

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- Withdrawn Rules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

<b>Printing Schedule and Submission Deadlines</b>										
Vol. 36 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts					Deadline for Proposed, Adopted and Exempt RULES			
# 10	Monday 26	September	Noon Tuesday 20	September	Noon Wednesday 14	September				
# 11	Monday 3	October	Noon Tuesday 27	September	Noon Wednesday 21	September				
# 12	Monday 10	October	Noon Tuesday 4	October	Noon Wednesday 28	September				
# 13	Monday 17	October	Noon Tuesday 11	October	Noon Wednesday 5	October				

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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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## 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 Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

### Proposed Permanent Rules Relating to Licensing and Operations

#### NOTICE OF HEARING

Proposed Amendment to Rules Governing Oral Examinations, *Minnesota Rules*, 1800.0800, 1800.0900, 1800.2600, 1800.3600

**Public Hearing.** The Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-named rules in Suite 295, Golden Rule Building, 85 E. 7<sup>th</sup> Place, St. Paul, Minnesota 55101, starting at 9:00am on Tuesday, November 8, 2011, and continuing until the hearing is completed. The agency will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

**Administrative Law Judge.** Administrative Law Judge Manuel J. Cervantes will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-



# Proposed Rules

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7945, and **fax:** (651) 361-7936. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

**Subject of Rules, Statutory Authority, and Agency Contact Person.** The proposed rules are about the elimination of oral examinations as a requirement for licensure as a professional engineer or land surveyor. The proposed rules are authorized by *Minnesota Statutes*, section 326.06 (2010). A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person. The agency contact person is: Andrea Barker at Board of AELSLAGID, 85 East 7<sup>th</sup> Place, Suite 160, St. Paul, MN 55101; **phone:** (651) 757-1511; **fax:** (651) 297-5310; and **e-mail:** [andrea.barker@state.mn.us](mailto:andrea.barker@state.mn.us). **TTY** users may call the Board of AELSLAGID at 1-800-627-3529.

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR is also available on the Board's website at [www.aelslagid.state.mn.us](http://www.aelslagid.state.mn.us).

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. The administrative law judge will accept your views either orally at the hearing or in writing at any time before the close of the hearing record. Submit written comments to the administrative law judge at the address above or to [rulecomments@state.mn.us](mailto:rulecomments@state.mn.us). All evidence that you present should relate to the proposed rules. 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 extended for a longer period but for no more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period during which the agency 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 are public and will be available for review at the Office of Administrative Hearings.

The agency 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 agency contact person at the address stated above.

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

**Modifications.** The agency may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the agency encourages you to participate.

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone: (651) 296-5148 or 1-800-657-3889.

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

Dated: 13 September 2011

Signed by Doreen Frost, Executive Director

## 1800.0800 PROOF OF QUALIFICATION TO PRACTICE.

An applicant shall submit evidence to the board indicating that the applicant is qualified to practice in the profession or field of major practice in which the applicant seeks licensure or certification. The burden of proof is upon the applicant who should make every effort to present qualifications fully and clearly. Qualifications shall be established by one or more of the following methods:

A. by passing a written examination;

~~B. by successfully completing an oral examination;~~

~~C. B.~~ by submitting satisfactory exhibits of technical qualifications;

~~D. C.~~ by submitting a council certificate prepared by the National Council of Architectural Registration Boards (NCARB), for architect applicants only;

~~E. D.~~ by submitting a council record prepared by the National Council of Examiners for Engineering and Surveying (NCEES) for engineer applicants only;

~~F. E.~~ by submitting a council record prepared by the Council of Landscape Architectural Registration Boards (CLARB), for landscape architect applicants only;

~~G. F.~~ for licensure by comity as an architect, engineer, or landscape architect under *Minnesota Statutes*, section 326.10, subdivision 1, paragraph (a), clause (2), and experience as the board may require together with evidence of current licensure and proof of good standing;

~~H. G.~~ for licensure by comity as a land surveyor, an applicant is subject to *Minnesota Statutes*, section 326.10, subdivision 1, paragraph (a), clause (2). In addition, the applicant is required to take examinations that the board deems necessary to determine qualifications, but in any event the applicant is required to take an examination;

~~I. H.~~ for certification by comity as a certified interior designer under *Minnesota Statutes*, section 326.10, subdivision 1, paragraph (a), clause (2). The applicant shall meet the certification requirements that were in effect in Minnesota at the time of the applicant's original licensure or certification in the other state, territory, or the District of Columbia. Applicants who were certified in other states prior to August 1, 1992, shall meet the requirements of part 1800.2100; or

~~J. I.~~ for licensure within a professional geoscience discipline by comity or submission of records, an applicant shall be subject to *Minnesota Statutes*, sections 326.10, subdivision 1, paragraph (a), clause (2); and 326.10, subdivision 1, paragraph (b).

## 1800.0900 QUALIFICATION PROCEDURES.

Subpart 1. **Exhibits.** Exhibits in connection with oral interview or written examination shall be submitted when requested by the board.

Subp. 2. [Repealed, 21 SR 1427]

Subp. 3. **Examination required.** An applicant for certification as an engineer-in-training, a land surveyor-in-training, a geologist-in-training, or a soil scientist-in-training must take all parts of the applicable fundamentals examination at one time. An applicant for licensure as a professional engineer, land surveyor, professional geologist, or professional soil scientist must pass the applicable fundamentals examination prior to taking the professional examination, except for the professional engineering applicant that meets the requirements outlined in part 1800.2800.

An applicant for licensure as a professional engineer, professional geologist, or professional soil scientist must take all parts of the professional examination at one time.

Subp. 4. **Reexamination.** An applicant who does not receive a passing grade in an examination may make application to retake that examination. The application shall be accompanied by a reexamination fee as required under part 1800.0500, subpart 7. The board may require an applicant failing an examination four or more times to submit evidence of improved qualifications before an additional retake examination is permitted.

Subp. 5. **Date and place of examination.** Oral ~~examinations~~ interviews may be given each year at such times as may be designated

# Proposed Rules

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by the board. A candidate who files an application for licensure by examination and is determined to be eligible for admission to the examination will be informed of the date and place of the examination in writing. Examinations shall be scheduled once the applicant's application is approved.

Subp. 6. **Registration in another state.** An applicant duly registered in another state and whose registration is current, upon notification from the Minnesota board that the application has been received and is in order may practice the applicant's profession while his or her application is pending pursuant to *Minnesota Statutes*, section 326.13. An application which has not been acted upon by the board within six months from the date of submission of the application, because of failure of the applicant to furnish the board with qualifying information pertaining to the registration, shall be denied.

The plans and specifications which are prepared by the applicant during the period in which the application is pending must bear the certification stamp of the state in which the applicant is registered along with a statement that she or he has applied for registration in Minnesota and that the application is pending. This stamp must be placed on each sheet of the set of drawings prepared for the project, and on the title sheet of the specifications.

The Minnesota board does not require the use of a seal. If the state in which the architect or engineer is registered has a seal or provisions for signing and dating plans, specifications, and reports, this will be acceptable. If the seal does not provide for signing and dating the plans, the architect or engineer shall sign and date the plans under the seal imprint on each plan certified.

## 1800.2600 ORAL EXAMINATION.

An applicant shall appear before the board for oral examination and shall submit two exhibits of engineering work the applicant has performed if:

~~A: the applicant's experience record, in the sole opinion of the board, does not clearly indicate the required qualifying engineering experience;~~

~~B: the applicant does not hold a degree from an approved engineering curriculum; or~~

~~C: the applicant qualifies for waiver of the fundamentals of engineering examination as provided in part 1800.2800.~~

The applicant shall furnish a letter to the board from the applicant's employer verifying the degree of involvement and responsibility displayed by the applicant in the conduct of the project exhibited.

~~An applicant residing in an overseas area shall submit one exhibit of the applicant's engineering work with a written critique of that exhibit in lieu of the oral examination.~~

## 1800.3600 REQUIREMENTS FOR ADMISSION TO EXAMINATION.

Subpart 1. **Authority to order examination.** The board may subject an applicant to such examinations as may be deemed necessary to establish the qualifications of the applicant. ~~Oral and~~ Written examinations shall be held at such times and places as the board may direct.

