

Do I need a permit if I want to modify my dam?

The state of Kansas Division of Water Resources Water Structures Program regulates dams of a defined size and storage capacity. When owners of these dams modify or repair their dams either by choice or to comply with state regulations, they usually will need a permit to modify from DWR before work can be performed because even seemingly small changes to the dam or its components can have adverse effects if those changes are not properly designed. Embankment damage, capacity reduction, or even overtopping are some of the concerns associated with unpermitted alterations.

Owners of state-regulated dams should contact the Water Structures Program within the DWR to find out if they need a permit before starting any modification or repair. If a permit is required, the process is as follows:

- Dam owner hires engineer to evaluate the dam.
- Owner and engineer may meet with DWR staff to discuss needed regulatory requirements.
- Engineer develops plans and application package.
- Owner and engineer submit permit application package and fees (use form 2-200).
- DWR reviews application, requests any necessary changes, and issues permit when criteria are met.
- DWR must be notified 48 hours before construction begins. Engineers at DWR may inspect construction at critical phases defined in permit conditions.
- Engineer submits Notice and Proof of Completion within 30 days after construction is done, along with as-built drawings.
- DRW engineer may inspect final construction.

Permit applications are processed in order received. Each application, too, must be accompanied by the proper fee. If the application package fails to meet requirements, applicants will be notified in writing and given 60 days to provide required items. If these are not provided within the 60-day period, then the application will be dismissed, the filing fee is forfeited, and the process must begin again. Before the deadline expires, applicants may request an extension of time to provide needed information.

Notice and Proof of Completion (K.A.R. 5-40-7)

A statement indicating one of the following:

- (1) The dam and its appurtenances were constructed, repaired, or modified substantially in accordance with the permit and the approved plans and specifications; or
- (2) the completed work varied from the permit and the approved plans and specifications. A description of each variation shall be provided;
 - (c) a final survey of the completed dam and its appurtenances, including the following:
 - (1) A profile of the top of the dam
 - (2) a profile of the centerline of the auxiliary spillway or service spillway
 - (3) a cross section at the control section of the auxiliary spillway or service spillway
 - (4) a cross section of the dam at its deepest point
 - (5) a cross section of the dam at the primary spillway if that section is not near the deepest section of the dam
 - (6) the locations and elevations of the inlet and the outlet of the primary spillway
 - (7) the location and elevation of each drain outlet
 - (8) the final elevation and coordinates of each permanent benchmark
 - (d) a summary or a copy of the daily inspection logs if required by the permit.