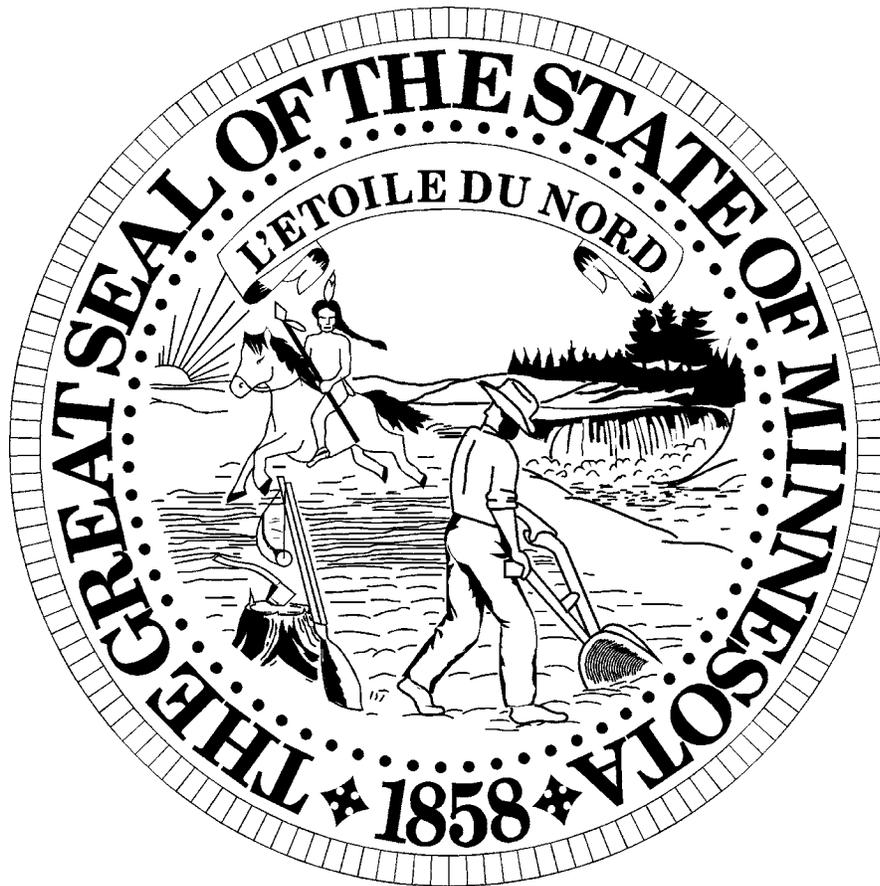


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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**

**Monday 23 September 2019
Volume 44, Number 13
Pages 401 - 434**

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- Withdrawn Rules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. 44 Issue Number	PUBLISH DATE (BOLDFACE 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)
# 14	Monday 30 September	Noon Tuesday 24 September	Noon Thursday 19 September
# 15	Monday 7 October	Noon Tuesday 1 October	Noon Thursday 26 September
# 16	Monday 14 October	Noon Tuesday 8 October	Noon Thursday 3 October
# 17	Monday 21 October	Noon Tuesday 15 October	Noon Thursday 10 October

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State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

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State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

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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 #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. 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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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 §§ 14.1414.20, 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 Pollution Control Agency (MPCA)

Proposed Amendments to Rules Governing Water Quality Standards – Class 2 and Class 7 Use Designations, *Minnesota Rules* chapter 7050; 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; Revisor’s ID Number R-4561

Plain English Summary. This notice is the Minnesota Pollution Control Agency’s (MPCA) legal notice of its intent to adopt amended use designation rules for Class 2 and Class 7 waters. The overall purpose of the rules is to update the use designations for some state waters. The “designated use” is a component of water quality standards that defines how the water is used (e.g. drinking water, aquatic life, recreation). The proposed rules assign appropriate use designations to individual waterbodies.

This notice provides an opportunity for the public to comment on the proposed rules. Anyone who would like to comment on the proposed rule language must submit written comment or a written request for a hearing on the proposed rules by the deadline identified below. The Subject of Rules section provides additional information about the proposed rules. If the proposed rules affect you in any, the MPCA encourages you to participate in the rulemaking process.

Public Information Meeting. The MPCA has scheduled a public information meeting on the proposed rules. The meeting will be held at the MPCA Saint Paul office and via WebEx on **Tuesday, October 29, 2019, 3:00 - 5:30**

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p.m. The purpose of the meeting is to provide an overview of the proposed rules so that interested persons are able to ask questions and provide written comment on the proposed rules. Information about the public information meeting is available on the rulemaking website at <https://www.pca.state.mn.us/water/wqs-designated-uses>.

Introduction. The MPCA 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 7, 2019**, the MPCA will hold one public hearing to be convened at **3:30 p.m. on Wednesday, December 11, 2019**. The hearing will continue until all parties have been heard or until the Administrative Law Judge (ALJ) adjourns it. The public hearing will be held at the following locations:

- MPCA Saint Paul Office, 520 Lafayette Road North, Saint Paul, Minnesota 55155
- MPCA Duluth Office, 525 Lake Avenue South, Suite 400, Duluth, Minnesota 55802
- MPCA Detroit Lakes Office, 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota 56501
- MPCA Marshall Office, 504 Fairgrounds Road, Suite 200, Marshall, Minnesota 56258
- MPCA Rochester Office, 18 Wood Lake Drive SE, Rochester, Minnesota 55904

The MPCA will hold the hearing simultaneously at the five locations listed above via videoconference. The ALJ will conduct the hearing from the Saint Paul location. MPCA staff will be present at all five locations to facilitate the process and to ensure that all persons attending will be able to see, hear, and speak during the hearing. Directions to these offices is available on the MPCA website at <https://www.pca.state.mn.us/about-mpca/mpca-offices>.

To find out whether the MPCA will adopt the rules without a hearing or if it will hold the hearing, you should contact the MPCA contact person identified below after **Thursday, November 7, 2019**, and before **Wednesday, December 11, 2019**.

Subject of Rules. Minnesota's surface waters are currently assigned, or designated, a number of possible beneficial uses (e.g., drinking water, aquatic life, and recreation such as fishing and swimming) based on which beneficial uses are or should be attained in those waters. Different physical and chemical criteria apply depending on the beneficial uses that need to be protected in each water. The MPCA routinely reviews use designations to ensure that assigned beneficial uses are protective and attainable as defined by the Clean Water Act and Minnesota Rule. As the result of routine monitoring, stakeholder requests, and data generated by the Minnesota Department of Natural Resources (MDNR) trout waters rulemaking, the MPCA has identified waterbodies where the currently designated beneficial use does not accurately reflect an attainable use. The designated beneficial use for each water body must be correct and appropriate because the designated use affects many water quality protection and restoration efforts (e.g. assessment, stressor identification, National Pollutant Discharge Elimination System permitting, and Watershed Restoration and Protection Strategies). The proposed rules update designated uses for some state waters to improve their restoration and protection. Assigning the appropriate beneficial use is an important first step in the process to assure the goals for each water body are attainable and can be protected.

The proposed rules do not change numeric or narrative water quality standards. The proposed rules make updates and corrections to Class 2 (Aquatic Life) and Class 7 (Limited Resource Value Waters) beneficial use designations or classifications for streams and lakes. These updates fall into two groups: 1) reviewing streams and lakes for appropriate classification as cold or warm water habitats; and 2) reviewing streams under the tiered aquatic life use (TALU) framework. The TALU rules are a framework for classifying streams based on the aquatic life each supports or has the potential to support, and builds upon existing water quality standards. Described below are the main parts of the rule amendments the MPCA is proposing. For more information about the proposed rules, please refer to the statement of need and reasonableness (SONAR) which is available as stated below.

1. Minn. R. 7050.0420. The proposed rules update the list of waters designated as cold water streams and lakes, and modernize the process for designating cold and warm/cool water habitats. The current use designation framework adopts the designations in MDNR rules Minn. R. 6264.0050; however, these designations are driven by the goals and objectives of the MDNR, not the MPCA. The proposed revision would remove the link between Minn. R. 7050.0420 and 6264.0050 and allow the MPCA to designate cold water habitats based on

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evidence supporting the designation. This update will align the waters designated as Class 2A, 2Ae, and 2Ag in Minn. R. 7050.0470 to regulatory goals in Minnesota and federal regulations for the protection of cold water aquatic life and habitat.

