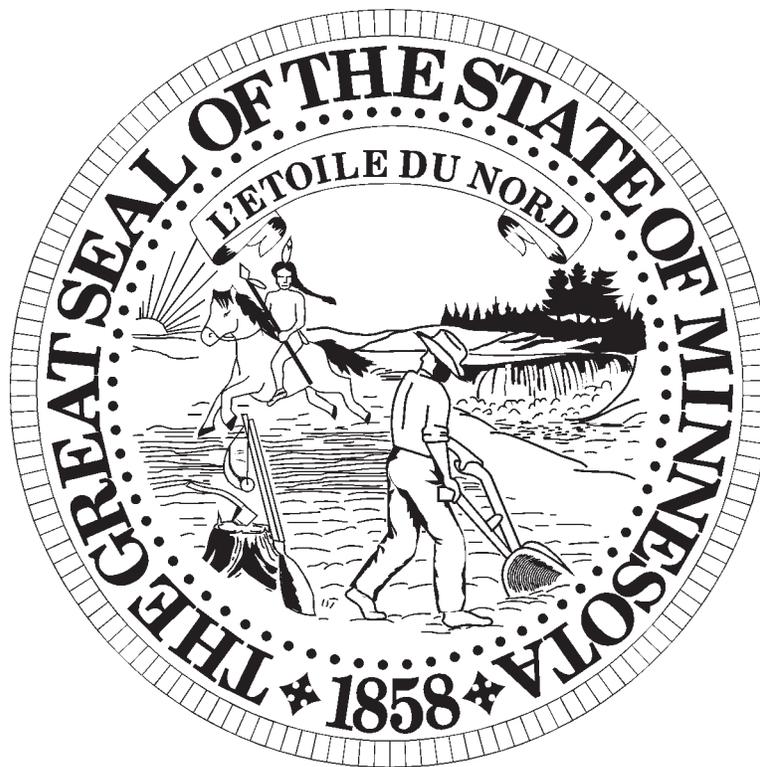


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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# State Register

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# 14	Monday 3 October	Noon Tuesday 27 September	Noon Wednesday 21 September
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Patricia Anderson, State Auditor (651) 297-3670  
Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:  
Dana B. Badgerow, Commissioner (651) 296-1424  
Communications Media Division:  
Mary Mikes, Director (651) 297-3979

*State Register:*  
Robin Panlener, editor (651) 297-7963  
John Mikes, assistant editor (651) 297-4616  
Jessie Rahmeyer, subscriptions (651) 297-8774

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# Minnesota Rules: Amendments and Additions

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

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

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

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

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

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## Adopted Rules

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

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

## Environmental Quality Board

### Adopted Permanent Rules Relating to Mandatory EAW Categories and Exemptions

The rules proposed and published at *State Register*, Volume 29, Number 21, pages 571-573, November 22, 2004 (29 SR 571), are adopted with the following modifications:

#### 4410.4300 MANDATORY EAW CATEGORIES.

Subp. 37. **Recreational trails.** If a project listed in items A to ~~D~~ F will be built on state-owned land or funded, in whole or part, by grant-in-aid funds administered by the DNR, the DNR is the RGU. For other projects, if a governmental unit is sponsoring the project, in whole or in part, that governmental unit is the RGU. If the project is not sponsored by a unit of government, the RGU is the local governmental unit. For purposes of this subpart, "existing trail" means an established corridor in current legal use.

A. Constructing a trail at least ten miles long on forested or other naturally vegetated land for a recreational use other than snowmobiling or cross-country skiing, unless exempted by part 4410.4600, subpart 14, item D, or constructing a trail at least 20 miles long on forested or other naturally vegetated land exclusively for snowmobiling or crosscountry skiing.

C. Paving ten or more miles of an existing unpaved trail, unless exempted by part 4410.4600, subpart 27, item B or F. Paving an unpaved trail means to create a hard surface on the trail with a material impervious to water.

D. Constructing an off-highway vehicle recreation area of 80 or more acres, or expanding an off-highway vehicle recreation area by 80 or more acres, on agricultural land or forested or other naturally vegetated land, ~~or,~~

E. Constructing an off-highway vehicle recreation area of 640 or more acres, or expanding an off-highway vehicle recreation area by 640 or more acres, ~~on if the land on which either the construction or expansion is carried out is not agricultural or, is not forested or otherwise~~ naturally vegetated, or has been significantly disturbed by past human activities such as ~~metallic or nonmetallic~~ mineral mining. ~~If a~~

F. ~~Some~~ recreation ~~area areas~~ for off-highway vehicles ~~will may~~ be constructed partially on agricultural ~~or~~ naturally vegetated land and partially on land that is not agricultural ~~or, is not forested or otherwise~~ naturally vegetated, or has been significantly disturbed by past human activities; In that case, an EAW must be prepared if the sum of the quotients obtained by dividing the number of acres of agricultural or naturally vegetated land by 80 and the number of acres of land that is not agricultural ~~or, is not forested or otherwise~~ naturally vegetated, or has been significantly disturbed by past human activities by 640, equals or exceeds one.

#### 4410.4600 EXEMPTIONS.

Subp. 27. **Recreational trails.** The projects listed in items A to F are exempt. For purposes of this subpart, "existing trail" means an established corridor in current legal use.

# Adopted Rules

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A. Rerouting less than one continuous mile of a recreational trail if the reroute is necessary to avoid sensitive areas or to alleviate safety concerns. Multiple reroutes on the same trail must be treated as independent projects, except that where the cumulative length of currently proposed reroutes exceeds one mile on any five-mile segment of trail, as measured along the rerouted trail, those reroutes are not exempt.

## Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

## Department of Labor and Industry

### Adopted Exempt Permanent Rules Relating to Workers' Compensation; Fees for Medical Services; Independent Medical Examination Fees

The Adopted Exempt Rules with the above title, printed in last week's *State Register* at 30 SR 291, Monday 19 September 2005, are Adopted Exempt Rules, not Proposed Rules.

# 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.

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

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: Waterfowl Hunting Late Migratory Waterfowl 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 rules is *Minnesota Statutes*, Sections 97A.091, 97A.401, 97B.112, 97B.731, 97B.802, and 97B.803, as amended by Laws of Minnesota 2005, Chapter 146, Section 39.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows.

- Waterfowl seasons by all methods are limited by federal rule to no more than 107 days per year.
- Coots, moorhens, ducks, and geese breeding population data are not available until June and federal frameworks for late season migratory birds are not announced until early August.
- Several miscellaneous changes that are intended to be ongoing are in the process of being adopted under permanent rules, but the permanent rules will not be in effect before the beginning of the fall's hunting seasons.

Dated: September 12, 2005

FOR: Gene Merriam, Commissioner  
Mark Holsten, Deputy Commissioner  
Department of Natural Resources

#### **6240.0200 GENERAL RESTRICTIONS FOR TAKING AND POSSESSION OF MIGRATORY GAME BIRDS.**

Subpart 1. **Shooting hours.** Shooting hours for migratory ~~game birds~~ waterfowl, coots, gallinules, rails, and snipe are onehalf hour before sunrise to sunset, except as follows:

A. on the opening day of the duck season, shooting hours ~~for all migratory game birds, except woodcock, are 12:00 noon to 4:00 p.m. begin at 9:00 a.m.;~~ and

B. from the opening day of the ~~migratory waterfowl~~ duck season to the ~~Friday~~ Saturday nearest October 19 8, shooting hours end at 4:00 p.m.

