

H. The Certificate of Giving Additional Notice Under the Additional Notice Plan.

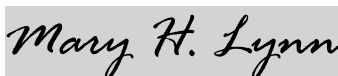
Minnesota Pollution Control Agency**CERTIFICATE OF GIVING ADDITIONAL NOTICE UNDER THE ADDITIONAL NOTICE PLAN**

Proposed Amendments to Rules of the Minnesota Pollution Control Agency Governing Water Quality Standards – Class 2 Use Designations, *Minnesota Rules*, Chapter 7050 Waters of the State; Revisor's ID Number 4692

I certify that on December 12, 2022, (except as noted below), at least 33 days before the end of the comment period, at the Minnesota Pollution Control Agency (MPCA) in St. Paul, Minnesota, I gave notice according to the Additional Notice Plan approved by the Office of Administrative Hearings on November 17, 2022. Specifically, I:

- Published the Notice of Hearing on the MPCA's website for this rulemaking at <https://www.pca.state.mn.us/get-engaged/use-designations-for-some-stream-reaches>. A link to the rulemaking website is provided on the MPCA's "Proposed rules" website at <https://www.pca.state.mn.us/get-engaged/proposed-rules>. (Note: the "Proposed rules" website replaced the MPCA's "Public Notice" website for public notice of rule notices when the redesign of the MPCA website was launched late summer 2022.)
- Provided an extended comment period on the proposed rule amendments.
- Sent notification to the MPCA list of Water Tribal Contacts for the 12 federally recognized tribes in Minnesota. I accomplished this by sending electronic notification via email containing a hyperlink to the Notice of Hearing to the contact person for each of the tribes. A copy of the email and the list of tribal authority contacts is attached to this Certificate.
- Sent notification to the two entities and the one individual that submitted comments during the Request for Comments public comment period. I accomplished this by sending electronic notification via email containing a hyperlink to the Notice of Hearing to the contact person for each of the entities and to the individual. A copy of the email is attached to this Certificate.
- Sent notification to the permittees identified in the Additional Notice Plan, item 5. I accomplished this by sending via U.S. mail on December 9, 2022, a copy of the Notice of Hearing to each permittee. A copy of the item 5 list is attached to this Certificate.
- Sent notification to the associations and environmental groups listed in the Additional Notice Plan, item 6. I accomplished this by sending electronic notification via email containing a hyperlink to the Notice of Hearing to the contact person for each of these groups. A copy of the email and the item 6 list is attached to this Certificate.
- Posted rulemaking updates and documents including the proposed rule amendments and Statement of Need and Reasonableness on the MPCA's website for this rulemaking at <https://www.pca.state.mn.us/get-engaged/use-designations-for-some-stream-reaches>.

A copy of the Notice of Hearing as published in the State Register is attached to this Certificate.



This document has been electronically signed.

Mary H. Lynn
Rule Coordinator
Agency Rules Unit
Resource Management & Assistance Division

Lynn, Mary (MPCA)

From: Lynn, Mary (MPCA)
Sent: Monday, December 12, 2022 11:41 AM
To: Amanda Wold; Andrew Boyd; Barbara Long; Ben Benoit ; Brandy Toft; Carma Huseby; Chad Weiss; Charles J. Lippert; Chris Holm; Christina Ricketts; Cody Mattison; Curt Goodsky; Daniel Schacht; Darren Vogt; David Smith; Deb Dirlam; Eric Krumm; Ernie Grooms; Esteban Chiriboga; Ferin Davis; Gabriel Miller; Gabrielle Tiomanipi; Gary Frazer; Greg Blackdeer; Jeff Harper; Jennifer Malinski; Jeremy Bloomquist; Jessica Tolifson; John Coleman; John LeBlanc; Joshua Jones; Justice Wabasha; Kayla Bove; Kelly Applegate; Krishna Woerheide; Leya Charles; Linda Nguyen; Margaret Obear; Margaret Watkins; Michael Northbird; Millard Myers; Monica Hedstrom; Nancy Schuldt; Noah Saperstein; Perry Bunting; Phil Defoe; Randy Poelma; Rhonda Bear; Richard Gitar; Richard Jackson; Sarah Slayton; Scott Walz; Shane Bove; Simeon Mathews; Tara Geshick; Tyler Kaspar; Vallen Cook; Vivienne Tateyuskanskan; Wayne Dupuis; William Bement
Subject: FW: Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

Hello,

Please see the announcement below about the proposed rules governing Water Quality Standards – Class 2 Use Designations. My apologies if you are signed up for GovDelivery announcements for this rulemaking and already received this message.

From: Minnesota Pollution Control Agency <mpca@public.govdelivery.com>
Sent: Monday, December 12, 2022 11:33 AM
To: Lynn, Mary (MPCA) <mary.lynn@state.mn.us>
Subject: Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

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Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

NOTICE OF HEARING

Proposed Amendments to Rules Governing Water Quality Standards - Use Classification 2, *Minnesota Rules*, chapter 7050

The Minnesota Pollution Control Agency (MPCA) published the above notice in the December 12, 2022, [Minnesota State Register](#), and is requesting comment on the proposed amendments to rules governing water quality standards - Class 2 Use Designations. The notice and rule related

documents are available by visiting the MPCA's [Class 2 Use Designation rulemaking website](#). The public comment period for the Notice of Hearing closes at **4:30 p.m. on Friday, February 3, 2023**.

The purpose of the rules is to update use designations for some state waters. The "designated use" is a component of water quality standards that defines how the water is used (e.g., drinking water, aquatic life, recreation). These amendments make updates and corrections to Class 2 (Aquatic Life) use designations or classifications for 232 stream reaches. The proposed changes to update these use designation tables, and a summary table of the Class 2 proposed use class changes for these stream reaches is available on the [Class 2 Use Designation rulemaking website](#).

You will have multiple opportunities to submit comments. This notice provides you the opportunity to submit your written comments on this rule during the public comment period for this notice. The administrative law judge will also accept your comments orally at the **hearing on February 16, 2023**, and in writing after the hearing and before the hearing record closes.

Information about this and other MPCA rulemaking projects is available at the [public rulemaking docket](#).

The mission of the MPCA is to protect and improve the environment and human health.

St. Paul • Brainerd • Detroit Lakes • Duluth • Mankato • Marshall • Rochester

www.pca.state.mn.us • Toll-free and TDD 800-657-3864

 Minnesota Pollution Control Agency [[Contact us](#)]

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Email was sent to mary.lynn@state.mn.us using GovDelivery Communications Cloud on behalf of: Minnesota Pollution Control Agency
Lafayette Road North • Saint Paul, MN 55155 • 1-800-439-1420

MPCA Tribal Contacts List

Route corrections to: [Helen Waquiu](#)

The following are the 12 federally recognized tribes in Minnesota; 7 Anishinaabe (Chippewa, Ojibwe) reservations, 4 Dakota (Sioux) communities, and the Minnesota Chippewa Tribe – a centralized governmental authority for six Anishinaabe bands. Editing schedule: March, June, September, and December

Tribe, address, and language	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
Bois Forte Band of Chippewa - Zagaakwaandagowi niniwag Bois Forte Tribal Government 5344 Lakeshore Dr Nett Lake, MN 55772 Ojibwe https://boisforte.com/	Chris Holm Interim Director Ecological Resources Program Ph.: 218-757 3261 Cell:218-410-3342 Fax: 218-757-3547 cholm@boisforte-nsn.gov							Jaylen Strong Tribal Historic Preservation Officer Ph.: 218-753-6017 jaylen.strong@boisforte-nsn.gov	Cook, Itasca, Koochiching, Lake, St. Louis, Carlton, Pine, Aitkin, Cass and Crow Wing Rule notice contacts:
Fond Du Lac Band of Lake Superior Chippewa- Nah-gah-chi-wa-nong 1720 Big Lake Road Cloquet, MN 55720 Ojibwe http://www.fdlrez.com/	Wayne Dupuis Environmental Program Mgr. Ph.: 218-878-7106 waynedupuis@fdlrez.com	Nancy Schuldt* Water Projects Coordinator Ph.: 218-878-7110 Fax: 218-878-7168 nancyschuldt@fdlrez.com Richard Gitar* Water Regulatory Specialist Ph.: 218-878-7122 Fax: 218-878-7168 richardgitar@fdlrez.com	Jack Bassett Ph.: 218-879-4593 jackbassett@fdlrez.com	David Smith Brownfields Program Ph.: 218-878-7119 davidsmith@fdlrez.com	Nancy Schuldt* Water Projects Coordinator Ph.: 218-878-7110 nancyschuldt@fdlrez.com Richard Gitar* Water Regulatory Specialist Ph.: 218-878-7122 richardgitar@fdlrez.com	Wayne Dupuis Environmental Program Mgr. Ph.: 218-878-7106 waynedupuis@fdlrez.com All department staff as needed	Wayne Dupuis Environmental Program Mgr. Ph.: 218-878-7106 waynedupuis@fdlrez.com Phil Savage Ph.: 218-878-7101 philsavage@fdlrez.com	Wayne Dupuis Environmental Program Mgr. Ph.: 218-878-7106 waynedupuis@fdlrez.com Jill Hoppe Tribal Historic Preservation Officer Ph.: 218-878-7129 jillhoppe@fdlrez.com	Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, Pine, and St. Louis * Water permit counties of interest include above counties and the following: Anoka, Chisago, Crow Wing, Isanti, Kanabec, Mille Lacs, Morrison, Sherburne, and Washington Rule notice contacts: Air and water – route to listed contacts –

