



**JURISDICTIONAL DETERMINATION
CHAPTER 253 PERMIT APPLICATION**

Dam
Name: _____ **Date:** _____

Dam
Location (City or Town): _____

Owner(s) Name: _____

Any person(s), who proposes to construct, repair, materially alter, breach or remove a dam, pursuant to M.G.L. Chapter 253, as amended by Chapter 330 of the Acts of 2002, must file with the Commissioner a permit application to determine whether or not a Chapter 253 Dam Safety Permit is required. Routine maintenance related work does not require a Chapter 253 Dam Safety Permit, however the owner(s) must file for a determination. No work is to commence before a determination is made by the Commissioner (**PART A**).

If the Commissioner determines that the proposed work falls within the jurisdiction of M.G.L. Chapter 253 the Owner(s) must apply for a permit (**PART B**).

The application and notices shall be sent by certified mail to DCR, Office of Dam Safety, Permits. All permit applications must comply with design and construction criteria as specified in 302 CMR 10.00: Dam Safety Rules and Regulations effective November 4, 2005.

Certain dams and reservoirs as defined in 302 CMR 10.00 are excluded from filing. Also, the approval of the Commissioner shall not apply to small dams or embankments constructed for irrigation, detention, storage tanks, or other purposes that impounds less than 15 acre-feet, regardless of height and is not in excess of 6 feet in height, regardless of storage capacity provide that any discharge(s) shall not materially affect property.

Any action taken by the Commissioner in regard to this application does not release the owner(s) from the requirements of any other law or regulatory authority.

(PART A)

Notice of Jurisdictional Determination

PER 302 CMR 10.00

(CHECK THE APPROPRIATE COLUMN)

1. Is there any risk to life and/or property resulting from flooding and/or a dam failure?
Yes()No()
2. Is the structure classified as a roll/river dam?
Yes()No()
3. Does the maximum impoundment exceed 15 acre-feet (1 surface acre x 1 foot deep)?
Yes()No()
4. Does the height of the dam exceed 6 feet above the natural bed of the stream at any point?
Yes()No()

If a question is answered **Yes**, then the Commissioner has the authority to determine the need for a permit. If the answer to any question is unknown, the applicant needs to request a determination, **(PART A)**. If all questions are answered **No** a written determination may still be requested from the Commissioner **(PART A)**.

Any request for jurisdictional determination relative to work to be performed on, or affecting a dam, must contain the following basic information:

The present dam owner(s) name, address and telephone number based on Registry of Deeds records (Book and Page Numbers) and also Town/City records (Assessor maps and tax records).

A topographic or town map clearly indicating the dam location, impoundment, dam name and local access.

A plan view of the dam showing pertinent details: i.e. elevations, length, width, spillway, controls, buildings etc. Also the maximum cross section through the dam as measured from the lowest point.

Elevation(s) and surface area (acres) of the pond. Normal (spillway) and maximum (crest) volumes of water impounded (acre-feet) by the dam (measured or estimated).

A brief statement regarding possible damage and risk to life based on flood discharges and/or a dam breach.

Full nature of work to be performed and signature of owner(s) and/or applicant(s) submitting this request.

Photos of dam showing structures; i.e. gates, outlets, spillways. Also, any past history of repairs, flooding events, owners, etc.

(PART A cont.)

Regular Maintenance

Further, any request to the Commissioner for a jurisdictional determination relative to maintenance work on a dam must complete the following section:

If considered regular maintenance or permitted water adjustments for pond maintenance, flood operation and/or other dam/pond activity.

Check Here _____

Typical maintenance activities include, but are not limited to the following items.

- | | |
|---|-------------|
| 1. Normal water level pond drawdown? | Yes()No() |
| 2. Minor Earthwork/masonry maintenance and repair? | Yes()No() |
| 3. Riprap maintenance and repair? | Yes()No() |
| 4. Vegetation and tree maintenance (less 6”Diameter)? | Yes()No() |
| 5. Rodent damage control? | Yes()No() |
| 6. Traffic damage controls and erosion? | Yes()No() |
| 7. Mechanical maintenance to outlets? | Yes()No() |
| 8. Electrical maintenance? | Yes()No() |
| 9. Cleaning? | Yes()No() |
| 10. Concrete maintenance? | Yes()No() |
| 11. Metal component maintenance? | Yes()No() |
| 12. Other as specified: | Yes()No() |

Please describe the **nature of proposed regular maintenance** checked above by item number. Use additional paper if necessary.

