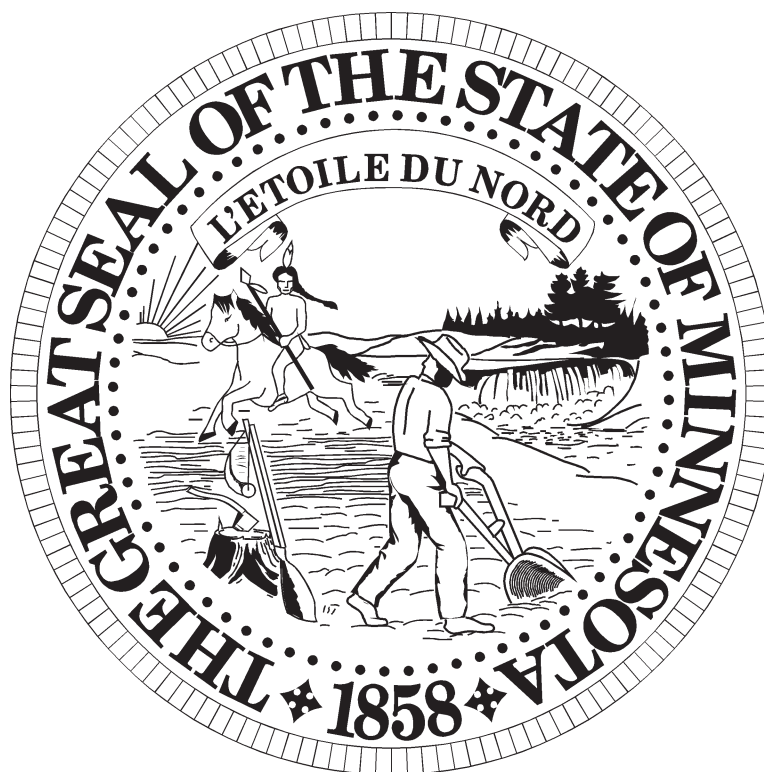


State of Minnesota

State Register



Rules and Official Notices Edition

Published every Monday (Tuesday when Monday is a holiday)
by the Department of Administration – Communications Media Division

Tuesday 6 July 2004
Volume 29, Number 1
Pages 1 - 30

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$14.40 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

SUBSCRIPTION SERVICES:

Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. **POSTMASTER:** Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155. See the *State Register* and *Solicitation Announcements* at **website:** <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register*: On-line subscription – \$180, includes links, index, sidebar table of contents and *State Register* SENT TO YOU via Email.
 - 13-week trial subscription to the *State Register* - \$65.00.
 - Single issues are available for a limited time: *State Register* \$5.00.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

Vol. 29	Deadline for: Emergency Rules, Executive and	Deadline for Both	
Issue PUBLISH	Commissioner's Orders, Revenue and Official Notices,	Adopted and Proposed	
Number DATE	State Grants, Professional-Technical-Consulting	RULES	
	Contracts, Non-State Bids and Public Contracts		
#1	TUESDAY 6 JULY 2004	Noon Tuesday 29 June	Noon Wednesday 23 June
#2	Monday 12 July	Noon Tuesday 6 July	Noon Wednesday 30 June
#3	Monday 19 July	Noon Tuesday 13 July	Noon Wednesday 7 July
#4	Monday 26 July	Noon Tuesday 20 July	Noon Wednesday 14 July

Copyright © 2004 Communications Media Division, Department of Administration, State of Minnesota.

Publication Number: 326630 (ISSN 0146-7751)

THE STATE REGISTER IS PUBLISHED by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Education.

Tim Pawlenty, Governor (651) 296-3391

Carol L. Molnau, Lt. Governor (651) 296-3391

Mike Hatch, Attorney General (651) 297-4272

Patricia Anderson, State Auditor (651) 297-3670

Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:

Brian Lamb, Commissioner (651) 296-1424

Communications Media Division:

Mary Mikes, Director (651) 297-3979

Robin PanLener, Editor (651) 297-7963

John Mikes, assistant editor (651) 297-4616

Jessie Rahmeyer, Subscriptions (651) 297-8774

Legislative Information

Senate Public Information Office (651) 296-0504

State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146: State Office Building,

Room 175, Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155

Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498

U.S. Government Printing Office – Fax: (202) 512-1262

Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota State Court System

Court Information Office (651) 296-6043

Minnesota Judicial Center, Room 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,

St. Paul, MN 55155 Website: www.courts.state.mn.us

Minnesota Rules: Amendments & Additions

Tuesday 6 July 2004, Volume 29, Issues #1..... 4

Adopted Rules

Public Utilities Commission

Adopted Rules on Proposed High-Voltage Transmission Lines..... 5

Expedited Emergency Rules

Natural Resources Department

Adopted Expedited Emergency Game and Fish Rules: Taking Sharp-Tailed Grouse in Prairie Chicken Zones; Fall Wild Turkey Hunting; Prairie Chicken Hunting..... 5

Official Notices

Environmental Quality Board

Decisions on Xcel Energy's Blue lake Generating Plant Expansion Project; Environmental Assessment and Record created at the public hearing adequately addresses issues identified in the Scoping Decision; LEPPG Site Designation and LEPPG Site Permit; HVTL Routh Designation and HVTL Route Permit; and Decision to grant a Partial Exemption, Pipeline Route Designation and Pipeline Routing Permit..... 9

Human Services Department

Authorization List including all mental health services that have been added, changed or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment..... 10

Labor and Industry Department

Addition of Lathers in Beltrami County to commercial prevailing wage rates..... 14

Pollution Control Agency

Notice of availability of draft Chippewa River Ammonia Total Maximum Daily Load Report and request for comment..... 15
 Notice of Availability of Draft South Branch Yellow Medicine River Fecal Coliform Total Maximum Daily Load Report and request for comment..... 16
 Public Notice for the Proposed Issuance of Two National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Livestock Production Permits for Large Concentrated Animal Feeding Operations (CAFOs) and feedlots capable of holding 1,000 animal units or more..... 18

Teaching Board

Change in the minimum passing score for examinations of general pedagogical knowledge and examinations of licensure-specific teaching skills for a Minnesota teacher license..... 22

Transportation Department

Request for comments on possible amendment to rules governing aeronautics..... 22

State Grants & Loans

Employment and Economic Development Department

Minnesota Job Skills Partnership Training grant deadlines..... 24

Public Safety Department

Office of Justice Programs/Office of Traffic Safety: Substance abuse court funding..... 24

State Contracts

Administration Department

Communications Media: Subscribe to the *State Register*..... 25

Colleges and Universities, Minnesota State (MNSCU)

Request for proposals for the development of brand identity standards..... 25

Transportation Department

Potential Availability of Contracting Opportunities for a variety of highway related activities (the consultant pre-qualification program)..... 26
 Revised Notice of Professional/Technical Contract Opportunities..... 27
 Request for proposals for Transportation Coordination Planning Framework..... 27

Non-State Contracts & Grants

Metropolitan Council

Notice of Request for Proposals (RFP) for Architectural/Engineering Services for Interceptor Rehabilitation Projects..... 28

Minnehaha Creek Watershed District

Request for Bids for the Vegetation Management Project..... 28

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors..... 29

Commodity, Service and Construction Contracts information is available from the Materials Management Helpline (651) 296-2600, or **Website:** www.mmd.admin.state.mn.us Information or subscriptions to the *State Register* is available through Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.

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.

