

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Engineering Division
Honolulu, Hawaii 96813

July 8, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

**APPLICATION FOR A DLNR DAM SAFETY CONSTRUCTION/ALTERATION PERMIT
PERMIT NO. 48 – WAHIKULI RESERVOIR (MA-0055)
DAM ALTERATION AND REMOVAL, KAHOMA VALLEY, MAUI, HAWAII**

The Engineering Division hereby submits an application for your approval and authorization for the Chairperson and Department to stipulate conditions and issue a Dam Safety Construction/Alteration Permit for the subject application, "Alteration and Removal of the WAHIKULI RESERVOIR", pursuant to Chapter 179D Hawaii Revised Statutes.

APPLICANT:

Mr. Ernest Y.W. Lau
Public Works Administrator
State of Hawaii
Department of Accounting and General Services
1151 Punchbowl Street, Room 426
Honolulu, HI 96813

CO-LANDOWNER:

Russell Y. Tsuji, Administrator
State of Hawaii
Department of Land and Natural Resources
Land Division
1151 Punchbowl Street, Room 220
Honolulu, HI 96813
TMK: (2) 4-5-021:022

CO-LANDOWNER:

Peter Martin
West Maui Land Co. / Kahoma Land LLC
33 Lono Avenue, Suite 450
Kahului, Hawaii 96732
TMK: (2) 4-5-021:002

SUMMARY OF REQUEST:

Application for a Dam Safety Construction/Alteration Permit for the alteration and removal of the Wahikuli Reservoir, Kahoma Valley, Maui, Hawaii (See Exhibit 1)

LOCATION: Kahoma Valley, Maui, Hawaii

TMK: (2) 4-5-021:002 – West Maui Land Co.
(2) 4-5-021:022 – State of Hawaii, DLNR (See Exhibit 2)

BACKGROUND:

The Wahikuli Reservoir was constructed around 1918 by Pioneer Mill to supply irrigation water to nearby sugarcane fields. The reservoir is currently maintained by Kaanapali Farm Services and serves both as storage and as a medium to pass water to the Wahikuli Return Ditch.

There are two embankments at the Wahikuli Reservoir Dam and the maximum height is approximately 28 feet. The Northern Embankment is approximately 890 Feet Long and the southern embankment is approximately 840 feet long. The surface area of the reservoir at the dam crest is approximately 8.7 acres. The reservoir impounds a maximum of 130 ac-ft. There are two existing outlet works and associated catwalks. One catwalk is on the north embankment and the other on the south embankment. In addition there is a siphon operating in the southern section of the reservoir which feeds the Wahikuli Return Ditch. The dam has a size classification of “small” and hazard potential classification of “high”. (See Exhibit 3)

An October 2009 Phase I Dam Inspection Report by GEI Consultants, Inc. determined that the dam’s overall condition was “POOR”. The two landowners have agreed on the removal of the dam.

An application for the alteration and removal of the Wahikuli Reservoir was filed on October 6, 2010 by the State of Hawaii, Department of Accounting and General Services (DAGS), on behalf of the co-owners, State of Hawaii, Department of Land and Natural Resources (DLNR) and Kahoma Land LLC.

PROJECT DESCRIPTION:

The owners are proposing to breach the dam structure through the west end of the south embankment. The project will include excavating and constructing a 20 foot wide trapezoidal channel through the existing embankment at an elevation 11.2 feet below the existing spillway. The upstream section of the channel will have a slope of 0.5% and vegetative erosion protection. The downstream section will have a slope of 10.5% and have grouted riprap erosion protection. The channel is designed to carry the maximum theoretical flood flow of 980 cubic feet per second (cfs) at a maximum depth less than 4.84 feet. The outfall of the breach channel will continue its historical routing into Crater Reservoir located directly downstream of the existing Wahikuli Reservoir spillway. The construction of the channel will remove the ability of the structure to impound water. (See Exhibit 4)

