

# Minnesota Department of Natural Resources

## Division of Ecological and Water Resources

### NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

#### Proposed Amendment to Rules Governing Prohibited Invasive Species, *Minnesota Rules*, parts 6216.0250 and 6216.0260; Revisor's ID Number R-04118

**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 January 24, 2014.

**Agency Contact Person.** You must submit comments or questions on the rules to: Ann Pierce at Minnesota Department of Natural Resources, phone 651-259-5119, and [ann.pierce@state.mn.us](mailto:ann.pierce@state.mn.us).

**Subject of the Expedited Rules and Statutory Authority.** The proposed expedited rules adjust, add, or remove species on the prohibited and regulated invasive species lists. Compliance with Minnesota Statutes, chapter 84D, will pertain to any species added to these lists. The statutory authority to adopt the rules is Minnesota Statutes, section 84D.12. The statutory authority to adopt the rules under the expedited rulemaking process is Minnesota Statutes, section 84.027, subdivision 13a, item (2). A copy of the proposed expedited rules is published in the State Register and attached to this notice as mailed. The proposed expedited rules may also be viewed at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html>.

**Comments.** You have until 4:30 p.m. on Friday, January 24, 2014, 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 agency 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 be make any comments 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 agency 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 651-296-5148 or 1-800-657-3889.

**Adoption and Review of Expedited Rules.** 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 agency contact person listed above.

December 18, 2013

/s/ Tom Landwehr, Commissioner