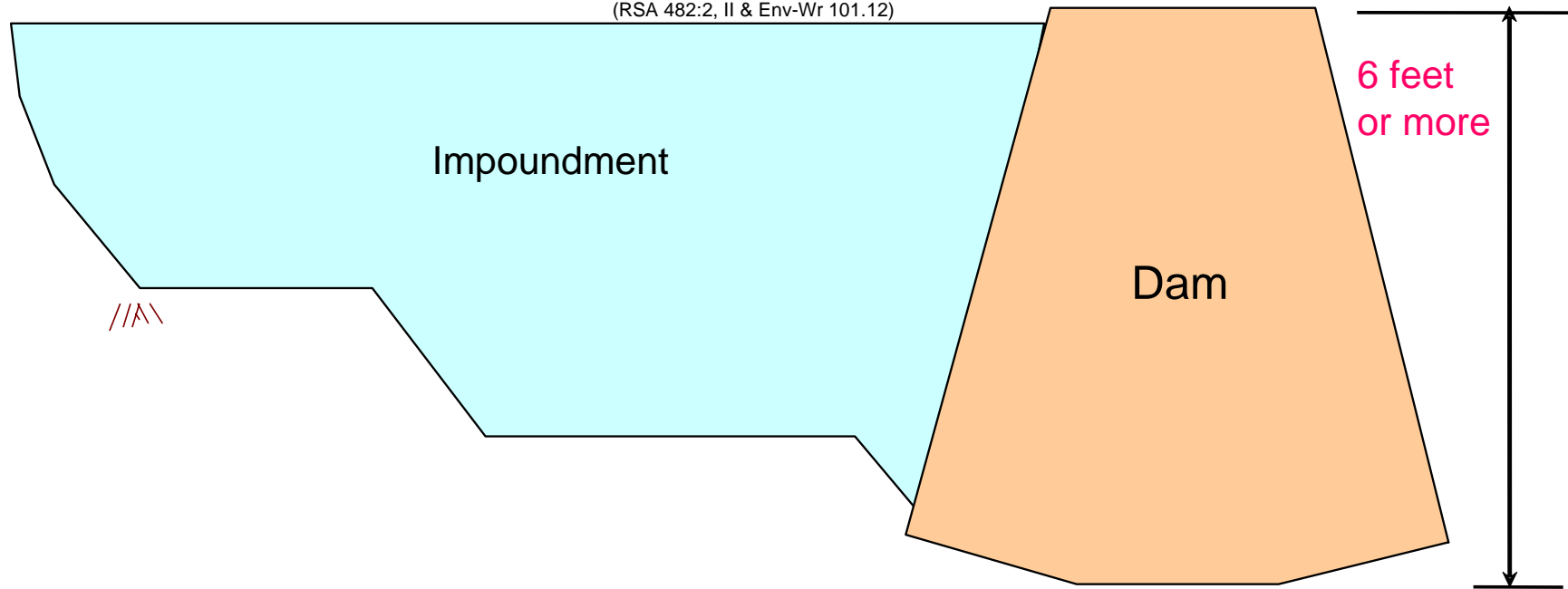


# New Hampshire's Definition of a Dam

Revised 09/11/2009

(RSA 482:2, II & Env-Wr 101.12)