[For text of subs 2 to 6, see M.R.]

#### **6240.0610 YOUTH WATERFOWL HUNTING DAY.**

[For text of subs 1 and 2, see 30 S.R. 216]

Subp. 3. **Bag limits.** On youth waterfowl hunting day, a person may not take more than four ducks, five mergansers, and a total of 15 coots and moorhens. The daily limit of ducks, other than mergansers, may not include more than four mallards, of which not more than one may be a female mallard; one black duck; two redheads; two lesser or greater scaup; two wood ducks; one pintail; and one canvasback. The daily limit of mergansers may not include more than one hooded merganser. The daily bag limit for geese is five Canada geese, except in those areas where taking Canada geese near water is restricted under part 6240.1200, subpart 1, item A, where the daily bag limit is one Canada goose.

#### **6240.0650 TAKING COOTS, MOORHENS, AND DUCKS.**

Subpart 1. **Open season.** Coots, moorhens, and ducks, except canvasbacks, may be taken statewide during the 60-day period from October 1 to November 29, 2005. Canvasbacks may be taken during the 30-day period from October 8 to November 6, 2005.

Subp. 2. **Daily limits.** In any one day, a person may not take more than four ducks, five mergansers, and a total of 15 coots and moorhens. The daily limit of ducks, other than mergansers, may not include more than four mallards, of which not more than one may be a female mallard; one black duck; two redheads; two lesser or greater scaup; two wood ducks; one pintail; and one canvasback during the respective open season in subpart 1. The daily limit of mergansers may not include more than one hooded merganser.

# Expedited Emergency Rules

## **6240.0950 OPEN SEASONS; DAILY LIMIT; WEST, WEST CENTRAL, AND NORTHWEST GOOSE ZONE.**

**Subpart 1. Open season; West Goose Zone.** Canada geese may be taken in the West Goose Zone during the 40-day period from October 1 to November 9, 2005, except in the West Central Goose Zone as provided in subpart 2.

**Subp. 2. Open season; West Central Goose Zone.** Canada geese may be taken in the West Central Goose Zone during the 40-day period from October 20 to November 28, 2005.

**Subp. 3. Open season; Northwest Goose Zone.** Canada geese may be taken in the Northwest Goose Zone during the 40-day period from October 1 to November 9, 2005.

**Subp. 4. Limit.** A person may not take more than one Canada goose in the West, West Central, and Northwest Goose Zone.

## **6240.1100 TAKING CANADA GEESE IN REMAINDER OF STATE.**

**Subpart 1. Zone and season.** The remainder of the state consists of all areas not within the ~~Southeast~~, Northwest, West Central, and West Goose Zones. Canada and whitefronted geese and brant may be taken in the remainder of the state during the 70-day period beginning the Saturday on or nearest October 1.

**Subp. 2. Daily limit.** A person may not take more than two Canada geese each day in the remainder of the state.

## **6240.1150 TAKING SNOW, BLUE, ~~AND ROSS'~~, AND WHITEFRONTED GEESE AND BRANT.**

**Subpart 1. Seasons.** Snow, blue, ~~and Ross'~~, and whitefronted geese and brant may be taken statewide during the ~~80-day~~ 85-day period beginning the Saturday on or nearest October 1, except that the season in the Lac qui Parle Goose Zone will be closed when the season for Canada and whitefronted geese is closed.

**Subp. 2. Daily limit.** A person may not take more than 20 snow, blue, and Ross' geese in combination; one white-fronted goose; and one brant each day.

## **6240.1850 ~~GAME~~ REFUGES OPEN TO THE TAKING OF GEESE.**

The following refuges are open to the taking of geese, as specified:

**A- Subpart 1. Goose refuges.** Those portions of the Douglas County Goose Refuge in Douglas County, the Otter Tail County Goose Refuge in Otter Tail County, and the Sauk Rapids-Rice Goose Refuge in Benton County, in the respective zone or zones in which they are located, are open to goose hunting during the early, regular, and late goose seasons for those zones. All other goose hunting regulations apply in these refuges. Taking waterfowl from public roads and their rights-of-way is prohibited. The Ashby Goose Refuge in Grant County is open to Canada goose hunting during the early September goose season.

**B- Subp. 2. Game refuges.** The Fox Lake Game Refuge in Martin County and the Saint James Game Refuge in Watonwan County are open to goose hunting during the first three days of the regular goose season in the respective zones in which they are located. The Fox Lake Game Refuge is also open to goose hunting ~~from the Saturday on or nearest November 20 to the end of the goose season in the zone in which it is located~~ December 17 to 19, except there is no goose hunting within 100 yards of Fox and Temperence Lakes.

**C- Subp. 3. Waterfowl refuges.** The Harstad Slough Waterfowl Refuge in Stevens County is open to Canada goose hunting during the early September goose season. The Mud-Bardwell Waterfowl Refuge in Martin County is open to Canada goose hunting ~~from November 4 the Saturday on or nearest October 30 to the end of the regular goose season in the zone in which it is located~~, except there is no goose hunting within 100 yards of Mud and Bardwell Lakes. The Rickert Lake Waterfowl Refuge in Steele County is open to Canada goose hunting during the early September goose season. The waterfowl sanctuary within this refuge is closed to hunting and trespass, as posted.

## **6240.1900 LATE SEASON FOR TAKING CANADA GEESE.**

**Subpart 1. Daily limit.** A person may not take more than ~~two~~ five Canada geese per day during the late season, except that no more than two Canada geese per day may be taken in the Southeast Goose Zone.

[For text of subp 2, see M.R.]

**Subp. 3. Seasons.** Canada geese may be taken ~~in the Twin Cities Metro Canada Goose Zone and the Fergus Falls/Alexandria Goose Zone and in Olmsted County during the ten-day period beginning the second Saturday in December. Taking Canada geese on or within 100 yards of all surface waters, excluding ice, is prohibited in the Twin Cities Metro Canada Goose Zone during the late season statewide from December 10 to December 19, 2005, except for the Southeast Goose Zone where Canada geese may be taken from December 15 to December 24, 2005, and except for the West Central Goose Zone, which is closed to late season hunting of Canada geese.~~

**Subp. 4. Special Canada goose license required.** The late seasons established in this part are special seasons for purposes of the special season Canada goose license required under Minnesota Statutes, section 97B.802.

**REPEALER.** The expedited emergency amendments to Minnesota Rules, parts 6240.0610, subpart 3, and 6240.1850, published in the State Register, volume 30, page 216, August 29, 2005, are repealed.

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# Expedited Emergency Rules

**EFFECTIVE PERIOD.** The emergency amendments to *Minnesota Rules*, parts 6240.1100, 6240.1150, and 6240.1900, expire January 1, 2006. 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 6240.0650 and 6240.0950, expire January 1, 2006. *Minnesota Rules*, part 6240.0610, subpart 3, expires January 2, 2006.

