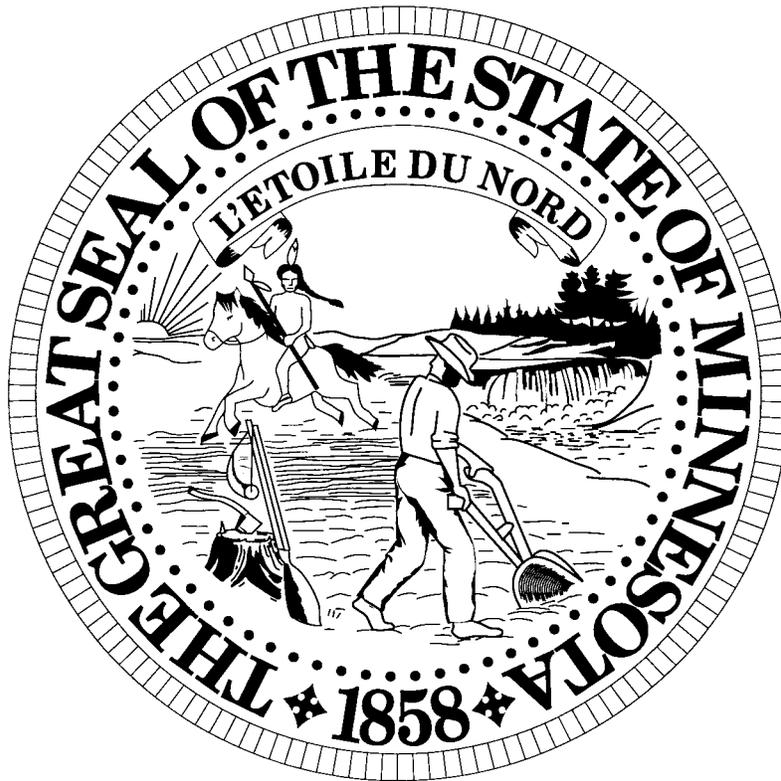


State of Minnesota

# State Register

Rules and Official Notices Edition



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# State Register

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#34	<b>TUESDAY 18 FEBRUARY</b>	Noon Tuesday 11 February	Noon Wednesday 5 February
#35	Monday 24 February	Noon Tuesday 18 February	Noon Wednesday 12 February
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# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

### Expedited and Emergency Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

## Environmental Quality Board

### Adopted Permanent Rules Relating to Power Plant Siting

The rules proposed and published at *State Register*, Volume 27, Number 7, pages 201-204, August 12, 2002 (27 SR 201), are adopted with the following modifications.

#### 4400.0200 DEFINITIONS

Subp. 6. ~~[see repealer.]~~ **Developed portion of the plant site.** "Developed portion of the plant site" means the portion of the LEPGP site, ~~exclusive of the makeup water storage reservoirs or cooling ponds, where structures or other facilities or land uses necessary for plant operations preclude crop production that is required for the physical plant and associated facilities.~~

Subp. 6b. **Environmental impact statement or EIS.** "Environmental impact statement" or "EIS" means a detailed written statement that describes proposed high voltage transmission lines and large electric power generating plants and satisfies the requirements of *Minnesota Statutes*, section 116D.04.

Subp. 10. **Large electric power generating plant or LEPGP.** "Large electric power generating plant" or "LEPGP" means electrical power generating equipment and associated facilities designed for or capable of operation at a capacity of 50,000 kilowatts or more. Associated facilities include, but are not limited to, coal piles, cooling towers, ash containment, fuel tanks, water and wastewater treatment systems, and roads.

Subp. 11a. **Mail.** "Mail" means either the United States mail or electronic mail by e-mail, unless another law ~~shall~~ requires a specific form of mailing.

#### 4400.0350 APPLICABILITY

This chapter establishes the requirements for the processing of permit applications by the Environmental Quality Board for large electric generating plants and high voltage transmission lines. Requirements for environmental review of such projects before the Public Utilities Commission are established in the applicable requirements of chapter 4410.

#### 4400.0400 PERMIT REQUIREMENT.

Subp. 3. **Expansion of existing facility.**

C. Except as provided in part 4400.0650 or 4400.3820, no person shall increase the generating capacity or output of an existing large electric generating plant without a permit from the board.

D. No person shall increase the generating capacity or output of an electric power plant from under 50 megawatts to more than 50 megawatts without a site permit from the EQB.