STOP HERE if requesting a project determination, If applying for a Permit proceed to PART B.

(PART B)

Application for Dam Safety Permit

General Information:

1. Dam location (City/Town) attach locus map and local access to the dam.
2. Dam Name(s): _____
3. Impoundment Name(s): _____
4. Assessor's Information (city or town tax assessors office):
Map Number: _____
Section Number: _____
Lot(s) Number: _____
Record Owner(s) and Address: _____

5. Registry Location: _____
Book and Page: _____
Present and/or Prospective owner(s):
Name: _____
Address: _____
Telephone: _____
6. Present or prospective abutter(s), for DCR funded or granted projects:
Name: _____
Address: _____
Telephone: _____
7. Name of US Geological Survey map quadrangle: _____
8. Name of reservoir or waterway: _____
9. Is there specific legislative authority to construct the dam? Yes()No()
If yes, identify: _____
10. Purpose of the dam structure? _____
11. Nature of work to be performed: New dam Yes()No(), Alteration or major repair of existing dam Yes()No(), Other repair or pond work effecting dam Yes()No().
12. Is a MEPA Certification required to perform the proposed work? Yes()No()

(PART B cont.)

HAZARD POTENTIAL EVALUATION

(Based on downstream field investigation)

1. The number of people that could be effected by failure or overtopping of the dam structure, and to what degree they could be effected:

2. The estimated number of properties (homes, building, etc.) that could be effected by failure or overtopping of the dam structure, and to what degree they could be effected:

3. The estimated roads or other structures that could be effected by failure or overtopping of the dam structure, and to what degree they could be effected:

(PART B cont.)

HYDROLOGIC, HYDRAULIC AND STRUCTURAL CONSIDERATIONS

Hydrologic, hydraulic and structural design procedures should be used, as established by one of the following: The U.S Army Corps of Engineers, the U.S. Bureau of Reclamation, the U.S. Soil Conservation Service and other procedures universally accepted as sound engineering practice.

1. Contributory drainage area (sq. mi.): _____
(Attach topographic map with outline of drainage area)
2. Design storm duration: _____
Rainfall Intensity (inches/hour) _____
3. Runoff (%) _____ Inches: _____
4. Peak Outflow (cfs): _____
5. Previous know flood of record (month/year): _____
6. Design maximum flood level elevation: _____
7. Addition information: _____

DESIGN CRITERIA

1. Datum used: MSL of 1929 _____ NAVD 88 _____ Assumed _____ Other _____
2. Type of structure (earth, concrete, etc.): _____
3. Maximum structural height of the dam (feet): _____
4. Crest length (ft): _____ Crest width (ft): _____
5. Top elevation of dam: _____
6. Present river or channel elevation at dam (ft): _____
7. Normal pool elevation (ft): _____
8. Normal pool surface area (acre): _____
9. Normal impoundment (acre-ft): _____
10. Maximum pool elevation (ft): _____

11. Maximum pool surface area (acre): _____

12. Maximum impoundment (acre-ft): _____

13. Freeboard, as measured from the maximum design pool elevation to the crest of dam (ft): _____

14. Nature of slope protection: _____

15. Primary Spillway information:

Spillway type: _____

Top elevation: _____

Dimensions (ft): _____

Capacity (cfs): _____

Percentage of design flood: _____

16. Emergency Spillway information:

Spillway type: _____

Top elevation: _____

Dimensions (ft): _____

Capacity (cfs): _____

Percentage of design flood: _____

17. Low Level Outlet (s):

Type(s): _____

Invert elevation(s): _____

Dimension(s) (ft): _____

Capacity (cfs): _____

Percentage of design flood: _____

SUBSURFACE INVESTIGATION

Boring logs, analysis and recommendations to accompany this application.

CONSTRUCTION DRAWINGS

Names and addresses of abutters to the proposed project must be clearly indicated on the construction drawings.

(PART B cont.)

SIGNATURE SECTION

Applicant(s)

Name(s) _____

Street: _____

City/Town: _____ State: ____ Zip: _____

Telephone: _____ Fax: _____ Email Address: _____

Signature and Title _____ Date: _____

Licensed professional civil engineer registered in Massachusetts.

