

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**
Published every Monday (Tuesday when Monday is a holiday)

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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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 37 Issue Number	PUBLISH DATE (BOLDFACE 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
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# 15	Monday 8 October	Noon Tuesday 2 October	Noon Wednesday 26 September
# 16	Monday 15 October	Noon Tuesday 9 October	Noon Wednesday 3 October
# 17	Monday 22 October	Noon Tuesday 16 October	Noon Wednesday 10 October

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Governor: Mark Dayton (651) 296-3391	Administration Commissioner: Spencer R. Cronk (651) 201-2555	Editor: Robin PanLener (651) 297-7963, robin.panlener@state.mn.us
Lieutenant Governor: Yvonne Prettner Solon (651) 296-3391	Plant Management Division: Christopher A. Guevin (651) 201-2350	Assistant editor: John Mikes (651) 297-4616, john.mikes@state.mn.us
Attorney General: Lori Swanson (651)296-6196	Minnesota's Bookstore: Mary Mikes (651) 297-3979	Subscriptions Manager: Loretta J. Diaz (651) 297-8777, loretta.diaz@state.mn.us
Auditor: Rebecca Otto (651) 296-2551		
Secretary of State: Mark Ritchie (651) 296-2803		

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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. TTY relay service phone number: (800) 627-3529.

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Proposed Rules

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

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

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules or Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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

Minnesota Department of Natural Resources (DNR)

Division of Fish and Wildlife

Proposed Permanent Game and Fish Rules: Aquatic Regulation

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

Proposed Amendments to Rules Relating to Aquatic Regulation *Minnesota Rules*, parts 6260.1800, 6262.0200, 6262.0300, 6262.0500, 6266.020, 6266.0400, and 6266.0500

Proposed Repeal of Rules Relating to Aquatic Regulation *Minnesota Rules*, part 6262.0600, subpart 2

Introduction. The Department of Natural Resources intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Thursday, November 15, 2012, the Department will hold a public hearing starting at 6:30 p.m. on Tuesday, November 27, 2012, at the following locations:

In person: 6th Floor Main Conference Room, DNR Central Office, 500 Lafayette Road, Saint Paul, Minnesota 55155-4010; and

Video-conference sites:

DNR Brainerd Area Office, 1601 Minnesota Drive, Brainerd, Minnesota 56401

DNR Southern Regional Office, 261 Highway 15 South, New Ulm, MN 56073

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person or check online at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html> after November 15, 2012, and before November 27, 2012.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Linda Erickson-Eastwood at Fisheries Section, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4020, **phone:** (651) 259-5206, **e-mail:** linda.erickson-eastwood@state.mn.us. **TTY** users may call the Department of Natural Resources at (651) 296-5484 or 1-800-657-3929.

Proposed Rules

Subject of Rules and Statutory Authority. The proposed amendments to existing rules cover a variety of areas pertaining to aquatic wildlife rules, including commercial and recreational fishing in Lake Superior and its tributaries, recreational fishing in other waters of Minnesota, making boundary waters rules consistent with the bordering state, eliminating obsolete rules, and making rules consistent with legislative changes. The statutory authorities to adopt the rules are the following *Minnesota Statutes*:

Rule Part	Statute sections
6260.1800	97C.041, 97C.345, 97A.418, 97C.811, 97C.821, 97C.835, and 97C.836
6262.0200	97C.025, 97C.041, 97C.045, 97C.325, 97C.371, 97C.375, 97C.395, 97C.401, and 97C.415
6262.0300	97C.315, 97C.395, 97C.401, and 97C.811
6262.0500	97A.101, 97C.001, 97C.005, 97C.395, 97C.401, 97C.801
6262.0600	14.388, 97A.045
6266.0200	97C.401
6266.0300	97C.045, 97C.401
6266.0400	97C.045, 97C.395, 97C.401
6266.0500	97A.401, 97C.001, 97C.005, 97C.045, 97C.395

A copy of the proposed rules is published in the *State Register*, posted on the DNR website at <http://www.dnr.state.mn.us/input/rules/rulemaking.html>,

and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Thursday, November 15, 2012, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Thursday, November 15, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Cancellation of Hearing. The Department will cancel the hearing scheduled for November 27, 2012, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at 651-259-5073 after Thursday, November 15, 2012, or check the DNR website at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html> to find out whether the hearing will be held.

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Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Eric L. Lipman is assigned to conduct the hearing. Judge Lipman can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 3617842, and **fax:** (651) 361-7936.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed 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 that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the 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 will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

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.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. 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 or checking the DNR website <http://www.dnr.state.mn.us/input/rules/rulemaking.html>,

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Department will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

September 6, 2012

Tom Landwehr, Commissioner
Department of Natural Resources

6260.1800 COMMERCIAL FISHING ON LAKE SUPERIOR.

Subpart 1. **Species, seasons, and limits.** The species of fish in this subpart may be taken in Lake Superior by licensed commercial operators according to this subpart.

A. Chubs, alewives, ~~lake whitefish and round whitefish~~, smelt, and rough fish may be taken at any time. Ciscoes may be taken from December 1 through October 31, except that ciscoes may be taken from November 1 through November 30 under a special permit approved by the commissioner.

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B. Lake whitefish and round whitefish may be taken in gill, pound, or trap nets at any time but no whitefish less than 20 inches total length may be possessed, bought, or sold. Whitefish less than 20 inches in length must be returned to the water immediately under a special permit approved by the commissioner. Incidental catch of lake and round whitefish in other commercial fishing operations may be possessed but must be reported on forms provided by the commissioner.

C. Lake trout and siscowet may not be taken by commercial fishing except by special permit. Lake trout and siscowet legally taken under permit must be sealed with a tag, provided by the commissioner, affixed through the mouth and out the gill. The tag must be affixed immediately upon removal from the water and before the boat is brought to shore. No untagged lake trout may be possessed, bought, or sold by licensed commercial operators. Lake trout or incidentally taken to commercial operations and dead when removed from the water may be possessed only if sealed with a tag, provided by the commissioner, affixed through the mouth and out the gill. Untagged incidentally taken lake trout and siscowet may not be possessed, bought, or sold by licensed commercial operators. All incidentally taken live lake trout and all untagged dead lake trout must be returned to the water immediately.

Subp. 2. **Use of gill nets.** While used on Lake Superior, a tag which is not smaller than 2-1/2 inches by five-eighths inch permanently bearing the owner's name and address must be attached to one end of the gill net float line near the first float.

While used on Lake Superior, herring cisco nets are considered gill nets which are weighted to fish in a floating or suspended position off the bottom, and cisco or chub nets are gill nets which are weighted to fish on the bottom.

Subp. 3. **Use of pound or trap nets.** Hoops and center leads of pound or trap nets used on Lake Superior may be of any length and diameter. A trap net may not exceed six feet in height and a hoop may not exceed six feet in diameter. The webbing for pound or trap nets, including leads, may not exceed 2-1/2 inch stretch measure, or be of twine size less than 9 gauge or 70 pound strength. Pound or trap nets may not be set within one-quarter mile of the mouth of any stream unless approved by the commissioner. Pound or trap nets may not be set in harbors from May 25 through March 31, except for St. Louis Bay downstream (east) of the U.S. Highway 53 bridge, unless approved by the commissioner. Commercial operators must notify the Lake Superior Fisheries Office within 48 hours if they are unable to lift and empty pound or trap nets at least once every 48 hours. All net stakes, lines, and anchors must be removed from the lake bed within ten days of removing pound and trap nets. Commercial operators must notify the Lake Superior Fisheries Office prior to setting pound or trap nets and at the beginning of each week that pound or trap nets are used. The commissioner may deny the use of pound or trap nets during periods when such use would conflict with fisheries management activities. Pound or trap nets must be marked with a tag which is at least 2-1/2 inches by five-eighths inch permanently bearing the owner's name and address and attached to the top rope of the back side of the pound or crib. Trap nets set with anchors must have attached to the end farthest from shore one fluorescent orange or fluorescent red marker buoy constructed so that a minimum of 18 inches of buoy surface is visible above water in the absence of current or under the weight of nets and line. The number of the owner's Lake Superior commercial fishing license must be plainly marked, in black, on the marker buoy. The marker buoy must be marked with a fluorescent orange or fluorescent red flag, at least one foot square, attached to the top of a flag staff flagstaff at least five feet long, and the buoy constructed so that the flag staff flagstaff is supported in a vertical position. Each flagstaff must display one linear foot of reflective surface material immediately below the flag. All buoys and floats used in pound or trap net sets must be constructed of styrofoam, plastic, rubber, or other materials nonhazardous to navigation.

Subp. 4. **Required net markings.** Gill nets, when set in Lake Superior, must be attached at each end to fluorescent orange or fluorescent red marker buoys constructed such that a minimum of 18 inches of buoy surface is visible above water in the absence of current or under the weight of nets and lines. The number of the owner's Lake Superior commercial fishing license must be plainly marked, in black, on each end marker buoy. Each end marker buoy must be marked with a fluorescent orange or fluorescent red flag, at least one foot square, attached to the top of a flag staff flagstaff at least five feet long, and the buoy must be constructed so that the flag staff flagstaff is supported in a vertical position. Each flagstaff must display one linear foot of reflective surface material immediately below the flag. In addition, the marker buoy attached to the shoreward (or westerly) end of each set must have a one foot square white flag positioned immediately below the fluorescent orange or fluorescent red flag. No other buoys, staffs or flags employed in gill net sets may be marked with fluorescent orange or fluorescent red flags. Float or trip buoys used to support suspended nets for fishing cisco must be of vinyl or PVC material measuring a minimum of 15 inches in diameter of fluorescent red or orange color. All buoys and floats used in gill net sets must be constructed of styrofoam, plastic, rubber, or other materials nonhazardous to navigation.