2. Minn. R. 7050.0470. The proposed rules revise Class 2 lake use designations for four lakes in Minn. R. 7050.0470 to assign the correct and appropriate designated use (warm/cool or cold water habitat) to each water body. The MPCA is also updating the documents incorporated by reference in Minn. R. 7050.0470 that list the specific use designations, and updating the use designations for approximately 200 stream reaches under the TALU framework.

Availability of Rules. A copy of the proposed rules is published in the *State Register* after this notice, or they can be viewed on the rulemaking website at <https://www.pca.state.mn.us/water/wqs-designated-uses>. A free copy of the rules is also available upon request from the MPCA contact person identified below.

Statement of Need and Reasonableness. The SONAR 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. The MPCA posted the SONAR on the rulemaking website at <https://www.pca.state.mn.us/water/wqs-designated-uses>. A print copy is available for the cost of reproduction by contacting the MPCA contact person identified below.

Public Comment. You have until **4:30 p.m. on Thursday, November 7, 2019**, 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 deadline. Submit written comments to the Office of Administrative Hearings (OAH) Rulemaking eComments website at <https://minnesotaoah.granicusideas.com>. If it is not possible to use the eComments website, comments may be submitted in person, via United States mail, or by facsimile addressed to Administrative Law Judge Ann C. O'Reilly at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620 or at 651-539-0310 (fax). Any questions about rule procedures or submitting comments via the eComments website should be directed to Ian Lewenstein, Office of Administrative Hearings Rules Coordinator, at 651-361-7857 or Ian.Lewenstein@state.mn.us. All comments received are public and will be available for review at the Office of Administrative Hearings and on the OAH Rulemaking eComments website at <https://minnesotaoah.granicusideas.com>. After the close of the comment period on November 7, 2019, the comments will also be available for viewing at the MPCA's rulemaking website at <https://www.pca.state.mn.us/water/wqs-designated-uses>.

Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Modifications. The MPCA may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. The modifications must be supported by comments and information submitted to the MPCA or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the MPCA follows the procedure under *Minnesota Rules*, part 1400.2110.

Request for a Hearing. In addition to submitting comments, you may also request that the MPCA hold a public hearing on the proposed rules. You have until **4:30 p.m. on Thursday, November 7, 2019**, to submit your written request for a hearing to the agency contact person, Mary H. Lynn, at MPCA, 520 Lafayette Road North, Saint Paul, Minnesota 55155-4194, or mary.lynn@state.mn.us. Requests for hearing can be submitted in person, by United States mail, or by electronic mail. Your written request for a public hearing must include your name and postal address. 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 MPCA cannot count it when determining whether it must hold a public hearing. You are 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 MPCA will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for

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hearing are withdrawn to reduce the number below 25, the MPCA must give written notice of this to all persons who requested a hearing, explain the actions the MPCA took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The MPCA reserves the option to remove any section of the rule that may be controversial and to proceed without a hearing on the noncontroversial parts of the proposed rules.

Cancellation of Hearing. The MPCA will cancel the hearing scheduled for **Wednesday, December 11, 2019**, if the MPCA does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the MPCA will notify you before the scheduled hearing whether the hearing will be held. You may also call the MPCA contact person identified below after **Thursday, November 7, 2019**, to find out whether the hearing will be held or go to the rulemaking website at <https://www.pca.state.mn.us/water/wqs-designated-uses>.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the MPCA will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The MPCA 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 or until the ALJ adjourns it. ALJ, the Honorable Judge Ann C. O'Reilly, is assigned to conduct the hearing. Judge O'Reilly's legal assistant Sheena Denny can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7881, and 651-539-0310 (fax) or Sheena.Denny@state.mn.us.

Hearing Procedure. If the MPCA 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 ALJ to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the ALJ 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 MPCA and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the ALJ via the Office of Administrative Hearings rulemaking eComments website at <https://minnesotaoah.granicusideas.com> no later than **4:30 p.m.** on the due date. If it is not possible to use the OAH eComments website, comments may be submitted in person, via United States mail, or by facsimile addressed to Administrative Law Judge Ann. C. O'Reilly at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620 or at 651-539-0310 (fax). All comments or responses received will be available for review at <https://minnesotaoah.granicusideas.com> or at the Office of Administrative Hearings. After the close of the post-hearing comment and rebuttal period, all comments and responses will be available for review at the MPCA offices and on the MPCA rulemaking website at <https://www.pca.state.mn.us/water/wqs-designated-uses>. 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 rulemaking procedure to the ALJ or the Office of Administrative Hearings Rules Coordinator, Ian Lewenstein, at 651-361-7857 or Ian.Lewenstein@state.mn.us.

Adoption Procedure if No Hearing. If no hearing is required, the MPCA may adopt the rules after the end of the comment period. The MPCA will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the MPCA submits the rules to the Office of Administrative Hearings. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the MPCA to receive notice of future rule proceedings, submit your written request to the MPCA contact person identified below.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the ALJ will issue a report on the proposed rules. You may ask to be notified of the date that the ALJ's report will become available, and can make this request at the hearing or in writing to the ALJ. You may also ask to be notified of the date that the MPCA adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the MPCA contact person identified below.

Statutory Authority. *Minnesota Statutes*, section 115.03, subdivision 1 grants the MPCA general authority to promulgate and/or revise rules relating to pollution of waters of the state, classify waters of the state, and to adopt water

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quality standards. *Minnesota Statutes*, section 115.44 grants the MPCA the additional authority to group designated waters of the state into classes.

MPCA Contact Person. The MPCA contact person is Mary H. Lynn at the MPCA, 520 Lafayette Road North, Saint Paul, Minnesota 55155-4194; telephone 651-757-2439; and mary.lynn@state.mn.us. You may also call the MPCA at 651-296-6300 or 800-657-3864 or use your preferred relay service info.pca@state.mn.us.

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 MPCA contact person.

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, Saint Paul, Minnesota 55155, telephone 651-539-1180 or 1-800-657-3889.

Date: September 12, 2019

Laura Bishop, Commissioner
Minnesota Pollution Control Agency

7050.0219 HUMAN HEALTH-BASED CRITERIA AND STANDARDS.

[For text of subparts 1 to 11, see Minnesota Rules]

Subp. 12. **Final state or site BAF by trophic level.** Calculate final state or site BAF for TL_3 where applicable and TL_4 for use in developing human health-based chronic criteria or standards.

A. For nonionic organic chemicals and ionic organic chemicals with no or negligible ionization as defined under subpart 7, for each TL_3 and TL_4 , calculate a state or site BAF using the following equation:

$$\text{state or site BAF}_{(TL\ n)} = \left[(\text{final baseline BAF}_{1}^{fd})_{TL\ n} \times (f_i)_{TL\ n+1} \right] \times (f_{fd})$$

where: $(\text{final baseline BAF}_{1}^{fd})_{TL\ n}$ = final trophic-level-mean baseline BAF expressed on a freely dissolved and lipid-normalized basis for trophic level “n” (L/kg)

$(f_i)_{TL\ n}$ = lipid fraction of aquatic species consumed at trophic level «n» by class 2 subclass: class 2A = 0.06; class 2B and 2C = 0.02 for TL_3 and 0.015 for TL_4

f_{fd} = fraction of the total chemical in water that is freely dissolved in ambient waters

The default DOC and POC values for the state ambient class 2 surface waters are 7.5×10^{-6} kg/L (7.5 mg/L) and 5×10^{-7} kg/L (0.5 mg/L), respectively. For a site BAF for use in site-specific criteria development, the DOC and POC values are from the site monitoring data, if available; in all other cases, the state defaults are used.

B. For inorganic and organometallic chemicals and ionic organic chemicals with ionization in natural waters, the baseline BAF_T using total chemical concentrations or bioavailable forms are directly applied as the state or site BAF:

$$\text{state BAF}_{(TL\ n)} \text{ or site BAF} = \text{final baseline BAF}_{(TL\ n)}$$

[For text of subpart 13, see Minnesota Rules]

Subp. 14. **Algorithm for class 2B, 2C, or 2D surface waters.** This subpart describes human health-based criteria or standards for classes of surface waters designated for fish consumption and recreational use (nondrinking water use). To develop a final chronic criteria (CC_f) or standard (CS_f) applicable to surface waters designated class 2B, 2C, or 2D, items A to C must be evaluated for use based on the pollutant's toxicological profile: noncarcinogen or nonlinear carcinogen (NLC) or linear carcinogen (C).

