

RULE HEARING

Exhibits List

February 16, 2017

The following documents will be placed into the hearing record for the MPCA's proposed revisions of Minnesota Rules, chapters 7050 and 7052, Relating to Tiered Aquatic Life Uses (TALU) and Modification of Class 2 Beneficial Use Designations.

(Revisor's #4237) (OAH Docket # 5-9003-33998)

- I. DOCUMENTS REQUIRED TO BE PLACED IN THE HEARING RECORD BY MINN. RULES 1400.2220, SUBP. 1.**
- A. Requests for Comments published in the *State Register* dated August 25, 2014.
 - B. The Petition for Rulemaking, if the rule was proposed in response to it (Not Applicable).
 - C. The proposed rule, including Revisor's approval.
 - D. The Statement of Need and Reasonableness (SONAR), as published with the *State Register* on December 15, 2016.
 - E. Certificate of Furnishing the Statement of Need and Reasonableness to the Legislative Reference Library.
 - F. The Notice of Hearing:
 - F.1. Dual Notice as mailed and posted on MPCA webpages.
 - F.2. Dual Notice as published in the December 19, 2016 *State Register*.
 - G. Certificate of Mailing the Dual Notice (Of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing and Notice of Hearing if 25 or More Requests for Hearing are Received) to the Rulemaking Mailing List and Accuracy of the Rulemaking Mailing List.
 - H. Certificate of Giving Additional Notice Pursuant to the Additional Notice Plan.
 - I. Written comments received by the MPCA during the public notice comment period:
 - I.1. Kristi Pursell, Cannon River Watershed Partnership.
 - I.2. Charles Melberg.
 - I.3. Corinne Elfelt, Coon Creek Watershed District.
 - I.4. Theresa Stasica, Rice Creek Watershed District.
 - I.5. Meghan Funke, Brown's Creek Watershed District.
 - I.6. Nathan Schmalz, Winsted Township.
 - I.7. Mark Zabel, Vermillion River Watershed Joint Powers Organization.
 - I.8. John Harrington.
 - I.9. Paula Maccabee, Water Legacy.
 - I.10. Eric Williams, United States Steel Corporation.
 - I.11. Nicklas Tiedeken, MN Department of Transportation.

- I.12. Daniel Marx, Andy Bradshaw, Minnesota Environmental Science and Economic Review Board.
 - I.13. Maureen Johnson.
 - I.14. Maria Larson, MN Chamber of Commerce.
 - I.15. John P. Lenczewski, MN Trout Unlimited.
 - I.16. John P. Lenczewski, MN Trout Unlimited.
 - I.17. Corey Hanson, Red Lake Watershed District.
 - I.18. Letters received from 147 individuals with identical content.
 - I.19. Letters from 181 individuals with identical content.
- J. If the Chief Judge has authorized the agency to omit from the Notice of Hearing published in the State Register the text of any proposed rule, a copy of the document authorizing the omission (Not Applicable).
- K. Other documents to show compliance with the requirements of applicable laws or rules:
- K.1. Certificate of Compliance with Minnesota Statutes, Section 14.111, Regarding Farming Operations.
 - K.2. Certificate of Sending the Notice and the Statement of Need and Reasonableness to Legislators and Legislative Coordinating Commissioner as Required by Minnesota Statutes, Section 14.116.
 - K.3. Certificate of (1) Mailing the Dual Notice (Of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing and Notice of Hearing if 25 or More Requests for Hearing are Received) to Municipalities as Required by Minnesota Statutes, Section 115, 44, Subd. 7.
 - K.4. Certificate of Compliance with Minnesota Statutes, Section 14.131, Regarding Consultation with Minnesota Management and Budget.
 - K.5. Certificate of Mailing a Notice of Hearing to Those Who Requested a Hearing.
- II. Additional Documents received during the hearing, post hearing and rebuttal periods.**
- L. Comments and materials submitted during the hearing.
- L.1. SONAR Exhibit 126.
 - L.2. Changes made to the Tiered Aquatic Life Uses SONAR to correct minor errors.
 - L.3. Revised SONAR dated February 6, 2017 with changes made as noted in hearing Exhibit L.2.
 - L.4. Copy of slides from the MPCA presentation at the February 16, 2017 rule hearing.
 - L.5. Draft Modifications to the Proposed TALU Rule Amendments Being Considered by the MPCA in Response to Comments Received in the Dual-Notice Comment Period.
 - L.6. Gerritsen, et al., (2012), Calibration of the Biological Conditions Gradient for Streams of Minnesota.
 - L.7. Calculation of Minnesota Macroinvertebrate IBIs – Draft (January 26, 2017).
 - L.8. Calculation of Minnesota Stream Fish IBIs – Draft (February 8, 2017).
- M. Comments and materials submitted during the post-hearing comment period.
- N. Comments and materials submitted during the rebuttal period.