## Commissioners' Orders

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

## Department of Natural Resources (DNR) Commissioner's Scientific and Natural Area Order # 183: Avon Hills Forest Scientific and Natural Area

**WHEREAS**, certain lands in Stearns County, Minnesota, described as:

That part of the West Half of the Southeast Quarter, Section 19, Township 125 North, Range 30 West, described as follows to-wit:

Commencing at the northwest corner of the Southeast Quarter of Section 19; thence South to the north line of the right-of-way of the Great Northern Railroad now used across said Quarter Section; thence Southeasterly along the north line of said right-of-way to the east line of the West Half of the Southeast Quarter of said Section; thence North along the said middle line between the East and West halves of said Quarter Section to the north line of said Southeast Quarter and thence West on said Quarter Section line to the place of beginning, being all of the land north of the right-of-way in the West Half of the Southeast Quarter of Section 19, Township 125 North, Range 30 West, in Stearns County, Minnesota, EXCEPT that part of the Southwest Quarter of the Southeast Quarter of Section 19, Township 125, Range 30, Stearns County, Minnesota, lying north of the right-of-way of the Great Northern Railroad as now used across said Quarter Section;

And

That part of the Southwest Quarter of the Southeast Quarter, Section 19, Township 125 North, Range 30 West, Stearns County, Minnesota, lying north of the right-of-way of the Great Northern Railroad as now used across said quarter section;

And

The East Half of the Southwest Quarter, Section 18, Township 125 North, Range 30 West, Stearns County, Minnesota;

And

The East Half of the Northwest Quarter, Section 19, Township 125 North, Range 30 West, Stearns County, Minnesota;

And

All that part of the East Half of the Southwest Quarter, Section 19, Township 125 North, Range 30 West, Stearns County, Minnesota, lying and being northerly of the Great Northern Railway right-of-way;

And

All that part of the Southwest Quarter of the Northeast Quarter, Section 19, Township 125 North, Range 30

# Commissioners' Orders

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West, Stearns County, Minnesota, described within the following metes and bounds lines, to-wit:

Beginning at the southwest corner of said Southwest Quarter of the Northeast Quarter and running thence East on the quarter section line a distance of 8 rods; thence running North, parallel to the west line of said Southwest Quarter of the Northeast Quarter a distance of 40 rods; thence running West a distance of 8 rods to the west line of said Southwest Quarter of the Northeast Quarter, thence South along the west line of said Southwest Quarter of the Northeast Quarter a distance of 40 rods to the place of beginning.

Also

EXCEPTING from the above described lands that part of the Southwest Quarter of the Southeast Quarter and that part of the Northwest Quarter of the Southeast Quarter, Section 19, Township 125 North, Range 30 West, Stearns County, Minnesota, described as follows:

Commencing at the northeast corner of said Southwest Quarter of the Southeast Quarter; thence along the east line of said Southwest Quarter of the Southeast Quarter South 00 degrees 01 minute 24 seconds West, bearing based on Stearns County coordinate system NAD 83 1996 adjustment, a distance of 217.17 feet to a ¾" iron rod with survey cap stamped "MN DNR LS 16098" (DM) and the point of beginning; thence North 00 degrees 01 minute 24 seconds East along the east line of said Southwest Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter a distance of 625.08 feet to a DM; thence South 46 degrees 32 minutes 49 seconds West a distance of 661.09 feet to a DM; thence South 30 degrees 06 minutes 03 seconds East a distance of 326.17 feet to a DM in the centerline of Peach Road; thence northeasterly along the centerline of Peach Road on a non-tangential curve concave to the southeast, a distance of 149.42 feet, said curve having a central angle of 41 degrees 50 minutes 29 seconds, radius of 204.60 feet and a chord bearing of North 57 degrees 40 minutes 16 seconds East; thence not tangent with last described curve along said centerline North 84 degrees 21 minutes 44 seconds East 91.65 feet; thence northeasterly along said centerline on a non-tangential curve concave to the northwest, a distance of 61.66 feet, said curve having a radius of 113.45 feet, a central angle of 31 degrees 08 minutes 34 seconds and a chord bearing of North 66 degrees 08 minutes 29 seconds East; thence not tangent to last described curve North 90 degrees 00 minutes 00 seconds East a distance of 45.68 feet to the point of beginning. are in the process of being acquired.

**WHEREAS**, such lands contain mature stands of mesic oak forest and habitat for rare animal species including Red-shouldered hawk (*Buteo lineatus*) and Cerulean Warbler (*Dendroica cerulea*); and

**WHEREAS**, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

**NOW THEREFORE**, I, Gene Merriam, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* Sec. 84.033, 86A.05, subd. 5, and other applicable laws, do hereby designate the above-described lands as the Avon Hills Forest Scientific and Natural Area upon acquisition of the above referenced parcel.

**FURTHERMORE**, the Avon Hills Forest Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

**IT IS FURTHER ORDERED** that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area, except that the area shall be open to deer hunting on such occasions and with such limitations as the Commissioner determines are necessary to ensure proper management of deer populations.

Dated at St. Paul, Minnesota, this 6th day of September, 2005.

GENE MERRIAM, Commissioner  
Department of Natural Resources

## Official Notices

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

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

### Minnesota Department of Commerce REQUEST FOR COMMENTS on Possible Amendment of Rules Governing Data Service Organizations, *Minnesota Rules 2705*

**Subject of Rules.** The Minnesota Department of Commerce requests comments on its possible amendment of rules governing data service organizations. The rules were adopted as a result of a 1981 legislative update of the laws governing the administration of the workers' compensation system. That legislation created a licensed entity known as a data service organization (DSO) and provided for the transition between another licensed entity known as the Workers' Compensation Insurers Rating Association of Minnesota and the DSO. The department is considering rule amendments to remove rules enacted to bring about that transition and to correct references to outdated manuals and procedures.

**Persons Affected.** The amendment to the rules would likely affect the Minnesota Workers' Compensation Insurers Association, Inc. (MWCIA) as the state's only licensed data service organization. It also may have some impact on workers' compensation insurance companies and self-insurers who do business with MWCIA or others who obtain information from the association.

**Statutory Authority.** *Minnesota Statutes*, section 79.51 requires the Department to adopt rules implementing the provisions of *Minnesota Statutes*, chapter 79 governing aspects of the operations of a licensed data service organization.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on November 28, 2005. The Department does not contemplate appointing an advisory committee to comment on the possible rules.

**Rules Drafts.** The Department has prepared a draft of the possible rules amendments.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules amendments, and requests for more information on these possible rules should be directed to: Tammy L. Lohmann at phone (651) 296-2327, FAX (651) 284-4106, or e-mail [tammy.lohmann@state.mn.us](mailto:tammy.lohmann@state.mn.us). For TTY, contact Minnesota Relay Service at 800-627-3529 and ask for the Minnesota Department of Commerce.

