



CHAPTER 253 PERMIT APPLICATIONS

1. COVER SHEET (check application being submitted)

PART A – JURISDICTIONAL DETERMINATION/PERMIT EXEMPTION APPLICATION

(Submit Part A pages of form with narrative for minor dam maintenance)

PART B – FULL PERMIT APPLICATION AND DESIGN REPORT

(Part A not required if submitting Part B for major dam work)

Dam

Name: _____ **Date:** _____

Location (City or Town): _____ **Dam ID Number: MA** _____

Hazard Classification: _____ **Size Classification:** _____

Owner(s)

Name: _____

Address: _____

Telephone: _____ **E-mail:** _____

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 Chapter 253 Dam Safety Permit application (**Part B**). Minor maintenance-related work does not require a Chapter 253 Dam Safety Permit; however, the owner(s) must file for a determination / exemption for other than routine activities that may affect safety conditions using the **Part A** application. No work is to commence either before a determination is made by the Commissioner for minor work or before a permit is issued for major work. 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 using the **Part B** application. If an owner believes that the proposed work is major, they may submit the **Part B** application without prior submittal of Part A.

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. However, the Commissioner shall make the final determination by taking into consideration factors such as height, type of structure, condition of structure, volume of impoundment, extent of downstream development, and other factors deemed appropriate by the Commissioner.

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 – JURISDICTIONAL DETERMINATION/PERMIT EXEMPTION APPLICATION
(for routine maintenance)

Part A Instructions: If an exemption from Chapter 253 permit requirements is requested, provide the information described below:

1. Cover Sheet (page 1 of form)
 2. Signature Section (page 3 of form)
 3. Completed Checklist (page 4 of form)
 4. Narrative Description with supporting drawings, sketches and photographs
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2. SIGNATURE SECTION PART A

The proposed work described in this application is believed to be minor maintenance by the undersigned. The proposed minor maintenance will be performed in a manner that will maintain or enhance the safety of the dam without changing the dam hazard classification or altering (other than to repair) the permitted features of the dam.

Applicant(s) Is Applicant also the Owner? Yes() No()

Name(s) _____
Street: _____
City/Town: _____ State: ____ Zip: _____
Telephone: _____ Fax: _____ Email Address: _____

Signature and Title _____ Date: _____

Owner(s) (complete only if the Applicant is not the Owner)

Name(s) _____
Street: _____
City/Town: _____ State: ____ Zip: _____
Telephone: _____ Fax: _____ Email Address: _____

Signature and Title _____ Date: _____

Licensed professional civil engineer registered in Massachusetts (optional but recommended)

Name: _____
Company: _____
Street: _____
City/Town: _____ State: ____ Zip: _____
Telephone: _____ Fax: _____ Email Address: _____

Signature: _____ Date: _____

Massachusetts Professional Engineer Stamp and License Number:

(PART A cont.)

3. CHECKLIST PART A

No application, either Part A or Part B, is required for routine maintenance (e.g. mowing of grass and brush clearing, painting, valve exercise or lubrication) or permitted water adjustments for pond maintenance and flood operation. Submit Part A form if in doubt about the need for DCR review of an activity.

Typical minor maintenance activities for which a Part A application is appropriate include, but are not limited to, the following items.

- | | |
|--|--------------|
| 1. Minor Earthwork/masonry maintenance and repair? | Yes() No() |
| 2. Riprap maintenance and repair? | Yes() No() |
| 3. Vegetation and tree maintenance?
(larger than brush, less 6" diameter) | Yes() No() |
| 4. Rodent damage control? | Yes() No() |
| 5. Traffic damage controls and erosion? | Yes() No() |
| 6. Mechanical maintenance to outlets? | Yes() No() |
| 7. Electrical maintenance? | Yes() No() |
| 8. Cleaning? | Yes() No() |
| 9. Concrete maintenance? | Yes() No() |
| 10. Metal component maintenance? | Yes() No() |
| 11. Other as specified: | Yes() No() |

4. NARRATIVE DESCRIPTION (attach to this form)

Describe the proposed minor maintenance in sufficient detail to provide a clear understanding of the proposed work. Describe all activities noted above and any work not covered by the checklist. Provide drawings, sketches and photographs showing the locations and features affected by the routine maintenance.

**STOP HERE if requesting a jurisdictional determination / exemption.
If applying for a Permit, proceed to PART B.**

PART B – CHAPTER 253 PERMIT APPLICATION AND DESIGN REPORT

Part B Instructions: 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 Chapter 253 Dam Safety Permit application, as included in this Part B Design Report. The Part B Chapter 253 Permit Application / Design Report shall include the following sections*:

1. Cover Sheet
- Table of Contents (applicant's format, listing items 1, 2, 3, 4, and applicable sections of 5)
2. Chapter 253 Application Fee and Permit Fees Documentation
3. Signature Section
4. Data Forms
 - a. General Information
 - b. Hazard Potential Changes
 - c. Hydrologic, Hydraulic and Structural Considerations
 - d. Design Data
5. Design Report with Typically Required Supporting Information and Documents (see Section 5 for typically required supporting information and documents)

*If an applicant is proposing a limited alteration to the dam, sections that are not applicable because of the alteration limits may be omitted.

An applicant is strongly encouraged to submit a preliminary report or analyses containing enough of the information listed above so that the Commissioner can provide preliminary concurrence with hazard classification, site investigation, and design concept for the proposed project, especially for new dams or projects where the hazard classification may change or design concepts are non-routine.