Subp. 2. **Land surveyor-in-training.** The Fundamentals of Land Surveying (FLS) examination may be taken upon meeting the requirements of part 1800.3505, subpart 2. The applicant shall submit an official transcript from the college or university the applicant is attending. An applicant taking the FLS examination must be notified of the applicant's score in writing. An applicant failing this examination shall retake the entire examination. A final official transcript showing the degree and the date awarded must be submitted to the board before the land surveyor-in-training certificate is released to the applicant. The passage of this examination and providing proof of the degree and the award date gives the applicant the status of land surveyor-in-training as defined in *Minnesota Statutes*, section 326.10, subdivision 7. The applicant shall take and pass the FLS examination before being permitted to take the professional examination.

Subp. 3. **Professional practice.** The applicant must have successfully completed the Fundamentals of Land Surveying (FLS) examination and have met the education and experience requirements in part 1800.3505, subpart 3. ~~After the applicant has submitted an application for admission to the professional practice examinations, the applicant may be required to appear before the board for an oral examination to determine the applicant's eligibility for admission to the professional examinations. The board shall conduct the examination to review evidence of personal qualifications and evaluate the educational and experience record of the applicant.~~



# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

**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) Occupational Safety and Health Division Proposed Exempt Permanent Rules Relating to Federal Occupational Safety and Health Standards Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* §182.655. This notice proposes the adoption by reference of amendments to Occupational Safety and Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments to the rule. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any proposed change. Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* §182.655 and *Minnesota Rules* 5210.0020 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307.

Ken Peterson, Commissioner  
Department of Labor and Industry

### SUMMARY OF CHANGES

The following is a brief summary of the proposed amendments. The federal standard proposed for adoption follows this summary. To review the complete *Federal Register* notices referenced below, visit [www.osha.gov](http://www.osha.gov).

(A) **"General Working Conditions in Shipyard Employment."** On May 2, 2011, federal OSHA published in the *Federal Register*, the final rule for general working conditions in shipyard employment. These revisions update existing requirements to reflect

# Exempt Rules

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advances in industry practices and technology, consolidate some general safety and health requirements into a single subpart, and provide protection from hazards not addressed by existing standards, including the control of hazardous energy. The final rule became enforceable at the federal level on August 1, 2011, except for the provisions in 1915.88, which become effective and enforceable on October 31, 2011.

By this notice, Minnesota OSHA proposes to adopt this final rule, as published in the *Federal Register* on May 2, 2011.

**(B) “Standards Improvement Project – Phase III.”** On June 8, 2011, federal OSHA published in the *Federal Register* Phase III of the Standards Improvement Project. The Standards Improvement Project removes or revises individual requirements within rules that are confusing, outdated, duplicative, or inconsistent. This final rule becomes effective at the federal level on July 8, 2011.

By this notice, Minnesota OSHA proposes to adopt this final rule, as published in the *Federal Register* on June 8, 2011.

## **Rules as Proposed** (Revisor’s Copy)

### **5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.**

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

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes as follows:

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

#### HH. Federal Register, Volume 76:

(1) *Federal Register*, Vol. 76, No. 84, pages 24576-24711, dated May 2, 2011: “General Working Conditions in Shipyard Employment; Final rule.”

(2) *Federal Register*, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: “Standards Improvement Project - Phase III.”

Subp. 3. **Part 1915.** Part 1915: Occupational Safety and Health Standards for Shipyard Employment as published in Volume 47, No. 76 of the *Federal Register* on April 20, 1982; all changes made prior to December 31, 1986, which consolidated Part 1915 and Part 1916; technical amendments and redesignations published in Volume 58, No. 125, of the *Federal Register* on July 1, 1993; and additional changes as follows:

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

#### JJ. Federal Register, Volume 76:

(1) *Federal Register*, Vol. 76, No. 84, pages 24576-24711, dated May 2, 2011: “General Working Conditions in Shipyard Employment; Final rule.”

(2) *Federal Register*, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: “Standards Improvement Project - Phase III.”

Subp. 4. **Part 1917.** Part 1917: Safety and Health Standards for Marine Terminals as published in Volume 48, No. 129 of the *Federal Register* on July 5, 1983; and subsequent changes as follows:

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

#### L. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: “Standards Improvement Project - Phase III.”

Subp. 5. **Part 1918.** Part 1918: Safety and Health Regulations for Longshoring as published in Part II, Volume 39, No. 119 of the *Federal Register* on June 19, 1974, incorporating changes, additions, deletions and corrections made up to June 3, 1974; and subsequent changes as follows:

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

#### L. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: “Standards Improvement Project - Phase III.”

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## Exempt Rules

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the *Federal Register* on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, the incorporation and redesignation of the regulatory text of the General Industry Occupational Safety and Health Standards (29 CFR Part 1910) that have been identified as applicable to construction work as published in the *Federal Register*, Volume 58, No. 124, dated June 30, 1993, and corrected in Volume 58, No. 143, dated July 28, 1993; and additional changes as follows:

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

W. *Federal Register*, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

Subp. 7. **Part 1928.** Part 1928: Occupational Safety and Health Standards for Agriculture as published in Part II, Volume 40, No. 81 of the *Federal Register* on April 25, 1975, and subsequent changes as follows:

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

L. *Federal Register*, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

### Extended Executive Order

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Department of Transportation (Mn/DOT)

### EXTENSION of Emergency Executive Order 11-25: Extending the Period Provided for Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

**I, THOMAS K. SOREL, COMMISSIONER OF TRANSPORTATION OF THE STATE OF MINNESOTA**, by virtue of the authority granted to me by *Minnesota Statutes* 2010, section 221.0269, subdivision 2, do hereby extend the 30 day relief period provided in Emergency Executive Order 11-25.

**WHEREAS**, Governor Mark Dayton issued Emergency Executive Order 11-25 declaring an emergency and providing relief from regulations to motor carriers and drivers operating in Minnesota for a period not to exceed 30 days from the date of the initial declaration of the emergency; and

**WHEREAS**, the emergency requires relief from regulations incorporated in *Minnesota Statutes*, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles while in the process of obtaining and transporting motor fuels; and

**WHEREAS**, the emergency described in Emergency Executive Order 11-25 is ongoing and severe, resulting in continuing disruption in the supply of motor fuels, extremely low supplies of motor fuel and shortages at motor fuel terminals; and

**WHEREAS**, the shortages continue to cause motor carrier drivers to travel longer distances and wait many hours in line to procure motor fuels; and

**WHEREAS**, the agricultural harvest season is a peak time for consumption of fuel in Minnesota, and continuing relief is needed to ensure that farmers have reliable supplies of fuel to harvest crops.

# Extended Executive Order

NOW, THEREFORE, I extend the relief granted in Emergency Executive Order 11-25 subject to the following conditions and restrictions:

1. Nothing in the extension of Emergency Executive Order 11-25 relieves carriers and drivers from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial drivers' licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.

2. No motor carrier operating under terms of this extension of Emergency Executive Order 11-25 shall require or allow an ill or fatigued driver to operate a commercial motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to service.

3. Upon the expiration of this extension of Emergency Executive Order 11-25, or when a driver or carrier ceases to provide direct assistance to the emergency relief effort, a driver that has had at least thirty-four consecutive hours off-duty must be permitted to start his or her on-duty status hours and 60/70-hour clock at zero.

This extension of Emergency Executive Order 11-25 is effective at 12:01 AM Central Standard Time, on September 19, 2011, the expiration date of the Emergency Executive Order 11-25, and must be filed with the Secretary of State and published in the *State Register* as soon as possible after its issuance. This order of relief from regulations to motor carriers and drivers remains in effect for 30 days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this order, direct assistance is defined in *Minnesota Statutes*, section 221.0269, subdivision 3(c).

In Testimony Whereof, I have set my hand on September 16, 2011.