Volume 29, Issue #1

Natural Resources Department

6234.0300; 6236.0700; 6237.0100; .0200; .0300; .0400; .0500;
.0600; .0700 (adopted expedited emergency)..... 5

Public Utilities Commission

7829.2550 (proposed)..... 5

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Public Utilities Commission

Adopted Permanent Rules Relating to Notice of Proposed High-Voltage Transmission Lines

The rules proposed and published at *State Register*, Volume 28, Number 32, pages 984-987, February 9, 2004 (28 SR 984), are adopted as proposed.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency 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. Expedited emergency rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Taking Sharp-Tailed Grouse in Prairie Chicken Zones; Fall Wild Turkey Hunting; Prairie Chicken Hunting

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.434, 97A.435, 97B.711, 97B.716, and 97B.723.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population and harvest data needed for setting quotas and areas are not available until May. Also, 2003 was the first year of the prairie chicken hunt and the decision was made this year to continue the season after 2004 surveys and an evaluation of the hunt were completed. Permanent rule amendments to permanently adopt prairie chicken zones and application procedures are in process, but will not be completed before the application period. Provisions on taking sharp-tailed grouse are being added in 2004 because sharptails are found in the same areas as prairie chickens, are a species that easily confused with prairie chickens, and are in an area that was only closed to sharptail hunting to protect prairie chickens that they might be mistaken for.

Dated: June 14, 2004

Gene Merriam
Commissioner of Natural Resources

6234.0300 TAKING SHARP-TAILED GROUSE.

[For text of subpart 1, see M.R.]

Subp. 2. Open area.

A. The open area to take sharp-tailed grouse is statewide except in that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 2 at the west boundary of the state; thence along U.S. Highway 2 to U.S. Highway 71; thence northeast along U.S. Highway 71 to State Trunk Highway (STH) 1; thence east along STH 1 to STH 73; thence south along STH 73 to U.S. Highway 2; thence west on U.S. Highway 2 to STH 200; thence west on STH 200 to STH 6; thence south on STH 6 to STH 18; thence east on STH 18 to STH 65; thence south on STH 65 to STH 70; thence east on STH 70 to the east boundary of the state; thence along the east, south, and west

Expedited Emergency Rules

boundary of the state to the point of beginning.

B. In the closed sharp-tailed grouse area, a person with a valid prairie chicken license may take sharp-tailed grouse in an open prairie chicken hunting zone when the person is licensed to take prairie chickens during the time the license is valid. The taking of sharp-tailed grouse by a licensed prairie chicken hunter is subject to all other restrictions for taking sharp-tailed grouse and the person must meet small game hunting license requirements to take sharp-tailed grouse.

[For text of subp 3, see M.R.]

6236.0700 FALL TURKEY SEASON.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Open areas.** Wild turkey permit areas are open for the fall turkey season as prescribed by the commissioner. Permit areas shall be identified in application materials and on electronically issued licenses by their three-digit number. The following wild turkey permit areas are open for the 2004 fall season: 228, 236, 337, 338, 339, 341, 342, 343, 344, 345, 346, 347, 348, 349, 442, 443, 448, 449, 461, 462, 464, 465, 466, and 467.

Subp. 5. **Registration.** Turkeys must be registered within 24 hours after being taken during the fall turkey season.

Subp. 6. **Turkey hunt quotas.** Permit quotas for the 2004 fall season are as follows:

2004 Wild turkey permit area quotas (fall)

Permit quota by time period

Wild turkey permit area number	A	B
	October 13-17, 2004	October 20-24, 2004
228	30	30
236	40	40
337	45	45
338	70	70
339	70	70
341	250	250
342	225	225
343	65	65
344	100	100
345	125	125
346	195	195
347	75	75
348	150	150
349	280	280
442	125	125
443	50	50
448	5	5
449	5	5
461	80	80
462	80	80
464	20	20
465	30	30
466	40	40
467	35	35
Subtotals	2,190	2,190
Grand Total	4,380	

6237.0100 PRAIRIE CHICKEN LICENSE ELIGIBILITY.

To be eligible for a prairie chicken license, a person must not have any small game hunting privileges revoked.

6237.0200 PRAIRIE CHICKEN HUNT DRAWING.

Subpart 1. **License application drawing.** Applications for all prairie chicken hunts must be made according to this part and according to application instructions provided by the commissioner. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Drawings shall be conducted by the commissioner to determine persons who

Expedited Emergency Rules

are eligible to purchase licenses for the season. The drawings are subject to the quotas established by the commissioner. Preference in the respective drawings is given to applicants based upon the number of times they have correctly applied for a license for the prairie chicken hunt but

have been unsuccessful. A person selected by the drawings is eligible to purchase a license to hunt prairie chicken. Upon issuance of a prairie chicken license, all accumulated preference for prairie chicken hunting is lost.

Subp. 2. Participation in application drawings.

A. Applicants must complete an application for the prairie chicken hunt. A person may not apply more than once as an individual or as a member of a group. Qualifying individuals may apply for the resident landowner-tenant prairie chicken drawing.

B. A resident applicant must provide the applicant's individual Minnesota driver's license number of 13 characters, a 13-character firearm safety number, or an official Minnesota identification number of 13 characters issued by the Department of Public Safety.

C. An applicant must choose one of the prairie chicken permit areas and one of the time periods.

D. Up to four persons desiring to hunt together as a group may apply as a group. Group applications shall either be all selected or none selected. Applications by a group must all be for the same prairie chicken permit area and time period. The preference rating of applicants who apply as a group shall be based on the individual in the group with the lowest preference. Group applications may be made up of either all general or all landowner-tenant applications.

E. A person who makes a faulty application or who applies as a landowner or tenant but does not meet the definition under subpart 3 is ineligible for that season's drawing.

F. The application deadline is the last Friday in July.

Subp. 3. Landowner-tenant drawing.

A. For purposes of parts 6237.0100 to 6237.0700, "landowner or tenant" means a person who is an owner or tenant of at least 40 acres of prairie or grassland within the zone being applied for. A landowner-tenant license application drawing shall be held subject to the restrictions in items B to G.

B. An applicant must meet all eligibility requirements and must provide a complete and accurate description of the qualifying land.

C. An applicant must be a landowner or tenant or a member of the landowner's or tenant's immediate family. Family members include those related by blood, marriage, or adoption.

D. For each prairie chicken permit area and time period, no more than 20 percent of the successful participants shall be drawn from the special landowner-tenant applications.

E. An individual participant in the landowner-tenant drawing may submit only one application and only for the prairie chicken permit area in which the participant's qualifying property is located.

F. Landowners or tenants unsuccessful in the landowner-tenant drawing shall be included in the general drawing.

G. Landowner-tenant licensees must allow public prairie chicken hunting on their land during that prairie chicken season and the commissioner shall provide descriptions of these lands to licensed prairie chicken hunters.

Subp. 4. Modification of quota numbers for group applications. The quota of licenses or permits for a drawing may be increased to accommodate group members if the last applicant to be selected is a member of a group.

Subp. 5. Drawing application fee. An applicant must pay a fee as prescribed by statute at the time of application at the electronic license system-point of sale (ELS-POS). Refunds of application fees shall not be made for any reason.

Subp. 6. Undersubscribed prairie chicken permit areas. In permit areas with fewer applicants than available licenses, the remaining available licenses may be first offered to unsuccessful applicants for other permit areas on a first-come, first-served basis. An eligible person must apply individually and in person at an ELS-POS agent location or individually through the ELS-Internet or ELS-telephone system to obtain a remaining available license. Any remaining available licenses not purchased by unsuccessful applicants may then be issued as prescribed by the commissioner to any eligible person on a first-come, first-served basis. Individuals who purchase these

remaining available licenses retain their accumulated preference.

