

MINNESOTA STATE REGISTER

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Minnesota State Register

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

The Minnesota State Register is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 51 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#12	Monday 21 September	Noon Tuesday 15 September	Noon Thursday 10 September
#13	Monday 28 September	Noon Tuesday 22 September	Noon Thursday 17 September
#14	Monday 5 October	Noon Tuesday 29 September	Noon Thursday 24 September
#15	Monday 12 October	Noon Tuesday 6 October	Noon Thursday 1 October

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY in Microsoft WORD format. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit ELECTRONICALLY in Microsoft WORD, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$14 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$84. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the State Register. Contact editor with questions (651) 201-3204, or e-mail: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

SEE THE Minnesota State Register free at website: <https://mn.gov/admin/government/data-info/register.jsp>

- Minnesota State Register: Online subscription – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
- Single issues are available electronically via PDF for free.
- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: \$15.00.

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Minnesota Legislative Information

Senate Public Information Office

(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
<https://www.federalregister.gov/>

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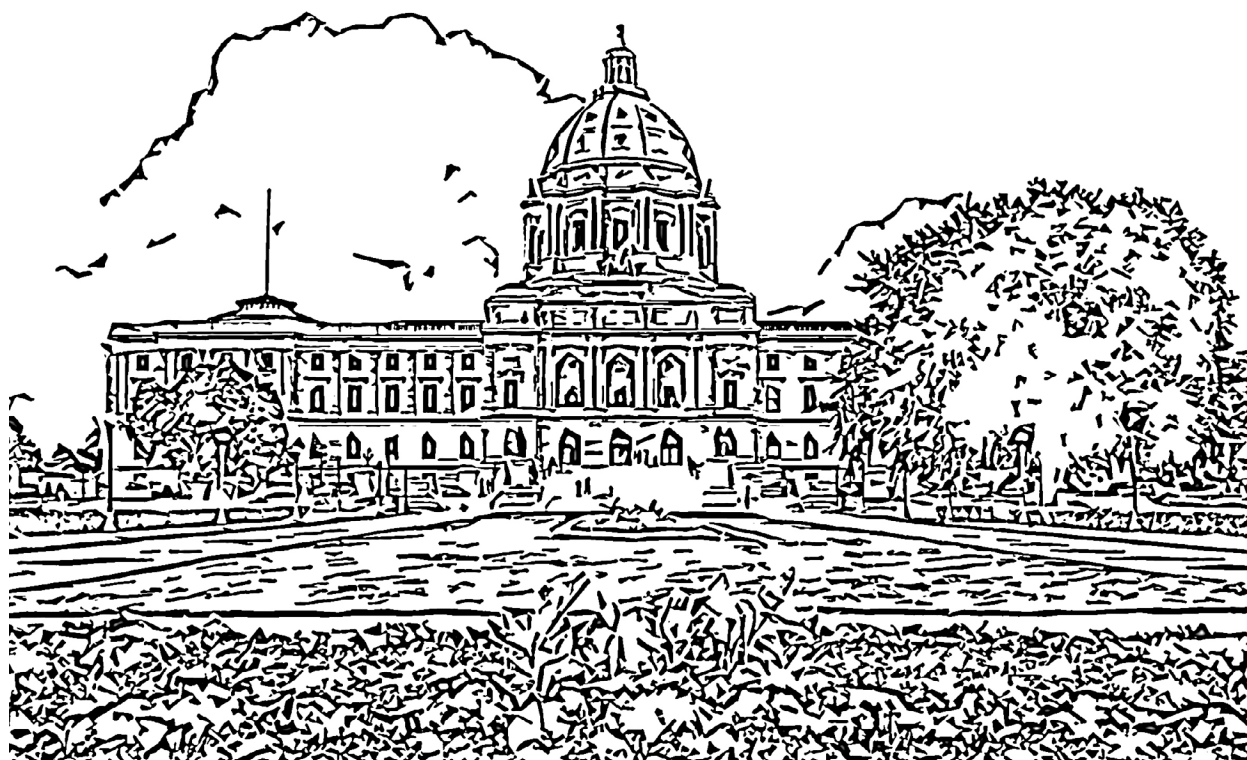
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*Front Cover Artwork: Thousands of people walk the streets of the Minnesota State Fair on a sunny day, blue-sky day in early September.
Photo by Grady McHugh*



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. 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, but 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.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

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Commissioner's 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*.

