A **Dam** is any artificial barrier which impounds or diverts water which:

• has a height of 6 feet or more

  or

• is located at the outlet of a great pond, regardless of height or storage,

  or

• is an artificial barrier which impounds liquid Industrial or liquid commercial wastes, or septage or sewage, regardless of height or storage.

Some **Roadway Culverts** are considered dams. Certain **Storm Water Detention Ponds** are exempted. (See attached pages)
A roadway culvert is not a dam if:
• its invert is at the natural streambed and
• it has adequate discharge capacity and
• it does not impound water under normal circumstances

A roadway embankment whose culvert is set at the natural streambed shall be a dam if during the 25 year storm:
• the water surface elevation at the culvert inlet is 6 feet above the water surface elevation at the culvert outlet and
• it impounds 2 ac-ft or more of water over the crown of the culvert.
An artificial barrier at a storm water detention which impounds 0.50 acre-feet or less of water during normal conditions, shall not be considered a dam unless its height is 10 feet or greater or its maximum storage is 6 acre-feet or greater.

Any storm water detention dam less than 6 feet in height shall not be considered a dam, regardless of maximum or normal storage.
REVISED DAM DEFINITION

EFFECTIVE FRIDAY, SEPTEMBER 11, 2009

RSA 482:2, II
(a) “Dam” means any artificial barrier, including appurtenant works, which impounds or diverts water, and which has a height of 6 feet or more, or is located at the outlet of a great pond. A roadway culvert shall not be considered a dam if its invert is at the natural bed of the water course, it has adequate discharge capacity, and it does not impound water under normal circumstances. Artificial barriers which create surface impoundments for liquid industrial or liquid commercial wastes, septage, or sewage, regardless of height or storage capacity, shall be considered dams.

(b) An artificial barrier at a storm water detention basin, which impounds 0.5 acre-foot or less of water during normal conditions, shall not be considered a dam unless its height is 10 feet or greater or its maximum storage is 6 acre-feet or greater.

Attached is a flow chart to assist in determining if a dam application is required.

If you have any questions please call NH DES, Dam Bureau at 603-271-3406 or email us at damsafety@des.nh.gov
Do you need a dam permit?

Is the structure on a great pond or does it store liquid industrial or liquid commercial waste, septage or sewage?

Yes

You need a dam permit

No

Is the proposed structure intended for use as a roadway?

Yes

Go to page 4

No

Is the proposed structure a Storm water detention Pond?

Yes

Go to page 3

No

Is the structure 6 feet high or greater?

Yes

You need a dam permit

No

You do not need a dam permit

(standard dam definition)

If you have any questions please call NH DES, Dam Bureau at 603-271-3406 or email us at damsafety@des.nh.gov

Effective as of Friday, September 11, 2009
Is your Storm Water Detention Pond a dam?

- Is the permanent storage 0.50 acre feet or less?
  - Yes
  - No

  - No
  - Is the height less than 10 feet but?
    - Yes
    - No

  - No
  - Is the maximum storage less than 6 acre feet?
    - Yes
    - No

  - No
  - You do not need a dam permit

  - Yes
  - You may need a dam permit. See standard dam definition on page 2

If you have any questions please call NH DES, Dam Bureau at 603-271-3406 or email us at damsafety@des.nh.gov
Is your Roadway culvert a dam?

Does the structure include a straight culvert installed at the natural bed of the watercourse, with no upstream or downstream controls?

Yes

Does it impound water under normal circumstances?

Yes

You may need a dam permit. See standard dam definition on page 2

No

No

You do not need a dam permit

Yes

Is the peak Q25 upstream water elev 6 feet or more above the water surface at the culvert outlet?

No

Yes

Yes

No

If you have any questions call
NH DES, Dam Bureau at 603-271-3406 or email us at damsafety@des.nh.gov