6237.0300 OBTAINING LICENSE.

Subpart 1. Notification. Only successful applicants for a prairie chicken license shall be notified.

Subp. 2. Obtaining licenses. Successful applicants shall receive instructions from the commissioner on how to obtain their license through the electronic license system.

6237.0400 TAKING PRAIRIE CHICKENS.

Subpart 1. Open season. Prairie chickens may be taken during the five-day period beginning on the Saturday nearest October 20.

Subp. 2. Arms restrictions. Prairie chickens may be taken by shotgun or bow and arrow. A person may not take prairie chickens with a rifle or handgun.

Expedited Emergency Rules

Subp. 3. **Bag limit.** A person may not take more than two prairie chickens per season or possess more than two prairie chickens.

Subp. 4. **Open areas.** Prairie chicken permit areas are open for the prairie chicken season as prescribed by the commissioner. Prairie chicken licenses are valid only in the prairie chicken permit area specified on the license. Permit areas shall be identified in application materials and on electronically issued licenses by a three-digit number plus a letter. The following prairie chicken permit areas are open

with prescribed quotas for the 2004 season:

<u>Permit Area</u>	<u>Quota</u>
<u>405A</u>	<u>12</u>
<u>407A</u>	<u>13</u>
<u>407B</u>	<u>15</u>
<u>407C</u>	<u>13</u>
<u>420A</u>	<u>14</u>
<u>420B</u>	<u>18</u>
<u>421A</u>	<u>15</u>
<u>Total</u>	<u>100</u>

Subp. 5. **Clay County Game Refuge.** The Clay County Game Refuge in Clay County is open for taking prairie chickens during open prairie chicken seasons in the zone in which it is located.

6237.0500 PRAIRIE CHICKEN PERMIT AREA DESCRIPTION.

Subpart 1. **Generally.** Prairie chicken permit areas are comprised of partial, single, or grouped deer and bear registration blocks, as established in part 6232.4700, and are described according to this part.

Subp. 2. **Area 405A.** Prairie chicken permit area 405A consists of those portions of registration block 405 described as follows:

Beginning at the intersection of U.S. Highway 2 and State Trunk Highway (STH) 9; thence along U.S. Highway 2 to STH 32; thence along STH 32 to STH 102; thence along STH 102 to STH 9; thence along STH 9 to point of beginning.

Subp. 3. **Area 407A.** Prairie chicken permit area 407A consists of those portions of registration block 407 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 102; thence along STH 102 to STH 32; thence along STH 32 to STH 200; thence along STH 200 to STH 9; thence along STH 9 to point of beginning.

Subp. 4. **Area 407B.** Prairie chicken permit area 407B consists of those portions of registration block 407 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 200; thence along STH 200 to STH 32; thence along STH 32 to County State-Aid Highway (CSAH) 34, Clay County; thence along CSAH 34 to STH 9; thence along STH 9 to point of beginning.

Subp. 5. **Area 407C.** Prairie chicken permit area 407C consists of those portions of registration block 407 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and County State-Aid Highway (CSAH) 34, Clay County; thence along CSAH 34 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to STH 9; thence along STH 9 to point of beginning.

Subp. 6. **Area 420A.** Prairie chicken permit area 420A consists of those portions of registration block 420 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to STH 9; thence along STH 9 to point of beginning.

Expedited Emergency Rules

Subp. 7. Area 420B. Prairie chicken permit area 420B consists of those portions of registration block 420 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 26, Wilkin County; thence along CSAH 26 to STH 9; thence along STH 9 to point of beginning.

Subp. 8. Area 421A. Prairie chicken permit area 421A consists of those portions of registration block 421 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and County State-Aid Highway (CSAH) 26, Wilkin County; thence along CSAH 26 to Interstate Highway 94 (I-94); thence along I-94 to STH 210; thence along STH 210 to STH 9; thence along STH 210 to STH 9; thence along STH 9 to point of beginning.

6237.0600 TAGGING PRAIRIE CHICKENS.

Immediately after taking a prairie chicken, a hunter must validate the tag as prescribed by the commissioner and must attach a tag provided with the license to the prairie chicken as specified by the commissioner. The tag must remain attached to the prairie chicken during transit.

6237.0700 PRAIRIE CHICKEN REGISTRATION.

Prairie chickens must be registered no later than 24 hours after the close of the season.

EFFECTIVE PERIOD. The emergency amendments to *Minnesota Rules*, parts 6234.0300 and 6236.0700 expire December 31, 2004. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, parts 6237.0100 to 6237.0700, expire December 31, 2004.

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Minnesota Environmental Quality Board

Decisions on Xcel Energy's Blue Lake Generating Plant Expansion Project: Environmental Assessment and Record created at the public hearing adequately addresses issues identified in the Scoping Decision; LEPPG Site Designation and LEPPG Site Permit; HVTL Route Designation and HVTL Route Permit; and Decision to grant a Partial Exemption, Pipeline Route Designation and Pipeline Routing Permit

At a special meeting on June 17, 2004, the Minnesota Environmental Quality Board determined that the Environmental Assessment and the record created at the public hearing had adequately addressed the issues identified in the Scoping Decision. The Board also designated a site and issued a Site Permit for the proposed 324-megawatt, simple cycle, natural gas fuel-fired power plant. The site is located on the existing Blue Lake Generating Plant (Section 11, Township 115 north, Range 22 west, in Scott County, Minnesota).

The Board issued an order granting a partial exemption from pipeline route selection procedures and the issuance of a pipeline routing permit to Xcel Energy for the proposed construction of a 16-inch, approximately 11 mile long, natural gas pipeline and associated facilities to deliver natural gas from the Northern Natural Gas Company pipeline to the Blue Lake Generating plant.

The Board also designated a route and issued a Route Permit for the proposed construction of a new double circuit 115/230 kV transmission line connecting the Blue Lake substation to transmission grid.

If you have any questions about this project or would like more information, please contact the MEQB project manager: Bill Storm, 300 Centennial Bldg., 658 Cedar St., St. Paul, MN 55155. Tel: 651-296-9535; e-mail: bill.storm@state.mn.us
Information about this project may also be obtained on the Energy Facilities section of the EQB web site:
<http://www.eqb.state.mn.us/EnergyFacilities/index.html>

Department of Human Services

Authorization List: All Mental Health Services That Have Been Added, Changed, or Deleted from Authorization as a Condition of Minnesota Health Care Programs (MHCP) Payment

The following is a listing of added codes to the current authorization list. The newly added codes will require authorization on or after July, 12, 2004. As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all mental health services that have been added, changed, or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The criteria used to develop this list are as follows:

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

These newly added or changed codes will require Authorization for services provided on or after July, 2, 2004

Deleted Code	Description
H2012	Behavioral health day treatment when used for children's day treatment services
H2014 UA*22	Skills Training and Development, per 15 minutes; when used for individual skills training under family community support services (FCSS)
H2014 U8*22	Skills Training and Development, per 15 minutes; when used for individual skills training under home based mental health services (HBMHS)
H2014 U9*22	Skills Training and Development, per 15 minutes; when used for individual skills training under therapeutic support of foster care (TSFC)
H2014 UA HR*22	Skills Training and Development, per 15 minutes; when used for family skills training under FCSS
H2014 U8 HR*22	Skills Training and Development, per 15 minutes; when used for family skills training under HBMHS
H2014 U9 HR*22	Skills Training and Development, per 15 minutes: when used for family skills training under TSFC
H2014 UA HQ*22	Skills Training and Development, per 15 minutes; when used for group skills training under FCSS
H2014 U8 HQ*22	Skills Training and Development, per 15 minutes: when used for group skills training under HBMHS
H2014 U9 HQ*22	Skills Training and Development, per 15 minutes: when used for group under TSFC
H2015 UA*22	Comprehensive Community Support Services, per 15 minutes, when used for crisis assistance under FCSS
H2019 UA*22	Therapeutic Behavioral Service, per 15 minutes; when used for skills training under FCSS done by Level I Mental Health Behavioral Aide

