

5 IMPACT OF IMPLEMENTATION

This section discusses how the District’s implementation program will affect administrative and operational costs to the LGUs.

5.1 LOCAL WATER PLAN DEVELOPMENT AND IMPLEMENTATION

LGUs are required to develop a local water plan (LWP) with a coordinated system of managing the watershed on a regional or subwatershed basis consistent with this Plan. In accordance with MN Rules 8410.0160, each LWP must, at a minimum, meet the requirements for LWPs in Minnesota Statutes, section 103B.235, except as provided by the watershed management organization plan under part 8410.0110, subpart 3. This requirement allows for all or part of the Plan to be adopted by an LGU for all or part of its LWP within 18 months following approval of the District’s amended Plan.

5.1.1 District LWP Review

After consideration, but before adoption by the governing body, each LGU shall submit its LWP to the District for review and consistency with this Plan. The District shall approve or reject all or part of the LWP. The District shall have 60 days to complete its review and shall, as part of its review, consider the comments by the Metropolitan Council. If the District fails to complete its review within the prescribed period, the LWP shall be deemed approved unless the LGU agrees to an extension.

5.1.2 Metropolitan Council Review

Concurrent with LWP submission to the District, as provided in M.S. 103B.235 Subdivision (Subd.) 3a, each LGU shall submit its LWP to the Metropolitan Council for review and comment. The Metropolitan Council shall have 45 days to review and comment on the LWP (or parts of the LWP) with respect to consistency with the council’s comprehensive development guide. The Metropolitan Council’s 45-day review period shall run concurrently with the District’s 60-day review period. The Metropolitan Council shall submit its comments to the District and shall send a copy of its comments to the LGU. If the Metropolitan Council fails to submit comments within the 45-day period, the District shall complete its review as provided in M.S. 103B.235. Subd. 3a.

5.1.3 Administration and Enforcement of LWPs

LGUs are responsible for implementing and enforcing LWPs covering their jurisdictions. The District will have oversight responsibility to ensure implementation of LWPs. Oversight will include spot checks of municipal projects and program audits. If the LGU is found non-compliant, the District will work with the LGU to correct the issue. However, if problems persist, the District will develop a permitting program to assume the land use authorities granted by M.S. 103B and 103D to

enforce the standards in this Plan. The District's preferred position is to avoid unnecessary duplication of permitting programs.

5.2 EXISTING CONTROL

The District's intention in developing this Plan was to limit additional requirements imposed upon LGUs. The impact of the District's Plan on each LGU is difficult to quantify, although general observations can be made. Most of the Plan's implementation program elements are either solely District projects, projects initiated by the LGUs, or voluntary projects/programs that call for cooperation and collaboration with LGUs. Many of the implementation program elements reflect the goals, policies, and requirements of state and regional units of government that LGUs need to address. The District recognizes the importance of minimizing the financial burden on the member municipalities and taxpayers. These standards were developed in compliance with MN Rules 8410.0080 and may require additional resources and work for the LGUs, at least in the short-term.