ACTIVE RULEMAKING PROJECTS

Subject Matter	Rule Type	Agency Contact Person (Lead Staff)	Current Status of proposed rule and any agency determinations	Revisor's File Number; Timetable for adoption and other agency determinations	Notices Published (State Register citations)	Public hearing schedule	Date Rule Adopted	Date Rule Filed with Secretary of State	Effective Date of Rule
Wildlife Disease Prevention and Control Pertaining to Viral hemorrhagic septicemia (VHS) Transmission from Bait	ExpP	Linda Erickson-Eastwood Fish & Wildlife Division 651-259-5206 <a href="mailto:linda.erickson-eastwood@state.mn.us">linda.erickson-eastwood@state.mn.us</a>	Rule development underway	R-04217 Goal to complete: 2015		not applicable			
Mississippi River Corridor Critical Area (MRCCA)	P	Daniel Petrik Ecological & Water Resources Division 651-259-5697 <a href="mailto:daniel.petrik@state.mn.us">daniel.petrik@state.mn.us</a>	Rule development underway	R-04240 <del>R-04014</del> (closed) Goal to complete: 2014	Request for Comments published 14 Dec 2009 (34 SR 848); Second Request for Comments published 2 June 2014 (38 SR 597); 15 Aug 2014 deadline for comments;				
Reclamation of Silica Sand Mines	P	Heather Arends Lands & Minerals Division 651-259-5376 <a href="mailto:heather.arends@state.mn.us">heather.arends@state.mn.us</a>	Rule development underway	R-04198 Goal to complete: late 2014 or early 2015	Request for Comments published 22 July 2013 in State Register (38 SR 108)				
Outdoor Recreation	P	Rebecca Wooden Parks & Trails Division 651-259-5584 <a href="mailto:rebecca.wooden@state.mn.us">rebecca.wooden@state.mn.us</a>	Rule development underway	R-03941 Goal to complete: 2014	Request for Comments published 27 May 2014 (38 SR 1563); 25 July 2014 deadline for comments;				

# RECENTLY COMPLETED RULEMAKING PROJECTS

Subject Matter	Rule Type	Agency Contact Person (Lead Staff)	Current Status of proposed rule and any agency determinations	Revisor's File Number; Timetable for adoption and other agency determinations	Notices Published (State Register citations)	Public hearing schedule	Date Rule Adopted	Date Rule Filed with Secretary of State	Effective Date of Rule
Aquatic Plant Management Permit Fees	GCE	Steve Enger Fish & Wildlife Division 651-259-5092 <a href="mailto:steve.enger@state.mn.us">steve.enger@state.mn.us</a>	COMPLETED	R-04212	2 Dec 2013 adopted rule published in State Register (38 SR 787)	not applicable	13 Nov 2013	15 Nov 2013	7 January 2015
Wildlife	ExpP	Jason Abraham Wildlife Section 651-259-5197 <a href="mailto:jason.abraham@state.mn.us">jason.abraham@state.mn.us</a>	COMPLETED	R-04250	7 Apr 2014 Proposed Rules and Notice of Intent To Adopt Expedited Rules Without a Hearing published; 12 May 2014 deadline for comments; 5 Jan 2015 Notice of Adoption	not applicable	11 Aug 2014	20 Aug 2014	5 Jan 2015
Display of Paddle Board License Numbers	GCE	Stan Linnell Parks & Trails Division 651-259-5626 <a href="mailto:stan.linnell@state.mn.us">stan.linnell@state.mn.us</a>	COMPLETED	R-04235 Goal to complete: 2014		not applicable	1 Dec 2014	11 Dec 2014	22 Dec 2014
Fishing Regulations, Aquatic Plants, Licenses and Permits, and Border Water Requirements	P	Linda Erickson-Eastwood Fish & Wildlife Division 651-259-5206 <a href="mailto:linda.erickson-eastwood@state.mn.us">linda.erickson-eastwood@state.mn.us</a>	COMPLETED	R-04114 Goal to complete: 2014	Request for Comments published 10 Dec 2012 in State Register (27 SR 915) Dual Notice of Intent to Adopt Rules published 12 May 2014 (38 SR 1480); 18 July 2014 deadline for comments and hearing requests	hearing canceled	19 Nov 2014	25 Nov 2014	22 Dec 2014

# UNDER CONSIDERATION FOR RULEMAKING

Subject Matter	Rule Type	Agency Contact Person (Lead Staff)	Current Status of proposed rule and any agency determinations	Revisor's File Number; Timetable for adoption and other agency determinations	Notices Published (State Register citations)	Public hearing schedule	Date Rule Adopted	Date Rule Filed with Secretary of State	Effective Date of Rule
Aquatic Plant Permit Fees	P	Steve Enger Ecological & Water Resources Division 651-259-5092 <a href="mailto:steve.enger@state.mn.us">steve.enger@state.mn.us</a>	On 19 October 2010, Governor Pawlenty's office decided not to process this rulemaking package further  DNR may close this file unfinished (see GCE rulemaking listed above)	R-03913 On hold pending further direction	Request for Comments published (33 SR 221 on 28 July 2008); 2nd Request for Comments published 6 July '09 (34 SR 29); Notice of Hearing and proposed rules published 28 Dec '10 (34 SR 895)	OAH Docket # 4-2000-21002-1 Hearings held 2:00-5:00 PM and 7:00-9:00 PM at: Tuesday, 23 February 2010, Fergus Falls, MN Wednesday, 24 February 2010, Camp Ripley Education Center, Little Falls, MN 56345 Thursday, 25 February 2010, Plymouth, MN 55441			
Shoreland Management	P	Jennifer Shillcox Ecological and Water Resources Division 651-259-5727 <a href="mailto:jennifer.shillcox@state.mn.us">jennifer.shillcox@state.mn.us</a>	SONAR signed 30 March 2010; Governor declined to support the rules as currently drafted (11 Aug 2010);	R-03879 On hold pending further direction	Request for Comments (32 SR 1319, 22 Jan '08); 2nd Request for Comments published 2 Mar '09 (33 SR 1492);				



Subject Matter	Rule Type	Agency Contact Person (Lead Staff)	Current Status of proposed rule and any agency determinations	Revisor's File Number; Timetable for adoption and other agency determinations	Notices Published (State Register citations)	Public hearing schedule	Date Rule Adopted	Date Rule Filed with Secretary of State	Effective Date of Rule
Structures in Public Waters	P	Tom Hovey Ecological and Water Resources Division 651-259-5654 <a href="mailto:tom.hovey@state.mn.us">tom.hovey@state.mn.us</a>	SONAR signed 12 Oct 2009; Governor declined to support the rules as currently drafted (11 Aug 2010);	R-03873 On hold pending further direction	Request for Comments published on 28 Jul '08 (33 SR 222);				
Mississippi River Scenic Riverway	P	Jennifer Shillcox Ecological and Water Resources Division 651-259-5727 <a href="mailto:jennifer.shillcox@state.mn.us">jennifer.shillcox@state.mn.us</a>	Rule development initiated	On hold	Request for Comments (31 SR 616, 6 Nov '06);				