Signed: **Thomas K. Sorel, Commissioner**  
**Department of Transportation**

Filed According to Law

Signed: **Mark Ritchie**  
**Secretary of State**

## Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Department of Natural Resources (DNR)

### Commissioner's Order – AMA 11-001: Designation of Aquatic Management Areas

**EFFECTIVE DATE:** Sept. 26, 2011  
**Statutory authority:** *Minnesota Statutes* 86A.07, Subd 3(2), and 86A.05, Subd 14  
**Supersedes:** N/A

WHEREAS, certain lands in Minnesota, described as:

#### Bemidji Lake AMA P2, Beltrami County

That part of Government Lot 1 and the easterly 330.00 feet of Government Lot 2 of Section 15, Township 146 North, Range 33 West of the 5th Principal Meridian, lying northwesterly of the following described line:

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## Commissioner's Orders

Commencing at the northeast corner of said Government Lot 1; thence North  $89^{\circ} 36' 12''$  West, assumed bearing, along the north line of said Government Lot 1 a distance of 94.04 feet to the beginning of the line to be described; thence southwesterly along a non-tangential curve, concave to the northwest, having a radius of 2500.00 feet and a central angle of  $47^{\circ} 21' 23''$ , 2066.31 feet, the chord of said curve bears South  $49^{\circ} 09' 30''$  West and has a chord length of 2008.00 feet to the intersection with a line running 330.00 feet west of, measured at a right angle to and parallel with the east line of said Government Lot 2, containing 5.27 acres, more or less.

### Vermillion River AMA P8, Dakota County

That part of the W1/2SE1/4 of S.20, T.114 N., R.18 W., Dakota County, Minnesota, described as follows:

Commencing at the SW1/4 corner of said W1/2SE1/4; thence on a bearing based on the 1983 Dakota County Coordinate System (1986 Adjustment), of North  $00^{\circ} 25' 04''$  West along the west line of said West Half of the Southeast Quarter 1057.87 feet to a  $\frac{3}{4}$  inch by 24 inch rebar with a plastic cap stamped "MN DNR LS 17003" (DNR MON) and the POINT OF BEGINNING; thence South  $87^{\circ} 23' 57''$  East 193.51 feet to a DNR MON; thence South  $36^{\circ} 35' 39''$  East 64.49 feet to a DNR MON; thence South  $84^{\circ} 02' 30''$  East 163.92 feet to a DNR MON; thence South  $47^{\circ} 04' 53''$  East 412.68 feet to a DNR MON; thence North  $56^{\circ} 32' 37''$  East 724.69 feet to the east line of said West Half of the Southeast Quarter and a DNR MON; thence North  $00^{\circ} 17' 36''$  West along said east line 1538.31 feet to the northeast corner of said West Half of the Southeast Quarter; thence North  $89^{\circ} 49' 47''$  West along the north line of said West Half of the Southeast Quarter 1305.27 feet to the northwest corner of said West Half of the Southeast Quarter; thence South  $00^{\circ} 25' 04''$  East along the west line of said West Half of the Southeast Quarter 1583.15 feet to the point of beginning.

#### EXCEPTING THEREFROM

That part of the W1/2SE1/4 of S.20, T.114 N., R. 18 W., Dakota County, Minnesota, described as follows:

Beginning at the NW1/4 corner of said W1/2SE1/4; thence on an assumed bearing of South  $00^{\circ} 02' 09''$  East 1070.49 feet along the west line of said W1/2SE1/4; thence North  $82^{\circ} 13' 06''$  East 322.00 feet; thence North  $84^{\circ} 41' 19''$  East 541.47 feet; thence North  $00^{\circ} 02' 09''$  West parallel with the west line of said W1/2SE1/4 968.46 feet to the north line of said W1/2SE1/4 thence North  $89^{\circ} 26' 43''$  West along said north line 858.29 feet to the point of beginning.

### Eagle Creek AMA P4, Scott County

Outlot A, Sterling Trucks Addition, according to the recorded plat thereof on file and of record in the Office of the County Recorder in and for Scott County, Minnesota.

### Eagle Creek AMA P3, Scott County

Beginning on the south line of S. 7, T. 115 N., R.21 W., distant 741.65 feet west of the southeast corner of the SW1/4SE1/4 thereof; thence N $19^{\circ}38'$  East 1395.33 feet; thence North 268.47 feet, more or less to the southerly line of State Highway 101; thence S $74^{\circ}$  East 283.42 feet, more or less, to the east line of the W1/2SE1/4 of said section; thence South 1528.4 feet, more or less, to the southeast corner of the SW1/4SE1/4 of said Section 7 thence North  $88^{\circ}9'33''$  West along the south line of said Section 7 for 741.65 feet to the Point of Beginning.

### Camp Hazzard Creek AMA P1, Fillmore County

The NE1/4NE1/4 of S.31, T.104 N., R. 8 We Fillmore County, Minnesota.

That part of the SE1/4SE1/4outheast Quarter of S.30, T.104 N., R.8 W., Fillmore County, Minnesota, lying south of the center line of US Trunk Highway Number 16, described as follows:

Beginning at the SE corner of said Section 30; thence West on section line 767.50 feet to an existing fence line; thence North 326.07 feet to the centerline of US Trunk Highway Number 16; thence on the centerline of said Highway, North  $76^{\circ} 00'$  East 476.11 feet to the east end of Bridge Number 6662; thence South  $25^{\circ} 00'$  East 236.00 feet; thence North  $78^{\circ} 30'$  East 148.00 feet; thence South  $35^{\circ} 00'$  East 105.00 feet; thence South on Section line 170.00 feet to the point of beginning.

That part of the Northwest Quarter of Northwest Quarter of Section 32, Township 104 North, Range 8 West, Fillmore County, Minnesota, described as follows:



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Beginning at the NW corner of said Section 32; thence South on section line 1320 feet; thence East 1156.65 feet; thence North  $45^{\circ} 00'$  West 400.25 feet; thence North  $62^{\circ} 45'$  West 376.80 feet; thence North  $39^{\circ} 43'$  West 414.50 feet; thence North  $15^{\circ} 00'$  West 329.24 feet; thence North  $53^{\circ} 00'$  East 98.00 feet; thence North  $35^{\circ} 00'$  West 226.17 feet; thence West 120.00 feet to the point of beginning.

## **ColdSpringBrookAMA P5, Wabasha County**

A strip of land 132 feet in width, being 66 feet on each side of Cold Spring Brook as it flows through the NE1/4SE1/4 of S. 25, T.110 N., R. 14 Wk. Wabasha County, Minnesota

## **Five Mile point AMA P2, Cass County**

The West 200' of Government Lot 4, S.12, T.143 N., R. 29 W.

## **Toad Lake point AMA P3 &4, Becker County**

The SE1/4SE1/4 of S.16, T.139 N., R. 38, W. Becker County Minnesota.

And

Government Lot 3, of S.16, T.139 N., R. 38, W., Becker County, Minnesota.

And

That part of Government Lot 2, of S.16, T.139 N., R. 38, W., Becker County, Minnesota lying southwesterly of the southwesterly line of Karppinen Acres, according to the recorded plat thereof.

And

That part of Government Lot 2, of S.16, T.139 N., R. 38, W., Becker County, Minnesota lying northeasterly of the following describe line:

Commencing at the southeast corner of said Section 16; thence on an assumed bearing of North, a distance of 2483.0 feet along the east line of said Section 16, to the point of beginning of the line to be described; thence North  $71^{\circ} 40'$  West, a distance of 34.65 feet; thence North  $71^{\circ} 43'$  West, to the shore of Toad Lake and said line there terminating.

## **Cuyuna Scout Camp AMA P3, Cass County**

Government Lot 1, S. 7, T. 137N. R.26 W., Crow Wing County, Minnesota, except that part within the recorded plat of Goodrich South View Addition, according to the recorded plat thereof, and also except that part within the recorded plat of Timber Estates, according to the recoded pat thereof.

## **Woman Lake AMA P9,Cass County**

Lots 1, 2 and 3 BLOCK ONE and Lots 1, 2 and 3 BLOCK TWO of NORTH BROADWATER OAKS, according to the plat thereof on file and of record in the office of the County Recorder for Cass County, Minnesota, EXCEPTING from said Lots 1 and 2 BLOCK TWO the following described parcel:

Commencing at the NE corner of said Lot 1; thence North  $47^{\circ} 49' 44''$  East, assumed bearing along the northerly line of said Lot 2, a distance of 97.23 feet to the point of beginning of the tract to be herein described; thence South  $47^{\circ} 49' 44''$  West along the northerly line of said Lots 1 and 2 a distance of 124.90 feet; thence westerly 131.22 feet along said northerly line of Lot 1, being a tangential curve concave to the north, having a radius of 162.25 feet and a central angle of  $46^{\circ} 20' 21''$  to the northwest corner of said Lot 1; thence South  $9^{\circ} 16' 08''$  East, not tangent to said curve, along the west line of said Lot 1 a distance of 327 feet, more or less, to the shoreline of Woman Lake; thence easterly along said shoreline to the intersection with a line bearing South  $7^{\circ} 08' 39''$  West from the point of beginning; thence North  $7^{\circ} 08' 39''$  East 449 feet, more or less, to the point of beginning.

