

State of Minnesota

# State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;  
Commissioners' Orders; Revenue Notices; Official Notices;  
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**  
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# State Register

## Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

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|----------------------------|---|---|---|
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# Minnesota Rules: Amendments and Additions

## 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 #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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TUESDAY 6 July 2010 - Monday 2 August 2010

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# Proposed Rules

**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 §§ 14.14-14.20, 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 Department of Public Safety (DPS)

### Driver and Vehicle Services Division

### Proposed Permanent Rule Relating to Cancellation/Denial of Driving Privileges for Loss of Consciousness or Voluntary Control

### DUAL NOTICE: Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

### Proposed Amendment to Rule Governing Cancellation/Denial of Driving Privileges for Loss of Consciousness or Voluntary Control, *Minnesota Rules*, Part 7410.2500

**Introduction.** The Minnesota Department of Public Safety, Driver and Vehicle Services Division, intends to adopt a rule without a public hearing following the procedures of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. However, if 25 or more persons each submit a written request for a hearing on the rule by 4:30 p.m. on September 1, 2010, the department will hold a public hearing in the State Office Building, Room 5, Saint Paul, Minnesota 55155, beginning at 9:00 A.M. on September 23, 2010. To find out whether the department will hold the hearing or adopt the rule without a hearing, you should contact the department contact person after September 1, 2010 and before September 23, 2010.

**Department Contact Person.** You may submit comments or questions on the rule or written requests for a public hearing to the department contact person. In addition, if you wish to register with the department to receive notice of future rule proceedings, you should direct your request to the department contact person. The department contact person is: Ms. Jacqueline Cavanagh, Driver and Vehicle Services, Minnesota Department of Public Safety, 445 Minnesota Street, Suite 195, Saint Paul, Minnesota 55101-5195, **phone:** (651) 201-7583, **e-mail:** [DVS.Rules@state.mn.us](mailto:DVS.Rules@state.mn.us). **TTY** users may call the department at (651) 282-6555.

**Subject of Rule and Statutory Authority.** The proposed rule modifies the minimum period of time for which driving privileges will be canceled or denied after drivers and applicants for driver's licenses experience periodic or episodic losses of consciousness or voluntary control. The statutory authority to adopt the rule is *Minnesota Statutes*, sections 171.04, subdivision 1, clause (11); 171.09, subdivision 1, paragraph (a); 171.13, subdivision 3; and 171.14, paragraph (a). A copy of the proposed rule is published in the *State Register* and attached to this Notice as mailed. The proposed rule is also available on the department's website at:

[www.dps.state.mn.us/dvs/7410\\_DraftRul\\_2010.pdf](http://www.dps.state.mn.us/dvs/7410_DraftRul_2010.pdf).

# Proposed Rules

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**Comments.** The department encourages comment on the proposed rule. You have 30 days from the date of this Notice, until 4:30 p.m. on September 1, 2010, to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and must be received by the department contact person by the due date. If you submit your comments by electronic mail, the department requests that you use the phrase "Part 7410.2500" in the subject line of your e-mail. Your comments should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rule during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the department hold a hearing on the rule. You must make your request for a public hearing in writing, and your written request must be received by the department contact person by 4:30 p.m. on September 1, 2010. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not conform to these requirements is not valid, and the department may not count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the department will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the department must give written notice of this to all persons who requested a hearing, explain the actions the department took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the department will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, the department can provide this Notice in an alternative format, such as large print, Braille, or cassette tape. To make such a request, or if you need an accommodation to make this hearing accessible, please contact the department contact person at the address or telephone number above.

**Modifications.** The department may modify the proposed rule, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the department or presented at the hearing. The adopted rule may not be substantially different than this proposed rule unless the department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rule affects you in any way, the department encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The department will cancel the hearing scheduled for September 23, 2010, if it does not receive written requests for a hearing from 25 or more persons. If you requested a public hearing, the department will notify you before the scheduled hearing as to whether the hearing will be held. You may also call the department contact person at (651) 201-7583 after September 1, 2010 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rule, the department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson may be reached at the Office of Administrative Hearings, P.O. Box 64620, 600 Robert Street North, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7845, and **fax:** (651) 361-7936.

**Hearing Procedure.** If the department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rule. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order this five-day comment period to be extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the department 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. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

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# Proposed Rules

The department requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the department contact person at the address listed above.

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rule and an estimate of the probable cost of the proposed rule. It is now available from the department contact person. You may review or obtain copies for the cost of reproduction by contacting the department contact person. The statement of need and reasonableness is also available on the department's website at:

*www.dps.state.mn.us/dvs/7410\_SONAR\_2010*

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions about this requirement to the Campaign Finance and Public Disclosure Board, 190 Centennial Office Building, 658 Cedar Street, Saint Paul, Minnesota 55155-1603, telephone 651-296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the department may adopt the rule after the comment period ends. The department will submit the rule and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rule is submitted to the Office. If you want to receive notice of this or want to receive a copy of the adopted rule, submit your request to the department contact person.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule. You may ask to be notified of the date that the Administrative Law Judge's report becomes available, and you may make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the department adopts the rule and the rule is filed with the Secretary of State by requesting this at the hearing or by writing to the department contact person listed above.

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

Dated: 19 July 2010

Michael Campion, Commissioner  
Department of Public Safety

## **7410.2500 LOSS OF CONSCIOUSNESS OR VOLUNTARY CONTROL.**

[For text of subps 1 to 2a, see M.R.]

Subp. 3. **Cancellation.** If the commissioner has good cause to believe that a driver or applicant has experienced an episode of loss of consciousness or voluntary control as described in subpart 1, or if a physician's report required by subpart 2 indicates an unfavorable prognosis for control of the person's condition, the commissioner shall cancel or deny the person's driving privileges until ~~six~~ three months have elapsed since the episode or diagnosis and until the person submits a physician's report that indicates a favorable prognosis for episode free control of the person's condition, indicates that the person is cooperating in the treatment of the condition, and indicates that the person is medically qualified to exercise reasonable and proper control over a motor vehicle on the public roads, except as provided in items A to D.

[For text of items A to D, see M.R.]

[For text of subps 4 and 5, see M.R.]

## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

**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.

## Department of Labor and Industry (DLI) Adopted Permanent Rules Relating to Workers' Compensation; Permanent Partial Disability Schedule

The rules proposed and published at *State Register*, Volume 34, Number 16, pages 511-523, October 19, 2009 (34 SR 511), are adopted as proposed.

## Department of Labor and Industry (DLI) Adopted Permanent Rules Relating to Workers' Compensation; Treatment Parameters

The rules proposed and published at *State Register*, Volume 34, Number 16, pages 524-536, October 19, 2009 (34 SR 524); and Volume 34, Number 30, pages 1015-1016, January 25, 2010 (34 SR 1015), are adopted with the following modifications:

### 5221.6105 MEDICATIONS.

Subpart 1. **Scope.** Subparts 2 to 4 apply to use of medication in an outpatient setting. Subparts 2 to 4 do not require a physician health care provider to prescribe any class of drugs in the treatment of any patient.

Subp. 3. **Opioid analgesics.** An opioid is any agent that binds to opioid receptors. There are three broad classes of opioids: opium alkaloids, such as morphine and codeine; semisynthetic opioids such as heroin and oxycodone; and fully synthetic opioids such as pethidine meperidine and methadone. Opioid analgesics include codeine, hydrocodone, levorphanol, methadone, morphine, hydromorphone, and oxycodone.

Subp. 4. **Muscle relaxants.** A muscle relaxant is a drug which decreases the tone of a muscle. For the purposes of this subpart, muscle relaxants include carisoprodol, chlorzoxazone, cyclobenzaprine, metaxalone, methocarbamol, orphenadrine, and ~~tizanide~~ tizanidine. This subpart does not limit the use of medications that may be used to treat spasticity.

