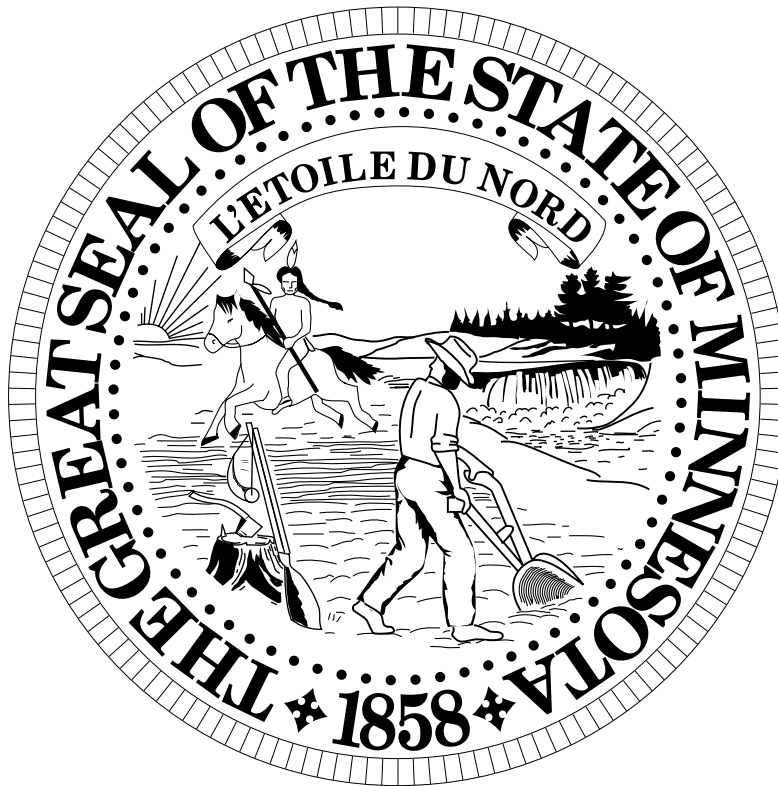


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State Register

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- proclamations and commendations
- commissioners' orders
- revenue notices
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Vol. 27 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for both Adopted and Proposed RULES
#5	Monday 29 July	Noon Tuesday 23 July	Noon Wednesday 17 July
#6	Monday 5 August	Noon Tuesday 30 July	Noon Wednesday 24 July
#7	Monday 12 August	Noon Tuesday 6 August	Noon Wednesday 31 July
#8	Monday 19 August	Noon Tuesday 13 August	Noon Wednesday 7 August

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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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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 Expedited 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 the 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 the 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.

Board of Water and Soil Resources

Adopted Permanent Rules Relating to Wetlands

The rules proposed and published at *State Register*, Volume 26, Number 34, pages 1033-1081, February 11, 2002 (26 SR 1033), are adopted with the following modifications:

8420.0105 SCOPE.

Wetlands must not be drained, excavated, or filled wholly or partially unless replaced by restoring or creating wetland areas of at least equal public value. This chapter regulates excavation in the permanently and semipermanently flooded areas of type 3, 4, or 5 wetlands, and in all wetland types if excavation includes filling or draining or results in conversion to nonwetland.

This chapter does not prevent the use of the bed of wetlands for pasture or cropland during dry periods if dikes, ditches, tile lines, or buildings are not constructed and the agricultural use does not result in the drainage of the wetlands. This chapter does not prevent filling a wetland to accommodate wheeled booms on irrigation devices if the fill does not impede normal drainage. This chapter does not prevent control of noxious weeds if the control does not drain or fill the wetland.

This chapter does not apply to the public waters and public waters wetlands as defined in *Minnesota Statutes*, section 103G.005, subdivisions 15 and 15a, which have been inventoried by the commissioner of natural resources according to *Minnesota Statutes*, section 103G.201, except that:

A. for projects affecting public waters wetlands, and for public transportation projects affecting the wetland areas of public waters, when the commissioner waives the requirement for a public waters work permit consistent with chapter 6115, the local government unit shall make replacement, banking, wetland boundary, wetland type, no-loss, public road project notification, or exemption determinations; or

B. for projects affecting both public waters and wetlands, the local government unit may, by written agreement with the commissioner, waive the requirement for a replacement plan, no-loss, or exemption determination if a public waters work permit is required and the commissioner includes the provisions of this chapter in the public waters work permit.

This chapter is in addition to other regulations including those of the United States Army Corps of Engineers, United States Department of Agriculture, Minnesota state agencies, watershed districts, and local governments.

~~This chapter may be used as a means to determine compliance with the standards for physical alterations of wetlands pursuant to chapter 7050 if the standards contained in this chapter are determined by the board and the commissioner of the pollution control agency to meet or exceed those in chapter 7050 and the local government unit agrees to implement them.~~

This chapter does not apply to peat mining as defined in *Minnesota Statutes*, section 93.461, which is subject to the permit to mine and reclamation requirements of *Minnesota Statutes*, sections 93.44 to 93.51, and the rules of the commissioner adopted under those sections.

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

This chapter does not require state agencies to obtain local government unit approvals. However, state agencies shall coordinate with local government units when conducting activities in wetlands within the jurisdiction of the local government unit. The state agencies shall follow the same sequencing and replacement requirements as prescribed by this chapter.

In addition to the provisions of this chapter, governmental decisions on draining, excavating, and filling of wetlands are subject to *Minnesota Statutes*, chapters 116B and 116D, which provide that an action which is likely to have material adverse effects on natural resources must not be allowed if there is a feasible and prudent alternative consistent with the requirements of the public health, safety, and welfare and the state's paramount concern for the protection of its natural resources. Economic considerations alone do not justify adversely effective actions.

8420.0110 DEFINITIONS.

Subp. 23. **Impact.** "Impact" means a loss in the quantity, quality, or biological diversity of a wetland caused by draining, filling, or excavating, as described in part 8420.0105.

Subp. 31b. **Municipal.** "Municipal" means within a municipality as defined in *Minnesota Statutes*, section 103G.005, subdivision 12.

Subp. 31c. **New wetland credit or NWC.** "New wetland credit" or "NWC" means wetland replacement credit that can be used for any portion of wetland replacement.

Subp. ~~31e.~~ 31d. **Native vegetation.** "Native vegetation" means plant species that are indigenous to Minnesota, or that expand their range into Minnesota without being intentionally or unintentionally introduced by human activity and are classified as native in the *Minnesota Plant Database* (*Minnesota DNR, 2002*).

Subp. 34b. **Presettlement wetland.** "Presettlement wetland" means a wetland or public waters wetland that existed in ~~this state~~ Minnesota at the time of statehood in 1858.

Subp. 54a. **Wetland type.** "Wetland type" means a wetland type classified according to Wetlands of the United States, *United States Fish and Wildlife Service Circular 39* (1956 and 1971 ~~edition~~ editions), as summarized in this subpart. "Classification of Wetlands and Deepwater Habitats of the United States" (Cowardin et al., 1979 edition) is a separate, parallel wetland typing system that may be used to characterize components of a wetland.

8420.0112 INCORPORATION BY REFERENCE.

This chapter incorporates by reference the following documents and any subsequent updates, addenda, or derivations related to them, as approved by the board:

A. Wetlands of the United States (*United States Fish and Wildlife Service Circular No. 39, 1956 and 1971* ~~edition~~ editions).

[For text of items ~~A~~ B to E, see M.R. 1999]

O. *Minnesota Plant Database, Minnesota Department of Natural Resources, St. Paul, 2002.*

These documents are available through the state law library, except the National Wetland Inventory maps, which are available at Minnesota soil and water conservation district offices. Except for the *Minnesota Plant Database* in item O, none of the documents are subject to frequent change.

8420.0122 EXEMPTION STANDARDS.

Subpart 1. **Agricultural activities.**

A replacement plan for wetlands is not required for:

A. activities in a wetland that was planted with annually seeded crops or was in a crop rotation seeding of pasture grass or legumes in six of the last ten years prior to January 1, 1991. Documentation, such as aerial photographs, United States Department of Agriculture records, or affidavit of landowner must be required by the local government unit to show and use as evidence for this exemption. Land eligible for this exemption must be wetland types 1 and 2;

Subp. 7. **Forestry.** A replacement plan for wetlands is not required for:

[For text of item A, see M.R. 1999]

B. permanent access for forest roads across wetlands so long as the activity limits the impact on the hydrologic and biologic characteristics of the wetland; the construction activities do not result in the access becoming a dike, drainage ditch, or tile line, ~~or building~~; filling is avoided wherever possible; and there is no drainage of the wetland or public waters.