Subp. 5. **Net limits for individual operators.**

A. No more than 100,000 feet of herring cisco net may be licensed in Minnesota waters of Lake Superior and no more than 2,000 feet of herring cisco net may be allocated to an individual licensee, except as provided by Minnesota Statutes, section 97C.835.

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B. No more than ~~120,000~~ 100,000 feet of cisco or chub net may be licensed in Minnesota waters of Lake Superior and no more than ~~12,000~~ 10,000 feet of cisco or chub net may be allocated to an individual licensee, except as provided by Minnesota Statutes, section 97C.835.

C. No more than five pound nets shall be licensed in Minnesota waters for taking smelt. Taking smelt by commercial gear is allowed only in Minnesota's Lake Superior management zone 1, referenced as "MN1" on the map posted on the Department of Natural Resources' Web site.

Subp. 6. **Net locations.** Gill nets may not be set within one-quarter mile of the shore in the area extending from the Superior entrance to Pigeon River, except under permit issued by the commissioner. From June 1 through Labor Day, gill nets not under permit must be at least one-half mile from the entrance of marinas or public accesses. Gill nets set on the bottom may not be in water shallower than 50 fathoms if closer than one mile from the Minnesota shore and 40 fathoms if farther than one mile from the Minnesota shore except under permit.

Subp. 7. **Required reporting.** Commercial fishing operators must submit a record of their commercial fishing operations for each month of the calendar year on forms provided by the commissioner. These reports must be submitted to the address identified on the form so that they are received within ten days after the end of the month for which the report is made. Reports must be made regardless of whether fish are taken and regardless of whether any fishing operations have taken place. Separate records must be kept for each pound or trap net used in Lake Superior and St. Louis Bay. Reports for pound or trap nets must include the number of game fish kept and released, and must be submitted to the Lake Superior Office by the tenth day of each month for the preceding month, whether or not pound or trap nets were fished. Special permits may require more detailed reporting as described in subpart 8 or as a condition of the permit.

Subp. 8. Permits for taking lake trout, siscowet, cisco, lake whitefish, and round whitefish.

A. Only individuals currently licensed as commercial operators on Lake Superior may apply for permits to take lake trout, siscowet, cisco, lake whitefish, and round whitefish. Applicants must apply in writing on forms provided by the commissioner. Applications must be completed in full and returned by April 15 of each year for lake trout and by October 15 of each year for cisco to the address specified on the application. Applications for lake whitefish, round whitefish, and siscowet may be submitted at any time.

B. The permittee must be present on the vessel when setting, lifting, and processing fish. The permittee must provide, on forms provided by the commissioner:

(1) monthly records of harvest for lake trout;

(2) weekly records of harvest for cisco;

(3) records for lake whitefish, round whitefish, and siscowet as specified in the permit; and

(4) other records or information as specified in the permits. Harvest reports from the previous year must be received before any new permits are issued the next year. Noncompliance of reporting may result in revocation or denial of permits.

C. The number of permits within an area (zone and grid) and harvest are limited as follows:

(1) for lake trout:

(a) no more than ten permits per zone per season shall be issued with no more than two permits allowed per statistical grid as identified in a grid map. The commissioner shall conduct a lottery if more than ten applications are received for a specific zone or more than two applications are received for a specific grid;

(b) no more than two gill net gangs shall be authorized per permit and the gill net gangs must be set only during the time period identified on the permit;

(c) no more than 1,000 lake trout may be taken under an individual permit; and

(d) no more than 1,000 lake trout may be taken in a grid; and

(2) for cisco:

(a) by October 15 of each year, the commissioner shall review cisco population and harvest data and establish a cisco harvest

allocation for each zone and for each permit; and

(b) no more than three permits per statistical grid shall be authorized.

D. The commissioner may specify conditions for permits to protect the species, including:

(1) when authorized activities may be conducted, including days of the week or other time restrictions;

(2) where net sets may be located;

(3) how authorized activities are conducted, including harvest methods;

(4) monthly or annual limits on the number or pounds of fish species that may be removed in the permitted zones and grids; and

(5) the number and length of gill nets.

E. The commissioner shall consider the following criteria when making a decision on specifying conditions for a permit:

(1) whether the applicant is qualified to conduct the activities authorized by the permit;

(2) whether the activity will advance knowledge, understanding, interpretation, or management of a fish species, fish community, or water body;

(3) impacts to spawning fish, spawning areas, critical habitat, or fish communities;

(4) whether the activity is detrimental or helps achieve management objectives for the specific water body;

(5) whether water temperature, water quality conditions, or pathogens would lead to undue mortality or spread of diseases or invasives; and

(6) whether the activities during high-use periods are anticipated to cause user conflicts.

6262.0200 FISHING REGULATIONS FOR INLAND WATERS.

Subpart 1. **General inland fishing regulations.** Fish may be taken in inland waters by angling during the time specified for each of the following species, however, certain waters of the state are subject to experimental regulations, special regulations, or are closed for the taking and possession of fish. When the closing date of a season falls on a Saturday, the season will extend through the following Sunday.

Species and Open Season

Daily and Possession Limits

A. Largemouth and smallmouth bass.

6 in aggregate.

(1) In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and Pelican and Ash Lakes, St. Louis County.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

From the second Monday in September to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

(2) In all other waters.

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Saturday of Memorial Day weekend to the last Sunday in February.

From the second Monday in September to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

B. Brown trout.

~~(1) All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable, and Lake Superior tributaries with no posted boundaries.~~

5 in aggregate with rainbow and brook trout and splake, except the aggregate limit on Carlton County streams is 10 with no more than 5 brown trout. Not more than 1 may be over 16 inches in length and minimum size limit is 10 inches in length.

~~Open continuously.~~

~~Only a single hook may be used for angling, except in the Pigeon River, Cook County, and the St. Louis River, St. Louis and Carlton Counties.~~

~~(2) In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries, except the St. Louis River and its tributaries upstream of the Fond du Lac Dam.~~

10 in aggregate with rainbow and brook trout and splake. No more than 1 may be over 16 inches in length. No more than 5 may be brown trout.

~~Saturday nearest April 15 to September 30.~~

~~(3)(1) In all streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue Counties. April 1 to September 30.~~

5 in aggregate with rainbow and brook trout and splake. No more than 1 may be over 16 inches in length. No harvest of trout is allowed from April 1 up to but not including the Saturday nearest April 15 and from September 15 to September 30. During these time periods, all trout must be immediately returned to the water and all hooks must be barbless.

~~(4)(2) In all other streams, except those in part 6262.0300, subpart 6, item C, for St. Louis, Lake, Carlton, and Cook Counties. Saturday nearest April 15 to September 30.~~

5 in aggregate with rainbow and brook trout and splake. No more than 1 may be over 16 inches in length.

~~(5)(3) In lakes only:~~

5 in aggregate with rainbow and brook trout and splake. No more than 3 may be over 16 inches in length.

Statewide.

Saturday two weeks prior to Saturday of Memorial Day weekend to October 31.

All lakes entirely within the Boundary Waters Canoe Area Wilderness ~~except Ram Lake.~~

~~Saturday nearest January 1, except when January 1 falls on a Sunday, Monday, or Tuesday, then opening day is the preceding Saturday (Saturday nearest January 1), to March 31.~~

All lakes entirely or partly outside the Boundary Waters Canoe Area Wilderness ~~and exceptions.~~

~~Saturday nearest January 15 to March 31.~~

~~Lakes lying partly outside the Boundary Waters Canoe Area Wilderness and exceptions include Ram, Meditation, and Lizz Lakes.~~

Lakes in Becker, Beltrami, Cass, Crow Wing, and Hubbard Counties, except Blue Lake in Hubbard County. Closed for the winter season.

C. Brook trout and splake.

~~(1) All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable, and Lake Superior tributaries with no posted boundaries, except for Lake Superior tributaries in Carlton County.~~

5 in aggregate with brown and rainbow trout. The aggregate limit for brook trout and splake is 1 and the minimum size limit is 20 inches in length.

~~Saturday nearest April 15 to Labor Day.~~

~~Only a single hook may be used for angling, except in the Pigeon River, Cook County, and the St. Louis River; St. Louis and Carlton Counties.~~

~~(2) In all streams of the Lake Superior watershed in St. Louis, Lake, and Cook Counties above the posted boundaries and their tributaries; and the entire length of Carlton County streams, except the St. Louis River and its tributaries upstream of the Fond du Lac Dam.~~

10 in aggregate with brown and rainbow trout. No more than 1 may be over 16 inches in length.

~~Saturday nearest April 15 to September 30.~~

~~(3)(1) In all streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue Counties. April 1 to September 30.~~

5 in aggregate with rainbow and brown trout and splake. No more than 1 may be over 16 inches in length. No harvest of trout is allowed from April 1 up to but not including the Saturday nearest April 15 and from September 15 to September 30. During these time periods, all trout must be immediately returned to the water and all hooks must be barbless.

~~(4)(2) In all other streams, except those in part 6262.0300, subpart 6, item B, for St. Louis, Lake, Carlton, and Cook Counties.~~

5 in aggregate with brown and rainbow trout. No more than 1 may be over 16 inches in length.

~~Saturday nearest April 15 to September 30.~~

~~(5)(3) In lakes only:~~

5 in aggregate with brown and rainbow trout. No more than 3 may be over 16 inches in length.

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Statewide.

Saturday two weeks prior to Saturday of Memorial Day weekend to October 31.

