

Minnesota Department of Natural Resources  
500 Lafayette Road Saint Paul, Minnesota 55155-4037  
Office of the Commissioner  
651-259-5555



January 6, 2016

Senator John Marty  
Chair, Environment and Energy Committee

Senator David Osmek,  
Ranking Minority Member, Environment and  
Energy Committee

Senator David J. Tomassoni  
Chair, Environment, Economic Development  
and Agriculture Budget Division

Senator Bill Ingebrigtsen, Ranking Minority Member  
Environment, Economic Development and  
Agriculture Budget Division

Representative Denny McNamara  
Chair, Environment and Natural Resources  
Policy and Finance Committee

Representative Rick Hansen,  
Ranking Minority Member, Environment and  
Natural Resources Policy and Finance Committee

**Subject: Annual Report on Rulemaking Docket and Official Records for Rules Completed in 2015 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.

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

In 2015, the DNR completed the following three permanent rules under the Administrative Procedure Act, *Minnesota Statutes*, Chapter 14:

1. Adopted Expedited Permanent Rules Relating to Wildlife, [Revisor's File No. R-04250](#), effective 1/5/2015
2. Adopted Exempt Permanent Rules Relating to Aquatic Plant Management Permit Fees, [Revisor's File No. R-04212](#), effective 1/7/2015
3. Adopted Expedited Permanent Rules Relating to Wildlife Disease Prevention and Control Pertaining to Viral hemorrhagic septicemia (VHS) Transmission from Bait; Designated Special Management Waters, [Revisor's File No. R-04217](#), effective 5/26/2015

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,

/s/ Tom Landwehr  
Commissioner

Enclosure: DNR Public Rulemaking Docket

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

## LEGISLATIVE REPORT – Cost of Preparation

NAME OF LEGISLATIVE REPORT:

***Annual Report on Rulemaking Docket and Official Records for Rules Completed in 2015***

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
Operations Services Division (professional services rate @ \$73/hr)	1.0 hour (rules coordinator)	\$ 73
	<b>TOTAL TO PREPARE REPORT</b>	\$ 76

**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: 4 January 2016**

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

Other abbreviations: **OAH** = 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
<b>Spearing and Northern Pike Restrictions</b>	<b>GCE</b>	Al Stevens Fisheries Section 651-259-5239 <a href="mailto:al.stevens@state.mn.us">al.stevens@state.mn.us</a>	Rules approved as to legality by ALJ LauraSue Schlatter 12/22/2015	R-04367 Goal to complete: 2015		not applicable	12/29/2015		
<b>Personal Flotation Devices and Water Surface Use Restrictions</b>	<b>GCE</b>	Stan Linnell Parks & Trails Division 651-259-5626 <a href="mailto:stan.linnell@state.mn.us">stan.linnell@state.mn.us</a>	Rule development underway	R-04357 Goal to complete: 2015		not applicable			
<b>Prohibited and Regulated Invasive Species</b>	<b>ExpP</b>	Heidi Wolf Ecological & Water Resources Division 651-259-5152 <a href="mailto:heidi.wolf@state.mn.us">heidi.wolf@state.mn.us</a>	Reviewing public comments on proposed rules	R-04328 Goal to complete: 2016	Notice of Intent To Adopt Expedited Rules published in State Register 16 Nov 2015 (40 SR 565); deadline for comments is 12/31/2015	not applicable			
<b>Wildlife</b>	<b>P</b>	Jason Abraham Wildlife Section 651-259-5197 <a href="mailto:jason.abraham@state.mn.us">jason.abraham@state.mn.us</a>	Rule development underway; accepting public comments about possible rules	R-04320 Goal to complete: 2016	Request for Comments published 12 October 2015 (40 SR 432); deadline for comments is open-ended;				
<b>Mississippi River Corridor Critical Area (MRCCA)</b>	<b>P</b>	Daniel Petrik Ecological & Water Resources Division 651-259-5697 <a href="mailto:daniel.petrik@state.mn.us">daniel.petrik@state.mn.us</a>	SONAR signed by commissioner 12/09/2015; Proposed rules and SONAR submitted to governor's office for review 12/10/2015	R-04240 R-04014 (closed) Goal to complete: 2016	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;				
<b>Reclamation of Silica Sand Mines</b>	<b>P</b>	Heather Arends Lands & Minerals Division 651-259-5376 <a href="mailto:heather.arends@state.mn.us">heather.arends@state.mn.us</a>	Rule and SONAR development underway	R-04198 Goal to complete: 2016	Request for Comments published 22 July 2013 in State Register (38 SR 108)				

<b>Outdoor Recreation</b>	<b>P</b>	Rebecca Wooden Parks & Trails Division 651-259-5584 <a href="mailto:rebecca.wooden@state.mn.us">rebecca.wooden@state.mn.us</a>	Rule and SONAR development underway	R-03941 Goal to complete: 2016	Request for Comments published 27 May 2014 (38 SR 1563); 25 July 2014 deadline for comments;				
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**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
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**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
<b>Shoreland Management</b>	<b>P</b>	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 n	Request for Comments (32 SR 1319, 22 Jan '08); 2nd Request for Comments published 2 Mar '09 (33 SR 1492);				
<b>Structures in Public Waters</b>	<b>P</b>	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	Request for Comments published on 28 Jul '08 (33 SR 222);				
<b>Mississippi River Scenic Riverway</b>	<b>P</b>	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);				