

ATTACHMENT 1

	A	B	C	D	E	F	G	H	I
1	Rule Part	Rule Part	Rule Part	Comment Topic	Summary of comment (note: comments that are paraphrased are indicated with *)	MPCA Response	Discussed on SONAR page or supporting documentation	Affiliation Name/ Address	Comment Type
2	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"I think establishing a Tiered Aquatic Life Uses (TALU) framework is a great idea. Please proceed and thank you for all your work."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Cannon River Watershed Partnership Kristi Pursell 400 Washington St. Northfield, MN 55057	Dual-notice Comment Period (HE I.1.)
3	All			Hearing Request	"I am requesting a hearing on the MPCA's water quality policy on returning our water to pristine levels."	NA	NA	Charles Melberg	Dual-notice Comment Period (HE I.2.)
4	7050.0222			Comments related to economic analysis, cost of compliance, and cost of implementation	*Concern with MPCA's water quality policy on returning our waters to pristine levels because it will hinder agricultural production and it will take more acres to produce enough food to feed our country.	See Attachment 2 item K	Hearing Exhibit D, SONAR [pp. 62-66, 71-73, 82-90]	Charles Melberg	Dual-notice Comment Period (HE I.2.)
5	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"The District believes the concept of TALU is a significant improvement in the biological assessment methodology."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
6	7050.0222			Comments related to designated use list and format	"Although there are lengthy resources available it is still unclear which Class 2 designation will be applied to the drainage ditches we manage."	See Attachment 2 item B	Hearing Exhibit D, SONAR [pp. 18, 50, 61, Appendix C]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
7	7050.02220	7050.0470		Comments related to adoption of documents by reference	*...not subject to frequent change - define or clarify the intended use of "frequent" in this case.	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 50, 60-61]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
8	7050.02220	7050.0470		Comments related to adoption of documents by reference	*Will there be notice and/or opportunity for comment or participation on any future changes to these documents incorporated by reference in the proposed rule? and Will such changes be made under the chapter 14 administrative procedure rule requirements?	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
9	7050.0222			Comments suggesting clarifications to proposed rule language	*Define or clarify the intended use of the term "incapable" in 'found to be incapable of supporting and maintaining...' in the proposed Minn. 7050.0222 subp. 3c.D.(1) and 4c.D.(1).	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 16, 46-48]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
10	7050.0222			Comments suggesting clarifications to proposed rule language	"Define or clarify the use of "maintaining" as used in the proposed Minn. 7050.0222 subp. 3c.D.(1) and 4c.D.(1)."	See Attachment 2 item D	Hearing Exhibit D, SONAR [p. 59]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
11	7050.0222			Comments suggesting clarifications to proposed rule language	"Define or clarify the intended use of "potential" as used in the proposed Minn. 7050.0222 subp. 3c.D.(1) and 4c.D.(1)."	See Attachment 2 item D	Hearing Exhibit D, SONAR [p. 59]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)
12	7050.0222			Comments related generally to UAA implementation	"It is unclear who is responsible for determining water body type, possible Water body ID (WID) splits, and beneficial use designations."	See Attachment 2 item F	Hearing Exhibit D, SONAR [pp. 63-64]	Coon Creek Watershed District Corinne Elfelt 12301 Central Ave NE, Suite 100 Blaine, MN 55343	Dual-notice Comment Period (HE I.3.)

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13	All			Hearing Request	"I am writing to request a hearing on the Minnesota Pollution Control Agency (MPCA) proposed rules for Tiered Aquatic Life Uses (TALU) and Modification of Class 2 Beneficial Use Designations."	NA	NA	Jacob Crawford 2125 E. River Terrace #104 Minneapolis, MN 55414	Dual-notice Comment Period (HE I.19)
14	7050.0470			Comments related to public participation	"The Public Notice for the proposed TALU rules did not say that any water bodies would be downgraded if the rules were approved, let alone more than 100 waters."	See Attachment 2 item L	Hearing Exhibit F.1	Jacob Crawford 2125 E. River Terrace #104 Minneapolis, MN 55414	Dual-notice Comment Period (HE I.19.)
15	7050.0222			Comments related to the proposed Modified Use provisions	"The MPCA's proposal to downgrade waters to "Modified Use" does not prove that it is not feasible to restore good conditions or that the water body did not have better aquatic life at any time during the past 41 years, which should be required for a use attainability analysis under the Clean Water Act."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Jacob Crawford 2125 E. River Terrace #104 Minneapolis, MN 55414	Dual-notice Comment Period (HE I.19.)
16	7050.0222			Comments related to the proposed Modified Use provisions	"The downgraded "Modified Use" classification could reduce incentives to protect or restore a huge number waters that have been affected by drainage changes."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 15, 17, 22, 89]	Jacob Crawford 2125 E. River Terrace #104 Minneapolis, MN 55414	Dual-notice Comment Period (HE I.19.)
17	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	"The proposed TALU Rules would only consider today's data in classifying Minnesota streams, including trout streams, as "exceptional."	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	Jacob Crawford 2125 E. River Terrace #104 Minneapolis, MN 55414	Dual-notice Comment Period (HE I.19.)
18	All			Hearing Request	"I oppose the complete set of proposed amendments to MN State Water Quality Rules establishing TALU and modifying Class 2 waters, and request a public hearing."	NA	NA	Tim Sorensen 3900 12th Ave S. Minneapolis, MN. 55407	Dual-notice Comment Period (HE I.18.)
19	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"...the proposed Tiered Aquatic Life Uses (TALU) standard is inappropriate for application to public drainage systems, especially constructed or highly modified natural channels." "The classification as limited resource habitat is more appropriate than 2Bg, especially in the absence of data for public drainage system open channels."	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 46-48]; Exhibit S-27	Rice Creek Watershed District Phil Belfiori 4325 Pheasant Ridge Drive NE #611 Blaine, MN 55449	Dual-notice Comment Period (HE I.4.)
20	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"Constructed and highly modified open channels, which are components of many public drainage systems were not explicitly considered in the studies, used to establish the proposed TALU standards and the Index of Biotic Integrity values. (Calibration of Biological Condition for Streams of Minnesota, Gerritson et al (2012)). The MPCA should refrain from implementing the TALU approach, until specific data can be collected to inform the IBI for these systems."	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 39-45, 46-48]; Exhibits S-84 and S-85; Hearing Exhibit L.6	Rice Creek Watershed District Phil Belfiori 4325 Pheasant Ridge Drive NE #611 Blaine, MN 55449	Dual-notice Comment Period (HE I.4.)
21	7050.0222			Comments suggesting clarifications to proposed rule language	"It is unclear how the TALU standard will be used to manage the resource."	While implementation must flow from the rule, all the details of rule implementation do not need to be included in the rule.	Hearing Exhibit D, SONAR [pp. 28-31]	Rice Creek Watershed District Phil Belfiori 4325 Pheasant Ridge Drive NE #611 Blaine, MN 55449	Dual-notice Comment Period (HE I.4.)

