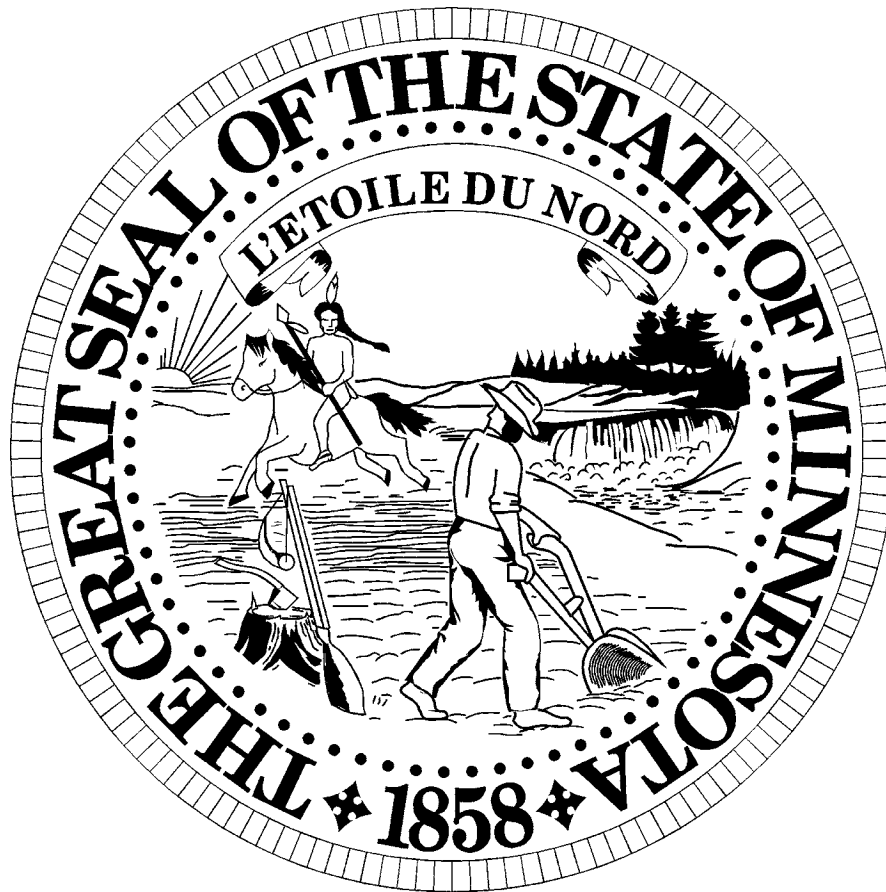


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Tuesday 27 December 2022
Volume 47, Number 26
Pages 567 - 606**

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- Withdrawn Rules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. 47 Issue Number	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)
#27	Tuesday 3 January	Noon Tuesday 27 December	Noon Thursday 22 December
#28	Monday 9 January	Noon Tuesday 3 January	Noon Thursday 29 December
#29	Tuesday 17 January	Noon Tuesday 10 January	Noon Thursday 5 January
#30	Monday 23 January	Noon Tuesday 17 January	Noon Thursday 12 January

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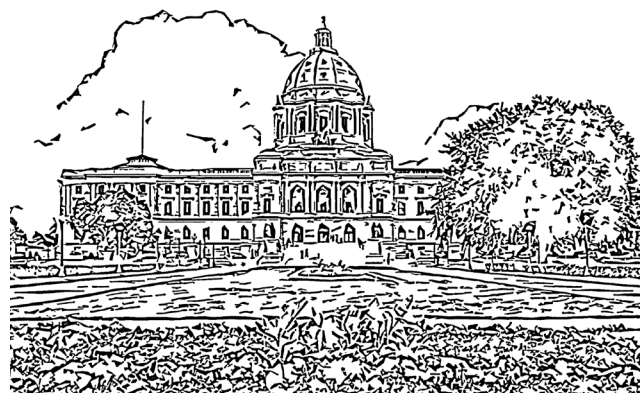
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<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

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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 the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

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in Vol. 46, #52 - Monday 27 June 2022)
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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.

Department of Education

Division of Academic Standards and Instructional Effectiveness

Proposed Permanent Rules Relating to K-12 Academic Standards in English Language Arts; 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-04685, OAH Docket No. 65-9005-37333

Proposed Rules Governing the K-12 Academic Standards in English Language Arts, Minnesota Rules 3501.0660, and Repeal of Minnesota Rules 3501.0640-0655

Introduction. The Department of Education 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, January 26, 2023**, the Department will hold a public hearing via WebEx. An Administrative Law Judge will conduct a virtual hearing starting at **9:30 a.m. on Tuesday, February 7, 2023**.

Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold

Proposed Rules

the hearing on **Tuesday, February 7, 2023, starting at 9:30 a.m.** The hearing will continue until 4:30 p.m. or until all interested persons present at the hearing have been heard, whichever comes first.

Administrative Law Judge Ann C. O'Reilly is assigned to conduct the hearing. Judge O'Reilly can be reached by contacting the Rules Specialist, William Moore, at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7839, william.t.moore@state.mn.us.

Hearing Link. You may participate in the hearing, if one is held, via an internet connection with a computer, smartphone, or tablet. You may also participate via phone with an audio connection only.

For **video** and audio connection to the virtual hearing, join through an internet connection, such as with a computer or tablet:

Enter: **Webex Meeting Link**
Meeting number: **2495 139 4488**
Meeting password: **Education1**

You can also pre-register to join the hearing through an internet connection. To pre-register, please go to: **Webex Meeting Link**. Once you are registered, information about how to attend the hearing will be emailed to you. This information will include a link to the hearing, if a hearing is held.

To attend the hearing by **telephone connection only** (audio only), you may call **1-415-655-0003**, and, when prompted, enter access code: **249 513 94488**, on the day of the hearing.

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after **Thursday, January 26, 2023**, but before **Tuesday, February 7, 2023**.

Agency Contact Person. You may submit questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Eric Taubel at the Minnesota Department of Education, 400 NE Stinson Blvd., Minneapolis, MN 55413; (651) 582-8830; eric.s.taubel@state.mn.us.

Subject of Proposed Rules, Repeal, and Statutory Authority. The proposed rules relate to the K-12 Standards in English Language Arts. Academic standards are important because they help defined the student learning requirements for graduation; they identify the knowledge and skills that all students must achieve; and they serve as a guide for local curriculum adoption, development and improvement. The Department is proposing rules that change the existing K-12 academic standards in English language arts to reflect national research. The proposed rule language fits the needs of Minnesota's students and supports the goals of career and college readiness in English language arts. Since 2011, new research in English language arts education has advanced. The proposed standards are based on extensive national research, expert reviews, committee experience and discussion and stakeholder feedback. The proposed ELA standards represent a significant revision of the 2011 standards.

The Department also proposes to repeal the existing K-12 Standard in English Language Arts, which sets the current academic standards in English Language Arts, covering reading, writing, and media literacy, published at Minnesota Rules, chapter 3501, parts 0640, 0645, 0650, and 0655.

The statutory authority to adopt the rules and repeal the existing rules is Minnesota Statutes, section 120B.02, subd. 1. Other relevant statutes include Minnesota Statutes, sections 120B.021, subd. 1, 3, 4(a), (f), and 120B.023.

A copy of the proposed rules and repeal is published in the State Register and attached to this notice as mailed. You may also review the proposed rules and repeal, as well as the Statement of Need and Reasonableness (SONAR) on the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions> or on the Department of Education's rulemaking website at <https://education.mn.gov/MDE/about/rule/rule/k12art/>.

Proposed Rules

Comments. You have until **4:30 p.m. on Thursday, January 26, 2023**, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules, or the repeal of the existing rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed, as well as any reasons why you do not feel the existing rules should be repealed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules or repeals must also be made during this comment period.

Comments can be submitted: (1) electronically through the Office of Administrative Hearings eComments website at Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions> (2) by U.S. Mail delivered to William Moore, Rules Specialist, Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620; or (3) by fax to (651) 539-0310. **It is strongly recommended that all comments be submitted electronically using the eComments website.**

Public Data. Note: Comments submitted during formal rulemaking proceedings are public government data. This means that any member of the public can request to see the information. It is a violation of the Minnesota Government Data Practices Act to share private data about a third party without their permission. Please only submit comments that include personal information about yourself or your minor child(ren) that you are comfortable being classified as public data.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by **4:30 p.m. on Thursday, January 26, 2023**. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of proposed rules or the repeal of existing rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Cancellation of Hearing. The Department will cancel the hearing scheduled for Tuesday, February 7, 2023, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person after **Thursday, January 26, 2023**, to find out whether the hearing will be held.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the

Proposed Rules

hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website (<https://minnesotaoah.granicusideas.com/discussions>). If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge O'Reilly at the address or facsimile number listed in the Comments section above.

All comments or responses received will be available for review at the Minnesota Department of Education or on the agency's website at <https://education.mn.gov/MDE/about/rule/rule/k12art/> and on the Office of Administrative Hearings' eComments website listed above. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The Statement of Need and Reasonableness (SONAR) summarizes the justification for the proposed rules and repeal of existing rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR is also available on the agency's rulemaking website here: <https://education.mn.gov/MDE/about/rule/rule/k12art/>.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

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

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

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

Date: 12/20/2022

Heather Mueller, ED
Commissioner
Minnesota Department of Education

3501.0660 ACADEMIC STANDARDS FOR KINDERGARTEN THROUGH GRADE 12.

Subpart 1. Purpose and application. The purpose of these standards is to establish statewide standards for English Language Arts that govern instruction of students in kindergarten through grade 12. School districts shall assess a student's performance using criteria in subparts 2 to 4.

Proposed Rules

Subp. 2. **Reading.**

A. The student will demonstrate knowledge of oral language, phonological and phonemic awareness, phonics, and morphology to read accurately and fluently.

B. The student will read and comprehend independently both self-selected and teacher-directed texts; complex literary and informational texts; and texts from multiple sources representing perspectives and identities like and unlike their own from dominant, nondominant, and marginalized social groups.

C. The student will independently read and comprehend both self-selected and teacher-directed complex literary and informational texts representing perspectives of historical and contemporary Dakota and Anishinaabe people.

D. The student will read critically to comprehend, interpret, and analyze themes and central ideas in complex literary and informational texts.

E. The student will apply knowledge of text structure to understand and evaluate a wide variety of complex literary and informational texts.

F. The student will analyze influences on content, meaning, and style of text, including fact and fiction, time period, and author perspective and identity, including Dakota and Anishinaabe perspective, in complex literary and informational texts.

G. The student will evaluate arguments and specific claims from complex informational texts.

H. The student will examine the impact of vocabulary, including words and phrases, on content, style, and meaning of complex literary and informational texts.

I. The student will access and gather information from a variety of sources representing diverse perspectives and assess the relevance and credibility of the information.

Subp. 3. **Writing.**

A. The student will demonstrate knowledge of oral language, orthography, grammar, and mechanics to express ideas in writing.

B. The student will write routinely for various purposes and disciplines, representing one's own personal perspective, identity, and voice.

