

# Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

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# Minnesota State Register

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

The *Minnesota 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. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- 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. 42 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
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# 18	Monday 30 October	Noon Tuesday 24 October	Noon Thursday 19 October
# 19	Monday 6 November	Noon Tuesday 31 October	Noon Thursday 26 October
# 20	Monday 13 November	Noon Tuesday 7 November	Noon Thursday 2 November

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

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

## Board of Nursing

### Adopted Permanent Rules Relating to Advanced Practice Nursing

The rules proposed and published at State Register, Volume 41, Number 46, pages 1309-1322, May 15, 2017 (41 SR 1309), are adopted as proposed.

## Pollution Control Agency

### Adopted Permanent Rules Relating to Water Quality Standards and Tiered Aquatic Life Uses

The rules proposed and published at State Register, Volume 41, Number 25, pages 659-762, December 19, 2016 (41 SR 659), are adopted with the following modifications:

#### 7050.0150 DETERMINATION OF WATER QUALITY, BIOLOGICAL AND PHYSICAL CONDITIONS, AND COMPLIANCE WITH STANDARDS.

Subp. 3a: ~~Assessment criteria.~~ The criteria by which water bodies are assessed to determine if beneficial uses are supported, and definitions of the data and information required for that assessment, is in Guidance Manual for Assessing the Quality of Minnesota Surface Waters for Determination of Impairment: 305(b) Report and 303(d) List (2014 and as subsequently amended), which is incorporated by reference. The guidance manual is not subject to frequent change and is available at <http://www.pca.state.mn.us/lupg1125>.

Subp. 4. **Definitions.** For the purposes of this chapter and chapter 7053, the following terms have the meanings given them.

S. "Lotic water" means a flowing or moving water body such as a stream, river, or ditch.

S. T. "Mixing status" means the frequency of complete mixing of the lake water from surface to bottom, which is determined by whether temperature gradients are established and maintained in the water column during the summer season.

F. U. "Measurable increase" or "measurable impact" means a change in trophic status that can be discerned above the normal variability in water quality data using a weight of evidence approach. The change in trophic status does not require a demonstration of statistical significance to be considered measurable. Mathematical models may be used as a tool in the data analysis to help predict changes in trophic status.

U. V. "Natural causes" means the multiplicity of factors that determine the physical, chemical, or biological conditions that would exist in a water body in the absence of measurable impacts from human activity or influence.

V. W. "Normal aquatic biota" and "normally present" mean a healthy aquatic community expected to be present in the water body in the absence of pollution of the water, consistent with any variability due to natural hydrological,

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substrate, habitat, or other physical and chemical characteristics. Expected presence is based on comparing the aquatic community in the water body of interest to the aquatic community in representative reference water bodies.

~~W.~~ X. “Nuisance algae bloom” means an excessive population of algae that is characterized by obvious green or blue-green pigmentation in the water, floating mats of algae, reduced light transparency, aesthetic degradation, loss of recreational use, possible harm to the aquatic community, or possible toxicity to animals and humans. Algae blooms are measured through tests for chlorophyll-a, observations of Secchi disk transparency, and observations of impaired recreational and aesthetic conditions by the users of the water body, or any other reliable data that identifies the population of algae in an aquatic community.

~~X.~~ Y. “Periphyton” means algae on the bottom of a water body. In rivers or streams, these forms are typically found attached to logs, rocks, or other substrates, but when dislodged the algae will become part of the seston.

~~Y.~~ Z. “Readily available and reliable data and information” means chemical, biological, and physical data and information determined by the commissioner to meet the quality assurance and quality control requirements in subpart 8, that are not more than ten years old from the time they are used for the assessment. A subset of data in the ten-year period, or data more than ten years old can be used if credible scientific evidence shows that these data are representative of current conditions.

~~Z.~~ AA. “Reference water body” means a water body minimally or least impacted by point or nonpoint sources of pollution that is representative of water bodies of a similar surface water body type and within a geographic region such as an ecoregion or watershed. Reference water bodies are used as a base for comparing the quality of similar water bodies in the same geographic region.

~~AA.~~ BB. “Reservoir” means a body of water in a natural or artificial basin or watercourse where the outlet or flow is artificially controlled by a structure such as a dam. Reservoirs are distinguished from river systems by having a hydraulic residence time of at least 14 days. For purposes of this item, residence time is determined using a flow equal to the  $122Q_{10}$  for the months of June through September.

~~BB.~~ CC. “River nutrient region” means the geographic basis for regionalizing the river eutrophication criteria as described in Heiskary, S. and K. Parson, Regionalization of Minnesota’s Rivers for Application of River Nutrient Criteria, Minnesota Pollution Control Agency (2013), which is incorporated by reference. The document is not subject to frequent change and is available through the Minitex interlibrary loan system.

~~CC.~~ DD. “Secchi disk” means a tool that is used to measure the transparency of lake water. A Secchi disk is an eight-inch weighted disk on a calibrated rope, either white or with quadrants of black and white. To measure water transparency with a Secchi disk, the disk is viewed from the shaded side of a boat. The depth of the water at the point where the disk reappears upon raising it after it has been lowered beyond visibility is recorded.

~~DD.~~ EE. “Secchi disk transparency” means the transparency of water as measured by a Secchi disk, a Secchi tube, or a transparency tube.

~~EE.~~ FF. “Secchi tube” means a tool that is used to measure the transparency of stream or river water. A Secchi tube is a clear plastic tube, one meter in length and 1-3/4 inch in diameter, with a mini-Secchi disk on a string. To measure water transparency, the tube is filled with water collected from a stream or river and, looking into the tube from the top, the weighted Secchi disk is lowered into the tube by a string until it disappears and then raised until it reappears, allowing the user to raise and lower the disk within the same water sample numerous times. The depth of the water at the midpoint between disappearance and reappearance of the disk is recorded in centimeters, which are marked on the side of the tube. If the Secchi disk is visible when it is lowered to the bottom of the tube, the transparency reading is recorded as “greater than 100 centimeters.”