This exemption is for roads constructed for the primary purpose of providing access for the conduct of silvicultural activities.

Subp. 9. De minimis.

A. Except as provided in items B and C, a replacement plan for wetlands is not required for draining, excavating, or filling the following amounts of wetlands as part of a project:

D. This exemption may not be combined with another exemption on a project.

E. For purposes of this subpart, for wetlands greater than 40 acres, the wetland type may be determined to be the wetland type with the deepest water regime within the wetland and within ~~1,000~~ 300 feet of the impact. ~~This exemption may not be combined with another exemption on a project in this part.~~

8420.0210 EXEMPTION DETERMINATIONS.

A landowner intending to drain or fill a wetland without replacement, claiming exemption under part 8420.0122, may contact the local government unit before beginning draining or filling activities for determination whether or not the activity is exempt. A landowner who does not request a determination may be subject to the enforcement provisions in part 8420.0290 and *Minnesota Statutes*, section 103G.2372. The local government unit must keep on file all documentation and findings of fact concerning exemption determinations for a period of ten years.

An exemption may apply whether or not the local government unit has made an exemption determination. If the landowner requests an exemption determination, then the local government unit must make one.

The landowner applying for exemption is responsible for submitting the proof necessary to show qualification for the particular exemption claimed, including proof of the requisite property rights to do the activity. The local government unit may evaluate evidence for an exemption without making a determination.

The local government unit decision shall be based on the exemptions standards in part 8420.0122. If the decision requires a finding of wetland size or type, the local government unit should seek the advice of the technical panel as described in part 8420.0240. The local government unit decision must be made in compliance with *Minnesota Statutes*, section 15.99, ~~which generally requires a decision to be made within 60 days of receipt of a complete application, except that applications may be considered incomplete until field verification can be accomplished as soon as suitable field conditions exist, as determined by the local government unit. Applicants shall be notified of such extensions according to procedures in *Minnesota Statutes*, section 15.99, subdivision 3, paragraph (f).~~ The local government unit decision must be sent to the landowner, members of the technical evaluation panel, the watershed district or water management organization if there is one, the commissioner of natural resources, and individual members of the public who request a copy within ten working days of the decision.

8420.0220 NO-LOSS DETERMINATIONS.

A landowner unsure if proposed work will result in a loss of wetland may apply to the local government unit for a determination. A landowner who does not request a determination may be subject to the enforcement provisions in part 8420.0290 and *Minnesota Statutes*, section 103G.2372. The local government unit must keep on file all documentation and findings of fact concerning no-loss determinations for a period of ten years.

The landowner applying for a no-loss determination is responsible for submitting the proof necessary to show qualification for the claim, including proof of the requisite property rights to do the activity. The local government unit may evaluate evidence for a no-loss claim without making a determination.

The local government unit decision must be made in compliance with *Minnesota Statutes*, section 15.99, ~~which generally requires a decision to be made within 60 days of receipt of a complete application, except that applications may be considered incomplete until field verification can be accomplished as soon as suitable field conditions exist, as determined by the local government unit. Applicants shall be notified of such extensions according to procedures in *Minnesota Statutes*, section 15.99, subdivision 3, paragraph (f).~~ The local government unit decision must be sent to the landowner, members of the technical evaluation panel, the watershed district or water management organization if there is one, the commissioner of natural resources, and individual members of the public who request a copy within ten working days of the decision.

The local government unit shall make a no-loss determination if the landowner requests and if either:

A. the work will not impact a wetland;

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Adopted Rules

B. the excavation work is limited to removal of debris such as trees, logs, stumps, and trash, provided the removal does not alter the original cross-section of the wetland;

C. temporary or seasonal water level management activities will not result in the conversion of a wetland ~~to another land use~~;

8420.0225 WETLAND BOUNDARY OR TYPE DETERMINATIONS.

C. The local government unit decision must be made in compliance with *Minnesota Statutes*, section 15.99, ~~except that applications may be considered incomplete until field verification can be accomplished as soon as suitable field conditions exist, as determined by the local government unit. Applicants shall be notified of such extensions according to procedures in *Minnesota Statutes*, section 15.99, subdivision 3, paragraph (f).~~ Within ten working days of the decision, the local government unit decision must be sent to the landowner, members of the technical evaluation panel, the watershed district or watershed management organization if there is one, the commissioner of natural resources, and individual members of the public who request a copy.

8420.0230 REPLACEMENT PLAN DETERMINATIONS.

Subp. 2. **Decision.** The local government unit decision shall be based on the replacement standards in parts 8420.0500 to 8420.0630, and on the technical evaluation panel's determination, if there is one, concerning the wetland function and resulting public values, location, size, and type of the wetland being altered. The local government unit decision must be made in compliance with *Minnesota Statutes*, section 15.99, ~~which generally requires a decision to be made within 60 days of receipt of a complete application, except that applications may be considered incomplete until field verification can be accomplished as soon as suitable field conditions exist, as determined by the local government unit. Applicants shall be notified of such extensions according to procedures in *Minnesota Statutes*, section 15.99, subdivision 3, paragraph (f).~~ The local government unit shall consider and include the technical evaluation panel's recommendation, if there is one, to approve, modify, or reject the proposed replacement plan. The local government unit decision must be sent to the landowner within ten working days of the decision. A summary of the local government unit decision must be sent within ten working days of the decision to those required to receive notice of the application.

For wetland replacement plans involving more than one local government unit, approval of all local government units involved or as specified in part 8420.0200 shall constitute final approval of the replacement plan and is required before the project may proceed. The local government unit with jurisdiction for the impact site must approve all components of the replacement plan, following the procedures in parts 8420.0500 to 8420.0630. The local government unit with jurisdiction for the replacement site shall limit the review to evaluation of the replacement site as in parts 8420.0540 to 8420.0630 and make a decision accordingly.

As part of the approval of the replacement plan, the local government unit with jurisdiction for the replacement site assumes responsibility for ensuring compliance with monitoring provisions according to parts 8420.0600 to 8420.0630. The local government unit with jurisdiction for the replacement site may enter into joint powers agreements with a local government unit with jurisdiction for the impact site, assess fees, or develop other procedures considered necessary to facilitate the process.

8420.0240 TECHNICAL EVALUATION PANEL PROCEDURES.

For each local government unit, there is a technical evaluation panel of at least three persons: a technical professional employee of the board, a technical professional employee of the soil and water conservation district of the county in which the activity is occurring, and a technical professional with expertise in wetland management appointed by the local government unit. For projects affecting public waters or public waters wetlands or affecting wetlands adjacent to the public waters or public waters wetlands, the technical evaluation panel shall also include a technical professional employee of the department of natural resources. For purposes of this section, "adjacent" means within the shoreland wetland protection zone or 1,000 feet, whichever is less. The local government unit shall coordinate the panel. Two members of the panel must be knowledgeable and trained in applying methodologies of the "United States Army Corps of Engineers Wetland Delineation Manual" (January 1987), "Wetlands of the United States" (*United States Fish and Wildlife Service Circular 39, 1971 edition*), and "Classification of Wetlands and Deepwater Habitats of the United States" (*Cowardin, et al., 1979 edition*), including updates, supplementary guidance, or replacements of these methods provided by the board. The panel shall also be knowledgeable and trained in evaluation of wetland functions and the resulting public values. The technical evaluation panel may invite additional expertise to help the panel in its work.

The panel shall make technical findings and recommendations regarding wetland functions and the resulting public values, location, size, and type for replacement plans, and wetland banking plans and exemption, no-loss, wetland boundary or type, and sequencing requests, and for comprehensive wetland protection and management plans and wetland ordinances, if requested to do so by the local government unit, the landowner, or a member of the technical evaluation panel. The panel may review replacement plans and wetland banking plans and exemption, no-loss, wetland boundary or type, and sequencing requests, and recommend to the local government unit either approval, approval with changes or conditions, or rejection. When a technical evaluation panel ~~is called~~ makes a recommendation, the local government unit must consider the recommendation of the technical evaluation panel in its approval or denial of a plan or determination. The panel shall make no findings or recommendations without at least one member having made an on-site inspection. Panel findings and recommendations must be documented and endorsed by a majority of the members. If the local government unit does not agree with the technical evaluation panel's findings and recommendation, the reasons for the disagreement must be part of the local government unit's record of decision.