C. The student will develop and strengthen writing by using a writing process, including planning, drafting, revising, editing, and publishing.

D. The student will write arguments to support claims and to persuade in an analysis of topics or texts using valid reasoning and evidence, while considering the audience and context.

E. The student will write informative or explanatory texts to examine and convey complex ideas and information clearly and accurately through use of informational and literary text, while considering the audience and context.

F. The student will write narratives, poetry, and other creative texts with details and effective technique to express ideas.

G. The student will engage in inquiry-based learning and research processes to create texts and presentations for a variety of purposes and audiences.

H. The student will use evidence from sources to support writing, correctly cite those sources, and demonstrate an understanding of the rights and obligations of using intellectual property.

Subp. 4. **Speaking, listening, viewing, and exchanging ideas.**

A. The student will exchange ideas in discussion and collaboration as a listener, speaker, and participant by:

Proposed Rules

(1) including the voices and perspectives of Dakota and Anishinaabe people as well as other perspectives, identities, and cultures like and unlike their own; and

(2) expressing one's own ideas, stories, and experiences.

B. The student will communicate with others by applying knowledge of vocabulary, language, structure, and features of spoken language, while considering the audience and context.

C. The student will thoughtfully and safely access, analyze, and create written, oral, and digital content applicable to a variety of purposes, audiences, and disciplines.

REPEALER. Minnesota Rules, parts 3501.0640; 3501.0645; 3501.0650; and 3501.0655, are repealed.

EFFECTIVE DATE. These standards are effective at the beginning of the 2024-2025 school year.

Expedited Rules

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

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

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

Minnesota Pollution Control Agency Remediation Division

Proposed Expedited Rule: Dry Cleaner Reimbursement Rate Adjustments; Notice of Intent to Adopt Expedited Rules without a Public Hearing

Proposed Amendments to Rules Governing Dry Cleaner Environmental Response and Reimbursement, Minnesota Rules Chapter 7152, Revisor's ID Number R-4774

Introduction. The Minnesota Pollution Control Agency (MPCA) intends to adopt rules under the expedited rulemaking process following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until **Tuesday, January 31, 2023**.

Plain English Summary. This notice is the MPCA's legal notice of its intent to adopt amended Dry Cleaner Environmental Response and Reimbursement rules. The proposed rule amendments update the reimbursement rates for consultant and contractor services.

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 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

Expedited Rules

you in any way, the MPCA encourages you to participate in the rulemaking process.

Availability of Rules. The proposed rule amendments are published in the *State Register* after this notice and are available on the rulemaking website at *Expedited Dry Cleaner Reimbursement Account rule amendments | Minnesota Pollution Control Agency (state.mn.us)*. One free copy of the proposed rules is also available upon request by contacting the MPCA contact person identified below.

Subject of Rules. The proposed rule amendments update the reimbursement rates in the Dry Cleaner Reimbursement Account rules. The chapter 7152 rules require that when the Petroleum Tank Release Compensation Board (Board) makes adjustments to maximum charge dollar amounts under chapter 2890, the MPCA must use the expedited rulemaking process as authorized under Minnesota Statutes, section 115B.50, subdivision 4 to reflect the same adjustments in dollar amounts in *Minnesota Rules*, parts 7152.0500 and 7152.0600. The rates are applied when the MPCA processes invoices submitted by owners and operators of Minnesota dry cleaning facilities. The Board increased these costs by 10 percent, effective July 1, 2022, for all work performed after that date. The rule memorandum provides background information and context for the proposed rule amendments. The rule memorandum is available on the rulemaking website at *Expedited Dry Cleaner Reimbursement Account rule amendments | Minnesota Pollution Control Agency (state.mn.us)*.

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

Statutory Authority. The statutory authority for rulemaking under the expedited rules process for reimbursement adjustment is provided under *Minnesota Statutes*, section 115B.50, subdivision 4; and Minnesota Session Law – 2016, chapter 123, section 5.

Public Comment. You have until **4:30 p.m. on Tuesday, January 31, 2023**, to submit written comment in support of or in opposition to the proposed rule amendments and 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, 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 Christa Moseng 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 submitting comments via the eComments website should be directed to Denise Collins, Office of Administrative Hearings; telephone 651-361-7875 and denise.collins@state.mn.us. All comments received are public and will be available for review at the Office of Administrative Hearings, and on the rulemaking webpage.

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

MPCA Contact Person. The MPCA contact person is Mary H. Lynn at the MPCA, 520 Lafayette Road North, Saint Paul, MN 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. Upon request, the information in this notice can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the MPCA contact person at the address or telephone number identified above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at 190 Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-539-1180 or 1-800-657-3889.

Expedited Rules

Adoption and Review of Rules. 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 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 request to the MPCA contact person identified above.

Date: December 16, 2022

Katrina Kessler, Commissioner
Minnesota Pollution Control Agency

7152.0500 MAXIMUM HOURLY RATES.

[For text of items A and B, see Minnesota Rules]

C. Notwithstanding items A and B, hourly rate charges for consultant services in excess of the following are prima facie unreasonable:

- (1) senior-level professional at ~~\$173~~ \$190 per hour;
- (2) midlevel professional at ~~\$128~~ \$141 per hour;
- (3) entry-level professional at ~~\$94~~ \$103 per hour;
- (4) field technician at ~~\$87~~ \$96 per hour;
- (5) draftsman at ~~\$74~~ \$81 per hour; and
- (6) word processor at ~~\$53~~ \$58 per hour.

[For text of item D, see Minnesota Rules]

7152.0600 MAXIMUM TRAVEL AND PER DIEM CHARGES.

The cost for travel time, vehicle mileage for consultant services, or per diem is prima facie unreasonable when the cost exceeds the amount specified in the proposal for consultant services or contractor services or the maximum cost specified in items A to C, whichever is less:

[For text of items A and B, see Minnesota Rules]

C. per diem has a maximum cost of ~~\$180~~ \$198 per day.

EFFECTIVE DATE. The amendments to Minnesota Rules, parts 7152.0500 and 7152.0600, are effective retroactively from July 1, 2022.

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

Emergency Executive Order 22-23: Declaring a Peacetime Emergency and Providing National Guard Assistance to Stranded Motorists

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:

This week, a powerful winter storm with heavy snowfall, strong winds, and extreme cold temperatures has created blizzard conditions in Minnesota, closing roads and threatening public safety.

These dangerous conditions have resulted in many stranded vehicles, placing lives and property at risk. The resources of the affected local and county governments are inadequate to meet the demands caused by these severe winter weather conditions.

The Renville County Sheriff's Department has requested that the Minnesota National Guard assist with the rescue of stranded motorists and provide local armories as emergency shelters.

For these reasons, I declare a peacetime emergency pursuant to Minnesota Statutes 2022, section 12.31, and order as follows:

1. The Adjutant General is authorized to order to state active duty on December 23, 2022 the personnel, equipment, facilities, and resources needed to provide assistance throughout Minnesota.
2. The Adjutant General is authorized to procure the goods and services needed to accomplish the mission.
3. The costs of this assistance shall be paid from the general fund as allowed by Minnesota Statutes 2022, section 192.52.

This Executive Order and declaration of peacetime emergency are effective immediately under Minnesota Statutes 2022, section 4.035, subdivision 2. The peacetime emergency declared in this Executive Order expires in accordance with Minnesota Statutes 2022, section 12.31, subdivision 2. The remainder of this Executive Order, including the activation of the Minnesota National Guard, remains in effect until the emergency conditions caused by the winter storm subside or December 30, 2022, whichever occurs first.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on December 23, 2022.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Commissioner's Orders

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

Department of Natural Resources

Division of Fish and Wildlife

Commissioner's Order 22-01: Designation of Aquatic Management Areas (AMAs)

Date: 7/20/2022

Statutory authority: *Minnesota Statutes*, section 86A.05, subdivision 14, and *Minnesota Statutes*, section 86A.07, subdivision 3.

BACKGROUND

WHEREAS, certain lands in Minnesota are described as:

Bear Island AMA, Cass County, 78.89 Acres, Acq: 161040

Lot Ten (10) of Section 14, Township 142 North, Range 29 West of the Fifth Principal Meridian, Cass County, Minnesota,

Bog Lake AMA, Becker County, 4.5 acres, Acq: 160809

That part of the Northeast Quarter of Section 20, Township 140 North, Range 36 West, Becker County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 20; thence South 89 degrees 06 minutes 53 seconds West, assigned bearing, along the north line of said Section 20, a distance of 1808 feet, more or less, to the westerly shoreline of Bog Lake and the point of beginning of the parcel of land to be herein described; thence southerly along said westerly shoreline; thence southwesterly along the northerly shoreline of the channel between said Bog Lake to the easterly shoreline of Straight Lake; thence northwesterly and northerly along said easterly shoreline to said north line of Section 20; thence North 89 degrees 06 minutes 53 seconds East, along said north line, 387 feet, more or less, to the point of beginning.

Camp Creek AMA, Fillmore County, 8.26 acres, Acq: 160904

A 132 foot wide strip of land lying 66 feet on each side of the centerline of the Camp Creek and the Partridge Creek in the Northwest Quarter of the Southeast Quarter in Section 20, Township 102 North, Range 10 West, Fillmore County, Minnesota, lying easterly of the Blufflands State Trail. Walk in Access: The north 10 feet said Northwest Quarter of the Southeast Quarter lying between aforementioned Camp Creek Easement and aforementioned Blufflands State Trail.

Cedar Valley Creek AMA, Winona County, 4.43 Acres, Acq: 160901

A strip of land 132 feet in width lying 66 feet on each side of the centerline of the Cedar Valley Creek in the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter in Section 14, Township 106 North, Range 6 West, Winona County, lying west of County Road 9.

Commissioner's Orders

Garvin Brook AMA, Winona County, 1.5 acres, Acq: 161073

A strip of land 132 feet in width lying 66 feet on each side of the centerline of Garvin Brook located in the following described tract.