#### 4400.0650 EXCEPTIONS TO PERMITTING REQUIREMENT FOR CERTAIN EXISTING FACILITIES.

Subpart 1. **No permit required.** The following projects are not considered construction of a large electric generating plant or high voltage transmission line and may be constructed without a permit from the board:

C. large electric power generating plants:

(2) modification of a large electric power generating plant to increase efficiency as long as the capacity of the plant is

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# Adopted Rules

not increased more than ten percent or more than 100 megawatts, whichever is greater, and the modification does not require expansion of the plant beyond the developed portion of the plant site. If a subsequent modification results in a total of more than 100 megawatts of additional capacity, this provision does not apply. An increase in efficiency is a reduction in the amount of BTUs (British Thermal Units) required to produce a kilowatt hour of electricity at the facility;

(3) refurbishment of a large electric power generating plant that does not expand the capacity of the plant or expand the plant beyond the developed portion of the plant site and the refurbishment does not require a certificate of need from the public utilities commission;

(4) conversion of the fuel source of a large electric power generating plant to natural gas, as long as the plant is not expanded beyond the developed portion of the plant site; or

(5) start-up of an existing large electric power generating plant that has been closed for any period of time at no more than its previous capacity rating and in a manner that does not involve a change in the fuel or an expansion of the developed portion of the plant site.

**Subp. 4. Local Review.** Any project that does not require a permit from the EQB under this part is also exempt from any requirement to obtain site or route approval from local units of governments with jurisdiction over the project pursuant to *Minnesota Statutes*, section 116C.576.

#### 4400.1050 PERMIT FEES.

Subp. 2. **Initial payment.** The applicant shall submit with the application ~~50~~ 25 percent of the total estimated fee, or ~~another lesser or portion that the chair deems satisfactory~~ up to 50 percent of the total estimated fee if the board determines that the additional percentage is reasonably necessary to complete the site evaluation and design process. The chair shall not process a permit application until the first portion of the fee is submitted. The EQB shall deposit all money received from the applicant for permit fees in a special account.

#### 4400.1150 CONTENTS OF APPLICATION.

Subp. 2. **Route permit for HVTL.** An application for a route permit for a high voltage transmission line shall contain the following information:

G. the names of ~~the owners of the~~ each owners whose property of the land to be crossed by is within any of the proposed routes for the high voltage transmission line within the two routes proposed;

#### 4400.1350 NOTICE OF PROJECT.

Subp. 2. **Notification to persons on general list, to local officials, and to property owners.** Within 15 days after submission of an application, the applicant shall ~~send mail~~ send mail written notice of the submission ~~and a description of the proposed project to the following people:~~

A. ~~those persons whose names are on the general list maintained by the EQB for this purpose. The notice must also advise those persons where a copy of the application may be reviewed and how a copy may be obtained, and that persons who want to continue to receive further notices regarding the matter must notify the EQB of such intent and request that their names be placed on the project contact list;~~

B. ~~each regional development commission, county, incorporated municipality, and township in any part of the site or route or any alternative is proposed to be located; and~~

C. ~~each owner whose property is adjacent to any of the proposed sites for a large electric power generating plant or within any of the proposed routes for a high voltage transmission line. For purposes of giving notice under this item, owners are those persons shown on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer, or any other list of owners approved by the chair.~~

Subp. 3. **Content of notice.** The notice mailed under subpart 2 shall contain the following information:

A. a description of the proposed project, including a map showing the general area of the proposed site or proposed route and each alternative;

B. a statement that a permit application has been submitted to the EQB, the name of the permit applicant, and information regarding how a copy of the application may be obtained;

C. a statement that the permit application will be considered by the EQB under the provisions of this chapter and the Power Plant Siting Act and describing the time periods for the EQB to act;

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D. a statement that the EQB will hold a public meeting within 60 days and the date of the meeting if it is known at the time of the mailing;

E. the manner in which the EQB will conduct environmental review of the proposed project, including the holding of a scoping meeting at which additional alternatives to the project may be proposed;

F. the name of the EQB staff member who has been appointed by the chair to serve as the public advisor, if known, or otherwise, a general contact at the EQB;

G. the manner in which persons may register their names with the EQB on the project contact list;

H. a statement that a public hearing will be conducted after the EIS is prepared;

I. a statement indicating whether a certificate of need or other authorization from the Public Utilities Commission is required for the project and the status of the matter if such authorization is required;

J. a statement indicating whether the applicant may exercise the power of eminent domain to acquire the land necessary for the project and the basis for such authority; and

K. any other information requested by the chair to be included in the notice.

Subp. ~~3~~ **4. Publication of Notice.** Within 15 days after submission of an application, the applicant shall publish notice in a legal newspaper of general circulation in each county in which a site, route, or any alternative is proposed to be located that an application has been submitted and a description of the proposed project. The notice must also state where a copy of the application may be reviewed.

~~Subp. 4. Notification of local officials.~~ Within 15 days after submission of an application, the applicant shall send a copy of the application by certified mail to each regional development commission, county, incorporated municipality, and township in which any part of the site or route or any alternative is proposed to be located.

