

State



STATE OF
MINNESOTA

Register

HIGHLIGHTS:

Mobile Home Support and Tie-Down Systems

—Proposed Rules from the Department of Administration

Public Water Supplies

—Emergency Rules from the Department of Health

Rum River Proposed to Be Included in Wild, Scenic and Recreational Rivers System

—Proposed Rules from the Department of Natural Resources

Remodeled Sports Facilities in the Metropolitan Area

—Public Opinion Sought by the Metropolitan Sports Facilities Commission

EQC Monitor:

Duplexes on Summit Avenue

High Security Facility in Oak Park Heights

Restoration of Woessner Lake

Mississippi Terrace Housing Development.

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List of MCAR Rules Affected*

List of rules within the Minnesota Code of Agency Rules affected by documents published in the State Register during the current quarter beginning with Vol. 1, No. 40:

Department of Administration

MoH 1031724

Department of Agriculture

Agr 165, 169 1477
Agr 1188, 1189, 1190 911, 1665

Cable Communications Board

MCCB 2, 20, 46-56, 61-62, 64-77, 80, 91, 99, 103, 111-113, 121, 134, 136, 166-168, 171, 201, 225 1633

Department of Education

EDU 44 (proposed) 1539

Energy Agency

EA 201-213 1619
EA 301, 303, 304-316 (proposed) 1666

Board of Health

MHD 195, 198, 246-2541749

Department of Labor and Industry

MOSHC 1 1560

Livestock Sanitary Board

LSB 41 1562
LSB 321731

Public Service Commission

PSC 3 1477

*New rules, both proposed and adopted, and which have never been disseminated or published, are not included in the List of MCAR Rules Affected. Rules which are listed as "uncodified" have been disseminated, but have never been published in the MCAR.

RULES

Department of Administration Building Code Division Mobile Home Support and Tie-Down Systems

The rules published at State Register Vol. 1, No. 16, p. 638, October 26, 1976 (1 S.R. 638), are adopted and are identical in every respect to their proposed form, with the following amendments:

MoH 103 T. Footings. That portion of the support system that transmits load directly to the soil.

MoH 450 A.1.b. Stabilizing devices not provided with the mobile home shall meet or exceed the design and capacity requirements of the mobile home manufacturer and these rules and shall be installed in accordance with the mobile home manufacturer's installation instructions.

MoH 450 A.2. Stabilizing system design. Mobile homes manufactured prior to September 1974 not provided with manufacturer's instructions for stabilizing devices and their installation for the zone in which the mobile home is to be installed shall be provided with anchoring and support systems designed by a registered professional engineer or architect or shall comply with the following requirements:

MoH 450 A.2. a. (1) Number of ties. The minimum number of ties per side for various lengths of mobile homes in hurricane and non-hurricane zones shall be in accordance with Table 450A.2.a(1).

MoH 450 A.2. c. Alternate method using strapping. If the alternate method incorporating baling straps specified in Table 450 A.2.a(1) is used, the baling straps shall be wrapped completely around the mobile home passing under the main steel frame, with both ends of each strap fastened together under tension. The straps shall be in accordance with MoH 450C. The method used to connect the ends of the strap shall not reduce the allowable working load and overload.

MoH 450 B. Support systems. Each mobile home shall have a support system as specified herein. A minimum clearance of 12 inches shall be maintained be-

neath the underside of the main frame (I-beam or channel beam) in the area of utility connections.

MoH 450 B.2. Mobile homes for which installation instructions are not available. Unless the entire support system is designed by a registered professional engineer or architect, supports shall be spaced not more than 10 feet apart for mobile homes 12 feet wide or less, and not more than 8 feet apart for mobile homes over 12 feet wide, beginning from the front wall of the mobile home, with not more than 2 feet open-end spacing at the area of the main frame. Supports shall be installed directly under the main frame (or chassis) of the mobile home. Methods other than those specified herein may shall be approved prior to installation by the authority having jurisdiction. Double wide mobile homes built with a conventional frame shall have additional supports placed under the center (mating) line at each end wall, and at the support columns located at the sides of center wall openings eight feet in width or greater. The supports shall be constructed to withstand the weight calculated by multiplying one half the width of the opening (in feet) times one half the width of the home (in feet) multiplied by 35 pounds per square foot. (30 pounds snow load and 5 pounds roof load).

MoH 450 B.3. Footings. The required load-bearing capacity of individual load-bearing supports and their footings shall be calculated at not less than a combined live and dead load of 55 PSF for the Middle Zone or 65 PSF for the North and Hurricane Zones. Footings shall be adequate in size to withstand the tributary live and dead loads of the mobile home and any concentrated loads.

MoH B.3.a. Footings shall be at least 16-inch by 4-inch solid concrete blocks or other product approved for the use intended. As an alternate, two 8-inch by 16-inch by 4-inch solid concrete blocks can be used as footings provided the joint between the blocks is parallel to the steel I-beam frame.

MoH 450 B.3.b. Footings or pier foundations, when required, shall be placed level on firm undisturbed soil or on controlled fill which is free of grass and organic materials, compacted to a minimum load-bearing capacity of 2,000 PSF (unless otherwise approved by a registered professional engineer). Where unusual soil conditions exist as determined by the authority having jurisdiction, footings shall be designed specifically for such conditions. [NOTE: In areas subject to frost heave, see Paragraph F.1.]

MoH 450 B.5. Elevated mobile homes. When more than one-fourth of the area of a mobile home is installed so that the bottom of the main frame members are more than three feet above ground level, the mobile home

RULES

stabilizing system shall be designed by a qualified Registered Professional Engineer or Architect and the installation shall be approved prior to installation by the authority having jurisdiction.

MoH 450 B. 6. Plates and shims. A cushion of wood plate not exceeding two inches in thickness and shims not exceeding one inch of thickness may be used to fill any gap between the top of the pier and main frame. Two inch or four inch solid concrete blocks may be used to fill the remainder of any gap. Shims shall be at least four inches wide and six inches long and shall be fitted and driven tight between the wood plate or pier and main frame.

MoH 450 C.1. Resistance to weather deterioration. Anchoring equipment exposed to weathering shall have a resistance to weather deterioration at least equivalent to that provided by a coating of zinc on steel of not less than 0.625 ounces per square foot on each side of the surface coated [(0.0005 inches thick)¹] as determined by ASTM Standard Methods of Test for Weight of Coating on Zinc-coated (galvanized) Iron or Steel Articles (ASTM A90-69 (1973)). NOTE: slit or cut edges of zinc-coated steel strapping do not need to be zinc coated.

¹ This coating shall be 0.625 ounces per square foot on each side of surface coated, effective January 1, 1977

MoH 450 C.4.a. Tie materials shall be capable of resisting an allowable working load of 3,150 pounds with no more than 2 percent elongation and shall withstand 50 percent overload (4,725 pounds total). Ties shall comply with the weathering requirements of [(Paragraph C.1.) MoH 450 C.1.] NOTE: Type 1, Class B, Grade 1 steel strapping, 1¼ inches wide and 0.035 inch thick, conforming with Federal Specification QQ-S-781G, is capable of meeting the working load and 50 percent overload specified herein.

MoH 450 D.2.a. Each ground anchor shall have the manufacturer's identification number marked thereon so that the number is visible after installation. Instructions shall accompany each listed ground anchor specifying the types of soil for which the anchor is suitable under the requirements of [(Paragraph D.1.) MoH 450 D.1.] NOTE: The following data gives information relative to soil types with blow counts and torque values:

MoH 450 D.3. Use of concrete slabs or continuous footings. If concrete slabs or continuous footings are used to transfer the anchoring loads to the ground, the following shall be required:

MoH 450 D.3.a. Steel rods cast in concrete shall be capable of resisting loads as specified in [(Paragraph D.1.) MoH 450 D.1.]

MoH 450 D.3.c. Concrete slabs may be used in place of ground anchors provided the slab is so constructed that it provides holding strength equal to the requirements of [(Paragraph D.1.) MoH D.1.]

MoH 450 D.4. Other anchoring devices. Other anchoring devices meeting the requirements of this section shall be permitted if [(acceptable to)] approved prior to installation by the authority having jurisdiction.

MoH 450 F. Delete.

MoH 450 F. Design loads. The following minimum design live loads shall be applicable in all areas of the State of Minnesota.

1. Horizontal 15 lbs/ft²
2. Vertical/upward 9 lbs/ft²
3. Vertical/downward 30 lbs/ft²

Table 450 A.2.a.(1) is amended to read:

Table 450A.2.a.(1)

Number of Ties Required Per Side of Single Wide¹ Mobile Homes²

This table is based on a minimum working load per anchor of 3,150 pounds with a 50 percent overload (4,725 pounds total).

1	2	3	4	5
			No. of Baling Straps	No. of Diagonal Ties ⁶
Length of ³ Mobile Home (Feet)	No. of Vertical Ties	No. of Diagonal Ties ⁵	No. of Baling Straps	No. of Diagonal Ties ⁶
up to 40	2	3	2	3
40-46	2	3	2	3
46-49	2	3	2	3
49-54	2	3	2	3
54-58	2	4	2	4

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58-64	2	4	2	4
64-70	2	4	2	5
70-73	2	4	2	5
73-84	2	5	2	5

¹Double-wide mobile homes require only the diagonal ties specified in column 3, and these shall be placed along the outer side walls.

²Except when the anchoring system is designed and approved by a registered professional engineer or architect.

³Length of mobile home (as used in this Table) means length excluding draw bar.

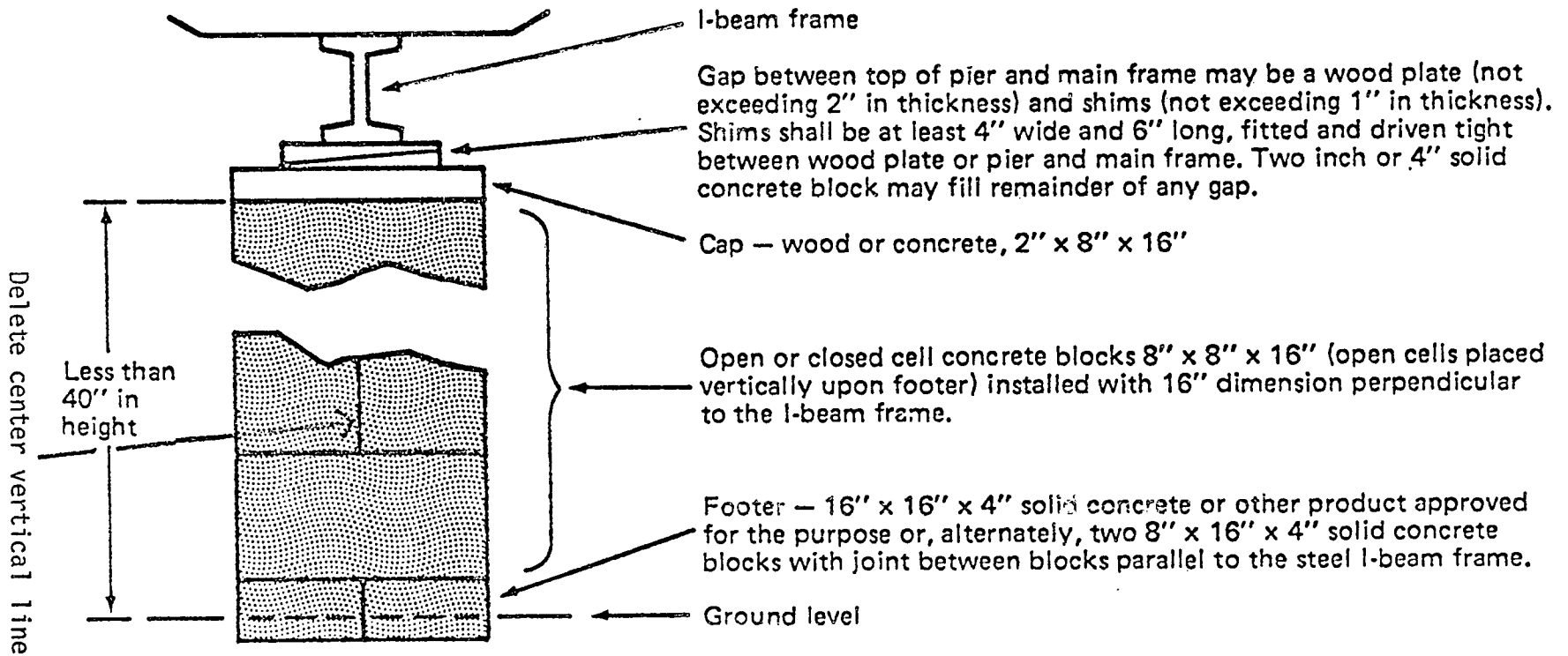
⁴Alternate Method. When this method is used, an approved reinforcement means shall be provided. If baling is used to accomplish this reinforcement, the provisions of MoH 450A.2.c shall apply.

⁵Diagonal ties in this method shall deviate at least 40° from vertical.

⁶Diagonal ties in this method shall be 45° ± 5° from vertical and shall be attached to the nearest main frame member.

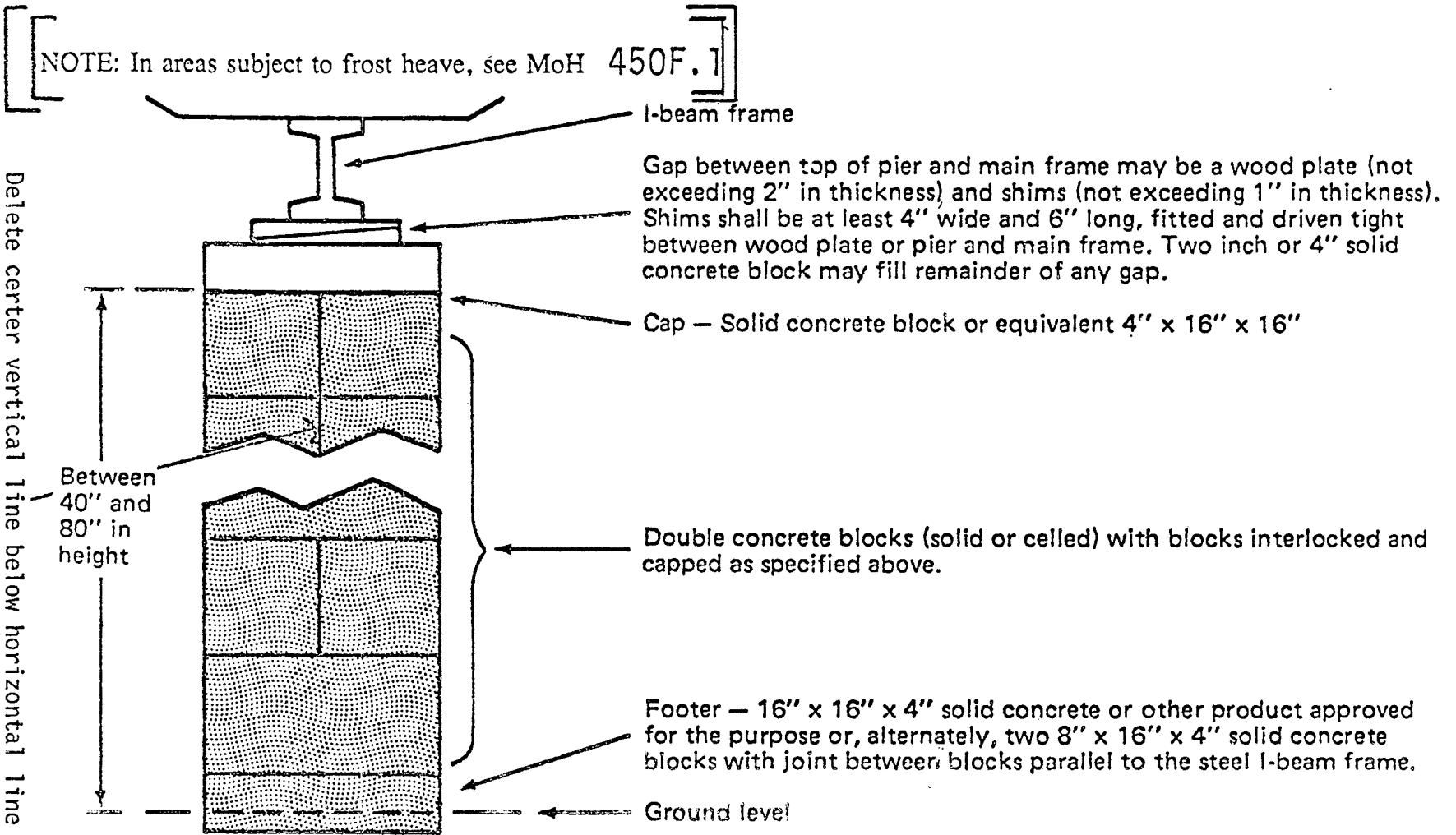
Figure A-1. Load Zone Map of U.S.A. Deleted.

NOTE: In areas subject to frost heave, see MoH 450F.1



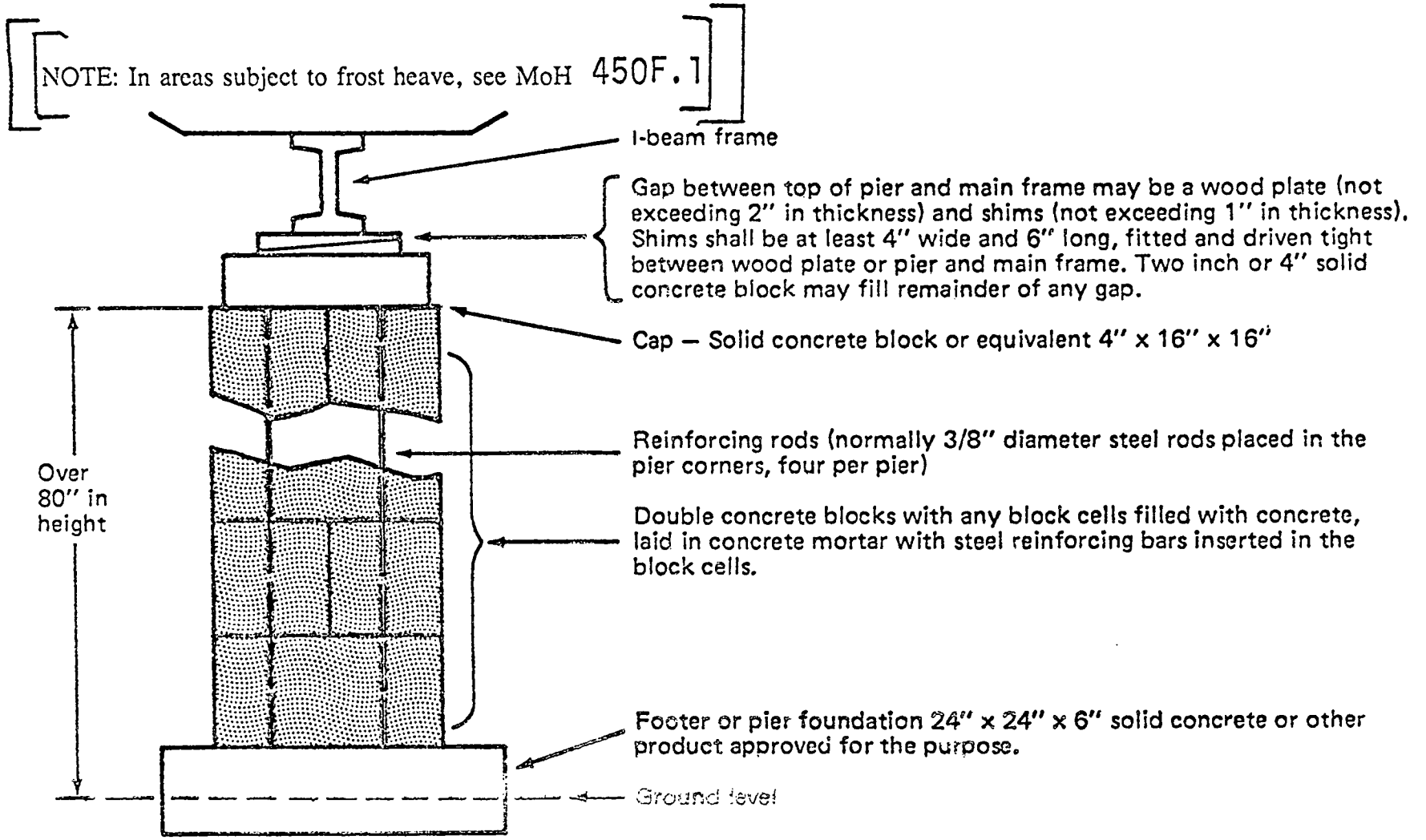
Footer placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

Figure A-1. For piers less than 40 inches in height (except corner piers over 3 blocks high). Piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.



Footer placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

Figure A-2. For piers 40 inches to 80 inches in height and all corner piers over 3 blocks high. Piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.



Footer placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

Figure A-3. For piers exceeding 80 inches in height. Piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

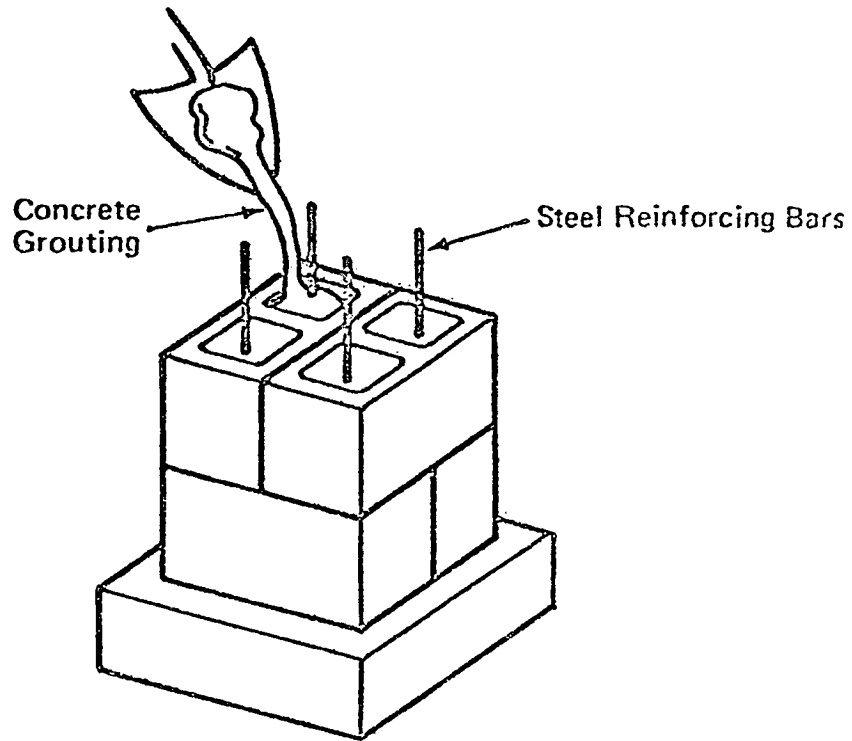


Figure A-4. For piers exceeding 80 inches in height the concrete blocks must be filled with concrete grouting and steel reinforcing rods utilized.