~~FF.~~ GG. “Seston” means particulate matter suspended in water bodies and includes plankton and organic and inorganic matter.

~~GG.~~ HH. “Shallow lake” means an enclosed basin filled or partially filled with standing fresh water with a maximum depth of 15 feet or less or with 80 percent or more of the lake area shallow enough to support emergent and submerged rooted aquatic plants (the littoral zone). It is uncommon for shallow lakes to thermally stratify during the summer. The quality of shallow lakes will permit the propagation and maintenance of a healthy indigenous aquatic community and they will be suitable for boating and other forms of aquatic recreation for which they may be usable. Shallow lakes are differentiated from wetlands and lakes on a case-by-case basis. Wetlands are defined in part 7050.0186, subpart 1a.

~~HH.~~ II. “Summer-average” means a representative average of concentrations or measurements of nutrient enrichment factors, taken over one summer season.

~~H.~~ JJ. “Summer season” means a period annually from June 1 through September 30.

~~J.~~ KK. “Transparency tube” means a tool that is used to measure the transparency of stream or river water. A transparency tube is a graduated clear plastic tube, 24 inches or more in length by 1-1/2 inches in diameter, with a stopper at the bottom end. The inside surface of the stopper is painted black and white. To measure water transparency, the tube is filled with water from a surface water; the water is released through a valve at the bottom end until the painted surface of the stopper is just visible through the water column when viewed from the top of the tube. The depth, in centimeters, is noted. More water is released until the screw in the middle of the painted symbol on the stopper is clearly visible; this depth is noted. The two observed depths are averaged to obtain a transparency measurement.

~~KK.~~ LL. “Trophic status or condition” means the productivity of a lake as measured by the phosphorus content, algae abundance, and depth of light penetration.

~~LL.~~ MM. “Use attainability analysis” means a structured scientific assessment of the physical, chemical, biological, and economic factors affecting attainment of the uses of water bodies. A use attainability analysis is required to remove a designated use specified in section 101(a)(2) of the Clean Water Act that is not an existing use. The allowable reasons for removing a designated use are described in Code of Federal Regulations, title 40, section 131.10 (g).

~~MM.~~ NN. “Water body” means a lake, reservoir, wetland, or a geographically defined portion of a river or stream.

~~NN.~~ OO. “Water body type” means a group of water bodies with similar natural physical, chemical, and biological attributes, where the characteristics are similar among water bodies within each type and distinct from water bodies of other types.

## **7050.0155 PROTECTION OF DOWNSTREAM USES.**

All waters must maintain a level of water quality that provides for the attainment and maintenance of the water quality standards of downstream waters, including the waters of another state.

## **7050.0220 SPECIFIC WATER QUALITY STANDARDS BY ASSOCIATED USE CLASSES.**

Subpart 1. **Purpose and scope.** The numeric and narrative water quality standards in this chapter prescribe the qualities or properties of the waters of the state that are necessary for the designated public uses and benefits. If the standards in this chapter are exceeded, it is considered indicative of a polluted condition which is actually or potentially deleterious, harmful, detrimental, or injurious with respect to designated uses or established classes of the waters of the state.

All surface waters are protected for multiple beneficial uses. Numeric water quality standards are tabulated in this part for all uses applicable to four common categories of surface waters, so that all applicable standards for each category are listed together in subparts 3a to 6a. The four categories are:

A. cold water aquatic life and habitat, also protected for drinking water: Classes 1B; 2A, 2Ae, or 2Ag; 3A or 3B; 4A and 4B; and 5 (subpart 3a);

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B. cool and warm water aquatic life and habitat, also protected for drinking water: Classes 1B or 1C; 2Bd, 2Bde, 2Bdg, or 2Bdm; 3A or 3B; 4A and 4B; and 5 (subpart 4a);

C. cool and warm water aquatic life and habitat and wetlands: Classes 2B, 2Be, 2Bg, 2Bm, or 2D; 3A, 3B, 3C, or 3D; 4A and 4B or 4C; and 5 (subpart 5a); and

Subp. 3a. **Cold water aquatic life and habitat, drinking water, and associated use classes.** Water quality standards applicable to use Classes 1B; 2A, 2Ae, or 2Ag; 3A or 3b; 4A and 4B; and 5 surface waters. The water quality standards in part 7050.0222, subpart 2, that apply to Class 2A also apply to Classes 2Ae and 2Ag. In addition to the water quality standards in part 7050.0222, subpart 2, the biological criteria defined in part 7050.0222, subpart 2d, apply to Classes 2Ae and 2Ag.

Subp. 4a. **Cool and warm water aquatic life and habitat, drinking water, and associated use classes.** Water quality standards applicable to use Classes 1B or 1C; 2Bd, 2Bde, 2Bdg, or 2Bdm; 3A or 3B; 4A and 4B; and 5 surface waters. The water quality standards in part 7050.0222, subpart 3, that apply to Class 2Bd also apply to Classes 2Bde, 2Bdg, and 2Bdm. In addition to the water quality standards in part 7050.0222, subpart 3, the biological criteria defined in part 7050.0222, subpart 3d, apply to Classes 2Bde, 2Bdg, and 2Bdm.

Subp. 5a. **Cool and warm water aquatic life and habitat and associated use classes.** Water quality standards applicable to use Classes 2B, 2Be, 2Bg, 2Bm, or 2D; 3A, 3B, or 3C; 4A and 4B; and 5 surface waters. See parts 7050.0223, subpart 5; 7050.0224, subpart 4; and 7050.0225, subpart 2, for Class 3D, 4C, and 5 standards applicable to wetlands, respectively. The water quality standards in part 7050.0222, subpart 4, that apply to Class 2B also apply to Classes 2Be, 2Bg, and 2Bm. In addition to the water quality standards in part 7050.0222, subpart 4, the biological criteria defined in part 7050.0222, subpart 4d, apply to Classes 2Be, 2Bg, and 2Bm.