~~Subp. 5. Notification of property owners.~~ Within 15 days after submission of an application, the applicant shall send written notice of the submission and a description of the proposed project to each owner whose property is adjacent to any of the proposed sites for a large electrical power generating plant or within any of the proposed routes for a high voltage transmission line. The notice must also advise the owners where a copy of the application may be reviewed and how a copy may be obtained. For purposes of giving notice under this subpart, owners are those persons shown on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer, or any list of owners approved by the chair.

Subp. ~~6~~ **5. Confirmation of notice.** Within 30 days after providing the requisite notice, the applicant shall submit to the EQB documentation that all notices required under this part have been given. The applicant shall document the giving of the notice by providing the EQB with affidavits of publication or mailing and copies of the notice provided.

Subp. ~~7~~ **6. Failure to give notice.** The failure of the applicant to give the requisite notice does not invalidate any ongoing permit proceedings provided the applicant has made a bona fide attempt to comply, although the chair may extend the time for the public to participate if the failure has interfered with the public's right to be informed about the project.

## 4400.1700 PREPARATION OF EIS.

Subp. 3. **Alternative sites or routes.** During the scoping process, a person may suggest alternative sites or routes to evaluate in the environmental impact statement. A person desiring that a particular site or route be evaluated shall submit to the EQB, during the scoping process, an explanation of why the site or route should be included in the environmental impact statement and any other supporting information the person wants the chair to consider. The chair shall provide the applicant with an opportunity to respond to each request that an alternative be included in the environmental impact statement. The chair shall include the suggested site or route in the scope of the environmental assessment only if the chair determines that evaluation of the proposed site or route will assist in the board's decision on the permit application.

Subp. 12. **Environmental review requirements.** The requirements of chapter 4410 do not apply to the preparation or consideration of an environmental impact statement for a large electric power generating ~~power~~ plant or high voltage transmission line except as provided in this chapter.

## 4400.2000 QUALIFYING ELIGIBLE PROJECTS.

Subp. 1. ~~Qualifying~~ **Eligible** projects. An applicant for a site permit or a route permit for one of the following projects may elect to follow the procedures of parts 4400.2000 to 4400.2950 instead of the full permitting procedures in parts 4400.1025 to 4400.1900:

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## 4400.2750 PREPARATION OF ENVIRONMENTAL ASSESSMENT.

### Subp. 2. **Scoping Process.**

B. The chair shall include in the scope of the environmental assessment any alternative sites or routes proposed by the citizen advisory task force or by any member agency of the EQB prior to the close of the scoping period. During the scoping process, any person may suggest an alternative site or route to evaluate in the environmental assessment. A person desiring that a particular site or route be evaluated shall submit to the chair, during the scoping process, an explanation of why the site or route should be included in the environmental assessment and all supporting information the person wants the chair to consider. The chair shall provide the applicant with an opportunity to respond to each request that an alternative be included in the environmental assessment. The chair shall include the suggested site or route in the scope of the environmental assessment only if the ~~person has established~~ chair determines that evaluation of the proposed site or route will assist in the board's ultimate decision on the permit application. Any person may also suggest specific human or environmental impacts that should be included in the environmental assessment.

Subp. 3. **Scoping decision.** The chair shall determine the scope of the environmental assessment within ten days after the close of the public comment period and shall mail notice of the scoping decision to those persons on the project contact list within five days after the decision. Once the chair has determined the scope of the environmental assessment, the scope shall not be changed except upon a decision by the chair or the board that substantial changes have been made in the project or substantial new information has arisen significantly affecting the potential environmental effects of the project or the availability of reasonable alternatives. The chair shall also determine as part of the scoping process a reasonable schedule for completion of the environmental assessment. The scoping decision by the chair must identify:

A. the ~~alternatives~~ alternative sites or routes, if any, to be addressed in the environmental assessment;

Subp. 4. **Content of environmental assessment.** The environmental assessment must include:

B. a list of ~~alternatives to the proposed project to be~~ any alternative sites or routes that are addressed;

C. A discussion of the potential impacts of the proposed project and each alternative site or route on the human and natural environment;

D. a discussion of mitigative measures that could reasonably be implemented to eliminate or minimize any adverse impacts identified for the proposed project and each alternative site or route analyzed;

E. an analysis of the feasibility of each alternative site or route considered;

## 4400.2950 FINAL DECISION.

Subp. 3. **Certificate of need decision.** The EQB shall not make a final decision on a permit for a project that requires a certificate of need from the Public Utilities Commission until the applicant has obtained the necessary approval from the Public Utilities Commission.

