



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

Mr. Frederick Welch
Town Manager
Town of Hampton
136 Winnacunet Road
Hampton, NH 03842

August 5, 2014

08-08-14A11:58 RCVD

RE: Letter of Deficiency (LOD) DSP#12-058 time extension request
Old Mill Pond Dam #105.03, Hampton

Dear Mr. Welch:

The Department of Environmental Services (DES) Dam Bureau was recently notified by Mr. Keith Noyes, Hampton's Public Works Director that we did not formally respond to his letter dated October 31, 2013 that requested a time extension for complying with the above referenced (LOD) dated July 11, 2012. Though we have been in communication with town officials since that time and are aware that discussions related to the dam's fate are ongoing, we apologize for this oversight. DES understands that the most recent direction chosen, as a result of the vote that occurred at the March 11, 2014 town meeting, is to pursue the dam removal option (option item #9 shown below). As such, our reply to the extension request is made with this in mind. Should there be a change in direction, revised work plans and schedules may have to be evaluated.

Below is the current status of each dam deficiency (shown in bold text) as of a site review conducted on July 14, 2014, augmented with time extension dates/comments.

On a continuing basis:

1. Remove any debris located in the primary and secondary spillways. Past problems with debris from beavers have reduced the dam's full discharge potential. **Continue to monitor and remove debris as necessary.**
2. Monitor seepage from the base of the right and left side embankments. **Continue to monitor.**

By September 1, 2012:

3. Remove the ring of stones located upstream of the main spillway from end to end and to an elevation below the main spillway's invert elevation of 97.30 ft. These stones maintain an impoundment level that is only 1.3 ft below the top of the dam and doesn't provide the dam with the required 12" of freeboard during the 100 year storm event (design storm event for this dam). The many areas of seepage along the downstream face of both the right and left embankments may be reduced significantly once the impoundment is lowered. This work will require a wetlands permit form DES Wetlands Bureau, contact number 271-2147. DES also recommends that you contact Carol Henderson at NH Fish & Game Department at 271-2501 relative to RSA 211:11. **Completed.**
4. Complete the attached Operations, Maintenance and Response form (OMR) form and submit to the Dam Safety office; **Completed, received by DES on September 5, 2012.**

By December 31, 2012:

5. Remove all trees and brush from the dam's embankment and within 15 ft of all man-made dam components. **Mostly complete. Though the right crest appears to be mowed regularly, the left crest is covered with tall grass and weeds, making inspection and monitoring difficult. Continue to cut trees and brush at the far ends of the right and left embankments & establish the full 15 ft buffer zone from all man-made portions of the dam.**
6. Fill, compact, seed and mulch any low areas of the dam's embankment crests in order to produce a level crest from left to right and to provide a minimum of 6 ft in the upstream to downstream direction. **Not completed. Areas of the right and left embankments still require treatment to provide a level crest with sufficient growth. Focus on the crest sections should be aimed at leveling and seeding the lowest or most uneven sections.**

By November 1, 2013:

7. Submit a completed Emergency Action Plan (EAP) for approval; **The EAP has been approved, DES received a copy of the distributed EAP on March 24, 2014.**
8. Submit all necessary environmental permit applications (dam reconstruction and dredge and fill) to reconstruct the dam in accordance with Env-Wr 400 per your dam's hazard classification of significant. **Option not chosen by Town of Hampton citizens.**
OR
9. Submit design plans, specifications and any required permit applications to remove your dam in accordance with Env-Wr 600. **An extension to item #9 of November 1, 2015 will be granted.**

By November 1, 2014:

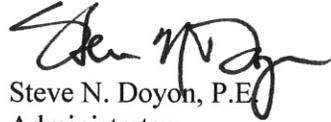
10. Complete reconstruction of the dam in accordance with permits obtained as part of item #8 above. **Option not chosen by Town of Hampton citizens.**
OR
11. Complete removal of dam in accordance with permits obtained as part of item #9 above. **An extension to item #11 of November 1, 2016 will be granted.**

To reiterate, the above extensions to the LOD items are with the understanding by DES that the dam will be removed. If changes to this course of action are made, DES will require official notification and will evaluate each item above as it applies. Further, in order to maintain this active dam in a safe operating condition, it is imperative that the outstanding items continue to receive attention while the process to remove it moves forward.