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Division of Land Management’s Environmental Impact Statement Exemption List, approved by the Environmental Council dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 9 that states: “Demolition of structures, except those structures located on any historic site as designated in the National Register or Hawaii Register as provided for in the National Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6, Hawaii Revised Statutes.” (See Exhibit 5)

REMARKS:

The applicant (DAGS), the owners (West Kahoma Land and DLNR), and the applicant’s consultant, Oceanit, have completed a basis of design, plans and specifications for the breach, and bid and awarded the project. DAGS has requested for the approval of the submitted dam safety construction/alteration permit. The staff of the Dam Safety Program has reviewed the documents

and concluded that they are sufficient for their intended purposes. Staff recommends approval of this permit application with the Dam Safety Permit General Conditions. (See Exhibit 6)

SPECIAL CONDITIONS:

1. NONE

RECOMMENDATION:

That the Board:

1. Authorize the approval and issuance of the Dam Safety Construction/Alteration Permit for this project; and
2. Direct the Chairperson to issue a dam safety permit for the alteration and removal of the Wahikuli Reservoir (DLNR Dam Safety Construction/Alteration Permit No. 48) subject to such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Authorize the Department to oversee the permitted work and take appropriate action including but not limited to selecting and procuring testing or professional services to verify construction work, approval of minor revisions and changes, issuance of fines and /or revocation of the permit, if necessary.
4. Authorize the Department to remove this dam from dam safety regulatory oversight and the requirements of Chapter 179D, Hawaii Revised Statutes, upon satisfactory completion of the construction project.

Respectfully submitted,



CARTY S. CHANG
Chief Engineer

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson

- Exhibit(s):
- 1 Owner Permit Application
 - 2 Location Map / TMK Map
 - 3 Site Images
 - 4 Partial Construction Drawing set
 - 5 Environmental Assessment Exemption Justification (Chapter 343 HRS)
 - 6 Dam Safety Permit General Conditions

TECHNICAL INFORMATION:

DLNR-Dam Safety-Sheet 2

1. Drainage Area 0.043 sq. miles or 27.52 acres
2. Classification of Dam Small
3. Type of Structure Earth Fill Embankment
4. Elevation-Area-Capacity Data:

| (inflow ditch elevation) | Elevation | Surface Area (acres) | Total Storage Volume (acre-feet) |
|--|-----------------------|-------------------------|-------------------------------------|
| Natural Streambed | ~ 589 ft. MSL | N/A | N/A |
| Primary Spillway | 569.80 ft. MSL | 8.33 | 62.55 |
| Secondary Spillway | No secondary Spillway | N/A | N/A |
| Top of Dam | 572.80 ft. MSL | 8.62 | 87.98 |
| Recent Operating Design Water Level | 565.80 ft. MSL | 8.33 | 62.55 |
| Invert of Drain (2 outlet Structure) | ~560 ft. MSL | N/A | N/A |
5. Spillway Details (Type, Dimensions, Material)

| | |
|------------|---|
| Primary: | <u>Grouted riprap channel; 42 ft. wide, 71 ft. long</u> |
| Secondary: | <u>None</u> |
6. Purpose of Structure previously used for storage of sugar cane irrigation water
 (water supply, irrigation, recreation, real estate development, etc.)
7. Attach rainfall and stream flow records, and flood-flow records and estimates (as accurately as may be readily obtained) See Attachments

ADDITIONAL INFORMATION

1. Primary Owner Contact (if different from applicant) Russell Y. Tsuji, Administrator
 Owner Company or Entity: DLNR - Land Division
 Mailing Address 1151 Punchbowl Street, Room 220, Honolulu, HI 96813
 Telephone: (808) 587-0422 Fax: (808) 587-0455 Email: dlnr.land@hawaii.gov
2. Registered Hawaii Professional Engineer who prepared the plan Oceanit Laboratories, Inc.
Derrick C. Elfalan
 Mailing Address 828 Fort Street Mall, Suite 600, Honolulu, HI 96813
 Registration No. 5448-C
 Telephone: (808) 531-3017 Fax: (808) 531-3177 Email: delfalan@oceanit.com
3. Registered Professional Engineer to be responsible for inspection during construction Derrick C. Elfalan
4. Contractor (If known) Hawaiian Dredging Construction Company, Inc.
 Mailing Address P.O. Box 4088 Honolulu, Hawaii 96812-4088
 Telephone: (808) 735-3211 Fax: (808) 735-7416 Email: _____
5. List all other permits applications submitted to other governmental agencies:
NPDES Permit
6. Anticipated effect of proposed structure on natural environment: Earthen structure will be removed, and no other structures will be rebuilt. No negative environmental effect is anticipated.

