**Section 3700.30 Jurisdiction**

a) Construction in the floodway of any stream serving a tributary area of 640 acres or more in an urban area, or in the floodway of any stream serving a tributary area of 6,400 acres or more in a rural area, is subject to this Part and requires a permit from the Department.

b) The following activities are exempt from this Part:

1) Installation of field tile systems, tile outlet structures, and any water or sediment control construction activity in any floodway land (overbank) area which would not obstruct flood flows such as grade stabilization structures and waterways;

2) Installation of irrigation equipment in any floodway land (overbank) area;

3) Work on private lakes which would not impact the dam or traverse the lake such as the construction of boat docks, bank stabilization and maintenance dredging;

4) Removal of brush, woody vegetation, trash or other debris;

5) Routine maintenance and repair of existing structures;

6) Maintenance and repair, to preserve design capacity and function, of artificially improved stream channels, drainage ditches, levees and pumping stations;

7) Maintenance and repair of existing bridge and culvert structures, including dredging to restore the waterway opening to the original design cross section, and superstructure replacement which would not reduce the waterway opening (maintenance does not include increasing the height of an existing roadway);

8) Widening of bridge decks;

9) Culvert extensions of up to l00% of the original length, but not exceeding 40 feet in length, provided the extension involves no change in alignment or reduction in size from the existing culvert;

10) Removal of bridge and culvert structures provided no materials would be placed in a way which would obstruct normal or flood flows; and

11) Installation of fences in rural areas.