Minnesota Department of Natural Resources (DNR) Commissioner's Order – SNA Order # 270: Egret Island Scientific and Natural Area

Date: September 2nd, 2026

Statutory authority: *Minnesota Statutes*, sections 84.033, 86A.05, subdivision 5, 97A.145, and 97A.093

FACTUAL BACKGROUND AND LEGAL AUTHORITY

WHEREAS Minn. Stat. § 84.033, subd. 1 authorizes the commissioner of natural resources ("commissioner") to "acquire by gift, lease, easement, exchange, or purchase, . . . in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas" (hereinafter "SNA").

WHEREAS SNAs are part of the state's outdoor recreation system and are "established to protect and perpetuate in an undisturbed natural state those natural features which possess exceptional scientific or educational value." Minn. Stat. § 86A.05, subd. 5(a).

WHEREAS to qualify as an SNA, the land area must have "natural features or exceptional scientific and educational value"¹ and must be "large enough to permit effective research or educational functions and to preserve the inherent natural values of the area." Minn. Stat. § 86A.05, subd. 5(b)(1) and (b)(2).

WHEREAS each SNA must be designated as either a research unit, an educational unit, or a public use unit. Minn. Stat. § 86A.05, subd. 5 (e).

WHEREAS Minn. Stat. § 97A.093 precludes hunting, trapping, or fishing in an SNA unless the designation document allows hunting, trapping, or fishing or unless "the commissioner allows hunting, trapping, or fishing in accordance with the procedure in section 86A.05, subdivision 5, paragraph (d)".

WHEREAS an area designated as an SNA may not be altered in designation or use without holding a public hearing and an opportunity for persons to be heard on the designation or use as set forth in Minn. Stat. § 86A.05, subd. 5(d).

WHEREAS on March 5, 1996, the state acquired certain lands in Grant County, totaling 34.32 acres, and legally described as:

Government Lots Three (3) and Four (4), Section Twenty-six (26); and Government Lot Four (4), Section Twenty-three (23), ALL IN Township One Hundred Thirty (130), Range Forty-one (41).

WHEREAS the DNR desires to designate the above 34.32 acres located in Grant County, all of which are under the control and possession of the DNR, as the Egret Island SNA.

WHEREAS these 34.32 acres are of an area sufficiently large enough to permit research or education and to

¹ Minn. Stat. § 86A.05, subd. 5(b)(1) lists seven examples of natural features that evidence "exceptional scientific and educational value," although the list is not intended to be exhaustive.

Commissioner's Orders

preserve the inherent natural value of the SNA, and the natural features of the SNA are of exceptional scientific and educational value as required by Minn. Stat. § 86A.05, subd. 5(a)-(b) and Minn. Stat. § 84.944, subd. 1(a). The 34.32 acres contain one of the state's largest colonial waterbird nesting sites hosting a diverse population of colonial waterbirds including large populations of great blue heron (*Ardea herodias*), great egret (*Ardea alba*), double-crested cormorant (*Nannopterum auritum*), and black-crowned night heron (*Nycticorax nycticorax*), as well as smaller numbers of green heron (*Butorides virescens*), American white pelican (*Pelecanus erythrorhynchos*), and least bittern (*Ixobrychus exilis*). Extralimital species documented on the island have included little blue heron (*Egretta caerulea*), tricolored heron (*Egretta tricolor*), cattle egret (*Bubulcus ibis*), and snowy egret (*Egretta thula*).

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 an SNA.

WHEREAS Minn. R. 6136.0550, subp. 6.C authorizes the commissioner to impose additional restrictions if necessary to protect the resources of the SNA, including but not limited to seasonal access restrictions. Egret Island is an aggregation site for multiple species of migratory birds, and interference with nesting habits could have significant impacts on several populations. To ensure nesting success is not harmed by human disturbance, visitation to the island is prohibited from April 1 to July 15 each year.

WHEREAS Minn. R. 6136.0550, subp. 6.B lays out six criteria that shall be considered when allowing exceptions to prohibited activities, and DNR considered the criteria regarding allowing watercraft access, by any boat type, to the southwest portion of Egret Island SNA from July 16 to March 31 (i.e., outside of the annual April 1 to July 15 exclusion period). The DNR observes that exception criteria 1, 2, 4, and 6 are met and criteria 3 and 5, are not met, supporting the allowance of the exception, as described below:

1. Watercraft access occurred prior to designation for many years;
2. Since the designated watercraft access location was previously disturbed and utilized for access, it no longer serves as a sensitive nesting area for the species of concern present onsite;
3. Watercraft access is not needed for a preexisting travel corridor to access adjacent land;
4. Watercraft access to the island enhances access for bird viewing, monitoring, research, and management;
5. Access will not provide consistency with the regulations of adjacent lands due to the isolation of the island; and
6. Watercraft access will help achieve management objectives by increasing public monitoring on the island, which improves available data on bird presence, abundance, breeding status, behavior, and environmental factors used to support site management decisions.