That part of the North Half of the Southwest Quarter of Section 34, Township 107 North, Range 8 West, Winona County, Minnesota, described as follows:

Commencing at the northeast corner of said North Half of the Southwest Quarter; thence South 00 degrees 14 minutes 22 seconds West, along the east line of said North Half of the Southwest Quarter, 250.00 feet; thence North 89 degrees 51 minutes 02 seconds West, 843.79 feet to a point hereinafter referred to as Point A; thence North 00 degrees 08 minutes 58 seconds East, 56.33 feet to the center line of U.S. Highway No. 14 and the point of beginning of the land to be described; thence South 00 degrees 08 minutes 58 seconds West 56.33 feet to said Point A; thence South 89 degrees 51 minutes 02 seconds East, 843.79 feet to said east line of North Half of the Southwest Quarter; thence South 00 degrees 14 minutes 22 seconds West, along said east line of the North Half of the Southwest Quarter, 672.18 feet; thence North 81 degrees 19 minutes 26 seconds West, 263.33 feet; thence South 80 degrees 55 minutes 18 seconds West, 145.40 feet; thence South 77 degrees 47 minutes 14 seconds West, 148.35 feet; thence South 79 degrees 46 minutes 06 seconds West, 147.79 feet; thence North 60 degrees 42 minutes 35 seconds West, 148.84 feet; thence North 15 degrees 41 minutes 58 seconds West, 155.75 feet; thence North 21 degrees 04 minutes 32 seconds West, 45.10 feet; thence South 88 degrees 05 minutes 51 seconds West, 138.23 feet; thence South 65 degrees 59 minutes 00 seconds West, 138.60 feet; thence South 52 degrees 48 minutes 28 seconds West, 158.46 feet; thence South 45 degrees 35 minutes 46 seconds West, 150.09 feet; thence South 59 degrees 29 minutes 57 seconds West, 150.86 feet; thence South 60 degrees 25 minutes 59 seconds West, 146.81 feet to the easterly line of Minnesota Department of Transportation Right of Way Plat No. 85-22, according to the recorded plat thereof, said Winona County; thence North 38 degrees 24 minutes 57 seconds West, along said easterly line, 168.90 feet to boundary corner B8 according to said right of way plat; thence North 51 degrees 35 minutes 03 seconds East, along said easterly line, 350.00 feet to boundary corner B207 according to said right of way plat; thence North 38 degrees 24 minutes 57 seconds West, along said easterly line, 100.00 feet to said center line of U.S. Highway No. 14; thence North 51 degrees 35 minutes 03 seconds East, along said center line, 430.37 feet; thence continue easterly along said center line 417.97 feet along the arc of a tangential curve, concave southerly, having a radius of 1909.55 feet and a central angle of 12 degrees 32 minutes 28 seconds to the point of beginning.

EXCEPT the following:

That part of the North Half of the Southwest Quarter of Section 34, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the northeast corner of said North Half of the Southwest Quarter; thence South 00 degrees 14 minutes 22 seconds West, along the east line of said North Half of the Southwest Quarter 922.18 feet; thence North 81 degrees 19 minutes 26 seconds West 263.33 feet; thence South 80 degrees 55 minutes 18 seconds West 145.40 feet; thence South 77 degrees 47 minutes 06 seconds West 148.35 feet; thence South 79 degrees 46 minutes 06 seconds West, 147.79 feet; thence North 60 degrees 42 minutes 35 seconds West, 148.84 feet; thence North 15 degrees 41 minutes 58 seconds West 155.75 feet; thence North 03 degrees 29 minutes 59 seconds West, 66.90 feet to a point hereinafter referred to as Point B; thence North 03 degrees 24 minutes 21 seconds West, along a line hereinafter referred to as Line C, 454.25 feet to the center line of U.S. Highway No. 14 and the point of beginning of the land to be described; thence South 03 degrees 24 minutes 21 seconds East 454.25 feet to said Point B; thence South 03 degrees 29 minutes 59 seconds East 66.90 feet; thence North 21 degrees 04 minutes 32 seconds West, 45.10 feet; thence South 88 degrees 05 minutes 51 seconds West, 138.23 feet; thence South 65 degrees 59 minutes 00 seconds West, 138.60 feet; thence South 52 degrees 48 minutes 28 seconds West, 158.46 feet; thence South 45 degrees 35 minutes 46 seconds West, 150.09 feet; thence South 59 degrees 29 minutes 57 seconds West, 150.86 feet; thence South 60 degrees 25 minutes 59 seconds West, 146.81 feet to the easterly line of Minnesota Department of Transportation Right of Way Plat No. 85-22, according to the recorded plat thereof, said Winona County; thence North 38 degrees 24 minutes 57 seconds West, along said easterly line, 168.90 feet to boundary corner B8 according to said right of way plat; thence North 51 degrees 35 minutes 03 seconds East, along said easterly line, 350.00 feet to boundary corner B207 according to said right of way plat; thence North 38 degrees 24 minutes 57 seconds West, along said easterly line, 100.00 feet to said center line of U.S. Highway No. 14; thence North 51 degrees 35 minutes 03 seconds East, along said center line, 430.37 feet; thence continue easterly along said center line, 354.64 feet along the arc of a

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tangential curve, concave southerly, having a radius of 1909.55 feet and a central angle of 10 degrees 38 minutes 27 seconds to the point of beginning.

Gernander Creek AMA, Winona County, 13.9 acres, Acq: 160846

A strip of land lying in:

The South One-half (S ½) of the Southeast Quarter (SE¼) of Section Nineteen (19), Township One Hundred Five (105) North, Range Seven (7) West of the Fifth Principal Meridian, Winona County, Minnesota, Except that certain piece and parcel of land sold to the County of Winona in said state described in the certain deed dated October 14, 1936, and filed for record in the office of the Register of Deeds on and for said Winona County on October 23, 1936, and recorded in Book 174 of Deeds, pg. 379.

AND

That part of the Northeast Quarter (NE¼) and of the North One-Half (N ½) of the Southeast Quarter (SE¼) and of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Thirty (30), Township One Hundred Five (105) North, Range Seven (7) West of the Fifth Principal Meridian, Winona County, Minnesota, more particularly bounded and described as follows, to-wit: Beginning at the center post of said Section Thirty (30); thence running due south 1470 feet; thence S. 86° E. 380 feet; thence N. 37° E. 337 feet, thence N. 65° E. 660 feet; thence N. 60° E. 104 feet; thence N. 53° E. 435 feet; thence due east 447 feet; thence N. 1° W. 1940 feet; thence N 10° W. 425 feet; thence due east to a point on the east line of said Section, 920 feet south, of the northeast corner thereof; thence north and along said east line to the northeast corner of said Section Thirty (30); thence west and along the north line of said Section to the northwest corner of the Northeast Quarter (NE¼) of said Section; thence south and along the west line of said Northeast Quarter (NE¼) to the center post of said Section Thirty (30), and the place of beginning. Except that certain piece and parcel of land sold to the County of Winona in said sale described in the certain deed dated October 14, 1936, and filed for record in the office of the Register of Deeds on and for said Winona County on October 23, 1936, and recorded in Book 174 of Deeds, pg. 379.

AND

The Northwest Quarter of the Northwest Quarter (NW¼, W ¼) of Section Twenty-nine (29), Township One Hundred Five (105) North, Range Seven (7) West of the Fifth Principal Meridian, Winona County, Minnesota, EXCEPT the following three (3) described tracts of land:

Tract 1: Beginning at a point where the East line of said Northwest Quarter of the Northwest Quarter (NW¼, NW¼) of said Section Twenty-nine (29) meets the northerly line of a township road which serves as the road of entry or road of access to the dwelling house and buildings in Section Twenty (20); thence southwesterly along said northerly line of said township road to the centerline of County State Aid Road No. 4, commonly known as the Hart East Road; thence southeasterly along said centerline of said County State Aid Road No. 4 to the point of its intersection with the centerline of County State Aid Road No. 17, commonly known as the Wiscoy Valley Road; thence southwesterly along the centerline of said County State Aid Road No. 17 to the south line of the said Northwest Quarter of the Northwest Quarter (NW¼, NW¼) of said Section Twenty-nine (29); thence east along the said south line of the Northwest Quarter of the Northwest Quarter (NW¼, NW¼) of Section Twenty-nine (29) to the southeast corner of said forty-acre tract; thence north along the east line thereof to the point of beginning.

Tract 2: That part of the North Half of the Northwest Quarter of Section 29, Township 105 North, Range 7 West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows: Commencing at the northeast corner of said North Half of the Northwest Quarter, thence North 89 degrees 47 minutes 40 seconds West, assumed bearing, along the north line of said North Half of the Northwest Quarter 2118.16 feet to the point of beginning of the land to be described; thence South 03 degrees 15 minutes 00 seconds East 116.20 feet; thence southwesterly 271.94 feet along a tangential curve concave to the northwest

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having a central angle of 69 degrees 15 minutes 00 seconds and a radius of 225.00 feet; thence South 66 degrees 00 minutes 00 seconds West 145.38 feet to the northerly right-of-way line of County State Aid Highway 4; thence northwesterly along said northerly right-of-way line of County State Aid Highway 4 a distance of 202.54 feet on a nontangential curve concave to the southwest having a central angle of 8 degrees 53 minutes 00 seconds, a radius of 1306.30 feet and a chord that bears North 77 degrees 02 minutes 01 seconds West; thence North 81 degrees 28 minutes 31 seconds West along said northerly right-of-way line 62.98 feet to the west line of said North Half of the North-west Quarter; thence North 00 degrees 03 minutes 19 seconds East along said West line 340.58 feet to the northwest corner of said North Half of the Northwest Quarter; thence South 89 degrees 47 minutes 40 seconds East along the north line of said North Half of the Northwest Quarter 518.48 feet to the point of beginning.

Tract 3: That part of the North Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 29, Township 105 North, Range 7 West of the Fifth Principal Meridian.

Winona County, Minnesota, described as follows:

Beginning at the northeast corner of said North Half of the Northwest Quarter, thence tangential curve concave to the northwest having a central angle of 69 degrees 15 minutes 00 seconds and a radius of 225.00 feet; thence South 66 degrees 00 minutes 00 seconds West 145.38 feet to the northerly right-of-way line of County State Aid Highway 4; thence southeasterly along the northerly right-of-way line of County State Aid Highway 4 a distance of 562.38 feet on a nontangential curve concave to the south-west having a central angle of 24 degrees 40 minutes 00 seconds, a radius of 1306.30 feet and a chord that bears South 60 degrees 15 minutes 31 seconds East; thence South 47 degrees 55 minutes 31 seconds East along the northerly right-of-way line of County State Aid Highway 4 a distance of 292.10 feet; thence easterly along the northerly right-of-way line of County State Aid Highway 4 a distance of 314.13 feet along a tangential curve concave to the north having a central angle of 71 degrees 00 minutes 00 seconds and a radius of 253.50 feet to the westerly right-of-way line of County State Aid Highway 17; thence South 61 degrees 04 minutes 29 seconds West along the westerly right-of-way line of County State Aid Highway 17 a distance of 147.90 feet; thence southerly 66.60 feet along the westerly right-of-way line of County State Aid Highway 17 on a tangential curve concave to the south having a central angle of 6 degrees 53 minutes 24 seconds and a radius of 553.87 feet to the centerline of County State Aid Highway 4; thence South 47 degrees 55 minutes 31 seconds East along the centerline of County State Aid Highway 4 a distance of 33.80 feet to the centerline of County State Aid Highway 17; thence northeasterly 55.54 feet along said centerline of County State Aid Highway 17 on a nontangential curve concave to the southeast having a central angle of 6 degrees 06 minutes 36 seconds, a radius of 520.87 feet and a chord that bears North 58 degrees 01 minutes 11 seconds East; thence North 61 degrees 04 minutes 29 seconds East along said centerline of County State Aid Highway 17 a distance of 587.33 feet; thence northeasterly 204.98 feet along said centerline of County State Aid Highway 17 on a tangential curve concave to the southeast having a central angle of 15 degrees 29 minutes 07 seconds and a radius of 758.43 feet; thence North 76 degrees 33 minutes 36 seconds East along said centerline of County State Aid Highway 17 a distance of 431.01 feet; thence North 73 degrees 22 minutes 52 seconds East along said centerline of County State Aid Highway 17 a distance of 628.81 feet; thence North 70 degrees 12 minutes 16 seconds East along said centerline of County State Aid Highway 17 a distance of 199.01 feet; thence North 22 degrees 16 minutes 40 seconds West 309.23 feet to the north line of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 47 minutes 40 seconds West along said north line 299.24 feet to the point of beginning.