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

**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the administrative law judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: September 20, 2005

  
Glenn Wilson, Commissioner  
Department of Commerce

# Official Notices

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## Minnesota Department of Employment and Economic Development

### Minnesota Housing Finance Agency

### Minnesota Department of Human Services

#### **NOTICE OF PUBLIC HEARINGS AND DRAFT AVAILABILITY of State of Minnesota 2006 Action Plan of the 2002-2006 Consolidated Housing and Community Development Plan and Consolidated Annual Performance and Evaluation Report (CAPER)**

The State of Minnesota announces its process for developing the 2006 Action Plan of the State's 2002-2006 Consolidated Housing and Community Development Plan, and the 2005 Consolidated Annual Performance and Evaluation Report (CAPER). The state encourages citizens to attend the public hearings and review and comment on the draft reports.

The Consolidated Plan is a report that the state submits annually to the U.S. Department of Housing and Urban Development (HUD) in order to receive federal housing and community development funding through the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. The Consolidated Plan examines the housing and community development needs of the state, sets priorities for allocation of the HUD funds, and establishes an Action Plan for meeting current and future needs in the coming year.

The state submits its CAPER to HUD, annually, as one of the conditions of receiving federal funds under the programs listed above. The CAPER provides information to measure the state's progress during the past year in meeting assistance goals and priorities identified in the Consolidated Plan. The CAPER includes a summary and analysis of progress made on identified actions that state agencies have elected to undertake to affirmatively further fair housing and overcome impediments to fair housing.

The state will hold its first public hearing about the 2006 Action Plan on Tuesday, October 11, 2005. The hearing will be held at 4:30 p.m. at the Minnesota Housing Finance Agency, 400 Sibley Street, 1<sup>st</sup> floor conference room, St. Paul. Call 1-800-657-3858 for more information about the hearing. The primary purpose of this public hearing is to gather citizen input on housing and community development needs for the proposed Action Plan.

A second public hearing on the 2006 Action Plan will be held on Thursday, November 17, 2005. This public hearing will be for review and comment on the Action Plan draft and will be held at 4:30 p.m. at the Minnesota Housing Finance Agency, 400 Sibley Street, 1<sup>st</sup> floor conference room, St. Paul. Call 1-800-657-3858 for more information about this second hearing.

A draft of the 2006 Action Plan of the 2002-2006 Consolidated Plan and the CAPER for 2005 will be available for public review and comment for 30 days between October 31, 2005 and close of business November 30, 2005. A copy of the draft Action Plan and CAPER will be available on the Internet at [www.mhfa.state.mn.us](http://www.mhfa.state.mn.us) and [www.deed.state.mn.us](http://www.deed.state.mn.us) and in state depositories identified in the Citizen Participation Plan, which may be viewed at the same internet locations. Hard copies of the draft Action Plan can be obtained by calling Reed Erickson, Department of Employment and Economic Development, 1-800-657-3858 or (651) 297-1980, or TTY 1-800-366-2906 or (651) 282-6142. Hard copies of the CAPER can be obtained by calling Minnesota Housing Finance Agency at 1-800-657-3769 or (651) 296-7608, or TTY (651) 297-2361.

Written public comments on the Action Plan can be submitted to:

Consolidated Plan, Attn: Reed Erickson  
Minnesota Department of Employment  
and Economic Development  
First National Bank Building  
332 Minnesota Street, Suite E200  
St. Paul, MN 55101-1351

Written comments may also be submitted by fax to (651) 296-1290 or by email to [reed.erickson@state.mn.us](mailto:reed.erickson@state.mn.us). To ensure consideration of your comments, type "Consolidated Plan" in the subject line of your e-mail.

Written public comments on the 2005 Consolidated Annual Performance and Evaluation Report (CAPER) can be submitted to:

CAPER  
Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101

Written comments may also be submitted by fax to (651) 296-8139 or by email to [mhfa@state.mn.us](mailto:mhfa@state.mn.us). To ensure consideration of your comments, type "CAPER" in the subject line of your e-mail.

The Consolidated Plan and the CAPER will be submitted to HUD on or before December 30, 2005. The state will consider any comments from individuals or groups received in writing or at public hearings. A summary of the written and public hearing comments and the state's responses will be included in the final Action Plan and the CAPER.

### Environmental Quality Board

#### **Grant to Minnkota Power Cooperative Inc. of Grand Forks, North Dakota for a Route Permit for a 230-Kilovolt New High Voltage Transmission Line and a New Lund Substation in Lake of the Woods County - EQB Docket No. 05-93-TR-MINNKOTA**

The Environmental Quality Board on June 16, 2005, voted to issue a route permit to Minnkota Power Cooperative Inc. for the proposed 230 kV transmission lines and substation to interconnect its existing 230 kV and 69 kV transmission systems between Warroad and International Falls. Construction is expected to start immediately. The Project will be located in Lake of the Woods County in Sections 19 and 30 in Township 160N, Range 30W. The project is located approximately three miles south of Baudette, Minnesota. The permit is for the construction, operation, and maintenance of two parallel 230 kilovolt high voltage transmission lines approximately 2,600 feet in length to connect the new Lund substation to existing Minnkota 230 kV and 69 kV transmission lines. Minnkota proposes to construct approximately 10 H-frame structures (refer to Figures B.6 in the Route Permit application). The average span length will be approximately 600 feet. The height of the proposed structures will be approximately 70 feet. The draft Route Permit includes typical conditions addressing construction, public safety, and electrical standards. These include referencing the Application, the submittal of "as built" plans, identification of a field representative, and addressing the repair of damage caused, site and route cleanup, and handling of any waste generated. In addition the Route Permit includes provisions addressing expansions and modifications, transfer of ownership, applicability of federal and state laws, and severability. The Permit and other information about this project may be reviewed on the EQB Web Site: <http://www.eqb.state.mn.us/Docket.html?Id=16584> If you have any questions about this project or would like more information, please contact: George Johnson; telephone 651 296-2888 or email [george.johnson@state.mn.us](mailto:george.johnson@state.mn.us)

### Department of Labor and Industry

#### **Labor Standards Unit**

#### **Notice of Correction to Commercial Prevailing Wage Rates for Heat and Frost Insulators in Anoka and Dodge Counties**

A **correction** has been made to the Commercial Prevailing Wage Rates certified 12/27/04, for **Labor Code 401, Heat and Frost Insulators, in Anoka and Dodge Counties**.

Copies with the corrected certified wage rates for these Counties 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](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.25 per page. Make check or money order payable to the State of Minnesota.

M. SCOTT BRENER  
COMMISSIONER

### Metropolitan Council

#### **Public Hearing on the South St. Paul Forcemain (Sanitary Sewer) Improvements Project Facility Plan**

**South St. Paul City Hall (Second Floor Courtroom)  
125 Third Ave. N., South St. Paul, Minnesota  
Wednesday, October 26, 2005 - 7:00 p.m.**

# Official Notices

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The Metropolitan Council will hold a public hearing on the South St. Paul Forcemain (Sanitary Sewer) Improvements Project Facility Plan. The Draft Facility Plan for this project, prepared by the Metropolitan Council's Environmental Services Division (MCES), outlines recommendations for constructing a new dual forcemain system.

The Draft Facility Plan further outlines a recommended route for the new forcemain: Beginning at MCES's South St. Paul Lift Station, located just west of the Mississippi River and just south of Interstate 494, the new forcemain would go north (crossing under I-494) to Verderosa Avenue, follow Verderosa Avenue north and west to Hardman Avenue, go north along Hardman Avenue to its northernmost point, go east (crossing under the Mississippi River) to Pig's Eye Peninsula, then go north to the Metropolitan Wastewater Treatment Plant in St. Paul.