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A. Algorithm for noncarcinogenic or NLC chemicals applicable to class 2B, 2C, or 2D surface waters to calculate: CC_{fr} or CS_{fr} =

$$\frac{RfD_{chronic} \text{ (mg/kg-d)} \times RSC \text{ (no units)} \times 1,000 \text{ } \mu\text{g/mg}}{\{IWR_{chronic} \text{ (L/kg-d)} + FCR_{adult} \text{ (kg/kg-d)} [(0.24 \times BAF_{TL3} \text{ (L/kg)}) + (0.76 \times BAF_{TL4} \text{ (L/kg)})]\}}$$

where: CC_{fr} or CS_{fr} = fish consumption and recreation chronic criterion or standard in $\mu\text{g/L}$
 $IWR_{chronic}$ = 0.0013 L/kg-d; assumed incidental water intake rate based on minimum chronic duration
 Other variables as defined under subpart 13

B. Algorithm for linear carcinogenic chemicals with lifetime adjustment factors ($AF_{lifetime}$) applicable to surface waters designated class 2B, 2C, or 2D to calculate: CC_{fr} or CS_{fr} =

$$\frac{CR \text{ (} 1 \times 10^{-5}\text{)}}{CSF \text{ (mg/kg-d)}^{-1} \times AF_{Lifetime}} \times \frac{1000 \text{ } \mu\text{g/mg}}{\{IWR_{chronic} \text{ (L/kg-d)} + FCR_{Adult} \text{ (kg/kg-d)} [(0.24 \times BAF_{TL3} \text{ (L/kg)}) + (0.76 \times BAF_{TL4} \text{ (L/kg)})]\}}$$

where: CC_{fr} or CS_{fr} = fish consumption and recreation chronic criterion or standard in $\mu\text{g/L}$
 Other variables as defined under item A and subpart 13

C. Algorithm for linear carcinogenic chemicals with age-dependent adjustment factors (ADAF) applicable to surface waters designated class 2B, 2C, or 2D to calculate: CC_{fr} or CS_{fr} =

$$\frac{CR \text{ (} 1 \times 10^{-5}\text{)} \times 1000}{\left\{ \begin{array}{l} \left\{ CSF \times ADAF_{<2} \times D_{<2} \times [IWR + FCR_{<2} \times (0.24BAF_{TL3} + 0.76BAF_{TL4})] \right\} + \\ \left\{ CSF \times ADAF_{2 \text{ to } <16} \times D_{2 \text{ to } <16} \times [IWR + FCR_{2 \text{ to } <16} \times (0.24BAF_{TL3} + 0.76BAF_{TL4})] \right\} + /70\text{yrs} \\ \left\{ CSF \times ADAF_{16 \text{ to } 70} \times D_{16 \text{ to } 70} \times [IWR + FCR_{Adult} \times (0.24BAF_{TL3} + 0.76BAF_{TL4})] \right\} \end{array} \right\}}$$

where: CC_{fr} or CS_{fr} = fish consumption and recreation chronic criterion or standard in $\mu\text{g/L}$
 Other variables as defined under item A and subpart 13

[For text of subpart 15, see Minnesota Rules]

7050.0420 ~~TROUT~~ COLD WATER HABITAT WATERS.

A. Trout lakes identified in part 6264.0050, subpart 2, as amended through June 14, 2004, are classified as trout waters and Cold water habitat waters are listed under part 7050.0470. Trout streams and their tributaries within the sections specified that are identified in part 6264.0050, subpart 4, as amended through June 14, 2004, are classified as trout waters. Trout streams are listed in part 7050.0470. Other lakes that are classified as trout waters are listed in part 7050.0470.

B. Cold water habitat waters identified as class 2A, 2Ae, or 2Ag in part 7050.0470 must reflect an existing beneficial use that permits propagating and maintaining a healthy community of cold water aquatic biota and their habitats.

C. The commissioner must propose changes to part 7050.0470 when reliable scientific evidence supports adding or removing a water listed as class 2A, 2Ae, or 2Ag. Changes must be supported by data relevant to the biological

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community, habitat, thermal regime, or other features of a class 2A, 2Ae, or 2Ag habitat.

D. All waters Unless otherwise listed in part 7050.0470 as, all class 1B, 2A, and 3B 2Ae, or 2Ag waters listed in part 7050.0470 are also classified as class 1B, 3B, 4A, 4B, 5, and 6 waters.

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 website of the Minnesota Pollution Control Agency at 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>).

[For text of item A, see Minnesota Rules]

B. Lakes:

[For text of subitems (1) to (24), see Minnesota Rules]

(25) Cedar Lake, 69-0431-00, (T.58, R.15W, S.20): 1B, ~~2A~~ 2Bd, 3B;

[For text of subitems (26) to (140), see Minnesota Rules]

(141) Twin Lake, ~~69-1345-00~~ lower, 69-0967-00, (T.50, R.14W, S.28, 33): 1B, 2A, 3B;

(142) Twin Lake, upper, 69-0967-01, (T.50, R.14W, S.28, 33): 1B, 2A, 3B;

~~(142)~~ (143) *Twin Lake, upper (Bear Lake), 38-0408-00, [3/7/88R] (T.56, R.8, S.25): 1B, 2A, 3B;

~~(143)~~ (144) unnamed lake, 16-0903-00, (T.63, R.3E, S.20, 21, 28, 29): 1B, 2A, 3B;

~~(144)~~ (145) unnamed lake, 16-0908-00, (T.63, R.1W, S.31): 1B, 2A, 3B;

~~(145)~~ (146) *unnamed lake, 16-0237-00, [11/5/84P] (T.63, R.1, S.19, 30; T.63, R.2, S.24, 25): 1B, 2Bd, 3B;

~~(146)~~ (147) *Vale Lake, 16-0061-00, [11/5/84P] (T.64, R.2E, S.3): 1B, 2A, 3B;

~~(147)~~ (148) Vaseux Lake (East Lily), see Lily Lakes;

~~(148)~~ (149) *Vista Lake, 16-0224-00, [11/5/84P] (T.64, R.1): 1B, 2A, 3B;

~~(149)~~ (150) *Wanihigan Lake (Trap Lake), 16-0349-00, [11/5/84P] (T.63, 64, R.2, 3): 1B, 2A, 3B;

~~(150)~~ (151) *Wee Lake, 16-0183-00, [11/5/84P] (T.62, R.4W, S.13): 1B, 2A, 3B;

~~(151)~~ (152) *Wench Lake, 16-0398-00, [11/5/84P] (T.63, R.3W, S.7, 18): 1B, 2A, 3B;

~~(152)~~ (153) White Pine Lake, 16-0369-00, [WR] (T.61, R.3W, S.19, 20, 29, 30): 2B, 3B; and

~~(153)~~ (154) *Winchell Lake, 16-0354-00, [11/5/84P] (T.64, R.2, 3): 1B, 2A, 3B.

[For text of items C and D, see Minnesota Rules]

[For text of subparts 2 to 9, see Minnesota Rules]

Exempt Rules

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

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

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

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

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

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2019 Adjustments to Relative Value Fee Schedule Conversion Factors and Amendments to Rules Implementing the Workers' Compensation Relative Value Fee Schedule Tables

5221.4020 DETERMINING FEE SCHEDULE PAYMENT LIMITS.

Subpart 1. [Repealed, 35 SR 227]

Subp. 1a. [Repealed, 35 SR 227]

Subp. 1b. **Conversion factors and maximum fee formulas.**

[For text of item A, see Minnesota Rules]

B. The conversion factors for services, articles, and supplies included in parts 5221.4030 to 5221.4061 are as provided in Minnesota Statutes, section 176.136, subdivision 1a, as follows:

[For text of subitems (1) to (7), see Minnesota Rules]

- (8) for dates of service from October 1, 2017, to September 30, 2018, the conversion factors are:

[For text of units (a) to (c), see Minnesota Rules]

(d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$49.44; and

(9) for dates of service from October 1, 2018, to September 30, 2019, the conversion factors are:

[For text of units (a) to (c), see Minnesota Rules]

(d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$49.66;
and

(10) for dates of service from October 1, 2019, to September 30, 2020, the conversion factors are:

(a) for medical/surgical services identified by procedure codes described in part 5221.4030, subpart 3:
\$70.24;

(b) for pathology and laboratory services identified by procedure codes described in part 5221.4040, subpart 3: \$59.57;

(c) for physical medicine and rehabilitation services identified by procedure codes described in part 5221.4050, subpart 2d: \$58.16; and

(d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$50.25.