Name: _____

Company: _____

Street: _____

City/Town: _____ State: ____ Zip: _____

Telephone: _____ Fax: _____ Email Address: _____

Signature: _____ Date: _____

Stamp and License Number:

Chapter 253 Application Fee and Permit Fees:

(a) The fee to apply for a Chapter 253 Dam Safety Permit to construct, materially alter, perform major repairs, breach or remove a dam is \$50.00

(b) The fee for review and issuance of a Chapter 253 Dam Safety Permit is based on the size and cost of the proposed project (construction and engineering) as follows:

- 1. For a dam construction project costing up to \$100,000.00 the fee will be \$250.00
- 2. For a dam construction project costing from \$100,000.00 to \$500,000.00 the fee will be \$500.00
- 3. For a dam construction project costing between \$500,000.00 and \$1,000,000.00 the fee will be \$750.00
- 4. For any dam project over \$1,000,000.00, the fee will be \$1,000.00

The cost of the proposed project:

- (a) The cost of engineering: \$ _____
- (b) The cost of construction: \$ _____

The total cost: \$ _____

Please enclosed check or money order payable to: The Commonwealth of Massachusetts, Office of Dam Safety – Permits Section

Exclusions: The Commonwealth, its agencies, authorities and political sub-divisions, including municipalities, are exempt from the payment of fees.

Minimum Submission Requirements:

With this application submit one set of bounded (utilizing plastic comb bindings) final design report with 11”x 17” design drawings. An electronic copy of the design report and drawings in PDF (compatible with Adobe Reader Version 6.0 or later) format presented on compact disc (CD-R media, closed for future recording). CD’s shall be protected by jewel case and contain a label indicating the dam project name, NID ID #, the Town in which the dam is located, and the date of the design report.

All required submittals shall be sent by certified mail to:

Department of Conservation and Recreation
Office of Dam Safety, Permits
John Augustus Hall
180 Beaman Street
West Boylston, MA01583

Approval or denial of a permit will be issued within 60 days from the time the final design report and permit application is received.

Informational (Do not submit)

Permitting of this application does not release the applicant from the requirements of any other related regulatory authority.

Such authorization and/or notification include, but are not limited to:

Local Conservation Commission: M.G.L. Chapter 131 License and Town/City Wetlands Protection by-laws (Wetlands Protection Act).

Mass. Department of Environmental Protection (DEP): M.G.L. Chapter 131 License and M.G.L. Chapter 91, 401 Water Quality Certification. Required if an Individual Section 404 permit is required by The U.S. Army Corps of Engineers.

Mass. Executive Office of Energy and Environmental Affairs (EOEEA), 100 Cambridge St., Suite 900, Boston, MA 02114. Mass. Environmental Policy Act (MEPA): Environmental Notification Form (ENF) and Environmental Impact Report (EIR). **Note: If MEPA Certificate is required, the Office of Dam Safety requires a copy of the Certificate before M.G.L. Chapter 253 Dam Safety Permit can be issued.**

Coastal Zone Federal Consistency Review.

Massachusetts Coastal Zone Management Office (CZM). presence of dams in the coastal zone, in conjunction with Section 404 permit.

Mass. Department of Fish and Game (DFG), 251 Causeway St., Suite 400, Boston, MA 02114 and your local Town/City Board of Health. M.G.L. Chapter 139 of The Acts of 2000 - Control of beaver population and removal of beaver dams.

DFG Field Headquarters, 1 Rabbit Hill Rd., Westborough, MA 01581 – Emergency drawdowns, controlled flows, and fish ladders.

Mass. Historical Commission, 220 Morrissey Boulevard, Boston, MA 02125. Phone: 617-727-8470.

M.G.L. Chapter 9, Sections 26 through 27C and regulations 950 CMR 71.00, Section 106 National Historic Preservation Act.

Mass. Highway Department (MHD), 10 Park Plaza, Boston MA 02116 and/or the local Highway Department. Presence of road over dam and/or bridge over/behind dam.

U.S. Department of the Army Corps of Engineers. New England Division Regulatory Branch, 696 Virginia Rd., Concord, MA 01742-2751 Phone: 978-318-8111 - Section 404 of the Clean Water Act Permit.