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22	7050.0222			Comments related to economic analysis, cost of compliance, and cost of implementation	"Considerable expense will be incurred to complete use attainability analyses..."	See Attachment 2 item K	Hearing Exhibit D, SONAR [pp. 62-66, 71-73, 82-90]	Rice Creek Watershed District Phil Belfiori 4325 Pheasant Ridge Drive NE #611 Blaine, MN 55449	Dual-notice Comment Period (HE I.4.)
23	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"The BCWD and CMSCWD support the adoption of the Proposed Amendments with a few minor comments..."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
24	NA			Comments related to public participation	"Is it possible for MPCA to query the existing state IBI data in advance of the IWM schedule to flag streams that may potentially meet the Modified or Exceptional Use criteria?"	Yes, it is possible to identify streams that may potentially meet Modified or Exceptional Use criteria prior to the IWM schedule for a watershed. The MPCA will make these identifications and work with local partners that both within and outside of the IWM schedule. The MPCA will share preliminary UAA information with local partners.	NA	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
25	NA			Comments related to public participation	"On the MPCA online Environmental Data Access, it would be useful for MPCA to report the new TALU fish and macroinvertebrate class and associated biocriterion/confidence limits with the biological monitoring station IBI scores."	The Agency agrees it would be useful to report the suggested information online. The Agency is working to include such information through EDA or another tool.	Hearing Exhibit D, SONAR [p. 50]	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
26	7050.0222			Comments related generally to UAA implementation	Will there be future revisions to the "Technical Guidance for Reviewing and Designating Tiered Aquatic Life Uses in Minnesota Streams and Rivers" document?*	See Attachment 2 item F	Hearing Exhibit D, SONAR [p. 51]; Exhibit S-63	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
27	7050.0222			Comments related generally to UAA implementation	Recommend that more than one IBI score be required for designating TALU classifications.*	See Attachment 2 item F	Hearing Exhibit D, SONAR [pp. 28-31]; Exhibit S-63	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
28	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Recommend that that streamflow at the time of sampling be considered.	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 13, 28-31, 44]; Exhibit S-63	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
29	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"Will there be any attempt to standardize the location of biological monitoring stations as part of the TALU approach?"	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 28-31]; Exhibit S-63; Attachment 6	Jim Shaver, CMSCWD Karen Kill BCWD Meghan Funke, EOR	Dual-notice Comment Period (HE I.5.)
30	All			Hearing Request	"I would request that the proposals go through the hearing process. This would allow the public to be more engaged, with additional information presented. It would also allow stakeholders a better understanding of the affects, both pro and con, with the adoption of the new framework."	NA	NA	Winsted Township Supervisor Nathan Schmalz McLeod County Minnesota	Dual-notice Comment Period (HE I.6.)
31	All			Comments related to public participation	"In general, I am against the TALU proposed framework. Our Local and County governing bodies have not been given enough time to respond to the new framework, or even understand it."	See Attachment 2 item L	Hearing Exhibit D, SONAR [pp. 31-37]	Winsted Township Supervisor Nathan Schmalz McLeod County Minnesota	Dual-notice Comment Period (HE I.6.)

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32	7050.0222			Comments related generally to UAA implementation	"...who is required to conduct and/or pay for the cost of the UAA?"	See Attachment 2 item F	Hearing Exhibit D, SONAR [pp. 62-66, 71-73, 82-90]	Vermillion River Watershed Joint Powers Organization Mark Zabel 14955 Galaxie Avenue Apple Valley, MN 55124	Dual-notice Comment Period (HE I.7.)
33	7050.0222			Comments related to the proposed Modified Use provisions	*Since coldwater streams can also be impacted by legal, physical habitat alterations, there should be a Modified Use designation and biocriteria available for Modified Use streams.	See Attachment 2 item H	Hearing Exhibit D, SONAR [p. 48]	Vermillion River Watershed Joint Powers Organization Mark Zabel 14955 Galaxie Avenue Apple Valley, MN 55124	Dual-notice Comment Period (HE I.7.)
34	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*The Class 2A narrative should be more specific to native taxa to make it consistent with the IBI models OR the IBIs should be altered to consider non-native trout Or the MN DNR should stock only native trout in Class 2A streams.	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 13, 28-31, 44]; Exhibits S-63 and S-64; Hearing Exhibit L-6	Vermillion River Watershed Joint Powers Organization Mark Zabel 14955 Galaxie Avenue Apple Valley, MN 55124	Dual-notice Comment Period (HE I.7.)
35	7050.0222			Comments related to the proposed Modified Use provisions	*Shouldn't waters impacted by unregulated activities that cause hydrological alterations such as tiling, private ditching be eligible for a Modified Use designation.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 31, 46-48]	Vermillion River Watershed Joint Powers Organization Mark Zabel 14955 Galaxie Avenue Apple Valley, MN 55124	Dual-notice Comment Period (HE I.7.)
36	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*How are new IBI models or site-specific standards implemented in cases where natural habitat conditions are limiting biological assemblages?	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 28-31]; Exhibits S-18 and S-63	Vermillion River Watershed Joint Powers Organization Mark Zabel 14955 Galaxie Avenue Apple Valley, MN 55124	Dual-notice Comment Period (HE I.7.)
37	7050.0222			Comments related to the proposed Modified Use provisions	"MPCA should take the proposed TALU to a much more holistic level, if it's to be used at all. The current draft framework does not appear to envision the types of water quality and aquatic life and riparian improvements that are expected to result from Governor Dayton's "water ethic" and the recently enacted "buffer law," it also seems to fail to adequately address and incorporate the relationship between aquatic habitat, riparian zones and the rest of a local ecosystem."	The TALU rule amendments are consistent with Minnesota law and the Clean Water Act (CWA) and are therefore a reasonable way to pursue the goal of protection of aquatic biota.	Hearing Exhibit D, SONAR [pp. 22-30, 40, 57]	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)
38	7050.0470			Comments related to public participation	"The proposed TALU rule, as drafted, would modify both beneficial use classifications and the classes of more than 100 stream segments. This must become a two step process if the public is to have meaningful participation."	See Attachment 2 item L	Hearing Exhibit D, SONAR [pp. 3, 15, 17-18, 29, 48, 31-37, 50-51, 61, 64, 72-73, 83, 85-86, Appendix A; Exhibits S-7 and S-63]	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)
39	7050.0470			Comments related to specific proposed use designations or the beneficial use tables	"The Agency's database notes that number of the segments proposed for downgraded classification do not have adequate information to support the change in class."	See Attachment 2 item I	Hearing Exhibit D, SONAR [Appendix A]	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)
40	7050.0222			Comments related to the proposed Modified Use provisions	"It appears that the TALU approach, as proposed, either does not concur with or is unaware of the emphasis on Ecological System Services contained in Minnesota's Water Sustainability Framework of 2011"	The TALU rule amendments are consistent with Minnesota law and the Clean Water Act (CWA) and are therefore a reasonable way to pursue the goal of protection of aquatic biota.	Hearing Exhibit D, SONAR [pp. 22-30]	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)