Subp. 1c. **Sample calculation.** The following is a sample calculation for determining the maximum fee, excluding any applicable adjustments in parts 5221.4030 to 5221.4061, for a new patient office examination (procedure code 99201) in a clinic based on the 2016 2019 National Physician Fee Schedule Relative Value April July (RVU16B RVU19 C) Release:

.48 [Work RVU (.48) * Work Geographic PCI (1)]
+ .714 .76836 [Nonfacility PE RVU (.76) * PE GPCI (1.021.011)]
+ .01595 .0181 [MP RVU (.05) * MP GPCI (.319 .362)]
= 1.20995 1.26646 [Total RVU]
* \$60.00 [Conversion factor for example only]
= \$72.597 \$75.9876 [Maximum fee]
= \$72.60 \$75.99 [Maximum fee, rounded]

Subp. 2. [Repealed, 35 SR 227]

[For text of subparts 2a to 4, see Minnesota Rules]

5221.4035 FEE ADJUSTMENTS FOR MEDICAL/SURGICAL SERVICES.

[For text of subparts 1 to 4, see Minnesota Rules]

Subp. 5. **Coding and payment for multiple surgeries and procedures.** Part 5221.4020, subpart 2a, item S, and column S in the tables incorporated by reference in part 5221.4005, subpart 1, item A, describe codes subject to the multiple procedures payment restrictions. Multiple surgeries are separate surgeries performed by a single physician on the same patient at the same operative session or on the same day for which separate payment may be allowed.

[For text of items A to E, see Minnesota Rules]

F. For diagnostic imaging procedures with an indicator of 4 in column S, special rules for the technical component (TC) and professional component (PC) of diagnostic imaging procedures apply if the procedure is billed with another diagnostic imaging procedure with indicator 88 in column AB. If the procedure is furnished by the same provider, or different providers in the same group practice, to the same patient in the same session on the same day as another procedure with indicator 88, the procedures must be ranked according to the maximum fee for the technical component and professional component, calculated according to the formula in part 5221.4020, subpart 1b. The technical component

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with the highest maximum fee is paid at 100 percent, and the technical component of each subsequent procedure is paid at 50 percent. The professional component with the highest maximum fee is paid at 100 percent, and the professional component of each subsequent procedure is paid at 75.95 percent. For example (for illustrative purposes):

	Unadjusted Maximum Fee, Procedure 1	Unadjusted Maximum Fee, Procedure 2	Total Adjusted Maximum Fee	Calculation of Total Adjusted Maximum Fee
PC	\$ 68 <u>\$100</u>	\$ 102 <u>\$80</u>	\$ 152 <u>\$160</u>	$\$102 + (.75 \times \$68)$ $\$176 (\$100 + (.95 \times \$80))$
TC	\$ 476 <u>\$500</u>	\$ 340 <u>\$400</u>	\$ 646 <u>\$700</u>	$\$476 + (.50 \times \$340)$ $\$700 (\$500 + (.50 \times \$400))$
Global	\$ 544 <u>\$600</u>	\$ 816 <u>\$480</u>	\$ 799 <u>\$860</u> (\$600 $+ (.75 \times \$80)$ $+ (.50 \times \$400)$)	$\$102 + (.75 \times \$68) + \$476 +$ $(.50 \times \$340)$ $\$876 (\$600 + (.95 \times \$80) +$ $(.50 \times \$400))$

[For text of items G to J, see Minnesota Rules]
[For text of subparts 6 to 10, see Minnesota Rules]

5221.4050 PHYSICAL MEDICINE AND REHABILITATION PROCEDURE CODES.

[For text of subparts 1 to 2c, see Minnesota Rules]

Subp. 2d. **List of physical medicine and rehabilitation procedure codes.** The physical medicine and rehabilitation conversion factor in part 5221.4020, subpart 1b, item B, applies to the health care providers listed in part 5221.0700, subpart 3, item C, subitem (4), when they provide, within their scope of practice, the services, articles, or supplies identified by procedure codes ~~9700+~~ 97010 through 97799, 97810 through 97814, and V5336 to V5364 in the Medicare Physician Fee Schedule tables described in part 5221.4005.

[For text of subpart 3, see Minnesota Rules]

5221.4060 CHIROPRACTIC PROCEDURE CODES.

Subpart 1. **Key to abbreviations and terms.** For descriptions of columns, abbreviations, and terms, see part 5221.4020, subpart 2a.

Subp. 2a. [Repealed, 25 SR 1142]

Subp. 2b. [Repealed, 30 SR 291]

Subp. 2c. [Repealed, 35 SR 227]

Subp. 2d. **List of chiropractic procedure codes.** The chiropractic conversion factor in part 5221.4020, subpart 1b, item B, applies to the health care providers listed in part 5221.0700, subpart 3, item C, subitem (5), when they provide, within their scope of practice, services, articles, or supplies identified by any of the following procedure codes in the Medicare Physician Fee Schedule tables described in part 5221.4005:

A. radiologic examination procedure codes from ~~72010~~ 72020 to ~~73630~~ 73660;

B. pathology and laboratory procedure codes 81000 and 81002;

C. physical medicine and rehabilitation procedure codes from 97010 to 97150 and 97530 to 97799;

[For text of items D to G, see Minnesota Rules]
[For text of subparts 3 and 4, see Minnesota Rules]

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5221.4061 FEE ADJUSTMENTS FOR CHIROPRACTIC SERVICES.

[For text of subparts 1 to 2, see Minnesota Rules]

Subp. 3. **Diagnostic imaging procedures.** For diagnostic imaging procedures with an indicator of 4 in column S, special rules for the technical component and professional component (PC) apply if the procedure is billed with another diagnostic imaging procedure with indicator 88 in column AB. If the procedure is furnished by the same provider, or different providers in the same group practice, to the same patient in the same session on the same day as another procedure with indicator 88, the procedures must be ranked according to the maximum fee for the technical component and professional component, calculated according to the formula in part 5221.4020, subpart 1b. The technical component with the highest maximum fee is paid at 100 percent, and the technical component of each subsequent procedure is paid at 50 percent. The professional component with the highest maximum fee is paid at 100 percent, and the professional component of each subsequent procedure is paid at 75.95 percent. For example (for illustrative purposes):

	Unadjusted Maximum Fee, Procedure 1	Unadjusted Maximum Fee, Procedure 2	Total Adjusted Maximum Fee	Calculation of Total Adjusted Maximum Fee
PC	\$68 <u>\$100</u>	\$102 <u>\$80</u>	\$152 <u>\$160</u>	\$102 + (.75 x \$68) \$176 (\$100 + (.95 x \$80))
TC	\$476 <u>\$500</u>	\$340 <u>\$400</u>	\$646 <u>\$700</u>	\$476 + (.50 x \$340) \$700 (\$500 + (.50 x \$400))
Global	\$544 <u>\$600</u>	\$816 <u>\$480</u>	\$799 <u>\$860</u> (\$600 + (.75 x \$80) + (.50 x \$400))	\$102 + (.75 x \$68) + \$476 + (.50 x \$340) \$876 (\$600 + (.95 x \$80) + (.50 x \$400))

EFFECTIVE DATE. The amendments to Minnesota Rules, parts 5221.4020, 5221.4035, 5221.4050, 5221.4060, and 5221.4061, are effective for services provided on or after October 1, 2019.

Executive Orders

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

Office of the Governor

Executive Order 19-35: Establishing the Governor's Council on Biofuels

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Minnesota was an early leader in promoting biofuels production and use. It was the first state to mandate the use of both ethanol and biodiesel in its fuel supply, and it adopted statutory goals for replacing petroleum with biofuels of 14% by 2015, 18% by 2017, 25% by 2020, and 30% by 2025. The biofuels industry provides important markets for agricultural commodities and generates economic impacts of \$6.7 billion.

We are not on track to meet our petroleum replacement goals. In recent years, a combination of low market prices and changes in federal policy has been a headwind to growth in biofuels, particularly in the commercialization of advanced biofuels. In order to make progress, we need ideas for policy and investment in biofuels development and utilization that are bold, practical, and broadly supported by a range of interests.

The need for leadership by Minnesota and other states has never been so great, given the lack of leadership and counterproductive policies at the national level, including the large number of small-refinery exemptions from biofuels blending granted by the U.S. Environmental Protection Agency and the rollback of vehicle fuel economy standards.

The transportation sector is now the largest source of greenhouse gas emissions in Minnesota. To meet the goals of the 2007 Next Generation Energy Act, we will need to reduce carbon emissions in this sector.

