

4410.9100 REVIEW AND APPROVAL OF CRITICAL AREA PLANS AND REGULATIONS.**Subpart 1. Submission for review.**

A. A local unit of government that has existing plans and regulations for the critical area shall submit the plans and regulations to the appropriate regional development commission, and when no regional development commission exists to the board, for review, within 30 days of the order of designation.

B. A local unit of government that prepares plans and regulations for the critical area after the order of designation shall submit the plans and regulations to the appropriate regional development commission, and when no regional development commission exists, to the board for review within six months of notice of the order of designation.

C. A regional development commission that prepares plans and regulations for the critical area at the request of a local unit of government shall submit the plans and regulations to the board for review within six months of the request from the local unit of government.

Subp. 2. Regional development commission review. The regional development commission shall review the plans and regulations prepared by the local unit of government for consistency with regional objectives and the order of designation. Within 45 days of receiving the plans and regulations, the regional development commission shall submit to the board its written evaluation, any relevant prepared development plans or land use plans, and the plans and regulations. Upon a request from the regional development commission, the board may grant a time extension of 30 days when the board determines that the regional development commission has satisfactorily demonstrated that it requires more time for review.

Subp. 3. Board review and approval. The board shall review all plans and regulations prepared for designated critical areas. Within 45 days of receiving plans and regulations from the local unit of government or the regional development commission, the board shall review the plans and regulations to determine their consistency with the provisions of the order of designation, the evaluation of the regional development commission, and comments of the affected state agencies. When the board has completed the review, it shall either:

A. approve the plans and regulations by a written decision and notify the local unit of government or regional development commission; or

B. return them to the local unit of government or the regional development commission for modification with a written explanation of the need for modification.

Statutory Authority: *MS s 116G.04*

Published Electronically: *August 20, 2018*