1. List all other parties that have ownership or other interest on the parcels where the dam and reservoir are located and identify their interest in the property. The Owners herein listed below concur with the work proposed within this application by the applicant and by his/her signing hereto, the owner of the land extends to the Board of Land and Natural Resources, and its designated representatives, a right-of-entry onto the project site to conduct any investigations or inspections required in compliance with the provisions of Chapter 13-190, Hawaii Administrative Rules. (Submit additional copies of this sheet should there be more owners)

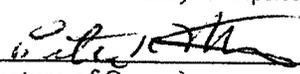
| | |
|---|--|
| <i>for</i> <u>Paul J Conroy</u> (Signature of Owner) Chairperson | <u>1151 Punchbowl St., #220; Honolulu, HI 96813; Owner</u> (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | <u>33 Lono Ave., #450; Kahului, HI 96732; Owner</u> (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |

I, Ernest Y. W. Lau the applicant, hereby certify that the information herein is true and factual to the best of my knowledge. Signing below indicates that the applicant understands that, if the permit requested is granted by the Board of Land and Natural Resources, the proposed work is to be initiated and completed within two (2) years of the approval date, unless specifically permitted in the approved permit terms and conditions.


 (Signature of Applicant & Title)
 Public Works Division Administrator
 Dept. of Accounting and General Services

Date: 10/18/10

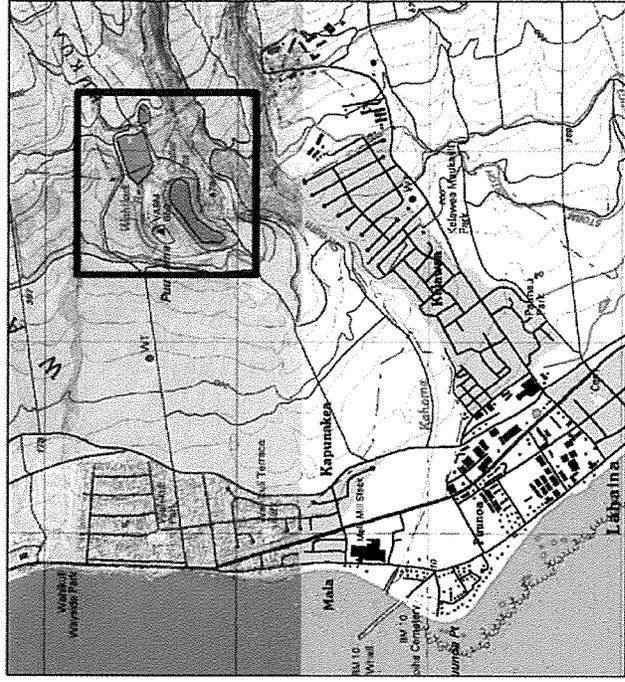
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| | |
|--|--|
| _____ (Signature of Owner) Chairperson | 1151 Punchbowl St., #220; Honolulu, HI 96813; Owner _____ (Address / Interest in Dam or Reservoir) |
|  _____ (Signature of Owner) | 33 Lono Ave., #450; Kahului, HI 96732; Owner _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
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| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |
| _____ (Signature of Owner) | _____ (Address / Interest in Dam or Reservoir) |

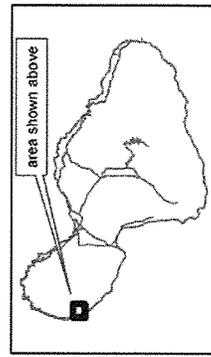
I, Ernest Y. W. Lau the applicant, hereby certify that the information herein is true and factual to the best of my knowledge. Signing below indicates that the applicant understands that, if the permit requested is granted by the Board of Land and Natural Resources, the proposed work is to be initiated and completed within two (2) years of the approval date, unless specifically permitted in the approved permit terms and conditions.