Applicants for replacement plans, wetland banking plans and exemption, no-loss, and wetland boundary or type, and sequencing determinations must cooperate in providing local government unit staff and members of the technical evaluation panel and their designated experts with access to proposed project sites for investigation. Such investigations shall be preceded by notice to the landowner or designated agent, unless prior approval has been granted. If an applicant refuses to allow access, the local government unit may deny an application.

If the local government unit has a comprehensive wetland protection and management plan that delineates location, size, and type for all wetlands, approved by the technical evaluation panel, and subsequently incorporated into local ordinance, then the local government unit can make determinations without ~~calling a recommendation from~~ the technical evaluation panel.

If requested by the local government unit, the landowner, or a member of the technical evaluation panel, the panel shall answer technical questions or participate in the monitoring of replacement wetlands according to parts 8420.0600 to 8420.0630, and shall similarly participate in the monitoring of banked wetlands according to parts 8420.0700 to 8420.0760.

8420.0260 PENALTY FOR LOCAL GOVERNMENT UNIT FAILURE TO APPLY LAW.

B. If the board has information that a local government unit is not following this chapter or the act in making exemption, no-loss, replacement plan, public road project notice reviews, wetland boundary, wetland type, or banking determinations, or if the local government unit does not have knowledgeable and trained staff with ~~expertise~~ experience in wetland management, the board shall notify the local government unit in writing of its concerns. The local government unit shall respond in writing within 60 days of being notified by the board. If not satisfied with the local government unit's written response, or none is received, the board shall ask the local government unit to appear at a hearing before the board to discuss the matter. The board may invite comments from other local governments or state and federal agencies. If the board determines at the hearing, that corrective action is necessary, the board shall write the local government unit directing specific corrective action to occur within 60 days of receiving the board's decision. The notice shall explain the reason for the action.

8420.0290 ENFORCEMENT PROCEDURES.

Subp. 3c. **Appeals of replacement and restoration orders.** A landowner or responsible party may appeal the terms and conditions of a restoration or replacement order issued pursuant to subpart 3 to the board's executive director within 30 days of receipt of written notice by filing a written request for review. If the written request is not submitted within 30 days, the restoration or replacement order becomes final. The executive director shall review the request and supporting evidence and render a decision within 60 days of the request for review. The executive director may stay the restoration or replacement order until the appeal is resolved.

8420.0400 WETLAND PRESERVATION AREAS.

Subp. 2. **Landowner application for wetland preservation area.** A landowner may apply to the county or watershed district, if the county or watershed district chooses to accept wetland preservation areas, for designation of a wetland as a wetland preservation area on forms provided by the board. The applicant must include a strip of upland 16.5 feet wide around the perimeter of the wetland. The applicant may include up to four acres of upland for each acre of wetland.

The application must be accompanied by a restrictive covenant on a form provided by the board. The covenant will contain the same limitations on use that are provided in *Minnesota Statutes*, section 103F.515, subdivision 4, including a covenant that the enrolled upland area will be vegetated by the landowner to permanent vegetation other than noxious weeds. The covenant must be signed, acknowledged, and ready for recording.

8420.0505 PREVIOUSLY APPROVED DETERMINATIONS.

Replacement plan, banking plans exemption, public road project notification, wetland boundary, wetland type, and no-loss determinations may be completed under the laws, rules, conditions, and guidelines in effect when they were approved.

8420.0510 REPLACEMENT PLAN PROCEDURES.

Subpart 1. **Generally.** No person shall drain, excavate in the permanent or semipermanently flooded areas of type 3, 4, or 5 wetlands, or fill a wetland, wholly or partially, or otherwise ~~convert impact~~ wetlands ~~to nonwetlands~~ without first having a wetland replacement plan or other determination approved by the local government unit.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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8420.0520 SEQUENCING.

Subp. 3. Determination of impact avoidance.

C. Alternatives analysis:

(2) The local government unit shall determine whether any proposed feasible and prudent alternatives are available that would avoid impacts to wetlands. An alternative shall be considered feasible and prudent if it meets all of the following requirements:

(4) The local government unit shall consider the following in evaluating alternatives as applicable:

(4) (5) If the local government unit determines that a feasible and prudent alternative exists that would avoid impacts to wetlands, it shall deny the replacement plan. If no feasible and prudent alternative is available that would avoid impacts to wetlands, the local government unit shall evaluate the replacement plan for compliance with subparts 4 to 8.

8420.0530 REPLACEMENT PLAN COMPONENTS.

On an application form approved by the board in consultation with the commissioner of natural resources, provided through the local government unit, and with required attachments supplied by the applicant, the following documentation must be provided, except that for replacement plans utilizing the wetland bank in parts 8420.0700 to 8420.0760, items B, subitem (1); and D, do not apply; instead the applicant shall submit the wetland banking credit withdrawal form prescribed in part 8420.0740, subpart 2, item E:

D. for the replacement wetland, item C, subitems (1) to (7), (9), and (10), and:

(14) a five-year vegetation establishment and management plan, including seeding rates, planting methods, seed and plant mixes, herbicide treatments, and control of noxious weeds and invasive or nonnative species ~~such as reed canary grass and purple loosestrife;~~

8420.0540 REPLACEMENT PLAN EVALUATION CRITERIA.

Subp. 2. Type of replacement.

A. The preference for the method of replacement is that which is most likely to result in a wetland area that functions wholly, perpetually, and naturally. ~~Generally,~~ Wetland restoration is generally preferred over creation and restoration of completely impacted wetlands is generally preferred over other methods of replacement.

8420.0541 ACTIONS ELIGIBLE FOR CREDIT.

Subp. 3. **Restoration of partially drained wetland areas.** Restoration of the natural hydrology regime and vegetation of jurisdictional wetlands that have been degraded by prior drainage, diversion of the natural watershed, or filling may:

A. in a less than 80 percent area, receive public value credit in an amount up to 50 percent of the degraded wetland area or receive new wetland credit in an amount not to exceed 25 percent of the total wetland area hydrologically restored, provided that permanent native, noninvasive vegetation is established within the restored wetland area and on an upland buffer, which may receive replacement credit according to subpart 6, ~~that is contiguous with the restored wetland and that has an average width of at least 50 feet for wetlands 2.5 acres or less and an average width of at least 100 feet for wetlands greater than 2.5 acres;~~ and

Subp. 6. **Upland buffer areas.** Buffer areas of permanent native and noninvasive dominated vegetative cover established or preserved on upland adjacent and contiguous to replacement wetlands may receive credit, provided that the upland buffer must have an average width of at least 50 feet for wetlands ~~2.5 acres or less~~ in nonmunicipal areas and an average width of at least ~~400~~ 25 feet for wetlands ~~greater than 2.5 acres~~ in a municipal area and the buffer vegetative establishment or preservation plan must be approved by the technical evaluation panel. Replacement credit for the buffer may not exceed ~~75~~ 100 percent of the replacement wetland area and may only be used as public value credits for replacement above a 1:1 ratio.

Subp. 10. Water quality treatment areas.

B. Credits are determined according to subitems (1) to (3) by the local government unit with concurrence of the technical evaluation panel.

(3) Buffer areas installed adjacent to two-celled systems that are consistent with subitem (2) and subpart 6 may be allowed for public value credit ~~in an amount up to 75 percent of the acreage of the downstream cell of a two-cell system, provided the buffer is applied only to the downstream cell, has an average width of 50 feet, and is adjacent to the entire periphery of the downstream cell.~~

8420.0544 REPLACEMENT FOR PUBLIC TRANSPORTATION PROJECTS.

A. Wetlands impacted by public transportation projects may be replaced statewide, except that wetlands impacted in a less than 50 percent area must be replaced in a less than 50 percent area, and wetlands impacted in the seven-county metropolitan area by public roads must be replaced in the affected county, or, if no restoration opportunities exist in the county, in another seven-county metropolitan area county. ~~The exception in Part 8420.0543, item A, subitem (5), does not apply to replacement completed using wetlands banking credits established by a person~~ an applicant who submitted a complete wetland banking application to a local government unit by April 1, 1996.

