

**6115.1300 PURPOSE.**

The purpose of these parts is to provide for the orderly and consistent review of permit applications to construct, relocate, rebuild, or alter agricultural dikes along the Red River of the North and Bois de Sioux Rivers in order to assure that the granting of such permits would be in the best interests of the people of Minnesota and North Dakota. These parts are mutually applicable in both states. The authority to establish these joint criteria is granted to the commissioner of Natural Resources in Minnesota Statutes, sections 103G.105, 103G.245, and 471.59 and to the North Dakota State Water Commission by Sections 61-02-24 and 61-16-15 of the North Dakota Century Code. The two states recognize that establishment of these parts governing the issuance, review, and denial of permits to construct, relocate, rebuild, or alter agricultural dikes along the boundary rivers is but the first step in the exercise of joint control over those activities which could contribute to an increased flood potential of these rivers. The two states further recognize the need to exercise this joint control in that water management decisions which appear logical in a local or statewide context may have negative interstate and international impacts.

These parts are being established at this time because there is a current need to provide a basis for the review of existing, unauthorized agricultural dikes and permit applications for the construction of additional agricultural dikes along the boundary waters. Local land owners view such dikes as interim solutions to local flood problems.

**Statutory Authority:** *MS s 103G.105; 103G.315; 105.415; 105.49; 471.59*

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