

CHAPTER 457A**PORT DEVELOPMENT ASSISTANCE**

457A.04 Assistance agreements.

457A.04 ASSISTANCE AGREEMENTS.

[For text of subd 1, see M.S.1996]

Subd. 2. **Costs.** An assistance agreement must specify those project costs which may be paid in whole or in part with assistance from the commissioner. Assistance agreements may provide that only the following costs may be so paid:

- (1) final engineering costs on a commercial navigation facility project;
- (2) capital improvements to a commercial navigation facility; and
- (3) costs of dredging necessary to open a new commercial navigation facility project, to provide access to on-shore facilities from existing channels, to provide for fleeting operations, and for disposal of dredged material.

The following costs may not be paid with assistance from the commissioner:

- (1) the applicant's administrative, insurance, and legal costs;
- (2) costs of acquiring project permits;
- (3) costs of preparing environmental documents, feasibility studies, or project designs;
- (4) interest on money borrowed by the applicant or charged to the applicant for late payment of project costs;
- (5) any costs related to the routine maintenance, repair, or operation of a commercial navigation facility; and
- (6) costs of dredging to maintain an existing channel.

[For text of subds 3 to 5, see M.S.1996]

History: 1997 c 159 art 2 s 48