8420.0548 SPECIAL CONSIDERATIONS.

Subp. 2. ~~Federal or state-listed~~ **Endangered and threatened species.** A replacement plan for activities that involve sites where taking species listed as endangered or threatened in parts 6134.0200 to 6134.0400 ~~are known to be present~~ must be denied if ~~it is determined that the proposed activities will constitute a taking of those listed species under~~ unless the commissioner issues a permit pursuant to part 6212.1800 or Minnesota Statutes, section 84.0895, subdivision 7. ~~Limited information on the presence~~ Applicants may determine if there are known locations of listed species at a particular site ~~is available from by contacting~~ the Department of Natural Resources' natural heritage and nongame research program. ~~Activities that involve taking listed species are subject to Minnesota Statutes, section 84.0895.~~

8420.0549 EVALUATION OF WETLAND FUNCTIONS AND VALUES.

Subp. 3. **In-kind wetland replacement.** Wetland replacement for drainage, excavation, or fill shall be considered in-kind if one of the following applies:

C. the replacement wetland is in the same watershed as the ~~replacement impacted~~ wetland. For in-kind replacement, the minimal replacement ratio shall be used to determine the necessary size of the replacement wetland. For impacted wetlands on agricultural land, or in greater than 80 percent areas, the minimum replacement ratio is 1:1, requiring an equal area be replaced for the area impacted. For less than 80 percent areas and for impacted wetlands on nonagricultural land, the minimum replacement ratio is 2:1, and public value credits can be used for the portion of replacement required above 1:1.

Subp. 6. **Alternative evaluation methodologies.** The local government unit may evaluate the replacement plan using a scientifically accepted methodology that evaluates all wetland functions specified in *Minnesota Statutes*, section 103B.3355, for both the impacted and replacement wetlands. Such alternative methodologies must be approved and listed by the board, in consultation with the commissioners of natural resources and agriculture, and local government units.

When using alternative evaluation methodologies to evaluate replacement plans, the ratio of impact wetland to replacement wetland must not be less than the minimum acreage requirements as listed in ~~subpart 6 part 8420.0546~~, except as provided for in part 8420.0650, ~~subpart 2~~.

8420.0550 WETLAND REPLACEMENT STANDARDS.

Subp. 2. **Specific requirements.** The standards in items A to H shall be followed in all wetland replacements unless the technical evaluation panel determines that a standard is clearly not appropriate.

C. For replacement wetlands where native, noninvasive vegetation that is characteristic of the wetland type identified as the replacement goal in part 8420.0530, item D, ~~subitem (1)~~, is not likely to become dominant naturally in a five-year period, the replacement wetland shall be seeded or planted with appropriate native, noninvasive species, as determined by the technical evaluation panel. If the replacement wetland is seeded or planted, the seed or planting stock should be from native, noninvasive species of regional wetland origin. During the monitoring period, the applicant must take reasonable steps to ~~prevent and manage control~~ prevent and manage control invasion by any nonnative or invasive species, for example, reed canary grass, Canada thistle, common buckthorn, spotted knapweed, leafy spurge, purple loosestrife, and Eurasian water milfoil, that would defeat the revegetation goal of the replacement plan.

8420.0720 PRINCIPLES OF WETLAND BANKING.

Subp. 7. **Wetland banking credit withdrawals and transfers.** Wetland banking credits may be withdrawn to provide replacement pursuant to an approved replacement plan or equivalent ~~or~~. Wetland banking credits may also be transferred to another account holder for future use or resale if a state conservation and access easement has been recorded as required in subpart 8. Wetland banking credits may be withdrawn from an account or transferred to another account by submittal of such requests on

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forms provided by the board along with any authorized fees. No sale, withdrawal, or transfer of credits is final until the board approves and debits the account of origin.

Subp. 8. **Conservation and access easement.** No credits may be deposited in the state wetland bank until a perpetual conservation easement, in a format provided by the board, is granted to and accepted by the state. The easement shall provide for preservation of the banked wetland's functions by the fee owner and wetland banking plan applicant. The wetland banking plan applicant must also provide a title insurance policy that is acceptable to the state naming the state of Minnesota as the insured. If the conservation easement does not abut a public road, the fee owner and wetland banking plan applicant must also grant and record an access easement in favor of the board, the local government unit, and any other state, local, or federal regulatory authority that has authorized use of credits from the site for mitigation. This subpart does not apply to state land.

Subp. 10. **Marking of boundaries of bank areas.** The boundary of bank areas must be clearly marked ~~with visible monuments such as signs or fence posts at prominent locations. The monuments must be made of nondegradable material and shall be at least four feet in height and contain the wording "Wetland Bank Area - Subject to Use Restrictions."~~ as prescribed in the conservation and access easement.

8420.0740 PROCEDURES.

Subpart 1. Deposits and credits.

J. The local government unit shall consider the recommendations of the technical evaluation panel and comments from those required to receive a copy of the banking plan prior to developing findings. The local government unit shall review and approve wetland banking credits and submit the complete wetland bank application for deposit, wetland bank project application, and ~~plan~~ plans to the board. If the wetland banking plan applicant chooses not to proceed with the deposit, the wetland banking plan applicant may return the wetland to its preconstruction condition without replacement within five years. At any time within the five-year period, the wetland banking plan applicant may request the board to deposit any or all eligible and approved credits into the bank or may amend the bank plan and resubmit the plan to the local government unit for board certification. After five years, any activity in the wetland is subject to this chapter.

8420.0760 ENFORCEMENT AND CORRECTIVE ACTIONS.

A. The fee owner and the wetland banking applicant, if different from the fee owner, are jointly and severally responsible for the success of the wetland banking project and maintaining the wetland banking project in accordance with the approved wetland banking plan both during and after monitoring, ~~provided that~~. The wetland banking plan applicant, if different from the fee owner, is not responsible after monitoring if the wetland banking plan applicant no longer owns an easement interest in the real estate or credits associated with the banked wetland.

F. Fee owners, wetland banking plan applicants, or account holders may appeal restrictions on credit withdrawals and transfers, ~~civil penalties~~, or demands for reimbursement of reconstruction costs to the dispute resolution committee of the board which shall make a recommendation to the full board.

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 Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 144 Acres of Bare Farmland

NOTICE IS HEREBY GIVEN that a public hearing will be held on August 12, 2002, at 9:00 a.m., in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, St. Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of Approximately 144 acres of bare farmland located 1.5 miles west of Clarks Grove on County Road 31, then 1/2 mile south on unmarked gravel road; Section 3, Bancroft Township; Freeborn County, Minnesota on behalf of Paul and Lynn Koziolk, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$180,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 3 July 2002

Jim Boerboom
RFA Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 160 Acres of Farmland and Improvements

NOTICE IS HEREBY GIVEN that a public hearing will be held on August 12, 2002, at 9:00 a.m., in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, St. Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of Approximately 160 acres of farmland and improvements located 4 miles west of Trimont on County Highway 38, then .5 mile south on Highway 7; Section 9, Elm Creek Township; Martin County, Minnesota on behalf of Cory and Cara Sinn, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$181,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 3 July 2002

Jim Boerboom
RFA Director

Official Notices

Department of Economic Security Minnesota State Rehabilitation Council

Meeting Location Change on October 23, 2002

The Minnesota State Rehabilitation Council's meeting location for the **October 23** meeting will be changed from the Best Western Kelly Inn to the Shooting Star Casino in **Mahnomen, MN**. Listed below is the modified schedule through December of 2002. For more information, please contact Gail Lundeen at the Minnesota Department of Economic Security at: **phone:** (651) 296-5616. **TTY:** 1-800-657-3973; (651) 296-3900.

- August 28, 2002** – Best Western Kelly Inn
161 St. Anthony, St. Paul, MN
- September 25, 2002** – Best Western Kelly Inn
161 St. Anthony, St. Paul, MN
- October 23, 2002** – Shooting Star Casino and Hotel
777 Casino Boulevard
Mahnomen, Minnesota 56557-0418
1-800-453-7827
- December 4, 2002** – Best Western Kelly Inn
161 St. Anthony, St. Paul, MN

Minnesota Department of Labor and Industry Code Administration and Inspection Services Unit

REQUEST FOR COMMENTS on Planned Amendments to Rules Governing High Pressure Piping, *Minnesota Rules*, Parts 5230.0010 to 5230.6200

Subject of Rules. The Minnesota Department of Labor and Industry, Code Administration and Inspection Services Unit, and its High Pressure Piping division request comments on planned amendments to rules governing High Pressure Piping Administration and the Code for Power Piping Systems.