(Signature of Applicant & Title)
Public Works Division Administrator
Dept. of Accounting and General Services

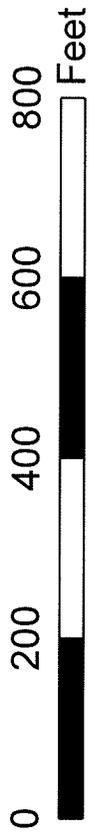
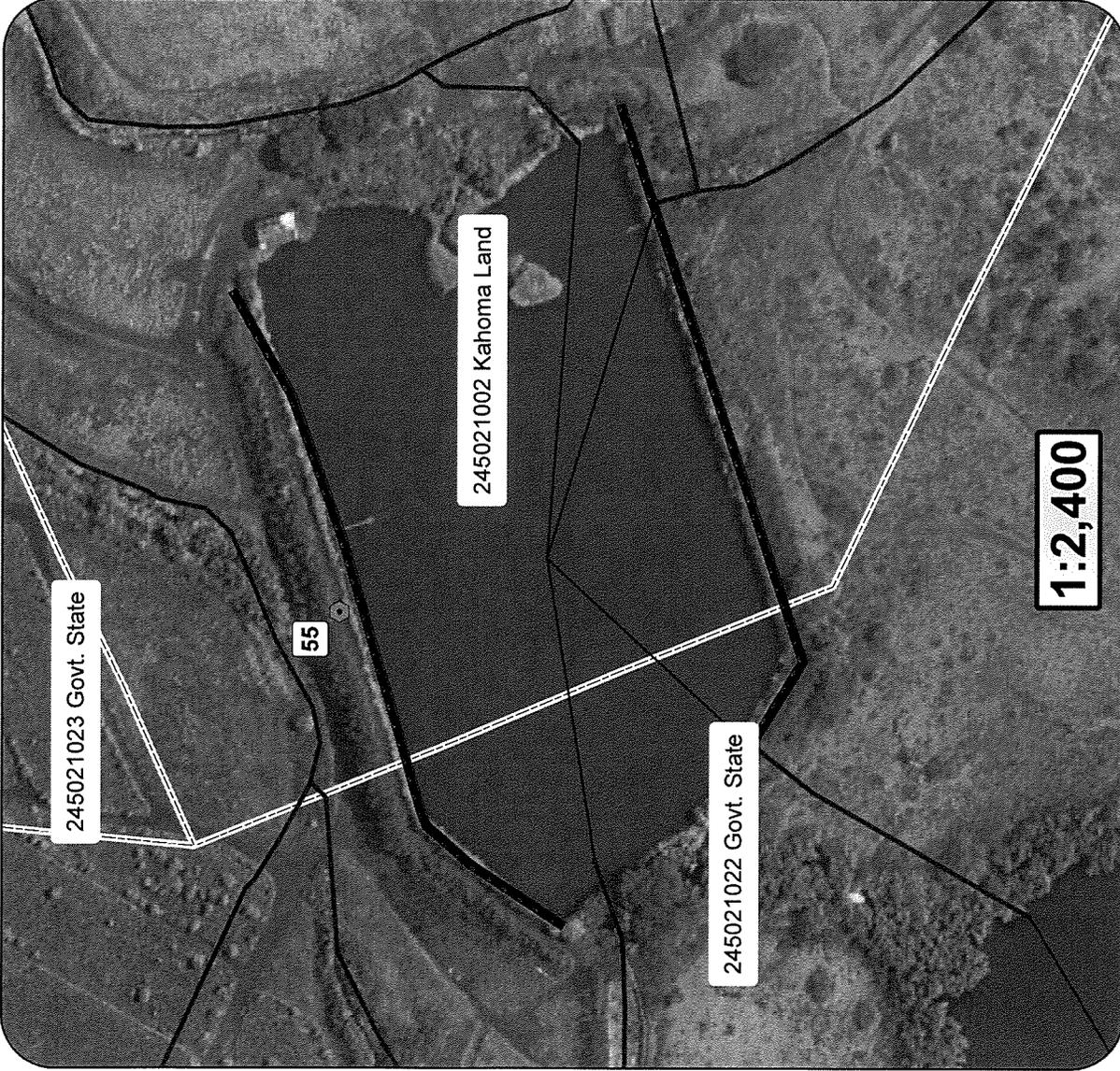
Date: _____



