

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
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ADMIN 1000 (Rev. 1/78)

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : WILLIAM A. CALDWELL
Special Assistant
Attorney General

DATE: March 21, 1979

FROM : JOANNE E. HINDERAKER JEH
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan

The rules in the above-captioned matter have not been approved by this office for the following reasons:

1. Minn. Stat. § 174.03(d) expressly states that the transportation commissioner shall promulgate the Mn/DOT "plan and priorities as a rule in accordance with Chapter 15." This statute requires that the statewide transportation plan be adopted as an administrative rule. However, the Department promulgated rules governing the statewide plan, not the statewide plan itself. The Department has adopted rules which contain cross-references to the plan, but the entire content of the plan is not contained in the rules. For example, at page 8 of the adopted rules, 14 MCAR § 1.0005 A. refers to the Mn/DOT/PLAN, while A.1. refers to "these rules"; § 1.0005 B. refers to priorities to be utilized "consistent with the current provisions of the Mn/DOT/PLAN"; B.1. and B.8. also reference the Mn/DOT/PLAN; and at page 11, 14 MCAR § 1.0007 B. refers to "application of procedure and criteria from Mn/DOT/PLAN or other systems plans." Thus, the rules repeatedly cite to the plan as a separate document, the text of which is apparently incorporated by reference. Yet Minn. Stat. § 174.03 requires the plan itself to be a rule. Even in the absence of § 174.03, the attempted incorporation by reference is improper.

   The Hearing Examiner in his Report at page 7 also found that the proposed rules did not embody the plan itself. Rather, he described the interaction of the plan and the rule as follows: "The Mn/DOT plan is a management document providing data and procedures for transportation decision-making. This rule provides the framework within which the Department, consistent with the Mn/DOT plan, will answer transportation questions and make transportation decisions." The Department adopted the Hearing Examiner's Findings in its Order dated February 15, 1979. It is clear from this Finding that the rule(s) as proposed and adopted is not "the statewide transportation plan and priorities." Therefore, the rule does not

meet the requirements of Minn. Stat. § 174.03(d) and cannot be approved by this office for this reason. Furthermore, the "management document" referred to above certainly seems to be an agency "statement of general applicability and future effect" and, as such, is required to be promulgated as a rule. See Minn. Stat. § 15.0411, subd. 3.

2. As indicated above, it is this office's position that this rule should be the plan. However, in several of the rules as adopted by the Department, references to the plan requirements appear to result in a circumvention of Chapter 15, as such substantive requirements are not promulgated in the rule provisions. For example, 14 MCAR § 1.0007 D. (page 11) states that "Revised or newly developed policies shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents to be utilized in the transportation decision-making process." Thus DOT policies are not included in this rule, but are made a part of documents which the Department intends to exclude from the APA process. Yet these "policies" appear to fall within the chapter 15 definition of a rule. Furthermore, the meaning of a subsequent rule provision is dependent on the content of DOT "policies". 14 MCAR § 1.0009 states that "A transportation service or need shall be funded by Mn/DOT if: C. Mn/DOT policies, directives or system plans so identify the transportation need or service." Thus rule provisions are dependent on and interconnected with provisions of a plan which were not subjected to the rulemaking process, and were not incorporated by reference. Therefore, the rule fails to comply with the provisions of Minn. Stat. § 15.0411, et seq. and Minn. Stat. § 174.03 and cannot be approved by this office.

3. Several rules are incomplete, lacking adequate specificity, and as such are legally insufficient and unreasonable and cannot be approved by this office. For example:

   a) 14 MCAR § 1.0007 (page 11) refers to the development of Mn/DOT's position "consistent with the appropriate procedure as herein indicated: . . . " and the rule then lists subdivisions A through F. A, B and C of this rule contain no procedure whatsoever. In fact, B. refers to "procedure and criteria from Mn/DOT/PLAN or other systems plans" as "the appropriate procedure", while C. states that "the appropriate procedure", shall be "to develop procedure". Thus the rule gives no description of any legally sufficient procedure at all.

   b) 14 MCAR § 1.0013 (page 20) states that projects shall allow for "public input" during various phases. While the rule as proposed required public hearings,

the rule as adopted does not define "public input." The term "public input" does not define the procedural rights to which a member of the public is entitled. Thus the rule is uncertain and therefore unreasonable.

4. Minn. Stat. 174.03(c) requires that "statewide transportation priorities" (which are to be established by rule per 174.03(d)) will govern "authorized public transportation expenditures". If 14 MCAR § 1.0009 governs such expenditures, it fails to establish such priorities, thus failing to meet the statutory requirements. If it does not govern such expenditures, then what is the statutory authority for the rule?

5. Pursuant to Minn. Stat. § 174.03(b) the statewide transportation plan "shall incorporate all modes of transportation and provide for the interconnection and coordination of different modes of transportation." The adopted rule, which is the plan, does not appear to incorporate modes of transportation or provide for interconnection. Thus the adopted rule fails to meet the statutory mandate and cannot be approved. This office recognizes that proposed rules which were withdrawn by the Department, may have addressed some of these issues. However, the severability of such provisions is in serious doubt, because the adopted rules appear to be inextricably intertwined with those withdrawn. This office is receptive to any arguments which can be made in this regard by DOT's legal counsel.

6. The following are typographical and editorial errors which must be corrected in the adopted rules:

   a) The reference in 14 MCAR § 1.0004 F. and CC. to Minn. Const. Art. XVI appears to be a reference to Art. XIV.

   b) In 14 MCAR § 1.0009 D., the word "which" in the first line of this rule should be struck, pursuant to the Department's recommendation at page 27 of the Department's post-hearing comment document.

   c) In 14 MCAR § 1.0012 D. the phrase "and Metropolitan Council" apparently should be added at the end of this subsection; see Hearing Examiner's Finding #33, page 11 of Hearing Examiner's Report and page 29 of the Department's post hearing comment document.

d) In 14 MCAR § 1.0014, change the comma after "project" in the first sentence of this rule to a period.

e) In 14 MCAR § 1.0014 C., underline the word "considered" in this rule, as it is an amendment to the rule as proposed.

This office will entertain comments in response to this memo from the agency. After consideration of the issues addressed herein, and appropriate agency action, if any, the Department may resubmit the rule as adopted to this office. At least three copies of that rule (including the original) should be filed with this office, together with the original and two copies of an order adopting the rules as amended.

JEH/bw

cc: Duane Harves

#510 Dept of Transportation
Mn DOT Rules

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 3-1 Temporary Rule _____

Resubmitted and Received _____

DUE DATE 3-21

a. Returned to Agency w/o filing w/Secy of State 3/23
b. Approved _____ Date Sent Back to Agency _____

- -

1. Rules as Adopted ✓
2. Rules as Proposed ✓
3. Certificate of Board's Authorizing Resolution, where applicable n/a
4. Order for Hearing ✓
5. Notice of Hearing ✓
   (i) Sufficiency ✓
6. Secretary of State's List ✓
7. Certificate of Acquisition of Secretary of State's List ✓
8. Affidavit of Mailing ("Service") ✓
   (i) At least 30 days prior to hearing ✓
9. Statement of Need and Evidence ✓
10. Hearing Examiner's Report ✓
11. Agency's Findings of Fact → adopted HE Report ?
12. Certificate of Board's Resolution Adopting Rules, where applicable n/a
13. Order Adopting ✓
14. Report of Chief Hearing Examiner ✓
    (i) Finding of No Substantial Change ✓
    (ii) Permission to Incorporate by Reference, where applicable ✓
15. Certificate of Compliance with Rulemaking Procedures ✓
16. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ?
17. Petition by Public, where applicable n/a.

(a) The commissioner shall maintain close liaison, coordination and cooperation with the private sectors of transportation, the upper great lakes seaway development commission corporation, and any multi-state organization involved in transportation issues affecting the state;

(b) The commissioner shall participate in the planning, regulation and development of the port authorities of the state; and

(c) The commissioner or his designee shall be a nonvoting, ex officio member of the metropolitan airports commission, as organized and established under sections 473.601 to 473.679.

[*1976 c 166 s 2; 1977 c 305 s 23*]

174.03 DUTIES OF COMMISSIONER. Subdivision 1. **Statewide transportation plan; priorities; schedule of expenditures.** In order to best meet the present and future transportation needs of the public, to insure a strong state economy, to make most efficient use of public and private funds, and to promote the more efficient use of energy and other resources for transportation purposes, the commissioner shall:

(a) Three months after notification that the department is ready to commence operations and prior to the drafting of the statewide transportation plan the commissioner shall hold public hearings as may be appropriate solely for the purpose of receiving suggestions for future transportation alternatives and priorities for the state. The metropolitan council, regional development commissions and port authorities shall appear at the hearings and submit information concerning transportation related planning undertaken and accomplished by these agencies. Other political subdivisions may appear and submit such information at the hearings. These hearings shall be completed no later than six months from the date of the commissioner's notification;

(b) Develop, adopt, revise and monitor a statewide transportation plan, taking into account the suggestions and information submitted at the public hearings held pursuant to clause (a). The plan shall incorporate all modes of transportation and provide for the interconnection and coordination of different modes of transportation. The commissioner shall evaluate alternative transportation programs and facilities proposed for inclusion in the plan in terms of economic costs and benefits, safety aspects, impact on present and planned land uses, environmental effects, energy efficiency, national transportation policies and priorities and availability of federal and other financial assistance;

(c) Based upon the statewide transportation plan, develop statewide transportation priorities and schedule authorized public capital improvements and other authorized public transportation expenditures pursuant to the priorities;

(d) Complete the plan and priorities required by this subdivision no later than July 1, 1978. Upon completion, the commissioner shall promulgate the plan and priorities as a rule in accordance with chapter 15. Upon promulgation of the plan and priorities, the commissioner shall prepare and periodically revise, as necessary, the schedule of authorized public transportation expenditures. The schedule, and revisions thereto, need not be promulgated as a rule but shall not be prepared or revised without public hearings.

Subd. 2. **Implementation of plan.** After the adoption of the statewide transportation plan, the commissioner and the public service commission shall take no action inconsistent with that plan. Notwithstanding the foregoing, the commissioner and the commission shall have authority to promulgate emergency rules pursuant to section 15.0412, subdivision 5, if necessary to respond to transportation emergencies which may require an immediate temporary response inconsistent with the statewide plan.

Subd. 3. **Relationship with national and local plans.** The statewide plan shall recognize established national transportation policies. The plan shall include matters of local or regional concern if this inclusion is needed to insure a comprehensive, statewide perspective on transportation policies and priorities. The commissioner shall recognize and attempt to accommodate the local or regional transportation plans. However, the statewide plan shall supersede a local or regional plan to the extent inconsistent on a matter which the commissioner demonstrates is of statewide concern. A political subdivision may challenge the commissioner's determination that a portion of a local or regional plan is superseded by the statewide plan. The subdivision shall institute the challenge by filing a petition with the commissioner within 30 days after being notified by the commissioner that the local or regional plan is superseded. The challenge shall be resolved by the commissioner as a contested case pursuant to chapter 15.

Subd. 4

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ADMIN 1000 (REV. 4/77)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Mn/DOT - Administration
Room 313

TO : Lee E. Sheehy
Special Assistant Attorney General

DATE: March 1, 1979

FROM : Jean M. Hansen
Administrative Support Services

PHONE: 6-7840

SUBJECT: Mn/DOT Plan Rule Submittal

Attached are the Mn/DOT Plan Rules and related documents.

Mn/DOT Plan Files, Exhibiti No. 8 refers to 6 boxes of correspondence which are available at your request.

Jean M. Hansen

D R A F T

Must date: 3/21/79

TO: William A. Caldwell
Special ASsistant
Attorney General

FROM: Joanne E. Hinderaker
Special ASsistant
Attorney General

RE: In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan

The rules in the above-captioned matter have not been approved by this office for the following reasons:

1. Minn. Stat. § 174.03(d) expressly states that the transportation commissioner shall promulgate the Mn/DOT "plan and priorities as a rule in accordance with Chapter 15." This statute requires that the statewide transportation plan be adopted as an administrative rule ~~(i.e., the plan and rule are synonymous, i.e., the plan becomes the rule, the rule becomes the plan.~~ However, ~~as the caption in this matter indicates,~~ the Department promulgated rules governing the statewide plan, not the statewide plan itself. The Department has adopted rules which contain cross-references to the plan, but the entire content of the plan is not contained in the rules. For example, at p. 8 of the adopted rules, 14 MCAR § 1.0005 A. refers to the Mn/DOT/PLAN, while A.1. refers to "these rules"; § 1.0005 B. refers to priorities to be utilized "consistent with the current provisions of the Mn/DOT/PLAN;" B.1 and B.8. also references the Mn/DOT/PLAN; and at page 11, 14 MCAR § 1.0007 B. refers to "application of procedure and criteria from Mn/DOT/PLAN or other systems plans", ~~and 1.0007 D. states that "Revised or newly developed policies shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents...."~~ Thus, the rules repeatedly cite to the plan as a separate document, the text of which is ~~somehow~~ apparently incorporated by reference. Yet Minn. Stat. § 174.03 requires the plan itself to be a rule. Even in the absence of § 174.03, the attempted incorporation by reference is improper.

The Hearing Examiner in his Report at page 7 also found that the proposed rules did not embody the plan itself. Rather, he described the interaction of the plan and the rule as follows: "The Mn/DOT plan is a management document providing data and procedures

for transportation decision-making. This rule provides the framework within which the Department, consistent with the Mn/DOT plan, will answer transportation questions and make transportation decisions." The Department adopted the Hearing Examiner's Findings in its Order dated February 15, 1979. It is clear from this Finding that the rule(s) as proposed and adopted is not "the statewide transportation plan and priorities." Therefore, the rule does not meet the requirements of Minn. Stat. § 174.03(d) and cannot be approved by this office for this reason.

Add → Furthermore, the "management document" referred to above certainly seems to have an agency statement of general applicability and future effect" which, as such, is required to be promulgated as a rule. See Minn. Stat. § 15.0411, subd. 3.

4. As indicated above, ~~in subpart 1 of this memo,~~ it is this office's position that this rule should be the plan. However, in several of the rules as adopted by the Department, ~~the~~ references to the plan requirements appear to result in a circumvention of chapter 15, as such substantive requirements are not ~~incorporated~~ promulgated in the rule provisions. For example, 14 MCAR § 1.0007 D. (page 11) states that "Revised or newly developed policies shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents to be utilized in the transportation decision-making process." Thus DOT policies are not included in this rule, but are made a part of documents which the Department intends ~~to be beyond the scope of the APA.~~ exclude from the APA process. Yet these "policies" appear to fall within the chapter 15 definition of a rule. Furthermore, ~~Yet~~ the meaning of a subsequent rule provision is dependent on the content of DOT "policies." 14 MCAR § 1.0009 states that "A transportation service or need shall be funded by Mn/DOT if: "C. Mn/DOT policies, directives or system plans so identify the transportation need or service." Thus rule provisions are dependent on and interconnected with provisions of a plan which were not subjected to the rulemaking process, and were not incorporated by reference. Therefore, the rule ~~is unreasonable~~ and cannot be approved by this office.

fails to comply with the provisions of Minn. Stat. § 15.0411, et seq. and Minn. Stat. § 174.03

3. Several rules are incomplete and lacking insufficient legal specificity; as such they are unreasonable and cannot be approved by this office. For example:

a) 14 MCAR § 1.0007 (page 11) refers the development of Mn/DOT's position "consistent with the appropriate procedure as herein indicated: . . ." and the rule then lists subdivisions A through F. A, B and C of this rule contain no procedure whatsoever. In fact, B. refers to "procedure and criteria from Mn/DOT/PLAN or other systems plans" as "the appropriate procedure", while C. states that"the appropriate procedure", while C. states that "the appropriate procedure" shall be "to develop procedure". Thus the rule gives no description of any procedure at all.

b) 14MCAR § 1.0013 (page 20) states that projects shall allow for "public input" during various phases. While the rule as proposed required public hearings, the rule as adopted does not define "public input." Thus the public is not put on notice as to the extent to which its participation will be encouraged or limited. Thus the meaning of the rule is uncertain, and therefore unreasonable.

4. Minn. Stat. 174.03(c) requires that "statewide transportation priorities" (which are to be established by rule per 174.03(d)) will govern "authorized public transportation expenditures". If 14 MCAR § 1.0009 governs such expenditures, it fails to establish such priorities, thus failing to meet the statutory requirements. If it does not govern such expenditures, then what is the statutory authority for the rule?

5. Pursuant to Minn. Stat. § 174.03(b) the statewide transportation plan "shall incorporate all modes of transportation and provide for the interconnection and coordination of different modes of transportation." The adopted rule, which is the plan, does not address modes of transportation or interconnection. Thus the adopted rule fails to meet the statutory mandate and cannot be approved. This office recognizes that proposed rules which were withdrawn by the Department, may have addressed some of these issues. However, it is not clear that such provisions are severable. This office is receptive to any arguments which can be made in this regard by DOT's legal counsel.

5. The following are typographical and editorial errors which must be corrected in the adopted rules:

a) The reference in 14 MCAR § 1.0004 F. and CC. to Minn. Const. Art. XVI ~~should~~ appears to be a reference to Art. XIV.

b) In 14 MCAR § 1.0009 D., the word "which" in the first line of this rule should be struck, ~~see~~ pursuant to the Department's recommendation page 27 of the Department's post-hearing comment document.

c) In 14 MCAR § 1.0012 D. the phrase "and Metropolitan Council" should apparently be added at the end of this subsection; see Hearing Examiner's Finding #33, page 11 of Hearing Examiner's Report and page 29 of the Department's post hearing comment document.

d) In 14 MCAR § 1.0014, change the comma after "project" in the first sentence of this rule to a period.

e) In 14 MCAR § 1.0014 C., underline the word "considered" in this rule, as it is an amendment to the rule as proposed.

Department of Transportation

Adopted Rules Governing
the Mn/DOT Plan

The rules proposed in the State Register, Volume 3, Number 12, pp. 647-657, September 25, 1978 (3 S.R. 647) are adopted and are identical to their proposed form with the following changes:

Chapter One, § § 1.0001-1.0004: Authority, Purpose, Jurisdiction and Effect, and Definitions.

14 MCAR § 1.0001 Authority. The State Department of Transportation is authorized to adopt, as a rule, a statewide transportation plan and priorities pursuant to the provisions of Minn. Stat. § 174.03 ~~(1976)~~.

14 MCAR § 1.0002 Purpose. The purpose of the statewide transportation plan and priorities shall be to provide the basis for determining how best to meet the present and future transportation needs of the public, and to promote the more efficient use of resources for transportation purposes.

14 MCAR § 1.0003 Jurisdiction and effect. The statewide transportation plan and priorities as adopted by the Commissioner of Transportation shall govern transportation decisions made by the Commissioner and the Public Service Commission.

14 MCAR § 1.0004 Definitions. The following terms, as they appear in these rules, shall have the indicated meanings:

A. "Capital Improvement" means the expenditure of funds for the establishment or betterment or preservation of facilities and equipment.

B. "Criterion" means a standard upon which a decision may be based.

C. "Critical Areas" means those geographic areas as defined by the Critical Areas Act of 1973, Minn. Stat. § ch. 116 G. ~~(1976)~~.

D. "Environment" means the total of external conditions and influences that affect human life, e.g. aesthetic, ecological, social, economic.

E. "Grant-in-Aid" means the distribution of funds from one agency to another agency, ~~or~~ group, ~~for-the-establishment,-continuation,-or-improvement-of-facilities,~~ organization or individual for the purpose of establishing, improving or continuing transportation facilities equipment, or service, excluding state aid programs.

~~F.---"Improvement-Type"-means-a-group-of-projects-showing-common traits-or-characteristics.~~

F. "Local projects" means projects which are financed by local units of government, either with their own funds or with funds dedicated to their sole use such as the county-state aids, municipal state-aid accounts within the state trunk highway fund which are allocated based on Minn. Stat. ch. 162 and Minn. Const. Art XVI.

G. "Intermodal" means the relationship between or among the modes and may include a physical contact point, i.e. transfer point between modes.

H. "Major Studies" means special, intensive studies of large, complex transportation problems, systems, sub-systems, and projects.

I. "Master Plan" means a comprehensive long-range plan.

J. "Major projects" are those construction projects requiring substantial planning, time, resources or expenditures with the potential for significant alteration to land use, planned growth, development patterns, traffic volumes, travel patterns, transportation services and natural man-made resources. Major projects also require an environmental impact statement or negative declaration.

~~J.~~ K. "Metropolitan Council" means the comprehensive planning agency for the Twin Cities Metropolitan area created pursuant to Minn. Stat. § ch. 473 ~~(1976)~~.

~~K.~~ L. "Metropolitan Development Guide" means the comprehensive development plan for the Twin Cities metropolitan area prepared by the Metropolitan Council pursuant to Minn. Stat. ~~(1976)~~ § 473.145.

~~L.~~ M. "Minimal Projects" means the ~~most-simple,-least-complex~~ construction projects that have ~~little or~~ no adverse effect on the environment, require ~~little-or-not~~ no significant additional right-of-way, and have no adverse effects on abutting real property.

~~M.~~ N. "Mn/DOT Transportation Planning Process" means the general process Mn/DOT will use for transportation planning, programming, and design for the various modes.

~~N.~~ O. "Moderate Projects" means construction projects with the potential for causing alterations to the local environment, normally consisting of the expansion or realignment to upgrade an existing facility and typically requiring additional right of way.

~~O.~~ P. "Policy" means a set of principles that help guide management in making decisions.

~~P.~~ Q. "Preliminary Planning" means the phase of the Mn/DOT transportation planning process undertaken to analyze issues, needs, and problems and arrive at a consensus ~~among-the-community and-professional-people~~ on a preferred solution.

~~Q.~~ R. "Process" means the procedure by which decisions are made.

R. S. "Program Development Process" means a procedure used to match the objectives of a specific program with the list of candidate projects and available funds.

T. Program means a plan for the scheduling of projects.

S. U. "Project" means a specific proposal(s) or proposals for improvements to transportation facilities or services that leads may lead directly to implementation (that is, including the completion of grants or construction). A project may be classified as minimal, moderate or major.

T. V. "Prospectus" means a document developed as one of the requirements of the federal government's Urban Transportation Planning Regulations. A "Prospectus" provides a description of the major elements of an urbanized area's transportation planning process as it relates to highway and transit planning and implementation.

U. W. "Regional Development Commission" means a comprehensive planning agency created pursuant to the Regional Development Act of 1969, Minn. Stat. § ch. 462. (1976).

V. X. "Regional Transportation Policy Plans" means the plans required to be prepared by the Metropolitan Council pursuant to Minn. Stat. § 473.146 (1976) and by the Regional Development Commissions pursuant to Minn. Stat. § 174.03. 462.39, subd. 3 (1976).

~~W.~~ Y. "Schedule of Authorized Public Transportation Expenditures" means the allocation of funds by program.

X. Z. "Standard Project Development Process" means the procedure by which a ~~routine~~ project is developed. This procedure includes the processing of grants from established grant programs and the design of ~~minimal-and-moderate~~ construction projects.

~~Y.~~ AA. "Statewide Significance" means that an issue (1) impacts on a state transportation system; (2) impacts on the operation of a modal system on a statewide basis; (3) affects geographic areas in the State determined by the federal or state governments to be of statewide significance; or (4) may negatively affect the quality of the State's natural resources.

~~Z.~~ BB. "Sub-system" means a part of a larger system.

CC. State aid means the apportionment mechanism established by Minn. Const. Art. XVI and Minn. Stat. ch. 162 to provide a share of the Highway User Fund for certain county highways and city streets, for the purpose of construction and maintenance.

~~AA. "System"-(physical)-means-a-group-of-interrelated transportation-facilities-such-as-traveled-ways-and-terminals. There-are-different-kinds-of-transportation-systems-depending~~

upon-to-what-analytical-or-administrative-use-they-will-be-put. Examples-of-different-systems,-which-can-overlap-one-another are:--systems-based-on-the-role-or-function-of-transportation facilities-(such-as-the-principal-arterial-system),-the-source of-funds-(such-as-Federal-Aid-Urban-roadway-system),-or-the agency-having-administrative-control-over-the-facilities-(such as-state-trunk-highway-system).

DD. "System" means the transportation network established to accommodate travel in an orderly, safe, efficient and economical manner. The transportation network includes streets, highways, rail lines, terminals, airports, pipelines, waterways, and all modes of transporation.

BB. EE. "System Planning" means the process by which transportation systems of various kinds are planned developed.

CC. FF. "Urbanized Area" means the geographic area as defined by the Bureau of the Census. It generally consists of a city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated land (i.e., land having a population density of at least 1000 persons per square mile).

Chapter Three, § 1.0005: Statewide Transportation Plan and Priorities.

14 MCAR § 1.0005 Statewide transportation plan and priorities.

A. The statewide transportation plan (Mn/DOT/PLAN) shall contain Mn/DOT's decision making processes.

1. These rules specify the procedures to be used in making decisions relating to the transportation needs of the State.

2. The procedures set forth herein shall incorporate:

a. applicable federal and state law.

b. the transportation planning requirements of the federal government.

c. The statutorily defined roles of the Regional Development Commissions and the Metropolitan Council and other agencies with transportation planning authority.

d. advisory task forces to the Commissioner as appropriate.

~~B.---Transportation-decisions-made-consistent-with-the-provisions-of-Mn/DOT/PLAN-shall-also-reflect-agreement-with-certain established-planning-priorities.~~

B. Priorities to be utilized in making transportation decisions consistent with the current provisions of the Mn/DOT/PLAN shall be:

1. To establish administrative procedures consistent with Mn/DOT/PLAN ~~shall-be-established~~ to aid in transportation decision making and program management.

2. To establish a transportation decision making process that shall operate to ensure participation by individual citizens, various organizations and groups, elected officials and other government agencies.

3. To emphasize the maintenance of existing services and facilities within the states' transportation system.

4. ~~Providing of~~ To provide information ~~as requested~~ on transportation matters of interest or concern to the public.

5. To recognize the role of the private sector and individuals in transportation decision making.

6. To recognize intermodal impacts and relationships in transportation planning and decision making.

7. To recognize environmental, social, economic, and energy factors in transportation planning and decision making.

8. To assign priority to those projects where significant resources have already been expended, providing those projects are consistent with Mn/DOT/PLAN provisions.

~~9. Modify Mn/DOT/PLAN as necessary.~~

~~10.~~ 9. ~~Mn/DOT shall~~ To conduct annual meetings in each region to assist the Commissioner in identifying issues of regional and local concern.

~~11.~~ 10. ~~Mn/DOT shall~~ To contact state legislators annually to receive their input as to the status of the state transportation system and to inform them of Mn/DOT's plannned activities in its role of ~~managing~~ overseeing the state transportation system.

11. To negotiate agreements with the regional development commissions and the Metropolitan Council specifying their involvement in the transportation planning process.

12. To include task forces advisory to the Commissioner as appropriate.

Chapter Four, §§ 1.0006-1.0010: Planning Process; Policy Making Process:

14 MCAR § 1.0006 ~~Planning process. This planning process shall provide a framework for resolving transportation issues and making transportation decisions.~~ Reserved for future use.

14 MCAR § 1.0007 Policy making process. Mn/DOT's position on a specific issue, shall be developed consistent with the appropriate procedure as herein indicated:

A. Reaffirmation of an appropriate existing ~~position~~ policy.

B. No existing ~~position~~ policy; application of procedure and criteria from Mn/DOT/PLAN or other systems plans.

C. No applicable procedure or set of criteria; analysis of the category to develop procedure and criteria for ~~position~~ policy development.

D. Revised or newly developed ~~position~~ policies shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents to be utilized in the transportation decision-making process.

E. Position statements shall be developed on issues relating to actions, programs, plans or ~~positions~~ policy within the legal responsibility and authority of Mn/DOT.

1. Issues relating to transportation needs, services, or funding administered by Mn/DOT.

2. Issues concerning transportation rules.

3. Issues regarding Mn/DOT's decision making processes.

~~4.--Resolution-of-inconsistencies-between-Mn/DOT-Plan and-regional-or-local-plans.~~

~~F.--Agreements-shall-be-negotiated-with-the-Regional-Development-Commissions-and-Metropolitan-Council-specifying-their involvement-in-the-policy-making-process.~~

F. The establishment of policies within the indicated issue areas will include input from all Regional Development Commissions and the Metropolitan Council pursuant to the terms of the agreements negotiated with each.

14 MCAR § 1.0008 Issues requiring Mn/DOT action.

A. An issue shall require action by Mn/DOT if:

~~1.~~ A. Mandated by federal law or regulation.

~~2.~~ B. Mandated by state law or rule.

~~3.~~ C. The issue is of major statewide significance for transportation.

~~B.--An-issue-shall-be-found-to-be-of-statewide-significance if:~~

~~1.--The-issue-impacts-on-a-state-transportation-system.~~

~~2.--Impacts-on-geographic-areas-of-statewide-significance.~~

~~3.--Impacts-negatively-upon-the-state's-natural-resources.~~

14 MCAR § 1.0009 Determination of Mn/DOT funded transportation services or needs. A transportation service or need shall be funded by Mn/DOT if:

A. Federal laws or regulations require Mn/DOT to fund.

B. State laws or rules require Mn/DOT to fund.

C. Mn/DOT policies, directives or system plans so identify the transportation need or service.

D. A service or need which transcends local boundaries or affects a significant segment of the population ~~shall be~~ and is determined to be essential to the transportation system ~~based on new policy statements, directives, or amended system plans~~ with the state being determined to be the best means of funding the service.

14 MCAR § 1.0010 Rules necessary to properly administer the use of the state transportation system. Mn/DOT shall develop rules when:

A. Federal laws or regulations require regulation by Mn/DOT.

B. State laws or rules require regulation by Mn/DOT.

C. Safety considerations, protection of the state's investment in transportation facilities, or economic considerations so require.

Chapter Five, § 1.0011-1.0014 Transportation Planning Process, Relationship to Transportation Planning by Other Agencies, Standard Project Development, Major Studies.

14 MCAR § 1.0011 General provisions of the transportation planning process.

A. The transportation planning process shall:

1. Incorporate the various modes of transportation.

2. Apply to program development, grant administration, project development, and major studies.

3. Not apply to state aid and locally funded projects.

4. Apply to statewide system planning.

B. The transportation planning process shall ~~reflect the following considerations~~.

1. Consider modal aspects ~~shall be considered~~ in planning decisions.

2. Address environmental aspects ~~shall be addressed~~ throughout the planning process.

3. ~~The transportation planning process shall~~ Address local concerns by:

a. involving citizens, elected officials, and other agencies

b. utilizing small scale system planning

c. use of informal methods of public participation

d. analyzing the effects of proposed actions on different segments of the community

e. including consideration of local concerns and conditions.

f. considering the provisions of regional and Metropolitan transportation policy plans.

4. ~~The transportation planning process shall~~ Consider alternative solutions to transportation problems.

