

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Minnesota
Department of Transportation
Transportation Building
395 John Ireland Boulevard
Saint Paul, Minnesota 55155

July 22, 1992

Amy V. Kvalseth
Attorney General's Office
525 Park, Suite 500
St.Paul, MN 55103

Dear Ms. Kvalseth:

The Minnesota Department of Transportation hereby withdraws from consideration by the Office of the Attorney General the Rules of the Department Relating To the Port Development Assistance Program.

Sincerely,

for James N. Denn
Commissioner

RECEIVED

JUL 30 1992

Office of the Attorney General
Government Services Section
Capitol Office Bldg., Suite 500
525 Park Street

Minnesota
Department of Transportation
Transportation Building
395 John Ireland Boulevard
Saint Paul, Minnesota 55155

July 29, 1992

Christie Eller
Special Asst. Atty. General
525 Park St.
St. Paul, Mn. 55103

Dear Ms. Eller:

We are now re-submitting the rules for the Port Development Assistance Program to you for your review. Amy Dvalseth, did the review and asked for some changes.

We believe we have made the requested changes. They can be found on page 6, line 25 of the rules and on page 9 of the needs and reasonable statement.

Thank you for your cooperation.

Sincerely,

DuWayne D. Elliott
Senior Waterways Planner
Office of Ports & Waterways
Minnesota Department of Transportation

6-0364

STATE OF MINNESOTA

Office of the Attorney General

TO : DuWAYNE ELLIOTT
Office of Railroads and Waterways
Suite 925, Kelly Annex
Transportation Building
395 John Ireland Blvd.

DATE : August 26, 1992

FROM : AMY V. KVALSETH
Special Assistant
Attorney General

PHONE : 296-9422

SUBJECT : In the Matter of the Adopted Rule Relating to the Port Development Assistance Program

The above-referenced rule has been approved as to its legality by the Attorney General on August 26, 1992.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

Enclosures
cc: Donald J. Mueting
William Brown, Chief Judge
MaryAnn Hruby

AVK:jj.rules.ba0

It™ brand
x Transmittal Memo 7672

AMY V. KVALSETH
npany A.G.
ation 525 PARK STREET
x# 297-2576 Telephone # 296-9422
mments RUSH PLEASE

No. of Pages 2 Today's Date 7-22-92 Time 10:20
From DUWAYNE ELLIOTT
Company MN/DOT
Location Kelly Inn Dept. Charge
Fax # 297-1887 Telephone # 296-0364
Original Disposition: ☐ Destroy ☐ Return ☐ Call for pickup

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

In the Matter of the Adoption of Rule of the Minnesota Department of Transportation governing the Port Development Assistance Program.

ORDER WITHDRAWING RULES

IT IS ORDERED that the above referenced rule is withdrawn from review by the Attorney General effective July 22, 1992.

July 22, 1992

for James N. Denn
Commissioner of the Department of Transportation

Post-It™ brand fax transmittal memo 7671 # of pages ▸ 1

To Dreniss Cox	From Kathy Nolte
Co.	Co.
Dept.	Phone #
Fax #	Fax #

AVK

RULE REVIEW CHECKLIST
RESUBMITTED RULE

File No. 1929

Docket No. 05 0009 0775

RESUBMISSION DATE 8-18-92
DATE DUE ~~8-18-92~~ 9-2-92

APPROVED ~~8-21~~ 8-26-92
DISAPPROVED
WITHDRAWM

ADOPTED W/O HEARING ✓
EMERGENCY RULE
TO REVISOR 8-19-92
REVISOR APPROVED 8-21-92
REVISOR DISAPPROVED
FILED W/SEC. STATE 8-26-92
RETURNED TO AGENCY 8-27-92

____ Does the revision raise significant new legal issues?

____ Review date

✓ Rule as adopted (4 copies) ~~submitted need 3 more copies~~

✓ Supplemental Findings of Fact, Conclusions & Order Adopting ~~xxxxxx~~ August 18, 1992

NA Board's Supplemental Resolution Adopting

NA Notice of submission to Attorney General

NA Affidavit of Mailing Notice to Attorney General

put in Small Business Statement in SONAR
are there small companies effected by this.

also made corection on page 6, line 25
deleting " or a loan "

This was orginally submitted at the end of July but it was missing a Supplemental Findings of fact and 3 copies of the rules

They re-re submitted on August 18 with the 3 additional of rules and Supplemental Finding

AVK
7/15/92

RULE REVIEW CHECKLIST

File No. 1929
DATE RECEIVED 7-8-92
REVIEW DATE 7-17-92
DUE DATE 7-22-92
(DIS)APPROVED
WITHDRAWN 7-22-92

Docket No. 05 0009 0775
ADOPTED W/O HEARING
EMERGENCY RULE
TO REVISOR ON 7-15-92
REVISOR (DIS)APPROVED 7-20-92
FILED W/SEC. OF STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)
8-12-91 Date published in State Register
Comments

Petition for Adoption of a Rule

Board's Authorizing Resolution
Date adopted

✓ Proposed Rule
✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
457A.05 Statutory Authority - ~~there is no 457A.05 that is in the 1990 Stat~~
No statement Small Business Statement
No statement Expenditure of public money statement
April 1, 1992 Signature

✓ Statement of Need and Reasonableness (if applicable)
No statement Small Business Statement
NA Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
April 9, 1992 Dated 30/25 days before adoption
✓ Notice attached indicates it is attached

✓ Copy of rule or summary attached

✓ Publication in State Register
April 20, 1992 Date 30/25 days before adoption

✓ 180-day deadline from:
✓ Effective date of law requiring rule (14.12) (both rules) amendments don't apply - not mandatory
✓ end of comment period (§ 14.26) (rules may be adopted without hearing)
effective date of statutory authority (§ 14.29) (emergency rules)

Resolution Adopting
Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
June 11, 1992 Date

Written Requests, Submissions or Comments

✓ Declaration of Attorney
Jan Mundy Name of SAAG representing agency

Notice of Submission to Attorney General (if applicable)

Affidavit of Mailing Notice to Attorney General (if applicable)

Department of Transportation

Adopted Permanent Rules Relating to the Port Development Assistance Program

Rules as Adopted

8895.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 8895.0100 to 8895.1100 have the meanings given them in this part.

Subp. 2. **Assistance agreement.** "Assistance agreement" means a formal agreement between the commissioner and an eligible applicant for port assistance improvement funds.

Subp. 3. **Commercial navigation facility.** "Commercial navigation facility" means ports or individual docks and terminals, supporting equipment, structures, and transportation facilities used by vessels transporting passengers or commodities, by vessels under construction or repair, or by commercial fishing vessels. The term does not include facilities used on a regular basis by recreational or sport fishing vessels.

Subp. 4. **Commercial vessel.** "Commercial vessel" means a vessel used for transporting passengers or property, but does not include a vessel used primarily for recreation, sport, or sport fishing.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 6. **Disposal facility.** "Disposal facility" means a containment facility, a diked or undiked disposal site, or a transfer site for future beneficial reuse of dredged material.

Subp. 7. **Disposal facility costs.** "Disposal facility costs" means costs of acquisition or construction of a disposal facility.

Subp. 8. **Dock.** "Dock" means any structure on a shoreline or near shoreline development used in mooring vessels or transferring people or cargo to or from vessels.

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Subp. 9. **Dredging.** "Dredging" means excavating harbor sediment or bottom materials, including mobilizing or operating equipment for excavating and transporting dredged material to a disposal facility and for placing the dredged material in the disposal facility.

Subp. 10. **Dredged material disposal.** "Dredged material disposal" means the placing of dredged material in a disposal facility.

Subp. 11. **Eligible applicant.** "Eligible applicant" means a person, company, political subdivision, or port authority that owns a commercial navigation facility.

Subp. 12. **Final engineering costs.** "Final engineering costs" means engineering costs that occur after the application for port assistance improvement funds has been completed. These costs may include, but are not limited to, the cost of final plans and specifications for the project.

Subp. 13. **Maintenance dredging.** "Maintenance dredging" means dredging an area previously dredged to a specific depth, which is not necessary for a new service.

Subp. 14. **Mn/DOT.** "Mn/DOT" means the Minnesota Department of Transportation.

Subp. 15. **Navigation system.** "Navigation system" means the commercially navigable reaches of the Mississippi, Minnesota, and St. Croix rivers; the commercial harbors on Minnesota's Lake Superior shoreline; and the commercial navigation facilities on those waterways.

Subp. 16. **Port.** "Port" means an area along one of Minnesota's navigable waterways that supports at least one terminal that takes on or discharges cargo or passengers.

Subp. 17. **Program.** "Program" means the port development assistance program established in Minnesota Statutes, section 457A.02.

Subp. 18. **Terminal.** "Terminal" means any structure and adjacent land area used in the actual operations or support of the transfer of commodities or passengers to or from vessels.

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8895.0200 PROGRAM PURPOSE AND ADMINISTRATION.

Subpart 1. **Purpose.** The purpose of the port development assistance program and parts 8895.0100 to 8895.1100 is to expedite, retain, or generally improve the movement of commodities and passengers on the commercial navigation system and enhance the commercial vessel construction and repair industry in Minnesota by providing state funds in a revolving account that may be used in establishing contracts between the state and eligible applicants for port development assistance.

Subp. 2. **Commissioner to administer.** The commissioner shall administer the port development assistance program to advance the purposes of subdivision 1. In administering the program, the commissioner may:

A. make grants and loans to eligible applicants;

B. make assistance agreements with recipients of grants and loans; and

C. adopt rules authorized by Minnesota Statutes, section 457A.05.

8895.0300 ELIGIBLE PROJECTS.

Subpart 1. **Description.** To be eligible for the program, a project must benefit Minnesota's shippers and receivers by improving or developing a commercial navigation facility or its components. Eligible projects include dock and terminal repair, capital improvement to a commercial navigation facility, supporting equipment directly related to loading or off-loading cargo to or from a vessel, disposal facility construction or repair, and dredging to open a new commercial navigation facility.

Subp. 2. **Location.** Eligible projects must be located on Minnesota's Lake Superior shoreline or on the shoreline of Minnesota's commercially navigable portions of the Mississippi, Minnesota, and St. Croix rivers where vessels take on or discharge commercial cargo or passengers; where commercial freight, passenger, or military vessels are built or repaired; where vehicle- or passenger-carrying ferry service operates; or

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where commercial fishing vessels unload fish or are headquartered.

8895.0400 COST ELIGIBILITY.

Subpart 1. **Eligible costs.** The types and amounts of costs eligible for state assistance must be negotiated in developing an assistance agreement. Eligible costs include final engineering costs, capital improvements to a commercial navigation facility, construction costs and dredging costs to open a new commercial navigation facility, and other costs agreed to by the commissioner and the applicant.

Subp. 2. **Costs not eligible.** The following costs are not eligible for reimbursement under the program:

A. an applicant's administration costs, insurance costs, and legal costs to obtain a general assistance award;

B. the costs of acquiring permits or preparing environmental documents, feasibility studies, conceptual project designs, or design revisions;

C. the interest on money borrowed by the applicant or interest charged to the applicant for late payment of project costs;

D. the costs related to the routine maintenance, repair, or operation of a commercial navigation facility; and

E. the costs of maintenance dredging to maintain an existing channel.

8895.0500 PROJECT SELECTION, MINIMUM QUALIFICATIONS, AND RANKING.

Subpart 1. **Project selection.** The commissioner shall consider the following factors in selecting projects for funding through the program:

A. economic considerations, including determinations of:

(1) whether the projected additional revenue generated by the improvement project will be sufficient to recover its costs;

(2) the overall economic impact of the project as determined by a benefit-cost analysis;

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(3) the potential loss of local income, taxes, or jobs if the project is not completed;

(4) added costs to shippers, receivers, and the local or regional economy if failure to complete the project causes significant delay or stoppage of vessel movement; and

(5) the added costs of full replacement of a facility over the costs of responding to an improvement need if the project is implemented; and

B. safety considerations, including determinations of:

(1) improvements in vessel or cargo-handling safety at the facilities;

(2) improvements in working condition safety in dock cargo-handling and storage areas; and

(3) improvements that enhance the movement of cargo or passengers at navigation facilities.

Subp. 2. **Project funding; minimum requirements.** A project does not qualify for program funding if:

A. the project is inconsistent with criteria in parts 8895.0100 to 8895.1100;

B. the application is incomplete or inaccurate; or

C. the proposed project is incompatible with applicable harbor development or local comprehensive plans.

Subp. 3. **Project ranking.** The commissioner shall establish timetables for the ranking of projects. The ranking of projects determines the priority in which funding will be considered.

Subp. 4. **Criteria for ranking projects.** The commissioner shall consider the following criteria to determine project ranking:

A. ability of the project to expedite, retain, or generally improve the movement of passengers or cargo;

B. ability of the project to enhance the commercial vessel construction and repair industry;

C. ability of the project to promote identifiable economic development in and around the port and harbor;

D. ability of the project to produce a regional or

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community benefit independent of an individual facility; and

E. ability to repay a loan on the basis of the benefit-cost analysis.

Subp. 5. **Application may be resubmitted.** If the commissioner determines that an application is not eligible for ranking or is not ranked high enough for funding selection, that application may be resubmitted for the next funding cycle.

8895.0600 TYPES OF ASSISTANCE PROJECTS; ELIGIBILITY; FUNDING.

Subpart 1. **Schedule for filing applications.** The commissioner shall establish annually a deadline for filing applications for assistance under the program. This schedule will be published in the State Register. Upon request to the commissioner, schedules will be sent by mail to interested parties.

Subp. 2. **Types of assistance; eligibility.** The commissioner shall determine under items A and B the type of assistance for which a project will be eligible.

A. To be eligible to qualify for a loan, a project must satisfy one or both of the following conditions:

(1) the project expedites, retains, or generally improves the movement of commodities or passengers on the commercial navigation system; or

(2) the project enhances the commercial vessel construction and repair industry in Minnesota.

B. To qualify for a grant ~~or a loan~~ or a combination of both a grant and loan, the project must satisfy at least one of the conditions in item A, does not produce an increase in revenue that could be used to finance the project, and either:

(1) promotes identifiable economic development in and around ports and harbors in the state; or

(2) produces a regional or community benefit independent of an individual facility.

C. The interest rate and other terms, including security and repayments of loans, must be negotiated by the parties and must be included in the assistance agreement.

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Subp. 3. **Commitment of funds.** Program funds may be committed to an eligible applicant only after a project assistance agreement is negotiated and signed by the commissioner and the applicant.

Subp. 4. **Final funding restrictions.** The commissioner shall not make final decisions on funding a proposed project in whole or in part until:

A. all legally required permits are obtained;

B. non-state-matching funds are formally committed; and

C. the project applicant is in compliance with the program agreement.

Subp. 5. **Rescinding project funding.** The commissioner shall rescind funding if the eligible applicant withdraws its application or is unable to enter into a project assistance agreement that in the commissioner's determination satisfies parts 8895.0100 to 8895.1100 and protects the state's investment.

Subp. 6. **Assigning rescinded funds.** When a project's funding is rescinded, in whole or in part, the commissioner may fund the next highest ranked, nonfunded project on the current project priority list.

Subp. 7. **Repaying loans.** A loan recipient shall repay the funds loaned by the commissioner according to the negotiated project assistance agreement. Payments must be made on a set schedule. The maximum repayment schedule must not exceed 15 years.

8895.0700 STATE PARTICIPATION, LIMITATIONS.

Subpart 1. **State participation, limitations.** The state's share of project costs must not exceed 50 percent of the nonfederal share of the eligible costs to be incurred by the applicant for the project.

Subp. 2. **No continuing funding responsibility.** The commissioner shall not assume a continuing funding responsibility for any commercial navigation facility project.

Subp. 3. **Fund matching.** Port improvement assistance

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funding must not be used as a required match with other state funds, regardless of source.

8895.0800 APPLICATION PROCESS.

Subpart 1. **Application submittal.** An application by an eligible applicant for program funds must be submitted to the commissioner and comply with subpart 2.

Subp. 2. **Information requirements.** An application must include, at a minimum, the following information:

A. a formal request for assistance;

B. the names of the eligible applicant's representatives who are authorized to sign forms or claims and who shall act as the applicant's contact persons for the project;

C. the name of the organization, group, or person who will accept responsibility for operating and maintaining the proposed project after completion;

D. documentation that the proposed project is consistent with the harbor development plan or with the comprehensive plan of the local government if plans have been adopted, along with a copy of those plans attached to the application;

E. documentation of the source of the required matching funds in the amount specified in the assistance agreement;

F. a financial statement, including a credit history;

G. a description of the project that, at a minimum, must include:

(1) a detailed description of the work to be performed including schematic plans, drawings, and sounding reports;

(2) a description of the means by which the work is to be performed;

(3) a statement of justification and reasons for undertaking the project;

(4) a map, sketch, or other depiction of the

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project site and its surrounding area including all transportation access facilities;

(5) a statement of current ownership of the project site and facilities and of the ownership proposed upon completion of the project;

(6) a proposed time schedule for performing major project tasks; and

(7) an operating plan as required, when requested by the commissioner; and

H. a full discussion of anticipated economic impacts, including:

(1) a detailed estimate of project costs, indicating the eligible applicant's cost share, amount of state funding requested, other sources or potential sources of funds, and a full description of timetables and conditions affecting funds other than funds already budgeted by the applicant;

(2) an estimate of project development costs, which may include, but is not limited to, the value of existing land and facilities, the cost of additional site development, and the cost of storage or transfer facilities;

(3) an estimate of the applicant's annual revenues from the project if completed, or of revenues lost if the project is not completed, and an estimate of the annual costs necessary to maintain the project property;

(4) an estimate of the dollar value to the local economy directly attributable to the proposed project, or of lost dollar value to the local economy if the project is not completed, including a detailed description of the assumptions and the bases for those assumptions;

(5) a list of commodities and a disclosure of the tonnage of waterborne commerce using the project property and expected to use the project property if the project is completed;

(6) a list of permits necessary for the project to proceed and, if the permits have not been obtained, a description of the actions taken or to be taken to obtain the

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by Revisor _____

permits;

(7) copies of required environmental documents; and

(8) how the applicant plans to repay a loan.

8895.0900 ASSISTANCE AGREEMENT, FORMAL IMPLEMENTATION.

Port development assistance projects must be formally implemented through assistance agreements between the commissioner and the eligible applicant. If the eligible applicant is unable or unwilling to enter into an assistance agreement with the commissioner in the calendar year for which the applicant's project is approved, the applicant may submit another application for the project before the commissioner will again consider it for funding in a subsequent funding period.

8895.1000 ASSISTANCE AGREEMENT, REQUIRED PROVISIONS.

Subpart 1. **Maximum funds.** The maximum amount of assistance funds agreed to by the commissioner must be stated in the assistance agreement for the project.

Subp. 2. **Liability; insurance.** The assistance agreement must require an assistance recipient to save and hold the commissioner and Mn/DOT harmless from and against all liability, damage, loss, claims, demands, and actions of any nature that may be related to the project. The assistance recipient shall provide, at its own expense, a comprehensive general liability insurance policy, with per-occurrence limits to be determined by the commissioner.

Subp. 3. **Bonds.** The assistance agreement must require an assistance recipient to provide evidence of performance and payment bonds for the full amount of construction contracts let by the applicant in connection with the project.

Subp. 4. **Records; audit.** The assistance agreement must require an assistance recipient to maintain project-related books and records according to Mn/DOT specifications contained in the agreement and make the records available to the commissioner for audit purposes. In addition, assistance recipients shall make periodic progress reports to the

Approved by Revisor _____

commissioner. The content and timing of these reports must be as specified in the grant or loan agreement.

Subp. 5. **Inspection.** The assistance agreement must require an assistance recipient to permit the commissioner to inspect projects or request applicants to provide independent inspection at any time.

Subp. 6. **Criteria for repaying funds.** The commissioner shall notify a recipient of program grants or loans that the recipient is required to repay, if:

A. the project for which the assistance funds are awarded is not completed in accordance with all terms of the assistance agreement, including required completion dates; or

B. a commercial navigation facility for which funds were awarded is converted during the time established in the agreement to a use inconsistent with the purposes of the program or inconsistent with the terms of the agreement or is converted during that period to a use not approved in writing by the commissioner.

8895.1100 VARIANCE FROM AGREEMENT PROVISIONS.

The commissioner shall grant variances for some of the criteria of this chapter in certain cases if the majority of the criteria of this chapter are satisfied and a showing is made that demonstrable hardship to the community or the region would develop without completion of the project.

Approved
by Revisor _____

APPROVED AS TO FORM AND LEGALITY

August 26 1992

HUBERT H. HUMPHREY III
ATTORNEY GENERAL

BY Penny V. Kalseth
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 26 1992

Joan Anderson Growe
Secretary of State

3:55 PM
PRB

The Minnesota
State Register

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 20 April 1992

Volume 16, Number 43

Pages 2269-2360

State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

***A Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.**

Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
43	Monday 6 April	Monday 13 April	Monday 20 April
44	Monday 13 April	Monday 20 April	Monday 27 April
45	Monday 20 April	Monday 27 April	Monday 4 May
46	Monday 27 April	Monday 4 May	Monday 11 May

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the ***State Register*** editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The ***State Register*** is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A ***State Register*** *Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the ***State Register*** be self-supporting, the following subscription rates have been established: the Monday edition costs $140.00 per year and includes an index issue published in August (single issues are available at the address listed above for $3.50 per copy); the combined Monday and Thursday editions cost $195.00 (subscriptions are not available for just the *Contracts Supplement)*; trial subscriptions are available for $60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the ***State Register*** circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

Dana B. Badgerow, Commissioner
Department of Administration

Stephen A. Ordahl, Director
Print Communications Division

Paul Hoffman, Acting Editor

Katherine J. Artishon, Assistant Editor
Debbie George, Circulation Manager
Bonita Karels, Staff Assistant

FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

Department of Transportation

Proposed Permanent Rules Relating to the Port Development Assistance Program

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State of Minnesota intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes*, section 457A.05 (1990).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

DuWayne Elliott
Office of Railroads & Waterways
Suite 925, Kelly Annex
Transportation Building
395 John Ireland Blvd.
St. Paul, MN 55155
612-296-0364

The proposed rules may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rules is attached to this notice.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the aforementioned person and address upon request.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to aforementioned person.

Dated: 1 April 1992

James N. Denn
Commissioner

Rules as Proposed (all new material)

8895.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 8895.0100 to 8895.1100 have the meanings given them in this part.

Subp. 2. **Assistance agreement.** "Assistance agreement" means a formal agreement between the commissioner and an eligible applicant for port assistance improvement funds.

Subp. 3. **Commercial navigation facility.** "Commercial navigation facility" means ports or individual docks and terminals, supporting equipment, structures, and transportation facilities used by vessels transporting passengers or commodities, by vessels under construction or repair, or by commercial fishing vessels. The term does not include facilities used on a regular basis by recreational or sport fishing vessels.

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Subp. 4. **Commercial vessel.** "Commercial vessel" means a vessel used for transporting passengers or property, but does not include a vessel used primarily for recreation, sport, or sport fishing.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 6. **Disposal facility.** "Disposal facility" means a containment facility, a diked or undiked disposal site, or a transfer site for future beneficial reuse of dredged material.

Subp. 7. **Disposal facility costs.** "Disposal facility costs" means costs of acquisition or construction of a disposal facility.

Subp. 8. **Dock.** "Dock" means any structure on a shoreline or near shoreline development used in mooring vessels or transferring people or cargo to or from vessels.

Subp. 9. **Dredging.** "Dredging" means excavating harbor sediment or bottom materials, including mobilizing or operating equipment for excavating and transporting dredged material to a disposal facility and for placing the dredged material in the disposal facility.

Subp. 10. **Dredged material disposal.** "Dredged material disposal" means the placing of dredged material in a disposal facility.

Subp. 11. **Eligible applicant.** "Eligible applicant" means a person, company, political subdivision, or port authority that owns a commercial navigation facility.

Subp. 12. **Final engineering costs.** "Final engineering costs" means engineering costs that occur after the application for port assistance improvement funds has been completed. These costs may include, but are not limited to, the cost of final plans and specifications for the project.

Subp. 13. **Maintenance dredging.** "Maintenance dredging" means dredging an area previously dredged to a specific depth, which is not necessary for a new service.

Subp. 14. **Mn/DOT.** "Mn/DOT" means the Minnesota Department of Transportation.

Subp. 15. **Navigation system.** "Navigation system" means the commercially navigable reaches of the Mississippi, Minnesota, and St. Croix rivers; the commercial harbors on Minnesota's Lake Superior shoreline; and the commercial navigation facilities on those waterways.

Subp. 16. **Port.** "Port" means an area along one of Minnesota's navigable waterways that supports at least one terminal that takes on or discharges cargo or passengers.

Subp. 17. **Program.** "Program" means the port development assistance program established in *Minnesota Statutes*, section 457A.02.

Subp. 18. **Terminal.** "Terminal" means any structure and adjacent land area used in the actual operations or support of the transfer of commodities or passengers to or from vessels.

8895.0200 PROGRAM PURPOSE AND ADMINISTRATION.

Subpart 1. **Purpose.** The purpose of the port development assistance program and parts 8895.0100 to 8895.1100 is to expedite, retain, or generally improve the movement of commodities and passengers on the commercial navigation system and enhance the commercial vessel construction and repair industry in Minnesota by providing state funds in a revolving account that may be used in establishing contracts between the state and eligible applicants for port development assistance.

Subp. 2. **Commissioner to administer.** The commissioner shall administer the port development assistance program to advance the purposes of subdivision 1. In administering the program, the commissioner may:

A. make grants and loans to eligible applicants;

B. make assistance agreements with recipients of grants and loans; and

C. adopt rules authorized by *Minnesota Statutes*, section 457A.05.

8895.0300 ELIGIBLE PROJECTS.

Subpart 1. **Description.** To be eligible for the program, a project must benefit Minnesota's shippers and receivers by improving or developing a commercial navigation facility or its components. Eligible projects include dock and terminal repair, capital improvement to a commercial navigation facility, supporting equipment directly related to loading or off-loading cargo to or from a vessel, disposal facility construction or repair, and dredging to open a new commercial navigation facility.

Subp. 2. **Location.** Eligible projects must be located on Minnesota's Lake Superior shoreline or on the shoreline of Minnesota's commercially navigable portions of the Mississippi, Minnesota, and St. Croix rivers where vessels take on or discharge commercial cargo or passengers; where commercial freight, passenger, or military vessels are built or repaired; where vehicle- or passenger-carrying ferry service operates; or where commercial fishing vessels unload fish or are headquartered.

8895.0400 COST ELIGIBILITY.

Subpart 1. **Eligible costs.** The types and amounts of costs eligible for state assistance must be negotiated in developing an assistance

agreement. Eligible costs include final engineering costs, capital improvements to a commercial navigation facility, construction costs and dredging costs to open a new commercial navigation facility, and other costs agreed to by the commissioner and the applicant.

Subp. 2. **Costs not eligible.** The following costs are not eligible for reimbursement under the program:

A. an applicant's administration costs, insurance costs, and legal costs to obtain a general assistance award;

B. the costs of acquiring permits or preparing environmental documents, feasibility studies, conceptual project designs, or design revisions;

C. the interest on money borrowed by the applicant or interest charged to the applicant for late payment of project costs;

D. the costs related to the routine maintenance, repair, or operation of a commercial navigation facility; and

E. the costs of maintenance dredging to maintain an existing channel.

8895.0500 PROJECT SELECTION, MINIMUM QUALIFICATIONS, AND RANKING.

Subpart 1. **Project selection.** The commissioner shall consider the following factors in selecting projects for funding through the program:

A. economic considerations, including determinations of:

(1) whether the projected additional revenue generated by the improvement project will be sufficient to recover its costs;

(2) the overall economic impact of the project as determined by a benefit-cost analysis;

(3) the potential loss of local income, taxes, or jobs if the project is not completed;

(4) added costs to shippers, receivers, and the local or regional economy if failure to complete the project causes significant delay or stoppage of vessel movement; and

(5) the added costs of full replacement of a facility over the costs of responding to an improvement need if the project is implemented; and

B. safety considerations, including determinations of:

(1) improvements in vessel or cargo-handling safety at the facilities;

(2) improvements in working condition safety in dock cargo-handling and storage areas; and

(3) improvements that enhance the movement of cargo or passengers at navigation facilities.

Subp. 2. **Project funding; minimum requirements.** A project does not qualify for program funding if:

A. the project is inconsistent with criteria in parts 8895.0100 to 8895.1100;

B. the application is incomplete or inaccurate; or

C. the proposed project is incompatible with applicable harbor development or local comprehensive plans.

Subp. 3. **Project ranking.** The commissioner shall establish timetables for the ranking of projects. The ranking of projects determines the priority in which funding will be considered.

Subp. 4. **Criteria for ranking projects.** The commissioner shall consider the following criteria to determine project ranking:

A. ability of the project to expedite, retain, or generally improve the movement of passengers or cargo;

B. ability of the project to enhance the commercial vessel construction and repair industry;

C. ability of the project to promote identifiable economic development in and around the port and harbor;

D. ability of the project to produce a regional or community benefit independent of an individual facility; and

E. ability to repay a loan on the basis of the benefit-cost analysis.

Subp. 5. **Application may be resubmitted.** If the commissioner determines that an application is not eligible for ranking or is not ranked high enough for funding selection, that application may be resubmitted for the next funding cycle.

8895.0600 TYPES OF ASSISTANCE PROJECTS; ELIGIBILITY; FUNDING.

Subpart 1. **Schedule for filing applications.** The commissioner shall establish annually a deadline for filing applications for

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assistance under the program. This schedule will be published in the *State Register*. Upon request to the commissioner, schedules will be sent by mail to interested parties.

Subp. 2. **Types of assistance; eligibility.** The commissioner shall determine under items A and B the type of assistance for which a project will be eligible.

A. To be eligible to qualify for a loan, a project must satisfy one or both of the following conditions:

(1) the project expedites, retains, or generally improves the movement of commodities or passengers on the commercial navigation system; or

(2) the project enhances the commercial vessel construction and repair industry in Minnesota.

B. To qualify for a grant or a loan or a combination of both a grant and loan, the project must satisfy at least one of the conditions in item A, does not produce an increase in revenue that could be used to finance the project, and either:

(1) promotes identifiable economic development in and around ports and harbors in the state; or

(2) produces a regional or community benefit independent of an individual facility.

C. The interest rate and other terms, including security and repayments of loans, must be negotiated by the parties and must be included in the assistance agreement.

Subp. 3. **Commitment of funds.** Program funds may be committed to an eligible applicant only after a project assistance agreement is negotiated and signed by the commissioner and the applicant.

Subp. 4. **Final funding restrictions.** The commissioner shall not make final decisions on funding a proposed project in whole or in part until:

A. all legally required permits are obtained;

B. non-state-matching funds are formally committed; and

C. the project applicant is in compliance with the program agreement.

Subp. 5. **Rescinding project funding.** The commissioner shall rescind funding if the eligible applicant withdraws its application or is unable to enter into a project assistance agreement that in the commissioner's determination satisfies parts 8895.0100 to 8895.1100 and protects the state's investment.

Subp. 6. **Assigning rescinded funds.** When a project's funding is rescinded, in whole or in part, the commissioner may fund the next highest ranked, nonfunded project on the current project priority list.

Subp. 7. **Repaying loans.** A loan recipient shall repay the funds loaned by the commissioner according to the negotiated project assistance agreement. Payments must be made on a set schedule. The maximum repayment schedule must not exceed 15 years.

8895.0700 STATE PARTICIPATION, LIMITATIONS.

Subpart 1. **State participation, limitations.** The state's share of project costs must not exceed 50 percent of the nonfederal share of the eligible costs to be incurred by the applicant for the project.

Subp. 2. **No continuing funding responsibility.** The commissioner shall not assume a continuing funding responsibility for any commercial navigation facility project.

Subp. 3. **Fund matching.** Port improvement assistance funding must not be used as a required match with other state funds, regardless of source.

8895.0800 APPLICATION PROCESS.

Subpart 1. **Application submittal.** An application by an eligible applicant for program funds must be submitted to the commissioner and comply with subpart 2.