## **Woman Lake AMA P10,Cass County**

Lot 8, Block One, LANTERN BAY SUBDIVISION, according to the recorded plat thereof, except that part of said Lot 8, described as follows:

Commencing at the Northeast corner of said Lot 8; thence South  $0^{\circ} 37' 11''$  West, assumed bearing along the East line thereof 371.92 feet; thence South  $31^{\circ} 32' 28''$  West 194.61 feet; thence North  $89^{\circ} 22' 49''$  West 100 feet, to the point of beginning of the exception to be described; thence continue North  $89^{\circ} 22' 49''$  West 100.00 feet to

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# Commissioner's Orders

the West line of said Lot 8; thence South 0 ° 37 ' 11 " West along said West line 566 feet, more or less, to the shoreline of Woman Lake; thence easterly along said shoreline to the intersection with a line which bears South 0 ° 37 ' 11 " West from the point of beginning; thence North 0 ° 37 ' 11 " East along said East line 532 feet, more or less, to the point of beginning.

**WHEREAS**, The above described lands meet the criteria as being suited for aquatic management areas;

and

**WHEREAS**, the most effective means by which such lands can be managed for aquatic habitat protection and public angling access is designation as Aquatic Management Areas;

**THEREFORE, IT IS HEREBY ORDERED**, pursuant to the provisions of *Minnesota Statutes*, section 86A.07, subdivision 3(2), and *Minnesota Statutes*, section 86A.05, subdivision 14, the following described lands under the jurisdiction of the Minnesota Department of Natural Resources meet the criteria as being suited for aquatic management areas:

This order takes effect upon signature. A copy of this order shall be published in the *State Register*:

Date signed: 16 September 2011

Approved by: **Tom Landwehr, Commissioner**  
**Department of Natural Resources**

## Department of Natural Resources (DNR) Commissioner's Order – WMA 11-001: Designation of Wildlife Management Areas

**EFFECTIVE DATE:** Sept.26, 2011  
**Statutory authority:** Minnesota Statutes 97A.135, Subd. 1, and 97A.145, Subd. 1  
**Supercedes:** N/A

**WHEREAS**, certain lands in Minnesota, described as:

### **Lamprey Pass Wildlife Management Area Tr6, Anoka County**

That part of the East 538 feet of the Southwest of the Southeast Quarter of Section 14, T. 32, R.e 22, Anoka County, Minnesota, lying southerly of the North 478.50 feet and lying northerly of Parcel 21 of Anoka County right-of-way plat No. 3. Subject to a 10 foot wide roadway easement along the south and east lines as described in Book 104 of Deeds, Page 174.

### **Pembina Wildlife Management Area Tr53, Polk County**

The South Half of the Southeast Quarter (S1/2SE1/4) and the NW1/4SE1/4 of Section 14, T.152 North, R.46, Polk County, Minnesota.

### **Carlos Avery Management Area Tr6A, Anoka County**

The Northwest Quarter of the Northeast Quarter(NW1/4NE1/4), Section 26, T. 33, R. 22,

### **Wrightstown Wildlife Management Area Tr14, Otter Tail County**

The N1/2N1/2NE1/4SW1/4 of Section 8, T. 132, R.36

### **Gordy Yeager Wildlife Management Area Tr5, Olmsted County**

The S1/2 NW ¼ of Section 33 and all of the Southwest Quarter of Section 33 lying north of the Canadian Pacific Railway (formerly the Dakota, Minnesota, and Eastern Railroad) right of way line, T. 107, R. 13, Olmsted County, Minnesota.

### **Lake Bella Wildlife Management Area Tr 8, Nobles County**

The N1/2NW1/4 of S. 35, T.101N, R 40W in bigelow township, nobles county, Minnesota, except the following described tracts:

EXCEPT TRACT "A"

# Commissioner's Orders

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commencing at an existing iron monument at the northwest corner of the northwest quarter of said section 35; thence north 89° 42' 17" east, bearing based on nobles county coordinate system, along the north line of said northwest quarter and along the centerline of the township road, as exists, a distance of 799.65 feet to the point of beginning; thence continuing north 89° 42' 17" east, along said north line and said centerline, a distance of 446.88 feet; thence south 00° 17' 43" east a distance of 133.00 feet; thence south 89° 42' 17" west, parallel with the north line of said northwest quarter, a distance of 446.88 feet; thence north 00° 17' 43" west a distance of 133.00 feet, to the point of beginning.

AND ALSO EXCEPT TRACT "B":

commencing at an existing iron monument at the northeast corner of the northwest quarter of said section 35; thence south 00° 01' 19" east, bearing based on nobles county coordinate system, along the east line of said northwest quarter, a distance of 448.00 feet; thence south 89° 42' 17" west, parallel with the north line of said northwest quarter, a distance of 415.00 feet; thence north 71° 58' 29" west a distance of 1065.73 feet to the east line of Worthington city well tract; thence north 00° 17' 43" west, along said city well tract east line, a distance of 113.00 feet, to the north line of said northwest quarter; thence north 89° 42' 17" east, along said north line and along the centerline of the township road, as exists, a distance of 1428.85 feet, to the point of beginning.

## **Wachter Wildlife Management Area Tr8, Nobles County**

That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 26, Township 101N, Range 40W, Nobles County, Minnesota, described as follows: commencing at an existing iron monument at the southeast corner of the SW $\frac{1}{4}$  of said Section 26; thence north 00°11'33" east, bearing based on Nobles County Coordinate System, along with east line of said SW $\frac{1}{4}$ , a distance of 2642.25 feet, to an existing iron monument at the southeast corner of the NW $\frac{1}{4}$  of said Section 26, this being the point of beginning; thence continuing north 00°11'33" east, along the east line of said NW $\frac{1}{4}$ , a distance of 1336.49 feet, to the northeast corner of the SE $\frac{1}{4}$  of said NW $\frac{1}{4}$ ; thence south 89°35'30" west, along the north line of the SE $\frac{1}{4}$  of said NW $\frac{1}{4}$ , a distance of 565.00 feet; thence south 43°29'43" east a distance of 601.13 feet; thence south 04°31'13" east a distance of 400.78 feet; thence south 21°21'40" west a distance of 338.49 feet; thence south 73°15'33" west a distance of 638.61 feet, to the south line of the SE $\frac{1}{4}$  of said NW $\frac{1}{4}$ ; thence north 89°50'31" east, along said south line, a distance of 850.00 feet, to the point of beginning.

## **Gores Wildlife Management Area Tr5A &5B, Goodhue County**

That part of Government Lot 3, of S. 3, T.114 N., R.16 W., Goodhue County, Minnesota, Lying southwesterly of a line described as follows:

Beginning at a point on the south line of said Government Lot 3 a distance of 1180.0 feet east of the SW $\frac{1}{4}$  corner thereof; thence North 43°s 27' West 1715.6 feet, more or less, to a point on the west line of said Government Lot 3 a distance of 1230.0 feet north of the SW corner thereof.

ALSO

The northerly 20.46 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of S.10, T.114 N., R.16 West, Goodhue County, Minnesota.

## **Willowssippi Wildlife Management Area Tr 6, Aitkin County**

The East Half of Southwest Quarter (E $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of S.11 T.50 N. R.25W.

## **McDougal Wildlife Management Area Tr1A, Morrison County**

Government Lots 2 and 3, S.29, T.39 N., R.e 32 W., Morrison County, Minnesota

AND

The SW $\frac{1}{4}$ NW $\frac{1}{4}$ , the SE $\frac{1}{4}$ NW and the N $\frac{1}{2}$ SW $\frac{1}{4}$  in S. 28, T.39N. R. 32 W., Morrison County, Minnesota

## **Root River Wildlife Management Area Tr12A, Houston County**

All that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$  of S.29, T.104 N., R.4 W., Houston County, Minnesota, lying south of Co. Rd. 21.

