

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 985

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 12-1-83
DATE FOR REVIEW 12-12-83
DATE DUE 12-15-83

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 12-15-83 MJC Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State _____ Revisor approved _____ disapproved _____

___✓___ Rule as Adopted

___✓___ Rule as Proposed

___✓___ Order Adopting 11.29.83 Date

___N/A___ Notice of Intent to Solicit Outside Opinion

___✓___ Order for rulemaking
___N/A___ date of Hearing

___N/A___ Certificate of Board's Authorizing Resolution

___✓___ Notice of rulemaking
___✓___ Sufficiency

___✓___ Affidavit of Mailing Notice or rulemaking
9/28 - 9/29/83 At least 30 days prior to ~~hearing~~/adoption

___✓___ Mailing list Certificate

___✓___ Publication in State Register
10.17.83 At least 30/~~20~~ days prior to ~~hearing~~/adoption

___N/A___ Hearing Examiner's Report

___ ___ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

___ ___ Agency's Findings of Fact

___ ___ LCRAR Report or agency Affidavit

___ ___ Certificate of Board's Resolution Adopting Rules

___✓___ Order Approving Incorporation by Reference

___✓___ Statement of Need and Reasonableness

___N/A___ Petition for Adoption of a Rule

___✓___ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

___✓___ Certificate of Compliance w/Rulemaking Procedures

___N/A___ Affidavit of Mailing Notice of Submission to Attorney General

___✓___ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Joseph N. Alexander, Commissioner

DATE: 12/15/83

Attn: A. W. CLAPP III, Special Assistant Attorney General

FROM : MARTHA J. CASSERLY MJC
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Amendment to Rules Governing Snowmobiles

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.

MJC/ls

cc: Ms. Kathy Burek
Mr. Duane Harves

AG copy

Department of Natural Resources

Adopted Amendment to Rules Governing Snowmobiles

Rule as Adopted

6 MCAR S 1.0057 Required equipment.

A.-D. [Unchanged.]

E. Mufflers.

1.-5. [Unchanged.]

6. No snowmobile shall be sold or offered for sale in Minnesota unless its maker has previously furnished the commissioner with a certificate of compliance certifying that all snowmobiles made by that maker meet or exceed the applicable noise level restrictions established by these rules. The certification of compliance shall be in the form of a "Snowmobile Safety Certification Committee" label conspicuously attached to the machine showing certification by the Snowmobile Safety and Certification Committee, Inc., or a label showing compliance with Snowmobile Safety Certification Committee standards accompanied by a letter containing test results of an evaluation of noise levels by a competent independent testing laboratory. Snowmobiles intended for competition purposes only shall be exempt from this rule provided a separate placard identifying that such snowmobile is not so equipped is conspicuously and permanently affixed thereto.

7. [Unchanged.]

APPROVED AS TO FORM AND LEGALITY
December 15 1983
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Martha J Cassely
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 16 1983
Joan Anderson Growe
Secretary of State
1:06 P.M.

Rule as Proposed

6 MCAR S 1.0057 Required equipment.

A.-D. [Unchanged.]

E. Mufflers.

1.-5. [Unchanged.]

6. No snowmobile shall be sold or offered for sale in Minnesota unless its maker ~~shall have~~ has previously furnished the commissioner with a certificate of compliance certifying that all ~~such~~ snowmobiles made by that maker meet or exceed the applicable noise level restrictions established by these rules. The certification of compliance ~~required in the foregoing~~ shall be in the form of a "Snowmobile Safety Certification Committee" label conspicuously attached to the machine showing certification by the Snowmobile Safety and Certification Committee, Inc., or a label showing compliance with Snowmobile Safety Certification Committee standards accompanied by a letter containing test results of an evaluation of noise levels by a competent independent testing laboratory. Snowmobiles intended for competition purposes only shall be exempt from this rule provided a separate placard identifying that such snowmobile is not so equipped is conspicuously and permanently affixed thereto.

7. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES OFFICE BY: PEK

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD355

Agency: Department of Natural Resources

Division:

Agency Contact: Bill Clapp 296-3294

Rule Numbers: 6 MCAR S 1.0057

Title: Required Snowmobile Equipment

Type of Rules: Permanent

Incorporations by Reference: None

Duplication of Statutory Language: None

The attached rules are approved as to form.

APPROVED AS TO FORM AND LEGALITY
19
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL

Steven C. Cross
Revisor of Statutes

Paul E. Rohde
Senior Assistant Revisor
Phone: 296-0953
Date: September 15, 1983

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendment to Rules Governing Snowmobiles

ORDER ADOPTING RULE

Notice of intent to adopt the above-entitled amendment without a public hearing was published in the State Register on Monday, October 17, 1983. Notice was sent by United States mail to all persons on the list maintained by the agency under Minn. Stat. § 15.0412, subdivision 4 on September 29, 1983.

No comments or requests for hearing were received within the subsequent 30-day comment period.

Having determined the need for and reasonableness of the proposed rule amendment

NOW THEREFORE IT IS ORDERED that the amendment is adopted as proposed pursuant to authority vested in me by Minn. Stat. § 84.86.

Dated: November 29, 1983.

JOSEPH N. ALEXANDER, Commissioner
Minnesota Department of Natural Resources

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the
Proposed Adoption of an
Amendment to the Rules
for Snowmobiles

ORDER FOR NOTICE OF INTENT
TO ADOPT RULES WITHOUT
PUBLIC HEARING

WHEREAS, it has been determined that the proposed amendment is non-controversial in nature;

NOW THEREFORE, IT IS ORDERED that notice of intent to adopt rules without public hearing, be published in the State Register and mailed to all persons who have registered their names with the Department to received notice of rulemaking.

Dated: September 28, 1983.

JOSEPH N. ALEXANDER, Commissioner

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendment to Rules Governing Snowmobiles.

Notice of Intent to Adopt Rule Amendment Without a Hearing

Notice is hereby given that the State Department of Natural Resources is proposing to adopt the above entitled amendment without a public hearing. The Commissioner of Natural Resources has determined that the proposed adoption of these amendments will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. §§ 14.21-14.28.

The change provides a way for John Deere and Polaris, who do not now belong to the Snowmobile Safety and Certification Committee, to demonstrate their conformance with the 78 decibel noise limit.

Persons interested shall have 30 days to submit comments on the proposed amendments. The proposed amendments may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Natural Resources and do no result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period, a public hearing will not be held. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. §§ 14.13-14.20

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed amendment, should address their correspondence to:

Robert Hodge
Department of Natural Resources
Box 47
Centennial Office Building
St. Paul, Minnesota 55155

The department's authority to adopt the rules is contained in Minn. Stat. § 84.86. A statement that describes the need for and reasonableness of the proposed amendment is available from the Department of Natural Resources upon request.

Upon adoption of the final amendment without a public hearing, the proposed amendment, this notice, the statement of need and reasonableness, all written comments received, and the final amendment as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final amendment as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. § 10A.01,

subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spend more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative administrative action by communicating or urging others to communicate with public officials. The statutes provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Dated: September 28, 1983.

JOSEPH N. ALEXANDER
Commissioner of Natural Resources

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

BOX 47, CENTENNIAL OFFICE BUILDING • ST. PAUL, MINNESOTA • 55155

DNR INFORMATION
(612) 296-6157

FILE NO._____

November 16, 1983

Mr. Bill Clapp
Special Assignment
Attorney General
Box 38
St. Paul, MN 55155

Dear Mr. Clapp:

The "Notice of Intent to Adopt Rules", without a public hearing, concerning rules for snowmobiles, was sent to all persons who have registered their names with the Department of Natural Resources to receive such notices of rulemaking. The notice was sent on September 29, 1983.