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Department of Health

Notice of Adoption of Emergency Rules Relating to Public Water Supplies

The State Board of Health in its resolution of May 12, 1977 adopted emergency rules relating to public water supplies. The rules, MHD 145-149, shall take effect on June 24, 1977 and shall remain in effect until September 7, 1977. The rules are printed in this issue of the *State Register*.

Warren R. Lawson, M.D.
Secretary and Executive Officer

Livestock Sanitary Board Control of Mycoplasma in Poultry

The following rule is adopted and is identical in every respect to its proposed form as published in State Register Vol. 1, No. 30, pp. 1129-1136, Jan. 31, 1977 (1 S.R. 1129-1136), and is published here by reference only as provided in RGSTR 5.

LSB 32 Control of mycoplasma in poultry.

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PROPOSED RULES

Board of Health

Proposed Rules Governing Public Water Supplies, Water Haulers, Tourist Camps and Industrial Camps

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412 subd. 4 (1977), in the Board Room, Minnesota Department of Health Building, 717 Delaware Street Southeast, Minneapolis, Minnesota, on Thursday, July 7, 1977, commencing at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the adoption of the proposed rule captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted by mail to Howard Kaibel, Hearing Examiner, at Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, telephone (612) 296-8107, either before the hearing or within twenty (20) days after the close of the hearing. All such statements will be entered into and become part of the record. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least three (3) copies be furnished. In addition, it is suggested, to save time and avoid duplication, that those persons, organizations, or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests. The conduct of the hearing shall be governed by the rules of the Office of Hearing Examiners.

If adopted, the proposed rules relating to public water supplies would require that water suppliers analyze the quality of the water they are distributing to the public, report the results of these analyses to the Board, comply with maximum contaminant levels for certain constituents, and notify the public when the water exceeds the prescribed maximum levels. If adopted, the proposed rule relating to water haulers would require that a water hauler follow certain procedures to assure the healthfulness of the water delivered for drinking and domestic use. A copy of the proposed rules and of those to be repealed is published herewith.

Copies of all these rules are now available and at least one free copy may be obtained by writing to the Minnesota State Board of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440. Additional copies will be available at the door on the date of the hearing.

A Statement of Need explaining the Board of Health position relative to the necessity for the proposed rules and proposed repeal of rules and a Statement of Evidence together with Statement of Justification outlining the testimony and evidence which will be introduced by the Board in support of the proposed rules and proposed repeal of rules will be filed with the Hearing Examiner's Office at least twenty-five (25) days prior to the hearing and will be available there for public inspection. The statutory authority of the Board of Health to promulgate and adopt these rules is contained in Minn. Stat. § 144.12 subd. 1(5), (1976) and Laws of 1977 ch. 66 § 9. The statutory authority of the Board of Health to repeal its rules is contained in Minn. Stat. §§ 144.05, 144.12 S.1 and 15.0412 (1976).

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 a year or five (5) hours per month for lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

Warren R. Lawson, M.D.
Secretary and Executive Officer

Rules as Proposed

MHD 145 Rules relating to water supplies.

A. Justification. These rules are adopted pursuant to legislative authority granted in Laws of Minnesota ch. 66, § 3(e) (1977), which requires that the State Board of Health adopt for all public water supplies rules which are at least as stringent as the federal regulations dealing with public water supplies adopted by the United States Environmental Protection Agency, in order for the board to be able to assume the primary responsibility for enforcing the Federal Act.

B. Definitions.

1. "Board" means the state board of health, or any authorized representative thereof;

2. Community water supply.

a. "Community water supply" means a public water supply or system which serves 15 service connec-

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tions or living units used by year-round residents, or regularly serves an average of 25 year-round residents;

b. "Non-community water supply" means any public water supply that is not a community water supply. The following are given as examples of non-community water supplies and are in no way meant to be an exhaustive list: seasonal facilities such as children's camps, recreational camping areas, resorts, or year-round facilities which serve more than 25 persons who are not residents thereof, such as churches, entertainment facilities, factories, gasoline service stations, marinas, migrant labor camps, office buildings, parks, restaurants, schools;

3. "Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU);

4. "Exemption" means a waiver which may be granted by the board to a supply:

which is in operation on June 24, 1977;

when a maximum contaminant level or required treatment cannot be complied with because of economic or other compelling factors; and

if granting the waiver will not result in an unreasonable risk to health.

Such a waiver must be conditioned upon a schedule for compliance with these rules by the dates specified in MHD 148 B.8 and 9.

5. "Federal Act" means the Safe Drinking Water Act of 1974, P.L. 93-523, 42 U.S.C. 300 f., and amendments thereto;

6. "Federal Regulations" means regulations dealing with public water supplies and drinking water quality, promulgated by the Administrator of the United States Environmental Protection Agency pursuant to the Federal Act.

7. "Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample;

8. "Gross beta particle activity" means the total

radioactivity due to beta particle emission as inferred from measurements on a dry sample;

9. "Man-made beta particle and photon emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, NBS Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238;

10. "Maximum contaminant level" means the maximum permissible level of a contaminant (any physical, chemical, biological, or radiological substance or matter) in water which is delivered to the free flowing outlet of the ultimate user of a public water supply; except in the case of turbidity where the maximum permissible level is measured at the point of entry to the distribution system. Contaminants added to the water under circumstances controlled by the user, except for those resulting from corrosion of piping and plumbing caused by water quality are excluded from this definition;

11. "Person" means an individual, partnership, copartnership, cooperative, public or private association or corporation, public subdivision, agency of the state or federal government or any other legal entity or its legal representative, agent or assigns;

12. "Picrocurie (pCi)" means that quantity of radioactive material producing 2.22 nuclear transformations per minute;

13. "Public water supply" means a system providing piped water for human consumption, and either containing a minimum of 15 service connections or 15 living units, or serving an average of 25 persons daily for 60 days of the year. Such term includes (A) any collection, treatment, storage, and distribution facilities under control of the operator of the supply and used primarily in connection with the supply, and (B) any collection or pretreatment storage facilities used primarily in connection with the supply but not under control of the operator. A public water supply is either a community or a non-community water supply.

14. "Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem;

15. "Sanitary survey" means an on-site review of

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PROPOSED RULES

the water source, facilities, equipment, operation and maintenance of a public water supply for the purpose of evaluating the adequacy of the source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water;

16. "Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria;

17. "Supplier" means any person who owns, manages, or operates a public water supply, whether or not he is an operator certified pursuant to Minn. Stat. § 115.71, et seq. (1976).

18. "Turbidity unit" means an amount of turbidity equivalent to that in a solution composed of .000125% hydrazine sulfate and .00125% hexamethylenetetramine in distilled and filtered (100 mu pore size membrane) water, as measured by a nephelometric turbidimeter.

19. "Variance" means a waiver which may be granted by the board to a supply:

which, due to the raw water quality reasonably available, cannot comply with a maximum contaminant level, despite application of the best known and available technology for treatment; and

if granting the waiver will not result in an unreasonable risk to health.

Such a waiver must be conditioned upon a schedule for implementation of control measures, and may specify an indefinite time period for compliance with the maximum contaminant level or required treatment.

20. "Year-round resident" means a person who resides in the area served by the public water supply for more than six months of the year.

C. Scope and coverage.

1. These rules prescribe standards for water supply siting and construction, set maximum contaminant levels for turbidity, microbiological constituents, organic and inorganic chemicals, and radioactivity, prescribe a frequency for monitoring the levels of these constituents, and prescribe the procedures for reporting results, notifying the public and for maintaining records.

2. The standards and procedures adopted in MHD 145-149 inclusive shall apply to all public drinking water supplies, pursuant to authority granted by existing statutes and amendments thereto, notwithstanding any other water quality standards or regulations, except that

these rules shall not be enforced against any federal facility in the state.

3. A water supply which meets all of the following requirements:

a. consists only of distribution and storage facilities;

b. obtains all of its water from, but is not owned or operated by a public water supply to which such regulations apply;

c. does not sell water to any person; and

d. is not a carrier which conveys passengers in intrastate commerce,

shall not be a public water supply for the purpose of rules MHD 145 through 149, inclusive.

MHD 146. Maximum contaminant levels. The levels stated below shall be the enforceable maximum contaminant levels for all public water supplies in the state, from the date on which these rules take effect.

A. Microbiological. The maximum contaminant levels for coliform bacteria, applicable to both community and non-community water supplies, are as follows:

1. When the membrane filter technique pursuant to MHD 147 B.1.a. is used, the number of coliform bacteria shall not exceed any of the following:

a. One per 100 milliliters as the arithmetic mean of all samples examined per month pursuant to MHD 147 B.2. or MHD 147 B.3.

b. Four per 100 milliliters in more than one sample when less than 20 are examined per month; or

c. Four per 100 milliliters in more than five percent of the samples when 20 or more are examined per month.

2. Fermentation tube method.

a. When the fermentation tube method and 10 milliliter standard portions pursuant to MHD 147 B.1.b. are used, coliform bacteria shall not be present in any of the following:

(1) more than 10 percent of the portions in any month pursuant to MHD 147 B.2. or MHD 147 B.3;

(2) three or more portions in more than one sample when less than 20 samples are examined per month; or

PROPOSED RULES

(3) three or more portions in more than five percent of the samples when 20 or more samples are examined per month.

b. When the fermentation tube method and 100 milliliter standards portions pursuant to MHD 147 B.1.b. are used, coliform bacteria shall not be present in any of the following:

(1) more than 60 percent of the portions in any month pursuant to MHD 147 B.2. or MHD 147 B.3.

(2) five portions in more than one sample when less than five samples are examined per month; or,

(3) five portions in more than 20 percent of the samples when five or more samples are examined per month.

3. For community or non-community supplies that are required to sample at a rate of less than 4 per month, compliance with paragraphs 1 or 2 of part A. of this rule shall be based upon sampling during a 3 month period, except that, at the discretion of the board, compliance may be based upon sampling during a one-month period.

B. Turbidity. The maximum contaminant levels for turbidity are applicable to both community and non-community water supplies using surface water sources in whole or in part. The maximum contaminant levels for turbidity in drinking water, measured at a representative entry point(s) to the distribution system, are:

1. One turbidity unit (TU), rounded off the nearest whole number, as determined by a monthly average pursuant to MHD 147 C.

2. Five turbidity units based on an average for two consecutive days, pursuant to MHD 147 C.

3. A variance or exemption may be granted according to the procedure described in MHD 148, to permit the supplier to provide water which contains 5 or less turbidity units, if the supplier can demonstrate to the board that the higher turbidity does not do any of the following:

a. interfere with disinfection;

b. prevent maintenance of an effective disinfectant agent throughout the distribution system; or

c. interfere with microbiological determinations.

C. Inorganics. The maximum contaminant level for nitrate applies to both community and non-community water supplies. The levels for the other inorganic chemicals apply only to community water supplies. Compliance with maximum contaminant levels for inorganic chemicals is calculated pursuant to MHD 147 D. 3., 4., 5. and 6. The following are the maximum contaminant levels for inorganic chemicals:

Contaminant	Level, milligrams per liter
Arsenic	0.05
Barium	1.
Cadmium	0.010
Chromium	0.05
Fluoride	2.4
Lead	0.05
Mercury	0.002
Nitrate (as N)	10.
Selenium	0.01
Silver	0.05

D. Organics. The following are the maximum contaminant levels for organic chemicals. They apply only to community water supplies. Compliance with maximum contaminant levels for organic chemicals is calculated pursuant to MHD 147 E.2., 3. and 4.

	Level, milligrams per liter
1. Chlorinated hydrocarbons: Endrin (1,2,3,4,10, 10-hexachloro-6, 7-epoxy-1,4,4a,5,6,7,8,8a-octa-hydro-1,4-endo, endo-5,8 - dimethano-naphthalene).	0.0002
Lindane (1,2,3,4,5,6-hexachloro-cyclohexane, gamma isomer).	0.004
Methoxychlor (1,1,1-Trichloro 2,2 - bis [p-methoxyphenyl] ethane).	0.1
Toxaphene (C ₁₀ H ₁₀ Cl ₈ -Technical chlorinated camphene, 67-69 percent chlorine).	0.005
2. Chlorophenoxy: 2,4-D, (2,4-Dichlorophenoxyacetic acid).	0.1
2,4,5-TP Silvex (2,4,5-Trichloro-phenoxypropionic acid).	0.01

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E. Radiological. Maximum contaminant levels for radiological materials shall apply only to community water supplies.

1. Maximum contaminant levels for radium-226, radium-228, and gross alpha particle radioactivity:

a. Combined radium-226 and radium-228 — 5 pCi/l.

b. Gross alpha particle activity (including radium-226 but excluding radon and uranium) — 15 pCi/l.

2. Maximum contaminant levels for beta particle and photon radioactivity from man-made radionuclides:

a. The average annual concentration of beta particle and photon radioactivity from man-made radionuclides in drinking water shall not produce an annual dose equivalent to the total body or any internal organ greater than 4 millirem/year.

b. Except for the radionuclides listed in Table A, the concentration of man-made radionuclides causing 4 or more millirem total body or organ dose equivalents shall be calculated on the basis of a 2 liter per day drinking water intake using the 168 hour data listed in "Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure", NBS Handbook 69 as amended August 1963, U.S. Department of Commerce. If two or more radionuclides are present, the sum of their annual dose equivalent to the total body or to any organ shall not exceed 4 millirem/year.

Table A. Average annual concentrations assumed to produce a total body or organ dose of 4 millirem/year.

Radionuclide	Critical Organ	pCi/l
Tritium	Total body	20,000
Strontium-90	Bone marrow	8

MHD 147 Monitoring and analytical requirements.

A. It shall be the responsibility of the supplier of water to monitor the quality of the water in his supply, according to the sampling schedules and testing procedures prescribed in this rule. Where a supplier has the capability for on-site testing for turbidity and/or maintains a laboratory certified to test for coliform bacteria, such supplier shall follow the relevant procedures in the appropriate parts of this rule. If a certified on-site laboratory is not available, the supplier of water shall send his water samples to an appropriate certified testing laboratory, according to procedures prescribed by the

board. Such procedures shall be prescribed for each supplier, and shall include a description of the type of container to be used, the manner in which the container shall be handled and delivered to the laboratory, and the date by which a sample must be sent to the certified laboratory for testing.

B. Microbiological contaminant sampling and analytical requirements.

1. Analyses for coliform bacteria shall be made for the purpose of determining compliance with MHD 146 A. Analyses shall be conducted in accordance with the analytical recommendations set forth in "Standard Methods for the Examination of Water and Wastewater", American Public Health Association, 14th Edition, pp. 913-942, except that a standard sample size as referred to below shall be employed;

a. The standard sample used in the membrane filter procedure shall be 100 milliliters;

b. The standard sample used in the 5 tube most probable number (MPN) procedure (fermentation tube method) shall be 5 times the standard portion. The standard portion is 10 milliliters if compliance is to be determined according to the maximum contaminant level prescribed in MHD 146 A.2.a., and it is 100 milliliters if compliance is to be determined according to the maximum contaminant level prescribed in MHD 146 A.2.b. The samples shall be taken at points which are representative of the conditions within the distribution system.

2. The supplier of water for a community water supply shall take samples to be analyzed for coliform density.

a. The samples shall be taken at regular time intervals, and in number proportionate to the population served by the supply. In no event shall the frequency be less than as set forth below:

Population served:	Minimum number of samples per month
25 to 1,000	1
1,001 to 2,500	2
2,501 to 3,300	3
3,301 to 4,100	4
4,101 to 4,900	5
4,901 to 5,800	6
5,801 to 6,700	7
6,701 to 7,600	8
7,601 to 8,500	9
8,501 to 9,400	10
9,401 to 10,300	11
10,301 to 11,100	12
11,101 to 12,000	13
12,001 to 12,900	14
12,901 to 13,700	15

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13,701 to 14,600	16	3,320,001 to 3,620,000	460
14,601 to 15,500	17	3,620,001 to 3,960,000	470
15,501 to 16,300	18	3,960,001 to 4,310,000	480
16,301 to 17,200	19	4,310,001 to 4,690,000	490
17,201 to 18,100	20	4,690,001 or more	500
18,101 to 18,900	21		
18,901 to 19,800	22		
19,801 to 20,700	23		
20,701 to 21,500	24		
21,501 to 22,300	25		
22,301 to 23,200	26		
23,201 to 24,000	27		
24,001 to 24,900	28		
24,901 to 25,000	29		
25,001 to 28,000	30		
28,001 to 33,000	35		
33,001 to 37,000	40		
37,001 to 41,000	45		
41,001 to 46,000	50		
46,001 to 50,000	55		
50,001 to 54,000	60		
54,001 to 59,000	65		
59,001 to 64,000	70		
64,001 to 70,000	75		
70,001 to 76,000	80		
76,001 to 83,000	85		
83,001 to 90,000	90		
90,001 to 96,000	95		
96,001 to 111,000	100		
111,001 to 130,000	110		
130,001 to 160,000	120		
160,001 to 190,000	130		
190,001 to 220,000	140		
220,001 to 250,000	150		
250,001 to 290,000	160		
290,001 to 320,000	170		
320,001 to 360,000	180		
360,001 to 410,000	190		
410,001 to 450,000	200		
450,001 to 500,000	210		
500,001 to 550,000	220		
550,001 to 600,000	230		
600,001 to 660,000	240		
660,001 to 720,000	250		
720,001 to 780,000	260		
780,001 to 840,000	270		
840,001 to 910,000	280		
910,001 to 970,000	290		
970,001 to 1,050,000	300		
1,050,001 to 1,140,000	310		
1,140,001 to 1,230,000	320		
1,230,001 to 1,320,000	330		
1,320,001 to 1,420,000	340		
1,420,001 to 1,520,000	350		
1,520,001 to 1,630,000	360		
1,630,001 to 1,730,000	370		
1,730,001 to 1,850,000	380		
1,850,001 to 1,970,000	400		
1,970,001 to 2,060,000	390		
2,060,001 to 2,270,000	420		
2,270,001 to 2,510,000	410		
2,510,001 to 2,750,000	430		
2,750,001 to 3,020,000	440		
3,020,001 to 3,320,000	450		

Such sampling shall begin on the effective date of these rules.

b. Based on a history of no coliform bacterial contamination and on a sanitary survey by the board showing the water system to be supplied solely by a protected ground water source and free of sanitary defects, a community water supply serving 25 to 1,000 persons, with written permission from the board, may reduce this sampling frequency, except that in no case shall it be reduced to less than one per quarter. Such permission may be withdrawn at any time if changed conditions warrant monthly sampling.

3. The supplier of water for a non-community water supply shall sample for coliform bacteria at least once in each calendar quarter during which the supply provides water to the public. Such sampling shall begin before June 24, 1979. If the board determines, on the basis of a sanitary survey, that it is more appropriate for the supply to sample on a frequency other than quarterly, the board shall impose a special sampling frequency. Such special frequency shall then be the frequency required under these rules, except that in no case shall sampling be reduced to less than once per year. Such a special sampling frequency shall be confirmed or changed on the basis of subsequent surveys.

4. Whenever any coliform bacteria are found in a single standard sample, at least two consecutive daily check samples shall be collected and examined from the same sampling point.

a. Additional check samples shall be collected daily until the results obtained from at least two consecutive daily check samples show no coliform bacteria in the case of the 100 milliliter membrane filter portions, or show no positive tubes in the case of the 10 or 100 milliliter portions analyzed by the fermentation method.

b. The location at which the check samples were taken pursuant to paragraph B.4.a. of this rule shall not be eliminated from future sampling without approval of the board.

5. The results from all coliform bacterial analyses performed pursuant to this rule, except those obtained from check samples as referred to in MHD 147 B.4.a.

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and b. and special purpose samples as referred to in MHD 147 B.8. shall be used to determine compliance with the maximum contaminant level for coliform bacteria as established in MHD 146 A. Check samples shall not be included in calculating the total number of samples taken each month to determine compliance with MHD 146 A.

6. When the presence of coliform bacteria in water taken from a particular sampling point has been confirmed by any check samples examined as directed in paragraph B.4.a. of this rule, the analytical laboratory shall notify the supplier and the board within 24 hours.

7. As soon as a maximum contaminant level set forth in MHD 146 A. is exceeded, the supplier of water shall report to the board and notify the public as prescribed in MHD 149 D.

8. Special purpose samples, such as those taken to determine whether disinfection practices following pipe placement, replacement, or repair have been sufficient, shall not be used to determine compliance with paragraphs B.2 and B.3 of this rule.

9. A supplier of water of either a community or non-community water supply may, with the approval of the board and based upon a sanitary survey, substitute the use of free chlorine residual monitoring for not more than 75 percent of the samples required to be taken by MHD 147 B.2 and B.3. A supplier of water who is allowed to substitute chlorine residual sampling must take such samples at points which are representative of the conditions within the distribution system at the frequency of at least four for each substituted microbiological sample required to be taken by MHD 147 B.2 and B.3. There shall be at least daily determinations of chlorine residual. When the supplier of water exercises the option of substituting chlorine residual samples, he shall maintain no less than 0.2 mg/l free chlorine throughout the public water distribution system. When a particular sampling point has been shown to have a free chlorine residual less than 0.2 mg/l, the water at that location shall be retested as soon as practicable and in any event within one hour. If the original analysis is confirmed, this fact shall be reported to the board within 48 hours. Also, if the analysis is confirmed, a sample for coliform bacterial analysis must be collected from that sampling point as soon as practicable and preferably within one hour, and the results of such analysis reported to the board within 48 hours. Analyses for residual chlorine shall be made in accordance with "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 332-334. Compliance with the maximum contaminant levels for coliform shall be determined on the monthly mean or quarterly mean basis specified in MHD 146 A. including those samples

taken as a result of failure to maintain the required chlorine residual level. The board may withdraw its approval of the use of chlorine residual substitution at any time.