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41	7050.0222			Comments related to the proposed Modified Use provisions	"Minnesota once had, but appears to have abandoned, an additional tool that would work well in helping to address some of the concerns about the limitations and deficiencies in the current TALU proposal."	The TALU rule amendments are consistent with Minnesota law and the Clean Water Act (CWA) and are therefore a reasonable way to pursue the goal of protection of aquatic biota.	Hearing Exhibit D, SONAR [pp. 15-18]	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)
42	7050.0222			Comments related to the proposed Modified Use provisions	"...there are existing examples of nongame wildlife benefits that arise as complementary opportunities to stream restoration efforts."	The TALU rule amendments are consistent with Minnesota law and the Clean Water Act (CWA) and are therefore a reasonable way to pursue the goal of protection of aquatic biota.	Hearing Exhibit D, SONAR [pp. 22-30]	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)
43	7050.0222			Comments related to the proposed Modified Use provisions	"What is currently attainable will always be less than what may be attainable in the future, should more, and more appropriate, resources be brought to bear."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	John Harrington 30726 Ivywood Trl Stacy, MN 55079	Dual-notice Comment Period (HE I.8.)
44	All			Hearing Request	"WaterLegacy requests a hearing on the Minnesota Pollution Control Agency (MPCA) Proposed Amendments to Minnesota Rules, Chapters 7050 and 7052, relating to Tiered Aquatic Life Uses (TALU) and Modification of Class 2 Beneficial Use Designations."	NA	NA	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.)
45	7050.0150	7050.0222		Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"We believe that there are benefits in conducting biological assessments to evaluate the abundance and diversity of pollution-tolerant and pollution-sensitive fish and benthic macroinvertebrates and comparing these assessments with present and historical reference waters that are unimpacted by anthropogenic stressors."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 39-45]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.)
46	7050.0222			Comments related to the proposed Modified Use provisions	*There are pollutants for which there are no standards (e.g., conductivity) and the adoption of the Modified Use would lower protections from this class of stressors.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 15-17, 26, 78]; Exhibit S-63 [pp. 7, 11]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
47	7050.0222			Comments related to the proposed Modified Use provisions	*Waters shouldn't be designated as Modified Use if there is a pollutant contributing to the non attainment of the General Use.	See Attachment 2 item H	Hearing Exhibit D, SONAR [p. 15-17, 26, 78]; Exhibit S-63 [pp.7, 11]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
48	7050.0222			Comments related to the proposed Modified Use provisions	"Provide narrative criteria requiring that hydrological natural flow regimes be maintained at levels adequate to protect existing and designated uses."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 17, 40]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
49	7050.0222			Comments related to the proposed Modified Use provisions	"As implemented by the MPCA, the proposed TALU rules could result in a staggering downgrading of Class 2 uses to "Modified Uses," inconsistent with the Clean Water Act and federal regulations."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 44, 61]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing

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50	7050.0470			Comments related to public participation	*The public notice for the proposed TALU rule did not state that any waters would be designated Modified Use if the rule were to be enacted. It should have provided a list of the waters proposed to be designated Modified Use.	See Attachment 2 item L	Hearing Exhibit F.1	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
51	7050.0222	7050.0470		Comments related to the proposed Modified Use provisions	The UAAs and documentation of the UAAs are insufficient for the Modified Use designation. Should review to determine if pollutants are contributing to low IBI scores. Need individualized determinations.*	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 44, 49, 61]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
52	7050.0222			Comments related to the proposed Modified Use provisions	*The Modified Use designation should sunset after 5 years.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 44, 61]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
53	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	"The proposed TALU rules create an improper presumption that streams not found to be "Exceptional" in a current assessment are not "Exceptional" existing uses."	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
54	7050.0222	7050.0470		Comments related to the proposed UAA process for designating Exceptional Uses	*There should be a default designation of Exceptional Use waters in the Boundary Waters and Voyageurs.	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Comment submitted at hearing
55	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	*There should be an effort to assess the use for trout waters and adjacent to Exceptional Use waters.	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Comment submitted at hearing
56	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*The proposed TALU rules provide no clear methods or requirements for assessment of fish and macroinvertebrates or designation of uses. There should documents in rule that clearly describe the methodology for performing biological assessments.	See Attachment 2 item G	Exhibits S-64 and S-65; Hearing Exhibit L.7 and L.8; Attachments 3 and 4	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
57	7050.0222	7050.0470		Comments related to the proposed Modified Use provisions	*The UAA information should include the IBI values and thresholds.	See Attachment 2 item H	Hearing Exhibit D, SONAR [Appendix A]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
58	7050.0220	7050.0222		Comments suggesting clarifications to proposed rule language	*Do the standards that apply to 2A, 2Bd, and 2B also apply to Classes 2Ae, 2Ag, 2Bde, etc.?	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 15, 78]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.)

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59	7050.0222	7050.0470		Comments suggesting clarifications to proposed rule language	*Water quality standards would cease to apply to waters designated as Class 2C in Minn. R. 7050.0470 when the Class 2C is eliminated without clearly documenting this in rule language.	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 48-50]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.)
60	7050.0150	7050.0220	7050.0222	Comments suggesting clarifications to proposed rule language	*Consumption of aquatic biota should be included in the new definition of "aquatic biota" and the term should be modified to include both "aquatic biota" or "aquatic life."	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 52-59]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
61	7050.0470			Comments related to designated use list and format	"The proposed listing of waters is neither accessible nor explicable."	See Attachment 2 item B	Hearing Exhibit D, SONAR [pp. 18, 50, 61, Appendix C]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
62				Comments related to designated use list and format	*including the beneficial uses in 80 documents makes them unsearchable. They should all be in one searchable document.	See Attachment 2 item B	Hearing Exhibit D, SONAR [pp. 18, 50, 61, Appendix C]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
63	7050.0470			Comments suggesting clarifications to proposed rule language	*There needs to be a statement in the rule that documents incorporated by reference cannot be changed except by rule.	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
64	7050.0222			Comments related to the proposed Modified Use provisions	*Concerned that the designation of Modified Use waters will not sufficiently protect downstream waters and that the UAA should explicitly assess this.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 28-31, 46-48 78]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Dual-notice Comment Period (HE I.9.); Comment submitted at hearing
65	7050.0222			Comments related to the proposed Modified Use provisions	*The TALU rule is not required, but they do need to comply with the CWA. The TALU rule needs to be at least as stringent at the CWA although it can be more stringent.	The TALU rule amendments are consistent with Minnesota law and the Clean Water Act (CWA) and are therefore a reasonable way to pursue the goal of protection of aquatic biota.	Hearing Exhibit D, SONAR [pp. 37-39]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Comment submitted at hearing
66	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	*A UAA is not needed for an Exceptional Use.	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Comment submitted at hearing
67	7050.0222			Comments related to the proposed Modified Use provisions	"Water quality standards cannot be set to balance important socioeconomic needs."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 14, 31]	WaterLegacy Paula Maccabee 1961 Selby Ave. St. Paul, Minnesota 55104	Comment submitted at hearing