Construction is expected to take place in 2007-2008, at an estimated cost of \$30 million.

Copies of the Draft Facility Plan for the South St. Paul Forcemain (Sanitary Sewer) Improvements Project are available for review at:

- South St. Paul City Hall, 125 Third Ave. N., South St. Paul
- St. Paul City Hall, 15 W. Kellogg Blvd., St. Paul
- South St. Paul Public Library, 106 Third Ave. N., South St. Paul
- Sun Ray Branch Library, 2105 Wilson Ave., St. Paul
- Metropolitan Council's Data Center, 230 E. Fifth St., St. Paul

All interested persons are encouraged to attend the hearing and provide comments. You also may submit comments, which must be received by the Metropolitan Council no later than November 7, 2005:

- Send written comments to: Tim O'Donnell at Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to: Tim O'Donnell at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such requests to Tim O'Donnell via mail or fax (see above) or by phone at (651) 602-1269 before October 19, 2005.

## Minnesota Department of Natural Resources Order Approving Names of Geographic Features

Pursuant to the authority granted by *Minnesota Statutes*, Section 83A.02 (2005), I hereby approve the naming/renaming of the following geographic features of the state herein:

- Wagonga Lake, Minnesota Public Water No. 34-169, located in various sections, Townships 118-119 North, Range 34-35 West, Kandiyohi County, Minnesota, is renamed "Lake Wakanda."
- Unnamed Stream, commencing in the SW ¼ of Section 28, Township 55 North, Range 9 West, to its confluence with the Split Rock River in the SE ¼ of Section 1, Township 54 North, Range 9 West, Lake County, Minnesota, is named "Strand Creek."

Dated: 29 August 2005

Gene Merriam, Commissioner  
Department of Natural Resources

## Department of Natural Resources Notice of Conveyance to Establish Boundary Lines Relating to Certain State Landholdings

**NOTICE IS HEREBY GIVEN** that pursuant to *Minnesota Statutes*, section 84.0273, the State of Minnesota proposes to convey by a boundary line agreement such rights, titles and interests in state lands located in Government Lot 3 and Government Lot 4, Section 32, Township 59 North, Range 15 West, St. Louis County to **NATERRA LAND, Inc.**, a Minnesota corporation, who in return proposes to convey by the same agreement such rights, titles and interests in its adjacent lands as are necessary for the purpose of establishing a boundary line.

The reason for this conveyance is that the **STATE** is the owner in fee of the bed of Wynne Lake lying below the low water mark as of the time of statehood as changed by accretion and reliction as established by the Order of the District Court, Sixth Judicial District, dated

November 3, 2003. A portion of the original lakebed had been filled with mining deposits to a depth of that varies from approximately 1 to 20 feet above the low water mark that cannot be accurately located on the ground.

The parties wish to make their mutual boundaries more definite and certain.

Additional information about this conveyance or a copy of the proposed conveyance can be obtained by contacting:

Minnesota Department of Natural Resources  
Division of Lands and Minerals  
1601 Minnesota Drive  
Brainerd, Minnesota 56401  
John Walker, Project Surveyor  
(218) 828-2445  
E-mail: [john.walker@dnr.state.mn.us](mailto:john.walker@dnr.state.mn.us)

## Department of Natural Resources Notice of PUBLIC HEARING to Consider Opening the Following Scientific and Natural Areas to Additional Public Uses

The Department of Natural Resources (DNR) will conduct a public hearing to consider opening the following scientific and natural areas (SNA) to the additional public uses as noted below;

Site Name	Location	Proposals
Spring Beauty Northern Hardwoods Scientific and Natural Area	Cook County; SW ¼ and W ½ of the SE ¼ in Section 1, and E ½ of SE ¼ in Section 2, all in Township 62 North, Range 3 East; and W ½ of SW ¼ in Section 6 of Township 62 North, Range 4 East, owned by the State of Minnesota.	<ol style="list-style-type: none"><li>1. Open to all hunting in seasons for protected game species.</li><li>2. Open to dogs.</li><li>3. Open to berry picking.</li><li>4. Open to picnicking.</li></ol>
Myhr Creek Ridge Scientific and Natural Area	Cook County; E ½ of NE ¼, and E ½ of SE ¼ in Section 24 of Township 62 North, Range 3 East, owned by the State of Minnesota.	<ol style="list-style-type: none"><li>1. Open to all hunting in seasons for protected game species.</li><li>2. Open to dogs.</li><li>3. Open to berry picking.</li><li>4. Open to picnicking.</li></ol>
Lutsen Scientific and Natural Area	Cook County; SE ¼ of NE ¼ of Section 21, NW ¼ of NW ¼ of Section 27, and all of Section 22, all in Township 60 North, Range 3 West, owned by the State of Minnesota.	<ol style="list-style-type: none"><li>1. Open to berry picking.</li><li>2. Open to picnicking.</li></ol>
Hovland Woods Scientific and Natural Area	Cook County; S ½ of NE ¼, SE ¼ of SW ¼, and SE ¼ in Section 34 of Township 63 North, Range 3 East, owned by the State of Minnesota.	<ol style="list-style-type: none"><li>1. Open to berry picking.</li><li>2. Open to picnicking.</li></ol>

The hearing will be held October 5, from 7:00pm to 8:00pm, or until all testimony is taken, in the Social Room at the Cook County Community Center, 317 West 5<sup>th</sup> St., Grand Marais, Minnesota. The purpose of the hearing is to take public testimony regarding opening selected scientific and natural areas to hunting, dogs, berry picking, or picnicking, as noted above. All other existing regulations will remain in effect should this proposal be approved. Opening Spring Beauty Northern Hardwoods and Myhr Creek Ridge Scientific and Natural Areas to hunting and dogs will make them consistent with other SNA in the vicinity, where there is a large public land base currently open to these uses and no major impacts have occurred or are anticipated. All four scientific and natural areas feature mature and old growth forest. Berry picking and picnicking will occur very infrequently, and are not expected to damage these sites. At the hearing, a hearing examiner will record all testimony **on whether these areas should be opened to public hunting, dogs, berry picking for noncommercial purposes, and picnicking as proposed**. An official of the DNR will be present to discuss these matters. Written statements on this subject will also be accepted until October 5, 2005. Testimony may be sent to the following address:

Regional Administrator, c/o Scientific and Natural Areas

# Official Notices

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Minnesota Department of Natural Resources  
1201 East Highway 2  
Grand Rapids, MN 55744;  
or E-mail: [chuck.spoden@dnr.state.mn.us](mailto:chuck.spoden@dnr.state.mn.us)

For further information, call (218) 753-2580, ext. 270.

## Department of Transportation Finance and Administration Division Office of EEO/Contract Management Notice of Intent to Solicit Outside Information and Opinion on Proposed Disadvantaged Business Enterprise (DBE) Program Annual Goal Federal Fiscal Year 2006

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Transportation's (Mn/DOT) Office of EEO/Contract Management proposes to set its annual goal for DBE participation on all U.S. Department of Transportation (DOT) assisted contracts at 9.57%.