14 MCAR § 1.0012 Relationship to transportation planning by other agencies. Mn/DOT's transportation planning process shall ~~attempt to accommodate the transportation planning efforts of other organizations by~~:

A. Complying with existing federal requirements relating to transportation planning, especially the FHWA requirement for an Action Plan.

B. Complying with existing federal requirements which define the State's role, through Mn/DOT, of cooperating in the transportation planning efforts of the Metropolitan Planning Organizations.

C. Complying with federal requirements relating to local agencies receiving federal funds.

D. Recognizeing the statutorily defined role of the Regional Development Commissions. and Met Council

E. Recognizeing the statutorily defined role of transit, airport and port authorities.

F. Recognize the statutorily defined role of municipalities, counties and townships.

14 MCAR § 1.0013 Standard Project Development. The Standard Project Development Process shall ~~include grant related activities as well as the planning and design, physical facilities~~ apply to minimal and moderate projects as well as grant-in-aid programs. Project development shall not apply to state-aid and locally funded projects.

~~A. Minimal and moderate projects as well as grant in aid programs shall be subject to this general process.~~

A. ~~1.~~ The transportation planning process, as applied to this category of projects, shall include:

1. ~~a.~~ identification of issues, needs, and proposals for changes in services or physical facilities from:

a. ~~(1)~~ individual citizens
b. ~~(2)~~ various organizations and groups
c. ~~(3)~~ elected officials
d. ~~(4)~~ agency staff members
e. ~~(5)~~ surveillance of the system by Mn/DOT staff
f. regional transportation policy plans
g. Metropolitan planning organizations adopted comprehensive plans.

2. b. Preliminary planning resulting in the development of a recommended project proposal and the related technical information.

3. e. Programming, which shall result in an evaluation of grant applications and proposed construction projects to determine those which are to be implemented. ~~The detailed process is included in 14 MCAR § § 1.0015 through 1.0018.~~ New grant programs proposed by Mn/DOT may require the completion of a major study.

4. d. Detail design and/or grant processing shall involve the processing of grant applications and preparation of detailed construction plans and specifications.

~~2. Grant In Aid Programs shall be a means of resolving transportation problems by providing the grants in aid to organizations, other than Mn/DOT, who shall then provide the transportation service or construct a transportation facility. The general transportation planning process is adapted to these projects in that:~~

~~a. Mn/DOT and the grant agency jointly review issues, needs, and proposals.~~

~~b. If a new grant program is determined to be required within the preliminary planning phase, a major study may be undertaken as decided within the programming phase.~~

~~c.--Legislative-authority-shall-be-sought-for new-grant-programs-if-neeessary-following-eompletion-of-the major-study-phase.~~

~~d.--Preliminary-applieations-are-submitted-during the-programming-phase.--Eligible-applieants-then-shall-have-the opportunity-to-submit-final-applieations-from-whieh-grant projeets-are-seleeted-and-seheduled.~~

~~e.--Mn/DOT-shall-eonduet-a-finaneial-audit-of the-implemented-grant-program-and-may-otherwise-evaluate-the effeetiveness-of-the-grant-program.~~

~~B.--Proposed-projeets-shall-be-deferred-or-dropped-at speeified-points-within-the-proeess.--The-projeet-eategory involved-shall-determine-at-what-point-sueh-a-deeision-may-be made.~~

B. Provisions for deferring or dropping projects shall be made at the following specified points:

1. Minimal projects: ~~The-deeision-to-drop-or-defer a-projeet-may-be-made-during-step-4,-whieh-shall-involve-projeet design-approval,-environmental-assessment-and-eapital-improvement~~ programming the programming phase.

2. Moderate projects: ~~The-deeision-to-drop-or-defer a-projeet-may-be-made-during.~~ the preliminary planning or programming phase.

a.--Step-4:--project-justification-approval,-environmental-assessment,-preliminary-programming

b.--Step-8:--project-design-approval,-capital-improvement-programming

3. Major projects: The-decision-to-drop-or-defer-a project-may-be-made-during: the programming or major study phase.

a.--Step-4:--study-outline-approval,-environmental-assessment-programming-of-major-study

b.--Step-6:--approval-and-adoption-of-the-draft environmental-document

c.--Step-9:--approval-and-adoption-of-the-final environmental-document

d.--Step-11,-project-design-approval-and-capital improvement-programming.

C. Public input to-the-transportation-planning-process shall-consist-of-receipt-of-comments-by-Mn/DOT,-the-conducting of-public-meetings,-affording-the-opportunity-for-public-hearings,-and-conducting-public-hearings in relation to the project classification shall be as follows:

1.--The-opportunities-for-public-input-shall-relate to-the-project-classification.

1. Minimal projects shall allow for public input during the preliminary planning phase.

~~2.--All-proposed-projects-shall-be-initiated-with-the opportunity-for-public-input-to:~~

2. Moderate projects shall allow for public input during the preliminary planning phase.

~~a.--offer-transportation-based-issues,-needs-or proposals,-and~~

~~b.--identify-preliminary-alternatives-and-impacts.~~

~~3.--Minimal-projects-shall-allow-for-public-input-during Step-3-when-alternatives-and-impacts-are-being-analyzed-including an-environmental-assessment,-resulting-in-a-recommended-proposal.~~

3. Major projects shall allow for public input during the preliminary planning and major studies phase.

~~4.--Moderate-projects-shall-allow-for-public-input-during four-steps:~~

~~a.--Step-3:--preparation-of-the-project-justification and-environmental-assessment,-resulting-in-a-preliminary-programming request~~

b.--Step-5:--development-of-alternative-concepts and-project-designs-including-an-impact-analysis

c.--Step-6:--a-public-hearing-shall-be-held-if requested

d.--Step-7:--project-design-recommendation-and request-for-capital-improvement-programming

5.--Major-projects-shall-allow-for-public-input-during five-steps:

a.--Step-3:--Preparation-of-study-justification, environmental-assessment-and-detailed-study-outline-as-well-as a-request-for-the-programming-of-a-major-study

b.--Step-5:--Development-of-alternative-concepts and-project-designs,-analysis-of-impacts-and-preparation-of draft-environmental-document

c.--Step-7:--a-public-hearing-shall-be-held-if requested

d.--Step-8:--reconsideration-of-alternative-concepts and-project-design,-preparation-of-final-environmental-document

e.--Step-10.--Refining-of-project-design,-development-of-design-(layout)-recommendation,-and-request-for-capital improvement-programming.

~~6.--All-projects-shall-allow-for-public-input-during the-final-planning-stage-which-is-Step-5-for-minimal-projects, step-9-for-moderate-projects-and-step-12-for-major-projects and-involves-the-preparation-of-construction-plans-and-acquisition-of-right-of-way.~~

14 MCAR § 1.0014 Major studies. Major studies shall ~~result-in~~ utilize a custom-designed study process for each study or major project, ~~that-is-subjected-to-this-phase-of-transportation-planning.~~

A. The development of major studies shall be distinguished from the standard project development process in that:

1. The preliminary planning phase shall relate to the proposed means of conducting the study including resources required.

2. The programming phase shall result in a determination of which major studies are to be conducted and when.

3. The major study shall be defined within the detailed study outline developed during the preliminary planning phase and approved during the programming phase.

~~B.--Long-range-system-planning-shall-be-conducted-by-Mn/DOT in-the-major-study-phase,-resulting-in-review-of-the-long-range impact-of-current-programs,-trends,-and-activities-and-the identification-of-alternative-futures-resulting-from-these current-transportation-programs,-trends,-and-activities.~~

B. ~~C.~~ Sub-system planning as an aspect of major studies will be utilized to assure coordination between system planning and individual project development.

C. ~~D.~~ Major construction projects ~~as distinguished from minimal and moderate construction projects~~ shall be ~~handled~~ considered as major studies. ~~The planning phase shall be adopted as appropriate for each individual project but generally varies from minimal and moderate projects in that:~~

(1) Mn/DOT shall prepare a detailed study justification and outline including a general assessment of alternatives and request for programming of the study.

(2) An EIS shall be developed when required.

RULES AS PROPOSED

14 MCAR § 1.

Chapter One, § § 1.0001-1.0004: Authority, Purpose, Jurisdiction and Effect, and Definitions.

14 MCAR § 1.0001 Authority. The State Department of Transportation is authorized to adopt, as a rule, a statewide transportation plan and priorities pursuant to the provisions of Minn. Stat. 1976, ch. 174.03.

14 MCAR § 1.0002 Purpose. The purpose of the statewide transportation plan and priorities shall be to provide the basis for determining how best to meet the present and future transportation needs of the public, and to promote the more efficient use of resources for transportation purposes.

14 MCAR § 1.0003 Jurisdiction and effect. The statewide transportation plan and priorities as adopted by the Commissioner of Transportation shall govern transportation decisions made by the Commissioner and the Public Service Commission.

14 MCAR § 1.0004 Definitions. The following terms, as they appear in these rules, shall have the indicated meanings:

A. "Capital Improvement" means the expenditure of funds for the establishment or betterment of facilities and equipment.

B. "Criterion" means a standard upon which a decision may be based.

C. "Critical Areas" means those geographic areas as defined by the Critical Areas Act of 1973, Minn. Stat. 1976 ch. 116 G.

D. "Environment" means the total of external conditions and influences that affect human life, e.g. aesthetic, ecological, social, economic.

E. "Grant-in-Aid" means the distribution of funds from one agency to another agency or group for the establishment, continuation, or improvement of facilities, equipment, or service.

F. "Improvement Type" means a group of projects showing common traits or characteristics.

G. "Intermodal" means the relationship between or among the modes and may include a physical contact point, i.e. transfer point between modes.

H. "Major Studies" means special, intensive studies of large, complex transportation problems, systems, sub-systems, and projects.

I. "Master Plan" means a comprehensive plan designed to be implemented by a target year.

J. "Metropolitan Council" means the comprehensive planning agency for the Twin Cities Metropolitan area created pursuant to Minn. Stat. 1976, ch. 473.

K. "Metropolitan Development Guide" means the comprehensive development plan for the Twin Cities metropolitan area prepared by the Metropolitan Council pursuant to Minn. Stat. 1976, ch. 473.145.

L. "Minimal Projects" means the most simple, least complex construction projects that have little or no effect on the environment, require little or not additional right-of-way, and have no adverse effects on abutting real property.

M. "Mn/DOT Transportation Planning Process" means the general process Mn/DOT will use for transportation planning, programming, and design for the various modes.

N. "Moderate Projects" means construction projects with the potential for causing alterations to the local environment, normally consisting of the expansion or realignment to upgrade an existing facility and typically requiring additional right of way.

O. "Policy" means a set of principles that help guide management in making decisions.

P. "Preliminary Planning" means the phase of the Mn/DOT transportation planning process undertaken to analyze issues, needs, and problems and arrive at a consensus among the community and professional people on a preferred solution.

Q. "Process" means the procedure by which decisions are made.

R. "Program Development Process" means a procedure used to match the objectives of a specific program with the list of candidate projects and available funds.

S. "Project" means a specific proposal(s) for improvements to transportation facilities or services that leads directly to implementation (that is, the completion of grants or construction).

T. "Prospectus" means a document developed as one of the requirements of the federal government's Urban Transportation Planning Regulations. A "Prospectus" provides a description of the major elements of an urbanized area's transportation planning process as it relates to highway and transit planning and implementation.

U. "Regional Development Commission" means a comprehensive planning agency created pursuant to the Regional Development Act of 1969, Minn. Stat. 1976, ch. 462.

V. "Regional Transportation Policy Plans" means the plans required to be prepared by the Metropolitan Council pursuant to Minn. Stat. 1976, ch. 473.146 and by the Regional Development Commissions pursuant to Minn. Stat. 1976, ch. 174.03.

W. "Schedule of Authorized Public Transportation Expenditures" means the allocation of funds by program.

X. "Standard Project Development Process" means the procedure by which a routine project is developed. This procedure includes the processing of grants from established grant programs and the design of minimal and moderate construction projects.

Y. "Statewide Significance" means that an issue (1) impacts on a state transportation system; (2) impacts on the operation of a modal system on a statewide basis; (3) affects geographic areas in the State determined by the federal or state governments to be of statewide significance; or (4) may negatively affect the quality of the State's natural resources.

Z. "Sub-system" means a part of a larger system.

AA. "System" (physical) means a group of interrelated transportation facilities such as traveled ways and terminals. There are different kinds of transportation systems depending upon to what analytical or administrative use they will be put. Examples of different systems, which can overlap one another are: systems based on the role or function of transportation facilities (such as the principal arterial system), the source of funds (such as Federal Aid Urban roadway system), or the agency having administrative control over the facilities (such as state trunk highway system).

BB. "System Planning" means the process by which transportation systems of various kinds are planned.

CC. "Urbanized Area" means the geographic area as defined by the Bureau of the Census. It generally consists of a city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated land (i.e., land having a population density of at least 1000 persons per square mile).

Chapter Three, § 1.0005: Statewide Transportation Plan and Priorities.

14 MCAR § 1.0005 Statewide transportation plan and priorities.

A. The statewide transportation plan (Mn/DOT/PLAN) shall contain Mn/DOT's decision making processes.

1. These rules specify the procedures to be used in making decisions relating to the transportation needs of the State.

2. The procedures set forth herein shall incorporate:

a. federal and state law.

b. the transportation planning requirements of the federal government.

c. The statutorily defined roles of the Regional Development Commissions and the Metropolitan Council.

d. advisory task forces to the Commissioner as appropriate.

B. Transportation decisions made consistent with the provisions of Mn/DOT/PLAN shall also reflect agreement with certain established planning priorities:

1. Administrative procedures consistent with Mn/DOT/PLAN shall be established to aid in transportation decision making and program management.

2. The transportation decision making process shall operate to ensure participation by individual citizens, various organizations and groups, elected officials and other government agencies.

3. Emphasize the maintenance of existing services and facilities within the states' transportation system.

4. Providing of information as requested.

5. Recognize the role of the private sector and individuals in transportation decision making.

6. Recognize intermodal impacts and relationships in transportation planning and decision making.

7. Recognize environmental, social, economic, and energy factors in transportation planning and decision making.

8. Assign priority to those projects where significant resources have already been expended, providing those projects are consistent with Mn/DOT/PLAN provisions.

9. Modify Mn/DOT/PLAN as necessary.

10. Mn/DOT shall conduct annual meetings in each region to assist the Commissioner in identifying issues of regional and local concern.

11. Mn/DOT shall contact state legislators annually to receive their input as to the status of the state transportation system and to inform them of Mn/DOT's plannned activities in its role of managing the state transportation system.

14 MCAR § 1.

Chapter Four, § § 1.0006-1.0010: Planning Process; Policy Making Process:

14 MCAR § 1.0006 Planning process. This planning process shall provide a framework for resolving transportation issues and making transportation decisions.

14 MCAR § 1.0007 Policy making process. Mn/DOT's position on a specific issue, shall be developed consistent with the appropriate procedure as herein indicated:

A. Reaffirmation of an appropriate existing position.

B. No existing position; application of procedure and criteria from Mn/DOT/PLAN or other systems plans.

C. No applicable procedure or set of criteria; analysis of the category to develop procedure and criteria for position development.

D. Revised or newly developed positions shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents.

E. Position statements shall be developed on issues relating to actions, programs, plans or positions within the legal responsibility and authority of Mn/DOT.

1. Issues relating to transportation needs, services, or funding administered by Mn/DOT.

2. Issues concerning transportation rules.

3. Issues regarding Mn/DOT's decision making processes.

4. Resolution of inconsistencies between Mn/DOT Plan and regional or local plans.

F. Agreements shall be negotiated with the Regional Development Commissions and Metropolitan Council specifying their involvement in the policy making process.

14 MCAR § 1.0008 Issues requiring Mn/DOT action.

A. An issue shall require action by Mn/DOT if:

1. Mandated by federal law or regulation.

2. Mandated by state law or rule.

3. The issue is of major statewide significance for transportation.

B. An issue shall be found to be of statewide significance if:

1. The issue impacts on a state transportation system.

2. Impacts on geographic areas of statewide significance.

3. Impacts negatively upon the state's natural resources.

14 MCAR § 1.0009 Determination of Mn/DOT funded transportation services or needs. A transportation service or need shall be funded by Mn/DOT if:

A. Federal laws or regulations require Mn/DOT to fund.

B. State laws or rules require Mn/DOT to fund.

C. Mn/DOT policies, directives or system plans so identify the transportation need or service.

D. A service or need which transcends local boundaries or affects a significant segment of the population shall be determined to be essential to the transportation system based on new policy statements, directives, or amended system plans with the state being determined to be the best means of funding the service.

14 MCAR § 1.0010 Rules necessary to properly administer the use of the state transportation system. Mn/DOT shall develop rules when:

A. Federal laws or regulations require regulation by Mn/DOT.

B. State laws or rules require regulation by Mn/DOT.

C. Safety considerations, protection of the state's investment in transportation facilities, or economic considerations so require.

14 MCAR § 1.

Chapter Five, § 1.0011-1.0014 Transportation Planning Process, Relationship to Transportation Planning by Other Agencies, Standard Project Development, Major Studies.

14 MCAR § 1.0011 General provisions of the transportation planning process.

A. The transportation planning process shall:

1. Incorporate the various modes of transportation.

2. Apply to program development, grant administration, project development, and major studies.

B. The transportation planning process shall reflect the following considerations:

1. Modal aspects shall be considered in planning decisions.

2. Environmental aspects shall be addressed throughout the planning process.

3. The transportation planning process shall address local concerns by:

a. involving citizens, elected officials, and other agencies

b. utilizing small scale system planning

c. use of informal methods of public participation

d. analyzing the effects of proposed actions on different segments of the community

e. including consideration of local concerns and conditions.

4. The transportation planning process shall consider alternative solutions to transportation problems.

14 MCAR § 1.0012 Relationship to transportation planning by other agencies. Mn/DOT's transportation planning process shall attempt to accommodate the transportation planning efforts of other organizations by:

A. Complying with existing federal requirements relating to transportation planning, especially the FHWA requirement for an Action Plan.

B. Complying with existing federal requirements which define the State's role, through Mn/DOT, of cooperating in the transportation planning efforts of the Metropolitan Planning Organizations.

C. Complying with federal requirements relating to local agencies receiving federal funds.

D. Recognizing the statutorily defined role of the Regional Development Commissions.

E. Recognizing the statutorily defined role of transit authorities.

14 MCAR § 1.0013 Standard project development. The Standard Project Development Process shall include grant related activities as well as the planning and design, physical facilities.

A. Minimal and moderate projects as well as grant-in-aid programs shall be subject to this general process.

1. The transportation planning process, as applied to this category of projects, shall include:

a. identification of issues, needs, and proposals for changes in services or physical facilities from:

(1) individual citizens
(2) various organizations and groups
(3) elected officials
(4) agency staff members
(5) surveillance of the system by Mn/DOT staff.

b. Preliminary planning resulting in the development of a recommended project proposal and the related technical information.

c. Programming, which shall result in an evaluation of grant applications and proposed construction projects to determine those which are to be implemented. The detailed process is included in 14 MCAR § § 1.0015 through 1.0018. New grant programs proposed by Mn/DOT may require the completion of a major study.

d. Detail design and/or grant processing shall involve the processing of grant applications and preparation of detailed construction plans and specifications.

2. Grant-In-Aid Programs shall be a means of resolving transportation problems by providing the grants in aid to organizations, other than Mn/DOT, who shall then provide the transportation service or construct a transportation facility. The general transportation planning process is adapted to these projects in that:

a. Mn/DOT and the grant agency jointly review issues, needs, and proposals.

b. If a new grant program is determined to be required within the preliminary planning phase, a major study may be undertaken as decided within the programming phase.

c. Legislative authority shall be sought for new grant programs if necessary following completion of the major study phase.

d. Preliminary applications are submitted during the programming phase. Eligible applicants then shall have the opportunity to submit final applications from which grant projects are selected and scheduled.

e. Mn/DOT shall conduct a financial audit of the implemented grant program and may otherwise evaluate the effectiveness of the grant program.

B. Proposed projects shall be deferred or dropped at specified points within the process. The project category involved shall determine at what point such a decision may be made.

1. Minimal projects. The decision to drop or defer a project may be made during step 4, which shall involve project design approval, environmental assessment and capital improvement programming.

2. Moderate projects. The decision to drop or defer a project may be made during:

a. Step 4: project justification approval, environmental assessment, preliminary programming

b. Step 8: project design approval, capital improvement programming

3. Major projects. The decision to drop or defer a project may be made during:

a. Step 4: study outline approval, environmental assessment programming of major study

b. Step 6: approval and adoption of the draft environmental document

c. Step 9: approval and adoption of the final environmental document

d. Step 11. project design approval and capital improvement programming.

C. Public input to the transportation planning process shall consist of receipt of comments by Mn/DOT, the conducting of public meetings, affording the opportunity for public hearings, and conducting public hearings.

1. The opportunities for public input shall relate to the project classification.

2. All proposed projects shall be initiated with the opportunity for public input to:

a. offer transportation based issues, needs or proposals, and

b. identify preliminary alternatives and impacts.

3. Minimal projects shall allow for public input during Step 3 when alternatives and impacts are being analyzed including an environmental assessment, resulting in a recommended proposal.

4. Moderate projects shall allow for public input during four steps:

a. Step 3: preparation of the project justification and environmental assessment, resulting in a preliminary programming request

b. Step 5: development of alternative concepts and project designs including an impact analysis

c. Step 6: a public hearing shall be held if requested

d. Step 7: project design recommendation and request for capital improvement programming

5. Major projects shall allow for public input during five steps:

a. Step 3: Preparation of study justification, environmental assessment and detailed study outline as well as a request for the programming of a major study

b. Step 5: Development of alternative concepts and project designs, analysis of impacts and preparation of draft environmental document

c. Step 7: a public hearing shall be held if requested

d. Step 8: reconsideration of alternative concepts and project design, preparation of final environmental document

e. Step 10. Refining of project design, development of design (layout) recommendation, and request for capital improvement programming.

6. All projects shall allow for public input during the final planning stage which is Step 5 for minimal projects, step 9 for moderate projects and step 12 for major projects and involves the preparation of construction plans and acquisition of right of way.

14 MCAR 1.0014 Major studies. Major studies shall result in a custom-designed study process for each study or project that is subjected to this phase of transportation planning.

A. The development of major studies shall be distinguished from the standard project development process in that:

1. The preliminary planning phase shall relate to the proposed means of conducting the study including resources required.

2. The programming phase shall result in a determination of which major studies are to be conducted and when.

3. The major study shall be defined within the detailed study outline developed during the preliminary planning phase and approved during the programming phase.

B. Long range system planning shall be conducted by Mn/DOT in the major study phase, resulting in review of the long range impact of current programs, trends, and activities and the identification of alternative futures resulting from these current transportation programs, trends, and activities.

C. Sub-system planning as an aspect of major studies will be utilized to assure coordination between system planning and individual project development.

D. Major construction projects as distinguished from minimal and moderate construction projects shall be handled as major studies. The planning phase shall be adopted as appropriate for each individual project but generally varies from minimal and moderate projects in that:

(1) Mn/DOT shall prepare a detail d study justification and outline including a general assessment of alternatives and request for programming of the study.

(2) An EIS shall be developed when required.

14 MCAR § 1. Hereafter - no changes

Chapter Six, § § 1.0015-1.0018. The Program Development Process.

14 MCAR § 1.0015 General provisions of the program development process.

A. The program development process shall apply to capital improvements on the state trunk highway system and to grant programs administration by Mn/DOT with the exception of state-aid and federal-aid-urban programs.

B. The capital improvement and grant-in-aid program shall be developed by Mn/DOT with consultation as indicated within these rules by the Regional Development Commissions and the Metropolitan Council.

14 MCAR § 1.0016 Program development process. The program development process procedure shall be as follows:

A. Candidate projects shall be identified consistent with the phases of the Mn/DOT/PLAN Transportation Planning Process described in MCAR § § 1.0011-1.0014.

B. Candidate projects shall then be classified by region, mode, and if required, improvement type. Project categories shall include:

1. Aeronautics
2. Bikeways
3. Highways - new and reconstruction
4. Highways - facility upgrading and safety improvement
5. Highways - preservation
6. Rail - federal subsidy
7. Rail - state rehabilitation
8. Transit

C. Candidate projects shall then be evaluated utilizing weighted criteria and measures for each category developed by Mn/DOT personnel and the Regional Development Commissions and Metropolitan Council. The weighted criteria shall be used to rank projects. The currently applicable criteria shall be:

1. Aeronautics

a. Improve airports with a large number of takeoffs and landings.

b. Improve airports with a large number of based aircraft.

c. Improve airports with a large number of enplanements.

d. Reduce the number of aircraft rerouted to other airports.

e. Improve design and operation of an airport.

f. Finance projects that have local financial support.

g. Finance projects that are in conformance with the State Airport Development Guide.

2. Bikeways

a. Finance projects with the lowest unit construction costs.

b. Finance projects with the lowest maintenance costs.

c. Emphasize safety.

d. Support projects which serve the most major points of interest.

e. Support projects which remove physical barriers to bicycle movement.

3. Highways - new and reconstruction.

a. Reduce travel time.

b. Achieve uniform road quality on a given highway route.

c. Provide those improvements that will benefit the most users.

d. Upgrade roads to 9-ton that have weight restrictions placed on them every spring.

e. Improve the level of service.

f. Reduce accidents.

4. Highways - facility upgrading and safety improvement.

a. Provide those improvements that benefit the most users.

b. Reduce accidents.

c. Improve the level of service.

d. Upgrade roads to 9-ton that have weight restrictions placed on them every spring.

5. Highways - preservation.

a. Provide those improvements that will benefit the most users.

b. Lower annual maintenance costs.

c. Prevent further deterioration of a facility.

6. Rail - federal program.

a. Support projects with high shipper interest.

b. Reduce adverse community impact.

c. Increase the amount of traffic carried.

7. Rail - state program.

a. Reduce State's financial involvement.

b. Increase the amount of traffic carried.

c. Support projects with the greatest potential for repaying money invested by State and shippers.

d. Support projects which do not have alternate rail service.

e. Reduce adverse community impacts.

8. Transit.

a. Provide service to as many people as possible.

b. Provide service to as many commuters as possible.

c. Provide service for people who cannot drive a private automobile.

d. Provide service for people who do not own an automobile.

e. Finance projects that have high transit ridership.

f. Provide the best transit service possible in areas which need service.

g. Finance projects that will have a low operating deficit.

D. The program shall be developed following application of identified considerations and constraints to the ranked list of projects by category. The Commissioner may exercise his authority to modify the ranked list of projects based upon current development activities in the state as well as available financial resources.

1. Considerations to be used in modifying the ranked list of projects include:

a. Local and regional priorities.

b. Project interdependencies.

c. Degree of project readiness.

d. Fair share allocation based upon demographic characteristics.

e. Statewide priorities. The currently applicable statewide transportation development priorities shall be:

(1) General. Unless otherwise directed by the Legislature, maximize and fully utilize all federal transportation funds made available to the State.

(2) Aeronautics.

(a) To insure that all airports are maintained in a safe condition.

(b) To systematically complete a system of Interim Standard Microwave Landing Systems at key system airports by 1985.

(c) To insure proper consideration to the protection of the environment as impacted by the location and expansion of airport facilities.

(d) To insure that key recreational areas around the State have access to the air transportation system.

(3) Bikeways.

(a) Give priority to bikeway projects which eliminate safety hazards to existing bikeway trips.

(b) Give priority to bikeway projects which complete a gap or uncompleted section of a route or system.

(4) Highway development.

(a) A high priority in the highway development program is the completion of the interstate system or the withdrawal of interstate segments and development of substitute projects.

(b) All new highway development projects or major reconstructions in metropolitan areas shall include careful evaluation of exclusive lanes for high occupancy vehicles, as well as other preferential treatment alternates. Priority in highway development shall be given to projects which include special provision for these items.

(c) Emphasize modernization and preventive maintenance of important highway facilities already in place rather than focusing on new construction.

(d) Reevaluate proposed four lane facilities against the needs for safe, efficient, all-weather two lane roads in every region of the State. Focus on projects which reduce routine maintenance costs by including such things as joint resealing, narrow pavement widening, and overlays in capital improvement programs. (Subject to completion of Maintenance Needs Study).

(e) Continue to emphasize the reconstruction and replacement of important bridges.

(f) Emphasize reserving rights-of-way for future transportation purposes to meet clearly demonstrated needs in developing areas of the State.

(5) Railroads.

(a) Establish an essential rail system comprised of:

(i) Main lines based on current operations, pending a more detailed analysis of potential main line consolidation.

(ii) Lines necessary for national defense as designated by the U. S. Department of Defense.

(iii) Lines serving major energy users, e.g. existing power plants, future power plants, or major industry which has the potential to switch to coal.

(iv) Lines serving rail users which are unable to switch to other types of transportation facilities such as viable mining operations or viable grain subterminals and multi-car loading facilities.

(v) Lines providing some type of geographic rail access to all areas of the state with significant commodities to ship by rail.

(b) Subsidy emphasis shall be for rail lines that have the potential to be self sustaining, have shipper support or are identified in (i) as essential to the state's rail system.

(c) Actively attempt to preserve the right-of-way of the essential rail system where there is presently no shipper interest to continue service.

(6) Transit.

(a) In administering state or federal funds, evaluate and give priority to transportation projects which are well coordinated with the existing system.

(b) Require that any transit system receiving state financial assistance show that provisions have been made for limited mobility persons to effectively utilize the systems service.

(c) Develop demonstration programs that will indicate the effectiveness and efficiency of a wide range of services.

2. The program development constraints which shall be currently applicable are:

a. Financial limitations which are imposed by means of the Legislative biennial budget for Mn/DOT.

b. Personnel resources available to develop construction plans in addition to the availability of construction personnel.

c. Legally, Mn/DOT may be directed to commit staff and funds to special projects or Mn/DOT may not have authority to act at all in other areas.

E. Program review. The resultant preliminary program shall then be submitted to the regional development commissions and the Metropolitan Council and various governmental agencies and jurisdictions for official review and comment.

14 MCAR § 1.0017 Program update process. Program revisions shall be the result of the same process as shall be utilized to establish the program.

A. The criteria, criteria weights, considerations, which include development priorities, and constraints utilized in the programming process, shall be evaluated on an annual basis consistent with the provisions of the agreements with Mn/DOT and the Regional Development Commissions and Metropolitan Council.

B. The timetable for the program update process shall be:

1. 1st Quarter Fiscal Year.

a. Print draft of annual program for the following fiscal years.

b. Distribute draft for preliminary review.

c. Submit draft to regions and Metropolitan Planning Organizations for official review (A-95).

d. Distribute draft publically.

2. 2nd Quarter Fiscal Year. Progress Review.

3. 3rd Quarter Fiscal Year. Review criteria weights, considerations, priorities, and constraints.

