

The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Robert R. Scott, Commissioner

July 25, 2019
**Letter of Compliance
For
Letter of Deficiency
DSP #11-026**

Ms. Jennifer Perry, Director
Public Works Department
Town of Exeter
13 Newfields Road
Exeter, NH 03833

Re: Pickpocket Dam #D029007 in Brentwood
Letter of Deficiency (LOD) DAM #D029007
Issued on March 28, 2011

Dear Director Perry:

Based on a file review and a scheduled inspection conducted on March 7, 2018 of the above referenced dam, the New Hampshire Department of Environmental Services, Dam Bureau (NHDES) has determined that the deficiencies noted in the referenced LOD have been corrected. Enclosed is a copy for your reference.

We appreciate your cooperation in resolving the identified deficiencies.

If you have any questions or comments, please contact Jim Weber, P.E. at 271-8699 or me at 271-3406, or write to the Water Division at the address listed below.

Sincerely,

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

Enclosure: Copy of March 28, 2011 LOD

cc: NHDES Legal Unit
Town of Brentwood

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The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

Town of Exeter
Ms. Jennifer Perry, P.E., Director
Public Works Dept.
10 Front Street
Exeter, NH 03833

March 28, 2011
Letter of Deficiency
DSP#11-026

RE: Pickpocket Dam #029.07, Brentwood

**NEW STATUTORY PENALTY PROVISIONS
PLEASE READ CAREFULLY**

Dear Director Perry:

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 helps 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 September 9, 2010. 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 the following items constitute deficiencies that DES believes can be remedied in accordance with the deadlines indicated:

By June 1, 2011:

1. Prepare and return the enclosed Operations, Maintenance, and Response (OMR) form;
2. Remove the minor debris from the spillway (Photos E and K);

By December 31, 2011:

3. Remove the trees and brush from both abutments within 15 feet of the ends of the dam, within 15 feet of the toe of the embankments, and on the dam embankment. Once removed, stabilize any disturbed areas with loam and seed to promote the growth of a hearty, grassed embankment (Photos A-D, F-H, I, and J); and

By December 31, 2012:

4. Report back to the Dam Bureau with the results of a breach analysis in accordance with the criteria in Env-Wr 500. Retain a qualified consultant to perform the breach analysis model, which quantifies the hazard posed by the dam to the downstream reach, specifically the areas around Sir Lancelot Drive and Camelot Drive.

In accordance with Env-Wr 500, the breach analysis should include a "sunny-day" breach, as well as a breach routed with the 100-year flood event. If the dam poses risk to the downstream reach, such that it would inundate the living space of an occupied property by an increment of one or more feet above the sill of that occupied structure, it would meet the criteria of Env-Wr 101.09, and would qualify the dam to be reclassified as a "High-Hazard" structure.

In the event that the dam is reclassified to "High Hazard", additional requirements will likely be requested, including preparation of an Emergency Action Plan (EAP), and Hydraulic & Hydrologic (H&H) analysis of the spillway to pass 2.5 times the 100-year storm event.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-6120 • TDD Access: Relay NH 1-800-735-2964

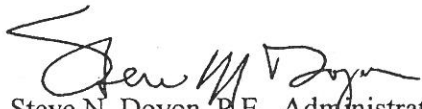
Letter of Deficiency
Dam#029.07/DSP#11-026
March 28, 2011
pg. 2

Our intent in issuing this LOD is to make you aware of items that require your attention to ensure the continued safe operation of your dam. It is our hope that, through the return of the attached form and correction of the identified deficiencies, you will develop and maintain a commitment to keeping a safe and well-maintained dam.

Please note that effective January 1, 2009, significant changes to the penalty provisions of New Hampshire's dam safety statute (RSA 482) became effective. These changes require DES to commence proceedings to levy fines of up to \$2,000 per violation per day against a dam owner who does not respond within 45 days of receipt of a written order, directive, or any notice of needed maintenance, repair, or reconstruction issued by DES. To avoid proceedings under this provision, you **must respond** to this LOD. We believe the easiest way to respond is to sign and return the attached "Intent to Complete Repairs" form, either agreeing to correct the identified deficiencies by the dates indicated OR by proposing amendments to the listed work items or dates, which you may do by writing directly on the form. DES will evaluate and respond to any reasonable requests for proposed amendments in a timely manner. We have enclosed a self addressed stamped envelope for you to return this form. You may also scan and e-mail the completed form to damsafety@des.nh.gov or fax it to (603) 271-6120. **If you fail to return this form within 45 days or fail to otherwise respond in writing within 45 days indicating your intent to remedy the identified deficiencies, you will not have the benefit of the compliance deadlines indicated on the form and DES will commence a proceeding under RSA 482:89 to seek administrative fines for the identified deficiencies.** Please note that responding as required does not preclude DES from pursuing other appropriate action for the identified deficiencies, in accordance with the DES Compliance Assurance Response Policy, available on-line at <http://des.nh.gov/organization/commissioner/legal/carp/index.htm>.

If you have any questions or comments regarding this LOD or would like to be present at future inspections, please contact Brian Desfosses, P.E. at 271-4162 or write to the address for the Water Division listed on the bottom of the previous page.

Sincerely,


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

Attachments: Dam Report, Photos, Plan View Drawing, OMR form, DB8, DB13
cc: DES Legal Unit
Town of Brentwood

Certified # 7007 3020 5000 5329 1919

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