## Department of Natural Resources (DNR) Adopted Permanent Rules Relating to Taking Bullheads

The rules proposed and published at *State Register*, Volume 34, Number 35, pages 1161-1164, March 01, 2010 (34 SR 1161), are adopted with the following modifications:

### 6262.0600 SEASONS AND METHODS FOR TAKING ROUGH FISH.

Subp. 5. **Sale of fish over 12 inches.** White suckers that are over 12 inches ~~and larger~~ and have been legally purchased from a licensed commercial vendor may be transported alive. The person transporting these fish must have the sales receipt on their person. The sales receipt must show the date and time of purchase. ~~Receipts for fish transported alive are valid for a maximum of four days (96 hours) from the date and time of purchase.~~



# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**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.

## Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Sandhill Crane Hunting

### 6240.0620 SANDHILL CRANE HUNTING.

Subpart 1. **Open season.** Sandhill cranes may be taken from the first Saturday in September through October 10.

Subp. 2. **Shooting hours.** Shooting hours for sandhill cranes are from one-half hour before sunrise to sunset except:

A. on the opening day of the duck season, shooting hours begin at 9 a.m.; and

B. from the opening day of the duck season to the Saturday nearest October 8, shooting hours end at 4 p.m.

Subp. 3. **Open area; taking restrictions.**

A. Sandhill cranes may be taken only in the Northwest Goose Zone described in part 6240.0860.

B. Taking sandhill cranes during the early goose season is prohibited on or within 100 yards of all surface waters.

C. Sandhill cranes may be taken by bow and arrow or shotgun with nontoxic shot approved by the United States Fish and Wildlife Service. A person may not take sandhill cranes with a rifle or handgun.

Subp. 4. **Permit requirements.**

A. Sandhill cranes may be taken only under a valid permit issued by the commissioner for a fee of \$3.

B. A hunter must have a sandhill crane permit in possession when taking or possessing sandhill cranes.

Subp. 5. **Bag limits.** A person may not take more than two sandhill cranes per day or have more than four sandhill cranes in possession except:

A. a person may not have in possession on the opening day any sandhill cranes in excess of the daily bag limit; and

B. a person may not possess or transport unlawfully taken sandhill cranes.

Subp. 6. **Penalties.** Violation of this part or the conditions of any permit issued under this part shall result in revocation of the permit and may result in other penalties as provided by state or federal law.

Subp. 7. **Game refuges and waterfowl refuges.** All state game refuges closed to migratory waterfowl hunting are closed to taking sandhill cranes under this part. All waterfowl refuges closed by posting to taking ducks or geese during any portion of the fall waterfowl seasons are closed to taking sandhill cranes under this part.

**EFFECTIVE PERIOD.** *Minnesota Rules*, part 6240.0620, expires December 31, 2010.

# Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency 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.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Important Information from State Agencies

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## Minnesota Housing Finance Agency (MHFA) Notice of Hearing on Bond Issuance for Lyndale Green, Nicollet Towers, and Dover Hill Apartment Buildings

**NOTICE IS HEREBY GIVEN** that the Minnesota Housing Finance Agency will hold a public hearing at 10:00 a.m. on Tuesday, August 24, 2010, at its offices at 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purpose of taking public comment regarding the issuance of its tax-exempt Bonds in the maximum respective principal amounts set forth below. The Bonds may be issued in one or more series and are proposed to be issued to fund mortgage loans to pay for all or a portion of the costs of construction, or acquisition and rehabilitation, of the following developments, including facilities related and subordinate thereto, for residential rental housing. The developments to be assisted are:

A 63-unit multi-story rental apartment building, including underground parking, to be known as Lyndale Green, proposed to be constructed at 610 28<sup>th</sup> Street West, Minneapolis, MN. The initial owner or operator will be Lyndale Salem Green Limited Partnership, a Minnesota limited partnership, one of the managing general partners of which will be Brighton Lyndale Development, LLC, a Minnesota limited liability company. The maximum principal amount of the Bonds for this development is \$7,000,000.

A 306-unit multi-building, multi-story rental apartment building and townhome development known as Nicollet Towers having a primary address of 1350 Nicollet Avenue, Minneapolis, MN, proposed to be acquired and rehabilitated by Nicollet Towers VOA Affordable Housing, L.P., a Minnesota limited partnership, as its initial owner or operator; one of the managing general partners of which will be Nicollet Towers VOA Affordable Housing, Inc., a Minnesota corporation and an affiliate of Volunteers of America National Services. The maximum principal amount of the Bonds for this development is \$28,000,000.

A 234-unit multi-building, multi-story rental apartment building and townhome development known as Dover Hill having a primary address of 2400 Rhode Island Avenue, St. Louis Park, MN, proposed to be acquired and rehabilitated by Dover Hill Apartments Limited Partnership, a Minnesota limited partnership, as its initial owner or operator; one of the managing general partners of which will be Dover Hill Apartments, LLC, a Minnesota limited liability company. The maximum principal amount of the Bonds for this development is \$9,000,000.

Additional information may be obtained from the Minnesota Housing Finance Agency, Attn: Sharon Bjostad ((651) 282-2577). Parties wishing to comment on the issuance of the Bonds may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing.

Dated: August 1, 2010

Patricia Hippe, Deputy Commissioner  
Minnesota Housing Finance Agency

## **Minnesota Pollution Control Agency (MPCA) Municipal Division Public Notice for the National Pollutant Discharge Elimination System/State Disposal System General Permit for Facilities with Stabilization Pond Systems**

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (Agency) intends to reissue National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Permit MNG580000, under the provisions of *Minnesota Rules* 7001.0210, for facilities with stabilization pond systems. Comments on the proposed permit are requested from affected or interested parties. Comments should be submitted in writing in accordance with the provisions of this Notice.

**Public Notice Issued On:**

**August 2, 2010**

**Last Day to Submit Comments:**

**September 1, 2010**

**NOTICE:** This draft Permit is being re-public noticed to include new monitoring requirements. This draft Permit now requires that all facilities covered under this Permit monitor twice per year for the following parameters: chloride, Ca and Mg Hardness as CaCO<sub>3</sub>, Specific Conductance, Total Dissolved Solids, Sulfates as SO<sub>4</sub>, Bicarbonates (HCO<sub>3</sub>), Sodium, Calcium, Magnesium, and Potassium.

The Agency proposes to reissue NPDES/SDS General Permit MNG58000 (Permit). Coverage under this Permit is limited to Publicly Owned Treatment Works and Sewage Treatment Plants that have existing stabilization and/or aerated pond systems with a controlled discharge; predominantly treat domestic sewage; discharge during predefined, allowed discharge windows; meet predetermined effluent limitations; and is Agency-classified as a Class D facility. This Permit would be for facilities with a design flow of less than one million gallons per day and meet all other specified conditions for coverage.

The duration of this Permit is five years. The facilities that the Agency intends to issue notices of coverage to immediately upon issuance are listed in Attachment 1 to this Notice. Facilities that could qualify for coverage within the 5-year permit cycle and could be issued notices of coverage prior to the expiration date of the permit will be public noticed with a notice of intent. Please contact the Agency staff person listed in this Notice for copies of Attachment 1.

Facilities that do not meet all specific requirements for this Permit and facilities that fail or have failed to comply with a regulation, permit schedule, or compliance order issued by the Agency are excluded from coverage under this Permit. They will be required to apply for coverage under an individual NPDES/SDS permit.

The authority to develop and issue a general permit is based on the 1979 U.S. Environmental Protection Agency (USEPA) revisions to the NPDES Program regulations, 40 *Code of Federal Regulations* 122.28, which created a class of permits called general permits. General permits are issued by the Agency in the State of Minnesota under *Minnesota Statutes*, Chapters 115 and 116, and *Minnesota Rules* 7001.0210. General permits can be issued in states with NPDES authority if the state program includes general permit authority from the USEPA. The Agency's general permit program was approved by the USEPA on December 15, 1987.

Interested persons are invited to submit written comments on this proposed draft general permit. Any comments received before close of business on the last day of the comment period (see above) will be considered before the draft general permit is finalized.

Comments on the draft general permit should include the following information, pursuant to *Minnesota Rules* 7001.0110:

1. A statement of the person's interest in the permit application or the draft permit.

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2. A statement of the action the person would like the Agency to take, including specific references to sections in the draft permit.
3. Reasons supporting the person's position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of the person's position.