## **Vermillion River Wildlife Management Area Tr2A, Dakota County**

The E $\frac{1}{2}$ SE $\frac{1}{4}$  and the east 30 acres of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of S. 16, T. 114 N., R. 19 W.

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# Commissioner's Orders

## **Granite Prairie Wildlife Management Area Tr1, Renville County**

Lots Two (2) and Six (6) in U. S. Government Lot One (1) of S. 19, T.113 N., R.35 W..

And also

U. S. Government Lots Two (2), Three (3) and Four (4), the NW ¼ SE ¼, and the SW ¼ NE ¼, all in S.18 T.113 N., R.35 W., except that portion of the SW ¼ NE ¼ located north and east of the centerline of Renville County Road #15;

## **Lamberton Wildlife Management Area Tr25, Redwood County**

Thatpartof the NNE 1/4 of S.11, T.09 N., R.37 W., lying southerly and westerly of the centerline of the main ditch of Redwood County Ditch No. 102 and southerly of the centerline of Branch No. 1 of said Ditch No. 102,

## **Grundflur Wildlife Management Area tr1, Cottonwood County**

The NE1/4 of S.2, T.108, N., R.36,W.

## **Pick Wildlife Management Area Tr 2A, Blue Earth County**

The SW1/4SE1/4, S. 9, T. 105 N., R. 25 W, EXCEPT: All that part of the SW1/4SE1/4 S. 9, T.105 N., R. 25 W., described as follows, to-wit: From the North quarter corner of Section 9, South 00° 00' East 3960.0 feet to the beginning; thence South 89° 02' East 825.7 feet; thence South 02° 20' East 567.2 feet; thence South 61° 31' West 120.8 feet; thence South 00° 14' East 339.0 feet; thence South 88° 14' West 329.2 feet; thence South 11° 10' West 341.4 feet; thence North 89° 38' West 349.7 feet; thence North 00° 00' East 1320.0 feet to the beginning. Said exception containing 20.9 acres, more or less.

### PART OF TRACT 2A – 0.68 ACRES

That part of the West 30 feet of the NE1/4 W1/4of S.9, T. 105 N., R. 25 W., Blue Earth County, Minnesota, lying south of the center line of County Road Number 159.

AND

The West 30 feet of the North 30 feet of the SE1/4SE1/4 S.9, T. 105 N., R. 25 W., Blue Earth County, Minnesota

14" West 196.18 feet; thence North 20° 07' 22" West 48.52 feet; thence South 89° 37' 31" West 1197.12 feet; thence South 03° 28' 43" West 268.23 feet; thence North 89° 13' 05" West 1092.36 feet; thence North 00° 31' 14" East 252.81 feet; thence North 89° 46' 45" West 816.51 feet; thence South 00° 07' 40" West 177.23 feet; thence North 89° 57' 53" West 456.76 feet; thence South 00° 58' 01" East 760.22 feet to the south line of aforesaid NESW of S4; thence South 89° 56' 35" West, along said south line, 222.47 feet to the west line of said NESW; thence North 02° 47' 58" East, along said west line 1319.24 feet to the north line of said NESW; thence North 89° 37' 31" East, along said north line and along the north line of aforesaid N ½ of SE ¼ of S4, a distance of 3973.69 feet to the point of beginning.

## **Ramsey Mill Pond Wildlife Management Area Tr7, Mower County**

That part of the W1/2 NE ¼ of S. 14, T.103 N., R. 18 W. described as follows:

Beginning at the NWCorner of the NE1/4 of said Section14 thence N 89° s 11 's 35 " E 1315.73 feet to the Northeast Corner of said West Half of the Northeast Quarter; thence S 00° s 48 's 10 " E 2650.59 feet to the Southeast corner of said West Half of the Northeast Quarter; thence S 89° s 19 's 56 " W 764.66 feet; thence N 00° s 48 's 47 " W 2192.53 feet; thence S 89° s 11 's 35 " W 550.61 feet; thence N 00° s 48 's 47 " W 456.21 feet to the Point of Beginning.

And

The W ½ SW ¼ SE ¼ of S.(14), T.103 N.h, R.18 W

## **Mud Creek Wildlife Management Area, Tr1Dakota County**

The NW ¼ of S.29, T.112,N., R.20,W., Dakota County, Minnesota, except that part described as follows:

Commencing at the NWcorner of said NW ¼; thence South 89° 02' 20" East along the North line of said NW ¼, a distance of 803.76 feet to the point of beginning of the land to be described; thence South 89° 02' 20" East, along said North line a distance of 458.00 feet; thence South 0° 57' 40" West, a distance of 422.00 feet; thence North 89° 02' 20" West, a distance of 458.00 feet; thence North 0° 57' 40" East,

# Commissioner's Orders

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a distance of 422.00 feet to the point of beginning.

## **Hamlin Wildlife Management Area, Tr3B, Lac qui parle County**

That part of the NE ¼ NW ¼ of S.28, T.117 N., R.44 W., Lac qui Parle County, Minnesota, described as follows:

Commencing at the north quarter corner of said S,28; thence South 89 ° 42 ' 09" West, assumed bearing along the north line of the Northwest Quarter (NW ¼) of said Section, a distance of 359.86 feet (360.75 feet recorded) to the northwest corner of an existing tract, that point being the point of beginning of the tract to the described; thence South 00 ° 17 ' 24 " West, along the westerly line of an existing tract, a distance of 779.18 feet; thence South 51 ° 53 ' 00 " West, along said westerly line, a distance of 228.66 feet; thence North 00 ° 16 ' 39 " East a distance of 919.39 feet to a point on the north line of said NW ¼; thence North 89 ° 42 ' 09 " East, along said north line, a distance of 179.39 feet to the point of beginning.

## **Florida Creek Wildlife Management Area Tr33, Lac qui parle County**

NW ¼ SW ¼ of S.33, T.117 N., R.45 W.

AND

The N ½ SW ¼ SW ¼ of S.3, T.117 N., R.45 W.

and

**WHEREAS**, The above described lands meet the criteria as being suited for wildlife management areas;

and

**WHEREAS**, the most effective means by which such lands can be managed for wildlife production and public hunting access is designation as Wildlife Management Areas;

**THEREFORE, IT IS HEREBY ORDERED**, pursuant to the provisions of *Minnesota Statutes*, section 97A.135, subdivision 1 and *Minnesota Statutes*, section 97A.145, subdivision 1, the above described lands that will be under the jurisdiction of the Minnesota Department of Natural Resources are designated as Wildlife Management Areas:

This order takes effect upon signature. A copy of this order shall be published in the *State Register*.

Date signed: 16 September 2011

Approved by: **Tom Landwehr, Commissioner**  
**Department of Natural Resources**



## 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 Announcements and Meetings

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a large audience of “interested eyes” every week. Remember to publish your notices here - it only costs \$13.60 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

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## Executive Council

### Notice of Special Executive Council Meeting (TIME CHANGE)

**NOTICE IS HEREBY GIVEN** that the executive council will conduct a special meeting on Wednesday, October 5, 2011 at ~~11:00 a.m.~~ 3:00 p.m. in Room 123, State Capitol, Saint Paul, Minnesota to consider the Department of Natural Resources’ request to approve issuance of 77 non-ferrous metallic minerals leases as authorized under *Minnesota Statutes*, sec. 93.25, subd. 2.

For additional information contact:

Winnie Sullivan, Executive Assistant  
Department of Administration  
**E-mail:** [Winnie.Sullivan@state.mn.us](mailto:Winnie.Sullivan@state.mn.us)  
Office Phone: (651) 201-2556

## Metropolitan Council

### Public Hearing on the Minneapolis Interceptor Rehabilitation Project Draft Facility Plan

#### Public Hearing for Sewer Projects in Northwest Minneapolis:

6:30 p.m., Tuesday, November 1, 2011

Webber Community Center, 4400 Dupont Ave. N., Minneapolis

#### Public Hearing for Sewer Projects in Southwest Minneapolis:

6:30 p.m., Wednesday, November 2, 2011

Pershing Park Recreation Center

3523 W. 48<sup>th</sup> St., Minneapolis

# Official Notices

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The Metropolitan Council will hold two public hearings to accept comments on its Minneapolis Interceptor Rehabilitation Project Draft Facility Plan. The Draft Facility Plan for this project, prepared by Metropolitan Council Environmental Services (MCES), outlines alternatives studied and the resulting recommendations for improving the regional sanitary sewer system serving northwest and southwest Minneapolis and upstream communities.

