

## CHAPTER 103B

WATER PLANNING AND PROJECT  
IMPLEMENTATION

103B.3361 Citation.  
103B.3363 Definitions.

103B.3369 Local water resources protection and  
management program.

NOTE: Chapters 103A, 103B, 103H, and 103I, have been assigned the present statutory coding subject to further action of the legislature.

LOCAL WATER RESOURCES PROTECTION AND MANAGEMENT  
PROGRAM**103B.3361 CITATION.**

Sections 103B.3361 to 103B.3369 may be cited as the "local water resources protection and management program."

**History:** 1989 c 326 art 2 s 8

**103B.3363 DEFINITIONS.**

Subdivision 1. **Scope.** The definitions in this section apply to sections 103B.3363 and 103B.3369.

Subd. 2. **Board.** "Board" means the board of water and soil resources.

Subd. 3. **Comprehensive local water plan.** "Comprehensive local water plan" means a county water plan authorized under section 110B.04, a watershed management plan required under section 473.878, a watershed management plan required under section 112.46, or a county groundwater plan authorized under section 473.8785.

Subd. 4. **Local unit of government.** "Local unit of government" means a statutory or home rule charter city, town, county, or soil and water conservation district, watershed district, an organization formed for the joint exercise of powers under section 471.59, a local health board, or other special purpose district or authority with local jurisdiction in water and related land resources management.

Subd. 5. **Program.** "Program" means a water-related program.

**History:** 1989 c 326 art 2 s 9

**103B.3369 LOCAL WATER RESOURCES PROTECTION AND MANAGEMENT PROGRAM.**

Subdivision 1. **Assistance priorities.** State agencies may give priority to local requests that are part of or responsive to a comprehensive local water plan when administering programs for water-related financial and technical assistance.

Subd. 2. **Establishment.** A local water resources protection and management program is established. The board shall provide financial assistance to counties for local government activities that protect or manage water and related land quality. The activities include planning, zoning, official controls, and other activities to implement comprehensive local water plans.

Subd. 3. **County request and sponsorship.** Counties must submit funding requests to the board. A county must coordinate and submit requests on behalf of other units of government within its jurisdiction.

Subd. 4. **Contracts with local governments.** A county may contract with other appropriate local units of government to implement programs. An explanation of the program responsibilities proposed to be contracted with other local units of government must accompany grant requests. A county that contracts with other local units of government is responsible for ensuring that state funds are properly expended and

for providing an annual report to the board describing expenditures of funds and program accomplishments.

**Subd. 5. Financial assistance.** The board may award grants to counties only to carry out water resource protection and management programs identified as priorities in comprehensive local water plans. Grants may be used to employ persons and to obtain and use information necessary to:

(1) develop comprehensive local water plans under section 110B.04 that have not received state funding for water resources planning as provided for in Laws 1987, chapter 404, section 30, subdivision 5, clause (a); and

(2) implement comprehensive local water plans.

**Subd. 6. Limitations.** (a) Grants provided to implement programs under this section must be reviewed by the state agency having statutory program authority to assure compliance with minimum state standards. At the request of the state agency commissioner, the board shall revoke the portion of a grant used to support a program not in compliance.

(b) Grants provided to develop comprehensive local water plans may not be awarded for a time longer than two years.

(c) A county may not request or be awarded grants for project implementation unless a comprehensive water plan has been adopted.

**Subd. 7. Rules.** The board shall adopt rules that:

(1) establish performance criteria for grant administration for local implementation of state delegated or mandated programs that recognize regional variations in program needs and priorities;

(2) recognize the unique nature of state delegated or mandated programs;

(3) specify that program activities contracted by a county to another local unit of government are eligible for funding;

(4) require that grants from the board may not exceed the amount matched by participating local units of government; and

(5) specify a process for the board to establish a base level grant amount that all participating counties may be eligible to receive.

**Subd. 8. Priorities.** (a) In reviewing requests, the board must give priority to requests based on:

(1) completion of comprehensive water plans under sections 110B.04 and 473.8785;

(2) adoption, administration, and enforcement of official controls;

(3) indicate the participation of several local units of government, including multicounty efforts;

(4) complement efforts of federal, state, and local units of government; and

(5) demonstrate long-term commitments to effective water protection and management programs.

(b) The board shall consult with appropriate agencies to evaluate grant requests and coordinate project activities with other state, federal, and local research management projects.

**History:** 1989 c 326 art 2 s 10