Subp. 2. **Information requirements.** An application must include, at a minimum, the following information:

A. a formal request for assistance;

B. the names of the eligible applicant's representatives who are authorized to sign forms or claims and who shall act as the applicant's contact persons for the project;

C. the name of the organization, group, or person who will accept responsibility for operating and maintaining the proposed project after completion;

D. documentation that the proposed project is consistent with the harbor development plan or with the comprehensive plan of the local government if plans have been adopted, along with a copy of those plans attached to the application;

E. documentation of the source of the required matching funds in the amount specified in the assistance agreement;

F. a financial statement, including a credit history;

G. a description of the project that, at a minimum, must include:

(1) a detailed description of the work to be performed including schematic plans, drawings, and sounding reports;

(2) a description of the means by which the work is to be performed;

(3) a statement of justification and reasons for undertaking the project;

(4) a map, sketch, or other depiction of the project site and its surrounding area including all transportation access facilities;

(5) a statement of current ownership of the project site and facilities and of the ownership proposed upon completion of the project;

(6) a proposed time schedule for performing major project tasks; and

(7) an operating plan as required, when requested by the commissioner; and

H. a full discussion of anticipated economic impacts, including:

(1) a detailed estimate of project costs, indicating the eligible applicant's cost share, amount of state funding requested, other sources or potential sources of funds, and a full description of timetables and conditions affecting funds other than funds already budgeted by the applicant;

(2) an estimate of project development costs, which may include, but is not limited to, the value of existing land and facilities, the cost of additional site development, and the cost of storage or transfer facilities;

(3) an estimate of the applicant's annual revenues from the project if completed, or of revenues lost if the project is not completed, and an estimate of the annual costs necessary to maintain the project property;

(4) an estimate of the dollar value to the local economy directly attributable to the proposed project, or of lost dollar value to the local economy if the project is not completed, including a detailed description of the assumptions and the bases for those assumptions;

(5) a list of commodities and a disclosure of the tonnage of waterborne commerce using the project property and expected to use the project property if the project is completed;

(6) a list of permits necessary for the project to proceed and, if the permits have not been obtained, a description of the actions taken or to be taken to obtain the permits;

(7) copies of required environmental documents; and

(8) how the applicant plans to repay a loan.

8895.0900 ASSISTANCE AGREEMENT, FORMAL IMPLEMENTATION.

Port development assistance projects must be formally implemented through assistance agreements between the commissioner and the eligible applicant. If the eligible applicant is unable or unwilling to enter into an assistance agreement with the commissioner in the calendar year for which the applicant's project is approved, the applicant may submit another application for the project before the commissioner will again consider it for funding in a subsequent funding period.

8895.1000 ASSISTANCE AGREEMENT, REQUIRED PROVISIONS.

Subpart 1. **Maximum funds.** The maximum amount of assistance funds agreed to by the commissioner must be stated in the assistance agreement for the project.

Subp. 2. **Liability; insurance.** The assistance agreement must require an assistance recipient to save and hold the commissioner and Mn/DOT harmless from and against all liability, damage, loss, claims, demands, and actions of any nature that may be related to the project. The assistance recipient shall provide, at its own expense, a comprehensive general liability insurance policy, with per-occurrence limits to be determined by the commissioner.

Subp. 3. **Bonds.** The assistance agreement must require an assistance recipient to provide evidence of performance and payment bonds for the full amount of construction contracts let by the applicant in connection with the project.

Subp. 4. **Records; audit.** The assistance agreement must require an assistance recipient to maintain project-related books and records according to Mn/DOT specifications contained in the agreement and make the records available to the commissioner for audit

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purposes. In addition, assistance recipients shall make periodic progress reports to the commissioner. The content and timing of these reports must be as specified in the grant or loan agreement.

Subp. 5. **Inspection.** The assistance agreement must require an assistance recipient to permit the commissioner to inspect projects or request applicants to provide independent inspection at any time.

Subp. 6. **Criteria for repaying funds.** The commissioner shall notify a recipient of program grants or loans that the recipient is required to repay, if:

A. the project for which the assistance funds are awarded is not completed in accordance with all terms of the assistance agreement, including required completion dates; or

B. a commercial navigation facility for which funds were awarded is converted during the time established in the agreement to a use inconsistent with the purposes of the program or inconsistent with the terms of the agreement or is converted during that period to a use not approved in writing by the commissioner.

8895.1100 VARIANCE FROM AGREEMENT PROVISIONS.

The commissioner shall grant variances for some of the criteria of this chapter in certain cases if the majority of the criteria of this chapter are satisfied and a showing is made that demonstrable hardship to the community or the region would develop without completion of the project.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Board of Dentistry

Adopted Permanent Rules Relating to Licensure

The rules proposed and published at *State Register*, Volume 16, Number 19, pages 1118-1123, November 4, 1991 (16 SR 1118), are adopted with the following modifications:

Rules as Adopted

3100.1200 APPLICATION FOR LICENSE TO PRACTICE DENTAL HYGIENE.

~~Subpart 1.~~ **~~Form and credentials.~~** A person desiring licensure to practice dental hygiene must present an application and credentials as prescribed by the act and shall conform to the following rules of the board:

~~G. An applicant who wants the authority under the license to administer nitrous oxide inhalation analgesia must comply with part 3100.3600, subparts 4 and 5.~~

~~Subp. 2.~~ **~~Nitrous oxide inhalation analgesia.~~** ~~A person applying for a license to practice dental hygiene or a dental hygienist already licensed who wants the authority under the license to administer nitrous oxide inhalation analgesia must comply with the applicable requirements of part 3100.3600, subparts 4 and 5.~~

3100.3600 TRAINING AND EDUCATIONAL REQUIREMENTS TO ADMINISTER ANESTHESIA AND SEDATION.

Subpart 1. **Prohibitions.** Dental hygienists and dental assistants may not administer general anesthesia ~~or~~, conscious sedation, or nitrous oxide inhalation analgesia. ~~Dental assistants may not administer nitrous oxide inhalation analgesia.~~

Subp. 2. **General anesthesia.** A dentist may administer a pharmacological agent for the purpose of general anesthesia only pursuant to items A to C.

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed Adoption of the Rule of the State of Minnesota Governing Port Development Assistance Program

SUPPLEMENTAL FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

(1) Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on April 20, 1992 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on April 9, 1992. (2) The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rules were received by the agency. (5)

No submissions or comments on the rules were received by the agency. No requests for notice of submission to the attorney general were received by the agency. (7)

REVISION OF RULES

To make the rules more understandable and not redundant we have requested the Revisor to delete the three words (or a loan) found on page 6, line 25 of the Port Development Assistance Program rules. These deletions did not substantially change the meaning or the intent of the rules. This was an oversight in the proofreading of the rules and was changed in order to be consistant with the Statute.

SMALL BUSINESS CONCERNS

We did not identify any clients that fit the definition of a small business that is found in Administrative Procedures 14.115. Therefore, we did not address small business concerns or make any special provisions for small businesses. Small business concerns have been addressed on page 9 of the Statement of Needs and Reasonableness.

The above-captioned rules are needed and reasonable. (8)

NOW, THEREFORE, IT IS ORDERED that the rules identified as Port Development Assistance Rules are adopted this 18th day of August, 1992, pursuant to authority vested in me Minnesota Statutes, section 457A.05 (1991 Supplement). (9)

James N. Denn, Commissioner
Department of Transportation

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
PROGRAM MANAGEMENT DIVISION

STATEMENT OF FACTS
ESTABLISHING NEEDS AND
REASONABLENESS OF
RULES

In the matter of the Proposed
Adoption of Rules, Governing the
Rules for the PORT DEVELOPMENT
ASSISTANCE PROGRAM

These are Rules for a program created by the 1991 legislature titled Port Development Assistance. These rules need to be promulgated for the program to operate in an equitable and efficient manner.

Pursuant to Laws of Minnesota 1991, chapter 298, article 3, section 5, the Commissioner of Transportation has the authority to adopt rules to manage the Port Development Assistance Program.

Solicitation of outside opinion concerning the possible adoption of rules relating to Laws of Minnesota 1991, chapter 298, article 3, section 5, (Port Development Assistance Program) was published in the State Register on Monday August 12, 1991.

Individual announcements requesting comments were sent to interested parties during the week of August 5, 1991.

Under 8895.100 Definitions:

Subpart 1. Scope. The terms used in parts 8895.0100 to 8895.1000 have the meanings given them in this part.

Subp. 2. Assistance agreement. Because the term "assistance agreement" is used elsewhere in the rules a definition of the term is needed.

Subp. 3. Commercial navigation facility. Because the term "commercial navigation facility" is used elsewhere in the rules a definition of the term is needed.

Subp. 4. Commercial vessel. Because the term "commercial vessel" is used elsewhere in the rules a definition of the term is needed.

Subp. 5. Commissioner.. Because the term "commissioner" is used elsewhere in the rules a definition of the term is needed. It clearly identifies the commissioner as being the commissioner of transportation and avoids any confusion with other commissioners of public office.

Subp. 6. Mn/DOT. Because the term "Mn/DOT" is used elsewhere in the rules a definition of the term is needed. It identifies the Mn/DOT as being the Minnesota Department of Transportation and avoids any confusion with other departments.

Subp. 7. Disposal facility. Because the term "disposal facility" is used elsewhere in the rules a definition of the term is needed.

Subp. 8. Disposal facility costs. Because the term "disposal facility costs" is used elsewhere in the rules a definition of the term is needed.

Subp. 9. Dock. Because the term "dock" is used elsewhere in the rules a definition of the term is needed.

Subp. 10. Dredging. Because the term "dredging" is used elsewhere in the rules a definition of the term is needed.

Subp. 11. Dredged material disposal. Because the term "dredged material disposal" is used elsewhere in the rules a definition of the term is needed.

Subp. 12. Eligible applicants. Because the term "eligible applicants" is used elsewhere in the rules a definition of the term is needed.

Subp. 13. Final engineering costs. Because the term "final engineering costs" is used elsewhere in the rules a definition of the term is needed. the term is needed.

Subp. 14. Maintenance dredging. Because the term "maintenance dredging" is used elsewhere in the rules a definition of the term is needed.

Subp. 15. Navigation system. Because the term "navigation system" is used elsewhere in the rules a definition of the term is needed.

Subp. 16. Program. Because the term "program" is used elsewhere in the rules a definition of the term is needed. This clearly identifies the program as meaning the Port Development

Assistance Program and avoids any confusion with other public programs.

Subp. 17. **Port.** Because the term "port" is used elsewhere in the rules a definition of the term is needed.

Subp. 18. **Terminal.** Because the term "terminal" is used elsewhere in the rules a definition of the term is needed.

Under 8895.0200 PURPOSE AND AUTHORITY:

Subp. 1. This part establishes the purpose of the Port Development Assistance Program as stated in the of Laws of Minnesota 1991, chapter 298, article 3.

Subp. 2. This is written into the rules to avoid misunderstanding and to identify the Commissioner as being authorized to adopt rules necessary to carry out the provisions in Laws of Minnesota 1991, chapter 298, article 3, section 1, paragraph 1.

Under 8895.0300 ELIGIBLE PROJECTS:

Subp. 1. This part is written to clarify what a project needs to accomplish to be eligible for assistance. To avoid misinterpretation Subp. 1, identifies certain projects that may be eligible for assistance.

Subpart 2 clarifies where projects can be located in Minnesota. This section should eliminate applicants from applying for assistance that do not operate a port on a qualified waterway. This will allow the department to award funds in a consistent and equitable manner.

Under 8895.0400 COST ELIGIBILITY

Subp. 1. The Port Development Assistance law was instituted to improve the handling of cargo and passengers, costs that are eligible for funding are mandated in chapter 457A.04, Subd. 2, of the law. These cost must be identified in the assistance agreement to satisfy the law and allow the commissioner to manage the program.

Subp. 2. The Port Improvement Assistance law was instituted to improve the handling of cargo and passengers, costs not directly related to the improvement of a facility or costs of dredging an existing facility are prohibited. The project costs not allowed are mandated in chapter 457A.04, Subd. 2, of the Port Development Assistance law.

Under 8895.0500 PROJECT SELECTION, MINIMUM QUALIFICATION, AND RANKING:

Subpart 1, item A, project selection, item A, numbers 1 through 5 contains economic conditions which will be considered by the commissioner in selection, funding and ranking an application to obtain financial assistance for a project. These criteria are intended to insure that funds available for this purpose will be used in the most cost effective manner possible through financial analysis of the port. This will ensure that all projects will be evaluated for selection, funding and ranking by the commissioner using the same criteria and that funds will be dispensed equitably.

Subpart 1, item B, numbers 1 through 3 contains safety considerations which will be considered by the commissioner in selection, funding and ranking an application to obtain financial assistance for a project. This will allow all proposed projects in this category to be evaluated by the commissioner using the same considerations and that funds will be allocated fairly.

Subpart 2. This section contains minimum requirements under which the commissioner will not approve funding for a project. Items A, B, and C describe specific instances when the commissioner will not approve funding. This section was included to avoid possible misunderstanding of the commissioner's decision to deny the funding of a project.

Subpart 3. Projects will be ranked by the commissioner and a project priority list established. It is necessary and reasonable to have a list of projects ranked in the order of their importance for the purpose of being considered for funding.

Subpart 4. Items A, B, C, D and E are the criteria for ranking projects. Items A, B, and C are the purposes for the program, listed in section 457A.02 of the law. Items D and E are added criteria which will allow the commissioner to rank projects on their regional benefit and their ability to repay the state investment. These criteria will allow the commissioner to be consistent in decisions regarding the funding of projects and be consistent in the requirements of an applicant to repay a loan. These criteria will protect the states interest in a project.

Under 8895.0600 ASSISTANCE AWARD:

Subpart 1. To be consistent the commissioner shall establish annually a deadline for filing applications for the program. The deadlines and schedules shall be published in the State Register for the benefit of all potential recipients. This part was written to allow potential recipients an equal

opportunity to be informed and meet the established deadline and schedules.

Subpart 2 contains the criteria that will guide the commissioner in making the decision on a project qualifying for a grant or loan or a combination of both. These criteria are mandated in section 457A.03, Subd. 2 and 457A.02, Subd. 1 clauses 1 and 2, of the Port Development Assistance law.

Subpart 3. contains the commitment of funds procedures. This will allow the commitment of funds by the commissioner to be consistent. This is a part of Chapter 457A.04, Subd. 1 of the Port Development Assistance law.

Subpart 4 contains the three conditions that must be satisfied before the funds will be made in whole or part. This section was needed to make it clear to applicants that projects must be in compliance with other governmental requirements, have matching funds committed, and when funds will be dispensed. To avoid legal action against the state and conflicts with other government agencies all permits must be obtained. To protect the state investment and assure that a project has a high potential for success matching funds shall be formally committed.

Subpart 5 defines the commissioners action when an applicant has withdrawn an application or is unable to enter into a project assistance agreement. This is mandated in chapter 457A.04, Subd. 5, of the Port Development Assistance law.

Subpart 6 clarifies what may be done with an award after it has been rescinded. This part was written to allow the commissioner to reissue rescinded project funds to the next highest ranking project in a timely and equitable manner.

Subpart 7 clarifies how a loan must be repaid and gives the maximum repayment schedule in years. This part was written to avoid any misunderstanding about the repayment of a loan and the maximum time that a recipient has to repay a loan.

Under 8895.0700 STATE PARTICIPATION, LIMITATIONS:

Subp. 1. This part contains the maximum percentage (50%) of the total cost of a port development assistance project which can be funded by grant, loan or a combination grant and loan. This is mandated in Chapter 457A.03. Subd. 3, of the Port Development Assistance law.

Subp. 2. This part states that the commissioner's shall have no continuing funding responsibility for any project. This is mandated in chapter 457A.03, Subd. 3, of the Port Development Assistance law.

Subp. 3. This part prohibits the use of port improvement assistance funds as a required match with other state funds, regardless of source. This is mandated in Chapter 457A.03, Subd. 3, of the Port Development Assistance law.

Under 8895.0800 APPLICATION PROCESS:

Subpart 1 defines the applications process for requesting Port Development Assistance funds. This section was written to inform the potential applicants who to submit an application with, and avoid possible misunderstanding regarding the application process.

Subp. 2. Under Subp. 2, items A through G defines the information that shall be included on the application. This section was included to inform the applicants on what information the commissioner will need to protect the states investment and be consistent in determining funding.

A. A completed application will be considered a formal request for assistance. An application will be provided by the commissioner upon request. To satisfy the Port Development Assistance law and allow the commissioner to evaluate the project for assistance a formal request for assistance is needed.

B. It may be necessary for the commissioner to correspond with the applicant on matters pertaining to the application or the project. Therefore, a representative of the applicant must be listed in the application. This will eliminate communication problems and enable the project evaluation process to work in an efficient manner.

C. To protect the states investment the commissioner must know who will operate the facility after the development is complete.

D. To legally protect the state all plans must be cleared with other regulatory agencies.

E. To administer the program the commissioner must know that the matching funds have been committed. This will enable program funds to be used in an efficient and effective manner.

F. The commissioner requires a financial statement, prepared by the applicant which includes a credit history. This is needed to demonstrate the ability of the applicant to repay a loan and protect the states investment.

Item G stipulates that the applicant shall include a description of the project as part of the application. This will aid the commissioner in understanding the project and allow the

commissioner to oversee the project and its goals. Under G, items 1 through 8 indicates the minimum information to be included in the description. These items are necessary to avoid possible misunderstanding of what information is required and allow the commissioner to be consistent with applicants on information requirements used to authorize projects.

1. Because not all work and costs are eligible for funding and to protect the states investment a detailed description of the work to be performed is required.

2. To accomplish the project in an efficient manner and protect the states investment a description of the means by which the work is to be performed is necessary.

3. To fund a project the commissioner must determine a need. The applicant is the best qualified and the appropriate person to provide the commissioner with a statement of justification and reasons for undertaking the project.

4. To identify the project geographic location and its relation to other transportation facilities and its ability to provide an improvement in the transportation of commodities or people maps and sketches are necessary.

5. To protect the states investment and act within the laws of Minnesota it is necessary for the applicant to provide the commissioner with proof of ownership of the project site and facilities.

6. To make the best use of funds a work schedule must be provided by the applicant for the commissioners approval.

7. To justify a projects viability an operating plan may be provided the commissioner.

Item H is a full discussion of the anticipated economic impacts that a project has.

1. Numbers one and two will provide information needed by the commissioner to make decisions on the viability and necessity of the project. Any use of state funds must be justified.

2. Numbers three and four will provide the commissioner with revenue information to determine what impact a project will have on a local economy or what cost the local economy will suffer if the project is not completed. This information will act as one of the set of criteria the commissioner will use in making a decision on which projects will be funded and what priority each project will be given. This will allow some protection of the States investment.

3. Number five, a list of the commodities and a disclosure of the tonnage of the waterborne commerce using the project property and expected to use the facility is needed by the commissioner to determine the economic potential of the project. This information will help justify the need for improving a facility and predict the ability of the facility to generate enough revenue to repay loans protecting the states investment.

4. Numbers six and seven are needed by the commissioner to protect the states investment by assuring that the project satisfies environmental concerns and laws.

5. Number eight, a loan repayment plan is needed by the commissioner to protect the states investment.

Under 8895.0900 ASSISTANCE AGREEMENT, FORMAL IMPLEMENTATION:

For any funds to be distributed a formal agreement must be implemented. This formal agreement is the assistance agreement. This section was included to avoid any misunderstanding by the applicant on what constitutes a formal agreement. To maintain control of the program and give the applicant a reasonable time to get the project coordinated, a time limit of one year was established for an applicant to inter into a formal agreement with the commissioner. In addition a vehicle was needed that would allow the applicant to reapply for funds if this time frame could not be satisfied. This section allows for that possibility.

Under 8895.1000 ASSISTANCE AGREEMENT:

Subpart 1 contains the maximum project funds agreed to by the commissioner. For accounting purposes it is necessary to know what total dollar amount is committed to each project.

Subpart 2 contains the insurance and liability requirements for an assistance recipient. The Port Development Assistance Law requires that the applicant must provide insurance liability that hold the commissioner harmless from and against all liability, damage, loss, demands, and actions related to the project being assisted.

Subpart 3 contains the bond requirement of an assistance recipient as prescribed in the law.

Subpart 4 specifies that records must be kept by the recipient for audit purposes. Also, for project control, progress reports must be filed periodically with the

commissioner. This section was included to allow the commissioner to monitor the project funds and to make sure that the project satisfies the purpose of the program as stated in the law.

Subpart 5 allows the commissioner the right of project inspection. Since the law limits the state participation to three areas, the commissioner needs the authority to inspect or have the project inspected for compliance.

Subpart 6 contains the circumstances under which the commissioner shall require repayment of assistance funds. This section was written to prevent possible misunderstanding regarding when assistance funds must be repaid. This section is part of the Port Development Assistance law.

Under 8895.1100 VARIANCE FROM RULES:

Projects that comply with a majority of the rules may be granted a variance from full compliance of the rules in cases such as area hardships. This will allow the commissioner to consider projects that have merit and comply with a majority of the rules but cannot satisfy all rules. A rule variance is reasonable and necessary because it will allow the program to satisfy one of it's purposes, by providing funds to economically stressed port areas in an efficient manner.

Administrative Procedures 14.115, SMALL BUSINESS CONSIDERATION:

The Department considered small business concerns found in Administrative Procedures 14.115. The rules will not influence small businesses identified in Administrative Procedure 14.115. Therefore, Administrative Procedures 14.115 do not apply to the rules and were not addressed in the rules.

REVISION OF RULES

To make the rules more understandable and not redundant we have requested the Revisor to deleted the three words (or a loan) found on page 6, line 25 of the Port Development Assistance Program rules. These deletions did not substantially change the meaning or the intent of the rules. See submitted copies of rules.

SMALL BUSINESS CONCERNS

We did not identify any clients that fit the definition of a small business that is found in Administrative Procedures 14.115. Therefore, we did not address small business concerns or make any special provisions for small businesses. Small business concerns have been addressed on page 9 of the Statement of Needs and Reasonableness.

CLIENT CONTACT

When we were writing the rules for the Port Development Assistance Program we were in contact with all of our clients. Each client was sent a copy of the rules and asked to comment on them. No comments were received.

Department of Transportation

Adopted Permanent Rules Relating to the Port Development Assistance Program

Rules as Adopted

8895.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 8895.0100 to 8895.1100 have the meanings given them in this part.

Subp. 2. **Assistance agreement.** "Assistance agreement" means a formal agreement between the commissioner and an eligible applicant for port assistance improvement funds.

Subp. 3. **Commercial navigation facility.** "Commercial navigation facility" means ports or individual docks and terminals, supporting equipment, structures, and transportation facilities used by vessels transporting passengers or commodities, by vessels under construction or repair, or by commercial fishing vessels. The term does not include facilities used on a regular basis by recreational or sport fishing vessels.

Subp. 4. **Commercial vessel.** "Commercial vessel" means a vessel used for transporting passengers or property, but does not include a vessel used primarily for recreation, sport, or sport fishing.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 6. **Disposal facility.** "Disposal facility" means a containment facility, a diked or undiked disposal site, or a transfer site for future beneficial reuse of dredged material.

Subp. 7. **Disposal facility costs.** "Disposal facility costs" means costs of acquisition or construction of a disposal facility.

Subp. 8. **Dock.** "Dock" means any structure on a shoreline or near shoreline development used in mooring vessels or transferring people or cargo to or from vessels.

Subp. 9. **Dredging.** "Dredging" means excavating harbor sediment or bottom materials, including mobilizing or operating equipment for excavating and transporting dredged material to a disposal facility and for placing the dredged material in the disposal facility.

Subp. 10. **Dredged material disposal.** "Dredged material disposal" means the placing of dredged material in a disposal facility.

Subp. 11. **Eligible applicant.** "Eligible applicant" means a person, company, political subdivision, or port authority that owns a commercial navigation facility.

Subp. 12. **Final engineering costs.** "Final engineering costs" means engineering costs that occur after the application for port assistance improvement funds has been completed. These costs may include, but are not limited to, the cost of final plans and specifications for the project.

Subp. 13. **Maintenance dredging.** "Maintenance dredging" means dredging an area previously dredged to a specific depth, which is not necessary for a new service.

Subp. 14. **Mn/DOT.** "Mn/DOT" means the Minnesota Department of Transportation.

Subp. 15. **Navigation system.** "Navigation system" means the commercially navigable reaches of the Mississippi, Minnesota, and St. Croix rivers; the commercial harbors on Minnesota's Lake Superior shoreline; and the commercial navigation facilities on those waterways.

Subp. 16. **Port.** "Port" means an area along one of Minnesota's navigable waterways that supports at least one terminal that takes on or discharges cargo or passengers.

Subp. 17. **Program.** "Program" means the port development assistance program established in Minnesota Statutes, section 457A.02.

Subp. 18. **Terminal.** "Terminal" means any structure and adjacent land area used in the actual operations or support of the transfer of commodities or passengers to or from vessels.

8895.0200 PROGRAM PURPOSE AND ADMINISTRATION.

Subpart 1. **Purpose.** The purpose of the port development assistance program and parts 8895.0100 to 8895.1100 is to expedite, retain, or generally improve the movement of commodities and passengers on the commercial navigation system and enhance the commercial vessel construction and repair industry in Minnesota by providing state funds in a revolving account that may be used in establishing contracts between the state and eligible applicants for port development assistance.

Subp. 2. **Commissioner to administer.** The commissioner shall administer the port development assistance program to advance the purposes of subdivision 1. In administering the program, the commissioner may:

A. make grants and loans to eligible applicants;

B. make assistance agreements with recipients of grants and loans; and

C. adopt rules authorized by Minnesota Statutes, section 457A.05.

8895.0300 ELIGIBLE PROJECTS.

Subpart 1. **Description.** To be eligible for the program, a project must benefit Minnesota's shippers and receivers by improving or developing a commercial navigation facility or its components. Eligible projects include dock and terminal repair, capital improvement to a commercial navigation facility, supporting equipment directly related to loading or off-loading cargo to or from a vessel, disposal facility construction or repair, and dredging to open a new commercial navigation facility.

Subp. 2. **Location.** Eligible projects must be located on Minnesota's Lake Superior shoreline or on the shoreline of Minnesota's commercially navigable portions of the Mississippi, Minnesota, and St. Croix rivers where vessels take on or discharge commercial cargo or passengers; where commercial freight, passenger, or military vessels are built or repaired; where vehicle- or passenger-carrying ferry service operates; or

where commercial fishing vessels unload fish or are headquartered.

8895.0400 COST ELIGIBILITY.

Subpart 1. **Eligible costs.** The types and amounts of costs eligible for state assistance must be negotiated in developing an assistance agreement. Eligible costs include final engineering costs, capital improvements to a commercial navigation facility, construction costs and dredging costs to open a new commercial navigation facility, and other costs agreed to by the commissioner and the applicant.

Subp. 2. **Costs not eligible.** The following costs are not eligible for reimbursement under the program:

A. an applicant's administration costs, insurance costs, and legal costs to obtain a general assistance award;

B. the costs of acquiring permits or preparing environmental documents, feasibility studies, conceptual project designs, or design revisions;

C. the interest on money borrowed by the applicant or interest charged to the applicant for late payment of project costs;

D. the costs related to the routine maintenance, repair, or operation of a commercial navigation facility; and

E. the costs of maintenance dredging to maintain an existing channel.

8895.0500 PROJECT SELECTION, MINIMUM QUALIFICATIONS, AND RANKING.

Subpart 1. **Project selection.** The commissioner shall consider the following factors in selecting projects for funding through the program:

A. economic considerations, including determinations of:

(1) whether the projected additional revenue generated by the improvement project will be sufficient to recover its costs;

(2) the overall economic impact of the project as determined by a benefit-cost analysis;

(3) the potential loss of local income, taxes, or jobs if the project is not completed;

(4) added costs to shippers, receivers, and the local or regional economy if failure to complete the project causes significant delay or stoppage of vessel movement; and

(5) the added costs of full replacement of a facility over the costs of responding to an improvement need if the project is implemented; and

B. safety considerations, including determinations of:

(1) improvements in vessel or cargo-handling safety at the facilities;

(2) improvements in working condition safety in dock cargo-handling and storage areas; and

(3) improvements that enhance the movement of cargo or passengers at navigation facilities.

Subp. 2. **Project funding; minimum requirements.** A project does not qualify for program funding if:

A. the project is inconsistent with criteria in parts 8895.0100 to 8895.1100;

B. the application is incomplete or inaccurate; or

C. the proposed project is incompatible with applicable harbor development or local comprehensive plans.

Subp. 3. **Project ranking.** The commissioner shall establish timetables for the ranking of projects. The ranking of projects determines the priority in which funding will be considered.

Subp. 4. **Criteria for ranking projects.** The commissioner shall consider the following criteria to determine project ranking:

A. ability of the project to expedite, retain, or generally improve the movement of passengers or cargo;

B. ability of the project to enhance the commercial vessel construction and repair industry;

C. ability of the project to promote identifiable economic development in and around the port and harbor;

D. ability of the project to produce a regional or

community benefit independent of an individual facility; and

E. ability to repay a loan on the basis of the benefit-cost analysis.

Subp. 5. **Application may be resubmitted.** If the commissioner determines that an application is not eligible for ranking or is not ranked high enough for funding selection, that application may be resubmitted for the next funding cycle.

8895.0600 TYPES OF ASSISTANCE PROJECTS; ELIGIBILITY; FUNDING.

Subpart 1. **Schedule for filing applications.** The commissioner shall establish annually a deadline for filing applications for assistance under the program. This schedule will be published in the State Register. Upon request to the commissioner, schedules will be sent by mail to interested parties.

Subp. 2. **Types of assistance; eligibility.** The commissioner shall determine under items A and B the type of assistance for which a project will be eligible.

A. To be eligible to qualify for a loan, a project must satisfy one or both of the following conditions:

(1) the project expedites, retains, or generally improves the movement of commodities or passengers on the commercial navigation system; or

(2) the project enhances the commercial vessel construction and repair industry in Minnesota.

B. To qualify for a grant or [a loan] or a combination of both a grant and loan, the project must satisfy at least one of the conditions in item A, does not produce an increase in revenue that could be used to finance the project, and either:

(1) promotes identifiable economic development in and around ports and harbors in the state; or

(2) produces a regional or community benefit independent of an individual facility.

C. The interest rate and other terms, including security and repayments of loans, must be negotiated by the parties and must be included in the assistance agreement.

Subp. 3. **Commitment of funds.** Program funds may be committed to an eligible applicant only after a project assistance agreement is negotiated and signed by the commissioner and the applicant.

Subp. 4. **Final funding restrictions.** The commissioner shall not make final decisions on funding a proposed project in whole or in part until:

A. all legally required permits are obtained;

B. non-state-matching funds are formally committed; and

C. the project applicant is in compliance with the program agreement.

Subp. 5. **Rescinding project funding.** The commissioner shall rescind funding if the eligible applicant withdraws its application or is unable to enter into a project assistance agreement that in the commissioner's determination satisfies parts 8895.0100 to 8895.1100 and protects the state's investment.

Subp. 6. **Assigning rescinded funds.** When a project's funding is rescinded, in whole or in part, the commissioner may fund the next highest ranked, nonfunded project on the current project priority list.

Subp. 7. **Repaying loans.** A loan recipient shall repay the funds loaned by the commissioner according to the negotiated project assistance agreement. Payments must be made on a set schedule. The maximum repayment schedule must not exceed 15 years.

8895.0700 STATE PARTICIPATION, LIMITATIONS.

Subpart 1. **State participation, limitations.** The state's share of project costs must not exceed 50 percent of the nonfederal share of the eligible costs to be incurred by the applicant for the project.

Subp. 2. **No continuing funding responsibility.** The commissioner shall not assume a continuing funding responsibility for any commercial navigation facility project.

Subp. 3. **Fund matching.** Port improvement assistance

funding must not be used as a required match with other state funds, regardless of source.

8895.0800 APPLICATION PROCESS.

Subpart 1. **Application submittal.** An application by an eligible applicant for program funds must be submitted to the commissioner and comply with subpart 2.

Subp. 2. **Information requirements.** An application must include, at a minimum, the following information:

A. a formal request for assistance;

B. the names of the eligible applicant's representatives who are authorized to sign forms or claims and who shall act as the applicant's contact persons for the project;

C. the name of the organization, group, or person who will accept responsibility for operating and maintaining the proposed project after completion;

D. documentation that the proposed project is consistent with the harbor development plan or with the comprehensive plan of the local government if plans have been adopted, along with a copy of those plans attached to the application;

E. documentation of the source of the required matching funds in the amount specified in the assistance agreement;

F. a financial statement, including a credit history;

G. a description of the project that, at a minimum, must include:

(1) a detailed description of the work to be performed including schematic plans, drawings, and sounding reports;

(2) a description of the means by which the work is to be performed;

(3) a statement of justification and reasons for undertaking the project;

(4) a map, sketch, or other depiction of the

project site and its surrounding area including all transportation access facilities;

(5) a statement of current ownership of the project site and facilities and of the ownership proposed upon completion of the project;

(6) a proposed time schedule for performing major project tasks; and

(7) an operating plan as required, when requested by the commissioner; and

H. a full discussion of anticipated economic impacts, including:

(1) a detailed estimate of project costs, indicating the eligible applicant's cost share, amount of state funding requested, other sources or potential sources of funds, and a full description of timetables and conditions affecting funds other than funds already budgeted by the applicant;

(2) an estimate of project development costs, which may include, but is not limited to, the value of existing land and facilities, the cost of additional site development, and the cost of storage or transfer facilities;

(3) an estimate of the applicant's annual revenues from the project if completed, or of revenues lost if the project is not completed, and an estimate of the annual costs necessary to maintain the project property;

(4) an estimate of the dollar value to the local economy directly attributable to the proposed project, or of lost dollar value to the local economy if the project is not completed, including a detailed description of the assumptions and the bases for those assumptions;

(5) a list of commodities and a disclosure of the tonnage of waterborne commerce using the project property and expected to use the project property if the project is completed;

(6) a list of permits necessary for the project to proceed and, if the permits have not been obtained, a description of the actions taken or to be taken to obtain the

permits;

(7) copies of required environmental documents; and

(8) how the applicant plans to repay a loan.