Construction would be scheduled for 2012-2015. It would include installing linings inside 6.2 miles of existing sanitary sewers; constructing a new 0.6-mile sanitary sewer to replace an existing sewer; and rehabilitating approximately 690 maintenance holes. The recommended improvements would fix problem areas in the regional sanitary sewer system in order to:

- Safeguard lakes, the environment and the community by protecting against overflows and blockages.
- Maintain and improve the integrity and reliability of MCES's wastewater collection system.

## **Recommended sewer lining construction areas in northwest Minneapolis are:**

- **Interceptor (sanitary sewer) pipe I-MN-311:** Starting at 52<sup>nd</sup> Ave. N. and Lyndale Ave. N., going south along Lyndale Ave. to 51<sup>st</sup> Ave. N., then west on 51<sup>st</sup> Ave. to 4<sup>th</sup> St. N., then south on 4<sup>th</sup> St. (including the gap in 4<sup>th</sup> St.), then southeast from the end of 4<sup>th</sup> St. to the intersection of 49<sup>th</sup> Ave. N. and Lyndale Ave.
- **Interceptor I-MN-312:** Starting on 52<sup>nd</sup> Ave. N. (midway between Penn Ave. N. and Oliver Ave. N.), going east along 52<sup>nd</sup> Ave. to Morgan Ave. N., then south on Morgan Ave. to 51<sup>st</sup> Ave. N., then east on 51<sup>st</sup> Ave. to James Ave. N., then south on James Ave. to 50<sup>th</sup> Ave. N., then east on 50<sup>th</sup> Ave. to Humboldt Lane N.
- **Interceptor I-MN-313:** Starting just east of the intersection of 52<sup>nd</sup> Ave. N. and Penn Ave. N., going west on 52<sup>nd</sup> Ave. to midway between Upton Ave. N. and Vincent Ave. N.
- **Interceptor I-MN-314:** Starting at the intersection of Xerxes Ave. N. and 49<sup>th</sup> Ave. N., going east on 49<sup>th</sup> Ave. to Newton Ave. N., then north on Newton Ave. to 50<sup>th</sup> Ave. N., then east on 50<sup>th</sup> Ave. and crossing under Shingle Creek to approximately 490 feet west of Humboldt Ave. N.

## **Recommended sewer lining construction areas in southwest Minneapolis are:**

- **Interceptor I-MN-330:** Starting at the intersection of Minnetonka Blvd. and France Ave. S., going east along and parallel to Minnetonka Blvd. and Lake St. W. to the intersection of Lake St. and Irving Ave. S., then north on Irving Ave. S. to the north side of The Mall.
- **Interceptor I-MN-341:**
  - **Work Area No. 1:** Starting at the intersection of France Ave. S. and 39<sup>th</sup> St. W., going east along 39<sup>th</sup> St. to Drew Ave. S., then north on Drew Ave. to 38<sup>th</sup> St. W., then east on 38<sup>th</sup> St. to Upton Ave. S., then north on Upton Ave. to West Calhoun Pkwy., then east on or roughly parallel to West Calhoun Pkwy. to William Berry Pkwy., then south on or roughly parallel to William Berry Pkwy. to East Lake Harriet Pkwy., then southeast on East Lake Harriet Pkwy. and roughly parallel to the parkway through the bird sanctuary to just northwest of Rose Way Rd.
  - **Work Area No. 2:** Lyndale Farmstead Park, between 40<sup>th</sup> St. W. and 38<sup>th</sup> St. W., and between Dupont Ave. S. and Bryant Ave. S.
  - **Work Area No. 3:** Along 36<sup>th</sup> St. W. between Colfax Ave. S. and Bryant Ave. S.
- **Interceptor I-MN-343:** Starting at the intersection of France Ave. S. and Sunnyside Rd., going northeast on Sunnyside Rd. to 44<sup>th</sup> St. W., then east on 44<sup>th</sup> St. to Drew Ave. S., then north on Drew Ave. to Chowen Ave. S.
- **Interceptor I-MN-343A:** Starting at the intersection of France Ave. S. and 44<sup>th</sup> St. W., going north on France Ave. to Glendale Ter., then east on Glendale Ter. to Drew Ave. S.

## **The recommended new sewer construction area is in southwest Minneapolis:**

- **Replacing interceptor I-MN-342:** Starting at the intersection of France Ave. S. and 42<sup>nd</sup> St. W., going north on France Ave. to 41<sup>st</sup> St. W., then east on 41<sup>st</sup> St. to Ewing Ave. S., then north on Ewing Ave. to 39<sup>th</sup> St. W., then east on 39<sup>th</sup> St. to Drew Ave. S., then north on Drew Ave. for approximately 75 feet.

Copies of the Minneapolis Interceptor Rehabilitation Project Draft Facility Plan are available at:

- Minneapolis Public Works Department, Minneapolis City Hall, Room 203, 350 S. 5th St., Minneapolis
- Linden Hills Library, 2900 W. 43rd St., Minneapolis
- Webber Park Library, 4310 Webber Pkwy., Minneapolis
- Metropolitan Council Data Center, 390 Robert St. N., St. Paul
- Metropolitan Council Website, [www.metrocouncil.org](http://www.metrocouncil.org)

All interested persons are encouraged to attend the hearing and provide comments. You also may submit comments, which must be received by the Metropolitan Council no later than November 14, 2011:

- Send written comments to: Tim O'Donnell at Metropolitan Council Environmental Services, 390 Robert St. N., St. Paul, MN 55101-1805
- Fax comments to: Tim O'Donnell at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities at the public hearing. Please submit such requests to Tim O'Donnell via mail or fax (see above) or by phone at (651) 602-1269 before October 25, 2011.

## Minnesota Pollution Control Agency (MPCA)

### Industrial Division

#### Public Notice of Intent to Reissue State Disposal System (SDS) MNG120000 - General Permit Authorization for Metal Finishing Pretreatment Discharges

**Public Comment Period Begins: September 26, 2011**

**Public Comment Period Ends: October 26, 2011**

#### Description of Permitted Activity

This permit regulates discharges from facilities subject to the federal Categorical Pretreatment Standards for the Metal Finishing Category (40 CFR pt. 433), and which discharge to Publicly Owned Treatment Works (POTW) which have not been delegated authority to administer the federal pretreatment regulations. Facilities regulated by this general permit perform at least one of the following six Metal Finishing operations: electroplating, electroless plating, anodizing, coating, chemical etching, or printed circuit board manufacturing. A facility is covered by the Metal Finishing category if it performs one of the preceding operations. In addition, for facilities that are covered, a further 40 similar metal finishing operations are also regulated. To be eligible for coverage under this general permit, the Permittee must meet specific applicability criteria and effluent limitations.

Facilities must submit an SDS permit application and meet all applicability criteria listed below prior to discharging metal finishing process wastewater to a POTW. Facilities which do not meet all of the applicability criteria listed below will be evaluated for issuance of an individual SDS permit under *Minnesota Rules* ch. 7001.

General permit authorization for metal finishing pretreatment discharges will only be issued when characterization of wastewater at the time of permit application indicate that all of the following eligibility requirements are met:

- a. The discharge consists of process wastewater subject to federal categorical pretreatment regulations for the metal finishing point source category (40 CFR pt. 433). Although the discharge from the facility need not consist entirely of wastewater subject to regulation under 40 CFR pt. 433, the monitoring point used to determine compliance with this permit shall consist entirely of wastewater subject to the federal categorical pretreatment standards for metal finishing (part 433).
- b. A Total Organic Management Plan (TOMP) is due by 45 days following permit issuance. It is recommended that a TOMP be prepared in accordance with this permit, and implemented at the facility before the Permittee is covered under this permit. A listing of TTOs is included in the appendices section of this permit.
- c. All wastewater to be covered by this permit must be discharged to a Publicly Owned Treatment Works (POTW) not delegated by the Minnesota Pollution Control Agency (MPCA) to administer National Categorical Pretreatment Standards. Discharges to a POTW with MPCA delegation to administer federal Categorical Pretreatment Standards are permitted by

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- the delegated authority and are not eligible for coverage under this permit.
- d. The facility discharge must be acceptable to the POTW receiving the discharge. If the municipal authority does not accept the discharge, the facility is not eligible for coverage under this permit.