In accordance with DOT regulations 49 CFR Part 26, Mn/DOT has established a Disadvantaged Business Enterprise (DBE) Program, which mandates setting DBE Program annual goals.

The DBE annual goal and its rationale will be available for public inspection during normal business hours from 8:00 a.m. to 4:30 p.m. at the Office of EEO/Contract Management, located on the first floor of the Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota. The goals and rationale are available for 30 days from the date of publication of this notice.

Mn/DOT's goal of 9.57% for FY 2006 may be adjusted in response to comments received during the forty-five (45) day comment period.

Address all written comments to:

Joanne Wagner, Director  
Office of EEO/Contract Management  
Minnesota Department of Transportation  
395 John Ireland Blvd., MS 170  
St. Paul, Minnesota 55155  
**E-mail:** [Joanne.wagner@dot.state.mn.us](mailto:Joanne.wagner@dot.state.mn.us)  
**Fax:** (651) 297-2158

## 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 Workforce Partnerships Division Request for Proposal for National Emergency Base Realignment and Closure (BRAC) Planning Grant

### I. Background

The Department of Labor has provided Minnesota a special \$500,000 National Emergency Base Realignment and Closure (BRAC) Planning Grant to begin to address the employment/business losses or gains Minnesota might experience as well as the overall economic consequences of BRAC. Thirty-seven states, Guam and the District of Columbia were also awarded such grants.

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# State Grants & Loans

The submission of a RFP does not commit the State of Minnesota or DEED to the award of a Grant Agreement, or reimbursement of costs incurred by successful or unsuccessful bidders in the preparation of the proposal. The review and recommendation of a proposal is subject to satisfactory negotiation of a Grant Agreement.

The estimated total dollar value of an individual Grant Agreement is \$50,000 to \$200,000. However, this shall not be construed as either the minimum or maximum amount. It shall also be understood and accepted by the Grantee that any quantities shown in this RFP are estimated quantities only and impose no obligation upon the State either minimum or maximum.

## II. Approved Planning Grant Activities

1. Establishing transition committees or workgroups under the direction of key stakeholders to develop plans and policies to respond too the needs of workers (including secondary workers) expected to be impacted by BRAC 2005.
2. Establishing infrastructure, including additional staff resources (including consultants), necessary to work with OEA and EDA state and local planning efforts as part of the community adjustment initiatives resulting from BRAC 2005.
3. Participating with other community stakeholders in identifying and developing plans to enhance, as appropriate, current and long range education capacity and other capacity to meet the training needs of the workers.
4. Setting clear and realistic goals for work and work products to be achieved by the community group as part of the workers transition from defense to private sector employment.
5. Developing working agreements with key stakeholders.
6. Developing processes and systems to serve the dislocated workers.
7. Leveraging additional resources as part of the planning effort to assure that efforts can move from planning to implementation.
8. Providing assistance in planning layoff prevention for businesses which are base related or base dependent, where retooling or upgrading current worker skills can lead to a shift in business focus, production, or market, lending to greater economic stability.
9. Meeting other indigenous needs of a given community and the affected workforce.
10. Creating or updating local or regional economic development plans that anticipate possible base closings in the future.

## III. Eligible Applicants and Timeline

The Department of Employment and Economic Development (DEED) will enter into grant contracts with Units of Local Government or non profit organizations in or near the cities of East Grand Forks, Duluth, and Mpls/St Paul, Minnesota. If a non profit organization applies under this RFP, they will need to obtain a letter of support from a Local Unit of Government in one of the regions listed above. These grant agreements are effective until December 31, 2005 but may be renewed or extended with prior approval after that date if all funds have not been expended.

Eligible applicants, other than Local Units of Government, must demonstrate the capacity to administer the grant, experience in the region to be served, and sound fiscal management capability.

## IV. Proposal Process

Applicants have until 4:30 p.m. on Friday, October 14, 2005 to submit Proposals. Proposals can be sent by email but an original signature page must be received by October 14, 2005 signed in ink, by an authorized member of the applicant.

Proposals will be evaluated by how well they adhere to the allowable activities expressed in the Request For Proposal, creativity within those boundaries, clarity, and likelihood that proposed deliverables can be achieved.

**For further information or questions:** You may contact Bob Ahlin, (651) 297-5165 or via email at: [bob.ahlin@state.mn.us](mailto:bob.ahlin@state.mn.us)

## V. Proposal Contents

The Proposal must contain the first 3 exhibits listed below. If the applicant is not a local unit of government, the Proposal must also contain exhibit #4.

1. Signature Page (in the format attached).
2. Project Description

Provide detail on what activities will be undertaken, a list of outputs or deliverables, and a timeline for the use of funds. If subcontractors are to be used to furnish part or all of the deliverables, identify each subcontractor and contracted service, and a detailed budget for each. Describe how the project applies to one or more of the approved planning grant activities.

3. Budget Summary

The budget summary must be sufficiently detailed so that discrete budget categories can be negotiated up or down if necessary. For instance, consumables, salaries, travel, contracts, capital purchases, etc. should be categorized as separate expenses.

4. Additional Information Required if Applicant is not a Local Unit of Government.
  - a. *Letter of support from a Local Unit of Government*
  - b. Information about the Applicant's Capacity to Serve the Needs of Targeted *Region*. What other grants has the organization

# State Grants & Loans

administered in the past? How long has the organization been active in the region?

c. *Information about the Applicant's Management, Staff, and/or consultants to be hired.* Who is the lead person? What other personnel will work on this project? What is the experience of the applicant's staff? Is management and staff experienced in economic/workforce development?

d. *Information about the Applicant's fiscal management ability.* If the applicant is not the fiscal agent, who is the fiscal agent? Does the fiscal agent demonstrate a capacity to administer grant funds? What MIS system is in place or planned?

## VI Reporting

The State will not require any reporting beyond what the Department of Labor requires of the State. Each **monthly report** must contain, at a minimum, the following:

1. Accrued expenditures to date
2. Succinct summary of activities performed
3. Any formal agreements or memoranda signed
4. Challenges being encountered and resolutions achieved

## SIGNATURE PAGE

STATE OF MINNESOTA

### Request for Proposal For BRAC-2005

State of Minnesota  
MN Department of Employment & Economic Development  
Workforce Partnerships Division/Dislocated Worker Program  
1<sup>st</sup> National Bank Building  
332 Minnesota Street, Suite E200  
St. Paul, MN 55101-1351

*For WPD/DWP use only*

FILE

Grantee: \_\_\_\_\_

Grant #: \_\_\_\_\_

Grant Name: \_\_\_\_\_

Workforce 1 #: \_\_\_\_\_

1. Applicant Name:

Address:

City/State/Zip Code:

Contact Person:

Phone Number:

2. Descriptive Name of Project: BRAC – 2005 (name of applicant)

3. Project Dates: \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_

4. Total Funds Requested: \_\_\_\_\_

Application is made for a sub-grant from the U.S. Department of Labor administered by the Minnesota Department of Trade and Economic Development, further described in Training and Employment Guidance Letter No. 16-03, Change 2, in the amount and for the purposes stated herein:

\_\_\_\_\_  
Name of Authorized Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Department of Public Safety  
Office of Justice Programs****Multi-Jurisdictional Task Force Grant Funding**

**Purpose:** The purpose of this funding is to support multi-jurisdictional task force programs that integrate federal, state and local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations. It is an approach that is intended to disrupt drug distribution networks and the related patterns of serious criminal activity that may be beyond the investigative resources of individual agencies.