The primary purpose for these planned rule amendments is to update the rules regarding the administration of the licensure and permitting functions of the High Pressure Piping Unit of CAIS, which have not been updated since 1983. *Minnesota Rules*, Parts 5230.0010 to 5230.0210. Since that time, a number of statutory changes have occurred which have rendered certain of the administrative procedures contained in the rules, obsolete and which suggest changes in other provisions. Notably, the legislature, long ago, repealed the law creating the "Advisory Council for Pipefitting Examinations" and replaced it with an entity known as the Code Enforcement and Advisory Council, which now deals with high pressure piping issues and boiler issues. The change in name and function of the advisory council requires repeal of a number of subparts and amendments in other parts and subparts.

Additionally, in 1989, the legislature added certain ammonia piping systems and ammonia refrigeration systems to what is included under the definition of a high pressure piping system. Technical rules regarding standards applied to ammonia piping systems were added by rule in 1992. These planned rule amendments include codification the Department's administrative practice regarding ammonia piping and high pressure piping for other mediums in addition to the traditional high pressure steam piping.

Due process protections and procedures are planned to be added in these rule amendments to govern the disciplinary procedures used when the department intends to take some action against a high pressure piping license holder or owner of a high pressure piping system as authorized by law. The department has always had the statutory authority to suspend or revoke high pressure piping licenses and to suspend operation of a high pressure piping system which is either operating in an unsafe condition or is available to operate in an unsafe condition. These rules provide a process for this type of disciplinary action that affords due process to the license holder or owner of the high pressure business piping system, short of the contested case hearing under the APA which may ultimately be required in any disciplinary action.

In 1997 the department appointed an advisory committee to recommend updated rules regarding the administration of the licensure and permitting functions of the High Pressure Piping Unit of CAIS. This HPP Administrative Rules Advisory Committee recommended the administrative portions of these planned amendments in January 1998. Subsequently the department's priorities

shifted and the top CAIS priorities shifted to implementation of a technology initiative and revamping its fee structures. The administrative changes recommended by the HPP Administrative Rules Advisory Committee were never proposed for adoption at the time because of the focus on the technology initiative, but the department intends to do so now, after considering response to this Request for Comments.

Finally the department plans to make small number of clarifications, updates, and additions to the ammonia relate parts of the Code for Power Piping, *Minnesota Rules*, Parts 5230.0250 to 5230.6200. These planned amendments were not considered by the HPP Administrative Rules Advisory Committee in 1998. The planned amendments include an update in the ASTM Specification pipe which may be used; changing the definition of “brine” to “secondary coolant”; deleting an erroneous reference to the maximum allowable concentration of ammonia in refrigeration systems; updating a reference to “brine” regarding Indirect Systems; a new standard on the inspection and replacement of ammonia Pressure Relief Devices; and, a minor change in the location of drip pockets, or “dirt legs.”

Persons Affected. The planned amendments under consideration to the rules for High Pressure Piping would likely affect primarily pipefitters and pipefitting contractors engaged in high pressure piping, those persons and entities owning, operating, improving or constructing high pressure piping systems and employees and members of the public who occupy buildings with high pressure piping systems.

Statutory Authority. The Department of Labor and Industry has statutory authority to amend rules to regulate and adopt rules regarding high pressure piping licenses and permits under *Minnesota Statutes*, sections 175.171, and 326.46 to 326.521 generally and 326.47, 326.48, and 326.50 specifically.

Public Comment. Interested persons or groups may submit comments or information on these planned rule amendments in writing or orally until 4:30 p.m. on Friday, September 27, 2002. Comments received after that date and before further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules may be considered, but comments should be received by September 27, 2002, in order to be considered in determining what rule amendments to propose. The Department does not contemplate appointing an additional advisory committee to comment on the planned rules in addition to the existing Code Enforcement Advisory Council created by *Minnesota Statutes*, section 175.008. Those wishing information about the rules should reach the agency contact person listed below.

Rules Drafts. The Department has prepared a draft of the planned rules amendments, and any person interested may review the draft rules and print a copy from the department’s internet **website:** <http://www.doli.state.mn.us/code> . A copy of the rules may also be obtained by reaching the agency contact person listed below.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rule amendments should be directed to:

Kevin Wilkins, Director
Code Administration and Inspection Services Unit
Minnesota Department of Labor and Industry
443 Lafayette Road North
St. Paul, MN 55155
Phone: (651) 284-5396
Fax: (651) 296-1140
Email: Kevin.wilkins@state.mn.us

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 23 July 2002

Shirley I. Chase, Commissioner
Department of Labor and Industry

Metropolitan Council Environmental Services

Public Meeting on the Proposed Rate Changes for Load Charges

Thursday, August 15, 2002 at the Metro 94 Facility, 455 Etna St., Suite 32, St. Paul, MN 55106, 10:00 a.m.

A public meeting on proposed changes to load charge rates that include the elimination of the dilute rate for septage and the addition of a new rate for waste from portable toilets is planned for Thursday, August 15, 2002. A presentation at this meeting will be made by Metropolitan Council Environmental Services staff. Public input is invited. Comments received at the meeting will be summarized and considered prior to final action by the Metropolitan Council, anticipated by early fall, 2002.

Written comments will also be accepted through Friday, August 30, 2002 (send to Leo Hermes, 230 East Fifth Street, St. Paul, MN 55101 or email: leo.hermes@metc.state.mn.us)

Minnesota Pollution Control Agency

Division of Policy and Planning

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Storm Water Permit Program, *Minnesota Rules* Chapter 7001, parts 7002.0210 to 7002.0310 and Chapter 7050

Subject of Rules. The MPCA is the delegated permitting authority for the National Pollutant Discharge Elimination System (NPDES) Permit Program. In 1987 the Clean Water Act was amended to include storm water regulations as part of the NPDES Program. The goal of this program is to reduce pollutants in storm water runoff from construction sites, industrial facilities, and municipal separate storm sewer systems (MS4s).

Storm water regulations were developed in two phases. The U.S. Environmental Protection Agency promulgated Federal Regulations establishing the Storm Water Phase I Program in 1990. The MPCA promulgated rules to establish the Phase I program at the state level in 1994 and 1995. The Federal Regulations were changed in 1999 to broaden the scope for Phase II of the NPDES Storm Water Program. The MPCA is currently planning rule amendments to incorporate the Phase II requirements into the Phase I storm Water Program rules to fulfill Federal delegation responsibilities.

Persons Affected. The Phase I program involves three general categories of affected persons: Owners/operators of industry, owners/contractors of construction projects, and owners/operators of municipal separate storm sewer systems (MS4).

Industry. Phase I regulations specified by standard industrial classification or SIC code which industry and businesses were required to be covered under an NPDES permit. The Phase II Federal Regulations introduces a “no exposure” exclusion from the permit requirement for industrial owners/operators. “No exposure” means that all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. MPCA must develop a no exposure certification and inspection program to administer this program. Inclusion of no exposure certification program in this rule amendment effort is dependent upon the availability of the limited Storm Water Program resources both for the rule development effort and program administration.

Municipally owned industrial facilities, such as county highway shops, were temporarily exempt from storm water permit coverage due to the Intermodal Surface Transportation Efficiency Act (ISTEA). These facilities are required to have permit coverage by March 10, 2003 under the Phase II federal requirements.

Construction. The Phase I regulations require owners/contractors with construction projects that disturb 5 or more acres of land to be covered under a NPDES permit. The Phase II requirements expand this requirement to owners/contractors of construction projects that disturb 1 to 5 acres of land. The Phase I and Phase II program will regulate 1 or more acres of disturbed soil through the permit program.

Municipal. The Phase II Storm Water program requires permit coverage for regulated small municipal separate storm sewer systems (MS4s).

MS4 Definition. A “municipal separate storm sewer system” means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works.

The Phase I regulations required medium and large MS4s (basically areas with populations of 100,000 or more) to be covered under an NPDES storm water permit. The Phase II regulations expand this requirement to include three additional categories of regulated MS4s: mandatory small MS4s, designated small MS4s and petition MS4s.

Small MS4 Definition. “Small MS4s” are municipal separate storm sewer systems not defined as “large” or “medium” and include systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Mandatory Small MS4s. Owners/operators of mandatory small MS4s are required to obtain NPDES storm water permits. Mandatory Small MS4s are small municipal separate storm sewer systems located within an urbanized area as determined by the latest Decennial Census by the *Federal Bureau* of the Census. The initial list of 142 mandatory small MS4s that are governmental entities was based on the 1990 Decennial Census and published in the *Federal Register* on December 8, 1999. The 2000 Decennial Census became available in the spring of 2002, and the MPCA identified an additional 29 mandatory MS4s that are governmental entities from this Census. A complete list called “List of Mandatory MS4 Cities, Townships, and Counties (2000 Census)” can be found on the MPCA Storm Water Program web page at <http://www.pca.state.mn.us/water/stormwater-phase2.html>. MPCA staff is still working to identify mandatory MS4s that are systems similar to separate storm sewer systems in municipalities, such as publicly owned systems at military bases, large hospital or prison complexes, and highways and other thoroughfare. These systems are termed “non-traditional MS4s”.