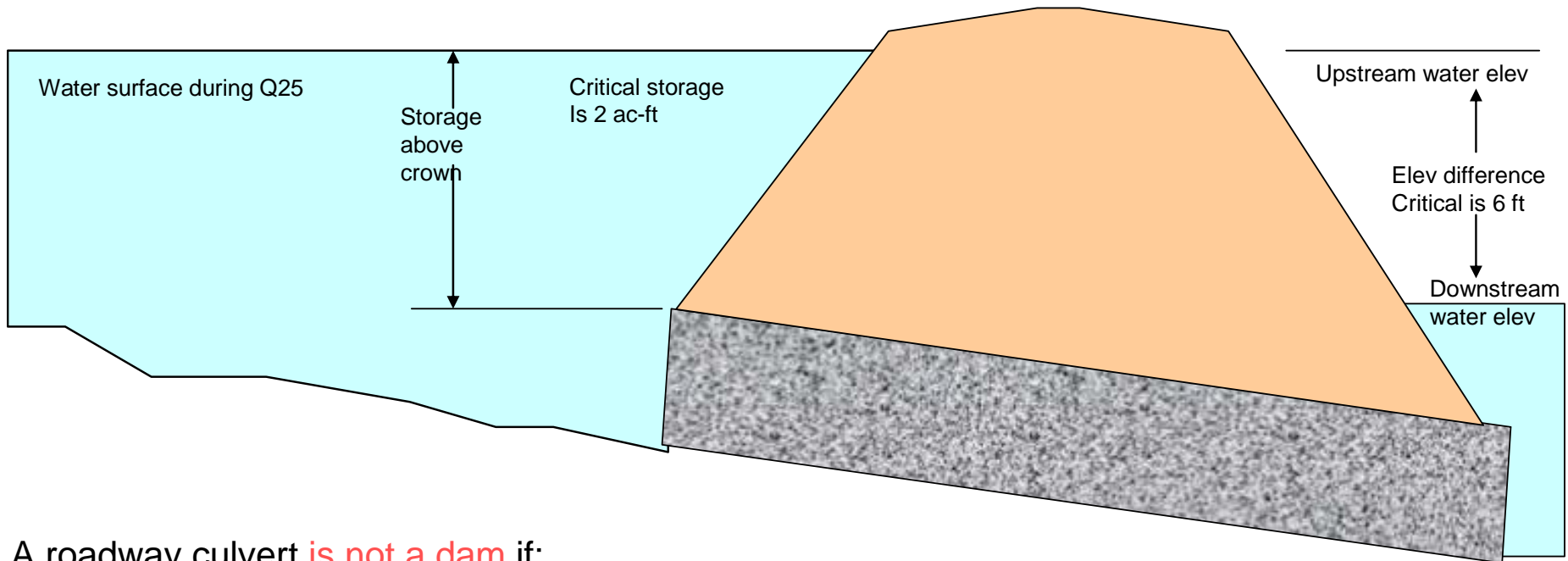
A Dam is any artificial barrier which impounds or diverts water which:

- has a height of 6 feet or more
- is located at the outlet of a great pond, regardless of height or storage,
- 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)

# When is a Roadway Culvert NOT a Dam? (Env-Wr 101.12 & 301.03)



A roadway culvert is not a dam if:

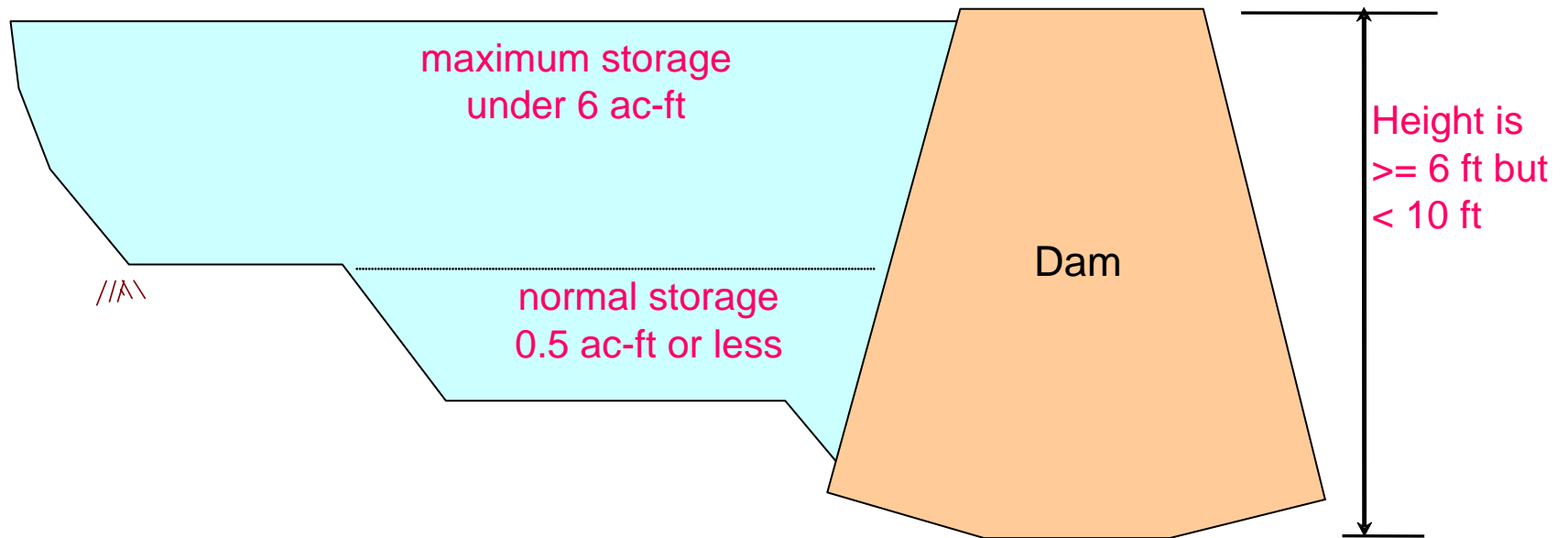
- its invert is at the natural streambed and
- it has adequate discharge capacity and
- it does not impound water under normal circumstances

