

k. Minor modification of culverts, storm sewers, and drain tiles – To be authorized by this General Permit Number 1, minor modification of culverts, storm sewers and drain tiles shall meet the following criteria.

- (1) This General Permit Number 1 does not authorize modifications to the size, shape, and material of culverts within a floodway.
- (2) This General Permit Number 1 does not authorize modifications to the size, shape, and material of culverts where a building within 500 feet upstream of the culvert is located within a mapped Zone AE, A, AH, or AO floodplain on the FEMA FIRM.
- (3) This General Permit Number 1 does not authorize modifications to the size, shape, and material of culverts where a building within 500 feet upstream of the culvert is located within a mapped Flood of Record area on the USGS-Hydrologic Investigation Atlas Flood of Record Map.
- (4) This General Permit Number 1 does not authorize culvert extensions within a designated floodway.
- (5) Modifications to the size, shape, and material of a culvert, storm sewer, or drain tile shall maintain 90-125% of the capacity of the existing culvert, storm sewer, or drain tile. ~~Minor adjustment of pipe invert elevations to correct an adverse slope shall be allowed without consideration of the resulting increase in pipe capacity. Calculations prepared by a licensed professional engineer shall be submitted demonstrating compliance with this condition.~~
- (6) Culvert extensions shall not exceed the lesser of 40 feet or 100% of the original pipe length and shall not result in a change in alignment or a reduction in pipe size.

C. Exempted Development

1. Development that consists solely of the following activities shall be exempt from the requirements of this Ordinance, upon review and verification by the Enforcement Officer:
 - d. Other maintenance activity;

other maintenance activity: Rehabilitative maintenance that is not maintenance of existing buildings or maintenance of existing roads and trails, including but not limited to:

- E. Repair ~~or in-kind replacement or replace~~ of existing culverts, storm sewers, or drain tiles, provided the culverts, storm sewers, or drain tiles are outside flood hazard areas ~~the designated floodway, and~~ have a cross-sectional area less than 12.6 square feet, ~~and shall maintain 90-125% of the capacity of the existing culvert, storm sewer, or drain tile;~~