

Listserv Update for Structures in Public Waters Rule Revision - August 2009

Most of the action in the last couple months has been internal discussion and draft revision. We've been working on getting language in place that makes sense, protects Minnesota's public waters, protects the rights of those that use the resource and those that own the shoreline, and is enforceable, before it goes through the last steps in the draft approval process, and the public hearings are scheduled.

Our anticipated schedule is to have all internal comments addressed by early August. The draft will then go to the State Revisor's office and then the Governor's office. We're hopeful that we will be able to schedule the public hearings and publish the draft for comment by mid-September. There is a 60 day notice required for the hearings, so the earliest the hearings would be held would be late November. We hope to have the hearings in 2 to 4 locations around the State. One of the locations will be the metro area, and another in the Brainerd area. Other locations are yet to be decided on. Our plan is to have an afternoon and evening session at each hearing location.

Please note that comments can be submitted on the draft rules during the 60 day notice period, as well as during the public hearings.

We will do what we can to get the word out about the hearings so everyone gets a chance to be heard. Once the hearings are scheduled we will post the draft rules, Statement of Need and Reasonableness (SONAR) and accompanying documents on our web site at:

http://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/structures_rules.html

Regarding the SONAR, it is a document that is required by Minnesota Statute, section 14.131 that documents among other things, the need for the rule revision, alternatives considered, classes of people affected by the rule, and financial consequences of the rule. The statute can be seen at

<https://www.revisor.leg.state.mn.us/statutes/?id=14.131>

We are also putting a great deal of effort into the SONAR because it will be a useful companion document to the rules in explaining why specific language is used and why certain dimensions are proposed. The SONAR will be available at the same time as the draft rules.

We were directed to have the rules revised by January 15, 2010, and we're still hopeful that we can make it.

Thank you for your continued interest in this process.

Tom Hovey
Public Waters Hydrologist
MN DNR Waters
Phone: 651.259.5654
Fax: 651.296.0445
tom.hovey@state.mn.us

Visit our website at: <http://mndnr.gov/waters>