In addition, the notice was sent to the snowmobile industries on September 28, 1983. Both lists are enclosed for your convenience.

Very truly yours,

Robert D. Hodge

Robert D. Hodge
Assistant Director
Division of Enforcement

RECEIVED
NOV 16 1983
ATTORNEY GENERAL
Dept. of Natural Resources

Subscribed and sworn to before me,
this 16th day of November, 1983.

Darlene C. Williams

Darlene C. Williams
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
My commission expires Sept. 5, 1986

AN EQUAL OPPORTUNITY EMPLOYER

Polaris Industries Inc
1225 North County Rd 18
Mpls, MN 55441
Attn: Bruce D. Rushton
V.P., Marketing

John Deere Horicon Works
220 East Lake St.
Horicon, WI 53032
Attn: Martin A. Berk
Manager, Advanced Products

Snowmobile Safety and Certification Committee, Inc.
7535 Little River Turnpike
Suite 330
Annandale, VA 22003
Attn: Roy W. Muth
Chairman

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendment to Rules for Snowmobiles

CERTIFICATE

I certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 14.14, subdivision 1, that their names be placed on file with and maintained by this agency for the purpose of receiving notice of rulemaking, is accurate and complete as of September 29, 1983.

Dated: November 29, 1983.

F. Andrew Brewer

F. ANDREW BREWER
Director, Division of Regulations and Legislative Services

A. M. Twitty
Env. Control & Energy Dept.
Ford Motor Company
Automotive Assembly Division
17000 Oakwood Blvd.
Allen Park, Mich. 48121

Mr. John A. Knapp
Hessian, McKasy & Soderberg
1500 Midwest Plaza Bldg.
Minneapolis, MN 55402

Peter S. Popovich
Peterson, Popovich, Knutson & Flynn
314 Minnesota Bldg.
St. Paul, MN 55101

Gordon Forbes
Minn. Railroads Association
303 Hanover Bldg.
480 Cedar St.
St. Paul, MN 55101

Kent E. Eklund
Dept. of Economic Development
480 Cedar St.
St. Paul, MN 55101

Sam Ruhle
Office of Adminis. Hearings
400 Summit Bank Building
310 South Fourth Avenue
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905 Park Ave. So.
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Craig Waldron

Region Nine Dev. Commission
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Jones, Haugh & Smith Inc.
515 So. Washington
Albert Lea, MN 56007

Robert A. Silvagni, Env. Eng.
U of M-Physical Plant Dept.
200 Shops Building
319 15th Ave. SE
Minneapolis, MN 55455

William G. Haddeland
Minn. Petroleum Council
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City of Winona
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Community Health Services Board
325 Lake Ave. So., Suite 604
Duluth, MN 55802

Mr. Reynold S. Rahko, Mgr.
Projects Coordinating Division
United Power Association
Elk River, MN 55330

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MN Gas Company, Legal Division
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G. V. Welk, Manager
Regulatory Compliance & Services
Northern States Power Company
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Philip D. Brick
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Environmental Law Society
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Federal-State Reports, Inc.
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Courthouse, 4th Floor
Anoka, MN 55303

Executive Director
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Charles Schaffer
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Marylee Fithian
Director
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200 Capitol Square Bldg.
INTEROFFICE

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4344 IDS Center
Minneapolis, MN 55402

Frank Mixa
Executive Director
Lake Mtka. Conservation Distri
402 E. Lake St.
Wayzata, MN 55391

General Mills, Inc.
Attn: J. W. Haun
P. O. Box 1113
Minneapolis, MN 55440

Bob Franklin, City Editor
Minneapolis Tribune
425 Portland Ave.
Minneapolis, MN 55488

Dr. Rollin Dennistoun,Dep. Com
MN Dept. of Agriculture
90 W. Plato
St. Paul, MN 55107
INTEROFFICE

Antitrust Division
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President
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Bemidji, MN 56601

Ken Kadlec
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Bloomington, MN 55420