C. Turbidity sampling and analytical requirements.

1. All public water supplies, whether community or non-community, which use water obtained in whole or in part from surface sources must be sampled for turbidity. Such samples shall be taken by suppliers at representative points of entry into the water distribution system at least once per day, for the purpose of making turbidity measurements to determine compliance with MHD 146 B. The measurement shall be made by the Nephelometric Method in accordance with the recommendations set forth in "Standard Methods for the Examination of Water and Wastewater", American Public Health Association, 14th Edition, pp. 132-134, or "Methods for Chemical Analysis of Water and Wastes", pp. 295-298, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974. Sampling by community water supplies shall begin before the effective date of these rules. Sampling by non-community water supplies shall begin before June 24, 1979.

2. If the result of a turbidity analysis indicates that the maximum allowable limit has been exceeded, the sampling and measurement shall be confirmed by re-sampling as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum allowable limit has been exceeded, the supplier of water shall report to the board within 48 hours. The repeat sample shall be the sample used for the purpose of calculating the monthly average. If the monthly average of the daily samples exceeds the maximum allowable limit, or if the average of two samples taken on consecutive days exceeds five turbidity units, the supplier of water shall report to the board as prescribed in MHD 149 B. and shall notify the public as prescribed in MHD 149 D.

D. Inorganic chemical contaminant sampling and analytical requirements:

1. Analyses for the purpose of determining compliance with MHD 146 C. are required as follows:

a. Analyses for all community water supplies utilizing surface water sources shall be completed before June 24, 1978. These analyses shall be repeated at yearly intervals.

b. Analyses for all community water supplies utilizing only ground water sources shall be completed

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before June 24, 1979. These analyses shall be repeated at three year intervals.

c. For non-community water supplies, whether supplied by surface or ground water sources, analyses for nitrate shall be completed before June 24, 1979. These analyses shall be repeated at least once every five years after the initial determination. The board may order more frequent sampling depending upon the geological formation, the level of nitrate present and the size of the population being served.

2. For the initial analyses required by paragraph D.1. of this rule, data for surface waters acquired within one year prior to June 24, 1977, and data for ground waters acquired within 3 years prior to June 24, 1977 may be substituted at the discretion of the board.

3. Analyses conducted to determine compliance with MHD 146 C. shall be made in accordance with the following methods:

a. Arsenic. Atomic absorption method, "Methods for Chemical Analysis of Water and Wastes", pp. 95-96, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

b. Barium. Atomic absorption method, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 143-155, or "Methods for Chemical Analysis of Water and Wastes", pp. 97-98, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

c. Cadmium. Atomic absorption method, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 143-152, or "Methods for Chemical Analysis of Water and Wastes", pp. 101-103, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

d. Chromium. Atomic absorption method, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 143-152, or "Methods for Chemical Analysis of Water and Wastes", pp. 105-106, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

e. Lead. Atomic absorption method, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 143-152, or "Methods for Chem-

ical Analysis of Water and Wastes", pp. 112-113, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

f. Mercury. Flameless atomic absorption method, "Methods for Chemical Analysis of Water and Wastes", pp. 118-126, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

g. Nitrate. Brucine colorimetric method, "Methods for the Examination of Water and Wastewater", 14th Edition, pp. 427-429, or Cadmium Reduction Method, "Methods for Chemical Analysis of Water and Wastes", pp. 201-206, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

h. Selenium. Atomic absorption method, "Methods for Chemical Analysis of Water and Wastes", p. 145, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

i. Silver. Atomic absorption method, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 143-151, or "Methods for Chemical Analysis of Water and Wastes", p. 146, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

j. Fluoride. Electrode method, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 391-393, or "Methods for Chemical Analysis of Water and Wastes", pp. 65-67, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974, or Colorimetric Method with Preliminary Distillation, "Standard Methods for the Examination of Water and Wastewater", 14th Edition, pp. 389-390, and 393-394, or "Methods for Chemical Analysis of Water and Wastes", pp. 59-60, Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, 1974.

4. If the result of an analysis made pursuant to paragraph D.1. of this rule indicates that the level of any contaminant listed in MHD 146 C. exceeds the maximum contaminant level, the supplier of water shall report to the board within 7 days from the time he receives the results and he shall collect and submit for analysis three additional samples taken at the same

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sampling point within one month from the time the board is notified.

5. When the average of four analyses made pursuant to paragraph D.4. of this rule, rounded to the same number of significant figures as the maximum contaminant level for the substance in question, exceeds the maximum contaminant level prescribed in MHD 146 C., the supplier of water shall notify the board within 48 hours pursuant to MHD 149 B. and give notice to the public pursuant to MHD 149 D. Monitoring after public notification shall be at a frequency designated by the board and shall continue until the maximum contaminant level has not been exceeded in two successive samples or until a new monitoring schedule prescribed as a condition to a variance, exemption, or enforcement action shall become effective.

6. The provisions of paragraphs 4. and 5. of part D. of this rule notwithstanding, compliance with the maximum contaminant level for nitrate shall be determined on the basis of the mean of two analyses. When a level exceeding the maximum contaminant level for nitrate is found, a second analysis shall be initiated within 24 hours, and if the mean of the two analyses exceeds the maximum contaminant level, the supplier of water shall report his findings to the board within 48 hours pursuant to MHD 149 B. and shall notify the public pursuant to MHD 149 D.

E. Organic chemical contaminant sampling and analytical requirements.

1. An analysis of substances for the purpose of determining compliance with MHD 146 D. shall be made as follows:

a. For all community water supplies utilizing surface water sources, analyses shall be completed before June 24, 1978. Samples analyzed shall be collected during the period of the year designated by the board as the period when contamination by pesticides is most likely to occur. These analyses shall be repeated at intervals specified by the board but in no event less frequently than at three year intervals.

b. For community water supplies utilizing only ground water sources, analyses shall be completed by those supplies specified by the board.

2. Analytical requirements for compliance with MHD 146 D.1. and MHD 146 D.2.

a. Analyses made to determine compliance with MHD 146 D.1. shall be made in accordance with "Method for Organochlorine Pesticides in Industrial Effluents", MDQARL, Environmental Protection Agency, Cincinnati, Ohio, November 28, 1973.

b. Analyses made to determine compliance with MHD 146 D.2. shall be conducted in accordance with "Methods for Chlorinated Phenoxy Acid Herbicides in Industrial Effluents", MDQARL, Environmental Protection Agency, Cincinnati, Ohio, November 28, 1973.

3. If the result of an analysis made pursuant to paragraph E.1. of this rule indicates that the level of any contaminant listed in MHD 146 D. exceeds the maximum contaminant level, the supplier of water shall report to the board within 7 days and collect and submit for analysis three additional samples taken at the same sampling point within one month from the time the board is notified.

4. When the average of four analyses made pursuant to paragraph D.3. of this rule, rounded to the same number of significant figures as the maximum contaminant level for the substance in question, exceeds the maximum contaminant level, the supplier of water shall report to the board pursuant to MHD 149.B. and give notice to the public pursuant to MHD 149.D. Monitoring after public notification shall be at a frequency designated by the board and shall continue until the maximum contaminant level has not been exceeded in two successive samples or until a monitoring schedule as a condition to a variance or exemption or enforcement action shall become effective.

F. Radiological contaminant sampling and analytical requirements for community water supplies:

1. Monitoring requirements for gross alpha particle activity, radium-226 and radium 228;

a. Initial sampling to determine compliance with MHD 146 E.1. shall begin before June 24, 1979 and the analysis shall be completed before June 24, 1980. Compliance shall be based on the analysis of an annual composite of four consecutive quarterly samples or the average of the analyses of four samples obtained at quarterly intervals.

(1) A gross alpha particle activity measurement may be substituted for the required radium-226 and radium-228 analyses provided that the measured gross alpha particle activity does not exceed 5 pCi/l at a confidence level of 95 percent (1.65 σ where σ is the standard deviation of the net counting rate of the sample.)

(2) In localities where radium-228 may be present in drinking water, analyses for radium-226 and/or radium-228 are required when the gross alpha particle activity exceeds 2 pCi/l at a confidence level of 95 percent.

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(3) When the gross alpha particle activity exceeds 5 pCi/l, the same or an equivalent sample shall be analyzed for radium-226. If the concentration of radium-226 exceeds 3 pCi/l, the same or an equivalent sample shall be analyzed for radium-228.

b. Suppliers of water shall monitor at least once every four years following the procedure required by paragraph F.1.a. of this rule. When an annual record taken in conformance with paragraph F.1.a. has established that the average annual concentration is less than half the maximum contaminant levels established by MHD 146 E.1., analysis of a single sample may be substituted for the quarterly sampling procedure required by MHD 147 F.1.a.

(1) More frequent monitoring shall be conducted when ordered by the board in the vicinity of mining or other operations which may contribute alpha particle radioactivity to either surface or ground water sources of drinking water.

(2) A supplier of water shall monitor in conformance with paragraph F.1.a. within one year of the introduction of a new water source for a community water supply. More frequent monitoring shall be conducted when ordered by the board in the event of possible contamination or when changes in the distribution system or treatment process occur which may increase the concentration of radioactivity in finished water.

(3) A community water supply using two or more sources having different concentrations of radioactivity shall monitor source water, in addition to water from a free-flowing tap, when ordered by the board.

(4) Monitoring for compliance with MHD 146 E.1. after the initial period need not include radium-228 except when required by the board, provided that the average annual concentration of radium-228 has been assayed at least once using the quarterly sampling procedure required by MHD F.1.a.

(5) Suppliers of water shall conduct annual monitoring of any community water supply in which the radium-226 concentration exceeds 3 pCi/l, when ordered by the board.

c. If the average annual maximum contaminant level for gross alpha particle activity or total radium as set forth in MHD 146 E.1. is exceeded, the supplier of a community water system shall give notice to the board

pursuant to MHD 149 B. and notify the public as required by MHD 149 D. Monitoring at quarterly intervals shall be continued until the annual average concentration no longer exceeds the maximum contaminant level or until a monitoring schedule as a condition to a variance, exemption or enforcement action shall become effective.

2. Monitoring requirements for man-made radioactivity in community water supplies using surface sources and serving more than 100,000 persons, and such other community water supplies as are designated by the board;

a. Before June 24, 1979, such supplies shall be monitored for compliance with MHD 146 E.2. by analysis of a composite of four consecutive quarterly samples or analysis of four quarterly samples. Compliance with MHD 146 E.2. may be assumed without further analysis if the average annual concentration of gross beta particle activity is less than 50 pCi/l and if the average annual concentrations of tritium and strontium-90 are less than those listed in Table A, provided that if both radionuclides are present the sum of their annual dose equivalents to bone marrow shall not exceed 4 millirem/year.

(1) If the gross beta particle activity exceeds 50 pCi/l, an analysis of the sample must be performed to identify the major radioactive constituents present and the appropriate organ and total body doses shall be calculated to determine compliance with MHD 146 E.2.

(2) Suppliers of water shall conduct additional monitoring, as ordered by the board, to determine the concentration of man-made radioactivity in principal watersheds designated by the board.

b. At the discretion of the board, suppliers of water utilizing only ground waters may be required to monitor for man-made radioactivity.

c. After the initial analysis required by MHD 147 F.2.a., these suppliers shall monitor at least every four years following the procedure given in paragraph F.2.a.

d. Before June 24, 1979, the supplier of any community water supply which is found by the board to be utilizing waters contaminated by effluents from nuclear facilities shall initiate quarterly monitoring for gross beta particle and iodine-131 radioactivity and annual monitoring for strontium-90 and tritium.

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(1) Quarterly monitoring for gross beta particle activity shall be based on the analysis of monthly samples. If the gross beta particle activity in a sample exceeds 15 pCi/l, the same or an equivalent sample shall be analyzed for strontium-89 and cesium-134. If the gross beta particle activity exceeds 50 pCi/l, an analysis of the sample must be performed to identify the major radioactive constituents present and the appropriate organ and total body doses shall be calculated to determine compliance with MHD 146 E.2.

(2) For iodine-131, a composite of five consecutive daily samples shall be analyzed once each quarter. As ordered by the board, more frequent monitoring shall be conducted when iodine-131 is identified in the finished water.

(3) Annual monitoring for strontium-90 and tritium shall be conducted by means of the analysis of four quarterly samples.

(4) The board may allow the substitution of environmental surveillance data taken in conjunction with a nuclear facility for direct monitoring of man-made radioactivity by the supplier of water where the board determines such data is applicable to a particular community water supply.

e. If the average annual maximum contaminant level for man-made radioactivity set forth in MHD 146 E.2. is exceeded, the supplier of a community water supply shall give notice to the board pursuant to MHD 149 B. and to the public as required by MHD 149 D. Monitoring at monthly intervals shall be initiated and continued until the concentration no longer exceeds the maximum contaminant level or until a monitoring schedule as a condition to a variance, exemption or enforcement action shall become effective.

3. Analytical methods.

a. Measurements made to determine compliance with MHD 146 E. shall be made in accordance with the following methods:

(1) Gross Alpha and Beta: Method 302 "Gross Alpha and Beta Radioactivity in Water", Standard Methods for the Examination of Water and Wastewater, 14th Edition, American Public Health Association, New York, N.Y., 1975.

(2) Total Radium: Method 304 "Radium in Water by Precipitation" Ibid.

(3) Radium-226: Method 305 "Radium-226 by Radon in Water" Ibid.

(4) Strontium-89,90: Method 303 "Total Strontium and Strontium-90 in Water" Ibid.

(5) Tritium: Method 306 "Tritium in Water" Ibid.

(6) Cesium-134: ASTM D-2459 "Gamma Spectrometry in Water", 1975 Annual Book of ASTM Standards, Water and Atmospheric Analysis, Part 31, American Society for Testing and Materials, Philadelphia, PA. (1975).

(7) Uranium: ASTM D-2907 "Microquantities of Uranium in Water by Fluorometry", Ibid.

When the identification and measurement of radionuclides other than those listed above is required, the following references are to be used, except in cases where alternative methods have been approved in accordance with MHD 147 G.

(8) Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions, H. L. Krieger and S. Gold, EPA-R4-73-014. USEPA, Cincinnati, Ohio, May 1973.

(9) HASL Procedure Manual, Edited by John H. Harley. HASL 300, ERDA Health and Safety Laboratory, New York, N.Y., 1973.

b. For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit shall be that concentration which can be counted with a precision of plus or minus 100 percent at the 95 percent confidence level (1.96σ where σ is the standard deviation of the net counting rate of the sample).

(1) To determine compliance with MHD 146 E.1.a., the detection limit shall not exceed 1 pCi/l. To determine compliance with MHD 146 E.1.b., the detection limit shall not exceed 3 pCi/l.

(2) To determine compliance with MHD 146 E.2. the detection limits shall not exceed the concentrations listed in Table B.

Table B. Detection limits for man-made Beta particle and photon emitters.

<u>Radionuclide</u>	<u>Detection Limit</u>
Tritium	1,000 pCi/l
Strontium-89	10 pCi/l
Strontium-90	2 pCi/l
Iodine-131	1 pCi/l
Cesium-134	10 pCi/l
Gross beta	4 pCi/l
Other radionuclides	1/10 of the applicable limit

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c. To judge compliance with the maximum contaminant levels listed in MHD 146 E.1. and MHD 146 E.2., averages of data shall be used and shall be rounded to the same number of significant figures as the maximum contaminant level for the substance in question.

G. Alternative analytical techniques. With the written permission of the board, an alternative analytical technique may be employed. An alternative technique shall be acceptable only if it is substantially equivalent to the prescribed test in both precision and accuracy as it relates to the determination of compliance with any maximum contaminant level. The use of the alternative analytical technique shall not decrease the frequency of monitoring required by this rule.

H. Approved laboratories. For the purpose of determining compliance with parts A. through F. of this rule, samples may be considered only if they have been analyzed by a laboratory certified by the board, except that measurements for turbidity and free chlorine residual may be performed by any person acceptable to the board.

I. Monitoring consecutive systems. When a public water supply provides water to one or more other public water supplies, the monitoring requirements imposed by MHD 147 A. through F. may be superseded by a special monitoring schedule prescribed by the board. Such a special monitoring schedule may be imposed to the extent that the interconnection justifies treating them as a single supply for monitoring purposes, and is enforceable just as any other monitoring requirement imposed by these rules. Such a special monitoring schedule shall include an agreement which names the supply or supplies responsible for monitoring, reporting, giving public notice, and maintaining records.

J. The board may impose additional monitoring requirements if the results of a sanitary survey indicate that a public health risk may exist. The board may impose a requirement for more frequent sampling if the analytical results of water tests show that a previously measured contaminant is approaching a maximum contaminant level as prescribed in MHD 146.

MHD 148 Variances and exemptions.

A. Variances.

1. The board may grant one or more variances from a maximum contaminant level prescribed in MHD

146 or from a treatment required by these rules, pursuant to authority granted in Laws of Minnesota, ch. 66 § 3(3)(1977), according to the procedure described below.

2. A supplier may request a variance whenever he determines that his supply is exceeding or will exceed a maximum contaminant level. A supplier who has not requested a variance or has not taken corrective action to bring his supply into compliance by the date specified in the notification of violation shall be subject to the penalties of Laws of Minnesota ch. 66 § 3(3)(1977).

3. In deciding whether to grant a variance from a maximum contaminant level, the board shall consider:

a. the availability and effectiveness of treatment methods for the contaminant for which the variance is requested; and

b. cost and other economic considerations such as implementing treatment, improving the quality of the source water or using an alternative source.

4. The board may grant a variance from a maximum contaminant level upon finding that:

a. because of the characteristics of the raw water sources which are reasonably available to the supply, the supply cannot meet the requirements respecting the maximum contaminant levels prescribed in MHD 146 despite the application of the best known and economically feasible technology for treatment, and

b. the variance will not result in an unreasonable risk to health.

5. The board may grant a variance from any required treatment upon finding that the supply has demonstrated that such treatment is not necessary to meet a maximum contaminant level or to protect the health of persons, because of the nature of the raw water source of the supply.

6. Application procedure. A request for a variance shall be submitted to the board in writing and shall contain the following information:

a. the nature and duration of the variance being requested;

b. relevant analytical results of water quality

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sampling of the supply, including results of relevant tests conducted pursuant to the requirements of these rules;

c. for any request for a variance from a maximum contaminant level, the notice shall also contain:

(1) an explanation in full and evidence of the best available treatment;

(2) economic and legal factors relevant to the ability to comply;

(3) analytical results of raw water quality relevant to the variance request;

(4) a proposed compliance schedule, including the date each step toward compliance will be achieved. Such a schedule shall include as a minimum the following dates:

(a) a date by which arrangement for alternative raw water source or improvement of existing raw water source will be completed;

(b) a date for initiation of the connection of the alternative raw water source or improvement of existing raw water source;

(c) a date by which final compliance is to be achieved;

(5) a plan for the provision of safe drinking water in the case of an excessive rise in the contaminant level for which the variance is requested;

(6) a plan for interim control measures during the effective period of variance.

d. for any request for a variance from a required treatment, the notice shall include a statement that the supply will perform monitoring and other reasonable requirements prescribed by the board as a condition to the variance;

e. such other information as the board may require;

f. any information which the supplier believes is pertinent to the request.

7. Disposition of a request for a variance. Upon receipt of an application for a variance the board shall initiate, within 90 days, the procedure for a contested case. Notice and opportunity for hearing shall be given according to Minn. Stat. ch. 15 (1976) and the rules of the office of hearing examiners.

8. The board shall within one year after the variance is granted, impose a schedule for compliance with MHD 145 through 149, after notice and opportunity for hearing have been given.

9. a. A variance from a maximum contaminant level may be terminated by the board when the supply comes into compliance with the applicable rule, and may be terminated by the board upon a finding that the supply has failed to comply with any requirement of a final schedule imposed by the board pursuant to this rule.

b. A variance from a required treatment may be terminated at any time upon a finding by the board that the nature of the raw water source is such that the required treatment for which the variance was granted is necessary to protect the health of persons, or upon a finding by the board that the supply has failed to comply with monitoring and other requirements prescribed as a condition to the granting of the variance.

10. A compliance schedule imposed by the board pursuant to the grant of a variance shall be enforceable as if it were a rule of the board.

B. Exemptions.

1. The board may grant one or more exemptions from a maximum contaminant level prescribed in MHD 146 or from a treatment required by these rules, pursuant to authority granted in Laws of Minnesota ch. 66 § 3(e)(1977), according to the procedure described below.

2. A supplier may request an exemption whenever he determines that his supply is exceeding or will exceed a maximum contaminant level. A supplier who has not requested an exemption or has not taken corrective action to bring his supply into compliance by the date specified in the notification of violation shall be subject to the penalties of Laws of Minnesota ch. 66 § 3(e)(1977).

3. The board may grant an exemption from a maximum contaminant level or from a required treatment

a. after having considered the following:

(1) construction, installation, or modification of treatment equipment or systems;

(2) the time needed to put into operation a new treatment facility to replace an existing supply which is not in compliance;

(3) economic feasibility of compliance;

b. and upon finding that:

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(1) due to compelling factors (which may include economic factors), the supply is unable to comply with such contaminant level or required treatment;

(2) the supply was in operation on the date on which such contaminant level or required treatment went into effect; and

(3) the granting of the exemption will not result in an unreasonable risk to health.

4. Application procedure. A request for an exemption shall be submitted to the board in writing and shall contain the following information:

a. the nature and duration of the exemption being requested;

b. relevant analytical results of water quality sampling of the supply, including results of relevant tests conducted pursuant to the requirements of these rules;

c. an explanation of the compelling factors such as time or economic factors which prevent the supply from complying with a maximum contaminant level or required treatment on the effective date of the applicable standard;

d. a proposed compliance schedule, including the date when each step toward compliance will be achieved;

e. such other information as the board may require;

f. any other information which the applicant believes is pertinent to the request.