Minnesota is uniquely positioned to lead the way in reshaping how our transportation system is fueled, so that it helps improve air and water quality, reduce carbon emissions, and provide broadly shared economic benefits. A transportation sector fueled with home-grown low-carbon biofuels, electricity, and the continued buildout of smart transit will ensure that all Minnesotans receive the benefit of cleaner vehicles and that our economy realizes these benefits.

For these reasons, I order that:

1. The Governor's Council on Biofuels ("Council") is created to advise the Governor, and the Commissioners of the Department of Agriculture, the Department of Transportation, the Department of Commerce, and the Pollution Control Agency on the role of biofuels in reducing greenhouse gas emissions, and recommend policy and budget proposals to foster growth in the production and use of biofuels.
2. The Department of Agriculture will convene the Council and provide staffing and administrative support to the Council.
3. The Department of Agriculture must submit a report to the Governor, based upon the Council's recommendations, by November 1, 2020.
4. The study and recommendations of the Council must include, but are not limited to consideration of:
 - a. Policies that accelerate achievement of the petroleum replacement goals outlined in Minnesota Statutes 2018, section 239.7911.
 - b. Policies and programs to advance and invest in carbon efficiency improvements of biofuels plants and sources of biofuels feedstock.

Executive Orders

- c. Policies that utilize biofuels to help Minnesota achieve its greenhouse gas reduction goals under the 2007 Next Generation Energy Act.
5. In making its recommendations, the Council must, at a minimum, consider:
 - a. Impacts to, and opportunities for, farmers, rural communities, the natural environment, and economically disadvantaged populations as it relates to biofuels production.
 - b. The feasibility and cost of increasing biofuels infrastructure throughout Minnesota.
6. The Council must consist of 15 members appointed by the Governor representing agriculture, the biofuels industry, transportation, environmental and conservation interests, and other relevant stakeholders.

This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. This Executive Order will remain in effect until the report set forth in paragraph 3 is submitted to the Governor or until it expires in accordance with Minnesota Statutes 2018, section 4.035, subdivision 3.

Signed on September 16, 2019.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

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.

Minnesota Department of Agriculture (MDA) Notice of Comment Period for the Proposed Emerald Ash Borer Quarantine in Brown County

The Minnesota Department of Agriculture (MDA) is accepting comments on the current state emergency quarantine for emerald ash borer, *Agrilus planipennis* (Fairemaire), in Brown County and the proposed state formal quarantine to be implemented November 14, 2019.

Oral and written comments regarding the proposed regulations will be accepted via email, phone or fax through November 7, 2019. Submit comments to Kimberly Thielen Cremers, Minnesota Department of Agriculture, 625 Robert Street North, St Paul, MN 55155, **email:** kimberly.tcremers@state.mn.us, **phone:** (651)201-6329, **fax:** (651)201-6108.

For more information on emerald ash borer, including a copy of the emergency quarantine, visit the Minnesota Department of Agriculture website at www.mda.state.mn.us/eab.

Official Notices

Department of Human Services

Behavioral Health Division

Notice of Request for Information on the Implementation of Substance Use Disorder (SUD) Utilization Management for Minnesota's 1115 SUD Federal Demonstration Waiver

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting information related to SUD utilization management practices that are currently in use in the healthcare industry.

Work is proposed to start in June, 2021. For more information, or to obtain a copy of the Request for Information, contact:

Nathaniel Dyess
Department of Human Services
Behavioral Health Division
P.O. Box 64977
444 Lafayette Road North, St. Paul, MN 55164 0977
Phone: (651) 431-4960, Fax: (651) 431-7449
nathaniel.dyess@state.mn.us

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

Information submitted in response to this Request for Information must be received at the address above no later than **4:00 p.m., Central Time, October 21, 2019**. **Late submissions will not be considered**. Faxed or e-mailed submissions will not be considered.

The RFI can be viewed by visiting the Minnesota Department of Human Services RFP web site:
http://www.dhs.state.mn.us/id_000102

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

Minnesota Pollution Control Agency (MPCA)

Industrial Division

Notice of Intent to Reissue National Pollution Discharge Elimination System (NPDES) and State Disposal System (SDS) General Permit MNG250000 to Discharge Untreated Non-contact Cooling water (NCCW) into Waters of the State

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) proposes to reissue an NPDES/SDS General Permit to cover facilities discharging non-chemically treated NCCW to waters of the state of Minnesota. This is the re-issuance of an existing general permit which expired at midnight on May 31, 2019. This general permit covers a waste stream where the only pollutant added is heat. This general permit will provide for timely discharge authorization without the delay associated with individual permit issuance procedures and may potentially cover more than one hundred facilities.

General permit coverage would only be authorized for facilities/waste streams which meet the following applicability criteria:

- a. The discharge consists solely of once-through, NCCW free from contact cooling, recycled cooling (including cooling tower blowdown), reverse osmosis reject, industrial process, and other wastewater discharges.
- b. The source of the cooling water is uncontaminated groundwater or surface water to which no water treat-

- ment/chemical additives are used.
- c. If required, the appropriators have been issued a valid Water Appropriation Permit by the Minnesota Department of Natural Resources.
 - d. Surface water appropriators are discharging the cooling water to the source of origin.
 - e. This is not a new source discharge to an outstanding resource value waters or designated trout waters as defined in *Minnesota Rules* ch. 7050.
 - f. This is not a discharge into waters located on Tribal Lands.
 - g. Pollutant levels in the discharge shall not cause or contribute to a receiving water impairment. In the case of facilities discharging into waters listed as impaired, the individually unique discharge approval may include a waste load allocation for the stressor pollutant in accordance with an approved or draft Total Maximum Daily Load study.
 - h. Waste streams regulated by Effluent Limitation Guidelines (40 CFR pt. 405-499 subp. N) are ineligible for coverage under this general permit.
 - i. Applicants requesting/pursuing alternative effluent limitations under Section 316(a) of the Clean Water Act (CWA) are ineligible for coverage under this general permit.
 - j. New applicants subject to the cooling water intake structure requirements for new facilities under section 316(b) of the CWA (a maximum design intake withdrawal of greater than 5 percent of source water annual mean flow, a maximum design intake of more than two million gallons per day, and/or a maximum through-screen design intake velocity less than or equal to 0.5 feet per second) are ineligible for coverage under this general permit.
 - k. At the MPCA's discretion, existing facilities with a maximum total design intake withdrawal of less than five percent of source water annual mean flow, a maximum design intake of less than two million gallons per day, and/or a maximum through-screen design intake velocity less than or equal to 0.5 feet per second may be considered for eligibility under the general permit.
 - l. The discharge shall be consistent with the terms and conditions of this general permit.
 - m. The Permittee agrees to furnish to the MPCA any information which the MPCA may request to determine compliance with the general permit or to determine if a facility, while meeting the criteria and intent of the general permit, might be more appropriately controlled by an individual permit.

This NPDES/SDS general permit establishes water quality-based effluent limitations for temperature, technology-based effluent limitations for pH, and provides for modifying individual coverage to incorporate waste load allocations as they are authorized. The NPDES/SDS general permit includes monitoring and reporting requirements and general conditions consistent with those established for individual permits. Those facilities not currently under consideration for general permit coverage may submit a Notice of Intent to request consideration for coverage.

The Commissioner's determination that the general permit should be reissued is tentative. Interested persons are invited to submit written comments upon the proposed permit action. The public comment period commences September 23, 2019 and terminates at 4:30 p.m. on October 22, 2019.

Comments should be submitted in writing to Katie Jardine, Staff Permit Writer, Industrial Division, Minnesota Pollution Control Agency, 525 Lake Ave South, Suite 400, Duluth, Minnesota 55802.

Any comments received no later than 4:30 p.m. on the last day of the comment period will be considered in the formulation of final determination.

A copy of the draft general permit, fact sheet, and public notice are available on the MPCA's website at <https://www.pca.state.mn.us/public-notices>.

If you have questions on this draft permit, the public notice or the Commissioner's preliminary determination, please contact Katie Jardine via telephone at 218-302-6674 or via email at katherine.jardine@state.mn.us.