Subp. ~~3~~ 4. **Notice.** The EQB shall publish notice of its final permit decision in the *State Register* within 30 days of the day the board makes the decision. The EQB shall also publish notice in the EQB Monitor. The EQB shall mail notice of ~~its~~ its final permit decision to those persons whose names are on the project contact list. The EQB shall post notice of the final decision on the agency's Web page, if possible.

## 4400.3050 STANDARDS AND CRITERIA

No site permit or route permit shall be issued in violation of the site selection standards and criteria established in *Minnesota Statutes*, sections 116C.57 and 116C.575, and in rules adopted by the board. The board shall issue a permit for a proposed facility when the board finds, in keeping with the requirements of the Minnesota Environmental Policy Act, Minnesota Statutes, chapter 116D, and the Minnesota Environmental Rights Act, Minnesota Statutes, chapter 116B, that the facility is consistent with the state goals to conserve resources, minimize environmental impacts, and minimize human settlement and other land use conflicts and ensure the state's electric energy security through efficient, cost-effective power supply and electrical transmission infrastructure.

## 4400.3450 PROHIBITED SITES.

Subp. 2. **Water use.** The areas identified in subpart 1 must not be permitted as a site for a large electric power generating plant except for use for water intake or discharge facilities. If the board includes any of these areas within a site for use for water intake or discharge facilities, it may impose appropriate conditions in the site permit to protect these areas for the purposes for which they were designated. The board shall also consider the adverse effects of proposed sites on these areas which are located wholly outside of the boundaries of these areas.

**KEY: PROPOSED RULES SECTION** – Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** – Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

# Adopted Rules

Subp. 5. **Sufficient water supply required.** No site may be designated that does not have reasonable access to a proven water supply sufficient for plant operation. No use of groundwater may be permitted where removal of groundwater results in material adverse effects on groundwater, groundwater dependent natural resources, or higher priority users in and adjacent to the area, as determined in each case.

The use of groundwater for high consumption purposes, such as cooling, must be avoided if a feasible and prudent alternative exists.

## 4400.5000 LOCAL REVIEW OF PROPOSED FACILITIES.

Subp. 2. ~~Qualifying facilities~~ **Eligible projects.** An applicant may seek approval from a local unit of government to construct the following projects:

B. a large electric power generating plant of any size that ~~burns~~ burns natural gas and ~~are~~ is intended to be a peaking plant;

Subp. 3. **Notice to EQB.** Within ten days of submission of an application to a local unit of government for approval of an eligible projects, the applicant shall notify the chair in writing that the applicant has elected to seek local approval of the proposed project. Within the same ten-day period, the applicant shall mail notice to those persons on the general notification list that a permit has been applied for from the local unit of government for the project and shall provide a description of the project and the name of a person with the local unit of government to contact for more information.

Subp. 5. **Environmental review.** A local unit of government that maintains jurisdiction over a qualifying project shall prepare an environmental assessment on the project ~~in accordance with the requirements of part 4400.2750.~~ The local unit of government shall afford the public to participate in the development of the scope of the environmental assessment before it is prepared. Upon completion of the environmental assessment, the local unit of government shall publish notice in the EQB Monitor that the environmental assessment is available for review, how a copy of the document may be reviewed, that the public may comment on the document, and the procedure for submitting comments to the local unit of government. The local unit of government shall provide a copy of the environmental assessment to the EQB upon completion of the document. The local unit of government shall not make a final decision on the permit until at least ten days after the notice appears in the EQB Monitor. If more than one local unit of government has jurisdiction over a project, and the local units of government cannot agree on which unit will prepare the environmental assessment, any local unit of government or the applicant may request the board to select the appropriate local unit of government to be the responsible governmental unit to conduct an environmental review of the project.

Subp. 6. **No local authority.** In the event a local unit of government that might otherwise have jurisdiction over a proposed large electric power generating plant or high voltage transmission line determines that it has no ordinances or other provisions for reviewing and authorizing the construction of such project or has no capability of preparing an environmental assessment on the project, the local unit of government shall refer the matter ~~must be brought~~ to the EQB for review.

**Repealer.** *Minnesota Rules*, parts 4400.0200, subparts 4, 5, ~~6~~, 7, 11, 13, 14, and 19; 4400.0600; 4400.0700; 4400.0710; 4400.0720; 4400.0800; 4400.0900; 4400.1000; 4400.1100; 4400.1200; 4400.1210; 4400.1310; 4400.1400; 4400.1500; 4400.2600; 4400.2710; 4400.2720; 4400.2800; 4400.2900; 4400.3000; 4400.3100; 4400.3200; 4400.3210; 4400.3310; 4400.3400; 4400.3500; 4400.3600; 4400.3710; 4400.3800; 4400.3900; 4400.3910; 4400.4000; 4400.4100; 4400.4200; 4400.4300; 4400.4400; 4400.4500; and 4400.4900, are repealed.