5. Disposition of a request for an exemption. Upon receipt of an application for an exemption the board shall initiate within 90 days, the procedure for a contested case. Notice and opportunity for hearing shall be given according to Minn. Stat. ch. 15 (1976) and the rules of the office of hearing examiners.

6. The board shall within one year after the exemption is granted, impose a schedule for compliance with these rules after notice and opportunity for hearing have been given.

7. An exemption may be terminated by the board when the supply comes into compliance with the appli-

cable rule, and may be terminated by the board upon a finding by the board that the supply has failed to comply with any requirement of a final schedule imposed pursuant to this rule.

8. Any compliance schedule issued pursuant to an exemption shall require compliance with these rules before January 1, 1981. Compliance with the requirements of revised federal regulations will have to be achieved within seven years of the date on which such federal regulations become effective.

9. If the supply which seeks the exemption has entered into an enforceable agreement to become a part of a regional system, as determined by the board, the compliance schedule shall require compliance by the supply with each maximum contaminant level or required treatment prescribed by these rules before January 1, 1983. For such a supply (which will become part of a regional system) compliance with the requirements of the revised federal regulations shall be required within nine years of the effective date of the revised federal regulations.

10. A compliance schedule imposed by the board pursuant to the grant of an exemption shall be enforceable as if it were a rule of the board.

MHD 149 Record maintenance, reporting, public notification.

A. Record maintenance. Any owner or operator of a public water supply shall retain on the premises or at a convenient location near the premises, and shall make available for public inspection, the following records for the specified period of time:

1. Records of bacteriological and chemical analyses.

a. Records of bacteriological analyses and turbidity measurements made pursuant to MHD 147 B. and C. shall be kept for not less than 5 years.

b. Records of chemical analyses made pursuant to MHD 147 D., E., and F. shall be kept for not less than 10 years.

2. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:

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a. the date, place, and time of sampling, and the name of the person who collected the sample;

b. identification of the sample as to whether it was a routine distribution system sample, check sample, raw or process water sample or other special purpose sample;

c. date of analysis;

d. laboratory and person responsible for performing analysis;

e. the analytical technique or method used; and

f. the results of the analysis.

3. Records of action taken by the supply to correct violations of rules dealing with public water supplies shall be kept for a period not less than 3 years after the last action taken with respect to the particular violation involved.

4. Copies of any written reports, summaries or communications relating to sanitary surveys of the supply conducted by the supply itself, by a private consultant, or by any local, state or federal agency, shall be kept for a period of not less than 10 years after completion of the sanitary survey involved.

5. Records concerning a variance or exemption granted to the supply shall be kept for a period ending not less than 5 years following the expiration of such variance or exemption.

B. Reporting requirements.

1. All the results of analyses performed on samples which are to be tested pursuant to these rules shall be reported as follows:

a. the certified laboratory shall submit all analytical results on reporting forms to be prescribed by the board. These forms shall be prepared in triplicate, with one copy being sent to the supplier, one copy being sent to the State Department of Health, Division of Environmental Health, Section of Public Water Supplies, and the third being retained by the laboratory;

b. results of turbidity measurements shall be submitted by the supplier on the prescribed reporting forms.

2. Except where a shorter reporting period is specified, all results of tests, analyses or measurements shall be submitted on prescribed reporting forms to the board within 40 days.

3. A laboratory performing microbiological analyses pursuant to these rules shall report to the supplier and to the board any positive test results within 24 hours of the time the positive result becomes available.

4. The supplier shall report to the board a positive bacteriological test result within 24 hours of the time the supplier learns of such a result.

5. The supplier of water shall report to the board within 48 hours the failure to comply with any of the rules relating to public water supplies, including the failure to comply with a monitoring requirement, as set forth in rule MHD 147.

C. Right of inspection. The board, or one of its authorized representatives, upon presenting appropriate credentials to any water supplier, is authorized to enter and inspect any establishment, facility or other property of such supplier, in order to determine whether such supplier has acted or is acting in compliance with the rules of the board relating to water supplies, including for this purpose, the inspection of records, files, papers, processes, controls, and facilities, or in order to test any feature of a public water supply, including its raw water source.

D. Public notification.

1. Public notification must be made by a supplier of water whenever a public water supply

a. fails to comply with a maximum contaminant level prescribed in MHD 146;

b. fails to comply with a prescribed monitoring schedule pursuant to MHD 147;

c. fails to submit timely reports pursuant to the MHD 149 B;

d. is granted a variance or exemption from a maximum contaminant level pursuant to MHD 148; or

e. fails to comply with a schedule prescribed pursuant to such a variance or exemption.

2. A notice given pursuant to this rule shall be written in a manner reasonably designed to inform fully the user of the supply. The notice shall be conspicuous and shall not use unduly technical language, unduly small print or other methods which would frustrate the purpose of the notice. The notice shall disclose all material facts regarding the subject including the nature of the problem and, where appropriate, a clear statement that a rule dealing with public water supplies has been vio-

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lated, and shall also disclose any preventive measures that should be taken by the public. Where appropriate, or where required by the board, bilingual notice shall be given. Notices may include a reasonable explanation of the subject of the notice and of its significance or seriousness to the public health, a fair explanation of steps taken by the supply to correct any problem, and the results of any additional sampling.

3. Notice by community water supply.

a. In the case of a community water supply, the supplier shall give notification as referred to in MHD 149 D.1. and 2:

(1) by including a notice in the first set of water bills issued after any of the conditions described in paragraph D.1 of this rule occurs;

(2) if the supply issues bills less frequently than every three months, or does not issue water bills, the supplier must give notice by direct mail to every residence served, within six weeks after the condition which gave rise to the need for such notice has occurred;

(3) in addition, a copy of every notice mailed pursuant to this rule shall be sent to the board, as part of the same mailing which is made to the supply's customers.

b. In the case of a failure to comply with a maximum contaminant level, such written notice shall be repeated according to the procedure prescribed in MHD 149 D.3.a. not less than once every three months after the initial notice. Such continuing notice must be given as long as the failure to comply continues, whether or not the supply has a variance or exemption relating to the maximum contaminant level which is being exceeded.

c. In the case of a failure to comply with a maximum contaminant level which is not corrected promptly after discovery, the supplier must give other general public notice of the failure, in addition to the notice by direct mail, in a manner to be prescribed by the board. Such additional notice may include announcements to communications media in the area served by the supply.

4. Notice by non-community water supply. In the case of a non-community supply, the supplier must give notice by conspicuous posting. Notice must be posted at

or near every tap or drinking fountain, or wherever the public can draw the water. If the water is served to the consumer, then additional notice must be posted on the menu, or registration form, or in some other obvious location to assure adequate readability of the notice, before the water is consumed. The board shall order the form and location for the posting of such notice. Such notice must remain posted as long as any one of the conditions cited in paragraph D.1. of this rule continues to exist.

5. Whenever the board determines that a supply is providing water which, if consumed, might create an imminent risk to the public health, the board may order the supplier to give a notice or warning of such risk in a prescribed manner.

6. The board may issue any notice or warning required by this rule on behalf of a supplier, but a supplier is not relieved of any responsibility to issue any notice or warning under this rule, unless he has been specifically relieved of the responsibility by the board, in writing.

MHD 150 Sanitary procedures for distribution of water by tank truck.

A. This rule is adopted for the purpose of assuring that sanitary procedures are followed by those who distribute drinking water by tank truck and that the public health is thereby preserved. The authority for adopting this rule may be found in Minn. Stat. § 144.12 subd. 1(5) (1976) as amended by Laws of Minnesota ch. 66 § 10 (1977) which states that the State Board of Health may regulate the "distribution of water by persons."

B. Definitions.

1. "Accessible" means capable of being exposed for cleaning and inspection.

2. "Approved source" means a public water supply which is in compliance with state rules relating to water supplies, and is equipped with a permanent overhead delivery system designed to prevent the introduction of biological or chemical contaminants.

3. "Board" means the State Board of Health or any authorized representative thereof;

4. "Corrosion-resistant" means capable of maintaining original surface characteristics under the prolonged influence of the use environment, including the

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expected water contact and normal use of cleaning compounds and sanitizing solutions.

5. "Easily cleanable" means readily accessible, and of such material and finish and so fabricated that cleaning can be accomplished by hand scrubbing.

6. "Sanitize" means the bactericidal treatment of the interior surfaces of the tank by a process which has proven effective and does not leave a toxic residue.

7. "Smooth" means a surface free of pits and inclusions.

8. "Toxic" means having an adverse physiological effect on man.

9. "Water hauler" or "hauler" means a person engaged in bulk vehicular transportation of water to other than the hauler's household, which is intended for use or used for drinking or domestic purposes.

C. A water hauler shall be free of any infectious or communicable disease.

D. The water hauler shall consult with regional district personnel of the Minnesota Department of Health before implementing any questionable procedures.

E. Dipping into the filled tank is prohibited.

F. Tank requirements.

1. The tank shall be constructed of stainless steel or be lined with glass or other acceptable, corrosion-resistant and non-toxic material, with rounded corners and a smooth surface so that the interior may be thoroughly cleaned and sanitized.

2. The system shall be completely closed except for vents which are properly constructed and screened.

3. Caps on inlets and outlets shall be hinged or chained to provide a permanent attachment.

4. The inlets and outlets shall be easy to clean and so located and protected as to minimize the hazard of contamination.

5. Filters shall not be used.

6. The tank shall be filled only from the top.

7. The outlet hose from the tank shall be maintained in a sanitary condition at all times, shall be flushed clean prior to every delivery, and shall not impart any taste or odor to the water.

8. The tank shall be accessible internally, for proper cleaning, disinfection and inspection.

9. The tank shall never have been used to haul any materials which might have a deleterious effect on health or on the quality of the water being transported. If the tank has been used for transporting any materials other than water, the hauler shall obtain the approval of the board before using the tank to haul water for drinking or domestic use.

G. Cleaning and disinfection.

1. The tank and all fittings shall be cleaned and sanitized according to the following procedures before they can be used to haul water, and thereafter once per week:

a. The tank shall be cleaned by scrubbing manually with brushes and non-corrosive detergents, or

b. by automation using a spray ball within the tank which provides cleaning solution with sufficient velocity to remove all soil from the tank interior;

2. The tank and fittings shall then be rinsed.

3. The tank and fittings shall be sanitized by any of the following methods:

a. filling with water from an approved source to which 50 parts per million chlorine has been added, mixing and allowing it to stand for 3-4 hours; or 100 parts per million chlorine for not less than 20 minutes;

b. The board may approve the use of an alternate sanitizing method if the supplier can show that the use of the alternate method assures a level of biocidal activity comparable to that provided by the use of chlorine.

4. The tank may be cleaned and sanitized in a single step by using a commercial detergent-sanitizer according to the manufacturer's directions.

5. After sanitizing, the tank shall be drained, and the tank and fittings shall be rinsed with water from an approved source.

6. The sanitized tank shall be filled with water from an approved source.

7. The hauler shall add sufficient chlorine to assure that there is one part per million free chlorine residual when the last remaining quantity of water is delivered to a user. The hauler shall test the chlorine residual in each tankful of water using the DPD method.

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H. Testing. Once each month the hauler shall collect a sample of water from each tank and shall submit the water sample to the State Department of Health Laboratory for a bacteriological analysis. Sample collecting bottles for this purpose may be obtained from any Minnesota Department of Health Regional District Office or by writing to the Minnesota Department of Health, Section of Analytical Services, 717 Delaware Street S.E., Minneapolis, Minnesota 55440.

I. Records. The hauler shall retain a written log for each tank and shall record therein:

1. the date when the tank is sanitized;
2. the date on which the tank is filled and the name of the approved source from which the water is obtained;
3. the chlorine residual and date on which it is measured;
4. date on which water samples are sent for analysis; and
5. customer's name, address, date and quantity delivered.

[MHD 195 Tourist camp sanitation, registration of tourist camps.

Definition. A Tourist Camp shall constitute any area used on a daily, nightly or weekly basis for the accommodation of tents, expandable camp trailers, travel trailers under 19 feet in length, and converted buses or trucks; whether privately or publicly owned; and whether use of such accommodation is granted free of charge or for compensation.

This definition shall not include trailer coach parks as defined in MS 327.14, Children's Camps, Industrial Camps, Migrant Labor Camps, United States Forest Service Camps, State Forest Service Camps, State Wildlife Management Areas or State owned public access areas which are restricted in use to picnicking and boat landing.

Registration. Every person, organization or municipality establishing or having control of a tourist camp shall annually on or before April 1st register with the State Board of Health on a form provided by the Board for such purpose. The name, location, ownership, person in charge, and such other data as the Board may require shall be provided.

General provisions. Every person, organization or municipality establishing or having control of a tourist camp shall locate such camp on an adequate site. Each camp shall be provided with satisfactory water supply, toilet and refuse disposal facilities. Fish cleaning houses shall be installed where needed.

Camp site. Every tourist camp shall be located on a site that is well drained. No individual tent site shall be less than 25' x 50'. No vehicle shall be parked on such sites and off site parking shall be provided. Tent sites designed to accommodate cars and boat trailers shall not be less than 40 feet wide nor less than 50 feet long.

Water supply. Every tourist camp shall be provided with an adequate water supply system, the location, construction and operation of which complies with the standards of the Board. The water supply shall be easily accessible at a point not more than 400 feet from the farthest tent site. The well and pumping equipment where central toilets and showers are provided shall be capable of furnishing water at the rate of 25 gallons per person per day. Community drinking cups, i.e., cups or dippers at the well or hydrant, are not permitted.

Toilets. Every tourist camp shall be provided with adequate toilet facilities or privies. Water flush toilets shall be provided wherever a municipal sewerage system can be operated and where water under pressure is available for the operation of water flush toilets. When a central building with water under pressure is provided the ratio of fixtures to tent sites shall be as follows:

One water closet for each 10 sites

One lavatory for each 10 sites

One shower for each 15 sites

There shall not be less than one complete set of fixtures for each sex. No tent site shall be more than 400 feet from the nearest central building.

Privies may be used where no municipal sewerage system is available or where conditions are such that a sewage disposal system cannot be operated satisfactorily or water under pressure is not available. Such privies shall be located, constructed and operated in accordance with the standards of the Board. The ratio of privies to tent sites shall be as follows:

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A separate one compartment privy for each sex for each ten sites or portion thereof. No tent sites shall be more than 400 feet from the nearest privy.

Toilet facilities shall be provided at the water front but shall not be located within 50 feet of the water's edge. Toilet tissue shall be provided at each unit. Toilets shall be cleaned daily.

All toilets and privies must be well ventilated and lighted. Artificial lighting shall be provided after daylight hours. Separate toilets or privies shall be provided for men and women. The location of all toilets shall be indicated by suitable signs. Facilities shall be identified by sign for each sex. Privies for the sexes shall be spaced not less than 15 feet apart.

Sewage and excreta disposal. Where water-flush toilets are used, a sewage disposal system acceptable to the Board shall be provided. Where water-flush toilets are not provided, privies of the pit type which conform to a standard of construction acceptable to the Board shall be used. Toilets of the privy or pit type hereinafter constructed shall be located at least 50 feet from the nearest tent site.

Whenever self-contained travel trailers, converted buses or trucks are accommodated, separate facilities for emptying the chemical toilets or reservoir tanks shall be provided in accordance with standards of the Board. All travel trailers, converted buses or trucks having sewage drains shall be connected to a sewerage system or all drains shall be sealed for the duration of stay in the camping area. No "post hole", shallow pits or buried metal drums shall be used for the disposal of liquid wastes.

Liquid waste disposal. Liquid wastes from the tent sites and other sources shall be combined with the liquid toilet waste or shall be disposed of separately by soil absorption in a manner which will not endanger the water supply, pollute any surface water, or create nuisances or otherwise constitute a hazard to public health and safety. Liquid waste disposal facilities shall be constructed for each four sites to receive dishwater and other liquid wastes.

Garbage and refuse disposal. All garbage and refuse shall be stored and disposed of in a manner that will not create or tend to create a nuisance, or provide a breeding place for flies. Garbage and refuse containers shall be constructed of non-absorbent materials with tight fitting lids. All containers shall be washed at least once each week and sprayed with effective insecticides. Garbage or refuse containers shall be supplied for each four tent sites and shall be not more than 200 feet from the farthest tent site. Containers shall be emptied twice weekly or more often if required. Garbage and refuse may be disposed of by incineration, burying or other means acceptable to the Board. Open refuse dumps are prohibited. Garbage pits constructed accord-

ing to standards of the Board may be used for installations of less than 10 sites.

Picnic areas. Picnic areas shall be provided with suitable toilets, or privies and refuse containers consistent with the usage demands. Such facilities shall be constructed in accordance with standards of the Board.

Dogs — leashing, muzzling. No dog shall be permitted within a tourist camp unless such dog is wearing an effective and satisfactorily adjusted muzzle; or is held in leash, the length of the leash not to exceed 6 feet; or is securely chained to the owner's car, the length of the chain not to exceed 6 feet.

For the purpose of this regulation the owner or, in his absence, the responsible head of the group with which the dog is traveling shall be held responsible for compliance with the requirements of this order. The operator of any tourist camp shall cause the above order to be posted in a conspicuous place at the entrance or entrances of each tourist camp, and further, shall see that the requirements of the above order are enforced.

Swimming areas. Natural swimming areas shall be located only on lakes and streams which are relatively free from human, animal, and industrial pollution, and where swimming will not endanger the quality of a domestic water supply.

Swimming areas shall be located at least 75 feet (preferably 150 feet) from boat docks or boat landing slips and shall be "roped-off" by floats and cables to designate the safe limits of the swimming area. Artificial swimming and wading pools shall be constructed in accordance with standards of the Board.

Caretaker. A caretaker or tourist camp supervisor shall be available at all times to register guests and control the activities of the campers. This requirement shall not apply to non-commercial wilderness camp sites.

Submission of plans. No tourist camp shall be constructed nor shall any system of plumbing, sewerage system, water supply or swimming pool for any tourist camp be installed or altered until plans have been submitted to and approved by the Board.

Effective date. The regulation shall become effective September 1, 1962.]

[MHD 198 Industrial camp sanitation.

(a) Definition of "camp." The term "camp," as used in this regulation, shall include any lumber camp, construction camp, or other industrial camp in which five or more men are employed and housed in temporary quarters,

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such as cars, wagons, tents, buildings, or other enclosures, but shall not include the bona fide homes of the employees, nor buildings used as hotels, restaurants, lodging houses, boarding houses, and places of refreshment, as are defined in Minnesota Statutes 1941, Section 157.01.

(b) Camp site. Every camp shall be located on a site that is well drained, and if occupied during the months of June to October, inclusive, shall be as far as practical from any swamp or pool of stagnant water. No such camp shall be located along or near a road where excessive dust exists, unless such dust is controlled by the sprinkling of the road with water, oil, or other adequate dust control material.

(c) Arrangement of buildings. The buildings shall be so arranged on the camp site that the stables shall be separated from the kitchen, dining, eating, living, and sleeping quarters by a distance of at least 100 feet. The stables shall be located so that the surface drainage from the stables will not be in the direction of the kitchen, dining, eating, living, or sleeping quarters. All kitchen and eating quarters shall be in separate buildings.

(d) Sleeping quarters; cubic contents. Every temporary building, car, wagon, or other enclosure, except tents, occupied as sleeping quarters by the employees engaged in any camp shall contain at least 300 cubic feet of air space for every occupant thereof, and, with the exception of tents, shall be supplied with windows for purposes of light and ventilation. The windows shall be constructed so as to be easily opened, and so spaced that there will be a window on at least one side of each bunk. The windows shall be of such size that their total net area will be not less than ten per cent of the floor area of the room, and shall be so constructed as to readily open the equivalent of at least four per cent of the floor area. They shall be so located that all parts of the structure are properly ventilated. Tents having canvas walls and roof must be supplied with wooden floors corresponding in size to the dimensions of the tents. The canvas sides may be fastened to the edges of the floor. A door frame of wood must be set up at the entrances of the tent and fitted with a board and/or screen door, as the season demands. No windows will be required in tents. Provided that the provisions in this regulation for the location of windows shall not apply to lumber camps.

Provision must be made for the drying of clothes in a separate room, or otherwise in a place and manner which may be approved by the State Board of Health. A separate room or compartment also shall be provided for fumigating clothing and bedding, and proper

fumigating material shall be furnished and available to the employees at all times.

Provided that if any deviations from the requirements set forth in this section appear to be justified in any special case, they may be granted by the Executive Officer of the State Board of Health upon written approval thereof by the State Industrial Commission.

(e) Screens. All kitchens, dining, eating, living, and sleeping quarters used during the months of June to October, inclusive, must be effectively screened with full screens on the windows and doors to keep out flies, and mosquitoes. The screens shall not have larger than 16-mesh, and the doors shall be self-closing.

(f) Floors. All kitchens, dining, eating, living, and sleeping quarters hereafter constructed shall be provided with floors of wood, concrete, or some other satisfactory material. If the floors are of wood, they shall be constructed of matched lumber or shiplap, or in two layers of boards laid crosswise and made tight.

(g) Bunks. Bunks shall be at least 12 inches above the floor and shall be arranged so that at least one side is accessible for the purpose of being made up. All bunks hereafter purchased or acquired for use in camps shall be constructed of iron, and shall be not less than 42 inches wide and 6½ feet long. Bunk houses hereafter constructed shall house not more than 40 persons, and shall have two outside exits. Where two tier bunks are used, the distance between the ceiling over the upper bunks and the floor under the lower bunks shall be not less than 10 feet. Bunks shall be furnished with mattresses or with ticks filled with clean hay or straw. If mattresses are used, slips shall be provided. Clean, dry straw or hay for bedding shall be available at all times. Whenever a different individual occupies a bunk, clean mattress slips, blankets and clean hay or straw must be provided. If pillow slips are used, they shall be washed at least once each week. Cotton or cotton flannel blankets shall be washed at least every two weeks. Blankets, whether of wool or cotton, must be hung outside for airing at least once each week. Not more than one employee shall be required or permitted to sleep in a bunk at the same time, and all of them shall be required to sleep between cotton or cotton flannel blankets or sheets. Blankets or other covers suitable for the prevailing temperatures shall be provided.