4. 4th Quarter Fiscal Year.

a. Solicit projects for inclusion in program through public meetings.

b. Annual program update.

14 MCAR § 1.0018 Project deferments.

A. A project which once appears in a published program may be deferred for another project because of activities within the project itself which delay its progress.

B. A project with a scheduled implementation date shall be completed except under unusual circumstances in which case the Commissioner will provide documentation explaining why the project has been withdrawn, upon request.

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/Dot Plan.

REPORT OF HEARING EXAMAINER

The above-entitled matter came on for hearing before Bernard Singer, Hearing Examiner, assigned by the Chief Hearing Examiner, on the following dates and at the following locations:

October 31, 1978	Mora, Minnesota
November 1, 1978	Appleton, Minnesota
November 2, 1978	Crookston, Minnesota
November 9, 1978	Minneapolis, Minnesota
November 13, 1978	Staples, Minnesota
November 14, 1978	Bemidji, Minnesota
November 15, 1978	Grand Rapids, Minnesota
November 16, 1978	Duluth, Minnesota
November 20, 1978	Fergus Falls, Minnesota
November 21, 1978	St. Cloud, Minnesota
November 28, 1978	Slayton, Minnesota
November 29, 1978	Mankato, Minnesota
November 30, 1978	Rochester, Minnesota
December 4, 1978	St. Paul, Minnesota
December 5, 1978	Willmar, Minnesota

This proceeding is a rules hearing pursuant to Minn. Stat. Ch. 15, to determine whether the new rules codified as 14 MCAR § 1.001 through 14 MCAR § 1.0018 should be adopted.

Appearing at the various hearings for the Department of Transportation were Peter A. Fausch, Division Director, Transportation Development Division; John Pawlik, District Director, Duluth; Dennis Johnson, Regional Planning Coordinator, Duluth and Bemidji; Roy Larson, District Director, Rochester; Lloyd Nelson, District Director, Mankato; Kenneth Madole, District Director, Willmar; Ed Edman, Regional Transportation Planning Coordinator, St. Cloud; John Youngquist, District Director, Detroit Lakes; Lee Kessler, Regional Transportation Planning Coordinator, Detroit Lakes; Bob Woolf, District Director, Bemidji; Darryl Durgin, District Director, Brainerd; Charles Burrill, District Director, Oakdale; Fred Tanzier, Regional Coordinator, Metropolitan Region; Merritt Linzie, Assistant District Director, Oakdale District; Herb Dale, Assistant Director, Bemidji; and William Crawford, District Director, St. Paul. William A. Caldwell, Special Assistant Attorney General, and Eric Schultz, Deputy Attorney General, appeared on behalf of the Department of Transportation (hereinafter "DOT" or "Department").

Attendance at the 15 state-wide hearings included 315 persons who signed the hearing register. Representatives of all Regional Development Commissions of Minnesota and the Metropolitan Council testified at the hearings and submitted written comments on the proposed rules. The hearings continued until all interested persons had an opportunity to participate.

On December 26, 1978, the D.O.T. filed posthearing written comments amending some of the rules, as proposed, and withdrawing proposed rules

14 MCAR 1.0015, 1.0016, 1.0017 and 1.0018.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Thereafter, the DOT shall, if it proposes to adopt the rules as originally proposed or amended, submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4. The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the DOT on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. The DOT will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On September 5, 1978, the Department of Transportation filed the following documents with the Chief Hearing Examiner:

   (a) A copy of the proposed rules.
   (b) The Order for Hearing proposed to be issued.
   (c) The Notice of Hearing proposed to be issued.
   (d) A Statement of the number of persons expected to attend the hearing and estimated length of the Department's presentation.

2. On September 25, 1978, a Notice of Hearing and a copy of the proposed rules were published at 3 State Register 647.

3. On September 25, 1978, the Department of Transportation mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On October 5, 1978, the Department filed the following documents:

   (a) The Order for Hearing and authorizing resolution.
   (b) The Notice of Hearing as mailed.
   (c) The Affidavit of Receipt of the Secretary of State's list.
   (d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list.
   (e) The Secretary of State's Certificate and list.
   (f) The Statement of Need and Reasonableness.
   (g) The names of Department personnel who will represent the Department at the hearing together with the names of any other witnesses solicited by the Department to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through December 26, 1978, for the receipt of written comments and statements, the period having been extended by order of the Hearing Examiner to 20 calendar days following the last hearing date, December 5, 1978.

STATUTORY AUTHORITY

6. The authority for the promulgation of these rules is provided by Minn. Stat. § 174.03, subd. 1(d), which provides:

. . . the commissioner shall:

* * *

(d) complete the plan and priorities required by this subdivision no later than July 1, 1978. Upon completion, the commissioner shall promulgate the plan and priorities as a rule in accordance with chapter 15. Upon promulgation of the plan and priorities, the commissioner shall prepare and periodically revise, as necessary, the schedule of authorized public transportation expenditures. The schedule, and revisions thereto, need not be promulgated as a rule but shall not be prepared or revised without public hearings.

14 MCAR § 1.001 - Authority

7. The purpose of this rule is to state the legislative authority for the Department of Transportation to develop a statewide transportation plan and adopt, as a rule, that plan pursuant to the provisions of Minn. Stat. § 174.03 (1976). Although there is no necessity for a rule to state the statutory authority for the DOT to promulgate these rules, as documented satisfactorily in the agency's Statement of Need and Reasonableness, this rule is one result of the codification of the 255-page Mn/DOT Transportation Plan into rule and a restatement of the authority of the Agency by rule is necessary and reasonable under the circumstances.

14 MCAR § 1.002 - Purpose

8. This rule indicates the purpose of the statewide transportation plan and priorities and partially restates a portion of the language of Minn. Stat. Ch. 174.03, subd. 1. In the sense that this rule repeats some of the statutory language, it would appear that the rule is unnecessary; however, for the reasons stated with reference to MCAR 1.001, the inclusion of this rule would be helpful in assisting persons working with the Mn/DOT plan to understand the general purpose for the drafting of said plan and the promulgation of the within rules. For that reason, the rule is reasonable, necessary, and does not violate the provisions of Minn. Stat. § 174.03, subd. 1.

14 MCAR § 1.003 - Jurisdiction and Effect

9. This rule indicates that the statewide transportation plan and priorities shall govern all transportation decisions made by the Commissioner of the Department of Transportation and the Public Service Commission. The Agency pointed out that the legislation was specific in this area and therefore, it is incorporated into this rule for emphasis, much as indicated in the explanation for 14 MCAR s 1.001 and 14 MCAR s 1.002. The Examiner finds the rule to be reasonable and necessary.

14 MCAR § 1.004 - Definitions

10. This rule includes the definitions used throughout the transportation plan and rules and clarifies the Department's interpretation of terms when multiple interpretations are possible. A full explanation of each specific term is set forth in the Department's Statement of Need and Reasonableness. This rule drew a considerable amount of written and oral

comments. Only the specific definitions discussed in said comments will be reviewed hereinafter:

A. The proposed rule defined "Capital Improvement" as the expenditure of funds for the establishment or betterment of facilities and equipment. The DOT proposed to add the words "or reservation" after the word "betterment" in defining said term. Said amendment is reasonable and necessary and does not substantially change the meaning of the definition.

11. E. "Grant-in-Aid". Herb Anderson, a member of the Region 3 Transportation Task Force Committee, commented that this definition should be amended to exclude funds provided by the State of Minnesota Constitution; those funds should be defined as constitutional aid. Doug Grindall, Koochiching County engineer, pointed out that under the United States Constitution, 62% of the highway user tax distribution fund shall go to the State, 29% to the counties, and 9% to the municipalities. State aid is the county and city share of the highway user distribution fund and these funds should not be interpreted to be included in "grant-in-aid." James Sommer, Brown County Highway Engineer; Joe Neaton, Chairman, Carver County Board of Commissioners; A. J. Lee, Associate County Administrator and County Engineer, Hennepin County; the Minnnesota County Highway Engineers Association; and the Metropolitan Council Transportation Advisory Board submitted written comments recommending that the definition of "grant-in-aid" be clarified to exclude municipal and county state-aid funds. The DOT agreed that said recommendations were reasonable and amended the definition of "grant-in-aid" to exclude state-aid programs. The DOT further amended said definition to insert these words after the word "group": organization or individual for the purpose of establishing, improving or continuing transportation facilities . . . . The rule, as modified by the DOT, will read as follows:

> "Grant-in-Aid" means the distribution of funds from one agency to another agency, group, organization or individual for the purpose of establishing, improving or continuing transportation facilities, equipment, or service, excluding state aid programs.

The Examiner finds said amendment does not constitute a substantial change in the definition as originally proposed; the rule is reasonable and necessary.

12. F. "Improvement Type". The DOT, in response to comments by the Metropolitan Council, has concluded that this definition is unnecessary and withdrew said definition from 14 MCAR § 1.004.

13. F. (Proposed New Definition) "Local Projects": Mr. Neaton, Carver County, and the Metropolitan Council suggested that the term "local projects" be included in the definitions. Pursuant to said suggestion, the DOT proposed the following definition for "local projects":

> Local projects means projects which are financed by local units of government, either with their own funds or with funds dedicated to their sole use such as the county-state aids, municipal state-aid accounts within the state trunk highway fund which are allocated based on Minn. Stat. 162 and Article XVI of the State Constitution.

The Examiner finds that the amendment of 14 MCAR s 1.004 to include this additional definition is reasonable and necessary for a complete understanding of the transportation plan and should be adopted.

14. I. "Master Plan". This definition is consistent with accepted terms of act within the planning field. The Metro Council commented that the common use of this term does not imply a target year; therefore, the phrase should be eliminated. The Department of Transportation amended said definition to include the words "long-range plan" after the word "comprehensive" and deleted the rest of the definition so that the amended definition reads as follows:

"Master Plan" means a comprehensive long-range plan.

The Examiner finds this definition reasonable and necessary and does not substantially change the definition of "Master Plan" as originally proposed by the Department.

15. "Major Projects": The Department has responded to the recommendation of the Metro Council by adding a definition for the term "Major Projects". The definition is as follows:

> "Major projects" are those construction projects requiring substantial planning, time, resources or expenditures with the potential for significant alteration to land use, planned growth, development patterns, traffic volumes, travel patterns, transportation services and natural man-made resources. Major projects also require an environmental impact statement or negative declaration.

Although the use of the word "substantial" is vague and indefinite, a consideration of this definition, along with the definition for local projects and minimal projects clarifies the parameters within which major projects are included. The definition of "major projects" is necessary to a clear understanding of the entire Mn/Dot Plan, is reasonable, and does not constitute a substantial change.

16. L. "Minimal Projects": The definition of these projects is consistent with the Federal Highway Works Act project classifications. The Metropolitan Council proposed the elimination of the words "the most simple, least complex" from this definition, indicating that elimination of these words would make the definition consistent with that of the definition of "moderate projects". The DOT, in response to this comment, amended the rule to read as follows:

> "Minimal Projects" means the construction projects that have had no adverse effect on the environment, require no significant additional right-of-way, and have no adverse effects on abutting real property.

This definition, as amended, is reasonable and necessary and does not constitute a substantial change in the definition as originally proposed.

17. P. "Preliminary Planning". This was defined as a stage within the Department of Transportation's transportation planning process. The Metro Council proposed the elimination of the words "among the community and professional people" in this definition. They commented that these words should be eliminated since they are not defined, could have multiple meanings, and add more confusion than clarity to the definition. In response to this written comment, the Department amended this definition to eliminate "among the community and professional people". This definition, as amended, is reasonable and necessary and does not constitute a substantial change.

18. Q. The Department of Transportation amended the rule to include

A definition for the word "priorities": the prior philosophy which guided Mn/DOT in the development of the Mn/DOT plan. The Examiner finds that there is a need for the definition of the word "priorities" in 14 MCAR § 1.004, but that the proposed definition of the Department is vague and unclear, is not reasonable, would constitute a substantial change, and should not be included in the proposed rules to be adopted.

19. "Program": The Department, based upon a recommendation of the Metro Council, has amended the rule to include a definition for the word "program" as follows: "Program" means a plan for the scheduling of projects. This definition is clear, leaves no ambiguity, is reasonable and necessary and does not constitute a substantial change.

20. S. "Project": This definition constitutes the primary responsibility of the Department of Transportation. The Department proposed changing the word "leads" to "may lead" and elimination of the word "directly" after the word "lead". The Department also proposed the inclusion of the three types of projects: Minimal, moderate and major projects in the definition. With the proposed amendments, the new rule should read as follows:

> "Project" means a specific proposal or proposals for improvements to transportation facilities or services that may lead to implementation, including the completion of grants or construction. A project may be classified as minimal, moderate or major.

The rule as amended is reasonable and necessary and does not constitute a substantial change.

21. V. "Regional Transportation Policy Plans": This definition sets out the statutory requirement for the preparation of regional transportation policy plans by the Metropolitan Council and the Regional Development Commissions. The Southwest Regional Development Commission commented that the Regional Development Act of 1969, Minn. Stat. § 462.39, subd. 3, is the proper statute to be identified in this definition rather than Minn. Stat. § 174.03 as proposed by the D.O.T. In response to this comment, the Hearing Examiner recommends a change in the definition be made by striking the citation of § 174.03 and the insertion of Minn. Stat. § 462.39, subd. 3. This change is reasonable and necessary and does not constitute a substantial change.

22. X. "Standard Project Development Process": The Department of Transportation proposed the deletion of the words "routine", "minimal and moderate" so that the rule as amended will read:

> X. "Standard Project Development Process" means the procedure by which a project is developed. This procedure includes the processing of grants on established grant programs and the design of construction projects.

The Examiner finds that said amendment is reasonable and necessary, and does not constitute a substantial change.

23. "State Aid": Carver County and the Metro Council suggested that a definition of "state aid" should be included in this rule. In response to these comments, the Department of Transportation proposed the following definition of state aid:

> State aid means the apportionment mechanism establisebed by Article XVI of the Constitution of the State of Minnesota and Minn. Stat. Ch 162 to provide a share of the Highway User Fund for certain county highways and city streets, for the purpose of construction and maintenance.

Said amendment is reasonable and necessary and does not constitute a substantial change and should be adopted.

24. AA. "System": This definition reflects the Federal Highway Works Act concept. The Metro Council commented that this definition should be clarified, especially the use of the word "interrelated", asserting that it is a vague term allowing the possibility of different modes. In response to said comments, the Department of Transportation proposed a change in the definition to read as follows:

> "System" means the transportation network established to accommodate travel in an orderly, safe, efficient and economical manner. The transportation network includes streets, highways, rail lines, terminals, airports, pipelines, water ways, and all modes of transportation.

The Examiner finds said amended definition is reasonable and necessary and does not constitute a substantial change.

25. BB. "System Planning": The Department of Transportation amended said definition to eliminate the word "planned" and insert "developed". This amendment is reasonable and necessary and does not constitute a substantial change.

14. MCAR § 1.005 - Statewide Transportation Plan and Priorities

26. The Mn/DOT plan is a management document providing data and procedures for transportation decision-making. This rule provides the framework within which the Department, consistent with the Mn/DOT plan, will answer transportation questions and make transportation decisions. Subsection A., of this rule states that the statewide transportation plan shall contain Mn/DOT's decision-making processes, specifying the procedures to be used in making decisions relating to the transportation needs of this State; these procedures incorporate federal and state law, transportation planning requirements of the Federal government, statutorily defined roles of the Regional Development Commissions and the Metropolitan Council, and advisory task forces to the Commissioner as appropriate. The Metro Council recommended amending 1.005 A.2.a. by adding the word "applicable". The Metro Council also recommended amending A.2.c. by adding the words "other affected agencies". The Department of Transportation amended said rule, pursuant to the Metro Council's recommendation, by adding the words "and other agencies with transportation planning authority". The Examiner finds the modified subsections a. and c., as amended by the Department of Transportation, as necessary and reasonable. The Department proposed, in posthearing written comments, to add an additional subsection e.: "The statutorily defined roles of the Metropolitan Planning Organizations." The Examiner finds that the amended language for subsections c., as recommended above, would include these Metropolitan Planning Organizations and finds that subsection e. is not redundant or necessary and should not be adopted by the Department.

27. Subsection B. of proposed rule 1.005: In posthearing written

comments submitted by the Department, the Department amended the introductory paragraph of subsection B. to read as follows: "Priorities to be utilized in making transportation decisions consistent with the current provisions of the Mn/DOT plan shall be: Subsection B. prefaces the planning priorities that guided the development of the Mn/DOT plan and which are used as a base for implementation of the plan. This language, as amended by the Department, is necessary and reasonable and does not constitute a substantial change. The Department also slightly modified the opening words of 1.005 B., subsections 1, 2, 3, 5, 6, 7, 8. In addition, subsection 4 was amended to read: To provide information on transportation matters of interest or concern to the public. In subsection 11, the word "managing" was replaced with "overseeing". The Department also withdrew subsection 9 from the rules as originally proposed. The Examiner finds the amendments are not substantially different from the original proposed subsections and are intended for clarification only. For this reason, the Examiner finds these subsections, as modified, necessary and reasonable.

All of the Regional Development Commissions, through testimony at the hearings and by filed written comments, recommended the insertion of another subsection which recognizes the Department's commitment to establish memorandums of agreement with each Regional Development Commission and the Metro Council for the purpose of specifying their involvement in the state transportation planning framework. This amendment was also submitted by the Metro Council in its posthearing written comments. The Department amended the rule by adding a new subsection 12 to read as follows:

> To negotiate agreements with the regional development commissions and the Metropolitan Council specifying their involvement in the transportation planning process.

The Department also, based upon the recommendation of the Metro Council, proposed a new subsection 13 to read as follows: To include task forces advisory to the commissioner as appropriate. The inclusion of these two new subsections was thoroughly discussed at the various hearings and was overwhelmingly proposed by representatives of the various councils attending the hearings on these proposed rules. The Examiner finds that the addition of these two new subsections does not constitute a major substantive change in proposed 14 MCAR § 1.005 B. and does not result in a rule fundamentally different from the rule as originally published. The Examiner further finds the modified rule 14 MCAR § 1.005 is necessary and reasonable, and that said modifications are not a substantial change in the proposed rule.

14 MCAR § 1.0006 - Planning Process

28. This rules reads as follows:

> This planning process shall provide a framework for resolving transportation issues and making transportation decisions.

The Department, in its posthearing written comments, proposed changing the title "Planning Process" to "Decision-making Process". In the Statement of Need and Reasonableness filed by the Department, it stated that the procedures within this chapter will be the basis for developing answers, position statements, objectives, priority decisions or other policy statements on various transportaion issues. The end product of these

procedures will be specific decisions on sepcific issues. This rule is a codification of the decision-making processes as set forth in Chapter 4 of the Mn/DOT plan. The Examiner finds it necessary to determine that the Department has failed to demonstrate that it has fulfilled substantive requirements of law. This is because the language proposed is not, legally, a "rule". That term is defined in Minn. Stat. § 15.0411, subd. 3, as "Every agency statement of general applicability and future effect . . . made to implement or make specific the law enforced or administered by it. . . ." Rules, like any law, generally require or prohibit certain actions or set certain standards by which to measure certain actions or proposed actions of agencies, citizens and others. 14 MCAR § 1.006 does not meet the substantive requirements of law for a rule. The rule is totally unclear and ambiguous as proposed and states no procedures or criteria for resolving transportation issues or making transportation decisions. The Examiner finds that the rule as proposed is unreasonable and unnecessary and does not set forth the nature and requirements of the procedures included in the decision-making process which would directly affect the rights of or procedures available to the public. For that reason, the Hearing Examiner recommends deletion of this proposed rule for more detailed drafting in conformance with the Administrative Procedures Act.

14 MCAR § 1.007 - Policy-Making Process

29. As indicated in the Statement of Need and Reasonableness, the basis for procedures indicated within this rule is the fact that the Department is frequently asked to provide solutions to a specific issue. The issue is identified and followed by application of either subsection A., B., or C.; subsection E. indicates those issues upon which the Department will develop positions, consistent with its authority or responsibility; and subsection F. indicates the responsibility of the Department to the Regional Development Commissions and the Metropolitan Council who have a statutorily-defined role. The Metropolitan Council proposed amending this rule to read as follows:

> MnDOT's policy on a specific issue shall be developed consistent with one of the following procedures:

The Department, in its posthearing written comments, amended the rule as proposed to conform to the recommendation of the Metro Council. The Department also amended subsections A., B., C., and E. by replacing the word "position" with the word "policy". These modifications are reasonable and necessary and are not a substantial change to the proposed rule. The Department also proposed modification of subsection D. to read as follows: Revised or newly developed policies shall be incorporated into the Mn/Dot plan or appropriate supporting documents to be utilized in the transportation decision-making process. This modification is reasonable and necessary. With reference to subsection E.4., the city of Fergus Falls was concerned that this rule is rather loosely worded and does not provide any information as to how the position statements shall be arrived at nor any procedures for appeals when there is a disagreement on position statements. The Department, in response to these comments, has withdrawn E.4. from the rules.

With reference to subsection F., all of the Regional Advisory Commissions proposed an amendment to this subsection to read as follows: Agreements shall be negotiated with Regional Development Commissions and the Metropolitan Council specifying their involvement in policy-making process, system planning, project development and programming. The Metro Council proposed amending said subsection to read as set forth in subsection F. of the regional Mn/Dot plan draft as follows: The establishment of positions within the indicated issue areas shall include input from all Regional Development Commissions and the Metropolitan Councilpursuant to the terms of the agreements negotiated with each. They stated that this change would allow current agreements to remain in effect rather than implying their abolishment. The Department, in acknowledging the statutorily-defined role of the Regional Development Commissions and the Metropolitan Council, amended subsection F., in their written comments, to read as follows:

> "The establishment of policies within the indicated issue areas will include input from all Regional Development Commissions and the Metropolitan Council pursuant to the terms of the agreements negotiated with each."

This change would acknowledge current agreements remaining in effect and is reasonable and necessary. 14 MCAR § 1.007, as modified by the Department, does not constitute a substantial change in the proposed rule.

14 MCAR § 1.0008 - Issues Requiring Mn/DOT Action.

30. The Metro Council proposed deletion of subsection B. of this rule, which states which issues shall be considered to be of statewide significance, asserting that said subsection is redundant since "statewide significance" is defined in 14 MCAR § 1.004 - Definitions. The Department of Transportation, in response to said comments, has deleted this subsection.

Proposed Rule 1.009 - Determination of Mn/DOT Funded Transportation Services or Needs.

31. This rule sets out the criteria upon which MnDOT has the authority to regulate transportation-related activities or functions. The Metropolitan Council recommended an amendment to subsection D. by adding the word "state" before the words "transportation system". The Department, in its posthearing comments, proposed a modification of said rule to read as follows:

> D. A service or need which transcends local boundaries or affects a significant segment of the population and is determined to be essential to the transportation system with the state being determined to be the best means of funding the service.

The Examiner finds the rule as amended is necessary and reasonable and that said modification is not a substantial change of the proposed rule.

14 MCAR § 1.011 - General Provisions of the Transportation Planning Process.

32. The Examiner adopts the Department's Statement of Need and Reasonableness (as attached hereto) as his finding with respect to this proposed rule. Written comments submitted by Carver County, the Brown County Highway Department and the Minnesota Highway Engineers Association recommended the addition of a new subsection No. 3 under 1.011 A. to read as follows: Not apply to state aid and locally funded projects. The Metro Council

proposed the addition of another new subsection under 1.011 A. to read as follows: Apply to statewide system planning. The Department of Transportation, in its posthearing written comments, adopted both of these recommendations and modified this rule to include these new subsections 3. and 4. The Examiner finds these subsections necessary and reasonable and do not constitute a substantial change in the proposed rule.

With regard to 14 MCAR § 1.011, subsection B., the Department modified the rule as originally proposed to read as follows: The Transportation Planning Process shall:

1. Consider modal aspects in planning decisions
2. Address environmental aspects throughout the planning process
3. Address local concerns by:

    a. Involving citizens, elected officials, and other agencies;
    b. Utilizing small-scale system planning;
    c. The use of informal methods of public participation;
    d. Analyzing the effects of proposed actions on different segments of the community;
    e. Including considerations of local concerns and conditions.

All of the Regional Development Commissions and the city of Fergus Falls, in their written comments, recommended an additional subsection f to read as follows: Considering the provisions of regional and metropolitan transportation policy plans. The Department has modified the rule to include this additional subsection f. The Examiner adopts, as his finding, the Agency's Statement of Need and Reasonableness with reference to this rule and finds the modified rule to be needed and reasonble; the modifications are not substantial changes to the proposed rule.

14 MCAR § 1.012 - Relationship to Transportation Planning by Other Agencies

33. The Department, in its posthearing written comments, modified the introductory paragraph to read as follows:

"Mn/DOT's transportation planning process shall:".

The Department deleted all words following the word "shall". With reference to subsection D., the Metro Council commented that this subsection should be amended to read as follows:

> Recognizing the statutorily-defined role of the Regional Development Commissions and the Metropolitan Council.

All of the Regional Development Commissions proposed modification of subsection D. to read:

> Memorandums of agreement shall be entered into between Mn/DOT and the Regional Development Commissions and the Metropolitan Council, no later than one year after the adoption of the state transportation plan, for the purpose of specifying their involvement in policy-making, system planning, project development and programming."

This amendment was rejected by the Department of Transportation which determined that subjsection D., amended to include the Metropolitan Council, is responsive to the role of the Regional Development Commissions and the Metropolitan Council.

The Department also amended subsection E. by including, after the word "transit", airport and port authorities.

The Brown County Highway Department, the Minnesota County Highway Engineers Association and Carver County proposed a new subsection F. under this rule to recognize the role of local government in addition to the subsections which recognized the statutory role of regional and transit agencies. Their proposed new subsection F. would read as follows:

> "Recognize the statutorily-defined role of municipalities, counties and townships."

The Department of Transportation, in its posthearing written comments, modified the rule to include this new subsection.

The Hearing Examiner finds that 14 MCAR § 1.012, as modified above, is reasonable and necessary and does not constitute a substantial change from the rule as originally proposed.

14 MCAR § 10013 - Standard Project Development.

34. 9. The Department modified the introductory paragraph of this rule, as originally proposed, as follows:

> "The standard project development process shall apply to minimal and moderate projects as well as grant-in-aid programs. Project development shall not apply to state aid and locally funded projects."

This amendment was in response to written comments submitted by A. J. Lee, Hennepin County Engineer, and the Metro Council. In addition, the Department withdrew subsection A. and subsection 1 was retitled as A.

All of the Regional Development Commissions proposed the addition of a new subsection, 14 MCAR s 1.013 A.a.(6), regional transportation policy plans. The inclusion of this subsection was necessary in order to utilize the contents of regional policy plans in the identification of issues, needs, and proposals for change in services or physical facilities. The Department, in its posthearing written comments, modified the rule by including this new subsection (6) and an additional subsection (7). Metropolitan planning organizations' adopted comprehensive plans. The Examiner finds the addition of these two new subsections reasonable and necessary and do not constitute a substantial change in the rule as originally proposed.

In 14 MCAR § 1.013 C., the Department proposed to delete the following sentence: "The detailed process is included in 14 MCAR § 1.015 through 1.018." The reason for this deletion is the withdrawal of those four rules from the proposed rules as published.

The Department, after the hearing, withdrew 14 MCAR s 1.013 D.2. in its entirety, indicating that said rule was redundant. In addition, the Department retitled subsection C. as subsection E., and proposed the following modified rule, instead of the rule originally published:

> E. Provisions for deferring or dropping projects at the following specified points:
>
> 1. Minimal projects: the programming phase.
> 2. Moderate projects: the preliminary planning or programming phase.
> 3. Major projects: the programming or major study phase.

These subsections replace subsections C.1., 2., and 3. of the rules as originally proposed. These modifications are reasonable and do not constitute a substantial change. Subsection C., as originally proposed by the Department, was modified by the Department by replacing C. with F. and reads as follows:

Public input in relation to the project classification as follows:

1. Minimal projects shall allow for public input during the preliminary planning phase.

2. Moderate projects shall allow for public input during the preliminary planning phase.

3. Major projects shall allow for public input during the preliminary planning and major studies phase.

These modifications are reasonable and necessary and do not constitute a substantial change.

14 MCAR § 1.013 C.4., 5. and 6., have been withdrawn by the Department.

14 MCAR § 1.014 - Major Studies

35. Pursuant to written comments by the Metropolitan Council, the Department modified the introductory paragraph of this rule to read as follows:

Major studies shall utilize a custom designed study process for each study or major project.

In addition, the Department deleted subsection B. of said rule and subsection C., as originally proposed, is retitled subsection B. Subsection D., as originally proposed, is retitled C. and the introductory paragraph of that subsection was modified by the Department to read as follows: Major construction projects shall be considered as major studies. The aforementioned modifications of 14 MCAR § 1.0014 are reasonable and necessary and do not constitute a substantial change in the rule as originally proposed.

36. 14 MCAR §§ 1.015, 1.016, 1.017, and 1.018 were withdrawn by the Department after the hearing and are not discussed in this Report.

C O N C L U S I O N S

1. Due, timely and adequate notice of the hearing was properly served and published by the Department of Transportation. All other substantive and procedural requirements have been fulfilled.

2. The Department has demonstrated its statutory authority to adopt the proposed rules.

3. Except as found in Finding No. 28, the Department has demonstrated the need for and reasonableness of the proposed rules, as modified, by an affirmative presentation of facts.

4. The modifications to the proposed rules made by the Department subsequent to the hearing in its posthearing comments do not constitute substantial changes.

R E C O M M E N D A T I O N

The Hearing Examiner recommends that the proposed rules be modified as suggested in the findings and that the rules, so modified, be adopted.

Dated this 22ND day of January, 1979.