Tribe, address, and language	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
Grand Portage Band of Ojibwe, Gichi-Onigaming 27 Store Road P.O. Box 428 Grand Portage, MN 55605 Ojibwe https://www.grandportage.com/	Vallen Cook Air Quality Specialist Ph.: 218-475-2027 Fax: 218-475-2615 vallenc@grandportage.com	Margaret Watkins Water Quality Specialist Ph.: 218-475-2026 Fax: 218-475-2615 mwatkins@grandportage.com	Krishna Woerheide Environmental Specialist Ph.: 218-475-2028 Fax: 218-475-2615 kwoerheide@grandportage.com	Seth Moore Director of Biology and Environment Ph.: 218-475-2022 samoore@boreal.org	Margaret Watkins Water Quality Specialist Ph.: 218-475-2026 Fax: 218-475-2615 mwatkins@grandportage.com Krishna Woerheide Environmental Specialist Ph.: 218-475-2028 Fax: 218-475-2615 kwoerheide@grandportage.com	Seth Moore Director of Biology and Environment Ph.: 218-475-2022 samoore@boreal.org		Seth Moore Director of Biology and Environment Ph.: 218-475-2022 samoore@boreal.org Rob Hull Tribal Historic Preservation Officer Ph.: 218-475-0111 robhull@grandportage.com	Aitkin, Carlton, Cook, Lake, Pine, and St. Louis Rule notice contacts: send to specified air and water contacts
Leech Lake Band of Ojibwe, Gaa-Zagaskwaabiganikaag 190 Sailstar Drive, NW Cass Lake, MN 56633 Ojibwe https://www.llojibwe.org/	Brandy Toft Environmental Deputy Director Ph.: 218-335-7429 Brandy.toft@llojibwe.net Carma Huseby Air Quality Specialist Ph.: 218-335-7441 Carma.huseby@llojibwe.net	Ben Benoit Environmental Director Ph.: 218-335-7417 Ben.benoit@llojibwe.net Jeff Harper Water Quality Specialist Ph.: 218-335-7415 jeff.harper@llojibwe.net Eric Krumm Water Technician Ph.: 218-335-7457 Eric.krumm@llojibwe.net	Solid Waste: Richard A. Jones Jr. Operations Manager Ph: 218-339-5289 Richard.jones@llojibwe.net Haz Waste: Jason Helgeson Ph.: 218-335-7400 jason.helgeson@llojibwe.net	Joe Fowler Land Director Ph.: 218-335-7400 joe.fowler@llojibwe.net	Jeff Harper Water Quality Specialist Ph.: 218-335-7415 jeff.harper@llojibwe.net	Ben Benoit Environmental Director Ph.: 218-335-7417 Ben.benoit@llojibwe.net Brandy Toft Environmental Deputy Director Ph.: 218-335-7429 Brandy.toft@llojibwe.net	Ben Benoit Environmental Director Ph.: 218-335-7417 Ben.benoit@llojibwe.net Brandy Toft Environmental Deputy Director Ph.: 218-335-7429 Brandy.toft@llojibwe.net	Amy Burnette Tribal Historic Preservation Officer Ph.: 218-335-2940 amy.burnette@llojibwe.org	For Air: Aitkin, Becker, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, Koochiching, Otter Tail, Polk, St. Louis, and Wadena For Water: Beltrami, Cass, Hubbard, Itasca, Crow Wing, Atkin, St. Louis, Clearwater, Mahnomen, Koochiching, Becker, and Carlton Rule notice contacts: route to specified air and water contacts
Mille Lacs Band of Ojibwe, Misi-zaaga'igani Anishinaabeg 43408 Oodena Drive Onamia, MN 56359-2236 Ojibwe https://millelacsband.com/	Charles J. Lippert Air Quality Specialist Ph.: 320-532-4704 Fax: 320-532-7514 charlie.lippert@millelacsband.com	Perry Bunting Director Environmental Programs Ph.: 320-532-7446 Fax: 320-532-7514 perry.bunting@millelacsband.com Chad Weiss Water Resource Manager Ph.: 320-532-7445	Andrew Boyd Environmental Compliance Officer Ph.: 320-532-7779 andrew.boyd@millelacsband.com	Perry Bunting Director Environmental Programs Ph.: 320-532-7446 Fax: 320-532-7514 perry.bunting@millelacsband.com	Terry Kemper Tribal Historical Preservation Officer Ph.: 320-532-7780 Terry.kemper@millelacsband.com	Perry Bunting Director Environmental Programs Ph.: 320-532-7446 Fax: 320-532-7514 perry.bunting@millelacsband.com	Jon Houle Agricultural Coordinator Ph.: 320-532-7439 Jon.Houle@millelacsband.com	Kelly Applegate* Commissioner of Natural Resources Kelly.applegate@millelacsband.com *delegated authority in all issues pertaining to Natural Resources and environment	For air, land and water: Aitkin, Crow Wing, Kanabec, Mille Lacs, Morrison, Otter Tail, Pine. For air, include: Anoka, Becker, Benton, Carlton, Carver, Cass, Chisago, Clay, Clearwater, Cook, Dakota, Douglas, Goodhue, Grant, Hennepin, Hubbard, Isanti, Itasca, Kandiyohi, Lake, McLeod, Mahnomen, Meeker, Norman, Olmsted, Pope, Ramsey, St. Louis,

Tribe, address, and language	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
		chad.weiss@millelacsband.com						Susan Klapel Executive Director, Department of Natural Resources Ph.: 320-532-7442 Cell: 320-362-1858 Susan.Klapel@MilleLacsB and.com Jamie Edwards Special Advisor of Government Affairs Ph.: 612-850-2124 Jamie.Edwards@millelac sband.com Terry Kemper Tribal Historic Preservation Officer Ph.: 320-360-1393 terry.kemper@millelacsband.com	Scott, Sherburne, Stearns, Todd, Traverse, Wabasha, Wadena, Washington, Wilkin, Winona, and Wright Rule notice contacts: – route to specific media contacts; – route all rule notices to Commissioner of Natural Resources.
Lower Sioux Indian Community of Minnesota, Cansayapi P.O. Box 308 39527 Res. Hwy 1 Morton, MN 56270 Dakota https://lowersioux.com/	Deb Dirlam Director, Environmental Program Ph.: 507-697-8643 Cell: 507-430-1729 deb.dirlam@lowersioux.com							Cheyenne St. John* Tribal Historic Preservation Officer (THPO) 39527 Res. Hwy 1 Morton, MN 56270 Ph.: 507-697-8672 cheyanne.stjohn@lowersioux.com	Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Jackson, Kandiyohi, Lac Qui Parle, Lincoln, Le Sueur, Lyon, Martin, McLeod, Meeker, Murray, Nicollet, Nobles, Pipestone, Pope, Redwood, Renville, Sibley, Stevens, Swift, Watonwan, Wright, and Yellow Medicine Rule notice contacts: All rule notices should be directed to Deb Dirlam. *All Permits, Rule Notices, and Environmental Review statewide (not limited to the counties of interest above) should be sent to the Tribal Historic Preservation Officer.
Prairie Island Indian Community, Tinta Wita	Gabriel Miller Prairie Island Indian Com. Program Manager	Leya Charles Water Quality Specialist Ph.: 651-385-4115 leya.charles@piic.org	Leya Charles Water Quality Specialist Ph.: 651-385-4115	Gabriel Miller Prairie Island Indian Com. Program Manager	Leya Charles Water Quality Specialist Ph.: 651-385-4115 leya.charles@piic.org	Gabriel Miller Prairie Island Indian Com. Program Manager	Nicole Staudt Statewide Health Improvement Partnership	Franky Jackson Tribal Historic Preservation Compliance Officer Ph: 651-267-4070	Areas of Interest: Dakota, Goodhue, Washington, Pierce, Olmsted, and Wabasha Counties