Subject to the right-of-way of County State Aid Highway 17 along the southeasterly side thereof and Heyer Drive along the westerly side thereof.

Said strip of land being 132 feet in width and lying 66 feet on each side of the centerline of Genander Creek.

ALSO,

A strip of land lying in:

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That part of the Northeast Quarter (NE¼) and of the North One-Half (N ½) of the Southeast Quarter (SE ¼) and of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Thirty (30), Township One Hundred Five (105) North, Range Seven (7) West of the Fifth Principal Meridian, Winona County, Minnesota, more particularly bounded and described as Follows, to-wit: Beginning at the center post of said Section Thirty (30); thence running due south 1470 feet; thence S. 86° E. 380 feet; thence N. 37° E. 337 feet; thence N. 65° E. 660 feet; thence N. 60° E. 104 feet; thence N. 53° E. 435 feet: thence due east 447 feet; thence N. 1° W, 1940 feet; thence N. 10° W. 425 feet; thence due east to a point on the east line of said Section, 920 feet south of the northeast corner thereof; thence north and along said east line to the northeast corner of said Section Thirty (30); thence west and along the north line of said Section to the northwest corner of the Northeast Quarter (NE 1/4) of said Section; thence south and along the west line of said Northeast Quarter (NE¼) to the center post of said Section Thirty (30), and the place of beginning. Except that certain piece and parcel of land sold to the County of Winona in said state described in the certain deed dated October 14, 1936, and filed for record in the office of the Register of Deeds on and for said Winona County on October 23, 1936, and recorded in Book 174 of Deeds, pg. 379.

Said strip of land being 66 feet in width and lying 33 feet on each side of the centerline of the southerly branch of Gernander Creek; said southerly branch beginning at a point approximately 940 feet east of, and approximately 123 feet south of, the northwest corner of the Northeast Quarter of said Section 30; said southerly branch ending at a point approximately 1725 feet east of, and approximately 528 feet south of, the northwest corner of said Northeast Quarter.

TOGETHER with a non-vehicular easement for ingress and egress over and across that part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 105 North, Range 7 West of the Fifth Principal Meridian, Winona County, Minnesota. Said easement being 16.50 wide, lying 8.25 feet on each side of the following described centerline:

Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence South 00 degrees 03 minutes 18 seconds West (assumed bearing), along the east line of said Northeast Quarter of the Northeast Quarter, a distance of 375 feet, more or less, to the centerline of County State Aid Highway 4; thence northwesterly along said centerline 425 feet to the point of beginning of the centerline to be described; thence South 00 degrees 03 minutes 18 seconds West, a distance of 300 feet and said centerline there terminating.

TOGETHER with a non-vehicular easement for ingress and egress over and across that part of the Southwest Quarter of the Southeast Quarter of Section 19 Township 105 North, Range 7 West of the Fifth Principal Meridian, Winona County, Minnesota. Said easement being 16.50 feet wide, lying 8.25 feet on each side of the centerline of the Gernander Creek tributary. Said tributary beginning near the intersection of County State Aid Highway 4 and the west line of said Southwest Quarter of the Southeast Quarter; thence southeasterly along said tributary centerline, a distance of 225, and said easement there terminating.

Gilbert Lake AMA, Crow Wing County, 64.34 acres, Acq: 161030

The Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4), Section Twenty-seven (27), Township One Hundred thirty-four (134), Range Twenty-eight (28), except a strip of land 100 feet in width previously conveyed to Minnesota and International Railway Company by Deed dated July 2, 1913, filed December 31, 1913, and recorded in Book 25 of Deeds, page 360, Crow Wing County, Minnesota

AND

That part of the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4), Section Twenty-seven (27), Township One Hundred Thirty-four (134), Range Twenty-eight (28), lying southeasterly of the railroad right-of-way, subject to easements, reservations and restrictions of record, Crow Wing County, Minnesota

AND

The Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4), Section Twenty-seven (27), Township One

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hundred Thirty-four (134) North, Range Twenty-eight (28) West, EXCEPT that portion thereof platted as Sandberg's Northwood Estates, and further EXCEPT the East 283 feet of the North 1000 feet thereof, and further EXCEPT the East 333 feet thereof lying South of the North 1050 feet thereof. AND ALSO That part of Government Lot Three (3), Section Twenty-seven (27), Township One hundred thirty-four (134), Range Twenty-eight (28), lying Northerly of the shore of Gilbert Lake, EXCEPT that part thereof described as follows: Beginning at the Northeast corner of said Government Lot 3; thence South 88 degrees 01 minute 30 seconds West assumed bearing, 289.26 feet along the North line of said Government Lot 3; thence South 25 degrees 25 minutes 31 seconds West 165 feet, more or less, to the shore of Gilbert Lake; thence Northeasterly along said shore to the East line of said Government Lot 3; thence North 5 feet, more or less, along said East line of the point of beginning. EXCEPT a tract of land being out of and part of, Government Lot 3, Section 27, Township 134, Range 28, Crow Wing County, Minnesota, described as follows: Commencing at the North quarter corner of said Section 27, thence S 00 degrees 54 minutes 00 seconds W, coincident with the North-South Quarter line of said Section 27, 2328.27 feet to the intersection of the aforementioned line and the extended South line of the Gilbert Lake

Access; thence S 38 degree 40 minutes 59 seconds W at 63.76 feet passing a 5/8 inch iron pipe found, for a total distance of 200.46 feet to a 1/2 inch iron pipe found; thence S 44 degree 18 minutes 36 seconds W, 241.12 feet to a 5/8 inch iron pipe found; thence S 26 degrees 21 minutes 07 seconds W, 0.78 feet to a point on the North line of said Government Lot 3 for the Point of Beginning of the tract herein described; thence continuing S 26 degrees 21 minutes 07 seconds W, 153.14 feet to a point of intersection of a survey line and the East line described herein; thence S 83 degrees 17 minutes 06 seconds W, coincident with said survey line which lies northerly of the actual shore line of Gilbert Lake, 78.76 feet to the intersection of said survey line and the West line described herein; thence N 26 degrees 21 minutes 07 seconds E, with the aforementioned West line, 162.00 feet to the North line of said Government Lot 3; thence N 89 degrees 01 minutes 21 seconds E, with said North line, 74.29 feet to the Point of Beginning herein It is the intent of this description to extend the East and West lines of this tract to the Shore of Gilbert Lake. Except all minerals and mineral rights of record.

AND

West 237.19 feet of the South 66 feet of the Northeast Quarter of the Northwest Quarter, Section 27, Township 134, Range 28, Crow Wing County, Minnesota.

EXCEPT

That part of the Southeast Quarter of the Northwest Quarter, Section 27, Township 134 North, Range 28 West, described as follows: Beginning at the Southeast corner of Lot 3, Block 3, Sandberg's Northwood Estates; thence South 00 degrees 53 minutes 35 seconds West assumed bearing along the west line of the east 283.00 feet of said Southeast Quarter of the Northwest Quarter, a distance of 561.89 feet to the South line of the North 1000.00 feet; thence North 88 degrees 38 minutes 27 seconds East along the south line of the north 1000.00 feet of said Southeast Quarter of the Northwest Quarter, a distance of 283.22 feet to the east line of said Southeast Quarter of the Northwest Quarter; thence South 00 degrees 53 minutes 35 seconds West along said east line, a distance of 50.04 feet to the south line of the north 1050.00 feet of said Southeast Quarter of the Northwest Quarter; thence South 88 degrees 38 minutes 27 seconds West along said south line, a distance of 541.18 feet; thence North 00 degrees 53 minutes 35 seconds East, a distance of 600.89 feet to the center of Jean Street said plat of Sandberg's Northwood Estates; thence North 88 degrees 38 minutes 27 seconds East; a distance of 33.03 feet to the Southeast corner of said Jean Street; thence North 00 degrees 53 minutes 43 seconds East, a distance of 11.04 feet to the Southwest corner of said Lot 3, Block 3, Sandberg's Northwood Estates; thence North 88 degrees 38 minutes 27 seconds East along the south line of said Lot 3, a distance of 224.93 feet to the point of beginning.

Greenwood Lake AMA, Crow Wing County, 61.3 acres, Acq: 160977

Government Lot 1, Section 17, Township 136 North, Range 27 West, Crow Wing County, Minnesota.

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Little Cannon River AMA, Goodhue County, 76.93 acres, Acq: 160998

That part of the Northwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter, and the Northeast Quarter of the Northwest Quarter of Section 1, Township 110 North, Range 18 West described as follows:

Beginning at the north quarter corner of said Section 1; thence on an assumed bearing of North 89 degrees 59 minutes 55 seconds East, along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 561.00 feet; thence South 29 degrees 50 minutes 30 seconds East a distance of 1504.62 feet to the southeast corner of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 52 minutes 02 seconds East, along the north Line of said Southeast Quarter of the Northeast Quarter, a distance of 263.78 feet; thence South 00 degrees 16 minutes 01 second West a distance of 206.28 feet; thence South 37 degrees 46 minutes 23 seconds East a distance of 511.34 feet; thence South 39 degrees 57 minutes 32 seconds West a distance of 907.61 feet to the southwest corner of said Southeast Quarter of the Northeast Quarter; thence North 89 degrees 48 minutes 14 seconds West, along the south line of said Southwest Quarter of the Northeast Quarter, a distance of 1269.53 feet; thence North 00 degrees 12 minutes 01 second East a distance of 2118.81 feet; thence North 41 degrees 21 minutes 04 seconds West a distance of 482.40 feet; thence North 00 degrees 00 minutes 15 seconds West a distance of 126.57 feet to the north line of said Northeast Quarter of the Northwest Quarter; thence North 89 degrees 59 minutes 45 seconds East, along said north line of said Northeast Quarter of the Northwest Quarter, a distance of 277.99 feet to the point of beginning.

together with all hereditaments and appurtenances belonging thereto, subject to easements, covenants, conditions and restrictions of record, if any.

Mission Creek AMA, St. Louis County, 23.79 acres, Acq: 160935

Those parts of the Southwest Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter, all in Section 30, Township 49 North, Range 15 West, St. Louis County, Minnesota, described as follows: A 200-foot wide strip of land lying 100 feet on each side of the creeks as measured from the centerline of said creeks located in the aforementioned tracts of land.

AND Those parts of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of the aforementioned Section 30 lying within 100 feet northerly of the centerline of a creek flowing through the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 31 of the aforementioned township.

Pickwick Creek AMA, Winona County, 10.2 Acres, Acq: 160805

A strip of land lying in:

The Northeast Quarter of the Northwest Quarter of Section 35, Township 106 North, Range 6 West of the Fifth Principal Meridian, Winona County, Minnesota.

