

WATERSHED MANAGEMENT PLAN REVIEW PROCEDURES

The procedures for review of a draft watershed management plan of a watershed management organization (“WMO”) are set forth in Minn. Stat. § 103B.231, subs. 7-10. Basically the steps are as follows:

1. Upon completion of the plan, the WMO must submit the plan for a 60-day review and comment period to all counties, the Metropolitan Council, the State review agencies (Natural Resources, Pollution Control Agency, Agriculture and Health), the Board of Water and Soil Resources, soil and water conservation districts, and towns and cities having territory within the watershed.
2. The WMO must respond in writing to any concerns expressed by the review agencies within 30 days of receipt.
3. The WMO must hold a hearing on the draft plan no sooner than 30 days and no later than 45 days after the 60-day review period described in paragraph 1.
4. Following the hearing, the WMO must submit the draft plan, any amendments to the plan, all written comments received on the plan, a record of the public hearing, and the summary of changes incorporated as a result of the review process to the Metropolitan Council, the State review agencies, and the Board of Water and Soil Resources, for final review. The State review agencies are to review and comment on the consistency of the plan with State laws and rules relating to water and related land resources. The State review agencies are to forward their comments within 45 days after they receive the final review draft of the plan. Comments are submitted to the Board of Water and Soil Resources. The Board of Water and Soil Resources may grant the State agencies an additional 30 days for their review.
5. After completion of the review by the Metropolitan Council and State agencies, the Board of Water and Soil Resources reviews the plan to determine whether it is in compliance with the requirements of law. The Board may not prescribe a plan, but may disapprove all or parts of the plan which it determines not to be in conformance with the requirements of law.
6. Within 120 days after approval of the plan by the Board of Water and Soil Resources, the watershed district is to adopt and implement its plan.