



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

June 5, 2014

Bill Holman
Stanley Consultants
5775 Wayzata Blvd, Ste 300
Minneapolis, MN 55416

Subject: Proposed Dam Construction Project (Lake Delhi Dam)
SE ¼, NE ¼, Section 30, T88N, R04W, Delaware County, Iowa

Mr. Holman:

Your application on behalf of the Lake Delhi Combined Recreational Facility and Water Quality District for a flood plain permit to reconstruct and maintain a dam situated across the Maquoketa River has been approved. Enclosed is Flood Plain Development Permit Number FP 2014-121 and an approved copy of the engineering plans and specifications. The permit was issued subject to various conditions which you should review carefully. Please pay particular attention to condition numbers 6, 7, 8, and 9. Condition numbers 6 through 9 require the dam to be inspected during construction, submittal of as-built plans upon completion of construction, inspection of the dam by the DNR upon completion of construction and periodically thereafter, and requires the owner to undertake periodic inspections of the dam. Condition 10 states that an operations plan must be maintained on file with the Department. The permit has been granted after review of the draft operations plan dated May 23, 2014. A final operations plan is required to be submitted for review and approval after construction.

If you don't agree with any of these conditions, you have 30 days from the mailing date of the permit to appeal. If you wish to appeal, it is suggested that you contact our Legal Services Section within 15 days to determine the correct procedure and format. You should be aware of the fact that any person can appeal the issuance of this permit within the same 30-day period.

Also enclosed is a DNR Form 37, Notification of Completion of Construction. The Form 37 should be completed and returned within 30 days of the completion of construction.

Dams are assigned a hazard classification based on the potential for loss of life and economic impacts should the dam fail. Included are the potential damages to downstream lands, roads, houses and other development. In general, dams with higher hazard classifications must meet more stringent design standards. This dam was assigned a moderate hazard classification. Our approval was based on the dam meeting criteria for moderate hazard dams. Should development occur downstream of the dam in areas that would be affected by the failure of the dam, the hazard classification could change and substantial modifications to upgrade the dam may be required. You should be aware of this when considering any development on lands under your ownership or control.

Dams require regular maintenance to assure they function as designed throughout their intended life. Enclosed is a dam maintenance brochure that was developed to help dam owners understand maintenance requirements. This brochure should be passed along to the association. As part of any good maintenance program it is recommended that the dam be routinely inspected and corrective action or maintenance undertaken as determined by the inspection. These inspection results and maintenance/repair records should be kept in a permanent file for the dam.

A Sovereign Lands permit will not be required for this project. A water storage permit is also required from the DNR Water Supply section.

Thank you for your patience and cooperation. If you should have any questions, please contact me at 515/281-6940.

Sincerely,



Jonathan D. Garton, P.E.
Environmental Engineer Senior
Dam Safety Program

Enclosures

c: Iowa DNR F.O. #1
U.S. Army Corps of Engineers
Steve Leonard, Lake Delhi Combined Recreational Facility and Water Quality District

IOWA DEPARTMENT OF NATURAL RESOURCES FLOOD PLAIN DEVELOPMENT PERMIT

PERMIT NUMBER: FP 2014-121

PERMIT ISSUED TO: Lake Delhi Combined Recreational Facility and Water Quality District
712A 3rd Street
Delhi, IA 52223

PERMIT ISSUED BY:


Jonathan D. Garton, P.E.

DATE:

6/5/14

Environmental Engineer Senior, Dam Safety Program

PROJECT LOCATION: SE ¼, NE ¼, Section 30, T88N, R04W, Delaware County, Iowa

PERMITTED ACTIVITY: In accordance with the approved engineering plans and subject to the following permit conditions, permittee is authorized to reconstruct and maintain a dam situated across the Maquoketa River at the above-described location.

BASIS FOR ISSUANCE: The decision to issue this permit was based on a staff review of the project with respect to relevant approval criteria contained in Chapter 72 of the Department's administrative rules (Agency 567, Iowa Administrative Code) and applicable provisions of Iowa Code Sections 455B.262, .264, .275 and .277.

PERMIT CONDITIONS:

1. **Disclaimer.** No legal or financial responsibility arising from the construction, operation or maintenance of the approved works shall attach to the state of Iowa or the Department due to issuance of this permit.
2. **Other Permits, Licenses and Regulations.** The permittee shall be responsible for complying with all other local, state and federal statutes, ordinances, rules and permit requirements applicable to the construction, operation and maintenance of the approved works.
3. **Revocation.** This permit may be revoked by the Department if construction is not completed within three years of the date of issue.
4. **Change in Plans.** This permit only authorizes construction in accordance with the approved plans. No changes shall be made without prior authorization from the Department.
5. **Lands, Easements and Rights-of-Way.** The permittee shall be responsible for obtaining all lands, easements or rights-of-way necessary for the construction and maintenance of the approved works.

6. **Construction Inspection.** Construction shall be inspected by a professional engineer registered in the State of Iowa or by a trained inspector under the supervision of the engineer. Upon completion of construction the engineer shall prepare and certify as-built plans (record drawings) and a construction inspection report detailing any changes in design and any unusual circumstances encountered during construction. Those items should be submitted to the department; Attention: Dam Safety Program.
7. **Acceptance Inspection.** Upon completion of construction the permittee shall notify the Dam Safety Program of this department so that an acceptance inspection can be made to determine whether the observable features of the project are consistent with the approved plans. The gates shall not be closed until the acceptance inspection has been made and the department has issued a letter of acceptance.
8. **Owner Inspection and Maintenance.** The permittee shall be responsible for periodically inspecting the dam and submitting an annual inspection report to the Dam Safety Program of this department. The report should include a description of maintenance work done since the last reporting period. Routine maintenance should include keeping the embankment well vegetated, clear of trees and brush, and free of surface erosion; and keeping the spillways clear of obstructions. In addition, the permittee will be required to have an inspection by a licensed professional engineer with experience in dam safety every 5 years and submit a copy of the report to the Department.
9. **Departmental Access for Inspection.** The permittee shall allow Iowa DNR Water Resources staff access to the dam for the purpose of making periodic dam safety inspections.
10. **Operations Plan:** The permittee shall maintain an operations plan for the dam defining the operational procedures for the spillway gates. A copy of this plan shall be kept on file with the Department. Changes to the operation plan will require approval by the department. The Department may require periodic review of this operations plan and determine if changes are warranted.

CERTIFICATION OF MAILING

I hereby certify that I have this _____ day of _____, 2014 mailed Flood Plain Development Permit No. FP 2014-121 to the permittee.

By _____