Official Notices

Minnesota Pollution Control Agency (MPCA)

Industrial Division

Notice of Intent to Reissue National Pollution Discharge Elimination System (NPDES) and State Disposal System (SDS) General Permit MNG255000 to Discharge Treated Non-contact Cooling Water (NCCW) into Waters of the State

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) proposes to reissue an NPDES/SDS General Permit to cover facilities discharging chemically treated non-contact cooling water (NCCW) to waters of the state of Minnesota. This is the re-issuance of an existing general permit which expired at midnight on May 31, 2019. This general permit covers a waste stream to which the only pollutants added are heat and chemical additives consistent with a municipal potable water supply. This general permit will provide for timely discharge authorization without the delay associated with individual permit issuance procedures and may potentially cover more than one hundred facilities.

General permit coverage would only be authorized for facilities/waste streams which meet the following applicability criteria:

- a. The discharge consists solely of once-through, NCCW free from contact cooling, recycled cooling (including cooling tower blowdown), reverse osmosis reject, industrial process, and other wastewater discharges.
- b. The source of the cooling water is uncontaminated groundwater or surface water to which chemical additives are used.
- c. If required, the appropriators have been issued a valid Water Appropriation Permit by the Minnesota Department of Natural Resources.
- d. Surface water appropriators are discharging the cooling water to the source of origin.
- e. This is not a new source discharge to an outstanding resource value waters or designated trout waters as defined in *Minnesota Rules* ch. 7050.
- f. This is not a discharge into waters located on Tribal Lands.
- g. Pollutant levels in the discharge shall not cause or contribute to a receiving water impairment. In the case of facilities discharging into waters listed as impaired, the individually unique discharge approval may include a waste load allocation for the stressor pollutant in accordance with an approved or draft Total Maximum Daily Load study.
- h. Waste streams regulated by Effluent Limitation Guidelines (40 CFR pt. 405-499, subp. N) are ineligible for coverage under this general permit.
- i. Applicants requesting/pursuing alternative effluent limitations under Section 316(a) of the Clean Water Act (CWA) are ineligible for coverage under this general permit.
- j. New applicants subject to the cooling water intake structure requirements for new facilities under section 316(b) of the CWA (a maximum design intake withdrawal of greater than 5 percent of source water annual mean flow, a maximum design intake of more than two million gallons per day, and/or a maximum through-screen design intake velocity less than or equal to 0.5 feet per second) are ineligible for coverage under this general permit.
- k. At the MPCA's discretion, existing facilities with a maximum total design intake withdrawal of less than five percent of source water annual mean flow, a maximum design intake of less than two million gallons per day, and/or a maximum through-screen design intake velocity less than or equal to 0.5 feet per second may be considered for eligibility under the general permit.
- l. The discharge shall be consistent with the terms and conditions of this general permit.
- m. The Permittee agrees to furnish to the MPCA any information which the MPCA may request to determine compliance with the general permit or to determine if a facility, while meeting the criteria and intent of the general permit, might be more appropriately controlled by an individual permit.

This NPDES/SDS general permit establishes water quality-based effluent limitations for temperature, technology-based effluent limitations for pH, and provides for modifying individual coverage to incorporate waste load allocations as they are authorized. The NPDES/SDS general permit includes monitoring and reporting requirements and gen-

eral conditions consistent with those established for individual permits. Those facilities not currently under consideration for general permit coverage may submit a Notice of Intent to request consideration for coverage.

The Commissioner's determination that the general permit should be reissued is tentative. Interested persons are invited to submit written comments upon the proposed permit action. The public comment period commences September 23, 2019 and terminates at 4:30 p.m. on October 22, 2019. Any comments received no later than 4:30 p.m. on the last day of the comment period will be considered in the formulation of final determination.

Comments should be submitted in writing to Katie Jardine, Staff Permit Writer, Industrial Division, Minnesota Pollution Control Agency, 525 Lake Ave South, Suite 400, Duluth, Minnesota 55802.

A copy of the draft general permit, fact sheet, and public notice are available on the MPCA's website at: <https://www.pca.state.mn.us/public-notice>.

If you have questions on this draft permit, the public notice or the Commissioner's preliminary determination, please contact Katie Jardine via telephone at 218-302-6674 or via email at katherine.jardine@state.mn.us.

Professional Educator Licensing and Standards Board **REQUEST FOR COMMENTS for Possible Amendment of Rules Governing Standards of Effective Practice, Teachers of Health, Teachers of Physical Education, Teachers of Developmental Adapted Physical Education, Teachers of Parent And Family Education, Teachers of Adult Basic Education, and Tiered Licensure**

Possible Amendment of Rules Governing standards of effective practice, teachers of health, teachers of physical education, teachers of developmental adapted physical education, teachers of parent and family education, teachers of adult basic education, and tiered licensure, *Minnesota Rules*, 8710.0200, 8710.0310, 8710.0311, 8710.0313, 8710.0314, 8710.0320, 8710.0321, 8710.0325, 8710.0330, 8710.0550, 8710.2000, 8710.3100, 8710.4000, 8710.4100, 8710.4200, 8710.4500, 8710.4700, 8710.4750, 8710.4950, 8710.5300; Revisor's ID Number RD4615

Subject of Rules. The Professional Educator Licensing and Standards Board requests comments on its possible amendment to rules governing standards of effective practice, teachers of health, teachers of physical education, teachers of developmental adapted physical education, teachers of parent and family education, teachers of adult basic education, and tiered licensure. The Board is considering rule amendments that

- update the standards of effective practice for all teachers seeking their initial license to align with national standards, high-leverage practices, and changing demographics of Minnesota students, including but not limited to racially and ethnically diverse students, multilingual students, students who have experienced trauma, and students with dyslexia (8710.2000);
- update standards, clarify scope, and clarify requirements for teachers in specific licensure fields to align with national standards and updates to Minnesota K-12 content standards*, including
 - teachers of parent and family education (8710.3100);
 - teachers of adult basic education (8710.4000);
 - teachers of health (8710.4500);
 - teachers of physical education (8710.4700);
 - teachers of special education; developmental adapted physical education (8710.5300);
- make technical changes to tiered licensure rules, including
 - adding definition of substitute teacher, clarifying short-call substitute, and adding new rule defining substitute teaching based on statute (8710.0310 and 8710.0325);
 - removing interim permissions from Tier 1 and out-of-field permissions (8710.0311 and 8710.0320);
 - clarify Tier 3 professional license (8710.0313);

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- clarify Tier 3 and Tier 4 additional license expiration dates (8710.0313 and 8710.0314);
- clarify the renewal requirements for an individual moving from a Tier 3 to a Tier 4 license (8710.0314);
- clarify requirements for out-of-field permission, including expiration dates and posting requirements (8710.0320);
- clarify requirements for innovative programs permission, including expiration dates (8710.0321)
- technical clarifications to align with statute, including
 - designation of fees (8710.0200);
 - background check process (8710.0310);
 - correct statutory reference (8710.4100);
 - correct reference to initial licensure standards for teachers of business and teachers of science and teachers of world language (8710.4200, 8710.4750, and 8710.4950);
 - clarify language for portfolio submission dates (8710.0330);
 - add licensure rule regarding temporary military license to align with statute; and
 - remove dates for adding Kindergarten endorsement (8710.0550).

The board has aligned rulemaking for specific teacher licensure fields to follow the schedule for rulemaking on the K-12 content standards completed by the Minnesota Department of Education.

Persons Affected. The amendment to the rules would likely affect all future teacher candidates, all teacher preparation providers, and specifically teacher candidates and providers in health, physical education, parent and family education, and adult basic education.

Statutory Authority. *Minnesota Statutes*, sections 122A.09, subdivision 9, requires the Board to adopt rules to for teacher licensure. *Minnesota Statutes*, section 14.055, subdivision 5, permits an agency to adopt rules establishing general standards for granting discretionary variances from its rules.

Public Comment. Interested persons or groups may submit proposals, comments, or information on the possible rules in writing or orally for a period of 60 days from this notice, or until further notice is published in the *State Register* that PELSB intends to adopt a particular set of rules, whichever is later. The public is also advised that depending upon the comments received the PELSB may withdraw the proposed rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules. The public is welcomed and encouraged to comment and make proposals for the amendments.