8895.0900 ASSISTANCE AGREEMENT, FORMAL IMPLEMENTATION.

Port development assistance projects must be formally implemented through assistance agreements between the commissioner and the eligible applicant. If the eligible applicant is unable or unwilling to enter into an assistance agreement with the commissioner in the calendar year for which the applicant's project is approved, the applicant may submit another application for the project before the commissioner will again consider it for funding in a subsequent funding period.

8895.1000 ASSISTANCE AGREEMENT, REQUIRED PROVISIONS.

Subpart 1. **Maximum funds.** The maximum amount of assistance funds agreed to by the commissioner must be stated in the assistance agreement for the project.

Subp. 2. **Liability; insurance.** The assistance agreement must require an assistance recipient to save and hold the commissioner and Mn/DOT harmless from and against all liability, damage, loss, claims, demands, and actions of any nature that may be related to the project. The assistance recipient shall provide, at its own expense, a comprehensive general liability insurance policy, with per-occurrence limits to be determined by the commissioner.

Subp. 3. **Bonds.** The assistance agreement must require an assistance recipient to provide evidence of performance and payment bonds for the full amount of construction contracts let by the applicant in connection with the project.

Subp. 4. **Records; audit.** The assistance agreement must require an assistance recipient to maintain project-related books and records according to Mn/DOT specifications contained in the agreement and make the records available to the commissioner for audit purposes. In addition, assistance recipients shall make periodic progress reports to the

commissioner. The content and timing of these reports must be as specified in the grant or loan agreement.

Subp. 5. **Inspection.** The assistance agreement must require an assistance recipient to permit the commissioner to inspect projects or request applicants to provide independent inspection at any time.

Subp. 6. **Criteria for repaying funds.** The commissioner shall notify a recipient of program grants or loans that the recipient is required to repay, if:

A. the project for which the assistance funds are awarded is not completed in accordance with all terms of the assistance agreement, including required completion dates; or

B. a commercial navigation facility for which funds were awarded is converted during the time established in the agreement to a use inconsistent with the purposes of the program or inconsistent with the terms of the agreement or is converted during that period to a use not approved in writing by the commissioner.

8895.1100 VARIANCE FROM AGREEMENT PROVISIONS.

The commissioner shall grant variances for some of the criteria of this chapter in certain cases if the majority of the criteria of this chapter are satisfied and a showing is made that demonstrable hardship to the community or the region would develop without completion of the project.

Maybe that this does NOT affect small businesses
if doesn't, should have statement in SONAR -

See APA book - Mucks - pocket parts -
ie. small business assistance

(1) why didn't you mention small businesses?
harmless n reject -
(2) why the "or a loan" in assistance

Call Ken Bjork - if Doris on vacation
Gordy Moe - A.G. atty.
Lloyd Moorebrugger

TH. - Bjork - 6-0721 did not think affects sm. bus.
~~Dawayne~~ Diwayne Elliott - 296-0364 -
Diwayne
Elliott - could ~~be~~ have a positive effect;
may affect small business.
will withdraw

STATE OF MINNESOTA

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DATE: 7-21-92 TIME: _____ NO. OF PAGES: 3
(Including this Page)

TO: Dawayne Elliott

FAX NO. 297-1887

FROM: Amy V. Kvalseth (612)296-9422

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MESSAGE:

Here are the example withdrawals. If you can, doing it as an order, like Jobs & Training did, is best.

IF THERE ARE PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE CALL:

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STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
PROGRAM MANAGEMENT DIVISION

STATEMENT OF FACTS
ESTABLISHING NEEDS AND
REASONABLENESS OF
RULES

In the matter of the Proposed
Adoption of Rules, Governing the
Rules for the PORT DEVELOPMENT
ASSISTANCE PROGRAM

These are Rules for a program created by the 1991 legislature titled Port Development Assistance. These rules need to be promulgated for the program to operate in an equitable and efficient manner.

Pursuant to Laws of Minnesota 1991, chapter 298, article 3, section 5, the Commissioner of Transportation has the authority to adopt rules to manage the Port Development Assistance Program.

Solicitation of outside opinion concerning the possible adoption of rules relating to Laws of Minnesota 1991, chapter 298, article 3, section 5, (Port Development Assistance Program) was published in the State Register on Monday August 12, 1991.

Individual announcements requesting comments were sent to interested parties during the week of August 5, 1991.

Under 8895.100 Definitions:

Subpart 1. **Scope.** The terms used in parts 8895.0100 to 8895.1000 have the meanings given them in this part.

Subp. 2. **Assistance agreement.** Because the term "assistance agreement" is used elsewhere in the rules a definition of the term is needed.

Subp. 3. **Commercial navigation facility.** Because the term "commercial navigation facility" is used elsewhere in the rules a definition of the term is needed.

Subp. 4. **Commercial vessel.** Because the term "commercial vessel" is used elsewhere in the rules a definition of the term is needed.

Subp. 5. **Commissioner..** Because the term "commissioner" is used elsewhere in the rules a definition of the term is needed. It clearly identifies the commissioner as being the commissioner of transportation and avoids any confusion with other commissioners of public office.

Subp. 6. **Mn/DOT.** Because the term "Mn/DOT" is used elsewhere in the rules a definition of the term is needed. It identifies the Mn/DOT as being the Minnesota Department of Transportation and avoids any confusion with other departments.

Subp. 7. **Disposal facility.** Because the term "disposal facility" is used elsewhere in the rules a definition of the term is needed.

Subp. 8. **Disposal facility costs.** Because the term "disposal facility costs" is used elsewhere in the rules a definition of the term is needed.

Subp. 9. **Dock.** Because the term "dock" is used elsewhere in the rules a definition of the term is needed.

Subp. 10. **Dredging.** Because the term "dredging" is used elsewhere in the rules a definition of the term is needed.

Subp. 11. **Dredged material disposal.** Because the term "dredged material disposal" is used elsewhere in the rules a definition of the term is needed.

Subp. 12. **Eligible applicants.** Because the term "eligible applicants" is used elsewhere in the rules a definition of the term is needed.

Subp. 13. **Final engineering costs.** Because the term "final engineering costs" is used elsewhere in the rules a definition of the term is needed. the term is needed.

Subp. 14. **Maintenance dredging.** Because the term "maintenance dredging" is used elsewhere in the rules a definition of the term is needed.

Subp. 15. **Navigation system.** Because the term "navigation system" is used elsewhere in the rules a definition of the term is needed.

Subp. 16. **Program.** Because the term "program" is used elsewhere in the rules a definition of the term is needed. This clearly identifies the program as meaning the Port Development

Assistance Program and avoids any confusion with other public programs.

Subp. 17. **Port.** Because the term "port" is used elsewhere in the rules a definition of the term is needed.

Subp. 18. **Terminal.** Because the term "terminal" is used elsewhere in the rules a definition of the term is needed.

Under 8895.0200 PURPOSE AND AUTHORITY:

Subp. 1. This part establishes the purpose of the Port Development Assistance Program as stated in the of Laws of Minnesota 1991, chapter 298, article 3.

Subp. 2. This is written into the rules to avoid misunderstanding and to identify the Commissioner as being authorized to adopt rules necessary to carry out the provisions in Laws of Minnesota 1991, chapter 298, article 3, section 1, paragraph 1.

Under 8895.0300 ELIGIBLE PROJECTS:

Subp. 1. This part is written to clarify what a project needs to accomplish to be eligible for assistance. To avoid misinterpretation Subp. 1, identifies certain projects that may be eligible for assistance.

Subpart 2 clarifies where projects can be located in Minnesota. This section should eliminate applicants from applying for assistance that do not operate a port on a qualified waterway. This will allow the department to award funds in a consistent and equitable manner.

Under 8895.0400 COST ELIGIBILITY

Subp. 1. The Port Development Assistance law was instituted to improve the handling of cargo and passengers, costs that are eligible for funding are mandated in chapter 457A.04, Subd. 2, of the law. These cost must be identified in the assistance agreement to satisfy the law and allow the commissioner to manage the program.

Subp. 2. The Port Improvement Assistance law was instituted to improve the handling of cargo and passengers, costs not directly related to the improvement of a facility or costs of dredging an existing facility are prohibited. The project costs not allowed are mandated in chapter 457A.04, Subd. 2, of the Port Development Assistance law.

Under 8895.0500 PROJECT SELECTION, MINIMUM QUALIFICATION, AND RANKING:

Subpart 1, item A, project selection, item A, numbers 1 through 5 contains economic conditions which will be considered by the commissioner in selection, funding and ranking an application to obtain financial assistance for a project. These criteria are intended to insure that funds available for this purpose will be used in the most cost effective manner possible through financial analysis of the port. This will ensure that all projects will be evaluated for selection, funding and ranking by the commissioner using the same criteria and that funds will be dispensed equitably.

Subpart 1, item B, numbers 1 through 3 contains safety considerations which will be considered by the commissioner in selection, funding and ranking an application to obtain financial assistance for a project. This will allow all proposed projects in this category to be evaluated by the commissioner using the same considerations and that funds will be allocated fairly.

Subpart 2. This section contains minimum requirements under which the commissioner will not approve funding for a project. Items A, B, and C describe specific instances when the commissioner will not approve funding. This section was included to avoid possible misunderstanding of the commissioner's decision to deny the funding of a project.

Subpart 3. Projects will be ranked by the commissioner and a project priority list established. It is necessary and reasonable to have a list of projects ranked in the order of their importance for the purpose of being considered for funding.

Subpart 4. Items A, B, C, D and E are the criteria for ranking projects. Items A, B, and C are the purposes for the program, listed in section 457A.02 of the law. Items D and E are added criteria which will allow the commissioner to rank projects on their regional benefit and their ability to repay the state investment. These criteria will allow the commissioner to be consistent in decisions regarding the funding of projects and be consistent in the requirements of an applicant to repay a loan. These criteria will protect the states interest in a project.

Under 8895.0600 ASSISTANCE AWARD:

Subpart 1. To be consistent the commissioner shall establish annually a deadline for filing applications for the program. The deadlines and schedules shall be published in the State Register for the benefit of all potential recipients. This part was written to allow potential recipients an equal

opportunity to be informed and meet the established deadline and schedules.

Subpart 2 contains the criteria that will guide the commissioner in making the decision on a project qualifying for a grant or loan or a combination of both. These criteria are mandated in section 457A.03, Subd. 2 and 457A.02, Subd. 1 clauses 1 and 2, of the Port Development Assistance law.

Subpart 3. contains the commitment of funds procedures. This will allow the commitment of funds by the commissioner to be consistent. This is a part of Chapter 457A.04, Subd. 1 of the Port Development Assistance law.

Subpart 4 contains the three conditions that must be satisfied before the funds will be made in whole or part. This section was needed to make it clear to applicants that projects must be in compliance with other governmental requirements, have matching funds committed, and when funds will be dispensed. To avoid legal action against the state and conflicts with other government agencies all permits must be obtained. To protect the state investment and assure that a project has a high potential for success matching funds shall be formally committed.

Subpart 5 defines the commissioners action when an applicant has withdrawn an application or is unable to enter into a project assistance agreement. This is mandated in chapter 457A.04, Subd. 5, of the Port Development Assistance law.

Subpart 6 clarifies what may be done with an award after it has been rescinded. This part was written to allow the commissioner to reissue rescinded project funds to the next highest ranking project in a timely and equitable manner.

Subpart 7 clarifies how a loan must be repaid and gives the maximum repayment schedule in years. This part was written to avoid any misunderstanding about the repayment of a loan and the maximum time that a recipient has to repay a loan.

Under 8895.0700 STATE PARTICIPATION, LIMITATIONS:

Subp. 1. This part contains the maximum percentage (50%) of the total cost of a port development assistance project which can be funded by grant, loan or a combination grant and loan. This is mandated in Chapter 457A.03. Subd. 3, of the Port Development Assistance law.

Subp. 2. This part states that the commissioner's shall have no continuing funding responsibility for any project. This is mandated in chapter 457A.03, Subd. 3, of the Port Development Assistance law.

Subp. 3. This part prohibits the use of port improvement assistance funds as a required match with other state funds, regardless of source. This is mandated in Chapter 457A.03, Subd. 3, of the Port Development Assistance law.

Under 8895.0800 APPLICATION PROCESS:

Subpart 1 defines the applications process for requesting Port Development Assistance funds. This section was written to inform the potential applicants who to submit an application with, and avoid possible misunderstanding regarding the application process.

Subp. 2. Under Subp. 2, items A through G defines the information that shall be included on the application. This section was included to inform the applicants on what information the commissioner will need to protect the states investment and be consistent in determining funding.

A. A completed application will be considered a formal request for assistance. An application will be provided by the commissioner upon request. To satisfy the Port Development Assistance law and allow the commissioner to evaluate the project for assistance a formal request for assistance is needed.

B. It may be necessary for the commissioner to correspond with the applicant on matters pertaining to the application or the project. Therefore, a representative of the applicant must be listed in the application. This will eliminate communication problems and enable the project evaluation process to work in an efficient manner.

C. To protect the states investment the commissioner must know who will operate the facility after the development is complete.

D. To legally protect the state all plans must be cleared with other regulatory agencies.

E. To administer the program the commissioner must know that the matching funds have been committed. This will enable program funds to be used in an efficient and effective manner.

F. The commissioner requires a financial statement, prepared by the applicant which includes a credit history. This is needed to demonstrate the ability of the applicant to repay a loan and protect the states investment.

Item G stipulates that the applicant shall include a description of the project as part of the application. This will aid the commissioner in understanding the project and allow the

commissioner to oversee the project and its goals. Under G, items 1 through 8 indicates the minimum information to be included in the description. These items are necessary to avoid possible misunderstanding of what information is required and allow the commissioner to be consistent with applicants on information requirements used to authorize projects.

1. Because not all work and costs are eligible for funding and to protect the states investment a detailed description of the work to be performed is required.

2. To accomplish the project in an efficient manner and protect the states investment a description of the means by which the work is to be performed is necessary.

3. To fund a project the commissioner must determine a need. The applicant is the best qualified and the appropriate person to provide the commissioner with a statement of justification and reasons for undertaking the project.

4. To identify the project geographic location and its relation to other transportation facilities and its ability to provide an improvement in the transportation of commodities or people maps and sketches are necessary.

5. To protect the states investment and act within the laws of Minnesota it is necessary for the applicant to provide the commissioner with proof of ownership of the project site and facilities.

6. To make the best use of funds a work schedule must be provided by the applicant for the commissioners approval.

7. To justify a projects viability an operating plan may be provided the commissioner.

Item H is a full discussion of the anticipated economic impacts that a project has.

1. Numbers one and two will provide information needed by the commissioner to make decisions on the viability and necessity of the project. Any use of state funds must be justified.

2. Numbers three and four will provide the commissioner with revenue information about the port. This information will assist the commissioner in making a decision on the economic potential of any project. To qualify for funding the Port Development Assistance law states that a project must have potential economic benefits. In addition this information will help the commissioner to allocate funds to the most needed projects as they relate to economic impacts.

3. Number five, a list of the commodities and a disclosure of the tonnage of the waterborne commerce using the project property and expected to use the facility is needed by the commissioner to determine the economic potential of the project. This information will help justify the need for improving a facility and predict the ability of the facility to generate enough revenue to repay loans protecting the states investment.

4. Numbers six and seven are needed by the commissioner to protect the states investment by assuring that the project satisfies environmental concerns and laws.

5. Number eight, a loan repayment plan is needed by the commissioner to protect the states investment.

Under 8895.0900 ASSISTANCE AGREEMENT, FORMAL IMPLEMENTATION:

For any funds to be distributed a formal agreement must be implemented. This formal agreement is the assistance agreement. This section was included to avoid any misunderstanding by the applicant on what constitutes a formal agreement. To maintain control of the program and give the applicant a reasonable time to get the project coordinated, a time limit of one year was established for an applicant to inter into a formal agreement with the commissioner. In addition a vehicle was needed that would allow the applicant to reapply for funds if this time frame could not be satisfied. This section allows for that possibility.

Under 8895.1000 ASSISTANCE AGREEMENT:

Subpart 1 contains the maximum project funds agreed to by the commissioner. For accounting purposes it is necessary to know what total dollar amount is committed to each project.

Subpart 2 contains the insurance and liability requirements for an assistance recipient. The Port Development Assistance Law requires that the applicant must provide insurance liability that hold the commissioner harmless from and against all liability, damage, loss, demands, and actions related to the project being assisted.

Subpart 3 contains the bond requirement of an assistance recipient as prescribed in the law.

Subpart 4 specifies that records must be kept by the recipient for audit purposes. Also, for project control, progress reports must be filed periodically with the commissioner. This section was included to allow the

commissioner to monitor the project funds and to make sure that the project satisfies the purpose of the program as stated in the law.

Subpart 5 allows the commissioner the right of project inspection. Since the law limits the state participation to three areas, the commissioner needs the authority to inspect or have the project inspected for compliance.

Subpart 6 contains the circumstances under which the commissioner shall require repayment of assistance funds. This section was written to prevent possible misunderstanding regarding when assistance funds must be repaid. This section is part of the Port Development Assistance law.

Under 8895.1100 VARIANCE FROM RULES:

Projects that comply with a majority of the rules may be granted a variance from full compliance of the rules in cases such as area hardships. This will allow the commissioner to consider projects that have merit and comply with a majority of the rules but cannot satisfy all rules. A rule variance is reasonable and necessary because it will allow the program to satisfy one of it's purposes, by providing funds to economically stressed port areas in an efficient manner.

Stat Auth. 457A.05

The commissioner may adopt rules that provide for

(6) any other requirement of this chapter

(7) any other requirement the commissioner deems necessary for the administration of this chapter.

Rules 8895.0600 subpart 7 - SONAR

why 15 years

Minnesota
Department of Transportation
Transportation Building
395 John Ireland Boulevard
Saint Paul, Minnesota 55155

June 9, 1992

Hubert H. Humphrey, III
Attorney General
Room 102, Capitol Building
75 Constitution Avenue
St. Paul, Minnesota 55155

ATTN: Don Mueting

Dear Attorney General Humphrey:

The Ports and Waterways Section of the Minnesota Department of Transportation has completed the first five steps of the rule adoption process for rules governing The Port Development Assistance Program.

The intent to adopt them has been published twice in the "State Register", both times with a notice of intent to adopt without public hearing. There have been no comments or requests for public hearings.

The final step is a review by your office. Enclosed for that review are the rules and supporting documentation.

I appreciate your assistance in the development and publication of these rules.

Sincerely,

James N. Denn
Commissioner
Department of Transportation

NOTICE OF SOLICITATION OF
OUTSIDE INFORMATION OR OPINIONS

Department of Transportation,
Program Management Division
Office of Waterways & Railroads

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Port Development Assistance Program.

Notice is hereby given that the State Department of Transportation is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing the Port Development Assistance Program. The adoption of these rules is authorized by Laws of Minnesota, 1991, Chapter 298, Article 3, which permit the agency to adopt rules governing the program.

The State Department requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to DuWayne Elliott, Office of Railroads and Waterways, Suite 925, Kelly Annex, Transportation Building, St. Paul, Minnesota 55155. Oral statements will be received during regular business hours over the telephone at 612-296-0364 and in person at the above address.

All statements of information and opinions shall be accepted until September 20, 1991. Any written material received by the State Department of Transportation shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

8/2/91
Date

/s/ Edwin H. Cohoon

Deputy Commissioner
Title

Department of Transportation

In the Matter of the proposed
Adoption of Rules Governing the
Port Development Assistance Program

NOTICE OF
INTENT TO
ADOPT RULES
WITHOUT A
PUBLIC HEARING

Notice is hereby given that the State of Minnesota intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rules is Minnesota Statutes, section 457A.05 (1990).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30 day comment period. If 25 people or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

DuWayne Elliott
Office of Railroads & Waterways
Suite 925, Kelly Annex
Transportation Building
395 John Ireland Blvd.
St. Paul, Mn 55155
612-296-0364

The proposed rules may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rules is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the aforementioned person and address upon request.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to aforementioned person.

Date: April 1, 1992

James N. Denn
Commissioner

Department of Transportation

Proposed Permanent Rules Relating to the Port Development Assistance Program

Rules as Proposed (all new material)

8895.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 8895.0100 to 8895.1100 have the meanings given them in this part.

Subp. 2. **Assistance agreement.** "Assistance agreement" means a formal agreement between the commissioner and an eligible applicant for port assistance improvement funds.

Subp. 3. **Commercial navigation facility.** "Commercial navigation facility" means ports or individual docks and terminals, supporting equipment, structures, and transportation facilities used by vessels transporting passengers or commodities, by vessels under construction or repair, or by commercial fishing vessels. The term does not include facilities used on a regular basis by recreational or sport fishing vessels.

Subp. 4. **Commercial vessel.** "Commercial vessel" means a vessel used for transporting passengers or property, but does not include a vessel used primarily for recreation, sport, or sport fishing.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 6. **Disposal facility.** "Disposal facility" means a containment facility, a diked or undiked disposal site, or a transfer site for future beneficial reuse of dredged material.

Subp. 7. **Disposal facility costs.** "Disposal facility costs" means costs of acquisition or construction of a disposal facility.

Subp. 8. **Dock.** "Dock" means any structure on a shoreline or near shoreline development used in mooring vessels or transferring people or cargo to or from vessels.

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Subp. 9. **Dredging.** "Dredging" means excavating harbor sediment or bottom materials, including mobilizing or operating equipment for excavating and transporting dredged material to a disposal facility and for placing the dredged material in the disposal facility.

Subp. 10. **Dredged material disposal.** "Dredged material disposal" means the placing of dredged material in a disposal facility.

Subp. 11. **Eligible applicant.** "Eligible applicant" means a person, company, political subdivision, or port authority that owns a commercial navigation facility.

Subp. 12. **Final engineering costs.** "Final engineering costs" means engineering costs that occur after the application for port assistance improvement funds has been completed. These costs may include, but are not limited to, the cost of final plans and specifications for the project.

Subp. 13. **Maintenance dredging.** "Maintenance dredging" means dredging an area previously dredged to a specific depth, which is not necessary for a new service.

Subp. 14. **Mn/DOT.** "Mn/DOT" means the Minnesota Department of Transportation.

Subp. 15. **Navigation system.** "Navigation system" means the commercially navigable reaches of the Mississippi, Minnesota, and St. Croix rivers; the commercial harbors on Minnesota's Lake Superior shoreline; and the commercial navigation facilities on those waterways.

Subp. 16. **Port.** "Port" means an area along one of Minnesota's navigable waterways that supports at least one terminal that takes on or discharges cargo or passengers.

Subp. 17. **Program.** "Program" means the port development assistance program established in Minnesota Statutes, section 457A.02.

Subp. 18. **Terminal.** "Terminal" means any structure and adjacent land area used in the actual operations or support of the transfer of commodities or passengers to or from vessels.

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8895.0200 PROGRAM PURPOSE AND ADMINISTRATION.

Subpart 1. **Purpose.** The purpose of the port development assistance program and parts 8895.0100 to 8895.1100 is to expedite, retain, or generally improve the movement of commodities and passengers on the commercial navigation system and enhance the commercial vessel construction and repair industry in Minnesota by providing state funds in a revolving account that may be used in establishing contracts between the state and eligible applicants for port development assistance.

Subp. 2. **Commissioner to administer.** The commissioner shall administer the port development assistance program to advance the purposes of subdivision 1. In administering the program, the commissioner may:

A. make grants and loans to eligible applicants;

B. make assistance agreements with recipients of grants and loans; and

C. adopt rules authorized by Minnesota Statutes, section 457A.05.

8895.0300 ELIGIBLE PROJECTS.

Subpart 1. **Description.** To be eligible for the program, a project must benefit Minnesota's shippers and receivers by improving or developing a commercial navigation facility or its components. Eligible projects include dock and terminal repair, capital improvement to a commercial navigation facility, supporting equipment directly related to loading or off-loading cargo to or from a vessel, disposal facility construction or repair, and dredging to open a new commercial navigation facility.

Subp. 2. **Location.** Eligible projects must be located on Minnesota's Lake Superior shoreline or on the shoreline of Minnesota's commercially navigable portions of the Mississippi, Minnesota, and St. Croix rivers where vessels take on or discharge commercial cargo or passengers; where commercial freight, passenger, or military vessels are built or repaired; where vehicle- or passenger-carrying ferry service operates; or

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where commercial fishing vessels unload fish or are headquartered.

8895.0400 COST ELIGIBILITY.

Subpart 1. **Eligible costs.** The types and amounts of costs eligible for state assistance must be negotiated in developing an assistance agreement. Eligible costs include final engineering costs, capital improvements to a commercial navigation facility, construction costs and dredging costs to open a new commercial navigation facility, and other costs agreed to by the commissioner and the applicant.

Subp. 2. **Costs not eligible.** The following costs are not eligible for reimbursement under the program:

A. an applicant's administration costs, insurance costs, and legal costs to obtain a general assistance award;

B. the costs of acquiring permits or preparing environmental documents, feasibility studies, conceptual project designs, or design revisions;

C. the interest on money borrowed by the applicant or interest charged to the applicant for late payment of project costs;

D. the costs related to the routine maintenance, repair, or operation of a commercial navigation facility; and

E. the costs of maintenance dredging to maintain an existing channel.

8895.0500 PROJECT SELECTION, MINIMUM QUALIFICATIONS, AND RANKING.

Subpart 1. **Project selection.** The commissioner shall consider the following factors in selecting projects for funding through the program:

A. economic considerations, including determinations of:

(1) whether the projected additional revenue generated by the improvement project will be sufficient to recover its costs;

(2) the overall economic impact of the project as determined by a benefit-cost analysis;

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(3) the potential loss of local income, taxes, or jobs if the project is not completed;

(4) added costs to shippers, receivers, and the local or regional economy if failure to complete the project causes significant delay or stoppage of vessel movement; and

(5) the added costs of full replacement of a facility over the costs of responding to an improvement need if the project is implemented; and

B. safety considerations, including determinations of:

(1) improvements in vessel or cargo-handling safety at the facilities;

(2) improvements in working condition safety in dock cargo-handling and storage areas; and

(3) improvements that enhance the movement of cargo or passengers at navigation facilities.

Subp. 2. **Project funding; minimum requirements.** A project does not qualify for program funding if:

A. the project is inconsistent with criteria in parts 8895.0100 to 8895.1100;

B. the application is incomplete or inaccurate; or

C. the proposed project is incompatible with applicable harbor development or local comprehensive plans.

Subp. 3. **Project ranking.** The commissioner shall establish timetables for the ranking of projects. The ranking of projects determines the priority in which funding will be considered.

Subp. 4. **Criteria for ranking projects.** The commissioner shall consider the following criteria to determine project ranking:

A. ability of the project to expedite, retain, or generally improve the movement of passengers or cargo;

B. ability of the project to enhance the commercial vessel construction and repair industry;

C. ability of the project to promote identifiable economic development in and around the port and harbor;

D. ability of the project to produce a regional or

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community benefit independent of an individual facility; and

E. ability to repay a loan on the basis of the benefit-cost analysis.

Subp. 5. **Application may be resubmitted.** If the commissioner determines that an application is not eligible for ranking or is not ranked high enough for funding selection, that application may be resubmitted for the next funding cycle.

8895.0600 TYPES OF ASSISTANCE PROJECTS; ELIGIBILITY; FUNDING.

Subpart 1. **Schedule for filing applications.** The commissioner shall establish annually a deadline for filing applications for assistance under the program. This schedule will be published in the State Register. Upon request to the commissioner, schedules will be sent by mail to interested parties.

Subp. 2. **Types of assistance; eligibility.** The commissioner shall determine under items A and B the type of assistance for which a project will be eligible.

A. To be eligible to qualify for a loan, a project must satisfy one or both of the following conditions:

(1) the project expedites, retains, or generally improves the movement of commodities or passengers on the commercial navigation system; or

(2) the project enhances the commercial vessel construction and repair industry in Minnesota.

B. To qualify for a grant or a loan or a combination of both a grant and loan, the project must satisfy at least one of the conditions in item A, does not produce an increase in revenue that could be used to finance the project, and either:

(1) promotes identifiable economic development in and around ports and harbors in the state; or

(2) produces a regional or community benefit independent of an individual facility.

C. The interest rate and other terms, including security and repayments of loans, must be negotiated by the parties and must be included in the assistance agreement.

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Subp. 3. **Commitment of funds.** Program funds may be committed to an eligible applicant only after a project assistance agreement is negotiated and signed by the commissioner and the applicant.

Subp. 4. **Final funding restrictions.** The commissioner shall not make final decisions on funding a proposed project in whole or in part until:

A. all legally required permits are obtained;

B. non-state-matching funds are formally committed; and

C. the project applicant is in compliance with the program agreement.

Subp. 5. **Rescinding project funding.** The commissioner shall rescind funding if the eligible applicant withdraws its application or is unable to enter into a project assistance agreement that in the commissioner's determination satisfies parts 8895.0100 to 8895.1100 and protects the state's investment.

Subp. 6. **Assigning rescinded funds.** When a project's funding is rescinded, in whole or in part, the commissioner may fund the next highest ranked, nonfunded project on the current project priority list.

Subp. 7. **Repaying loans.** A loan recipient shall repay the funds loaned by the commissioner according to the negotiated project assistance agreement. Payments must be made on a set schedule. The maximum repayment schedule must not exceed 15 years.

8895.0700 STATE PARTICIPATION, LIMITATIONS.

Subpart 1. **State participation, limitations.** The state's share of project costs must not exceed 50 percent of the nonfederal share of the eligible costs to be incurred by the applicant for the project.

Subp. 2. **No continuing funding responsibility.** The commissioner shall not assume a continuing funding responsibility for any commercial navigation facility project.

Subp. 3. **Fund matching.** Port improvement assistance

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funding must not be used as a required match with other state funds, regardless of source.

8895.0800 APPLICATION PROCESS.

Subpart 1. **Application submittal.** An application by an eligible applicant for program funds must be submitted to the commissioner and comply with subpart 2.

Subp. 2. **Information requirements.** An application must include, at a minimum, the following information:

A. a formal request for assistance;

B. the names of the eligible applicant's representatives who are authorized to sign forms or claims and who shall act as the applicant's contact persons for the project;

C. the name of the organization, group, or person who will accept responsibility for operating and maintaining the proposed project after completion;

D. documentation that the proposed project is consistent with the harbor development plan or with the comprehensive plan of the local government if plans have been adopted, along with a copy of those plans attached to the application;

E. documentation of the source of the required matching funds in the amount specified in the assistance agreement;

F. a financial statement, including a credit history;

G. a description of the project that, at a minimum, must include:

(1) a detailed description of the work to be performed including schematic plans, drawings, and sounding reports;

(2) a description of the means by which the work is to be performed;

(3) a statement of justification and reasons for undertaking the project;

(4) a map, sketch, or other depiction of the

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project site and its surrounding area including all transportation access facilities;

(5) a statement of current ownership of the project site and facilities and of the ownership proposed upon completion of the project;

(6) a proposed time schedule for performing major project tasks; and

(7) an operating plan as required, when requested by the commissioner; and

H. a full discussion of anticipated economic impacts, including:

(1) a detailed estimate of project costs, indicating the eligible applicant's cost share, amount of state funding requested, other sources or potential sources of funds, and a full description of timetables and conditions affecting funds other than funds already budgeted by the applicant;

(2) an estimate of project development costs, which may include, but is not limited to, the value of existing land and facilities, the cost of additional site development, and the cost of storage or transfer facilities;

(3) an estimate of the applicant's annual revenues from the project if completed, or of revenues lost if the project is not completed, and an estimate of the annual costs necessary to maintain the project property;

(4) an estimate of the dollar value to the local economy directly attributable to the proposed project, or of lost dollar value to the local economy if the project is not completed, including a detailed description of the assumptions and the bases for those assumptions;

(5) a list of commodities and a disclosure of the tonnage of waterborne commerce using the project property and expected to use the project property if the project is completed;

(6) a list of permits necessary for the project to proceed and, if the permits have not been obtained, a description of the actions taken or to be taken to obtain the

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permits;

(7) copies of required environmental documents; and

(8) how the applicant plans to repay a loan.