H2019 UA HM*22	Therapeutic Behavioral Services, per 15 minutes; when used for skills training under FCSS done by Level II Mental Health Behavioral Aide
H2032 UA*22	Activity Therapy, per 15 minutes when used for therapeutic components of therapeutic camp program under FCSS

Changed

Code	Description
H2012 UA*22	Behavioral health day treatment when used for therapeutic components of preschool Program
H2014 UA*22	Skills Training and Development, per 15 minutes; when used for individual skills training under family community support services (CTSS)
H2014 UA HR*22	Skills Training and Development, per 15 minutes; when used for family skills training under CTSS
H2014 UA HQ*22	Skills Training and Development, per 15 minutes; when used for group skills training under CTSS
H2015 UA*22	Comprehensive Community Support Services, per 15 minutes, when used for crisis assistance under CTSS
H2019 UA*22	Therapeutic Behavioral Service, per 15 minutes; when used for skills training under CTSS done by Level I Mental Health Behavioral Aide
Code	Description
H2019 UA HM*22	Therapeutic Behavioral Services, per 15 minutes; when used for skills training under CTSS done by Level II Mental Health Behavioral Aide
H2019 UA HE*22	Therapeutic behavioral services, when used to claim direction of Level I or Level II Mental Health Behavioral Aide done by a mental health professional or mental health practitioner under CTSS
90802*14	Interactive diagnostic assessment
90804*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, 20-30 minutes face to face with patient.
90805*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, 20-30 minutes face to face with patient; with medical evaluation and management services
90806*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 45-50 minutes face to face with patient
90807*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 45-50 minutes face to face with patient; with medical evaluation and management services
90808*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 75-80 minutes face to face with patient;
90809*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 75-80 minutes face to face with the patient; with medical evaluation and management services

Official Notices

90810*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communications, in an office or outpatient facility, 20-30 minutes face to face with patient
90811*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication in an office or outpatient, facility, 20-30 minutes face to face with patient; with medical evaluation and management services
90812*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, 45-50 minutes face to face with patient
90813*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication in an office or outpatient facility, 45-50 minutes face to face with patient, with medical evaluation and management services
90814*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non- verbal communication in an office or outpatient facility, 75-80 minutes face to face with patient
90815*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non- verbal communication, in an office or outpatient facility, 75-80 minutes face to face with patient with medical evaluation and management services

Code

Description

90816*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient;
90817*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient; with medical evaluation and management services;
90818*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient;
90819*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient; with medical evaluation and management services;
90821*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient;
90822*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient; with medical evaluation and management services;
90823*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient;
90824*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient; with medical evaluation and management services;

90826*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient;
90827*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient; with medical evaluation and management services
90828*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient;
90829*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient; with medical evaluation and management services
90846*4,22	Family psychotherapy (without the patient present)
90847*4,22	Family psychotherapy (conjoint psychotherapy) (with patient present)

Code Description

90853*14,22	Group therapy (other than of a multiple-family group)
90857*14,22	Interactive group psychotherapy
90875*4	Individual psychophysiological therapy incorporating biofeedback training by any modality (face to face) with the patient and, with psychotherapy (e.g., insight oriented, behavior modifying or supportive psychotherapy); 20-30 minutes
90882*32	Adult mental health rehabilitation, community intervention
90899	Unlisted psychiatric service or procedure
97535 HE *17	Self-Care Home Management Training previously neuropsychological rehabilitation
99199	Unlisted special services or procedures

- *4. A. Authorization is required for more than twenty-six (26) hours (52 visits/units of 90804, 90805) or 90875 (when billed in one unit increments) and twenty-six (26) hours of 90806 or 90807 or 40 units of 90875 (when billed in two-unit increments) per calendar year. Note: The 90875 when billed as one unit and 90804 or 90805 combined decrements from the total 26 hours per calendar year. There is not a separate benefit level for each code. Likewise, 90875 when billed as two units and 90806 or 90807 combined decrement from the total 20 hours per calendar year. There is not a separate benefit level for each code.
- B. Authorization is required either when more than three (3) hours of 90853 are provided within a five- (5) calendar day period, or when more than seventy-eight (78) hours per calendar year have been reached.
- C. Authorization is required for 90847 in excess of 26 hours per calendar year. (Note: 90846 must be used when the family member being treated is not present during the family therapy session. CPT 90846 is subject to the same authorization requirements and limitations as those imposed on CPT 90847. Use of this code does not result in an additional benefit level but counts against the benefit level available for 90847.

- *9 Authorization is required for behavioral health day treatment. For adults age 21 and older, authorization is required for

Official Notices

- mental health day treatment in excess of 115 hours per 365 days.
- *14 Authorization is required for 90802, 90810-90814, 90857 when the thresholds of 90801, 90806 or 90807, 90853 have been used. These codes will be included in the thresholds of codes 90801, 90806 or 90807, 90853. (The provider cannot bill both a 90806 and 90807 and 90810-90814. They must choose one or the other.)
 - *15 Authorization is required for behavioral health day treatment (cognitive remediation training) H2012 HK prior to initiation of service.
 - *16 Authorization is required for more than 26 hours per calendar year of H0034 and 26 hours per calendar year of H0034 HQ.
 - *19 Authorization is required for neuropsychological testing and assessment (96117) a) to exceed 7 hours of CPT code 96117 services per calendar year. A maximum of 10 hours may be approved with Authorization for a single assessment; and/or if multiple assessments (i.e., re-evaluation) are requested and determined to be medically necessary, a maximum of 15 hours of CPT code 96117 may be allowed with authorization for the calendar year. Effective 01/01/04, the unit length for this service is changed from 15 minutes to 1 hour.
 - *23 Authorization is required for person's 18 years of age and under.
 - *29 Codes 90816 through 90829 when provided in other than an inpatient place of service shall be subject to the same practice parameters and service coverage limitations as other outpatient, individual psychotherapy codes (90804 through 90815) unless authorized.
 - *30 Authorization is required for the following conditions:
 1. Service provided more than 21 days after admission.
 2. Readmission within 45 days of a previous discharge from a PHP.
 3. For an adult (age 18 and older), fewer than five hours of covered service per day.
 4. For a child (through age 17), fewer than three hours of covered service per day.
 - *31 Authorization is required for more than 260 hours per 180 days or 300 hours per calendar year combined total of H2017, H2017 HM and H2017 HQ.
 - *32 Authorization is required for more than 10 hours per month or 72 hours per calendar year.
 - *33 Authorization is required for more than two hours in one day or more than four hours per calendar month or more than eight hours per calendar year.
 - *34 Authorization is required for more than 10 hours in one day or more than 30 hours in 30 days or more than 60 hours in a calendar year.
 - *35 Authorization is required for more than 60 hours combined total of S9484, S9484 HM and S9484 HQ in a calendar year.
 - *36 Pending federal approval, authorization is required for more than 60 hours combined total of S9484 HQ, S9484, S9484 HM and H0018 in a 365 - day period. One day of H0018 is counted as 8 hours.
 - *37 Pending federal approval, authorization is required for more than 7 days of H0018 in a 365 day period

Department of Labor and Industry

Labor Standards Unit

Notice of Addition to Commercial Prevailing Wage Rates

An additional rate has been made to the Commercial Prevailing Wage Rates certified 12/29/03 for **Labor Codes 410, Lathers** in Beltrami County.