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Duluth, MN 55802

John H. Herman
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Mpls., MN 55401

Anoka Co. Community Health & Social Services Dept.
c/o Robert M. Hutchison
Courthouse-4th Floor
Anoka, MN 55303

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Duluth, MN 55802

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St. Paul, MN 55106

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Mpls., MN 55414

Steve Chadwick
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Duluth, MN 55806

Badger Safe Energy Alliance
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Durand, Wis. 54736

Steve O'Neil
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Winona, MN 55987

MN Izaak Walton League
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Maryann S. Marino, Ph. D.
Koppers Company, Inc.
1201 Koppers Bldg.
Pittsburgh, PA 15219

R. J. Barto
Midland Glass Company, Inc.
P.O. Box 69
Shakopee, MN 55379

Phillips Legislative Service, I
459 Rice Street
St. Paul, MN 55103

J. D. Giallombardo
Buildings & Environmental
Burlington Northern, Inc.
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Mpls., MN 55414

Department of Natural Resources

Proposed Amendment to Rules Governing Snowmobiles

Notice of Intent to Adopt Rule Amendment without a Hearing

Notice is hereby given that the Department of Natural Resources is proposing to adopt the above entitled amendment without a public hearing. The Commissioner of Natural Resources has determined that the proposed adoption of these amendments will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. §§ 14.21-14.28.

The change provides a way for John Deere and Polaris, who do not now belong to the Snowmobile Safety and Certification Committee, to demonstrate their conformance with the 78 decibel noise limit.

Persons interested shall have 30 days to submit comments on the proposed amendments. The proposed amendments may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Natural Resources and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period, a public hearing will not be held. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. §§ 14.13-14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed amendment, should address their correspondence to:

Robert Hodge
Department of Natural Resources
Box 47
Centennial Office Building
St. Paul, Minnesota 55155

The department's authority to adopt the rules is contained in Minn. Stat. § 84.86. A statement that describes the need for and reasonableness of the proposed amendment is available from the Department of Natural Resources upon request.

Upon adoption of the final amendment without a public hearing, the proposed amendment, this notice, the statement of need and reasonableness, all written comments received, and the final amendment as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final amendment as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. § 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spend more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses or membership dues, in any year, for the purpose of attempting to influence legislative administrative action by communicating or urging others to communicate with public officials. The statutes provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

September 28, 1983.

Joseph N. Alexander
Commissioner of Natural Resources

Rule as Proposed

6 MCAR § 1.0057 Required equipment.

A.-D. [Unchanged.]

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

E. Mufflers.

1.-5. [Unchanged.]

6. No snowmobile shall be sold or offered for sale in Minnesota unless its maker ~~shall have~~ has previously furnished the commissioner with a certificate of compliance certifying that all ~~such~~ snowmobiles made by that maker meet or exceed the applicable noise level restrictions established by these rules. The certification of compliance ~~required in the foregoing~~ shall be in the form of a "Snowmobile Safety Certification Committee" label conspicuously attached to the machine showing certification by the Snowmobile Safety and Certification Committee, Inc., or a label showing compliance with Snowmobile Safety Certification Committee standards accompanied by a letter containing test results of an evaluation of noise levels by a competent independent testing laboratory. Snowmobiles intended for competition purposes only shall be exempt from this rule provided a separate placard identifying that such snowmobile is not so equipped is conspicuously and permanently affixed thereto.

7. [Unchanged.]

Minnesota Pollution Control Agency
Air Quality Division

Proposed Amendment to Rule Governing the Agency's Permit Program for the Growth or Expansion of Industry in Nonattainment Areas (6 MCAR § 4.0041)

Notice of Intent to Amend a Rule without a Public Hearing and Notice of Intent to Amend the State Implementation Plan

Notice is hereby given that the Minnesota Pollution Control Agency (hereinafter "agency") intends to adopt the above-entitled amendments without a public hearing. The agency has determined that the proposed amendment of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes sections 14.21 to 14.28 (1982), as amended by 1983 Minnesota Laws, chapter 210.