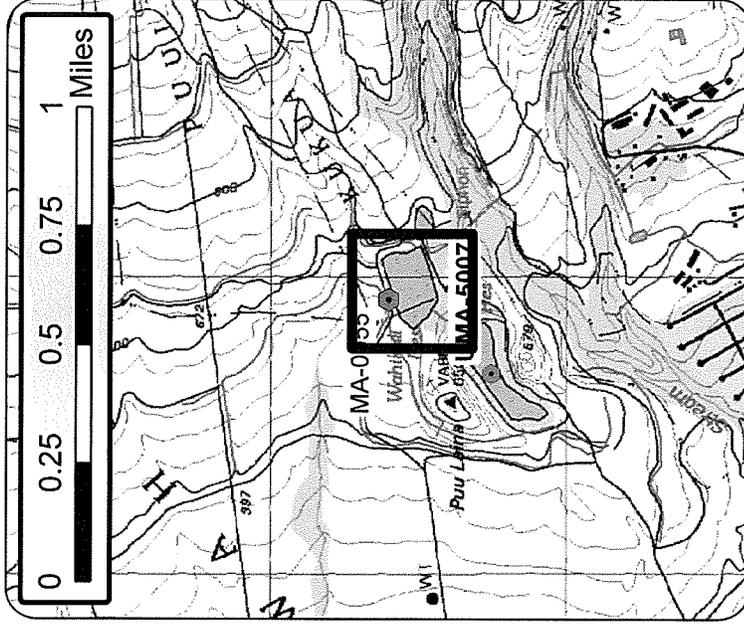
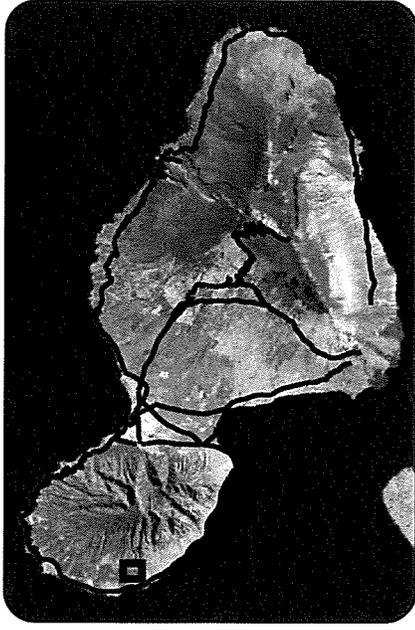
- Notes:
1. Grid is UTM, zone 4 North, NAD83, meters.
 2. Image is natural color DOQQ Lahaina, NW dated 12/19/2000.
 3. See also Kahama Reservoir which is approximately 2500 meters downstream.
 4. Annotation and flow arrows on site plan based on figure in 22 Sep 1978 inspection report. Please confirm in field and note any changes for map revision. Mahalo from Mr. Mapper.



| | | | | | | |
|--|--|--|---|-----------------------|-----------------------|-----------------|
| <p>Source: U.S. Army Corps of Engineers</p> | <p>Phase 1 Dam Safety Investigation Maui County, Hawaii State of Hawaii Department of Land and Natural Resources</p> | | <p>GEI Consultants Bookman-Erdemirton-Duisen</p> | <p>Project 072890</p> | <p>September 2008</p> | <p>Figure 1</p> |
| | <p>WAHIKULI RESERVOIR (MA-0055) SITE LOCATION</p> | | | | | |