All lakes entirely within the Boundary Waters Canoe Area Wilderness ~~except Ram Lake.~~

~~Saturday nearest January 1, except when January 1 falls on a Sunday, Monday, or Tuesday, then opening day is the preceding Saturday (Saturday nearest January 1), to March 31.~~

All lakes entirely or partly outside the Boundary Waters Canoe Area Wilderness ~~and exceptions.~~

~~Saturday nearest January 15 to March 15 31.~~

~~Lakes lying partly outside the Boundary Waters Canoe Area Wilderness and exceptions include Ram, Meditation, and Lizz Lakes.~~

Lakes in Becker, Beltrami, Cass, Crow Wing, and Hubbard Counties, except Blue Lake in Hubbard County.

Closed for the winter season.

D. Rainbow trout, including steelhead.

~~(1) All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable, and Lake Superior tributaries with no posted boundaries.~~

~~Open continuously.~~

~~Only a single hook may be used for angling, except in the Pigeon River, Cook County, and the St. Louis River, St. Louis and Carlton Counties.~~

~~(2) In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries. Saturday nearest April 15 to September 30.~~

~~(3) (1) In all streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue Counties. April 1 to September 30.~~

~~(4) (2) In all other streams, except those in part 6262.0300, subpart 6, item A, for St. Louis, Lake, Carlton, and Cook Counties.~~

~~Saturday nearest April 15 to September 30.~~

3-clipped rainbow trout. The minimum size limit for clipped rainbow trout is 16 inches in length. Clipped rainbow trout have their adipose fin removed and must show a healed scar. No harvest of unclipped rainbow trout is allowed. All unclipped rainbow trout must be returned to the water immediately and it is unlawful for anyone to have in possession, regardless of where taken, any

unclipped rainbow trout while on or fishing in the listed waters: have in possession, regardless of where taken, any rainbow trout

No harvest of rainbow trout is allowed. All rainbow trout must be returned to the water immediately and it is unlawful for anyone to while on or fishing in the listed waters:

5 in aggregate with brown and brook trout and splake. No more than 1 may be over 16 inches in length. No harvest of trout is allowed from April 1 up to but not including the Saturday nearest April 15 and from September 15 to September 30. During these time periods, all trout must be immediately returned to the water and all hooks must be barbless.

5 in aggregate with brook and brown trout and splake. No more than 1 may be over 16 inches in length.

~~(5)~~(3) In lakes only:

5 in aggregate with brook and brown trout and splake. No more than 3 may be over 16 inches in length.

Statewide.

Saturday two weeks prior to Saturday of Memorial Day weekend to October 31.

All lakes entirely within the Boundary Waters Canoe Area Wilderness ~~except Ram Lake~~.

Saturday nearest January 1, except when January 1 falls on a Sunday, Monday, or Tuesday, then opening day is the preceding Saturday (Saturday nearest January 1), to March 31.

All lakes entirely or partly outside the Boundary Waters Canoe Area Wilderness ~~and exceptions~~.

Saturday nearest January 15 to March ~~15~~ 31.

~~Lakes lying partly outside the Boundary Waters Canoe Area Wilderness and exceptions include Ram, Meditation, and Lizz Lakes.~~

Lakes in Becker, Beltrami, Cass, Crow Wing, and Hubbard Counties, except Blue Lake in Hubbard County.

Closed for the winter season.

E. Lake trout.

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Statewide.

Saturday two weeks prior to Saturday of Memorial Day weekend to September 30.

All lakes entirely within the Boundary Waters Canoe Area Wilderness ~~except Saganaga and Ram Lakes~~.

Saturday nearest January 1, except when January 1 falls on a Sunday, Monday, or Tuesday, then opening day is the preceding Saturday (Saturday nearest January 1), to March 31.

All lakes lying entirely or partly outside the Boundary Waters Canoe Area Wilderness ~~and exceptions~~.

Saturday nearest January 15 to March ~~15~~ 31.

~~Lakes partly outside the Boundary Waters Canoe Area Wilderness and exceptions include Snowbank, Magnetic, Ram, Seagull, Clearwater, East Bearskin, and Saganaga.~~

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All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable and Lake Superior tributaries with no posted boundaries.

December 1 through the first full weekend in October.

F. Chinook, coho, Atlantic, and pink salmon: 5 in aggregate. All must be at least 10 inches in length. No more than 1 may be an Atlantic salmon.

Continuous.

G.F. Walleye and sauger. 6 in aggregate.
Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

H.G. Northern pike. 3
Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

The limit also applies to the taking by dark house spearing.

H.H. Muskellunge (including muskellunge-northern pike hybrid).
The first Saturday in June to December 1.

(1) In all inland waters not listed in subitem (2). 1 in aggregate. The minimum size limit is 48 inches in length.

(2) In the following lakes in Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties: 1 in aggregate. The minimum size limit is 40 inches in length.

Lake:

Bryant
Bush
Calhoun
Cedar
Cedar
Clear
Crystal
Crystal
Eagle
Elmo
Gervais
Island
Isles
Johanna
Nokomis
Orchard
Phalen
Pierson
Silver
Wasserman
Weaver

County:

Hennepin
Hennepin
Hennepin
Hennepin
Scott
Washington
Dakota
Hennepin
Carver
Washington
Ramsey
Ramsey
Hennepin
Ramsey
Hennepin
Dakota
Ramsey
Carver
Ramsey
Carver
Hennepin

Proposed Rules

J. I. Rock bass. Continuous.	30
K. J. White (striped) bass. Continuous.	30
L. K. Crappies. Continuous.	10
M. L. Sunfish. Continuous.	20
N. M. Flathead and channel catfish. Continuous.	5 in aggregate. No more than 1 may be over 24 inches and no more than 2 may be flathead catfish.
O. N. Perch. Continuous.	100 to November 30, 2000. 20 daily, 50 in possession, December 1, 2000, to November 30, 2001. 20 daily, 40 in possession, December 1, 2001, and thereafter.
P. O. Bullheads. Continuous.	100
Q. P. Sturgeon. Closed.	0
R. Q. Carp, bowfin, redhorse, sheepshead, suckers, burbot, gar, whitefish, goldeyes, tullibees, buffalo, smelt. Continuous.	No limits.

[For text of subp 2, see M.R.]

6262.0300 FISHING REGULATIONS FOR LAKE SUPERIOR AND TRIBUTARIES.

[For text of subps 1 to 4, see M.R.]

Subp. 5. **Prohibition on taking fish for bait purposes.** The Taking of fish for bait purposes from all Minnesota waters of Lake Superior and all waters of the St. Louis River downstream of the Fond du Lac Dam in St. Louis and Carlton Counties, including any and all outflows, estuaries, streams, creeks, or waters adjacent to or flowing into these waters, is prohibited.

Subp. 6. **Lake Superior and tributaries open season, daily and possession limits.** Angling season and daily and possession limits for Lake Superior are as follows:

Species	Open Season	Daily and Possession Limits
A. Rainbow trout, including steelhead <u>All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries. Only a single hook may be used for angling, except in the Pigeon River (Cook County), and the St. Louis River (St. Louis and Carlton Counties).</u>	Continuous	5 in aggregate with brown and brook trout and splake. No more than 3 may be clipped rainbow trout, including steelhead. The minimum size limit for clipped rainbow trout is 16 inches in length. Clipped rainbow trout have their adipose fin removed and must show a healed scar. No harvest of unclipped rainbow trout is allowed. All unclipped rainbow trout must be returned to the water possession, regardless of where taken, any unclipped immediately and it is unlawful for anyone to have in rainbow trout while on or fishing in Lake Superior.

Proposed Rules

<p><u>In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries.</u></p>	<p>Saturday nearest April 15 to September 30</p>	<p><u>No harvest of rainbow trout is allowed. All rainbow trout must be returned to the water immediately. It is unlawful for anyone to have in possession, regardless of where taken, any rainbow trout while on or fishing in the listed waters.</u></p>
<p>B. Brook trout and splake <u>All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries.</u></p>	<p>Saturday nearest April 15 through Labor Day</p>	<p>5 in aggregate with brown and rainbow trout. The aggregate limit for brook trout and splake is 1 and the minimum size limit is 20 inches in length.</p>
<p><u>Only a single hook may be used for angling, except in the Pigeon River (Cook County), and the St. Louis River (St. Louis and Carlton Counties).</u></p>		
<p><u>In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries.</u></p>	<p>Saturday nearest April 15 to September 30</p>	<p><u>5 in aggregate with brown trout. No more than 1 may be over 16 inches in length.</u></p>
<p>C. Brown trout <u>All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries. Only a single hook may be used for angling, except in the Pigeon River (Cook County), and the St. Louis River (St. Louis and Carlton Counties).</u></p>	<p>Continuous</p>	<p>5 in aggregate with rainbow and brook trout and splake. Not <u>No</u> more than 1 may be over 16 inches and the minimum size limit is 10 inches in length.</p>
<p><u>In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries.</u></p>	<p>Saturday nearest April 15 to September 30</p>	<p><u>5 in aggregate with brook trout and splake. No more than 1 may be over 16 inches in length.</u></p>
<p>D. Lake trout <u>All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries.</u></p>	<p>December 1 through the first full weekend in October</p>	<p>3</p>
<p>E. <u>Chinook, coho, Atlantic, and pink salmon</u></p>	<p>Continuous</p>	<p>5 in aggregate. All must be at least 10 inches in length. Only 1 may be an Atlantic salmon.</p>
<p>F. Smelt</p>	<p>Continuous</p>	<p>Smelt may be possessed without limit and may be bought or sold at any time.</p>

Proposed Rules

G. Walleye

All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries.