ALSO

The Southeast Quarter of the Southwest Quarter of Section 26, Township 106 North, Range 6 West of the Fifth Principal Meridian, Winona County, Minnesota.

EXCEPT,

That part of the Northeast Quarter of the Northwest Quarter of Section 35, Township 106 North, Range 6 West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:
Beginning at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence 90 degrees 00 minutes 00 seconds West, assumed bearing, along the north line of said Northeast Quarter of the Northwest Quarter 225.00 feet; thence South 00 degrees

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00 minutes 00 seconds East 280.00 feet; thence North 73 degrees 34 minutes 59 seconds East 234.33 feet to the east line of said Northeast Quarter of the Northwest Quarter; thence North 00 degrees 03 minutes 34 seconds East along said east line 213.77 feet to the point of beginning.

Containing 1.28 acres being subject to the right-of-way of County State Aid Highway 7 along the easterly side thereof.

ALSO EXCEPT,

That part of the Southeast Quarter of the Southwest Quarter of Section 26, Township 106 North, Range 6 West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Beginning at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Southwest Quarter 225.00 feet; thence North 00 degrees 00 minutes 00 seconds East 695.00 feet; thence North 90 degrees 00 minutes 00 seconds East 225 feet more or less to the east line of said Southeast Quarter of the Southwest Quarter; thence southerly along said east line 695 feet more or less to the point of beginning. Containing 3.60 acres more or less being subject to the right-of-way of County State Aid Highway 7 along the easterly side thereof.

ALSO EXCEPT,

That part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-six (26), and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirty-five (35), all in Township One Hundred Six (106) North, Range Six (6) West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-six (26); thence on an assumed bearing of West, along the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$), 1274.74 feet to a one-half inch iron pipe monument in the center of Homer Township Road No. 9, and the point of beginning of the land to be described; thence North 33 degrees 53 minutes 08 seconds East, along the center of said township road 120.56 feet; thence South 29 degrees 29 minutes 10 seconds East, 301.59 feet; thence South 45 degrees 33 minutes 24 seconds West to the west line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$); thence northerly along said west line of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) to said center of Homer Township Road No. 9; thence northeasterly along the center of said township road to the point of beginning.

Said exception being subject to the right-of-way of said township road.

ALSO EXCEPT,

That part of the Southeast Quarter of the Southwest Quarter of Section 26, and that part of the Northeast Quarter of the Northwest Quarter of Section 35, all in Township 106 North, Range 6 West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter of Section 26; thence on an assumed bearing of West along the south line of said Southeast Quarter of the Southwest Quarter 1274.74 feet to a one-half inch iron pipe monument in the center of Homer

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Township Road No. 9 for the point of beginning of the land to be described; thence North 33 degrees 53 minutes 08 seconds East along the center of said Township Road, 226.47 feet to a one-half inch iron pipe monument; thence North 45 degrees 25 minutes 28 seconds East along the center of said Township Road, 290.55 feet to a one-half inch iron pipe monument; thence North 36 degrees 05 minutes 22 seconds East along the center of said Township Road, 196.05 feet to a one-half inch iron pipe monument; thence North 31 degrees 24 minutes 53 seconds East along the center of said Township Road 210.37 feet to a one-half inch iron pipe monument; thence North 49 degrees 52 minutes 27 seconds West, 247.69 feet to a one-half inch iron pipe monument; thence continue along a line bearing North 49 degrees 52 minutes 27 seconds West to its intersection with the west line of said South- east Quarter of the Southwest Quarter; thence southerly along said west line of the Southeast Quarter of the Southwest Quarter to the southwest corner of said Southeast Quarter of the Southwest Quarter of Section 26; thence southerly along the west line of said Northeast Quarter of the Northwest Quarter of Section 35 to said center of Township Road No. 9; thence northeasterly along said center of Township Road No. 9 to the place of beginning.

Pickwick Creek AMA, Winona County, 0.57 Acres, Acq: 161086

A strip of land lying in:

That part of the Northeast Quarter of the Southwest Quarter and that part of the Southeast Quarter of the Southwest Quarter, all in Section 26, Township 106 North, Range 6 West, Winona County, Minnesota, lying southeasterly of the Township Road (A.K.A. Stone Roller Road), westerly of County State Aid Highway No. 7, and northeasterly of the following described line: Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 00°31'31" West, along the east line of said Southeast Quarter of the Southwest Quarter, 1022.45 feet; thence North 78°22'34" West, 73.36 feet to the westerly right of way line of County State Aid Highway No. 7 per Winona County Right of Way Plat No. 4007 and to the point of beginning of the line to be described; thence continuing North 78°22'34" West, 356.56 feet to the centerline of said Township Road and there terminating.

Said strip being 132 feet in width and lying 66 feet on each side of the centerline of Pickwick Creek.

Rush Creek AMA, Winona County, 8.79 Acres, Acq: 160793

A strip of land lying in:

The Northwest Quarter of Section 1, Township 105 North, Range 9 West, Winona County, Minnesota, LESS AND EXCEPT:

That part of the Northwest Quarter (NW¼) of Section 1, Township 105 North, Range 9 West, lying southerly of Trunk Highway No. 90 as now located and established; which lies northerly of the following described line:

From a point on the west line of said Section 1, distant 238.58 feet south of the north- west corner thereof run southeasterly at an angle of 58° 41'13" with said west section line for 320.16 feet to a point on the south right of way line of Trunk Highway No. 90 as now located and established, being the point of beginning of the line to be described; thence continue southeasterly on the last above described course for 1304.91 feet; thence deflect to the right at an angle 59° 18'03" for 717.05 feet; thence deflect to the left at an angle of 90° 00' for 1200 feet; thence deflect to the left at an angle of 90 00' for 1066.99 feet; thence deflect to the right at an angle of 20°29'30" for 575.00 feet; thence deflect to the right at an angle of 53° 16'06" for 792.87 feet; thence deflect to the right at an angle of 16° 32'45" for 1700 feet to a point on the east line of Section

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36, Township 106 North, Range 9 West, distant 33 feet north of the southeast corner thereof and there terminating.

Said strip being 132 feet in width and lying 66 feet on each side of the centerline of Rush Creek.

TOGETHER with a non-vehicular easement for ingress and egress over and across part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 105 North, Range 9 West, Winona County, Minnesota; said easement being a strip of land 10.00 feet in width, lying 5.00 feet on each side of the following described centerline: Commencing at a point on the west line of the Northwest Quarter of the Northwest Quarter of said Section 1, distant 238.58 feet south of the northwest corner of said Northwest Quarter of the Northwest Quarter; thence run southeasterly at an angle of 58° 41' 13" with said west line of the Northwest Quarter of the Northwest Quarter for 365.00 feet to the point of beginning of the centerline to be herein described; thence deflect to the right at an angle of 84° 31' 42" for 310.00 feet and said centerline there terminating.

Straight River AMA, Becker County, 78.89 Acres, Acq: 160985

Government Lots 1 and 2, Section 1, Township 139 North, Range 36 West, Becker County, Minnesota.

Ten Mile Lake AMA, Tract 6, Cass County, 2.72 Acres, Acq: 160886

TRACT A

That part of Government Lot 3, Section 17, and that part of Government Lot 4, Section 16, all in Township 140 North, Range 31 West, Cass County, Minnesota, described as follows: Commencing at the Northeast corner of said Government Lot 4; thence South 1 degree 32 minutes 19 seconds West, assumed bearing along the east line of said Government Lot 4 a distance of 693.33 feet; thence South 47 degrees 18 minutes 30 seconds West 416.81 feet; thence westerly 1259.91 feet along a tangential curve concave to the north, having a radius of 954.93 feet and a central angle of 75 degrees 35 minutes 40 seconds; thence North 20 degrees 48 minutes 00 seconds East, not tangent to said curve 327.54 feet; thence northerly 183.85 feet along a tangential curve concave to the West, having a radius of 192.00 feet and a central angle of 54 degrees 51 minutes 45 seconds; thence North 34 degrees 03 minutes 45 seconds West tangent to said last described curve 225.84 feet to the point of beginning of the tract to be herein described; thence continue North 34 degrees 03 minutes 45 seconds West 309.72 feet to the south line of the North 150.00 feet of said Government Lot 3; thence on a bearing of East along said south line and the south line of the North 150.00 feet of said Government Lot 4 a distance of 465 feet, more or less, to the shoreline of Ten Mile Lake; thence southerly along said shoreline to the intersection with a line bearing North 65 degrees 57 minutes 57 seconds East from the point of beginning; thence South 65 degrees 57 minutes 57 seconds West 329 feet more or less to the point of beginning.

TRACT C

That part of Government Lot 3, Section 17, and that part of Government Lot 4, Section 16, all in Township 140 North, Range 31 West, Cass County, Minnesota, described as follows: Commencing at the Northeast corner of said Government Lot 4; thence South 1 degree 32 minutes 19 seconds West, assumed bearing along the east line of said Government Lot 4, a distance of 693.33 feet; thence South 47 degrees 18 minutes 30 seconds West 416.81 feet; thence westerly 1259.91 feet along a tangential curve concave to the north, having a radius of 954.93 feet and a central angle of 75 degrees 35 minutes 40 seconds; thence North 20 degrees 48 minutes 00 seconds East, not tangent to said curve 327.54 feet; thence northerly 43.63 feet along a tangential curve concave to the west, having radius of 192.00 feet and a central angle of 13 degrees 01 minutes 04 seconds; thence North 30 degrees 13 minutes 43 seconds East, not tangent to said last described curve 195.64 feet to the point of beginning of the tract to be herein described; thence South 30

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degrees 13 minutes 43 seconds West 195.64 feet; thence northerly along a nontangential curve concave to the West, having a radius of 192.00 feet, a central angle of 41 degrees 50 minutes 41 seconds and a chord which bears North 13 degrees 08 minutes 25 seconds West; thence North 34 degrees 03 minutes 45 seconds West, tangent to said last described curve 77.64 feet; thence North 60 degrees 30 minutes 16 seconds East 303 feet, more or less, to the shoreline of Ten Mile Lake; thence southeasterly along said shoreline to the intersection with a line bearing North 57 degrees 35 minutes 30 seconds East from the point of beginning; thence South 57 degrees 35 minutes 30 seconds West 203 feet, more or less, to the point of beginning.

Ten Mile Lake AMA, Tract 6A, Cass County, 2.72 Acres, Acq: 160887

Tract B

That part of Government Lot Three (3), Section Seventeen (17), and that part of Government Lot Four (4), Section Sixteen (16), all in Township One Hundred Forty (140) North, Range Thirty- one (31) West, Cass County, Minnesota, described as follows: Commencing at the Northeast corner of said Government Lot 4; thence South 1 degree 32 minutes 19 seconds West assumed bearing along the East line of said Government Lot 4 a distance of 693.33 feet; thence South 47 degrees 18 minutes 30 seconds West 416.81 feet; thence Westerly 1259.91 feet along a tangential curve concave to the North having a radius of 954.93 feet and a central angle of 75 degrees 35 minutes 40 seconds; thence North 20 degrees 48 minutes 00 seconds East not tangent to said curve 327.54 feet; thence Northerly 183.85 feet along a tangential curve concave to the West having a radius of 192.00 feet and a central angle of 54 degrees 51 minutes 45 seconds; thence North 34 degrees 03 minutes 45 seconds West tangent to said last described curve 77.64 feet to the point of beginning of the tract to be herein described; thence continue North 34 degrees 03 minutes 45 seconds West 148.20 feet; thence North 65 degrees 57 minutes 57 seconds East 329 feet more or less to the shoreline of Ten Mile Lake, thence Southeasterly along said shoreline to the intersection with a line bearing North 60 degrees 30 minutes 16 seconds East from the point of beginning; thence South 60 degrees 30 minutes 16 seconds West 303 feet more or less to the point of beginning,

together with all hereditaments and appurtenances belonging thereto.