Wahikuli Reservoir (MA-0055)



MA-0055 WAHIKULI RESERVOIR



Wahikuli Reservoir (MA-0055)

Outlet Works Operator



N 20.897640° W 156.664248°

12

26-05-2010 10:52 AM

Wahikuli Reservoir (MA-0055)

Sedimentation Delta In Reservoir



N 20.897157° W 156.662801°

22

26-05-2010 10:59 AM

Wahikull Reservoir (MA-0055)

Reservoir Overview



N 20.896840° W 156.665481°

17

29-07-2009 3:50 PM

Wahikull Reservoir (MA-0055)

North Outlet Works Catwalk



N 20.897807° W 156.664242°

31

26-05-2010 11:22 AM

Exhibit 3

Wahikuli Reservoir (MA-0055)

Crater Reservoir



N 20.896468° W 156.665612° 01 26-05-2010 10:30 AM

Wahikuli Reservoir (MA-0055)

North Outlet Works Catwalk



N 20.897779° W 156.664345° 10 26-05-2010 10:51 AM

CHAPTER 343 ANALYSIS

Project Name: Removal of Wahikuli Reservoir (MA-0055)
Reviewer: John Dawley Date of Review: 1- June-2011

TRIGGERS (HRS §343-5(a))

Is there an "action" that triggers the need for an EA?

Action

An "action" is a program or project:

- Initiated by an agency
- Initiated by an "applicant"
- Any person who, pursuant to statute, ordinance, or rule, officially requests "approval" for a proposed action (discretionary consent required from an agency prior to actual implementation of an action, distinguished from a ministerial consent)
 - Statute
 - Ordinance
 - Rule

Triggers

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Use of state or county lands or funds |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Use of conservation district lands |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Use within shoreline setback area |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Use of historic site designated on the National or Hawaii registers |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Use of land in the Waikiki Special District |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Amendment to county general plan which would result in designations other than agriculture, conservation, or preservation unless initiated by a county |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Reclassification of conservation lands by the Land Use Commission |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Construction or modification of helicopter facilities that may affect conservation district lands, a shoreline setback area, or a historic site |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Wastewater facilities, waste-to-energy facility, landfill, oil refinery, or power-generating facility |

Triggers summary:

Is there a trigger?

If Yes, Go to Exemptions

If No, No Environmental Assessment required

EXEMPTIONS

Two sources of exemptions: exemption lists or exemptions contained in HAR §11-200-8(a)

1. Exemption Lists
 - Division exemption lists
 - Department-wide exemption list

CHAPTER 343 ANALYSIS

Explain (which exemption list, which exemption, how it applies):

Exemption Class Number 9 (Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986) - See Attached Exemption Notification from DLNR – Land Division.

2. HAR §11-200-8(a) exemptions

_____ Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving *negligible or no expansion or change of use* beyond that previously existing

_____ Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have *substantially the same purpose, capacity, density, height, and dimensions* as the structure replaced

_____ Construction and location of a single, *new, small facilities* or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to:

- (a) *Single family residences less than 3,500 square feet* not in conjunction with the building of two or more such units;
- (b) Multi-unit structures designed for *not more than four dwelling units* if not in conjunction with the building of two or more such structures;
- (c) Stores, offices, and restaurants designed for total occupant load of *twenty persons or less* per structure, if not in conjunction with the building of two or more such structures; and
- (d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions *to serve such structures* or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements

_____ *Minor alterations* in the conditions of land, water, or vegetation

_____ Basic data collection, research, experimental management, and resource evaluation activities that *do not result in a serious or major disturbance* to an environmental resource