A copy with the addition of the certified wage rate for this County may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at www.doli.state.mn.us. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brenner
Commissioner

Minnesota Pollution Control Agency**Minnesota Pollution Control Agency****Regional Environmental Management Division****Notice of Availability of Draft Chippewa River Ammonia Total Maximum Daily Load Report and Request for Comment**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Chippewa River Ammonia Total Maximum Daily Load (TMDL). The lower 11.2 mile segment of the Chippewa River is impaired because it does not meet the un-ionized ammonia water quality standard. Un-ionized ammonia is toxic to fish and other aquatic life. Comments must be sent to the MPCA contact person listed below by August 6, 2004. The draft TMDL Report is available for review at <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval.

The lower 11.2 mile reach of the Chippewa River was originally listed as impaired based on monitoring data collected during the late 1980s and early 1990s. The City of Montevideo Wastewater Treatment Facility (WWTF) was the major point source contributor of ammonia to the reach under dry weather, low flow conditions. In April 1993, the MPCA issued a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) permit that authorized construction of an upgraded WWTF with an expanded discharge, and in 1994, the MPCA assigned ammonia limits that were calculated to meet the water quality standard. The upgraded WWTF went online in October 1994. Nonpoint and point sources above the WWTF contribute a small amount of un-ionized ammonia in this reach under dry weather, low flow conditions.

One public meeting will be held to provide an overview of the draft TMDL Report and to answer questions. The date and location include:

Thursday, July 22, 2004
7:00 p.m. through 9:00 p.m.
Montevideo Community Center
550 - 1st Street Southwest
Montevideo, Minnesota 56265

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Report, and requests for more information should be directed to:

Muriel Runholt
Minnesota Pollution Control Agency
1420 East College Drive, Suite 900
Marshall, Minnesota 56258
Phone: (507) 537-7137 (direct)
MN Toll Free: (800) 657-3864
Fax: (507) 537-6001
E-mail: Muriel.Runholt@pca.state.mn.us

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

Preliminary Determination on the Draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA web site: <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Official Notices

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL Report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the MPCA Citizens' Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the MPCA Citizens' Board; (2) one or more Board members request to hear the matter before the time the MPCA Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Citizens' Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the MPCA Citizens' Board, will make the final decision on the draft TMDL Report.

Minnesota Pollution Control Agency Regional Environmental Management Division Notice of Availability of Draft South Branch Yellow Medicine River Fecal Coliform Total Maximum Daily Load Report and Request for Comment

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the South Branch Yellow Medicine River Fecal Coliform Total Maximum Daily Load (TMDL). The South Branch of the Yellow Medicine River, from the headwaters to the Yellow Medicine River, is impaired because it does not meet the fecal coliform bacteria water quality standard. Comments must be sent to the MPCA contact person listed below by August 6, 2004. The draft TMDL Report is available for review at <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval.

The South Branch of the Yellow Medicine River was placed on the impaired waters list in 1994 as a result of monitoring efforts started in 1987. The draft TMDL Report focuses on a 78 percent reduction goal for fecal coliform bacteria, applied watershed wide, to meet the water quality standard. The allocations set in the draft Report will be used to guide bacteria reduction efforts. An implementation plan to achieve the reductions required in the TMDL Report will be developed with public input. The implementation plan must be submitted within one (1) year of completion of the TMDL Report.

One public meeting will be held to provide an overview of the draft TMDL Report and to answer questions. The date and location include:

Wednesday, July 28, 2004
1:00 p.m. through 3:00 p.m.
Minnesota Pollution Control Agency, Marshall Office
1420 East College Drive, Suite 900
Marshall, Minnesota 56258

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Muriel Runholt
Minnesota Pollution Control Agency
1420 East College Drive, Suite 900
Marshall, Minnesota 56258
Phone: (507) 537-7137 (direct)
MN Toll Free: (800) 657-3864
Fax: (507) 537-6001
E-mail: Muriel.Runholt@pca.state.mn.us
TTY users may call the MPCA teletypewriter at (651) 282-5332 or (800) 657-3864.

Preliminary Determination on the draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed below, and at the MPCA web site: <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft TMDL Report or on the MPCA Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL Report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

Official Notices

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board consider the TDML Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the MPCA Citizens' Board for decision if: (1) the MPCA Commissioner grants the petition requesting the matter be presented to the MPCA Citizens' Board; (2) one or more MPCA Citizens' Board members request to hear the matter before the time the MPCA Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Citizens' Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the MPCA Citizens' Board, will make the final decision on the draft TMDL Report.

Minnesota Pollution Control Agency

Regional Environmental Management Division

Public Notice for the Proposed Issuance of Two National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Livestock Production Permits for Large Concentrated Animal Feeding Operations (CAFOs) as Defined in *Code of Federal Regulations* title 40, § 122.23(b)(4) and Feedlots Capable of Holding 1,000 Animal Units or More as Defined Under *Minnesota Rules* 7020.0300, sub part 5

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) proposes to issue two (2) General Livestock Production NPDES/SDS Permits under the provisions of *Minnesota Rules* 7001.0210, for preventing discharges of manure, litter, process wastewater and manure-contaminated runoff from Large Concentrated Animal Feeding Operations (CAFOs) as defined in *Code of Federal Regulations* title 40, § 122.23(b) (4) and feedlots capable of holding 1,000 animal units or more as defined under *Minnesota Rules* 7020.0300, subpart 5. These categories shall be referred to in the remainder of this document as "feedlot facilities."

Public Comment Period Begins: July 6, 2004

Public Comment Period Ends: August 20, 2004

Receiving Waters: Waters of the State of Minnesota

Description of Permitted Facility: Livestock production facilities meeting the definition of Large CAFOs under federal law and with more than 1,000 animal units under *Minnesota Rules* that meet the criteria listed in the general permit for receiving a General Livestock Production NPDES/SDS Permit.

The two proposed General Livestock Production NPDES/SDS Permits are:

· **2004 General Livestock Production NPDES/SDS Permit MNG920000** for the period from October 1, 2004, through May 31, 2006

· **2006 General Livestock Production NPDES/SDS Permit MNG440000** for the period from June 1, 2006, through May 31, 2011

The MPCA Commissioner's determination that these permits should be issued is preliminary.

These General Livestock Production NPDES/SDS Permits are designed to protect air, land and water quality during construction and operation of feedlot facilities. A General NPDES/SDS Permit covers categories of permittees with operations, emissions, activities, discharges, or facilities that are the same or substantially similar. A General Livestock Production NPDES/SDS Permit was last issued for the period May 31, 2001, through May 30, 2006. The maximum duration of an NPDES/SDS Permit is five years.

The new proposed General Livestock Production NPDES/SDS Permits contain the same or similar protections for surface waters, ground water and air quality as the current General Livestock Production NPDES/SDS Permit, which expires on May 30, 2006. The new permits contain additional water quality protection provisions based on revisions to U.S. Environmental Protection Agency (EPA) regulations that became effective April 14, 2003. The new proposed General Livestock Production NPDES/SDS Permits establish a standard of "no discharge" into waters of the United States or waters of the State for facilities covered under these permits. MPCA reviews a facility's plans for construction, operation and maintenance to ensure the facility meets this "no discharge" requirement. The only exception to the no-discharge standard at the production facility is for properly constructed and well-managed manure storage areas, which may discharge as a result of extreme precipitation events, as provided for in the EPA regulations.