## **7050.0222 SPECIFIC WATER QUALITY STANDARDS FOR CLASS 2 WATERS OF THE STATE; AQUATIC LIFE AND RECREATION.**

Subp. 2c. **Beneficial use definitions for lotic cold water stream and river aquatic life and habitats (Class 2A).**

A. Subitems (1) to ~~(4)~~ (5) apply to the beneficial uses in items B and C:

(2) The attributes of species composition, diversity, and functional organization are measured using:

(a) the ~~fish-based~~ fish IBI as defined in ~~Development of a Fish-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Fish Data Collection Protocols for Lotic Waters in Minnesota (2017); or~~

(b) the ~~macroinvertebrate~~ IBI as defined in ~~Development of a Macroinvertebrate-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Macroinvertebrate Data Collection Protocols for Lotic Waters in Minnesota (2017).~~

(4) The following documents are incorporated by reference and are not subject to frequent change:

(a) Calibration of the Biological Condition Gradient for Streams of Minnesota, Gerritsen et al. (2012). The document is available on the agency's Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking);

(b) ~~Development of a Fish-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Fish Data Collection Protocols for Lotic Waters in Minnesota, Minnesota Pollution Control Agency (2017).~~ The document is available on the agency's Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking);

(c) ~~Development of a Macroinvertebrate-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Macroinvertebrate Data Collection Protocols for Lotic Waters in~~



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Minnesota, Minnesota Pollution Control Agency (2017). The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking); and

(d) Development of Biological Criteria for Tiered Aquatic Life Uses, Minnesota Pollution Control Agency (2016). The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking).

(5) The beneficial use subclass designators “e” and “g” are added to the Class 2A designator as specific additional designators. The additional subclass designators do not replace the Class 2A designator. All requirements for Class 2A cold water stream and river habitats in parts 7050.0222 and 7052.0100 continue to apply in addition to requirements for Class 2Ae or Class 2Ag cold water stream and river habitats in part 7050.0222. These subclass designators are applied to lotic waters only.

Subp. 2d. **Biological criteria for lotic cold water stream and river aquatic life and habitats (Class 2A).**

Water Body Type	Tier	Class	Assemblage	Biocriterion
Southern cold water streams	Exceptional	2Ae	Fish	82
	General	2Ag	Fish	50
Northern cold water streams	Exceptional	2Ae	Fish	60
	General	2Ag	Fish	35
Northern cold water streams	Exceptional	2Ae	Macroinvertebrates	52
	General	2Ag	Macroinvertebrates	32
Southern cold water streams	Exceptional	2Ae	Macroinvertebrates	72
	General	2Ag	Macroinvertebrates	43

The biological criteria for lotic cold water aquatic life and habitats (Class 2A) are applicable to perennial and intermittent waters that allow for colonization of fish or macroinvertebrates.

Subp. 3c. **Beneficial use definitions for lotic warm or cool water stream and river aquatic life and habitats (Class 2Bd).**

A. Subitems (1) to ~~(4)~~(5) apply to the beneficial uses in items B to D:

(2) The attributes of species composition, diversity, and functional organization are measured using:

(a) ~~the fish-based fish~~ IBI as defined in ~~Development of a Fish-based Index of Biological Integrity for Minnesota’s Rivers and Streams, Minnesota Pollution Control Agency (2014) Fish Data Collection Protocols for Lotic Waters in Minnesota (2017);~~ or

(b) ~~the macroinvertebrate IBI as defined in Development of a Macroinvertebrate-based Index of Biological Integrity for Minnesota’s Rivers and Streams, Minnesota Pollution Control Agency (2014) Macroinvertebrate Data Collection Protocols for Lotic Waters in Minnesota (2017).~~

(4) The following documents are incorporated by reference and are not subject to frequent change:

(a) Calibration of the Biological Condition Gradient for Streams of Minnesota, Gerritsen et al. (2012). The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking);

(b) ~~Development of a Fish-based Index of Biological Integrity for Minnesota’s Rivers and Streams, Minnesota Pollution Control Agency (2014) Fish Data Collection Protocols for Lotic Waters in Minnesota, Minnesota Pollution Control Agency (2017).~~ The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking);

(c) ~~Development of a Macroinvertebrate-based Index of Biological Integrity for Minnesota’s Rivers and~~

# Adopted Rules

Streams, Minnesota Pollution Control Agency (2014) Macroinvertebrate Data Collection Protocols for Lotic Waters in Minnesota, Minnesota Pollution Control Agency (2017). The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking); and

(d) Development of Biological Criteria for Tiered Aquatic Life Uses, Minnesota Pollution Control Agency (2016). The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking).

(5) The beneficial use subclass designators “e,” “g,” and “m” are added to the Class 2Bd designator as specific additional designators. The additional subclass designators do not replace the Class 2Bd designator. All requirements for Class 2Bd warm or cool water stream and river habitats in parts 7050.0222 and 7052.0100 continue to apply in addition to requirements for Class 2Bde, Class 2Bdg, or Class 2Bdm warm or cool water stream and river habitats in part 7050.0222. These subclass designators are applied to lotic waters only.

D. “Modified cool and warm water aquatic life and habitat, also protected as a source for drinking water” or “Class 2Bdm” is a beneficial use that means waters capable of supporting and maintaining a balanced, integrated, adaptive community of warm or cool water aquatic organisms having a species composition, diversity, and functional organization comparable to the median of biological condition gradient level 5 as established in Calibration of the Biological Condition Gradient for Streams of Minnesota, Gerritsen et al. (2012).

(1) To meet the definition in this item, waters must have been the subject of a use attainability analysis ~~and must have been found to be incapable of supporting and maintaining where it is determined that attainment of the Class 2Bdg beneficial use is not feasible~~ because of human-induced modifications of the physical habitat ~~that preclude the potential for recovery of the fauna~~. These modifications must be the result of direct alteration to the channel, such as drainageway maintenance, bank stabilization, and impoundments.

