

567—71.12(455B) Miscellaneous structures, obstructions, or deposits not otherwise provided for in other rules. Approval by the department for construction, operation, and maintenance of miscellaneous structures, obstructions, or deposits, shall be required in the following instances.

71.12(1) Rural areas. In rural areas, any miscellaneous structures, obstructions, or deposits on the floodway or floodplain of any river or stream draining more than 10 square miles where such works obstruct more than 3 percent of the cross-sectional area of the stream channel at bankfull stage or where such works obstruct more than 15 percent of the total cross-sectional area of the floodplain at any stage. In determining a 15 percent obstruction of the floodplain, the concept of equal and opposite conveyance as defined in 567—Chapter 70 shall apply.

71.12(2) Urban areas. In urban areas, miscellaneous structures, obstructions, or deposits on the floodway or floodplains of any river or stream draining more than 2 square miles.

71.12(3) Exemptions. For purposes of this rule, the following project types do not require approval by the department:

a. Signs, navigational markers, and aids that have been placed by a public agency to serve the public;

b. In-kind replacement of existing utility poles, including H-frame structures that are installed as part of routine maintenance or an emergency;

c. New utility poles, including H-frame structures, that fall below the thresholds set forth in 71.12(1) and 71.12(2).

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