_____ Construction or placement of *minor structures accessory* to existing facilities

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- _____ *Interior alterations* involving things such as partitions, plumbing, and electrical conveyances
- _____ Demolition of structures, *except* those structures located on any *historic site* as designated on the National or Hawaii registers
- _____ Zoning variances *except shoreline* set-back variances
- _____ Continuing administrative activities including, but not limited to purchase of supplies and personnel related actions; and
- _____ Acquisition of land and existing structures, including single or multi-unit dwelling units, for the provision of *affordable housing*, involving *no material change of use* beyond that previously existing, and for which the *legislature has appropriated* or otherwise authorized *funding*

Explain (how the exemption indicated above applies):

Exemptions summary:

Does the Project qualify for an exemption? Yes X No ____

If Yes, Exemption noted above

If No, Project requires Environmental Assessment

CUMULATIVE IMPACT

Exemptions are inapplicable when the cumulative impact of planned successive actions in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.

Additional Notes

LINDA LINGLE
GOVERNOR OF HAWAII



Laura H. Thielen
Chairperson
Board of Land and Natural Resources
Commission on Water Resource Management



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 24, 2010

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: DLNR Dams and Reservoirs on Hawaii
Maintenance and Remediation Improvements

Project / Reference No.: DAGS Job No. 15-23-7410

Project Location: Wahikuli Dam and Reservoir (State ID #HI-00055)
Lahaina, Maui County, Hawaii
TMK Nos.: (2) 4-5-021:002 (por.) & 022 (por.)

Project Description: Removal of Wahikuli Dam and Reservoir by constructing a
breach channel through the dam slope eliminating the
capacity of the structure to store water.

Chap. 343 Trigger(s): Use of State funds and on State lands

Exemption Class No. and Description: 9
In accordance with the Division of Land Management's
Environmental Impact Statement Exemption List, approved
by the Environmental Council and dated April 28, 1986, the
subject project is considered to be exempt from the
preparation of an environmental assessment pursuant to
Exemption Class No. 9, that states: "Demolition of structures,
except those structures located on any historic site as
designated in the National Register or Hawaii Register as
provided for in the National Historic Preservation Act of
1966, Public Law 89-665, or Chapter 6, Hawaii Revised
Statutes."

Exempt Item No. and
Description From Agency
Exemption List:

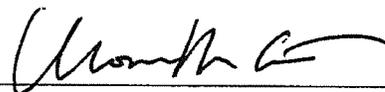
1

Demolition and removal of unusable structures from state lands controlled by the State.

The Wahikuli Dam and Reservoir removal project includes constructing a breach channel through the dam slope to eliminate the capacity of the reservoir to store water, earthwork consisting of excavation and embankment, and demolition of specified existing facilities. Additional improvements such as installation of riprap apron and riprap channel protection and erosion control measures are also included. This project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will ensure that the reservoir is removed from jurisdiction and will not pose a threat to public safety.

Recommendation:

It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



Morris M. Atta, Acting Administrator

5/25/10

Date

DAM SAFETY PERMIT GENERAL CONDITIONS

APPROVAL OF PLANS AND SPECIFICATIONS FOR DAM AND RESERVOIR CONSTRUCTION, ENLARGEMENT, REPAIR, ALTERATION OR REMOVAL

The following General Conditions shall be adhered to for all Dam Safety permits unless otherwise authorized in writing.