Any person may request a public informational meeting on the draft general permit before the end of the public comment period. Any request for a public informational meeting must include the information in items 1 through 3 listed above.

Any person may submit a petition for a contested case hearing on the draft general permit before the end of the public comment period. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the Agency will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the draft permit; (2) the Agency has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the Agency in resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final Agency decision.

A petition for a contested case hearing must include the following information: (1) a statement of reasons or proposed findings supporting the Agency decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and (2) a statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information: (1) A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing; (2) A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and (3) An estimate of time required for you to present the matter at a contested case hearing.

Any person may submit a petition to the Commissioner requesting that the Agency Citizens' Board (Board) consider the permit issuance. To be considered timely, the petition must be received by the Agency by 4:30 p.m. on the date the public comment period ends, identified in this Notice. Under the provisions of *Minnesota Statutes* § 116.02, Subdivision 6(4), the decision whether to issue the permit and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the permit; or (3) a timely request for a contested case hearing is pending. Any person may participate in the activities of the Board as provided in *Minnesota Rules* 7000.0650.

A draft permit, list of facilities and specific requirements, and the fact sheet are available for review at the Minnesota Pollution Control Agency located at 520 Lafayette Road North, St. Paul, Minnesota 55155, during regular business hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, and on-line at <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>. A copy of the draft permit, list of facilities and specific requirements, and fact sheet will be mailed to you if the Agency receives your written or oral request.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this Permit. If the Agency does not receive written comments, requests, or petitions during the public comment period, Agency staff as authorized by the Board, will make the final decision on the draft permit.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified in this Notice to: Denise Oakes, Minnesota Pollution Control Agency, 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota 56501; Ashley Kleven, Minnesota Pollution Control Agency, 1420 East College Drive, Suite 900, Marshall, Minnesota 56257; or Susan Mahowald, Minnesota Pollution Control Agency, 18 Wood Lake Drive Southeast, Rochester, Minnesota 55904.

**Minnesota Pollution Control Agency (MPCA)  
Municipal Division****REQUEST FOR COMMENTS on Amendments to Rules Governing Wastewater and Stormwater Treatment Assistance, *Minnesota Rules*, Chapter 7077.**

**Subject of Rules.** The Minnesota Pollution Control Agency (MPCA) requests comments on its planned amendment to rules governing wastewater and stormwater treatment assistance.

In 2007 the MPCA adopted rules to govern the assistance process for wastewater and stormwater that included the provisions of *Minnesota Statute* § 116.182 subd. 5 that provide up to twenty additional points for qualifying stormwater projects being ranked for funding assistance. This provision is set to expire on June 30, 2012. The MPCA would like to continue providing these twenty additional points for qualifying stormwater projects and is proposing changes to *Minnesota Rule* chapter 7077 that are intended to enhance stormwater projects' (especially prevention projects') ability to qualify for financial assistance by bringing them within the range of fundable projects. In addition, the MPCA is considering other changes that may enhance stormwater projects' ability to qualify for financial assistance and other minor changes that impact both stormwater and wastewater.

**Persons Affected.** The planned amendments to the rules would likely affect municipalities that do not meet current state or federal regulations for wastewater treatment facilities and/or stormwater issues that must be resolved to meet regulations.

**Statutory Authority.** *Minnesota Statute* § section 115.03(1)(e) authorizes the Agency to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, rules, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rule amendments to the Agency contact person at the address below until 4:30 p.m. on Friday, September 17, 2010.

The Agency is also initiating a focused effort to obtain stakeholder input and has scheduled a stakeholder input meeting for Wednesday September 8<sup>th</sup> from 12:00 to 3:00 pm in the Central Board Room at MPCA. If you would like to attend this meeting, please contact Don Berger, listed below. Additional information can be found on any of these Web sites:

[www.pca.state.mn.us/water/wastewater-financial.html](http://www.pca.state.mn.us/water/wastewater-financial.html)

and/or;

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/wastewater/wastewater-financial-assistance/water-pollution-control-revolving-fund-point-source.html>

and/or;

<http://www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notice/public-notice.html>

At the Web sites we will provide information about participating in the stakeholder process and provide a place for information about this planned rulemaking. Although you may submit comments to the listed Agency contact at any time during this comment period, please consider consulting the Agency Web site for current information about when and how the Agency will be working with stakeholders.

With this request, the Agency is initiating the rulemaking process by seeking general comments and by identifying those parties who wish to receive future notification regarding this rule. When the initial stakeholder process has been completed, proposed rules will be drafted and published in the *State Register* for public comment. If you are interested in being notified when proposed wastewater and stormwater treatment assistance rule are published for public comment, please advise the listed Agency contact person.

**Rules Drafts.** The Agency has not yet prepared a draft of the planned rule amendments. Interested parties may request to be notified when a draft rule is made available from the Agency contact person listed below or on the related rule Web page.

**Agency Contact Person.** Written or oral comments, questions or requests to receive a draft of the rules when they have been prepared, and requests for more information on these planned rules should be directed to:

**Technical Information Contact Person:**

Donald Berger

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Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55055-4194  
**Telephone:** (651) 757-2223, or  
**TTY:** (651) 282-5332  
**E-mail:** [donald.berger@state.mn.us](mailto:donald.berger@state.mn.us)

**Rule Coordinator Process Contact Person:**

Jim Brist  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55055-4194  
**Telephone:** (651) 757-2245, or  
**TTY:** (651) 282-5332  
**E-mail:** [jim.brist@state.mn.us](mailto:jim.brist@state.mn.us)

**Alternative Format.** Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the MPCA contact person at the address or telephone number listed above.

**NOTE:** The Administrative Procedures Act requires the Agency to include in the formal rulemaking record only those comments received after the rules are published for public comment. If you submitted comments in response to the Request for Comments or during the development of these rules and you want to ensure that those comments become part of the official records that is considered by the Administrative Law Judge in promulgating these rules, you must resubmit the comments after the rules are formally proposed.

Dated:

Paul Eger, Commissioner  
Minnesota Pollution Control Agency

## Minnesota Pollution Control Agency (MPCA) Regional Division Public Notice of Availability of Draft Big Sandy and Minnewawa Lakes Nutrient TMDL Report and Request for Comment

**Public Comment Period Begins: August 2, 2010**  
**Public Comment Period Ends: September 1, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Big Sandy and Minnewawa Lakes Nutrient Total Maximum Daily Load (TMDL). The draft TMDL Report for Big Sandy and Minnewawa Lakes is available at <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesota-s-impaired-waters-and-tmdls/tmdl-projects/upper-mississippi-river-basin-tmdl-projects/underway-tmdl-big-sandy-area-lakes-excess-nutrients.html?menuid=&missing=0&redirect=1>

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U. S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by 4:30p.m. on September 1, 2010

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities to achieve the necessary reductions.

Big Sandy and Minnewawa Lakes are 260,000 acres and 2,355 acres, respectively. Both lakes are located within Aitkin County. Big Sandy Lake is a reservoir system, created by the construction of a dam in 1886. Significant portions of the shorelines of Lake Minnewawa

and Big Sandy Lake are developed with seasonal and year-around homes. Both lakes are popular recreational resources.

Big Sandy and Minnewawa Lakes have been placed on the state's impaired waters list because of excess nutrient levels, particularly phosphorus. While phosphorus is an essential nutrient for algae and plants, it is considered a pollutant when it stimulates excessive growth of algae or aquatic plants. The TMDL study assessed the phosphorus concentration of Big Sandy and Minnewawa Lakes and indicated that phosphorus reductions of 28 percent and 14 percent respectively will be needed to meet the water quality standard during summer growing season conditions.

**Preliminary Determination on the Draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL report to the EPA for final approval. A draft TMDL report and fact sheet are available for review at the MPCA office at the address listed below, and at the MPCA Web site: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesota-s-impaired-waters-and-tmdls/tmdl-projects/upper-mississippi-river-basin-tmdl-projects/underway-tmdl-big-sandy-area-lakes-excess-nutrients.html?menuid=&missing=0&redirect=1>

**Written Comments:** You may submit written comments on the conditions of the draft TMDL report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Written comments on the draft TMDL report must be sent to the MPCA contact person listed below and received by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Suggested changes will be considered before the final TMDL report is sent to the EPA for approval.

