

8820.4040 NATURAL PRESERVATION ROUTE CONSIDERATION.

Subpart 1. **Commissioner approval or denial.** Following receipt of the formal request, the commissioner shall approve or deny the request to designate the roadway as a natural preservation route. The commissioner shall base the decision on the criteria in subpart 2 and shall notify the political subdivision in writing of the decision. If the request is denied, a written explanation will be included with this notification.

Subp. 2. **Factors considered.** The commissioner shall consider:

A. the economic, social, safety, and environmental impacts that may result from the designation or denial of the designation;

B. the magnitude of the effects on adjacent lands and the value of the characteristics identified in part 8820.4020, subpart 2;

C. the number of persons, either residents or the traveling public, affected by designation or denial of designation;

D. the present and future use of adjacent lands;

E. safety considerations as they apply to pedestrians; bicyclists; the motoring public; and fire, police, and emergency units; and

F. other related issues as may be pertinent to the roadway that have been identified from information submitted in part 8820.4020, subpart 2.

Statutory Authority: *MS s 162.02; 162.021; 162.09*

History: *18 SR 32; 32 SR 608*

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