

Minnesota Department of Natural Resources

Ecological and Water Resources Division

NOTICE OF SUBMISSION OF RULES PROPOSED FOR ADOPTION WITHOUT A PUBLIC HEARING TO THE OFFICE OF ADMINISTRATIVE HEARINGS

Amendments to Rules Governing Prohibited and Regulated Invasive Species, Minnesota Rules, chapter 6216; Revisor's ID Number R-04550

TO: ALL INTERESTED PERSONS

In accordance with Minnesota Statutes, section 14.388, subdivision 2, this Notice is being sent to all persons who have registered their name with the agency under Minnesota Statutes, section 14.14, subdivision 1a. This notice and a copy of the rules are posted on the website of the Minnesota Department of Natural Resources at the [DNR's rulemaking webpage](#).

PLEASE TAKE NOTICE that the above-cited rules proposed for adoption will be submitted to the Office of Administrative Hearings on the date of this notice, October 1, 2018.

All interested persons have five business days after the date of this notice to submit comments to the Office of Administrative Hearings via its e-comments website at <https://minnesotaoah.granicusideas.com/discussions> or 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620.

SUMMARY OF RULE CHANGES

1. We are making the following changes to **update rule so that it is consistent with statute**:
 - a. Replace the requirement to publish the infested waters list in the State Register with a requirement for the commissioner to provide access to a copy of the listed infested waters.
 - b. Remove requirements to drain watercraft when leaving only certain infested waters, because current statute requires that people remove drain plugs from equipment when leaving all water bodies, not only infested waters.
 - c. Make the definition of Eurasian watermilfoil consistent with the definition in statute.
 - d. Allow for issuing prohibited invasive species permits for the purpose of decontamination.
2. We are making the following **technical corrections**:
 - a. Update sources of nomenclature for scientific and common names of several invasive species.
 - b. Correct or update scientific names for several invasive species.
3. We are changing the word "list" to "designate" so that "designate" refers to the process of classifying species as invasive and "list" refers to the process of listing water bodies as infested. This would return parts of rule to the terms used before a 2014 change.

The Department is using the good cause exemption process under Minnesota Statutes, section 14.388, subd. 1, clause (3), to make the specific change state in the laws cited above without additional interpretation.

The agency contact person is: Kelly Pennington at Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4025, telephone (651) 259-5131, kelly.pennington@state.mn.us. For special accommodation, you may contact agency contact person named above. Questions concerning the rules should be directed to the agency contact person.

Date: October 1, 2018

/s/ KELLY PENNINGTON
Kelly Pennington
Invasive Species Prevention Program Consultant
Ecological and Water Resources Division