**Agency Contact Person.** Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Report, and requests for more information should be directed to:

Bonnie Finnerty  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, MN 56425  
**Phone:** (218) 316-3897  
**Fax:** (218) 828-2954  
**E-mail:** [Bonnie.Finnerty@state.mn.us](mailto:Bonnie.Finnerty@state.mn.us)

**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the draft TMDL report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL report. A material issue

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of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL report.

If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL report.

Dated: August 2010

## Minnesota Pollution Control Agency (MPCA) Regional Division

### Public Notice of Availability of Draft Upper Mississippi River Basin, Getchell, Unnamed and Stony (GUS) Creeks Turbidity TMDL

**Public Comment Period Begins: August 2, 2010**  
**Public Comment Period Ends: September 1, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Upper Mississippi River Basin, Getchell, Unnamed and Stony (GUS) Creeks Turbidity TMDL. The draft TMDL Report for Upper Mississippi River Basin, Sauk Lake Nutrient TMDL is available for review at <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be received by the MPCA contact person listed below by 4:30 p.m. on September 1, 2010

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.



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## Official Notices

This report includes a turbidity TMDL for Un-named, Stony and Getchell Creek, three stream tributaries in the Sauk River Watershed in Central Minnesota. The Sauk River Watershed lies in the heart of the North Central Hardwood Forest Ecoregion and discharges to the Upper Mississippi River. Land use in the watershed is primarily agriculture with the majority of land in corn/soybean rotations and pasture land. Un-named Creek was included on Minnesota's 2008 303(d) Total Maximum Daily Load (TMDL) list for excess turbidity. Neither Stony nor Getchell Creeks are currently on this list but were included in this document for turbidity assessment due to the significant proportion of loading into the Sauk River from these two watersheds.

Turbidity is a measure of the cloudiness or haziness of water caused by suspended and dissolved substances in the water column. Turbidity can be caused by increased suspended soil or sediment particles, phytoplankton growth, and dissolved substances in the water column.

Total Maximum Daily Loads were established for Un-named, Stony and Getchell Creek using the load duration curve approach (Cleland 2002). It was estimated that a 35 percent to 95 percent reduction in total suspended solids is required for Un-named and Stony Creek during the higher flows and 7 percent to 66 percent reduction during the lower flows to meet current state standards. The only load reduction required for Getchell Creek is during the high flow category, where a 26 percent reduction is needed to comply with state standards.

**Agency Contact Person:** Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Greg VanEeckhout  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, MN 56425  
**Phone:** (218) 316-3896  
**Minnesota Toll Free:** 1-800-657-3864  
**Fax:** (218) 828-2594  
**E-mail:** [greg.vaneekhout@state.mn.us](mailto:greg.vaneekhout@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary determination on the draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl>.

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

# Official Notices

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**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

Dated: August, 2010

## Minnesota Pollution Control Agency (MPCA)

### Regional Division

### Public Notice of Availability of Draft Upper Mississippi St. Cloud/Clearwater River, County Ditch #44 to Lake Betsy Dissolved Oxygen TMDL Report and Request for Comment

**Public Comment Period Begins: August 2, 2010**  
**Public Comment Period Ends: September 1, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Upper Mississippi St. Cloud/Clearwater River, County Ditch (CD) #44 to Lake Betsy Dissolved Oxygen Total Maximum Daily Load (TMDL). The draft TMDL Report for Upper Mississippi St. Cloud/Clearwater River, CD #44 to Lake Betsy Dissolved Oxygen (DO) TMDL is available for review at <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html> Following the comments, the MPCA will revise the draft TMDL Report and

submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be received by the MPCA contact person listed below by 4:30 p.m. on September 1, 2010

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

The Clearwater River reach addressed in this TMDL is within the Clearwater River Watershed District (CRWD). The 168 square mile CRWD covers parts of eight townships, including Luxemburg, Forest Prairie, Forest City, Maine Prairie, Kingston, Fairhaven, Southside and French Lake across parts of Meeker, Stearns and Wright Counties. The DO impaired reach (07010203-549) addressed in this TMDL was placed on the 2004 State of Minnesota's 303(d) list of impaired waters. This reach was identified for an impairment of aquatic life because monitoring data showed that this reach did not meet the state standard of five (5) milligrams per liter (mg/L).

This TMDL study identified the critical reach, critical flow regime and critical time period for the DO impairment. Violations of the DO standard were found to occur exclusively in the reach between the Kingston Wetland and Lake Betsy. Violations were observed only during late summer low flow conditions.

**Agency Contact Person:** Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Maggie Leach  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, MN 56425  
**Phone:** (218) 316-3895  
**Minnesota Toll Free:** 1-800-657-3864  
**Fax:** (218) 828-2594  
**E-mail:** [margaret.leach@state.mn.us](mailto:margaret.leach@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary determination on the draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl>. Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

# Official Notices

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**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

Dated: August 2010

## Minnesota Pollution Control Agency (MPCA)

### Regional Division

### Public Notice of Availability of Draft Wirth Lake Nutrient TMDL Report and Request for Comment

**Public Notice Period Begins:**

**August 2, 2010**

**Public Notice Period Ends:**

**September 1, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Wirth Lake Nutrient Total Maximum Daily Load (TMDL). The draft TMDL Report for Wirth Lake is available for review at:

<http://www.pca.state.mn.us/water/tmdl/project-wirthlake.html>.

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA)

for approval. Comments must be sent to the MPCA contact person listed below by 4:30 p.m. on September 1, 2010.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

Wirth Lake and most of its watershed is located in the city of Golden Valley, within the North Central Hardwood Forest Ecoregion. The remaining portion of the watershed, south of the lake is in the city of Minneapolis and all of the shoreline around the lake is owned by the Minneapolis Park and Recreation Board in Hennepin County, Minnesota. Wirth Lake is surrounded by significant wetland vegetation which provides excellent waterfowl habitat. The lake is bordered by parkland and open space areas, with Hwy. 55 to the north and Theodore Wirth Parkway to the west. The Wirth Lake watershed has a total area of 347 acres, largely consisting of low-density residential and park land uses. Stormwater from approximately 77 percent of the Wirth Lake watershed currently drains through some form of wet detention before it enters the Lake. A concrete box culvert discharges water from Wirth Lake's main body directly into the main stem of Bassett Creek which drains into the Mississippi River. The state placed Wirth Lake on the 2002 impaired waters list for aquatic recreation because it exceeds the water quality standard for nutrients. Excess nutrients such as phosphorus from stormwater runoff create poor water quality conditions causing frequent summer algal blooms, which limit recreational activities. The wasteload allocation represents a 45 percent reduction in phosphorus load to Wirth Lake. This will be achieved by eliminating backflow from Bassett Creek into Wirth Lake through the outlet under high creek flow events.

**Agency Contact Person.** Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Brooke Asleson  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
**Phone:** (651) 757-2205  
**E-mail:** [brooke.asleson@state.mn.us](mailto:brooke.asleson@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary determination on the draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl/project-wirthlake.html>.

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

# State Contracts

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**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules 7000.1900*, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL Report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report.

A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules 7000.1900*, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules 7000.0650*.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff, as authorized by the Board, will make the final decision on the draft TMDL Report.

Dated: August 2010

## Minnesota Pollution Control Agency (MPCA) Regional Division

### Notice of Availability of the Draft Spring Lake–Upper Prior Lake Nutrient Total Maximum Daily Load Report and Request for Comment

**Public Comment Period Begins: August 2, 2010**  
**Public Comment Period Ends: September 1, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft report for the Spring Lake and Upper Prior Lake Total Maximum Daily Load (TMDL) report. The draft TMDL report for Spring Lake and Upper Prior Lake is available for review at:  
<http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Following the comments, the MPCA will revise the draft TMDL report and submit it to the U.S. Environmental Protection Agency (EPA) for approval.

