

**m** MINNESOTA  
ENVIRONMENTAL QUALITY BOARD

January 11, 2019

The Honorable Carrie Ruud  
Minnesota State Senator  
3233 Minnesota Senate Bldg.  
St Paul, MN 55155-1606

The Honorable Chris A. Eaton  
Minnesota State Senator  
2403 Minnesota Senate Bldg.  
St Paul, MN 55155-1606

The Honorable John Persell  
Minnesota State Representative  
437 Rev. Dr. Martin Luther King Jr. Blvd.  
St Paul, MN 55155

The Honorable Rep. Dale Lueck  
Minnesota State Representative  
311 Rev. Dr. Martin Luther King Jr. Blvd.  
St Paul, MN 55155

The Honorable Rick Hansen  
Minnesota State Representative  
407 Rev. Dr. Martin Luther King Jr. Blvd.  
St Paul, MN 55155

The Honorable Rep. Dan Fabian  
Minnesota State Representative  
287 Rev. Dr. Martin Luther King Jr. Blvd.  
St Paul, MN 55155

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

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

Ms. Diane Henry-Wangenstein, Deputy 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 2018:

- Preliminary Draft EIS Rule (R-04494) was completed in 2018 and were adopted on August 13, 2018
- Proposed Amendment to Rules Governing Environmental Review, Minnesota Rules, 4410.0200, 4410.0500, 4410.4300, 4410.4400, 4410.5200, 4410.7904, 4410.7906, 4410.7926, 4410.4600: currently in a comment period (Nov. 13, 2018-Feb. 4, 2019) with public hearings scheduled for March 8, 2019 and March 12, 2019.

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

Sincerely,



Will Seuffert  
Executive Director  
Minnesota Environmental Quality Board

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
Mandatory Categories  R-04157	Rulemaking amends some mandatory category thresholds for greater clarity and efficiency. Includes other legislatively mandated revisions.	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>November 13, 2018 – February 4, 2019 (4:30pm) – Official Comment Period.</li> </ul>	November 13, 2018 – February 4, 2019 (4:30pm)	2019	<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)  <a href="#">Notice of Intent to Adopt Rules</a> (State Register November 13, 2018)	March 8, 2019 (10am)  And March 12, 2019 (10:30am)
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

## 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
Preliminary Draft EIS  R-04494	<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>  <a href="#">Notice of Adoption (August 13, 2018) (42 SR 7)</a>	August 13, 2018	June 7, 2018	August 13, 2018

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