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.

The DES Dam Bureau Home Page:  
<http://des.nh.gov/organization/divisions/water/dam>

# When is a Storm Water Detention Pond NOT a Dam?



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.

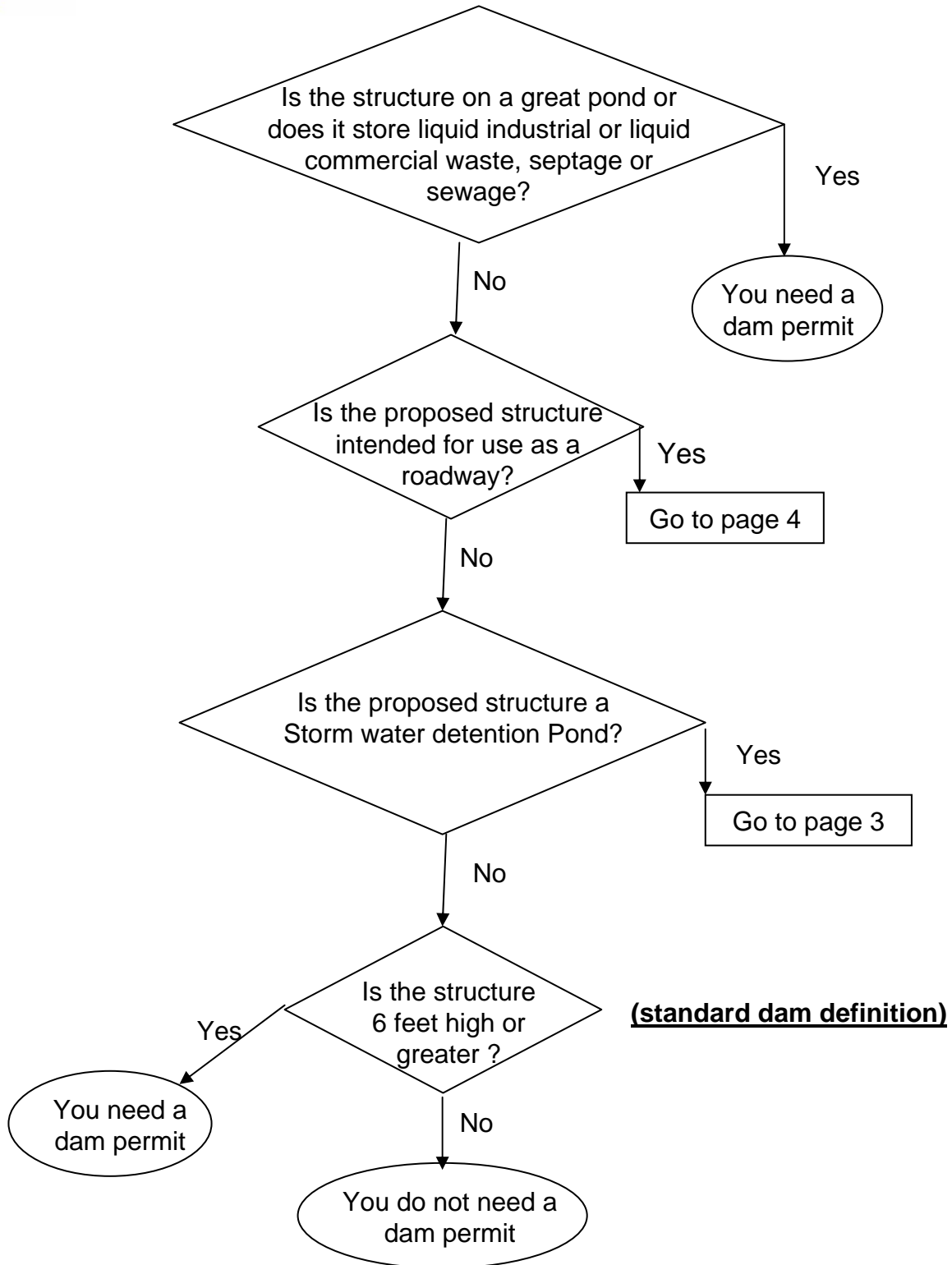
(b)

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.

