

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.

Statutory Authority: *MS s 457A.05*

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