White Earth AMA, Becker County, 58 Acres, Acq: 160994

Lot Four (4) and the Southwest Quarter of the Southeast Quarter (SW¼, SE¼) of Section Ten (10) in Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota, LESS and EXCEPT:

That part of Government Lot 4 and that part of the Southwest Quarter of the Southeast Quarter in Section 10, Township 142 North, Range 40 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at a found iron monument which designates the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 23 minutes 33 seconds East 346.32 feet on an assumed bearing along the east line of said Southwest Quarter of the Southeast Quarter to an iron monument; thence North 89 degrees 52 minutes 34 seconds West 2960.14 feet to an iron monument; thence continuing North 89 degrees 52 minutes 34 seconds West 9 feet, more or less, to the water's edge of White Earth Lake; thence southwesterly along the water's edge of said White Earth Lake to the south line of said Section 10; thence South 89 degrees 52 minutes 34 seconds East 33 feet, more or less, along the south line of said Section 10 to an iron monument; thence continuing South 89 degrees 52 minutes 34 seconds East 1772.56 feet along the south line of said Section 10 to a found iron monument at the south quarter corner of said Section 10; thence continuing South 89 degrees 52 minutes 34 seconds East 1309 .55 feet along the south line of said Section 10 to a found iron monument; thence continuing South 89 degrees 52 minutes 34 seconds East 7.90 feet along the south line of said Section 10 to the point of beginning,

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White Earth AMA, Becker County, 324.47 Acres, Acq: 160814

Lot Seven (7) of Section Eight (8), Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

Lot Three (3) and Four (4) of Section Eight (8), Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

Government Lot Six (6) and the Southwest Quarter of the Southeast Quarter (SW¼, SE¼) of Section Eight (8), Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

Lots Four (4) and Five (5) of Section Nine (9) in Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

Lots Three (3) and Six (6) of Section Nine (9), Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

Lot One (1) of Section Fifteen (15) in Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

Lot Three (3) and Lot Four (4) of Section Twenty-one (21) in Township One Hundred Forty-two (142) North, Range Forty (40) West of the Fifth Principal Meridian, Becker County, Minnesota.

AND

That part of Government Lot 4 and that part of the Southwest Quarter of the Southeast Quarter in Section 10, Township 142 North, Range 40 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at a found iron monument which designates the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 23 minutes 33 seconds East 346.32 feet on an assumed bearing along the east line of said Southwest Quarter of the Southeast Quarter to an iron monument; thence North 89 degrees 52 minutes 34 seconds West 2960.14 feet to an iron monument; thence continuing North 89 degrees 52 minutes 34 seconds West 39 feet, more or less, to the water's edge of White Earth Lake; thence southwesterly along the water's edge of said White Earth Lake to the south line of said Section 10; thence South 89 degrees 52 minutes 34 seconds East 33 feet, more or less, along the south line of said Section 10 to an iron monument; thence continuing South 89 degrees 52 minutes 34 seconds East 1772.56 feet along the south line of said Section 10 to a found iron monument at the south quarter corner of said Section 10; thence continuing South 89 degrees 52 minutes 34 seconds East 1309.55 feet along the south line of said Section 10 to a found iron monument; thence continuing South 89 degrees 52 minutes 34 seconds East 7.90 feet along

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the south line of said Section 10 to the point of beginning.

Willow Creek AMA, Fillmore County, 12.5 acres, Acq: 161072

A strip of land 132 feet in width lying 66 feet on each side of the centerline of Willow Creek located in the following described tracts.

Parcel One (1)

A triangular strip of land being all that part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 102 North, Range 11 West, lying Northwesterly of County State Aid Highway 15, as now constructed and described as follows: Beginning in the center of County State Aid Highway No. 15 on the West line of the Northeast Quarter of the Northeast Quarter of said Section 12, distant 397 feet North of the Southwest corner thereof; thence run Northeasterly along the centerline of said public road at an angle of 40 degrees 48 minutes with said West line for 891 feet to a point 230 feet South and 730 feet West of the Northeast Corner of Section 12; thence run Northwesterly to the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section 12; thence run Southerly along the West line of the Northeast Quarter of the Northeast Quarter of said Section 12 to the point of beginning and there terminating.

Parcel Two (2)

The Northwest one-half of the Northwest Quarter of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southeast Quarter, and the South half of the Northeast Quarter, all in Section 12, Township 102 North of Range 11 West. Also beginning at the Northwest corner of the Northeast Quarter of the Northeast Quarter of Section 12, Township 102 North, Range 11 West, South 80 rods to the center of said Northeast Quarter, West 80 rods to the Southwest corner of the Northwest Quarter of the Northeast Quarter, thence North on quarter line to center line of Willow Creek, thence Northeasterly following center line of the main channel of said creek to said Northwest corner of said Northeast Quarter of said Northeast Quarter to the place of beginning, containing 20 acres. Commencing at the Northwest corner of the Northwest Quarter of the Southeast Quarter Section 12, Township 102 North, Range 11 West, South 486 feet, South 52 1/2 degrees East 149 1/2 feet, North 34 1/2 degrees East 400 feet, North 23 degrees West 114 feet, North 4 degrees East 136 feet, West 400 feet to the place of beginning, containing 4 9/10 acres.

EXCEPT THE FOLLOWING DESCRIBED PARCEL:

That part of the Northwest quarter of the Northeast quarter of Section 12-102-11, Fillmore County, Minnesota, described as follows: Commencing at the Northwest corner of said NW1/4 NE1/4; thence South 89°34'38" (assumed bearing) East along the North line of said NW1/4 NE1/4, 673.62 feet to the point of beginning of the tract of land to be herein described; thence continuing South 89°34'38" East along said North line, 389.98 feet; thence South 24°47'22" West, 217.24 feet; thence South 41°21'14" West, 70.31 feet; thence South 56°30'35" West, 40.56 feet; thence South 70°25'41" West, 109.51 feet; thence South 77°53'39" West, 197.66 feet; thence North 12°25'19" East, 361.87 feet to the point of beginning and containing 2.50 acres.

Zumbro River North Fork AMA, Tract 35, Wabasha County, 3.62 Acres, Acq: 160852

A strip of land lying in the following three (3) tracts:

Tract No. 1

A strip of land in the Village of Mazeppa lying directly east of Block No. 1, in Mill Company's Addition and between Cooper Street and the highwater mark, more particularly described as: Commencing at the NE corner of Cooper Street, running thence South along the east line of Cooper Street to the North line of West Maple Street, thence east to the high water mark, thence NE'ly along said high water mark to the point where the South line of Chestnut Street in the Village of Mazeppa continued westward would strike the west bank of the Mill Pond or said high water mark, thence West to the place of beginning.

Tract No. 2

Commencing at a point on the west side of the Mill pond where the south line of Chestnut Street in the Village of Mazeppa, continued westward would strike the bank of the pond, running thence West to the

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West line of Section 6, Township 109 North, Range 14 West, thence north 11 and 4/7th rods, thence east to the bank of the pond, containing 2 ½ acres.

Including all right, title and interest in and to that portion of dry lake bed lying immediately east of and between the premises described in that certain warranty deed dated May 26, 1988 (i.e. Tracts No. 1 and No. 2), by and between the parties hereto, and the west bank of the Zumbro River, containing 8 acres, more or less.

Tract No. 3

Commencing at a point 11 and 4/7th rods north of a point on the west side of the Mill pond where the south line of Chestnut Street in the Village of Mazeppa, continued westward would strike the west side of the Mill pond as it was before the dam went out, running thence west to the west line of Section 6, Township 109 North, Range 14 West, thence north on Section line to a point 80 rods south of the NW corner of said Section 6, thence East to the west bank of said Mill pond as it was before the dam went out, thence in a southerly direction along the bank of said Mill pond to the place of beginning, excepting therefrom however all flowage right heretofore conveyed. (It being intended to describe and convey by this deed all real estate now owned by first parties on the west side of the Mill pond in Outlots No. 13, 14, 15, and 16). The Mill pond referred to in this description being a part of the Zumbro River and known as the Mazeppa Mill Pond.

Said strip of land being 132 feet in width and lying on the West side of the centerline of the Zumbro River.

TOGETHER with an easement for ingress and egress over and across the south 20.00 feet of aforementioned Tract 1 above, as illustrated on the attached exhibit map.

Zumbro River North Fork AMA, Tract 38, Wabasha County, 8.61 Acres, Acq: 160849

A strip of land lying in:

The North 20 rods of Outlots 15 and 16 West of the Zumbro River; West of the River of Outlots 17, 18, and 19; all in the Village of Mazeppa, County of Wabasha, State of Minnesota;

AND

All that part of the West Half (W ½) of the Southwest Quarter (SW ¼) of Section 31, Township 110 North, Range 14 West, which lies South and West of the North Branch of the Zumbro River.

Said strip of land being 132 feet in width and lying on the West side of the centerline of the Zumbro River.

WHEREAS, the above-described lands contain lakes, rivers, streams, or adjacent wetlands and lands that are critical for fish and other aquatic life, for water quality, and for their intrinsic biological value, public fishing, or other compatible outdoor recreational uses;

WHEREAS, designating the above-described lands as Aquatic Management Areas would meet one or more of the following criteria: (1) provides angler or management access; (2) protects fish spawning, rearing, or other unique habitat; (3) protects aquatic wildlife feeding and nesting areas; (4) protects critical shoreline habitat; or (5) provides a site for research on natural history; and

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to authority vested in me by law, including *Minnesota Statutes*, section 86A.05, subdivision 14, and *Minnesota Statutes*, section 86A.07, subdivision 3, that the above-described lands under the jurisdiction of the Minnesota Department of Natural Resources are designated as Aquatic Management Areas.

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This order takes effect upon publication in the State Register.

Date: October 26, 2022

Sarah Strommen, Commissioner

For additional information or to receive this document in an alternative format please contact:

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Division of Fish and Wildlife
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Minnesota Department of Transportation Revisions to the 2011 Minnesota Uniform Traffic Control Devices Manual – Order No. 99911

This is the tenth order revising the 2011 Minnesota Manual on Uniform Traffic Control Devices (2011 MN MUTCD).