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1	Rule Part	Rule Part	Rule Part	Comment Topic	Summary of comment (note: comments that are paraphrased are indicated with *)	MPCA Response	Discussed on SONAR page or supporting documentation	Affiliation Name/ Address	Comment Type
68	7050.0222			Comments related to the documentation of the science supporting the proposed amendments	*The IBI calculation mechanism needs to be available for public review and comment.	See Attachment 2 item C	Exhibits S-64 and S-65; Hearing Exhibits L.7 and L.8; Attachments 3 and 4	United State Steel Corporation David Smiga 600 Grant Street, Room 1500 Pittsburg, PA 15219-2800	Dual-notice Comment Period (HE I.10.)
69	7050.0222			Comments related to the documentation of the science supporting the proposed amendments	*The MPCA must address year-to-year variability in the IBI scores.	See Attachment 2 item C	Hearing Exhibit D, SONAR [pp. 39-40]; Exhibit S-85	United State Steel Corporation David Smiga 600 Grant Street, Room 1500 Pittsburg, PA 15219-2800	Dual-notice Comment Period (HE I.10.)
70	7050.0222			Comments suggesting clarifications to proposed rule language	*The MPCA did not incorporate implementation measures into the proposed rule language.	While implementation must flow from the rule, all the details of rule implementation do not need to be included in the rule.	Hearing Exhibit D, SONAR [pp. 28-31]	United State Steel Corporation David Smiga 600 Grant Street, Room 1500 Pittsburg, PA 15219-2800	Dual-notice Comment Period (HE I.10.)
71	7050.0222	7050.0470		Comments related to the proposed Modified Use provisions	*The TALU UAA process should consider designation of Limited Use waters.	See Attachment 2 item H	Attachment 6	United State Steel Corporation David Smiga 600 Grant Street, Room 1500 Pittsburg, PA 15219-2800	Dual-notice Comment Period (HE I.10.)
72	7050.0222			Comments suggesting clarifications to proposed rule language	*Concerned that IBIs will be applied to ephemeral waters.	See Attachment 2 item D	Hearing Exhibit D, SONAR [p. 41, footnote 19]	United State Steel Corporation David Smiga 600 Grant Street, Room 1500 Pittsburg, PA 15219-2800	Dual-notice Comment Period (HE I.10.)
73	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Waters need to be first reviewed to determine if the IBIs can be appropriately applied.	See Attachment 2 item G	Attachment 6	United State Steel Corporation David Smiga 600 Grant Street, Room 1500 Pittsburg, PA 15219-2800	Dual-notice Comment Period (HE I.10.)
74	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Addressing the applicability of TALU to roadside ditches in rule language.	See Attachment 2 item G	Hearing Exhibit D, SONAR [p. 41, footnote 19]	Minnesota Department of Transportation Lynn Clarkowski 395 John Ireland Blvd. St. Paul, MN 55155	Dual-notice Comment Period (HE I.11.)
75	7050.0220	7050.0222		Comments suggesting clarifications to proposed rule language	*Do the standards that apply to 2A, 2Bd, and 2B also apply to Classes 2Ae, 2Ag, 2Bde, etc.?	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 15, 78]	Minnesota Department of Transportation Lynn Clarkowski 395 John Ireland Blvd. St. Paul, MN 55155	Dual-notice Comment Period (HE I.11.)
76	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Clarify in rule that the TALU framework applies to only streams and other flowing waters.	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 14-15, 50]	Minnesota Department of Transportation Lynn Clarkowski 395 John Ireland Blvd. St. Paul, MN 55155	Dual-notice Comment Period (HE I.11.)
77	7050.0222			Comments suggesting clarifications to proposed rule language	*It is unclear if the TALU framework applies to wetlands.	See Attachment 2 item D	Hearing Exhibit D, SONAR [pp. 14-15, 50]	Minnesota Department of Transportation Lynn Clarkowski 395 John Ireland Blvd. St. Paul, MN 55155	Dual-notice Comment Period (HE I.11.)
78	7050.0222			Comments related to the proposed Modified Use provisions	*Does there need to be a mechanism for applying Modified Use standards to cold water streams and rivers?	See Attachment 2 item H	Hearing Exhibit D, SONAR [p. 48]	Lynn Clarkowski Minnesota Department of Transportation 395 John Ireland Blvd. St. Paul, MN 55155	Dual-notice Comment Period (HE I.11.)