Designated Small MS4s. The federal regulations require the MPCA to establish a process and criteria for designating small MS4s in addition to the MS4s defined as “mandatory small MS4s” for purposes of requiring coverage under an NPDES storm water permit. Designated MS4s must include any small MS4 that contributes substantially to the pollutant loadings of a physical interconnected municipal separate storm sewer that is regulated by an NPDES storm water program. Additional designation criteria must be based on the potential significant water quality impacts of system storm water discharges and apply at a minimum to any small MS4 located outside of an urbanized area serving a jurisdiction with a population density of at least 1,000 people per square mile and a population of at least 10,000.

Petition MS4s. Additional MS4s may be required to obtain an NPDES storm water permit through a petition process. The process will allow petitions to be submitted for determination as follows: 1) Any operator of a MS4 may petition to require an NPDES permit for any discharge into the municipal separate storm sewer system. 2) Any person may petition to require a NPDES permit for a discharge which is composed entirely of storm water which contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. (3) The owner or operator of a MS4 may petition to reduce the Census estimates of the population served by such separate system to account for storm water discharged to combined sewers that is treated in a publicly owned treatment works. (4) Any person may petition for the designation of a large, medium, or small MS4.

Statutory Authority. The MPCA has general authority to promulgate rules under *Minnesota Statutes*, section 115.03, subdivision 1(e). In addition, subdivision 5, authorizes the Agency to perform any and all acts minimally necessary, including developing rules, applicable to the participation by the state of Minnesota in the National Pollutant Discharge Elimination System.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on August 30, 2002. The MPCA does not contemplate appointing an advisory committee to comment on the possible rules.

Issues Targeted for Comment. The MPCA is especially interested in receiving comments about three issues 1) criteria for “Designated Small MS4s,” 2) a plan to create a multi-step permit deadline, and 3) Non-traditional MS4 (such as publicly owned systems at military bases, large hospital or prison complexes) under separate coverage. The MPCA must establish some of the criteria for the Designated Small MS4 category. The following criteria options for designating small MS4s to be covered under an NPDES storm water permit are currently under consideration:

Official Notices

- Municipalities with populations of 10,000 or more as identified in the latest Decennial Census.
- Municipalities with projected populations of 10,000 or more after the percent change of growth rate established in the latest Decennial Census is multiplied by latest Decennial Census population.
- Municipalities with only a portion of their jurisdictional area within an urbanized area and having a population of less than 10,000 established in the latest Decennial count.
- Two or more municipalities with common boundaries with an accumulated current or projected growth population of 10,000 or more.

The MPCA currently has limited resources for the Storm Water Program. One plan under consideration by the MPCA is to establish a stepped permit application deadline. This plan would maximize the effectiveness of the Program resources by initially focusing them on the Mandatory MS4s while also allowing categories of MS4s identified late in the Phase II development processes more time to develop the required storm water program plan. This approach would extend the deadline for acquiring permit coverage from March 10, 2003, by 18 months for MS4s in the designated small MS4s category.

Rules Drafts. The MPCA has not yet prepared a draft of the possible rules amendments and does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to:

Brian Livingston
Minnesota Pollution Control Agency
Policy and Planning Division
520 Lafayette Road North
St. Paul, MN 55155
Phone: (651) 296-5426
MN Toll Free: 1-800-657-3864
Fax: (651) 297-8676
Email: brian.livingston@pca.state.mn.us

Please help make this comment period as efficient and effective as possible by clearly identifying the issue being addressed in your comments. Please be advised that the MPCA will not be responding to every comment received. The Agency thanks those persons that submit comments in advance for their time and efforts.

TTY users may call the Agency teletypewriter at (651) 282-5332 or 1-800-657-3864.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Karen A. Studders
Commissioner
Minnesota Pollution Control Agency

State Grants & Loans

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

Department of Economic Security Rehabilitation Services

Notice of Availability of Funding Available for Coordinated Employability Services for Persons with Serious Mental Illness (SMI) Who Are Residents of Dakota County

The Minnesota Department of Economic Security-Rehabilitation Services Extended Employment Program is requesting proposals to develop and implement new or enhanced coordinated community-based employability services in Dakota County. Funding is available to reimburse eligible organizations for the cost of providing the ongoing support services for at least 30 individuals with SPMI (Serious and Persistent Mental Illness) or Serious Mental Illness (SMI) who are residents of Dakota County that have been identified by VR staff as requiring ongoing employment supports to maintain their employment. The employment option eligible for funding under this proposal is supported employment. Grant funding is available through a state appropriation under *Minnesota Statutes* 268A.13. This funding is available through the Department of Economic Security (DES)-Rehabilitation Services (RS) in collaboration with the Department of Human Services (DHS)-Mental Health Division (MHD) through a joint interagency cooperative agreement.

Projects considered for funding must develop or enhance linkages and interagency collaboration with Dakota county to provide ongoing supports leading to supported employment that pays competitive wages for persons with SMI or SPMI who are residents of Dakota County.

Not for profit organizations which provide Vocational Rehabilitation Services leading to community employment for individuals with disabilities may apply for these funds. Eligible applicants must meet the definition of a community rehabilitation program as defined in the Rehabilitation Act (P.L. 93-112 as amended by P.L. 102-569 and P.L. 105-220) and be organized as a non-profit. Applicants must also have a current operating agreement with DES/RS. Applicants must be accredited by CARF (The Accreditation Commission) in Community Employment Services.

Applications must demonstrate evidence of coordination and collaboration and service integration with their Dakota County Adult Mental Health Initiative. Oversight of this grant should include stakeholders from the adult mental health planning group including the county, persons receiving mental health services, local Community Support Programs and/or Adult Rehabilitation Mental Health Services (ARMHS) programs, and the local RS-VR office.

A total of \$35,000 - \$45,000 annually is available. However, the grant will be pro-rated to the number of months that actual services are provided for SFY 2003, ending June 30, 2003. Grants will be awarded on a calendar year basis starting. Renewal of projects for continuation funding will be based on performance of the grantee in meeting grant objectives and the availability of funds.

Applications in the form of a request for proposals (RFP) are available from:

Claire Courtney, M.S., CRC, Rehabilitation Specialist-Mental Health, Department of Economic Security, Rehabilitation Services, 390 North Robert Street, St. Paul, Minnesota 55101-1812, **phone:** (651) 296-0219, **TTY:** (651) 296-3900, **email:** ccourtne@ngwmail.des.state.mn.us. Completed applications are due to the DES-RS Administrative Office no later than **Noon (12:00 p.m.) on Friday, September 6, 2002.**

Department of Human Services Mental Health Division

Request for Proposal (RFP) for the Provision of Culturally Meaningful Services for Adults with Severe Mental Illness (SMI) or Families in Refugee Communities (Hmong, Vietnamese, Laos, Cambodian, or Somali)

The Mental Health Division of the Minnesota Department of Human Services is soliciting proposals for a grant for culturally meaningful services for adults with Severe Mental Illness (SMI) or families in refugee communities (Hmong, Vietnamese, Laos, Cambodian, or Somali).

State Contracts

The Department of Human Services has designated a maximum of \$240,000.00 per year for a total of three years. The time period for this project is from October 1, 2002 through June 30, 2005. The funds will be equally divided between the Southeast Asian and the Somali communities, with a maximum of \$120,000.00 per year going to each community.

A copy of the complete RFP, which will be sent free of charge to interested vendors, is available by contacting:

Sharon Walp
Adult Mental Health, Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155-3828
Phone: (651) 582-1818
Fax: (651) 582-1831
Email: sharon.walp@state.mn.us

Sharon Walp is the only person designated to answer questions regarding this RFP.

Proposals submitted in response to this RFP must be received at the address above. All applicants must provide one original proposal and five (5) copies of the proposal **no later than 3:00 p.m., Tuesday, August 23, 2002. Late proposals will not be considered.** Faxed or emailed proposals will **NOT** be considered.