By Order number 92452 dated December 15, 2011 and published in the State Register of December 26, 2011, the Commissioner of Transportation (Commissioner) has adopted the 2011 MN MUTCD establishing a uniform system of traffic control devices for streets and highways of the State of Minnesota as required by Minnesota Statutes, Section 169.06, Subdivision 1 (2011). The 2011 MN MUTCD correlates with and so far as possible conforms to the current system as approved by the American Association of State Highway Officials and the national Manual on Uniform Traffic Control Devices (National MUTCD). (Minn. Stat. § 169.06, subd. 1 (2011); Federal Highway Administration, 23 C.F.R. § 655.603 (2011).)

The Commissioner adopted revisions and changes to the 2011 MN MUTCD by Order numbers:

1. 93167 dated July 12, 2012 published in the State Register of July 23, 2012;
2. 93799 dated July 8, 2013 published in the State Register of August 5, 2013;
3. 94040 dated December 11, 2013 published in the State Register of December 16, 2013;
4. 94687 dated February 10, 2015 published in the State Register of February 17, 2015, 94687 revised April 1, 2015 published in the State Register of April 13, 2015;
5. 97233 dated January 30, 2018 published in the State Register of February, 12, 2018;
6. 97267 dated February 21, 2018 published in the State Register of March 12, 2018;
7. 98253 dated December 4, 2019 published in the State Register of December 9, 2019;
8. 98764 dated September 8, 2020 published in the State Register of September 3, 2020;
9. 99562 dated February 16, 2022 published in the State Register of February 14, 2022

A multi-agency committee has reviewed the changes in the 2009 National MUTCD and recommended further revisions and additions.

Pursuant to Minnesota Statutes, Section 169.06, subd. 1 (2011), and 169.215, subd. 2 (2011), the Commissioner hereby adopts the revisions listed below:

Record of Revisions or Additions to the MN MUTCD

Commissioner's Orders

<u>Revision Number</u>	<u>Date Issued</u>	<u>Pages Revised or Added</u>
10	12-19-22	iv, viii, 1A.i, 1A-13, 3A-i, 3A-1, 3A-2, 6A-iv, 6G-14, 7A-i, 7E-1, pages 7E-i through 7E-21 (deleted)

This Order revises Commissioner's Order number 92452, dated December 15, 2011 as revised by Commissioner's Orders numbers 93167 dated July 12, 2012, 93799 dated July 8, 2013, 94040 dated December 11, 2013, 94687 dated February 10, 2015, 94687 revised dated April 1, 2015, 97233 dated January 30, 2018, 97267 dated February 21, 2018, 98253 dated December 4, 2019, 98764 dated September 8, 2020 and 99562 dated February 16, 2022.

Signed this 19th day of December 2022.

Nancy Daubenberger
Commissioner of Transportation

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 Education

Division of Academic Standards and Instructional Effectiveness

REQUEST FOR COMMENTS for Possible Amendment to Rules Governing K-12 Academic Standards in Mathematics, Minnesota Rules 3501.0700-0745; Possible Repeal of Rules 3501.0700-0745; Revisor's ID Number 4784

Subject of Rules. The Minnesota Department of Education requests comments on its proposed amendment to rules governing the K-12 academic standards in mathematics. Minnesota has K-12 academic standards in several legislative required content areas, including mathematics. Academic standards and the supporting benchmarks are important because they help define the student learning requirements for graduation; they identify the knowledge and skills that all students must achieve by the end of a grade level; and they serve as a guide for local curriculum adoption, development and improvement. Student mastery of the academic standards is generally measured through state and local assessments. New statewide assessments will be developed by the department and its testing vendor to align with the proposed mathematics standards.

Minnesota's current K-12 academic standards in mathematics were adopted in 2007 and went into effect for grades K-8 in 2010-11 and high school in the 2013-2014 school years. Legislation passed in 2016 modified the state review and revision schedule for academic standards, requiring a review of the academic standards and related benchmarks in mathematics beginning in the 2020-2021 school year and every ten years thereafter.

The Department is considering rule amendments that change the existing K-12 academic standards in mathematics to reflect national research. The standards review committee has proposed rule language that fits the needs of Minnesota's students and supports the goals of career and college readiness in mathematics. If adopted, the proposed Minnesota

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K-12 Academic Standards in mathematics will ultimately replace the state's current standards, which were reviewed and revised in 2007 and implemented state-wide in the 2010-2011 school year for grades K-8 and the 2013-2014 school year for high school.

The new mathematics standards will be the first mathematics standards to use anchor standards. Anchor standards are a summary description of student learning that reflects all learning, spanning from kindergarten to graduation. This differs from the 2007 standards, which had grade-specific standards. Minnesota began using anchor standards in 2010 with the revision of English language arts standards and has since used anchor standards for all Minnesota K-12 Academic Standards: physical education, arts, science, social studies and English language arts. The purpose of anchor standards is to provide a cohesive umbrella for learning across the grade levels to highlight learning progressions of the grade level benchmarks. The K-12 benchmarks supplement the standards with the "specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band" Minn. Stat. 120B.018 (2021).

Since 2007, new research in mathematics education has emerged. The proposed standards are based on extensive national research, expert reviews, committee experience and discussion and stakeholder feedback. The proposed 2022 mathematics standards represent a significant revision of the 2007 standards.

The proposed mathematics standards will ensure Minnesota's mathematics standards require the rigor and understanding necessary to support capable students and citizens.

Persons Affected. The amendment to the rules would likely affect all content area teachers and curriculum specialists, particularly those in the mathematics area, students, and parents.

Statutory Authority. *Minnesota Statutes*, section 120B.02, subd. 1 and 120B.021, subd. 1(a)(2), 3 and, 4(b) authorizes the Department to adopt rules for statewide K-12 academic standards in mathematics.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until **4:30 p.m. on Monday, February 27, 2023**. Submit written comments to the Office of Administrative Hearings (OAH) Rulemaking e-Comments website at <https://minnesotaoah.granicusideas.com>. Any questions about submitting comments using the eComments website should be directed to Denise Collins, OAH, at 651-361-7875 or denise.collins@state.mn.us.

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 Denise Collins, Office of Administrative Hearings Court Administrator, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620 or at 651-539-0310 (fax).

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 **Monday, February 27, 2023**, the comments will also be available for viewing at MDE's rulemaking website <https://education.mn.gov/MDE/about/rule/rule/>.

The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department has formed a mathematics Standards Review Committee selected from a group of qualified applicants. This Committee assists in drafting the possible K-12 academic standards in mathematics. More information about the work for the Committee and the guiding assumptions the Committee used in drafting the possible rules are available on the Department's academic standards webpage.

Rules Drafts. The Department has drafted the possible rules amendment, and is available for review at <https://education.mn.gov/MDE/about/rule/rule/>.

Agency Contact Person. Questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to:

Eric Taubel
Minnesota Department of Education
400 Stinson BLVD NE
Minneapolis, MN 55413
eric.s.taubel@state.mn.us
651-582-8830

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.

Public Data. Comments submitted during formal rulemaking proceedings are public government data. This means that any member of the public can request to see the information. It is a violation of the Minnesota Government Data Practices Act to share private data about a third party without their permission. Please only submit comments that include personal information about yourself or your minor child(ren) that you are comfortable being classified as public data.

Formal Rulemaking Record: 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 agency 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: December 20, 2022

Dr. Heather Mueller, Commissioner
Department of Education

Department of Human Services (DHS)

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program

This notice is published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR § 447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

22-39 Adult Crisis Rates updates the rates for Adult Foster Care providers who provide Resident Crisis Stabilization. This amendment is effective January 1, 2023. There is an estimated federal fiscal impact of \$17,000 in federal fiscal year 2023 and 2024.

The amendment is posted *here*. For more information, please contact Alley Zoellner at (651) 226-7242 or e-mail: *Alexandra.Zoellner@state.mn.us*.

Minnesota Department of Labor and Industry

Division of Workers' Compensation

REQUEST FOR COMMENTS for Possible Rules Governing Treatment of Traumatic Brain Injuries, *Minnesota Rules*, Part 5221.6800; Revisor's ID Number R-04777

Subject of Rules. The Minnesota Department of Labor and Industry (DLI) requests comments on its possible adoption of a new part of Minnesota Rules, chapter 5221, for rules governing workers' compensation treatment for traumatic brain injuries (TBIs). The rules may include requirements regarding diagnosis and initial evaluation for TBIs, potential treatment plans based on severity of the injury, and cross-references to current treatment standards in chapter

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5221 regarding items such as prior notification.

If additional issues arise, DLI may also propose changes to other treatment rules in chapter 5221 to clarify the scope and application of the TBI rules.

Persons Affected. The possible rules would likely affect injured workers, health care providers who treat injured workers, employers, and workers' compensation insurers.

Statutory Authority. *Minnesota Statutes* section 176.83, subd. 5 (b) authorizes DLI to adopt by rule, in consultation with the Medical Services Review Board (MSRB), standards for health care provider treatment for injured workers. The rules must be used to determine whether a provider is performing procedures or providing services at a level or with a frequency that is excessive, unnecessary, or inappropriate under *Minnesota Statutes* section 176.135 based upon accepted medical standards for quality health care.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that DLI intends to adopt or to withdraw the rules. DLI will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments.

Rules Drafts. The Department has not yet drafted the possible rules, but when a draft becomes available it will be posted on the Department's workers' compensation rule docket web page at www.dli.mn.gov/about-department/rulemaking/workers-compensation-rulemaking.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to Ethan Landy, Office of General Counsel, 443 Lafayette Road North, St. Paul, MN 55155; phone: 651-284-5006 or e-mail at dli.rules@state.mn.us.

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 agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submit 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.

December 15, 2022

Nicole Blissenbach, Temporary Commissioner
Department of Labor and Industry

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 Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/open-rfp.jsp>

Department of Human Services (DHS)

Behavioral Health Division

Notice of Request for Proposals for a Licensed Community Mental Health Center Specializing in Culturally Specific Mental Health and Substance Use Disorder Services for African American Children and Families Ages Birth to Death

The Minnesota Department of Human Services (DHS or State) is requesting proposals from qualified African American mental health service providers that are a licensed community mental health center specializing in culturally specific mental health and substance use disorder services for African American children and families ages birth to death. The mental health center must offer culturally specific, comprehensive, trauma-informed, practice- and evidence-based, person- and family-centered mental health and substance use disorder services; supervision and training; and care coordination to all ages, regardless of ability to pay or place of residence.

DHS is seeking proposals for the grant period March 1, 2023 through June 30, 2025

For more information contact:

Nelly Torori
Department of Human Services
Behavioral Health Division
P.O. Box 64981, St. Paul, MN 55164-0981
444 Lafayette Road North, St. Paul, MN 55155
Phone: (651) 431-2337
Nelly.torori@state.mn.us

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

To obtain this information in a different format, please email Emily.Waymire@state.mn.us.

Proposals submitted in response to this Request for Proposals (RFP) must be received at the email listed in the RFP no later than **4:00 p.m., Central Time, on Tuesday, January 24, 2023. Late proposals will not be considered.** Proposals received via other methods will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>.

State Grants & Loans

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

Minnesota Department of Transportation (MnDOT)

Office of Civil Rights

Request for Proposal: SFY 2023 Certified Small Business Micro Grant Program

MnDOT requests responses from Minnesota-based Certified Small Businesses to financially assist them with their eligible expenses that increases their business capacity and/or industry knowledge to assist in their pursuit of MnDOT projects/contracts.