Bernard Singer

BERNARD SINGER
Hearing Examiner

	Proposed Change	Justification for Change
14 MCAR 1.0001 Authority. The State Department of Transportation is authorized to adopt, as a rule, a statewide transportation plan and priorities pursuant to the provisions of Minn. Stat., 1976, ch. 174.03.	NONE	
14 MCAR 1.0002 Purpose. The purpose of the statewide transportation plan and priorities shall be to provide the basis for determining how best to meet the present and future transportation needs of the public, and to promote the more efficient use of resources for transportation purposes.	NONE	
14 MCAR 1.0003 Jurisdiction and effect. The statewide transportation plan and priorities as adopted by the Commissioner of Transportation shall govern transportation decisions made by the Commissioner and the Public Service Commission.	NONE	
14 MCAR 1.0004 Definitions. The following terms, as they appear in these rules, shall have the indicated meanings:		
A. "Capital Improvement" means the expenditure of funds for the establishment or betterment of facilities and equipment.	establishment, betterment <u>or preservation</u>	staff comments - J. Bloom
B. "Criterion" means a standard upon which a decision may be based.	NONE	
C. "Critical Areas" means those geographic areas as defined by the Critical Areas Act of 1973, Minn. Stat., 1976, ch. 116 G.	NONE	
D. "Environment" means the total of external conditions and influences that affect human life, e.g. aesthetic, ecological, social, economic.	NONE	

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	Proposed Changes	Justification for Change
E. "Grant-in-Aid" means the distribution of funds from one agency to another agency or group for the establishment, continuation, or improvement of facilities, equipment, or service.	service, excluding state aid programs.	Carver County
	to another agency, group, organization or individual for the purpose of establishing, improving or continuing transportation facilities . . .	staff comments - J. Bloom
F. "Improvement Type" means a group of projects showing common traits or characteristics.	delete	not relevant to new process - J. Povich Met Council
G. "Intermodal" means the relationship between or among the modes and may include a physical contact point, i.e. transfer point between modes.	add Local projects means projects which are financed by local units of government either with their own funds or with funds dedicated to their sole use such as the county state aid's municipal state aid accounts within the state trunk highway fund which are allocated based on MS 162 & Article XVI of the state constitution.	Carver County - Met Council
H. "Major Studies" means special, intensive studies of large, complex transportation problems, systems, sub-systems, and projects.		
I. "Master Plan" means a comprehensive plan designed to be implemented by a target year.	after comprehensive add long range plan. Delete remainder.	Met Council
	add Major projects are those construction projects requiring substantial planning, time, resources or expenditures with the potential for significant alteration to land use, planned growth, development patterns traffic volumes, travel patterns, transportation services and natural and manmade resources. Major projects also require an EIS or negative declaration.	Met Council
J. "Metropolitan Council" means the comprehensive planning agency for the Twin Cities Metropolitan area created pursuant to Minn. Stat., 1976, ch. 473.		

	Proposed Change	Justification for Change
K. "Metropolitan Development Guide" means the comprehensive development plan for the Twin Cities metropolitan area prepared by the Metropolitan Council pursuant to Minn. Stat., 1976, ch. 473.145.		
L. "Minimal Projects" means the most simple, least complex construction projects that have little or no effect on the environment, require little or no additional right-of-way, and have no adverse effects on abutting real property.	means the ~~most simple, least complex~~ . . . have ~~little or~~ no adverse effect on the environment . . . not require ~~little or~~ no significant additional right-of-way	Met Council staff comments
M. "Mn/DOT Transportation Planning Process" means the general process Mn/DOT will use for transportation planning, programming, and design for the various modes.		
N. "Moderate Projects" means construction projects with the potential for causing alterations to the local environment, normally consisting of the expansion or realignment to upgrade an existing facility and typically requiring additional right-of-way.		
O. "Policy" means a set of principles that help guide management in making decisions.		
P. "Preliminary Planning" means the phase of the Mn/DOT transportation planning process undertaken to analyze issues, needs, and problems and arrive at a consensus among the community and professional people on a preferred solution.	after consensus, ~~among the community and professional people~~	Met Council
	add Priorities means the prior philosophy which guided Mn/DOT in the development of Mn/DOT/PLAN.	Met Council
Q. "Process" means the procedure by which decisions are made.		
R. "Program Development Process" means a procedure used to match the objectives of a specific program with the list of candidate projects and available funds.		
	add Program means a plan for the scheduling of projects.	Met Council

	Proposed Change	Justification for Change
S. "Project" means a specific proposal(s) for improvements to transportation facilities or services that leads directly to implementation (that is, the completion of grants or construction).	that may leads ~~directly~~ to including minimal, moderate and major projects	staff comments - Edman
T. "Prospectus" means a document developed as one of the requirements of the federal government's Urban Transportation Planning Regulations. A "Prospectus" provides a description of the major elements of an urbanized area's transportation planning process as it relates to highway and transit planning and implementation.		
U. "Regional Development Commission" means a comprehensive planning agency created pursuant to the Regional Development Act of 1969, Minn. Stat., 1976, ch. 462.		
V. "Regional Transportation Policy Plans" means the plans required to be prepared by the Metropolitan Council pursuant to Minn. Stat., 1976, ch. 473.146 and by the Regional Development Commissions pursuant to Minn. Stat., 1976, ch. 174.03.		
W. "Schedule of Authorized Public Transportation Expenditures" means the allocation of funds by program.		
X. "Standard Project Development Process" means the procedure by which a routine project is developed. This procedure includes the processing of grants from established grant programs and the design of minimal and moderate construction projects.	delete routine delete minimal and moderate	staff comments
Y. "Statewide Significance" means that an issue (1) impacts on a state transportation system; (2) impacts on the operation of a modal system on a statewide basis; (3) affects geographic areas in the State determined by the federal or state governments to be of statewide significance; or (4) may negatively affect the quality of the State's natural resources.		

	Proposed Change	Justification for Change
Z. "Sub-system" means a part of a larger system.	add State aid means the apportionment mechanism established by Article XVI of the Constitution and MS 162 to provide a share of the Highway User Fund for certain county highways and city streets, for the purpose of construction and maintenance.	Carver County - Met Council
AA. "System" (physical) means a group of interrelated transportation facilities such as traveled ways and terminals. There are different kinds of transportation systems depending upon to what analytical or administrative use they will be put. Examples of different systems, which can overlap one another are: systems based on the role or function of transportation facilities (such as the principal arterial system), the source of funds (such as Federal Aid Urban roadway system), or the agency having administrative control over the facilities (such as state trunk highway system).	means the transportation network established to accommodate travel in an orderly, safe, efficient and economical manner. The transportation network includes (streets, highways, rail lines and terminals, airports, pipelines, waterways) or (*all modes of transportation) delete after terminals.	staff comments - J. Bloom
BB. "System Planning" means the process by which transportation systems of various kinds are planned.	replace "planned" with "developed"	staff comments - Luci Mitchell
CC. "Urbanized Area" means the geographic area as defined by the Bureau of the Census. It generally consists of a city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated land (i.e., land having a population density of at least 1000 persons per square mile).		

Chapter Three, 1.0005: Statewide Transportation Plan and Priorities

14 MCAR 1.0005 Statewide transportation plan and priorities.

	Proposed Change	Justification for Change
A. The statewide transportation plan (Mn/DOT/PLAN) shall contain Mn/DOT's decision making processes.		
1. These rules specify the procedures to be used in making decisions relating to the transportation needs of the State.		
2. The procedures set forth herein shall incorporate:		
a. federal and state law.	a. applicable federal and	Met Council
b. the transportation planning requirements of the federal government		
c. the statutorily defined roles of the Regional Development Commissions and the Metropolitan Council.	c. and other agencies with transportation planning authority	Met Council
d. advisory task forces to the Commissioner as appropriate.	Add e. The statutorily defined roles of the Metropolitan Planning Organizations.	staff comments - D. Bautch
B. Transportation decisions made consistent with the provisions of Mn/DOT/PLAN shall also reflect agreement with certain established planning priorities.	B. Replace current language with: priorities to be utilized in making transportation decisions consistent with the current provisions of Mn/DOT/PLAN shall be:	staff comments - E. Edman
1. Administrative procedures consistent with Mn/DOT/PLAN shall be established to aid in transportation decision making and program management.	1. To establish delete "shall be established"	staff comments - E. Edman reworded as priorities
2. The transportation decision making process shall operate to ensure participation by individual citizens, various organizations and groups, elected officlas and other government agencies.	2. To establish a . . . process that	
3. Emphasize the maintenance of existing services and facilities within the states' transportation system.	3. To emphasize	
4. Providing of information as required.	4. To provide . . . on transportation matters of interest or concern to the public delete "as required"	

	Proposed Change	Justification for Change
5. Recognize the role of the private sector and individuals in transportation decision making.	5. To recognize	
6. Recognize intermodal impacts and relationships in transportation planning and decision making.	6. To recognize	
7. Recognize environmental, social, economic, and energy factors in transportation planning and decision making.	7. To recognize	
8. Assign priority to those projects where significant resources have already been expended, providing those projects are consistent with Mn/DOT/PLAN.	8. To assign	Met Council
9. Modify Mn/DOT/PLAN as necessary.	9. delete	
10. Mn/DOT shall conduct annual meetings in each region to assist the Commissioner in identifying issues of regional and local concern.	10. To conduct delete "Mn/DOT shall"	
11. Mn/DOT shall contact state legislators annually to receive their input as to the status of the state transportation system and to inform them of Mn/DOT's planned activities in its role of managing the state transportation system.	11. To contact, replace managing with <u>overseeing</u>	Met Council
	12. Add 12 - To negotiate agreements with the RDC's and Met Council specifying their involvement in the transportation planning process.	Regional Development Commissions (from Chapter Five)
	13. Add to include task forces advisory to the Commissioner as appropriate.	Met Council

Chapter Four, 1.0006-1.0010: Planning Process. Policy Making Process

<u>Decision Making Process</u>: Policy Making Preeess
delete ~~Planning~~ Preeess

	Proposed Change	Justification for Change
14 MCAR 1.0006 Planning Process. This planning process shall provide a framework for resolving transportation issues and making transportation decisions.	delete ~~Planning~~ replace planning with decision making process . . .	Staff comments
14 MCAR 1.0007 Policy making process. Mn/DOT's policy on a specific issue, shall be developed consistent with the appropriate procedure as herein indicated.	delete after ~~the appropriate~~ . . . replace with one of the following procedures	Met Council
A. Reaffirmation of an appropriate existing position.	replace ~~position~~ with policy	
B. No existing position; application of procedure and criteria from Mn/DOT/PLAN or other systems plans.	replace ~~position~~ with policy	
C. No applicable procedure or set of criteria; analysis of the category to develop procedure and criteria for position development.	replace ~~position~~ with policy	
D. Revised or newly developed policy shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents.	Add at end of D - to be utilized in the transportation decision making process.	Staff comments
E. Position statements shall be developed on issues relating to actions, programs, plans or positions within the legal responsibility and authority of Mn/DOT.	replace ~~position~~ with policy	
1. Issues relating to transportation needs, services, or funding administered by Mn/DOT.		
2. Issues concerning transportation rules.		
3. Issues regarding Mn/DOT's decision making processes.		
4. Resolution of inconsistencies between Mn/DOT/PLAN and regional or local plans.	4. delete	
F. Agreements shall be negotiated with the Regional Development Commissions and Metropolitan Council specifying their involvement in the policy making process.	F. delete, replace with The establishment of policies within the indicated issue areas will include input from all RDC's and the M.C. pursuant to the terms of the agreements negotiated with each.	RDC's - Met Council

	Proposed Change	Justification for Change
14 MCAR 1.0008 Issues requiring Mn/DOT action. A. An issue shall require action by Mn/DOT if: 1. Mandated by federal law or regulation. 2. Mandated by state law or rule. 3. The issue is of major statewide significance for transportation.		
B. An issue shall be found to be of statewide significance if: 1. The issue impacts on a state transportation system. 2. Impacts on geographic areas of statewide significance. 3. Impacts negatively upon the state's natural resources.	delete B - already defined	Met Council
14 MCAR 1.0009 Determination of Mn/DOT funded transportation services or needs. A transportation service or need shall be funded by Mn/DOT if: A. Federal laws or regulations require Mn/DOT to fund. B. State laws or rules require Mn/DOT to fund. C. Mn/DOT policies, directives or system plans to identify the transportation need or service.		
D. A service or need which transcends local boundaries or affects a significant segment of the population shall be determined to be essential to the transportation system based on new policy statements, directives, or amended system plans with the state being determined to be the best means of funding the service.	Add state transportation system D. delete ~~which~~ replace ~~shall~~ be with and is delete ~~based~~ thru system ~~plans~~.	Met Council

	Proposed Change	Justification for Change
14 MCAR 1.0010 Rules necessary to properly administer the use of the state transportation system. Mn/DOT shall develop rules when:		
A. Federal laws or regulations require regulation by Mn/DOT.		
B. State laws or rules require regulation by Mn/DOT.		
C. Safety considerations, protection of the state's investment in transportation facilities, or economic considerations so require.		
Chapter Five, 1.0011-1.0014 Transportation Planning Process, Relationship to Transportation Planning by Other Agencies, Standard Project Development, Major Studies.		
14 MCAR 1.0011 General provisions of the transportation planning process.		
A. The transportation planning process shall:		
1. Incorporate the various modes of transportation.		
2. Apply to program development, grant administration, project development, and major studies.		
	Add 3. Not apply to state aid and locally funded projects.	Carver County
	4. Apply to statewide system planning	Met Council
B. The transportation planning process shall reflect the following considerations:	delete ~~reflect the following considerations~~	Staff comments - E. Edman
1. Consider modal aspects shall be considered in planning decisions.	1. Consider modal aspects in planning decisions.	
2. Address environmental aspects shall be addressed throughout the planning process.	2. Address environmental aspects throughout the planning process.	
3. The transportation planning process shall address local concerns by:	3. Address local concerns by:	

	Proposed Change	Justification for Change
a. involving citizens, elected officials, and other agencies b. utilizing small scale system planning c. the use of informal methods of public participation d. analyzing the effects of proposed actions on different segments of the community e. including considerations of local concerns and conditions		
	Add F. considering the provisions of regional and Metropolitan transportation policy plans	
4. The transportation planning process shall consider alternative solutions to transportation problems	4. delete ~~the transportation planning process shall~~	
14 MCAR 1.0012 Relationship to transportation planning by other agencies. Mn/DOT's transportation planning process shall attempt to accommodate the transportation planning efforts of ~~that~~ OTHER organizations BY:	delete all words after ~~attempt~~	
A. Comply with existing federal requirements relating to transportation planning, especially the FHWA requirement for an Action Plan.	A. Complying	
B. Comply with existing federal requirements which define the State's role, through Mn/DOT, of cooperating in the transportation planning efforts of the Metropolitan Planning Organizations.	B. Complying	
C. Comply with federal requirements relating to local agencies receiving federal funds.	C. Complying	
D. Recognize the statutorily defined role of the Regional Development Commissions.	D. Recognizing . . . and Met Council	Met Council
E. Recognize the statutorily defined role of transit authorities.	E. Recognizing . . . transit, airport and port authorities	
	Add F. Recognizing the statutorily defined role of municipalities, townships and counties	Carver County - Met Council

Where in final form?

	Proposed Change	Justification for Change
14 MCAR 1.0013 Standard project development. The Standard Project Development Process shall include grant related activities as well as the planning and design, physical facilities.	delete after shall ~~include~~ . . . Add "Apply to minimal and moderate projects as well as grant-in-aid programs. Project development shall not apply to state aid and locally funded projects . . .	County Engineers - Met Council
A. Minimal and moderate projects as well as grant-in-aid programs shall be subject to this general process.	delete current A, number 1 becomes A	
1. The transportation planning process, as applied to this category of projects, shall include:		
~~A.~~ identification of issues, needs, and proposals for changes in services or physical facilities from: (1) individual citizens (2) various organizations and groups (3) elected officials (4) agency staff members (5) surveillance of the system by Mn/DOT staff.	Add (6) regional transportation policy plans Add (7) MPO adopted comprehensive plans	
~~B.~~ Preliminary planning resulting in the development of a recommended project proposal and the related technical information.		
~~C.~~ Programming, which shall result in an evaluation of grant applications and proposed construction projects to determine those which are to be implemented. The detailed process is included in 14 MCAR §§ 1.0015 through 1.0018. New grant programs proposed by Mn/DOT may require the completion of a major study.	C. delete "~~The detailed~~ . . ."	References withdrawn rules
~~D.~~ Detail design and/or grant processing which shall involve the processing of grant applications and preparation of detailed construction plans and specifications.		

	Proposed Change	Justification for Change
B-2. Grant-in-Aid programs shall be a means of resolving transportation problems by providing the grants in aid to organizations, other than Mn/DOT, who shall then provide the transportation service or construct a transportation facility. The general transportation planning process is adapted to these projects in that:	delete	redundant
a. Mn/DOT and the grant agency jointly review issues, needs, and proposals.		
b. If a new grant program is determined to be required within the preliminary planning phase, a major study may be undertaken as decided within the programming phase.		
c. Legislative authority shall be sought for new grant programs if necessary following completion of the major study phase.		
d. Preliminary applications are submitted during the programming phase. Eligible applicants then shall have the opportunity to submit final applications from which grant projects are selected and scheduled.	delete	
e. Mn/DOT shall conduct a financial audit of the implemented grant program and may otherwise evaluate the effectiveneww of the grant program.		
B. f. Proposed projects shall be deferred or dropped at specified points within the process. The project category involved shall determine at what point such a decision may be made.	B. ~~Replace C with E~~. Provisions for deferring or dropping projects at the following specified points: shall be made occur	Met Council
1. Minimal projects. The decision to drop or defer a project may be made during step 4, which shall involve project design approval, environmental assessment and capital improvement programming.	1. Minimal projects: the programming phase. 2. Moderate projects: the preliminary planning or programming phase. 3. Major projects: the programming or major study phase.	

	Proposed Change	Justification for Change
2. Moderate projects. The decision to drop or defer a project may be made during: a. Step 4: project justification approval, environmental assessment, preliminary programming b. Step 8: project design approval, capital improvement programming	delete	
3. Major projects. The decision to drop or defer a project may be made during: a. Step 4: study outline approval, environmental assessment programming of major study b. Step 6: approval and adoption of the draft environmental document c. Step 9: approval and adoption of the final environmental document d. Step 11: project design approval and capital improvement programming	delete	
C. Public input to the transportation planning process shall consist of receipt of comments by Mn/DOT, the conducting of public meetings, affording the opportunity for public hearings, and conducting public hearings.	delete C replace with F. Public input in relation to the project classification as follows:	
1. The opportunities for public input shall relate to the project classification. 2. All proposed projects shall be initiated with the opportunity for public input to: a. offer transportation based issues, needs or proposals, and b. identify preliminary alternatives and impacts.	shall be 1. Minimal projects shall allow for public input during the preliminary planning phase. 2. Moderate projects shall allow for public input during the preliminary planning phase. 3. Major projects shall allow for public input during the preliminary planning and major studies phase.	
3. Minimal projects shall allow for public input during Step 3 when alternatives and impacts are being analyzed including an environmental assessment, resulting in a recommended proposal.	delete See F.	

	Proposed Change	Justification for Change
4. Moderate projects shall allow for public input during four steps: a. Step 3: preparation of the project justification and environmental assessment, resulting in a preliminary programming request b. Step 5: development of alternative concepts and project designs including an impact analysis c. Step 6: a public hearing shall be held if requested d. Step 7: project design recommendation and request for capital improvement programming	delete	
5. Major projects shall allow for public input during five steps: a. Step 3: preparation of study justification, environmental assessment and detailed study outline as well as a request for the programming of a major study b. Step 5: development of alternative concepts and project designs, analysis of impacts and preparation of draft environmental document c. Step 7: a public hearing shall be held if requested d. Step 8: reconsideration of alternative concepts and project design, preparation of final environmental document e. Step 10: refining of project design, development of design (layout) recommendation, and request for capital improvement programming.	delete - Sec. F.	

	Proposed Change	Justification for Change
6. All projects shall allow for public input during the final planning stage which is Step 5 for minimal projects, step 9 for moderate projects and step 12 for major projects and involves the preparation of construction plans and acquisition of right of way.	delete - See F.	
14 MCAR 1.0014 Major studies. Major studies shall ~~result in~~ a custom-designed study process for each study or project that is subjected to this phase of transportation planning.	delete "~~result in~~" replace with "utilize" delete all words after "~~that is . . .~~" Add "major" before project	Met Council
A. The development of major studies shall be distinguished from the standard project development process in that:		
1. The preliminary planning phase shall relate to the proposed means of conducting the study including resources required.		
2. The programming phase shall result in a determination of which major studies are to be conducted and when.		
3. The major study shall be defined within the detailed study outline developed during the preliminary planning phase and approved during the programming phase.		
B. Long range system planning shall be conducted by Mn/DOT in the major study phase, resulting in review of the long range impact of current programs, trends, and activities and the identification of alternative futures resulting from these current transportation programs, trends, and activities.	B. delete	
C. Sub-system planning as an aspect of major studies will be utilized to assure coordination between system planning and individual project development	~ B	

	Proposed Change	Justification for Change
D. Major construction projects as distinguished from minimal and moderate construction projects shall be handled as major studies. The planning phase shall be adopted as appropriate for each individual project but generally varies from minimal and moderate projects in that: 1. Mn/DOT shall prepare a detailed study justification and outline including a general assessment of alternatives and request for programming of the study. 2. An EIS shall be developed when required.	C. D. delete "as ~~distinguished . . . projects~~ . . . delete "handled as" replace with "considered" delete the sentence . . . "~~The planning phase . . .~~"	

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Date 10/31/78

RULES AS PROPOSED

14 MCAR § 1.

Chapter One, § § 1.0001-1.0004: Authority, Purpose, Jurisdiction and Effect, and Definitions.

14 MCAR § 1.0001 Authority. The State Department of Transportation is authorized to adopt, as a rule, a statewide transportation plan and priorities pursuant to the provisions of Minn. Stat. 1976, ch. 174.03.

14 MCAR § 1.0002 Purpose. The purpose of the statewide transportation plan and priorities shall be to provide the basis for determining how best to meet the present and future transportation needs of the public, and to promote the more efficient use of resources for transportation purposes.

14 MCAR § 1.0003 Jurisdiction and effect. The statewide transportation plan and priorities as adopted by the Commissioner of Transportation shall govern transportation decisions made by the Commissioner and the Public Service Commission.

14 MCAR § 1.0004 Definitions. The following terms, as they appear in these rules, shall have the indicated meanings:

A. "Capital Improvement" means the expenditure of funds for the establishment or betterment of facilities and equipment.

B. "Criterion" means a standard upon which a decision may be based.

C. "Critical Areas" means those geographic areas as defined by the Critical Areas Act of 1973, Minn. Stat. 1976 ch. 116 G.

D. "Environment" means the total of external conditions and influences that affect human life, e.g. aesthetic, ecological, social, economic.

E. "Grant-in-Aid" means the distribution of funds from one agency to another agency or group for the establishment, continuation, or improvement of facilities, equipment, or service.

F. "Improvement Type" means a group of projects showing common traits or characteristics.

G. "Intermodal" means the relationship between or among the modes and may include a physical contact point, i.e. transfer point between modes.

H. "Major Studies" means special, intensive studies of large, complex transportation problems, systems, sub-systems, and projects.

I. "Master Plan" means a comprehensive plan designed to be implemented by a target year.

J. "Metropolitan Council" means the comprehensive planning agency for the Twin Cities Metropolitan area created pursuant to Minn. Stat. 1976, ch. 473.

K. "Metropolitan Development Guide" means the comprehensive development plan for the Twin Cities metropolitan area prepared by the Metropolitan Council pursuant to Minn. Stat. 1976, ch. 473.145.

L. "Minimal Projects" means the most simple, least complex construction projects that have little or no effect on the environment, require little or not additional right-of-way, and have no adverse effects on abutting real property.

M. "Mn/DOT Transportation Planning Process" means the general process Mn/DOT will use for transportation planning, programming, and design for the various modes.

N. "Moderate Projects" means construction projects with the potential for causing alterations to the local environment, normally consisting of the expansion or realignment to upgrade an existing facility and typically requiring additional right of way.

O. "Policy" means a set of principles that help guide management in making decisions.

P. "Preliminary Planning" means the phase of the Mn/DOT transportation planning process undertaken to analyze issues, needs, and problems and arrive at a consensus among the community and professional people on a preferred solution.

Q. "Process" means the procedure by which decisions are made.

R. "Program Development Process" means a procedure used to match the objectives of a specific program with the list of candidate projects and available funds.

S. "Project" means a specific proposal(s) for improvements to transportation facilities or services that leads directly to implementation (that is, the completion of grants or construction).

T. "Prospectus" means a document developed as one of the requirements of the federal government's Urban Transportation Planning Regulations. A "Prospectus" provides a description of the major elements of an urbanized area's transportation planning process as it relates to highway and transit planning and implementation.

U. "Regional Development Commission" means a comprehensive planning agency created pursuant to the Regional Development Act of 1969, Minn. Stat. 1976, ch. 462.

V. "Regional Transportation Policy Plans" means the plans required to be prepared by the Metropolitan Council pursuant to Minn. Stat. 1976, ch. 473.146 and by the Regional Development Commissions pursuant to Minn. Stat. 1976, ch. 174.03.

W. "Schedule of Authorized Public Transportation Expenditures" means the allocation of funds by program.

X. "Standard Project Development Process" means the procedure by which a routine project is developed. This procedure includes the processing of grants from established grant programs and the design of minimal and moderate construction projects.

Y. "Statewide Significance" means that an issue (1) impacts on a state transportation system; (2) impacts on the operation of a modal system on a statewide basis; (3) affects geographic areas in the State determined by the federal or state governments to be of statewide significance; or (4) may negatively affect the quality of the State's natural resources.

Z. "Sub-system" means a part of a larger system.

AA. "System" (physical) means a group of interrelated transportation facilities such as traveled ways and terminals. There are different kinds of transportation systems depending upon to what analytical or administrative use they will be put. Examples of different systems, which can overlap one another are: systems based on the role or function of transportation facilities (such as the principal arterial system), the source of funds (such as Federal Aid Urban roadway system), or the agency having administrative control over the facilities (such as state trunk highway system).

BB. "System Planning" means the process by which transportation systems of various kinds are planned.

CC. "Urbanized Area" means the geographic area as defined by the Bureau of the Census. It generally consists of a city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated land (i.e., land having a population density of at least 1000 persons per square mile).

Chapter Three, § 1.0005: Statewide Transportation Plan and Priorities.

14 MCAR § 1.0005 Statewide transportation plan and priorities.

A. The statewide transportation plan (Mn/DOT/PLAN) shall contain Mn/DOT's decision making processes.

1. These rules specify the procedures to be used in making decisions relating to the transportation needs of the State.

2. The procedures set forth herein shall incorporate:

a. federal and state law.

b. the transportation planning requirements of the federal government.

c. The statutorily defined roles of the Regional Development Commissions and the Metropolitan Council.

d. advisory task forces to the Commissioner as appropriate.

B. Transportation decisions made consistent with the provisions of Mn/DOT/PLAN shall also reflect agreement with certain established planning priorities:

1. Administrative procedures consistent with Mn/DOT/PLAN shall be established to aid in transportation decision making and program management.

2. The transportation decision making process shall operate to ensure participation by individual citizens, various organizations and groups, elected officials and other government agencies.

3. Emphasize the maintenance of existing services and facilities within the states' transportation system.

4. Providing of information as requested.

5. Recognize the role of the private sector and individuals in transportation decision making.

6. Recognize intermodal impacts and relationships in transportation planning and decision making.

7. Recognize environmental, social, economic, and energy factors in transportation planning and decision making.

8. Assign priority to those projects where significant resources have already been expended, providing those projects are consistent with Mn/DOT/PLAN provisions.

9. Modify Mn/DOT/PLAN as necessary.

10. Mn/DOT shall conduct annual meetings in each region to assist the Commissioner in identifying issues of regional and local concern.

11. Mn/DOT shall contact state legislators annually to receive their input as to the status of the state transportation system and to inform them of Mn/DOT's plannned activities in its role of managing the state transportation system.

14 MCAR § 1.

Chapter Four, § § 1.0006-1.0010: Planning Process; Policy Making Process:

14 MCAR § 1.0006 Planning process. This planning process shall provide a framework for resolving transportation issues and making transportation decisions.

14 MCAR § 1.0007 Policy making process. Mn/DOT's position on a specific issue, shall be developed consistent with the appropriate procedure as herein indicated:

A. Reaffirmation of an appropriate existing position.

B. No existing position; application of procedure and criteria from Mn/DOT/PLAN or other systems plans.

C. No applicable procedure or set of criteria; analysis of the category to develop procedure and criteria for position development.

D. Revised or newly developed positions shall be incorporated into Mn/DOT/PLAN or appropriate supporting documents.

E. Position statements shall be developed on issues relating to actions, programs, plans or positions within the legal responsibility and authority of Mn/DOT.

1. Issues relating to transportation needs, services, or funding administered by Mn/DOT.

2. Issues concerning transportation rules.

3. Issues regarding Mn/DOT's decision making processes.

4. Resolution of inconsistencies between Mn/DOT Plan and regional or local plans.

F. Agreements shall be negotiated with the Regional Development Commissions and Metropolitan Council specifying their involvement in the policy making process.

14 MCAR § 1.0008 Issues requiring Mn/DOT action.

A. An issue shall require action by Mn/DOT if:

1. Mandated by federal law or regulation.

2. Mandated by state law or rule.

3. The issue is of major statewide significance for transportation.

B. An issue shall be found to be of statewide significance if:

1. The issue impacts on a state transportation system.

2. Impacts on geographic areas of statewide significance.

3. Impacts negatively upon the state's natural resources.

14 MCAR § 1.0009 Determination of Mn/DOT funded transportation services or needs. A transportation service or need shall be funded by Mn/DOT if:

A. Federal laws or regulations require Mn/DOT to fund.

B. State laws or rules require Mn/DOT to fund.

C. Mn/DOT policies, directives or system plans so identify the transportation need or service.

D. A service or need which transcends local boundaries or affects a significant segment of the population shall be determined to be essential to the transportation system based on new policy statements, directives, or amended system plans with the state being determined to be the best means of funding the service.

14 MCAR § 1.0010 Rules necessary to properly administer the use of the state transportation system. Mn/DOT shall develop rules when:

A. Federal laws or regulations require regulation by Mn/DOT.

B. State laws or rules require regulation by Mn/DOT.

C. Safety considerations, protection of the state's investment in transportation facilities, or economic considerations so require.

14 MCAR § 1.

Chapter Five, § 1.0011-1.0014 Transportation Planning Process, Relationship to Transportation Planning by Other Agencies, Standard Project Development, Major Studies.

14 MCAR § 1.0011 General provisions of the transportation planning process.

A. The transportation planning process shall:

1. Incorporate the various modes of transportation.

2. Apply to program development, grant administration, project development, and major studies.

B. The transportation planning process shall reflect the following considerations:

1. Modal aspects shall be considered in planning decisions.

2. Environmental aspects shall be addressed throughout the planning process.

3. The transportation planning process shall address local concerns by:

a. involving citizens, elected officials, and other agencies

b. utilizing small scale system planning

c. use of informal methods of public participation

d. analyzing the effects of proposed actions on different segments of the community

e. including consideration of local concerns and conditions.

4. The transportation planning process shall consider alternative solutions to transportation problems.

14 MCAR § 1.0012 Relationship to transportation planning by other agencies. Mn/DOT's transportation planning process shall attempt to accommodate the transportation planning efforts of other organizations by:

A. Complying with existing federal requirements relating to transportation planning, especially the FHWA requirement for an Action Plan.

B. Complying with existing federal requirements which define the State's role, through Mn/DOT, of cooperating in the transportation planning efforts of the Metropolitan Planning Organizations.

C. Complying with federal requirements relating to local agencies receiving federal funds.

D. Recognizing the statutorily defined role of the Regional Development Commissions.

E. Recognizing the statutorily defined role of transit authorities.

14 MCAR § 1.0013 Standard project development. The Standard Project Development Process shall include grant related activities as well as the planning and design, physical facilities.