Saturday two weeks prior to Saturday of Memorial Day weekend through March 1

2. All must be at least 15 inches in length.

H. Northern pike

All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries.

Saturday two weeks prior to Saturday of Memorial Day weekend through March 1

2

All other species may be taken as allowed by inland regulations. When the closing date of the season falls on a Saturday, the season extends to the following Sunday.

Subp. 7. **Single hook restrictions.** Only a single hook per rod may be used for angling below the barrier in tributaries to Lake Superior, except in the Pigeon River (Cook County), and the St. Louis River (St. Louis and Carlton Counties). “Single hook” does not include a treble or double hook, stinger hook, or lure with multiple single hooks or more than one hook on any type of drop line or at the end of the line.

6262.0500 WATERS CLOSED TO TAKING FISH.

Subpart 1. **Waters permanently closed to taking fish.** The following waters or designated portions are closed to the taking of all fish at all times, except by permit according to part 6260.0300, subpart 1, and Minnesota Statutes, section 97C.041:

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

Q. St. Louis County:

(1) French River, between Lake Superior and the new Highway 61, S.17, T.52, R.12.

(2) Knife River, S.25, T.52, R.12, from the top of the second falls 100 feet downstream.

(3) Lester River, immediately downstream of the Superior Street bridge to the bottom of the first falls. The pool downstream of the first falls remains open. S.8, T.50, R.13.

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

Subp. 2. **Waters seasonally closed to taking fish.** The following waters in the portions designated are closed to the taking of all fish during the periods specified:

[For text of item A, see M.R.]

B. St. Louis and Carlton Counties:

[For text of subitem (1), see M.R.]

(2) Lake Superior from the mainland to a line that runs from the mouth of Chester Creek, S.23, T.50N, R.14W, to the outermost portion of the north/west arm of the Duluth ship canal, S.27, T.50N, R.14W. The dates of closure are from the day after the first full weekend in October † to November 30. When November 30 falls on a Saturday, the closure extends to the following Sunday. Fishing is allowed only from shore in this area during the dates of closure.

[For text of item C, see M.R.]

~~D. St. Louis County:~~

~~(1) Little Knife River, S.17,21-23,26-28,35,36, T.52, R.12, from the weir upstream to the source. The dates of the closure are September 1 through May 31; and~~

Proposed Rules

(2) Knife River, S.25, T.52N, R.12W, between the cables. The dates of closure are September 1 to May 31.

E. Lake County: Knife River and tributaries, S.4,5, T.52, R.11, upstream of Lake County Road 9 are closed from October 1 through May 14.

F.D. Cass County: the Gull River from the United States Army Corps of Engineers dam (Government Lot 1, S.20, T.134N, R.29W) downstream 250 feet. The closure is from the Saturday two weeks prior to the Saturday of Memorial Day weekend to the Friday before Memorial Day.

G.E. Goodhue County:

(1) Mississippi River, within 300 feet below Lock and Dam 3 at Red Wing, S.10, T.113, R.15. The closure is from March 1 to April 30; and

(2) Cannon River and Hay Creek floodplain, S.10,11,13,14,15,23,24,25,26, T.113, R.15, and S.19, T.113, R.14, includes floodplain lakes and streams in the area bounded on the northwest by the Vermillion River, on the south and southwest by Canadian Pacific Railroad track, and on the north and east by the Mississippi River. The dates of closure are April 1 through May 15.

H.F. Wabasha County: Mississippi River, within 300 feet below Lock and Dam 4 at Alma, Wisconsin, S.17,20, T.110, R.9. The closure is from March 1 to April 30.

Subp. 2a. **Waters closed to possession of fish.** The following waters have restrictions on the possession of fish:

A. Mink Lake in Wright County: S.23-25, T.121, R.27, and Somers Lake in Wright County, S.24-25, T.121, R.27, are closed to the possession of all fish through February 28, 1998, except that the daily and possession limit for sunfish is five. Possession and use of minnows as bait, except processed minnows in a dried, frozen, or pickled condition, is prohibited.

B. The Otter Tail River from the Wilkin County Road 19 crossing in S.26, T.132, R.45 to the Friberg Dam in S.31, T.134, R.42, including the Orwell, Dayton Hollow, Pisgah, Central, and Diversion impoundments, S.25,26,35,36, T.132, R.45, in Wilkin County and S. Various, T.132-134, R.42-44, in Otter Tail County, is closed to the possession of smallmouth bass until March 1, 2008.

€B. Annie Battle inlet and outlets in Otter Tail County: The inlet stream (T.133N, R.40W, S.24) beginning at the northeast exit point of Molly Stark Lake to the confluence with Annie Battle Lake and the outlet stream (T.133N, R.40W, S.12) beginning at the northwest exit of Annie Battle to Blanche Lake are closed to the possession of northern pike and largemouth bass. The daily and possession limit for sunfish is five.

ÐC. Eagle Creek in Scott County: S.7,18, T.115N, R.21W, and S.13, T.115N, R.22 (south of State Highway 101 to the source of the east and west branches that are west of State Highway 13) is closed to the possession of trout.

E.D. [Repealed, 27 SR 1313]

F.E. Crawford Lake in Wright County: S.20, T.119N, R.25W, is closed to the possession of largemouth bass. The daily and possession limit for sunfish is five, for crappie is five, for walleye is two, and for yellow perch is ten.

[For text of subs 3 and 4, see M.R.]

6266.0200 TAKING OF FISH ON MINNESOTA-IOWA BOUNDARY WATERS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Spearing and archery restrictions.** The taking of fish by spearing ~~or archery~~ is prohibited on Minnesota-Iowa boundary waters, except that carp, buffalo, sheepshead, bowfin, gar, and quillback may be taken by spearing ~~or archery~~ from May 1 through February 15 between sunrise and sunset and possessed without limit.

[For text of subs 5 to 7, see M.R.]

6266.0300 TAKING OF FISH ON MINNESOTA-NORTH DAKOTA BOUNDARY WATERS.

[For text of subs 1 and 2, see M.R.]

Proposed Rules

Subp. 3. **Spearing and archery restrictions.** The taking of fish by spearing ~~or archery~~ is prohibited on Minnesota-North Dakota boundary waters, except that carp, buffalo, sheepshead, suckers, redhorse, bowfin, and gar may be taken by spearing ~~or archery~~ from May 1 through December 31 between sunrise and sunset each day. There is no possession limit on the listed species of fish. A person may not have in possession on or near the water or ice of Minnesota-North Dakota boundary waters a spear ~~or bow and arrow~~ at any time, except during the open season for spearing ~~and archery~~. Possession includes personal possession and possession in a vehicle. The taking of fish by spearing from or within a darkhouse or fish house is prohibited on Minnesota-North Dakota boundary waters.

[For text of subps 4 to 7, see M.R.]

6266.0400 TAKING OF FISH ON MINNESOTA-SOUTH DAKOTA BOUNDARY WATERS.

[For text of subp 1, see M.R.]

Subp. 2. **Species, seasons, and limits on Minnesota-South Dakota boundary waters.** The following applies to the species, seasons, and limits for taking fish on Minnesota-South Dakota boundary waters:

Species	Open Season	Daily and Possession Limits
A. Walleye and sauger	Saturday closest to April 21 through last day in February.	4; with only one walleye over 20 inches.
B. Northern pike	Saturday closest to April 21 through last day in February.	6
C. Small and large mouth bass	Saturday closest to April 21 through last day in February.	6
D. Crappie	Continuous.	10
E. Sunfish and bluegill	Continuous.	10
F. Rock bass	Continuous.	20
G. Bullhead	Continuous.	100
H. Perch	Continuous.	25 15 daily, 30 in possession.
I. Catfish	Continuous.	5 with only 1 over 24 inches.
J. Sturgeon	Closed.	0
K. Carp, buffalo, sheepshead, sucker, redhorse, bowfin, burbot, gar, and white (striped) bass	Continuous.	No limits.

When the closing falls on a Saturday, the season will extend through the following Sunday.

Subp. 3. **Spearing and archery restrictions.** The taking of fish by spearing ~~or archery~~ is prohibited on Minnesota-South Dakota boundary waters, except that carp, buffalo, sheepshead, suckers, redhorse, bowfin, burbot, and gar may be taken by spearing ~~or archery~~ and possessed without limit from the last Saturday in April through November 30 between sunrise and sunset each day. When the 30th falls on a Saturday, the season will extend through the following Sunday.

Subp. 4. **Restricted equipment.** A person may not have in possession on or near the water or ice of Minnesota-South Dakota boundary waters a spear, ~~or~~ spring gaff, ~~or bow and arrow~~ at any time, except during the open season for spearing ~~and archery~~.

[For text of subps 5 to 14, see M.R.]

Proposed Rules

6266.0500 TAKING OF FISH ON MINNESOTA-WISCONSIN BOUNDARY WATERS.

Subpart 1. **Specified waters.** The provisions of this part apply to the following described Minnesota-Wisconsin boundary waters:

A. Mississippi River and Lake Pepin extending from the mouth of the St. Croix River at the U.S. Highway 10 bridge at Prescott, Wisconsin to the southern boundary of this state and lying between the Burlington Northern main railroad tracks on the Wisconsin side and the ~~Chicago, Milwaukee, Canadian Pacific, St. Paul, and Pacific~~ Railroad tracks on the Minnesota side, including all sloughs, backwaters, bays, and newly extended water areas lying between the railroad tracks.

[For text of items B and C, see M.R.]

[For text of subps 2 to 7, see M.R.]