In accordance with the proposed permit conditions, feedlot facility owners must meet construction, operational, and maintenance requirements for the production areas and land application activities. The proposed General Livestock Production NPDES/SDS Permits (Part I.E.) contain a list of the plans that must be developed, submitted for approval, and implemented by the Permittee upon approval by the MPCA. No new plans are required under the proposed permits.

The **2004 General Livestock Production NPDES/SDS Permit** will be used to provide permit coverage for:

1. Existing feedlot facilities with an animal capacity that met or exceeded the definition for CAFO size under *Code of Federal Regulations* title 40, § 122.23 regulations existing prior to adoption of the current EPA regulations but do not exceed the capacity for 1,000 animal units under *Minnesota Rules* 7020.0300, subpart 5; and
2. New feedlot facilities or existing feedlot facilities that expand to animal numbers that meet or exceed the definition for Large CAFOs or otherwise have capacity for 1,000 animal units or more prior to June 1, 2006.

The **2006 General Livestock Production NPDES/SDS Permit** will be used to provide permit coverage for:

1. Existing feedlot facilities that meet or exceed the Large CAFO threshold established in the revised *Code of Federal Regulations* title 40, § 122.23 regulations for livestock and poultry types that were not previously specifically identified in the EPA regulations (e.g., swine less than 55 pounds, chickens with dry manure, veal calves and ducks with dry manure) but do not exceed the capacity for 1,000 animal units under *Minnesota Rules* 7020.0300, subpart 5, which are not required to be permitted until April 2006; and
2. Feedlot facilities with an existing General NPDES/SDS Feedlot Permit that expires May 30, 2006.

Except for the time periods covered by these permits, the two proposed permits are identical in content. The proposed general permits will ultimately provide coverage for approximately 800 feedlot facilities in the state.

This is a public notice for the NPDES Permit Program (Section 402, Clean Water Act, as amended) and SDS Permit Program (*Minnesota Statutes* chapters 115 and 116, as amended, and *Minnesota Rules* chapter 7001). The authority to develop and issue a general permit is based on the 1979 EPA promulgated revisions to the NPDES program regulations, which created a class of permits called general permits. The General NPDES/SDS Permits are issued in the state of Minnesota under *Code of Federal Regulations*, title 40, § 122.28 and *Minnesota Rules* 7001.0210. General NPDES/SDS Permits can be issued in states with NPDES authority if the state program includes general permit authority from the EPA. The MPCA's general permit program was approved by the EPA on December 15, 1987.

The draft 2004 and 2006 General NPDES/SDS Permits and factsheet are available for review at the following MPCA offices during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.

St. Paul Office, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194

Brainerd Office, 7678 College Road, Suite 105, Baxter, Minnesota 56425

Official Notices

Detroit Lakes Office, 714 Lake Ave., Suite 220, Detroit Lakes, Minnesota 56501

Mankato Office, 1230 S. Victory Drive, Mankato, Minnesota 56001

Marshall Office, 1420 E. College Drive, Suite 900, Marshall, Minnesota 56258

Rochester Office, 18 Wood Lake Drive S.E., Rochester, Minnesota 55904

Willmar Office, 201 – 28th Avenue S.W., Willmar, Minnesota 56201

A copy of the draft general permits and factsheet also may be downloaded from the MPCA Feedlot site at: <http://www.pca.state.mn.us/hot/feedlots.html>. You may receive a copy of the draft general permit(s) and factsheet upon written request or by calling the Feedlot Helpline toll free at 1 (877) 333-3508 or for users of Telecommunications Device for the Hearing Impaired, call (651) 282-5332.

There are four formal procedures for public participation in the MPCA's consideration of permit issuance. Interested persons may (1) submit written comments on the draft permits; (2) request that the MPCA hold a public informational meeting; (3) request that the MPCA hold a contested case hearing; and (4) submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board (Board) consider the permit matter.

Written Comments

You may submit written comments on the conditions of the draft permit or on the MPCA Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the permit application or the draft permit;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting

You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues. **See the end of this notice for the public informational meetings scheduled by the MPCA to explain the proposed permits and accept verbal comments.** A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing

You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft permit; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft permits. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision

You may submit a petition to the MPCA Commissioner requesting that the Board consider the permit issuance. To be considered timely, the petition must be received by the MPCA by **4:30 p.m. on the date the public comment period ends**, identified at the beginning of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subdivisions 6(4) and 8, the decision whether to issue the permit and, if so, under what terms will be presented to the Board for decision if: (1) the MPCA Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the MPCA Commissioner makes a final decision on the permit; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the Board as provided in *Minnesota Rules* 7000.0650.

PLEASE NOTE: Presently, any request for the Board to decide permit issuance or permit terms will automatically be granted by the MPCA Commissioner. Because of her prior employment with an NPDES Permit holder, the federal Clean Water Act requires the MPCA Commissioner to abstain from being the final decision-maker on NPDES Permits for a two-year period. Consequently, the Board will be final decision authority regarding NPDES Permits until January 6, 2005.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft permit.

Comments on the permit(s), requests for a public informational meeting, or requests for a contested case hearing should be submitted in writing to:

Kim Brynildson
Principal Engineer
Minnesota Pollution Control Agency
Regional Environmental Management Division
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
Telephone Number: (651) 296-7366

Fax Number: (651) 297-8683

Informational Meetings

The MPCA will hold ten public information meetings to present information, to answer questions, and to solicit comments and statements on the proposed permits. The meeting times and locations are:

North Mankato

July 20, 2004, from 9:30 a.m. through 12:00 p.m. and 1:00 p.m. through 4:00 p.m.
at the John A. Votca Conference Center, South Central Technical College,
1920 Lee Boulevard, North Mankato, Minnesota.

Rochester

July 21, 2004, from 1:00 p.m. through 4 p.m., and 7:00 p.m. through 9:30 p.m.
at the MPCA Rochester Regional Office, located at 18 Wood Lake Drive S.E.,
Rochester, Minnesota.

Marshall

July 28, 2004, from 1:00 p.m. through 4:00 p.m. and 7:00 p.m. through 9:30 p.m. at the Minnesota Department of Transportation/State Patrol Building, 1800 East College Drive, Marshall, Minnesota.

Willmar

July 29, 2004, from 9:30 a.m. through 12:00 p.m. and 1:00 p.m. through 4:00 p.m. at the Community Outreach Room,
Ridgewater College, 2101 - 15th Avenue, Willmar, Minnesota.

Detroit Lakes

August 4, 2004, from 1:00 p.m. through 4:00 p.m. at the Detroit Lakes Public Library, 1000 Washington Avenue, Detroit Lakes, Minnesota.

Brainerd

August 5, 2004, from 9:30 a.m. through 12:00 p.m. at the MPCA Brainerd Regional Office, 7678 College Road, Suite 105, Baxter, Minnesota.

Official Notices

Board of Teaching

Announcement of a Change in the Minimum Passing Score for Examinations of General Pedagogical Knowledge and Examinations of Licensure-Specific Teaching Skills for a Minnesota Teacher License

As required by *Minnesota Rules*, Part 8710.0500, subpart 12, the Minnesota Board of Teaching shall periodically review the examination system to determine whether the system meets the requirements of this part.

As required by *Minnesota Rules*, Part 8710.0500, subpart 4, the Minnesota Board of Teaching hereby notifies the citizens of Minnesota that the minimum passing scores for examinations of general pedagogical knowledge and examinations of licensure-specific teaching skills have been evaluated and adjusted for an applicant for a teaching license in Minnesota.