8895.0900 ASSISTANCE AGREEMENT, FORMAL IMPLEMENTATION.

Port development assistance projects must be formally implemented through assistance agreements between the commissioner and the eligible applicant. If the eligible applicant is unable or unwilling to enter into an assistance agreement with the commissioner in the calendar year for which the applicant's project is approved, the applicant may submit another application for the project before the commissioner will again consider it for funding in a subsequent funding period.

8895.1000 ASSISTANCE AGREEMENT, REQUIRED PROVISIONS.

Subpart 1. **Maximum funds.** The maximum amount of assistance funds agreed to by the commissioner must be stated in the assistance agreement for the project.

Subp. 2. **Liability; insurance.** The assistance agreement must require an assistance recipient to save and hold the commissioner and Mn/DOT harmless from and against all liability, damage, loss, claims, demands, and actions of any nature that may be related to the project. The assistance recipient shall provide, at its own expense, a comprehensive general liability insurance policy, with per-occurrence limits to be determined by the commissioner.

Subp. 3. **Bonds.** The assistance agreement must require an assistance recipient to provide evidence of performance and payment bonds for the full amount of construction contracts let by the applicant in connection with the project.

Subp. 4. **Records; audit.** The assistance agreement must require an assistance recipient to maintain project-related books and records according to Mn/DOT specifications contained in the agreement and make the records available to the commissioner for audit purposes. In addition, assistance recipients shall make periodic progress reports to the

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commissioner. The content and timing of these reports must be as specified in the grant or loan agreement.

Subp. 5. **Inspection.** The assistance agreement must require an assistance recipient to permit the commissioner to inspect projects or request applicants to provide independent inspection at any time.

Subp. 6. **Criteria for repaying funds.** The commissioner shall notify a recipient of program grants or loans that the recipient is required to repay, if:

A. the project for which the assistance funds are awarded is not completed in accordance with all terms of the assistance agreement, including required completion dates; or

B. a commercial navigation facility for which funds were awarded is converted during the time established in the agreement to a use inconsistent with the purposes of the program or inconsistent with the terms of the agreement or is converted during that period to a use not approved in writing by the commissioner.

8895.1100 VARIANCE FROM AGREEMENT PROVISIONS.

The commissioner shall grant variances for some of the criteria of this chapter in certain cases if the majority of the criteria of this chapter are satisfied and a showing is made that demonstrable hardship to the community or the region would develop without completion of the project.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to the Port Development Assistance Program

AGENCY: Department of Transportation

MINNESOTA RULES: Chapter 8895

The attached rules are approved for publication in the State Register

Ron Ray
Senior Assistant Revisor

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

In the Matter of the Proposed Adoption of the Rule of the State of Minnesota Governing Port Development Assistance Program	FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

(1) Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on April 20, 1992 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on April 9, 1992. (2) The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rules were received by the agency. (5)

(7) No submissions or comments on the rules were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

The above-captioned rules are needed and reasonable. (8)

(9) NOW, THEREFORE, IT IS ORDERED that the rules identified as Port Development Assistance Rules are adopted this 11th day of June, 1992, pursuant to authority vested in me Minnesota Statutes, section 457A.05 (1991 Supplement).

James N. Denn

James N. Denn, Commissioner
Department of Transportation

REQUESTS FOR NEEDS AND REASONABLENESS STATEMENT

NAME	ADDRESS	DATE
MIKE GALVIN JR.	BRIGGS & MORGAN 2200 1ST BANK BLDG ST. PAUL, MN 55155	APRIL 14, 1992
LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES	55 STATE OFFICE BLDG.	APRIL 24, 1992

NO REQUESTS FOR A PUBLIC HEARING WERE RECEIVED.

NO COMMENTS OR CHANGES WERE RECEIVED.

NO REQUESTS FOR NOTIFICATION WERE RECEIVED.

NO CHANGES IN THE RULES WERE MADE AFTER PUBLICATION IN THE STATE REGISTER.

Dwayne Elliott
Senior Waterway Planner
Ports and Waterways Section
6-1-92

In the Matter of the Adoption
of the Rule of the State of of Minnesota
Governing Port Development Assistance Program

DECLARATION
OF COUNSEL

I, D J Mueller, ~~Special~~ Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0775.

D J Mueller
(Attorney's Name)
Special Assistant
Attorney General

Dated: 7-8-92

Office of the Revisor of Statutes
Administrative Rules

Ron Ray
Senior Assistant Revisor
296-0945

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

April 20, 1992

Duwayne Elliot
Department of Transportation
810 Transportation Bldg
St. Paul, MN 55155

RE: File No. 1983

Dear Duwayne:

Enclosed are stripped copies of your proposed rules as published in the State Register. The copy shows the text of the rules as you proposed them with the stricken text deleted and the underscoring removed.

If your emergency rules or rules adopted without public hearing are adopted without modification, please submit the required number of copies of this document to the Attorney General for final approval. If these rules are to be modified, please use this copy to indicate the modifications you wish to make. Our office will then input the changes, approve the document as to form, and provide you with copies to submit to the Attorney General.

If your rules are adopted after public hearing without modification, please submit one copy of this document to our office for final approval as to form. If these rules are to be modified, please use this copy to indicate the modifications you wish to make. Our office will input the changes, approve the document as to form, and provide you with copies.

Very truly yours,

RR/cs

Ron Ray

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Port Development Assistance Program.	)))))	AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND THE PROPOSED RULES OF THE DEPARTMENT OF TRANSPORTATION GOVERNING THE PORT DEVELOPMENT ASSISTANCE PROGRAM.

STATE OF MINNESOTA)
) **ss.**
COUNTY OF RAMSEY)

KENNETH H. BJORK, being sworn says:

I hereby certify that the list of persons and associations who have requested pursuant to Minnesota Statutes §§ 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the Minnesota Department of Transportation rule-making mailing list is accurate, complete, and current as of this 9th day of April, 1992.

That on the 9th day of April, 1992, at the City of Saint Paul, County of Ramsey, State of Minnesota, I mailed the Notice of Intent to Adopt Rules Without a Public Hearing Governing the Port Development Assistance Program by depositing in the State of Minnesota Central mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

AFFIANT:

KENNETH H. BJORK
Manager, Administrative
Procedures & Documentation

Subscribed and sworn to before me

this 9th day of April, 1992.

Ramona T. Mackenroth
Notary Public
Washington County, Minnesota.

My Commission Expires: 1-29-93
M / D / Y

RAMONA T. MACKENROTH
NOTARY PUBLIC-MINNESOTA
WASHINGTON COUNTY
MY COMMISSION EXPIRES JANUARY 29, 1993

Date 09APR92

State of Minnesota
Department of Transportation
Crossfile Listing
All records for Distribution 350
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Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
0012	ANDERSON	LOUIS	C	MINN DEPT TRANSPORTATION	N TR HWY 52 PO BOX 6177	ROCHESTER	MN	350	1	00.00	1
0203	ARNEBECK	RICHARD		MINN DEPT TRANSPORTATION	3725 12TH ST N PO BOX 370	ST CLOUD	MN	350	1	00.00	1
0017	BALDWIN	JEROME	C	OFC LIBRARY	B23 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0057	BATES	MARVIN	G	MINN DEPT TRANSPORTATION	1320 SUNFLOWER STREET	CROOKSTON	MN	350	1	00.00	1
0781	BERGMAN	PAUL	M	OFC CONTRACT ADMIN/MAINT	G4 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0022	BJORK	KENNETH	H	OFC SYST/ADMIN SERVICES	308 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0408	BLOMGREN	JOANNE	A	OFC TECHNICAL SUPPORT	612 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0148	BORSON	RICHARD		OFC COMMISSIONER	408 TRANSPORTATION BLDG	ST PAUL	MN	350	2	00.00	1
0455	CAMPBELL	BARBARA	J	MINN DEPT TRANSPORTATION	2900 NW 48TH ST BOX 6177	ROCHESTER	MN	350	1	00.00	1
0062	CARLSON	DENNIS		MINN DEPT TRANSPORTATION	420 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0456	CARON	DELORIS		MINN DEPT TRANSPORTATION	W TR HWY 14 PO BOX 307	OWATONNA	MN	350	1	00.00	1
0453	CHOUINARD	MARY	A	MINN DEPT TRANSPORTATION	2055 N LILAC DRIVE	GOLDEN VALLEY	MN	350	6	00.00	1
0210	CLARKE	EDWIN	O	OFC SYST/ADMIN SERVICES	308 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0002	COHOON	ED		OFC COMMISSIONER	408 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0042	CRAWFORD	WILLIAM	M	METRO DISTRICT	120 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0235	DEMBOUSKI	DIANE	M	OFC FINANCIAL MANAGEMENT	461 RICE STREET	ST PAUL	MN	350	1	00.00	1
0048	DINNEEN	DICK		OFC RIGHT OF WAY/SURVEY	5118 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0049	DURBAHN	ROGER	W	OFC HUMAN RESOURCES	515 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0047	DURGIN	DARRYL		OFC COMMISSIONER	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0147	EIDEM	MONTY		MINN DEPT TRANSPORTATION	PO BOX 490	BEMIDJI	MN	350	1	00.00	1
0153	EKERN	DAVID		MINN DEPT TRANSPORTATION	1123 MESABA AVENUE	DULUTH	MN	350	1	00.00	1
0458	ENFIELD	DAVID		MINN DEPT TRANSPORTATION	501 S VICTORY DRIVE	MANKATO	MN	350	1	00.00	1
0461	FAUCHALD	JEANNETTE		MINN DEPT TRANSPORTATION	2505 TRANSP RD PO BOX 768	WILLMAR	MN	350	1	00.00	1
0020	FLEMMING	DONALD		OFC BRIDGE/STRUCTURES	610D TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0052	FOOTE	LAWRENCE	E	OFC ENVIRONMENTAL SERVICE	124 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0069	GARGARO	SAMUEL	F	OFC ELECTRONIC COMM	900 KELLY IN	ST PAUL	MN	350	1	00.00	1
1210	GERDES	DELBERT		OFC HWY PROGRAM IMPLEMT	419 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0071	GIPP	RONALD		OFC AUDIT	1959 SLOAN PLACE	MAPLEWOOD	MN	350	1	00.00	1
0024	GJOVIK	WESLEY		MINN DEPT TRANSPORTATION	501 S VICTORY DR BOX 4039	MANKATO	MN	350	1	00.00	1
0423	GRUBBS	MARY		OFC PROGRAM MANAGEMENT	807 TRANSPORTATION BLDG	ST PAUL	MN	350	6	00.00	1
0164	HALVORSON	RANDALL	K	OFC TRANSIT	815 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0413	HANSON	GRETCHEN	E	OFC HUMAN RESOURCES	515 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0081	HAUKEBO	DUANE	A	OFC AERONAUTICS	417 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0426	HAZARD	SHERYLE	K	OFC COMMISSIONER	411 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0404	HENSLIN	GLADYS	M	OFC TECHNICAL SUPPORT	612C TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0100	HILL	ROGER	M	OFC TECHNICAL SUPPORT	612 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
4622	HOBEN	LARRY	A	MINN DEPT TRANSPORTATION	2505 TRANSP RD PO BOX 768	WILLMAR	MN	350	1	00.00	1
0229	HODGINS	DAVID	M	OFC PROGRAM MANAGEMENT	813 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0004	HOFF	GORDON		OFC AERONAUTICS	ST PAUL DOWNTOWN AIRPORT	ST PAUL	MN	350	1	00.00	1
0204	HOFFMAN	RONALD		MINN DEPT TRANSPORTATION	1000 W TR HWY 10 BOX 666	DETROIT LAKES	MN	350	1	00.00	1
0095	HOLLAND	JERRY	B	MINN DEPT TRANSPORTATION	3485 HADLEY AVE N	OAKDALE	MN	350	1	00.00	1
0407	HYLTON	MARGARET	M	OFC TECHNICAL SUPPORT	704 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0112	KEIFFER	GEORGE		OFC SYST/ADMIN SERVICES	308 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0088	KOLLMANN	BONNIE		OFC FINANCIAL MANAGEMENT	461 RICE STREET	ST PAUL	MN	350	1	00.00	1
0194	KREUTZER	GERALD	N	MINN DEPT TRANSPORTATION	1991 INDUSTRIAL PARK ROAD	BAXTER	MN	350	1	00.00	1
0444	LARSON	LINDA	L	MINN DEPT TRANSPORTATION	PO BOX 490	BEMIDJI	MN	350	1	00.00	1
0043	LARSON	BRUCE	A	MINN DEPT TRANSPORTATION	1123 MESABA AVENUE	DULUTH	MN	350	1	00.00	1
0126	LINZIE	MERRITT	H	OFC HWY PROGRAMS	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0008	MARSHALL	F	C	OFC HWY PROGRAM IMPLEMT	419 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0450	MCDOUGALL	CAROL		MINN DEPT TRANSPORTATION	1000 W TR HWY 10 BOX 666	DETROIT LAKES	MN	350	1	00.00	1
0137	MCRAE	KERMIT		MINN DEPT TRANSPORTATION	N TR HWY 52 PO BOX 6177	ROCHESTER	MN	350	1	00.00	1
0227	MILLER	JERRY	L	MINN DEPT TRANSPORTATION	PO BOX 410 610 HWY 9 S	MORRIS	MN	350	1	00.00	1
0417	MONTGOMERY	JOYCE	W	OFC STATE AID	420 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0411	MORAN	SUSAN	M	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
0110	MUELLER	WILLIAM	G	OFC TECHNICAL SUPPORT	716 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0223	MURPHY	WAYNE		OFC CONTRACT ADMIN/MAINT	G4 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
2804	NIELAND	FRANK		ADMIN TRUCK CENTER	100 STOCKYARD ROAD	SO ST PAUL	MN	350	1	00.00	1
0006	OFSTEAD	GENE		OFC TECHNICAL SUPPORT	413 TRANSPORTATION BLDG	ST PAUL	MN	350	2	00.00	1
8815	PARKER	BETSY		OFC MOTOR CARRIER/SAFETY	100 STOCKYARD ROAD	SOUTH ST PAUL	MN	350	1	00.00	1
0144	PECORE	ROBERT		MINN DEPT TRANSPORTATION	501 S VICTORY DR BOX 4039	MANKATO	MN	350	1	00.00	1
0460	PETERSON	ALLEN		MINN DEPT TRANSPORTATION	S CO RD 26 PO BOX 427	WINDOM	MN	350	1	00.00	1
0415	PETREE	ROSE	B	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1
0418	PURVIS	SANDRA	G	OFC SURVEY & MAPPING	711 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
9362	RIES	HOWARD		MINN DEPT TRANSPORTATION	3485 HADLEY AVENUE N	OAKDALE	MN	350	1	00.00	1
2515	ROBINSON	MICHAEL		OFC TRAFFIC ENGINEERING	313 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0003	ROUGHT	RAYMOND		OFC AERONAUTICS	417 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0005	SANDAHL	JOHN		OFC COMMISSIONER	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0193	SCHENKELBERG	ALLAN	J	OFC PROGRAM MANAGEMENT	807 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0416	SECOR	JANET	E	OFC RIGHT OF WAY/SURVEY	511 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0166	SELNESS	CECIL		OFC RAILROADS & WATERWAYS	925 KELLY INN	ST PAUL	MN	350	1	00.00	1
0121	SHAW	DALE	N	MINN DEPT TRANSPORTATION	W TR HWY 14 PO BOX 307	OWATONNA	MN	350	1	00.00	1
0113	SMILONICH	DAVE		OFC OPERATIONS	G36 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0240	SODER	ALAN	D	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1
0174	STEHR	RICHARD	A	METRO DISTRICT	120 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0819	STOLTMAN	CINDY	L	MINN DEPT TRANSPORTATION	1991 INDUSTRIAL PARK ROAD	BAXTER	MN	350	3	00.00	1
0178	SULLIVAN	RICHARD	H	OFC MATERIALS & RESEARCH	1400 GERVIAS AVE	MAPLEWOOD	MN	350	1	00.00	1
0180	SWANSON	RICHARD		OFC FINANCIAL MANAGEMENT	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0181	SWANSON	ROBERT	G	OFC RAILROADS & WATERWAYS	925 KELLY INN	ST PAUL	MN	350	1	00.00	1
0080	TROIEN	DAVE		MINN DEPT TRANSPORTATION	2505 TRANS ROAD BOX 768	WILLMAR	MN	350	1	00.00	1
0452	TSCHETTER	CONNIE		MINN DEPT TRANSPORTATION	610 HWY 9 S PO BOX 410	MORRIS	MN	350	2	00.00	1
0191	VACANT			MINN DEPT TRANSPORTATION	1000 W TR HWY 10 BOX 666	DETROIT LAKES	MN	350	1	00.00	1
0236	WATSON	MARTHA		OFC HUMAN RESOURCES	515 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0171	WELK	GEORGE		MINN DEPT TRANSPORTATION	S CO RD 26 PO BOX 427	WINDOM	MN	350	1	00.00	1
0201	WORKS	ROBERT	M	OFC TRANSIT	815 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
1776				US DEPT TRANSPORTATION	METRO SQUARE BLDG 490	ST PAUL	MN	350	1	00.00	2
1055	DAWSON	JEAN	L	MINN GOVERNMENT REPORT	B12 CAPITOL BLDG	ST PAUL	MN	350	1	00.00	2
0140	DEWITT	ZONA		MINN STATE LEGISLATURE	645 STATE OFFICE BLDG	ST PAUL	MN	350	1	00.00	2
1093	DOWNING	DAVID			4486 STATE OFFICE BUILDIG	ST PAUL	MN	350	1	00.00	2
0120	FOSLIEN	CHARLES	E	US DEPT TRANSPORTATION	METRO SQUARE BLDG 490	ST PAUL	MN	350	1	00.00	2
1028	HRUBY	MARYANNE	V	MINN STATE LEGISLATURE	55 STATE OFFICE BLDG	ST PAUL	MN	350	1	00.00	2
8855	LARSON	NANCY	J	POLLUTION CONTROL AGENCY	520 LAFAYETTE ROAD	ST PAUL	MN	350	1	00.00	2
9352	MCINERNEY JR	DANIEL	J	MINN DEPT HEALTH	717 S E DELAWARE ST	MINNEAPOLIS	MN	350	1	00.00	2
0281	MOOSBRUGGER	LLOYD	J	OFC ATTORNEY GENERAL	525 PARK STREET	ST PAUL	MN	350	1	00.00	2
9264	MORAN	JOHN	E	TRANSP REGULATION BOARD	100 STOCKYARDS ROAD	SO ST PAUL	MN	350	2	00.00	2
0280	MUETING	DONALD	J	OFC ATTORNEY GENERAL	525 PARK ST	ST PAUL	MN	350	1	00.00	2
0283	RAY	RON		MINN STATE LEGISLATURE	700 STATE OFFICE BLDG	ST PAUL	MN	350	1	00.00	2
4472	SMITH	RICHARD		MINN DEPT PUBLIC SAFETY	84 CAPITOL BLDG	ST PAUL	MN	350	1	00.00	2
1187	SPANKS	CURTIS	J	POLLUTION CONTROL AGENCY	520 LAFAYETTE ROAD	ST PAUL	MN	350	1	00.00	2
1076	SPITZER	SUSANNE	P	POLLUTION CONTROL AGENCY	520 LAFAYETTE ROAD 6XX	ST PAUL	MN	350	1	00.00	2
1065				INSURANCE FEDERATION MINN	55 5TH ST E #750	ST PAUL	MN	350	1	00.00	3
1022	AHERN	MICHAEL	J	MOSS & BARNETT PA	4800 NORWEST CENTER	MINNEAPOLIS	MN	350	1	00.00	3
1069	ALDERS	JIM		NORTHERN STATES POWER CO	414 NICOLLET MALL	MINNEAPOLIS	MN	350	1	00.00	3
1147	ANDERSON	HERB	K		418 - 8TH ST S	VIRGINIA	MN	350	1	00.00	3
4468	ANDERSON	C GARY		NORTHERN STATES POWER CO	414 NICOLLET MALL	MINNEAPOLIS	MN	350	1	00.00	3
1026	BAIR	ANNETTE		SW REGL DEVEL COMM	2524 BROADWAY PO BOX 265	SLAYTON	MN	350	1	00.00	3
9210	BARKER	BRUCE		MINN TIMBER PRODUCERS	208 PHOENIX BUILDING	DULUTH	MN	350	1	00.00	3
1163	BARTEL	SEVINS	D	ST PAUL CHAMBER COMMERCE	600 N CENTRAL TOWER	ST PAUL	MN	350	1	00.00	3
0779	BEATON	JOE			3109 HENNIPEN AVE S	MPLS	MN	350	1	00.00	3
1085	BERG	GARY	M	CITY OF COTTAGE GROVE	7516 80TH STREET S	COTTAGE GROVE	MN	350	1	00.00	3
0319	BERKELAND	MERLE	R	CITY OF WILLMAR	333 SW 6TH ST BOX 548	WILLMAR	MN	350	1	00.00	3
1200	BERNHARDSON	MARK	E	CITY OF ORONO	PO BOX 66	CRYSTAL BAY	MN	350	1	00.00	3
1138	BLOCK	EMANUEL	J		70 ORME CT.	ST. PAUL	MN	350	1	00.00	3
4466	BODONY	STEVE		HANSON SILO CO	PO BOX 37	LAKE LILLIAN	MN	350	1	00.00	3
4130	BOTZEK	GARY		AGGREGATE READY MIX ASSOC	506 FORT ROAD	ST PAUL	MN	350	1	00.00	3

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
1128	BOWMAN	DENNIS		OTTER TAIL POWER CO	2115 S CASCADE	FERGUS FALLS	MN	350	1	00.00	3
9431	BOYD	RICHARD	R	SAINT ANNE HOSPICE CENTER	1347 W BROADWAY	WINONA	MN	350	1	00.00	3
0334	BRICKLEY	DAVID	W	CIRCUIT CHEMISTRY	5129 INDUSTRIAL ST	MAPLE PLAIN	MN	350	1	00.00	3
1101	BROEKER	JOHN	M	BROEKER GEER FLETCHER ECT	8500 NORMANDALE LAKE BLVD	MINNEAPOLIS	MN	350	1	00.00	3
1185	BRUNNER	MARK		MINN MFGO HOUSING ASSN	555 PARK ST	ST PAUL	MN	350	1	00.00	3
3041	BRUTLAG	PAUL		MINN SUGAR BEET GROWERS	ROUTE 1 / PO BOX 2	WENDELL	MN	350	1	00.00	3
1049	BUNGE	DARREL	D	MINN PETROLEUM COUNCIL	350 ST PETER ST STE 1025	ST PAUL	MN	350	1	00.00	3
5174	BURCH	MARK		CITY OF WHITE BEAR LAKE	4701 HWY 61	WHITE BEAR LAKE	MN	350	1	00.00	3
0481	CASHMAN	THOMAS	E	N W AGRI-DEALERS ASSN	PO BOX 698	MANKATO	MN	350	1	00.00	3
0528	CLOSMORE	JEFF	L	SIX TRANSFER CO	656 PELHAM BOULEVARD	ST PAUL	MN	350	1	00.00	3
5195	COLBERT	THOMAS	A	CITY OF EAGAN	3830 PILOT KNOB RD	EAGAN	MN	350	1	00.00	3
1190	CRIST	LAWRENCE	J	UNITED TRANSPORTATION UN	317 E 5TH STREET #11	DES MOINES	IA	350	1	00.00	3
9162	CROONQUIST	WILLIS	G	UNITED TRANSP UNION	832 LUMBER EXCHANGE BLDG	MINNEAPOLIS	MN	350	1	00.00	3
1178	~~DENN~~	~~JAMES~~	N	MINN TRUCKING ASSN	1821 UNIVERSITY AVE 134N	ST PAUL	MN	350	1	00.00	3
1029	DETERS	DUANE		RED BARON FLYERS INC	RR 1	CALEDONIA	MN	350	1	00.00	3
5162	DOLENTZ	JOHN	L	CITY OF ST CLOUD	400 2ND STREET S	ST CLOUD	MN	350	1	00.00	3
1018	DONAHUE	DANIEL	J	CITY OF NEW HOPE	4401 XLYON AVENUE N	NEW HOPE	MN	350	1	00.00	3
0532	DVORSAK	JUDY		HENSLEY INC	PO BOX 597	OSAKIS	MN	350	1	00.00	3
5179	EBELING	CRAIG		CITY OF BURNSVILLE	100 CIVIC CENTER PKWY	BURNSVILLE	MN	350	1	00.00	3
9329	EELKEMA	ROBERT		MINN MEDICAL ASSOCIATION	2221 UNIVERSITY AVE RM400	MPLS	MN	350	1	00.00	3
5194	FOLCH	CHARLES	D	CITY OF CHANHASSEN	690 COULTER DR PO BOX 147	CHANHASSEN	MN	350	1	00.00	3
1134	FONTAINE	LEYTEN		RDC REGION 5	611 IOWA AVENUE	STAPLES	MN	350	1	00.00	3
1056	FORBES	GORDON		M T PROPERTIES INC	475 CLEVELAND AVE N #305	ST PAUL	MN	350	1	00.00	3
9432	FRIESEN	MILLER	A	RANGE MENTAL HEALTH CTR	PO BOX 1188	VIRGINIA	MN	350	1	00.00	3
1120	FRISON	FRANK		N E C A ROOM 305	175 W LAFAYETTE FRT RD S	ST PAUL	MN	350	1	00.00	3
1545	FUNK	DEBRA	L	EAST CENTRAL DEVELP COMM	100 S PARK ST	MORA	MN	350	1	00.00	3
0543	FURTH	PAUL	T	FURTH-MEILE INSURANCE	9 N MINNESOTA ST BOX 37	NEW ULM	MN	350	1	00.00	3
5160	GAITLIN	STEVE		CITY OF ROSEVILLE	2660 CIVIC CENTER DRIVE	ROSEVILLE	MN	350	1	00.00	3
1072	GARRETT	VIOLA	M	CITY OF PINE RIVER	PO BOX 87	PINE RIVER	MN	350	1	00.00	3
1168	GEORGE	DARLENE		CITY OF CRYSTAL	4141 DOUGLAS DRIVE N	CRYSTAL	MN	350	1	00.00	3
0436	GERBER	ALLEN		MINN ASSN OF COOPERATIVES	480 CEDAR ST 380	ST PAUL	MN	350	1	00.00	3
1045	GILLIG	DEBORA	J	CRYSTAL SHAMROCK INC	6000 DOUGLAS DRIVE N	MINNEAPOLIS	MN	350	1	00.00	3
1157	GRABER	SHERMAN		WORTHINGTON AVIATION	AIRPORT ROAD	WORTHINGTON	MN	350	1	00.00	3
1041	GRETZ	JOHN		CITY OF APPLE VALLEY	14200 CEDAR AVE	APPLE VALLEY	MN	350	1	00.00	3
1184	GRINDEN	JOHN	C	DULUTH AIRPORT AUTHORITY	DULUTH INTL AIRPORT	DULUTH	MN	350	1	00.00	3
0545	GUNDERSON	JAY	C	JACK FROST INC	6005 BENTON DRIVE NORTH	SAUK RAPIDS	MN	350	1	00.00	3
5010	GUSTAFSON	ROGER	M	COUNTY OF CARVER	600 E 4TH STREET PO BOX 6	CHASKA	MN	350	1	00.00	3
4470	HACKING	EARL			700 N MEADOW LANE	MINNEAPOLIS	MN	350	1	00.00	3
1194	HAIDER	KEN		CITY OF MAPLEWOOD	1830 E CO RD B	MAPLEWOOD	MN	350	1	00.00	3
1042	HALLMAN	WES	A	ASSOCIATED MOTOR CARRIERS	840 HAMPDEN AVE #206	ST PAUL	MN	350	1	00.00	3
1460	HAMMARGREN	DAVID		RICHARD KNUTSON INC	12585 RHODE ISLAND AVE S	SAVAGE	MN	350	1	00.00	3
1186	HARRY	RICHARD			1000 LAKESHORE DRIVE	MOOSE LAKE	MN	350	1	00.00	3
5120	HOFFMAN	FRANCIS	J	CITY OF EDINA	4801 W 50TH STREET	EDINA	MN	350	1	00.00	3
1181	HOFFMAN	CHARLES	B	PICKANDS MATHER & COMPANY	200 W SUPERIOR ST 811	DULUTH	MN	350	1	00.00	3
0790	HOGAN	RAY		TEAMSTER LOCAL 120	320 UNIVERSITY AVE	ST PAUL	MN	350	1	00.00	3
4476	HOLTE	GREG		RED RIV VAL SUGAR BEET GR	336 5TH AVENUE E	HALSTAD	MN	350	1	00.00	3
5108	HULSETHER	JEFF		CITY OF BRAINERD	501 LAUREL ST CITY HALL	BRAINERD	MN	350	1	00.00	3
1550	HULSETHER	JEFFREY	M	CITY OF BRAINERD	CITY HALL	BRAINERD	MN	350	1	00.00	3
0559	INGVALSON	VERN		MN FARM BUREAU FEDERATION	PO BOX 64370	ST PAUL	MN	350	1	00.00	3
1150	JACK	JAMES	T	MANKATO STATE UNIVERSITY	PO BOX 36	MANKATO	MN	350	1	00.00	3
1159	JENSEN	GAYNOLD		HEALTH CARE FACILTIES	8400 PENNSYLVANIA RD #327	MINNEAPOLIS	MN	350	1	00.00	3
1007	JILK	STEPHAN		CITY OF ROSEMOUNT	2875 145TH ST W	ROSEMOUNT	MN	350	1	00.00	3
1161	JOHANSEN	JIM		JOHANSEN BUS SVC INC	11911 CAVELL AVENUE N	CHAMPLIN	MN	350	1	00.00	3
1009	JOHNSON	JOHN	A		RR 2 - PO BOX 79	SACRED HEART	MN	350	1	00.00	3
4436	JOHNSON	JAMES	H	DAHLEN TRANSPORT INC	1680 4TH AVENUE	NEWPORT	MN	350	1	00.00	3
1010	JOHNSON	GORDON	H	LUTHERAN SOCIAL SERVICE	2414 PARK AVENUE	MINNEAPOLIS	MN	350	1	00.00	3
9420	KARR	JEFFREY		ABBOTT-NWESTERN HOSPITAL	800 EAST 28TH STREET	MINNEAPOLIS	MN	350	1	00.00	3
1213	KASHMARK	GENE		KASHMARK TRUCKING INC	221 FAIR ST	CLINTON	MN	350	1	00.00	3
3073	KEEFE	STEVE		METROPOLITAN COUNCIL	230 EAST 5TH ST	ST PAUL	MN	350	1	00.00	3
0793	KEEGEL	TOM		TEAMSTER LOCAL 544	2636 PORTLAND AVE SO	MPLS	MN	350	1	00.00	3