Subp. 3d. **Biological criteria for lotic warm or cool water stream and river aquatic life and habitats (Class 2Bd).**

Water Body Type	Tier	Class	Assemblage	Biocriterion
Southern rivers	Exceptional	2Bde	Fish	71
	General	2Bdg	Fish	49
Southern streams	Exceptional	2Bde	Fish	66
	General	2Bdg	Fish	50
	Modified	2Bdm	Fish	35
Southern headwaters	Exceptional	2Bde	Fish	74
	General	2Bdg	Fish	55
	Modified	2Bdm	Fish	33
Northern rivers	Exceptional	2Bde	Fish	67
	General	2Bdg	Fish	38
Northern streams	Exceptional	2Bde	Fish	61
	General	2Bdg	Fish	47
	Modified	2Bdm	Fish	35
Northern headwaters	Exceptional	2Bde	Fish	68
	General	2Bdg	Fish	42
	Modified	2Bdm	Fish	23
Low gradient	Exceptional	2Bde	Fish	70
	General	2Bdg	Fish	42
	Modified	2Bdm	Fish	15
Northern forest rivers	Exceptional	2Bde	Macroinvertebrates	77
	General	2Bdg	Macroinvertebrates	49

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Water Body Type	Tier	Class	Assemblage	Biocriterion
Prairie and southern forest rivers	Exceptional	2Bde	Macroinvertebrates	63
	General	2Bdg	Macroinvertebrates	31
High-gradient northern forest streams	Exceptional	2Bde	Macroinvertebrates	82
	General	2Bdg	Macroinvertebrates	53
Low-gradient northern forest streams	Exceptional	2Bde	Macroinvertebrates	76
	General	2Bdg	Macroinvertebrates	51
	Modified	2Bdm	Macroinvertebrates	37
High-gradient southern streams	Exceptional	2Bde	Macroinvertebrates	62
	General	2Bdg	Macroinvertebrates	37
	Modified	2Bdm	Macroinvertebrates	24
Low-gradient southern forest streams	Exceptional	2Bde	Macroinvertebrates	66
	General	2Bdg	Macroinvertebrates	43
	Modified	2Bdm	Macroinvertebrates	30
Low-gradient prairie streams	Exceptional	2Bde	Macroinvertebrates	69
	General	2Bdg	Macroinvertebrates	41
	Modified	2Bdm	Macroinvertebrates	22

The biological criteria for lotic warm or cool water aquatic life and habitats (Class 2Bd) are applicable to perennial and intermittent waters that allow for colonization of fish or macroinvertebrates.

Subp. 4c. **Beneficial use definitions for lotic warm or cool water stream and river aquatic life and habitats (Class 2B).**

A. Subitems (1) to ~~(4)~~(5) apply to the beneficial uses in items B to D:

(2) The attributes of species composition, diversity, and functional organization are measured using:

(a) ~~the fish-based fish IBI as defined in Development of a Fish-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Fish Data Collection Protocols for Lotic Waters in Minnesota (2017);~~ or

(b) ~~the macroinvertebrate IBI as defined in Development of a Macroinvertebrate-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Macroinvertebrate Data Collection Protocols for Lotic Waters in Minnesota (2017).~~

(4) The following documents are incorporated by reference and are not subject to frequent change:

(a) Calibration of the Biological Condition Gradient for Streams of Minnesota, Gerritsen et al. (2012). The document is available on the agency's Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking);

(b) ~~Development of a Fish-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Fish Data Collection Protocols for Lotic Waters in Minnesota, Minnesota Pollution Control Agency (2017).~~ The document is available on the agency's Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking);

(c) ~~Development of a Macroinvertebrate-based Index of Biological Integrity for Minnesota's Rivers and Streams, Minnesota Pollution Control Agency (2014) Macroinvertebrate Data Collection Protocols for Lotic Waters in Minnesota, Minnesota Pollution Control Agency (2017).~~ The document is available on the agency's Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking); and

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(d) Development of Biological Criteria for Tiered Aquatic Life Uses, Minnesota Pollution Control Agency (2016). The document is available on the agency’s Web site at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking).

(5) The beneficial use subclass designators “e,” “g,” and “m” are added to the Class 2B designator as specific additional designators. The additional subclass designators do not replace the Class 2B designator. All requirements for Class 2B warm or cool water stream and river habitats in parts 7050.0222 and 7052.0100 continue to apply in addition to requirements for Class 2Be, Class 2Bg, or Class 2Bm warm or cool water stream and river habitats in part 7050.0222. These subclass designators are applied to lotic waters only.

D. “Modified cool and warm water aquatic life and habitat” or “Class 2Bm” is a beneficial use that means waters capable of supporting and maintaining a balanced, integrated, adaptive community of warm or cool water aquatic organisms having a species composition, diversity, and functional organization comparable to the median of biological condition gradient level 5 as established in Calibration of the Biological Condition Gradient for Streams of Minnesota, Gerritsen et al. (2012).

(1) To meet the definition in this item, waters must have been the subject of a use attainability analysis ~~and must have been found to be incapable of supporting and maintaining where it is determined that attainment of the Class 2Bg beneficial use is not feasible because of human-induced modifications of the physical habitat that preclude the potential for recovery of the fauna.~~ These modifications must be the result of direct alteration to the channel, such as drainageway maintenance, bank stabilization, and impoundments.