Tribe, address, and language	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
5636 Sturgeon Lake Road Welch, MN 55089 Dakota http://prairieisland.org/	Ph.: 651-385-4141 gmiller@piic.org	Cody Mattison Nonpoint Source Project Manager Ph.: 651-385-4075 Cody.mattison@piic.org	leva.charles@piic.org	Ph.: 651-385-4141 gmiller@piic.org		Ph.: 651-385-4141 gmiller@piic.org Leya Charles Water Quality Specialist Ph.: 651-385-4115 leva.charles@piic.org	(SHIP) Coordinator Ph: 651-385-4103 Nicole.staudt@piic.org Lars Lidahl Food Systems Specialist 651-267-4099 Lars.lidahl@piic.org	Cell: 651-764-3742 franky.jackson@piic.org Noah White III Tribal Historic Preservation Officer Ph: 651-385-4175 Cell: 651-764-2567 noah.white@piic.org	Rule notice contacts: None specified, send to all listed contacts.
Upper Sioux Community, Pezihutazizi Oyate USC Office of the Environment P.O. Box 147 5722 Travers Lane Granite Falls, MN 56241 Dakota http://www.uppersiouxcommunity-nsn.gov/	Amanda Wold Environmental Director Ph.: 320-564-6337 amandaw@upperxiouxcommunity-nsn.gov	Amanda Wold Environmental Director Ph.: 320-564-6337 amandaw@upperxiouxcommunity-nsn.gov	Amanda Wold Environmental Director Ph.: 320-564-6337 amandaw@upperxiouxcommunity-nsn.gov	Amanda Wold Environmental Director Ph.: 320-564-6337 amandaw@upperxiouxcommunity-nsn.gov	Amanda Wold Environmental Director Ph.: 320-564-6337 amandaw@upperxiouxcommunity-nsn.gov	Amanda Wold Environmental Director Ph.: 320-564-6337 amandaw@upperxiouxcommunity-nsn.gov	Dawn Chase ICWA Youth Specialist Ph: 320-564-6322 dawnc@upperxiouxcommunity-nsn.gov Megan Moudry SHIP Coordinator Ph: 320-564-6321 megan@upperxiouxcommunity-nsn.gov	Samantha Odegard Tribal Historic Preservation Officer Ph.: 320-564-6334 samanthao@upperxiouxcommunity-nsn.gov	Big Stone, Chippewa, Lac Qui Parle, Renville, Swift, and Yellow Medicine Rule notice contacts: None specified, send to all listed contacts.
Red Lake Band of Chippewa, Mis-Qua-Saga-Eh-Ganing 15761 High School Drive P. O. Box 279 Red Lake, MN 56671 Ojibwe https://www.redlakenation.org/	Jennifer Malinski Air Quality Specialist Ph.: 218-679-1618 Fax: 218-679-2830 jmalinski@redlakenation.org John LeBlanc, Director Environmental Program Ph.: 218-679-1626 jleblanc@redlakenation.org	Shane Bowe, Director Water Resources Program Ph.: 218-679-1608 Fax: 218-679-2830 sbowe@redlakenation.org Kayla Bowe, Biologist Water Resources Program Ph.: 218-679-1607 Fax: 218-679-2830 kayla.bowe@redlakenation.org Joshua Jones, Hydrologist Ph.: 218-407-3143 Joshua.jones@redlakenation.org	Bob Smith District Representative Ph.: 218-679-2988 (x102)	John LeBlanc, Director Environmental Program Ph.: 218-679-1626 jleblanc@redlakenation.org	Shane Bowe Water Resources Program Director Ph.: 218-679-1608 Fax: 218-679-2830 sbowe@redlakenation.org	No specific contact	Sharon James 4 Directions Director Ph: 218-849-4252 sjames@4directionsrl.org	Tyler Orgon Assistant Biologist Ph.: 218-679-1615 Tyler.orgon@redlakenation.org Al Pemberton Director of Red Lake DNR Ph.: 218-679-3959 apemberton@redlakenation.org Kade Ferris Tribal Historic Preservation Officer Ph.: 218-679-1691 kade.ferris@redlakenation.org	Beltrami, Clearwater, Itasca, Koochiching, Lake of the Woods, Marshall, Pennington, Polk, Red Lake, Roseau Rule Notice Contacts: Send to air and water contacts specified Land rule notices should be directed to contact specified Note server has tendency to filter out MPCA email messages. You will want to contact them by phone to let them know you have emailed something or fax it.

Tribe, address, and language	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
Shakopee Mdewakanton Sioux Community, Mdewakanton 2330 Sioux Trail NW Prior Lake, MN 55372 Dakota https://www.shakopeedakota.org/	Simeon Mathews Industrial Hygienist Ph.: 952-233-4235 Cell: 952-210-8951 simeon.mathews@shakopeedakota.org	Scott Walz Natural Resource Manager Ph.: 952-496-6123 scott.walz@shakopeedakota.org	Simeon Mathews Industrial Hygienist Ph.: 952-233-4235 Cell: 952-210-8951 simeon.mathews@shakopeedakota.org	Scott Walz Natural Resource Manager Ph.: 952-496-6123 scott.walz@shakopeedakota.org	Ferin Davis Environmental Scientist Ph.: 952-463-6185 ferin.davis@shakopeedakota.org Scott Walz Natural Resource Manager Ph.: 952-496-6123 Scott.walz@shakopeedakota.org	Scott Walz Natural Resource Manager Ph.: 952-496-6123 scott.walz@shakopeedakota.org Simeon Mathews Industrial Hygienist Ph.: 952-233-4235 Cell: 952-210-8951 simeon.mathews@shakopeedakota.org Stephen Albrecht Operations Administrator Ph.: 952-233-4236 stephen.albrecht@shakopeedakota.org	Stephen Albrecht Operations Administrator Ph.: 952-233-4236 stephen.albrecht@shakopeedakota.org Leonard Wabasha Director of Cultural Resources Ph.: 952-496-6120 leonard.wabasha@shakopeedakota.org	Scott Rule notice contacts: – Air: send to listed media contact – Water: send to Scott Walz – Land: send to Scott Walz	
White Earth Band of Ojibwe, Gaa-waabaabiganikaag PO Box 393 102 3 rd Street East Mahnomen, MN 56557-0393 Ojibwe https://whiteearth.com/home	Jessica Tolifson GAP Coordinator White Earth Natural Resources Ph.: 218-935-2488 Jessica.tolifson@whiteearth-nsn.gov	William Bement Water Resources Manager White Earth Natural Resources Ph.: 218-935-2488 will.bement@whiteearth-nsn.gov		Renee Keezer Pesticide Coordinator (218)935-2488 ext:2106 Renee.Keezer@whiteearth-nsn.gov				Monica Hedstrom Director White Earth Natural Resources Ph.: 218-935-2488 (x2101) monica.hedstrom@whiteearth-nsn.gov Jaime Arsenault Tribal Historic Preservation Officer Ph.: 218-983-3285 ext 5807 jaime.arsenault@whiteearth.com	Becker, Beltrami, Cass, Clay, Clearwater, Hubbard, Mahnomen, Marshall, Norman, Ottertail, Pennington, Polk, Red Lake, Wadena, Wilkin Rule Notice Contacts: Send to Air and Water contacts.

Minnesota Chippewa Tribe 15542 State 371 NW P.O. Box 217 Cass Lake, MN 56633 Ph.: 1-888-322-7688 Ojibwe https://www.mnchippewatribe.org/	Michael Northbird Environmental Program Manager EPA/GAP Coordinator Ph.: 218-335-8581 (x128) Cell: 218-259-6575 Fax: 218-335-8496 mnorthbird@mnchippewatribe.org	Gary Frazer Executive Director Ph.: 218-335-8581 (x101) Fax: 218-335-8496 gfrazer@mnchippewatribe.org	Beltrami, Cass, Clearwater, Hubbard, Itasca, Mahnomen, Mille Lacs, Morrison, St. Louis, Becker, Aitkin, Crow Wing, Pine, Carlton, Cook, and Koochiching Rule notice contacts: None specified, send to all listed contacts.
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The following are tribes and tribal contacts with interest in Minnesota:

Tribe or organization and address	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
1854 Treaty Authority 4428 Haines Road Duluth, MN 55811 Fax: 218-722-7003 www.1854treatyauthority.org	Tyler Kaspar Environmental Biologist Ph.: 218-722-8907 tkaspar@1854treatyauthority.org			Darren Vogt Resource Management Division Director Ph.: 218-722-8907 dvogt@1854treatyauthority.org	Tyler Kaspar Environmental Biologist Ph.: 218-722-8907 tkaspar@1854treatyauthority.org Darren Vogt Resource Management Division Director Ph.: 218-722-8907 dvogt@1854treatyauthority.org	Hilarie Sorensen Climate Specialist 218-722-8907 hsorensen@1854treatyauthority.org	Darren Vogt Resource Management Division Director Ph.: 218-722-8907 dvogt@1854treatyauthority.org	Millard (Sonny) Myers Executive Director Ph.: 218-722-8907 Smyers@1854treatyauthority.org Darren Vogt Resource Management Division Director Ph.: 218-722-8907 dvogt@1854treatyauthority.org	Aitkin, Carlton, Cook, Lake, Pine, St. Louis (Counties within or partially within 1854 Ceded Territory but potentially affecting the above counties) The 1854 Treaty Authority is governed by Bois Forte and Grand Portage and deals with issues in the 1854 Ceded Territory for and with those two bands. Fond du Lac also has treaty rights in the 1854 Ceded Territory. Rule notice contacts: Route all air, water, and land notices to: Darren Vogt
Great Lakes Indian Fish and Wildlife Commission (GLIFWC) P.O. Box 9 72682 Maple Street Odanah, WI 54861 https://www.glifwc.org/	John Coleman Environmental Section Leader Ph.: 608-263-2873 jcoleman@glifwc.org Esteban Chiriboga Environmental Specialist Ph.: 608-263-2873 esteban@glifwc.org Both at the following physical address: 550 Babcock Drive B102 Steenbock Library Madison, WI 53706 www.glifwc.org					Hannah Panci Climate Scientist Ph.: 715-682-6619 ex.2167 hpanci@glifwc.org Rob Croll Climate Change Coordinator Ph.: 715-682-6619 ex.2101 rcroll@glifwc.org	Owen Schwartz Community Dietitian Ph.: 715-682-6619 x2147 ohschwartz@glifwc.org Philomena Kebec Policy Analyst/Attorney Ph.: 715-685-8289 pkebec@glifwc.org	Dawn White Treaty Resources Specialist Ph.: 715-682-6619 ex.2131 dwhite@glifwc.org	Aitkin, Anoka, Benton, Carlton, Chisago, Cook, Crow Wing, Isanti, Kanabec, Lake, Mille Lacs, Morrison, Sherburne, St. Louis, Pine, Washington GLIFWC is an inter-tribal, co-management agency committed to the implementation of off-reservation treaty rights on behalf of its 11 Ojibwe member tribes. Formed in 1984 and exercising authority specifically delegated by its member tribes, GLIFWC's mission is to help ensure significant, off-reservation harvests while protecting the resources for generations to come. Member tribes in MN are Fond du Lac and Mille Lacs, with the other 9 member tribes located in WI and MI. Covers both the 1854 CT and 1837 CT Rule notice contacts: Send to listed contact c/o GLIFWC.
Ho-Chunk Nation, Hocąk Department of Natural Resources P.O. Box 726 Black River Falls, WI 54615	Randy Poelma Environmental Services Program Manager Ho-Chunk Division of Environmental Health Ph.: 715-299-2901 randy.poelma@ho-chunk.com							Tina Brown Director Ph.: 715-284-9343 Fax: 715-284-5884 tina.brown@ho-chunk.com	Houston Ho-Chunk Sovereign Nation located primarily in WI. Tribe does not have a formal reservation; however, tribe owns 4,602 acres scattered across parts of 12 WI counties (Jackson, Clark, Monroe, Adams, Crawford, Dane, Juneau, La Crosse,

Tribe or organization and address	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
Hocąk https://ho-chunknation.com/									Marathon, Sauk, Shawano, and Wood), and Houston county in MN. Rule notice contacts: None specified, send to all listed contacts.
Red Cliff Band of Lake Superior Chippewa Indians Red Cliff E 88455 Pike Rd. Bayfield, WI 54814 Ojibwe https://www.redcliff-nsn.gov/	Linda Nguyen Environmental Director Ph.: 715-779-3650, (x4310) linda.nguyen@redcliff-nsn.gov Ernie Grooms Air Quality Program Mgr. and Air permit contact Ph.: 715-779-3650, (x4313) ernie.grooms@redcliff-nsn.gov Noah Saperstein Environmental Justice Specialist Ph: 715-779-3650 (x4315) Noah.saperstein@redcliff-nsn.gov	Linda Nguyen Environmental Director Ph.: 715-779-3650, (x4310) linda.nguyen@redcliff-nsn.gov				Linda Nguyen Environmental Director Ph.: 715-779-3650, (x4310) linda.nguyen@redcliff-nsn.gov Noah Saperstein Environmental Justice Specialist Ph.: 715-779-3650 (x4315) Noah.saperstein@redcliff-nsn.gov	Gabrielle VanBergen TNR Deputy Administrator Ph.: 715-779-3795 Gabrielle.Vanbergen@redcliff-nsn.gov Allissa Stutte Farm Manager Ph.: 715-779-3650 ext. 4311 Allissa.Stutte@redcliff-nsn.gov	Marvin Defoe Tribal Historic Preservation Officer Marvin.Defoe@redcliff-nsn.gov Edwina Buffalo-Reyes Tribal Historic Preservation Officer Edwina.Buffalo-Reyes@redcliff-nsn.gov	Carlton, Cook, Lake, Pine, St. Louis Red Cliff Band holds interests in the 1837 CT and 1854 CT in MN, operates a tribal fisheries program in Lake Superior & is a member of GLIFWC Rule notice contacts: None specified, send to all listed contacts.
Sisseton-Wahpeton Oyate Office of Environmental Protection 45697 Veterans Drive Agency Village, SD 57262-0509 Dakota https://www.swo-nsn.gov/	Vivienne Tateyuskanskan Program Manager Ph.: 605-698-6575 VTateyuskanskan@swo-nsn.gov								Big Stone, Lac Qui Parle, Traverse, Wilkin Located primarily in SD (but extending into ND) sharing part of their northern boundary with western MN, and who along with the Upper and Lower Sioux communities have the 1863 CT extending into MN along the south bank of the MN River. Reservation lies in following SD Counties: Roberts (60%), Marshall, Day, Grant & Codington. ND counties are: Sargent and Richland Rule notice contacts: None specified, send to all listed contacts.

Tribe or organization and address	Air permits	Water permits	Solid/Haz waste	Remediation/Land	Environmental Assessment/Review	Climate Change	Food Sovereignty	Other	Counties of interest and rule notice
St. Croix Chippewa Indians of WI 24663 Angeline Avenue Webster, WI 54893 Ojibwe	Sarah Slayton Environmental and Natural Resources Director Ph.: 715-349-2195, (x.5240) sarahs@stcroixojibwe-nsn.gov	Jeremy Bloomquist Water Resources Manager Ph.: 715-349-2195, (x5183) jeremyb@stcroixojibwe-nsn.gov	Sarah Slayton Environmental and Natural Resources Director Ph.: 715-349-2195, (x.5240) sarahs@stcroixojibwe-nsn.gov						Pine and Chisago St. Croix Reservation, located in western WI is non-contiguous. St. Croix Tribe consists of 11 communities located throughout 4 WI counties: Barron, Burnett, Douglas & Polk. Rule notice contacts: Air, Land, and Water rule notices directed to George Reynolds , Ph.: 715-349-2195 (Lands Supervisor) and Jeremy Bloomquist .

