

January 24, 2024

VIA E-FILING ONLY

Elizabeth Carlson
Yengmy Thao
Robert Cary
Department of Natural Resources
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Saint Paul, MN 55155
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dawn.fedrickson@state.mn.us

**Re: *In the Matter of the Expedited Permanent Rules Relating to
Invasive Species*
OAH 8-9014-39731; Revisor R-4640**

Dear Elizabeth Carlson, Yengmy Thao, and Robert Cary:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.389 (2022) AND MINN. R. 1400.2410 (2023)**. With the approval of these expedited rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Department so that the Department can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365.

Please ensure that the Department's signed order adopting the rules is filed with our office. The Office of Administrative Hearings will request the finalized rules from the Revisor's office following receipt of that order. The Office of Administrative Hearings will then file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes and one copy to the Minnesota Department of Natural Resources. **Pursuant to Minn. Stat. § 14.389, subd. 3 and Minn. R. 1400.2410, subp. 5, the Department is responsible for filing a copy of the expedited rules with the Governor.**

The Department's next step is to arrange for publication of the Notice of Adoption in the State Register. The Department should request copies of the Notice of Adoption from the Revisor's Office. One copy should be placed in the official rulemaking record. Two copies of the Notice of Adoption should be sent to the State Register for publication. Please note that if the final expedited rule is different from the rule originally

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published, an agency must publish a copy of the changes in the State Register. An expedited rule becomes effective upon publication of the Notice of Adoption in the State Register in accordance with Minn. Stat. § 14.389, subd. 3.

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink, appearing to read 'Majeste Phillip', with a stylized, flowing script.

MAJESTE PHILLIP
Legal Specialist

Enclosure

cc: Legislative Coordinating Commission
Office of the Revisor of Statutes

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Expedited
Rules of the Department of Natural
Resources Relating to Invasive Species

**ORDER ON REVIEW OF RULES
UNDER MINN. STAT. § 14.389 (2022)
AND MINN. R. 1400.2410 (2023)**

On January 10, 2024, the Minnesota Department of Natural Resources (Department) filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.389 (2022) and Minn. R. 1400.2410 (2023).

Based upon a review of the written submissions by the Department, and the contents of the rulemaking record,

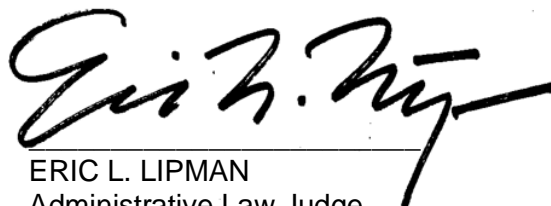
IT IS HEREBY DETERMINED THAT:

1. Under Minn. Stat. §§ 84D.12, subds. 1, 3 and 84.027, subd. 13a(a)(2) (2022), the Department has the statutory authority to adopt these proposed rules using the expedited rulemaking process.
2. The proposed rules were adopted in compliance with the procedural requirements of Minnesota Statutes, chapter 14 (2022), and Minnesota Rules, chapter 1400 (2023).

IT IS HEREBY ORDERED THAT:

The proposed rule parts are **APPROVED**.

Dated: January 24, 2022



ERIC L. LIPMAN
Administrative Law Judge