Additionally, the Minnesota state legislature appropriated funds in the 2005 session to integrate full-time gang strike force investigators into multi-jurisdictional drug task force operations. This supplemental grant funding is available to multi-jurisdictional drug task forces operating outside of the seven-county metropolitan area.

**Eligible Applicants:** Local units of government, county sheriff's offices, county attorney offices and police departments are eligible to apply for funding. In Minnesota, a multi-jurisdictional narcotic task force must be structured in a way that incorporates elements that have been proven successful (see application for additional detail).

**Source of Funds and Legislative Authority:** Projects will be funded through the Justice Assistance Grant Program, United States Department of Justice, Bureau of Justice Assistance and *Laws of Minnesota 2005*, Chapter 136, Article 1, Section 9, subd. 6 and *Minnesota Statutes 299A.641 subd. 7*.

**Total Funding Available:** There is \$2.6 million in federal funds and \$950,000 in state funds available for projects selected to receive grant awards.

**Match Requirement:** There is a minimum cash match requirement of 25 percent of the total project cost for any federal funds received.

**Project Period:** Funded projects will be for 12 months and will begin January 1, 2006.

**Application Materials:** Effective September 22, 2005, a full application description and materials may be accessed at [www.ojp.state.mn.us](http://www.ojp.state.mn.us) or by contacting Jesse Standal at: [jesse.standal@state.mn.us](mailto:jesse.standal@state.mn.us) or at (651) 282-9851. Any information updates regarding this request for proposals will be posted on the above website.

**Submission deadline:** All proposals must be postmarked no later than Thursday, October 27, 2005. Delivered applications must be received by 4:30 p.m. that same day. Emailed, faxed and late applications will not be accepted.

**Submission details:** Mail or deliver an original, ten (10) copies and a copy on disk or CD-ROM of the completed proposal to:

Office of Justice Programs  
444 Cedar Street, Suite 100  
St. Paul, MN 55101-5100  
ATTN: Multi-Jurisdictional Task Force RFP

**Department of Public Safety  
Office of Justice Programs****Request for Proposals – Methamphetamine Treatment Grants**

**Purpose:** The Minnesota Office of Justice Programs, Department of Public Safety, is requesting proposals to fund methamphetamine treatment programs. These funds are to enhance, not replace, existing treatment options. Successful applicants will include a program design that is adequately defined and supported by best practice and/or evidence-based practice for treatment services provided to individuals addicted to methamphetamine.

**Total available funding:** \$1,462,500 is available for two-year grants ranging in size from \$50,000 - \$500,000.

**Legislative authority:** *Laws of Minnesota 2005*, Chapter 136, Article 1, Section 9.

**Application deadline:** Proposals must be submitted electronically via the Web Enabled Grants Operations (WEGO) system by 11:59 p.m. **Friday, October 28, 2005.**

For more information and a complete Request for Proposal go to:

[www.ojp.state.mn.us](http://www.ojp.state.mn.us)

Or

Tricia Hummel

**E-mail:** [tricia.hummel@state.mn.us](mailto:tricia.hummel@state.mn.us)

(651) 284-3323

## 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](http://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

## Colleges and Universities, Minnesota State (MnSCU) Request for Proposal for Banking Services

**NOTICE IS HEREBY GIVEN** that proposals are being solicited to select one or more banks to provide banking services for the Minnesota State Colleges and Universities located in the Twin Cities area (aka the Metro Alliance) and the System Office (aka the Office of the Chancellor) located in downtown St. Paul. The Metro Alliance is a collaborative effort by the 11 metropolitan area schools to improve their internal operating efficiencies and productivity. Members of the Alliance are:

- Anoka Technical College;
- Anoka-Ramsey Community College;
- Century College;
- Dakota County Technical College;
- Hennepin Technical College;
- Inver Hills Community College;
- Metropolitan State University;
- Minneapolis Community and Technical College;
- Normandale Community College;
- North Hennepin Technical College; and
- St. Paul College.

The Metro Alliance and the Office of the Chancellor seek the services of one or more banks to provide professional revenue and deposit banking services. Institutions must provide evidence of successful experience working with non-profit organizations and/or educational institutions. For additional information or to request a copy of the Request for Proposal, please contact:

Kevin Marsh, Director of Financial Planning  
Minnesota State Colleges and Universities  
30 7<sup>th</sup> Street East, Suite 350  
St. Paul, MN 55101-7804  
**Telephone:** (651) 296.7506  
**Fax:** (651) 296.8488  
**E-mail:** [Kevin.Marsh@so.mnscu.edu](mailto:Kevin.Marsh@so.mnscu.edu)

Proposals are due at the Office of the Chancellor by 5:00 p.m. CT on Monday, October 24, 2005.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities, the Metro Alliance or its schools and/or the Office of the Chancellor to award a contract; and each college, university and/or the Office of the Chancellor reserves its right to withdraw from the RFP if it is considered to be in its best interest.

**Colleges and Universities, Minnesota State (MnSCU)  
Central Lakes College, Brainerd and Staples Campuses,  
Brainerd and Staples, MN****Notice of Availability of Request for Proposal (RFP) for Owner Representative  
Selection for Heavy Equipment Maintenance/Teaching Lab, Music Rehearsal/  
Teaching Lab, and Staples Multi-Purpose Science Lab Projects**

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota, is soliciting proposals from interested, qualified consultants for Owner Representative services for the above referenced project.

A full Request for Proposals is available on Central Lakes College's website: [www.clcmn.edu/rfp](http://www.clcmn.edu/rfp) and click on Owner's Representative RFP.

A project informational meeting has been scheduled for October 5, 2005 at 10 a.m. at Central Lakes College, 1830 Airport Road, Staples, MN in Room B103. Contact: Contact Jody Longbella, (218) 894-5128, [jlongbel@clcmn.edu](mailto:jlongbel@clcmn.edu) to sign up for the meeting.

Proposals must be delivered to Kari Christiansen, Vice President of Administrative Services, Central Lakes College, 501 West College Drive, Brainerd, MN 56401 no later than 2:00 p.m. on Friday, October 14, 2005. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Colleges and Universities, Minnesota State (MnSCU)  
Normandale Community College, Bloomington, MN****Notice of Availability of Request for Proposal (RFP) for Designer Selection for  
Classroom Renovation and Addition (State Project No. 05-16)**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Normandale Community College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities website: [www.facilities.mnscu.edu](http://www.facilities.mnscu.edu), click on "Solicitation Announcements."

An informational meeting is tentatively scheduled for **1:30 PM**, September 29, 2005 in the Fine Arts Building, **Room F-2266** at Normandale Community College, 9700 France Avenue South, Bloomington, MN 55431 All firms interested in this meeting should contact Dr. Bernardine Bryant, at (952) 487-8159 or [bernardine.bryant@normandale.edu](mailto:bernardine.bryant@normandale.edu) to sign up for the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 P.M., Monday, October 17, 2005. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Office of Enterprise Technology  
Minnesota Drive To Excellence****Intent to Issue a Request for proposals for an Enterprise-wide Licensing Solution  
for the State**

Minnesota's Drive To Excellence initiative requires an enterprise-wide licensing solution for the state. A forum will be held at which the state will present background information for interested vendors.