## **Preliminary Determination on the Draft Permit**

The MPCA Commissioner has made a preliminary determination to reissue this SDS permit for a term of approximately five years.

A draft permit is available for review at the MPCA office at the St. Paul address listed below and on-line at

<http://www.pca.state.mn.us/news/data/index.cfm?PN=1> .

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Emily Schnick at (651) 757-2699 or by e-mail at [emily.schnick@state.mn.us](mailto:emily.schnick@state.mn.us).

## **Written Comments**

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

1. A statement of your interest in the permit application or the draft permit;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit 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.

## **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 permit; (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 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 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.
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.
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 MPCA Commissioner requesting that the MPCA Citizens' Board (Board) consider the permit

issuance. 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 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. You may participate in the activities of the 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 permit. 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 permit.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to:

Emily Schnick  
Industrial Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St Paul, MN 55155-4914

## Minnesota State Rehabilitation Council Applications Sought for Appointments

The Minnesota State Rehabilitation Council applications for membership from the following groups:

- Business, Industry and Labor
- Representatives of Disability Advocacy groups or advocates of individuals who are unable to represent themselves due to their disabilities
- Representatives of the educational agency responsible for the public education of students with disabilities
- Current or former applicants for, or recipients of, vocational rehabilitation services

The State Rehabilitation Council participates in assessment of the State's Vocational Rehabilitation program and advises the VR program on its performance, goals and priorities. Members are appointed by the Governor. The council meets 10 times per year, typically on the fourth Wednesday of the month. A minimum of one meeting per year will be held in Greater Minnesota. Appointments are made to ensure representation of persons with disabilities and Vocational Rehabilitation Program consumers. For more information, contact Gail Lundeen, State Rehabilitation Council, Rehabilitation Services, 332 Minnesota Street, Suite E200, St. Paul, Minnesota 55101, (651) 259-7364; (800) 328-9095, or e-mail her at: [gail.lundeen@state.mn.us](mailto:gail.lundeen@state.mn.us). TTY: (800) 657-3973; 651-296-3900. Applications can be obtained by calling the Secretary of State at 651-296-5629 or on the web at <http://www.sos.state.mn.us/home/index.asp>.

## Department of Transportation (MnDOT) 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 ("MnDOT") has ordered that the following vendors be suspended for a period of sixty (60) days, effective August 22, 2011 until October 21, 2011:

- Marlon Louis Danner and his affiliates, South St. Paul, MN



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- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN

## NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of two (2) years, effective January 4, 2010 until January 3, 2012:

- 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. d/b/a Chris Riley Utilities, Inc. and its affiliates, Morris, MN

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) 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

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

*Minnesota Statute* 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 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 days

## Solicitations for Consultants and Vendors

The state spends \$2-3 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 each 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**

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)

### Office of the Chancellor

### Request for Proposals for Identifying a Vendor Who Specializes in Information Technology Help Desk Support Services for the Minnesota State Colleges and Universities System

The Minnesota State Colleges and Universities (MnSCU) is requesting proposals to assist MnSCU in the selection of a vendor to provide Information Technology Services Help Desk Support Services for the Office of the Chancellor. MnSCU is seeking a viable vendor to provide help desk support for enterprise application/services to the Office of the Chancellor and all 32 two-year and four-year state colleges and universities with 53 campuses located in 46 Minnesota communities. 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:** ITS Help Desk Support 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](mailto:nathan.sorensen@csu.mnscu.edu)

All responses to this RFP must be received no later than 2:00 p.m. Central Standard Time on October 18, 2011.

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)

### Metropolitan State University

### Request for Proposal for Market Research, Image Building Strategy, and Message Development for Graduate Programs

Metropolitan State University, College of Management, is requesting proposals from qualified individuals or organizations for market research, image building strategy, and message development for graduate programs. A copy of the request for proposal may be obtained

# State Contracts

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by contacting Catherine Johnson at [catherine.johnson@metrostate.edu](mailto:catherine.johnson@metrostate.edu) or calling (612) 659-7253. Proposals must be submitted no later than 5:00 PM, October 17th, 2011. All proposals must be sealed and marked RFP for "Market Research, Image Building Strategy, and Message Development for Graduate Programs". Submit proposals to:

Metropolitan State University  
Attention: Cathy Johnson  
1501 Hennepin Ave  
Minneapolis, MN 55403

The university reserves the right to reject any or all proposals, to waive any information or irregularities in the bidding and to make the award serving the best interest of the college. Metropolitan State University is an affirmative action/equal opportunity employer and educator. These materials are available in alternative formats to individuals with disabilities upon request. If you use a TTY, call the Minnesota Relay Service at 1-800-627-3529 and request to contact Metropolitan State University.

## Minnesota State Colleges and Universities (MnSCU) Pine Technical College Formal Request for Bid (RFB) for the Purchase of Audio Visual Equipment

**NOTICE IS HEREBY GIVEN** that Pine Technical College, directly through an award from U.S. Department of Labor Health Care and High Growth and Emerging Industries grant (American Reinvestment and Recovery Act), is seeking bids for purchase of an audio video system needed to facilitate direct learning from the human simulation based education experienced by students of nursing programs at Pine Technical College and incumbent healthcare workforce training with partner healthcare facilities on campus. The audio video system must fully integrate with existing high fidelity patient simulators and capture video, audio, data logs, and patient monitoring for use in debriefing process

**RESPONSE DUE DATE AND TIME:** Monday, October 10, 2011 by until 4:30 p.m. Central Time

Interested parties must contact Stefanie Schroeder at (320) 629-5126 or: [schroeders@pinetech.edu](mailto:schroeders@pinetech.edu) to obtain specifications for bid. Bids submitted by parties without having obtained specifications will not be considered.

**TITLE OF PROJECT:** Pine Technical College Nursing Simulation Laboratory Audio Visual Equipment

**GEOGRAPHIC LOCATION REQUIREMENTS:** Pine Technical College, 900 Fourth Street South East Pine City, MN 55063

**RESPONSES MUST BE RECEIVED AT LOCATION LISTED BELOW:**

Stefanie Schroeder, Director of Strategic Initiatives  
Pine Technical College  
900 Fourth Street South East  
Pine City, MN 55063  
**Phone:** (320) 629-5126  
**Fax:** (320) 629-5110  
**E-mail:** [schroeders@pinetech.edu](mailto:schroeders@pinetech.edu)

**CONTACT FOR QUESTIONS:** Stefanie Schroeder, Phone: (320) 629-5126

Your response to this Request for Bid (RFB) must be returned sealed. Sealed responses must be received no later than the due date and time specified above, at which time the names of the vendors responding to this RFB will be read. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFB.

All attached General RFB Terms and Conditions, Specifications and Special Terms and Conditions are part of this RFB and will be

incorporated into any contract(s) entered into as a result of this RFB.

All responses to this RFB must be prepared as stated herein and properly signed. Address all correspondence and inquiries regarding this RFB to the Contact person named above. This is a request for responses to an RFB and is not a purchase order.

### **Minnesota Department of Human Services (DHS) Health Services and Medical Management Division Notice of Request for Proposals to Provide Clinical and Pricing Data for Drugs as Part of the Minnesota Health Care Programs Prescription Drug Program**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide clinical and pricing data for drugs as part of the Minnesota Health Care Programs Prescription Drug Program.

Work is proposed to start January 1, 2012. For more information, or to obtain a copy of the Request for Proposal, contact:

Mary Beth Reinke  
Department of Human Services  
Health Services & Medical Management Division  
P.O. Box 64984  
444 Lafayette Road North, St. Paul, MN 55155-6894  
**Phone:** (651) 431-2505  
**E-mail:** [mary.beth.reinke@state.mn.us](mailto:mary.beth.reinke@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 **2:30 p.m., Central Time, October 17, 2011. Late proposals will NOT be considered.** Faxed or e-mailed 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.