Responses must be received no later than 02:00 p.m. Central Standard Time on April 28, 2023 or until funding is exhausted. Late responses will not be considered.

To view the RFP go to: mndot.gov/civilrights/requests-for-proposals.html.

For more information, visit: mndot.gov/civilrights/micro-grant.html.

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

Department of Administration

Governor's Council on Developmental Disabilities

REQUEST FOR PROPOSALS (RFP) for "TREAT PEOPLE LIKE PEOPLE," a Public Awareness Campaign for the Prevention of Abuse and Neglect of People with Disabilities

DETAILS:

The selected Contractor will complete the following key tasks:

- Conduct listening and discussion sessions to expand the campaign to engage diverse racial, ethnic and cultural communities currently receiving Home and Community Based Waiver Services. This process will include people with

disabilities, families, waiver providers, and DHS lead agencies in both rural and metro Minnesota.

- Develop a strategic plan encompassing perception and issue awareness identification, key messaging, and outreach methodology for each target group identified.
- Develop and implement the campaign content, including video products, social media graphics, online and offline advertising, posters, buttons, and brochures. Impactful visuals and messaging will cohesively reach all audiences statewide.

Work is anticipated to start after February 1, 2023.

COPY REQUEST: A copy of the full RFP is posted on the GCDD website: <https://mn.gov/mnddc/council/rfp-grants.html>.

You may also request a copy of the Request for Proposals, by sending a written request by email to:

Paul Nevin
Minnesota Governor's Council on Developmental Disabilities
paul.nevin@state.mn.us

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received via email at the address above not later than **5:00 p.m., Central Time, January 17, 2023**.

Late proposals will not be considered.

Department of Administration Real Estate and Construction Services Notice of Availability of Request for Qualifications (RFQ) for Construction Manager at Risk for Restore Governor's Residence

NOTICE IS HEREBY GIVEN that the State of Minnesota Department of Administration, represented by Real Estate and Construction Services Division (RECS), is seeking Construction Manager at Risk services for Restore Governor's Residence, St. Paul, MN.

A full Request for Qualifications is available on the Department of Administration's website at <http://www.mmd.admin.state.mn.us/solicitations.htm> click "Virtual Plan Room – Construction Contracts". Project Name "RECS RFQ CMR Restore Governor's Residence", QUESTCDN Project Number: 8352270, RECS Project Number: 02GR0017. To be considered for selection and a contract, responses must be submitted by the date and time indicated in the RFQ.

A Mandatory Pre-Qualifications Submittal/Proposal Meeting is tentatively scheduled for Wednesday, January 4, 2023 at 10:00 a.m. CDT. Firms must Pre-Register for the Mandatory Pre-Qualifications Submittal/Proposal Meeting by 3:30 p.m. CDT, Thursday, December 29, 2022. Project questions will be taken by Talia Landucci Owen at talia.landucci-owen@state.mn.us. Questions regarding this RFQ must be received by Friday, January 6, 2023 at 4:00 p.m. CDT.

Responses must be received by the Real Estate and Construction Services, Department of Administration, Talia Landucci Owen, no later than Wednesday, January 18, 2023 by 12:00 noon CDT. Late responses will not be accepted.

The Department of Administration, Real Estate and Construction Services Division is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Contracts

Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for contract opportunities, goods/commodities and related services on its Vendor and Supplier Opportunities website (<https://www.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 email the Minnesota State Procurement Unit at Sourcing@MinnState.edu.

Department of Employment and Economic Development (DEED) Notice of Request for Proposals (RFP) for the Small Business Loan Participation Program – State Small Business Credit Initiative (SSBCI 2.0)

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) is soliciting proposals for the purpose of seeking qualified non-depository CDFIs and other nonprofit lenders to maximize private lending capital and lower the risk of funding to businesses that may have been adversely impacted by COVID-19. The Request for Proposals (RFP) is available at: <https://mn.gov/deed/about/contracts/>. The State anticipates issuing multiple contracts for this work.

All requirements and information, as well as proposal delivery instructions are contained in the RFP. Inquiries regarding the RFP may be directed by email to Lori Hanson, Solicitation Administrator, at lori.hanson@state.mn.us. Deadline for inquiries is December 14, 2022 at 4:30 p.m. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Proposals must be emailed to: Lori Hanson, Solicitation Administrator, Minnesota Department of Employment and Economic Development at lori.hanson@state.mn.us. Proposals must be received NO later than **January 6, 2023 at 4:30 p.m.**; late responses will not be considered.

The Department of Employment and Economic Development reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be its own best interest. This Request for Proposals does not obligate DEED to award a contract.

Minnesota Historical Society (MNHS) Request for Bids for Gallery Interpretative Exhibits Fabrication at Historic Fort Snelling

The Minnesota Historical Society is soliciting bids from qualified contractors to work collaboratively with MNHS to detail, fabricate and install gallery exhibits at Historic Fort Snelling (Site) as part of a larger Revitalization project.

This is a prevailing wage project.

The Request for Bids front-end documents are available by contacting Mary Green Toussaint, Contract Manager, Minnesota Historical Society, by e-mail only: mary.green-toussaint@mnhs.org

There will be a **MANDATORY** pre-bid meeting for all interested parties on **Thursday, January 12, 2023 from 1:00- 2:30 P.M. Local Time** at Historic Fort Snelling, 200 Tower Avenue, St. Paul 55111

All bids must be received in .pdf format only by Mary Green Toussaint, Contract and Purchasing Manager, at mary.green-toussaint@mnhs.org no later than **2:00 P.M. Local Time Thursday February 2, 2023**. There will be no public bid opening.

Minnesota Housing Finance Agency

Notice of Request for Proposals for US Department of Housing and Urban Development (HUD) certified Real Estate Assessment Center (REAC) and National Standards for the Inspection of Real Estate (NSPIRE) Certified Inspector

PROJECT NAME: US Department of Housing and Urban Development (HUD) certified Real Estate Assessment Center (REAC) and National Standards for the Inspection of Real Estate (NSPIRE) Certified Inspector

DETAILS: Minnesota Housing Finance Agency is requesting proposals for the purpose of complying with HUD's REAC Mortgagee Inspection requirements by contracting with one or more HUD-certified REAC Inspector(s) to conduct physical inspections of certain Minnesota Housing multifamily housing developments, and report the results to HUD electronically, using HUD's REAC data capture and reporting protocols. No later October 1, 2023, Inspectors would need to be certified to conduct NSPIRE inspections.

Work is anticipated to start after February 15, 2023.

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

Cameron M. Oyen
Housing Program/Policy Specialist
cameron.oyen@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by email no later than **Friday, January 20, 2023 at Noon CT. Late proposals will not be considered.** Faxed or mailed proposals will not be considered.

This request does not obligate Minnesota Housing Finance Agency to award a contract or complete the work contemplated in this notice. Minnesota Housing Finance Agency reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Department of Transportation (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.

State Contracts

Minnesota Zoo

Request for Proposals for Final Design, Fabrication, and Installation of Treetop Trail Interpretive, Wayfinding, and Donor Recognition Elements

PROJECT NAME: Final Design, Fabrication, and Installation of Treetop Trail Interpretive, Wayfinding, and Donor Recognition Elements

DETAILS: The Minnesota Zoo requests proposals for a qualified custom design-build-installation contractor to create final designs, fabricate, and install Interpretive, Wayfinding, and Donor Recognition elements for the forthcoming Treetop Trail (<https://treetoptrail.mn.zoo.org/>). The Zoo is in the final stretch of interpretive design development with Ten x Ten Landscape Architects. The selected contractor will work from an existing design package. The selected contractor will guide the Minnesota Zoo and Ten x Ten Interpretive Team in final material selections, determine installation attachments, issue shop drawings, fabricate all elements, and complete installation. Additionally, the selected contractor will need to design and fabricate modular sign clips or brackets to be used for temporary signage along the Treetop Trail. The selected contractor will need to consult with and coordinate their deliverable/installation schedule with that of the construction build team (PCL Construction), the architect (Snow Kreilich Architects), the structural engineer (Meyer Borgman Johnson Engineering), and other members of the design and construction team as applicable to ensure adherence and integration into the pre-existing construction schedule. Ten x Ten Landscape Architects will provide production-ready graphic design files for signage. The selected contractor will work closely with Zoo staff and various stakeholders to ensure all Interpretive, Wayfinding and Donor Recognition requirements are met. All elements must be attractive, durable, and capable of withstanding an unsheltered, outdoor environment for a period of at least five (5) years. All elements must be structurally sound; a few elements will require structural engineering services. It is essential that the Zoo's tradition of excellence is maintained and that Interpretive, Wayfinding, and Donor Recognition elements are comparable in quality to the rest of the Treetop Trail.

Work is anticipated to start after January 27, 2023.

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

Nicole Mattson
Interpretive Program Developer
nicole.mattson@state.mn.us

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received via mail or courier for hard copies and via thumb drive, email, or file transfer for electronic copy. All response materials must be received not later than **1:00 pm, Central Time, January 17, 2023. Late proposals will not be considered.** Faxed proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Airports Commission (MAC) Notice of Call for Bids (Federal) for 2023 STP LED Edge Lighting Upgrades

Airport Location: Saint Paul Downtown Airport
Project Name: 2023 STP LED Edge Lighting Upgrades
MAC Contract No.: 107-1-082
Bids Close At: 2:00 PM on January 17, 2023
Bid Opening Conference Call: 3:00 PM on January 17, 2023
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 681 090 675#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via QuestCDN, <https://questcdn.com/> until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of Disadvantaged Business Enterprises on this project is 15%.

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 Short Elliott Hendrickson Inc.; at QuestCDN Online as indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents for personal use may secure a complete digital set at <https://www.questcdn.com>. Bidders may download the complete set of digital documents for \$15.00, or other fee as determined by QuestCDN, by entering eBidDocTM 8333778 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy bidding documents will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$30.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 19, 2022, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

Non-State Public Bids, Contracts & Grants ==

Middle St. Croix Watershed Management Organization

Request for Letters of Interest Proposals—Professional Services for Legal and Engineering Consulting Services

NOTICE IS HEREBY GIVEN that pursuant to Minnesota Statutes Annotated 103B.227, Subd. 5, the Middle St. Croix Watershed Management Organization (MSCWMO) hereby solicits Letters of Interest Proposals for legal and engineering consulting services for fiscal years 2023 and 2024. The MSCWMO's 2023 operating budget is \$142,000 and the annual capital projects budget including state grant funding is approximately \$160,000.

Letters should include a brief description of the company and the experience of the individual(s) and hourly fee schedules by labor category. Letters of interest proposals shall be clearly marked, "MSCWMO – Letter of Interest Proposal." The Watershed Management Organization will review the letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest Proposals shall be submitted on or before February 7 electronically to:

Administrator Matt Downing
MSCWMO – Letter of Interest Proposal
455 Hayward Avenue
Oakdale, MN 55128
mdowning@mnwcd.org
(NO CALLS)