Federal & State Tribal Liaisons					
Darrel Harmon Senior Advisor, Tribal and Multimedia Programs Office Ph.: 312-886-3890 harmon.darrel@epa.gov	Alan Walts Director of Multimedia Program Office RM-19J EPA Region 5 77 West Jackson Boulevard Chicago, IL 60604-3507 Ph.: 312-353-8894 walts.alan@epa.gov	USDA – FOREST SERVICE		Helen Waquiü Public Engagement and Tribal Liaison Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, MN 55155-4194 Ph.: 651-757-2286 helen.waquiü@state.mn.us	Shannon Kesner Tribal Liaison Minnesota Department of Agriculture Ph.: 218-382-0173 Shannon.kesner@state.mn.us
		Vacant Special Assistant to the Regional Forester Tribal Relations Forest Service, Eastern Region – R9 626 East Wisconsin Avenue Milwaukee, WI 53202 Ph.:	Lisa Radosevich-Craig Community Relations & External Affairs Specialist, Chippewa National Forest 200 Ash Ave NW Cass Lake, MN 56633 Cell: 218-349-7918 Lisa.Radosevich-Craig@usda.gov		
		Jennifer Youngblood, R.N., J.D. Deputy Forest Supervisor Chippewa National Forest 200 Ash Ave NW Cass Lake, MN 56633 Jennifer.K.Youngblood@usda.gov	Juan Martinez Tribal Liaison, Superior National Forest Juan.Martinez2@usda.gov		
Walt Ford Native American Liaison for Minnesota Rice Lake National Wildlife Refuge 36289 State Highway 65 McGregor, MN 55760 Phone: 218-768-2402 Walt_Ford@fws.gov	Craig Morin , Director Office of Environmental Health and Engineering Bemidji Area Indian Health Service 2225 Cooperative Court NW Bemidji, MN 56601 Ph.: 218-444-0504 Fax: 218-444-0510 craig.morin@ihs.gov Kelly Kingbird Administrative Assistant Ph.: 218-444-0500 kelly.kingbird@ihs.gov	Michael Stansberry Forest Supervisor Chippewa National Forest 200 Ash Ave NW Cass Lake, MN 56633 Michael.Stansberry@usda.gov	Trent Wickman Air Resources Specialist – MN, WI, MI US Forest Service Eastern Regional Office 8901 Grand Ave Place Duluth, MN 55808 Ph.: 218-626-4372 Cell: 218-341-8646 Fax: 218-626-4398 Trent.Wickman@usda.gov	Bradley Harrington Tribal Liaison Minnesota Department of Natural Resources 500 Lafayette Road St. Paul, MN 55155 Ph.: 320-515-0688 bradley.harrington@state.mn.us	Vacant Tribal Liaison Minnesota Department of Commerce
		Mille Baird Tribal Liaison, Chippewa National Forest 200 Ash Ave NW Cass Lake, MN 56633 Ph.: 218-214-1898 Millie.Baird@usda.gov			
		Natural Resources Conservation Service, Minnesota Tribal Liaisons	Levi Brown Tribal Liaison Manager Minnesota Department of Transportation 395 John Ireland Blvd. - MS 140 St. Paul, MN 55155-1899 Ph.: 651-236-7048 levi.brown@state.mn.us		
Vanessa Alberto , Civil Works Tribal Liaison Ph: 651-290-5388 Vanessa.J.Alberto@usace.army.mil Nancy Komulainen-Billenburg , Regulatory Tribal Liaison	Bureau of Indian Affairs One Federal Drive – Room 550 Minneapolis, MN 55111-4007 <u>Executive level issues:</u> Jason Oberle , Acting Regional Director Ph.: 612-713-4500; Fax: 612-713-4401; Jason.oberle@bia.gov <u>Low level issues:</u> Scott Doig Regional Environmental Scientist Ph.: 612-725-4510; scott.doig@bia.gov			Jackie Dionne Tribal Liaison Minnesota Department of Health Ph.: 651-201-3521 jackie.dionne@state.mn.us	Billie Isham Tribal Liaison Iron Range Resources and Rehabilitation Ph.: 218-735-3017 Billie.isham@state.mn.us

Lynn, Mary (MPCA)

From: Lynn, Mary (MPCA)
Sent: Monday, December 12, 2022 11:42 AM
To: Aaron Johnson; Howard Markus; pmaccabee@justchangelaw.com
Subject: FW: Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

From: Minnesota Pollution Control Agency <mpca@public.govdelivery.com>
Sent: Monday, December 12, 2022 11:33 AM
To: Lynn, Mary (MPCA) <mary.lynn@state.mn.us>
Subject: Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

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Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

NOTICE OF HEARING

Proposed Amendments to Rules Governing Water Quality Standards - Use Classification 2, *Minnesota Rules*, chapter 7050

The Minnesota Pollution Control Agency (MPCA) published the above notice in the December 12, 2022, [Minnesota State Register](#), and is requesting comment on the proposed amendments to rules governing water quality standards - Class 2 Use Designations. The notice and rule related documents are available by visiting the MPCA's [Class 2 Use Designation rulemaking website](#). The public comment period for the Notice of Hearing closes at **4:30 p.m. on Friday, February 3, 2023**.

The purpose of the rules is to update use designations for some state waters. The "designated use" is a component of water quality standards that defines how the water is used (e.g., drinking water, aquatic life, recreation). These amendments make updates and corrections to Class 2 (Aquatic Life) use designations or classifications for 232 stream reaches. The proposed changes to update these use designation tables, and a summary table of the Class 2 proposed use class changes for these stream reaches is available on the [Class 2 Use Designation rulemaking website](#).

You will have multiple opportunities to submit comments. This notice provides you the opportunity to submit your written comments on this rule during the public comment period for this notice. The administrative law judge will also accept your comments orally at the **hearing on February 16, 2023**, and in writing after the hearing and before the hearing record closes.

Information about this and other MPCA rulemaking projects is available at the [public rulemaking docket](#).

The mission of the MPCA is to protect and improve the environment and human health.

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www.pca.state.mn.us • Toll-free and TDD 800-657-3864

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Additional Notice Plan - Item 5 List

List of Permittees Adjacent to or Upstream of a Proposed Use Designation Change to a More Stringent Classification

***Facilities with two permits**

Facility	Mailing address	City	State	Zip code
Aitkin Agri-Peat Inc - Cromwell	11555 205th Ave NW	Elk River	MN	55330-8782
Al's Concrete Products	800 Town Hall Rd	La Crescent	MN	55947
Anderson Brothers Construction Co	11325 State Highway 210	Brainerd	MN	56401-5842
Apple Valley Foods-US	300 Lake Hazeltine Dr	Chaska	MN	55318
Askov WWTP	PO Box 245	Askov	MN	55704-0245
A-Z Millwork	44516 Tamarack River Rd	Ogema Township	MN	55037
Barnum WWTP	3842 Main St	Barnum	MN	55707-7702
Bloomington City MS4	1800 W Old Shakopee Rd	Bloomington	MN	55431
Bonanza Grain Inc/Kruckow Rock & Redimix*	506 S Highway 44	Caledonia	MN	55921
Bruening Rock Products Inc - Harmony	PO Box 127	Decorah	IA	52101-0127
CARLSON TIMBER PRODUCTS, INC	53778 Fir Ln	Sandstone	MN	55072
Carlton County - Moose Lake Airport*	4899 County Road 61	Moose Lake	MN	55767
Carlton County Transportation Dept	1630 County Road 61	Carlton	MN	55718-8170
Carver County MS4	600 E 4th St	Chaska	MN	55318
Chanhassen City MS4	7700 Market Blvd	Chanhassen	MN	55317
Chaska City MS4	1 City Hall Plz	Chaska	MN	55318
Cliffs - Dunka Mining Area	PO Box 900	Hoyt Lakes	MN	55750-0900
Commercial Plastics Mora LLC	1020 Maple Ave E	Mora	MN	55051
Corey's Quarry	25775 233rd St	Pierz	MN	56364-1936
Eitzen WWTP	PO Box 110	Eitzen	MN	55931-0110
Finlayson WWTP	23964 County Road 41	Willow River	MN	55795
General Mills - Chanhassen	8000 Audubon Rd	Chanhassen	MN	55317
Granite Valley Quarry	PO Box 253	Redwood Falls	MN	56283-0253
Hammerlund Construction (TNT Construction Group LLC)	40 County Road 63	Grand Rapids	MN	55744-9631
Hengel Demolition Landfill	12883 Upper Sylvan Rd SW	Pillager	MN	56473-2380
Hennepin County MS4	1600 Prairie Dr	Medina	MN	55340
Houston County MS4	1124 E Washington St	Caledonia	MN	55921
Hudson Aggregates LLC	1545 Torgeson Rd	Duluth	MN	55804-8608
Kettle River WWTP	PO Box 145	Kettle River	MN	55757-0145
KGM Contractors Inc	9211 Highway 53	Angora	MN	55703-8239