Subp. 8. **Restricted equipment.** No more than two tip-ups may be used for ice fishing on Minnesota-Wisconsin boundary waters. Tip-ups may not be more than 400 feet from the angler. A person may not use a spear, dip net, or bow and arrow in any manner at any time for the purpose of taking game fish or have in possession or under control any fish spear, spring gaff, or similar device in a fish house. Rough fish may be taken by means of a spear or dip net not to exceed 24 inches in diameter, ~~or bow with tethered arrow except crossbow,~~ from sunrise to sunset only, from the Saturday nearest May 1 through March 1. A person may not have in possession on the water or immediate banks of the water a spear, except during the open season for spearing.

[For text of subps 9 and 10, see M.R.]

REPEALER. *Minnesota Rules*, part 6262.0600, subpart 2, is repealed.

Minnesota Department of Natural Resources (DNR)

Division of Fish and Wildlife

Proposed Permanent Game and Fish Rules: Northern Pike and Border Waters

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

Proposed Amendments to Rules Relating to Northern Pike and Border Waters, *Minnesota Rules*, part 6262.0575
Proposed Repeal of Rules Relating to Northern Pike and Border Waters, *Minnesota Rules*, parts 6262.0575, subpart 7; 6264.0300, subpart 33; 6264.0400, subparts 22, 49, 61, 97, and 109; 6266.0400, subparts 9 and 13; and Expedited Emergency Rules published in the *State Register*, Volume 36, pages 501 and 505, on October 31, 2011, *Minnesota Rules*, part 6262.0575, subparts 3, 7, 9, and 10

Introduction. The Department of Natural Resources intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Thursday, November 15, 2012, the Department will hold a public hearing starting at 1:00 p.m. on Tuesday, November 27, 2012, at the following locations:

In person: 6th floor main conference room, DNR Central Office, 500 Lafayette Road, Saint Paul, Minnesota 55155-4010;
and

Video-conference sites: DNR Southern Regional Office, 261 Highway 15 South, New Ulm, MN 56073

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person or check online at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html> after November 15, 2012, and before November 27, 2012.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Linda Erickson-Eastwood at Fisheries Section, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4020, (651) 259-5206, linda.erickson-eastwood@state.mn.us. TTY users may call the Department of Natural Resources at (651) 296-5484 or 1-800-657-3929.

Proposed Rules

Subject of Rules and Statutory Authority. The proposed rules and amendments to existing rules cover a variety of areas pertaining to aquatic wildlife rules, including changes to northern pike length-based regulations as required by the legislature, making boundary waters rules consistent with the bordering state, eliminating obsolete rules, and making rules consistent with other legislative changes.

General authority to adopt these rules is found in Minnesota Statutes, section 97A.045, subdivisions. 1, 2, 3, 4, and 5. Statutory authority for particular provisions of the proposed rules is listed below.

Rule Part	Statute sections
6262.0575	14.386, 97A.045, 97C.001, 97C.005, 97C.401
6264.0300	14.386, 97A.045, 97C.001, 97C.005
6264.0400	14.386, 97A.045, 97C.001, 97C.005
6266.0400	97A.045, 97C.045, 97C.395, 97C.401

A copy of the proposed rules is published in the *State Register*, posted on the DNR website at <http://www.dnr.state.mn.us/input/rules/rulemaking.html>

and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Thursday, November 15, 2012, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Thursday, November 15, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Cancellation of Hearing. The Department will cancel the hearing scheduled for November 27, 2012, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 259-5073 after Thursday, November 15, 2012, or check the DNR website at <http://www.dnr.state.mn.us/input/rules/rulemaking.html> to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge

Proposed Rules

Manuel J. Cervantes is assigned to conduct the hearing. Judge Cervantes can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7945 and FAX 651-361-7936.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed 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 that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the 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 will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

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.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. 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 or checking the DNR website <http://www.dnr.state.mn.us/input/rules/rulemaking.html>,

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Department will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Dated: 5 September 2012

Tom Landwehr, Commissioner
Department of Natural Resources

6262.0575 WATERS WITH RESTRICTIONS ON TAKING FISH.

[For text of subs 1 and 2, see M.R.]

Subp. 3. **Conservation lakes.** While on or fishing in the following waters, the possession limit for sunfish is five, the possession limit for crappie is five, the possession limit for yellow perch is ten, the possession limit for walleye is two, and the possession limit for largemouth bass is one. ~~All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 30 inches in length. All northern pike that are from 24 inches to 30 inches in length, inclusive, must be immediately returned to the water.~~ A person's possession limit may not include more than one northern pike over 30 inches in length. The possession limit for northern pike is three.

Proposed Rules

Name	Location	County
Little Sauk Lake	T.128, R.34W, S.32	Todd

[For text of subs 4 to 6, see M.R.]

Subp. 7. [See repealer.]

Subp. 8. **Annie Battle Lake including inlets and outlets.** While on or fishing in the following waters, the daily and possession limit for sunfish is five and for black crappie is five. All black crappie in possession must be 11 inches or greater in length. All black crappie less than 11 inches in length must be immediately returned to the water. Angling for northern pike and largemouth bass is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. Catch and release angling for northern pike and largemouth bass is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike or largemouth bass while on or fishing in the following waters. A person may not possess a motorized ice auger or electronic fish finding devices while on or fishing in the following waters. Electronic fish finding devices include depth finders; fish finders; underwater videos or cameras; sonars; global positioning systems; and temperature, oxygen, and pH meters.

Name	Location	County	End Date
A. Annie Battle Lake	T.133, R.39,40, S.13,18,19,24	Otter Tail	3/1/2013
B. Annie Battle inlet stream beginning at the exit point of Molly Stark Lake to the confluence with Annie Battle Lake	T.133, R.40, S.24	Otter Tail	3/1/2013
C. Annie Battle outlet stream beginning at the northwest exit of Annie Battle Lake to Blanche Lake	T.133, R.40, S.12	Otter Tail	3/1/2013

Subp. 9. **Largemouth bass and northern pike catch and release and spearing ban regulations.** While on or fishing in the following waters, angling for largemouth bass and northern pike is limited to catch and release only, whereby any largemouth bass and northern pike caught must be immediately returned to the water. Catch and release angling for largemouth bass and northern pike is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass or northern pike while on or fishing in these waters. Spearing is prohibited from December 1 to the last Sunday in February.

Name	Location	County
Stieger	T.116, R.24, S.11,12,13,14	Carver

Subp. 10. **Black Bass Lake.** While on or angling in the following waters, the daily and possession limit for sunfish is five and angling for northern pike and largemouth bass is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. A person may not possess a motorized ice auger or electronic fish finding devices while on or fishing in the following waters. Electronic fish finding devices include depth finders; fish finders; underwater videos or cameras; sonars; global positioning systems; and temperature, oxygen, and pH meters.

Name	Location	County
Black Bass Lake	T.42, R.27, S.11-14	Mille Lacs

Subp. 11. **Sunfish and crappie possession limits and catch and release fishing for northern pike and largemouth bass.** While a person is on or fishing in the following waters, the daily and possession limit for sunfish is ten and for crappie is five and fishing for northern pike and largemouth bass is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. Catch and release fishing for northern pike and largemouth bass is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike or largemouth bass while on or fishing in the following waters.

Name	Location	County
A. Fladmark	T.135, R.42, S.13,14,24	Otter Tail
B. Twenty One	T.135, R.42, S.16,21	Otter Tail

Proposed Rules

Subp. 12. Rochester Area Lakes regulations.

A. The Rochester Area Lakes are the five waters listed in item C. Daily and possession limits provided in item B apply to the five waters listed in item C as a whole.

B. While a person is on or fishing in the Rochester Area Lakes:

(1) the daily and possession limit for sunfish, black crappie, white crappie, and yellow perch in aggregate is ten, of which not more than five may be black crappie or white crappie in aggregate;

(2) the daily and possession limit for largemouth bass and smallmouth bass in aggregate is one; and

(3) the daily and possession limit for northern pike is one.

C. The Rochester Area Lakes include the following waters:

<u>Name</u>	<u>Location</u>	<u>County</u>
Gamehaven (Willow Reservoir No. 4)	T.106, R.13,14, S.25,30,31,36	Olmsted
Cascade Ponds	T.107, R.14, S.33,34	Olmsted
Manor Woods Pond	T.107, R.14, S.33	Olmsted
Silver Lake	T.107, R.14, S.25,26,35,36	Olmsted
Silver Creek Reservoir No. 2	T.107, R.13, S.26,27	Olmsted

Subp. 13. Lester Lake catch and release regulations. While a person is on or angling in the following waters, angling is limited for all species to catch and release only, whereby any species that are caught must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
Lester Lake	T.142, R.32, S.5,6	Hubbard

REPEALER. *Minnesota Rules*, parts 6262.0575, subpart 7; 6264.0300, subpart 33; 6264.0400, subparts 22, 49, 61, 97, and 109; and 6266.0400, subparts 9 and 13, are repealed. The expedited emergency amendments to part 6262.0575, subparts 3, 7, 9, and 10, published in the *State Register*, volume 36, pages 501 and 505, on October 31, 2011, are repealed.

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.

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Minnesota Comprehensive Health Association Notice of Board of Director's Meeting

Notice is hereby given that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Board of Directors will be held at 1:00 p.m. on Tuesday, October 2, 2012, at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Mary McCaffrey at (952) 593-9609.

Department of Health Division of Compliance Monitoring Managed Care Systems Section

Notice of Application for Essential Community Provider Status

NOTICE IS HEREBY GIVEN that an application for designation as an Essential Community Provider (ECP) has been submitted to the Commissioner of Health by the Zumbro Valley Mental Health Center, 343 Wood Lake Drive SE, Rochester, MN 55904.

