April 11, 2016

Dear Interested Party,

You are receiving this letter because you have expressed an interest in state rulemaking for the Mississippi River Corridor Critical Area (MRCCA).

Today, the Minnesota Department of Natural Resources (DNR) published a Notice of Hearing (copy enclosed) to adopt rules for the MRCCA, thus beginning the formal comment period on the proposed rules. During this period, an Administrative Law Judge will review the proposed rules and take public input through a formal comment and public hearing process.

Interested parties may submit written comments on the proposed rules to the Administrative Law Judge and/or provide oral comments at one of three public hearings as outlined below:

**Written comments:**
Send your comments by US Mail or fax to:
- Administrative Law Judge Eric L. Lipman
- Office of Administrative Hearings
- 600 North Robert Street
- PO Box 64620
- St. Paul, MN 55164-0620
- Fax: 651-539-0310

You may also submit and view comments online through the Office of Administrative Hearing’s (OAH’s) e-Comment system at: [https://minnesotaoah.granicusideas.com/](https://minnesotaoah.granicusideas.com/). Please note, you will not be able to upload letters, attachments, or other documents through this system. The Office of Administrative Hearings is not set up to receive comments by e-mail.

**Public hearings:**
Provide oral comments at one of the following public hearings:
- **Tuesday, June 14, 2016, at 4:30 p.m.**
  Schaar’s Bluff Gathering Center
  8395 127th Street East, Hastings, Minnesota 55033

- **Wednesday, June 15, 2016, at 4:30 p.m.**
  Greenhaven Golf Course Event Center
  2800 Greenhaven Road, Anoka, Minnesota 55303

- **Thursday, June 16, 2016, at 10:00 a.m.**
  Mississippi Watershed Management Organization
  2522 Marshall Street NE, Minneapolis, Minnesota 55418
The public comment period will end 5 to 20 calendar days after the last public hearing, as determined by the Administrative Law Judge.

We invite you to visit our project website to learn more about the proposed rules: http://dnr.state.mn.us/input/rules/mrcca/index.html. The proposed rules, proposed districts, Statement of Need and Reasonableness, and other helpful information are available on this website.

This formal rulemaking phase follows five years of informal rule development involving extensive public participation, more than is typical for a rulemaking. Throughout this process, the DNR has listened to the concerns and ideas expressed by property owners, local governments, businesses, and environmental and recreation groups. We focused on understanding and balancing competing interests. The proposed rules reflect the input we received and are better for it. We encourage you to continue providing your input as part of this formal rulemaking phase.

Thank you for your continued interest!

Sincerely,
Dan Petrik
DNR Land Use Planner & MRCCA Project Team Leader
651-259-5714

Enc: Notice of Hearing
Minneapolis Department of Natural Resources

NOTICE OF HEARING

Proposed Rules Governing Mississippi River Corridor Critical Area, Minnesota Rules, chapters 6106 and 4410; Revisor's ID Number R-04240

Public Hearing. The Department of Natural Resources (Department) intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, Minnesota Rules, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, Minnesota Statutes, sections 14.131 to 14.20.

The Department will hold public hearings on the above-named rules starting at the time listed with each location and continuing until each hearing is completed at the following locations:

Tuesday, June 14, 2016, at 4:30 p.m., at Schaar's Bluff Gathering Center, 8395 127th Street East, Hastings, Minnesota 55033
Wednesday, June 15, 2016, at 4:30 p.m., at Greenhaven Golf Course Event Center, 2800 Greenhaven Road, Anoka, Minnesota 55303
Thursday, June 16, 2016, at 10:00 a.m., at Mississippi Watershed Management Organization, 2522 Marshall Street NE, Minneapolis, Minnesota 55418

The Department will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. Administrative Law Judge Eric L. Lipman will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7875, and fax 651-539-0310. The rule hearing procedure is governed by Minnesota Statutes, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, Minnesota Rules, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

Subject of Rules, Statutory Authority, and Department Contact Person. The proposed rules will provide for management of the Mississippi River Corridor Critical Area (MRCCA) as a multi-purpose resource in a manner consistent with Minnesota Statutes, section 116G.15, subd. 2, that:
• conserves scenic, environmental recreational, mineral, economic, cultural, and historic resources and functions;
• maintains the river channel for transportation, including barging and fleeting areas;
• provides for continuation, development and redevelopment of a variety of urban uses;
• uses the river for water supply and as a receiving water for properly treated effluents; and
• protects the biological and ecological functions of the corridor.

The proposed rules are authorized by Minnesota Statutes, section 116G.15, as amended in Laws of Minnesota 2013, chapter 137, article 2, sections 18 to 21.

A copy of the proposed rules is published in the State Register and attached to this notice as mailed, and is available at the Department's website at http://www.dnr.state.mn.us/input/rules/mrcca. A free copy of the rules is available upon request from the Department contact person.
The Department contact person is Dan Petrlik, Land Use Specialist, at Department of Natural Resources, 500 Lafayette Road, Saint Paul, MN 55155-4025, telephone 651-259-5714.

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the Department contact person. You may review or obtain copies for the cost of reproduction by contacting the Department contact person.

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. The administrative law judge will accept your views either orally at the hearing or in writing at any time before the close of the hearing record. Submit written comments to the administrative law judge at the address above.

All evidence that you present should relate to the proposed rules. You may also submit written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearings end. At the hearing, the administrative law judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days.

Following the comment period, there is a five-working-day rebuttal period during which the Department and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period.

All comments and responses submitted to the administrative law judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings or online at that Office’s e-Comments website: https://minnesotaoah.granicusideas.com/.

The Department requests that any person submitting written views or data to the administrative law judge before the hearing or during the comment or rebuttal period also send a copy of the written views or data to the agency contact person at the address stated above.

**Alternative Format/Accommodation.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the Department contact person at the address or telephone number listed above.

**Modifications.** The Department may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate.

**Adoption Procedure after the Hearing.** After the close of the hearing record, the administrative law judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge’s report will become available, and can make this request at the hearing or in writing to the administrative law judge. You may also ask to be notified of the date that the Department adopts the rules and files them with the Secretary of State, or ask to register with the Department to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the Department contact person stated above.
Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should 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.

Order. I order that the rulemaking hearing be held at the dates, times, and locations listed above.

April 1, 2016

/s/ TOM LANDWEHR

Tom Landwehr, Commissioner of Natural Resources