



This document summarizes **some** of the information contained in the official *State Register* Request for Comments (RFC). For the full legal notice, the State Register version can be viewed at:

<http://www.comm.media.state.mn.us/bookstore/mnbookstore.asp?page=register>.

What is a Request for Comments?

The RFC is the first "official" step for state rulemaking and is a legal requirement of the Administrative Procedures Act (*Minn. Stat.* ch.14). This request:

- Asks the public for comments and information about a topic the MPCA intends to address through rulemaking.
- Gives advance notice about what the MPCA is considering.
- Encourages people to register with GovDelivery to be kept informed of the next steps for the rulemaking.

If you are not already registered to receive GovDelivery notices for the rulemaking addressing the sulfate standard for wild rice, you may register at

https://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_56.

What should I be commenting about?

The MPCA is seeking all comments and information that may be useful in re-evaluating a sulfate standard to protect wild rice and identifying the wild rice waters being protected. Because the RFC is only the first step in the rulemaking process, rule language is not being proposed at this time. However, for the past several years the MPCA has studied the effect of sulfate/sulfide levels on wild rice and collected information about where wild rice grows or has grown. As a result of this work, the MPCA developed a draft proposal that includes:

- An equation to determine water body-specific levels of sulfate protective of wild rice.
- A list of rivers, lakes, and streams where the wild rice sulfate standard will apply.

This draft proposal is available for review at [Draft proposal for protecting wild rice from excess sulfate](#).

The MPCA invites comments about the draft proposal and also about other ways to protect wild rice through water quality standards.

How do I submit comments?

Submit your comments in writing (either email or mailed) to:

Carol Nankivel
MPCA/RMAD
520 Lafayette Road
St. Paul, MN 55155
minnrule7050.pca@state.mn.us

Submit comments by **4:30 p.m. on December 18, 2015**. The MPCA will consider comments and data throughout the rulemaking process. However, your comments are most useful if they are received at this time, before the MPCA finalizes its proposal and supporting documentation.

Who is affected by this rulemaking?

The rules being developed will be of interest to persons in a number of different areas. Examples of affected parties are:

- Tribal communities and persons interested in the spiritual or cultural value of wild rice.
- Persons associated with businesses and municipalities that discharge wastewater.
- Persons who either directly harvest wild rice or who benefit by the maintenance of ecosystems that depend on wild rice; activities such as fishing, tourism and hunting.
- Persons with an interest in the quality of Minnesota's waters and the wildlife they support.

What will the MPCA do with my comments?

Comments will be considered by the MPCA as it continues to develop rules and the Statement of Need and Reasonableness. Comments and information will be posted, to the extent possible, for public viewing on the rulemaking webpage [Minnesota's sulfate standard to protect wild rice](#). The MPCA will not provide individual responses to comments but may post additional information on the webpage in response to specific questions.

I've already commented to the MPCA; do I have to re-send my comments?

No. For the past several years the MPCA has received comments through meetings with a Wild Rice Advisory Committee, tribal representatives, industrial interests, members of the scientific community and the general public interested in the issues associated with wild rice. All of those previously submitted comments are considered and will continue to inform the MPCA's rule development.

What is the schedule for this rulemaking?

The MPCA intends to adopt rules by 2018. However, the schedule for conducting different phases of the rulemaking process will depend on many factors and the MPCA has not formalized a schedule for each phase.