**KEY: PROPOSED RULES SECTION** – Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** – Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

# Appointments

*Minnesota Statutes*, Section 15.06, Subd. 5 requires a notice of the designation of a commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the State Register.

## Department of Human Rights

### Notice of Appointment of Commissioner Velma Korbel

**NOTICE IS HEREBY GIVEN**, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Velma Korbel to the office of Commissioner of the Minnesota Department of Human Rights effective January 28, 2003. She succeeds Commissioner Janeen Rosas appointed January 4, 1999.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Department of Human Rights are:

- *Minnesota Statutes*, Chapter 363
- *Minnesota Rules* 5000.0050-.3600

Commissioner Korbel resides at 14801 Butternut Street Northwest, Andover, Minnesota, 55304, Anoka County, Congressional District Six.

She can be reached at the Minnesota Department of Human Rights, Army Corps of Engineers Centre, 190 E. Fifth Street, Suite 700, St. Paul, MN 55101. Telephone (651) 296-5665. Internet home page: <http://www.humanrights.state.mn.us>

## Department of Public Safety

### Notice of Appointment of Commissioner Richard Stanek

**NOTICE IS HEREBY GIVEN**, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Richard Stanek to the office of Commissioner of the Minnesota Department of Public Safety effective February 3, 2003. He succeeds Acting Commissioner Mancel Mitchell, Jr. appointed January 6, 2003.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Department of Public Safety are:

- *Minnesota Statutes*, Chapters 12, 168-71, 299A-299I, 340
- *Minnesota Rules* 7400-7599

Commissioner Richard Stanek resides at 14890 - 91st Avenue North, Maple Grove, Minnesota 55369, Hennepin County, Congressional District Three.

He can be reached at the Minnesota Department of Public Safety, North Central Life Tower, Suite 1000, 445 Minnesota Street, St. Paul, MN 55101. Telephone (651) 296-6642. Internet home page: <http://www.dps.state.mn.us>

# Official Notices

Pursuant to *Minnesota Statutes* § 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Department of Human Services

### Added Health Services Requiring Authorization as a Condition of Minnesota Health Care Programs Payment

The following is a listing of added codes to the current authorization list. The newly added codes will require authorization on or after March 03, 2003. As authorized by *Minnesota Statutes*, section 256B.0625,9 subdivision 25, the following list includes all health services that have been added, changed, or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative Services, and All Other Services. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health services needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health services are generally available.
- D. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

**These newly added or changed codes will require Authorization for services provided on or after March 03, 2003.**

#### VII. ALL OTHER SERVICES

##### ADDED CODES

<u>Code</u>	<u>Description</u>
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X5256*35	Adult mental health crisis stabilization, group
X5257*34	Adult mental health crisis intervention
X5528*35	Adult mental health crisis stabilization, individual
X5529*33	Adult mental health crisis assessment
X5538*31	Adult mental health basic living and social skills, individual
X5540*31	Adult mental health basic living and social skills, group
90882*32	Adult mental health rehabilitation, community intervention
99401*30	Adult mental health rehabilitation, individual medication education, 15 minutes
99402*30	Adult mental health rehabilitation, individual medication education, 30 minutes
99403*30	Adult mental health rehabilitation, individual medication education, 45 minutes
99404*30	Adult mental health rehabilitation, individual medication education 60 minutes
99411*30	Adult mental health rehabilitation, group medication education, 30 minutes
99412*30	Adult mental health rehabilitation, group medication education, 60 minutes

\*30 Authorization is required for more than 26 hours per calendar year combined total of 99401-99404 and 26 hours per calendar year combined total of 99411-99412.

\*31 Authorization is required for more than 260 hours per 180 days or 300 hours per calendar year combined total of X5538 and X5540.

\*32 Authorization is required for more than 10 hours per month or 72 hours per calendar year.

\*33 Authorization is required for more than two hours in one day or more than four hours per calendar month or more than eight hours per calendar year.

# Official Notices

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- \*34 Authorization is required for more than 10 hours in one day or more than 30 hours in 30 days or more than 60 hours in a calendar year.
- \*35 Authorization is required for more than 60 hours combined total of X5528 and X5256 in a calendar year.