### **Office of the Revisor of Statutes Request for Bids for Printing and Binding of Official State Legal Publications**

The Minnesota Office of the Revisor of Statutes is soliciting bid proposals for printing and binding of official state legal publications, including *Laws of Minnesota*, *Minnesota Statutes*, and *Minnesota Rules*.

To obtain a copy of the complete specifications and bid package, please contact Janet Rahm at (651) 296-0952 or [janet.rahm@revisor.mn.gov](mailto:janet.rahm@revisor.mn.gov).

A meeting for prospective bidders will be held at 10 a.m. on Tuesday, October 18<sup>th</sup>, 2011, in Room 5, State Office Building, 100 Rev. Dr. Martin Luther King, Jr., Blvd., St. Paul, MN 55155.

# State Contracts

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## 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 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 e-mail 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 Kelly Arneson 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:

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

## 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.

## Other Funding

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).

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.



# Non-State Bids, Contracts & Grants

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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**
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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 **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Dakota County and the Dakota County Regional Rail Authority Request for Proposals for State Lobbying Services

The County of Dakota and the Dakota County Regional Railroad Authority seek to contract for lobbying services to be provided in the State of Minnesota, with a focus on transportation, transit, and parks and open space issues. The County of Dakota and the Dakota County Regional Railroad Authority seek to contract with one or more firms to represent their interests to the State Legislature, State agencies, and metropolitan agencies regarding the policy goals of the County of Dakota and the Dakota County Regional Railroad Authority. The County of Dakota and the Regional Railroad Authority also require consultation with respect to such representation.

The text of the RFP can be found at:

<http://www.co.dakota.mn.us/DoingBusiness/RequestsFor/CurrentBids/RFPStateLobbyingServices.htm>

Proposals and questions should be directed to Heidi Welsch, Manager, Office of Planning and Analysis, 1590 Highway 55, Hastings, MN 55033. **Phone:** (651) 438-4610; **e-mail:** [Heidi.Welsch@co.dakota.mn.us](mailto:Heidi.Welsch@co.dakota.mn.us)

The deadline for receipt of proposals is **Friday, October 7, 2011**, by 4:30 pm CST. Late proposals will **NOT** be considered.

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport NOTICE OF CALL FOR BIDS for Emergency Power Upgrades 2011

**MAC Contract No.:** 106-2-641  
**Bids Close At:** 2:00 p.m. October 18, 2011

**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 includes upgrading the existing emergency power transfer switch monitoring/control system and replacement of existing open transition transfer switches with new closed transition switches.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 5%.

**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 Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction Dodge, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition

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## Non-State Bids, Contracts & Grants

within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on September 26, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

### **Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport NOTICE OF CALL FOR BIDS for 2011 Open Architecture Building Automation (OABA) Phase 4**

<b>MAC Contract No.:</b>	<b>106-2-644</b>
<b>Bids Close At:</b>	<b>2:00 p.m. October 18, 2011</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.

Work in OABA Phase 4 will extend the MAC's existing Open Architecture Building Automation (OABA) system to replace existing Siemens building automation system control panels in the Energy Management Center, the B Concourse, the Main Terminal, GTC and Valet Parking.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 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 Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction Dodge, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable): \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return 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 for this project will be available on September 26, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

# Non-State Bids, Contracts & Grants

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## Minnehaha Creek Watershed District

### ADVERTISEMENT FOR BIDS for 2011-2012 Storm Water Pond Maintenance – Twin Lakes Park Pond, St. Louis Park, MN, Southwest Calhoun Pond 1, Minneapolis, MN, Gleason Lake Phase 2 Pond, Plymouth, MN

<b>Owner:</b>	<b>Minnehaha Creek Watershed District</b>
<b>Class of Work:</b>	<b>Excavation, Dredging</b>
<b>Project Location:</b>	<b>Hennepin County, Minnesota</b>
<b>Pre-Bid Meeting:</b>	<b>Mandatory, 1 PM, October 17, 2011</b>
<b>Bids Close at:</b>	<b>1 PM, October 24, 2011</b>

#### 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 55391 until 1:00 PM October 24, 2011, at which time such bids will be opened and read aloud. Bid submittals must be clearly labeled “MCWD 2011-2012 STORM WATER POND MAINTENANCE BID” 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:

- Pond Dewatering
- 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: Mike Panzer, Project Engineer, 1800 Pioneer Creek Center, Maple Plain MN 55359, [mike.panzer@wenck.com](mailto:mike.panzer@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 October 17, 2011.

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.

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: 20 September 2011

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# Non-State Bids, Contracts & Grants

## ServeMinnesota

### Minnesota Commission on National and Community Service Request for Proposal Announcement for 2012-2013 AmeriCorps\*State Grants

Through this RFP, organizations can apply to receive an AmeriCorps Operational Grant or an AmeriCorps Planning Grant.

#### **AmeriCorps Planning Grants**

The purpose of planning grants is to support the development of AmeriCorps programs that will engage AmeriCorps members in evidence-based interventions to solve community problems. Planning grant recipients are expected to be better prepared to compete for an AmeriCorps program grant in the following grant cycle. Planning grants may not be used to support AmeriCorps members.

#### **AmeriCorps Operational Grants**

AmeriCorps grants are awarded to eligible organizations engaged in evidence-based interventions that utilize AmeriCorps members to strengthen communities. An AmeriCorps member is an individual who is enrolled in an approved national service position and engages in community service. Members may receive a living allowance and other benefits while serving. Upon successful completion of their service members receive a Segal AmeriCorps Education Award from the National Service Trust.

Applicants wishing to apply for either grant should follow the submission procedures outlined in the Application Instructions which can be found on ServeMinnesota's website at [www.serveminnesota.org/grants](http://www.serveminnesota.org/grants)

#### **Application Deadline for Operational Grant:**

A concept paper is due by 5:00 pm on October 7, 2011. A full application is due on December 2, 2011 for applicants invited to submit based on a review of the concept paper. Funding decisions for Operational Grants will be announced May 31, 2012

#### **Application Deadline for Planning Grant:**

A letter of intent is due by 5:00 pm on October 7, 2011. The full application is due December 2, 2011. Funding decisions for Planning Grants will be announced April, 2012

For more information, contact Janet Johnson, VP of Operations, at (612) 333-7741 or: [janet@serveminnesota.org](mailto:janet@serveminnesota.org)

For information about AmeriCorps and national service, visit ServeMinnesota ([www.serveminnesota.org](http://www.serveminnesota.org)) and the Corporation for National and Community Service ([www.nationalservice.org](http://www.nationalservice.org)).

ServeMinnesota  
431 South 7th Street, Suite 2540  
Minneapolis, Minnesota 55415  
**Phone:** (612) 333-7740



**UNITED STATES  
POSTAL SERVICE®**

**Statement of Ownership, Management, and Circulation  
(All Periodicals Publications Except Requester Publications)**

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Plant Management Division, 660 Olive St., St. Paul, MN 55155

Managing Editor (Name and complete mailing address)

Same as Editor

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name	Complete Mailing Address
State of Minnesota	660 Olive St.
Department of Administration	St. Paul, MN 55155
Plant Management Division	

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box  None

Full Name	Complete Mailing Address

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)  
The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes:  
 Has Not Changed During Preceding 12 Months  
 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

13. Publication Title		14. Issue Date for Circulation Data Below	
<b>STATE REGISTER</b>		9-26-11	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)			
b. Paid Circulation (By Mail and Outside the Mail)	(1)	Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	
	(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	75
	(3)	Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	
	(4)	Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail®)	
c. Total Paid Distribution (Sum of 15b (1), (2), (3), and (4))		75	75
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)	(1)	Free or Nominal Rate Outside-County Copies included on PS Form 3541	
	(2)	Free or Nominal Rate In-County Copies Included on PS Form 3541	
	(3)	Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)	
	(4)	Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3) and (4))		1,700	1,700
f. Total Distribution (Sum of 15c and 15e)		1,775	1,775
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))		20	20
h. Total (Sum of 15f and g)		1,795	1,795
i. Percent Paid (15c divided by 15f times 100)			

16. Publication of Statement of Ownership

If the publication is a general publication, publication of this statement is required. Will be printed in the Sept 26, 2011 issue of this publication.

Publication not required.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner



Date

9-20-2011

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).





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