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Old Mill Pond Dam #105.03
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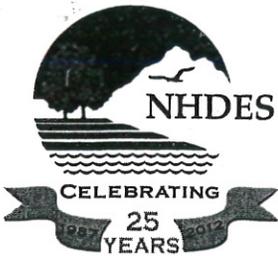
If you have any questions or comments regarding this LOD extension, please contact Chuck Corliss at 271-3406 or write to the address for the Water Division listed on the bottom of the cover page.

Sincerely,



Steve N. Doyon, P.E.
Administrator
Dam Safety and Inspection Section

Attachments: LOD dated July 11, 2012
cc: DES Legal Unit
Certified # 1011 1570 0003 6776 5600
SND/CAC/was/h:/damfiles/10503/LOD/20140805 10503 LODExt.docx



The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



*Celebrating 25 Years of Protecting
New Hampshire's Environment*

Mr. Frederick Welch
Town Manager
Town of Hampton
136 Winnacunet Road
Hampton, NH 03842

July 11, 2012

Letter of Deficiency
DSP #12-058

08-08-14A11:58 RCVD

RE: Old Mill Pond Dam #105.03, Hampton

**NEW STATUTORY PENALTY PROVISIONS
PLEASE READ CAREFULLY**

Dear Mr. Welch:

The Department of Environmental Services, Dam Bureau (DES) is responsible for ensuring the safety of dams in New Hampshire through its dam safety program. One of the many tools that help us to reach this goal is our dam inspection program.

In accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on May 23, 2012. Based upon the results of that inspection, as well as upon additional investigation or analysis that may have been conducted, DES is issuing this Letter of Deficiency (LOD) to advise you that it believes the following deficiencies can be remedied in accordance with the deadlines indicated:

On a continuing basis:

1. Remove any debris located in the primary and secondary spillways. Past problems with debris from beavers have reduced the dam's full discharge potential;
2. Monitor seepage from the base of the right and left side embankments. See photos A, B, C, D, E, F, G and H;

By September 1, 2012:

3. Remove the ring of stones located upstream of the main spillway from end to end and to an elevation below the main spillway's invert elevation of 97.30 ft. These stones maintain an impoundment level that is only 1.3 ft below the top of the dam and doesn't provide the dam with the required 12" of freeboard during the 100 year storm event (design storm event for this dam). The many areas of seepage along the downstream face of both the right and left embankments may be reduced significantly once the impoundment is lowered. This work will require a wetlands permit from DES Wetlands Bureau, contact number 271-2147. DES also recommends that you contact Carol Henderson at NH Fish & Game Department at 271-2501 relative to RSA 211:11. See photos I, J and K;
4. Complete the attached Operations, Maintenance and Response form (OMR) form and submit to the Dam Safety office; *Recd 9/5/12 ✓*

By December 31, 2012:

5. Remove all trees and brush from the dam's embankment and within 15 ft of all man-made dam components. See photos L, M, N, O, P, Q, R, S, T, U, V, W, X, Y and Z; *Recd confirmation of compliance 12/28/12 ✓*

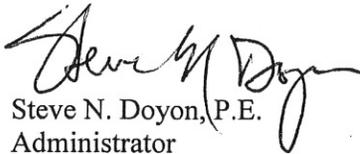
www.des.nh.gov

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(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

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If you have any questions or comments regarding this LOD or would like to be present at future inspections, please contact Chuck Corliss at 271-3406 or write to the address for the Water Division listed on the bottom of the cover page.

Sincerely,



Steve N. Doyon, P.E.
Administrator
Dam Safety and Inspection Section

cc: NH DES Wetlands Bureau

cc: Carol Henderson, NHF&G

Attachments: Dam Report, Photos, Plan View Photos, Plan View Drawing, OMR form, DB8, DB13

cc: DES Legal Unit

Certified # 7002 3150 0004 7244 8517

SND/CAC/was/h:/damfiles/10503/LOD/20120711 10503 LOD.doc