**Subp. 4d. Biological criteria for lotic warm or cool water stream and river aquatic life and habitats (Class 2B).**

Water Body Type	Tier	Class	Assemblage	Biocriterion
Southern rivers	Exceptional	2Be	Fish	71
	General	2Bg	Fish	49
Southern streams	Exceptional	2Be	Fish	66
	General	2Bg	Fish	50
	Modified	2Bm	Fish	35
Southern headwaters	Exceptional	2Be	Fish	74
	General	2Bg	Fish	55
	Modified	2Bm	Fish	33
Northern rivers	Exceptional	2Be	Fish	67
	General	2Bg	Fish	38
Northern streams	Exceptional	2Be	Fish	61
	General	2Bg	Fish	47
	Modified	2Bm	Fish	35
Northern headwaters	Exceptional	2Be	Fish	68
	General	2Bg	Fish	42
	Modified	2Bm	Fish	23
Low gradient	Exceptional	2Be	Fish	70
	General	2Bg	Fish	42
	Modified	2Bm	Fish	15
Northern forest rivers	Exceptional	2Be	Macroinvertebrates	77
	General	2Bg	Macroinvertebrates	49
Prairie and southern forest rivers	Exceptional	2Be	Macroinvertebrates	63
	General	2Bg	Macroinvertebrates	31

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Water Body Type	Tier	Class	Assemblage	Biocriterion
High-gradient northern forest streams	Exceptional	2Be	Macroinvertebrates	82
	General	2Bg	Macroinvertebrates	53
Low-gradient northern forest streams	Exceptional	2Be	Macroinvertebrates	76
	General	2Bg	Macroinvertebrates	51
	Modified	2Bm	Macroinvertebrates	37
High-gradient southern streams	Exceptional	2Be	Macroinvertebrates	62
	General	2Bg	Macroinvertebrates	37
	Modified	2Bm	Macroinvertebrates	24
Low-gradient southern forest streams	Exceptional	2Be	Macroinvertebrates	66
	General	2Bg	Macroinvertebrates	43
	Modified	2Bm	Macroinvertebrates	30
Low-gradient prairie streams	Exceptional	2Be	Macroinvertebrates	69
	General	2Bg	Macroinvertebrates	41
	Modified	2Bm	Macroinvertebrates	22

The biological criteria for lotic warm or cool water aquatic life and habitats (Class 2B) are applicable to perennial and intermittent waters that allow for colonization of fish or macroinvertebrates.

## 7050.0430 UNLISTED WATERS.

Subpart 1. **Statewide surface waters.** Except as provided in subparts 2 and 3, all surface waters of the state that are not listed in part 7050.0470 and that are not wetlands as defined in part 7050.0186, subpart 1a, are hereby classified as Class 2Bg 2B, 3C, 4A, 4B, 5, and 6 waters. Unlisted lotic waters are also assigned the beneficial use subclass designator “g” to the Class 2B designator.

## 7050.0470 CLASSIFICATIONS FOR SURFACE WATERS IN MAJOR DRAINAGE BASINS.

Subpart 1. **Lake Superior Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Lake Superior Basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Lake Superior Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

Subp. 2. **Lake of the Woods Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Lake of the Woods Basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Lake of the Woods Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

Subp. 3. **Red River of the North Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Red River of the North Basin listed in item A are found in tables entitled “Beneficial Use Designations

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for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Red River of the North Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

**Subp. 4. Upper Mississippi River Basin (headwaters to the confluence with the St. Croix River).** The water use classifications for the stream reaches within each of the major watersheds in the Upper Mississippi River Basin from the headwaters to the confluence with the St. Croix River listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Upper Mississippi River Basin from the headwaters to the confluence with the St. Croix River are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

**Subp. 5. Minnesota River Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Minnesota River Basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Minnesota River Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

**Subp. 6. Saint Croix River Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Saint Croix River Basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Saint Croix River Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

**Subp. 7. Lower Mississippi River Basin (from the confluence with the St. Croix River to the Iowa border).** The water use classifications for the stream reaches within each of the major watersheds in the Lower Mississippi River Basin from the confluence with the Saint Croix River to the Iowa border listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Lower Mississippi River Basin from the confluence with the St. Croix River to the Iowa border are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency’s Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

**Subp. 8. Cedar-Des Moines Rivers Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Cedar-Des Moines Rivers Basin listed in item A are found in tables entitled “Beneficial Use Designations for Stream Reaches” published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to

frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Cedar-Des Moines Rivers Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency's Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

Subp. 9. **Missouri River Basin.** The water use classifications for the stream reaches within each of the major watersheds in the Missouri River Basin listed in item A are found in tables entitled "Beneficial Use Designations for Stream Reaches" published on the Web site of the Minnesota Pollution Control Agency at [www.pca.state.mn.us/regulations/minnesota-rulemaking](http://www.pca.state.mn.us/regulations/minnesota-rulemaking). The tables are incorporated by reference and are not subject to frequent change. The date after each watershed listed in item A is the publication date of the applicable table. The water use classifications for the other listed waters in the Missouri River Basin are as identified in items B to D. See parts 7050.0425 and 7050.0430 for the classifications of waters not listed. Designated use information for water bodies can also be accessed through the agency's Environmental Data Access (<http://www.pca.state.mn.us/quick-links/eda-surface-water-data>).

## 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.

## Department of Natural Resources

### Lands and Minerals Division

#### Notice of Hearing on Sale of State Land

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, at the Norman County Courthouse, Commissioners Room, 16 3<sup>rd</sup> Avenue East, Ada, Minnesota on **October 26, 2017 at 2:00 p.m.**

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Norman, and described as:

All that part of the North Half of the Northwest Quarter AND the Southwest Quarter of the Northwest Quarter of Section 26, Township 144 North, Range 45 West Norman County, Minnesota, lying southerly and easterly of the following described lines:

Commencing at the northwest corner of said Section 26; thence North 90 degrees 00 minutes East, 2286.42 feet on and along the north line of said Section 26 to the point of beginning; thence South 40 degrees 38 minutes 41 seconds West 1311.59 feet; thence South 33 degrees 58 minutes 29 seconds West of 1694.6 feet to a point on the east-west quarter line of the said Section 26 and there terminating. Subject to all existing easements.

*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of the Rockwell Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a public sale. This parcel is no longer needed for public purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

# Official Notices

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Questions regarding this proposal can be directed to Amy Schwarz, Department of Natural Resources, Division of Lands and Minerals, 500 Lafayette Road, St. Paul, Minnesota 55155; telephone: (651) 259-5435; TTY: 1-800-657-3929; fax (651) 896-5939; email: [amy.schwarz@dnr.state.mn.us](mailto:amy.schwarz@dnr.state.mn.us).