## Department of Natural Resources

### Public Hearing on Openings Scientific and Natural Areas to Road Easement, Public Hunting, Dogs, Fishing and Swimming

The Department of Natural Resources (DNR) will conduct a public hearing to consider opening the Scientific and Natural Areas (SNA) listed below to a road easement, public hunting, dogs, fishing, or swimming;

<u>Site Name</u>	<u>Location</u>	<u>Proposals</u>
<b>Wabu Woods Scientific and Natural Area</b>	Itasca County; all except the platted part of Government Lot 6 in Section 22, plus Government Lot 3 and the NE ¼ of the NW ¼ of Section 26, all in Township 57 North, Range 26 West, owned by the State of Minnesota.	1. Open to all hunting (including the use of retrieving dogs for game birds), in seasons for protected game species. 2. Grant Itasca County an easement for realignment and widening of County Road 62.
<b>Iona's Beach Scientific and Natural Area</b>	Lake County; part of Government Lot 1, Section 13, of Township 54 North, Range 9 West, owned by the State of Minnesota.	1. Open to swimming. 2. Open to shore fishing in seasons for protected fish species.

The hearing will be held March 3, from 1:30 pm to 2:30 pm, or until all testimony is taken, in the 2nd floor conference room at the Department of Natural Resources regional headquarters, 1201 E. Hwy 2, Grand Rapids, Minnesota. The purpose of the hearing is to take public testimony regarding opening selected scientific and natural areas to hunting, fishing, swimming, or to grant a road easement, as noted above. All other existing regulations will remain in effect should this proposal be approved.

Opening Wabu Woods Scientific and Natural Area to hunting will make it consistent with other SNA in northern Minnesota where there is a large public land base currently open to hunting. Wabu Woods SNA is embedded in approximately 900 acres of county land that is contiguous with thousands of acres of Chippewa National Forest, all opening to hunting.

County Road 62 traverses the south unit at Wabu Woods as a two-lane, unimproved gravel road for a distance of approximately 1400 feet. Itasca County proposes to pave, realign, and widen the road to address safety and maintenance concerns. Work on the southern 2/3rds of the road length would fall within existing easements held by the county. The county has applied for an easement (on file at DNR offices in Grand Rapids and Tower) over the remaining 1/3rd. The DNR believes impacts to the forest within the SNA will be negligible (clearing of 0.09 acres within new easement, 0.13 acres overall), and proposes to grant the easement.

Iona's Beach Scientific and Natural Area features a cobble/pebble beach and bedrock shoreline on Lake Superior. Swimming and fishing are not expected to damage the beach.

At the hearing, a hearing examiner will record all testimony **on whether these areas should be opened to public hunting, fishing, swimming, or a road easement as proposed**. An official of the DNR will be present to discuss these matters. Written statements on this subject will also be accepted until March 3, 2003. Testimony may be sent to the following address.

Regional Administrator  
c/o Scientific and Natural Areas  
Minnesota Department of Natural Resources  
1201 East Highway 2  
Grand Rapids, MN 55744  
For further information, call (218) 753-2580, ext. 270.

## State Grants and Loans

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

## Minnesota Center for Crime Victim Services

### Notice of Availability of Funds for Services to Abused Children - FY04

The Minnesota Center for Crime Victim Services (MCCVS) announces the availability of grant funds for programs currently providing ongoing direct services to abused children. The funds are for the 12-month period of July 1, 2003, through June 30, 2004, and are available through a competitive funding process. Private non-profit organizations, Indian tribal governments, and local units of government are eligible to apply.

Approximately \$1 million to \$1.5 million are available under this request for proposals. Applicants must demonstrate their ability to meet the minimum programmatic standards for an abused children program or a child advocacy center as detailed in the application packet.

Projected base award amounts are as follows:

*Abused Children Program* - \$41,000 - some areas of Greater Minnesota may be eligible for additional funding for services covering multiple counties.

*Children's Advocacy Center* - \$65,000 - must be a full member of the National Children's Alliance (NCA) and follow the standards set forth by the NCA.

Available funding is contingent on actual funding received from state and federal sources.

**Applications are due Monday, March 24, 2003.** To receive an application packet that provides complete information and describes how to apply, contact: Minnesota Center for Crime Victim Services, 445 Minnesota Street, Suite 2300, St. Paul, MN 55101, (651) 282-6256, Toll-free (888) 622-8799, TTY (hearing impaired): (651) 205-4827.

## State Contracts

**Informal Solicitations:** Effective March 1, 2002, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration, Materials Management Division web page ([www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)) and access P/T Contracts.

**Formal Requests for Proposals:** Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

## Administration Department

### State Designer Selection Board

#### Notice of Cancellation of Fergus Falls Technical Center Addition

Due to the recent budget cuts the Minnesota Department of Transportation Project 03-07 - Addition to Fergus Falls Technical Center, Fergus Falls, MN, has been cancelled.