WHEREAS county board approval for Scientific and Natural Areas acquisition was not a requirement of Minn. Stat. § 84.033, subd. 3 nor § 97A.145, subd. 2, until 2004, and Egret Island was acquired prior to county board approval requirements on March 5, 1996.

WHEREAS the commissioner provided the Grant County Board with a notice of the proposed Scientific and Natural Areas designation on May 4, 2026, and the Grant County Board did not respond with any comments, concerns, or questions by the comment deadline, August 5, 2026.

ORDER

NOW, THEREFORE, based on the evidence on file at the DNR and pursuant to the authority vested in me by law as outlined herein, I make the following ORDER:

1. The above-described lands totaling 34.32 acres are hereby designated as the Egret Island Scientific and Natural Area, so long as such lands are owned by or remain under lease by the Department of Natural Resources. If a portion is sold or no longer leased, only the divested portion shall be removed from this designation.
2. The designation of Egret Island Scientific and Natural Area shall remain as a Public Use unit, open to the public from July 16 through March 31 for nature observation and general educational and research activities.

Commissioner's Orders

- The island serves as a sanctuary for birds and is closed to the public from April 1 through July 15.
3. Egret Island SNA is open to watercraft access on the southwest part of the island by any boat type from July 16 through March 31 in accordance with the requirements of Minn. R. 6136.0550. No visitation to the island is allowed during the wildlife sanctuary period from April 1 through July 15.
 4. The provisions of Minnesota Rules 6136.0100 through 6136.0600 governing the management of Scientific and Natural Areas shall apply to the Egret Island Scientific and Natural Area.

This order takes effect upon signature publication in the State Register.

Sarah Strommen, Commissioner

Date: 9/2/2026

Errata

Appearing in this section are: corrections to agency or *State Register* rule errors, or in following rulemaking processes, as well as incomplete notices, mislabeled rules, incorrect notices and citations. Whenever an error is corrected in this section, its corresponding rule number(s) will also appear in the *State Register's* index to rulemaking activity: **Minnesota Rules: Amendments and Additions.**

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.

Minnesota Teachers Retirement Association (TRA) Errata Notice Regarding Request for Proposal for Actuarial Services

Original Publication: Published in the Minnesota State Register, Tuesday 8 September 2026 pg 329 (51SR329).

Description of error: Project name of proposal incorrectly labeled as Actuarial Services.

Correction: Project name of proposal should be Board Trustee Election Services.

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.

SEE ALSO: Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/open-rfp.jsp>

Minnesota Department of Human Services Notice of Grant Opportunities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) places notice of any available grant opportunities on the DHS Grant Requests for Proposals website: *Open grants, RFPs and RFIs*.

Minnesota Department of Transportation (MnDOT) Office of Sustainability and Public Health Request for Proposal for National Electric Vehicle Infrastructure Program Grants

MnDOT requests responses from eligible entities to include: Tribal Nations, for-profit businesses, non-profit organizations, governmental entities, and utilities to develop, build, own, operate and maintain electric vehicle charging stations within specified clusters in Minnesota. The funding for this RFP is part of the National Electric Vehicle Infrastructure program.

Details and requirements are provided in the RFP. To view the RFP go to: <https://www.dot.state.mn.us/ev-infrastructure/nevi.html>

Responses must be received through the online submittal portal on <https://www.dot.state.mn.us/ev-infrastructure/nevi.html> no later than 4:00 p.m. Central Standard Time on November 2, 2026. Late responses will not be considered.

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, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at <https://mn.gov/admin/osp> 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.

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

Contact the Office of State Procurement at: (651) 296-2600

Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State advertises contract opportunities for goods and services on its Vendor and Supplier Opportunities website (<https://www.minnstate.edu/vendors/index.html>). New notices may be added daily and will remain posted for the duration specified in each individual notice. For questions or to report any issues viewing the information on the website, please email Minnesota State at Sourcing@MinnState.edu.