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

Department of Veterans Affairs

Notice of Grant Funds Available for Placement on the Funding List for the Minnesota County Veterans Service Officer Operational Improvement Grant Program

NOTICE IS HEREBY GIVEN that the Minnesota Department of Veterans Affairs is accepting application requests for placement on the funding list for the Minnesota County Veterans Service Officer Operational Improvement Grant Program. This program was created to improve the efficiency of the County Veterans Service Officer system.

Applications will be reviewed and processed and grants will be awarded as required in *Minnesota Statutes* 197.608 and *Minnesota Rules*, parts 9055.0500 to 9055.0610.

Applications will be accepted at the address noted below until 4:30 p.m., August 30, 2002. Only original applications, as provided to the applicants by the Minnesota Department of Veterans Affairs, will be accepted. Applications received on alternative formats will not be accepted.

Applications must be submitted by certified United States Mail to:

County Veterans Service Officer Operational Improvement Grant Program
Minnesota Department of Veterans Affairs
20 West 12th Street
St. Paul, Minnesota 55155-2079

To request an application or further information, contact:

Terrence A. Logan or Dennis Forsberg
Minnesota Department of Veterans Affairs
20 West 12th Street
St. Paul, Minnesota 55155-2079
Phone: (651) 296-2562

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) 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.

Colleges and Universities, Minnesota State (MnSCU)

St. Cloud State University

Advertisement for Bid for Owner's Representative Service for Atwood Memorial Center Addition and Renovation, Lawrence Hall Renovation and Stadium/Recreation Center

Sealed proposals for items hereinafter described will be received by St. Cloud State University at the Business Office, St. Cloud State University, St. Cloud Minnesota until **3:00 p.m., on August 8, 2002** and will then be publicly opened and read aloud. The right is reserved to accept or reject any or all bids or parts of bids and to waive informalities therein.

Bids are requested for the **Owner's Representative Services for Atwood Memorial Center Addition and Renovation, Lawrence Hall Renovation and Stadium/Recreation Center** as per plans and specifications available in the Business Office, St. Cloud State University.

For further information contact:

Lisa Sparks
Director of Purchasing
St. Cloud State University
720 4th Ave., South
St. Cloud, MN 56301-4498
Phone: (320) 255-4788

Minnesota Department of Employee Relations

Request for Proposal for Administration of Pre-Tax Benefits Plan

The Minnesota Department of Employee Relations (DOER) seeks a one-year contract with an entity qualified to administer its pre-tax benefits plan. Extensions may be considered by the state on a year-to-year basis to a total maximum contract period of five years.

The pre-tax program allows employees to pay for certain health, dental, dependent care and work-related transportation expenses with money that is deducted from employees' pay before it is taxed. Administration of the plan must comply with all applicable laws and administrative rules, including but not limited to Sections 105, 106, 125, 129, and 132 of the Internal Revenue Code (as amended), and all specifications stated in the RFP.

Services under this contract will begin January 1, 2003. The estimated dollar amount for the contract is \$600,000 per year. This proposal does not obligate the agency to award a contract or complete the contract, or to spend the estimated dollar amount. The state reserves the right to cancel the solicitation if it is considered to be in its best interests.

Prospective responders can call or write for a full paper copy of the RFP which will be sent free of charge to interested vendors. Please direct your request for an RFP or any questions to:

Mary Regnier, Assistant Purchasing Manager
Minnesota Department of Employee Relations
200 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
Phone: (651) 282-5094
Fax: (651) 296-5445
Email: mary.regnier@state.mn.us

State Contracts

All proposals must be received at DOER by **4:30 p.m., Friday, September 6, 2002**. Five copies of the proposal must be submitted in a sealed mailing envelope or package with the vendor's name and address written on the outside. Late responses, or responses filed by email or fax, will not be considered.

Other personnel are not allowed to discuss the Request for Proposal with anyone, including responders or potential vendors, before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above may result in disqualification.

Department of Health

Division of Family Health

Minnesota Children with Special Health Needs

Consultant Contracts Available for Medical and Related Services for Children with Special Health Care Needs

Openings exist at clinics for:

1. Board certified or approved physicians to provide medical examinations;
2. Board certified dentists and dental specialists to provide dental examinations;
3. Registered/certified public health or pediatric nurses to provide nursing services and/or clinic facilitation;
4. Licensed psychologists to provide psychological assessments;
5. Licensed social workers to provide social work consultation and/or clinic facilitation;
6. Certified audiologists to provide audiological examinations;
7. Registered occupational therapists to provide occupational therapy assessments;
8. Certified speech pathologists to provide speech assessments;
9. Registered physical therapists to provide physical therapy assessments;
10. Registered dietitians to provide nutritional counseling;
11. Licensed educational consultants to provide educational assessments;
12. Technicians to provide examinations/assessments.

To obtain detailed specifications for this proposal, qualified, interested persons should contact Laurel Briske, Minnesota Children with Special Health Needs (MCSHN), 85 East Seventh Place, Suite 400, P.O. Box 64882, St. Paul, MN 55164-0882. **Phone:** (651) 281-9996 or **email:** laurel.briske@health.state.mn.us. Proposals must be sent to: Minnesota Department of Health.

Minnesota Children with Special Health Needs (MCSHN)

Attn: Laurel Briske

85 East Seventh Place, Suite 400

P.O. Box 64882

St. Paul, MN 55164-0882

All proposals must be signed in ink and received no later than **4:30 p.m. August 23, 2002**. **Late proposals will not be considered.**

A total of up to \$268,000.00 for the FY year of 2003 has been budgeted to fund these positions. Funding for individual positions varies by category and position.

Dated: 19 July 2002

Department of Health

Notice of Availability of Contract for the Minnesota Diabetes in Youth Program

The Minnesota Department of Health is requesting proposals for the purpose of health care management of children with diabetes from organization which engage in the provision of both health care and education related to the clinical management of diabetes in children. The Minnesota Diabetes in Youth Program's [MDYP] goal is to implement diabetes education philosophy and practices throughout eight regional sites in the state. A major part of the MDYP services involves twice-yearly diabetes clinics at eight regional sites to be staffed by personnel with diabetes expertise. The staff, at a minimum level, is to consist of a family counselor, dietitian, certified diabetes nurse educator, and a diabetes nurse specialist. The staff is to be overseen by a pediatric endocrinologist who will serve as the medical director for the outreach project. Such clinical and educational services are to be held in eight sites within the state for children and youth with diabetes along with their families and community health professionals.

The contractor's duties shall include the development and implementation of developmentally appropriate and state-of-the-art pediatric diabetes management; assembling a team to include a pediatric endocrinologist, family counselor/psychologist, diabetes nurse specialist, and diabetes nutrition specialist; providing on-site clinical and educational services; scheduling the clinical services, and arranging for the assembled team to provide such services; provide clinical assessment, teaching tools, and materials; providing a medical report of the clinic encounter to the primary care physician and others at the family's direction; maintaining a registry of children with diabetes referred to the clinics; conducting an evaluation of the program; and maintaining a database on each child attending clinic relate to key indicators; and, preparing a summary report.

Work is proposed to start after October 1, 2002.

A Complete Request for Proposals will be available by mail from this office through August 16, 2002. **A written or phone request is required to receive the Request for Proposals.** After August 16, 2002, the Request for Proposals must be picked up in person.

The Request for Proposals can be obtained from:

Nancy Vanderburg
Minnesota Department Health
85 E. Seventh Place, Suite 400
PO Box 64882
St. Paul, MN 55164-0882
Phone: (651) 281-9993
Fax: (651) 215-8953

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **4:00 p.m., on August 23, 2002. Late proposals will not be considered.** Fax or emailed proposals will **NOT** be considered.

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

Minnesota Historical Society

Request for Bids for the Mill City Museum Signage Project Minneapolis, Minnesota

The Minnesota Historical Society is seeking bids for the Mill City Museum Signage project. The new Mill City Museum is being constructed in an historic building within an historic district, that will require sensitivity to the historic nature of the project, and familiarity with and abundance of the requirements for historic preservation. The work consists of structural, electrical, and general construction for the graphics and signage package, including, but not limited to: Painted metal interior and exterior signs, including fabrication, shop drawings, permits, fees, and installation; a single exterior post-mounted sign; exterior rooftop, tower-mounted, and canopy-mounted signage which requires minor structural engineering, including signed engineering drawings; interior signage typically ceiling-mounted or wall-mounted; labor, materials, articles, equipment, incidentals, items, tools, services, supplies, methods, operations, skills in such quantities necessary to complete the project.