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## Official Notices

A TMDL is a scientific study, conducted on waters designated as impaired, required by the federal Clean Water Act. A TMDL study calculates the maximum amount of a pollutant that a water body can receive and continue to meet water quality standards for designated beneficial uses. It is a process that identifies all the sources of the pollutant causing the impairment and allocates necessary allowable loads among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

Spring Lake is 642 acres in size and Upper Prior Lake is 337 acres. They are located in the southwestern suburban Twin Cities metropolitan area in the city of Prior Lake and Spring Lake Township. The drainage area includes portions of Sand Creek Township. Agriculture, wetlands and urban uses are currently the dominate land use in the lake's 16,116-acre watershed, with increasing transition to urban use.

Spring Lake and Upper Prior Lake have been found to be impaired for aquatic recreation because of excess nutrient levels, specifically phosphorus. The TMDL study assessed the phosphorus concentration in Spring Lake and Upper Prior Lake and determined the amount of phosphorus the lakes could receive and still meet water quality standards. The draft TMDL report indicates estimated needed phosphorus reductions for Spring Lake and Upper Prior Lake of 83 and 42 percent, respectively. Sources of phosphorus were evaluated, including watershed runoff, internal loading, and atmospheric load. Implementation strategies for restoring the lakes are included in the draft TMDL report. However, a more detailed implementation plan is being developed to identify specific measures needed to achieve the desired reductions.

**Preliminary Determination on the Draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL report to the EPA for final approval. A draft TMDL report and fact sheet are available for review at the MPCA office at the address listed below, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

**Written Comments:** You may submit written comments on the conditions of the draft TMDL report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Written comments on the draft TMDL report must be sent to the MPCA contact person listed below and received by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Suggested changes will be considered before the final TMDL report is sent to the EPA for approval.

**Agency Contact Person:** Written comments and requests for more information should be directed to:

Chris Zadak  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
**Phone:** (651) 757-2837 (direct)  
**Minnesota Toll Free:** 1-800-657-3864  
**Fax:** (651) 297-8676  
**E-mail:** [Chris.Zadak@state.mn.us](mailto:Chris.Zadak@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at 651-282-5332 or 1-800-657-3864.

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A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and

# Official Notices

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4. The issues that you would like the MPCA to address at the public informational meeting.

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A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL report.

If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL report.

Dated: August 2010



**Department of Transportation (Mn/DOT)  
Engineering Services Division,  
Office of Construction and Innovative Contracting  
Notices of Suspension and Debarment****NOTICE OF SUSPENSION**

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN  
Riley Bros. Construction Inc. and its affiliates, Morris MN  
Riley Bros. Properties, LLC, and its affiliates, Morris MN  
Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, Inc. and its affiliates, Morris MN

**NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris, MN  
John Thomas Riley, Morris, MN

*Minnesota Statutes*, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

## Grant Funding for Growth

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of ALL the current rules, a growing INDEX, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **Indexes to Vols. 31, 30, 29, 28 and 27**

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Minnesota Department of Human Services (DHS)

### Children's Mental Health Division

### Notice of Request for Proposals to Increase the Availability of Mental Health Services for Children from Cultural and Ethnic Minorities within the State and to Help Members of Cultural and Ethnic Minority Communities to Become Qualified Mental Health Professionals and Clinical Supervisors

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to increase the number of practitioners from cultural and ethnic minority communities to become qualified mental health professionals and clinical supervisors, in order to develop and enhance the capacity of mental health providers who serve children from cultural and ethnic minority populations, and increase the availability of mental health services for children from cultural and ethnic minority populations who are uninsured or underinsured. Responders may propose to respond to one or more of the following request options based on the needs and ability of the individual or agency and the target population; responses do not need to propose to do everything listed in the option.

Option 1 will be to focus on Supervision Activities needed to become qualified licensed mental health professionals and clinical supervisors from cultural and ethnic minority communities. Option 2 will be to focus on Start Up or Expansion activities to expand culturally specific and appropriate mental health services within the State of Minnesota. Option 3 will be to focus on increasing the availability of Evidence Based Practice training and subsequent implementation within service providers within cultural and ethnic minority communities. Option 4 will be to focus on direct clinical and ancillary children's mental health services to underinsured and uninsured children from cultural and ethnic minority populations.

Work is proposed to start November, 1, 2010. For more information, or to obtain a copy of the Request for Proposal, contact:

Martha J. Aby  
Department of Human Services  
Children's Mental Health Division  
P.O. Box 64985  
444 Lafayette Road North  
St. Paul, MN 55155

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# State Grants & Loans

**Phone:** (651) 431-4860  
**Fax:** (651) 431-7559  
**E-mail:** [Martha.J.Aby@state.mn.us](mailto:Martha.J.Aby@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, September 24, 2010. Late proposals will NOT be considered.** Faxed or e-mailed proposals will NOT be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:  
[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar day.

## Growing Your Business

The state spends about \$2 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **Indexes to Vols. 31, 30, 29, 28 and 27**

## State Contracts

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Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

### **Minnesota State Colleges and Universities (MnSCU) Bemidji State University Notice of Request for Sealed Bids for Office and Lounge Furniture for Bemidji Regional Events Center**

**NOTICE IS HEREBY GIVEN** that Bemidji State University will receive sealed bids for office and lounge furniture for the Bemidji Regional Events Center. Bid specifications will be available August 2, 2010, at the following Bemidji State University website:

*[http://www.bemidjistate.edu/offices/procurement\\_logistics/rfps\\_bids/](http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/)*

Sealed bids must be received by Belinda Lindell, Director of Procurement & Logistics, Bemidji State University, Deputy 204, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by 2:00 PM, August 19, 2010.

Bemidji State University reserves the right to reject any or all bids and to waive any irregularities or informalities in bids received. This Request for Bid does not obligate the University to complete a purchase, and the University reserves the right to cancel the solicitation if it is considered to be in its best interest.

### **Minnesota State Colleges and Universities (MnSCU) Board of Trustees Formal Request for Proposal for Local Deposit Accounts**

Notice of Availability of Request for Proposal (RFP) for Community Financial Institutions – Local Deposit of funds by Minnesota State Colleges and Universities for: Local Deposit Accounts.

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities is soliciting proposals from community financial institutions for the local deposit of funds for up to seven colleges and universities.

A full Request for Proposals is available at on the Minnesota State Colleges and Universities website at:

*<http://www.finance.mnscu.edu/contracts-purchasing/collaborative/index.html>*

Proposals must be delivered to Minnesota State Colleges and Universities, Steve Gednalske, Wells Fargo Place, 30 - 7<sup>th</sup> Street E., Suite 350, St. Paul, MN 55101 not later than 8:00 a.m. CST, Wednesday, August 18, 2010. Proposals received after this date and time will be returned to the responder unopened.

Minnesota State Colleges and Universities reserves the right to reject any or all proposals and to waive minor informalities in proposals received.

**Minnesota State Colleges and Universities (MnSCU)  
Office of the Chancellor  
Request for Proposals for Executive Search Consultants**

**NOTICE IS HEREBY GIVEN** that the Office of the Chancellor is requesting proposals to assist in developing a list of qualified executive search consultants for fiscal year 2011. If it is necessary to conduct an executive level search, a consultant will be selected from the list. A copy of the full Request for Proposal is posted on the website at:

*[http://www.hr.mnscu.edu/Cabinet\\_Executive\\_Se/Consultant\\_Info.html](http://www.hr.mnscu.edu/Cabinet_Executive_Se/Consultant_Info.html)*

For further information, please contact:

Melissa Schutta  
Minnesota State Colleges and Universities  
30 - 7<sup>th</sup> Street East, Suite 350  
St. Paul, MN 55101  
**Telephone:** (651) 201-1850  
**E-mail:** *melissa.schutta@so.mnscu.edu*

Sealed proposals must be received at the above address no later than **Monday, August 30, 2010 4:00 p.m. CDT**. The responder shall submit two (2) copies of its RFP response. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. One copy of the proposal must be unbound and signed in blue or black ink by an authorized representative of the vendor. Proof of authority of the person signing must accompany the response. **Fax and e-mail responses will NOT be considered. Proposals received after this date and time will be returned to the responder unopened.**

This Request for Proposal (RFP) does not obligate the Minnesota State Colleges and Universities (MnSCU) system, its Board of Trustees or the Office of the Chancellor to award a contract or complete the proposed project and each reserves the right to cancel this RFP if it is considered to be in its best interest.

