

RULE HEARING
Exhibits List
December 11, 2019

The following documents will be placed into the hearing record for the Minnesota Pollution Control Agency (MPCA) proposed revisions of Minnesota Rules, chapter 7050, Relating to Water Quality Standards - Class 2 and Class 7 Beneficial Use Designations

(Revisor's #4561) (OAH Docket # 65-9003-35561)

I. DOCUMENTS REQUIRED TO BE PLACED IN THE HEARING RECORD BY MINN. RULES 1400.2220, SUBPART 1.

- A. Requests for Comments published in the September 24, 2018, *State Register*.
- 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) with Exhibits 1 through 56.
- E. Certificate of Mailing the Statement of Need and Reasonableness to the Legislative Reference Library.
- F. 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 are Received:
 - F.1. Dual Notice as mailed and posted on the MPCA public notice webpage.
 - F.2. Dual Notice as published in the September 23, 2019, *State Register*.
- G. Certificate of Mailing the Dual Notice of Intent to Adopt Rules of the Minnesota Pollution Control Agency Governing Water Quality Standards – Class 2 and Class 7 Use Designations, *Minnesota Rules*, Chapter 7050 Waters of the State, Revisor's ID Number 4561.
- H. Certificate of Giving Additional Notice Pursuant to the Additional Notice Plan.
- I. Written comments on the proposed rule received by the MPCA during the public notice comment period:
 - I.1. Howard Markus.
 - I.2. David Zentner, Izaak Walton League of America Minnesota Division.
 - I.3. William Barton.
 - I.4. Aaron Johnson, United States Environmental Protection Agency Region 5.
 - I.5. Robert Sip, Red River Watershed Management Board.
 - I.6. Margaret Watkins, Grand Portage Band of Lake Superior Chippewa.
 - I.7. Ted Suss and Craig Sterle, Minnesota Izaak Walton League.
 - I.8. Paula Maccabee, Water Legacy.
 - I.9. David Koltz, Hibbing Taconite Company.
 - I.10. Rob Beranek, Cliffs Erie, LLC.

- I.11. John P. Lenczewski, Minnesota Trout Unlimited.
 - I.12. Requests for hearing: Two letters, one email, and 261 form emails 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 Sending the Rules and the Statement of Need and Reasonableness to the Commissioner of Minnesota Department of Agriculture in Compliance with Minnesota Statutes, Section 14.111.
 - K.2. Certificate of Sending the Notice and the Statement of Need and Reasonableness to Legislators and Legislative Coordinating Commission in Compliance with Minnesota Statutes, Section 14.116.
 - K.3. Certificate of Consulting with the Commissioner of Management and Budget in Compliance with Minnesota Statutes, Section 14.131.
 - K.4. Certificate of Mailing a Notice of Hearing to Those Who Requested a Hearing in Compliance with Minnesota Statutes, Section 14.25, Subdivision 1.
 - K.5. 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 Municipalities in Compliance with Minnesota Statutes, Section 115.44, Subdivision 7.
 - K.6. Letter from the MPCA dated August 19, 2019, to Administrative Law Judge Ann C. O'Reilly with a request to schedule a rules hearing, and request for review and approval of the Dual Notice of Intent to Adopt Rules and Additional Notice Plan. Minnesota Rules 1400.2080, subpart 5.
 - K.7. Amended Order and Recommendations on Review of Additional Notice Plan and Dual Notice from Administrative Law Judge Ann C. O'Reilly dated August 27, 2019. Minnesota Rules 1400.2060, subpart 3.
- II. Additional Documents received during the hearing, post hearing and rebuttal periods.**
- L. Comments and materials submitted during the hearing.
- L.1. Copy of slides from the MPCA presentation at the December 11, 2019 rule hearing.
 - L.2. Draft Modification to the Proposed Water Quality Standards – Class 2 and Class7 Use Designation Rule Amendments Being Considered by the MPCA in response to Comments Received During the Dual-Notice Comment Period.
 - L.3. Amended Certificate of Mailing a Notice of Hearing to Those Who Requested a Hearing in Compliance with Minnesota Statutes, Section 14.25, Subdivision 1.
 - L.4. Hearing Comment, Sandusky.
 - L.5. Hearing Comment, Monson.
 - L.6. Hearing Comment, Morrison.
 - L.7. Hearing Comment, Morrison.
 - L.8. Hearing Comment, Morrison.
 - L.9. Hearing Comment, Morrison.
 - L.10. Hearing Comment, Morrison.
 - L.11. Hearing Comment, Markus.

- L.12. Hearing Comment, Christenson.
- L.13. Hearing Comment, Digby.
- L.14. Hearing Comment, Ring.
- L.15. Hearing Comment, Lenczewski.
- L.16. Hearing Comment, Winter.
- L.17. Hearing Registers.
- L.18. Hearing Comment, McCarthy.
- L.19. Hearing Comment, Fitzpatrick.
- L.20. Hearing Comment, Reisenweber.
- L.21. Hearing Comment, Gauger.
- L.22. Hearing Comment, Zentner.

M. Comments and materials submitted during the post-hearing comment period.

N. Comments and materials submitted during the rebuttal period.