

73-5a-202 Submission of plans.

- (1) Before a dam is constructed, enlarged, repaired, altered, removed, or abandoned, plans for the work shall be submitted to the state engineer for his approval, unless the dam:
 - (a) impounds less than 20 acre-feet of water; and
 - (b) is not classified as a high hazard structure under Section 73-5a-106.
- (2)
 - (a) The plans shall be submitted 90 days before:
 - (i) awarding the construction contract; or
 - (ii) the commencement of construction, if the owner constructs the dam.
 - (b) The state engineer may shorten the 90-day review period if the owner and the design engineer submit satisfactory preliminary plans and design reports for review.
- (3) The state engineer may waive the requirement of plans if it can be demonstrated that failure of the proposed dam:
 - (a) does not constitute a threat to human life; and
 - (b) may result in only minor property damage that would be limited to property held by the owner of the structure.

Amended by Chapter 177, 2009 General Session