**Minnesota State Colleges and Universities (MnSCU)  
Office of the Chancellor  
Information Technology Services  
Request for Proposals for Identifying a Vendor Who Specializes in Information  
Technology Recruiting Services for Use by the MnSCU Office of the Chancellor**

The Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor is requesting proposals to assist MnSCU in the selection of a vendor to provide Information Technology personnel recruiting services for our Information Technology Services Division. MnSCU intends to establish a contract for services from the successful vendor responder.

Department: Minnesota State Colleges and Universities, Office of the Chancellor  
Sealed Proposals for: Information Technology Recruiting Services  
Will be received by: Nathan Sorensen, ITS Contract and Purchasing  
Office of the Chancellor  
Wells Fargo Place  
30 - 7th Street East, Suite 350  
St. Paul, MN 55101-7804

Inquiries about this RFP, and receiving proposals, must be directed to:  
Nathan Sorensen, ITS Contract and Purchasing  
**Telephone:** (651) 201-1524  
**E-mail:** *nathan.sorensen@csu.mnscu.edu*

# State Contracts

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All responses to this RFP must be received no later than 2:00 p.m. Central Standard Time on August 16, 2010.

For a complete copy of the RFP and required submission materials, please visit our website at <http://www.its.mnscu.edu/rfp>.

## Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Request for Proposals Sought for Internal Building Directory Signage

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive Proposals for Internal Building Directory Signage. Documents will be available by e-mailing: [erin.edlund@dctc.edu](mailto:erin.edlund@dctc.edu).

Sealed proposals must be received by Erin Edlund at Dakota County Technical College, 1300 - 145<sup>th</sup> St. E. by 4:00 pm Monday, August 9, 2010.

Dakota County Technical College reserves the right to reject any or all proposals or portions thereof, or to waive any irregularities or informalities in proposals received.

## Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical and Community College Advertisement for Bids for Autobody Spray Booth Upgrades

**Sealed Bids for:** Autobody Spray Booth Upgrades  
St. Cloud Technical and Community College  
St. Cloud, Minnesota

**will be received by:** Susan Meyer – Purchasing Agent  
Administration Room #1-401H  
St. Cloud Technical and Community College  
1540 Northway Drive  
St. Cloud, Minnesota 56303

Until 2:00 PM, *local time*, August 17, 2010 at which time the bids will be opened and publicly read aloud in Room #1-406.

**Project Scope:** The project shall consist of selective demolition of an existing open Autobody Prep Station to allow for the installation of a new enclosed paint spray booth. The existing compressed air lines and inline filters and accessories will be capped and relocated. Included in this project will be two (2) new air compressors, air dryer, air receiver, and related accessories, inline filters, air pressure regulators, pressure gauges, and isolation valves. Also included in the work is the installation of accelerated air flow systems for waterborne paints. These systems will be installed in the two (2) existing spray booths and one (1) new booth. Fire protection sprinklers, piping and flow switch will also be included for the new booth. One roof penetration will be made in the double-tee precast roof and a new roof curb will be flashed into the built-up roof system. The new fresh air roof opening will serve the new make-up air unit that supplies tempered air to the new spray booth.

Electrical lighting, power, fire alarm, and special system controls shall also be included.

**A Pre-Bid Meeting** will be held at 10:00 AM on Tuesday, August 10, 2010, in Room #1-406, at St. Cloud Technical and Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents are as prepared by the Project Architect/Engineer; Widseth Smith Nolting:

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on "Announcements", then click on "*Advertisement for Bids (E-Plan Room)*". Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in viewing or downloading with this digital project information.

## Minnesota State Colleges and Universities (MnSCU)

### Saint Paul College

#### Request for Sealed Bids for Buses to Transport Students

Sealed Bids are sought for Buses to Transport Career Pathways Academy Students from High Schools Harding, Humboldt, Highland Park, Como, Central, Johnson, open, Agare, Gordon Parks to St. Paul College and back to high schools.

**Fall 2010 Term & Spring 2011 Term**

**High School pick up:** 11:00am

**College back to High Schools:** 1:30pm

Sealed bids are due: August 17<sup>th</sup> at 2:00pm at which time bids will be open.

Deliver bids to: Saint Paul College  
Business Office, Room 1240  
235 Marshall Ave  
Saint Paul MN 55102

For bid information contact [Nataliya.kabakova@saintpaul.edu](mailto:Nataliya.kabakova@saintpaul.edu); for bus schedule, numbers of students to transport contact [Kathy.kittel@spps.org](mailto:Kathy.kittel@spps.org)

## Minnesota State Colleges and Universities (MnSCU)

### South Central College

#### Request for Sealed Bids for the Purchase of Two CNC Milling Machines and Two Control Simulators

**NOTICE IS HEREBY GIVEN** that South Central College will receive sealed bids for the purchase of two (2) CNC milling machines and two (2) CNC control simulators that will augment our Computer Integrated Machining program. Bid documents and specifications may be obtained by contacting Doug Midthun at [doug.midthun@southcentral.edu](mailto:doug.midthun@southcentral.edu) or by telephone at (507) 389-7287. Electronic delivery of specification documents is preferred so please be prepared to supply an e-mail address.

Sealed bids must be received by Doug Midthun at South Central College no later than 1:00 pm on August 18, 2010. Please mail sealed bids to South Central College, Attn: Doug Midthun, 1920 Lee Boulevard, North Mankato, MN 56003. Faxed bids will not be accepted.

Sealed bids that are received on a timely basis will be opened in room A164 on the South Central College campus.

South Central College reserves the right to reject any or all proposals or portions thereof, or to waive any irregularities or informalities in bids received.

# State Contracts

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## Department of Employment and Economic Development (DEED) Notice of Availability of Contract for Job Placement Services

The Minnesota Department of Employment and Economic Development is requesting proposals for the purpose of providing job placement services to people with disabilities in the North Minneapolis Vocational Rehabilitation Services office.

The Minnesota Department of Employment and Economic Development (DEED), Vocational Rehabilitation Services, is seeking to contract with a CARF accredited vendor to provide job placement and retention services to the North Minneapolis Vocational Rehabilitation Services office. Service providers are sought to meet the need of providing job placement and retention services to people with disabilities. There is an emphasis on qualified applicants with 3 to 5 years job placement experience, as well as knowledge and experience in working with people with criminal backgrounds and in serving transition aged youth in employment.

**Typical services expected from the vendor may include but are not limited to:** Providing job placement services to 25 to 35 consumers referred from the North Minneapolis Vocational Rehabilitation Services team. It is expected that 20 to 24 consumers will successfully meet their employment goal.

**Some of these services shall include:** evaluating job readiness, advising consumers, counselors and employers on labor market trends, assisting with applications, resumes, interviewing skills and the job search process. Contacts employers and negotiates and recommends final hiring agreements between counselor, consumer and employer.

Qualified organizations are CARF accredited in Community Employment Services (CES)/Job Development (JD), and will be expected to provide documentation of these qualifications.

Work is proposed to start after October 1, 2010.

A Request for Proposals will be available by mail from this office through August 23, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After August 23, 2010 the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Anne M. Paulson  
Vocational Rehabilitation Services  
332 Minnesota Street, Suite E 200  
St. Paul, MN 55101-1351  
**Phone:** (651) 297-5159

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than August 30, 2010 at 4:00 pm. **Late proposals will NOT be considered.** Fx or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Historical Society (MHS) Notice of Request for Proposals for an Archaeological Survey of the Lake Superior Region

The Minnesota Historical Society (Society) and the Oversight Board of the Statewide Survey of Historical and Archaeological Sites (Board) seek a qualified consultant to conduct an archaeological survey of the Lake Superior Region (Minnesota SHPO Region 9). The purposes of the project are to: summarize what is known about the prehistoric human occupation of region; update the State Archaeologist's site files with regard to the status of known sites; find unrecorded sites; and build a narrative predictive model of where prehistoric sites should be located.



