

Minnesota Department of Natural Resources

Division of Fish and Wildlife

NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Special Management Waters, *Minnesota Rules*, part 6264.0050; Revisor's ID Number R-04409

Introduction. The Department of Natural Resources (DNR) intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until 4:30 p.m. on October 3, 2016.

DNR Contact Person. You must submit comments or questions on the rules to: Brian Nerbonne at Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155-4020, telephone 651-259-5205, and email brian.nerbonne@state.mn.us.

Subject of the Expedited Rules and Statutory Authority. The proposed expedited rules will correct the rules for omitted names of trout streams designated in *Minnesota Rules*, part 6264.0050. Some trout streams were originally designated in rule using the name of the larger river that they flow into rather than their own names. The proposed corrections list either the actual name of each such stream or, in the case where a stream has no name, list the name "unnamed stream" in the specified township, range, and section. These rule amendments will help to clarify for the public which trout streams are designated as special management waters.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 97C.005. The statutory authority to adopt the rules under the expedited rulemaking process is *Minnesota Statutes*, section 84.027, subd. 13a (a) (1).

A copy of the proposed rules is published in the State Register and attached to this notice as mailed. The proposed expedited rules can also be viewed at <http://www.dnr.state.mn.us/input/rules/rulemaking.html>.

Comments. You have until 4:30 p.m. on Monday, October 3, 2016, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the DNR contact person by the due date. The DNR encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments that you have on the legality of the proposed rules during this comment period.

Modifications. The DNR may modify the proposed expedited rules using either of two avenues: The DNR may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the DNR may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the DNR will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the DNR must publish a copy of the changes in the State Register. If the proposed expedited rules affect you in any way, the DNR encourages you to participate in the rulemaking process.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the DNR contact person at the address or telephone number listed above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-539-1180 or 1-800-657-3889.

Adoption and Review of Expedited Rules. If no hearing is required, the DNR may adopt the rules at the end of the comment period. The DNR will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the DNR submits the rules. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the DNR to receive notice of future rule proceedings, submit your request to the DNR contact person listed above.

August 13, 2016

/s/ TOM LANDWEHR
Tom Landwehr
Commissioner of Natural Resources