Applicants prepared outside Minnesota shall be granted temporary licenses under the provisions of *Minnesota Rules* 8710.0500, subpart 11, while they meet the testing requirements.

The examinations listed are from the Praxis II series of examinations by the Educational Testing Service (ETS). For information regarding these examinations, applicants should contact their teacher preparation institution, the Minnesota Board of Teaching (651) 582-8833) or http://education.state.mn.us/html/intro_teacher_test_req.htm.

The tests announced herein have adjustments in the minimum passing score to the already required examinations under *Minnesota Rules* 8710.0500, subpart 1, item A and B. Completion of the test and achieving the required passing score as posted in this announcement shall become effective for all licensure applications postmarked on or after September 1, 2005. A first-time applicant must successfully complete the appropriate test for the applied for license with a minimum required passing score of:

Principles of Learning and Teaching k-6	159
Principles of Learning and Teaching 5-9	155
Principles of Learning and Teaching 7-12	157
Communication Arts & Literature	157
Elementary Ed: Content Knowledge	145
Early Childhood	580
Health: Content Knowledge	580
Mathematics: Content Knowledge	125
Music: Content Knowledge	149
Physical Education: Content Knowledge	143
Social Studies: Content Knowledge	146
Special Ed.: Ed. of Exceptional Students	158
Teaching English 2 nd Language	600

Department of Transportation

Office of Aeronautics

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Aeronautics, *Minnesota Rules*, Chapter 8800

Subject of Rules. The Minnesota Department of Transportation, Office of Aeronautics, requests comments on its possible amendments to and repeal of rules governing Aeronautics, Chapter 8800. Proposed clarifications, revisions, and updates will be made in the following rule provisions: definitions; regulation of structure heights; criteria for determining air navigation obstructions; general airport licensing provisions; public airport licensing; public seaplane base licensing; public heliport licensing; private airport licensing; private seaplane base licensing; private heliport licensing; personal-use airport, seaplane base, and heliport licensing; unlicensed landing areas; seven-county metropolitan region seaplane operations; definition of commercial operations, licensing commercial operations; flight school; ground school and aeronautical correspondence school; aircraft rental or leasing; aerial spraying

Official Notices

or dusting; aircraft servicing, maintaining, and repairing; endorsements; registration; flying club records; inspection of records; and commercial operations. New provisions being proposed are rules for establishing a public special-purpose airport license and an aircraft dealer's license. Minor amendments are being proposed to Part 8800.2400, subpart 3, relating to airport zoning standards. In part 8800.2400, the department is proposing to move language to subpart 3 that was previously in parts 8800.0100, subparts 20, 24, and 35 of the definition section. No other modifications are being proposed for the zoning surfaces or their application at this time. The department will conduct a separate rulemaking to address the airport zoning standards rule provisions. Other provisions may be amended or added during the rulemaking process.

Persons Affected. The amendment to and repeal of rules will likely affect: persons licensed by the department as commercial operators and those persons holding airport licenses, including heliport and seaplane base licenses; owners and operators or managers of airports; flight schools licensed or registered in the state; persons considering construction of new towers within close proximity to affected airports; persons who own land in proximity to airports; pilots who operate from the affected airports; helicopter operators; insurance companies that issue insurance to flight schools and other commercial operators; aircraft dealers licensed by the department; operators of recreational aircraft including ultralight vehicles; flying club members; aircraft owners; and persons using the affected airports in Minnesota.

Statutory Authority. The statutory authority for the proposed rule is: *Minnesota Statutes*, section 360.015, subdivision 3, which authorizes the department to make, promulgate, and amend such reasonable, general or special rules as the commissioner shall deem necessary to carry out the provisions of sections 360.011 to 360.076; *Minnesota Statutes*, section 360.018, subdivision 1, which provides authority for adoption of rules regulating aircraft, airmen, airports and instructors; *Minnesota Statutes*, section 360.63 which provides authority for the commissioner to establish rules for dealer's licenses; and *Minnesota Statutes*, section 360.90 which provides for statutory authority for the commissioner to adopt and promulgate, amend, or rescind, rules for the administration of sections 360.81 to 360.91, regarding structure height.

Public Comment. Interested persons or groups may submit comments or information on the possible rule amendment and repeals in writing or orally until further notice is published in the State Register that the department intends to adopt or to withdraw the rules. The department does not anticipate appointing an advisory committee to comment on the proposed rules.

Rules Drafts. The department has prepared a draft of the possible rule amendments. A copy of the draft of the possible rule amendments can be found at the department's website at <http://www.dot.state.mn.us/aero/index.html>

Agency Contact Person. Written or oral comments, questions and requests for more information on these possible rules should be directed to: Larry Myking, Director, Aviation Operations Section, at Minnesota Department of Transportation, Office of Aeronautics, Mail Stop 410, 222 E. Plato Blvd., St. Paul, MN 55107, phone: (651) 296-8056, FAX: (651) 297-5643, email: larry.myking@dot.state.mn.us.

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.

Dated: May 27, 2004

Raymond J. Rought, Director
Office of Aeronautics

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 Employment and Economic Development (DEED) Minnesota Job Skills Partnership Training Grant Deadlines

The Minnesota Job Skills Partnership (MJSP) Board solicits grant proposals from educational and training institutions for training programs designed for specific businesses. Proposals will be accepted for the Job Skills Partnership Grant Program, the Pathways Program, the MJSP Pre-Development Program, the Healthcare and Human Service Worker Retention Program, and the Distance Work Program.

Due to limited funding, priority will be given to training projects that are innovative and create new educational capacity and projects that have significant economic development impact. A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses.

The deadline for submission of proposals is 4:00 p.m. on September 13, 2004, DEED MJSP, 500 Metro Square, 121 7th Place East, St. Paul, MN 55101. No late proposals will be considered. Ten final copies must be submitted at that time for consideration at the MJSP Board meeting to be held on October 25, 2004. It is important to use the current application forms that are available on the web at <http://www.dted.state.mn.us/06x06f.asp> or by calling the Job Skills Partnership at (651) 296-2953 or 1-800-657-3858.

NOTE: Effective immediately, MJSP Short Form grant applications can be submitted at any time. The Minnesota Job Skills Partnership Board voted to have the Short Form Application process open for application on a continuous basis. MJSP Short Form grants are for \$50,000 or less and are intended to help small businesses.

Department of Public Safety Office of Justice Programs / Office of Traffic Safety Substance Abuse Court Funding

Purpose: The purpose of this funding is to support judicial leadership, multidisciplinary collaboration and local initiatives to address issues of alcohol and other drug problems among defendants in criminal and juvenile court.

Eligible Applicants: District and Tribal courts, in coordination with court administration, county attorneys, public defenders, probation, law enforcement, treatment providers and other community-based service providers. A city or county partner agency may be designated as the contracting agency to administer the grant.

Source of Funds and Legislative Authority: Projects will be funded through the Byrne Memorial Grant Program, United States Department of Justice, Bureau of Justice Assistance, P.L. 100-690 and P.L. 104-208 or the National Highway Traffic Safety Program, United States Department of Transportation, P.L. 89-564 as amended.

Total Funding Available: There is \$700,000 available for funded projects of which a minimum of \$50,000 will be dedicated to a DWI Court project.

Anticipated Individual Grant Amounts and Match Requirement: Grants are anticipated in the range of \$100,000 - \$150,000 for a 12 month period. There is a minimum cash match requirement of 25 percent of the total project cost.

