

SUBCHAPTER E: REMOVAL OR BREACH OF DAMS

§299.51, §299.52

Effective January 1, 2009

§299.51 Removal or Breach of Dams.

(a) Owners proposing to remove or breach a dam, or owners ordered to remove a deficient dam by the executive director, the commission, or court action, shall submit final plans and specifications to the executive director for review and approval before start of work to remove or breach the dam.

(b) The owner shall have a professional engineer submit to the executive director sealed, signed, and dated plans for removing or breaching a dam as outlined in the most current version, at the time of the design, of the agency's Dam Removal Guidelines.

(c) The owner may be required to address environmental or social impacts as described in the most current version, at the time of the design, of the agency's Dam Removal Guidelines, which may require approval from other agencies before work can begin.

(d) The owner may be required to restore the dam site to blend with the topography of the lake area .

(e) If the plans for removal or breaching meet the requirements in subsection (b) of this section, the executive director shall issue written approval to the owner.

(f) The owner shall provide the executive director within 45 days after completion of the breach or removal a notification of completion. The executive director shall conduct an inspection after receipt of notification of completion to verify that the removal or breach has been completed in agreement with the plans.

Adopted December 10, 2008

Effective January 1, 2009

§299.52 Abandonment of Dams.

If an owner abandons a dam at any time, regardless of hazard classification, the owner shall remove or breach the dam, as described in §299.51 of this title (relating to Removal or Breach of Dams), at the owner's expense, to eliminate any hazard to life and property downstream.

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