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

Permitting of this application does not release the applicant from the requirements of any other related regulatory authority authorization, notification, and permitting. Such authorization, notification, and permitting may 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 District Regulatory Branch, 696 Virginia Rd., Concord, MA 01742-2751 Phone: 978-318-8111 - Section 404 of the Clean Water Act Permit.

(PART B cont.)

2. CHAPTER 253 APPLICATION FEE AND PERMIT FEES DOCUMENTATION

(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 estimated cost of the proposed project:

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

The total estimated 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

(PART B cont.)

3. SIGNATURE SECTION

This application describes proposed construction, repair, material alterations, breaches, and/or removal of a dam, pursuant to M.G.L. Chapter 253, as amended by Chapter 330 of the Acts of 2002. The information included in this application is believed to be accurate and to address the requirements of the application and 302 CMR 10.00.

Applicant(s) Is Applicant also the Owner? Yes () No()

Name(s) _____
Street: _____
City/Town: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____ Email Address: _____

Signature and Title _____ Date: _____

Owner(s) (complete only if the Applicant is not the Owner)

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: _____

Massachusetts Professional Engineer Stamp and License Number:

(PART B cont.)

4. DATA FORMS

a. 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. Name of US Geological Survey map quadrangle: _____
7. Name of reservoir or waterway: _____
8. Purpose of the dam structure: _____
9. Nature of work to be performed:
 - a. New dam? Yes () No ()
 - b. Alteration or major repair of existing dam? Yes () No ()
 - c. Other nearby repair, pond, bridge, highway, or other work effecting dam? Yes () No ()
 - d. Summary description of dam and other work:

(PART B cont.)

4. DATA FORMS (cont.)

b. Hazard Potential Changes

HAZARD POTENTIAL CLASSIFICATION TABLE

Hazard Classification	Description
High Hazard (Class I)	Dams located where failure will likely cause loss of life and serious damage to home(s), industrial or commercial facilities, important public utilities, main highway(s) or railroad(s).
Significant Hazard (Class II)	Dams located where failure may cause loss of life and damage home(s), industrial or commercial facilities, secondary highway(s) or railroad(s) or cause interruption of use or service of relatively important facilities.
Low Hazard (Class III)	Dams located where failure may cause minimal property damage to others. Loss of life is not expected.

1. For repairs or alterations of existing dams, will the proposed work alter the hazard classification of the dam? Yes () No ()

If yes, use the above table to determine the new hazard classification. Provide supporting documentation in the design report that describes the basis of the classification (investigations, analyses to determine inundation areas, evaluations, etc.) and the areas, people, structures, properties, transit facilities, and other features that would be affected by a failure of the dam.

2. For new dams, use the above table to determine the hazard classification. Provide supporting documentation in the design report that describes the basis of the classification (investigations, analyses to determine inundation areas, evaluations, etc.) and the areas, people, structures, properties, transit facilities, and other features that would be affected by a failure of the dam.
Note: Approval to construct a new significant hazard potential dam or high hazard potential dam will be contingent upon the submission of a suitable Emergency Action Plan to the Commissioner.

4. DATA FORMS (cont.)

c. Hydrologic, Hydraulic And Structural Considerations

SPILLWAY DESIGN FLOOD (SDF) DESIGN CRITERIA

Provide SDF criteria for size, hazard class and whether existing or new dam, see 302 CMR 10.14 (6) Spillway Design

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 known flood of record
(month/year): _____
6. Maximum SDF level elevation: _____
7. Is maximum SDF level above dam crest? Yes () No ()
(If yes, describe overtopping protection: _____)
8. Addition information: _____

d. Design Data

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): _____

4. DATA FORMS (cont.)

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 SDF pool elevation to the crest of dam (ft): _____
14. Slope protection description: _____
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: _____

(PART B cont.)

**5. DESIGN REPORT
WITH SUPPORTING INFORMATION AND DOCUMENTS**

The Design Report is formatted by the applicant and includes sections from the outline list given below that are applicable to the proposed dam project. See Dam Safety Regulations, 302 CMR 10.09 and 10.14 for technical analyses and level of detail required. If an applicant is proposing a limited alteration to the dam, sections that are not applicable because of the alteration limits may be omitted.

- A. Project Description
 - 1. Existing Conditions
 - 2. Proposed Modifications
- B. Investigations, Analyses, Designs
 - 1. Geotechnical (subsurface investigations and descriptions, stability evaluations and analyses, borrow investigations, related designs, etc.)
 - 2. Seepage (investigations, stability evaluations and analyses, related designs, etc.)
 - 3. Hydrologic and Hydraulic (investigations and analyses for hazard classification, SDF, freeboard, outlets, wave run up, related designs, etc.)
 - 4. Structural (investigations, analyses, designs, etc.)
- C. Construction Considerations
 - 1. Proposed Construction Schedule
 - 2. Control of Water Requirements
 - a. General Description - Draining/Lowering, Maintaining, and Monitoring Pool
(Note: Construction with full pool should be avoided)
 - b. Cofferdam Requirements
 - 3. Other Hazards and Mitigation (e.g. deep excavations, earth support, slope stability)
 - 4. Critical Activities Requiring Engineering Monitoring
 - 5. Construction Emergency Action Plan Considerations
- D. Proposed Reservoir Filling Schedule and Monitoring during Filling
- E. References
- F. Figures and Photographs (as needed to describe location, conditions, and proposed modifications)
- G. Contract Plans (can be a separate attachment)
- H. Contract Specifications (can be a separate attachment)
- I. Maintenance and Operation Plan (can be a separate attachment)
- J. Emergency Action Plans (required for all high and significant hazard dams; can be a separate attachment)
 - 1. Emergency Action Plan During Construction
 - 2. Emergency Action Plan After Completion of Construction