Notice is also hereby given that the agency intends to adopt the amended version of 6 MCAR § 4.0041 as part of the State Implementation Plan (hereinafter "SIP") and to withdraw the previously submitted version of 6 MCAR § 4.0041 from consideration as part of the SIP by the U.S. Environmental Protection Agency.

Part D of the U.S. Clean Air Act requires states to adopt programs for permitting persons to expand or construct emission sources in areas not meeting ambient air quality standards (i.e., nonattainment areas, 42 U.S.C. sections 7501-7508). The requirements of Part D of the U.S. Clean Air Act are implemented through regulations adopted by the U.S. Environmental Protection Agency, 40 C.F.R. 51.18.

In 1981, the Minnesota Pollution Control Agency (agency) adopted 6 MCAR § 4.0041 (the offset rule) to meet these federal permitting requirements.

As it currently exists, the offset rule applies to those expansions of existing facilities and those constructions of new facilities which (1) will be located in Minnesota nonattainment areas and (2) will result in net increases in emissions. The agency used "net increases in emissions" as the basis for determining the applicability of the offset rule because that was consistent with the federal requirements in effect at the time the agency adopted its offset rule (*see* 40 C.F.R. 51.18, as revised in *Federal Register* Vol. 46, No. 198, pp. 50766-50771).

After the agency adopted its offset rule, the Circuit Court of Appeals struck down some of the federal regulations on which Minnesota's offset rule was based. *NRDC v. Gorsuch*, 17 ERC 1825 (D.C. Cir. 1982). This court ruling made Minnesota's offset rule inconsistent with federal requirements. Consequently, the agency is now proposing to amend the offset rule to make it consistent with the changed federal requirements.

If adopted, the proposed amendments to the offset rule would change the applicability of the rule. Rather than applying only to expansions and constructions resulting in a net increase in emissions, the offset rule, if amended, would apply to expansions and constructions which result in certain net or gross increases in emissions. This change would have the effect of preventing persons from using a "bubble" to avoid application of the requirements of the offset rule. (The change would not otherwise effect the use of "bubbles" in Minnesota).

If adopted, the proposed amendments to the offset rule would also change the applicability of the rule to lead emission facilities. As it currently is written, the offset rule applies to constructions of emission facilities which would result in emissions of 100 tons of lead per year. The proposed amendments would make the rule apply to constructions resulting in emissions of 5 tons of lead per year. This change is proposed to be made in response to comments received from staff of the U.S.

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendment to Rules for Snowmobiles

STATEMENT OF NEED AND REASONABLENESS

When the rules regarding snowmobile noise emission levels were last amended (See State Register October 29, 1979, 4 S.R. 685) it was proposed that noise testing could be performed by either the Snowmobile Safety Certification Committee, or a competent independent testing labotatory. The latter alternative was mistakenly omitted from the rules as adopted, in reaction to a hearing examiner comment that a label of certification was needed as well as a letter.

John Deere and Polaris do not now belong to the Snowmobile Safety and Certification Committee. They each have other competent independent companies testing their snowmobiles' noise levels, and are labelling their snowmobiles accordingly. It is necessary and reasonable that the rules allow for this procedure.

Dated: November 29, 1983.

Robert D. Hodge

ROBERT HODGE
Assistant Director, Enforcement

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendment to Rules Governing Snowmobiles

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I have examined the proposed rule amendment and related documents. I am familiar with the procedures followed. The Department of Natural Resources has complied with the applicable laws and rules regarding rule making.

Dated: November 30, 1983.

HUBERT H. HUMPHREY, III
Attorney General
State of Minnesota

By: A. W. Clapp III
A. W. CLAPP III
Special Assistant
Attorney General

375 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Telephone: (612) 296-3294

Counsel for the Minnesota
Department of Natural Resources