A. Minimal and moderate projects as well as grant-in-aid programs shall be subject to this general process.

1. The transportation planning process, as applied to this category of projects, shall include:

a. identification of issues, needs, and proposals for changes in services or physical facilities from:

(1) individual citizens
(2) various organizations and groups
(3) elected officials
(4) agency staff members
(5) surveillance of the system by Mn/DOT staff.

b. Preliminary planning resulting in the development of a recommended project proposal and the related technical information.

c. Programming, which shall result in an evaluation of grant applications and proposed construction projects to determine those which are to be implemented. The detailed process is included in 14 MCAR § § 1.0015 through 1.0018. New grant programs proposed by Mn/DOT may require the completion of a major study.

d. Detail design and/or grant processing shall involve the processing of grant applications and preparation of detailed construction plans and specifications.

2. Grant-In-Aid Programs shall be a means of resolving transportation problems by providing the grants in aid to organizations, other than Mn/DOT, who shall then provide the transportation service or construct a transportation facility. The general transportation planning process is adapted to these projects in that:

a. Mn/DOT and the grant agency jointly review issues, needs, and proposals.

b. If a new grant program is determined to be required within the preliminary planning phase, a major study may be undertaken as decided within the programming phase.

c. Legislative authority shall be sought for new grant programs if necessary following completion of the major study phase.

d. Preliminary applications are submitted during the programming phase. Eligible applicants then shall have the opportunity to submit final applications from which grant projects are selected and scheduled.

e. Mn/DOT shall conduct a financial audit of the implemented grant program and may otherwise evaluate the effectiveness of the grant program.

B. Proposed projects shall be deferred or dropped at specified points within the process. The project category involved shall determine at what point such a decision may be made.

1. Minimal projects. The decision to drop or defer a project may be made during step 4, which shall involve project design approval, environmental assessment and capital improvement programming.

2. Moderate projects. The decision to drop or defer a project may be made during:

a. Step 4: project justification approval, environmental assessment, preliminary programming

b. Step 8: project design approval, capital improvement programming

3. Major projects. The decision to drop or defer a project may be made during:

a. Step 4: study outline approval, environmental assessment programming of major study

b. Step 6: approval and adoption of the draft environmental document

c. Step 9: approval and adoption of the final environmental document

d. Step 11. project design approval and capital improvement programming.

C. Public input to the transportation planning process shall consist of receipt of comments by Mn/DOT, the conducting of public meetings, affording the opportunity for public hearings, and conducting public hearings.

1. The opportunities for public input shall relate to the project classification.

2. All proposed projects shall be initiated with the opportunity for public input to:

a. offer transportation based issues, needs or proposals, and

b. identify preliminary alternatives and impacts.

3. Minimal projects shall allow for public input during Step 3 when alternatives and impacts are being analyzed including an environmental assessment, resulting in a recommended proposal.

4. Moderate projects shall allow for public input during four steps:

a. Step 3: preparation of the project justification and environmental assessment, resulting in a preliminary programming request

b. Step 5: development of alternative concepts and project designs including an impact analysis

c. Step 6: a public hearing shall be held if requested

d. Step 7: project design recommendation and request for capital improvement programming

5. Major projects shall allow for public input during five steps:

a. Step 3: Preparation of study justification, environmental assessment and detailed study outline as well as a request for the programming of a major study

b. Step 5: Development of alternative concepts and project designs, analysis of impacts and preparation of draft environmental document

c. Step 7: a public hearing shall be held if requested

d. Step 8: reconsideration of alternative concepts and project design, preparation of final environmental document

e. Step 10. Refining of project design, development of design (layout) recommendation, and request for capital improvement programming.

6. All projects shall allow for public input during the final planning stage which is Step 5 for minimal projects, step 9 for moderate projects and step 12 for major projects and involves the preparation of construction plans and acquisition of right of way.

14 MCAR 1.0014 Major studies. Major studies shall result in a custom-designed study process for each study or project that is subjected to this phase of transportation planning.

A. The development of major studies shall be distinguished from the standard project development process in that:

1. The preliminary planning phase shall relate to the proposed means of conducting the study including resources required.

2. The programming phase shall result in a determination of which major studies are to be conducted and when.

3. The major study shall be defined within the detailed study outline developed during the preliminary planning phase and approved during the programming phase.

B. Long range system planning shall be conducted by Mn/DOT in the major study phase, resulting in review of the long range impact of current programs, trends, and activities and the identification of alternative futures resulting from these current transportation programs, trends, and activities.

C. Sub-system planning as an aspect of major studies will be utilized to assure coordination between system planning and individual project development.

D. Major construction projects as distinguished from minimal and moderate construction projects shall be handled as major studies. The planning phase shall be adopted as appropriate for each individual project but generally varies from minimal and moderate projects in that:

(1) Mn/DOT shall prepare a detailed study justification and outline including a general assessment of alternatives and request for programming of the study.

(2) An EIS shall be developed when required.

14 MCAR § 1.

Chapter Six, § § 1.0015-1.0018. The Program Development Process.

14 MCAR § 1.0015 General provisions of the program development process.

A. The program development process shall apply to capital improvements on the state trunk highway system and to grant programs administration by Mn/DOT with the exception of state-aid and federal-aid-urban programs.

B. The capital improvement and grant-in-aid program shall be developed by Mn/DOT with consultation as indicated within these rules by the Regional Development Commissions and the Metropolitan Council.

14 MCAR § 1.0016 Program development process. The program development process procedure shall be as follows:

A. Candidate projects shall be identified consistent with the phases of the Mn/DOT/PLAN Transportation Planning Process described in MCAR § § 1.0011-1.0014.

B. Candidate projects shall then be classified by region, mode, and if required, improvement type. Project categories shall include:

1. Aeronautics
2. Bikeways
3. Highways - new and reconstruction
4. Highways - facility upgrading and safety improvement
5. Highways - preservation
6. Rail - federal subsidy
7. Rail - state rehabilitation
8. Transit

C. Candidate projects shall then be evaluated utilizing weighted criteria and measures for each category developed by Mn/DOT personnel and the Regional Development Commissions and Metropolitan Council. The weighted criteria shall be used to rank projects. The currently applicable criteria shall be:

1. Aeronautics

a. Improve airports with a large number of takeoffs and landings.

b. Improve airports with a large number of based aircraft.

c. Improve airports with a large number of enplanements.

d. Reduce the number of aircraft rerouted to other airports.

e. Improve design and operation of an airport.

f. Finance projects that have local financial support.

g. Finance projects that are in conformance with the State Airport Development Guide.

2. Bikeways

a. Finance projects with the lowest unit construction costs.

b. Finance projects with the lowest maintenance costs.

c. Emphasize safety.

d. Support projects which serve the most major points of interest.

e. Support projects which remove physical barriers to bicycle movement.

3. Highways - new and reconstruction.

a. Reduce travel time.

b. Achieve uniform road quality on a given highway route.

c. Provide those improvements that will benefit the most users.

d. Upgrade roads to 9-ton that have weight restrictions placed on them every spring.

e. Improve the level of service.

f. Reduce accidents.

4. Highways - facility upgrading and safety improvement.

a. Provide those improvements that benefit the most users.

b. Reduce accidents.

c. Improve the level of service.

d. Upgrade roads to 9-ton that have weight restrictions placed on them every spring.

5. Highways - preservation.

a. Provide those improvements that will benefit the most users.

b. Lower annual maintenance costs.

c. Prevent further deterioration of a facility.

6. Rail - federal program.

a. Support projects with high shipper interest.

b. Reduce adverse community impact.

c. Increase the amount of traffic carried.

7. Rail - state program.

a. Reduce State's financial involvement.

b. Increase the amount of traffic carried.

c. Support projects with the greatest potential for repaying money invested by State and shippers.

d. Support projects which do not have alternate rail service.

e. Reduce adverse community impacts.

8. Transit.

a. Provide service to as many people as possible.

b. Provide service to as many commuters as possible.

c. Provide service for people who cannot drive a private automobile.

d. Provide service for people who do not own an automobile.

e. Finance projects that have high transit ridership.

f. Provide the best transit service possible in areas which need service.

g. Finance projects that will have a low operating deficit.

D. The program shall be developed following application of identified considerations and constraints to the ranked list of projects by category. The Commissioner may exercise his authority to modify the ranked list of projects based upon current development activities in the state as well as available financial resources.

1. Considerations to be used in modifying the ranked list of projects include:

a. Local and regional priorities.

b. Project interdependencies.

c. Degree of project readiness.

d. Fair share allocation based upon demographic characteristics.

e. Statewide priorities. The currently applicable statewide transportation development priorities shall be:

(1) General. Unless otherwise directed by the Legislature, maximize and fully utilize all federal transportation funds made available to the State.

(2) Aeronautics.

(a) To insure that all airports are maintained in a safe condition.

(b) To systematically complete a system of Interim Standard Microwave Landing Systems at key system airports by 1985.

(c) To insure proper consideration to the protection of the environment as impacted by the location and expansion of airport facilities.

(d) To insure that key recreational areas around the State have access to the air transportation system.

(3) Bikeways.

(a) Give priority to bikeway projects which eliminate safety hazards to existing bikeway trips.

(b) Give priority to bikeway projects which complete a gap or uncompleted section of a route or system.

(4) Highway development.

(a) A high priority in the highway development program is the completion of the interstate system or the withdrawal of interstate segments and development of substitute projects.

(b) All new highway development projects or major reconstructions in metropolitan areas shall include careful evaluation of exclusive lanes for high occupancy vehicles, as well as other preferential treatment alternates. Priority in highway development shall be given to projects which include special provision for these items.

(c) Emphasize modernization and preventive maintenance of important highway facilities already in place rather than focusing on new construction.

(d) Reevaluate proposed four lane facilities against the needs for safe, efficient, all-weather two lane roads in every region of the State. Focus on projects which reduce routine maintenance costs by including such things as joint resealing, narrow pavement widening, and overlays in capital improvement programs. (Subject to completion of Maintenance Needs Study).

(e) Continue to emphasize the reconstruction and replacement of important bridges.

(f) Emphasize reserving rights-of-way for future transportation purposes to meet clearly demonstrated needs in developing areas of the State.

(5) Railroads.

(a) Establish an essential rail system comprised of:

(i) Main lines based on current operations, pending a more detailed analysis of potential main line consolidation.

(ii) Lines necessary for national defense as designated by the U. S. Department of Defense.

(iii) Lines serving major energy users, e.g. existing power plants, future power plants, or major industry which has the potential to switch to coal.

(iv) Lines serving rail users which are unable to switch to other types of transportation facilities such as viable mining operations or viable grain subterminals and multi-car loading facilities.

(v) Lines providing some type of geographic rail access to all areas of the state with significant commodities to ship by rail.

(b) Subsidy emphasis shall be for rail lines that have the potential to be self sustaining, have shipper support or are identified in (i) as essential to the state's rail system.

(c) Actively attempt to preserve the right-of-way of the essential rail system where there is presently no shipper interest to continue service.

(6) Transit.

(a) In administering state or federal funds, evaluate and give priority to transportation projects which are well coordinated with the existing system.

(b) Require that any transit system receiving state financial assistance show that provisions have been made for limited mobility persons to effectively utilize the systems service.

(c) Develop demonstration programs that will indicate the effectiveness and efficiency of a wide range of services.

2. The program development constraints which shall be currently applicable are:

a. Financial limitations which are imposed by means of the Legislative biennial budget for Mn/DOT.

b. Personnel resources available to develop construction plans in addition to the availability of construction personnel.

c. Legally, Mn/DOT may be directed to commit staff and funds to special projects or Mn/DOT may not have authority to act at all in other areas.

E. Program review. The resultant preliminary program shall then be submitted to the regional development commissions and the Metropolitan Council and various governmental agencies and jurisdictions for official review and comment.

14 MCAR § 1.0017 Program update process. Program revisions shall be the result of the same process as shall be utilized to establish the program.

A. The criteria, criteria weights, considerations, which include development priorities, and constraints utilized in the programming process, shall be evaluated on an annual basis consistent with the provisions of the agreements with Mn/DOT and the Regional Development Commissions and Metropolitan Council.

B. The timetable for the program update process shall be:

1. 1st Quarter Fiscal Year.

a. Print draft of annual program for the following fiscal years.

b. Distribute draft for preliminary review.

c. Submit draft to regions and Metropolitan Planning Organizations for official review (A-95).

d. Distribute draft publically.

2. 2nd Quarter Fiscal Year. Progress Review.

3. 3rd Quarter Fiscal Year. Review criteria weights, considerations, priorities, and constraints.

4. 4th Quarter Fiscal Year.

a. Solicit projects for inclusion in program through public meetings.

b. Annual program update.

14 MCAR § 1.0018 Project deferments.

A. A project which once appears in a published program may be deferred for another project because of activities within the project itself which delay its progress.

B. A project with a scheduled implementation date shall be completed except under unusual circumstances in which case the Commissioner will provide documentation explaining why the project has been withdrawn, upon request.

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES OF THE DE-)
PARTMENT OF TRANSPORTATION)
GOVERNING THE MN/DOT PLAN)

AFFIDAVIT OF MAILING

I, Jean M. Hansen, being first duly sworn, desposes and says:

That on the 1st day of March, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Letter of Rule Submittal by depositing in the United States Mail at said St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid and return requested, to designated persons at the addresses shown on the attached Rule Hearing Register.

Jean M. Hansen
Jean M. Hansen

Subscribed and sworn to before me
this 1st day of March, 1979.

Agnes I. Litfin
Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980

Minnesota Department of Transportation

Transportation Building, St. Paul, MN 55155

Phone (612)296-7840

Re: In the Matter of the Proposed Action
of Rules of the Department of Transportation
Relating to the Mn/DOT Plan

To All Interested Persons:

Pursuant to your request and in accordance with Minnesota Statutes, Section 15.0412, subdivision 4 and Rule HE 102 found in 9 MCAR § 2.102 C. 8:

PLEASE TAKE NOTICE that the above-captioned rule(s) have been submitted to the Attorney General's Office on March 1 , 1979 for review as to form and legality. Pursuant to Rule ATTYGEN 305, any person may question the legality of the above-captioned rules within ten (10) days after receipt of the rule by the Attorney General. Thereafter, the Office of the Attorney General shall conduct its review. If you desire to question the legality of the above-captioned rules, you should direct your comments to Lee E. Sheehy, Attorney General's Office, G-25 State Administration Building, 50 Sherburne Avenue, Saint Paul, Minnesota 55155.

If you are interested in determining what changes, if any, were made in the proposed rules after the hearing, you may contact Jean M. Hansen, 313 Transportation Building, Saint Paul, Minnesota 55155, (612)296-7840.

Jean M. Hansen

Jean M. Hansen

An Equal Opportunity Employer

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS
ROOM 300 – 1745 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55104
(612) 296-6910

February 16, 1979

Ms. Jean Hansen
Department of Transportation
313 Transportation Building
St. Paul, Minnesota 55155

Re: In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan. DOT-79-006-BS

Dear Ms. Hansen:

Enclosed please find the documents which you submitted to us for review on the issue of substantial change together with the Report of the Chief Hearing Examiner, pursuant to Minn. Stat. § 15.052, Subd. 4.

Yours very truly,

DUANE R. HARVES
Chief Hearing Examiner

DRH:sh
Encs.

DOT-79-006-BS

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES OF THE MINNE-)
SOTA DEPARTMENT OF TRANSPORTA-)
TION GOVERNING THE MN/DOT PLAN.)

REPORT OF THE
CHIEF HEARING EXAMINER

WHEREAS, hearings were held from October 31, 1978, through December 5, 1978, before Bernard Singer, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Department of Transportation on January 22, 1979; and

WHEREAS, the Department of Transportation has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Department of Transportation has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearings and that the Department of Transportation has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Department of Transportation has the responsibility of submitting the complete hearing record and the rules as adopted by the Department to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 16th day
of February, 1979.

DUANE R. HARVES
Chief Hearing Examiner

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE DEPARTMENT OF TRANSPORTATION GOVERNING THE MN/DOT PLAN	))))	ORDER ADOPTING FINDINGS OF FACT OF HEARING EXAMINER

The Report of Hearing Examiner in the above-captioned matter was received January 22, 1979 and has been reviewed by me.

NOW, THEREFORE, IT IS ORDERED, that Findings of Fact as set forth in that Report is adopted by me in their entirety.

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

R P Braun

Richard P. Braun
Commissioner

Dated this 15 day

of February, 1979.

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

In the matter of the proposed adoption of rules of the Minnesota Department of Transportation governing the Mn/DOT Plan.	ORDER AND NOTICE OF RULE ADOPTION

The above-entitled matter came on for hearing before Bernard Singer, Hearing Examiner, commencing on October 31, 1978 and continuing until December 4, 1978 at the following:

October 21, 1978	Region 7E Mora City Library 200 West Maple Avenue Mora, Minnesota 7:00 P.M.
November 1, 1978	Region 6W Appleton Civic Center 323 West Schlieman Street Appleton, Minnesota 7:00 P.M.
November 2, 1978	Region 1 N.W. Regional Development Comm. 425 Woodland Avenue Crookston, Minnesota 7:00 P.M.
November 9, 1978	Region 11 Hennepin County Govt. Ctr. Auditorium Level--"A" Minneapolis, Minnesota 10:00 A.M.

In the matter of the proposed)
adoption of rules of the)
Minnesota Department of Trans-)
portation governing the)
Mn/DOT Plan.)

November 13, 1978 Region 5
North Campus of the Area
Vocational-Technical Institute
Auditorium
North of the Airport
Staples, Minnesota
7:00 P.M.

November 14, 1978 Region 2
J. W. Smith Elementary School
18th Street and America Avenue
Bemidji, Minnesota
7:00 P.M.

November 15, 1978 Region 3
Holiday Inn
Grand Rapids, Minnesota
7:00 P.M.

November 16, 1978 Region 3
First United Methodist Church
Skyline Parkway & Central Entrance
Duluth, Minnesota
7:00 P.M.

November 20, 1978 Region 4
Fergus Falls Community College
Room 209 - Science Building
Fergus Falls, Minnesota
7:00 P.M.

November 21, 1978 Region 7W
St. Cloud City Hall Annex
24th Avenue South
St. Cloud, Minnesota
7:00 P.M.

November 28, 1978 Region 8
Murray County and Courthouse Annex
Slayton, Minnesota
7:00 P.M.

In the matter of the proposed)
adoption of rules of the)
Minnesota Department of Trans-)
portation governing the)
Mn/DOT Plan.).

November 29, 1978 Region 9
Minnesota Valley Regional Library
Auditorium
100 E. Main
Mankato, Minnesota
7:00 P.M.

November 30, 1978 Region 10
Rochester Community College
South Room of College Center
Rochester, Minnesota
7:00 P.M.

December 4, 1978 State Office Building
Room 83
St. Paul, Minnesota
10:00 A.M.

December 5, 1978 Region 6E
Kandiyohi County Office
905 West Litchfield Avenue
Willmar, Minnesota
7:00 P.M.

Pursuant to Minn. Stat. §15.042 (1978), proper notice was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, having confirmed the need for the above-captioned rules and the reasonableness thereof, and having considered the findings of fact and Report of Hearing Examiner's.

In the matter of the proposed)
adoption of rules of the)
Minnesota Department of Trans-)
portation governing the)
Mn/DOT Plan.)

NOW THEREFORE, it is ordered that these rules identified as Rules governing the Mn/DOT Plan, 14 MCAR §1.0001 - 1.0014, are adopted this 15 day of February, 1979, pursuant to the authority vested in me by Minn. Stat. §174.03, subd. 1 (d).

Richard P. Braun

Dated this 15 day
of February, 1979.

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES OF THE MINNE-)
SOTA DEPARTMENT OF TRANSPORTA-)
TION GOVERNING THE MN/DOT PLAN.)

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General William A. Caldwell, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

William A. Caldwell

Dated: March 1, 1979

Date 10/31/78

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EXAMINERS

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

DOT-79-006-BS

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan.	STATEMENT OF NEED AND REASONABLENESS

- -

The Department of Transportation was created by the Minnesota State Legislature in 1976, in order to place all transportation functions in State government within a single agency. The same legislation which formed the Department directed that a statewide multi-modal transportation plan be developed by July 1, 1978, and that the plan be subjected to the rulemaking process described in Minnesota's Administrative Procedure Act. The development of this plan is believed to be an effective means of ensuring that the transportation needs of the State are met, that funds for transportation are used effectively and that transportation resources are efficiently allocated.

The proposed rules outline the statewide transportation plan and the decision making processes contained within the plan. The transportation planning and programming processes could result in significant future alterations to Minnesota's transportation system. The key decision making points, specific provisions for public input and factors taken into consideration in these processes are provided in rule form to allow the public to more effectively impact the transportation decision making process.

1.0001

This rule reflects the legislative authority for the Department of Transportation to develop a statewide transportation plan by July 1, 1978 and process that plan as a rule through the Chapter 15 hearing process.

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1.0002

The purpose included in these rules is that adopted from the Department's enabling legislation which required the development of the plan.

1.0003

The enabling legislation directed that the plan and priorities following Chapter 15 proceedings would be binding on decisions made by the Commissioner of Transportation and the Public Service Commission.

1.0004

Includes key definitions of terms used throughout the statewide transportation plan and these rules derived from that plan.

A. Capital Improvement is defined to apply the standard definition of this phrase to the Transportation Planning Process.

B. Criterion is defined to apply a standard definition of this word to Mn/DOT's programming process.

C. Critical areas is defined by the referenced statute.

D. Environment is defined incorporating existing federal and state legislation.

E. Grant in aid is defined to apply to one of the responsibilities of Mn/DOT.

F. Improvement type is a classification developed by Mn/DOT to facilitate evaluation of similar projects in the programming process.

G. Intermodal is defined to explain Mn/DOT's emphasis on a multi-modal statewide transportation as mandated by the legislature.

H. Major studies is defined consistent with FHWA project classifications.

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I. Master plan is defined consistent with accepted terms of act within the planning field.

J. Metropolitan Council is defined consistent with Minnesota Statutes.

K. Metropolitan Development Guide is a statutorily mandated document.

L. Minimal projects are defined consistent with FHWA project classifications.

M. Mn/DOT Transportation Planning Process is defined by Mn/DOT reflecting state and federally imposed requirements.

N. Moderate Projects are defined consistent with FHWA project classifications.

O. Policy is defined to reflect its use in Mn/DOT's Transportation Planning Process.

P. Preliminary Planning is defined as a stage within Mn/DOT's Transportation Planning Process.

Q. Process is defined to reflect the process-oriented provisions of Mn/DOT/PLAN.

R. Program Development Process is defined to reflect FHWA terminology.

S. Project is Mn/DOT's definition of the Department's primary responsibility.

T. Prospectus is defined based on federal regulations.

U. Regional Development Commissions are statutorily defined.

V. Regional Transportation Policy Plans are defined consistent with Statutory provisions.

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W. Schedule of Authorized Public Transportation Expenditures is a Mn/DOT definition utilized to explain terms used in the enabling legislation of the Department of Transportation.

X. Standard Project Development Process is defined by Mn/DOT reflecting federal and state imposed requirements.

Y. Statewide Significance is one of the criteria developed by Mn/DOT based on its impact upon the Transportation Planning Process.

Z. Sub-system is defined to reflect the FHWA concept.

AA. System is defined to reflect the FHWA concept.

BB. System planning is a mandated aspect of transportation planning by the federal government.

CC. Urbanized area is defined by the Bureau of Census.

1.0005

A. These rules provide the framework within which Mn/DOT, consistent with Mn/DOT/PLAN, will answer transportation questions and make transportation decisions.

Mn/DOT/PLAN is a management document providing data and procedures for transportation decision making. It focuses on the role of the State and its relationship to other levels of government. It does not dictate a decision but rather describes the process for making decisions, who should be involved and what should be considered.

Mn/DOT/PLAN recognizes the intergovernmental nature of transportation decision making. Federal and State laws and rules and regulations assign transportation decision making responsibilities to many different agencies and levels of government. In addition, Mn/DOT will utilize inter-agency task forces to advise the Commissioner in making specific decisions in an effort to encourage cooperative inter-agency planning efforts where appropriate.

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B. The planning priorities that guided the development of Mn/DOT/PLAN will be used as a base for implementation of Mn/DOT/PLAN.

They are:

1. The desire to increase Mn/DOT's efficient operation by utilizing a systematic decision making process.

2. The need to assure adequate consideration of all alternatives in the transportation decision making process is best achieved by extensive public involvement and is consistent with policy concerns of State and Federal law.

3. Dollar limitations force emphasis on maintenance of the State's existing transportation system.

4. Recognizes the public's right to knowledge regarding their transportation system.

5. With limited dollars a factor in transportation planning, concern must be given to who can most effectively and efficiently provide a desired service.

6. An intermodal approach is required by state and federal law.

7. These factors must be considered under federal and state requirements.

8. With limited resources available those projects already well under way deserve special consideration.

9. To keep Mn/DOT/PLAN current and effective as a management tool it must be periodically revised.

10. 11. Reflect Mn/DOT's concern for public input from all sectors of the community.

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1.0006

These procedures within this chapter will be the basis for developing answers, position statements, objectives, priority decisions or other policy statements on various transportation issues. The end product of these procedures will be specific decisions on specific issues.

The principal purpose of these rules is to guide Mn/DOT staff in making transportation decisions. In a large organization such as Mn/DOT, there needs to be a method to ensure that similar questions receive a uniform approach or treatment. By having an agreed upon procedure the public is assured that Mn/DOT's staff approaches issues in a consistent and comprehensive manner.

1.0007

The basis for the procedures indicated within this rule is the fact that Mn/DOT is frequently asked to provide solutions to a specific issue. The issue is identified followed by application of one of either A, B or C. All positions so developed are then incorporated into Mn/DOT/PLAN or the supporting documents found therein to be utilized in future decision making.

Rule 1.0007 E indicates those issues upon which Mn/DOT consistent with its authority or responsibility will develop positions.

F. The MCRDC's have a statutorily defined role which Mn/DOT is acknowledging herein.

1.0008

An issue will require Mn/DOT to act if it falls into one of the three listed categories. Mn/DOT is required to act if directed to by law or if an issue is of statewide significance and thus must act as the responsible agency.

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The three criteria of statewide significance are based on federal or state law or Mn/DOT's responsibility as a state agency.

1.0009

There are many requests from varying sources regarding provision of a transportation service or need, i.e., funding of a specific project. They can not all be provided by Mn/DOT, therefore the indicated considerations shall be the basis for Mn/DOT deciding if it will fund a particular transportation service or need.

1.0010

Not all transportation related activities or functions are regulated by Mn/DOT. For example, the Governor must approve speed limits set with the goal of conserving fuel and lives. Regulation of a transportation activity or function must therefore be within Mn/DOT's authority. If it is, then the exercise of such authority to regulate will be based on one of the indicated criteria, involving either statutory mandate or the legitimate exercise of power by Mn/DOT to facilitate the use of the state's transportation system.

1.0011

A. The Transportation Planning Process applies to the development and administering of grant programs, system and subsystem planning and the development of construction projects: all tasks which are the specific responsibility of Mn/DOT.

B. The considerations utilized in the Transportation Planning Process are the result of:

1. legislative mandate to coordinate the planning for the various modes.

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2. federal and state laws requiring consideration of the environment in all transportation decisions.

3. federal and state rules and regulations requiring that local concerns be addressed.

4. federal mandate to consider all alternatives to the solution of transportation problems, including the "do-nothing" alternative.

1.0012

Mn/DOT's transportation planning is responsive to the role of other agencies within that process and requirements imposed by them upon Mn/DOT's Transportation Planning Process. The primary federal requirements imposed upon Mn/DOT's transportation planning are listed in this rule. In addition, state law defines a role in the Transportation Planning Process which Mn/DOT recognizes for the RDC's and various transit authorities.

1.0013

A. The standard project development process is a basic activity within Mn/DOT. This project development process is reflective of federal requirements relating to project classification. There are 3 classifications of projects: minimal, moderate and major. The project classification process begins with the major/non-major decision based on the type and scope of project proposed. A non-major action is a proposed project that will not precipitate significant alterations in land use, planned growth, development patterns, traffic volumes, travel patterns, transportation services and natural or manmade resources. Non-major actions do not require an EIS or negative declaration and are further subdivided into minimal and moderate level projects. Routine projects with no adverse effects on abutting real properties or the quality of the human environment

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are classified as minimal level projects. Moderate level projects may impact on the local environment and may require layout development, public hearings, study reports or special documentation of noise, air, water quality, or historic involvement impacts as the basis to evaluate and mitigate potential effects on the environment.

The planning process for standard project development begins when a change is requested or discussed in the existing transportation system. Issues, needs and proposals relating to the existing transportation system are received by Mn/DOT.

The preliminary planning phase involves an analysis of these needs, issues and proposals to arrive at a proposal that meets the needs of the local community.

The programming phase evaluates all proposals and then selects those grants to be awarded and projects to be constructed. Dollar limits dictate that not all proposals can be implemented and there must therefore be a comparison process for all proposals.

Projects selected for implementation then proceed through the detail design phase for construction projects where construction plans and specifications are prepared or through the grant processing phase which results in the implementing organization receiving a grant for the selected project.

Grant-in-aid programs proceed through the same basic process as minimal and moderate projects. There are some modifications made to that process for grants in aid however.

Issues, needs and proposals are reviewed by Mn/DOT and the grant agency if another agency is to be involved.

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Preliminary planning involves consideration of multi-modal factors and a determination as to:

1. no action is required by Mn/DOT.
2. a grant is not the proper solution.
3. an established grant program is adequate.
4. establishment of a new grant program should be considered.

Programming results in evaluation of an established grant program or a major study in the case of a new grant program. Following the major study, the individual grant requests are subjected to the programming process. Contracts are then negotiated with the sponsors of the approved projects and Mn/DOT. The receiving agency implements the grant and Mn/DOT then evaluates them including a financial audit.

B. Mn/DOT's project development process provides for specific points at which projects may be dropped or deferred. These steps are delineated to allow the public more effective input into the project development process.

C. Public input to the project development process shall be specifically provided for at various points within the process. Mn/DOT is thereby encouraging and facilitating such input as an integral part of Mn/DOT's planning process.

1.0014

Major actions are proposed projects which require either an environmental impact statement or a negative declaration. Major actions, based on the potential environmental effect of a proposed project are either significant or nonsignificant. A major action may significantly alter land use, planned growth, development patterns, transportation services and natural or manmade

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resources. Major actions significantly affecting the quality of the human environment require preparation and processing of an EIS. Nonsignificant major actions will not significantly affect the quality of the human environment and therefore require a negative declaration rather than an EIS.

Major studies are the smaller percentage of Mn/DOT activities but involve the more complex transportation issues and are therefore costly and time consuming. Due to the uniqueness of individual situations these studies will be custom-designed to accommodate all factors significant to the major project.