(h) Cleaning of quarters. The kitchen, dining, eating, living, and sleeping quarters must be scrubbed thoroughly at least once each week, and the floors must be swept daily. Dry sweeping is not permitted.

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PROPOSED RULES

(i) Heating; ventilation. Kitchens, dining, eating, living, and sleeping quarters that are occupied shall be heated by means of suitable stoves, furnaces, steam or hot water plant of sufficient capacity to heat such quarters to a temperature of not less than 70 degrees Fahrenheit during the coldest weather. Provisions for adequate ventilation of all camp quarters by means of windows, doors, or ceiling openings must be made.

(j) Water supply. Every camp shall be provided with an adequate supply of good, sanitary water from a source which will meet the standards of the State Board of Health.

(k) Toilets. Wherever water under pressure is readily available and a municipal sewerage system is available for the camp site, water flush toilets shall be used. If a municipal sewerage system is not available and water flush toilets are used, a sewage treatment plant constructed and operated in accordance with the standards of the State Board of Health shall be provided. Where water flush toilets are not required, privies of the pit type may be used. Such privies hereafter constructed must be constructed and operated in accordance with the standards of the State Board of Health. All toilets and privies must be well ventilated and lighted and provided with some means of artificial lighting at night. All toilets and privies must be maintained in a clean and sanitary condition. Toilets and privies must be supplied with paper at all times. Toilets of the privy or pit type hereafter constructed must be located at least 100 feet from the kitchen, dining, eating, living, and sleeping quarters, and must be so located that the surface drainage from them is not in the direction of the water supply, or the kitchen, dining, eating, living, and sleeping quarters.

Toilet facilities shall be provided in the following ratio: where there are 100 or less persons employed on a shift, there shall be one seat for every 10 persons; where there are 100 to 500 persons on a shift, there shall be one seat to every 15 persons; where there are 500 to 1,000 persons on a shift, there shall be one seat to every 20 persons; and where there are over 1,000 persons on a shift, there shall be one seat to every 30 persons.

Where more than 100 men are employed on a shift, there shall, in addition to the seats required by this section, be provided one urinal for every 50 men. Urinals shall be either individual or slab urinals. Two feet of slab urinal shall be considered the equivalent of one individual urinal.

Separate toilet facilities shall be provided for men and women.

(l) Refuse, garbage, and manure. All garbage shall be collected in water-tight metal cans provided with tightly-fitting metal covers, and shall be disposed of daily

by burning, burying, feeding to hogs, or by hauling away and dumping at some remote place. If dumped, the dumping ground shall be located at least one-half mile from the camp site, or from any other human habitation. Non-inflammable refuse, such as tin cans, must be collected daily and placed in a deep earth pit and covered with oil and burned over. During the winter season this material, as well as the garbage, may be deposited at a point at least 100 feet from the kitchen, dining, eating, living, and sleeping quarters of the camp. Before fly time in the spring refuse and garbage so deposited must be removed and dumped not closer than one-half mile from the camp.

Manure must be removed from the camp site at least once a week during the months of June 1 to October 31, inclusive. All areas of stable floors on which manure is deposited must be sprinkled daily with lime.

(m) Waste water, slops, etc. Waste water, slops, etc., from the kitchen, dining, eating, living, and sleeping quarters, shall be disposed of in a cesspool or in some other manner which will not create a nuisance or a breeding place for flies, or endanger a water supply.

(n) Food. All food supplies must be of good and wholesome quality, and must be kept in a sanitary condition and carefully protected against flies, vermin, and dust. Perishable food must be properly iced or refrigerated, or otherwise preserved by some adequate method.

(o) Dishes and utensils. All dishes, table cutlery, and cooking and serving utensils, must be kept thoroughly cleansed and in a sanitary condition.

(p) Drinking cups. Individual drinking cups must be furnished to all employees.

(q) Lockers. All camps in which ten or more persons are housed continuously for thirty or more days shall be provided with individual lockers or with some other satisfactory method of storing personal belongings which may be approved by the State Board of Health.

(r) Washing facilities. Every camp shall be provided with an ample supply of wash basins, hot and cold water, soap and individual towels.

(s) Bathing facilities. Every camp in which ten or more persons are housed for thirty or more days must be provided with adequate bathing facilities consisting of bath showers or bath tubs, and soap and towels. In camps housing ten or less men common galvanized wash tubs may be provided for bathing facilities. If Finnish baths are provided, provision must also be made for showers or tub baths in addition thereto.

(t) Laundering facilities. Every camp when in

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operation must be provided with sufficient wash tubs, hot and cold water, soap or other cleansing material, and the employees permitted to use the same to wash their clothes.

(u) First-aid kits; physicians; transportation. Every camp shall contain a first-aid outfit of a size and kind approved by the State Board of Health for the number of persons in the camp and the nature of the work performed therein. Such outfit shall be in the charge of a person designated for the purpose and shall be readily accessible for use at all times. Provision shall also be made for attendance and treatment of employees by a physician in case of illness or accident and for the transportation of ill or injured employees to a hospital or other place for treatment.

(v) Size of blankets. Single width blankets which are provided for camps shall be not less than 60 inches wide, nor less than 80 inches long. Double length blankets shall be not less than 160 inches long and 60 inches wide. If single length cotton blankets or sheets are used, two of them must be provided for each bunk.

(w) Duty of camp owners. It shall be the duty of every owner or operator of a camp to carry out the provisions of these regulations.]

[MHD 246 Nuisances, annual sanitary inspection. The health officer of each city and village in the State of Minnesota shall make a thorough sanitary inspection of his municipality in the month of May, and present a written report of such inspection, together with his recommendations, to the council on or before the first day of June of the year in which the inspection is made. The health officer shall send a copy of this report to the Minnesota State Board of Health before July 1st of the same year. Other sanitary inspection shall be made during each year if deemed necessary.

MHD 247 Preceding the regular May sanitary inspection, the health officer of each city and village shall publish in a local paper, or by means of bills posted in two or more conspicuous places, an order for the citizens to thoroughly clean all yards, vaults and cesspools, also all sheds or barns containing manure, on or before a given date. If upon inspection this general order is found not to have been carried out, then like individual notices shall be served.]

[MHD 248 Cesspools and privies.

(a) All human excreta in cities and villages

shall be deposited in sewers, cesspools and vaults. The cesspools and vaults must be made fly-proof.

(b) Permanent privy vaults which are of water-tight construction must be cleaned out at least once a year and at such other times as may be considered necessary by the local health officer. The contents of these vaults shall be disinfected with chloride of lime or some other equally efficient disinfectant before it is removed.

Earth pits used as privy vaults shall be abandoned before they are entirely filled. A new pit shall be dug, over which the privy building shall be moved, and the contents of the old privy vault shall be covered with at least one foot of earth.]

[MHD 249 Disposal of dead animals.

No carcass of any dead animals shall be left unburied in the State of Minnesota, nor shall it be thrown into any stream, lake, pond, well, or other body of water therein.

Any such carcass shall be buried by the owner so that it will be covered by at least three feet of earth.

Burial shall be made within twenty-four (24) hours after death, and in all cases of death from a communicable disease the body shall be thoroughly enveloped in quicklime.

At all municipal dumping grounds where carcasses are disposed of, provision must be made for their immediate burial.

In lieu of the foregoing the dead bodies of animals may be burned.]

[MHD 250 Garbage feeding.

(a) The collection of garbage in cities and villages in Minnesota must be carried on in water-tight receptacles with closed tops. Household, whose garbage is to be collected under the supervision of a city or village board of health must provide covered water-tight cans or containers of such size and form as to permit of their being emptied into the collecting receptacle by one man.

(b) Garbage collected in cities and villages in Minnesota to be used as food for hogs, cattle and other animals must be kept in water-tight boxes or cans under cover and protected from the weather. These garbage receptacles must be scalded at least twice a week during the time from April 1st to October 1st, and once a week during the

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PROPOSED RULES

rest of the year, in a manner satisfactory to the local health officer or a representative of the Minnesota State Board of Health.

(c) Garbage collected in cities and villages in Minnesota and fed to hogs, cattle or other animals must be fed on or over water-tight floors built at least one foot above the ground, with water-tight sides to a height of one foot above the floor. Pens and floors constructed as a place for feeding of garbage must be approved as to their construction by the local health officer or a representative of the Minnesota State Board of Health.

(d) The word "garbage" as used in the preceding rules shall be construed to refer to the accumulation of animal or vegetable matter from kitchens, pantries, dining rooms or other parts of hotels, restaurants, boarding houses, tenement houses, dwelling houses, public institutions, market houses, fruit and vegetable stores, commission houses and grocery stores.]

[MHD 251 Rendering establishments.

(a) No person shall produce, manufacture or convert into any article of commerce, by any process, in any room wherein any article of human food is produced, manufactured or handled, any part of an animal carcass slaughtered when not in good health, or any butcher's offal as the same is defined in Regulation 11004, or any decaying or unwholesome animal matter.

(b) Butcher's offal, for the purpose of these rules and regulations, is defined to be all meat, tallow, fat, fish, and all scraps and odds and ends of the same, and all bones which have become in any degree decayed or unwholesome, or which have been put into any unclean receptacle or in contact with any tainted article of any kind.]

[MHD 252 Slaughter houses.

(a) All slaughter houses must have an abundant supply of water from a well or other source which is not contaminated. This water must be applied with adequate pressure through a hose to all parts of the room or rooms used for the purpose of slaughtering or preparing meats for consumption as human food.

(b) All slaughter houses must have suitable water-tight floors and proper subdrainage. The floors must be thoroughly washed each day after the slaughtering is completed.

(c) The walls and all exposed surfaces on the inside of a slaughter house must be cleaned by washing or scraping as often as necessary in order to keep the premises in proper sanitary condition. If the walls are not painted they

must be calcimined or white-washed at least once a month. Painted walls must be re-painted at least once a year.]

[MHD 253 Keeping hogs at slaughter houses.

(a) Feeding with offal. All offal and refuse must be removed from the slaughter house on the day of slaughtering and disposed of in a sanitary manner. The feeding of hogs or other animals on offal from or at a slaughter house is absolutely forbidden.

(b) All animals kept in yards near the slaughter house must be treated in a humane manner, and if kept over twelve (12) hours must be properly fed. The animals must be watered frequently. All pens and enclosures connected with any slaughter house must be kept in a sanitary condition.

(c) No slaughtering shall be done in barns, sheds, shipping pens or other buildings not designed or suitable for the slaughtering of animals and the handling, dressing and cooling of meats; nor shall any slaughtering be done outside of any building except in rural districts and for private consumption.

Cooling and storage rooms for meats must be properly ventilated.]

[MHD 254 Hatters' fur.

(a) Definitions. For the purpose of carrying out the provisions of this regulation the following terms are defined:

Hatters' Fur is any animal fiber or other substance used in the manufacture of hats, which is treated or otherwise prepared by the process of, or, in a manner similar to that of carroting.

Carroting is a process of treating hatters' fur with mercury nitrate or any other solution or material for the purpose of rendering the hatters' fur suitable in the manufacture of hats.

Mercurial carrot is any solution or material containing mercury or its compounds in combination with nitric acid or other materials and used in the carroting or preparation of hatters' fur.

(b) Effective January 1, 1942, the use of mercurial carrot in the preparation of hatters' fur, or the use of mercurial caroted hatters' fur in the manufacture of hats, is prohibited; provided that any hat manufacturer or fur cutter having mercurial caroted hatters' fur on hand January 1, 1942 may use said fur until it is consumed.]

PROPOSED RULES

Department of Natural Resources

Proposed Inclusion of Rum River in the Minnesota Wild, Scenic and Recreational Rivers System

Notice of Hearing

Notice is hereby given that a public hearing will be held on the above-captioned matter, in the manner provided by Minn. Stat. §§ 15.0411 through 15.051, and § 15.052 at:

Anoka, Minnesota, on Wednesday, August 10, 1977, in the Fred Moore Junior High School Auditorium (1523 Washington), at 7:00 P.M.

Milaca, Minnesota, on Thursday, August 11, 1977, in the Milaca Senior High School Little Theater, at 7:00 PM.

Elk River, Minnesota, on Monday, August 15, 1977, in the Parker Elementary School Gymnasium (500 School Street, Turn left off of North-Bound Hwy. 169), at 7:00 PM.

Cambridge, Minnesota, on Tuesday, August 16, 1977, in the Cambridge Junior High School Lecture Hall, at 7:00 PM.

The hearing shall continue until all representatives of associations and other interested or affected persons or groups have had an opportunity to be heard concerning the above-captioned matter by submitting oral or written data, statements, or arguments.

Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to:

Office of Hearing Examiners
Subject: Rum River Rules Hearing
1745 University Avenue
St. Paul, Minnesota 55105
Telephone: (612)-296-8107

either before the hearing or within 20 days after the close of the hearing. The hearing record will be kept open to receive these written statements through Monday, September 5, 1977.

The proposed Management Plan relates to the following matters:

Reasons for including the Rum River in the Minnesota Wild, Scenic and Recreational River's System.

The proposed classification of the river or segments of the river.

The proposed land use district boundaries which shall not exceed 320 acres per each river mile on both side (not each side) of the river.

The proposed methods for preserving the river and its adjacent lands, including the recommended land acquisition.

The proposed regulations for local land use control, including such matters as lot size and building height and setback requirements, vegetative cutting provisions, use within the land use districts, and criteria for utility crossings, public roads and river crossings.

The proposed plan for recreational management within the land use districts, including the location and design of campsites, rest areas, and accesses.

The proposed plan for administration of the management plan.

Copies of the management plan are available for inspection at the public libraries in Anoka, Cambridge, Princeton, Milaca, the ECOL Library in Minneapolis, the State Legislative Library, and at the Department of Natural Resources, Centennial Building, St. Paul, Minnesota.

Copies of the management plan will be available at the public hearings. For those unable to attend the hearings, copies are available for review at the above-mentioned locations. In addition, a copy may be obtained at no charge by contacting the River's Section, Division of Parks and Recreation, B95 Centennial Building, St. Paul, Minnesota 55155. Phone: (612)-296-2573.

The proposed Management Plan for the Rum River has been prepared in accordance with Minn. Stat. § 104.35 and the Statewide Rules and Regulations relating to the Wild, Scenic and Recreational Rivers System, Minnesota Code of Agency Rules NR 78-81.

Please be advised that Minn. Stat. ch. 10A, requires each lobbyist to register with the Ethical Practices Board within

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PROPOSED RULES

five days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612)-296-5615.

Michael C. O'Donnell,
Acting Commissioner

Rules as Proposed

Chapter twenty-four: NR 2700 Designation, Classification and Management of the Rum River in Mille Lacs, Sherburne, Isanti and Anoka Counties

NR 2700 Designation.

A. The river. That portion of the Rum River from the Ogechie Lake spillway to a line crossing the river between the center lines of Rice Street and Madison Street in the city of Anoka is hereby designated a component of the Minnesota Wild, Scenic and Recreational Rivers System.

B. Authority. This designation is made by the commissioner of natural resources pursuant to the authority of the Minnesota Wild and Scenic Rivers Act (Minn. Stat. §§ 104.31 to 104.40).

C. Shoreland included. The designation and these rules apply to the river and the adjacent lands as provided for in the Land Use District Descriptions of these Regulations.

NR 2710 Classification.

A. That portion of the Rum River and adjacent lands (excluding the shoreland of Shakopee Lake), from the Ogechie Lake spillway to the river's northernmost confluence with Lake Onamia is classified Wild.

B. Those portions of the Rum River and adjacent lands from the Mille Lacs CSAH 20 bridge to the Mille Lacs CSAH 9 bridge, and from the Mille Lacs CSAH 13 bridge to the T 31 N-T 32 N line on the southern border of the Anoka County Fairgrounds in the City of Anoka, are classified Scenic.

C. Those portions of the Rum River and adjacent lands from the State Highway 27 bridge in Onamia to

the Mille Lacs CSAH 20 bridge, from the Mille Lacs CSAH 9 bridge to the Mille Lacs CSAH 13 bridge, and from the T 31 N - T 32 N line on the southern border of the Anoka County Fairgrounds in the City of Anoka to a line crossing the river between the center lines of Madison Street and Rice Street are classified Recreational, in accordance with the provisions of Minn. Stat. § 104.33, subd. 2, and Minnesota Code of Agency Rules NR 78 (f).

NR 2720 Management.

A. Land use provisions.

1. The commissioner of natural resources hereby adopts the Wild, Scenic and Recreational land use districts as identified in the Land Use District Descriptions of these regulations. The land use districts were derived in accordance with NR 78 (g) (2) (bb).

a. Minnesota Code of Agency Rules NR 78-81 shall apply to all lands in the Wild, Scenic and Recreational land use districts, except as specified in NR 2720 D.

b. If land is annexed, incorporated or in any other way transferred to another jurisdiction, a moratorium shall exist on all construction, grading and filling, and vegetative cutting until the newly responsible unit of government adopts zoning for that land. The zoning shall meet the provisions of this management plan which applied to the land before the transfer. This provision does not apply to work for which lawful permits were previously issued.

2. Minnesota Code of Agency Rules NR 79 (c) (3) (bb) (iii), NR 79 (d) (2) and NR 79 (g) (1) specify regulations concerning designated tributaries. Designated tributaries along the Rum River shall be:

- | | |
|-----------------------------|--|
| a. Bradbury Brook | h. Green Lake Brook |
| b. Tibbets Brook | i. Stanchfield Creek |
| c. Vandell Brook | j. Lower Stanchfield Brook |
| d. Bogus Brook | k. Isanti Brook |
| e. Estes Brook | l. Seelye Brook West Branch of Rum River |
| f. West Branch of Rum River | m. Cedar Creek |
| g. Spencer Brook | n. Trott Brook |

3. The grading and filling provision (Minnesota Code of Agency Rules NR 79 (h)) shall be enforced by local ordinance which shall require a grading and filling permit.

4. Certain provisions of Minnesota Code of Agency Rules NR 78-81 are modified for purposes of the management plan, as follows:

PROPOSED RULES

a. Because of the erosive nature of soils along much of the Rum River, NR 79 (c) (3) (cc) (i) is modified to read: Structures shall not be located on slopes greater than 12 percent, unless such structures are screened from the river view with natural vegetation where practicable, the Sanitary Provisions of this plan are complied with, and the building permit applicant can prove to the local zoning authority that any potential erosion or sedimentation problems related to locating a structure either do not exist or that adequate measures will be taken to prevent any of these problems through special construction methods.

b. Because of land forms and high groundwater levels encountered on lands adjacent to much of the Rum River and to help further the enforcement of Minnesota Department of Health and Minnesota Pollution Control Agency (PCA) standards relating to on-site sewage disposal systems, NR 79 (d), Sanitary Provisions, is modified by adding a new subdivision reading: (3) Local units of government shall require that both percolation-rate tests and soils boring tests be done on any proposed sites prior to approval of an on-site sewage disposal system installation permit. When new on-site sewage disposal system standards are officially adopted by the PCA, those standards shall take precedence over those of this program.

c. Because of land forms and high groundwater levels found along the Rum River and to further the enforcement of the Sanitary Provisions and the Subdivision Regulations, Minnesota Code of Agency Rules NR 79 (f) (Subdivision Regulations) is modified by adding the following sentence to subdivision (1): No plat or subdivision within the land use district shall be approved by a local unit of government until the applicant for the plat or subdivision has proven to the local zoning authority, through the methods described in NR 79 (d), Sanitary Provisions, as modified in this plan; that every newly platted lot found within the land use district area has adequate area and a suitable location for the installation of a conforming septic tank and soil absorption system.

d. Because of the large number of existing plats along some sections of the Rum River, Minnesota Code of Agency Rules NR 79 (c) (1) (bb) is clarified by replacing the final phrase, "or to the greatest extent practicable," with this clause: except that such lots which are 60 percent or more of the lot width standards of these regulations may be considered as a separate parcel of land for the purpose of sale or development, if on-site sewage disposal systems can be installed so as to comply with these regulations.

e. Because Minnesota Code of Agency Rules NR 79 provides neither the necessary flexibility nor the control over the great recreational development potential of the Rum River, the table of land use district uses in Minnesota Code of Agency Rules NR 79 (b) (2) is modified as follows: (1) The uses specified in (aa), (bb), (cc), (dd) and (ff) are all made Conditional Uses in all land use districts. (2) The uses specified in (aa), (bb), (cc), (dd), (ff) and (gg) are modified by adding to their descriptions the following phrase: and approval by the commissioner of natural resources. This requirement shall not apply to the areas and facilities noted in NR 2720, C., 5.

f. Because agricultural uses are permitted in the land use district area and because of the pre-existence of agricultural buildings along most of the Rum River's adjacent lands, the maximum building height restriction contained in NR 79 (c) (3) (dd) shall not apply to buildings used primarily for agricultural purposes.

5. The proposed bridges across the Rum River located at about Section 25, T 32 N-R 25 W and at about Sections 13 and 24, T 32 N-R 25 W (Also referred to as the Anoka County Road #20 and #57 bridge proposals) shall be considered pre-existing uses of riverside lands, because they have been included in existing long-range thoroughfare plans for the area. However, any development of these bridges shall comply with the construction and permit requirements of Minnesota Code of Agency Rules NR 79 (j). In addition, reconstruction, replacement or upgrading of existing bridge crossings shall be considered in compliance with the policy of the Management Plan when the procedures of NR 79, (j) are followed.

B. Land acquisition.

1. The commissioner of natural resources hereby adopts the fee title and scenic easement lands, as identified in the Fee Title Descriptions and Scenic Easement Descriptions, as priority areas for these types of acquisition.

a. Fee title acquisition is recommended in those areas where recreational sites are needed, and to consolidate existing blocks of public ownership, as identified in the Fee Title Descriptions.

b. Scenic easement acquisition is recommended in those areas having outstanding scenic, natural or similar values as identified in the Scenic Easement Descriptions.

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PROPOSED RULES

c. Because acquisition of lands or interests in land is from willing sellers at market value, some lands recommended for scenic easement acquisition may be purchased in fee title and some lands recommended for fee title acquisition may be purchased as scenic easements. These changes from the recommended acquisition could only be done with the mutual agreement by and between the state of Minnesota and the landowner(s). Furthermore, additional land or interests in land other than those recommended may be purchased within the land use districts to further the policies established in Minn. Stat. § 104.32 and the management plan.

d. Other forms of acquisition such as use easements or leases, may be substituted for the recommended acquisition or used to acquire interests in other lands within the land use districts, when such purchases further the policies of this plan and Minn. Stat. § 104.32.