Department of Employment and Economic Development (DEED) Notice of Request for Proposals (RFP) for Five-year HUD Consolidated Plan for the State of Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development is soliciting proposals for the purpose of seeking a qualified consultant to prepare a Five-Year Consolidated Plan and Annual Action Plan as required by the U.S. Department of Housing and Urban Development for the State of Minnesota to receive certain federal funding. The Request for Proposals (RFP) is available at: <https://mn.gov/deed/about/contracts/>

All requirements and information, as well as proposal delivery instructions are contained in the RFP. Inquiries regarding the RFP may be directed by email to Natasha Kukowski, Small Cities Development Program Unit at natasha.kukowski@state.mn.us. Deadline for inquiries is Tuesday, September 22, 2026 at 12:00 p.m. Other department personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline.

Proposals must be emailed to: Natasha Kukowski, Small Cities Development Program Unit, Minnesota Department of Employment and Economic Development at natasha.kukowski@state.mn.us. Proposals must be received NO later than **4:30 PM, Monday, October 5, 2026**; late responses will not be considered.

The Department of Employment and Economic Development reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be its own best interest. This Request for Proposals does not obligate DEED to award a contract.

State Contracts

Minnesota Historical Society (MNHS)

Request for Proposals for Foundation Stabilization at the Solomon G. Comstock House

The Minnesota Historical Society (MNHS) is soliciting proposals from qualified consultants (Consultant) to work collaboratively with MNHS to provide design services for a project to stabilize the masonry foundation of the Solomon G. Comstock House (Site), 506 8th St S, Moorhead, MN 56560.

The Request for Bid and other documents are available by contacting Mary Green Toussaint, Contract and Purchasing Manager, Minnesota Historical Society, by email only: mary.green-toussaint@mnhs.org

There will be a **MANDATORY** pre-bid meeting for all interested parties on **Tuesday, September, 22, 2026 2:00pm. Local Time** at the **Solomon G. Comstock House, 506 8th St S, Moorhead, MN 56560**

All bids must be received by Mary Green Toussaint, Contract and Purchasing Manager, mary.green-toussaint@mnhs.org, no later than **2 p.m. Local Time Monday, October 5, 2026**. There will be no public bid opening. Late bids will not be considered.

Department of Iron Range Resources & Rehabilitation (IRRR)

Giants Ridge Recreation Area

Request for Proposals for a Management Contract

The Department of Iron Range Resources & Rehabilitation (IRRR) is seeking proposals from qualified companies or organizations to manage and oversee all operational aspects of the Giants Ridge Recreation Area in Biwabik, Minnesota. The selected contractor will be responsible for maintaining, operating, programming and marketing the state-owned recreation facilities that include: golfing, skiing, mountain biking, retail, food and beverage, events and the newly constructed Pool and Sauna Haus at Giants Ridge Recreation Area.

Details regarding contractor responsibilities and respondent proposal requirements will be available on the IRRR website at: <https://mn.gov/irrrb/about-us/work-with-us/> beginning Monday, September 14, 2026.

Sealed proposals must be received no later than 2:00 p.m. on Wednesday, October 28, 2026. Proposals received after this deadline will not be considered.

Please submit completed proposals to:

Tina Neumann
Contract Coordinator
Department of Iron Range Resources & Rehabilitation
4261 Highway 53 S
Eveleth, MN 55734

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

Minnesota Teachers Retirement Association (TRA) Request for Proposals for Board Trustee Election Services

PROJECT NAME: Board Trustee Election Services

DETAILS: The Minnesota Teachers Retirement Association (TRA) requests proposals for the administration of the 2027 TRA Board of Trustees Election. Minnesota Statutes, Section 354.06, Subd. 1, specifies the composition of the TRA Board of Trustees (Board). The statute further states that the five elected members of the Board must be chosen by ballot in a manner fixed by the Board.

In early 2027, an election will be held for two active member positions on the Board. The election voting population pool for the active member seats is approximately 86,000.

Work is anticipated to start after October 26th 2026

COPY REQUEST: To receive a copy of the Request for Proposals, please send a written request by email to:

Alex Rank
Accounting Officer
arank@minnesotatra.org

PROPOSAL DEADLINE: Proposals in response to the Request for Proposal in this advertisement must be emailed no later than September 30, 2026 Central Time, 2PM CST. **Late proposals will not be considered.** [Fax/mailed] proposals will **not** be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. 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.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: *www.dot.state.mn.us/consult*

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please email the Consultant Services Helpline at *ptconsultantserviceshelpline.dot@state.mn.us*.

ACCESS THE HISTORY OF THE
STATE REGISTER. READ TODAY!