An ECP is a health care provider that serves high-risk, special needs, and underserved individuals. In order to be designated as an ECP, a provider must demonstrate that it meets the requirements of *Minnesota Statutes* Section 62Q.19 and *Minnesota Rules* Chapter 4688. The public is allowed 30 days from the date of the publication of this notice to submit written comments on the application. The commissioner will approve or deny the application once the comment period and compliance review is complete.

For more information contact:

Mary Ann Fena
Managed Care Systems Section
Division of Compliance Monitoring
Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882
651-201-5164

Official Notices

Department of Human Services

Health Care Purchasing and Delivery Systems Division

Health Care Administration

Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

Minnesota Statute 256B.0625 subd. 13e (e) gives the commissioner the authority to negotiate reimbursement rates for specialty pharmacy products. The commissioner employs a Specialty Maximum Allowable Cost (Specialty MAC) reimbursement methodology for specialty products. Specialty pharmaceutical products include injectable and infusion therapies, biotechnology drugs, antihemophilic factor products, high-cost therapies, and therapies that require complex care.

No earlier than October 2, 2012 the Department may add the following outpatient prescribed drugs to the state MAC list:

Drug UPC Name
Bosulif
Xtandi
Stribild
Lucentis
Marqibo
Zaltrap
Kyprolis
Eleyso

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$40,000.00 for State Fiscal Year 2013 (July 1, 2012 through June 30, 2013).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to:

Pharmacy Program Manager
Sara Drake R.Ph.
Health Services and Medical Management Division
Health Care Administration
Minnesota Department of Human Services
P.O. Box 64984
St. Paul, Mn 55164-0984

**Department of Human Services
Health Care Administration****Request for Comments on *Reform 2020* Section 1115 Medicaid Waiver**

DHS is announcing a second 30-day comment period on the *Reform 2020* Section 1115 Medicaid waiver request. This second 30-day comment period provides an opportunity for public comment on the fiscal analysis and historical expenditure data. The comment period is from September 24, 2012 to October 24, 2012.

The 2011 Minnesota Legislature directed the Department of Human Services (DHS) to develop a proposal to reform the Medical Assistance Program. Goals of the reform include: community integration and independence; improved health; reduced reliance on institutional care; maintained or obtained employment and housing; and long-term sustainability of needed services through better alignment of available services that most effectively meet people's needs.

DHS held an initial 30-day comment period on the *Reform 2020* Section 1115 Medicaid waiver request from June 18-July 17, 2012. All comments submitted during the June 18-July 17, 2012 comment period remain part of the public record for this waiver and will be submitted to the federal Centers for Medicare & Medicaid Services (CMS) for further consideration.

This second 30-day comment period provides an opportunity for public comment on the new fiscal information provided. The fiscal analysis of those components of the reform initiative requiring federal approval is set out at Attachment O of the *Reform 2020* waiver request. Historical financial data is set out at Attachment P of the *Reform 2020* waiver request.

After the conclusion of the comment period ending October 24, 2012, DHS will seek federal authority for the *Reform 2020* waiver request.

A copy of the waiver request is posted at <http://www.dhs.state.mn.us/Reform2020>. To request a paper copy of the waiver request, please contact Quitina Cook at (651) 431-2191.

Written comments on the fiscal analysis of the *Reform 2020* waiver proposal may be submitted via postal mail to the address below or via email to: Reform2020Comments@state.mn.us. DHS would like to be able to provide copies of comments received in a format that is accessible for persons with disabilities. Therefore, please submit comments in Microsoft Word format or incorporated within the email text. If you would also like to provide a signed copy of the comment letter, you may submit a second copy in .pdf format or mail it to the address below. Comments must be received by October 24, 2012.

Scott Leitz
Interim Medicaid Director
Minnesota Department of Human Services
P.O. Box 64998
St. Paul, Minnesota 55164

Official Notices

State Board of Investment

Notice to Institutional Investment Management Firms for Consideration to Potentially Manage a Portion of the Pension Assets and Other Accounts

The Minnesota State Board of Investment (MSBI) retains institutional investment management firms to manage a portion of the pension assets and other accounts under its control. Periodically, the MSBI will conduct a search for institutional investment management firms on an as needed basis. For additional information on the domestic stock, international stock, or domestic bond portfolio programs for the MSBI, firms are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
60 Empire Drive, Suite 355
St. Paul, MN 55103-3555
Tel.: (651) 296-3328
Fax: (651) 296-9572
E-mail: minn.sbi@state.mn.us

Please refer to this notice in your written request.

Minnesota Pollution Control Agency

Watershed Division

Public Notice of Availability of the Draft Chippewa River Turbidity Total Maximum Daily Load Report and Request for Comment

Public comment period begins: September 24, 2012 **Public comment period ends: October 24, 2012**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Chippewa River Turbidity Total Maximum Daily Load (TMDL) Report. Nine reaches within the Chippewa River watershed, which is located in west-central Minnesota, are impaired for not meeting the Minnesota water quality standards for turbidity. The draft TMDL report is available on the MPCA website at: <http://www.pca.state.mn.us/tchy9a7>.

Comments on the draft report should be addressed to the MPCA contact person listed below and must be received by the MPCA by 4:30 p.m. on October 24, 2012. The MPCA will review all comments received, determine possible revision to the draft TMDL report and prepare written responses to the comments. The MPCA will then submit the report to the U. S. Environmental Protection Agency (EPA) for approval.

The following nine reaches of the Chippewa River were listed as impaired for aquatic life and recreation, pursuant to Section 303(d) of the Clean Water Act, because of excessive levels of turbidity, and are included in the report: the Chippewa River (Little Chippewa River to Unnamed Creek; Headwaters (Stowe Lake) to Little Chippewa River; Unnamed Creek to East Branch Chippewa River; Cottonwood Creek to Dry Weather Creek), Little Chippewa River (Unnamed Creek to Chippewa River), Shakopee Creek (Shakopee Lake to Chippewa River), Unnamed Creek (Unnamed Creek to Unnamed Ditch), Unnamed Creek (Freeborn Lake Inlet), East Branch Chippewa River (Mud Creek to Chippewa River).

Agency Contact Person

Written comments and requests for more information should be directed to:

Joseph Hauger
Minnesota Pollution Control Agency
504 Fairgrounds Road, Suite 200
Marshall, MN 56258-1688
Phone: 507-476-4273

MN Toll Free: 1-800-646-6247
Fax: 507-537-6001
Email: joseph.hauger@state.mn.us

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

Preliminary Determination on the Draft TMDL Report

The MPCA Commissioner has made the preliminary determination to submit this TMDL report to the EPA for final approval. A draft TMDL report is available for review at the MPCA office at the address listed above and on the MPCA website at: <http://www.pca.state.mn.us/tchy9a7>. Suggested changes will be considered before the TMDL report is sent to the EPA for approval.

Written Comments

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

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

Petition for Public Information Meeting

You may request that the MPCA Commissioner hold a public information meeting. A public information meeting is an informal meeting the MPCA may hold to solicit public comment and statements on matters pertaining to the TMDL study and process, and to help clarify and resolve issues.

A petition requesting a public information 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 reason the MPCA should hold a public information meeting; and
4. The issues that you would like the MPCA to address at the public information meeting.

Petition for Contested Case Hearing

A petition for a contested case hearing may be submitted. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

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

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

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

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

MPCA Citizens' Board Decision

You may also submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends as identified

Official Notices

on page 1 of this notice. According to Minn. Stat. § 116.02, subd 6(4), the decision whether to submit the TMDL report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter the time the Commissioner makes a final decision on the TMDL report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in Minn. R. 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period stated on page one (1) of this notice will be considered in the final decision on the TMDL report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff, as authorized by the Board, will make the final decision on the draft TMDL report.

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

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective August 7, 2012 until October 6, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- 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
- Danner Environmental, 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 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 to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

Department of Transportation

State Aid for Local Transportation Division

Notice of Appointment and Meeting of a State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Advisory Committee who will meet on Thursday, September 27, 2012 at 9:00 a.m. at the Mn/DOT Arden Hills Training Center, located at 1900 West County Road I, in Shoreview, Minnesota, 55126. This notice is given pursuant to Minnesota Statute 14.46. The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by Minnesota Rules for State Aid Operations 8820 adopted pursuant to Minnesota Statutes Chapters 161 and 162.

The agenda will include the following:

1. Petition of City of Rochester for a variance from *Minnesota Rules* 8820.9936, Minimum Design Standards, Urban; New or Reconstruction Projects as they apply to the reconstruction of 2nd Street SW from 18th Avenue SW to CSAH 22 (West Circle Drive) so as to allow parking lane widths of 7 feet on both sides of 2nd Street SW from 18th Avenue SW to 23rd Avenue SW in lieu of parking lane widths of 10 feet as required by law.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, 395 John Ireland Boulevard, Mailstop 500, St. Paul, MN 55155. If a written objection is received within 7 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: September 14, 2012

Julie A. Skallman
State Aid Engineer
State Aid for Local Transportation
Minnesota Department of Transportation

State Grants & Loans

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

State Agency Available Funds and Loans

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 \$10.20 per 1/10 of a page you cannot go wrong.

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

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Minnesota Pollution Control Agency (MPCA) Request For Proposals on 2013 Watershed Pollutant Load Monitoring Network Sampling Grant

The Minnesota Pollution Control Agency (MPCA) is soliciting local partners to assist in monitoring streams and rivers that are part of the Watershed Pollutant Load Monitoring Network (WPLMN). For more information about the WPLMN, visit <http://www.pca.state.mn.us/veize01>.