Dated October 9, 2017

Susan E. Damon, Assistant Director  
Division of Lands and Minerals

## Department of Natural Resources Lands and Minerals Division Notice of Hearing on Sale of State Land

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, at the Minnesota Department of Natural Resources, 1509 1st Avenue North, Fergus Falls, Minnesota, 56537, on **October 26, 2017 at 10:00 a.m.**

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Otter Tail, and described as:

That part of Section 1, Township 133 North, Range 40 West, of the Fifth Principal Meridian, Otter Tail County, Minnesota, described as follows:

Beginning at the point of intersection of the north line of Government Lot 7 and the west right of way of Minnesota Trunk Highway 78; thence west along the north line of Government Lot 7 1280 feet; thence South 51 degrees 02 minutes West 725 feet; thence west on a line parallel to the north line of Government Lot 7 a distance of 700 feet; thence South 09 degrees 53 minutes East 950 feet, more or less, to the north line of Government Lot 5 of said Section 1 extended east across Government Lot 6 and 7 of said Section 1, (the south one-sixteenth line thereof); thence east on said line to the intersection thereof with the west line of Inglewood plat extended north; thence south on said last line to the northerly right of way line of State Trunk Highway 78; thence northeasterly along the said right of way line of Minnesota Trunk Highway 78 to point of beginning. Said track being 60.6 acres, more or less, according to the United States Government survey thereof, together with an easement over and across the private road lying westerly of the lands above described for the purpose of ingress and egress to and from State Trunk Highway 78 and the lands above described at or near the northwesterly corner thereof.

*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of the Lake Blanche Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a public sale. This parcel is no longer needed for public purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Amy Schwarz, Department of Natural Resources, Division of Lands and Minerals, 500 Lafayette Road, St. Paul, Minnesota 55155; telephone: (651) 259-5435; TTY: 1-800-657-3929; fax (651) 896-5939; email: [amy.schwarz@dnr.state.mn.us](mailto:amy.schwarz@dnr.state.mn.us).

Dated October 9, 2017

Susan E. Damon, Assistant Director  
Division of Lands and Minerals



## Department of Natural Resources Lands and Minerals Division Notice of Hearing on Sale of State Land

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, at the Carlos Avery Wildlife Management Area Office, 5463-C West Broadway, Forest Lake, Minnesota, 55025, on **November 1, 2017 at 5:00 p. m.**

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Anoka, and described as:

The East Half of the Southwest Quarter of the Southwest Quarter, Section 25, Township 33 North, Range 22 West, Anoka County, Minnesota.

*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of the Carlos Avery Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a public sale. This parcel is no longer needed for public purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Amy Schwarz, Department of Natural Resources, Division of Lands and Minerals, 500 Lafayette Road, St. Paul, Minnesota 55155; telephone: (651) 259-5435; TTY: 1-800-657-3929; fax (651) 896-5939; email: [amy.schwarz@dnr.state.mn.us](mailto:amy.schwarz@dnr.state.mn.us).

Dated October 9, 2017

Susan E. Damon, Assistant Director  
Division of Lands and Minerals

## Department of Natural Resources Lands and Minerals Division Notice of Hearing on Sale of State Land

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, at the Carlos Avery Wildlife Management Area Office, 5463-C West Broadway, Forest Lake, Minnesota, 55025, on **November 1, 2017 at 6:00 p.m.**

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Anoka, and described as:

The Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section Twenty-nine (29) Township Thirty-three (33), Range Twenty-five (25), EXCEPTING therefrom, a tract described as follows:

Commencing at the Southeast corner of said Northeast Quarter of the Southwest Quarter of Section 29; thence running North along the East side of said Northeast Quarter of the Southwest Quarter a distance of about 22 rods to a point where road leading to Elk River crosses said East line; thence in a Southwesterly direction along the East side of said road to the South line of said Northeast Quarter of the Southwest Quarter; thence East a distance of about 11 rods to the place of commencement.

# Official Notices

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*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of the Bearman Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a public sale. This parcel is no longer needed for public purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Amy Schwarz, Department of Natural Resources, Division of Lands and Minerals, 500 Lafayette Road, St. Paul, Minnesota 55155; telephone: (651) 259-5435; TTY: 1-800-657-3929; fax (651) 896-5939; email: [amy.schwarz@dnr.state.mn.us](mailto:amy.schwarz@dnr.state.mn.us).

Dated October 9, 2017

Susan E. Damon, Assistant Director  
Division of Lands and Minerals

## Department of Transportation (MnDOT)

### Modal Planning and Program Management Division – Office of Freight and Commercial Vehicle Operations

#### Notice of Public Comment Period on Minnesota State Freight Investment Plan and Minnesota Highway Freight Program

**NOTICE IS HEREBY GIVEN** that the public is invited to review and provide comments through November 27th on the draft Minnesota State Freight Investment Plan and Minnesota Highway Freight Program. The plan is a guide that sets the statewide freight investment direction over the next ten years and identifies projects within the Minnesota Highway Freight Program for the use of new federal funding provided by the Fixing America's Surface Transportation Act of 2015 (FAST Act). The plan is a result of extensive collaboration during the past year between the Minnesota Department of Transportation and freight stakeholders, local governments, citizens and partners. The plan will be amended as an appendix to the adopted 2015 Statewide Freight System Plan. This work is an important step forward in addressing the current and future needs of the National Highway Freight System within Minnesota.

The Minnesota State Freight Investment Plan can be accessed electronically at <http://www.dot.state.mn.us/planning/freightplan/index.html>. It also is available for review in hard copy at the MnDOT Library, 395 John Ireland Blvd., in St. Paul or at MnDOT offices statewide:

- Baxter – 7694 Industrial Park Road · Bemidji – 3920 Highway 2 W
- Crookston – 1320 Sunflower St.
- Detroit Lakes – 1000 Highway 10 W
- Duluth – 1123 Mesaba Ave.
- Mankato – 2151 Bassett Drive
- Marshall – 1800 East College Drive
- Morris – 610 Highway 9 S
- Owatonna – 1010 21st Ave. NW
- Rochester – 2900 48th St. NW
- St. Cloud – 3725 12th St. N
- St. Paul – 395 John Ireland Blvd., Room G15
- Virginia – 101 N. Hoover Road
- Willmar – 2505 Transportation Road
- Windom – 180 S. County Road 26

Written comments will be accepted through November 27th and should be addressed to: Andrew Andrusko, MnDOT Office of Freight and Commercial Vehicle Operations, 395 John Ireland Blvd, MS 420 Saint Paul, MN 55155  
E-mail: [FreightPlans.DOT@state.mn.us](mailto:FreightPlans.DOT@state.mn.us).

