Procedure to construct a dam [1]
Rev. 3.0 – 25 February 2013

The dam is proposed to be greater than twenty five(25) feet high from the downstream toe to the crest of the dam and will be capable of impounding 50-acre feet, or more, at the dam crest (G.S. 143-215.215.25A and NCAC 15A-2K.0105.

The dam is proposed to be less than twenty five (25) feet high from the downstream toe to the crest of the dam and will not be capable of impounding 50-acre-feet at the dam crest.

Complete "Form to determine if a dam is governed by the Dam Safety Law of 1967" (click here for form). Also complete the "Dam Hazard Classification Data" form (click here for form). Submit these in duplicate to the Dam Safety Program (note 2) – see G.S. 143-215.26.

If it is deemed necessary by the Director of the Division of Land Resources, a site inspection will be done by the Regional Office staff.

Is the proposed dam greater than twenty five (25) feet high and capable of impounding 50-acre-feet in volume and/or the dam is a high hazard classification – see NCAC.0105 and .0223; G.S. 143-215.25A

No

Yes

A dam safety permit is not required. A letter is issued by the Regional Office that the dam is exempt as proposed.

A field inspection may be conducted of the completed work by Regional Office staff. If the dam is determined to exceed statutory thresholds, the owner may be subject to enforcement action by the Division of Land Resources. Refer to G.S. 143-215.36 and NCAC 15A – 2K .0302 for additional information regarding potential enforcement actions.

End of process

A letter is issued by the Regional Office staff that the dam is jurisdictional. They will also concur with the hazard classification proposed, assign a higher classification, or request more information.

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Plans, specifications, design data, and calculations must be prepared by a professional engineer and submitted for review (G.S. 143-215.28. Two (2) copies of a preliminary report prior to filing the final design report, early in the site investigation and design schedule, is encouraged to assure the State's concurrence with the hazard classification, site investigation, and design concept (NCAC 15A, 2K, .201c. Also refer to G.S. 143-215.28.

Two (2) copies of the plans must be submitted along with a check for $200.00 for the initial processing fee. A hazard classification is not required. The plan is reviewed by the Dam Safety Program staff for compliance with the statutes and regulations.

Submit all items to the State Dam Safety Engineer, Dam Safety Section, Division of Land Resources, DENR. The mailing address is 1612 Mail Service Center, Raleigh, North Carolina 27699-1612. The physical address for courier or hand delivery is 5th Floor, Archdale Building, 512 North Salisbury Street, Raleigh, North Carolina, 27604. Our telephone number is 919.707.9220.

Is the plan acceptable to the Director of the Division of Land Resources?

Yes

No

An approval to construct the dam is issued by the Director of the Division of Land Resources with any applicable stipulations.

A revision request letter is issued by the Dam Safety program's Central Office staff.

Dam is constructed under the supervision of a professional engineer.

Engineer submits additional information and revisions. Two (2) sets of plans are required in this step.

Two (2) sets of 'as-built' drawings, "Engineer's Certification (click here for form), "Owner's Certification (click here for form), the additional fee2 ("Application processing fees for construction, enlargement and removal of a dam" - click here to view Internet page with current fee structure with a link to a downloadable fee calculator). Also see "Dam Operation and Maintenance Manual", click here.

If the dam is classified as a high hazard dam, an Emergency Action Plan (EAP) must also be submitted. Click here for "forms" page of the Division of Land Resources' Internet web site fro FEMA 64, and EAP's for small earthen dam, and small concreted dams.

We recommend the Emergency Action Plan (EAP) be submitted as early in the process as possible to be on hand if safety issues arise during construction.

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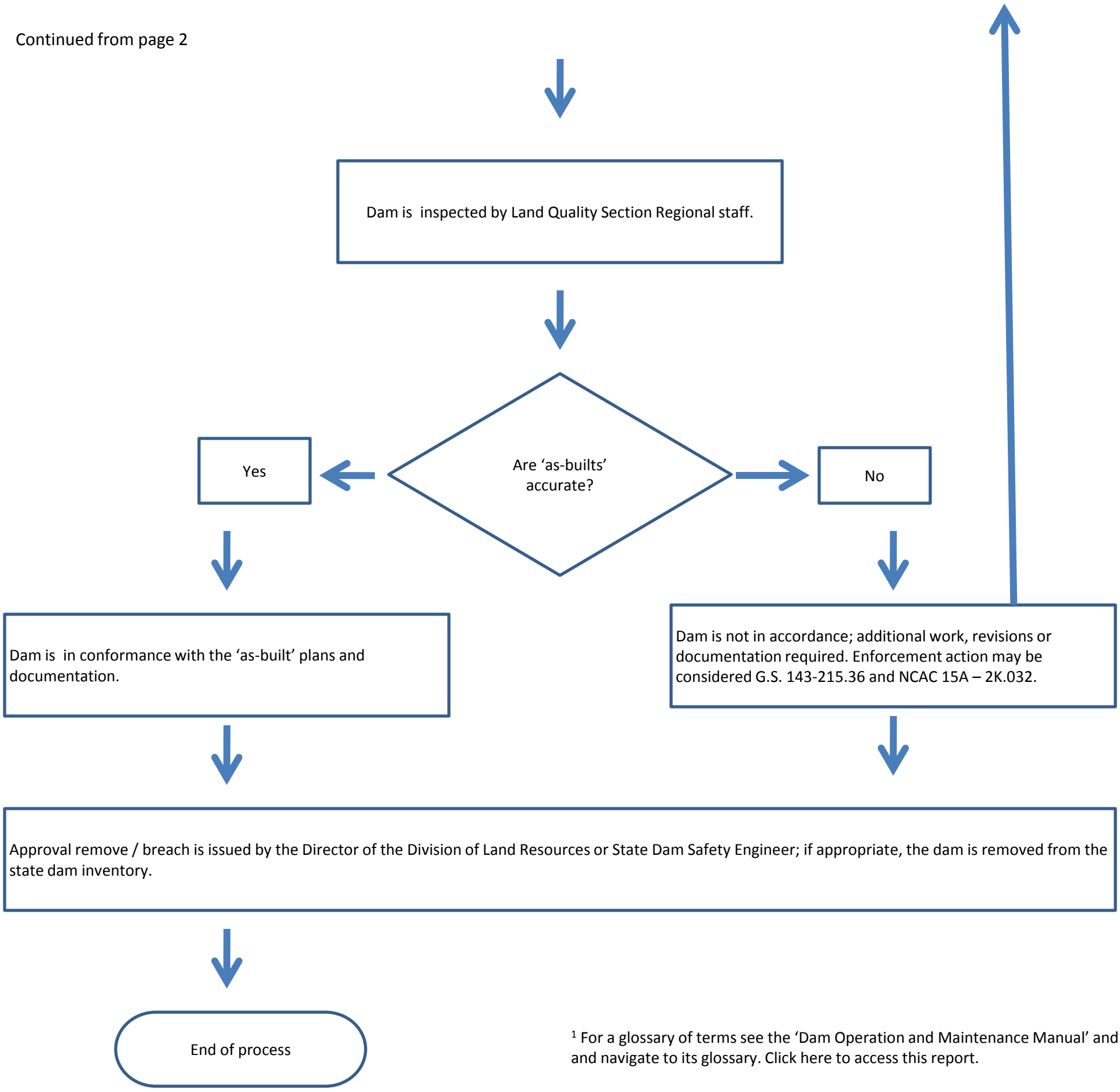

[1] For a glossary of terms see the 'Dam Operation and Maintenance Manual' and and navigate to its glossary. Click here to access this report.