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
1013	KLEIN	ALLAN		MINN OFC ADMIN HEARINGS	310 FOURTH AVE S #500	MINNEAPOLIS	MN	350	1	00.00	3
1208	KROGMAN	ROBERT	S	N W PETROLEUM ASSOCIATION	2345 RICE STREET STE 173	ST PAUL	MN	350	1	00.00	3
1016	KRUPA	DENNIS		ANDERSON TRUCKING SERVICE	203 COOPER AVENUE N	ST CLOUD	MN	350	1	00.00	3
0653	LATTIN	LOWELL	L	HARVEST STATES CO-OP	1667 N SNELLING AVE	ST PAUL	MN	350	1	00.00	3
5106	LENTHE	CHARLES		CITY OF BLAINE	9150 CENTRAL AVENUE NE	BLAINE	MN	350	1	00.00	3
0804	LIIMATAINEN	SHERM		TEAMSTER LOCAL 346	2802 WEST FIRST ST	ST PAUL	MN	350	1	00.00	3
1074	LOFTHUS	MARK	W	COUNTRYSIDE COUNCIL	PO BOX 78	MARSHALL	MN	350	1	00.00	3
2054	LON	AUNE	P	CITY OF APPLE VALLEY	14299 CEDAR AVE S	APPLE VALLEY	MN	350	1	00.00	3
9417	LYNCH	FRANCES		504 ADVISORY COMMITTEE	4323 LONGFELLOW AVENUE	MINNEAPOLIS	MN	350	1	00.00	3
1135	MADKINS	CAROL	A	BUREAU NATL AFFAIRS INC	1231 25TH STREET NW	WASHINGTON	DC	350	1	00.00	3
1140	MALINEN	WILLIAM	J	TOWNSHIP OF WHITE BEAR	1281 HAMMOND ROAD	WHITE BEAR	MN	350	1	00.00	3
5109	MALONEY	MARK		CITY OF BROOKLYN CENTER	6301 SHINGLE CREEK PKWY	BROOKLYN CENTER	MN	350	1	00.00	3
0740	MARANELL	MIKE	L	AG PROCESSING INC	11717 BURT ST SUITE 2	OMAHA	NB	350	1	00.00	3
5098	MCINTOSH	ANDREW			1012 GRAIN EXCHANGE BLDG	MINNEAPOLIS	MN	350	1	00.00	3
1092	MEHMEL	P	V	W CENTRAL COMM SVCS CTR	P O BOX 787	WILLMAR	MN	350	1	00.00	3
1119	MERRILL	THOMAS	E	FARIBAULT TRANSPORTATION	2615 1ST AVE NW BOX 163	FARIBAULT	MN	350	1	00.00	3
0742	MICHALSON	GEORGE	D	MIDDLEWEST MOTOR FRE BUR	PO BOX 418647	KANSAS CITY	MO	350	1	00.00	3
5130	MONTGOMERY	TOM		CITY OF HASTINGS	CITY HALL 100 SIBLEY ST	HASTINGS	MN	350	1	00.00	3
1012	MOORE	J	K	ERNEST K LEHMANN & ASSOC	430 FIRST AVE N	MINNEAPOLIS	MN	350	1	00.00	3
1117	MORGAN	ROBERT	S	MINNEAPOLIS PUBLIC WORKS	350 S 5TH ST RM 203	MINNEAPOLIS	MN	350	1	00.00	3
0749	MORRELL	JAY	C	M AND P TRANSPORT INC	PO BOX 477	MONTICELLO	MN	350	1	00.00	3
9433	MUELLER	MICHAEL	T	H T S INC	PO BOX 281	SO ST PAUL	MN	350	1	00.00	3
5134	NOLTING	DONALD	L	CITY OF INTL FALLS	CITY HALL BOX 392	INTL FALLS	MN	350	1	00.00	3
1098	NORD	TERENCE		NORD AVIATION INC	RR 1 BOX 3	PEMBINA	ND	350	1	00.00	3
1054	OLSON	N	G	THUNDERBIRD AIRCRAFT CO	5100 EDEN AVENUE	MINNEAPOLIS	MN	350	1	00.00	3
1064	PELLISH	JOE		H B FULLER CO	3530 N LEXINGTON AVENUE	ST PAUL	MN	350	1	00.00	3
0768	PIILOLA	ANDREW	A	MN TRUCKING ASSN	1821 UNIVERSITY AV 134N	ST PAUL	MN	350	1	00.00	3
1179	RADZIEJ	DAVID		AGC MINNESOTA	111 E KELLOGG BLVD	ST. PAUL	MN	350	1	00.00	3
1088	RAIBER	KENNETH	W	ST CLOUD STATE UNIVERSITY	HEADLEY HALL	ST CLOUD	MN	350	1	00.00	3
1073	RANDELL	PATSY	A	HONEYWELL INC	HONEYWELL PLAZA	MINNEAPOLIS	MN	350	1	00.00	3
1530	RHULE	SAM		OFC ADMIN HEARINGS	310 4TH AVE S	MPLS	MN	350	1	00.00	3
9222	RIPPENTROP	GARY	D	MINN AUTO DEALERS ASSOC	277 UNIVERSITY AVENUE	ST PAUL	MN	350	1	00.00	3
1111	RODEWALD	JEROME	C	ECOLAB INC	ECOLAB CENTER	ST PAUL	MN	350	1	00.00	3
4119	ROMBERG	CHRIS		COUNTY OF BROWN	COURT HOUSE	NEW ULM	MN	350	1	00.00	3
1038	ROSENTHAL	ABE		MINN TRANSPORT SERVICES	1821 UNIVERSITY AVE 310N	ST PAUL	MN	350	1	00.00	3
1033	ROSS	ALFRED			6356 WARE ROAD	LINO LAKES	MN	350	1	00.00	3
4471	RUBENSTEIN	SAMUEL			6960 MADISON AVENUE W	GOLDEN VALLEY	MN	350	1	00.00	3
5107	RUDRUD	RONALD		CITY OF BLOOMINGTON	2215 W OLD SHAKOPEE ROAD	BLOOMINGTON	MN	350	1	00.00	3
3999	SALLSTROM	CRAIG	J	MN PLANT FOOD & CHEM ASSN	1821 UNIVERSITY AVE #253S	ST PAUL	MN	350	1	00.00	3
1082	SANFORD	S	M		7000 PORTLAND AVE	RICHFIELD	MN	350	1	00.00	3
0983	SATHER	CAROL ANN		FARM CREDIT LEASING SERV	10 SECOND ST NE	MPLS	MN	350	1	00.00	3
9425	SCANLAN	JOYCE		NATL FED OF BLIND MINN	15 S FIFTH STREET 715	MINNEAPOLIS	MN	350	1	00.00	3
0805	SCHENK	JIM		TEAMSTER LOCAL 160	405 HLF SOUTH BROADWAY	ROCHESTER	MN	350	1	00.00	3
1100	SCHMIT	MICHAEL	C	CITY OF WILLMAR	333 W 6TH ST PO BOX 755	WILLMAR	MN	350	1	00.00	3
1152	SCHMITT	WILLIAM	L	CITY OF ALBERT LEA	221 E CLARK STREET	ALBERT LEA	MN	350	1	00.00	3
5103	SCHULTZ	RAY		CITY OF ANOKA	2015 1ST AVE N	ANOKA	MN	350	1	00.00	3
1104	SHOL	LUCKY		W CENTRAL AIRWAYS INC	PO BOX 432	FERGUS FALLS	MN	350	1	00.00	3
1205	SIEGMUND	RON		MINN STATE AUTO ASSOC	7 TRAVELERS TRAIL	BURNSVILLE	MN	350	1	00.00	3
5142	SONNENBERG	DAVID	J	CITY OF MINNETONKA	14600 MINNETONKA BLVD	MINNETONKA	MN	350	1	00.00	3
9428	SPARTZ	GREGORY	G	WILLMAR STATE HOSPITAL	PO BOX 1128	WILLMAR	MN	350	1	00.00	3
1115	STROM	KURT	E	MN ST COUNCIL DISABILITY	145 METRO SQUARE BLDG	ST PAUL	MN	350	1	00.00	3
1344	THALACKER	VERNON	R	FHWA OFC OF MOTOR CARRIER	METRO SQUARE SUITE 490	ST PAUL	MN	350	1	00.00	3
4474	THOMPSON	RUSSELL	C	CENEX LAND O LAKES AG	PO BOX 64089	ST PAUL	MN	350	1	00.00	3
1050	TOSCU	PAUL		IZAAK WALTON LEAGUE OF AM	525 PARK ST #101	ST PAUL	MN	350	1	00.00	3
9019	VAN DE NORTH	JOHN	B	BRIGGS & MORGAN PA	2200 FIRST NATL BANK BLDG	ST PAUL	MN	350	1	00.00	3
9436	WAAGE	DANIEL	L	HILLTOP CARE CENTER	ROUTE 1 BOX H	WATKINS	MN	350	1	00.00	3
1036	WARDEN	KENT		MPLS ASSOC BLDG OWNER/MGR	927 SCO LINE BLDG	MINNEAPOLIS	MN	350	1	00.00	3
0775	WILSEY JR	LESTER	A	INDIANHEAD TRK LINE INC	PO BOX 64355	ST PAUL	MN	350	1	00.00	3
5082	WISNIEWSKI	DONALD	C	COUNTY OF WASHINGTON	11660 MYERON RD N	STILLWATER	MN	350	1	00.00	3
9424	XXXXXXXXXX			KNUTE NELSON MEM HOME	420 12TH AVENUE E	ALEXANDRIA	MN	350	1	00.00	3

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
9419	XXXXXXXXXXX			UNITED HANDICAPPED FEDN	1821 UNIVERSITY AVE 2845	ST PAUL	MN	350	1	00.00	3
0777	YATES	HAROLD	D	TEAMSTER LOCAL 120	320 UNIVERSITY AVE	ST PAUL	MN	350	1	00.00	3
0652	ZEIG	LEO		DITTRICH OF MN	1000 N FRONT ST	NEW ULM	MN	350	1	00.00	3
1197	ZELENKA	ROBERT		MINN FARMERS ELEVATOR	852 GRAIN EXCHANGE BLDG	MPLS	MN	350	1	00.00	3

In the Matter of the Proposed Adoption of Rules of the Minnesota Department of Transportation Governing the Port Development Assistance Program.	AFFIDAVIT OF 1.) MAILING THE NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION, AND 2.) CERTIFICATE OF MAILING LIST.

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Kenneth H. Bjork, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, Sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the Minnesota Department of Transportation rulemaking mailing list is accurate, complete, and current as of this 6th day of August, 1991.

That on the 6th day of August, 1991, at the City of Saint Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Solicit Outside Opinion, by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

AFFIANT:

Kenneth H. Bjork
Manager, Administrative Procedures & Documentation

Subscribed and sworn to before me
this 6th day of August, 1991.

Celine Carpenter
Notary Public
Ramsey County, Minnesota.

My Commission Expires: April 28, 1994.

CELINE CARPENTER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES APRIL 28, 1994

Date 05AUG91

State of Minnesota
Department of Transportation
Crossfile Listing
All records for Distribution 350
****

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
0078	ADOLFSON	RAYMOND	A	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1
0012	ANDERSON	LOUIS	C	MINN DEPT TRANSPORTATION	N TR HWY 52 PO BOX 6177	ROCHESTER	MN	350	1	00.00	1
0017	BALDWIN	JEROME	C	OFC LIBRARY	B23 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0057	BATES	MARVIN	G	MINN DEPT TRANSPORTATION	1320 SUNFLOWER STREET	CROOKSTON	MN	350	1	00.00	1
0781	BERGMAN	PAUL	M	OFC CONTRACT ADMIN/MAINT	G4 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0022	BJORK	KENNETH	H	OFC SYST/ADMIN SERVICES	308 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0408	BLOMGREN	JOANNE	A	OFC TECHNICAL SUPPORT	612 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0148	BORSON	RICHARD		OFC COMMISSIONER	408 TRANSPORTATION BLDG	ST PAUL	MN	350	2	00.00	1
0455	CAMPBELL	BARBARA	J	MINN DEPT TRANSPORTATION	2900 NW 48TH ST BOX 6177	ROCHESTER	MN	350	1	00.00	1
0062	CARLSON	DENNIS		MINN DEPT TRANSPORTATION	420 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0456	CARON	DELORIS		MINN DEPT TRANSPORTATION	W TR HWY 14 PO BOX 307	OWATONNA	MN	350	1	00.00	1
0210	CLARKE	EDWIN	O	OFC SYST/ADMIN SERVICES	308 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0042	CRAWFORD	WILLIAM	M	METRO DISTRICT	120 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0235	DEMBOUSKI	DIANE	M	OFC FINANCIAL MANAGEMENT	461 RICE STREET	ST PAUL	MN	350	1	00.00	1
0002	DIFFERT	DOUGLAS	H	OFC COMMISSIONER	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0048	DINNEEN	DICK		OFC RIGHT OF WAY/SURVEY	511B TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0049	DURBAHN	ROGER	W	OFC HUMAN RESOURCES	515 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0047	DURGIN	DARRYL		OFC COMMISSIONER	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0147	EIDEM	MONTY		MINN DEPT TRANSPORTATION	PO BOX 490	BEMIDJI	MN	350	1	00.00	1
0080	EKERN	DAVID	S	MINN DEPT TRANSPORTATION	2505 TRANS ROAD BOX 768	WILLMAR	MN	350	1	00.00	1
0191	ELLETSON	JAMES	K	MINN DEPT TRANSPORTATION	1000 W TR HWY 10 BOX 666	DETROIT LAKES	MN	350	1	00.00	1
0458	ENFIELD	DAVID		MINN DEPT TRANSPORTATION	501 S VICTORY DRIVE	MANKATO	MN	350	1	00.00	1
0461	FAUCHALD	JEANNETTE		MINN DEPT TRANSPORTATION	2505 TRANSP RD PO BOX 768	WILLMAR	MN	350	1	00.00	1
0020	FLEMMING	DONALD		OFC BRIDGE/STRUCTURES	610D TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0052	FOOTE	LAWRENCE	E	OFC ENVIRONMENTAL SERVICE	124 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0069	GARGARO	SAMUEL	F	OFC ELECTRONIC COMM	900 KELLY IN	ST PAUL	MN	350	1	00.00	1
1210	GERDES	DELBERT		OFC HWY PROGRAM IMPLEMT	419 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0071	GIPP	RONALD		OFC AUDIT	1959 SLOAN PLACE	MAPLEWOOD	MN	350	1	00.00	1
0024	GJOVIK	WESLEY		MINN DEPT TRANSPORTATION	501 S VICTORY DR BOX 4039	MANKATO	MN	350	1	00.00	1
0423	GRUBBS	MARY		OFC PROGRAM MANAGEMENT	807 TRANSPORTATION BLDG	ST PAUL	MN	350	6	00.00	1
0164	HALVORSON	RANDALL	K	OFC TRANSIT	815 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0413	HANSON	GRETCHEN	E	OFC HUMAN RESOURCES	515 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0081	HAUKEBO	DUANE	A	OFC AERONAUTICS	417 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0404	HENSLIN	GLADYS	M	OFC TECHNICAL SUPPORT	612C TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0100	HILL	ROGER	M	OFC TECHNICAL SUPPORT	612 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
4622	HOBEN	LARRY	A	MINN DEPT TRANSPORTATION	2505 TRANSP RD PO BOX 768	WILLMAR	MN	350	1	00.00	1
0229	HODGINS	DAVID	M	OFC PROGRAM MANAGEMENT	813 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0204	HOFFMAN	RONALD		MINN DEPT TRANSPORTATION	1000 W TR HWY 10 BOX 666	DETROIT LAKES	MN	350	1	00.00	1
0095	HOLLAND	JERRY		MINN DEPT TRANSPORTATION	3485 HADLEY AVE N	OAKDALE	MN	350	1	00.00	1
0407	HYLTON	MARGARET	M	OFC TECHNICAL SUPPORT	704 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0426	JONES	PEGGY	A	OFC COMMISSIONER	411 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0112	KEIFFER	GEORGE		OFC SYST/ADMIN SERVICES	308 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0088	KOLLMANN	BONNIE		OFC FINANCIAL MANAGEMENT	461 RICE STREET	ST PAUL	MN	350	1	00.00	1
0117	KORTH	LEO	A	OFC ASSISTANT COMMISSIONR	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0194	KREUTZER	GERALD	N	MINN DEPT TRANSPORTATION	301 LAUREL ST PO BOX 978	BRAINERD	MN	350	1	00.00	1
0444	LARSON	LINDA	L	MINN DEPT TRANSPORTATION	PO BOX 490	BEMIDJI	MN	350	1	00.00	1
0043	LARSON	BRUCE	A	MINN DEPT TRANSPORTATION	1123 MESABA AVENUE	DULUTH	MN	350	1	00.00	1
0126	LINZIE	MERRITT	H	OFC PROGRAM MANAGEMENT	807 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0453	LUNGSTROM	DOUG		MINN DEPT TRANSPORTATION	2055 N LILAC DRIVE	GOLDEN VALLEY	MN	350	96	00.00	1
0008	MARSHALL	FRITZ		OFC HWY PROGRAM IMPLEMT	419 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0450	MCDOUGALL	CAROL		MINN DEPT TRANSPORTATION	1000 W TR HWY 10 BOX 666	DETROIT LAKES	MN	350	1	00.00	1
0005	MCNAMARA	LARRY		OFC COMMISSIONER	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0137	MCRAE	KERMIT		MINN DEPT TRANSPORTATION	N TR HWY 52 PO BOX 6177	ROCHESTER	MN	350	1	00.00	1
0227	MILLER	JERRY	L	MINN DEPT TRANSPORTATION	PO BOX 410 610 HWY 9 S	MORRIS	MN	350	1	00.00	1

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
0417	MONTGOMERY	JOYCE	W	OFC STATE AID	420 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0411	MORAN	SUSAN	M	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1
0110	MUELLER	WILLIAM	G	OFC TECHNICAL SUPPORT	716 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0223	MURPHY	WAYNE		OFC CONTRACT ADMIN/MAINT	G4 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
2804	NIELAND	FRANK		ADMIN TRUCK CENTER	100 STOCKYARD ROAD	SO ST PAUL	MN	350	1	00.00	1
0005	OFSTEAD	GENE		OFC TECHNICAL SUPPORT	413 TRANSPORTATION BLDG	ST PAUL	MN	350	2	00.00	1
8815	PARKER	BETSEY		OFC MOTOR CARRIER/SAFETY	100 STOCKYARD ROAD	SOUTH ST PAUL	MN	350	1	00.00	1
0144	PECORE	ROBERT		MINN DEPT TRANSPORTATION	501 S VICTORY DR BOX 4039	MANKATO	MN	350	1	00.00	1
0460	PETERSON	ALLEN		MINN DEPT TRANSPORTATION	S CO RD 26 PO BOX 427	WINDOM	MN	350	1	00.00	1
0415	PETREE	ROSE	B	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1
0418	PURVIS	SANDRA	G	OFC SURVEY & MAPPING	711 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
9362	RIES	HOWARD		MINN DEPT TRANSPORTATION	3485 HADLEY AVENUE N	OAKDALE	MN	350	1	00.00	1
0003	ROUGHT	RAYMOND		OFC AERONAUTICS	417 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0153	SANDAHL	JOHN		MINN DEPT TRANSPORTATION	1123 MESABA AVENUE	DULUTH	MN	350	1	00.00	1
0193	SCHENKELBERG	ALLAN	J	OFC PROGRAM MANAGEMENT	807 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0416	SECOR	JANET	E	OFC RIGHT OF WAY/SURVEY	511 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0166	SELNESS	CECIL		OFC RAILROADS & WATERWAYS	925 KELLY INN	ST PAUL	MN	350	1	00.00	1
0121	SHAW	DALE	N	MINN DEPT TRANSPORTATION	W TR HWY 14 PO BOX 307	OWATONNA	MN	350	1	00.00	1
0113	SMILONICH	DAVE		OFC OPERATIONS	G36 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0240	SODER	ALAN	D	OFC MATERIALS & RESEARCH	1400 GERVAIS AVE	MAPLEWOOD	MN	350	1	00.00	1
0174	STEHR	RICHARD	A	METRO DISTRICT	120 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0819	STOLTZMAN	CINDY	L	MINN DEPT TRANSPORTATION	301 LAUREL ST PO BOX 978	BRAINERD	MN	350	3	00.00	1
0178	SULLIVAN	RICHARD	H	OFC MATERIALS & RESEARCH	1400 GERVIAS AVE	MAPLEWOOD	MN	350	1	00.00	1
0236	SUNDQUIST	BARBARA		OFC ASSISTANT COMMISSIONE	408 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0180	SWANSON	RICHARD		OFC FINANCIAL MANAGEMENT	413 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0181	SWANSON	ROBERT	G	OFC RAILROADS & WATERWAYS	925 KELLY INN	ST PAUL	MN	350	1	00.00	1
0185	TESSMAN	GERALD	F	OFC HUMAN RESOURCES	515 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
0203	TROOIEN	DAVID	G	MINN DEPT TRANSPORTATION	3725 12TH ST N PO BOX 370	ST CLOUD	MN	350	1	00.00	1
0452	TSCHETTER	CONNIE		MINN DEPT TRANSPORTATION	610 HWY 9 S PO BOX 410	MORRIS	MN	350	2	00.00	1
0004	VACANT			OFC AERONAUTICS	ST PAUL DOWNTOWN AIRPORT	ST PAUL	MN	350	1	00.00	1
0171	WELK	GEORGE		MINN DEPT TRANSPORTATION	S CO RD 26 PO BOX 427	WINDOM	MN	350	1	00.00	1
0201	WORKS	ROBERT	M	OFC TRANSIT	815 TRANSPORTATION BLDG	ST PAUL	MN	350	1	00.00	1
1776				US DEPT TRANSPORTATION	METRO SQUARE BLDG 490	ST PAUL	MN	350	1	00.00	2
1055	DAWSON	JEAN	L	MINN GOVERNMENT REPORT	B12 CAPITOL BLDG	ST PAUL	MN	350	1	00.00	2
0140	DEWITT	ZONA		MINN STATE LEGISLATURE	645 STATE OFFICE BLDG	ST PAUL	MN	350	1	00.00	2
0120	FOSLIEN	CHARLES	E	US DEPT TRANSPORTATION	METRO SQUARE BLDG 490	ST PAUL	MN	350	1	00.00	2
1028	HRUBY	MARYANNE	V	MINN STATE LEGISLATURE	55 STATE OFFICE BLDG	ST PAUL	MN	350	1	00.00	2
8855	LARSON	NANCY	J	POLLUTION CONTROL AGENCY	520 LAFAYETTE ROAD	ST PAUL	MN	350	1	00.00	2
9352	MCINERNEY JR	DANIEL	J	MINN DEPT HEALTH	717 S E DELAWARE ST	MINNEAPOLIS	MN	350	1	00.00	2
0281	MOOSBRUGGER	LLOYD	J	OFC ATTORNEY GENERAL	525 PARK STREET	ST PAUL	MN	350	1	00.00	2
9264	MORAN	JOHN	E	TRANSP REGULATION BOARD	100 STOCKYARDS ROAD	SO ST PAUL	MN	350	2	00.00	2
0280	MUETING	DONALD	J	OFC ATTORNEY GENERAL	525 PARK ST	ST PAUL	MN	350	1	00.00	2
0283	RAY	RON		MINN STATE LEGISLATURE	700 STATE OFFICE BLDG	ST PAUL	MN	350	1	00.00	2
4472	SMITH	RICHARD		MINN DEPT PUBLIC SAFETY	B4 CAPITOL BLDG	ST PAUL	MN	350	1	00.00	2
1187	SPANKS	CURTIS	J	POLLUTION CONTROL AGENCY	520 LAFAYETTE ROAD	ST PAUL	MN	350	1	00.00	2
1076	SPITZER	SUSANNE	P	POLLUTION CONTROL AGENCY	520 LAFAYETTE ROAD 6XX	ST PAUL	MN	350	1	00.00	2
1022	AHERN	MICHAEL	J	MOSS & BARNETT PA	4800 NORWEST CENTER	MINNEAPOLIS	MN	350	1	00.00	3
1069	ALDERS	JIM		NORTHERN STATES POWER CO	414 NICOLLET MALL	MINNEAPOLIS	MN	350	1	00.00	3
1147	ANDERSON	HERB	K		418 - 8TH ST S	VIRGINIA	MN	350	1	00.00	3
4468	ANDERSON	C GARY		NORTHERN STATES POWER CO	414 NICOLLET MALL	MINNEAPOLIS	MN	350	1	00.00	3
1026	BAIR	ANNETTE		SW REGL DEVEL COMM	2524 BROADWAY PO BOX 265	SLAYTON	MN	350	1	00.00	3
9210	BARKER	BRUCE		MINN TIMBER PRODUCERS	208 PHOENIX BUILDING	DULUTH	MN	350	1	00.00	3
1163	BARTEL	SEVINS	D	ST PAUL CHAMBER COMMERCE	600 N CENTRAL TOWER	ST PAUL	MN	350	1	00.00	3
0779	BEATON	JOE			3109 HENNIPEN AVE S	MPLS	MN	350	1	00.00	3
1085	BERG	GARY	M	CITY OF COTTAGE GROVE	7516 80TH STREET S	COTTAGE GROVE	MN	350	1	00.00	3
0319	BERKELAND	MERLE	R	CITY OF WILLMAR	333 SW 6TH ST BOX 548	WILLMAR	MN	350	1	00.00	3
1200	BERNHARDSON	MARK	E	CITY OF ORONO	PO BOX 66	CRYSTAL BAY	MN	350	1	00.00	3
1138	BLOCK	EMANUEL	J		70 ORME CT.	ST. PAUL	MN	350	1	00.00	3
4466	BODONY	STEVE		HANSON SILO CO	PO BOX 37	LAKE LILLIAN	MN	350	1	00.00	3
4130	BOTZEK	GARY		AGGREGARE READY MIX ASSOC	505 FORT ROAD	ST PAUL	MN	350	1	00.00	3

Key	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
1128	BOWMAN	DENNIS		OTTER TAIL POWER CO	2115 S CASCADE	FERGUS FALLS	MN	350	1	00.00	3
9431	BOYD	RICHARD	R	SAINT ANNE HOSPICE CENTER	1347 W BROADWAY	WINONA	MN	350	1	00.00	3
0334	BRICKLEY	DAVID	W	CIRCUIT CHEMISTRY	5129 INDUSTRIAL ST	MAPLE PLAIN	MN	350	1	00.00	3
1101	BROEKER	JOHN	M	BROEKER GEER FLETCHER ECT	8500 NORMANDALE LAKE BLVD	MINNEAPOLIS	MN	350	1	00.00	3
1185	BRUNNER	MARK		MINN MFGD HOUSING ASSN	555 PARK ST	ST PAUL	MN	350	1	00.00	3
3041	BRUTLAG	PAUL		MINN SUGAR BEET GROWERS	ROUTE 1 / PO BOX 2	WENDELL	MN	350	1	00.00	3
1049	BUNGE	DARREL	D	MINN PETROLEUM COUNCIL	350 ST PETER ST STE 1025	ST PAUL	MN	350	1	00.00	3
5174	BURCH	MARK		CITY OF WHITE BEAR LAKE	4701 HWY 61	WHITE BEAR LAKE	MN	350	1	00.00	3
0481	CASHMAN	THOMAS	E	N W AGRI-DEALERS ASSN	PO BOX 698	MANKATO	MN	350	1	00.00	3
0528	CLOSMORE	JEFF	L	SIX TRANSFER CO	656 PELHAM BOULEVARD	ST PAUL	MN	350	1	00.00	3
5195	COLBERT	THOMAS	A	CITY OF EAGAN	3830 PILOT KNOB RD	EAGAN	MN	350	1	00.00	3
1190	CRIST	LAWRENCE	J	UNITED TRANSPORTATION UN	317 E 5TH STREET #11	DES MOINES	IA	350	1	00.00	3
9162	CROONQUIST	WILLIS	G	UNITED TRANSP UNION	832 LUMBER EXCHANGE BLDG	MINNEAPOLIS	MN	350	1	00.00	3
1178	DENN	JAMES	N	MINN TRUCKING ASSN	1821 UNIVERSITY AVE 134N	ST PAUL	MN	350	1	00.00	3
1029	DETERS	DUANE		RED BARON FLYERS INC	RR 1	CALEDONIA	MN	350	1	00.00	3
5162	DOLENTZ	JOHN	L	CITY OF ST CLOUD	400 2ND STREET S	ST CLOUD	MN	350	1	00.00	3
1018	DONAHUE	DANIEL	J	CITY OF NEW HOPE	4401 XLYON AVENUE N	NEW HOPE	MN	350	1	00.00	3
0532	DVORSAK	JUDY		HENSLEY INC	PO BOX 597	OSAKIS	MN	350	1	00.00	3
5179	EBELING	CRAIG		CITY OF BURNSVILLE	100 CIVIC CENTER PKWY	BURNSVILLE	MN	350	1	00.00	3
9329	EELKEMA	ROBERT		MINN MEDICAL ASSOCIATION	2221 UNIVERSITY AVE RM400	MPLS	MN	350	1	00.00	3
5194	FOLCH	CHARLES	D	CITY OF CHANHASSEN	690 COULTER DR PO BOX 147	CHANHASSEN	MN	350	1	00.00	3
1134	FONTAINE	LEYTEN		RDC REGION 5	611 IOWA AVENUE	STAPLES	MN	350	1	00.00	3
1056	FORBES	GORDON		M T PROPERTIES INC	475 CLEVELAND AVE N #305	ST PAUL	MN	350	1	00.00	3
9432	FRIESEN	MILLER	A	RANGE MENTAL HEALTH CTR	PO BOX 1188	VIRGINIA	MN	350	1	00.00	3
1120	FRISON	FRANK		N E C A ROOM 305	175 W LAFAYETTE FRT RD S	ST PAUL	MN	350	1	00.00	3
1545	FUNK	DEBRA	L	EAST CENTRAL DEVELP COMM	100 S PARK ST	MORA	MN	350	1	00.00	3
0543	FURTH	PAUL	T	FURTH-MEILE INSURANCE	9 N MINNESOTA ST BOX 37	NEW ULM	MN	350	1	00.00	3
5160	GAITLIN	STEVE		CITY OF ROSEVILLE	2660 CIVIC CENTER DRIVE	ROSEVILLE	MN	350	1	00.00	3
1072	GARRETT	VIOLA	M	CITY OF PINE RIVER	PO BOX 87	PINE RIVER	MN	350	1	00.00	3
1168	GEORGE	DARLENE		CITY OF CRYSTAL	4141 DOUGLAS DRIVE N	CRYSTAL	MN	350	1	00.00	3
0436	GERBER	ALLEN		MINN ASSN OF COOPERATIVES	480 CEDAR ST 380	ST PAUL	MN	350	1	00.00	3
1045	GILLIG	DEBORA	J	CRYSTAL SHAMROCK INC	6000 DOUGLAS DRIVE N	MINNEAPOLIS	MN	350	1	00.00	3
1139	GLENN	NANCY	N	MINN SOCIAL SERVICE ASSN	1821 UNIVERSITY AVE #213	ST. PAUL	MN	350	1	00.00	3
1157	GRABER	SHERMAN		WORTHINGTON AVIATION	AIRPORT ROAD	WORTHINGTON	MN	350	1	00.00	3
1041	GRETZ	JOHN		CITY OF APPLE VALLEY	14200 CEDAR AVE	APPLE VALLEY	MN	350	1	00.00	3
1184	GRINDEN	JOHN	C	DULUTH AIRPORT AUTHORITY	DULUTH INTL AIRPORT	DULUTH	MN	350	1	00.00	3
0545	GUNDERSON	JAY	C	JACK FROST INC	6005 BENTON DRIVE NORTH	SAUK RAPIDS	MN	350	1	00.00	3
5010	GUSTAFSON	ROGER	M	COUNTY OF CARVER	600 E 4TH STREET PO BOX 6	CHASKA	MN	350	1	00.00	3
4470	HACKING	EARL			700 N MEADOW LANE	MINNEAPOLIS	MN	350	1	00.00	3
1194	HAIDER	KEN		CITY OF MAPLEWOOD	1830 E CO RD B	MAPLEWOOD	MN	350	1	00.00	3
1042	HALLMAN	WES	A	ASSOCIATED MOTOR CARRIERS	840 HAMPDEN AVE #206	ST PAUL	MN	350	1	00.00	3
1460	HAMMARGREN	DAVID		RICHARD KNUTSON INC	12585 RHODE ISLAND AVE S	SAVAGE	MN	350	1	00.00	3
1186	HARRY	RICHARD			1000 LAKESHORE DRIVE	MOOSE LAKE	MN	350	1	00.00	3
1183	HOFFMAN	TERRY			386 N WABASHA #840	ST PAUL	MN	350	1	00.00	3
5120	HOFFMAN	FRANCIS	J	CITY OF EDINA	4801 W 50TH STREET	EDINA	MN	350	1	00.00	3
1181	HOFFMAN	CHARLES	B	PICKANDS MATHER & COMPANY	200 W SUPERIOR ST 811	DULUTH	MN	350	1	00.00	3
0790	HOGAN	RAY		TEAMSTER LOCAL 120	320 UNIVERSITY AVE	ST PAUL	MN	350	1	00.00	3
4476	HOLTE	GREG		RED RIV VAL SUGAR BEET GR	336 5TH AVENUE E	HALSTAD	MN	350	1	00.00	3
1550	HULSETHER	JEFFREY	M	CITY OF BRAINERD	CITY HALL	BRAINERD	MN	350	1	00.00	3
5108	HULSETHER	JEFF		CITY OF BRAINERD	501 LAUREL ST CITY HALL	BRAINERD	MN	350	1	00.00	3
0559	INGVALSON	VERN		MN FARM BUREAU FEDERATION	PO BOX 64370	ST PAUL	MN	350	1	00.00	3
1150	JACK	JAMES	T	MANKATO STATE UNIVERSITY	PO BOX 36	MANKATO	MN	350	1	00.00	3
1159	JENSEN	GAYNOLD		HEALTH CARE FACILTIES	8400 PENNSYLVANIA RD #327	MINNEAPOLIS	MN	350	1	00.00	3
1007	JILK	STEPHAN		CITY OF ROSEMOUNT	2875 145TH ST W	ROSEMOUNT	MN	350	1	00.00	3
1161	JOHANSEN	JIM		JOHANSEN BUS SVC INC	11911 CAVELL AVENUE N	CHAMPLIN	MN	350	1	00.00	3
1009	JOHNSON	JOHN	A		RR 2 - PO BOX 79	SACRED HEART	MN	350	1	00.00	3
4436	JOHNSON	JAMES	H	OAHLEN TRANSPORT INC	1680 4TH AVENUE	NEWPORT	MN	350	1	00.00	3
1065	JOHNSON	ROBERT	D	INSURANCE FEDERATION MINN	1310 PIONEER BUILDING	ST PAUL	MN	350	1	00.00	3
1093	JOHNSON	GENE	P	JOHNSON & OGREN LTD	PO BOX 2471	FARGO	ND	350	1	00.00	3
1010	JOHNSON	GORDON	H	LUTHERAN SOCIAL SERVICE	2414 PARK AVENUE	MINNEAPOLIS	MN	350	1	00.00	3

