

Minnesota Department of Natural Resources

Division of Parks and Trails

REQUEST FOR COMMENTS

Possible Amendments to Rules Governing Use of State Parks, State Recreation Areas, State Waysides, State Trails, and Recreational Use of Forest Lands, *Minnesota Rules*, Parts 6100.0100 to 6100.4300; Revisor's ID Number 03941

Subject of Rules. The Minnesota Department of Natural Resources requests comments on the subject matter of amendments to rules governing use of state parks, state recreation areas, state waysides, state trails, and forest lands.

The department is considering amendments to *Minnesota Rules*, parts 6100.0100 to 6100.4300 in order to:

- 1) address emerging recreational activities, technologies, and federal requirements;
- 2) update and correct obsolete provisions;
- 3) integrate the rules governing state trails (parts 6100.3000 to 6100.4300) with the rules governing state parks, forest lands, and state recreation areas (parts 6100.0100 to 6100.2400);
- 4) provide common definitions and provisions for state trails, state parks, forest lands, and state recreation areas;
- 5) provide for different management for each type of unit, consistent with the purposes described in the Outdoor Recreation Act of 1975, as amended (Chapter 86A). The current rules have identical provisions for state parks and state recreation areas; and
- 6) address additional issues and topics within the scope of parts 6100.0100 to 6100.4300 that arise during the rulemaking process.

The department will combine two on-going rulemaking efforts. The department published a request for comments on amendments to parts 6100.3000 to 6100.4300 in 2006, and a request for comments on amendments to parts 6100.0100 to 6100.2400 in 2009. The department has not initiated rule adoption proceedings for either rule. The department believes the combined rulemaking will be more efficient, and easier for the affected public to understand.

Rule amendments may affect special events, organized public activities, noise restrictions, alcoholic beverage restrictions, hours of operation, registration and campsite use provisions, seasonal leases, mobility devices, collecting, target shooting, dog field trialing, hunting and hunting stands, wildlife feeding, animal-drawn contrivances, pet-related provisions, and motor vehicle use. The rulemaking may address additional issues and topics within the scope of parts 6100.0100 to 6100.4300 that arise during the rulemaking process.

Persons Affected. Rule amendments would likely affect individuals and groups of people that use state parks, state trails, state recreation areas and waysides, and forest lands for recreational purposes including trail users, campers, hunters, anglers, and others. Individuals and organizations that use these lands for special events and commercial purposes may be affected, including timber harvesters, outfitters, recreation providers, media, and educational institutions.

Statutory Authority. *Minnesota Statutes*, section 86A.06 authorizes the department to adopt rules relating to the units of the outdoor recreation system within its jurisdiction to provide for administration of the units as specified in section 86A.05 and the laws relating to each type of unit. Additional relevant authority is found in sections 16A.1283, 84.03, 84.029, 84.083, 84.0835, 84.15, 84.86, 84.773, 85.012, 85.013, 85.015, 85.04, 85.052, 85.053, 85.054, 85.20, 86A.05, 86A.07, 86A.09, 89.031, 89.19, 89.20, 89.21, 89.22, and 89.71.

Public Comment. Interested parties may submit comments or information on the scope and content of the rule amendments in writing until 4:30 p.m. on July 25, 2014. The department does not contemplate appointing an advisory committee to provide advice on the possible rules.

How to Submit Comments and Contact the DNR about the Rulemaking. Comments, questions, requests to receive a copy of the draft rule when proposed, and requests for more information on the rulemaking should be directed to: Rebecca Wooden at Department of Natural Resources, Division of Parks and Trails, 500 Lafayette Road, St. Paul, Minnesota 55155-4039, phone: 651-259-5584, FAX: 651-297-1157, and email: recreationrules.dnr@state.mn.us.

Rules Drafts. The department has not yet prepared a draft of the possible rules amendments, but summary information is available on the department website at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html>.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submit comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: May 6, 2014

/s/ Tom Landwehr, Commissioner
Department of Natural Resources