A. Major studies, while subject to the standard project development process deviate from those procedures to accommodate the planning of a specific major study.

B. System planning shall be conducted as a major study due to the multiple variables involved in viewing the statewide transportation system.

C. Subsystem planning will be utilized to bridge the gap between overall system and project planning.

D. Major projects requiring an EIS will be handled as major studies. This is required to handle the complex nature of these projects.

Mn/DOT's program development process involves a prioritizing of lists of candidate projects and selection of those projects to be implemented. This is a key transportation decision making process described in rules 1.0015 through 1.0018. This process is necessary to allocate limited funds in such a way as to best serve the citizens of Minnesota and preserve the states' investment in its transportation system.

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1.0015

A. Capital improvements on Minnesota's trunk highway system and grant program where Mn/DOT makes project selections are the responsibility of Mn/DOT. The program development process applies to capital improvements on the states' trunk highway system and to grant programs which Mn/DOT has been given the authority to administer under state law. Excluded from the process are county and municipal programs which are state and federally aided.

B. The role of the Regional Development Commissions and the Metropolitan Council are necessary:

1. To achieve the objective of public participation.

2. to reflect regional values by means of the weighting of the programming criteria and

3. as these agencies are the A-95 review agencies and as such it is appropriate that they be involved in the programming process.

1.0016

The program development process seeks to match the objectives of a specific program with the list of candidate projects and available funds.

A. Projects subjected to the program development process shall be developed in the Transportation Planning Process as described in Chapter 5 unless such projects have been specially exempted from the Transportation Planning Process. An example of such an exemption is the legislatively mandated junkyard program.

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B. Projects are classified to allow for an evaluation of similar projects against one another. The financial limitations in any given program make this essential to make best use of the limited dollars available.

C. Candidate projects are those projects which are to go through the programming process and as a result of that process will become either "programmed" projects or "deferred" projects. Deferred projects rank lower as a result of the programming process than the programmed projects.

The process for development of the criteria begins with Mn/DOT identifying performance indicators which could be used in evaluating projects. These indicators are then reviewed and modified by the RDCs and Met Council. Using these factors as a base, Mn/DOT develops ranking criteria and technical measures. These criteria reflect the various objectives of the program.

The RDCs and Met Council independently assign weights to the various criteria. These weights give an indication of the relative value or importance of a criterion. Points are distributed among the criteria with the greater number of points indicating the more important criteria and the smaller number of points indicating the less important criteria.

The weighted criteria are used by Mn/DOT to develop a list of ranked projects for each classification. Projects which satisfy the weighted criteria best are ranked highest and those which satisfy the weighted criteria least are ranked lowest.

The use of these weighted criteria serves four purposes:

1. Allows for identification of the strengths and weaknesses of individual projects.

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2. Facilitates the evaluation and ranking of projects against one another in an effort to make the best use of available funds.

3. Facilitates public input through the criteria weighting process.

4. Provides a record of the decision-making process.

The criteria as developed for each of the modes seek to:

1. Provide the most benefits to the most people.

2. Promote safety.

3. Improve services.

4. Promote cost effectiveness.

5. Preserve the state's investment in the transportation system.

D. Various considerations and constraints are then applied to the ranked list of projects by category which results in the development of the program.

1. The current program considerations are:

a. Local and Regional Priorities as these may differ from the Mn/DOT ranking process.

b. Project Interdependencies - from a cost/benefit standpoint it may be advantageous to schedule adjacent projects together even though one may be of lower priority.

c. Degree of Project Readiness - since many projects take years to develop, a project that is "ready to go" may receive special consideration in the programming process.

d. Fair Share Allocation - Mn/DOT seeks equitable distribution of available funds among the regions over a period of time. For example, in the highway program, the factors to be considered in this effort include measured need, vehicle miles traveled, miles of trunk highway, and population.

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e. Statewide Priorities - statewide development priorities shall provide overall direction to the development of programs.

The above enumerated items are examples of the justification the Commissioner might use as the basis for modifying the ranked list of projects.

2. The program development constraints are based upon limits on activity imposed by:

a. The availability of funds.

b. Availability of technical design staff to produce the necessary plans and specifications.

c. Availability of personnel to construct the scheduled projects.

d. Authority to act or not act as imposed on Mn/DOT by state or federal law or procedure.

E. Program Review

The preliminary program is the program developed by Mn/DOT which will then be reviewed by each of the RDCs and Met Council. This review of the program is required by federal law as part of the A-95 review process.

1.0017 Program Update Process

Program revisions shall include the addition of projects which have not gone through the programming process.

A. An annual review is required due to the possible change in concerns, issues and needs and the desirability of having the criteria, criteria weight, considerations, and constraints reflect those changing values. The role of the RDCs and Met Council in this annual process will be the same as that utilized to create the criteria and criteria weights.

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The timetable is established to allow for use of these revised criteria and criteria weights in the annual project programming process.

1.0018

A. Examples of activities which could result in project deferment include failure to receive the required approvals from other agencies in a timely fashion and the development of major concerns such as environmental issues which require additional consideration.

B. Scheduled implementation dates appear in the final program, i.e., the published program.

A project may be withdrawn based on Mn/DOT's action, the failure of local units of government to comply with all necessary requirements, or the withdrawal of matching funds by local units of government. Upon request, the Commissioner will provide documentation explaining why the project has been withdrawn if it is based solely on Mn/DOT's action.

/s/ Jim Harrington
Jim Harrington
Commissioner of Transportation

Dated this 4th day of October, 1978.

Subscribed and sworn to before me
This 4th day of October, 1978.

Agnes I. Litfin
Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980

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Roger Domrey	MTC	801 American Center Bldg St. Paul 55101	221-0939		✓
Jack W Anderson	Self	165 Wildwood Ave. WBL, 55110	406-5777	✓ ✓	
William B Robbins	ACT	801 American Center Bldg St Paul 55101	733-9894		✓
H.C. Ahlberg	Bunge Towing Co	N-400 Bunge Building St. Paul 55101		55104	
Jack Kuckard	Murphy M+	2321 Fernmill Rd St Paul 55113	633-7911		✓
Dave Reilly	FHWA	Suite 490 Metro Square St Paul 55101	725-7008		
Paul Craig	Williams Pipe Line Co	3585 No Lexington Ave St Paul	633-1555	55123	
Jim Newland			296-4940		DNR s/b notified.
Wayne Leonard	Ramsey Co.	502 Court House St Paul 55102	298-4127		✓
Stephen Alderson	Metropolitan Council	300 Metro Sq. Building St. Paul 55101	291 6337	✓ ✓	✓
Charles Weaver	" "	300 Metro Sq. Bld. St. Paul 55101		✓ Request Early	Presentation Time.
C. A. Johannes	Metropolitan Agency	1935 W Co. Rd B2, Roseville	296 7200		
Jerry L Edwards	NCITE	1610 So. Sixth St. Mpls 55454	332-0421	✓ Early Phase	✓
Richmond Stoglin	Policy and Planning	MN. DoT. St. Paul	296-1611	✓ ✓	
Alan C. Williams	Senate Counsel Office	Rm 480 State Off Bldg.	296-4397	55155	✓
Jake Crandell	Minn. (AAA)	7 travelers trail Burnsville Mn	890-2500	55337	✓
Dick Dierckx	Senate Finance Comm.	121 State Capitol	296-6436	55155	

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Richard Kelley	City of Apple Valley	14200 Cedar Ave., Apple Valley 55124	432-0750	55124	✓
DAVID GRAVEN	TRANS. ADV. BD	SUITE 300 METRO SQ BLDG ST PAUL 55101	291-6347	✓ REQUEST EARLY ✓	
ROBERT DARR	" " "	" " " "	"	✓ PRESENTATION TIME ✓	
James M Shrouds	FHWA	Suite 490 Metro Sq. Bldg. St. Paul	725-7003		
Paul Kirkwold	Ramsey County	502 Courthouse St. Paul Minn	4849104	55101	✓
CLEMENT SPRINGER	TRANS. ADV. BD	SUITE 300 METRO SQUARE BLDG ST. P. 55101	291-6347	55101	✓
RICHARD G RYAN	TRANSIT UNION 1005	312 CENTRAL AVE RM 438 MPLS	378-2914		
HERBERT O. KLOSSNER	HENNEPIN CO.	320 WASHINGTON AVE. So. HOPKINS 55343	935-3381	✓ early as possible	
Lyle L. Berg	City of Bloomington	2215 W. Old Shakopee Rd. 55431	881-5811 X221	✓	✓
Andrew G. Kohlan	Assoc. No Sub Residents	736 Rice Creek Blvd. Fridley	574-0426	55421	✓
HUGH FARILLE	Metro TRANSIT Comm.	150 E. Kellogg BLVD - ST PAUL	221-0939		

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K.A. MADOLE	MN D.O.T	Box 758 Willmar	235-4554		
Gary Danielson	Mn/DOT	Box 758 Willmar	235-4554		
Bill FERGUSON	CITY	"	235-4913	✓	✓
Richard Hamilton	City	Box 755 "	235 8311	✓	✓
Tom Petersen	Region 6	311 W. Sixth St.	235-8504	✓	✓
Ken Wojchik	KWLM-AM/KQIC-FM	Box 836 Willmar	235-1340		
Carol Wennerstrom	Willmar Chamber of Commerce	Box 287 Willmar	235-4635	✓	✓
Bill Coggins	Willmar Chamber	Box 427 "	235-7470	✓	✓
Elmo Ellefson	Willmar Opportunities	Box 921 Willmar	235-0415	✓	✓
Melvin Flaskerud	Kandiyohi County	Box 976 "	235-3266	✓	✓
Verne Carlson	Willmar City Engr.	City Hall, "	4202	✓	✓
Jerry Wilke	Minn Dept of Transp.	Box 758 "	235 4554		
Earl Larson	Kandiyohi Co SDC&E	RD 1 Willmar	235 4326		

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JANICE SMITH	TRUCK DRIVER	R-3 MORA, MN 55051	679-1876		✓
Boyd Paulu	Kanabec County	106 S Elm Mora Mn	6792982	55051	✓
Pat Dorin	North Branch	Box L North Branch, MN 55056	674-7704	YES	✓
Merritt Linzie	MnDOT - Oakdale	3485 Hadley Ave N, NSt Paul	770-2311		
Richard Anderson	City of Princeton + ECRDC	800 No 9th Ave Princeton, Mn	389-4999	YES 55371	✓
Robert Dunn	State Senator, Dist 18	708 4th St. So Princeton, MN	389-1593	no 55371	✓
Don Holland	Co. Comm	Braun.			
Clarence Hass	Co Comm	O Gilmore	972-4562		
Donald R Waage	Highway Usen Federation	13438 Lochin Circle, Inthe	545-8244	no 55051	✓

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VERNON J. MAAS	CITY OF CANBY	304 2ND ST. E. CANBY, MN	507-223-5261		
Dennis DeLia	UMVRDC	323 W. Schlieman ST, Appleton	612-289-1981		
DAVID OWEN	DAWSON MILLS	DAWSON MN 56232	612-769-4386		
Roger Strand	State Senator	Rural Route, Cyrus, MN 56323	612-795-2426		
Gary Danielson	MN/DOT Dist 8	Box 758, Willmar, Mn. 56201	612-235-4554		
K A MADDOCK	MN DOT Dist 8	" " " " "	612-235-4554		
John L Hoeke	M/DOT Dist 8	" " " " "	" " "		
A C Anderson	Montevideo GW TRANS	P.O. 512 Montevideo 56265	269 8844	✓	
Virgil Ericksen	prop'd I-20 Trans	Bagley, 56218	612-855-2212		
Ray Dragsten	Chippewa County	Court House, Montevideo, 56265	612-269-4292		

CROOKSTON
11/2/78

RULE HEARING REGISTER

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Don Nolting	City of Crookston	920 Groveland Ave.	281-6522		
DICK WIDSETH	City of Crookston	216 S. Main Crookston	281 6522		
ALFON HANSON	POLK CO.	422 GRANT	4435		
Roger D. Moe		706 E 3rd Ave. Ada	784-4583		
Pete M. Lindekugel	NWRDC	425 Woodland Ave. Crookston	281-1396	56716	✓
Wayne Jahl	NWRDC	Greenbush, Minn	~~784~~ 781-2536		
Dr. J Bourdette	NWRDC	HALLOCK MINN	843-5961	✓	
Bernard Lieker	NWRDC	Crookston, Mn.	281-3952		
Harold Green	NWRDC	Gary Minn	784-4352		
Hazel Thomforde	"	Crookston	781-4370		
Ralph Berg	"	Brooks Minn.	796-5643		
Marv Hanson	State Senator - Dist 1	Hallock, Minn.	843-2366		

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MINNEAPOLIS
11/9/78

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DAN LOVEGREN	NATIONAL ASSOCIATION OF RR PASSENGERS	1445 W. SHRYER AVE. ROSEVILLE, MN. 55113	612-645-4202	X ✓	X
MRS. O J DULLUM		1721 WEST 61 ST. Mpls.	866-5513	X 55419 ✓	X (EARLY)
CLEMENT SPRINGER	TRANS. ADV. BD.	SUITE 300 METRO SQUARE BLDG ST. PAUL MN 55101	291-6347		X
E.W. PROVOST	SCOTT COUNTY	County Hwy. Engr. Court House, Shakopee, MN. 55379	445-7750	X	X
W. A. STERNAD	TECHNOLOGY RESOURCES INC	P.O. BOX 8 WAYZATA MN 55391	473-4700		X
CRAIG D. SPENCER	HENNEPIN COUNTY	A-2300 GOV'T CENTER, Minneap.	348-4182	55487	X
Bob Thornberg	WCCO-Radio				
EZRA K. SORENSON	CITY OF RICHFIELD	6700 PORTLAND AV.	869-7521		
ARTHUR E. BOURGEAULT	MILWAUKEE ROAD	221 THIRD AVE. So Mpls Mn 55401	339-1616		X
RAY LEEK	CITY OF FRIDLEY	6431 UNIVERSITY NE. MN 55432	571-3450	X ✓	X
LEE ANN SPARR	citizen	295 Ironton St MN 55432	786-4237	X ✓	X (early in agenda)
Jacqueline Johnson	citizen	1415 Trollhagen Dr, Mpls. 55421		X	X (" " ")
Patrick B Murphy	Carver County	Courthouse - Chaska 55318	448-3435	X ✓	X

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MINNEAPOLIS 11/9/78

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Robert Morost	MnDOT Dist 5				
Bill Brezinsky	Chanbussen Schoell & Madsen	50 - S. 9th Ave, Hopkins 55343	938-7601		
Steve Kappel	United Handicapped Fed.	2100 Bloomington Ave. So. 55404	871-3015	X ✓	X
DON BESAW	MOTOR VEHICLE MFG ASSN	LABOR CENTRE 411 MAIN ST. ST. PAUL	224-4366		
Jim Merila	City of Brooklyn Center	6301 Shingle Creek Parkway	561-5440	✓ ✓	
Thomas W. Jamme	UHF	1951 Como Ave St Paul	645-3407	55104	X
Jim Christensen	self	3198 W Owasso Blvd	484-0573		
R. KANNANKUTTY	CITY OF MPLS	1800A GOVT CTR MPLS 55487	348-7565	55487	X
Don Hassenstab	MSPE	5-277 GRIGGS MIDWAY BLDG ST. PAUL	645-9147	55104	X
GRADY DOECK	BROOKLYN PARK	5415 E. Twin Jr Blvd	560-1950	~~55433~~	
NEAL JOHNSON	" "	5800 - 85TH AVE. NO.	425-4502	55433	X

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STAPLES
11/13/78

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Paul Caquelin	Staples World	Box 1851 Staples 56479	894-1112		
Norm Schneider	City of Staples		894-5350		
Allen E. Ebe	City of Staples	700 NE 8th St. Staples	894-3190		
[illegible]	KWAD	Box 551 Wadena	631-1803		
Mary Kay Lyons		123 Laurel Thousand	834-9793		
Tony Nelson	Full Rep Congressman Stangeland	R#1 Long Prairie 61	732-3803		
Robert H. Rapp	Self	1201 8th St N. Staples Mn.	894-2637		
Ed Tinsley	City of Staples	818 9th St. Staples	894-2653		
Ted Bridgeman	"	223 4th St NE Staples	894 1331		
Dave H. Gallagher	ELI Staples, Mn.	ELI Staples, Mn.	894-1316		

BEMIDJI
11/14/78

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JOE PLUMER	—	RR 8 - Box 1 BEMIDJI - 56601	—		
George Welk	MN/DOT	Box 727 Bemidji	755-2935		
Leonard Omann		3213 Cedar Lane	751-6787		
Paul Otto	BIA - Red Lake	Red Lake, Mn. 56671	679-3645		
Hal Dale	MnDOT	BEMIDJI			
Jack Graham	MN/DOT	BEMIDJI			
Phil Miller	FHWA	ST. PAUL			
Joseph J. Mosford	Blkdk Dev. Corp.				
ORIN J. Woldow	BLACKDUCK DEVELOP CORP	BLACKDUCK, MINN			
C. E. Henningsgaard	Lake of the Woods Co.	Baudette, MN 56623			

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GRAND RAPIDS
NOV. 15, 1978

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James J. Hodikan	Self	917 N. 4th Ave. W	218-326-3263	55744	✓
Lawrence Shyard	Chairperson AHCDA	Bovey Minn	218 245 2485	55709	✓
Steve Balfanz	ARDC	200 Arrowhead Pl. Duluth	722-5545	55805 ✓	✓
Joyce L. Rice	Edwards Farmers Club	Bovey Minn.	218-787-2336	55740 ✓	✓
Lloyd Riehle	Hwy 38 Comm	R2 Bx 176A Grand Rapids	218 326 2187	55744	✓
Verne Skallman	Itasca Co Engr	Courthouse Grand Rapids	326-2861	55744	✓
Landon Perry	Itasca-Koochiching Reg Plan Comm	5 NW 5th St. Grand Rapids	[redacted]	55744	✓
Vern Sackett	GR City Council	416 6th Av. NW GR.	326-4395	55744	—
Ken Hickman	Ed Mgr. Herald Review	406 Pokegama Ave. N.	326-6623	55744	✓
Jake Krajicek	Floodwood	B 1/2 Floodwood 55736	476 2340		
Robert A. Anderson	MARBLE	Box 405 MARBLE	247-7114	55744	✓
Vincent E Nyberg	City of Coleraine	Box 777 Coleraine - 55722	245-2112		
Carolyn Kosthen	City of Grand Rapids	720 5th NW 55744	326-4265		
EARL KLINT	CITY OF COLERAINE	BOX 224 COLERAINE	326-9631		
Ralph Miller	~~Deer~~ Deer River	Box 215 Deer River	246-8353		
Dr. Hugo C. Luke	Deer River	109 Division St; D.R. 56636	246-8271	56636	✓
Dick Monte	MARCELL TWS.	MARCELL MN. 55657	832-3131	56657	✓
Loren A Salberg	Bovey, Min City	Box 61, Bovey, Mn 55709	245-1602	55709	✓
Bill Prigge	Bovey	Box 100, Bovey Mn	245-1020		●

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GRAND RAPIDS
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Karen Rajala		Box 261 Cohasset, Mn	328-5000	55721	✓
Tom Rajala	Rajala Const. Co	Box 261 Cohasset Mn.	328 5000	55721	✓
Bob Horn	Grand Rapids	320 9th St NE	326-6653	55744	L
Lloyd Jesseth	Itasca Cty	513 2nd Ave NE	326-9777		
Doug Grindall	Koochiching Co.	Box 749, Rt. 8 Int'l Falls	283-2311		
Carl Hempund	Koochiching Co	Box 83 Littlefork Mn	278-6743		
Gordon Nestrasil	DOT committee	R2 Box 565A Grand Rapids	326-4196		

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DULUTH
NOV. 16, 1978

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Steve Balfanz	Arrowhead Reg. Dev. Comm.	200 Arrowhead Place Duluth	(218) 722-3545	55502 ✓	✓
Greg O'Brien	City of Duluth	409 City Hall	(218) 723-3688	55802	✓
Hedwig Ruth	City of Hermantown	3161 Arrowhead Rd	218-724-6331	55803	✓
Wallace Lahey	" " "	332 x Shelby Rd	(218) 624-1796	55811	✓
Carl A. Berg	Pres. Minn Land Surveyors Assn	Box 33 Twig Mn	729-8691	55791	✓
James L. Nyhus	City Council Cloquet	345 Prevost Rd Cloquet	879-5468	55720	✓
L. D. Duckworth	Duluth Transit Auth.	2631 W. Superior St.	722-4426	55806	✓
Ted Anderson	Retired-Surveyor	2220 W 12th St	722-3686	[illegible]	
S L. Bowman	Seaway Port Authy. of Duluth	P.O Box 310 Duluth	727-8525	55502	✓
A. Lloyd Shannon	St. Louis County	204 Courthouse - Duluth	723-3507	✓ 55502	✓
Linda Yumbach	Arrowhead Economic Opportunity Agency	3rd Ave + 6th Street		[illegible]	
Kris T. Lilljeblad	Metro Interstate Committee	ARDC/NWRPC 200 Arrowhead Place Duluth	722-5545		

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FERGUS FALLS 11/20/78

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E.L. Dosdall	Stevens Co.	Hancock, Minn. Box 145 RR 1	795-2448		
V.T. Korzendorfer	Region 4 Trans Comm	Becker Co Hwy Dept - Detroit Lakes	847-4235	✓	✓
B K Saby	" " " "	Box 635, Fergus Falls Mn	736-5626	✓	✓
D.W. Richards	Minn. Co. Heavy Engrs. Assn	1300 15TH Ave. No, Moorhead	236-5500	✓	✓
Fred Fischer	myself	809 W. Lincoln Ave. Fergus Falls	736-7034	✓	✓
Everell Barsness	Pope Co.	Glenwood, Mn. 56334	634-3043		
Robert Ellingstad	" "	" " "	634-4484		
Richard Knutson	Myself	Foxhome Minn	643-6479		
F.J. Pawlak	Becker Co	420 James, Detroit Lake	847 8577		
Carol Pandell	Myself-	Breckenridge Minn	643-3529		
Merv Brimm	City of Alex, Douglas Co	1611 Lincoln Ave S. Alex Mn.	763-4257		
Paul Clemens	West 11A	Wendell, Minn.	367-2660		
Leo Kraft	Wolverton Dray Line Inc	Foxhome	643-2541		
Ira Schutt	Walter Lemke Inc	Foxhome Mn	739-3566		
Mr Gordon Knapp	Knapp Seed Farmer	foxhome, Mn	739-3361		
Mr & Mrs Ellis Madock	ourselves	Breckenridge, Mn. Rt 1	643-6036		
Robert J. Lichman	Fergus Falls Daily Journal	614 Channing	5738-7511		
Larry Dorn	Fergus Falls Chamber of Commerce	129 S. Mill F.F	736-6981		
Richard Kruse	Northwest Council	Breckenridge	643 6023		

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FERGUS FALLS
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Bob Schuler	Schuler Grain Co	Breckenridge Minn	6438464		
Lee Jaggie	Farmer	Breckenridge Minn	643-3588		
David A Jaggie	Farmer	Breckenridge Minn	643 6093		
Linda Johnston	WCRDC	Fergus Falls	735-2356	56537	✓
R. D. Sigvaldason	E. W. Wylie Corp	P.O. Box 1188 Fargo ND	282-5550	56537	✓
Dave Rudolph	Minn Dak Farmers Coop	RT1 Box 10 X 10 Wahpeton N.D	642 8411	~~56537~~ 58075	✓
Richard Sanford	self	Box 1071, Elbow Lake, Minn.	218-685-4312	56537 ✓	✓
Mrs Ruth Sanford	self	Elbow Lake Mn Box 363	218 6854234	56531	✓
Hal Nichols	City of Breckenridge	BRECKENRIDGE	218 643-2964	56520	✓
Don Heitmann	City of Breckenridge	244 MAIN BRECKENRIDGE, MINN	643-3116	56520	✓
Joan Sorlie	Self	Rt 6 Fergus Falls, Mn	736 5443	56537	✓
R J Benjamin	Fertilizer, Minn		643 3500		
David E Kommer	City of Fergus Falls	City Hall City of Fergus Falls, Mn 56537	739-2251	56537 ✓	✓
Dennis L. Sandberg	Minnesota Soybean Co	P.O. 70 Wahpeton	631-1911	? 56537 ?	✓
FRED SAILER	Ch. of COMMERCE	202 S. COURT	6-6951	56537	✓

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Ed Pixley	CMRDC TW	2700 1st St N. S.C.	253-7870	56301	✓
Gene Cannon	Anderson trucking Serv.	203 Cooper Ave N.	255-7400		
Don Tolbert	CMRDC TW	RR1 Oak Park Inn	294-5438		
Larry G. Koenig	Wright County	R.1 Box 97B Buffalo, Mn. 55313	682-3900 X181		
Dy Kayser	St Cloud TWP	RR7 St Cloud	251-9060		
Eugene Coe	St Cloud Twp	1211 - 5th ave North 56301	252-6846		
Wayne L Carlson	St. Cloud MTC	46 28th Avenue North - St. Cloud	253-1499	56301 ✓ ✓	✓
Richard Benner	self	1117 S Bdwy - Sauk Rapids	1-1948	~~56301~~ 56379 ✓	✓
Marlyn Liebhoemeier	St. Cloud Twp	Route 7, St. Cloud, 56301	251-1371	✓ ✓	
Robert Gabrens	Stearns Co. Comm.	Box 743 - St. Cloud, Mn	251-1544		
Bill Hansen	St Cloud Area Planning Organization	46 11th St Ave. St. Cloud	252-7568	56301 ✓ ✓	✓
Nancy Sahs	ST CLOUD Town Planning	RR7 ST CLOUD, MN	251-9031	56301	✓
Wm A Roe	Stearns Co	Court House Box 248 St Cloud,	251-5510		
Florence J. Kieke	St. Augusta Twp	RR3 St. Cloud, Minn 56301	252-3604	56301	✓
Jerry P Weyrens	St Cloud - City	19 - Highbranch	251-9177	56301	✓
Ray Knopp	St. Cloud	City Hall	251-5541		
Barb Rumert	League of Women Voters + MA Council (ABD)	VA Hosp. St. Cloud	252-1746		
Frances McCarthy	St. Cloud Times	3000 7th St N P.O. Box 768	251-3121	56301	✓

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SLAYTON 11/28/78

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[illegible] Swenson	Redwood County	Wldwd Grove 56180	859-2610		
Dan Keller	RDC	Windom Minn 56101	831-1611	✓	✓
Frank C. Jungas	Cottonwood County	Mt. Lake, Minnesota 56159	427-3288		
Elmer A. Fricson	RDC	Mt. Lake Minn 56159	427-3350		
Lloyd O. Nelson	MnDOT	Mankato 56001	507-388-6237		
Chris Hauch	Marshall Independent	Marshall 56258	507 537-1551		
Norm Cote	Slayton C&C	Slayton 56172	836-8078		
[illegible] Wadle	Mn DOT	Willmar 56201	235-4554		
John Mayer	Reg 8	Wabasso 56293	342 5427		
Michael Sobala	Reg 8 Staff	P.O. 265 Slayton 56172	836-8549	56172	✓
Joseph L Stipanich	Reg 8	Ruthton 56170	658-3562		
Mark Atchison	SRDC	Slayton MN 56172	836-8548		
Robert Thorgan	City of Slayton	Slayton MN 56172	836-6756		
Ray Danielson	Mn/DOT	W. Union 56201	235-4554		
Ken Meland	Minnesota Coop Elev.	Minneota Minn 56264	872 6134	✓	✓
D. Bruce Morrill	Lyon Co. Commissioner	" " "	872-6406	56264 ✓	✓
Carl Swanhill	Lincoln Co Comm	" " "	694-1517		
Loren A Carlson	SRDC	Heron Lake	7932214		
Steven Klaij	Lamberton	Box 354 Lamberton 56152	752-7601		

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SLAYTON
11/28/78

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Don Rickers	Nobles Co.	PO Box 110 9/18-3rd Ave Worthington	376-3555		
Jerren Nelson	Murray	RR#1 Balaton Mn	734-4142		
Curtis Johnson	Shaokia twp	RR-1 Balaton Minn			
Gordon Steward	City Council	Balaton Mn	734-4582		
Dave Leuvoldy	Lyon County Com (RDC 8)	Balaton Mn	734-4151		
Don Smith	Murray Co.	Fulda Minn.		✓	✓
Curtis D Knudson	Rock Co	Luverne Minn	855-2328		
Clem Smith	Murray	Fulda			
Fred J. DeJong	SRDC	Slayton, Mn.	836-8549		
Lew Hudson	Daily Globe	Worthington			
Mary Ostwald	Lakefield	Lakefield	662-5688		
Curt Christensen	Slayton	Slayton, Mn	763-3258	✓	✓
Bruce Jessen	Storden Coop Co.	Storden	445-8970		
Herb Luck	Cottonwood Co	Jeffers	628-4940		
Lowell T. Schultz	Storden City Council	Storden	445-3913	✓	✓
Lee Jensen	Mt. Lake Mn.	Mt. Lake, Mn.	427-3738		
Wilbur Hartberg	Heron Lake-Minn		793-2570		
Louis Engel	Heron Lake Minn	RR 2	793-2443		
Eugene Field	Lincoln Co. twps	Porter Minn	296-4518		

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SLAYTON 11/28/78

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Ann Boyd	Minn. Public Radio	KRSW, Worthington	372-2904	56187 None	✓
Mark Steil	Mn. Public Radio	KRSW Worthington	372-2904	56187 None	✓
Byron Anderson	Minn House of Representatives	3316 Maple Ave Slayton	507 836-8660	56177 No	✓
Jim Wenkoff	Slayton C of C	3082 Spruce Ave-Slayton	507-836-8587	56177 No	✓
Harley Ballentine	Retired Railroad Employee	P.O. Box 5		No	
Clarence O. Dahl	Jackson Co.	107 Lee Ave. Jackson MN	507-847-4255	56143 20	✓
Fred O. Worden	Rock Co.	Box 308 Luverne Mn 56156		56156 No	✓
Delbert Zeinert	Murray Co.	R.R. 1 Box 63 Hadley, Minn 56133	507-836-8047	no	
Chas Lehman	MT-LAKE Ch. of Commerce	56159		✓	✓

RULE HEARING REGISTER

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MANKATO
11/29/78

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Louis A Biben	Midwest Coaches	216 No 2nd St.	625-4885			
Harold A Medin	Mn DOT	Mankato, Mn	507-625-6360			
Roland Jaye	Twp Assn	Rt 1 / Box 30 Waseca Mn	234-5212			
Al Kroeger	Observer	505 East Main Janesville Mn	234-6251			
Bob WETTERGREN	ST. PETER CHAMBER	214 W. GRACE ST PETER	931-3400			
Wayne Ryan	St Peter Mayor	1117 No Washington St Peter	56082 931-1701	✓	✓	✓
Don Lindley	City of Springfield Bldg & Trans Sub.	409 W. Van Buren Springfield 56087	[illegible] 723-5913	✓	✓	
Jon K Wagle	Highway Consultants	13438 LARKIN CIRCLE 55343	56001 545-8244			✓
Jerrie F. Sommer	Brown County	1901 N. Jeff. MTKA New Ulm	354-2313			
Tom West	Mankato Free Press	418 S. 2nd St. Mankato	931-6653			
Lester Anderson	Blue Earth Co	R#2 Mapleton, Minn	524-3987			
E. J. Cross	Mn/DOT	Mankato	388-4082			
Larry Tilton	Mn/DOT	604 Lakeview Ave., No Mankato	387-2737			
Bill Sawyer	City of Mankato	202 E. Jackson Mankato 56001	625-3161	✓	✓	✓
Ken Hubik	City of St Peter	Box 270 St Peter 56082	931-4840	✓	✓	✓
Dick Ahlstrom	MN/DOT	145 EASTWOOD DR.	345-5211			
KAY ECKES	NICOLLET COUNTY	425 WHEELER AVE [illegible]	345-6176			
Bob Zelinka	Region 9 Development Commission	120 S. Broad 56001	387-5643	✓	✓	✓
Thomas Homme	City of Gaylord	116 Lake Ave. E. - Gaylord 55334	612-237-2463		●	✓
Leo K Lick	City of Gaylord	522 - 8th St Gaylord 55334	612 2372414	✓	✓	✓

If you wish to be notified when the Hearing Examiner's Report is available, please put your name and address on one of the envelopes supplied.