Kingsway Construction Inc	19921 Haven Rd	Little Falls	MN	56345-6602
Knife River Central Minnesota	4787 Shadowwood Dr NE	Sauk Rapids	MN	56379-9431
La Crescent Rock Products Inc	33781 County Road 16	La Crescent	MN	55947-4306
La Crescent Township MS4	315 Main St	LaCrescent	MN	55947
Lake County Highway Department	1513 Highway 2	Two Harbors	MN	55616-4035
Little Falls City MS4	PO Box 244	Little Falls	MN	56345
Little Falls/Morrison County Airport	13129 Airport Rd	Little Falls	MN	56345
Mathy Construction - Aggregate	920 10th Ave N	Onalaska	WI	54650-2166
Minnehaha Creek WD MS4	15320 Minnetonka Blvd	Minnetonka	MN	55345
MNDOT Metro District MS4	395 John Ireland Blvd	Saint Paul	MN	55155
Moose Lake WWTP	PO Box 870	Moose Lake	MN	55767-0870
Morrison County Pulaski Gravel Pit	213 1st Ave SE	Little Falls	MN	56345-1468
Morrison County Sanitary Landfill	17508 Iris Rd	Little Falls	MN	56345
North Pine Aggregate Inc - Fogt Pit	14551 Lake Dr NE	Forest Lake	MN	55025-8606
Northshore Mining Co	10 Outer Dr	Silver Bay	MN	55614
Omar's Sand & Gravel - Nonmetallic	2067 County Road 61	Carlton	MN	55718-9127
Rich Prairie Sewer Treatment Facility	PO Box 280	Pierz	MN	56364-0280
Rick's Auto Parts	209 Redwood St	Royalton	MN	56373
Rick's Towing & Auto Sales Inc	PO Box 92	Royalton	MN	56373
Royalton WWTP	PO Box 276	Royalton	MN	56373-0276
Saeher Pit	25337 183rd St	Pierz	MN	56364-1246
Scott County MS4	200 4th Ave W	Shakopee	MN	55379
Sexton Posch Automotive Inc dba Brandl Motors	14873 113th St	Little Falls	MN	56345-6378
Shakopee City MS4	485 Gorman St	Shakopee	MN	55379
SkyWater Technology Foundry INC	2401 86th St	Bloomington	MN	55425
Smitty's Ready Mix	3852 County Road 61	Barnum	MN	55707
Stewartville Sand	1000 20th St NE	Stewartville	MN	55976-8028
Sturgeon Lake WWTP	PO Box 98	Sturgeon Lake	MN	55783-0098
Terry Bros Moon Valley LLC	PO Box 340	Chanhasen	MN	55317-0340
Ulland Brothers Inc	PO Box 340	Cloquet	MN	55720-0340
Vector Engineering Co.	331 Lake Hazeltine Dr	Chaska	MN	55318
Willow River WWTP	PO Box 125	Willow River	MN	55795-0125

Lynn, Mary (MPCA)

From: Lynn, Mary (MPCA)
Sent: Monday, December 12, 2022 11:44 AM
To: andy.bradshaw@ci.moorhead.mn.us; bmartinson@mncounties.org; Bob Luck; Brandon Kime; Cap O'Rourke; CGMC_Communications@flaherty-hood.com; Charlie Vander Aarde; Chuck Rau; Chuck Shepard; cjohnson@lmc.org; Clark Lingbeek; Clean Water Minnesota; dmmarx@flaherty-hood.com ; Doug Schoenecker; Elise Larson; Emily Javens; Gene Tiedemann; Jackie Anderson; John Lenczewski; John Rust; katie.eukel@northstar.sierraclub.org ; Ken Laporte; khoffman@mncenter.org; Kris Williams; Kurt Beckstrom; Laurie Hokkanen; Leann Buck; Linda Vavra; Luke Johnson; Maddy Bohn; Mark Schnobrich; Mary Texer; Met Council Environmental Services; Michael Lund; MN Division Isaak Walton League; Patricia Nauman; Paul Krabbenhoft; Peter Fjestad; Phil Pankow; pmaccabee@justchangelaw.com; Randy Schellack; Randy Smith; Ray Bohn; ring@mncounties.org; Ruth Schaefer; Sheila Vanney; Sherry Davis White; stevemorse@mepartnership.org; Tim Dritz; tkwilas@mnmchamber.com; Wanda Holker
Subject: FW: Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

From: Minnesota Pollution Control Agency <mpca@public.govdelivery.com>
Sent: Monday, December 12, 2022 11:33 AM
To: Lynn, Mary (MPCA) <mary.lynn@state.mn.us>
Subject: Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

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Notice of Intent to Adopt Rules - Water Quality Standards Class 2 Use Designations

NOTICE OF HEARING

Proposed Amendments to Rules Governing Water Quality Standards - Use Classification 2, *Minnesota Rules*, chapter 7050

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use designation tables, and a summary table of the Class 2 proposed use class changes for these stream reaches is available on the [Class 2 Use Designation rulemaking website](#).

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**MPCA 2021-2022 Class 2 Use Change Rules
SONAR, Additional Notice Plan – Item 6 List**

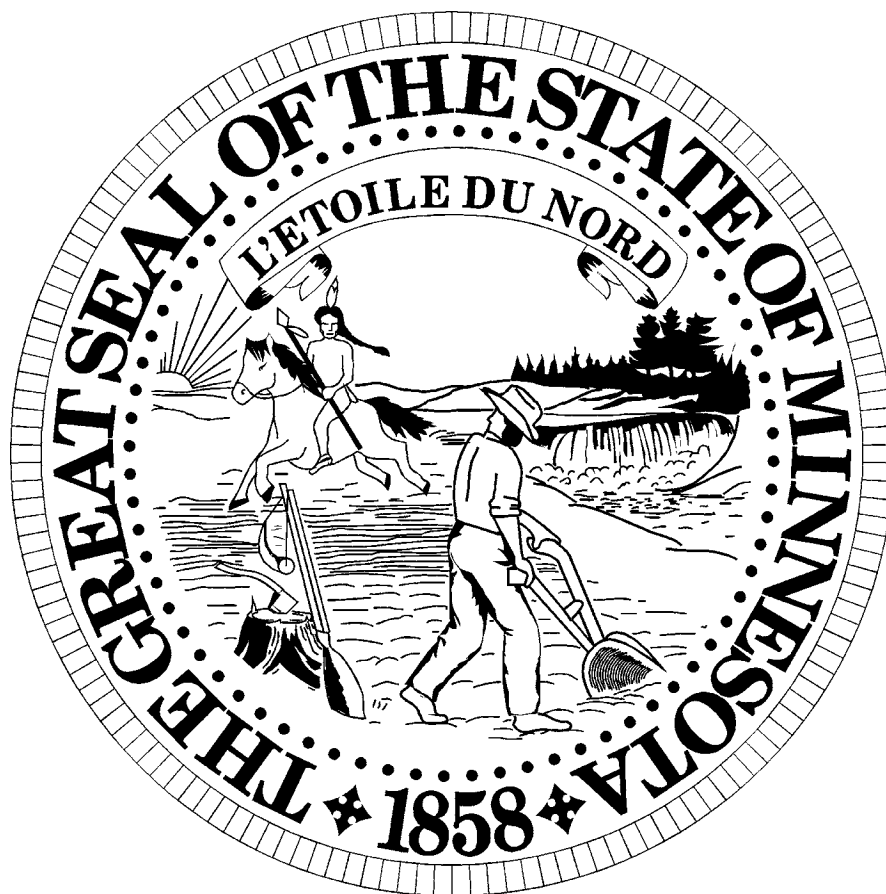
Item 6 List and Email

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 - o Michael Lund, Government Relations Specialist michael@metrocitiesmn.org
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 - o Brian Martinson, Policy Analyst, Environment & Natural Resources Committee bmartinson@mncounties.org
 - o Luke Johnson, Chair, Environment & Natural Resources Committee mntokenman@yahoo.com
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- Minnesota Division Isaak Walton League of America ikes@minnesotaikes.org
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- League of Minnesota Cities (LMC)
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 - o Ruth Schaefer, Middle Fork Crow River WD, Region II ruths56288@gmail.com
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- Minnesota City/County Management Association (MCMA)
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- Minnesota Environmental Science and Economic Review Board (MESERB)
 - Andy Bradshaw, President MESERB Executive Committee andy.bradshaw@ci.moorhead.mn.us
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- Water Legacy
 - Paula Maccabee pmaccabee@justchangelaw.com

Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;
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Official Notices; State Grants & Loans; State Contracts; Non-State Public Bids,
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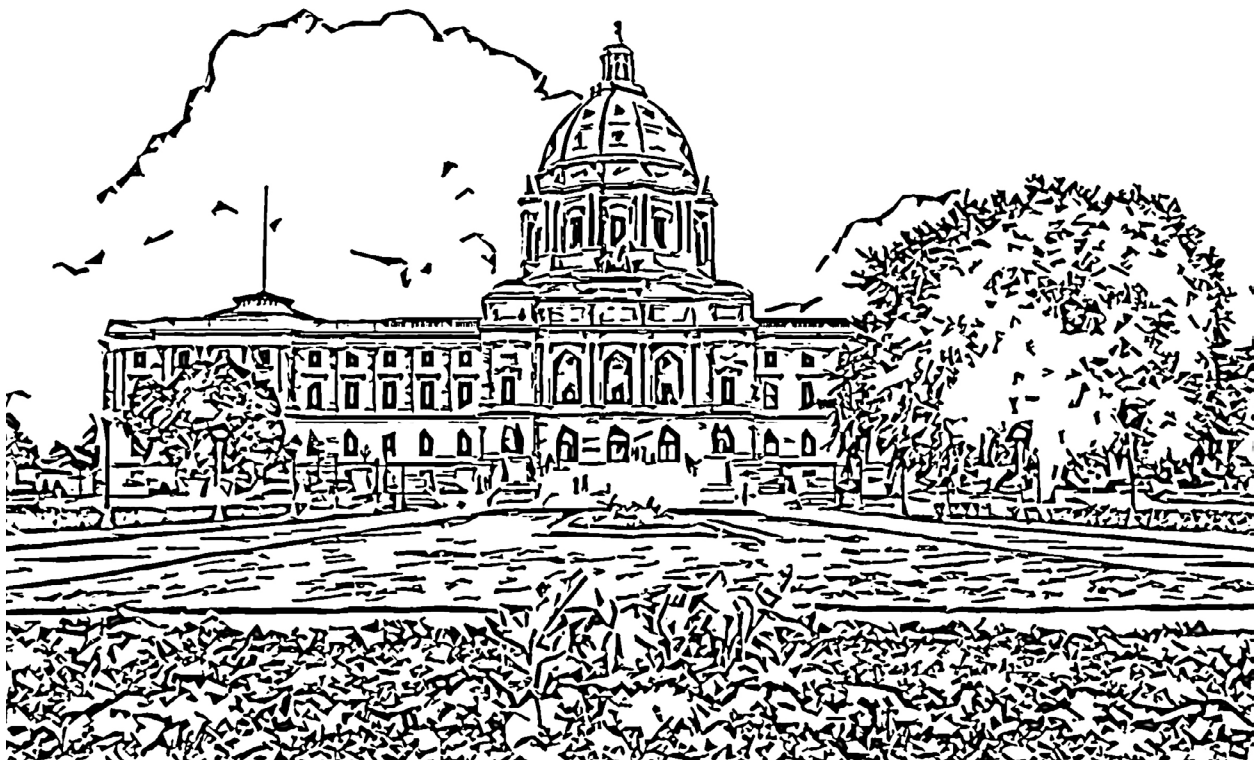
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NOTICE: How to Follow State Agency Rulemaking in the State Register

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (Minnesota Statutes §§ 14.101). It does this by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the State Register as Adopted Rules. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the State Register, the issue the rule appeared in as proposed, and later as adopted.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

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(Rules Appearing in Vol. 46 Issues #27-52 are
in Vol. 46, #52 - Monday 27 June 2022)

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Comments on Planned Rules or Rule Amendments. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Minnesota Pollution Control Agency

Environmental Analysis and Outcomes Division

Proposed Permanent Rules Relating to Class 2 Waters Beneficial Use Designations; Notice of Hearing

Proposed Amendments to Rules Governing Water Quality Standards – Use Classification 2, *Minnesota Rules*, chapter 7050; Revisor’s ID Number R-04692, OAH docket number 23-9003-37415

Overview. This notice is the Minnesota Pollution Control Agency’s (MPCA) legal notice of its intent to adopt amended water rules following a hearing. The purpose of these rules, known as the 2021-2022 Class 2 Use Designation Rule, is to update designated uses for some state waters to improve their restoration and protection. Assigning the appropriate beneficial use is an important first step in the process to assure the goals for each water body are attainable and can be protected.

This notice provides you the opportunity to submit your comments on this rule to the Administrative Law Judge (ALJ) **during the public comment period for this notice which ends at 4:30 p.m. on Friday, February 3, 2023**, orally at the hearing, and in writing after the hearing before the close of the hearing record. The **Subject of Rules** section provides further description of these proposed rules. If the proposed rules affect you in any way, the MPCA encourages you to participate in the rulemaking process.

Public Hearing. The MPCA intends to adopt rules after a public hearing following the procedures in the rules of

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the Office of Administrative Hearings (OAH), *Minnesota Rules* parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The MPCA will hold a virtual public hearing on the above-named rules, with the login and call-in information listed below. The hearing will be held on **Thursday, February 16, 2023, starting at 2:00 p.m.** The hearing continues until all parties present are heard. At the beginning of the hearing, the ALJ will give a presentation on the rulemaking process and the MPCA will give a presentation on the proposed rule amendments. Combined, these presentations are expected to take up to one hour, before the ALJ begins taking oral comment at the hearing.

For video and audio connection to the virtual hearing, join through an internet connection, such as with a computer or tablet:

Enter: **Webex Meeting Link**
 Meeting number: 2496 793 9480
 Meeting password: XGmgAYFJ522

For audio connection, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)
 Access code: 2496 793 9480

Additional information regarding the hearings and the rules being proposed is provided at <https://www.pca.state.mn.us/get-engaged/use-designations-for-some-stream-reaches>. Hearing exhibits will also be posted to this website before the hearing.

All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. You may submit a statement without appearing at the hearing. Refer to the **Comments** section for information on submitting statements.

Administrative Law Judge. ALJ Suzanne Todnem will conduct the hearing. Judge Todnem's Legal Assistant, Michelle Severson, can be reached at the OAH, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620, telephone 651-361-7874, and fax 651-539-0310. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the OAH, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the ALJ.

Subject of Rules. Minnesota's surface waters are currently assigned, or designated, a number of possible beneficial uses (e.g., drinking water, aquatic life, and recreation such as fishing and swimming) based on which beneficial uses are or should be attained in those waters. Different physical and chemical criteria apply depending on the beneficial uses that need to be protected in each water. The MPCA routinely reviews use designations to ensure that assigned beneficial uses are protective and attainable as defined by the Clean Water Act and Minnesota Rule. As the result of routine monitoring and data generated by the Minnesota Department of Natural Resources trout waters rulemaking, the MPCA has identified waterbodies where the currently designated beneficial use does not accurately reflect an attainable use. The designated beneficial use for each water body must be correct and appropriate because the designated use affects many water quality protection and restoration efforts (e.g., assessment, stressor identification, National Pollutant Discharge Elimination System permitting, and Watershed Restoration and Protection Strategies). The proposed rules update designated uses for some state waters to improve their restoration and protection. Assigning the appropriate beneficial use is an important first step in the process to assure the goals for each water body are attainable and can be protected.

The proposed rules do not change numeric or narrative water quality standards. The proposed rules make updates and corrections to Class 2 (Aquatic Life) beneficial use designations or classifications for streams. These updates fall into two groups: 1) reviewing streams for appropriate classification as cold or warm water habitats; and 2) reviewing streams under the tiered aquatic life use (TALU) framework. The TALU rules are a framework for classifying streams based on the aquatic life each supports or has the potential to support; it assigns streams to one of three tiers: Exceptional Use, General Use, and Modified Use; and builds upon existing water quality standards. Described below are the main parts of the rule amendments the MPCA is proposing. For more information about the proposed rules, please refer to the

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statement of need and reasonableness (SONAR) which is available as stated below.

1. Minn. R. 7050.0470. The proposed rules update the use designations for 232 stream reaches. The MPCA is updating the use designation tables incorporated by reference in Minn. R. 7050.0470 that list the specific use designations. The proposed changes to update these use designation tables, and a summary table of the Class 2 proposed use designations is available on the MPCA website for this rulemaking at <https://www.pca.state.mn.us/get-engaged/use-designations-for-some-stream-reaches>.
2. Minn. R. 7050.0470. The proposed rules will result in minor revisions to rule language in Minn. R. 7050.0470 and identify the estimated date for adoption of these proposed rules.

Public Comments. You and all interested or affected persons, including representatives of associations and other interested groups, will have multiple opportunities to submit comments. **Under this notice, you have until 4:30 p.m. on Friday, February 3, 2023,** to submit written comment in support of or in opposition to the proposed rules. The ALJ will then also accept your comments orally at the hearing on Thursday, February 16, 2023, and in writing after the hearing before the hearing record closes.

Please submit written comments **to the ALJ via the OAH Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>**. If it is not possible for you to use the eComments website, you may submit your written comments in person, by U.S. mail, or by fax to the ALJ using the contact information provided in the ALJ section of this notice. Any comments or materials that you present or submit must relate to the proposed rules.

Post-hearing Comments. After the hearing, you may submit written comments to the ALJ using the eComments website (the preferred method) or by U.S. mail, fax, or personal delivery. These comments must be submitted within five working days after the hearing date. At the hearing, the ALJ may order this five-day comment period extended for no more than 20 calendar days.

After the comment period, there is an additional five-working-day rebuttal period during which the MPCA and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period.

All comments and responses must be submitted to the ALJ no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at <https://minnesotaoah.granicusideas.com/discussions>

You may learn more about the OAH Rulemaking eComments website, including step-by-step instructions and frequently asked questions at <https://mn.gov/oah/forms-and-filing/eComments/>. Questions about submitting comments via the OAH Rulemaking eComments website should be directed to the OAH at 651-361-7900.

