

**4410.8800 DESIGNATION OF CRITICAL AREAS.**

Subpart 1. **Authority.** Only the governor may designate a critical area upon the recommendation of the board.

Subp. 2. **Action by governor.** When the board submits a recommendation to designate a critical area to the governor, the governor may designate by executive order all or part of the recommended area as a critical area.

The governor shall send a copy of the order of designation to the legislature, board, affected state and federal agencies, regional development commission, and local units of government with jurisdiction in any part of the designated critical area.

Subp. 3. **Content of order of designation.** The order of designation shall include the following:

- A. the legal description of the boundaries of the critical area;
- B. the reason that a particular area is a critical area;
- C. the specific standards and guidelines to be followed in preparing and adopting plans and regulations for the critical area; and
- D. the development, if any, that shall be permitted pending the adoption of plans and regulations, consistent with the policies of the act and these rules.

Subp. 4. **Use of order by local unit.** Each local unit of government shall attach the order of designation to existing regulations.

Subp. 5. **Duration of order.** The order of designation shall be effective for no longer than three years pending approval by the legislature or by the regional development commission, where one exists, of each development region in which a part of the critical area is located. After a regional development commission has approved the critical area designation, it shall not revoke or rescind its approval, except as necessary to update and reevaluate plans and regulations under part 4410.9200 of these rules.

**Statutory Authority:** *MS s 116G.04*

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