To request an ASL or foreign language interpreter, or other reasonable accommodation for the July 12 hearing, call Janet Miller at (651) 366-4720 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay), or send an e-mail to [janet.rae.miller@state.mn.us](mailto:janet.rae.miller@state.mn.us). Please request at least one week in advance.

## 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.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Department of Education, Minnesota Housing Finance Agency and Department of Human Services Notice of Request for Information (RFI) for Homework Starts with Home

NOTICE IS HEREBY GIVEN that the Minnesota Department of Education, the Minnesota Housing Finance Agency, and the Minnesota Department of Human Services are seeking responses to a Request for Information about effective interventions to support Minnesota students and early learners experiencing homelessness, including partnerships among schools, housing organizations, and county or Tribal governments to support young people experiencing homelessness.

For more information, or to obtain a copy of the Request for Information, contact: Eric Grumdahl, Minnesota Department of Education, 1500 Highway 36 West, Roseville, MN 55113 Phone: (651) 582-8511, [hsw.h.mde@state.mn.us](mailto:hsw.h.mde@state.mn.us).

This is the only person designated to answer questions by potential responders regarding this request. Responses to this Request for Information must be received no later than **4:30 p.m., Central Time on Friday, November 17, 2017**.

The RFI can be viewed by visiting the Minnesota Department of Education web site:  
<http://education.state.mn.us/MDE/fam/home/>

This RFI is being sought strictly for the purpose of gaining knowledge and should not be construed as intent, commitment, or promise to provide funding or determine funding decisions. No grant or contract will result from any response to this RFI.

Responses are encouraged from all interested stakeholders, regardless of their interest in or eligibility for grant opportunities in the future.

Information submitted in response to this RFI will become property of the state of Minnesota and will be shared with members of the Heading Home Minnesota Funders Collaborative. Responses should not contain any information that is proprietary in nature. Respondents are advised that after responses are received and reviewed, the contents will become public record and nothing contained in the response will be deemed to be confidential.

Responses to the RFI will not be returned. Respondents are solely responsible for all expenses associated with responding to this RFI.

# 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 Website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## Minnesota State Colleges and Universities (Minnesota State)

### Alexandria Technical & Community College (ATCC)

#### Notice of Request for Proposals (RFP) for Owner's Representative Services for Phase 2 and 3 HVAC Replacement

ATCC is soliciting proposals for Owner's Representative working with the Owner and design team to administer the design and construction contract(s) to assure that the Project is designed and constructed in accordance with Design Standards and that the Project is completed on schedule, on budget. Full RFP is available at <http://www.minnstate.edu/vendors/index.html>

Pre-Award Conference: **October 31, 2017 at 10:00am** in room 203 at ATCC main campus, 1601 Jefferson Street, Alexandria, MN 56308.

Proposals must be delivered to Joel Seela at ATCC ([joels@alextech.edu](mailto:joels@alextech.edu) 320-762-4635) not later than **November 7, 2017 2:00 pm**; late responses will not be considered. Any questions are to be submitted by email only to this email address not later than 1:00 pm November 2, 2017. Responses will be posted by noon, November 3. ATCC reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposals does not obligate ATCC to award a contract.

## Minnesota State Colleges and Universities (Minnesota State)

### Normandale Community College

#### Notice of Request for Proposal (RFP) for Design Services for Normandale Community College – Parking Lots 1 and 2 Design

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("Minnesota State"), on behalf of Normandale Community College, is soliciting proposals from interested, qualified design professionals for the above referenced project.

A full Request for Proposal (RFP and attachments) is available the Minnesota State Colleges and University's web-site at: <http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html>

A **voluntary** informational meeting is scheduled for **Monday, October 23, at 9:00 AM Central Time** at Normandale College, 9700 France Avenue South, Bloomington, MN 55431 in Room B1604. Please register your attendance **in advance** by sending an email notification to [Nissa.passmore@normandale.edu](mailto:Nissa.passmore@normandale.edu)

Any questions should be directed by email only to Nissa Passmore at [Nissa.Passmore@normandale.edu](mailto:Nissa.Passmore@normandale.edu). Questions will be taken by this individual only. Questions regarding this RFP must be received by Monday, October 30, 2017 no later than 1pm Central Time.

Proposals must be delivered to:

Office of Facilities Management  
Normandale Community College  
Room 1611 Building Services  
Bloomington, MN 55431

Proposals must be received NO later than **Thursday November 2, 2017 at 2:00 pm CST**; late responses will not be considered. Normandale Community College reserves the right to cancel this solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## **Minnesota State Colleges and Universities (Minnesota State) St. Cloud Technical & Community College Formal Request for Proposal for Bookstore Furniture and Fixtures**

Response Due Date and Time: **Tuesday, October 31, 2017 at 2:00 p.m. Central Time**

The complete Request for Proposal will be available on Monday, October 16, 2017 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Bookstore Furniture and Fixtures

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

St. Cloud Technical & Community College  
1540 Northway Drive  
St. Cloud, MN 56303  
Susan Meyer, Purchasing Agent, Room 1-401  
Phone: (320) 308-5973  
Fax: (320) 308-5027  
E-mail: [smeyer@sctcc.edu](mailto:smeyer@sctcc.edu)

Contact for questions: Susan Meyer, Phone: (320) 308-5973 e-mail: [smeyer@sctcc.edu](mailto:smeyer@sctcc.edu)

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

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

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

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

# State Contracts

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## Minnesota State Colleges and Universities (Minnesota State)

### Winona State University

#### Request for Proposals to Provide Mobile Devices, Damage and Theft Protection Program and Flexible Leasing Agreements

Notice is hereby given that Winona State University (WSU) is seeking proposals from vendors/manufacturers/re-sellers and/or financial/lending institutions to provide mobile devices, damage and theft protection program, and flexible leasing agreements. Approximately 4,000 mobile devices are leased annually for students, faculty, and staff. WSU is also seeking to provide optional damage and theft protection to those who receive the mobile devices

There will be an interested vendor meeting at 10:00 am CST on Wednesday, November 1, 2017, in Maxwell Hall, Room 158, on the Winona State campus. If vendors are unable to attend this meeting, they may attend via conference call.