The forum will be held on Monday, October 10, 2005 from 9:00 a.m. to Noon at the Skjegstad Conference Room, at the Stassen Building, Minnesota Department of Revenue, 600 North Robert Street, St. Paul, MN.

Participation will not affect eligibility for subsequent work. Please go to the Drive To Excellence web site: [www.excellence.state.mn.us](http://www.excellence.state.mn.us) to RSVP if interested in attending.

# State Contracts

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## Minnesota Housing Finance Agency

### Request for Proposal to Serve as Investment Banker

The Minnesota Housing Finance Agency (MHFA) expects to have available on September 22, 2005 a Request for Proposal (RFP) to serve as Investment Banker. The services to be provided by a qualified investment banking firm may include, but are not limited to, the following: At the time of a bond sale, recommend optimum bond structure, pricing strategy and marketing strategy; prepare all preliminary and final cash flows; prepare investment agreement bid specifications and obtain bids for acquisition, debt service reserve, insurance reserve and float funds at time of bond sale pricing; market MHFA's bonds; and prepare final pricing book after pricing of each bond sale. In between bond sales, provide assistance in financial planning and utilizations of MHFA fund balances; provide assistance in developing new sources of capital for affordable housing programs. Copies of the RFP may be downloaded from the Agency's website ([www.mhfa.state.mn.us](http://www.mhfa.state.mn.us)).

Proposals are to be submitted to Minnesota Housing Finance Agency, Patricia Hippe, Deputy Commissioner, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101-1998 no later than 12:00 noon, CST, Monday, October 17, 2005.

## Department of Natural Resources

### Division of Ecological Services

### Environmental Policy and Review

### Notice of Availability of Request for Proposal for Preparation of an Environmental Impact Statement for the Ispat Inland, East Reserve Project in St. Louis County, Minnesota

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Natural Resources, a state agency, seeks the services of a professional consultant to assist in preparing an environmental impact statement for the East Reserve mine expansion near Biwabik in St. Louis County, Minnesota. The EIS will analyze impacts associated with construction and operation of a new open pit mine.

The DNR seeks the services of a consultant with expertise in: preparing state environmental review documents; metal mining operations; metallurgical and mineral processing; geotechnical evaluations; hydrology/hydrogeology; stream geomorphology (Rosgen analysis); water quality modeling; wastewater treatment (mercury analysis); municipal drinking water operations; wetland evaluation and mitigation; aquatic ecology; wildlife biology; state and federal threatened and endangered species; transportation and traffic analysis; noise/visibility analysis; land use management; socioeconomics; and cumulative effects analysis. The consultant must conduct necessary data collection and analysis, and prepare draft and final EISs, that fulfill the requirements of *Minnesota Rules* parts 4410.0200 to 4410.6500.

The Request for Proposal can be obtained from:

Scott Ek  
Minnesota Department of Natural Resources  
Division of Ecological Services  
500 Lafayette Rd., Box 25  
St. Paul, MN 55155-4025  
(651) 296-8396

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 PM on October 18, 2005. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

**Department of Public Safety  
Office of Justice Programs  
Metro Gang Strike Force**

**Purpose:** The purpose of this application is to solicit participation in the Metro Gang Strike Force. It is part of larger application process to establish multi-jurisdictional gang and drug task and strike forces that address the problems of gang and drug crime throughout the state of Minnesota. The Metro Gang Strike Force will operate under the direction of the Gang and Drug Oversight Council, Statewide Coordinator and under the command of the Metro Gang Strike Force Commander. Selected agencies will be convened to develop a memorandum of understanding that will address common operational issues including but not limited to: scope of work, work location, command structure, terms of participation and use of forfeited assets.

**Eligible Applicants:** Law enforcement agencies in the seven-county metro area.

**Source of Funds and Legislative Authority:** Minnesota State Legislature.

**Total Funding Available:** There is \$1.4 million available to support investigators in the metro area. Up to \$40,000 can be requested to support each full-time officer. Funds may be used for salary, fringe, and overtime and/or vehicle costs.

**Match Requirement:** None.

**Project Period:** Funded projects will be for 12 months and will begin January 1, 2006.

**Application Materials:** Effective September 22, 2005, a full application description and materials may be accessed at [www.ojp.state.mn.us](http://www.ojp.state.mn.us) or by contacting Jesse Standal at [jesse.standal@state.mn.us](mailto:jesse.standal@state.mn.us) or at 651-282-9851. Any information updates regarding this request for proposals will be posted on the above website.

**Submission deadline:** All proposals must be postmarked no later than Wednesday, October 10, 2005. Delivered applications must be received by 4:30 P.M. that same day. Emailed, faxed and late applications will not be accepted.

**Submission details:** Mail or deliver an original, ten (10) copies and a copy on disk or CD-ROM of the completed proposal to:

Office of Justice Programs  
ATTN: Metro Gang Strike Force Application  
444 Cedar Street, Suite 100  
St. Paul, MN 55101-5100

**Department of Transportation (MnDOT)  
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:

# State Contracts

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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 (MnDOT)

### 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](http://www.dot.state.mn.us/consult).

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

## Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of 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.

## Dakota County Regional Railroad Authority

### Notice of Accepting Engineering/Planning Proposals for Preliminary Engineering and Environmental Documentation for Cedar Avenue Corridor Including Shoulder-Running Bus Rapid Transit

The Dakota County Regional Railroad Authority is accepting proposals from consultants to undertake project design, environmental documentation and process management in accord with NEPA standards and requirements. Focus is on busway shoulder improvement needs and related highway improvement needs for the Cedar Avenue Corridor from 138<sup>th</sup> Street in Apple Valley south to 215<sup>th</sup> Street in Lakeville, a distance of approximately 8 miles. The contract will be 18 to 24 months.

Preproposal conference for all interested proposers October 4, 2005, 1:30 PM, Dakota County Service Center, Room 1920, 14955 Galaxie Avenue, Apple Valley, MN.

All proposals are due by 3:00 PM October 21, 2005.

To request a copy of the Request for Proposals contact :

Gene Franchett, Project Manager  
Dakota County Office of Planning, Western Service Center  
14955 Galaxie Avenue  
Apple Valley, Minnesota 55124  
**Telephone:** (952) 891-7035  
**E-mail:** [gene.franchett@co.dakota.mn.us](mailto:gene.franchett@co.dakota.mn.us)

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## Non-State Contracts & Grants

### **Metropolitan Council - Metro Transit Bus Schedule Printing Re-Bid**

The Metropolitan Council is soliciting sealed bids for Bus Schedule Printing. Bids are due at 2:00 p.m. on October 6, 2005. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council  
Metro Transit Purchasing Department  
515 N. Cleveland Avenue  
St. Paul, MN 55114  
(612) 349-5070

### **University of Minnesota Subscribe to Bid Information Service (BIS)**

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

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