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79	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"MESERB supports the general concept and purpose of the TALU framework as we believe that if appropriately designed and implemented, TALU can lead to the more efficient use of limited clean water infrastructure resources to effectively protect aquatic life in Minnesota's waters."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Minnesota Environmental Science and Economic Review Board (MESERB) Andy Bradshaw	Dual-notice Comment Period (HE I.12.)
80	7050.0222			Comments related to the documentation of the science supporting the proposed amendments	"MESERB is concerned that Agency failed to perform an independent external peer review of its proposed TALU framework."	See Attachment 2 item C	Hearing Exhibit D, SONAR [pp. 42, 74]; Attachment 5	Minnesota Environmental Science and Economic Review Board (MESERB) Andy Bradshaw	Dual-notice Comment Period (HE I.12.)
81	7050.02220	7050.0470		Comments related to adoption of documents by reference	"MESERB is concerned that the Agency will amend guidance documents referenced in rule without going through notice and public comment rulemaking."	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]	Minnesota Environmental Science and Economic Review Board (MESERB) Andy Bradshaw	Dual-notice Comment Period (HE I.12.)
82	7050.0222			Comments related to the documentation of the science supporting the proposed amendments	"MESERB is concerned that data presented in the administrative record and data analysis performed by the Agency in development of the TALU framework is insufficient."	See Attachment 2 item C	Exhibits S-63, S-64, S-65, S-66, S-84, and S-85; Hearing Exhibit L.6	Andy Bradshaw Minnesota Environmental Science and Economic Review Board (MESERB)	Dual-notice Comment Period (HE I.12.)
83	NA			Comments related to public participation	"The Agency's intent to adopt the TALU framework without a public hearing may violate the public participating requirements of the CWA."	See Attachment 2 item L	Hearing Exhibit F.1	Minnesota Environmental Science and Economic Review Board (MESERB) Andy Bradshaw	Dual-notice Comment Period (HE I.12.)
84	7050.0222			Comments related to public participation	*The technical support documents were not available for a sufficient period of time for review.	See Attachment 2 item L	Hearing Exhibit D, SONAR [pp. 31-37]	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
85	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"Any Minnesota index of biological integrity should include specific conductance as a metric."	See Attachment 2 item G	Exhibits S-84 and S-85	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.); Comment submitted at hearing
86	7050.0222			Comments not directly related to the proposed amendments	"Ecoregion or sub-ecoregion benchmarks for specific conductance should be employed to identify specific conductance impacted streams that do not comply with 7050.0217, Subpart 2A"	This comment is beyond the scope of the TALU rule amendments	NA	Maureen K. Johnson Stacy, Minnesota	Comment submitted at hearing
87	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*The human disturbance scores should include explicit mining metrics such as percent mining. Without this the IBIs will not be sensitive to these forms of impact and the IBIs and BCG need to be recalibrated.	See Attachment 2 item G	Exhibits S-84 and S-85	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.); Comment submitted at hearing

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88	7050.0222	7050.0470		Comments related to the proposed UAA process for designating Exceptional Uses	*All waters in the BWCA, Lake Superior, waters that are designated special, Voyageurs National Park, scientific and natural areas, wilderness areas, and wild river segments should be designated as Exceptional Use because there is not anthropogenic impact.	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.); Comment submitted at hearing
89	7050.0222			Comments related to the proposed Modified Use provisions	"All waters should be protected for their potential restorability rather than their existing condition and a water bodies use designation may contest the listing. The proposed rules still state "or may support."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
90	7050.0470			Comments related to public participation	"The proposed use changes were not appropriately public noticed. It is also not acceptable that the MPCA will be reclassifying waters according to the new rules in the future without public notice." *There should also be public notice in the local area where the change is proposed.	See Attachment 2 item L	Hearing Exhibit F.1	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.); Comment submitted at hearing
91	7050.0222			Comments related to the proposed Modified Use provisions	*There should be an Exceptional Modified and General Modified Use.	The Agency is not clear what this would entail, and without more details the Agency cannot comment	NA	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
92	7050.0222			Comments related to the proposed Modified Use provisions	*Need to perform stressor id as well as identify all past uses and require those who degraded the water to pay for the repair.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 78]; Exhibit S-63 [pp. 7, 11]	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
93	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	*More guidance is needed to define what Exceptional Use means in order to standardize its application.	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 39-45]; Exhibits S-84 and S-85; Hearing Exhibit L.6	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
94	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	"A water is neither "g" nor "e" if it is at the 75th or 25th percentile of biological condition gradient level 4."	See Attachment 2 item J	Exhibits [S-84 and S-85]	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
95	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"Minnesota must comply with the Clean Water Act. The CWA Section 101 (a) objective is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." 100% integrity would be achieving the natural state of a water, which is equivalent to the Biological Condition Gradient 1, above. All waters at one time in the past were once in natural condition. Any water with a BCG designation less than 1 means it requires improvement."	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
96	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Rule should be more forward looking in terms of the CWA objective. This means that waters have the potential to meet the Exceptional Use such be designated as such.	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	Maureen K. Johnson Stacy, Minnesota	Comment submitted at hearing

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97	7050.0470			Comments related to specific proposed use designations or the beneficial use tables	"Colby Lake is a drinking water, so any water "within Colby Lake" should not have a lesser designation."	See Attachment 2 item I	St. Louis beneficial use table (https://www.pca.state.mn.us/sites/default/files/wq-s6-46c.pdf)	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
98	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"Biological Criteria for TALU, 2014, p. 39 refers to "draft criteria" and Table 11 is "Draft." "Draft criteria do not belong in proposed rules."	See Attachment 2 item G	Hearing Exhibit D, SONAR [p. 43]; Exhibit S-84	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
99	7050.0150			Comments related to adoption of documents by reference	"The writers of the Guidance Manual for Assessing the Quality of Minnesota Surface Waters for Determination of Impairment: 305(b) Report and 303(d) List did not intend that the Guidance be part of any water quality rule."	See Attachment 2 item E	Hearing Exhibit D, SONAR [p. 53]; Exhibit S-7	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
100	7050.0470			Comments related to adoption of documents by reference	The beneficial use tables do not have any biological designations and appear to be a reformatting of the current 7050.0470.*	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 50, 61, Appendix C]	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
101	7050.0470			Comments related to adoption of documents by reference	"The rules have no procedure for amending the beneficial use tables."	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]	Maureen K. Johnson Stacy, Minnesota	Dual-notice Comment Period (HE I.13.)
102	NA			Comments related to public participation	"The SONAR described the efforts it made to address the environmental justice issues, but it did not seek the advise of the PCA's own Environmental Justice Advisory Committee, which was formed in mid 2016. I think maybe that would be a good thing to do."	See Attachment 2 item L	Hearing Exhibit D, SONAR [pp. 74-79]	Maureen K. Johnson Stacy, Minnesota	Comment submitted at hearing
103	7050.0222			Comments related to the documentation of the science supporting the proposed amendments	*The IBI calculation mechanism needs to be available for public review and comment.	See Attachment 2 item C	Exhibits S-64 and S-65; Hearing Exhibits L.7 and L.8; Attachments 3 and 4	Minnesota Chamber of Commerce Tony Kzwilas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)
104	7050.0222			Comments related to the documentation of the science supporting the proposed amendments	*The MPCA must address year-to-year variability in the IBI scores.	See Attachment 2 item C	Hearing Exhibit D, SONAR [pp. 39-40]; Exhibit S-85	Minnesota Chamber of Commerce Tony Kzwilas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)
105	7050.0222			Comments suggesting clarifications to proposed rule language	"The MPCA did not incorporate implementation measures into the proposed rule language."	While implementation must flow from the rule, all the details of implementation do not need to be included in the rule.	Hearing Exhibit D, SONAR [pp. 28-31]	Minnesota Chamber of Commerce Tony Kzwilas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)
106	7050.0222	7050.0470		Comments related to the proposed Modified Use provisions	*The TALU UAA process should consider designation of Limited Use waters.	See Attachment 2 item H	Attachment 6	Minnesota Chamber of Commerce Tony Kzwilas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)
107	7050.0222			Comments suggesting clarifications to proposed rule language	*Concerned that IBIs will be applied to ephemeral waters.	See Attachment 2 item D	Hearing Exhibit D, SONAR [p. 41, footnote 19]	Minnesota Chamber of Commerce Tony Kzwilas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)