Under these contracts, water quality data must be collected primarily during events (i.e., snowmelt or rain events) when watershed runoff is high to gauge contaminant concentrations from the watershed, with a smaller percentage of sampling to measure base flow conditions. The MPCA combines this water quality data with stream flow information to yield estimates of the overall contaminant loading from the watershed.

These grants are funded by the Legacy Amendment – Clean Water Fund. Event-based sampling grant contracts will be competitively awarded and authorized by the MPCA under Minnesota Session Laws 2011, 1st Special Session, Chapter 6, Article 2, Section 5. Up to \$700,000 (Seven Hundred Thousand Dollars) is available in this grant round for use through **June 30, 2015**. **No matching or in-kind funds are required under this program.**

This RFP is a two-stage application process. The first step is to complete the WPLMN application and submit it by **October 25, 2012**. Successful applicants will be notified by **November 7, 2012**. The second step is to complete a detailed workplan and budget by **November 23, 2012**. Once the workplan and budget have been received and approved by the MPCA, a grant contract will be executed.

The estimated start date of grant contracts is **January 15, 2013**.

All applicants must have the ability to view web pages and communicate via e-mail.

Request the RFP

Contact:
Daniel McLean
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155
Phone: 651-757-2563
TTY: 651-282-5332 (For deaf or hard of hearing callers)
Email: Contracts.pca@state.mn.us, with subject line: "CR5905 WPLMN".

Requesters are encouraged to supply an email address and to receive the RFP documents electronically.

Application Due Date

The application must be received by e-mail by 2:30 p.m. Central Standard Time on **October 25, 2012**.

Send applications to: Contracts.pca@state.mn.us (Subject line: "CR5905 WPLMN"). Late applications will not be considered.

Questions/Answers

Applicants must submit questions they would like answered regarding this RFP by no later than 2:30 p.m. Central Standard Time, **October 5, 2012** to the contact listed above. All questions and answers will be posted on the 2013 WPLMN website no later than **October 10, 2012**.

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

State Contracts

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

On-going State Contracts

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 \$10.20 each 1/10 of a page, you cannot go wrong.

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Minnesota Department of Agriculture Notice of Availability of Contract for Intermediary Lender; Pilot RFA Agricultural Microloan Program

The Minnesota Department of Agriculture, in cooperation with the Rural Finance Authority (RFA), is requesting proposals for the purpose of agricultural lenders or community development fund groups to serve as Intermediary Lenders for the newly developed Pilot Agricultural Microloan Program. Intermediary Lenders will serve as service lender/loan underwriter and facilitator of technical assistance to Minnesota farmers producing specialty crops or eligible livestock. Borrowers must also be identified as members of a Protected Group (minority, woman, disabled) or Qualified Non-citizen (immigrant, refugee, asylum, etc.) under Minnesota statute. Lending capital of qualified loans, up to \$10,000, is provided in full by RFA.

Work is proposed to start after November 1, 2012.

A Request for Proposals will be available by mail from this office through October 8, 2012. **A written request (by direct mail, email, or fax) is required to receive the Request for Proposal. Include name of entity, business address, primary contract person, contact email, and contact phone number with request.** After October 8, 2012, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Kevin Plante
MN Dept. of Agriculture
625 Robert St N

St. Paul, MN 55155-2538
Kevin.plante@state.mn.us
Fax: 651-201-6109

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 pm Central Time, Oct. 15, 2012. **Late proposals will not be considered.** Fax 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.

Minnesota State Colleges and Universities (MnSCU) Northwest Technical College-Distance Minnesota Notice of Request for Proposals for On-Line Bookstore

NOTICE IS HEREBY GIVEN that Northwest Technical College-Distance Minnesota will receive sealed proposals for management of an on-line bookstore. Specifications will be available September 24, 2012, at the following Bemidji State University website:
http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/

Instructions for delivering proposals, as well as all other requirements and contact information, are contained in the RFP at the above website.

Sealed proposals must be received by Belinda Lindell, Director of Procurement & Logistics, Bemidji State University, Deputy 204, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by 2:00 PM, October 30, 2012. Late proposals will not be considered.

Northwest Technical College-Distance Minnesota reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the College to complete a proposed contract, and the College reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU) Central Lakes College Notice of Request for Bids for Hydraulic Excavator

Central Lakes College is soliciting bids for a Caterpillar 950F Series Rubber Tired Wheel Loader and a Caterpillar 315CL Hydraulic Excavator. Detail specifications may be obtained by contacting John Maleski at 218-894-5151. Bids will be accepted at the Staples Campus until 1:00 PM on Tuesday October 2, 2012 at which time they will be publicly opened and read aloud. Faxed bids will be accepted provided hard copies are received within 48 hours of the bid time.

All bids must be sealed and marked "BID FOR WHEEL LOADER OR EXCAVATOR".

Submit bids to:

Central Lakes College
ATTN: Debbie Sterriker
1830 Airport Rd
Staples, MN 56479
Fax #218-894-5186

State Contracts

The college reserves the right to reject any or all bids, to waive any information or irregularities in the bidding and to make the award serving the best interest of the college.

An affirmative action, equal opportunity employer and educator. This document is available in alternative formats to individuals with disabilities by calling Disability Coordinator, abelisle@clcmn.edu, 1-800-933-0346 ext. 8175 OR through the Minnesota Relay Service at 1-800-627-3529.

Minnesota Department of Corrections Notice of Availability of Contract for a Psychometrist in the Assessment of Traumatic Brain Injury

The Minnesota Department of Corrections is requesting proposals for a qualified contract, pre-doctoral student or other qualified person to provide part-time assistance as a psychometrist to the DOC project clinical team and in the assessment of traumatic brain injury. This person will increase the project's ability to conduct project related testing of DOC offenders, to aid in assessments as directed by the DOC Project Clinical Director/Activity Manager or by the TBI Project Psychologist, and to aide in the development of DOC clinical protocols. It is anticipated that the contractor would provide 16 to 32 hours per week.

Work is proposed to start after November 1, 2012.

A Request for Proposals will be available by mail from this office. **A written request is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

David Barker, Project Coordinator
Department of Corrections, Health Services
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108
david.barker@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m., Central Daylight Time, Monday, October 15, 2012. **Late proposals will not be considered.** Emailed proposals will be considered.

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

Minnesota Historical Society; & Oversight Board, Statewide Survey of Historical and Archaeological Sites Request for Proposals for Documenting Minnesota's 19th Century Masonry Ruins

Overview

The Minnesota Historical Society (Society) and the Oversight Board of the *Statewide Survey of Historical and Archaeological Sites* (Board) seek a qualified consultant to investigate 19th century masonry ruins in Minnesota. The purpose of the project is to create an inventory of known sites, to develop a framework for evaluating their historical significance, and to develop strategies for their stabilization and interpretation. These efforts should assist public and private agencies with preserving and managing significant examples of these types of historic resources as well as promoting tourism and public education. The project cost may not exceed \$50,000.

Proposers are encouraged to suggest alternative approaches or innovations not described in this RFP that would help better accomplish

the objectives of the project.

The Request for Proposals is available by emailing Mary Green Toussaint, Acting Contracting Officer, at mary.green-toussaint@mnhs.org.

All proposals must be received no later than **2:00 p.m. Local Time, Thursday, October 18, 2012. Late proposals will not be considered.**

Authorized agents for receipt of bids are Society staff located at the 1st Floor Information Desk of the Minnesota History Center.

Minnesota Judicial Branch Request for Information on eSignature Services

Introduction

The Minnesota Judicial Branch (MJB) is interested in electronic signature (eSignature) services. As a first step in identifying an eSignature tool, along with an integrated service for eSignature, the MJB is issuing this Request for Information (RFI) on available commercial software, dynamic hosting service, licensing, authentication and support for such a tool. This RFI will not result in a contract but the information obtained from responders may provide a basis for further contractual considerations and/or procurement. All interested parties must provide information and a demonstration to the RFI as a qualification to make a bid on a future Request for Proposal (RFP) concerning an eSignature tool. There is no guarantee that any such further contract or procurement process will be issued.

The DEADLINE for submissions is October 10, 2012.

The MJB is not obligated to respond to any submission, nor is it legally bound in any manner whatsoever by the submission of a response. The MJB shall not have any liability to any responder for any costs or expenses incurred in connections with this RFI or otherwise. Any amendments to this RFI will be posted on the MJB website (www.mncourts.gov).

Questions

Responders may submit questions to Kim Larson at kimberly.larson@courts.state.mn.us. Responses will be posted in the Public Notices section of the Minnesota State Court web site (<http://www.mncourts.gov>) as soon as possible after the question is received.

A complete RFI can be found on the Court's website at <http://www.mncourts.gov>

Legislative Coordinating Commission Contract Available for Providing Legislative Sign Language Interpreter Services

The Minnesota Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing legislative sign language interpreting services during calendar years 2013-2014 to individuals who are hard of hearing, deaf, or deafblind. For a copy of the full text of the RFP, please go to <http://www.lcc.leg.mn/lcc/RFPs.htm> or contact:

Diane Henry-Wangenstein, Assistant Director
Minnesota Legislative Coordinating Commission
Room 72 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155-1298
Phone: (651) 296-1121 (voice)
Email: diane.henry@lcc.leg.mn

All proposals must satisfy the criteria as outlined in the full text of the RFP. At a minimum, proposals must include a plan which details how services will be provided and must clearly state the contractor's proposed hourly rates and other charges for services provided.

