**Section 3706.230 Unlawful Construction on Flood Plain**

a) All construction including major structural modifications, additions, or replacement of existing structures shall be unlawful if undertaken on the herein defined regulatory flood plain after the effective date of this Part without a permit from the Department of Natural Resources. Permits will ordinarily be granted for construction which does not have significant flood damage potential and which will not increase present or future flood damages on upstream, downstream, or adjacent lands. No construction will be permitted which will singly, or cumulatively, cause significant increases in flood stage or velocity.

b) The principles included in this Part will be followed by the Department of Natural Resources in making permit approval decisions to meet the objectives of the regulation. These principles shall be used as guidelines rather than rigid specifications and the Department shall exercise such discretion in their application as may be necessary to produce reasonable decisions.