Four (4) hard copies of a proposal must be received by 2:00 p.m., Local Time, Thursday, August 26, 2010. *Late proposals will not be considered.*

The Request for Proposals is available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, via e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

Dated: 2 August 2010

## Minnesota Historical Society (MHS) Notice of Request for Proposals for a Grants Management System

The Minnesota Historical Society (the Society) is seeking competitive proposals for an integrated grants management system (GMS) that will effectively and efficiently administer a grants program using commonly accepted technologies, including accepting online applications, communicating with applicants, and reporting to funders.

The proposal must be received by **2:00 p.m., Local Time, on August 27, 2010.** Late proposals will not be considered.

The Request for Proposals is available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, via email: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

Dated: 2 August 2010

## Minnesota State Lottery Request for Proposals for Sponsorship Agreements

### Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

**1. Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

**2. Enhance Lottery Image-** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

**3. Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

# State Contracts

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Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to: <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Questions

Questions concerning this Solicitation should be directed to:

John Mellein, Marketing Director  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
**Telephone:** (651) 635-8230  
**Toll-free:** (888) 568-8379 ext. 230  
**Fax:** (651) 297-7496  
**TTY:** (651) 635-8268  
**E-mail:** [johnm@mnlottery.com](mailto:johnm@mnlottery.com)

Other personnel are not authorized to answer questions regarding this Solicitation.

## Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

## Department of Natural Resources (DNR) Division of Fish & Wildlife Request for Information in Researching the Siting of a New Shooting Range Complex in the Seven County Metropolitan Area

### 1. INTRODUCTION

The purpose of the Request for Information (RFI) is for the Department of Natural Resources to determine interest in, and obtain information from local units of government and other vendors that might be interested in researching the siting of a new shooting range complex on either public or privately owned lands in the seven county metropolitan area: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties.

### 2. OBJECTIVE

The objective of the Department of Natural Resources is to work with a non-state agency or other vendor(s) to determine the potential or feasibility of one or more sites throughout the seven county metropolitan area to serve as the location of a new shooting sports complex, that will provide a home site for the Minnesota Trap Association's annual shooting competitions, as well as providing a variety of additional users the opportunity for safe shooting sports training, as well as personal and competitive shooting usage. Trap, skeet, center and rim-fire, and archery shooters would be provided safe, state of the art facilities. The 2007-8 Legislatures provided \$300,000 in funding for the planning, design and site placement of a shooting sports complex, within the seven county metro area of Minnesota. A preliminary plan and design for such a facility had been complete, using a small portion of the appropriation. Additional funding will be available for interested and eligible applicants to use, to investigate and determine the feasibility of placing the range complex, including an RV camping facility, tent camping, and a variety of support buildings (including a classroom, dining hall, lavatory facilities, storage buildings, etc.) on a minimum of 530 acres of land.

### 3. TECHNICAL CONSIDERATIONS

All local units of government within the metropolitan area are being contacted, to determine their interest and capability in providing land under their control, to serve as the host site for the shooting range complex. Non-governmental organizations are also encouraged to consider this request for information, and respond if interested. Funding will be provided to assist respondents showing interest and

capacity via an affirmative written response, to study and chronicle the feasibility of one or more selected sites. Again, total acres required are, at a minimum, 530 acres.

#### 4. INFORMATION BEING REQUESTED

- Vendor Qualifications
  - t Provide a general description of land under your control, and potential sites for a shooting range complex of 530 or more acres. Please provide maps of your potential site(s).
- Would your agency be interested in operating or maintaining all or part of this facility?
- Provide information regarding potential impediments to the placement of this complex on land under your control.

#### 5. RFI RESPONSES:

Four (4) copies of the response should be submitted to the address shown below no later than **4:00 PM Central Time, Tuesday, September 7, 2010**. Questions may be addressed to Chuck Niska at (612) 756-4165 or by e-mail at [chuck.niska@state.mn.us](mailto:chuck.niska@state.mn.us).

Chuck Niska, Shooting Range Coordinator  
Minnesota Department of Natural Resources  
Division of Enforcement  
500 Lafayette Road  
St. Paul, MN 55155-4047

## Department of Natural Resources (DNR) Notice of Request for Proposal for Updating National Wetland Inventory

The Minnesota Department of Natural Resources is requesting proposals to update the digital National Wetland Inventory (NWI) data for a 13-county portion of east-central Minnesota. The project area consists of the counties of: Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, Isanti, Ramsey, Rice, Scott, Sherburne, Washington, and Wright. DNR requests a cost and technical proposal for an update of the NWI in accordance with federal mapping standards and two potential product enhancements, which the state may consider as options.

The winning vendor will be expected to:

- ◆ Update the NWI for approximately 7000 square miles
- ◆ Identify wetland features from remote sensing and geographic information systems data
- ◆ Provide the data in a digital geographic database
- ◆ Classify features using the Cowardin classification system
- ◆ Provide enhanced data attributes
  - Simplified wetland plant community class
  - Simplified hydrogeomorphic characteristics
- ◆ Meet the state's accuracy and quality specifications
- ◆ Prepare full metadata records in compliance with state standards

All data will be delivered for final quality assurance review by September 30, 2012.

A Request for Proposal will be available by mail or e-mail through from this office through August 9, 2010. The Request for Proposal can be obtained from:

Steve Kloiber, Project Coordinator  
Minnesota Department of Natural Resources  
500 Lafayette Road North  
St. Paul, MN 55155  
**E-mail:** [steve.kloiber@state.mn.us](mailto:steve.kloiber@state.mn.us)  
**Telephone:** (651) 259-5164

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m. Central Time, August 23, 2010. **Late proposals will NOT be considered.** Faxed or emailed proposals will **NOT** be considered.

# State Contracts

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This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Transportation (Mn/DOT) Office of Aeronautics Request for Proposals (RFP) for State Aviation System Plan (SASP)

The Mn/DOT Office of Aeronautics is requesting proposals from transportation planning consultants with expertise in aviation system planning. The State Aviation System Plan is a comprehensive 20 year plan for the development of airports and aviation in Minnesota. The goal of this project is to produce a planning document which will assist the Federal Aviation Administration, Mn/DOT Office of Aeronautics, airport owners, and other interested parties in guiding the orderly development of the aviation system in Minnesota. The scope of work includes completing a new 2011 Minnesota State Aviation System Plan (SASP) including information for the airports within the Twin Cities Metropolitan Area. This version of the System Plan will include supplemental studies of scheduled commercial air service focused on maintenance of commercial service to outstate airports and strengthening our connection to the rest of the world via commercial air service, and a vision for the future of aviation in Minnesota, including consideration of NextGen technologies, beyond the planning horizon (in the 50 year range). A federal grant is anticipated for this project.

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

The full RFP can be viewed on the Aeronautics Web Page at: <http://www.dot.state.mn.us/aero/>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on either web page, you may contact:

Richard Theisen, Planning Program Coordinator

**E-mail:** [dick.theisen@state.mn.us](mailto:dick.theisen@state.mn.us)

**Telephone:** (651) 234-7192

RESPONSES WILL BE DUE ON AUGUST 27, 2010 AT 4:00 PM CENTRAL DAYLIGHT TIME AT THE OFFICE OF AERONAUTICS

## Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at (651) 366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward

establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website ([www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program

Interested firms should send the following information to the email address below: Firm name, firm contact person, phone number, and email address.