Rules Drafts. The Board has drafted the possible rules amendments. A draft is available for review online at <https://mn.gov/pelsb/board/rulemaking/licensing-academic-standards/>

Agency Contact Person. Written or oral comments, questions, rule proposals, and requests for more information on these possible rule changes should be directed to:

Michelle Hersh Vaught, Rulemaking Specialist
Professional Educator Licensing and Standards Board
1021 Bandana Blvd E., Saint Paul, MN 55108
(651) 539-4187
Michelle.vaught@state.mn.us

Interested persons may also comment via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: September 11, 2019

Alex Liuzzi
Executive Director

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 Human Services

Aging and Adult Services Division

Notice of Request for Proposals (RFP) to Improve Quality of Services for People Receiving Customized Living Services through Elderly Waiver

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services, through its Aging and Adult Services Division (State), is seeking Proposals to improve overall quality of life for persons receiving customized living services. Qualified responders must have provided customized living services to Elderly Waiver (EW) program participants in state fiscal year 2019 (i.e. between July 1, 2018 and June 30, 2019). Preference will be given to providers that serve at least 75 percent EW participants.

Work is proposed to start January 1, 2020. For more information, or to obtain a copy of the RFP, contact:

Department of Human Services
Aging and Adult Services Division
Phone: (651)-431-2600
dhs.aasd.hcbs@state.mn.us

Potential responders should only use the contact information above to submit questions regarding this request.

Proposals submitted in response to this RFP must be received at the address above no later than **4:00 p.m., Central Standard Time, October 28, 2019. Late proposals will not be considered.**

The RFP can be reviewed and proposals can be submitted at this website:
<https://mn.gov/dhs/partners-and-providers/grants-rfps/elderly-waiver-quality-services-rfp/index.jsp>

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 Grants & Loans

Department of Human Services

Behavioral Health Division

Addendum to Request for Proposals to Provide Targeted Opioid Treatment, Prevention & Recovery Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services through its Behavioral Health Division has published an Addendum to its Request for Proposal to Provide Targeted Opioid Treatment, Prevention & Recovery Services that was published in the September 9, 2019 State Register. In the Addendum, the Department of Human Services Behavioral Health Division is eliminating and not seeking proposals for the following category of funding:

Category 2: Workforce Capacity; anticipated up to \$150,000

- Creation of curriculum and training on opioid curriculum for Peer Recovery Certification standards

To request a full text of the RFP Addendum please contact:

Boyd Brown
Department of Human Services
Behavioral Health Division
P.O. Box 64977
540 Cedar Street, St. Paul, MN 55164-0977
Phone: (651) 431-2468, Fax: (651) 431-7449
boyd.brown@state.mn.us

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

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: http://www.dhs.state.mn.us/main/id_000102

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

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Website 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 - \$5,000 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 Academies (Blind School & Deaf School) Notice of Contract Opportunity for Speech & Language Pathology Services

PROJECT NAME: Speech & Language Pathology services

DETAILS: The Minnesota State Academies is requesting proposals for the purpose of **providing Speech & Language Pathology services**

Work is anticipated to start after **October 21st, 2019**

COPY REQUEST: To get a copy of the Request for Proposals, please send a written request, by email, to:

Patty Rux
Accounting Officer
615 Olof Hanson Drive Faribault, MN 55021
Patty.rux@msa.state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by **Email, Fax, US mail or other Mail carriers no later than October 9th, 2019 2:00 PM Central Daylight time. Late 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.

Department of Administration Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Notice of Request for Proposals for Animal Health Products and Services

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for Animal Health Products and Services. MMCAP is a government-run healthcare product and service group purchasing organization serving governmental entities. For more information, go to www.mmcap.org.

To access a copy of the RFP, go to: <http://www.mmd.admin.state.mn.us/process/admin/postings.asp>

State Contracts

Proposals submitted in response to the Request for Proposals in this notice must be received according to the specifications in the Request for Proposals no later than **November 15, 2019 at 2:00 p.m. Central Time. Late proposals will not be considered.**

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 (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). 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.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

Minnesota State Colleges and Universities (Minnesota State) Request for Proposals (RFP) for Enterprise Resource Planning (ERP) Third Party Owners Representative

Background

Minnesota State Colleges and Universities (Minnesota State) is the fourth-largest system of higher education in the United States. Minnesota State services approximately 375,000 students each year, and is comprised of 37 state colleges and universities with 54 campuses located in 47 Minnesota communities. Minnesota State is an independent state entity that is governed by a 15-member Board of Trustees. For more information about Minnesota State's strategic plans, mission, and vision, please view its website at <http://www.minnstate.edu/>

Nature of the RFP

Minnesota State is requesting proposals for an Owner's Representative to advise Minnesota State during the planning and implementation of their NextGen project which will deploy a new ERP solution and common business practices for finance, human resources and academic and student services across Minnesota State - including the system office, colleges and universities. For more information about the project can be found at <https://www.minnstate.edu/nextgen/>

The Owner's Representative will assist Minnesota State in the successful implementation of the ERP solution(s) by being a strategic partner and advisor to Minnesota State throughout the planning and implementation process.

This RFP is undertaken by Minnesota State pursuant to the authority contained in provisions of Minnesota Statutes § 136F.581 and other applicable laws. Minnesota State will select the Vendor(s) whose proposal(s), and oral presentation(s) if requested, demonstrate in its sole opinion, the clear capability to best fulfill the purposes of this RFP in a cost effective manner. Minnesota State reserves the right to accept or reject proposals, in whole or in part, and to negotiate separately as necessary in order to serve the best interests of Minnesota State. This RFP does not obligate Minnesota State to award a contract or complete the proposed project and it reserves the right to cancel this RFP if it is considered to be in its best interest.

Selection Timeline

Monday, Sept. 16, 2019	Minnesota State publishes RFP
Friday, Sept. 27, 2019 by 3:00 pm CST	Deadline for vendors to submit clarifying questions
Friday, Oct. 4, 2019	Minnesota State deadline to publish responses to RFP questions
Friday, Oct. 25, 2019 by 3:00 pm CST	Deadline for RFP proposal submissions
Monday, Nov. 25, 2019 – Friday, Nov. 29, 2019	Invite select vendors for interviews
Monday, Dec. 9, 2019 – Friday, Jan. 3, 2020	Vendor interviews (invited vendors only) and reference checks
Friday, Jan. 31, 2020	Planned deadline for executing the contract

Any questions please contact: Jennell Flodquist (email: jennell.flodquist@minnstate.edu phone: 651-201-1524)

The RFP can be downloaded at the following URL: <http://minnstate.edu/vendors/index.html>

Minnesota State Colleges and Universities (Minnesota State) Dakota County Technical College Notice of Request for Proposal for on-campus Law Enforcement Services

Dakota County Technical College is requesting proposals for dedicated on campus law enforcement services. We are looking for full- time day licensed law enforcement coverage for our Rosemount, MN campus with a dedicated vehicle to provide policing and enforcement year round.

To receive a complete copy of the proposal, please email purchasing@dctc.edu or visit <https://www.minnstate.edu/vendors/index.html>

Proposals must be sealed with a notation on the outside of the envelope stating: DCTC Law Enforcement Proposal – DELIVER IMMEDIATELY

Mail or deliver (faxes and email will not be accepted) sealed proposal must be delivered no later than **3:00pm CST Monday, October 7th, 2019** to:

Dakota County Technical College
Purchasing Department
1300-145th Street E., Rosemount, MN 55068
Attn: Chris Haan
Phone (651)423-8405

PROPOSAL CLOSE DATE IS Monday, October 7th 2019- 3:00PM CST

Minnesota State Colleges and Universities (Minnesota State) Minneapolis Community & Technical College Request for Proposals for Snow Removal Services

The Minneapolis Community & Technical College is soliciting sealed proposals from qualified vendors to provide Snow Removal Services as described in the corresponding Request for Proposal (RFP) document.

The intent of this RFP is to establish an annual price for each year of a three-year contract with a single qualified

State Contracts

vendor to provide snow removal services for our entire campus.

Mandatory Pre-Proposal Meeting and Walk Through

To submit a proposal, vendors are required to attend a **mandatory** Pre-Proposal Meeting and Walk Through on October 2, 2019, from 10:00 a.m. to 11:30 a.m., or their proposals will be rejected.

To attend the Pre-Proposal Meeting and Walk Through and receive a complete copy of the RFP, vendors must contact James Splett, by e-mail at james.splett@minneapolis.edu no later than 1:00 p.m. on October 1, 2019.