Proposal specifications are available by contacting the Purchasing Department at PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to [LMann@winona.edu](mailto:LMann@winona.edu).

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Somsen Hall 106, Winona, MN 55987 by **3:00 p.m. CST on Monday, November 27, 2017**.

Winona State University reserves the right to reject any or all proposals and to waive irregularities or informalities in proposals received.

## Minnesota State Colleges and Universities (Minnesota State)

### Winona State University

#### Request for Proposals for the Purchase of (5) Stream Monitoring Stations

Notice is hereby given that Winona State University is seeking proposals for the Purchase of (5) Stream Monitoring Stations. Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to [lmann@winona.edu](mailto:lmann@winona.edu).

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by **Wednesday, November 1, 2017, 3:00 p.m. CT**.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

## Minnesota Historical Society (MNHS)

#### Request for Proposals for Commissioning Services for Historic Fort Snelling Revitalization

The Minnesota Historical Society (MNHS), is seeking commissioning services by a qualified Commissioning Authority/Agent (CxA) to verify that all mechanical and electrical systems are complete and functioning properly upon occupancy that new systems integrate appropriately with existing building systems and infrastructure, and that facility staff have adequate system documentation and training. The CxA shall develop a Commissioning Plan, document MNHS's performance criteria, systematically document that specified components and systems have been installed and started up properly and then functionally test the systems to verify and document proper operation through all modes and conditions. In addition, training of the Owner's operations personnel will be coordinated and verified and final project O&M documents will be reviewed for completeness. Commissioning activities will begin during the design phase of the project and continue through construction and post construction in a collaborative mode.

The Request for Proposal is available by contacting Mary Green Toussaint, Contract Manager, Minnesota Historical Society, by e-mail only: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

Proposals must be received by Mary Green Toussaint, MNHS Contract/Purchasing Manager, or her agent by **2:00 CST, November 8, 2017**. **Late proposals will not be accepted.** Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor of the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

## **Minnesota Historical Society (MNHS) Request for Proposals for Wayfinding Analysis and Planning Services for Historic Fort Snelling Revitalization**

The Minnesota Historical Society (MNHS) is seeking Wayfinding Analysis and Planning Services by a qualified Wayfinding consultant to conduct a comprehensive assessment and evaluation of the wayfinding needs of Historic Fort Snelling at Bdote. Wayfinding activities will begin during the Schematic Design phase of the project and continue through all subsequent phases of design working with the established project design team.

The Request for Proposal is available by contacting Mary Green Toussaint, Contract Manager, Minnesota Historical Society, by e-mail only: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

Proposals must be received by Mary Green Toussaint, MNHS Contract/Purchasing Manager, or her agent by **2:00 CST, November 8, 2017**. Late proposals will not be accepted. Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor of the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

## **Minnesota 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 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.

# State Contracts

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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

## **Minnesota Department of Transportation (Mn/DOT)**

### **Engineering Services Division**

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

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

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



# Non-State 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.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

## Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2017 Carpet Replacement - Terminal1-Lindbergh / Terminal 2-Humphrey

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2017 Carpet Replacement - Terminal1-Lindbergh / Terminal 2-Humphrey  
**MAC Contract No:** 106-2-856 / 106-3-579  
**Bids Close At:** 2:00 p.m. on Tuesday, October 24, 2017

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project involves the demolition and installation of Owner provided carpet tile in the Main Terminal of Terminal 2-Humphrey and in the Main Terminal of Terminal 1-Lindbergh along with B, C, F, and G-Concourse circulation spaces.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of TGB on this project is 4%.

**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 Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; 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: 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 October 9, 2017, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

# Minnesota's Bookstore

## Several convenient ways to order:

- **Retail store** Open 8 a.m. - 3 p.m. Monday - Friday, 660 Olive Street, St. Paul
- **Phone** (credit cards): 8 a.m. - 4 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)

- **On-line orders:** www.minnesotasbookstore.com

- **Minnesota Relay Service:** 711

- **Fax** (credit cards): 651.215.5733 (fax line available 24 hours)

- **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**Minnesota's Bookstore accepts VISA, MasterCard, American Express & Discover for all purchases.**

**PREPAYMENT REQUIRED.** *Prices and availability subject to change.* **Fax and phone orders** require credit card.

Please allow 1-2 weeks for delivery. For **mail orders**, complete order blank and send to address above.

Enclose payment - for security reasons, we do not recommend mailing credit card information.

Please allow 2-3 weeks for delivery.

Please make checks payable to "Minnesota's Bookstore."

A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company:		
Name:		
Street Address: <small>(Not deliverable to P.O. boxes)</small>		
City:	State:	Zip:
Daytime phone: (     ) <small>(In case we have a question about your order - please include area code)</small>		

*For security reasons, we recommend that you call to place a credit card order.*

Credit card number:	
Expiration date:	3- or 4- digit security code: <small>(found on back of card)</small>
Signature:	

### Shipping Charges

<i>If Product</i>	<i>Please Add:</i>
<b>Subtotal is:</b>	
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$500.00	\$ 17.00
\$500.01-\$1,000	\$ 22.00*
<small>*\$22 to an address in MN, WI, SD, ND, IA.</small>	
<small>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** \_\_\_\_\_  
*(see chart at left)*

**Subtotal** \_\_\_\_\_

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

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

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

ES# \_\_\_\_\_

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**March 2016**