

**6115.1380 PERMIT APPLICATION.**

Subpart 1. **Forms; plans and specifications.** All applications submitted by the owner to construct, to relocate, rebuild, or alter dikes shall be made on forms provided by the commissioner and shall be accompanied by two complete sets of plans and specifications. Such plans and specifications shall include the following:

A. a general location map with a minimum scale of 1" = 800' showing the following: location of the dike with respect to the watercourse; location of field inlets to provide for internal drainage; and location of legal drains and natural channels tributary to the main river channel;

B. detailed cross-sections of the dike showing elevation, in relation to mean sea level, and side slopes; and

C. other data as deemed appropriate by the commissioner to properly evaluate the application for permit.

Subp. 2. **Cross-sections.** After review of the information required above and other available data, the state agency to which the application is made shall determine the location and number of required cross-sections of the river channel and overland areas. These locations shall be provided to the applicant who shall then provide the required cross-section data. The applicant shall undertake and agree to pay the expenses incurred in securing these cross-sections.

Subp. 3. **Joint permit applications.** Joint permit applications involving two or more landowners or a permit application on behalf of two or more landowners will be accepted by the state agencies. These permit applications, taken together, must meet the above rules.

Subp. 4. **Joint administration.** A copy of each application for a permit shall be forwarded by the state agency receiving the initial application to the other state for comment and recommendation before final approval is granted. If no response is received within 30 days, the commissioner shall process the permit without such comments or recommendations.

Subp. 5. **Permit revocation.** The applicant shall provide for certification by a licensed land surveyor, engineer, or other qualified person or agency that the finished dike elevations are not higher than those approved by the commissioner. The permit will be revoked for failure to provide this certification. The permit may be revoked for failure to construct the dike in accordance with the plans and specifications submitted. Structural alteration of the dike without permission of the appropriate state agency will also result in having the permit revoked.

Subp. 6. **Reconstruction; maintenance.** Reconstruction of any authorized dike may be performed after notification to the commissioner of the repair needed. Permittee shall again certify the repair concurrent with this section. The maintenance of dikes must include

periodic removal of woody vegetation (for example, trees and shrubs) which may become established on the embankment.

Subp. 7. **General administration.** All applicants for permit to construct dikes shall be subject to the provisions of parts 6115.0240 to 6115.0260.

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

**History:** *L 1998 c 324 s 9*

**Published Electronically:** *June 11, 2008*