Bids will be received and the project constructed under a single prime contract, including general construction, mechanical work, and electrical work. The Project will be constructed in accordance with the drawings and specifications prepared by Hammel, Green and Abrahamson, Inc., 701 Washington Avenue North, Minneapolis, Minnesota 55401.

Bidding requirements, drawings, and specifications may be examined by interested bidders at the office of the Architect, at the Minneapolis Builders Exchange, the CMD Plan Room, or at the local office of the F.W. Dodge Corporation.

State Contracts

Bidders may obtain one set of complete drawings and specifications from the office of the Architect upon making a deposit in the form of a check in the amount of \$75.00. The full deposit will be returned to Prime Contract Bidders who submit a bona fide bid and return the documents in good condition within ten days after the receipt of bids. For bidders information and to request documents – **phone:** (612) 758-4547.

Sealed bids will be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent, until **2:00 p.m., Local Time, Tuesday, August 20, 2002**. Authorized agents for receipt of proposals are the following: Mary Green-Toussaint, Contracting and Procurement Assistant or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Bids will be opened publicly and read aloud. Bids shall not be withdrawn by the Contractor for a period of 45 calendar days after the opening of bids. Bids are to be submitted, in duplicate, on the form included in the specifications.

Bids shall be delivered to the designated place before the stated time. Each bidder shall submit with their bid a cashier's check, certified check, or bid bond, made payable without recourse to the Owner, in an amount equal to 5% of the maximum amount of the bid, as a guarantee that the bidder, if awarded a Contract, will properly execute the Contract. A Performance bond, as further described in the specifications, will be required of the successful bidder, upon award of a Contract, in the full amount of the Contract Sum.

The Owner reserves the right to reject any and all bids, accept bids it deems to be in its best interest, to waive any informalities or irregularities in bids submitted and waive minor irregularities or discrepancies in the bidding procedure.

Dated: 29 July 2002

Minnesota Historical Society

Request for Proposals for Professional Architectural and Engineering Services for Exterior/Interior Stabilization of the Meighen Residence Frame Addition at Historic Forestville, Preston, Minnesota

The Minnesota Historical Society seeks to contract for architectural and engineering services to develop design and construction documents and perform construction administration/observation services for the exterior/interior stabilization for the 1888 Meighen Residence Frame Addition at Historic Forestville located near Preston, Minnesota. Work will be limited to the west side of the house and will include: assessment of interior and exterior wall conditions, adjacent cistern, paint color on the house, and factors leading to deteriorated conditions; carpentry repairs of all causally related rot or decay; and painting of the entire residence.

Proposed designs must use a preservation treatment approach and apply solutions that favor sustaining the existing form, integrity, and materials of the historic building.

A mandatory pre-proposal meeting will be held Tuesday, August 13, 2002 at 1:00 p.m., at Historic Forestville. The Request for Proposals, including attachments, is available by **phone:** (651) 297-7007, **email:** mary.green-toussaint@mnhs.org or writing:

Mary Green-Toussaint, Contracting and Procurement Assistant
Minnesota Historical Society
345 Kellogg Boulevard West
St. Paul, MN 55102

The deadline for receipt of proposals is Thursday, August 22, 2002 at **2:00 p.m. Late proposals will not be accepted.**

Dated: 29 July 2002

Minnesota Department of Public Safety Office of Traffic Safety

Notice of Request for Proposals for Community Health Liaison for Promoting Traffic Safety Issues

The Minnesota Department of Public Safety is seeking proposals to contract for the professional and technical services of an experienced health professional to provide liaison services within the health community to promote traffic safety issues. Details are contained in a complete Request for Proposals (RFP) which may be obtained by calling or writing:

Terri Thill
Department of Public Safety
Office of Traffic Safety
444 Cedar Street, Suite 150
St Paul, Minnesota 55101-5150
Phone: (651) 284-3708
TDD: (651) 215-9091
Fax: (651) 297-4844
Email: Theresa.thill@state.mn.us

Prospective respondents who have questions regarding this RFP may write Ms. Thill by regular mail, by fax and/or by e-mail. Questions should be received by 2:00 p.m. Central Daylight Time on August 7, 2002. All answers to questions will be in writing and sent to all entities requiring a complete RFP. Requests received after that time may not receive responses. Estimated total cost of the contract is \$72,000.00. The Department of Public Safety will retain an option to extend the contract for two additional one year periods. The value of the contract for any subsequent year may be adjusted. Final date for submitting proposals is **August 23, 2002 by 2:00 p.m. Central Daylight Time. Late proposals will not be considered.** This RFP does not obligate the State to complete the proposed project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this RFP shall be borne by the responder.

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 Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult

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

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 the editor for further details.

City of Moorhead

Request for Proposals for Engineering and Construction Inspection Services

The City of Moorhead is soliciting proposals from consultants for the following project:

Engineering and construction inspection services in connection with construction of 34th Street from 4th Avenue North to Clay County Road 18 within the City of Moorhead, Minnesota.

The City of Moorhead reserves the right to reject any or all submittals. Qualification based selection criteria will be used to analyze submittals from responding consultants. Upon completion of the technical rankings, the City of Moorhead will enter into contract negotiations with the firm evaluated most qualified.

Interested firms should contact Clair Hanson in the City of Moorhead Public Works Department to obtain a full copy of the RFQ. He can be reached at Moorhead City Hall, 500 Center Avenue, P.O. Box 779, Moorhead, MN 56561, **phone:** (218) 299-5390, **fax:** (218) 299-5399. Any questions or comments pertaining to the RFQ may also be directed to Mr. Hanson.

All proposals received by **4:00 p.m., on August 28, 2002** at the Moorhead City Engineers Office will be given equal consideration. Minority, women-owned, and disadvantaged businesses are encouraged to participate.

All proposals must clearly identify on the outside of the envelope the following:

Proposal for Engineering and Construction Inspection Services for 34th Street from 4th Avenue North to Clay County Road 18.

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/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the 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.

University of Minnesota

Request for Proposal, for a Consultant to Serve on the Predesign Study for a Joint Football Stadium

I. NOTICE OF REQUEST FOR PROPOSALS

The University of Minnesota is seeking a consultant to serve on the internal staff team guiding a predesign study for a joint-use football stadium to be shared with the Minnesota Vikings and as an advisor to the internal staff team negotiating the memorandum of understanding with the Vikings. The University is currently authorized to spend up to \$50,000 under this contract.

Email or call your request for the full RFP, which will be sent free of charge to interested vendors.

II. CONTACT FOR RFP INQUIRIES:

Refer questions to:
 Brian Swanson
 University Planning
 400 Donhowe Building
 319 15th Ave. SE
 Minneapolis, MN 55455-1082
Phone: (612) 625-6665
Fax: (612) 625-2595
Email: bswanson@umn.edu

III. TENTATIVE SCHEDULE OF EVENTS

Be advised that these dates are subject to change, as University officials deem necessary.

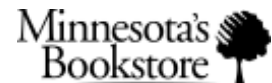
Issue RFP	July 29, 2002
Written Proposals Due	August 8, 2002
Interviews (if required, as determined by U of M)	August 12, 2002
Consultant Selection and Negotiations	August 16, 2002
Complete Contracted Work	August 19, 2002 - December 1, 2002

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

Available at Minnesota Bookstore

Order form on back page

Searching for some waterfront or forested property?



Plat Map Books

Minnesota's Bookstore offers the most comprehensive selection of Minnesota plat map books currently available. From Rockford Publishing and Cloud Cartographics, these county plat map books are great for the hunter/adventurer or the prospective land owner seeking property sites. Includes key county government offices as well as an alphabetized business directory, city maps and an index to owners.

Aitkin County ('99)	Stock No. 12-66	\$35.00	Lake County (2001)	Stock No. 12-28	\$30.00
Becker County ('95)	Stock No. 12-79	\$30.00	Meeker County (2001)	Stock No. 12-29	\$30.00
Beltrami County ('97)	Stock No. 12-67	\$30.00	Mille Lacs County (2001)	Stock No. 12-30	\$30.00
Blue Earth County ('96)	Stock No. 12-20	\$25.00	Morrison County ('99)	Stock No. 12-31	\$30.00
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Dakota County (2000)	Stock No. 12-80	\$35.00	Sherburne County (2000)	Stock No. 12-41	\$30.00
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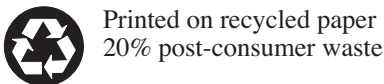
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