Please note that comments regarding the MPCA's proposal must be sent to the ALJ. Comments sent to the MPCA alone will not be part of the rulemaking record. Comments submitted after the close of the comment period will not be accepted or considered part of the record.

Modifications. The MPCA may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the MPCA follows the procedure under *Minnesota Rules*, part 1400.2110. The public is also advised that depending upon the comments received the MPCA may withdraw the proposed changes.

MPCA Contact Person. The MPCA contact person is: Mary H. Lynn at the MPCA, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194; telephone 651-757-2439, and mary.lynn@state.mn.us. You may also call the MPCA at 651-296-6300 or 1-800-657-3864; use your preferred relay service.

Availability of Rules. A copy of the proposed rules is published in the *State Register* after this notice, or they can be viewed on the MPCA website for this rulemaking at <https://www.pca.state.mn.us/get-engaged/use-designations-for-some-stream-reaches>. A free copy of the proposed rules is also available upon request by contacting the **MPCA contact person**. One copy per request will be sent.

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Availability of Statement of Need and Reasonableness. The statement of need and reasonableness (SONAR) summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The SONAR can be viewed at the MPCA's website for this rulemaking at <https://www.pca.state.mn.us/get-engaged/use-designations-for-some-stream-reaches>. A print copy is available for the cost of reproduction by contacting the MPCA contact person.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the **MPCA contact person**.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-539-1180 or 1-800-657-3889.

Statutory Authority. The proposed rules are authorized by *Minnesota Statutes*, sections 115.03 and 115.44.

Adoption Procedure after the Hearing. After the close of the hearing record, the ALJ will issue a report on the proposed rules. You may ask to be notified of the date when the ALJ's report will become available and can make this request at the hearing or in writing to the ALJ. You may also ask to be notified of the date that the MPCA adopts the rules and files them with the Secretary of State, or ask to register with the MPCA to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the **MPCA contact person**.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Date: November 29, 2022

Katrina Kessler, Commissioner
Minnesota Pollution Control Agency

7050.0470 CLASSIFICATIONS FOR SURFACE WATERS IN MAJOR DRAINAGE BASINS.

Subpart 1. **Lake Superior basin.** The water-use classifications for the stream reaches within each of the major watersheds in the Lake Superior basin listed in item A are found in tables entitled "Beneficial Use Designations for Stream Reaches" published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications for the other listed waters in the Lake Superior basin are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency's Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

A. Streams (by eight-digit hydrologic unit code):

- (1) 04010101 Lake Superior - North (~~August 9, 2016~~ March 2023);
 - (2) 04010102 Lake Superior - South (~~August 9, 2016~~ March 2023);
 - (3) 04010201 St. Louis River (~~August 9, 2016~~ March 2023);
 - (4) 04010202 Cloquet River (~~August 9, 2016~~ March 2023); and
 - (5) 04010301 Nemadji River (~~August 9, 2016~~ March 2023).
- [For text of items B to D, see Minnesota Rules]*

Subp. 2. **Lake of the Woods basin.** The water-use classifications for the stream reaches within each of the major

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watersheds in the Lake of the Woods basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications for the other listed waters in the Lake of the Woods basin are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

A. Streams (by eight-digit hydrologic unit code):

(1) 09030001 Rainy River - Headwaters (~~August 9, 2016~~ March 2023);

(2) 09030002 Vermilion River (~~August 9, 2016~~ March 2023);
[For text of subitem (3), see Minnesota Rules]

(4) 09030005 Little Fork River (~~August 9, 2016~~ March 2023);
[For text of subitems (5) to (8), see Minnesota Rules]
[For text of items B to D, see Minnesota Rules]

Subp. 3. **Red River of the North basin.** The water-use classifications for the stream reaches within each of the major watersheds in the Red River of the North basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications for the other listed waters in the Red River of the North basin are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

A. Streams (by eight-digit hydrologic unit code):

[For text of subitems (1) and (2), see Minnesota Rules]

(3) 09020103 Otter Tail River (~~August 9, 2016~~ March 2023);
[For text of subitems (4) to (6), see Minnesota Rules]

(7) 09020108 Wild Rice River (~~August 9, 2016~~ March 2023);
[For text of subitem (8), see Minnesota Rules]

(9) 09020302 Upper/Lower Red Lake (~~August 9, 2016~~ March 2023);
[For text of subitems (10) and (11), see Minnesota Rules]

(12) 09020305 Clearwater River (~~August 9, 2016~~ March 2023);
[For text of subitems (13) to (17), see Minnesota Rules]
[For text of items B to D, see Minnesota Rules]

Subp. 4. **Upper Mississippi River basin (headwaters to the confluence with the St. Croix River).** The water-use classifications for the stream reaches within each of the major watersheds in the upper Mississippi River basin from the headwaters to the confluence with the St. Croix River listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications for the other listed waters in the upper Mississippi River basin from the headwaters to the confluence with the St. Croix River are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

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A. Streams (by eight-digit hydrologic unit code):

[For text of subitem (1), see Minnesota Rules]

(2) 07010102 Leech Lake River (~~August 9, 2016~~ March 2023);

(3) 07010103 Mississippi River - Grand Rapids (~~August 9, 2016~~ March 2023);

(4) 07010104 Mississippi River - Brainerd (~~August 9, 2016~~ March 2023);

(5) 07010105 Pine River (~~August 9, 2016~~ March 2023);

[For text of subitems (6) to (8), see Minnesota Rules]

(9) 07010201 Mississippi River - Sartell (~~August 9, 2016~~ March 2023);

(10) 07010202 Sauk River (~~August 9, 2016~~ March 2023);

[For text of subitem (11), see Minnesota Rules]

(12) 07010204 North Fork Crow River (~~August 9, 2016~~ March 2023);

[For text of subitems (13) to (15), see Minnesota Rules]

[For text of items B to D, see Minnesota Rules]

Subp. 5. **Minnesota River basin.** The water-use classifications for the stream reaches within each of the major watersheds in the Minnesota River basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications for the other listed waters in the Minnesota River basin are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

A. Streams (by eight-digit hydrologic unit code):

[For text of subitem (1), see Minnesota Rules]

(2) 07020002 Pomme de Terre River (~~August 9, 2016~~ March 2023);

[For text of subitems (3) to (5), see Minnesota Rules]

(6) 07020006 Redwood River (~~August 9, 2016~~ March 2023);

(7) 07020007 Minnesota River - Mankato (~~August 9, 2016~~ March 2023);

(8) 07020008 Cottonwood River (~~August 9, 2016~~ March 2023);

(9) 07020009 Blue Earth River (~~August 9, 2016~~ March 2023);

[For text of subitems (10) and (11), see Minnesota Rules]

(12) 07020012 Lower Minnesota River (~~August 9, 2016~~ March 2023).

[For text of items B to D, see Minnesota Rules]

Subp. 6. **Saint Croix River basin.** The water-use classifications for the stream reaches within each of the major watersheds in the Saint Croix River basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications

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for the other listed waters in the Saint Croix River basin are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency's Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

A. Streams (by eight-digit hydrologic unit code):

- (1) 07030001 Upper St. Croix River (~~August 9, 2016~~ March 2023);
- (2) 07030003 Kettle River (~~August 9, 2016~~ March 2023);
- (3) 07030004 Snake River (~~August 9, 2016~~ March 2023); and
[For text of subitem (4), see Minnesota Rules]
[For text of items B to D, see Minnesota Rules]

Subp. 7. **Lower Mississippi River basin (from the confluence with the St. Croix River to the Iowa border).** The water-use classifications for the stream reaches within each of the major watersheds in the lower Mississippi River basin from the confluence with the Saint Croix River to the Iowa border listed in item A are found in tables entitled "Beneficial Use Designations for Stream Reaches" published on the website of the Minnesota Pollution Control Agency at www.pca.state.mn.us/regulations/incorporations-reference. The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water-use classifications for the other listed waters in the lower Mississippi River basin from the confluence with the St. Croix River to the Iowa border are as identified in items B to D. See part 7050.0415 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency's Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

A. Streams (by eight-digit hydrologic unit code):

- [For text of subitems (1) to (3), see Minnesota Rules]
- (4) 07040004 Zumbro River (~~August 9, 2016~~ March 2023);
- (5) 07040006 Mississippi River - La Crescent (~~August 9, 2016~~ March 2023);
[For text of subitem (6), see Minnesota Rules]
- (7) 07060001 Mississippi River - Reno (~~August 9, 2016~~ March 2023); and
- (8) 07060002 Upper Iowa River (~~August 9, 2016~~ March 2023).
[For text of items B to D, see Minnesota Rules]
[For text of subparts 8 and 9, see Minnesota Rules]