

CHAPTER 104

FLOOD PLAIN MANAGEMENT

104.03 Flood plains; commissioner's duties; uses of flood plains.

104.35 Management plans; hearing; establishment.

104.03 FLOOD PLAINS; COMMISSIONER'S DUTIES; USES OF FLOOD PLAINS.

Subdivision 1. The commissioner shall (a) collect and distribute information relating to flooding and flood plain management; (b) coordinate local, state, and federal flood plain management activities to the greatest extent possible, and to this end shall encourage the United States army corps of engineers and the United States soil conservation service to make their flood control planning data available to local governmental units for planning purposes, in order to allow adequate local participation in the planning process and in the selection of desirable alternatives; (c) assist local governmental units in their flood plain management activities within the limits of available appropriations and personnel in cooperation with the commissioner of energy, planning and development; (d) do all other things, within his lawful authority, which are necessary or desirable to manage the flood plains for beneficial uses compatible with the preservation of the capacity of the flood plain to carry and discharge the regional flood. In cooperation with local governmental units, the commissioner shall conduct, whenever possible, periodic inspections to determine the effectiveness of local flood plain management programs, including an evaluation of the enforcement of and compliance with local flood plain management ordinances.

[For text of subs 2 and 3, see M.S.1980]

History: 1981 c 356 s 113

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[For text of subd 1, see M.S.1980]

Subd. 2. The commissioner shall make the proposed management plan available to affected local governmental bodies, shoreland owners, conservation and outdoor recreation groups, the commissioner of energy, planning and development, the governor, and the general public. The commissioner of energy, planning and development and the governor shall review the proposed management plan pursuant to the criteria specified in section 86A.09, subdivision 3, and submit any written comments to the commissioner within 60 days after receipt of the proposed management plan. Not less than 60 days after making such information available, the commissioner shall conduct a public hearing on the proposed management plan in the county seat of each county which contains a portion of the designated area, in the manner provided in chapter 15.

Subd. 3. Upon receipt of the hearing examiner's report, the commissioner shall immediately forward the proposed management plan and the hearing examiner's report to the commissioner of energy, planning and development for review pursuant to section 86A.09, subdivision 3, except that the review by the commissioner of energy, planning and development shall be completed or be deemed completed within 30 days after receiving the hearing examiner's report and the review by the governor shall be completed or be deemed completed within 15 days after receipt. Within 60 days after receipt of the hearing examiner's report, the

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commissioner shall decide whether to designate by order the river or segment thereof as a wild, scenic, or recreational river and, if so designated, shall adopt a management plan to govern the area. The commissioner shall notify and inform public agencies and private landowners of the plan and its purposes so as to encourage their cooperation in the management and use of their land in a manner consistent with the plan and its purposes.

[For text of subd 4, see M.S.1980]

History: 1981 c 356 s 114,115