2. Land or interests in land recommended to be acquired in the plan will be acquired from willing sellers when funds are available for such purposes as provided for in Minn. Stat. § 104.37.

3. Whenever feasible, land will be exchanged in a manner prescribed by state law to acquire land in the land use districts. Land will not be exchanged, however, if such exchanges would adversely affect this or other Department of Natural Resources (DNR) management programs.

4. All islands acquired by or transferred to the DNR shall be managed in a manner consistent with policy established in the Minnesota Wild and Scenic Rivers Act and this management plan.

C. Recreation management.

1. As provided for in this management plan, the recreation management policy is to provide for the orderly use of public lands and waters within the wild, scenic and recreational river land use districts. The development of selected land- and river-oriented recreational facilities and the maintenance of these will help "protect the rights of private landowners, ensure quietude, prohibit trespassing, and maintain the essential quality of wild and scenic river land use districts," as provided for in Minnesota Code of Agency Rules NR 80 (a) (1). A specific recreation management policy shall be the enforcement of the statutes and Regulations pertaining to littering (Minn. Stat. § 609.68 and Minnesota Code of Agency Rules NR 80 (b) (1)) and the promotion and advertising of a "carry-in, carry-out" philosophy, that is, for river users to take their trash home with them.

2. The recreational use of the Rum Wild, Scenic and Recreational River and adjacent state lands will be

regulated when and where considered necessary by the commissioner to insure that the use does not adversely affect the values which qualified the river for designation.

3. As provided for in NR 79 (b) (2) and the management plan, the development of public or private recreational facilities within the wild, scenic and recreational river land use districts shall conform to the design specification guidelines shown in 1 S.R. 365 and 366 and the management plan.

4. No public river-oriented camping facilities will be established in close proximity to existing private recreational developments which are designed to serve the same recreational needs.

5. Priority areas for recreational development include:

a. Certain privately owned lands, which may be acquired by the DNR from willing sellers. The proposed lands and proposed uses of these lands are shown in the Fee Title Descriptions. The exact locations of these sites may vary, depending on the availability of willing sellers, however, the total numbers of priority sites shall remain constant.

b. Certain publicly owned lands should be developed for certain recreational uses as follows:

<u>Location of Site</u>	<u>Recommended Facilities</u>	<u>Governmental Unit Involved</u>
T 41N-R 26 W, Sec. 6	Portage, Access Rest Area	Dept. of Transportation
T 40N-R 27 W, Sec. 26	Rest Areas, Access Campsite, Other Open Space Recreational Uses	DNR, DOT or Mille Lacs County
T 38N-R 27 W, Sec. 26	Access, Portage, Other Open Space Recreational Uses	City of Milaca
T 36N-R 23W, Sec. 32	Campsite, Other Open Space Recreational Uses	City of Cambridge
T 34N-R 24 W, Sec. 32	Access, Campground, Campsite, Portage, Rest Area and Other Open Space Recreational Uses	Anoka County
T 33N-R 24 W, Sec. 19	Rest Area, Access	Anoka County
T 33N-R 24 W, Sec. 31 & T 32N-R 24 W, Sec. 6.	Campground, Campsite, Access, Rest Area and Other Open Space Recreational Uses	Anoka County

PROPOSED RULES

6. The Division of Parks and Recreation shall allocate funds for maintenance of DNR recreational facilities within the Rum River land use districts from the department's river development and maintenance account.

7. The DNR's Enforcement Division shall discuss with the local units of government the delineation of responsibilities for the enforcement of Wild, Scenic and Recreational river user regulations (Minnesota Code of Agency Rules NR 80).

8. Additional public snowmobile trails may be established within the land use district through the DNR's grants-in-aid program.

9. The Division of Parks and Recreation of the DNR shall arrange for a recreational use study of the Rum River, when funds are appropriated for such a purpose.

10. Any recreational development proposed in Mille Lacs Kathio State Park shall not be subject to the provisions of NR 2720, A.4.e. or C.5., but shall comply with the terms of any plan approved in accordance with the Outdoor Recreation Act.

D. Administration.

1. Mille Lacs County shall enact or amend such ordinances and maps as necessary to:

a. Establish the wild, scenic and recreational river land use districts in Mille Lacs County according to Minnesota Code of Agency Rules NR 2710, to include the lands identified in the Land Use District Descriptions.

b. Conform to the provisions of NR 78-81 and this management plan, as applicable.

2. Sherburne and Isanti counties shall enact or amend such ordinances and maps as necessary to:

a. Establish the Scenic river land use district in Sherburne and Isanti counties identified in the Land Use District Descriptions.

b. Conform to the provisions of Minnesota Code of Agency Rules NR 78-81 and this management plan, as applicable.

3. Anoka County shall enact or amend such ordinances and maps as necessary to:

a. Establish the scenic and recreational river land use districts in Anoka County according to NR 2710, to include lands identified in the Land Use District Descriptions.

b. Conform to the provisions of Minnesota Code of Agency Rules NR 78-81 and this management plan, as applicable.

4. The municipalities of Onamia, Milaca, Princeton, Cambridge, Isanti, Anoka and St. Francis (that portion located in the S½ of Section 29, T 34 N - R 24 W, west of river only; Section 32, T 34 N - R 24 W; and the N½ of Section 5, R 33 N - R 24 W) shall enact or amend such ordinances and maps as necessary to:

a. Establish the scenic or recreational land use district, in each municipality according to Minnesota Code of Agency Rules NR 2710, to include lands identified in the Land Use District Descriptions.

b. Conform to the provisions of NR 82-84 for Recreational Development Waters within the applicable land use district areas.

c. Conform to the provisions and administrative procedures of Minnesota Code of Agency Rules NR 78, Nr 79 (b), (2), (aa)-(gg) and (g) (within Building Setback areas only), (h), (i) and (j), NR 80 and NR 81; and this management plan, as applicable.

5. The municipalities of St. Francis, (all, except the S½ of Section 29, T 34 N - R 24 W, west of river only; Section 32, T 32, T 34 N - R 24 W; and the N½ of Section 5, T 33 N - R 24 W), Ramsey, and Andover shall enact or amend such ordinances and maps as necessary to:

a. Establish the scenic river land use district in each municipality according to NR 2710, to include lands identified in the Land Use District Descriptions for each.

b. Conform to the provisions of Minnesota Code of Agency Rules NR 78-81, and this management plan.

6. Any of the involved counties or cities may retain regulations which are more restrictive than those required by this plan.

7. The DNR shall assist local units of government in

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PROPOSED RULES

implementing Minnesota Code of Agency Rules NR 82-84, NR 78-81 and this management plan, in accordance with the provisions of Minn. Stat. § 104.36.

8. The DNR shall delineate the land use district boundaries on the appropriate zoning maps for the affected local units of government.

E. Recommendations.

1. It is recommended that the PCA be appropriated sufficient funds to continue an ongoing analysis and monitoring of water quality information, to help insure that water quality regulations and standards will be maintained for the Rum River.

2. It is recommended the PCA reevaluate its ranking system for distribution of funding used for upgrading municipal sewage treatment systems and that an additional ten (10) points be added to the Rum River's ranking because of its statewide significance and the large amount of recreational water contact activities taking place in the Rum.

3. To further the purposes of the Minnesota Wild and Scenic Rivers Act, it is recommended that all Minnesota Department of Transportation lands within the land use district be administered in accordance with NR 78-81 and this management plan.

4. It is recommended that the State Planning Agency, Office of Local and Urban Affairs, give priority to any local funding requests for recreational land acquisition within the land use district consistent with the goals of the State Comprehensive Outdoor Recreation Plan.

5. It is recommended that each involved local unit of government have its grading and filling permit applications reviewed by the appropriate Soil and Water Conservation District.

6. It is recommended that the Legislative Commission on Minnesota's Resources appropriate funds to the state archaeologist to conduct an inventory of the ar-

chaeological sites in the Rum River land use districts. It is also recommended that funds be appropriated for the preservation of those sites having outstanding scientific significance.

7. To insure that the historical heritage of the Rum River will be protected for the enjoyment of present and future generations, it is recommended that the Minnesota Historical Society conduct an inventory of all historically important sites within the land use districts and recommend appropriate methods of preservation of those sites having outstanding significance.

8. It is recommended that the Agricultural Stabilization and Conservation Service give high priority to providing funds to alleviate severe siltation and erosion problems on the Rum River.

9. It is recommended that funds be appropriated by the legislature so that a study of the recreational use of the Rum River be initiated by the DNR.

10. It is recommended that the Department of Transportation and the involved county highway departments cooperate with the DNR by placing no-parking signs along any bridge crossing right-of-ways that are determined to be inadequate or dangerous as river access points.

11. It is recommended that the Anoka County Board of Commissioners maintain and continue to enforce the 10-horsepower limitation they now have on all county-administered access points on the Rum River.

12. It is recommended that each involved County Assessor consider assessment procedures which would give property tax relief to individuals who have sold scenic easements.

13. It is recommended that each involved local unit of government adopt erosion and sediment control ordinances in order to help alleviate these problems along the Rum River.

Land Use District Descriptions Starting from Mile 145.7 at Ogechie Lake Spillway in Mille Lacs County

Description		Acreage
T 42 N-R 27 W		
Section 8		
Government Lot 4	Within 300 ft. of the normal high-water mark only	16.52
SW¼ of SE¼	SW of road only	16.00
Section 17		
NE¼		160.00

PROPOSED RULES

Description		Acres
Section 16		
S½ of N½ of NW¼		40.00
S½ of NW¼		80.00
N½ of N½ of SW¼		40.00
SW¼ of NE¼		40.00
S½ of SE¼ of NE¼		20.00
N½ of SE¼		80.00
N½ of SW¼ of SE¼		20.00
SE¼ of SE¼		40.00
Section 15		
W½ of SW¼		80.00
Government Lot 3	Within 300 ft. of river only on S side of river	24.60
Government Lot 2	Within 300 ft. of normal high-water mark only	26.24
Section 22		
NW¼ of NW¼		40.00
Government Lot 4	Within 300 ft. of normal high-water mark	12.00
Section 23		
Government Lot 1	Within 300 ft. of normal high-water mark only	6.90
Section 24		
Government Lot 2	Within 300 ft. of normal high-water mark only	14.00
Government Lot 3	Within 300 ft. of normal high-water mark only	8.00
Government Lot 1		22.40
Government Lot 4		41.60
S½ of NE¼		80.00
SE¼		160.00
T 42 N-R 26 W		
Section 19		
Government Lot 3		60.66
Government Lot 4		59.90
Section 30		
Government Lot 1		59.10
Government Lot 2	Within 300 ft. of normal high-water mark only	5.00
T 41 N-R 26 W		
Section 6		
NW¼	Within 300 ft. of normal high-water mark only	36.36
N½ of NE¼	Within 300 ft. of normal high-water mark only	7.00
S½ of NE¼	W of U.S. highway 169 only	76.00
NE¼ of SE¼		40.00
Section 5		
W½ of SW¼		80.00
Section 8		
W½ of NE¼		80.00
W½ of E½ of SW¼		40.00
W½ of SW¼		80.00
Section 7		
E½ of SE¼ of NE¼		20.00
NE¼ of SE¼		40.00
S½ of SE¼		80.00
Section 18		
NE¼		160.00
SE¼		160.00
Section 19		
NE¼		160.00
E½ of SE¼		80.00
Section 20		
W½ of SW¼		80.00
Section 30		
NE¼ of NE¼		40.00
Section 29		
NW¼ of NW¼		40.00

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PROPOSED RULES

Description	Acreage
S½ of NW¼	80.00
SW¼	160.00
Section 32	
N½ of NW¼	80.00
E½ of SW¼ of NW¼	20.00
SE¼ of NW¼	40.00
NE¼	160.00
Section 33	
SW¼ of NW¼	40.00
NW¼ of SW¼	40.00
W½ of NE¼ of SW¼	20.00
S½ of SW¼	80.00
T 40 N-R 26 W	
Section 6	
Government Lot 2 (W½)	24.90
Section 7	
NE¼ of NW¼	40.00
W½ of NW¼	39.00
W½ of SE¼ of NW¼	20.00
T 40 N-R 27 W	
Section 12	
S½ of NE¼ of NE¼	20.00
S½ of NE¼	80.00
N½ of NE¼ of SE¼	20.00
NW¼ of SE¼	40.00
SE¼ of NW¼	40.00
S½ of SW¼ of NW¼	20.00
SW¼	160.00
Section 13	
NW¼	160.00
SW¼	160.00
Section 24	
NW¼	160.00
SW¼	160.00
Section 25	
NW¼	160.00
N½ of SW¼	80.00
N½ of SW¼ of SW¼	20.00
Section 26	
SE¼	160.00
SE¼ of SW¼	40.00
Section 35	
W½ of SE¼	80.00
E½ of SW¼	80.00
W½ of NE¼	80.00
E½ of NW¼	80.00
T 39 N-R 27 W	
Section 2	
NW½ of SW¼	40.00
S½ of NW¼	80.00
N½ of NW¼	57.39
SW¼ of NE¼	40.00
NW¼ of NE¼	27.85
Section 3	
SE¼	160.00
S½ of NE¼	80.00
NE¼ of NE¼	29.10
Section 10	
E½	320.00
Section 11	
W½ of SW¼ of SW¼	20.00
Section 15	
E½	320.00
Section 14	
W½ of NW¼ of NW¼	20.00

PROPOSED RULES

Description	Acreage	
W½ of SW¼ of NW¼	20.00	
Section 22		
E½	320.00	
Section 27		
E½ of NE¼	80.00	
Section 26		
SW¼	160.00	
SW¼ of SE¼	40.00	
SE¼ of NW¼	40.00	
W½ of NW¼	80.00	
Section 35		
NE¼	160.00	
NE¼ of NW¼	40.00	
E½ of SE¼ of NW¼	20.00	
SE¼	160.00	
NE¼ of NE¼ of SW¼	10.00	
S½ of NE¼ of SW¼	20.00	
SE¼ of SW¼	40.00	
T 38 N-R 27 W		
Section 2		
E½ of SE¼	80.00	
SE¼ of NW¼	40.00	
S½ of NE¼	80.00	
NE¼ of NW¼	41.98	
NW¼ of NE¼	41.68	
NE¼ of NE¼	41.37	
Section 1		
SW¼ of NW¼	40.00	
W½ of SW¼	80.00	
Section 11		
SE¼	160.00	
S½ of NE¼	80.00	
NE¼ of NE¼	40.00	
Section 12		
W½ of NW¼	80.00	
NW¼ of NW¼ of SW¼	10.00	
Section 13		
SW¼ of SW¼	40.00	
Section 14		
NW¼ of NE¼	40.00	
W½ of NE¼ of NE¼	20.00	
SW¼ of NE¼	40.00	
NW¼ of SE¼	40.00	
SW¼ of SE¼	40.00	
SE¼ of SE¼	40.00	
NE¼ of SW¼	40.00	
E½ of NW¼	80.00	
Section 24		
W½ of NW¼	80.00	
NW¼ of SW¼	40.00	
Section 23		
E½ of NE¼	80.00	
E½ of SW¼ of NE¼	20.00	
E½ of SE¼	80.00	
E½ of W½ of SE¼	40.00	
Section 25		
W½	Within 300 ft. of Rum River only	8.00
Section 26		
E½	Within 300 ft. of Rum River only	84.85
Section 35		
NE¼ of NE¼	Within 300 ft. of Rum River only	20.00

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PROPOSED RULES

Description	Acreege
Section 36	
N½	57.17
E½ of NE¼ of SW¼	20.00
N½ of SE¼	80.00
SE¼ of SE¼	40.00
SW¼ of SE¼	32.00
E of U.S. Hwy 169 only	
T 37 N-R 27 W	
Section 1	
NE¼ of NE¼	35.53
SE¼ of NE¼	40.00
NW¼ of NE¼	12.00
E of U.S. Hwy 169 only	
T 37 N-R 26 W	
Section 5	
W½ of NE¼ of SW¼	20.00
SE¼ of SW¼	40.00
NW¼ of SW¼	40.00
SW¼ of SW¼	40.00
SW¼ of NW¼	40.00
Section 6	
NE¼ of NE¼	37.96
NW¼ of NE¼	37.36
S½ of NE¼	80.00
E½ of SE¼	80.00
W½ of NW¼	54.48
NE¼ of NW¼	36.76
SE¼ of NW¼	40.00
N½ of NW¼ of SW¼	15.92
N½ of NE¼ of SW¼	20.00
N½ of NW¼ of SE¼	20.00
Section 7	
E½ of NE¼	80.00
E½ of SE¼	80.00
Section 8	
W½ of NW¼	80.00
S½ of SE¼ of NW¼	20.00
SW¼	160.00
S½ of S½ of NE¼	40.00
SE¼	160.00
Section 9	
S½ of SW¼ of NW¼	20.00
W½ of SW¼	80.00
SE¼ of SW¼	40.00
Section 15	
S½ of NE¼ of SW¼	20.00
SW¼ of SW¼	40.00
Section 16	
NW¼ of NE¼	40.00
NW¼ of SE¼ of NE¼	10.00
S½ of SE¼ of NE¼	20.00
SW¼ of NE¼	40.00
SE¼	160.00
NE¼ of NW¼ of NW¼	10.00
E½ of NW¼	80.00
Section 22	
S½ of SW¼ of NE¼	20.00
W½ of SE¼	80.00
SW¼ of NE¼ of SE¼	10.00
W½ of SE¼ of SE¼	20.00
SW¼	160.00
W½ of NW¼	80.00
SE¼ of NW¼	40.00
Section 21	
N½ of NE¼	80.00
SE¼ of NE¼	40.00
NE¼ of SE¼	40.00
Section 26	
NW¼ of NW¼	40.00

PROPOSED RULES

Description		Acreage
NW¼ of SW¼	NW of road	20.00
SW¼ of NW¼	NW of road	34.00
Section 27		
NE¼		160.00
SE¼		160.00
Section 34		
NE¼		160.00
SE¼		160.00
E½ of NW¼		80.00
T 36 N-R 26 W		
Section 3		
NE¼ of NE¼		45.93
NW¼ of NE¼		45.68
SW¼ of NE¼		40.00
NE¼ of NW¼		45.43
SE¼ of NW¼		40.00
SW¼ of NW¼		40.00
SW¼		160.00
Section 4		
SE¼ of SE¼	SE of road	3.00
Section 10		
W½ of NW¼		80.00
W½ of SW¼		80.00
Section 9		
E½ of NE¼		80.00
E½ of SE¼		80.00
Section 15		
W½ of NW¼		80.00
W½ of SW¼		80.00
Section 16		
S½ of NE¼		80.00
NE¼ of NE¼		40.00
E½ of NW¼ of NE¼		20.00
N½ of SE¼		80.00
SE¼ of SE¼		40.00
E½ of SW¼ of SE¼		20.00
Section 22		
S½ of NW¼		80.00
NW¼ of NW¼		40.00
SW¼		160.00
Section 21		
E½ of NE¼		80.00
Section 27		
W½ of NW¼		80.00
W½ of NE¼ of NW¼		20.00
W½ of SE¼ of NW¼	W of road	19.00
NE¼ of SW¼	W of road	6.00
W½ of SW¼	NW of road	40.00
Section 28		
SE¼ of NE¼		40.00
E½ of SE¼		80.00
SW¼ of NE¼	S and E of streets nearest river	8.00
W½ of SE¼	E of 5th avenue only	20.00
Section 33		
E½ of NE¼		80.00
NW¼ of NE¼	E of streets nearest river	10.00
SW¼ of NE¼	E of 5th avenue only	6.00
E½ of E½ of SE¼		40.00
Section 34		
SW¼ of NW¼ of NW¼		10.00
SW¼ of NW¼		40.00

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PROPOSED RULES

Description	Acreage
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	10.00
W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
W $\frac{1}{2}$ of SW $\frac{1}{4}$	80.00
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
W $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
Mille Lacs County Total	14,920.62

Sherburne County

Description	Acreage
T 35 N-R 26 W	
Section 4	
E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$	19.18
Section 3	
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$	19.34
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
S $\frac{1}{2}$ of NW $\frac{1}{4}$	80.00
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	39.67
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	39.17
E $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
SE $\frac{1}{4}$	160.00
Section 10	
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
Section 2	
S $\frac{1}{2}$ of SE $\frac{1}{4}$	80.00
S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
S $\frac{1}{2}$ of SW $\frac{1}{4}$	80.00
Section 11	
NW $\frac{1}{4}$	160.00
N $\frac{1}{2}$ of NE $\frac{1}{4}$	80.00
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
Section 12	
N $\frac{1}{2}$ of NW $\frac{1}{4}$	80.00
N $\frac{1}{2}$ of NE $\frac{1}{4}$	80.00
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
N $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
Section 1	
S $\frac{1}{2}$ of SW $\frac{1}{4}$	80.00
S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$	10.00
S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	40.00
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$	10.00
Sherburne County Total	1,337.36

Isanti County

Description	Acreage
T 35 N-R 25 W	
Section 6	
W $\frac{1}{2}$ of SW $\frac{1}{4}$	46.93
SE $\frac{1}{4}$	160.00
E $\frac{1}{2}$ of SW $\frac{1}{4}$	80.00
Section 7	
W $\frac{1}{2}$ of NW $\frac{1}{4}$	48.04
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
Section 5	
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	40.00