1. Actual construction, enlargement, repair, alteration or removal shall be completed within 5 years of issuance of the permit application approval unless an extension authorized in writing by the Board is issued.
2. Prior to the start of work the owner or applicant shall provide a construction engineer to ensure compliance with the approved plans and specifications and who shall have ultimate responsibility for the supervision of all inspection tasks. The construction engineer may assign some inspection tasks to a duly authorized agent under the construction engineer's supervision. The engineer shall be licensed in the State of Hawaii.
3. The construction engineer shall maintain a record of construction that at a minimum, shall include, daily activity, and progress reports, all test results pertaining to construction; photographs sufficient to provide a record of foundation conditions and various stages of the construction through completion, all geologic information obtained; and construction problems and remedies.
4. A construction quality assurance plan shall be prepared and submitted to the Department for approval prior to the start of construction, which details the minimum requirements of the construction engineer's observation of construction.
5. A construction schedule, which includes the notice to proceed date and estimated project duration and a construction emergency action plan shall be submitted prior to the preconstruction meeting.
6. A preconstruction meeting shall be held subsequent to submitting the quality assurance plan, construction schedule and construction emergency action plan, but not later than 14 days prior to the start of construction. All parties actively involved in the construction should be requested to attend, such as the dam owner, the design engineer, the construction engineer, the contractor and the Department.
7. The Department shall be notified 5 calendar days prior to the commencement of construction.
8. Any changes from the approved plans and specifications shall be approved by the design engineer and a change order, including details and supporting calculations, must be provided to the Department. Major changes must be submitted in writing with supporting documentation and approved in writing by the Department. No work shall be initiated until the approval by the Department or Board is received. Minor changes may be transmitted verbally and approved by the Department verbally provided that documentation of the change is provided to the Department within 10 days of the approval.

9. For new dam construction and for dams and reservoirs that have lowered the water level or have been drained to facilitate construction, the construction engineer shall file and obtain approval of a filling plan with the Department. The applicant/owner shall not proceed with the filling of the reservoir until it receives permission from the Department. The construction engineer shall provide documentation of monitoring during the filling operation.
10. Prior to the filling of the reservoir, the construction engineer shall submit one copy each of the approved Operations Manual and the approved Emergency Action Plan for the facility upon completion of the project as applicable.
11. The construction engineer shall give the Department at least ten days advanced notice of initial materials placement of the dam's foundation, in the cutoff trench, outlet backfill, outlet foundation, and any appurtenance requested by the Department in the approval of the plan for construction observation, to allow for observation by the Department.
12. Notice of substantial completion shall be issued by the construction engineer to the Department stating that the permitted improvements are functionally complete such that filling of the reservoir can be initiated with an approved filling plan.
13. The construction engineer shall give the Department fifteen (15) calendar days advance written notice prior to the project's final construction inspection. The construction engineer shall coordinate with the Department to conduct this inspection in the presence of the Department's dam safety personnel.
14. The construction engineer shall provide notice at least ten (10) days prior to initiating filling the reservoir, unless agreed at the final inspection.
15. If conditions are revealed which will not permit the construction, enlargement, repair, alteration, or removal of a safe dam or reservoir, the application for approval for construction, enlargement, repair, alteration, or removal shall be revoked.
16. A topographic survey of completed work including all monuments, inverts, crest alignment, spillways, and significant appurtenant features, when required by the Department shall be completed.
17. The applicant/owner shall utilize appropriate erosion control best management practice measures during construction to minimize turbidity (such as scheduling of work during period of low stream flow) and prevent debris and construction materials, including concrete, petroleum products, and other pollutants from enter the waters of the State. Construction related water and debris should be properly disposed of in a legal and environmentally safe manner and in accordance with the Department of Health and other Federal regulations.
18. The applicant/owner shall submit a copy of the dam safety application and the plans and specifications of the proposed improvements to the County Engineer of the County for which the dam resides for compliance with County codes.
19. Within fifteen (15) calendar days of completing the project, the applicant/owner or its representative shall provide the Department with a confirmation letter of compliance, signed and stamped by the construction engineer, indicating that the construction

was completed in accordance to approved plans and specifications including any field changes. The construction engineer shall submit the remaining construction completion documents which may include, but not be limited to, as-constructed drawing, final construction report, topographic survey, record of the location of permanent monuments, log of recorded water levels and other readings from the refilling operation, long-term instrumentation monitoring plan, and affidavit showing the actual cost of construction including engineering costs, within 60 calendar days of the submittal of the final construction inspection.

20. Construction completion documents and the construction engineer's certification shall be provided to the Department within 60 days of the final construction inspection. The Department will review the submitted items and furnish acceptance or denial within 60 days of receipt of satisfactorily completed construction completion documents and close out the dam safety permit.
21. This permit does not relieve the applicant/owner of their obligations to comply with all applicable Federal, State, and County regulations.