RULE HEARING REGISTER

PLEASE PRINT CLEARLY

MANKATO 11/29/18

56

(2)

NAME	REPRESENTING	COMPLETE ADDRESS	TELEPHONE	CHECK HERE IF YOU WISH TO MAKE A STATEMENT AT THE HEARING	CHECK HERE IF YOU WISH TO BE NOTIFIED BY THE AGENCY WHEN THE HEARING RECORD HAS BEEN SUBMITTED TO THE ATTORNEY GENERAL
John F. Zenker	Self	Box 182 Butterfield 56177	956-3131	✓	✓
Richard Linscheid	"	RR-1 Box 174 Butterfield	956-2667		
Douglas Nesvig	City of Gaylord	Gaylord, Minn 55334	237-5942 (612)		
Tim Penny	State Senate	New Richland	465-8272		
Gary Hale	Waseca	Waseca	835-3870		
Robert Hagman	City of Waseca	City Hall 56093	835-3840		
Peter H. Dahn	Gaylord CRCM	Box 66 Mankato 55334	625-4428		✓
Earl Renneke	LeSueur	District 23 Senate			
Bob Ringhofer	City of No. Mankato	1001 Belgrade Ave	625-4141	✓	

If you wish to be notified when the Hearing Examiner's Report is available, please put your name and address on one of the envelopes supplied.

RULE HEARING REGISTER

PLEASE PRINT CLEARLY

Rochester 11/30/78

57

(1)

NAME	REPRESENTING	COMPLETE ADDRESS	TELEPHONE	CHECK HERE IF YOU WISH TO MAKE A STATEMENT AT THE HEARING	CHECK HERE IF YOU WISH TO BE NOTIFIED BY THE AGENCY WHEN THE HEARING RECORD HAS BEEN SUBMITTED TO THE ATTORNEY GENERAL
Rep Victor Schultz	Myself	Goodhue Minn 55027	507-732-5709	✓	✓
A. F. Stokes	Myself	Faribault, Minn Box 512 55021	334-2281	✓	✓
E. Newton	Myself	Mantorville Minn.	285-5560		
Robert L. Cadwell	City of Red Wing	Red Wing, Minn.	388-6732		
Art Birdseye	myself	Box 6536 Rochester	288-9590		
Lyall Kramer	Chamber of Commerce	416 Bush Street Red Wing MN	388-4719		
Bob Ballard	City of Winona	City Building	452-8550		
Elycia Segrimp	Pres Cty AFL/CIO	31942 3rd St. Redwing	715 772-2336		
Lee A. Powe	Wrayoff	Box 282 55951	507-362-4335	✓	✓
Ed King Toth	Kelsaw	Minn	507-635-2001		
Lynn Lyons	self	4173 Hwy 61 Red Wing	388-7217		
A. F. Vogel	RW Goodhue Safety Council	Gladstone Bldg Red Wing	388-2835		
Bob Lentz	R.W. Goodhue Co. Safety Council	Public Safety Bldg. Redwing 55066	388-8361		✓
Anthony Kramer	RCOG	1602 4th ST. SE - Rochester, MN	288-4316	✓	✓
Mark Mueller	PLUS	512 Lyndale Ave. Spring Valley	346-7729		

If you wish to be notified when the Hearing Examiner's Report is available, please put your name and address on one of the envelopes supplied.

RULE HEARING REGISTER

PLEASE PRINT CLEARLY

Rochester
11/30/78

55

(2.)

NAME	REPRESENTING	COMPLETE ADDRESS	TELEPHONE	CHECK HERE IF YOU WISH TO MAKE A STATEMENT AT THE HEARING	CHECK HERE IF YOU WISH TO BE NOTIFIED BY THE AGENCY WHEN THE HEARING RECORD HAS BEEN SUBMITTED TO THE ATTORNEY GENERAL
Wallace Fjone	Region 10	Hartland MN. 56042	507-863-2297		
D. G. HOFFMAN	RSB COACHES	ROCHESTER, MN 55901	507-282-7330		✓
Bill Petroski	Rochester Bulletin	P.O. Box 6110, Rochester, MN 55901	288-2441		
Lloyd L Kaeder	Region 10	Trimbelle Wi. 54026	345-3751		
Jorge Bergwall	Red Wing	1112 East Ave, R.W. 55066	388-8211		
Lyman Blare	Wykoff	P.O. Box 164 Wykoff, Mn. 55990	507-352-5511		
Don Fiedler	State Rep	RR #5 Rochester	507 282 0853		
Wilbur Hoffmann	Retired Wing Utility	4212 Raymond St	612-388-7603		
R. P. Kolodziejczyk	Mn/DOT	1839-34th St. N.W. Roch.	(507) 289-0414		

If you wish to be notified when the Hearing Examiner's Report is available, please put your name and address on one of the envelopes supplied.

RULE HEARING REGISTER

PLEASE PRINT CLEARLY

Rochester 11/30/78

59 (3.)

NAME	REPRESENTING	COMPLETE ADDRESS	TELEPHONE	CHECK HERE IF YOU WISH TO MAKE A STATEMENT AT THE HEARING	CHECK HERE IF YOU WISH TO BE NOTIFIED BY THE AGENCY WHEN THE HEARING RECORD HAS BEEN SUBMITTED TO THE ATTORNEY GENERAL
Gerald O Erickson	Erickson Trucking	Zumbrota	732-5830		
Myra Erickson	Erickson Trucking	"	732-5830		
Sid Sylvesky	Steele County	590 Dunnell Drive Owatonna	451-4842		
Jim Gabrielson	Steele County	545 17th St. N.E.	451-3126		
Richard Leon Nelson	Fillmore	R.1 Ostrander	65[illegible]2331		
Larry Waterman	Goodhue Co	Box 202 Red Wing Mn 55066	388-2786	✓	✓

ADMIN 1000 (REV. 4/77)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Transportation

D.O.T. Exhibit No. 11
File No. PSC-79-006-BS
Date 10/31/78

TO : BERNIE SINGER
HEARING EXAMINER

DATE: October 5, 1978

FROM : Jean M. Hansen
DOT/Administration

PHONE: 6-7837

SUBJECT: MN/DOT HEARING REPRESENTATIVES FOR MN/DOT PLAN

The hearing for the adoption of rules of the Department of Transportation governing the Mn/DOT Plan will be held at various locations throughout the state. Listing of the times and locations are found on the Order for Hearing.

Mn/DOT Hearing Representatives who will be called to testify on behalf of the agency include:

Peter Fausch — Division Director

or

Harry A. Reed — Deputy Commissioner

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OCT 5 1978
OFFICE OF HEARING EXAMINERS

D-O-T Exhibit No. 1
File No. DOT-79-006-BS
Date 10/31/78

STATE OF MINNESOTA

DOT-79-006-BS

DEPARTMENT OF TRANSPORTATION

RECEIVED
OCT 5 1978
OFFICE OF HEARING EXAMINERS

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan.

ORDER FOR HEARING

IT IS HEREBY ORDERED that public hearings on the above-captioned rules to be held at times and locations listed and continuing until all persons have had an opportunity to be heard.

October 31, 1978	Mora City Library 200 West Maple Avenue Mora, Minnesota 7:00 pm
November 1, 1978	Appleton Civic Center 323 West Schlieman Appleton, Minnesota 7:00 pm
November 2, 1978	N.W. Regional Development Comm. 425 Woodland Avenue Crookston, Minnesota 7:00 pm
November 9, 1978	Hennepin County Govt. Ctr. Auditorium Level - "A" Minneapolis, Minnesota 10:00 am
November 13, 1978	North Campus of the Area Vocational - Technical Institute Auditorium North of the Airport Staples, Minnesota 7:00 pm
November 14, 1978	J. W. Smith Elementary School 18th Street and America Avenue Bemidji, Minnesota 7:00 pm

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of Trans-)
portation Governing the Mn/DOT)
Plan.)

November 15, 1978	Holiday Inn Grand Rapids, Minnesota 7:00 pm
November 16, 1978	First United Methodist Church Skyline Parkway & Central Entrance Duluth, Minnesota 7:00 pm
November 20, 1978	Fergus Falls Community College Room 209 - Science Building Fergus Falls, Minnesota 7:00 pm
November 21, 1978	St. Cloud City Hall Annex 24th Avenue South St. Cloud, Minnesota 7:00 pm
November 28, 1978	Murray County Courthouse Annex Slayton, Minnesota 7:00 pm
November 29, 1978	Minnesota Valley Regional Library Auditorium 100 E. Main Mankato, Minnesota 7:00 pm
November 30, 1978	Rochester Community College South room of college center Rochester, Minnesota 7:00 pm
December 4, 1978	State Office Building Room 83 St. Paul, Minnesota 10:00 am
December 5, 1978	Kandiyohi County Office 905 West Litchfield Avenue Willmar, Minnesota 7:00 pm

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of Trans-)
portation Governing the Mn/DOT)
Plan.)

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons or representatives of associations or other interested groups who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that a Notice of Hearing be published in the State Register.

/s/ Jim Harrington

Jim Harrington
Commissioner of Transportation

Dated this 14 day of September, 1978.

Subscribed and sworn to before me
this 14th day of September, 1978.

Agnes I. Litfin
Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980

DOT Exhibit No. 2
File No. DOT-79-006-BS
Date 10/31/78

STATE OF MINNESOTA DOT-79-006-BS

DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of)
Transportation Governing the)
Mn/DOT Plan.)

NOTICE OF HEARING

RECEIVED
OCT 5 1978
OFFICE OF HEARING EXAMINERS

NOTICE IS HEREBY GIVEN that public hearings in the above-entitled matter will be held at several locations throughout the state commencing on October 31, 1978 and continuing until December 4, 1978. The hearings shall be conducted as follows:

October 31, 1978	Region 7E Mora City Library 200 West Maple Avenue Mora, Minnesota 7:00 pm
November 1, 1978	Region 6W Appleton Civic Center 323 West Schlieman Appleton, Minnesota 7:00 pm
November 2, 1978	Region 1 N.W. Regional Development Comm. 425 Woodland Avenue Crookston, Minnesota 7:00 pm
November 9, 1978	Region 11 Hennepin County Govt. Ctr. Auditorium Level - "A" Minneapolis, Minnesota 10:00 am
November 13, 1978	Region 5 North Campus of the Area Vocational - Technical Institute Auditorium North of the Airport Staples, Minnesota 7:00 pm

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of)
Transportation Governing the)
Mn/DOT Plan.)

November 14, 1978

Region 2
J. W. Smith Elementary School
18th Street and America Avenue
Bemidji, Minnesota
7:00 pm

November 15, 1978

Region 3
Holiday Inn
Grand Rapids, Minnesota
7:00 pm

November 16, 1978

Region 3
First United Methodist Church
Skyline Parkway & Central Entrance
Duluth, Minnesota
7:00 pm

November 20, 1978

Region 4
Fergus Falls Community College
Room 209 - Science Building
Fergus Falls, Minnesota
7:00 pm

November 21, 1978

Region 7W
St. Cloud City Hall Annex
24th Avenue South
St. Cloud, Minnesota
7:00 pm

November 28, 1978

Region 8
Murray County Courthouse Annex
Slayton, Minnesota
7:00 pm

November 29, 1978

Region 9
Minnesota Valley Regional Library
Auditorium
100 E. Main
Mankato, Minnesota
7:00 pm

November 30, 1978

Region 10
Rochester Community College
South room of college center
Rochester, Minnesota
7:00 pm

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of)
Transportation Governing the)
Mn/DOT Plan.)

December 4, 1978 — State Office Building
Room 83
St. Paul, Minnesota
10:00 am

December 5, 1978 — Region 6E
Kandiyohi County Office
905 West Litchfield Avenue
Willmar, Minnesota
7:00 pm

The hearings shall commence at the indicated times and continue until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written material may also be submitted by mail to Mr. Bernard Singer, Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8110, either before the hearings or within five (5) working days after the close of the hearings or for a longer period not to exceed twenty (20) days if so ordered by the Hearing Examiner (in the course of the hearing.)

Any person may request notification of the date on which the hearing examiner's report will be available after which date the agency may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearings. After the hearings, you may request notification by sending a written request to the hearing examiner (in the case of the hearing examiner's report) or to the agency (in the case of the agency's submission or resubmission to the Attorney General).

A copy of the proposed rules is attached hereto. These rules have been modified from those published in the draft version of Mn/DOT PLAN, based on comments received from agency personnel and based on the need to otherwise clarify some of the language contained therein.

One free copy of the proposed rules may be obtained by writing to the Department of Transportation, Bureau of Policy & Planning, Office of Plan Management, Transportation Building, Room 820, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearings.

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of)
Transportation Governing the)
Mn/DOT Plan.)

The Commissioner of Transportation's authority to promulgate the proposed rules is contained in Minn. Stat. 174.03 subd. 1(d). Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

The proposed rules, if adopted, would govern the Department of Transportation in its transportation planning and decision making processes as well as the Department's program management activities. Mn/DOT PLAN will also serve as the basis for a revision of the Action Plan which is a Federal requirement that governs the highway planning and project development process. The relationship of Mn/DOT/PLAN to the Action Plan requirements will be discussed and comments will be accepted from interested persons.

Please be advised that Minn. Stat. ch. 10A(1976) requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. A lobbyist is defined by Minn. Stat. ch. 10A.01(1976) subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or
(b) Who spends more than $250, not including traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute in question provides certain exceptions. Questions should be directed to the Minnesota Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

In the Matter of the Proposed)
Adoption of Rules of the)
Minnesota Department of)
Transportation Governing the)
Mn/DOT Plan.)

/s/ Jim Harrington

Jim Harrington
Commissioner of Transportation

Dated this 14 day of September, 1978.

Subscribed and sworn to before me
this 14th day of September, 1978.

Agnes I. Litfin

Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980

14

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OFFICE OF HEARING EXAMINERS

D.O.T. Exhibit No. 10
File No. BSC-79-006-BS
Date 10/31/78

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan.

SUMMARY OF PROPOSED EVIDENCE AND TESTIMONY

- -

Pursuant to HE 103 the material set forth below is a summary of the evidence to be presented for the State Department of Transportation (Mn/DOT) proposed rules relating to the statewide transportation plan (Mn/DOT/PLAN).

The need to adopt these rules arises as follows: Minn. Stat. § 174.03 directs the Commissioner of Transportation to develop a statewide transportation plan. That same statute also directs that the plan shall be promulgated as a rule.

In support of the above-mentioned rules, Mn/DOT will offer evidence that will explain and support these rules which relate to Mn/DOT's policy making process, to Mn/DOT's transportation planning priorities, to Mn/DOT's transportation planning process for projects, and to Mn/DOT's project programming process. This evidence will be offered in the form of written reports, oral testimony, citizen comments in the form of correspondence, and official notices and records of public meetings held prior to the publication of Mn/DOT/PLAN.

To show the need and reasonableness of the proposed rules, the Mn/DOT/PLAN report, published July 1, 1978, containing seven chapters, an appendix, objective statements and the Capital Improvements and Grant-in-Aid Programs, from which the rules were derived, will be offered into evidence.

Testimony that relates to the inception and development of Mn/DOT/PLAN will be offered. The individuals who will testify on behalf of the Department of Transportation are:

In the Matter of the Proposed)
Adoption of Rules of the Min-)
nesota Department of Transpor-)
tation Governing the Mn/DOT)
Plan.)

Peter Fausch, Division Director, Transportation Development, Bureau of Policy and Planning, Room 818, Transportation Building, St. Paul, Minnesota 55155; or Harry A. Reed, Deputy Commissioner, Bureau of Policy and Planning, Room 818, Transportation Building, St. Paul, Minnesota 55155.

Mr. Fausch or Mr. Reed will testify as to the history of the plan, and then give a chapter by chapter actual explanation of the contents of the plan. Both Mr. Fausch or Mr. Reed shall tesify on how the proposed rules were derived from the plan and will identify the evidentiary material within the plan and from the earlier proceedings that will support the rules and then give their opinions of the necessity for the rules.

Evidence will also be offered in the form of meeting records, official notices, and citizen comments to document the Mn/DOT/PLAN development process. The citizen correspondence meeting notices, and records of the public meetings will be introduced through Mr. Fausch who is the custodian of these documents.

/s/ Jim Harrington
Jim Harrington
Commissioner of Transportation

Dated this 4th day of October, 1978.

Subscribed and sworn to before me
this 4th day of October, 1978.

Agnes I. Litfin
Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980

D.O.T. Exhibit No. 12
File No. MSC-79-006-BS
Date 10/26/78
~~DOT-79-006-BS~~

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan.	AFFIDAVIT RELATING TO BARRIER FREE HEARING LOCATIONS

- -

Jean M. Hansen, Being first duly sworn, deposes and says:

That on the 25th day of September 1978, at the City of St. Paul, County of Ramsey, State of Minnesota, she verifies the scheduled hearing rooms are barrier free to the handicapped.

/s/ Jean M. Hansen
Jean M. Hansen

Subscribed and sworn to before me

this 25th day of September, 1978.

Agnes I. Litfin
Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980

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OFFICE OF HEARING EXAMINERS

DOT Exhibit No. 4
File No. DOT-79-006-BS
DOT Date 006-BS 10/31/78

RECEIVED
OCT 5 1978
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE DEPARTMENT OF TRANSPORTATION GOVERNING THE MN/DOT PLAN

CERTIFICATE OF DELIVERY SECRETARY OF STATE LIST

I hereby certify that the attached 529 labels 11 sheets constitute the complete list of persons, associations, and other interested groups who as of 9:30 o'clock A. M., this 21st day of September, 1978, have requested pursuant to M.S. 1974, 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

Joan Anderson Growe

By Kathy Hjelm

6-1

D.O.T. Exhibit No. 5
File No. DOT-79-006-BS
Date 9-006-BS 10/21/78

RECEIVED
OCT 5 1978
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE DEPARTMENT OF TRANSPORTATION GOVERNING THE MN/DOT PLAN

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

Jean M. Hansen, being duly sworn on oath deposes and says:

1) That She is an employee of the Administration Division of the State of Minnesota.

2) That on the 21st day of September, She went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 21st day of September, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not. Jean M. Hansen

Subscribed and sworn to before me this 21st day of September, 1978.

Notary Public, Theresa R. Elizondo

THERESA R. ELIZONDO
Notary Public, Ramsey County, Minn.
MY COMMISSION EXPIRES
December 20, 1978

Ramsey County, Minnesota
My Commission expires 12-29-78.

Vandervoort, T.J., Met. Waste, 350 Metro Square Bldg.

Whitlock, Marshall, Room 433, State Office Bldg.

Leg. Ref. Lib-Z. Dewitt, Rm 111, State Capitol

Levey, Jess, Met. State Univ., Metro Square Bldg., Rm 121

McLellan, Larkin, 215 Adm. Bldg. St. Capitol
Maclin, Allen -Spec.Assist. Atty. Gen. 720 American Center Bldg. St..Paul
Malone, E.I., Comm. Labor & Industry, 444 Lafayette Rd., 5th Floor

Met. Waste Control Comm., 350 Metro Square Bldg.

Metropolitan Council Library, 300 Metro Square

Miller, Michael, Admin. Agencies Div., G19K State Admin. Bldg

Minn Comm for Handicapped, Metro Square

Minn Pollution Control Agency, 1935 W Co Rd B2, Roseville

Minn State Retirement System, 529 Jackson St

Minn Water Resources Bd, Rm 206, 555 Wabasha St.

Mpls Star Press Room, State Capitol

Office of the Governor, 130 State Capitol

Schmidt, H.W. Teachers Retirement, 302 Capitol Square Bldg.

Schutz, Linda, Rm 328 Capitol Bldg.

Senate Coun. Office, Room 480, State Office Bldg.

Senate Finance Comm., 121 State Capitol

Senate Gov. Op. Comm. Rm 303, State Capitol

Senator Robert J. Tennessen, 309 State Capitol

The Following Names on the General Mailing List
can be sent through Interoffice Mail

Brubacher, Richard, Comm. Adm., 208 Adm. Bldg.

Christiansen, Fredrik, Rm 505, Capitol Square Bldg.

Coleman, Nicholas, 208 State Capitol

Consumer Services Dept. Comm., 5th Floor, Metro Square Bldg.

Develop Disabilities Programs, State Plan, 101 Capitol Square Bldg.

Dispatch Pioneer Press, Press Rm, State Capitol

Ethics Comm., Rm 410, State Office Bldg.

Farseth, Paul, Welfare Dept., 690 N Robert Street, St. Paul

Giel, David, Rm B-28, State Capitol

House Appropriations Comm., Rm 109 State Capitol

Human Rights, 200 Capitol Square Bldg.

Human Services 414 Lafayette Rd., 5th Floor

St. Paul, MN
55101

City of Red Lake Falls	Box 448	Red Lake Falls, Mn. 56750
City of Richfield	6700 Portland Ave.	Richfield, Mn. 55423
City of Robbinsdale	4221 Lake Road	Robbinsdale, Mn. 55422
City of Rochester	1421 3rd Ave. S.E.	Rochester, MN 55901
City of Rosemount	Box 455	Rosemount, MN 55068
City of Roseville	2701 No. Lexington Ave.	Roseville, MN 55113
City of St. Anthony	2900 Kenzie Terrace	Mpls., MN 55418
City of St. Cloud	City Hall	St. Cloud, MN 56301
City of St. Louis Park	5005 Minnetonka Blvd.	St. Louis Park, MN 55416
City of St. Paul	445 City Hall	St. Paul, MN 55102
City of St. Peter	Box 270	St. Peter, MN 56082
City of Savage	12305 Quentin Ave. So.	Savage, MN 55378
Scott County Bldg. Official	428 So. Holmes St.	Shakopee, MN 55379
City of Shakopee	129 E. 1st Avenue	Shakopee, MN 55379
City of Shoreview	4665 No. Victoria St.	Shoreview, MN 55112
City of So.St.Paul	125 3rd Ave. No.	So. St. Paul, MN 55075
City of Spring Lake Park	1301-81st Ave. N.E.	Spring Lake Park, MN 55432
City of Thief River Falls	P.O.Box 528	Thief River Falls, MN 56701
City of Warren	City Hall	Warren, MN 56762
Washington County	14900 - 61st St. No.	Stillwater, MN 55082
City of Wayzata	600 Rice Street	Wayzata, MN 55391
Township of White Bear	1281 Hammond Rd.	White Bear Lake, MN 55110
City of White Bear Lake	250 Miller Ave.	White Bear Lake, MN 55110
City of Windom	444-9th Street	Windom, MN 56101
City of Woodbury	2100 Radio Drive	Woodbury, MN 55041

ADDITIONAL NAMES FOR THE GENERAL LIST

X

City of Jackson	City Hall	Jackson, Mn. 56143
City of LaCrescent	P.O. Box 142	LaCrescent,Mn. 55947
City of Lake Elmo	11194 Upper 33rd St.	Lake Elmo,Mn. 55042
City of Lake Independence	Route 1 Box 123A	Maple Plain, Mn. 55359
City of Lakeville	8830 207th St. W.	Lakeville, Mn. 55044
City of Litchfield	126 No. Marshall	Litchfield, Mn. 55355
City of Little Canada	515 Little Canada Rd.	Little Canada, Mn. 55117
City of Little Falls	100 7th Ave. N.E.	Little Falls, Mn. 56345
City of Maple Grove	9401 Fernbrook Lane	Maple Grove, Mn.
City of Maplewood	1380 Frost Ave.	Maplewood, Mn. 55109
City of Mendota Htgs.	Bank Bldg. 750 So. Plaza Dr.	St. Paul, Mn. 55120
City of Minneapolis	300 Public Service Center	Mpls, Mn. 55415
City of Minneapolis	220 Grain Exchange Bldg.	Mpls, Mn. 55415
City of Minneapolis	3801 66th Ave. No.	Brooklyn Center, Mn. 55429
City of Minnetonka	14600 Minnetonka Blvd.	Minnetonka, Mn. 55343
St. of Mn. Bldg. Code Div.	408 Metro Sq. Bldg.	St. Paul, Mn. 55101
City of Moorhead	Box 779,City Hall	Moorhead, Mn. 56560
City of Morris	City Hall	Morris, Mn. 56244
City of Moundsview	2401 Highway #10	St. Paul, Mn. 55113
City of Mountain Lk.	City Hall	Mountain Lk., Mn. 56159
City of New Brighton	803 5th Ave. N.W.	New Brighton, Mn. 55112
City of New Hope	4401 Xylon Ave. No.	New Hope, Mn. 55428
City of Northfield	304 So. Division	Northfield, Mn. 55057
City of Oakdale	1584 Hadley Ave. So.	Oakdale, Mn. 55119
County of Olmsted	Public Works Dept.	1421 Southeast Third Ave. Rochester,Mn.
City of Orono	P.O. Box 66	Crystal Bay, Mn. 55323
City of Plymouth	3025 Harbor Lane	Plymouth, Mn. 55441
City of Proctor	200 Second St. City Hall	Proctor, Mn. 55810
City of Ramsey	14100 St. Francis Dr.	Anoka, Mn. 55303

Please Note:

If you intend to supplement this list with other lists when mailing a hearing notice, please compare lists and eliminate duplicate notices.

Thank you.