The Pre-Proposal Meeting and Walk Through will be conducted at:

Minneapolis Community and Technical College
Management Education Center Building, Suite M-0200
1312 Harmon Place, Lower level
Minneapolis, MN 55403-1779

RFP Schedule

Deadline to request RFP documents and make reservation to attend Mandatory Pre-Proposal Meeting	2:00pm 10/1/2019
Mandatory Pre-Proposal Meeting and Walk Through	10:00am 10/2/2019
Minneapolis College e-mails written responses to any relevant RFP questions asked during Pre-Proposal Meeting and e-mails Final RFP Addenda, if needed, to Pre-Proposal Meeting attendees	10/3/2019
Deadline to submit proposals	2:00pm 10/7/2019
Minneapolis College awards contract	10/11/2019
Contract term starts	10/21/2019

Minnesota Historical Society (MNHS)

Request for Proposals (RFP) for Historic Fort Snelling Revitalization Construction

Project: Historic Fort Snelling Revitalization

Construction Manager: Mortenson

Architect: Leo A. Daly

Mortenson, the Construction Manager at Risk, is soliciting proposals from qualified firms for the Historic Fort Snelling Revitalization Project. Plans and specifications will be available via Building Connected at www.buildingconnected.com. For access to the plans and specifications, contact Matt Bosman at matt.bosman@mortenson.com or (612) 260-2114.

The schedule for selecting subcontractors is as follows:

RFP Manual Issued: Tuesday, September 10, 2019

RFP Submissions Due: Friday, October 4, 2019 at 2:00 PM

Department of Health Community Health Division Notice of Request for Proposals to Provide Statewide Tobacco Cessation Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (MDH) is requesting proposals for a contractor to create, implement, and evaluate statewide tobacco cessation services to provide cessation support to Minnesotans who need help quitting their use of commercial tobacco. Providing free and easy access to tobacco cessation services and support to Minnesotans in need, and closing the disparity gaps for the populations that are most harmed by commercial tobacco, are high priorities for the MDH and are an integral component of its mission to protect, maintain, and improve the health of all Minnesotans.

Governor Walz recently signed the Omnibus Health and Human Services bill into law, which includes funding for MDH's statewide tobacco cessation services – Laws of Minnesota 2019, chapter 9, article 11, section 22. MDH cessation services, will replace QUITPLAN® Services, the statewide cessation services that are currently funded and administered by ClearWay MinnesotaSM, an independent nonprofit organization. QUITPLAN® Services will stop accepting new enrollees on March 31, 2020 and the new statewide service will begin enrolling participants on April 1, 2020.

The RFP can be viewed by visiting the Minnesota Department of Health's website at:
<https://www.health.state.mn.us/cessationservices>

The proposals submitted in response to this Request for Proposals must be received at the address below no later than **4:00 p.m., Central Time, October 22, 2019**. Late proposals will not be considered. Faxed or emailed proposals will not be considered. Proposals must be sent to:

Laura Oliven
Tobacco Prevention and Control
Minnesota Department of Health
85 East Seventh Place, Room 220
St. Paul, MN 55164-0882

The applicant will be selected fall 2019. Work is proposed to start December 1, 2019.

Office of the Revisor of Statutes Notice of Request for Business Process Analyst Contractor

NOTICE IS HEREBY GIVEN that the Office of the Revisor of Statutes intends to enter into one contract for consulting. The need is for one Business Process Analyst. The total contract timeframe is November 1, 2019 to October 31, 2020, with an estimated maximum billable hours of 720 hours.

Additional details about the contractor's responsibilities and qualifications are available at
<https://www.revisor.mn.gov/office/jobs/>

The Extend drafting system for all legislative documents was designed and employed for use in 2006 after a lengthy development period. Since its deployment, technological advancements and web demands and capabilities have made portions of the system obsolete and difficult to maintain.

The services of a Business Process Analyst are needed to assist the Revisor to: (1) maintain the master set of documentation describing the Extend and Bill Status functional and nonfunctional requirements; (2) generate documentation defining process and system enhancements; (3) develop presentations describing system requirements, if directed, as well as prepare oral and written reports; (4) develop business process models for drafting and editing workflows, delivered in a digital format; and (5) as requested, deliver text, graphics, and/or recommendations for use in a final report.

All responses must include a cover letter and resume, together with hourly rates and references. Responses must be

State Contracts

received no later than **4:30 p.m. on Friday, October 11, 2019**. The Revisor's office reserves the right to award all, a part, or none of the above-described contracts.

Inquiries and responses may be directed to:

Melissa Patsch
Attn: BPA contractor
Office of the Revisor of Statutes
700 State Office Building
100 Dr. Martin Luther King Blvd.
St. Paul, MN 55155-1297
E-mail: Melissa.Patsch@revisor.mn.gov
Phone: (651) 297-1263
TTY use State Relay Services 1-800-627-3529

Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. 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.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: www.dot.state.mn.us/consult

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

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/>.

Dakota County

Notice of Request for Proposals (RFP) for Federal Lobbying Services in Washington, D.C.

Notice is hereby given that Dakota County is soliciting proposals from interested and qualified parties for the purpose of federal lobbying services to be provided in Washington, D.C. The County may contract with one or more individuals or firms to represent their interests and policy goals to the United States Congress, executive branch, and other stakeholders, and to provide consultation regarding these activities.

A full Request for Proposals is available at Dakota County's website:
www.co.dakota.mn.us/Government/DoingBusiness/BidProposalsInformation

Proposals are due by **Monday, October 7, 2019 at 4:30 PM CDT.**

The County shall not be liable for any pre-contractual expenses incurred by proposers in response to this Request for Proposals.

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Terminal 1-Lindbergh Parking Ramp Modifications

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Terminal 1-Lindbergh Parking Ramp Modifications
MAC Contract No.: 106-3-580
Bids Close At: 2:00 p.m., Tuesday, October 15, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for Civil (Sitework), General Building, Mechanical, and Electrical Construction for the Terminal 1-Lindbergh Parking Ramp Modifications.

Note: You can sign up on our Web site (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 and choose this and other topics about which you are interested.

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

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running

Non-State Public Bids, Contracts & Grants **==**

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 Kimley-Horn and Associates, Inc., 2550 University Avenue West, Suite 238N, St. Paul, Minnesota, 55401; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$20.00 by entering eBidDoc™ #6499730 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 16, 2019, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2019 Baggage Claim / Ticket Lobby Operational Improvements P2

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Baggage Claim / Ticket Lobby Operational Improvements P2
MAC Contract No: 106-2-861
Bids Close At: 2:00 p.m. on October 22, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project includes general construction work associated with the north Valet, Baggage Claim, Ticket Lobby, and Mezzanine areas of Terminal 1-Lindbergh, related to several phases of Operational Improvements program

Note: You can sign up on our Web site (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 and choose this and other topics about which you are interested.

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

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

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements. A copy [or sample] of the Project Labor Agreement and Contract Riders are included in the Appendix.

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. 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 September 23, 2019, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 IT Miscellaneous Modifications

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 IT Miscellaneous Modifications
MAC Contract No: 106-2-892
Bids Close At: 2:00 pm on October 15, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project includes the build-out and refurbishment of three Telecommunication Rooms in Terminal 1-Lindbergh. The project also includes IVISN camera replacements and upgrades throughout Terminal 1-Lindbergh including the Hub Core and Quick Ride Ramp.

Note: You can sign up on our Web site (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 and choose this and other topics about which you are interested.

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

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of 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 September 23, 2019, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Terminal 1-Lindbergh Miscellaneous Modifications

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Terminal 1-Lindbergh Miscellaneous Modifications
MAC Contract No: 106-2-906
Bids Close At: 2:00 p.m. on October 15, 2019

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. The work of this project includes several small projects at Terminal 1-Lindbergh. These projects include but are not limited to waterproofing, minor demolition, masonry modifications, steel guardrail and handrail work, roof access work, and painting.

Note: You can sign up on our Web site (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

Non-State Public Bids, Contracts & Grants **==**

and choose this and other topics about which you are interested.

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

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of 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 September 23, 2019, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

ServeMinnesota: Minnesota Commission on National and Community Service

Request for Proposal Announcement for 2020-2021 AmeriCorps State Grants

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

AmeriCorps Operational Grants

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

Applicants wishing to apply should follow the submission procedures outlined in the Notice of Funding Opportunity (NOFO) and Application Instructions which can be found on ServeMinnesota's website at <https://www.serveminnesota.org/how-we-create-change/grants-grant-competition/>

Application Deadline:

A concept paper is due by 5:00 pm on October 11, 2019. A full application is due on November 8, 2019 for applicants invited to submit based on a review of the concept paper. Funding decisions for Operational Grants will be announced by May 1, 2020.

For information about AmeriCorps and national service, visit ServeMinnesota (www.serveminnesota.org) and the Corporation for National and Community Service (www.nationalservice.gov).

