

8410.0160 PLAN STRUCTURE.

Subpart 1. **Requirement.** Each local water plan must, at a minimum, meet the requirements for local water management plans in Minnesota Statutes, section 103B.235, and this part, except as provided by the watershed management organization plan under part 8410.0105, subpart 9.

Subp. 2. **Local comprehensive plan.** Each local government unit must include the local water plan as a chapter of its local comprehensive plan. All local comprehensive plans must be consistent with local water plans adopted under this part.

Subp. 3. **Plan contents.** Each local water plan, in the degree of detail required in the organization plan, must contain the following:

- A. an executive summary that summarizes the highlights of the local water plan;
- B. appropriate water resource management-related agreements that have been entered into by the local community must be summarized, including joint powers agreements related to water management that the local government unit may be party to between itself and watershed management organizations, adjoining communities, or private parties;
- C. the existing and proposed physical environment and land use must be described. Drainage areas and the volumes, rates, and paths of storm water runoff must be defined. Data may be incorporated by reference as allowed under parts 8410.0060 and 8410.0105, subpart 9, or the local comprehensive plan;
- D. an assessment of existing or potential water resource-related problems must be summarized. The problem assessment must be completed for only those areas within the corporate limits of the local government unit and similar to the process under part 8410.0045, subpart 7; and
- E. a local implementation program through the year the local water plan extends must describe nonstructural, programmatic, and structural solutions to problems identified in item D. The program must not jeopardize achievement of the goals of an organization's plan. The implementation components must be prioritized consistent with the principles of part 8410.0045, subpart 1, item A. Local water plans must prioritize the implementation components of an organization plan consistent with the organization priorities set forth under part 8410.0105 only for implementation components that must be facilitated by the local government unit. Local official controls must be enacted within six months of approval of the local water plan by the organization. The program shall:

- (1) include areas and elevations for storm water storage adequate to meet performance standards or official controls established in the organization plan;

(2) define water quality protection methods adequate to meet performance standards or official controls in the organization plan and identify regulated areas;

(3) clearly define the responsibilities of the local government unit from that of an organization for carrying out the implementation components;

(4) describe official controls and any changes to official controls relative to requirements of the organization's plan;

(5) include a table that briefly describes each component of the implementation program and clearly details the schedule, estimated cost, and funding sources for each component including annual budget totals; and

(6) include a table for a capital improvement program that sets forth, by year, details of each contemplated capital improvement that includes the schedule, estimated cost, and funding source.

Subp. 4. **Amendment procedures.** A section entitled "Amendments to Plan" must establish the process by which amendments may be made. The amendment procedure shall conform with the plan amendment procedures in the organization plans that affect the community.

Subp. 5. **Submittal and review.** After consideration and before adoption, the local water plan or local water plan amendments shall be submitted for review according to Minnesota Statutes, section 103B.235.

Subp. 6. **Adoption and implementation.** Each local water plan shall be adopted not more than two years before the local comprehensive plan is due. Extensions of local comprehensive plan due dates do not alter the local water plan schedule. Each local water plan must be adopted and implemented in accordance with the time requirements of Minnesota Statutes, section 103B.235, subdivision 4. Each local government unit must notify watershed management organizations with jurisdiction over area subject to the local water plan and the Metropolitan Council within 30 days of adoption and implementation of the local water plan or local water plan amendment, including the adoption of necessary official controls.

Statutory Authority: *MS s 103B.101; 103B.211; 103B.227; 103B.231; 103B.235; 103B.239*

History: *17 SR 146; 40 SR 6*

Published Electronically: *January 28, 2016*