**Contact:** Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginis@state.mn.us](mailto:melissa.mcginis@state.mn.us)  
**Telephone:** (651) 366-4644

## Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT’s Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680  
St. Paul, MN 55155

# State Contracts

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## Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## Non-State Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

## More Contracts to Increase Profits

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us). Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

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# Non-State Bids, Contracts & Grants

## City of Waseca, Minnesota

### Notice of Call for Bids for the Waseca Municipal Airport 2010 Capital Improvement Program

|                          |  |
|--------------------------|--|
| <b>Project Location:</b> | <b>Waseca Municipal Airport, Waseca, Minnesota</b> |
| <b>Project Name</b>      | <b>2010 Capital Improvement Program</b>            |
| <b>FAA AIP No.</b>       | <b>3-27-0109-07-10</b>                             |
| <b>State Project No.</b> | <b>8101-24</b>                                     |
| <b>TKDA Project No.</b>  | <b>14659</b>                                       |
| <b>Bids Close At:</b>    | <b>10:00 AM on August 16, 2010</b>                 |

**Notice to Contractors:** Sealed bid proposals for the project listed above will be received by the City of Waseca at the office of the City Manager, Waseca City Hall, 508 South State Street, Waseca, MN 56093, until the date and hour indicated.

This project provides for mobilization, traffic provisions, bituminous pavement crack sealing, bituminous crack repair, bituminous area replacement, and fuel storage tank replacement at Waseca Municipal Airport, Waseca, Minnesota.

**Disadvantaged Business Enterprises (DBE):** The goal of the City of Waseca for the utilization of DBE on this project is 0%.

**Bid Security:** Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the City of Waseca in the amount of not less than 5% of the total bid, or a surety bond in the same amount payable to the City of Waseca, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding Documents are on file for inspection at the office of the City Manager, Waseca City Hall, 508 South State Street, Waseca MN 56093, and at the office of TKDA, 444 Cedar Street, Suite 1500, St. Paul, MN 55101

Digital copies are available at <http://www.tkda.com> for a fee of \$20. These documents may be downloaded by selecting this project from the Purchase Plan Sets link and by selecting QuestCDN eBidDoc™ Number 1274529 on the SEARCH PROJECTS page. For assistance and free membership registration, contact QuestCDN at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com).

Paper copies of the Bidding Documents may be obtained from TKDA, Phone (651) 292-4400; Fax (651) 292-0083 for a non-refundable fee of \$50.

**Pre-Bid Conference:** There will be no pre-bid conference for this project.

## Metropolitan Airports Commission (MAC)

### Call for Sealed Bids for 2010-2011 Glycol Recovery Program

|                          |   |
|--------------------------|---|
| <b>Project Location:</b> | <b>Minneapolis-St. Paul International Airport</b> |
| <b>Project Name:</b>     | <b>2010-2011 Glycol Recovery Program</b>          |
| <b>MAC Contract No.</b>  | <b>33792 SC</b>                                   |
| <b>Bids Close At:</b>    | <b>2:00 PM on August 17, 2010</b>                 |

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

This project provides for the installation and removal of sewer by-pass plugs in existing storm sewer pipes at various locations on the airfield; collection of glycol/water mixtures resulting from aircraft deicing operations at Minneapolis-St. Paul International Airport and transportation of this material to the Owners Glycol Management Facility shown on the Location Plan; cleaning the interiors of existing Glycol Tanks in preparation for inspection by the Owner, and repairs to the Glycol Tank liners. NOTE: Glycol Tank liner repairs will be performed by a qualified subcontractor retained by the Contractor.

# Non-State Bids, Contracts & Grants

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**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 1.3%.

**Bid Security:** Each Bid shall be accompanied by a “Bid-Security” in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of TKDA, the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Plan Room; NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; **phone:** (651) 292-4400; **fax:** (651) 292-0083. Make checks payable to TKDA. Deposit per set (refundable) \$50.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on MAC’s web address of <http://www.metroairports.org/business/solicitations> (construction bids) on August 2, 2010.

## Minnehaha Creek Watershed District Advertisement for Bids for 2010-2011 Storm Water Pond Maintenance – Twin Lakes Park Pond, St. Louis Park, MN and Amelia Pond, Minneapolis, MN

|                   |                                    |
|-------------------|------------------------------------|
| Owner:            | Minnehaha Creek Watershed District |
| Class of Work:    | Excavation, Dredging               |
| Project Location: | Hennepin County, Minnesota         |
| Pre-Bid Meeting:  | Mandatory, 1 PM, August 4, 2010    |
| Bids Close at:    | 1 PM, August 11, 2010              |

### 1.1 NOTICE TO CONTRACTORS

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work described herewith, will be received by Minnehaha Creek Watershed District at its office, 18202 Minnetonka Boulevard, Deephaven, MN until 1:00 PM August 11, 2010, at which time such bids will be opened and read aloud. Bid submittals must be clearly labeled “MCWD STORM WATER POND MAINTENANCE BID PACKAGE” on the outside of the submittal package. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc. consists of the following major items of work:

- Excavation of Pond Sediment and Disposal
- Stabilization of Access Route
- Restoration of Access Route

Contractors desiring a copy of the instructions to bidders, plans, specifications and proposal forms must obtain them from the office of Wenck Associates, upon the payment of a \$65.00 non-refundable fee for each bid package. Bid packages are also available for examination at the District office. All communications relative to this project should be addressed to the ENGINEER prior to opening of the Bid. Wenck Associates, Attn: Rebecca Kluckhohn, Project Engineer, 1800 Pioneer Creek Center, Maple Plain MN 55359, [rkluckhohn@wenck.com](mailto:rkluckhohn@wenck.com) or phone (763) 479-4200.

**A MANDATORY PRE-BID MEETING** will be held at the Minnehaha Creek Watershed District office at 1:00 PM on August 4, 2010.

Each bid proposal shall be submitted on forms furnished for that purpose. Each bid proposal shall be accompanied by a “Bid Security” in the form of a certified or cashier’s check made payable to Minnehaha Creek Watershed District (“owner”) in an amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the Owner, with a surety company duly authorized to do business in the state of Minnesota, such Bid Security to be a guarantee that the bidder, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the Owner in case the bidder fails to do so. The Owner will retain the deposits for the three lowest bidders until the contract has been awarded and executed but not longer than sixty (60) days. No bid may be withdrawn for a period of sixty (60) days following the bid opening.



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## Non-State Bids, Contracts & Grants

The bid of the lowest responsible bidder is intended to be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The Owner, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies, and further reserves the right to award the contract in the best interest of Minnehaha Creek Watershed District.

Dated: 22 July 2010

### **University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)**

The University of Minnesota offers 24-hour/day, 7-day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

## ***Minnesota's Bookstore***

**660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155  
(1 block east of I-35E Bridge, 1 block north of University Ave.)**

### **FREE PARKING**

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**E-mail: <http://www.minnesotasbookstore.com>**

### **ORDER ONLINE TODAY**

**Mn/DOT has reissued their County Maps - in FULL COLOR  
We have them at \$1.00 per map**

### ***Woodworking for Wildlife* - updated, Stock No. 275, \$19.95**

Minnesota author Carrol Henderson's popular book, *Woodworking for Wildlife*, Along with designs for 28 different nest box projects, this newly-expanded edition includes 300 color photographs and information on deterring nest predators, placing and maintaining boxes, and setting up remote cameras in nest boxes. The 164-page book, which has a soft cover that opens flat for easy use, features new designs for great crested flycatchers, mergansers, dippers, bumblebees and toads. *Woodworking for Wildlife* was printed in Minnesota on recycled paper manufactured in Cloquet and certified by the Forest Stewardship Council.



**Several convenient ways to order:**

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

**Fax and phone orders:** Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

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| Shipping Charges  |               |
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| <i>If Product</i>   | <i>Please</i> |
| <i>Subtotal is:</i>   | <i>Add:</i>   |
| Up to \$15.00   | \$ 5.00       |
| \$15.01-\$25.00   | \$ 6.00       |
| \$25.01-\$50.00   | \$ 9.00       |
| \$50.01-\$100.00  | \$ 14.00      |
| \$100.01-\$1,000  | \$ 17.00*     |
| <small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small> |               |
| More than \$1,000   | Call          |

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 Shipping \_\_\_\_\_  
 Subtotal \_\_\_\_\_  
 Sales tax \_\_\_\_\_  
*(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)*

**TOTAL** \_\_\_\_\_

If tax exempt, please provide ES number or completed exemption form.  
 ES# \_\_\_\_\_