

Minnesota Pollution Control Agency

Environmental Analysis and Outcomes Division

CERTIFICATE OF GIVING NOTICE PURSUANT TO THE ADDITIONAL NOTICE PLAN

Proposed Amendments to Minnesota Rules, Chapters 7050 and 7052, relating to Tiered Aquatic Life Uses (TALU) and Modification of Class 2 Beneficial Use Designations; Revisor's ID Number: RD4237

I certify that on December 19, 2016, the MPCA gave notice to the parties identified in the Additional Notice Plan (Plan), detailed on page 81 of the Statement of Need and Reasonableness (SONAR), as approved by Administrative Law Judge James R. Mortenson on November 29, 2016. Specifically, on December 19, 2016, at the City of St. Paul, County of Ramsey, State of Minnesota, I ensured that all commitments made in the Plan were executed by the time stated. This included sending correspondence with hyperlinks to the Dual Notice, proposed rule amendments and the SONAR, at least 33 days before the end of the comment period, to the following parties via email: Tribal authorities and designated contact persons of Minnesota's tribal communities; Minnesota Soil and Water Conservation Districts; and Minnesota Watershed Districts. A copy of the associated correspondence and mailing lists are attached to this Certificate.

Dated:

2/8/17



Kevin Molloy
Rulemaking Coordinator

Molloy, Kevin (MPCA)

From: *MPCA_TALU Rulemaking
Sent: Monday, December 19, 2016 4:23 PM
To: *MPCA_TALU Rulemaking
Subject: The MPCA Announces 45-Day Public Comment Period on Proposed Amendments to MPCA State Water Quality Standards, which will Establish a Tiered Aquatic Life Uses (TALU) Framework

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The Minnesota Pollution Control Agency (MPCA) announces an official public comment period on proposed amendments to state water quality standards, which will establish a Tiered Aquatic Life Uses (TALU) framework. The 45-day comment period is open from December 19, 2016, until 4:30 p.m. on February 2, 2017. The proposed amendments are to Minnesota Rules, Chapters 7050 (Water Quality Standards for Protection of Waters of the State) and 7052 (Lake Superior Basin Water Standards), relating to Tiered Aquatic Life Uses and Modification of Class 2 Beneficial Use Designations.

To review a copy of the MPCA's dual notice of intention to adopt the proposed rule amendments without a public hearing, unless 25 or more persons request a hearing, and notice of hearing, if 25 or more requests for a hearing are received, please go to the following MPCA Web page: <https://www.pca.state.mn.us/public-notices>. The proposed rule amendments and the Statement of Need and Reasonableness are also available at this location, and they can also be viewed, together with additional background information, at the MPCA's TALU Framework web page: <https://www.pca.state.mn.us/water/tiered-aquatic-life-use-talu-framework>. In addition, the public notice and proposed rule amendments can be viewed in the December 19, 2016, edition of the State Register at: <http://www.minnesotasbookstore.com>.

As summarized in the Dual Notice, the proposed amendments will establish a Tiered Aquatic Life Uses (TALU) framework, which will modernize the MPCA's existing Class 2 water quality standards from a "one-size-fits-all" classification system for aquatic life to one that more accurately reflects the biological diversity of Minnesota's streams, rivers and ditches. This will refine the water quality goals for fish and invertebrates (e.g., insects, crayfish, mussels) in streams by creating tiers within the existing Class 2 water quality standards based on biological potential. The TALU framework will be used to designate these waters as Exceptional, General or Modified based on an assessment of their existing biological condition and habitat quality. Overall, this will improve how water quality goals are set and allow for more efficient use of resources to protect and restore waters for the benefit of aquatic life and Minnesota residents.

The MPCA is encouraging written comments on the proposed rules. As indicated in the notice, all written comments need to be submitted to the MPCA contact person by no later than 4:30 p.m. on February 2, 2017. The MPCA contact person is: Will Bouchard, MPCA, Environmental Analysis and Outcomes Division, 520 Lafayette Road North, Saint Paul, MN 55155-4194; telephone: 651-757-2333; Fax: 651-297-7709; or email: talrulemaking.pca@state.mn.us. Please contact Will Bouchard if you have any questions related to the proposed amendments. If you have questions regarding how to submit comments or inquiries related to the administrative rulemaking process, please contact Kevin Molloy at 651-757-2577.