# State Contracts

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## Minnesota State Colleges and Universities

### Minneapolis Community & Technical College

#### Request for Proposals for Printing of Summer 2003 and Fall 2003 College Class Schedules

**NOTICE OF INTENT** to issue Request for Proposals for printing of Summer 2003 and Fall 2003 College Class Schedules in 2 colors (Black & PMS 485) with 10 3/8" x 17" page size (finished flat sheet - 20 3/4" x 17") in tabloid format on 35# alternative newsprint stock. Summer issue 16 pgs saddlestitched and Fall issue 32 pgs saddlestitched. Refold to final size 10 3/8" x 8 1/2". Bid quantities of 125,000, 150,000 and 200,000. Press check requires that print facility be located within 30 mile radius of MCTC campus. Bid to include bulk mail processing costs.

**Deadline for proposals:** 2/21/03, 1:00p.m., CST  
**Contact for questions:** Sandra Wolfe Wood  
Graphic Designer/Publications Manager  
Minneapolis Community and Technical College  
1501 Hennepin Avenue  
Minneapolis, MN 55403  
Phone: (612) 341-7352  
E-mail: [woods@mctc.mnscu.edu](mailto:woods@mctc.mnscu.edu)

**To obtain complete specifications and to submit proposals contact:**  
Michael Noble-Olson/Purchasing Manager  
Minneapolis Community and Technical College  
1501 Hennepin Avenue  
Minneapolis, MN 55403  
Phone: (612) 359-1592  
E-mail: [noblemi@mctc.mnscu.edu](mailto:noblemi@mctc.mnscu.edu)

## Department of Transportation

### Program Support Group

#### Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting application from consultants in the following service areas: preliminary design, highway design, bridge inspection and environmental studies. Technical and administrative qualification requirements are located on the web site indicated below. In the future, Mn/DOT will be requesting applications for additional highway related consulting services as those services become available. Following advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program Information, application requirements and application forms are available on Mn/DOT's web site at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento  
Pre-Qualification Administrator  
Minnesota Department of Transportation  
Consultant Services  
395 John Ireland Boulevard, Seventh Floor, Mail Stop 680  
St. Paul, MN 55155

**NOTE: Due Date: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.**

## Department of Transportation

### Program Support Group

#### Notice Concerning Professional/Technical Contract Opportunities

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

New public notices may be added to the website on a daily basis and be available for the time period indicated within the public notice.

## Minnesota Veterans Homes Board

### Minnesota Veterans Home, Minneapolis

#### Notice of Request for Proposals for Long Range Planning Study

The Minnesota Veterans Home Board is requesting on behalf of the Minnesota Veterans Home-Minneapolis, proposals for a long range planning study. The study is to be based upon current and projected demographic studies of the veterans' population in the state, regulatory and market parameters, site development needs, and building renovation or construction recommendations.

The Request for Proposal does not obligate the state to complete the project and the state reserves the right to cancel solicitation if it is considered to be in its best interest.

The contract period will be from March 18, 2003 until June 23, 2003. For details and a copy of the Request for Proposals, contact William Trcka, Purchasing Director, at (612) 721-0665, or write to Minnesota Veterans Home - Minneapolis, Attn: William Trcka, Director of Purchasing, 5101 Minnehaha Avenue, Minneapolis, MN 55417. (Or e-mail: [bitrcka@mpls.mvh.state.mn.us](mailto:bitrcka@mpls.mvh.state.mn.us))

All proposals must be received no later than 2:30 p.m. on March 4, 2003.

## Non-State Contracts & Grants

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

## Metropolitan Council

### Notice of Availability - Metropolitan Livable Communities Act Funding Tax Base Revitalization Account

**Purpose:** The Metropolitan Livable Communities Act (*Minnesota Statutes*, 473.25) created a **Tax Base Revitalization Account** to make grants to clean up contaminated land for subsequent commercial/industrial redevelopment, job retention and job growth. Applications will be prioritized to the extent that they address the following: increase local tax base; create net gain in regional jobs; demonstrate market demand for proposed site; supplement a previously approved project; preserve and/or increase living wage jobs; improve the environment by reducing human health risk; promote compact development; provide living wage jobs; leverage

# Non-State Contracts & Grants

private investment; and make more efficient use of current infrastructure capacity. Local community affordable and life-cycle housing performance will leverage the selection process. This program is being coordinated with complementary programs at the MN Pollution Control Agency (MPCA) and MN Department of Trade and Economic Development (DTED).

**Eligible Applicants:** Statutory or home rule charter cities participating in the Metropolitan Livable Communities Housing Incentives Program are eligible to apply. Metropolitan communities (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington) and development authorities (e.g. Housing and Redevelopment Authority, Economic Development Authority or Port Authority) may apply for projects in eligible communities.

**Submission date:** An original and two (2) copies of each application are due at the Metropolitan Council, Attn: Kristina Smitten 230 E. Fifth St., St. Paul, MN 55101, by 5 p.m., Thursday, May 1, 2003.