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108	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Waters need to be first reviewed to determine if the IBIs can be appropriately applied.	See Attachment 2 item G	Attachment 6	Minnesota Chamber of Commerce Tony Kwikas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)
109	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*Concern that the TALUs will apply to lentic waters.	See Attachment 2 item G	Hearing Exhibit D, SONAR [pp. 14-15, 50]	Minnesota Chamber of Commerce Tony Kwikas 400 Robert Street North, Suite 1500 St. Paul, MN 55101	Dual-notice Comment Period (HE I.14.)
110	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"We applaud the effort to develop a Tiered Aquatic Life Uses framework in order to better protect Minnesota waters. We strongly support the creation of the Exceptional Use category for coldwater (2A) streams and urge that many more 2A streams be given the heightened protections of this category."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18, 45-46]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.)
111	7050.0222			Comments related to the proposed Modified Use provisions	"impermissible shifting of burden of proof away from agency."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 63-64]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.)
112	7050.0470			Comments related to designated use list and format	*The tables proposed to replace Minn. R. 7050.0470 are not a sufficient substitute." These tables should include: PLS, county information, adjacent streams and tributaries, and designations of adjacent streams.	See Attachment 2 item B	Hearing Exhibit D, SONAR [pp. 18, 50, 61, Appendix C]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.); Comment submitted at hearing
113	7050.0222			Comments related to the proposed Modified Use provisions	*The TALU rule amendment fails to consider waters that may be used seasonally by trout.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 28-31, 46-48 78]; Exhibit S-63	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.); Comment submitted at hearing
114	7050.0222	7050.0470		Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"We support changing 2C classifications to 2B."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18, 48-50]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.)
115	7050.0222			Comments related to the proposed Modified Use provisions	*We oppose the lowering of uses for any 2B stream which flows into a 2A segment, as well as any immediately downstream of a 2A segment. Concerned that designation of waters that are adjacent to Class 2A to Modified Use will result in harm to the fisheries in these Class 2A waters. Designations need to consider the entire life cycle needs of coldwater fish species.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 28-31, 46-48 78]; Exhibit S-63	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.); Comment submitted at hearing

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116	7050.0470			Comments related to public participation	*The process for designating uses must be changed to include stakeholders at an earlier stage. Concerned that changes from 2A to 2B can occur without any meaningful input from stakeholders.	See Attachment 2 item L	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]; Exhibits S-7 and S-63 [p. 3]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.); Comment submitted at hearing
117	7050.0222			Comments related to the proposed Modified Use provisions	*Concerned about the downstream impacts of sedimentation and altered hydrology permitted by Modified Use designation.	See Attachment 2 item H	Hearing Exhibit D, SONAR [p. 16, 26, 28-31, 46-48 78]; Exhibit S-63	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Comment submitted at hearing
118	7050.0470			Comments related to public participation	"The implications for planning efforts by others based on MPCA classifications cannot be ignored. More and better BMPs to address non-point source pollutants will likely be developed and more resources focused on areas that are not categorized as modified use."	See Attachment 2 item L	Exhibit S-63 [p. 14]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Dual-notice Comment Period (HEs I.15. & I.16.)
119	7050.0470			Comments related to specific proposed use designations or the beneficial use tables	*Concerns with the proposed Modified Use designation of 07020007-688, 07020007-525, 07020007-664, and 07040004-585.	See Attachment 2 item I	Hearing Exhibit D, SONAR [pp. Appendix 56-57, Appendix 63, Appendix 68-69, Appendix 30]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Comment submitted at hearing
120	7050.0222			Comments related to the proposed Modified Use provisions	*Concerned that designation of the Modified Use is a way to reduce workload by removing these waters from the impaired waters list.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 15, 17, 22, 89]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Comment submitted at hearing
121	7050.0222	7050.0470		Comments related to the proposed Modified Use provisions	*The UAA information should include the IBI values and thresholds.	See Attachment 2 item H	Hearing Exhibit D, SONAR [Appendix A]	Minnesota Trout Unlimited John P. Lenczewski Executive Director P.O. Box 845 Chanhassen, MN 55317	Comment submitted at hearing
122	7050.0222			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"Understand advantages of giving higher protection for Class 2A waters."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18, 45-46]	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
123	7050.0222			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	*Understand the need to better target resources to waters that can be restored and not requiring the same level of protection for ditches.	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
124	7050.0150	7050.0222		Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	*Applaud drive to improve monitoring and to use biological monitoring to better inform regulators and the public regarding water quality.	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 26-28, 39-45]	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
125	7050.0470			Comments related to specific proposed use designations or the beneficial use tables	*The Agency has failed to produce sufficient data to justify designation to the Modified Use or allow the public to fully review the proposed uses.	See Attachment 2 item I	Hearing Exhibit D, SONAR [Appendix A]	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing

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126	7050.0222			Comments related to the proposed Modified Use provisions	*Concerns with ensuring that the designation of Class 2A and 2B waters result in the protection of the entire life cycle of trout species.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 28-31, 46-48 78]; Exhibit S-63	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
127	7050.0222	7050.0470		Comments related to the proposed Modified Use provisions	*Monitoring framework not sufficient because reaches that are several miles long are being designated based on only 1-2 monitoring stations.	See Attachment 2 item H	Exhibit S-63	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
128	7050.0470			Comments related to specific proposed use designations or the beneficial use tables	*Queries from the Agencies database indicate that there is not adequate information for assessment. Therefore there is not enough information to perform UAA studies.	See Attachment 2 item I	Hearing Exhibit D, SONAR [Appendix A]	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
129	7050.0470			Comments related to specific proposed use designations or the beneficial use tables	*Concerns with the proposed Modified Use designation of 07020007-688, 07020007-525, and 07020007-664.	See Attachment 2 item I	Hearing Exhibit D, SONAR [pp. Appendix 56-57, Appendix 63, Appendix 68-69]	Dan Callahan 15715 Judicial Road Burnsville, MN 55306	Comment submitted at hearing
130	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"We understand and support the intent of the proposed rules to move away from a one-size-fits-all approach to designating biological standards."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
131	7050.0470			Comments related to public participation	*The process used to assess waters and designate their use does not involve sufficient public input especially from local partners.	See Attachment 2 item L	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]; Exhibits S-7 and S-63 [p. 3]	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
132	7050.0222			Comments related to the proposed Modified Use provisions	"Artificial watercourses should automatically be designated as Modified Use." and "Artificial watercourses should be managed differently than channelized streams."	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31]; Exhibit S-63	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
133	7050.0150			Comments related to the proposed Modified Use provisions	*How often is the Assessment Guidance Manual is updated?	The Guidance Manual for Assessing the Quality of Minnesota Surface Waters for Determination of Impairment: CWA §305(b) Report and CWA § 303(d) List is revised every 2 years corresponding to the impaired waters listing schedule.	NA	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
134	7050.0150			Comments related to the proposed Modified Use provisions	"Please specify the months that are used to compute summer average concentrations (June through September)."	This is already specified in rule (see Minn. R. 7050.0150, subp. 4, Items DD and EE)	NA	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
135	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	"Waterbody types for streams and rivers are not adequately documented within the documents"	See Attachment 2 item G	Hearing Exhibits L.7 and L.8; Attachments 3 and 4	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
136	7050.0222			Comments related to the proposed Modified Use provisions	"There should be provisions for applying standards for pollutants in Limited Resource Value channels that contribute to downstream impairments."	There are currently provisions for protecting downstream water quality in existing rule (see Minn. R. 7050.0275, subp. 1). In addition, the MPCA is proposing language as part of this rule that describes protection of downstream waters (See Attachment 2, Item H).	NA	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)