Proposals must be received by Tuesday October 23, 2012, at 4:00 p.m. Late applications may not be accepted. All expenses incurred in responding to this notice shall be borne by the responder.

State Contracts

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

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.

**Minnesota Department of Transportation (MnDOT)
Office of Maintenance****Request for Proposals for Establishing Effective Salt and Anti-Icing Application Rates**

Clear Roads is an ongoing pooled fund research project aimed at rigorous testing of winter maintenance materials, equipment and methods for use by highway maintenance crews. Clear Roads will fund and oversee the contract for this project in coordination with MnDOT. For more information, visit www.clearroads.org. Transportation agencies have been managing their salt and liquid anti-icing applications based on the results of multiple testing efforts over the years, including: 1) Federal Highway Administration (FHWA) TE 28 Project, "[Manual of Practice for an Effective Anti-icing Program](#)" (1996); 2) National Cooperative Highway Research Program (NCHRP) Report #526, "[Snow and Ice Control: Guidelines for Materials and Methods](#)" (2004); and 3) NCHRP Report #577, "[Guidelines for the Selection of Snow and Ice Control Materials to Mitigate Environmental Impacts](#)" (2007).

The goal of this project is to update the guidelines developed in NCHRP Report #526 to reflect present day challenges and the growing complexity of material use in winter operations. The successful responder will not conduct new field testing for this project, but will instead rely on formal and informal testing and field experience (including NCHRP report #577) conducted since NCHRP Report #526 was published.

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

Note: RESPONSES WILL BE DUE ON MONDAY, October 29, 2012 AT 2:00 PM CENTRAL DAYLIGHT TIME

**Minnesota Department of Transportation (MnDOT)
Office of Maintenance****Request for Proposals for Understanding the Chemical and Mechanical Performance of Snow and Ice Control Agents on Porous or Permeable Pavements**

Clear Roads is an ongoing pooled fund research project aimed at rigorous testing of winter maintenance materials, equipment and methods for use by highway maintenance crews. Clear Roads will fund and oversee the contract for this project in coordination with MnDOT. For more information, visit <http://www.clearroads.org>. Field personnel have reported several issues related to pavement performance when applying snow and ice control agents on porous or permeable asphalt pavement surfaces. These pavements may include: 1) open-graded pavements; 2) some gap-graded pavements; and 3) porous or permeable surface treatments (NovaChip is one example). These pavement surfaces appear to refreeze more quickly and stay wet longer than other pavements. Field personnel report that they require 25 to 30 percent more deicing agent and that in some conditions these pavements refreeze well after the conclusion of snow and ice control activities. The results of this project will provide better information and guidelines to help determine the optimum maintenance strategies for porous or permeable asphalt pavements. These pavements may include: 1) open-graded pavements; 2) some gap-graded pavements; 3) porous or permeable surface treatments (NovaChip is one example); and 4) similar pavement types or treatments that may be identified by the Researcher.

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

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

Ashley Duran, Contract Administrator
E-Mail: ashley.duran@state.mn.us
Telephone: 651-366-4627

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

Note: RESPONSES WILL BE DUE ON MONDAY, October 29, 2012 AT 2:00 PM CENTRAL DAYLIGHT TIME
(Cite 37 SR 463)

State Register, Monday 24 September 2012

Non-State Public 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.

Vendors Needed for These Projects

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.

Here’s what you receive via e-mail:

- **Word Search Capability**
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- **“Contracts & Grants” Open for Bid**
- **Easy Access to *State Register* Archives**

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

Metropolitan Airports Commission (MAC)

Notice of Call for Bids on Concourse G Fire Protection Phase 3 – Ground Level

Airport Location: Minneapolis-Saint Paul International Airport

MAC Contract No.: 106-4-111

Bids Close At: 2:00 p.m. October 16, 2012

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, MN, 55450, until the date and hour indicated. The work includes Concourse G Ground Level code compliant Fire Protection Systems.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB 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; PH: 763-503-3401; FX: 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 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 24, 2012, at MAC’s web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Non-State Public Bids, Contracts & Grants

Rice Creek Watershed District

Notice of Request for Bids for Lower Hardwood Creek Restoration and Stabilization

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Rice Creek Watershed District (RCWD), with offices located at 4325 Pheasant Ridge Drive, NE, #611, Blaine, MN 55449 until 10:00 AM on October 8, 2012 at which time they will be publicly opened and read aloud for the furnishing of all labor and materials and all else necessary for the following:

Lower Hardwood Creek Restoration and Stabilization

Approximate major quantities are as follows. This is not an exhaustive list but represents the major materials and construction only. It is the responsibility of the Contractor to verify quantities for the Lump Sum estimate per the Proposal Form.

Quantity	Unit	Description
5	AC	CLEARING AND GRUBBING
5723	CY	COMMON CHANNEL EXCAVATION
807	CY	TOPSOIL SALVAGE AND PLACEMENT
609	CY	STREAMBED MATERIAL, FURNISH AND INSTALL
270	LF	FABRIC ENCAPSULATED SOIL CONSTRUCTION
550	SY	SURFACE FABRIC
45	CY	GRADE CONTROL STONE, FURNISH AND INTALL
410	EACH	TREE, FURNISH AND INSTALL
1740	EACH	SHRUB, FURNISH AND INSTALL
115	LBS	VARIOUS RIPARIAN, WET PRAIRIE, MESIC PRAIRIE SEED MIX
50	EACH	LARGE WOOD DEBRIS, FURNISH AND INSTALL

Plans and specifications, proposal forms and contract documents may be seen at the office of the RCWD and at the office of SRF Consulting Group, Inc., One Carlson Parkway North, Suite 150, Minneapolis, Minnesota 55447, or on the Quest CDN website.

A list of Plan Holders can be viewed on line at Quest CDN website: <http://www.questcdn.com/questcdn/>

No bids will be considered unless sealed and accompanied by a bidder's bond naming the Rice Creek Watershed District (hereinafter referred to as the "Owner") as obligee, certified check payable to the Owner or a cash deposit equal to at least five percent (5%) of the total amount of the bid, which shall be forfeited to the Owner in the event that the bidder fails to enter into a contract.

The Owner reserves the right to retain the deposits of the three lowest bidders for a period not to exceed sixty (60) days after the date and time set for the opening of bids. No bids will be withdrawn for a period of sixty (60) days after the date and time set for the opening bids. Payment for the work will be by cash or check.

Contractors desiring a printed copy of the plans, specifications and proposal forms may purchase them from the office of SRF Consulting Group, Inc. (hereinafter referred to as the "Engineer"), One Carlson Parkway North, Suite 150, Minneapolis, Minnesota 55447, upon payment of \$50.00, which is nonrefundable.

The Owner may make investigation as they deem necessary to determine the ability of the Bidder to perform the work. The Bidder shall furnish the Owner all such information and data for this purpose as the Owner may request. A Responsible Bidder Evaluation form is included in the accompanying documents that may be used as part of such investigations.

The RCWD Board of Managers reserves the right to reject any and all bids, to waive irregularities and informalities therein and further reserves the right to award the contract(s) to the best interests of the Board.

Non-State Public Bids, Contracts & Grants

University of Minnesota

Center for Transportation Studies

Request for Information (RFI) for Professional Services

The Center for Transportation Studies at the University of Minnesota is seeking qualified vendors to provide the following professional service(s):

Delivery of Technical Assistance & Development of Training Materials
RFI 1030

The purpose of this RFI is to gather information about the qualifications of contractors who perform these professional services, since CTS, or the programs it administers, may need to purchase these services in the future.

This RFI is NOT a request for a proposal, bid, or quotation. The RFI does not obligate the University of Minnesota to any particular vendor or dollar amount. Rather, the RFI is simply intended to gather information regarding the services available in order to create a pool of potential contractors.

RFIs are posted on the CTS Web site at <http://www.cts.umn.edu/about/rfi>.

For administrative information, please contact:

Penny Harris
Center for Transportation Studies
200 Transportation and Safety Building
511 Washington Ave. S.E.
Minneapolis, MN 55455
Phone: (612) 625-9246
E-mail: harri163@umn.edu

Initial submission date for proposals is 4:00 p.m. on October 29, 2012.

Washington County

Public Works Department

Request for Proposals for Red Rock Corridor Alternatives Analysis Update

NOTICE IS HEREBY GIVEN that Washington County Public Works, as the lead agency on behalf of the Red Rock Corridor Commission, is seeking qualified firms for the completion of an Alternatives Analysis Update for the Red Rock Corridor. Qualified firms will have experience in the development and completion of transit alternatives analyses that are in conformance with the guidelines and policies of the Federal Transit Administration.

The project work will commence immediately upon selection of the consultant. The consultant will prepare a project schedule based on a start date of December 13, 2012.

The full Request for Proposal can be obtained from the Washington County website:

http://www.co.washington.mn.us/info_for_business/bidsrequests_for_proposals/

Proposals Due: October 12th, 2012 at 2:00 p.m. at Washington County Public Works North Shop:

Washington County Public Works Department
11660 Myeron Road North
Stillwater, MN 55082
Phone: (651) 430-4300

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<i>From Midwest Kitchens</i>		
<i>Potluck Paradize</i>	Stock Number 767	\$16.95
<i>The Seasonal Cabin Cookbook</i>	Stock Number 1059	\$16.95

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<i>A Guide to Family History Resources</i>	Stock Number 940	\$11.95
<i>at the Minnesota Historical Society</i>		
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<i>to Minnesota</i>		



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- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
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\$100.01-\$1,000	\$ 17.00*
<small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____
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Credit card number: _____

Expiration date: _____ Signature: _____

TOTAL _____

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