PROPOSED RULES

Description	Acreage
Section 8	
N½	320.00
Section 9	
NW¼	S of road only
NW¼ of SW¼	156.00
E½ of SW¼	40.00
SW¼ of NE¼	80.00
S½ of SE¼ of NE¼	40.00
SE¼	20.00
	160.00
Section 16	
N½ of NE¼ of NE¼	N of Hwy 5 only
	10.00
Section 10	
SW¼	160.00
S½ of SE¼	80.00
S½ of NE¼ of SE¼	20.00
Section 15	
N½ of NW¼	N of Hwy 5 only
NW¼ of NE¼	70.00
NE¼ of NE¼	40.00
	40.00
Section 14	
NW¼ of NW¼	40.00
Section 11	
NW¼	160.00
SW¼	160.00
NE¼	160.00
N½ of SE¼	80.00
SW¼ of SE¼	40.00
Section 12	
NW¼	160.00
N½ of SW¼ of NE¼	20.00
NW¼ of NE¼	40.00
NW¼ of SW¼	40.00
Section 1	
SW¼	160.00
W½ of SE¼	80.00
S½ of NW¼	80.00
S½ of NE¼	80.00
NW¼ of NW¼	43.49
NE¼ of NW¼	43.46
NW¼ of NE¼	43.21
NE¼ of NE¼	43.11
T 36 N-R 25 W	
Section 36	
SE¼	S of Hwy 39 and E of Hwy 47 only
	42.00
T 36 N-R 24 W	
Section 31	
NW¼ of NW¼	38.20
Government Lot 4	53.45
Government Lot 2	25.88
Government Lot 3	40.82
Government Lot 6	48.21
Government Lot 7	41.19
Government Lot 8	34.78
Government Lot 1	36.24
Government Lot 5	39.06
Government Lot 9	51.68
SE¼ of SW¼	40.00
NW¼ of SE¼	NW of road only
	4.00
Section 30	
SE¼ of SE¼	40.00

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PROPOSED RULES

Description	Acreeage
Section 32	
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
Government Lot 2	39.42
Government Lot 1	39.73
Section 29	
Government Lot 1	41.16
Government Lot 2	23.66
Government Lot 6	40.02
Government Lot 7	33.05
Government Lot 3	26.31
Government Lot 4	18.43
Government Lot 5	18.29
Section 28	
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	40.00
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
Government Lot 1	13.31
Government Lot 2	50.11
Government Lot 3	51.46
Government Lot 4	29.77
Government Lot 5	31.25
Government Lot 6	25.57
Government Lot 7	21.95
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
S $\frac{1}{2}$ of S $\frac{1}{2}$ of NW $\frac{1}{4}$	40.00
Section 33	
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
Section 27	
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
Government Lot 1	53.11
Government Lot 2	19.06
Government Lot 3	43.46
Government Lot 4	24.85
Government Lot 5	21.81
Government Lot 6	21.52
Government Lot 7	39.84
Government Lot 8	36.15
N $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$	10.00
N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
Government Lot 9	.35
Section 22	
S $\frac{1}{2}$ of NE $\frac{1}{4}$	80.00
Government Lot 1	56.65
Government Lot 2	45.90
Government Lot 3	.78
Government Lot 4	47.19
Section 23	
Government Lot 1	23.86
Government Lot 2	38.13
Government Lot 3	41.47
Government Lot 4	29.71
Government Lot 5	39.28
Government Lot 6	55.33
Government Lot 7	54.49
Government Lot 8	34.80
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
Section 26	
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
Section 14	
S $\frac{1}{2}$ of NE $\frac{1}{4}$	80.00
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	80.00
Government Lot 1	56.17
Government Lot 2	49.06
Government Lot 3	44.70

Except N 20 Acres

PROPOSED RULES

Description	Acreage
Section 13	
SW¼ of NW¼	40.00
Government Lot 1	26.64
Government Lot 2	39.78
Government Lot 3	31.55
Government Lot 4	52.41
Section 24	
E½ of NW¼ of NW¼	20.00
SE¼ of NW¼	40.00
Government Lot 1	37.36
Government Lot 2	23.44
Government Lot 3	51.86
Government Lot 4	45.18
Government Lot 5	32.53
T 36 N-R 23 W	
Section 19	
Government Lot 1	10.63
Government Lot 2	22.64
NE¼ of NW¼	40.00
Section 18	
Government Lot 1	32.85
Government Lot 2	36.36
Government Lot 3	37.18
Government Lot 4	.42
Government Lot 5	38.20
Government Lot 6	39.83
Government Lot 7	40.56
Government Lot 8	36.66
Government Lot 9	32.67
Government Lot 10	29.68
Government Lot 11	32.52
SW¼ of SE¼	40.00
SW¼ of NE¼	40.00
NW¼ of NE¼	40.00
SE¼ of NE¼	40.00
NW¼ of SW¼	40.30
SW¼ of NW¼	40.50
Government Lot 12	3.82
Section 7	
Government Lot 1	39.11
Government Lot 2	20.26
Government Lot 3	21.22
Government Lot 4	37.63
Government Lot 5	28.51
Section 8	
S½ of SE¼ of NW¼	20.00
S½ of SW¼ of NE¼	20.00
Government Lot 1	32.58
Government Lot 2	53.76
Government Lot 3	41.37
Government Lot 4	38.85
Government Lot 5	47.51
Section 17	
Government Lot 1	41.08
Government Lot 2	36.77
Government Lot 3	57.49
Government Lot 4	27.04
Government Lot 5	25.00
Government Lot 6	6.35
Government Lot 7	52.54
Government Lot 8	26.73

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PROPOSED RULES

Description	Acreege
Government Lot 9	23.90
Government Lot 10	9.42
SW¼ of NE¼	40.00
NW¼ of SE¼	40.00
SW¼ of SE¼	40.00
Section 20	
Government Lot 1	2.83
Government Lot 2	30.15
Government Lot 3	38.31
Government Lot 4	54.90
Government Lot 5	Except E 20 acres 16.81
Government Lot 6	13.38
Government Lot 7	37.50
Government Lot 8	43.62
Government Lot 9	24.45
Government Lot 10	32.91
NW¼ of NE¼	40.00
SW¼ of NW¼	40.00
NW¼ of SW¼	40.00
SW¼ of SW¼	40.00
W½ of NE¼ of SE¼	20.00
Section 29	
NW¼ of NW¼	40.00
Government Lot 1	.69
Government Lot 2	Except E 40 acres 19.54
Government Lot 3	Excluding that part within the city of Cambridge (as of Jan. 1977) 35.12
Government Lot 4	Excluding that part within the city of Cambridge (as of Jan. 1977) 31.08
Government Lot 5	Excluding that part within the city of Cambridge (as of Jan. 1977) 20.63
Government Lot 6	47.09
Government Lot 7	26.18
Government Lot 8	50.52
Government Lot 9	28.43
W½ of SW¼ of NE¼	20.00
Section 30	
E½	E of CSAH 14 only 3.00
Section 31	
E½ of SE¼ of SE¼	20.00
NE¼ of SE¼	Within 300 ft. of Rum River only 3.00
Section 32	
Government Lot 1	Within 300 ft. of the Rum River only 8.95
Government Lot 2	Within 300 ft. of the Rum River only 8.95
Government Lot 3	Within 300 ft. of the Rum River only 13.40
Government Lot 4	Within 300 ft. of the Rum River only 8.95
Government Lot 5	Within 300 ft. of the Rum River only 29.50
Government Lot 6	Within 300 ft. of the Rum River only 14.50
Government Lot 7	Within 300 ft. of the Rum River only 4.50
Government Lot 8	Within 300 ft. of the Rum River only 10.00
Government Lot 9	Within 300 ft. of the Rum River only 9.50
T 35 N-R 23 W	
Section 5	
Government Lot 1	1.20
Government Lot 3	.45
Government Lot 4	37.00
Government Lot 5	36.75
Government Lot 6	1.30
W½ of SW¼	N and W of East Rum River Drive only 11.00
Section 6	
Government Lot 1	15.10
Government Lot 2	2.35
Government Lot 3	38.95
Government Lot 4	E of road only 30.40
Government Lot 5	E of road only 30.40
Government Lot 6	Except W 40 acres 26.40
Section 7	
Government Lot 1	Except E 40 acres 18.00

PROPOSED RULES

Description		Acreage
Government Lot 2	Except E 20 acres	20.54
Government Lot 3	W of Rum River Drive only	13.00
Government Lot 4	W of Rum River Drive only	11.00
Government Lot 5	Except W 40 acres	19.60
Government Lot 6	Except W 20 acres	24.73
Government Lot 7		33.83
Government Lot 8	Except W 40 acres	16.90
Section 18		
Government Lot 1		33.50
Government Lot 2	Except E 20 acres	33.00
Government Lot 3		34.80
Government Lot 4	Except E 40 acres	20.25
Government Lot 5		53.40
Government Lot 6		38.40
Government Lot 7		49.15
Government Lot 8		21.70
Government Lot 9		5.90
Section 19		
Government Lot 1		.10
Government Lot 2	Except E 20 acres	19.95
Government Lot 3		60.85
W½ of SW¼		61.65
T 35 N-R 24 W		
Section 13		
S½ of NE¼ of SE¼		20.00
Government Lot 1		26.43
Government Lot 2		7.66
Section 24		
Government Lot 1		42.22
Government Lot 2		27.35
Government Lot 3	E of River Ridge Road only	12.79
Government Lot 4	E of River Ridge Road only	16.67
Government Lot 5		6.21
Government Lot 6		54.78
Government Lot 7		28.42
Section 25		
Government Lot 1	E of River Ridge Road only	12.61
Government Lot 2	E of River Ridge Road only	15.42
Government Lot 3		36.64
Government Lot 4		21.40
Government Lot 5		14.48
Government Lot 6		44.01
Section 36		
Government Lot 1		56.05
Government Lot 2		41.59
Government Lot 3		46.92
Government Lot 4		33.74
Government Lot 5		41.56
Government Lot 6		30.90
Government Lot 7		31.74
Government Lot 8		19.83
NE¼ of SE¼		40.00
T 35 N-R 23 W		
Section 30		
Government Lot 1	Except E 40 acres	23.06
Government Lot 2	Except E 40 acres	23.12
Government Lot 3		1.05
Section 31		
W½ of NW¼ of NW¼		16.26

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PROPOSED RULES

Description		Acreage
T 34 N-R 24 W		
Section 1		
NW¼ of NW¼		40.26
NE¼ of NW¼		40.76
NW¼ of NE¼		41.26
S½ of NW¼		80.00
W½ of SW¼		80.00
NE¼ of SW¼	NW of road only	4.00
Section 2		
E½ of NE¼ of SE¼		20.00
SE¼ of SE¼		40.00
Section 11		
NE¼		160.00
SE¼ of NW¼		40.00
N½ of NW¼ of SE¼		20.00
SW¼		160.00
Section 14		
W½ of NW¼		80.00
W½ of SW¼	NW of road only	25.00
Section 10		
E½ of SE¼ of SE¼	SE of road only	5.00
Section 15		
NE¼ of NE¼		40.00
SE¼ of NE¼		40.00
SE¼		160.00
E½ of SW¼		80.00
SW¼ of SW¼		40.00
Section 21		
E½ of NE¼		80.00
NE¼ of SE¼		40.00
SW¼ of SE¼		40.00
NW¼ of SE¼	S of road only	30.00
SW¼	S of road only	74.00
Section 22		
NW¼ of NW¼		40.00
NE¼ of NW¼		40.00
W½ of SW¼ of NW¼		20.00
N½ of NW¼ of NE¼		20.00
Section 20		
SE¼ of SE¼	SE of road only	12.00
Isanti County Total		12,088.73

Anoka County

Description		Acreage
Section 29		
S½ of NE¼		80.00
NE¼ of NE¼		40.00
NW¼ of NE¼	SE of River bank Lane only	17.00
SE¼		160.00
SW¼		160.00
S½ of NW¼		80.00
S½ of N½ of NW¼		40.00
Section 28		
N½ of NE¼ of NW¼		20.00
NW¼ of NW¼		40.00
Section 32		
NW¼ of NW¼	NE of road only	5.00
NE¼ of NW¼		40.00
SE¼ of NW¼		40.00
SW¼ of NE¼		40.00
W½ of SE¼ of NE¼	NW of road only	16.00
NW¼ of SE¼		40.00
NE¼ of SE¼	W of road only	3.00
E½ of NE¼ of SW¼		20.00
S½ of S½	within 300 ft. of Rum River only	21.21

PROPOSED RULES

Description	Acreage	
T 33 N-R 24 W		
Section 5		
NE¼ of NW¼	within 300 ft. of the Rum River only	14.00
NW¼ of NE¼		36.58
NE¼ of NE¼	W of road only	11.00
SW¼ of NE¼		40.00
SE¼ of NE¼	W of road only	12.00
E½ of SE¼ of NW¼		20.00
W½ of SE¼		80.00
E½ of SW¼		80.00
Section 8		
E½ of NW¼		80.00
W½ of NE¼		80.00
SW¼		160.00
NW¼ of SE¼	W of road only	4.00
Section 17		
NW¼		160.00
SW¼		160.00
Section 20		
NW¼		160.00
SW¼		160.00
Section 19		
S½ of NE¼ of NE¼		20.00
SW¼ of NE¼	E of road only	9.00
SE¼ of NE¼		40.00
NW¼ of SE¼	E of road only	18.00
NE¼ of SE¼		40.00
SW¼ of SE¼	E of road only	32.00
SE¼ of SE¼		40.00
Section 30		
N½ of NE¼		80.00
E½ of SW¼ of NE¼		20.00
SE¼ of NE¼		40.00
E½ of SE¼		80.00
E½ of NW¼ of SE¼		20.00
SW¼ of SE¼	E of Hopi St. NW only	22.00
Section 31		
W½ of NE¼		80.00
NE¼ of NE¼		40.00
E½ of E½ of NW¼		40.00
E½ of NE¼ of SW¼		20.00
W½ of SE¼		80.00
SE¼ of SW¼		40.00
T 32 N-R 24 W		
Section 6		
Government Lot 1		27.42
Government Lot 2		37.80
Government Lot 3		20.53
Government Lot 4		41.36
Government Lot 5		11.25
Government Lot 6		26.06
Government Lot 7	N of road only	30.00
Government Lot 8	Except N 20 acres	29.08
Government Lot 9		49.50
Government Lot 10		54.43
Government Lot 11		40.80
Government Lot 12		44.08
SE¼ of NW¼		40.00
SW¼ of SW¼	N of road only	5.00
Section 7		
NE¼ of NW¼		40.00

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PROPOSED RULES

Description	Acreege	
Government Lot 1	39.80	
Government Lot 2	32.48	
Section 5		
W 1/2 of W 1/2 of SW 1/4	W of Aztec St. NW only, N or 174th Ave. NW only, W of Zea St. only and S of 175 Ave. NW only	19.00
Section 8		
W 1/2 of NW 1/4 of NW 1/4	W of Aztec St. NW only	10.00
Section 18		
Government Lot 1	44.17	
Section 19		
Government Lot 1	27.78	
Government Lot 2	32.42	
Government Lot 3	60.57	
Government Lot 4	30.34	
Government Lot 5	37.80	
Government Lot 6	29.17	
Government Lot 7	44.20	
Government Lot 8	49.70	
Section 30		
NW 1/4 of NW 1/4	45.32	
W 1/2 of NW 1/4 of SW 1/4	24.99	
W 1/2 of SW 1/4 of SW 1/4	24.82	
Section 31		
Government Lot 1	E of road only	12.53
Government Lot 2	Except NE 10 acres	33.06
Government Lot 3	within 300 ft. of the Rum River only	9.10
Government Lot 4	within 300 ft. of the Rum River only	9.10
W 1/2 of NW 1/4 of NW 1/4		24.74
T 32 N-R 25 W		
Section 1		
Government Lot 1	S of 177th Ave. NW only	12.00
Government Lot 2		26.15
Government Lot 3	S. of Argon St. and 177th Ave. NW only and then following the E and S lines of lot #7 of Riverwood Hills, Plat 1.	9.00
Government Lot 4		48.00
Government Lot 5		29.44
Government Lot 6	Except S 20 acres	26.75
Government Lot 7	Except S 20 acres	44.75
Section 12		
Government Lot 1		32.30
Government Lot 2		18.40
Government Lot 3		18.55
Government Lot 4		45.92
Government Lot 5		24.70
Government Lot 6		56.90
Government Lot 7		55.43
Government Lot 8		41.33
Section 13		
Government Lot 1	Except W 20 acres	28.83
Government Lot 2	Except W 20 acres	37.05
Government Lot 3	Except W 20 acres	22.78
Government Lot 4		29.80
Government Lot 5		35.36
Government Lot 6		36.08
Government Lot 7		50.80
Government Lot 8	Except E 40 acres	21.90
W 1/2 of NE 1/4 of SE 1/4		20.00
E 1/2 of SE 1/4 of SW 1/4		20.00
Section 24		
Government Lot 1		3.00
Government Lot 2	Except S 20 acres	10.28
Government Lot 3	Except S 20 acres	19.75
Government Lot 4		1.10
Government Lot 5	SE of Juniper Ridge Drive only	21.70
Section 25		
Government Lot 1		71.40

PROPOSED RULES

Description		Acreage
Government Lot 2		44.45
Government Lot 3	E of Hwy 47 only	60.00
Government Lot 4		22.95
Government Lot 5		19.86
Government Lot 6		46.70
Section 36		
Government Lot 1		22.43
Government Lot 2		1.00
Government Lot 3	E of road nearest river	12.00
Government Lot 4	NE of road nearest river	6.60
Government Lot 5	N and E of roads nearest river	15.25
Government Lot 6	E of Hwy 47 only	35.00
T 31 N-R 25 W		
Section 1	within 300 ft. of the Rum River only	37.45
Section 12	within 300 ft. of the Rum River only, and N of Rice and Madison streets only	14.80
T 31 N-R 24 W		
Section 6	within 300 ft. of the Rum River only	38.00
	Anoka County Total	5,315.13
	Total	33,661.84

Scenic Easement Acquisition, Starting at Mile 145.7 in Mille Lacs County

Description		Acreage
T 42 N-R 26 W		
Section 19		
Government Lot 3		60.66
Government Lot 4		59.90
Section 30		
Government Lot 1		59.10
Government Lot 2	Within 300 ft. of normal high-water mark only	6.06
T 41 N-R 26 W		
Section 18		
NE¼	Within 400 ft. of normal high-water mark only	51.42
Section 19		
NE¼ of SE¼	Except for that portion E of a line 400 ft. back from the easternmost normal high-water mark	31.00
Section 29		
SW¼	Within 400 ft. of normal high-water mark only	54.24
Section 32		
N½	Within 400 ft. of normal high-water mark only	114.78
Section 33		
W½	Except for that portion E of a line 400 ft. back from the easternmost normal high-water mark	96.00
T 40 N-R 26 W		
Section 6		
Government Lot 2 (W½)	Except for that portion E of a line 400 ft. back from the easternmost normal high-water mark	22.00
Section 7		
NW¼	Except for that portion SE of a line 400 ft. back from the southeasternmost normal high-water mark	47.00
T 40 N-R 27 W		
Section 12		
S½ of SW¼ of NE¼		20.00

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PROPOSED RULES

Description	Acreage
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	Except for that portion S of a line 400 ft. back from the southernmost normal high-water mark 35.00
SE $\frac{1}{4}$	Except for that portion S of a line 400 ft. back from the southernmost normal high-water mark 29.00
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 24.24
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Within 400 ft. of the southeasternmost normal high-water mark only 8.00
S $\frac{1}{2}$ of SW $\frac{1}{4}$	Within 400 ft. of the southeasternmost normal high-water mark only 12.12
Section 13	
W $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 130.39
Section 24	
N $\frac{1}{2}$ of NW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 24.24
S $\frac{1}{2}$ of NW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 27.55
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 24.24
Section 26	
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$	10.00
Section 35	
W $\frac{1}{2}$ of NE $\frac{1}{4}$	80.00
W $\frac{1}{2}$ of SE $\frac{1}{4}$	80.00
W $\frac{1}{2}$	Except for that portion W of a line 400 ft. back from the westernmost normal high-water mark 90.00
T 39 N-R 27 W	
Section 2	
W $\frac{1}{2}$ of NE $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 17.00
E $\frac{1}{2}$ of NW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 31.48
Section 3	
SE $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 51.42
Section 10	
E $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 113.87
Section 15	
E $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 102.54
Section 14	
NW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 15.00
Section 22	
E $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 110.19
Section 27	
NE $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 28.00
Section 26	
NW $\frac{1}{4}$	Within 400 ft. of the westernmost normal high-water mark only 11.00
SW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 69.64
Section 35	
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
T 38 N-R 27 W	
Section 1	
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 10.00
Section 2	
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 15.00
Section 11	
E $\frac{1}{2}$ of E $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 58.77
S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
W $\frac{1}{2}$ of SE $\frac{1}{4}$	80.00
Section 14	
S $\frac{1}{2}$ of N $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 25.00
N $\frac{1}{2}$ of S $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 24.24
Section 36	
SE $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 58.77
E $\frac{1}{2}$ of W $\frac{1}{2}$ of NW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only except island 6.00
T 37 N-26 W	
Section 6	
E $\frac{1}{2}$ of W $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 37.00
E $\frac{1}{2}$	Within 400 ft. of normal high-water mark only 71.63
Section 8	
Entire Section	Within 400 ft. of normal high-water mark only 110.19

PROPOSED RULES

Description	Acreage
Section 16	
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	40.00
Section 15	
W $\frac{1}{2}$ of SW $\frac{1}{4}$	14.00
SW of road only	
Section 21	
E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
Section 22	
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
Section 27	
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	18.00
S of river only	
Section 34	
E $\frac{1}{2}$ of W $\frac{1}{2}$ of SE $\frac{1}{4}$	40.00
W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
T 36 N-R 26 W	
Section 3	
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$	10.00
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	45.68
W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$	22.96
SE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
E $\frac{1}{2}$ of W $\frac{1}{2}$ of SW $\frac{1}{4}$	35.00
N of road only	
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$	18.00
N of road only	
Section 9	
E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$	40.00
Section 10	
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
Section 21	
E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
Section 22	
SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
W $\frac{1}{2}$ of SW $\frac{1}{4}$	80.00
W $\frac{1}{2}$ of E $\frac{1}{2}$ of SW $\frac{1}{4}$	40.00
Section 27	
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
Section 34	
S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	10.00
W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
W $\frac{1}{2}$ of SW $\frac{1}{4}$	80.00
Mille Lacs County Total	3,217.32

Sherburne County

Description	Acreage
T 35 N-R 26 W	
Section 3	
E $\frac{1}{2}$ of SE $\frac{1}{4}$	80.00
Section 2	
W $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
Section 11	
N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$	20.00
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
Section 1	
S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$	20.00
Section 12	
N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
Sherburne County Total	200.00

