

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.

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.

~~The standards for preparation and review of runoff management plans and erosion control plans (see Section 5.13) may require more work for local governments, at least in the short term. These standards were developed in compliance with MN Rules 8410.0090 Subp. 3. Implementation of future resource plans may result in additional requirements for proposed projects in those watersheds. The District recognizes the importance of keeping the financial burden low on the member municipalities and taxpayers.~~

~~Most LGUs already have ordinances in place which address many of the District requirements. Applicable ordinances address shorelands, floodplains, wetland protection, stormwater utilities, erosion control, and stormwater system maintenance. All of the municipalities within the District, with the exception of Mendota Heights, Lilydale, Mendota, and Carver, have DNR approved shoreland management ordinances. LGUs must adopt the DNR's shoreland regulations, if required by the DNR. See Section 5.5.1, Section 6.2.2, and Section 6.2.3 regarding the role of LGUs and the District in floodplain regulation.~~

~~Stormwater quality requirements of this Plan are not expected to create additional cost or burden to LGUs. Cities in the Twin Cities metropolitan area within the Minnesota River basin are already required to adopt the Metropolitan Council's "Interim Strategy to Reduce Nonpoint Source Pollution to the Minnesota River" in their stormwater plans, which require LGUs to adopt standards for new stormwater ponds using Nation Urban Runoff Program (NURP) or similar criteria. Local water management plans must also include the MPCA's best management practices as listed in "Protecting Water Quality in Urban Areas" (1989).~~

~~The District is not increasing the wetland regulation burden for most local units of government; most of the cities and counties are already acting as the LGU for the Wetland Conservation Act and this will not change. Local units of government can take on an increased role in wetland~~

management by preparing a wetland management plan that identifies and prioritizes all the wetlands in their community.

LGUs may adopt all or any part(s) of this Plan by reference for their LWP.

5.1.4 — Financial Impact on Local Government

The District plan will not significantly change existing municipal, township, and county financial obligations, since it is the District's policy to not increase its tax levies. The District will increase tax levies only in response to requests by the local units of government (i.e. project petitions). As a result, the financial impact of this water management plan on local government should be minimal. An exception might be the maintenance and other management programs required by MN Rules 8410.0100, Subp. 6, which may result in additional costs to LGUs.