Key	Last	First	M	Organization	Address	City	St	Ost	Cpy	Cost	C
9420	KARR	JEFFREY		ABBOTT-NWESTERN HOSPITAL	800 EAST 28TH STREET	MINNEAPOLIS	MN	350	1	00.00	3
1213	KASHMARK	GENE		KASHMARK TRUCKING INC	221 FAIR ST	CLINTON	MN	350	1	00.00	3
3073	KEEFE	STEVE		METROPOLITAN COUNCIL	230 EAST 5TH ST	ST PAUL	MN	350	1	00.00	3
0793	KEEGEL	TOM		TEAMSTER LOCAL 544	2636 PORTLAND AVE SO	MPLS	MN	350	1	00.00	3
2328	KING	KATHY		WILLOWS	1622 PARK AVENUE	MINNEAPOLIS	MN	350	1	00.00	3
1013	KLEIN	ALLAN		MINN OFC ADMIN HEARINGS	310 FOURTH AVE S #500	MINNEAPOLIS	MN	350	1	00.00	3
1878	KNAPP	JOHN	A	WINTHROP & WEINSTINE	444 CEDAR STREET	ST PAUL	MN	350	1	00.00	3
1208	KROGMAN	ROBERT	S	N W PETROLEUM ASSOCIATION	2345 RICE STREET STE 173	ST PAUL	MN	350	1	00.00	3
1016	KRUPA	DENNIS		ANDERSON TRUCKING SERVICE	203 COOPER AVENUE N	ST CLOUD	MN	350	1	00.00	3
0653	LATTIN	LOWELL	L	HARVEST STATES CO-OP	1667 N SNELLING AVE	ST PAUL	MN	350	1	00.00	3
5106	LENTHE	CHARLES		CITY OF BLAINE	9150 CENTRAL AVENUE NE	BLAINE	MN	350	1	00.00	3
0804	LIIMATAINEN	SHERM		TEAMSTER LOCAL 346	2802 WEST FIRST ST	ST PAUL	MN	350	1	00.00	3
1074	LOFTHUS	MARK	W	COUNTRYSIDE COUNCIL	PO BOX 78	MARSHALL	MN	350	1	00.00	3
2054	LON	AUNE	P	CITY OF APPLE VALLEY	14299 CEDAR AVE S	APPLE VALLEY	MN	350	1	00.00	3
9417	LYNCH	FRANCES		504 ADVISORY COMMITTEE	4323 LONGFELLOW AVENUE	MINNEAPOLIS	MN	350	1	00.00	3
1135	MADKINS	CAROL	A	BUREAU NATL AFFAIRS INC	1231 25TH STREET NW	WASHINGTON	DC	350	1	00.00	3
1140	MALINEN	WILLIAM	J	TOWNSHIP OF WHITE BEAR	1281 HAMMOND ROAD	WHITE BEAR	MN	350	1	00.00	3
5109	MALONEY	MARK		CITY OF BROOKLYN CENTER	6301 SHINGLE CREEK PKWY	BROOKLYN CENTER	MN	350	1	00.00	3
0740	MARANELL	MIKE	L	AG PROCESSING INC	11717 BURT ST SUITE 2	OMAHA	NB	350	1	00.00	3
5098	MCINTOSH	ANDREW			1012 GRAIN EXCHANGE BLDG	MINNEAPOLIS	MN	350	1	00.00	3
1092	MEHMEL	P	V	W CENTRAL COMM SVCS CTR	P O BOX 787	WILLMAR	MN	350	1	00.00	3
1119	MERRILL	THOMAS	E	FARIBAULT TRANSPORTATION	2615 1ST AVE NW BOX 163	FARIBAULT	MN	350	1	00.00	3
0742	MICHALSON	GEORGE	D	MIDDLEWEST MOTOR FRE BUR	PO BOX 418647	KANSAS CITY	MO	350	1	00.00	3
5130	MONTGOMERY	TOM		CITY OF HASTINGS	CITY HALL 100 SIBLEY ST	HASTINGS	MN	350	1	00.00	3
1012	MOORE	J	K	ERNEST K LEHMANN & ASSOC	430 FIRST AVE N	MINNEAPOLIS	MN	350	1	00.00	3
1117	MORGAN	ROBERT	S	MINNEAPOLIS PUBLIC WORKS	A-1800 GOVERNMENT CENTER	MINNEAPOLIS	MN	350	1	00.00	3
0749	MORRELL	JAY	C	M AND P TRANSPORT INC	PO BOX 477	MONTICELLO	MN	350	1	00.00	3
9433	MUELLER	MICHAEL	T	H T S INC	PO BOX 281	SO ST PAUL	MN	350	1	00.00	3
5134	NOLTING	DONALD	L	CITY OF INTL FALLS	CITY HALL BOX 392	INTL FALLS	MN	350	1	00.00	3
1098	NORD	TERENCE		NORD AVIATION INC	RR 1 BOX 3	PEMBINA	ND	350	1	00.00	3
1054	OLSON	N	G	THUNDERBIRD AIRCRAFT CO	5100 EDEN AVENUE	MINNEAPOLIS	MN	350	1	00.00	3
1064	PELLISH	JOE		H B FULLER CO	3530 N LEXINGTON AVENUE	ST PAUL	MN	350	1	00.00	3
0768	PIILOLA	ANDREW	A	MN TRUCKING ASSN	1821 UNIVERSITY AV 134N	ST PAUL	MN	350	1	00.00	3
1179	RADZIEJ	DAVID		AGC MINNESOTA	111 E KELLOGG BLVD	ST. PAUL	MN	350	1	00.00	3
1088	RAIBER	KENNETH	W	ST CLOUD STATE UNIVERSITY	HEADLEY HALL	ST CLOUD	MN	350	1	00.00	3
1073	RANDELL	PATSY	A	HONEYWELL INC	HONEYWELL PLAZA	MINNEAPOLIS	MN	350	1	00.00	3
1530	RHULE	SAM		OFC ADMIN HEARINGS	310 4TH AVE S	MPLS	MN	350	1	00.00	3
9222	RIPPENTROP	GARY	D	MINN AUTO DEALERS ASSOC	277 UNIVERSITY AVENUE	ST PAUL	MN	350	1	00.00	3
1111	RODEWALD	JEROME	C	ECOLAB INC	ECOLAB CENTER	ST PAUL	MN	350	1	00.00	3
4119	ROMBERG	CHRIS		COUNTY OF BROWN	COURT HOUSE	NEW ULM	MN	350	1	00.00	3
1038	ROSENTHAL	ABE		MINN TRANSPORT SERVICES	1821 UNIVERSITY AVE 310N	ST PAUL	MN	350	1	00.00	3
1033	ROSS	ALFRED			6356 WARE ROAD	LINO LAKES	MN	350	1	00.00	3
4471	RUBENSTEIN	SAMUEL			6960 MADISON AVENUE W	GOLDEN VALLEY	MN	350	1	00.00	3
5107	RUDRUD	RONALD		CITY OF BLOOMINGTON	2215 W OLD SHAKOPEE ROAD	BLOOMINGTON	MN	350	1	00.00	3
3999	SALLSTROM	CRAIG	J	MN PLANT FOOD & CHEM ASSN	1821 UNIVERSITY AVE #253S	ST PAUL	MN	350	1	00.00	3
1082	SANFORD	S	M		7000 PORTLAND AVE	RICHFIELD	MN	350	1	00.00	3
0983	SATHER	CAROL ANN		FARM CREDIT LEASING SERV	10 SECOND ST NE	MPLS	MN	350	1	00.00	3
9425	SCANLAN	JOYCE		NATL FED OF BLIND MINN	15 S FIFTH STREET 715	MINNEAPOLIS	MN	350	1	00.00	3
0805	SCHENK	JIM		TEAMSTER LOCAL 160	405 HLF SOUTH BROADWAY	ROCHESTER	MN	350	1	00.00	3
1100	SCHMIT	MICHAEL	C	CITY OF WILLMAR	333 W 6TH ST PO BOX 755	WILLMAR	MN	350	1	00.00	3
1152	SCHMITT	WILLIAM	L	CITY OF ALBERT LEA	221 E CLARK STREET	ALBERT LEA	MN	350	1	00.00	3
5103	SCHULTZ	RAY		CITY OF ANOKA	2015 1ST AVE N	ANOKA	MN	350	1	00.00	3
1154	SEIFERT	GERALD		M I K COOP TRUCKING ASSN	RT 6 BOX 176	PRINCETON	MN	350	1	00.00	3
1104	SHOL	LUCKY		W CENTRAL AIRWAYS INC	PO BOX 432	FERGUS FALLS	MN	350	1	00.00	3
1205	SIEGMUND	RON		MINN STATE AUTO ASSOC	7 TRAVELERS TRAIL	BURNSVILLE	MN	350	1	00.00	3
5142	SONNENBERG	DAVID	J	CITY OF MINNETONKA	14600 MINNETONKA BLVD	MINNETONKA	MN	350	1	00.00	3
9428	SPARTZ	GREGORY	G	WILLMAR STATE HOSPITAL	PO BOX 1128	WILLMAR	MN	350	1	00.00	3
1115	STROM	KURT	E	MN ST COUNCIL DISABILITY	145 METRO SQUARE BLDG	ST PAUL	MN	350	1	00.00	3
1344	THALACKER	VERNON	R	FHWA OFC OF MOTOR CARRIER	METRO SQUARE SUITE 490	ST PAUL	MN	350	1	00.00	3
4474	THOMPSON	RUSSELL	C	CENEX LAND O LAKES AG	PO BOX 64089	ST PAUL	MN	350	1	00.00	3

Key.	Last	First	M	Organization	Address	City	St	Dst	Cpy	Cost	C
1050	TOSCU	PAUL		IZAAK WALTON LEAGUE OF AM	525 PARK ST #101	ST PAUL	MN	350	1	00.00	3
9019	VAN DE NORTH	JOHN	B	BRIGGS & MORGAN PA	2200 FIRST NATL BANK BLDG	ST PAUL	MN	350	1	00.00	3
9436	WAAGE	DANIEL	L	HILLTOP CARE CENTER	ROUTE 1 BOX H	WATKINS	MN	350	1	00.00	3
1036	WARDEN	KENT		MPLS ASSOC BLDG OWNER/MGR	927 SOO LINE BLDG	MINNEAPOLIS	MN	350	1	00.00	3
0775	WILSEY JR	LESTER	A	INDIANHEAD TRK LINE INC	PO BOX 64355	ST PAUL	MN	350	1	00.00	3
5082	WISNIEWSKI	DONALD	C	COUNTY OF WASHINGTON	11660 MYERON RD N	STILLWATER	MN	350	1	00.00	3
9424	XXXXXXXXXX			KNUTE NELSON MEM HOME	420 12TH AVENUE E	ALEXANDRIA	MN	350	1	00.00	3
9419	XXXXXXXXXX			UNITED HANDICAPPED FEDN	1821 UNIVERSITY AVE 2845	ST PAUL	MN	350	1	00.00	3
0777	YATES	HAROLD	O	TEAMSTER LOCAL 120	320 UNIVERSITY AVE	ST PAUL	MN	350	1	00.00	3
1003	YOST	JOHN		BOHMAN AIRWAYS	RT 8 PO BOX 348	INTL FALLS	MN	350	1	00.00	3
0652	ZEIG	LEO		DITTRICH OF MN	1000 N FRONT ST	NEW ULM	MN	350	1	00.00	3
1197	ZELENKA	ROBERT		MINN FARMERS ELEVATOR	852 GRAIN EXCHANGE BLDG	MPLS	MN	350	1	00.00	3

Department of Transportation

Program Management Division

Office of Waterways & Railroads

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Port Development Assistance Program

NOTICE IS HEREBY GIVEN that the State Department of Transportation is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing the Port Development Assistance Program. The adoption of these rules is authorized by *Laws of Minnesota 1991*, Chapter 298, Article 3, which permit the agency to adopt rules governing the program.

The State Department requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

DuWayne Elliott
Office of Railroads and Waterways
Suite 925
Kelly Annex
Transportation Building
St. Paul, Minnesota 55155

Oral statements will be received during regular business hours over the telephone at 612-296-0364 and in person at the above address.

All statements of information and opinions shall be accepted until September 20, 1991. Any written material received by the State Department of Transportation shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 2 August 1991

Edwin H. Cohoon
Deputy Commissioner

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Human Services

Chemical Dependency Program Division

Request for Proposals to Provide Services for Employment Development and Financial Health Programs for Chemically Dependent Women

The Chemical Dependency Program Division of the Minnesota Department of Human Services (hereinafter CDPD) is soliciting proposals for initiation or enhancement of services to increase positive treatment outcomes for chemically dependent women through employment development and financial management. A grant award of $100,000 is available for two or more grantees. Eligible applicants are licensed alcohol and drug treatment programs run by non-profit or private organizations, individuals, and or units of government knowledgeable in the areas of chemical dependency, vocational and financial rehabilitation who are willing to develop a project for recovering substance abusing women in alcohol and drug treatment. Proposals may be submitted for:

The provision of vocational and/or financial management information and skill building to substance abusing women as early as three weeks into treatment and aftercare through improvements or expansions to existing treatment or aftercare services for substance abusing women.

Funds may be used for salaries, program development, and operating costs. It is anticipated that the work called for would begin October 1, 1991 or later. The funds contemplated for this Request for Proposals (RFP) are federal funds. Federal funds are available for use through September 30, 1992.

This Request for Proposals is contingent on the availability of funds. The State reserves the right to reject any and all proposals and to apply the funds to another purpose. The state will not reimburse for the costs of proposal preparation or participation in proposal consideration procedures. Seven copies of the proposal must be received by CDPD no later than 4:30 p.m. on September 3, 1991, or have a legible postmark date no later than August 31, 1991. Proposals must follow the CDPD proposal format. Grant application forms are available on request from Dorrie Hennagir (612/296-4617). Copies of the RFP are available on request from Pamela Young (612/296-4589). Proposals should be sent to:

Dorrie Hennagir, Grants Analyst
Chemical Dependency Program Division
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155

Requests for information concerning program issues should be addressed to Pamela Young (612/296-4589) and budget/fund usage questions should be addressed to Dorrie Hennagir (612/296-4617).

Department of Human Services

Chemical Dependency Program Division

Request for Proposals to Provide Statewide Services for Children Who Abuse Chemicals

The Chemical Dependency Program Division is requesting proposals for the provision of statewide intervention and referral services for children age 14 and younger who abuse chemicals. The proposed project(s) must serve all children 14 and younger who abuse chemicals and must also contain special services directed at chemically abusing American Indian children. A total of $150,000 is available for one or more grantees. The funded program(s) would begin on or about October 1, 1991 and continue for 12 months. The project(s) may continue beyond the initial year based on satisfactory performance and the availability of funds.

The goal of this RFP is to reduce the abuse of addictive chemicals by children age 14 and younger. Chemicals of abuse include, but not limited to, alcohol, inhalants and chewing tobacco. The proposal(s) will address the following objectives: (1) To improve the coordination and provision of chemical health services within Minnesota to children age 14 and younger who are abusing addictive chemicals; (2) To provide information about and facilitate access to short-term intervention or counseling services within the state to families with children who are abusing chemicals; and (3) To provide training and education to children's chemical abuse issues to local agency chemical dependency counselors, social workers, school personnel and others upon request.

Telephone requests for programmatic information concerning this RFP should be directed to Sharon Johnson at (612) 296-4711 or Ron Welch at (612) 296-4043. Budget/fund use questions should be directed to Dorrie Hennagir at (612) 296-4617.

Department of Human Services

Chemical Dependency Program Division

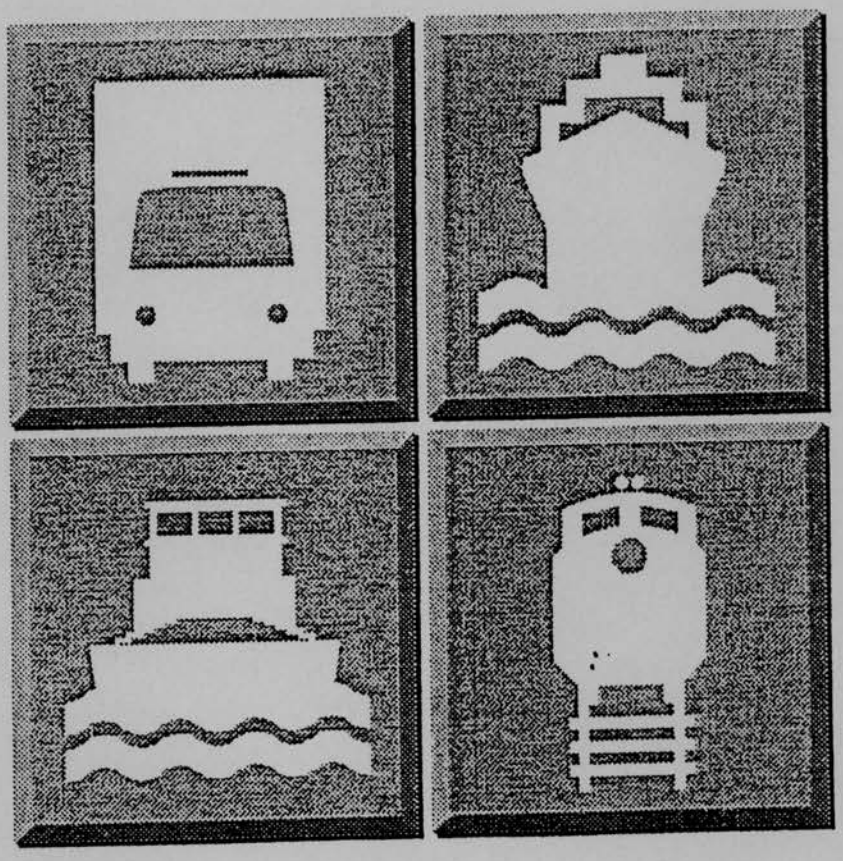
Request for Proposals to Create Prevention Projects

The Chemical Dependency Program Division (CDPD) is requesting proposals to create projects in four areas. They are: (1) Pregnant Women and their Children; (2) Prenatal Drug and Alcohol Exposed Babies; (3) Relationship of Chemical Abuse and Sexual Assault at Post-Secondary Educational Institutions; and (4) Community Prevention Programs. For this RFP, community is defined as state, region [multi-county], county, city or town, or neighborhood.

A total of $340,000 is available to be distributed in the following manner: (1) Pregnant Women and Children—$100,000; (2) Prenatal Drug and Alcohol Exposure of Babies—$40,000; (3) Post-Secondary Institutions—$50,000; and (4) Community Prevention Projects—$140,000. The funded projects will begin on or about October 1, 1991.

The goal of the pregnant women and women with children projects is to provide ancillary services which facilitate their access to treatment. The goal of the prenatal drug and alcohol exposed babies projects is to reduce the effects of prenatal drug and alcohol exposure on babies through improved public information, professional training, development of a statewide strategy, and/or improved data collection and research. The goal of projects addressing the relationship between chemical abuse and sexual assault at post-

ENVIRONMENTAL IMPACTS OF A MODAL SHIFT



MINNESOTA DEPARTMENT OF TRANSPORTATION

PORTS AND WATERWAYS SECTION

PREFACE

Environmental review is a vital step in the deliberations on the development or improvement of any type of project in the nation's water, wetlands and floodplain areas. It is necessary for the continued assurance of the quality of such environments. The majority of the analyses conducted in those areas generally concentrates on the possible impacts in the immediate area. And, those analyses are further concentrated by direction only toward biological functions. That is considered most important because of the delicate natural balances that exist.

For certain project proposals, analysis should be expanded to look at additional elements of the environment and to probable impacts beyond the immediate area. This is especially true for projects in the more developed and populated urban commercial/industrial areas. The extension of the analyses should include not only recognition of biological needs in the area but review of other types of environmental impacts in and beyond the area.

The analysis expansion should be in the direction of a *"no build"* scenario which is standard for such things as airport, highway and other transportation facility construction or expansion. This type of review is especially important for water transportation projects. An environmental analysis of such a project must look at the environmental impacts which will occur, in addition to the biological ones, if the transportation needs of the project are met by other forms of transportation. Most specifically, what will be the increases in such things as fuel use, exhaust emissions, and probable accidents as well as increased traffic congestion if vessels are replaced by trucks or rail cars. Economic considerations, though important, are not as vital to this type of analysis. To demonstrate the types and levels of impacts expanded environmental review would assess, this study reviewed four commodity movements on Minnesota's river and Great Lakes transportation system. The analysis process involved the development of a *"no build"* scenario by the theoretic shifting of those cargoes from water to land transportation modes. What was determined in the analysis was that a shift to trucks from vessels would cause:

- *a 826% increase in fuel use annually,*
- *a 709% increase in exhaust emissions annually,*
- *a 5,967% increase in probable accidents each year,*
- *the need to annually dispose of 2,746 used truck tires, and*
- *an additional truck traffic load of 1,333 heavy vehicles each day in the study corridors.*

In the two corridors where rail is a possible transportation alternative the annual changes with a vessel to rail shift are:

- *fuel use grows by 331%*
- *emissions jump by 470%*
- *probable accidents grow by 290%*

Clearly, those major levels of change show great support for including in the environmental study process the analysis of the damage that can be done to the environment by using a land transportation system to replace a viable water system.

INTRODUCTION

Concern for the environmental impacts of any activity on or in Minnesota's waterways has generated a great number of studies and will likely continue to cause study. Commercial navigation is often the focal point of these analyses. Navigation has, in the majority of the studies, been viewed as a major contributor to environmental degradation of the waterways as a precondition to the study.

Historically, environmental assessments have confined their transportation related reviews to the possible impacts from operations of vessels and shore side support activities. The possible environmental impacts of not developing a waterways project or not maintaining or improving an existing operation are never included in the environmental analysis. Continued concern about the impacts on commercial navigation from such an approach caused the Minnesota Department of Transportation (Mn/DOT) to undertake this study. This analysis will examine the type and extent of environmental impacts which could result from a shift from waterborne carriage of certain commodities to other modes of transportation.

Only a few of the many waterborne freight movements from the state's river and Great Lakes terminals are on long term schedules with consistent travel patterns which allow for impact analysis. Specifically, there are three aggregate, three petroleum product and four coal movements on the river and one paper-wood movement on Lake Superior which meet the criteria. The river movements average 3,250,000 tons each year. The Lake Superior movement accounts for 375,000 tons each year. In total, these freight volumes account for about 5% of the state's total waterborne freight movements which average approximately 73,000,000 tons annually. The 3.25 million tons of river carriage account for approximately 20% of the states annual riverine traffic.

It is suggested that the methodology used in this analysis become an integral part of the evaluation process for environmental studies of future development proposals.

METHODOLOGY

There is a demonstrated need for the movement of the study's commodities, therefore total stoppage of the movements was not considered. What is evaluated are the impacts associated with the shift of the cargo from the water to either the rail or highway modes. An analysis of the impacts of a cargo shift from vessel to truck was made for each movement. An analysis of cargo shifts from vessel to truck and from vessel to rail was made for those movements where a rail alternative exists or the construction of a rail link is considered feasible. Table 1 shows the different modal factors used in the analysis.

TABLE 1 - Modal Impact Factors

	Fuel Use Ton Miles/Gallon	Emissions Pounds/Gallon	Accident Rate/Incidents
Truck	60	.31	76.6/100,000,000 miles
Rail	204	.69	1/51,310 miles
River	514	.37	1/600,000,000 ton miles
Great Lakes	607	.37	1/2,590,000,000 ton miles

Water travel distances were calculated based on navigation charts with support through interviews with navigation industry representatives. Highway distances were taken from Mn/DOT records, or in the case of urban movements from field measurement. Highway trip lengths were measured on either the shortest, most direct route or the most time efficient route which did not have prohibiting load restrictions. Rail distances were taken from Mn/DOT records with support from the involved railroads. Rail grade crossing numbers were obtained in the same manner.

Modal Fuel efficiencies were taken from a study done by Professor S.E. Eastman.[1] It is assumed that modal fuel use improvements for each mode have advanced at the same relative pace since that study was made. Fuel efficiencies used here represent industry-wide fuel use and commodity carriage. It is recognized that certain dedicated rail movements will generate as much as 800 ton miles to the gallon; as a balance, Lower Mississippi water movements will reach 1,200 ton miles per gallon. Great Lakes fuel efficiencies at 607 ton miles to the gallon reflect the effectiveness of the nation's deep draft fleet.

Modal emission levels were taken from EPA publications and independent studies made by Mn/DOT's Air Quality Office. That office also reviewed the relationship of emission levels with the different engine sizes for each mode. For study purposes emission levels were taken from the EPA documents "Compilation of Air Pollutant Emission Factors, Second Edition" and "Mobile Four".[2]

The only emissions considered in this study are exhaust emissions. Since it is impossible to determine the size or duration of the queues of autos at rail crossings and signalized intersections caused by additional heavy train and truck movements, the amount of non exhaust emissions from those autos cannot be determined.

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[1] EASTMAN, SAMUEL EWER, *"Fuel Efficiencies in Freight Transportation.* June, 1980.

[2] *"Compilation of Air Pollutant Factors"*, Volume 2, USEPA, 1973, *"Mobile Four"*, USEPA 1989.

Safety data for the modes came from several sources.

Highway accident rates were taken from the Transportation Research Board's study on twin trailer trucks.[3] The numbers used represent a weighting of their urban-rural, highway-interstate figures.

In the five year period 1986 through 1990, United States Coast Guard records show that collisions involving towboats in the St. Paul Marine Safety Detachment's area of control were:[4]

- *3 collisions between towboats,*
- *5 collisions between towboats, and pleasure craft,*
- *21 collisions by towboats with fixed objects.*

There was one death and no injuries resulting from the 29 accidents. The death resulted from a pleasure boat running into a barge-tow. The fixed object collisions involved towboat contacts with bridge piers, sheer fences, gorge ice, the channel bottom, or lock walls. Each of these incidents meet reportability requirements as defined by Federal Law 46 CFR4.05-1. None of the towboats used in the scheduled movements in this study were involved in the 29 incidents.

In those five years, the towing industry annually averaged 3,478,972,400 ton miles of carriage in the area. Ton miles divided by accidents equals approximately 1 accident per 600,000,000 ton miles.

The Lake Carriers Association records on U.S. Great Lakes fleet vessels show that an accident occurs every 2.6 trillion ton miles using the same U.S. Coast Guard reporting conditions as river traffic.[5] The vessel involved in the study's movement between Thunder Bay and Duluth has not had a reportable accident in its 26 years of operation. The probability of it ever being involved in an accident is small; however, an accident probability factor has been incorporated in this study.

The Minnesota Department of Public Safety records for the past decade indicate that there is one highway vehicle-train collision for every 51,310 miles of

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[3] TRANSPORTATION RESEARCH BOARD, NATIONAL RESEARCH COUNCIL, *"Special Report #211"*, Table 4.5.

[4] LCDR PAXTON, DAVID, U.S. Coast Guard - Marine Safety Detachment, St. Paul, Minnesota.

[5] Personal Interviews with Captain Ray Skelton, Seaway Port Authority of Duluth, Minnesota and Mr. George Ryan, President, Lake Carriers Association, Cleveland, Ohio October, 1990.

train travel.[6] That is substantially better than the national average of one accident per 41,000 miles of train travel as reported by the American Association of Railroads. Minnesota Department of Transportation records show that the annual average number of accidents is about 130, with over 50% reporting property damage only. This study will use the Minnesota Department of Public Safety's travel-collision ratio.

Tire use was determined through interviews with industry representatives. There is a significant difference for tire life expectancy between aggregate movements and over the road commodity carriage. In aggregate hauling, truck tires last an average of 40,000 miles with only 40% of the carcasses recappable and no second recapping.[7] In over-the-road traffic, tires have a life expectancy of 100,000 miles and an 80% recap rate plus a second recapping of 40% of the initial recaps.[8] This results in average tire lives of 56,000 miles for aggregate hauling and 225,000 miles for highway movements.

ANALYSIS OF CARGO MOVEMENTS

AGGREGATE MOVEMENTS POOLS 2 AND 1

The J.L. Shiely Company of St. Paul annually moves in excess of 2 million tons of aggregate from its mines at River Mile (RM) 825.0L and its distribution points at RM837.2L, RM843.3R, and RM 853.4R. There is no existing rail connection between the mines and the distribution yards. Topographic, environmental, regulatory, and economic influences prohibit construction of rail connections. Therefore, only a shift from barge to truck movements was considered for this segment of the study. Appendix A gives full details of the aggregate movement analysis. Major findings are that a shift from barge movement to trucks would annually cause:

- *an increase in fuel use from 72,300 gallons to 690,000 gallons,*
- *an increase in exhaust emission from 13.4 tons to 106.9 tons,*
- *an increase in accident probability from .06 to 2.45, and*
- *the need to dispose of 1,108 used truck tires.*

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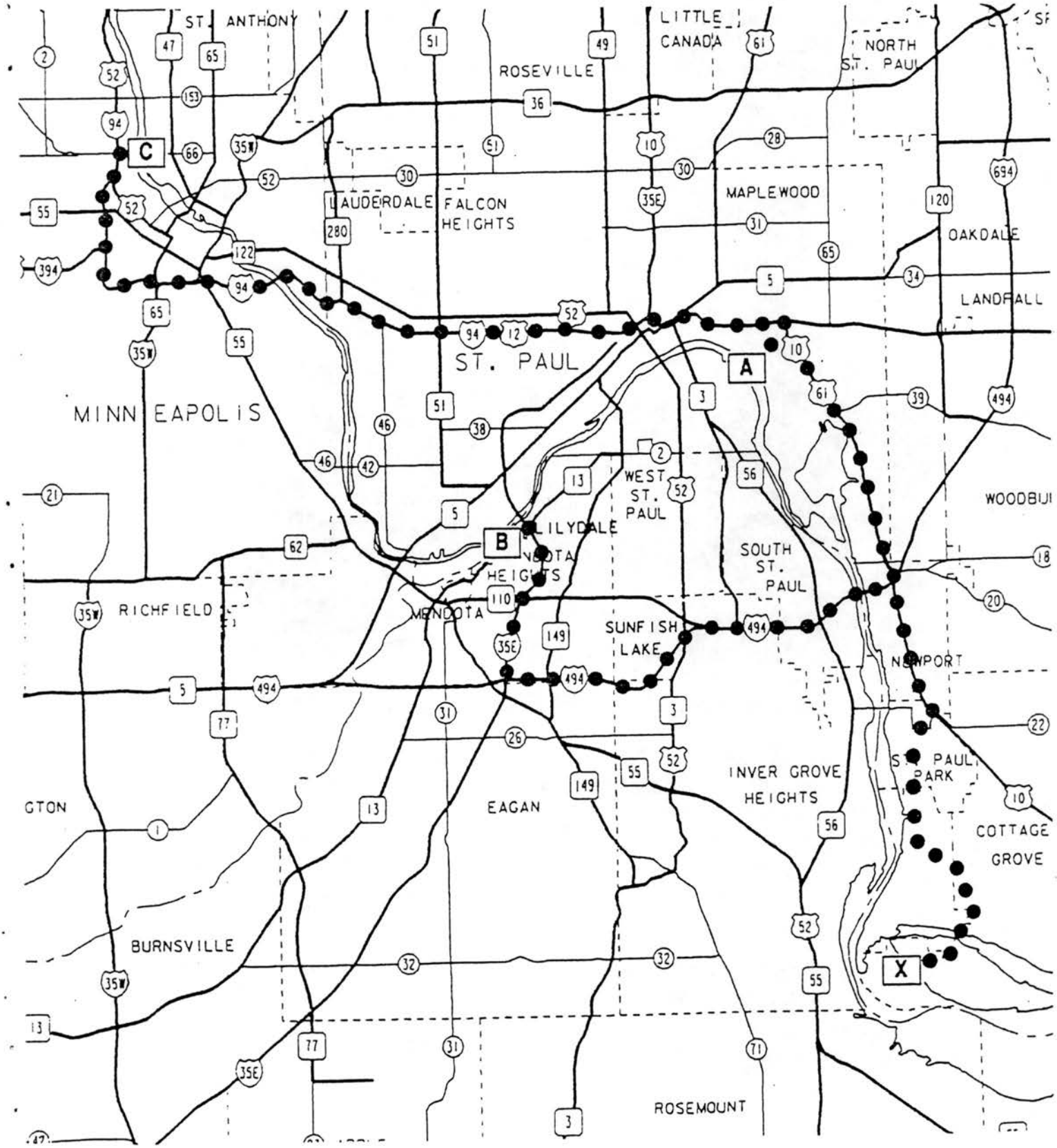
[6] MINNESOTA DEPARTMENT OF PUBLIC SAFETY, *"1989 Motor Vehicle/Train Crashes"*, Table 2, June 1990.

