# Procedure to construct a new dam[1]

The dam is proposed to be less than 15 feet high from the downstream toe to the crest or the dam and will not be capable of impounding 10 acre-feet at the dam crest.

The dam is proposed to be greater than 15 feet high from the downstream toe to the crest of the dam and will be capable of impounding 10 acre-feet, or more, at the the dam crest.

(G.S 143-215.25A and NCAC 15A-2K.0105 and .0223)

Complete "Form to determine if a dam is governed by the Dam Safety Law of 1967"; also use the "Dam Hazard Classification Data" form. The "Dam Hazard Classification Guidelines" will be useful. Submit these to the Dam Safety Program (see mailing address and physical address on the Division of Land Resources at www.dlr.enr.state.nc.us), 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 15 feet high and capable of impounding 10 acre-feet in volume and/or the dam is a high hazard classification – see NCAC.0105 and.0223; G.S. 143-215.25A

No

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 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**

Yes

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.

Plans, specifications, design data, and calculations must be prepared by a professional engineer and submitted for review (G.S. 143-215.28). 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, .0201c). Also refer to G.S. 143-215.28.

Five (5) copies of the plan sheet must be submitted and two (2) copies of all other documents, including the checklist, " Application Checklist for Permit to Construct a Dam". Submit these along with a check for $200.00 for the initial processing fee.

The engineer must propose a "Hazard Classification". The plan is reviewed by the Dam Safety Program staff for compliance with the statutes and regulations.

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

Yes

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

Dam is constructed under the supervision of a professional engineer.

No

A revision request letter is issued by the Dam Safety program Central office staff.

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

Two sets of 'as-built' drawings, "Engineer's Certification", "Owner's Certification", the additional fee ("Application processing fees for construction, enlargement and removal of a dam") and "Operation and Maintenance Plan" are submitted (see *Dam Operation and Maintenance Manual*).

If the dam is classified as a high hazard dam, an Emergency Action Plan [EAP] must also be submitted. See 'forms' page of Division of Land Resources Internet site for FEMA 64, and EAPs for small earthen dams, and small concrete 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.

Dam is inspected by Land Quality Section Regional Office staff.

Are 'as-builts' accurate?

Yes

Dam is in conformance with the 'as-built' plans and documentation.

No

Dam is not in conformance; additional work, revisions or documentation required. Enforcement action may be considered G.S. 143-215.36 and NCAC 15A – 2K.032.

Approval to impound is issued by the Director of the Division of Land Resources or State Dam Safety Engineer; dam added to the inventory and assigned a state identification number.

**End of process**

[1] For a glossary of terms see the *Dam Operation and Maintenance Manual* and navigate to its glossary.

Rev. 1.4– 22 August 2006