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137				Comments related to designated use list and format	"More priority needs to be given to keeping the EDA (Surface Water Data Access) web page updated."	The Agency agrees with this statement and is working to update the EDA tool or to develop a new tool.	Hearing Exhibit D, SONAR [p. 50]	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
138	7050.0222			Comments related generally to UAA implementation	"Concern with the reliance on a single biological sampling event in a 10-year period in some cases."	See Attachment 2 item F	Hearing Exhibit D, SONAR [pp. 28-31]; Exhibit S-63	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
139	NA			Comments related to the proposed Modified Use provisions	"The results/answers to comments and questions are not provided in the rule change's supporting documentation."	Answers to the commenters questions are provided in the SONAR and supporting documentation, although the commenters questions are not directly linked to the response in the document.	NA	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
140	7050.0222	7050.0470		Comments related to the proposed UAA process for designating Exceptional Uses	*Trout streams should be classified as Exceptional by default.	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 28-31, 45-46]; Exhibit S-63	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
141	All			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"It is good to see that restoration potential is part of the decision process. Local input on the feasibility of such an endeavor should be an essential part of that decision making process."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
142	7050.0150			Comments related to the proposed Modified Use provisions	"Scheduled updates to the Guidance Manual should occur prior to assessments that will involve the application of new standards or methods."	The Guidance Manual for Assessing the Quality of Minnesota Surface Waters for Determination of Impairment: CWA §305(b) Report and CWA § 303(d) List is revised every 2 years corresponding to the impaired waters listing schedule. This existing schedule is frequent enough to accommodate any new standards or methods associated with TALU assessments.	NA	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
143	7050.0222			Comments related to economic analysis, cost of compliance, and cost of implementation	"Cost savings or efficiencies could be obtained by not sampling in ditches that are 100% man-made (for the purpose of assessments, anyway)."	See Attachment 2 item K	Hearing Exhibit D, SONAR [pp. 37-39, 46-48]; Exhibit S-27	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
144	NA			Comments related to the proposed Modified Use provisions	"SONAR Figure 8-1: This figure implies that intensive sampling has not occurred in many HUC8 watersheds."	This figure is intended to display the watershed from which the 141 proposed designations arise. It is not intended to indicate the scope of sampling in Minnesota.	Hearing Exhibit D, SONAR [p. 86]	Red River Watershed Management Board (RRWMB) John N. Finney President	Dual-notice Comment Period (HE I.17.)
145	7050.0222			Comments related to economic analysis, cost of compliance, and cost of implementation	"Could you just speak a bit about how you see a change of designation to exceptional use affecting a city with an MS4 permit."	See Attachment 2 item K	Hearing Exhibit D, SONAR [pp. 85-88]	Stantec Randy Neprash 2335 Highway 36 West St. Paul, Minnesota 55113	Comment submitted at hearing

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146	7050.0222			Comments related to economic analysis, cost of compliance, and cost of implementation	"Has it been demonstrated that it is possible to develop and urbanize a land area and still have the stream stay in the exceptional use and meet all the exceptional use biological criteria? Is there evidence that that can be done?"	See Attachment 2 item K	NA	Stantec Randy Neprash 2335 Highway 36 West St. Paul, Minnesota 55113	Comment submitted at hearing
147	7050.0470			Comments related to adoption of documents by reference	*Is rulemaking required to designate Exceptional Use waters?	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]	Stantec Randy Neprash 2335 Highway 36 West St. Paul, Minnesota 55113	Comment submitted at hearing
148	7050.0222			Comments related to the proposed UAA process for designating Exceptional Uses	*Is a UAA required to designate Exceptional Use waters?	See Attachment 2 item J	Hearing Exhibit D, SONAR [pp. 45-46]	Stantec Randy Neprash 2335 Highway 36 West St. Paul, Minnesota 55113	Comment submitted at hearing
149	7050.0222			Comments related to the proposed Modified Use provisions	"Is there a distinction in this rule between the approach toward modified use streams, ditches that once upon a time were streams or adjacent to streams, as distinguished from roadside ditches?"	The rule does not make a distinction between natural and artificial streams. Minn. Rule ch. 7050 applies to all streams that are "waters of the state" as that term is defined in Minn. Stat. 115.01, subd. 6. That definition includes both natural and artificial water bodies. However, the TALU framework has been developed to apply only to lotic waters and waters that allow for the colonization of fish or macroinvertebrates.	Hearing Exhibit D, SONAR [pp. 37-39, 46]; Exhibit S-27	Stantec Randy Neprash 2335 Highway 36 West St. Paul, Minnesota 55113	Comment submitted at hearing
150	7050.0150	7050.0222		Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	"Support the use of biological tools and the adoption of an Exceptional Use."	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 26-28, 39-45]	Minnesota Division of the Izaak Walton League of America Don Arnosti 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
151	7050.0222			Comments related to the proposed Modified Use provisions	*It is not reasonable to condemn altered natural water courses..., altered natural water courses otherwise known as streams that have been ditched.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnosti 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing

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152	7050.0222			Comments related to the proposed Modified Use provisions	*Altered streams have two statuses in law - a stream and a ditch. However, the MPCA is coming down on the wrong side of the law for these waters (application of policy and values).	It is possible for a single stream to meet both the definition of a drainage ditch and an altered watercourse. Statutory interpretation rules assume the legislature intended all provisions of all laws to have effect. One provision does not supersede another unless the legislature makes a specific statement in legislation. Minnesota law requires that wherever possible, a law must be interpreted to avoid direct conflict with other statutes. Drainage law addresses different topics than water quality standards. Therefore, there is no direct conflict between the two chapters of law. In addition, drainage law acknowledges the need to address multiple purposes – including water quality – before undertaking drainage work. Where two laws are found to be irreconcilable, the later law controls.	Exhibit S-27	Minnesota Division of the Izaak Walton League of America Don Arnost 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
153	7050.0222			Comments related to the proposed Modified Use provisions	*Can the modified use be reversed by proven restoration techniques" is a subjective statement and these techniques are continually changing. Therefore the Modified Use locks in out-of-date restoration techniques.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnost 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
154	7050.0222			Comments related to the proposed Modified Use provisions	*The five-year natural restoration benchmark is arbitrary.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnost 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
155	7050.0222			Comments related to the proposed Modified Use provisions	*The MPCA should be using available historical data as part of UAAs.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnost 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
156	7050.0222			Comments related to the proposed Modified Use provisions	*The incentives to improve the condition of ditches is removed or reduced by assigning a Modified Use.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 17, 89-90]	Minnesota Division of the Izaak Walton League of America Don Arnost 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
157	7050.0222			Comments related to the proposed Modified Use provisions	*Wastewater treatment permits for discharges to Modified Use streams would be designed to only protect the lower biological goals.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 78, 90]	Minnesota Division of the Izaak Walton League of America Don Arnost 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing

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158	7050.0222			Comments related to the proposed Modified Use provisions	*The designation of Modified Uses will degrade downstream waters.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 28-31, 46-48 78]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnosti 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
159	7050.0222			Comments related to the proposed Modified Use provisions	*The implementation of the TALU rule will set off a rush to clean out ditches.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnosti 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
160	7050.0222			Comments related to the proposed Modified Use provisions	*The UAA would be based on the condition at the time of sampling.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Don Arnosti 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
161	7050.0140	7050.0222		Comments related to the proposed Modified Use provisions	*Chapter 7050.0140, Subpart 3, Chapter 2 "Aquatic life and recreation includes all waters of the state that support or may support fish and other aquatic life": The "may support" is important and the protection of the potential to support is lacking from the Modified Use. If some ditches meet the General Use (and some do) then all are capable of meeting the General Use.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
162	7050.0222			Comments related to the proposed Modified Use provisions	*There is the possibility to restore ditches and therefore the Modified Use should not be designated unless it is truly impossible to restore them.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 28-31, 46-48]; Exhibit S-63	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
163	7050.0222			Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	*The Exceptional Use is a good idea.	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 13-18]	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
164	7050.0222			Comments related to the proposed Modified Use provisions	*The designation of Modified Uses will degrade downstream waters.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 78]; Exhibit S-63 [pp. 7, 11]	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
165	7050.0470			Comments related to adoption of documents by reference	*Concerned that once the information in Minn. R. 7050.0470 gets moved into a reference document through rulemaking that after that these documents will be outside the scope of rulemaking.	See Attachment 2 item E	Hearing Exhibit D, SONAR [pp. 15, 17-18, 29, 48, 51, 61, 64, 72-73, 83, 85-86]	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing

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166	7050.0222			Comments related to the proposed Modified Use provisions	*Concerned that the goal of the Modified Use is to reduce the need to perform TMDLs and restoration in these waters.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 15, 17, 22, 89]	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
167	7050.0222			Comments related to the proposed Modified Use provisions	*If there is a Modified Use, it should not be possible to assign them upstream of waters impaired for chemical pollutants.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 16, 26, 78]; Exhibit S-63 [pp. 7, 11]	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
168	7050.0222			Comments suggesting clarifications to proposed rule language	"Under the L.5 handout, in at least three places 7050.0222, Subpart 2D, Subpart 3D, and Subpart 4D, where the language at the end is for colonization of fish and macroinvertebrates, and other places that I might have missed, I recommend that it be changed to fish and/or macroinvertebrates."	See Attachment 2 item D	Hearing Exhibit D, SONAR [p. 41, footnote 19]	Minnesota Division of the Izaak Walton League of America Howard Markus 2233 University Avenue West, Suite 339, St. Paul, Minnesota 55114	Comment submitted at hearing
169	7050.0150	7050.0222		Comments supporting adoption of the proposed amendments, TALU framework, or concepts underlying the TALU framework	*Support the use of IBIs and biological data.	See Attachment 2 item A	Hearing Exhibit D, SONAR [pp. 26-28, 39-45]	Bruce Johnson 6763 253rd Avenue Northeast Stacy, Minnesota	Comment submitted at hearing
170	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*The IBI dataset was not sufficiently large because a larger dataset of chemical measurements was determined to be a "modest" number of samples. This would result in under protective biocriteria values.	See Attachment 2 item G	Hearing Exhibit D, SONAR [p. 40]; Exhibits S-84 [Appendix] and S-85 [pp. 8-9]	Bruce Johnson 6763 253rd Avenue Northeast Stacy, Minnesota	Comment submitted at hearing
171	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*The macroinvertebrate data is collected in the fall which misses the sensitive organisms which occur in the spring.	See Attachment 2 item G	Attachment 4 [p.6]	Bruce Johnson 6763 253rd Avenue Northeast Stacy, Minnesota	Comment submitted at hearing
172	7050.0222			Comments related to application of IBI models, biological criteria, and UAA tools	*The taxonomic resolution used by the MPCA for fish and macroinvertebrates is not sufficient or at least not clear.	See Attachment 2 item G	Hearing Exhibits L.7 and L.8; Attachments 3 and 4	Bruce Johnson 6763 253rd Avenue Northeast Stacy, Minnesota	Comment submitted at hearing
173	7050.0150	7050.0222		Comments related to application of IBI models, biological criteria, and UAA tools	*The MPCA's watershed approach fails to follow the ecoregion approach in EPA guidance for developing biological tools.	See Attachment 2 item G	Exhibits S-64 [pp. 7-9] and S-65 [pp. 8-10]	Bruce Johnson 6763 253rd Avenue Northeast Stacy, Minnesota	Comment submitted at hearing
174	7050.0222			Comments related to the proposed Modified Use provisions	*The large number of waters needing a TMDL will be too numerous for the Agency to keep up with and will result in a loosening of standards because actions such as permitting will not take place in a timely manner. The Modified Use may be a way to get these off of the impaired waters list in order to reduce work loads.	See Attachment 2 item H	Hearing Exhibit D, SONAR [pp. 15, 17, 22, 89]	Bruce Johnson 6763 253rd Avenue Northeast Stacy, Minnesota	Comment submitted at hearing