**Amount Available:** Approximately \$2.6 million will be available for grants awarded this cycle. Grants will be awarded on a competitive basis. If applications for grants exceed the available funds for this cycle, no more than one-half of the funds may be granted to projects in a single city, and no more than three-quarters of the funds may be granted to projects located in cities of the first class.

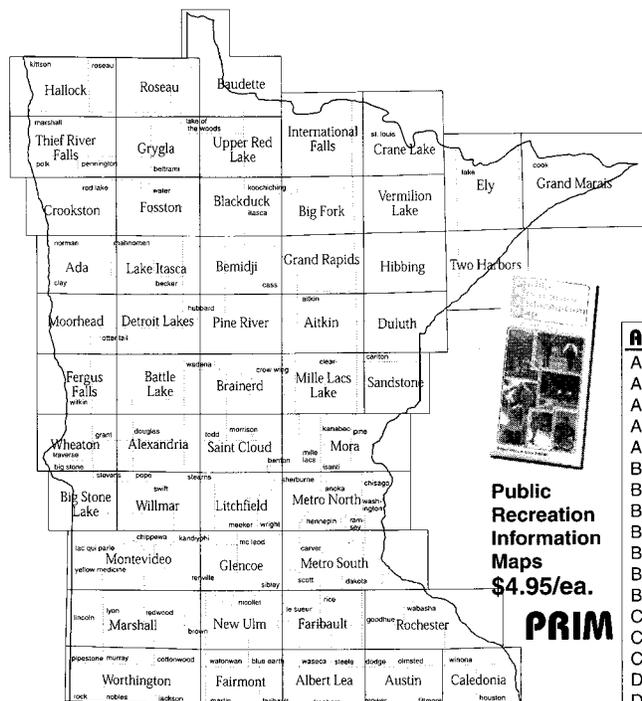
**Obtain Information:** For a copy of the grant application guide and format, contact Kristina Smitten, Metropolitan Council (651) 602-1535 or 291-0904 (TTY) or via e-mail [kristina.smitten@metc.state.mn.us](mailto:kristina.smitten@metc.state.mn.us). The application form may be copied from the Metropolitan Council web site at [www.metrocouncil.org](http://www.metrocouncil.org) under the topic "Planning".

## University of Minnesota

### Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids Bids/Proposals through its web based Bid Information Services(BIS). Subscriptions to BIS are \$75/year. Visit our web site at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.



### Public Recreation Information Maps

Produced by the MN Dept. of Natural Resources, 51 PRIM maps chart all county, state and federal public lands. With an easy map legend and charts, you will find trails for hiking and biking, areas where hunting is allowed, camp sites, boat access, wildlife refuges, and more. Includes topographical information.

Area	Stock No.	Area	Stock No.	Area	Stock No.
Ada	12-148	Ely	12-132	Mille Lacs	12-109
Aitkin	12-108	Fairmont	12-149	Montevideo	12-145
Albert Lea	12-147	Faribault	12-142	Moorhead	12-135
Alexandria	12-123	Fergus Falls	12-136	Mora	12-146
Austin	12-115	Fosston	12-119	New Ulm	12-127
Battle Lake	12-122	Glencoe	12-144	Pine River	12-104
Baudette	12-129	Grand Marais	12-134	Rochester	12-114
Bemidji	12-103	Grand Rapids	12-107	Roseau	12-117
Big Fork	12-106	Grygla	12-118	Saint Cloud	12-141
Big Stone Lake	12-101	Hallock	12-128	Sandstone	12-113
Black Duck	12-124	Hibbing	12-111	Thief River Falls	12-140
Brainerd	12-105	International Falls	12-125	Two Harbors	12-126
Caledonia	12-116	Lake Itasca	12-120	Upper Red Lake	12-130
Crane Lake	12-131	Litchfield	12-139	Vermilion Lake	12-110
Crookston	12-150	Marshall	12-143	Wheaton	12-151
Detroit Lakes	12-121	Metro North	12-138	Willmar	12-102
Duluth	12-112	Metro South	12-137	Worthington	12-152

## MN Guidebook to State Agency Services

This 2001-2003 reference provides information on each state agency and their services, as well as the legislative and judicial branches of government. You'll find information about:

- \* access to state officials and offices, including key contact people, phone numbers, e-mail and Internet addresses for each agency
- \* solid business connections, how to bid on state contracts, apply for grants
- \* business development resources
- \* print and media guides and resources
- \* information on grants, contracts, scholarships
- \* license and permit information, recreational opportunities and more. Spiral-bound, 550pp. **Stock No. 1-6 \$19.95**

## State of Minnesota Telephone Directory

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