

**mn** MINNESOTA  
ENVIRONMENTAL QUALITY BOARD

January 9, 2018

The Honorable Dan Fabian  
Minnesota State Representative  
395 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, Minnesota 55155

The Honorable Rick Hansen  
Minnesota State Representative  
247 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, Minnesota 55155

The Honorable Bill Ingebrigtsen  
Minnesota State Senator  
3207 Minnesota Senate Bldg.  
St. Paul, MN 55155-1606

The Honorable David J. Tomassoni  
Minnesota State Senator  
2235 Minnesota Senate Bldg.  
St. Paul, MN 55155-1206

Ms. Diane Henry-Wangenstein, Assistant Director  
Legislative Coordinating Commission  
72 State Office Building 100  
Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Re: Rulemaking Docket and Record Pursuant to Minn. Stat. § 14.116, paragraph (a)

Dear Committee Chairs, Minority Leads and Legislative Coordinating Commission:

The Minnesota Environmental Quality Board (EQB) is pleased to deliver a copy of the EQB Rulemaking Docket and official rulemaking records, pursuant to Minn. Stat § 14.116, subd. (a) for the following rules that were completed in 2017:

- No rules were completed in 2017.
- Preliminary Draft EIS Rule (R-04494) began the official Notice Period on January 8, 2018.

Should you require additional information, please contact me at 651-757-2766.

Sincerely,



Will Seuffert  
Executive Director  
Minnesota Environmental Quality Board

WS:ecd  
Enclosure

*Equal Opportunity Employer*

Check with the Board contact person to inspect written comments, written requests for a public hearing, and names of parties who requested a public hearing.

## Active Rulemaking Projects

Subject matter	Brief Rule Summary	Board contact person (lead staff)	Current status of proposed rule and any agency determinations	Next opportunity for public comment	Timetable for adoption and other Board determinations	Notices published (State Register citations)	Public hearing schedule
Preliminary Draft EIS  R-04494	Legislatively mandated rule <a href="#">Laws 2017, Chapter 93, Art. 2, Sec. 140</a>	Erik Cedarleaf Dahl 651-757-2364	<ul style="list-style-type: none"> <li>Notice of Intent to Adopt Rules issued on January 8, 2018</li> </ul>	2018	2018	<a href="#">RFC published in the SR on August 21, 2017</a> (42 SR 8)  <a href="#">RFC published in the SR on September 25, 2017</a> (42 SR 13)  <a href="#">RFC published in the SR on November 6, 2017</a> (42 SR 19)  <a href="#">Notice of Intent to Adopt published in the SR on January 8, 2018</a>	N/A
Mandatory Categories  R-04157	Rulemaking addresses mandatory category thresholds for greater Environmental Review efficiency	Courtney Ahlers-Nelson 651-757-2183  Erik Cedarleaf Dahl 651-757-2364	<ul style="list-style-type: none"> <li>Initiated formal rulemaking November 9, 2015</li> <li>Noticed proposed rules in 2016/2017</li> <li>Rulemaking ongoing: 2018</li> </ul>	2018	2018	<a href="#">RFC published in the SR on July 22, 2013</a> (38 SR 103)  <a href="#">RFC published in the SR on November 9, 2015</a> (40 SR 542)  <a href="#">RFC published in the SR on October 24, 2016</a> (41 SR 489)	Unknown
Silica Sand  R-04196	Legislatively authorized rule: <a href="#">Laws 2013, Ch. 114, Art. 4, Sec. 105</a> ; <a href="#">Laws 2015 1<sup>st</sup> Spec. Sess. Ch. 4, Art 4, Sec. 121</a> ; <a href="#">Laws 2017, Ch. 93, Art. 2, Sec. 148</a>	Erik Cedarleaf Dahl 651-757-2364	<ul style="list-style-type: none"> <li>EQB concluded work with the Silica Sand Rulemaking Advisory Panel in 2015</li> <li>Rule amendments included in R-04157 (Mandatory Category Rulemaking)</li> </ul>	See R-04157	See R-04157	<a href="#">RFC published in the SR on July 22, 2013</a> (38 SR 105)	N/A

Good Cause Recreational Trails  R-4381	Legislatively mandated rule <a href="#">Laws 2015 1<sup>st</sup> Spec. Sess. Ch. 4, Art. 5, Sec.33</a>	Erik Cedarleaf Dahl 651-757-2364	<ul style="list-style-type: none"> <li>· Good Cause Rulemaking submitted to OAH in 2015.</li> <li>· December 2, 2015, proposed exempt rules were not approved</li> <li>· Rule amendments included in R-04157 (Mandatory Category Rulemaking)</li> </ul>	See R-04157	See R-04157	N/A	N/A
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### Completed Rulemaking Projects – adopted within past year

Subject matter	Notices published (State Register citations)	Date Rule Adopted by EQB (i.e., Order to Adopt is signed)	Date Rule Filed with Secretary of State	Effective date of rule

Acronyms:

GO – Governor’s Office

MMB – Minnesota Management and Budget

OAH – Office of Administrative Hearings

RFC – Request for Comments

SONAR – Statement of Need and Reasonableness

SR – MN State Register (published Mondays, except holiday)

TBD – To be determined