[7] Personal Interviews with Mr. Pat Gannaway, Vice President, J.L. Shiely Company, St. Paul, Minnesota. Fall, 1990.

[8] Personal Interviews with Mr. Robert Rynda, Kampa Tire Company, St. Paul, Minnesota.

Map 1

Aggregate Movement in the Twin Cities Area



A major impact of the modal shift would be a near doubling of the heavy truck traffic through the City of Newport, Minnesota. As shown on Map 1, access to the Grey Cloud mines is limited. All truck traffic would enter Trunk Highway 61 at the main signalized intersection, shown in Figure 1, of the city's business district. Mn/DOT traffic records show that at that intersection the current average daily traffic load consists of 35,500 autos and 2,450 commercial vehicles including 1,125 heavy semitrailer trucks. Peak hour traffic loads include 115 heavy semitrailer trucks. The analysis shows that the modal shift would add 759 six axle semitrailer trucks each day to the traffic load and 69 during the peak hours. This section of highway is already close to capacity.

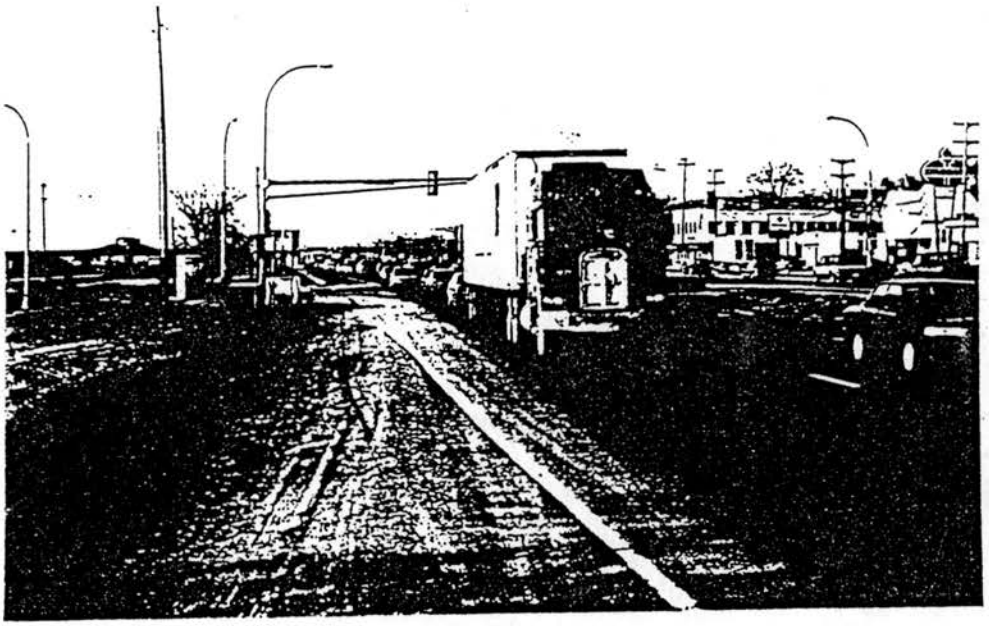


Figure 1 Off Peak Traffic TH 61 in Newport, Minnesota

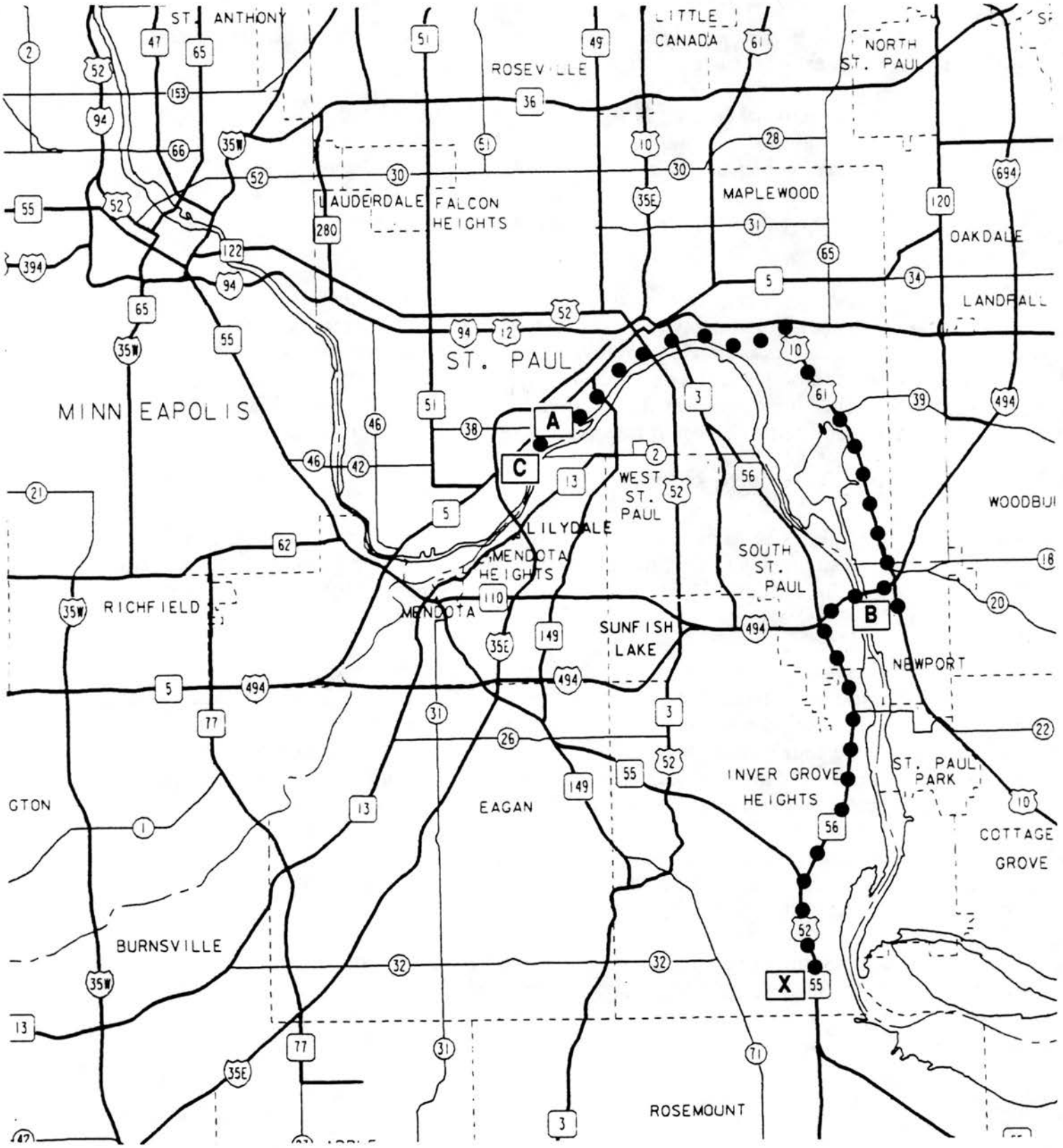
Based on an 11 hour work day and a 250 work day year, the mine would load 34.5 trucks per hour. Existing operational loading rates are 1.5 minutes per truck. Local ordinances prohibit truck movements at certain hours which limited the working day to 11 hours maximum. Even if the work year is expanded to 300 days the average added hourly truck movement through the area would be 57 heavy vehicles.

PETROLEUM PRODUCT MOVEMENTS IN POOL 2

Movements of refined petroleum products in Pool 2 occur throughout the year. Tank barges are moved between the Pine Bend refinery at RM824.2R to several distribution terminals. Map 2 shows the locations. Over the last five years these movements have annually averaged 278 loaded and 278 empty barge trips with an annual

Map 2

Petroleum Movement in Pool 2



average volume of 232,796,400 gallons of product or 814,509 tons.

The only feasible modal transfer is from barges to truck. Rail distances between the points are too short and the necessary interchanges too many to make rail an acceptable substitute. Pipelines could not be built on the required routes because of local, state, and national governmental safety and environmental regulations.

Appendix B gives details on the full impact of a modal shift from barge to truck. Major findings are that such a shift would cause:

- *an annual increase in fuel consumption from 19,400 gallons to 178,900 gallons,*
- *an exhaust emission increase from 3.6 tons to 27.7 tons each year,*
- *an increase in probable accidents from .02 a year to .48 a year, and*
- *the need to dispose of 41 used truck tires each year.*

In this shift, increased truck traffic also creates a significant local traffic impact. With a cargo shift from barges to trucks, there would be an increase of 156 loaded and 156 empty tanker trucks moving through the area each working day, for a total additional truck traffic load of 312 five axle semis. Assuming a standard 10 hour working day for such movements, it would mean 31 additional tank trucks each hour. Major portions of the areas which the trucks would traverse are residential in character.

COAL MOVEMENTS FROM ST. PAUL

Power plants at Alma, Genoa, and Cassville, Wisconsin and Lansing, Iowa receive regular barge shipments of coal from St. Paul. Map 3 shows the locations of the loading terminal and the 4 cities. These cargo movements average about three quarters of a million tons each year.

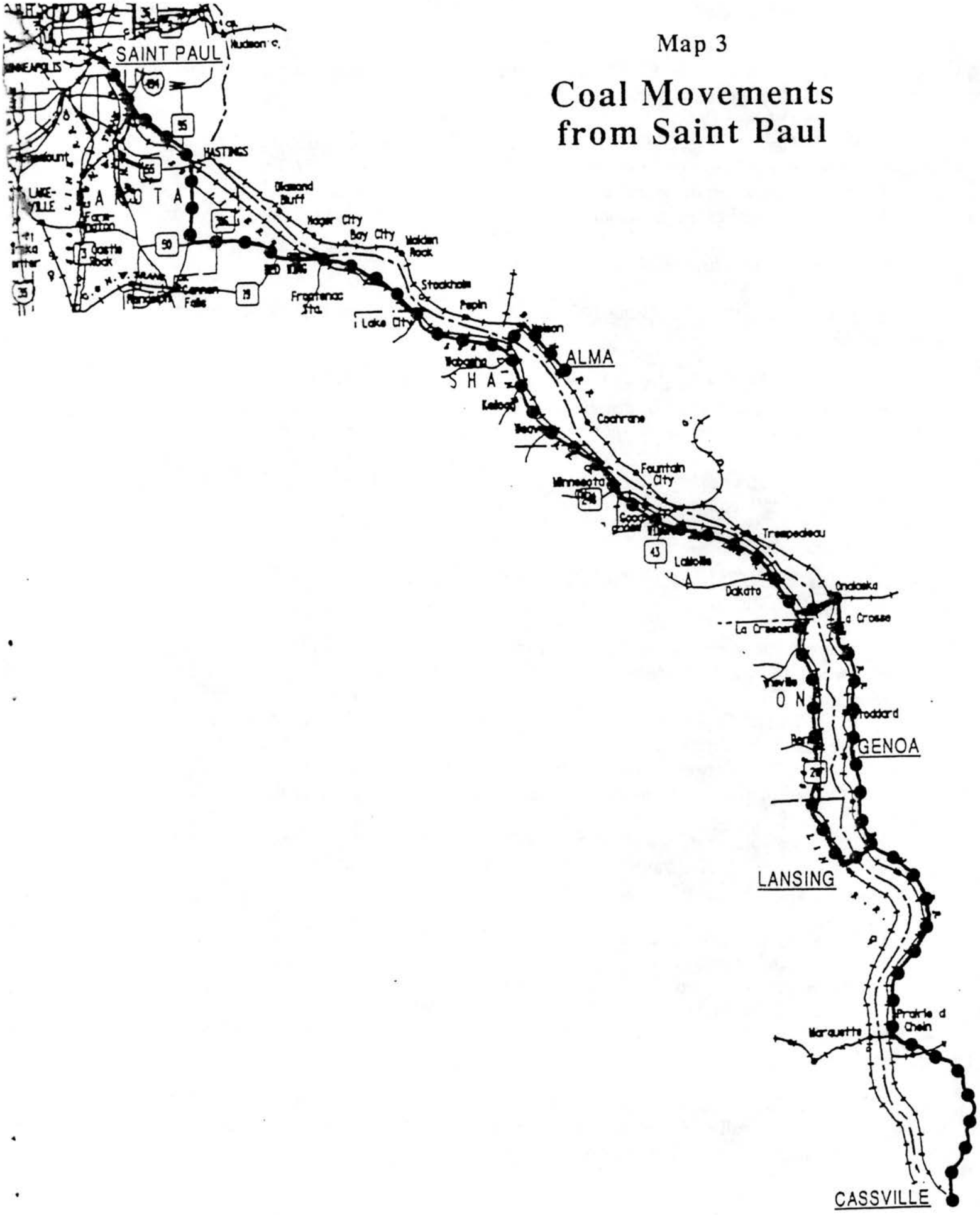
In this analysis both rail and highway modal alternatives were considered; although, rail connections do not currently exist at these plants. Steep hills and wetland use restrictions would make it difficult, although not impossible, to build rail unloading facilities at the four power plant sites. At Alma, it would be possible to build an extensive overland conveyor system to transfer coal between the two generating plants. Rail movement to these sites is considered in this analysis in spite of these difficulties.

By the same token, movement of these huge quantities of coal by truck would be extremely difficult. Analysis of a shift to trucks was included to demonstrate the impacts that would occur should such a shift be made.

The most probable transportation change would be to north bound barges from the lower part of the Upper Mississippi River, which would have a significant economic impact on the Twin Cities community.

Map 3

Coal Movements from Saint Paul



Appendix C gives full details of this analysis of the study. Major impacts of modal shifts to truck for these coal movements include:

- *an increase in annual fuel use from 249,900 gallons to 2,136,850 gallons.*
- *an annual increase in exhaust emissions from 46.2 tons to 331.2 tons,*
- *an increase of truck traffic in the corridor of 35,407 trucks annually,*
- *an increase in the probability of an accident from .2 per year to 10.0 per year, and*
- *the need to dispose of 1,043 used truck tires each year.*

With a modal shift to rail using 100 car (100 tons each) trains, the major impacts would include:

- *an increase in annual fuel use from 249,900 gallons to 541,400 gallons,*
- *an annual increase in exhaust emission from 46.2 tons to 186.9 tons,*
- *an annual increase of train traffic in the corridor of 75 trains of 100 cars each,*
- *the involvement of auto traffic with those 75 trains at 193 grade crossings,*
- *an increase in probable accidents from .2 to .48 each year.*

PAPER-WOOD PRODUCT, LAKE SUPERIOR MOVEMENTS FROM THUNDER BAY, ONTARIO TO DULUTH-SUPERIOR

One consistent Minnesota Great Lakes ship movement is dedicated to the carriage of wood and paper products between the ports of Thunder Bay, Ontario and Duluth-Superior. The majority of the cargo carried in these shipments is not ultimately destined for the Duluth-Superior area but for other points in the midwest. Since the final destinations of the cargoes are mainly to the south and west of Duluth, movement on corridors other than between Thunder Bay and Duluth-Superior would be unlikely. It is assumed that all products carried on the vessel would remain captive to the corridor.

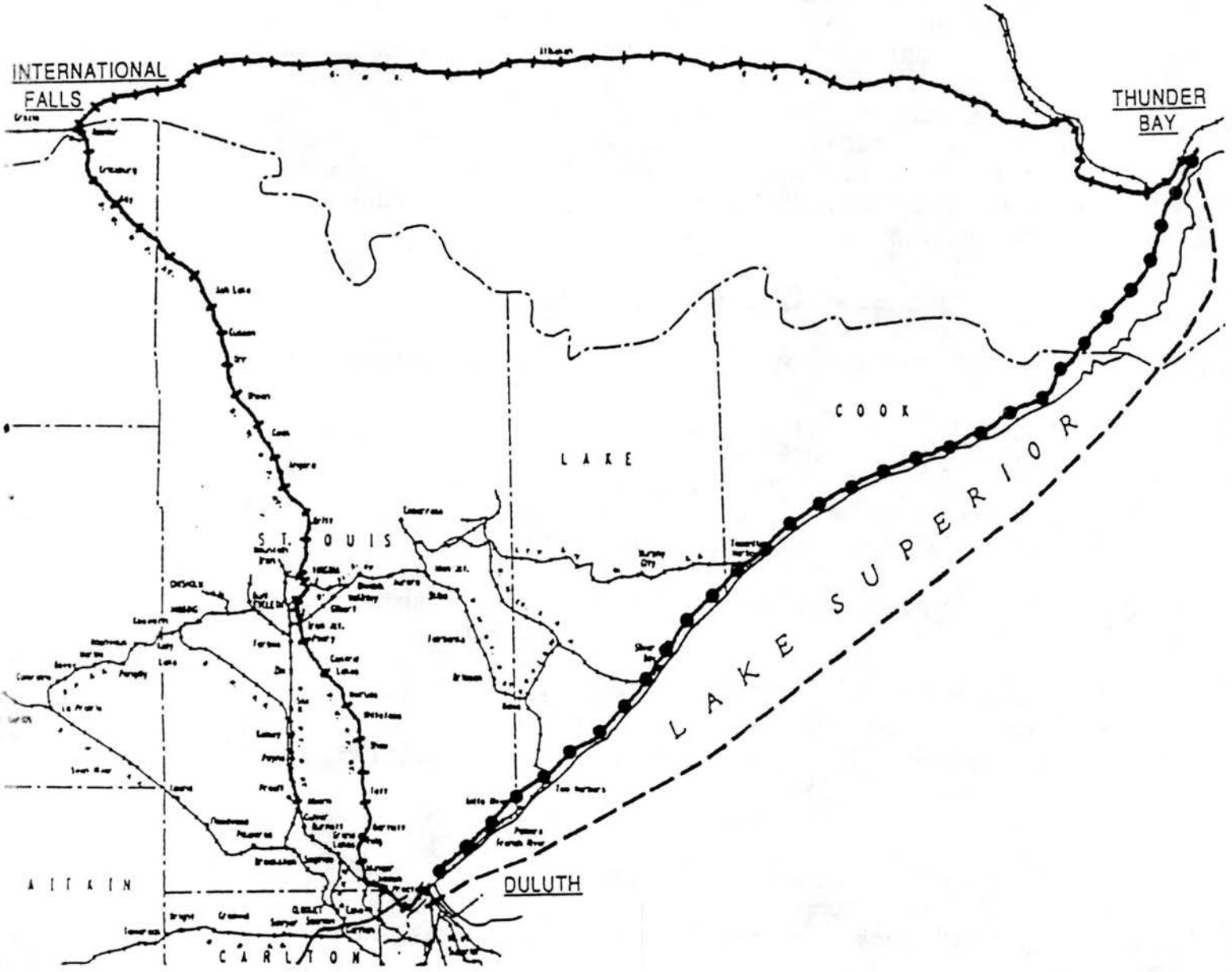
The average volume of this movement is 375,900 tons of cargo. Appendix D gives full details of the impacts of a modal shift from ship to rail or highway for this carriage. Major impacts of a modal shift to rail include:

- *an annual increase in fuel use from 113,674 gallons to 661,765 gallons,*
- *annual increases in exhaust emission from 21.0 tons to 129.0 tons,*
- *an annual increase in rail traffic of 38 - 100 car unit trains,*
- *auto involvement with those trains at 177 grade crossings,*
- *the probability of an accident rate increase of from .02 per year to .16 per year.*

Rail traffic for this movement must follow a circuitous 360 mile route as shown on Map 4. There are no rail facilities paralleling the Lake Superior shoreline between the two ports. Construction of such a line would be prohibitively expensive both in dollars

Map 4

Paper / Wood Products from Thunder Bay to Duluth



and in environmental impacts.

The major impacts of a modal shift to trucks, for this movement, include:

- *an increase in annual fuel use from 113,674 gallons to 1,212,500 gallons,*
- *an annual increase in exhaust emission from 21.0 tons to 188.9 tons,*
- *an increase in the accident probability from .02 per year to 5.4 per year, and*
- *the need to dispose of 554 used truck tires each year.*

The most significant impact of a transfer from vessels to trucks on this movement would be the increased truck traffic on TH 61 along the North Shore. During the summer tourist season this highly traveled road already has a serious conflict between auto and truck traffic. In the summer, traffic on that stretch of scenic highway grows, from an average off season daily level of 2,800 to 5,500, with a constant heavy truck traffic level of 402, of which 223 are 5 axle semis. Adding 35,714 truck trips each year, or 120 per day of a 300 work day year, would be a substantial increase. That truck traffic increase would occur along with the continuing growth in auto traffic, further exacerbating the auto-truck conflict.

TOTAL IMPACTS OF MODAL SHIFTS

The shift of all cargo in the study's movements from vessels to trucks, would result in:

- *an annual increase in fuel use of 3,763,000 gallons,*
- *an increase in exhaust emission of 570.5 tons each year,*
- *the need to dispose of 2,746 used truck tires each years, and*
- *an annual increase in probable accidents of 18.*

For those two movements where rail is a viable alternative, the cumulative impacts would be:

- *an annual increase in fuel use of 839,600 gallons,*
- *annual increases in exhaust emissions of 248.9 tons,*
- *an increase of 75-100 car unit trains at 193 highway crossings and 38 more at 177 crossings.*
- *an annual increase in probable accidents from .22 to .64.*

These environmental impacts would be accompanied by an increase in transportation costs to the shippers as well as increased highway maintenance costs. Increases in costs for highway maintenance would be partially offset by increased fuel taxes.

CONCLUSION

It was the intention of this analysis to demonstrate some of the potential

environmental costs of a modal shift from water and to further demonstrate the need for the inclusion of a similar types of analysis in environmental studies of water project proposals.

To the support that, this study's results show that a modal shift in four transportation corridors would result in annual increases in:

- *Fuel use of 826%, from 455,274 to 4,218,250 gallons,*
- *Exhaust emission of 709%, from 80.9 tons to 654.8 tons,*
- *Probable accidents of 5,967%, from .3 to 18.2, and*
- *Daily truck traffic increases of 1,333 vehicles in the corridors, and*
- *The need to dispose of 2,746 truck tires each year.*

Two of the movements could possibly have rail service. If it were available there would still be increases in fuel use of 331.%, in exhaust emissions of 470%, and in accidents of 290% each year.

The commodity volumes studied here represent only a fraction of the total waterborne commerce in Minnesota. A similar analysis of all commercial navigation in the State would further demonstrate the environmental compatibility of this transportation mode. It would add even more support for a similar review for all new water transportation projects.

Since a proposal for a water transportation project demonstrates a need for transportation service, an environmental review of the project should not be considered complete without the inclusion of an analysis of the impacts of not building the project. Such an analysis, using the methods in this study or similar techniques, should be part of all future environmental assessments of water transportation projects.

MINNESOTA DEPARTMENT OF TRANSPORTATION
PORTS AND WATERWAYS SECTION
M. WILLIAM NEWSTRAND, DIRECTOR
JANUARY 1991

APPENDIX A

AGGREGATE MOVEMENTS, MINES TO DISTRIBUTION YARDS

RIVER

YARD	TONS	MILES	TON MILES (TM)	Gallons Fuel Use (G) (TM) ÷ 514)	Emissions (Tons) (Gx. 37 ÷ 2000)	Accidents (TM ÷ 600,000,000)
A	1,000,000	11.8	11,800,000	22,958	4.2	.02
B	500,000	17.7	8,850,900	18,385	3.4	.01
C	500,000	30.9	15,450,000	30,958	5.7	.03

TRUCK

YARD	TONS	MILES	TON MILES (TM)	Gallons Fuel Use (G) (TM ÷ 60)	Emissions Tons (Gx. 31 ÷ 2000)	(Truck Miles tm) (Miles x 2)	Tire Use (tm x 20 ÷ 56,000)	Accidents tm (100,000,000 x 76.6)
A	1,000,000	15.7	15,700,000	261,666	40.6	1,495,237	534	1.1
B	500,000	18.9	9,450,000	157,500	24.4	590,625	211	.4
C	500,000	32.5	16,250,000	270,833	41.9	1,015,625	363	.8

APPENDIX B

PETROLEUM PRODUCTS MOVEMENTS IN POOL 2

(Refinery to Distribution Terminals A, B, C and Between Terminals D)

RIVER

TERMINAL	TONS	MILES	TON MILES (TM)	Fuel Use (TM) ÷ 514 = G)	Emissions (Tons) (G X .37 ÷ 2000)	Accidents (TM ÷ 600,000,000)
A	396,992	8.0	3,175,936	6,179	1.1	.005
B	265,639	16.8	4,462,735	8,682	1.6	.007
C	110,830	18.0	1,994,940	3,881	.7	.003
D	41,048	7.7*	316,070	615	.1	.0005

TRUCK

TERMINAL	TONS	MILES	TON MILES (TM)	FUEL USE	EMISSIONS	TRUCK MILES (tm)	Tire Use (tm X 18 ÷ 225,000)	ACCIDENTS
A	396,992	10.2	4,049,318	67,489	10.5	192,821	15	.2
B	265,639	17.3	4,595,555	71,593	11.9	218,845	18	.2
C	110,830	15.1	1,673,533	27,892	4.3	79,698	6	.07
D	41,048	10.2*	418,690	6,978	1.1	19,828	2	.01

* Average of trips/distances

APPENDIX C

COAL MOVEMENTS FROM POOL 2

RIVER

POWER PLANT SITE	TONS	MILES	TON MILES (TM)	FUEL USE	EMISSIONS	ACCIDENTS
Alma, Wisconsin	113,258	84.5	970,030	1,862	.3	.002
Genoa, Wisconsin	323,739	157.6	51,021,266	99,263	18.4	.08
Lansing, Iowa	58,544	176.0	10,303,744	20,046	3.7	.02
Cassville, Wisconsin	250,000	230.2	57,550,000	111,965	20.7	.1
				233,136		

TRUCK

SITE	TONS	MILES	TON MILES (TM)	FUEL USE	EMISSION	TRUCK MILES (tm)	TIRE USE (tm x 18 ÷ 225,000)	ACCIDENTS
Alma	113,258	88.3	1,000,068	16,668	2.6	952,446	76	.7
Genoa	323,739	166.0	53,740,674	895,678	138.8	5,118,112	409	3.8
Lansing	58,544	168.0	895,678	207,831	32.2	1,147,035	92	1.1
Cassville	250,000	244.0	61,000,000	1,016,667	157.6	5,809,523	465	4.4

RAIL

SITE	TONS	MILES	TON MILES	FUEL USE	EMISSIONS	TRAIN MILES (rm)	Accidents (rm ÷ 51,310)
Alma	113,258	82.0	928,716	4,553	1.6	2,022	.04
Genoa	323,739	153.0	49,532,067	242,804	83.8	10,220	.2
Lansing	58,544	168.0	9,835,392	48,213	16.6	2,318	.04
Cassville	250,000	236.0	59,000,000	289,216	99.8	11,800	.2

APPENDIX D

WOOD-PAPER PRODUCT MOVEMENTS
Thunder Bay to Duluth-Superior

SHIP

TONS	MILES	TON MILES	FUEL USE	EMISSIONS	ACCIDENTS
357,000	184	69,000,000	113,674	21.0	.03

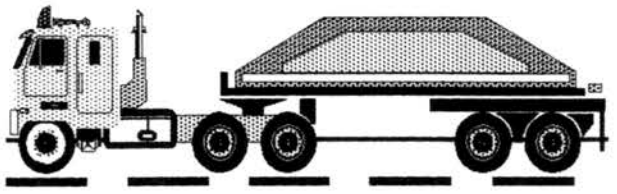
TRUCK

TONS	MILES	TON MILES	FUEL USE	EMISSIONS	TRUCK MILES	TIRE USE	ACCIDENTS
375,000	194	72,750,000	1,212,000	188.9	6,928,571	554	5.4