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PROPOSED RULES

Isanti County

Description	Acreage
T 35 N-R 25 W	
Section 8	
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
Section 9	
S $\frac{1}{2}$ of NW $\frac{1}{4}$	80.00
N $\frac{1}{2}$ of N $\frac{1}{2}$ of SW $\frac{1}{4}$	40.00
Section 10	
S $\frac{1}{2}$ of S $\frac{1}{2}$ of SW $\frac{1}{4}$	40.00
Section 15	
N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$	40.00
Section 11	
SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	40.00
Section 12	
S $\frac{1}{2}$ of SW $\frac{1}{2}$ of NW $\frac{1}{4}$	20.00
Section 1	
E $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$	20.00
SE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.00
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	40.00
N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$	20.00
T 36 N-R 24 W	
Section 31	
Government Lot 2	25.88
Government Lot 1	36.24
Government Lot 8	34.78
Government Lot 9	Except S 40 acres 11.68
Section 32	
Government Lot 1	39.73
Government Lot 2	39.42
Section 27	
Government Lot 1	Except E 30 acres 23.11
Government Lot 8	36.15
Government Lot 9	.35
Section 22	
Government Lot 4	47.19
Government Lot 1	Except W 20 acres 36.65
Government Lot 2	Except W 20 acres 25.90
Government Lot 3	.78
Section 14	
Government Lot 3	44.70
Government Lot 2	Except W 20 acres 29.06
T 36 N-R 23 W	
Section 18	
Government Lot 10	29.68
Government Lot 4	S and W of road only 17.00
Government Lot 5	Except SE 20 acres 18.20
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$	10.00
Section 8	
Government Lot 3	41.37
Government Lot 5	Except E 40 acres 7.51
Section 17	
Government Lot 10	9.42
Government Lot 8	26.73
Government Lot 1	Except E 40 acres 1.08
T 35 N-R 23 W	
Section 6	
Government Lot 1	15.10
Government Lot 2	2.35
Government Lot 3	Within 400 ft. of normal high-water mark only 11.50
Government Lot 4	Within 400 ft. of normal high-water mark only 12.12
Government Lot 5	Within 400 ft. of normal high-water mark only 12.12
Government Lot 6	Within 400 ft. of normal high-water mark only 13.00
Section 5	
Government Lot 5	Within 400 ft. of normal high-water mark only 14.50
SW $\frac{1}{4}$	Within 400 ft. of normal high-water mark only 7.50

PROPOSED RULES

Description	Acres
Section 7	
Government Lot 1	Within 400 ft. of normal high-water mark only 12.12
Government Lot 2	Within 400 ft. of normal high-water mark only 12.60
Government Lot 3	Within 400 ft. of normal high-water mark only 13.50
Government Lot 4	Within 400 ft. of normal high-water mark only 12.12
Government Lot 5	Within 400 ft. of normal high-water mark only 12.12
Government Lot 6	Within 400 ft. of normal high-water mark only 12.50
Government Lot 7	Within 400 ft. of normal high-water mark only 13.00
Government Lot 8	Within 400 ft. of normal high-water mark only 12.12
Section 18	
Government Lot 1	Within 400 ft. of normal high-water mark only 12.12
Government Lot 2	Within 400 ft. of normal high-water mark only 13.00
Government Lot 3	Within 400 ft. of normal high-water mark only 12.12
Government Lot 4	Within 400 ft. of normal high-water mark only 13.00
Government Lot 5	Within 400 ft. of normal high-water mark only 12.12
Government Lot 6	Within 400 ft. of normal high-water mark only 13.50
Government Lot 7	Within 400 ft. of normal high-water mark only 15.50
Government Lot 8	Within 400 ft. of normal high-water mark only 20.00
Government Lot 9	Within 400 ft. of normal high-water mark only 5.90
Section 19	
Government Lot 1	.10
Government Lot 2	Within 400 ft. of normal high-water mark only 3.00
Government Lot 3	Except S 47.85 acres 13.00
Section 30	
Government Lot 1	Within 400 ft. of normal high-water mark only 6.00
Government Lot 2	Within 400 ft. of normal high-water mark only 12.12
T 35 N-R 24W	
Section 13	
Government Lot 1	Within 400 ft. of normal high-water mark only 14.50
Government Lot 2	7.66
Section 24	
Government Lot 1	Within 400 ft. of normal high-water mark only 28.00
Government Lot 2	Within 400 ft. of normal high-water mark only 12.12
Government Lot 7	28.42
Government Lot 6	54.78
Government Lot 3	Except S 24 acres 4.79
T 35 N-R 24 W	
Section 25	
Government Lot 6	44.01
Government Lot 3	Within 400 ft. of normal high-water mark only 12.12
Government Lot 1	Within 400 ft. of normal high-water mark only 13.00
Government Lot 2	N½ and within 400 ft. of normal high-water mark only 6.00
SW¼ of NE¼	Within 400 ft. of normal high-water mark only 3.00
Section 36	
Government Lot 3	Within 400 ft. of normal high-water mark only 12.12
Government Lot 4	Within 400 ft. of normal high-water mark only 12.12
Government Lot 5	Within 400 ft. of normal high-water mark only 12.12
Government Lot 6	Within 400 ft. of normal high-water mark only 12.12
T 34 N-R 24 W	
Section 1	
NW¼	Within 400 ft. of normal high-water mark only 51.00
NE¼ of SW¼	NW of road only 4.00
W½ of SW¼	Within 400 ft. of normal high-water mark only 28.00
Section 2	
E½ of SE¼	Within 400 ft. of normal high-water mark only 24.24
Section 11	
Entire Section	Within 400 ft. of normal high-water mark only 133.33
Section 10	
E½ of SE¼ of SE¼	SE of road only 5.00

KEY: New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

PROPOSED RULES

Description		Acreage
Section 14		
W½ of W½	Within 400 ft. of normal high-water mark only	17.00
Section 15		
E½ of NE¼	Within 400 ft. of normal high-water mark only	29.00
S½	Within 400 ft. of normal high-water mark only	105.00
Section 22		
N½	Within 400 ft. of normal high-water mark only	16.00
Section 21		
E½ of NE¼	Within 400 ft. of normal high-water mark only	38.48
NE¼ of SE¼	Within 400 ft. of normal high-water mark only	10.00
	Isanti County Total	2,130.29

Anoka County

Description		Acreage
Section 29		
NE¼	Within 400 ft. of normal highwater mark only	60.00
N½ of NW¼	Within 400 ft. of normal high-water mark only	7.00
SW¼ of NW¼	Within 400 ft. of high-water mark only	14.00
SE¼ of NW¼		40.00
W½ of SE¼	Except for that portion E of a line 400 ft. back from the Easternmost normal high-water mark	44.00
NE¼ of SW¼		40.00
NW¼ of SW¼	Within 400 ft. of normal high-water mark only	7.00
S½ of SW¼	Within 400 ft. of normal high-water mark only	31.00
Section 32		
NW¼ of NW¼	NE of road only	5.00
NE¼ of NW¼	Within 400 ft. of normal high-water mark only	14.00
SE¼ of NW¼	Within 400 ft. of the Westernmost normal high-water mark only	13.00
SW¼ of NE¼	Within 400 ft. of the Westernmost normal high-water mark only	13.00
N½ of S½	Within 400 ft. of the westernmost normal high-water mark only and excepting existing scenic easement or public lands	21.00
T 33 N-R 24 W		
Section 5		
SW¼ of SE¼		40.00
SE¼ of SW¼	Except for that portion W of a line 400 ft. back from the Westernmost normal high-water mark	28.00
Section 17		
SW¼ of NW¼		40.00
NW¼ of SW¼	Excluding Island	36.00
E½ of SW¼ of SW¼		20.00
E½ of SW¼	Within 400 ft. of normal high-water mark only	16.00
Section 20		
E½ of NW¼ of NW¼		20.00
NE¼ of NW¼	Within 400 ft. of normal high-water mark only	12.12
N½ of SW¼ of NW¼		20.00
S½ of SW¼ of NW¼	Within 400 ft. of normal high-water mark only	14.00
SE¼ of NW¼	Within 400 ft. of normal high-water mark only	5.00
SW¼	Within 400 ft. of normal high-water mark only	48.00
Section 19		
SE¼ of NE¼	Except for that portion W of a line 400 ft. back from the Easternmost normal high-water mark	38.00
NE¼ of SE¼	Except for that portion W of a line 400 ft. back from the Easternmost normal high-water mark	36.00
SE¼ of SE¼		40.00
W½ of SE¼	Within 400 ft. of normal high-water mark only or SE of road only or whichever is closest to the river	16.00
Section 30		
N½ of NE¼	Within 400 ft. of the westernmost normal high-water mark only	15.00
SE¼ of NE¼		40.00
SW¼ of NE¼	Within 400 ft. of normal high-water mark only	3.00
E½ of NE¼ of SE¼		20.00
W½ of NE¼ of SE¼	Within 400 ft. of normal high-water mark only	11.00

PROPOSED RULES

Description		Acreege
NW¼ of SE¼	Within 400 ft. of normal high-water mark only	7.00
S½ of SE¼	Within 400 ft. of Easternmost normal high-water mark only	13.12
Section 31		
N½	Within 400 ft. of normal high-water mark only	48.48
T 32 N-R 24 W		
Section 6		
Government Lot 4	Except county park land	27.00
Government Lot 5	Except county park land	5.00
Government Lot 6	Within 400 ft. of Southernmost normal high-water mark only	12.12
Government Lot 7	Within 400 ft. of Southernmost normal high-water mark only	12.12
SW¼ of SW¼	Within 400 ft. of Southernmost normal high-water mark only	3.00
Section 7		
Government Lot 1	Within 400 ft. of Southernmost normal high-water mark only	12.12
Government Lot 2	Within 400 ft. of Southernmost normal high-water mark only	12.12
NE¼ of NW¼	Within 400 ft. of Southernmost normal high-water mark only	4.00
T 32 N-R 25 W		
Section 1		
Government Lot 4	Except W 40 acres	8.00
Government Lot 5		29.44
Section 12		
Government Lot 8		41.33
Government Lot 5		24.70
Government Lot 4		45.92
Section 13		
Government Lot 1	Except W 40 acres	8.83
Government Lot 2	Except W 40 acres	17.05
Government Lot 3	Except W 40 acres	2.78
Government Lot 4		29.80
Government Lot 6	Within 400 ft. of normal high-water mark only	15.00
Government Lot 7	Within 400 ft. of normal high-water mark only	20.00
Government Lot 8	Within 400 ft. of normal high-water mark only	12.12
Section 24		
Government Lot 2	Within 400 ft. of normal high-water mark only	12.12
Section 25		
Government Lot 6	Within 400 ft. of normal high-water mark only	21.70
Government Lot 5	Within 400 ft. of normal high-water mark only	14.00
T 32 N-R 24 W		
Section 19		
Government Lot 8	Within 400 ft. of normal high-water mark only	12.12
Government Lot 7	Northern ½ only, and within 400 ft. of normal high-water mark only	6.00
Government Lot 3	Except N 30 acres	30.57
	Scenic Easement Total	6,882.29
	Anoka County Total	1,334.68
	Isanti County Total	2,130.29
	Sherburne County Total	200.00
	Mille Lacs County Total	3,217.32

Fee Title Descriptions in Mille Lacs County

Description	Acreege	Proposed Use or Purpose of Land
T 42 N-R 27 W		
Section 15		
W½ of SW¼	80.00	Consolidation of existing public lands
Government Lot 3	1.20	Consolidation of existing public lands
		Within 300 ft. of southernmost normal high-water mark only and SE of County Road #26 only

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PROPOSED RULES

Description		Acreege	Proposed Use or Purpose of Land
Section 22 NW¼ of NW¼ Government Lot 4	Within 300 ft. of normal high-water mark only	40.00 3.50	Consolidation of existing public lands Consolidation of existing public lands
T 39 N-R 27 W Section 15 NE¼ of SE¼ Section 26 W½ of NW¼ of NW¼ SW¼ of NW¼	Island only Island only E of river only	3.00 2.00 25.50	Island Rest Area Campsite-Rest Area Campsite-Rest Area
T 38 N-R 27 W Section 36 NW¼ of NW¼	Island only	4.50	Island Rest Area
T 37 N-R 26 W Section 22 NE¼ of SW¼ S½ of SE¼ of NW¼ Section 16 E½ of NE¼ of NW¼ NE¼ of SE¼ of NW¼	S of river only W of river only	40.00 20.00 4.00 7.00	Campsite-Rest Area Campsite-Rest Area Access Access
T 36 N-R 26 W Section 28 NE¼ of SE¼ SE¼ of SE¼	W of river only W of river only	27.00 8.00	Campsite-Rest Area Campsite-Rest Area
	Mille Lacs County Total	265.70	

Sherburne County

Description		Acreege	Proposed Use or Purpose of Land
T 35 N-R 26 W Section 1 S½ of SE¼ of SW¼		20.00	Campsite-Rest Area
	Sherburne County Total	20.00	

Isanti County

Description		Acreege	Proposed Use or Purpose of Land
T 35 N-R 25 W Section 11 SE¼ of NW¼		40.00	Campsite-Rest Area
T 36 N-R 24 W Section 27 NW¼ of SW¼	S of state Hwy 95 and E of CSAH 1 only	10.00	Access
Section 14 Government Lot 1	Except W 20 acres	36.17	Campsite-Rest Area
T 36 N-R 23 W Section 17 Government Lot 9		23.90	Campsite-Rest Area
T 35 N-R 24 W Section 25 Government Lot 2 Section 36 Government Lot 4	S½ only and except SW 10 acres	6.00 31.74	Access-Rest Area Campsite
T 34 N-R 24 W Section 11 SW¼ of SW¼	Island only	10.00	Island Rest Area
	Isanti County Total	157.81	

PROPOSED RULES

Anoka County

Description		Acreage	Proposed Use or Purpose of Land
T 33 N-R 24 W			
Section 17			
NW¼ of SW¼	Island only	4.00	Island Rest Area
	Anoka County Total	4.00	
	Total	447.51	

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OFFICIAL NOTICES

Metropolitan Sports Facilities Commission

Notice of Intent to Solicit Site Plan Proposals for Sports Facilities in the Metropolitan Area

Notice is hereby given that the Metropolitan Sports Facilities Commission, established by Laws of Minnesota 1977, ch. 89, will seek preliminary location and schematic site plan proposals from Metropolitan Area political subdivisions or individuals for new or remodeled sports facilities in the Metropolitan Area.

The required proposal contents will be determined by the

Commission at its June 1, 1977 meeting at 10:00 a.m. at 300 Metro Square Building in St. Paul. Thereafter, copies of the Commission's request for preliminary location and schematic site plan proposals may be obtained from the Commission at its offices at 300 Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota 55101.

In addition, the Metropolitan Sports Facilities Commission will publish its request for preliminary location and schematic site plan proposals in the next issue of the *State Register*.

For further information, contact Jerry Bell, Metropolitan Sports Facilities Commission at the above mentioned address, telephone (612) 291-6405.

Dan Brutger
Chairman

Environmental Quality Council

Contested Case Hearing Cancellation Regarding Summit Avenue Duplexes

The Contested Case Hearing on the proposed duplexes at 362-364 Summit Avenue in St. Paul scheduled for June 6, 1977 ("EQC Monitor", May 23, 1977, 1 S.R. 1683) has been cancelled. The EQC had ordered the hearing to assist it in determining the need for an Environmental Impact Statement (EIS) on the project. For further information, contact Mary Sullivan, EQC Administrator (612) 296-2723.

Notice of Hearing on Need for EIS for High Security Facility in Oak Park Heights

In the Matter of the determination of the need for an Environmental Impact Statement on the proposed High Security Facility in Oak Park Heights and Baytown Township, pursuant to Minn. Stat. § 116D (1974).

It is hereby ordered, and notice is hereby given that a contested case hearing concerning the above-entitled matter will be held on June 21, 1977 in Room 51 of the State Office Building, Wabasha Street and Park Avenue, St. Paul, commencing at 9:00 a.m.

Pursuant to Minnesota Code of Agency Rules HE 204(b), the Chief Hearing Examiner has waived the requirement that the order for hearing be served at least 30 days prior to the hearing.

The hearing will be held before William Seltzer, Hearing Examiner, Room 300, 1745 University Avenue, St. Paul, Minnesota, 55104, (296-8105), a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case procedures set out in Minn. Stat. § 115.0411 through Minn. Stat. § 15.052 and HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General, William Dorigan, Room 303, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota, 55101, (296-2711).

The hearing will address whether an Environmental Impact Statement is needed on the proposed high security facility in Oak Park Heights and Baytown Township, pursuant to Minn. Stat. § 116D (1974) and Minnesota Code of Agency Rules MEQC 21-41. Pursuant to MEQC 24 B.2, the Minnesota Department of Corrections prepared an Environmental Assessment Worksheet on the above-entitled matter, determined that no Environmental Impact Statement was needed on the project, and, pursuant to MEQC 27C, filed a Negative Declaration with the Minnesota Environmental Quality Council (EQC). The Negative Declaration was published in the "EQC Monitor" on April 18, 1977, commencing a 30-day review period of the decision. On May 18, 1977, a petition signed by more than 500 persons objecting to the Negative Declaration was received by the EQC.

All parties are advised that no factual information or evidence, except tax returns and tax reports, which is not part of the hearing record shall be considered by the Hearing Examiner or the MEQC in the determination of the above-entitled contested case. Failure to appear at this hearing on the part of any party may prejudice such party's rights and result in an adverse determination of this matter. Since the hearing will be held less than 30 days after commencement of this contested case, the Chief Hearing Examiner has indicated that parties need not file Notices of Appearance prior to the hearing.

The identified parties to this contested case are Baytown Township and the Minnesota Departments of Administration and Corrections. Any other person desiring to intervene as a party must formally petition the Hearing Examiner before 4:30 p.m. on June 10, 1977. A copy of the petition must also be served upon all existing parties.

The above cited procedural rules are available for review at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota, 55101 (296-2874). They provide generally for the procedural rights of the parties, including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

Peter Vanderpoel, Chairman

Department of Natural Resources

Notice of Hearing Concerning the Restoration of Woessner Lake Without a Permit

Whereas, the Commissioner of Natural Resources on the 8th day of December, 1976, did order Richard J. Jennin and Milda Woessner to restore Woessner Lake to the condition in which it existed prior to the installation of drainage measures in or about 1974; and

Whereas, Richard J. Jennin, Milda Woessner and Berdell Woessner have demanded a hearing on the Order of the Commissioner dated January 4, 1977, pursuant to Minn. Stat. § 105.44;

Now, therefore, pursuant to powers vested in the Commissioner by Minnesota Statutes 1976, Chapter 105;

It is hereby ordered and notice is hereby given that a public hearing be held in the Elbow Lake Community Building in Elbow Lake, Minnesota, on the 14th day of June, 1977, at 8:30 o'clock in the forenoon or as soon thereafter as the matter can be heard.

The hearing will be held before William Seltzer of the Office of Hearing Examiners. His address is 1745 University Avenue, Room 300, Saint Paul, Minnesota, 55104 (612-296-8100). He is a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. § 15.0411 through Minn. Stat. § 15.052 and HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to: Special Assistant Attorney General William G. Peterson, 375 Centennial Office Building, Saint Paul, Minnesota, 55155 (612-296-3294) or Gerald Paul, Regional Hydrologist, Department of Natural Resources, Route 5, Box 41A, Bemidji, Minnesota, 56601 (218-755-3973). The hearing is public, and all affected persons will have an opportunity to be heard. The purpose of the hearing is to receive evidence and argument as to:

1. Whether Woessner Lake is "public waters" because it serves a material "beneficial public purpose" as that term is defined in Minn. Stat. § 105.37, subd. 6. The Commissioner of Natural Resources has regulatory authority over public waters. See Minn. Stat. §§ 105.38 and 105.42.

2. Whether the Commissioner should permit the lake to be drained, or whether he should deny permission and compel restoration of the lake by the parties demanding the hearing.

3. Whether Minn. Stat. § 105.462 and related sections are constitutional.

In addition to the laws and rules regarding contested cases cited above, relevant laws are Minn. Stat. ch. 105, particularly sections 105.37, 105.38, 105.42, 105.44-.47. The decision standards which the Commissioner must follow are stated in Minn. Stat. § 105.45, and in the state's Environmental Policy Act, particularly sections 116D.04 subdivisions 5 and 6.

Woessner Lake is in Sections 29 and 30 of Township 103 North, Range 42 West.

The above cited procedural rules are available at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Office Building, Saint Paul, Minnesota, 55155 (612-296-2874). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least 5 days prior to the hearing. A copy of the request must be served on the agency and any other parties.

Michael C. O'Donnell
Acting Commissioner

Negative Declaration (No EIS) Mississippi Terrace Housing Development

The Environmental Assessment Worksheet (EAW) listed below has been filed with the EQC. The EAW determined that an EIS is not needed on this project because it is not a major action and does not have the potential for significant environmental effects. **The EQC will reconsider this finding only if objections are filed by July 6, 1977.** MEQC Rule 28B indicates the procedures for filing objections to a Negative Declaration.

Proposer: Bor-Son Building Corporation

Responsible Agency: City of Brainerd

Project Description: 113 unit multi-family housing development which would house a maximum of 276 persons with a likely population of 195. The project would be located on a 5.84-acre site.

Project Location: Brainerd, Crow Wing County; Sections 4&9, R28W, Twp. 133N.

Copies of the EAW and supporting documentation are on file for public review from 8:00 a.m. to 5:00 p.m. at the Brainerd City Engineers Office, City Hall, Brainerd, MN 56401, (218) 829-1495.

For further information on this EAW contact G. R. Kriha, Brainerd City Hall, (218) 829-1495.

Objections to Negative Declaration Izatys Lodge Subdivision in Mille Lacs County

On May 23, 1977 the Minnesota Department of Natural Resources (DNR) filed objections with the EQC to the Negative Declaration submitted by Mille Lacs County on the proposed Izatys Lodge Subdivision in South Harbor (EQC Monitor, April 25, 1977, 1 S.R. 1552).

A public hearing or informational meeting on this project has not yet been scheduled, however notice of the meeting will be published in the "EQC Monitor" when scheduled.

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