Application Materials: Full Funding Program Descriptions and application materials may be accessed at www.ojp.state.mn.us or by contacting Sue Perkins at sue.perkins@state.mn.us or (651) 284-3329. Any information updates regarding this request for proposals will be posted on the website.

Submission deadline: All proposals must be postmarked no later than Friday, August 13, 2004. Delivered applications must be received by 4:30 p.m. that same day. Faxed and late applications are not accepted.

Submission details: Mail or deliver an original and five (5) copies of the completed proposals to:

Sue Perkins
Attn: Substance Abuse Court Application
Office of Justice Programs
444 Cedar Street, Suite 100
St. Paul, MN 55101-5100

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Administration Department Communications Media Division Subscribe to the *State Register*

Printed (hard) copies to the *State Register* will NO LONGER be available after Vol. 28, #52. Only subscriptions via E-mail will be available, beginning with Volume 29, #1 - July 6, 2004.

With an E-mail subscription, you will receive THREE EXTRAS free-of-charge:

- #1 - LINKS - instant contact, saves you time and effort.
- #2 - INDEX - fast and easy finding articles you need.
- #3 - CONTRACTS & GRANTS - current list of contracts, grants, loans, and non-state public contracts open for bid.

Have the *State Register* E-MAILED to you the Friday afternoon it is published. Subscribe today. Cost is \$180 for an entire year, SAVE \$80 from the cover price. Contact: Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155; Telephone: (651) 297-8774; FAX: (651) 297-8260; E-mail: jessie.rahmeyer@state.mn.us.

Minnesota State Colleges and Universities Minneapolis Community & Technical College Request for Proposals for the Development of Brand Identity Standards

NOTICE OF INTENT to issue Request for Proposals for the development of brand identity standards which enhance the existing visual identity of Minneapolis Community & Technical College.

Deadline for proposals: 2:00 p.m. Tuesday July 13, 2004

Scope of project: 1) Receive and assess information regarding strategic goals of the College, history of existing logotype, brand promise, positioning, key messages, audiences, personality of the MCTC Board, brand architecture.

2) Provide guidelines for use of logo, signature system, stationery, typography, writing style and tone, imagery, tagline usage and color palette.

3) Provide guidelines for formatting and layout of existing print literature including tabloid class schedule, report to community and a viewbook.

4) Provide guidelines for print advertising and product advertisement (Bookstore products).

Goal for completion of project is 12-15 weeks after contract is awarded. The finished product should be an electronic pdf file.

State Contracts

Contact for specifications and questions :

Sandra Wolfe Wood / Marketing Department
Minneapolis Community & Technical College
1501 Hennepin Avenue
Minneapolis, MN 55403
Phone: (612) 659-6223
E-mail: *Sandra.WolfeWood@minneapolis.edu*

To obtain complete specifications and to submit proposals contact:

Michael Noble-Olson/Purchasing Manager
Minneapolis Community & Technical College
1501 Hennepin Avenue
Minneapolis, MN 55403
Phone: (612) 659-6866
E-mail: *Michael.Noble-Olson@minneapolis.edu*

Department of Transportation

Engineering Services Division

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

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

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

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

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

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

Send completed application material to:

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

Note: DUE DATE:

APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

**Department of Transportation
Engineering Services Division****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.

**Department of Transportation
Office of Transit****Request for Proposal (RFP): Transportation Coordination Planning Framework**

Notice of availability of contract for consultant services to assist in establishing a planning framework to educate public transit and human service transportation stakeholders at the local level (i.e. organizations responsible for transporting agency clients, students, and the general public) about the benefits of public transit and human services transportation coordination, identify transit industry best practices in public transit and human services transportation coordination activities, and develop a statewide action plan for improving transportation coordination. Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this request for proposal. All expenses incurred in responding to this notice shall be borne by the responder.

The Minnesota Department of Transportation is requesting proposals to provide consultant services for the following scope of work:

Stakeholder Assessment – The Responder will utilize the Federal Transit Administration (FTA) *United We Ride: Framework for Action* to conduct a local level public transit and human service transportation stakeholder self-assessment to evaluate what the public transit and human service transportation network does well and where it needs improvement. This task will also include having stakeholders explore strategic options and develop a clear and tight focus for moving transportation coordination forward in both Greater Minnesota and the Twin Cities Metropolitan Area.

Best Practices at the Local Level – The Responder will develop detailed case studies of innovative and successful coordination strategies and practices used to address transportation barriers identified through the stakeholder assessments. The transit industry has many examples of exemplary programs providing or promoting coordinated public transit and human service transportation, in rural, suburban and urban areas, that may be applicable in Greater Minnesota and the Twin Cities Metropolitan Area.

Action Plan – The responder will assess the stakeholder assessment information, the best practice information, and develop a statewide action plan for creating a climate that is conducive to public transit and human services transportation coordination at the community level.

RFP's are available by mail, email or in person. **Please submit in writing, a request for the RFP: Transportation Coordination Planning Framework.** Request for the RFP may be mailed, emailed or faxed to:

Noel C. Shughart
Principal Planner
Minnesota Department of Transportation
Office Of Transit, 3rd Floor South
95 John Ireland Boulevard, Mail Stop 430
St Paul, Minnesota 55155
Fax: (651) 297-7252
E-Mail: Noel.Shughart@dot.state.mn.us

Note: PROPOSALS WILL BE DUE ON Monday August 2, 2004 at 3:00 p.m. CENTRAL TIME.

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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Metropolitan Council

Notice of Request for Proposals (RFP) for Architectural/Engineering Services for Interceptor Rehabilitation Projects

Contract Number 04P015

The Metropolitan Council is soliciting proposals for architectural/engineering services for Interceptor Rehabilitation Projects to support the Council's Environmental Services Division in completing smaller projects on an as-needed basis.

The Council intends to execute architectural/engineering services contracts with four Proposers that are able to provide these services. Each contract will have a maximum value of \$200,000 and a term of three years. The contracts will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, specified cost for the services, and a designated Council Project Manager.

NOTE this is a second notice of this ad, correcting the issue and receive dates. If you have previously requested this RFP it will automatically be sent to you.

The **tentative** schedule for this procurement is:

<i>Issue Request for Proposals</i>	June 29, 2004
<i>Proposal Due Date</i>	July 29, 2004
<i>Selection of Firms</i>	August, 2004
<i>Execution of Contracts</i>	August, 2004

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Amanda Houston, Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
PHONE: (651) 602-1585 FAX: (651) 602-1083
e-mail: amanda.houston@metc.state.mn.us

Minnehaha Creek Watershed District

Request for Bids for the Vegetation Management Project

The MCWD Board of Managers is currently accepting bids for the Vegetation Management project. The project involves re-establishment of natural riparian vegetation, control of invasive and exotic species, and implementation of a five-year maintenance plan. The riparian areas are adjacent to regional stormwater ponds in four locations: Long Lake, St. Louis Park and two in Minneapolis. Bids will be accepted until 12:00 PM on July 16, 2004. Bid opening will commence immediately thereafter at the MCWD offices located at 18202 Minnetonka Boulevard, Deephaven, MN 55391. Interested parties should request bid specifications from MCWD and submit sealed bids with a bid bond to the MCWD offices by the required deadline. Bid submittals must be labeled "MCWD VEGETATION BID

Non-State Contracts & Grants

PACKAGE” legibly in large, noticeable print on the outside of the submittal package.

A mandatory pre-bid meeting will be scheduled. **Unlabeled submittals will not be accepted.** If you have any questions, please contact the MCWD District Office at (952) 471-0590.

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.

Request 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 the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