ALSO
NOTIFY ALL INTERESTED STATE DEPARTMENTS, BOARDS AND COMMISSIONS
AND
PLEASE SORT OUT INTEROFFICE MAIL FROM LABELS

TRANSPORTATION
HIGHWAY

DOT Exhibit No. 7
File No. DOT-79-006-BS
Date 10/31/78

Association of Casualty and Surety Executives, 60 John St, New York, NY

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EXAMINERS

Bowar, C.L., Minnesota AAA, Burnsville 55378

Higgens, J.C., Brotherhood Rwy, Clks, 2317 W. 7th Street Duluth

Hoglund United Sales, Inc., South Hwy 25, Monticello

Hopkins, Bill, 2004 Lyndale Avenue South, Mpls 55405

Matthias, Dr. Howard, 329 Brown Hall, St Cloud State College, St Cloud 56301

Minnesota School Bus Operators Association, Faribault 55021

Nelson-Zepper, 9150 Central Avenue NE, Blaine 55434

Perley A. Thomas, Car Works, Inc., Attn: Carroll Graham, High Point, North Carolina
(School bus laws only)

St Paul Motorcycle Escort Club, Inc., PO Box 3264, St Paul 55101

Shields, J.B., Driver Ed. Range, 1000 N Snelling Avenue, St Paul 55108

Stern, Philip J., 1234 Soo Line Bldg., Mpls (Re driving Instructor & school)

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Amundson Flying Service, Route 1, Box 175, Bricelyn 56014

Andersen, Wayne W., Route 1, Redwood FAlls 56283

Aquatrol Corporation, 2258 Terminal Road, St Paul 55113

Ayer, John E., Ayer Aviation Aero, Municipal Airport, LeSueur 56058

B & J Aerial Spray Service, Humboldt 56731

Beech Aero Center of Mpls, 13601 Pioneer Trail, Eden Prairie 55343

Benson Flying Service, 504 18th Street, North, Benson 56215

Bergemann Aerial Crop Service, Route 1, Box 114, Garden City 56034

Biske, Donal L., Winsted Municipal Airport, Winsted 55395

Block, E.J., 619 South Saratoga, St Paul 55116

Bohman Airways, Inc., Island View Route, Ranier 56668

Brainerd-Crow Wing Co. Airport Commission, City Hall, Brainerd, 56401

Call, O'Wild Air, Route 5 Mankato Airport, Mankato 56001

Charles Aerial Spray, Hancock 56244

Crystal Shamrock, 6000 Douglas Drive North, Mpls 55429

Deel, Dave, Jackson 56143

Duluth, Airport Authority, John C. Grinden, Duluth Int'l Airport, Duluth 55811

Ekstrom, Reynold, Route 2, Cass Lake 56633

Elmo Aero, Inc., Lake Elmo Airport, Lake Elmo 55042

Erickson, Clayton, Route 2, Hawley 56549

Flying Scotchman, Inc., 5201 Irving Avenue North, Mpls 55430

Garrett, Viola M., City Clerk-Treas., Pine River 56474

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International Jet Inc., Box 170-D, Lakeville 55044

Johnson, John Arlen, Sacred Heart 56285

Jose, Dorothy, City Clerk-Treasurer, Stephen, 56757

Klaphake, Ronald, City Hall, Morris 56267

Kloos, Lawrence C., Jr., Route 1, Barrett 56311

Korkki Aviation Inc., International Airport, Duluth 55811

Lange, Alden W., Flight Training Ct., Int., 10100 Flying Cloud Drive, Eden Prairie 55343

L.L. LeJeune Company, P.O. Box 19070, 118 West 60th Street, Mpls 55419

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Marine Iron & Ship Bldg., Co., 325 Lake Avenue South, Duluth 55801

McCall Aviation, Route 4, Box 57, Montevideo, 56265

Mesaba Aviation, 2002 Airport Road, Grand Rapids 55744

71

Midwest Helicopter, Inc., Route 5, Box 460, Brainerd 56401

MN Aviation Trades Assn., Inc., Box 6444, Mpls 55423

Mo[illegible]s Air-Marine Service, Crane Lake 55725

Moore, Glen, Crookston Flying Service, Inc., Municipal Airport, Crookston 56716

Nelson, Leonard T., St James Municipal Airport, St James 56081

Nord, Terry, Hallock Mun.Airport, Hallock 56728

Notch Electric, 334 Central Avenue, Long Prairie 56347

Olmsted County Flying Club, Inc., P.O. Box 6035, Rochester 55901

Olson, Raymond, Route 1, Hackensack 56452

Orr Public Airport, Orr 55771

Progressive Helicopter Services Inc., 5301 Chantrey Road, Edina 55436

Raiber, Ken, 309 West 2nd Street, Canby 56220

Ready Flying Service, Inc., 8 Division Street, Buffalo 55313

Red Baron Flyers, Caledonia 55921

Ricks, Lowell, Elbow Lake

72

Royalaire Co., Hector Airport, Hector 55342

Runke, George Jr., Cosmos 56228

Ryan AG Service, Inc., Attn: Jerome Johnson, Box 312, East Grand Forks

Saef-Air Repair, Inc., E.E. Francis, Fleming Field, So St Paul 55075

Sharkey, Edwin, 111 East Main, New Prague 56071

Sky-Farmer Aerial Sprayers, Inc., Attn: T.K. Pfeil, Box 166, Hwy 13 South, Waseca 56093

South Dakota Skydrivers Inc., Box 63, Sioux Falls, South Dakota 57101

Straight, Annabelle M., City of Pelican Rapids 56572

Tamarac Helicopter Corp., Gary Behrens, Press, Box 297, Evansville 56326

Thunderbird Aircraft Co., 5100 Eden Avenue, Mpls 55436

Valley Sky Divers Inc., % Don Solberg, 630 7th Street, West Fargo, ND 58078

Vermilion Aviation Inc., PO Box 397, Ely 55731

Vocational Flight Training, Box 360, Maple Lake 55358

Vogan, Virl, Gunflint, Lake, Grand Marais 55604

Waldref, Jerome, 760 San Ysidro Lane, Santa Barbara, California 93108

Weber's Aero Repair, Inc., Alexandria Airport, Alexandria 56308

Weeks, T.N., City Clerk, Windom 56101

West Central Airways Inc., Box 432, Fergus Falls 56537

Wiederkehr Ballons Intl., Inc., 1604 Euclid Street, St. Paul 55106

Willmar Air Service, Inc.,Muncipal Airport, Willmar 56201

Wings, Inc., Attn: John Lindberg, Hangar #1, St Paul Downtown Airport, St Paul 55107

Worthington Flying Service, Inc., PO Box 605, Worthington 56187

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Higgins, J.C., Brotherhood Rwy. Clks., 2317 West 7th Street, Duluth 55802

Johnson, Gene P., 514 First Nat'l Bank Bldg., Fargo, ND 58102

Logman, F.F. Swift & Co., So St Paul 55075

Nieman, Charles E., 1160 Northwestern Bank Bldg., Mpls 55402

Po[illegible]er, Albert L., MN Gas Co., 733 Marquette Avenue, Mpls 55402

Port Authority of City of St Paul, 60 East 4th Street, St Paul 55101

75

Rahr, Frederick, 8301 West 108th Street, Bloomington 55438

Sommers, Gene R., 414 Nicollet Mall, Mpls 55422

Western Oil & Fuel Company, Attn: J.W. Powers, 227 Colfax Ave North, MPls 55405

TRUCK & BUS DIVISION

Amalgamated Transit Union, Div., 1150, Attn: O.V. Clausen, 517 Produce Bank Bldg. Mpls 55402

Lehman Transport, 1482 Como, St Paul 55113

Suburban Transports, Inc., 721 Plymouth Aven, Mpls 55411

Wilson Transport Service, 1634 Quentin, Mpls 55416

ADDRESS TEST ADDRESS
TEST PATTERN TESTCITY TESTMNPATTERN
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AHOLA DEBRA
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ALLERS JOHN
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BLOOMINGTON MN
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ST PAUL MN
55101

AMER CAMPING ASSN
3639-21/2 ST N.E.
MPLS MN
55418

ANDERSON HERBERT
418 8TH ST. SO.
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55792

Mn/DOT/PLAN FILES

D.O.T. Exhibit No. 8
File No. 79-006-BS
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RECEIVED
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Transportation Plans

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ALLENDORF MARSHALL
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MPLS MN
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55102

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41 SHERBURNE
ST PAUL MN
55103

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ST PAUL MN
55101

BRUNING C.R.DEPT.CLINIC.EXP.
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BURGER ALBERT
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MPLS MN
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ANOKA MN
55303

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COON RAPIDS MN
55433

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NEW BRIGHTON MN
55112

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NORTH BRANCH MN
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2215 W OLD SHAKOPEE RD
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55431

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807 SELLWOOD BLDG
DULUTH MN
55802

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2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BROWN D M GOODRIDGE PUB SCH
IND DIST #561
GOODRIDGE MN
56725

BROWN H D
4961 KINGSBERRY LANE
MINNETONKA MN
55343

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SUITE 705 510 MARQUETTE
MPLS MN
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INV GRV HTS MN
55075

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47TH FLR IDS CENTER
MPLS MN
55402

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COTTAGE GROVE MN
55016

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ELY MN
55731

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ST PAUL MN
55104

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ST PAUL MN
55102

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530 SYNDICATE BLDG
MPLS MN
55402

CITY OF ALEXANDRIA
114 7TH AVE W BOX 231
ALEXANDRIA MN
5630

CITY OF ANDOVER
1685 CROSSTOWN BLVD NW
ANOKA MN
55530

CITY OF BLAINE
9150 CENTRAL AVE NE
BLAINE MN
5543

CITY OF BLOOMINGTON
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
5543

CITY OF BROOKLYN CENTER
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
5543

CITY OF BROOKLYN PARK
5800 85TH AVE NO
BROOKLYN PARK MN
5544

CITY OF CAMBRIDGE
139 E FIRST AVE
CAMBRIDGE MN
5500

CITY OF CARVER COUNTY
600 E FOURTH ST
CHASKA MN
5531

CITY OF CHASKA
205 E 4TH ST
CHASKA MN
5531

CITY OF CIRCLE PINES
9201 LEXINGTON AVE NO
CIRCLE PINES MN
5501

CITY OF COON RAPIDS
1313 COON RAPIDS BLVD
COON RAPIDS MN
5543

CITY OF COTTAGE GROVE
7516 80TH ST SO
COTTAGE GROVE MN
5501

CITY OF DEEPHAVEN
20225 COTTAGEWOOD RD
DEEPHAVEN MN
5533

CITY OF DETROIT LAKES
106 E HOLMES ST
DETROIT LAKES MN
5650

CITY OF EAGAN
3795 PILOT KNOB ROAD
EAGAN MN
55122

CITY OF EAST BETHEL
2751 VIKING BLVD NE
WYOMING MN
55092

CABLE COMM SYST-H SARRAZIN
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55407

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MPL
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MANKATO MN
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CIT
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CITY OF ABERDEEN
CITY HALL
ABERDEEN SD
5740

CITY OF ALBERT LEA
221 E CLARK ST
ALBERT LEA MN
5600

CIT
11
ALB
56

CITY OF ANOKA
CITY HALL 2015 1ST AVE
ANOKA MN
5530

CITY OF APPLE VALLEY
14200 CEDAR AVE SO
APPLE VALLEY MN
5512

CIT
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CITY OF BRAINERD
CITY HALL
BRAINERD MN
5640

CITY OF BRECKENRIDGE
CITY HALL
BRECKENRIDGE MN
5652

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BR
5

CITY OF BUFFALO
212 CENTRAL AVE
BUFFALO MN
5531

CITY OF BURNSVILLE
1313 E HWY 13
BURNSVILLE MN
5533

CI
13
CA
5

CITY OF CHAMPLIN
12001 HWY 52
CHAMPLIN MN
5531

CITY OF CHANHASSEN
7610 LAREDO
CHANHASSEN MN
5531

CI
20
CH
5

CITY OF CLEAR LAKE
ROUTE 1
CLEAR LAKE MN
5531

CITY OF COLUMBIA HEIGHTS
590 40TH AVE NE
COLUMBIA HGHT MN
5542

CI
13
CO
5

CITY OF CROOKSTON
PO BOX 374
CROOKSTON MN
5671

CITY OF CRYSTAL
4141 DOUGLAS DRIVE NO
CRYSTAL MN
5542

CI
20
DE
5

CITY OF DODGE CENTER
CITY HALL
DODGE CENTER MN
55927

CITY OF DULUTH
CITY HALL
DULUTH MN
55802

CIT
37
EA
55

CITY OF EDINA
4801 W 50TH ST
EDINA MN
55424

CITY OF FAIRMONT
114 E 1ST ST
FAIRMONT MN
56031

CITY OF HAM LAKE
15544 CENTRAL AVE NE
ANOKA MN
55303

CITY OF HASTINGS
100 SIBLEY ST
HASTINGS MN
55033

CITY OF INVER GROVE HTGS
8659 COURT HOUSE BLVD
INVER GROVE MN
55075

CITY OF ROBBINSDALE
C LARSON 4221 LAKE RD
ROBBINSDALE MN
55422

CLAWSON CONNIE
HELP CT 317-17TH AV SE
MPLS MN

COLEMAN NICHOLAS
209 STATE CAPITOL
ST PAUL MN
55155

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CRAVEN NORMAN
10637 THOMAS AVE S
BLOOMINGTON MN
55431

CROW WING CO PLANNING & A
COURT HOUSE
BRAINERD MN
56401

DAHLKE LOIS M
118 S EAGLE ST
BELLE PLAINE MN
56011

DAILEY THOMAS ECONOMICS L
370 WABASHA ST
ST PAUL MN
55102

DAWSON JEAN MN GOV'T REPORT
ROOM B12 CAPITOL
ST PAUL MN
55155

DAYTON CHAS SIERRA CLUB
800 MIDLAND BANK BLDG
MPLS MN
55401

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

DOW CHEMICAL
47 BLDG
MIDLAND MI
48640

DUNN OLIVER PLUMBERS LOC
708 SC 10TH ST
MPLS MN
55404

E CENTRAL REG. DEV. COMM
COURTHOUSE 18 N VINE ST
MORA MN
55051

EDEVOLD RUTH
PO BOX 248
BEMIDJI MN
56601

EICHTEN DANIEL
3794 HAZEL
WHITE BEAR LK MN
55110

CITY OF E GRAND FORKS
P O BOX 453
E GRAND FORKS MN
46721

CITY OF EDEN PRAIRIE
8950 EDEN PRAIRIE RD
EDEN PRAIRIE MN
55343

CITY OF FRIDLEY
6431 UNIVERSITY AVE NE
FRIDLEY MN
55432

CITY OF GOLDEN VALLEY
7800 GOLDEN VALLEY RD
GOLDEN VALLEY MN
55427

CITY OF HOPKINS
1010 1ST ST SO
HOPKINS MN
55343

CITY OF HUTCHINSON
37 WASHINGTON AVE WEST
HUTCHINSON MN
55350

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

COLHAPP TED
1294 VALLEY VIEW ROAD
CHASKA MN
55318

COLLIN LAURENCE
RT 2
ISANTI MN
55040

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

COUNTY ATTYS COUNCIL
40 NO MILTON ST STE 106
ST PAUL MN
55104

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
ST PAUL MN
55155

DICKINSON MRS JOANNE
BOX 1065
MARSHALL MN
56258

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DOUGLAS BELL ET AL
2212 AM.NATL BK BLDG
ST PAUL MN
55102

DUPONT MIKE
5720 EXCELSIOR BLVD
MPLS MN
55416

DZUGAN KEN ST PAUL PLANNING
421 WABASHA ST
ST PAUL MN
55102

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

ECKLUND WM EELLHABER-LARSON
W 1080 1ST NATL BANK
ST PAUL MN
55101

ELDER DR JAMES P
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ENDERSON WILLIAM
3644 NICOLLET AVE
MINNEAPOLIS MN
5540

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FARRELL FRANK BUR NOR
R4 1180 176 E 5TH ST
ST PAUL MN
55101

FARSETH PAUL FOOD STAMPS PRO
WELFARE DEPT 690 N ROBT
ST PAUL MN

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FLADLAND CLINT MN L&P BUR
795 RAYMOND AVE
ST PAUL MN
55114

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

FREDRIKSON BYRON ET AL
47TH FLR IDS CENTER M
PLS MN
55402

FRIESEN MILLER A
RAHR BD 624 13TH ST S
VIRIGINIA MN
55792

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GARDNER EDW - R A JOHNSON
515 WASHINGTON AVE N
MPLS MN
55401

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GOLDBERG PROF MELVIN
WM MITCHELL COL OF LAW
ST PAUL MN
55105

GOODMAN DF TEL CABLE TV
302 E SUPERIOR
DULUTH MN
55802

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

ENV SERV-GEN RESOURCE CORP
6340 INDUSTRIAL DR
HOPKINS MN
55343

ERDMAN ROGER TENNANT CO
701 N LILAC DR
MPLS MN
55441

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

EVANS CHAS.L. PRENTICE-H
ENGELWOOD CLIFFS
NEW JERSEY

FAEGRE & BENSON ATTN LIBR
1300 NW BANK BLDG
MPLS MN
55402

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FILTER LOREN
BOX 36
BRITT MN
55701

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FITZPATRICK LEO
8138 HENSLOWE AVE S
COTTAGE GROVE MN
55016

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDLUND MRS PHYLLIS
RR 4 BOX 37
CANBY MN
56220

FRISON FRANK NECA
RM 305 200 SO ROBERT
ST PAUL MN
55107

GEBERT K L
220 GRAIN EXCH
MPLS MN
55415

GEO A HORMEL & CO LAW DE
PO BOX 800
AUSTIN MN
55912

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREEN GARY J
41 SHERBORNE AVE
ST PAUL MN
55102

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HAROLD J WESTIN CONSTRUCTORS
45 E 8TH ST
ST PAUL MN
55101

HARRY RICK
RT 1 BOX 138
KETTLE RIVER MN
55757

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HEADWATERS REG DEV. COMM
BOX 584 MENTAL HEALTH
BEMIDJI MN
56601

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HEIM PAUL M
3944 IDS CENTER 80 S 8
MPLS MN
55402

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HENDRICKSON MRS VIRGINIA
3324 COUNTRY WOOD DR
BURNSVILLE MN
55337

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIUKEW
PO BOX 3260
ST PAUL MN
55165

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HULSTRAND ANDERSON & LARS
PO BOX 130
WILLMAR MN
56201

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

IMS PAUL

ECHO MN

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IVERSON DR JCS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GR
41
ST
55

GRUMMERT REV DONALD
1435 ADAMS ST
MPLS MN
55413

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HANSON WARREN A SKELGAS
PO BOX 1650
TULSA OK
74102

HA
45
ST
55

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HAYES, THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HA
11
MA
56

HAVEN ROBT TWIN TN TREATMENT
1706 UNIV AVE
ST PAUL MN
55104

HEAD & TRUHN
1007 SCO LINE BLDG
MPLS MN
55402

HE
BO
BE
56

HEANEY BILL
30 W SUPERIOR ST
DULUTH MN
55802

HEARING EX.OFF. M GREENBERG
1745 UNIV AVE
ST PAUL MN
55104

HE
39
MP
55

HELTZER JAMES DAYTON HUDSON
777 NICOLLET MALL
MPLS MN
55402

HENDRICKSON A M
100 FREEMAN DRIVE
ST PETER MN
56082

HE
33
BU
55

HOLEY GEORGE
1509 SW SIXTH STREET
FARIBAULT MN
55021

HOLMES ELSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HO
39
GO
55

HOLT JOHN
517 4TH ST NW
FARIBUALT MN
55021

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HO
RM
ST
55

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUSEBYE, CRAIG J.
5036 FRANCE S.
EDINA MN
55410

HU
CO
AN
55

IMAGE
BOX 3215
ST PAUL MN
55165

IM

EC

INGVALSON VERN MN.FARM BU
1976 WOODDALE BOX 43370
ST PAUL MN
55164

INS FED CF MINN
902 SCO LINE BLDG
MPLS MN
55402

IN
10
DU
52

IZAAK WALTON MN DIV
111 E FRANKLIN RM-210
MPLS MN
55404

JENSEN ARTHUR, CITY CLK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KABLE RICHARD W

BETHEL MN
55005

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KJERVIK DIANE
4302 POWEL HALL U OF M
MPLS MN

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KNUTSON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

KROEGER CHARLES
122 NW 7TH STREET
FARIBAULT MN
55021

KVB ENGINEERING INC
600 S CO RD 18
MPLS MN
55426

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEG REPORT SERV-P STUDEVANT
PO BOX 3250
ANNAPOLIS MD
2140

LEVEY JESS MET STATE UNIV
METRO SQ RM 121
ST PAUL MN
55101

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN MRS GAYNOLD
111 WEST 107TH ST
MPLS MN
55420

JOHANSEN BUS SERV INC
19 DAYTON RD
CHAMPLIN MN
55316

JOHNSON G ROBERT
4344 IDS CENTER
MPLS MN
55402

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

JONES C NORTHSIDE RES REDEV
1800 OLSON MEMORIAL HWY
MPLS MN
55411

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

KROON H CLIFTON
210 E WALNUT
MANKATO MN
56001

LABELLE JUANITA MRS
5816 AQUILA AVE NO
NEW HOPE MN
55428

LAKE SUPERIOR INDUSTRIAL
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LEG.REF.LIB-Z. DEWITT
RM 111 STATE CAPITOL
ST PAUL MN
55155

LEAVEY THOS
829 22ND AVE SE
MPLS MN
55414

LEWIS DR.G.W JR.
ABBOTT 110 E 18TH ST
MPLS MN
55403

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LOKE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

MALECKI JAMES
1 SO STATE ST
NEW ULM MN
56073

MALONE E I COMM LABOR & I
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
CLEVELAND OH
44114

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MCCLURG EUNICE
1061 109TH AVE NE
BLAINE MN
55434

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCNEILLY GREG MNDSVIEW ED AS
41 SHERBURNE AVE
ST PAUL MN
55103

MEIERCTTC, JOAN
1794 SC LEXINGTON
ST PAUL MN
55118

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MEYER HERBERT
10824 ZENITH AVE S
BLOOMINGTON MN
55431

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN ASSN VOL SOC SERVICE
1821 UNIV SUITE 389
ST PAUL MN
55114

MINN ASSN WATERSHED DIST'

ADA MN
56510

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN DEPT HEALTH J C MCKA
717 DELAWARE S E
MPLS MN
55440

MINN GOV ENG COUNCIL
2400 SHERWOOD HILL RD
MINNETONKA MN
55343

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LINDALL & JONATHAN DEVELOP.
VILLAGE CNE CENTER
CHASKA MN
55318

LUTH SOC SERVICE OF MN
2414 PARK AVE
MPLS MN
55404

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MACLIN ALAN ASST ATTY GEN
720 AMERICAN CENTE BLDG
ST PAUL MN
55101

MAHCE RICK CARTER
2850 METRO DR SUITE 431
BLOOMINGTON MN
55420

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT ASSN
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MET. WASTE CONTOL COMM.
350 METRO SQ BLG
ST PAUL MN
55101

MET TER MEN ASSN A ROSENTHAL
1821 UNIV AVE
ST PAUL MN
55104

MIDLAND GLASS-HO SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER M ADMIN AGENCIES DIV
G19K STATE ADM BLDG
ST PAUL MN
55155

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASSN ELEC COOPERATIVES
4901 W 77TH ST
MPLS MN
55435

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN CHAP ASSOC BLDRS-CONTRS
7204 W 27TH ST
MPLS MN
55426

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINNESOTA FARMERS UNION
1717 UNIVERSITY AVE
ST PAUL MN
55104

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN.MTR.TRANSP. .J.N.OCNN
1821 UNIV.
ST.PAUL MN
55104

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN.
55104

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MN. ASN.C&IND H.D.PETERSON
480 CEDAR ST.
ST.PAUL MN
55101

MN GRAPHIC DESIGNERS ASSO
PO BOX 24272
MPLS MN
55424

MN ST PHARMACEUTICAL ASSN
2469 UNIVERSITY AVE
ST PAUL MN
55114

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MINN HWYS MANAGEMENT SERVICE
407 HWY BLDG
ST PAUL MN
55101

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN RETAIL FED INS
131 METRO SP
ST PAUL MN
55101

MINN STATE EMP UNION COUNC 6
236 E PLATO BLVD
ST PAUL MN
55107

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MINNESOTA AFL-CIO
175 AURORA AVE
ST PAUL MN
55103

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MN STATE SER BLIND-K NATARDY
1745 UNIVERSITY AVE
ST PAUL MN
55104

MOSS DR JEROME
125 PEIK 159 PILLSBURY
MPLS MN
55455

MPLS ASSN RETARDED CITIZENS
3100 W LAKE ST
MPLS MN
55416

MT OLIVET ROLLING ACRES
R 1 BOX 576
EXCELSIOR MN
55331

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINN POLLUTION CONTROL AGCY
1935 W CO RD B2
ROSEVILLE MN
55113

MINN POULTRY & HATCHERY A
BOX 158
MADELIA MN
56062

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE MEDICAL ASSOC
STE 900 AM NATL BK BLDG
STPAUL MN
55101

MINN STATE RETIREMENT SYS
529 JACKSON ST
ST PAUL MN
55101

MINN. TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MIXA FRANK LK MNTKA CONS DIS
402 E LAKE ST
WAYZATA MN
55391

MN AUTOMOBILE DEALERS ASS
277 UNIV AVE
ST PAUL MN
55103

MN. BD OF NURSING
717 DELAWARE ST SE
MPLS MN
55414

MN ELECTRICAL ASSN
3100 HUMBOLT SO
MPLS MN
55408

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MN SOC SERV ASS J HOOD
614 PORTLAND
ST PAUL MN
55102

MOFFITT R C
RM 301 M MPLS CITYHALL
MPLS MN
55415

MOOD R BLOOMINGTON HLTH D
10200 PENN SO
BLOOMINGTON MN
55431

MOSTCA
PO BOX J
PERHAM MN
56573

MOTOR VEHICLE MFRS ASSN
411 MAIN ST (215)
ST PAUL MN
55102

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MURPHY DIANA E
4200 IDS-LINDQUIST VENN
MPLS MN
55402

MURPHY PATRICK SSR INC
BOX 986 COURTHOUSE STA
ARLINGTON VA
22216

MURPHY PATRICK DUFFY
1440 SUMMITT AVE
ST PAUL MN
55105

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE ST
MPLS MN
55414

NURSING HOME RES ACV CO.
111 E FRANKLIN S210
MPLS MN
55404

NW REG. DEV. COMM
425 WOODLAND AVE
CROOKSTON MN
56716

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

O'CONNELL RAY
MN GAS CO 733 MARQ AVE
MPLS MN
55402

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PFEIFER AND SHULTZ, INC.
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATTON
1155 15TH ST NW
WASHINGTON DC DC
20005

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER DAVID
3002 27 AVE S
MPLS MN
55406

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

NASS GEO V HENN CO GEN HOSP
5TH AND PORTLAND AVE
MPLS MN
55415

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NO SUB MONTESSORI-S SADDLER
2487 HELEN COURT
NO ST PAUL MN
55109

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

PARKER SANDY
7480 CHANHASSEN ROAD
EXCELSIOR MN
55331

PETERSEN DOUG ESIDE NEIGHBOR
HOOD SERV 1929 2ND STNE
MPLS MN
55418

PHILLIPS LEGISLATIVE SERVICE
459 RICE ST
ST PAUL MN
55103

PORTER LYLE D

TRACY MN
56175

PRAUSE JOS.C.
2220 105TH AVE.N.W.
COON RAPIDS MN
55433

NATL CAR RENTAL ATT D MIT
5501 GREEN VALLEY DR
MPLS MN
55437

NELSON HOWARD I

LINDSROM MN
55045

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OLSON KATHLEEN
192 SEYMOUR AVE SE
MPLS MN
55414

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PETERSON MYRON D
ROUTE 2 BOX 99
SACRED HEART MN
56285

PINNETTI NICK M HALEY & A
40 CENTRAL PARK S
NEW YORK NY
10019

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

PROCTOR&GAMBLE L THECHAR
IVORYDALE TECH CENTER
CINCINNATI OH
45217

RADMAN RICHARD-LABOR TEMP
418 AUDITORIUM
ST PAUL MN
55102

RALPH BURKE ASSOCIATES
5200 W 73RD ST
MPLS MN
55435

RAMSEY CO MEDICAL SOC
908 AM NATL BK BLDG
ST PAUL MN
55101

REARDON MRS HELEN
1125 S E 6TH ST
WILLMAR MN
56201

REID DAVID H
6469 N GRAHAM RD
INDIANAPOLIS IN
46220

REGION NINE DEV. COMM.
709 N FRONT ST
MANKATO MN
56001

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RICHARDSON TEOS
7851 METRO PKWY S 103
MPLS MN
55420

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DR ALAN
BOX 297 MAYO U OF M
MPLS MN
55455

ROSS ROY J
CLK TREAS
LITCHFIELD MN
55355

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

SE MN REG DEV COMM
301 MARC BK BLDG
ROCHESTER MN
55901

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SW REGIONAL DEV COMM
2311 BDWY
SLAYTON MN
56172

SCHLICHT REV ROBT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHWINN ROBT.P.
1400 SOO LINE BLDG.
MPLS. MN
55402

SCHNEIDER & NEESER
706 1ST ST SO PO BX 876
WILLMAR MN
56201

SENATE COUNSEL OFFICE
ROOM 480 STATE OFF BLDG
ST PAUL MN
55055

SENATE FINANCE COMMITTEE
ROOM 121 STATE CAPITOL
ST PAUL MN
55155

RAUENHORSTCORP-RONALD G RITA
7900 XERXES S S-2200
MPLS MN
55431

REAGAN MICHAEL
? MINN LEARNING CTR
BRAINERD MN
56401

97

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REGION FIVE REG. DEV. COM
102 6TH ST N
STAPLES MN
56479

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RIEKE DAVID
PO BOX 9311
MPLS MN
55440

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBERTS DAVID E
1260 NW NATL BK BLDG
ST PAUL MN
55101

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SPRAGUE CHARLOTTE B
AREA HOSPITAL BOX 339
WINDOM MN
56101

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHAEN ETHEL
1745 UNIVERSITY AVE
ST PAUL MN
55104

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHMIDT WARREN WELLCOME M
GARDEN CITY
MN
56034

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHROEDER ALFRED H
2172 CARROLL AVE
ST PAUL MN
55104

SELECTVISION INC FR VALEN
1 DAG HAMMARSKJOLD PL
NEW YORK NY
10017

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SILVERMAN JUDITH
8545 W 28TH ST
ST LOUIS PARK MN
55426

SITE ENGINEER INC
12 OLD DEERFIELD RD
WELCH MN
55089

95

SMITH MICHAEL
75 DE KALB AVE
BROOKLYN NY
11201

SNELL LYN
BOX 214
EDEN VALLEY MN
55329

SODERMAN ANTHONY
1414 FOSHAY TOWER
MPLS MN
55402

STANSFIELD ARLENE LAND O
PO BOX 116
MPLS MN
55440

ER SID AM LIFE & ANNUITY CO
3801 W 50TH ST
MPLS MN
55410

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

SULLIVAN JEANETTE
CDIC SW STATE UNIV
MARSHALL MN
56258

ER SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

TIMESAVERS INC ATT R S VOLD
5270 HANSON COURT
MPLS MN
55422

TWIN CITIES PIPING IND AS
2829 UNIV SE SUITE 304
MPLS MN
55414

UTLEY JOHN
4610 ICS CENTER
MPLS MN
55402

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VOSS REV GORDON O
11120 NE 7TH ST
BLAINE MN
55434

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

SF WALZ SAM CO ADMINISTRATION
ANOKA CTY COURTHOUSE
ANOKA MN
55303

WAMPLER LINUS DIR USW OF
609 PROVIDENCE BLDG
DULUTH MN

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SIAS JACK W
BOX 4366-1573 SELBY AVE
ST PAUL MN
55104

SIX EAST REG. DEV. COMM.
311 W 6TH ST
WILLMAR MN
56201

SMERIKA WN.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SNYDER, R.W. U OF M
RM 249C CLASS OFF BLDG.
ST PAUL MN
55108

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

STATE & FEDERAL AGENCIES
1101-15TH NW
WASHINGTON DC
20005

STATE BD VETERINARY EXAMINER
C/C DR A C SPANNAUS DVM
WACONIA MN

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SUSSEL CO.ATTN:TED SCHWENKER
1850 COMO AVE.
ST PAUL MN
55108

SWANSON MORTIMER C
5824 FRANCE AVE S
EDINA MN
55410

TENNESSEN SEN ROBERT J
RM 309 STATE CAPITOL
ST PAUL MN
55165

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VANDERVOORT T J MET WASTE
350 METRO SQUARE BLDG
ST PAUL MN
55101

VAN DRAKE STEPEN R
PO BOX 2134
TRIPOLI LIBYA N
ARAB

VIITALA, W.C. HONEYWELL
HONEYWELL PLAZA
MPLS MN
55408

VILLAGE OF WOODBURY
2100 RADIO DRIVE
WOODBURY MN
55042

WALTERS THOMAS MN MFG HOUSE
4530 W 77TH ST STE 227
MPLS MN
55435

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WHITING RALPH
7316 BAILEY ROAD
NEWPORT MN
55055

WILLETTE MARY
2711 W 47TH STREET
MPLS MN
55410

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WEST CENTRAL REG. DEV.
ADM BLDG, COMMUNITY COLL
FERGUS FALLS MN
56537

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WILSON R GARY PPG INDUST
1 GATEWAY CENTER
PITTSBURGH PA
15222

WYANT CLINTON W ATTY

ATKIN MN
56431

ZIMMERMAN & OFFERMAN
CAMBRIDGE STATE HOSP
CAMBRIDGE MN
55008

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WATERS, DONNA M.
110506 WINDMILL COURT
CHASKA MN
55318

WEL
414
MPL
554

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WHITLOCK MARSHALL
RM 433 STATE OFFICE BLD
ST PAUL MN
55155

WHI
751
NEW
550

WM.MITCHEL COLLEGE LAW LIB.
2100 SUMMIT AVE.
ST.PAUL MN
55105

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WIL
271
MPL
554

WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

WOLKERSTORFER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

WOZ
401
ST
551

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OCT 5 1978
OFFICE OF HEARING EXAMINERS

DOT Exhibit No. 6
File No. DOT-79-006-BS
Date 10/31/78
DOT-79-006-BS

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Mn/DOT Plan.

AFFIDAVIT OF SERVICE

Jean M. Hansen, Being first duly sworn, deposes and says:

That on the 25th day of September 1978, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid and return requested, to all persons at the addresses shown on the attached List of Parties.

/s/ Jean M. Hansen
Jean M. Hansen

Subscribed and sworn to before me

this 25th day of September, 1978.

Agnes I. Litfin
Notary Public

AGNES I. LITFIN
Notary Public, Ramsey Co., Minn.
My Commission Expires
November 21, 1980