RAIL

TONS	MILES	TON MILES	FUEL USE	EMISSIONS	TRAIN MILES	ACCIDENTS
375,000	360	135,000,000	661,765	129.0	6,768	.1

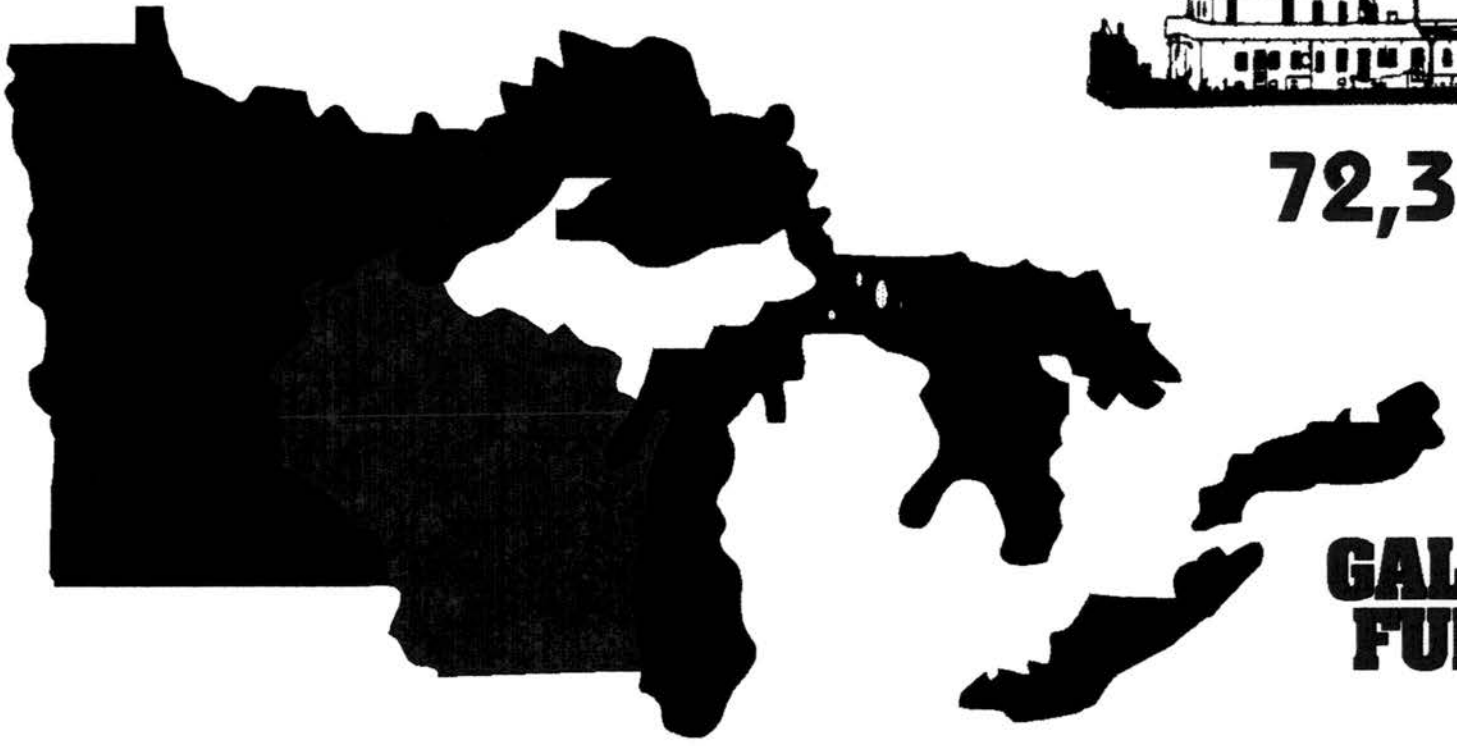
AGGREGATE MOVEMENTS



690,000

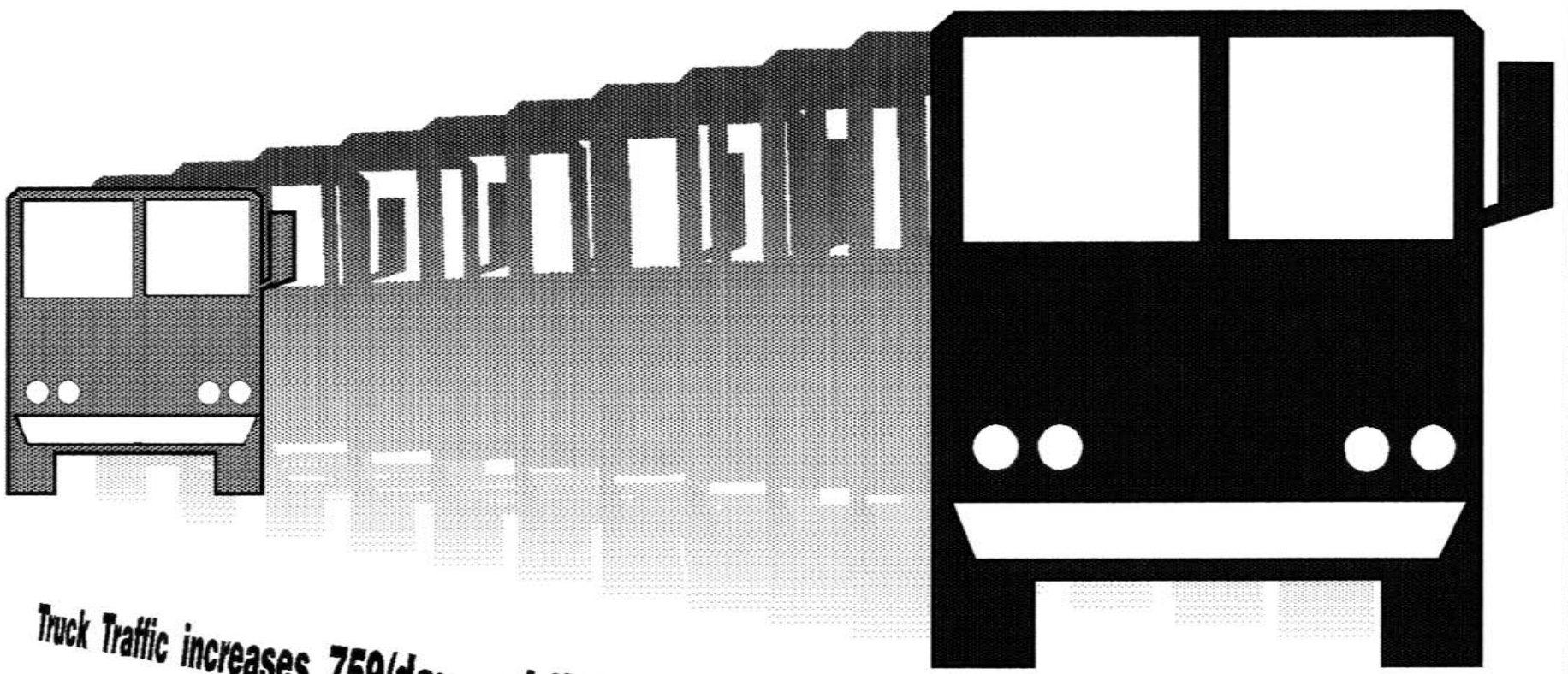


72,300



GALLONS OF FUEL USED

Aggregate Movements

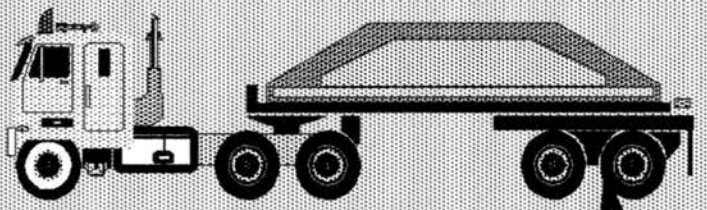


Truck Traffic increases 759/day, additional 69 during peak hrs

Aggregate Movements



13.4 tons

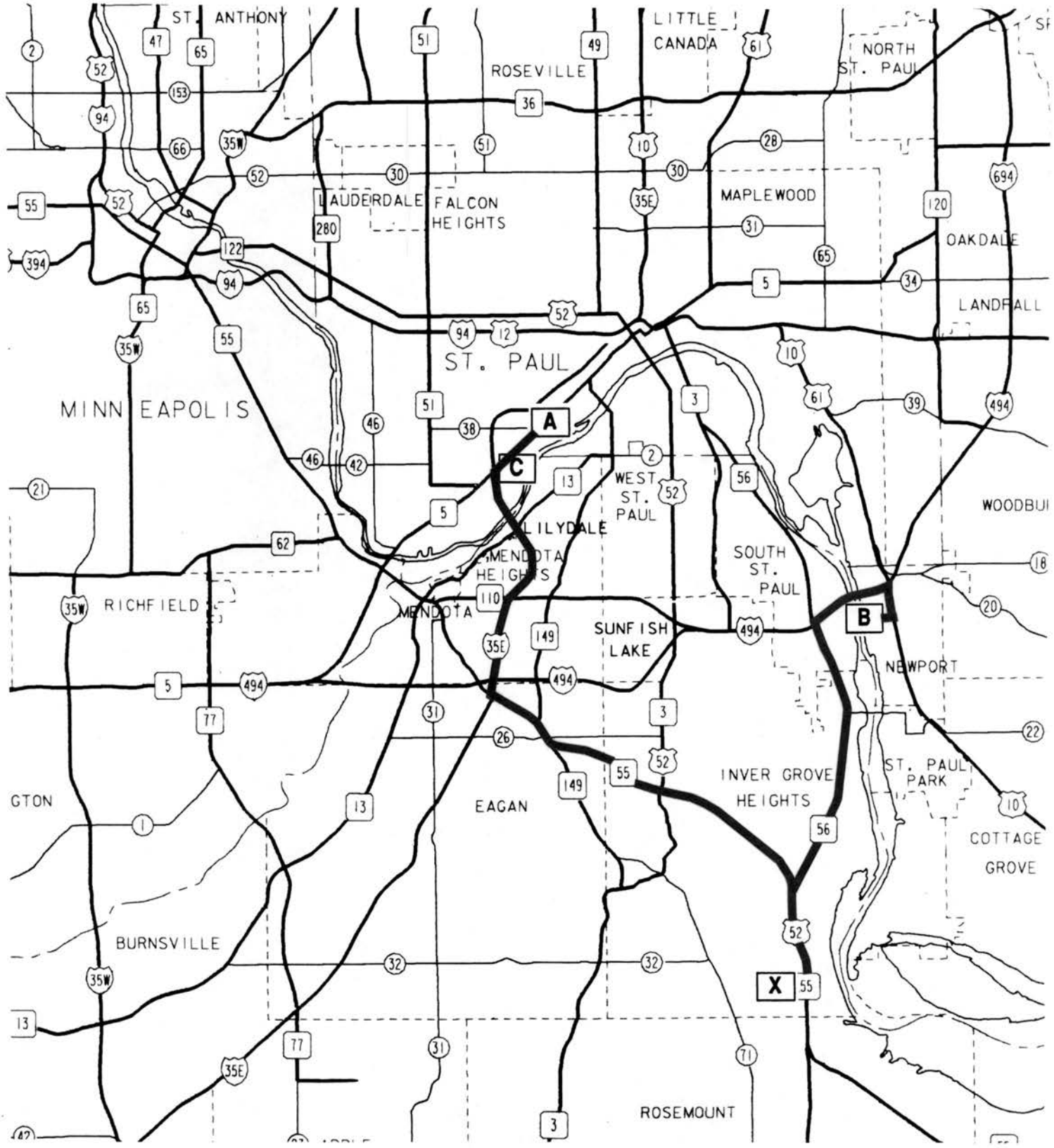


106.9 tons

Emissions

Map 2

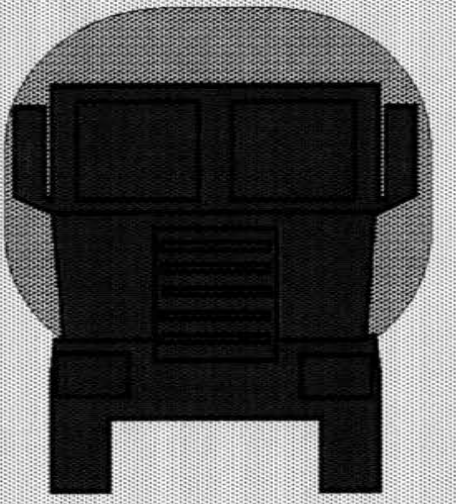
Petroleum Movement in Pool 2



River Movements Petroleum Products



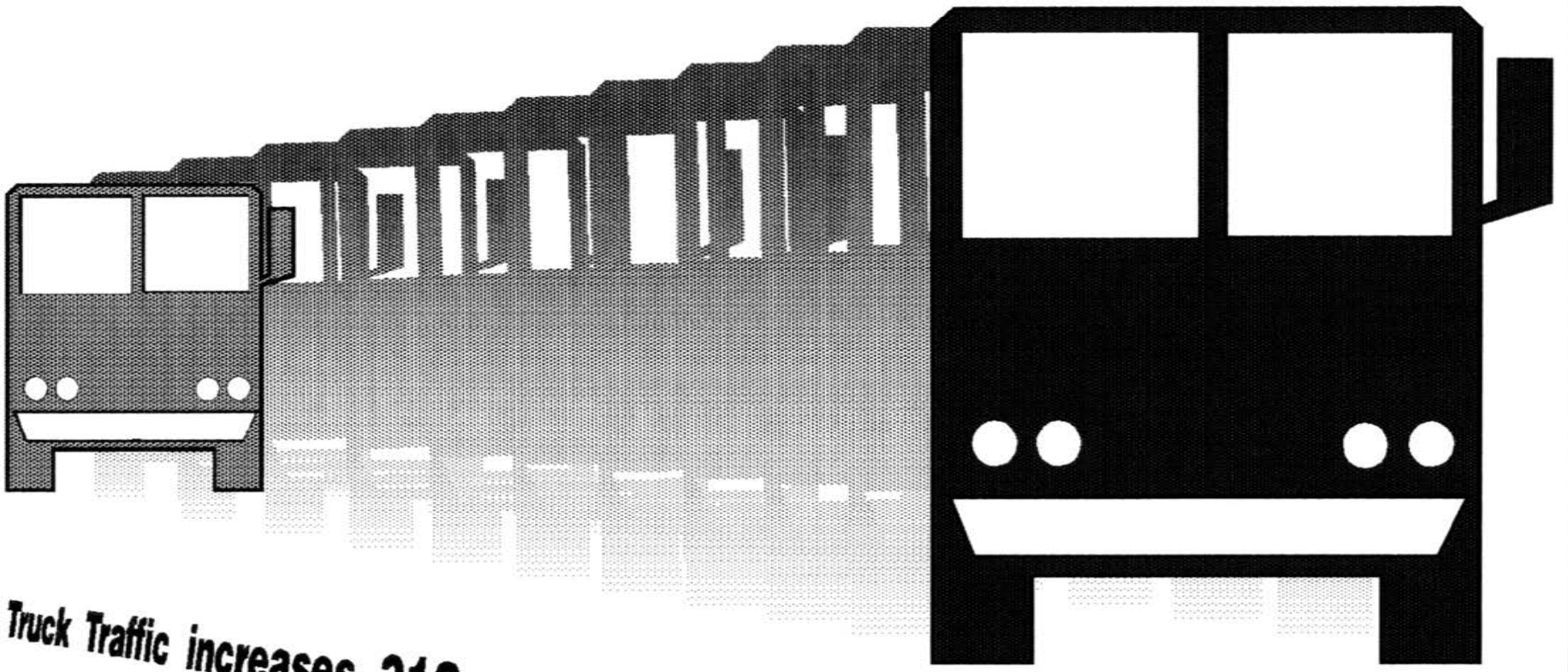
3.6 tons



27.7 tons

Emissions

River Movements Petroleum Products

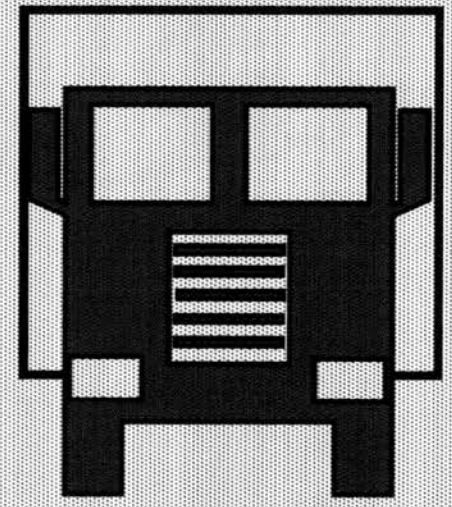


Truck Traffic increases 312 per day or 31 per hour

River Movements Petroleum Products



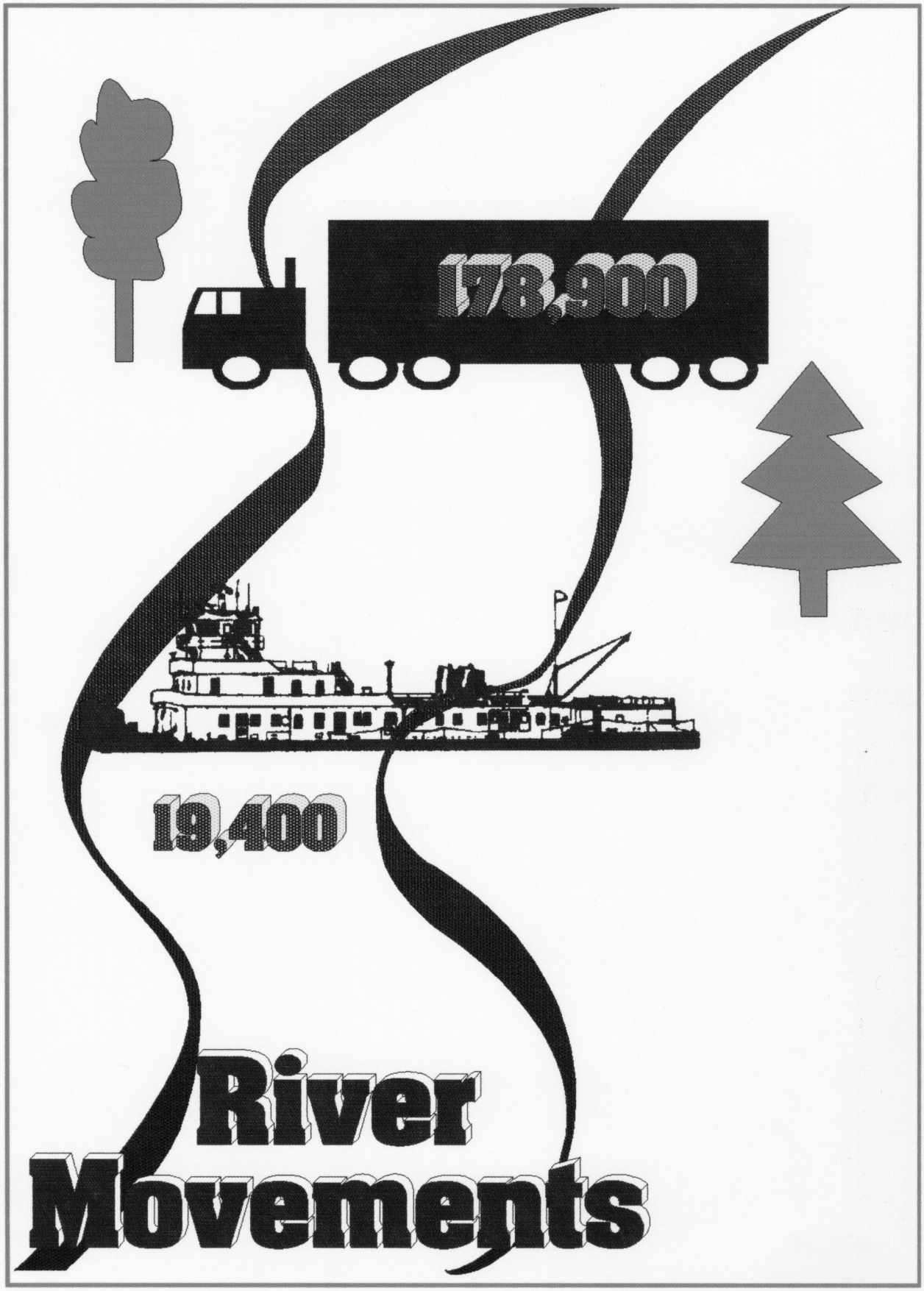
3.6 tons



27.7 tons

Emissions

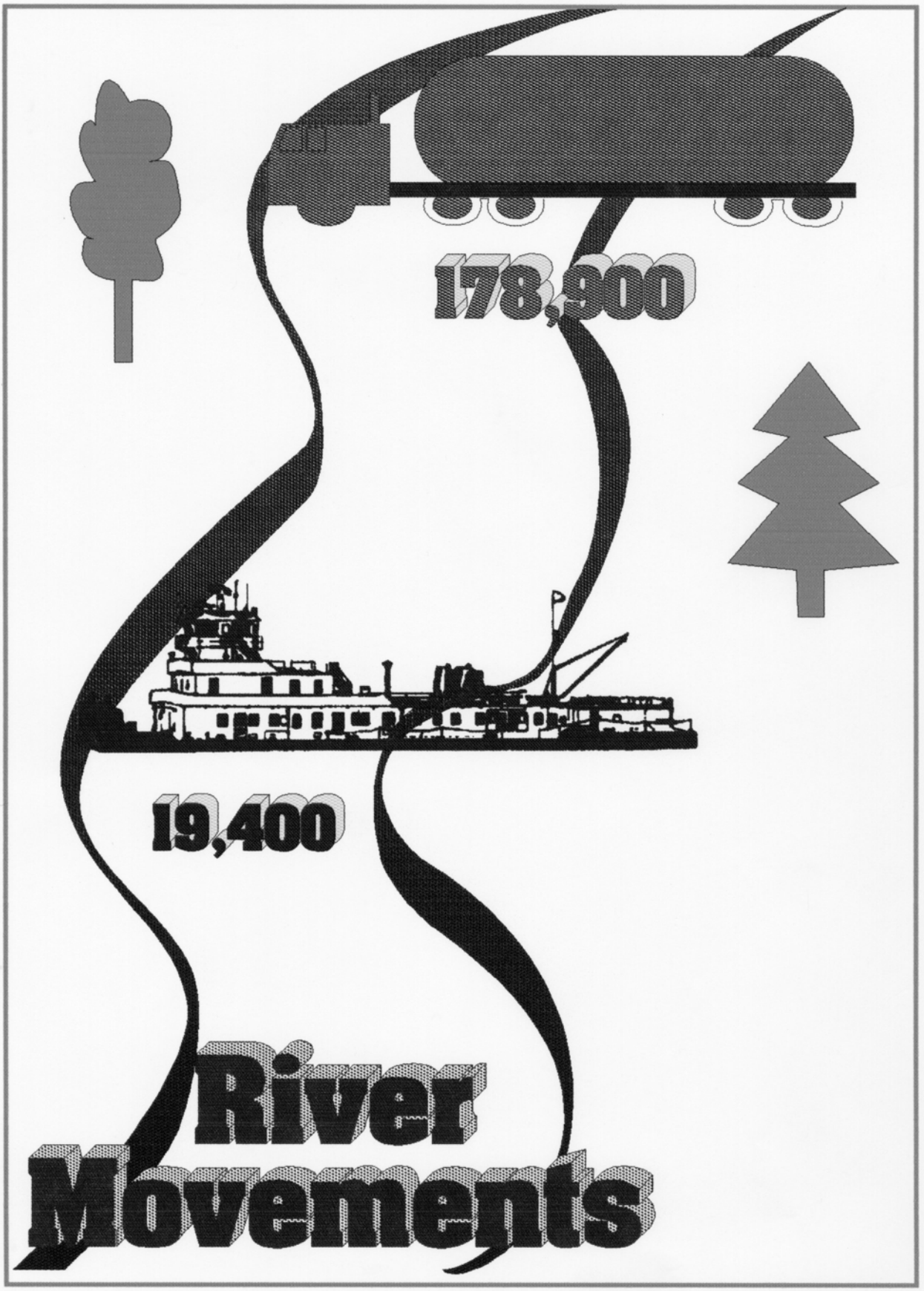
GALLONS USED



PETROLEUM PRODUCTS

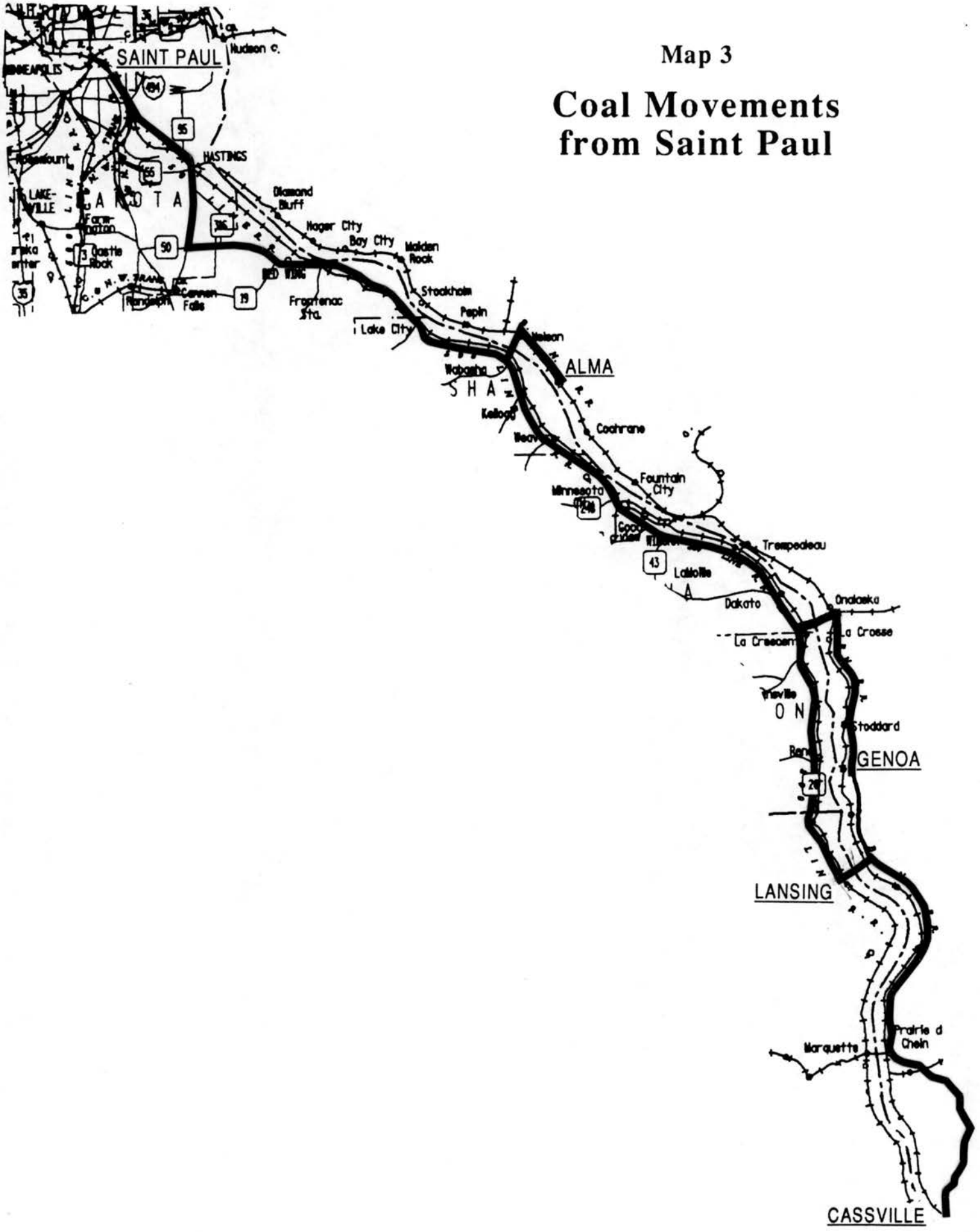
GALLONS USED

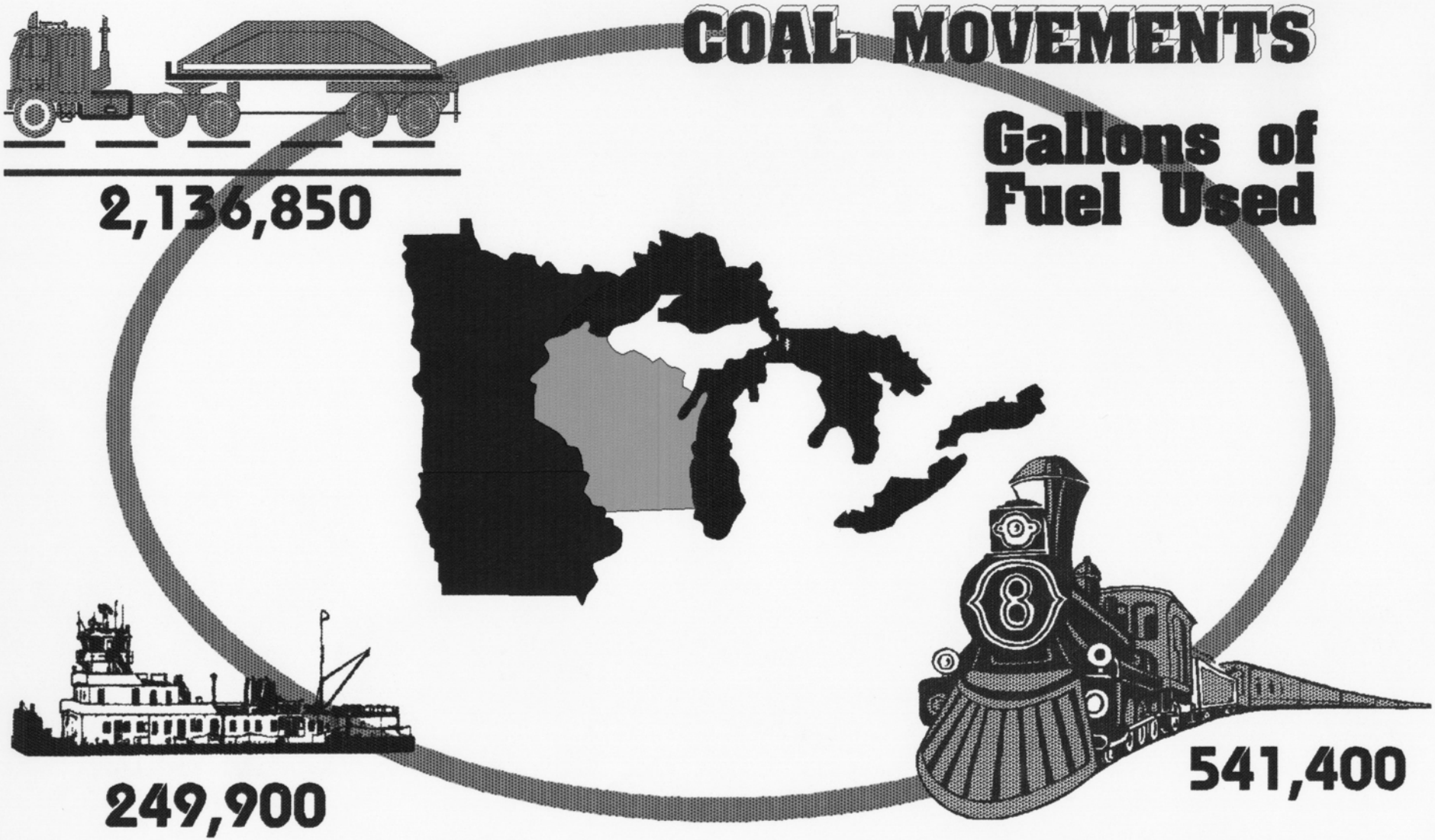
PETROLEUM PRODUCTS



Map 3

Coal Movements from Saint Paul

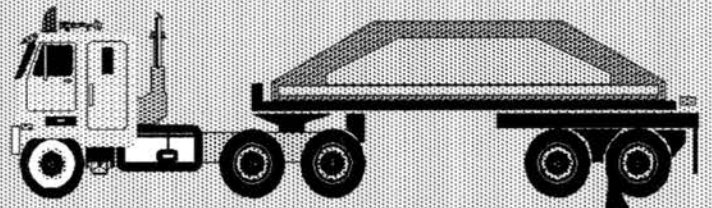



COAL MOVEMENTS
Gallons of Fuel Used
2,136,850
249,900
541,400

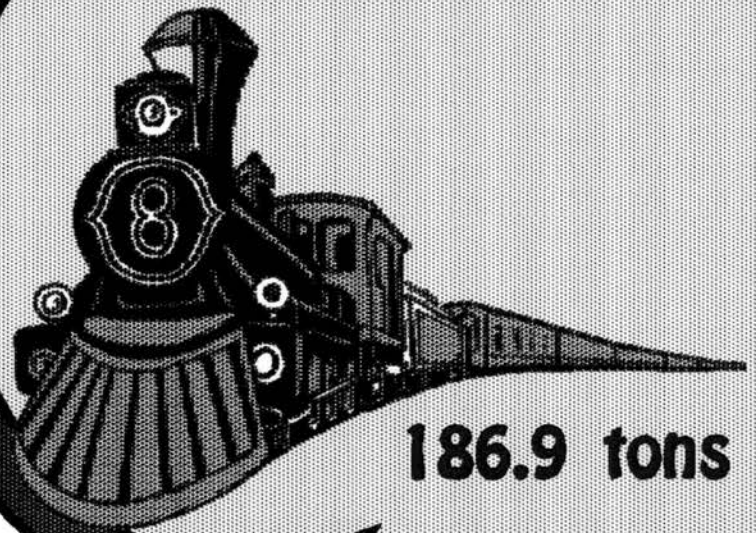
Coal Movements Emissions



46.2 tons

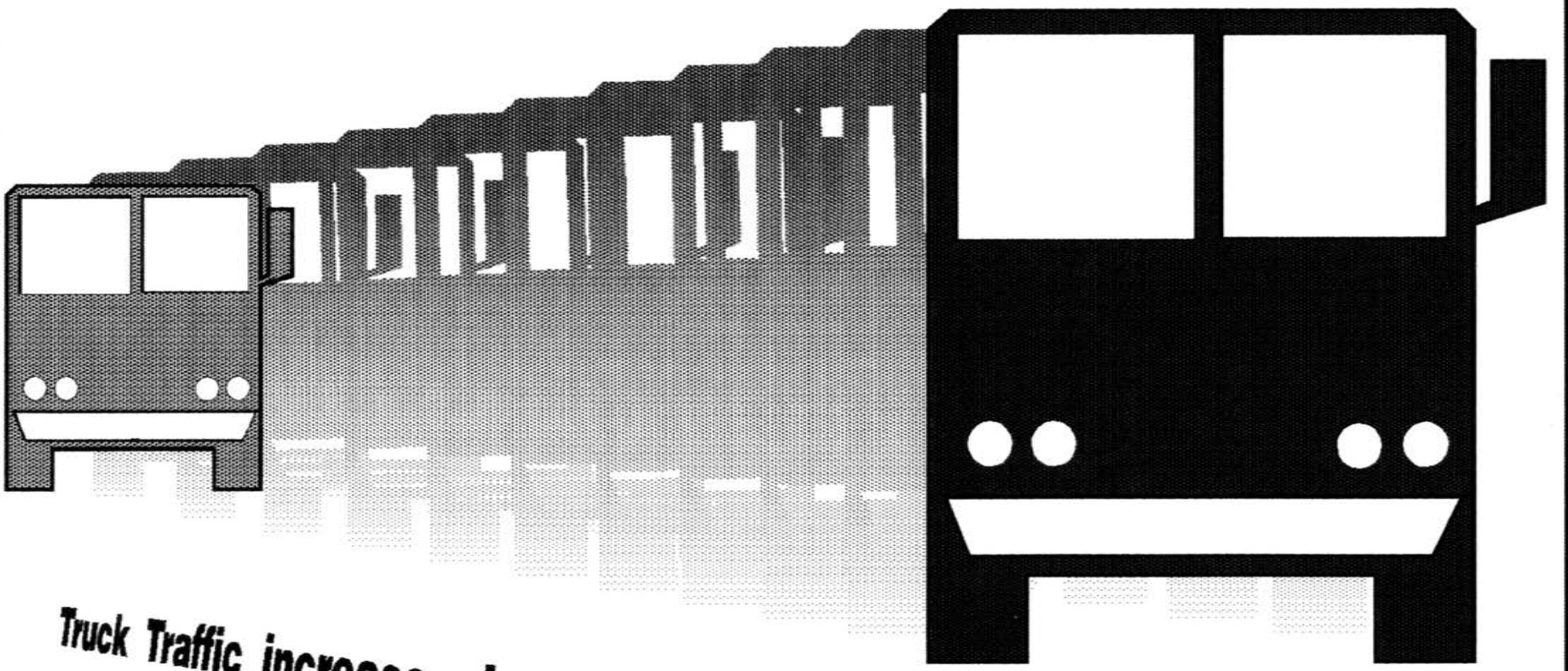


331.2 tons



186.9 tons

Coal Movements



Truck Traffic increases by 35,407 per year