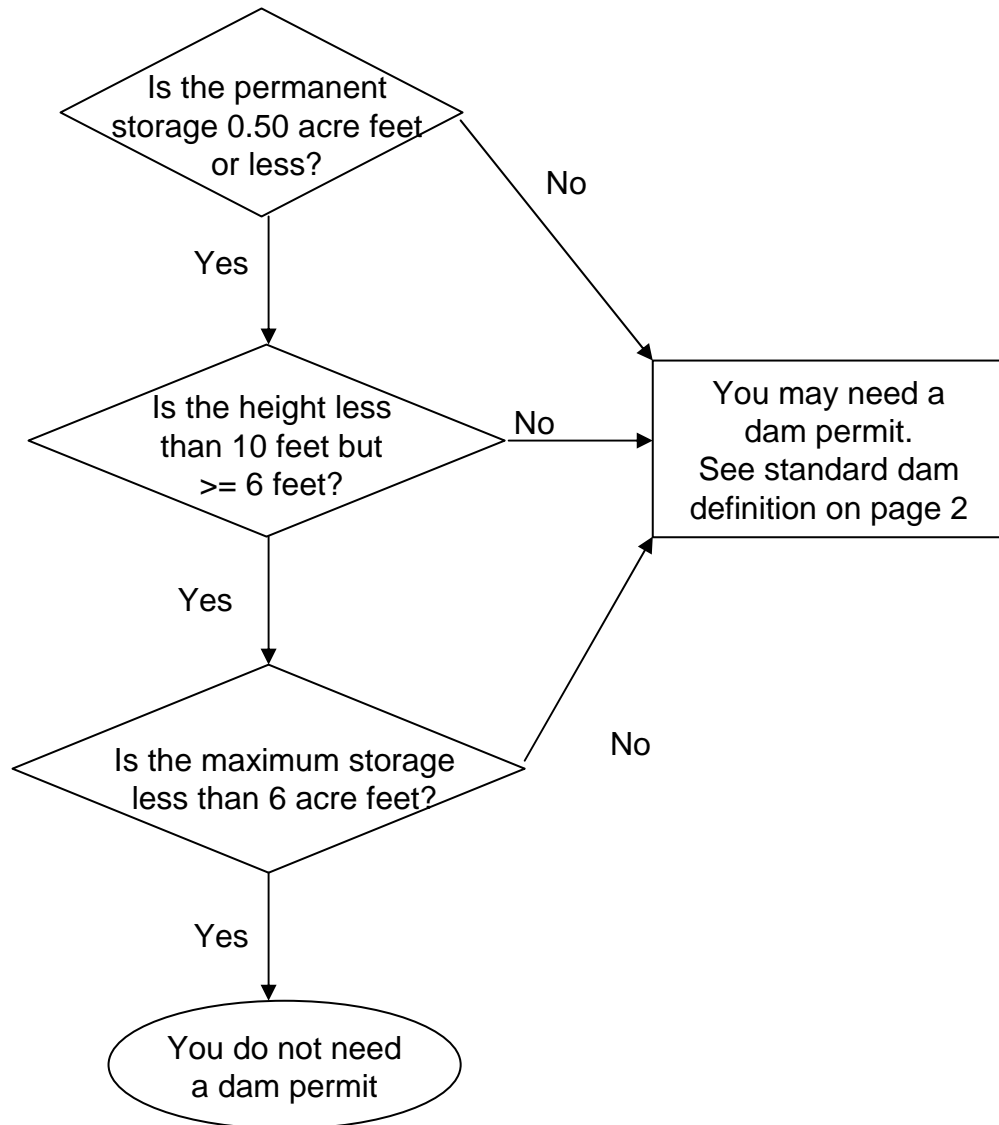
Attached is a flow chart to assist in determining if a dam application is required.

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

## Do you need a dam permit ?

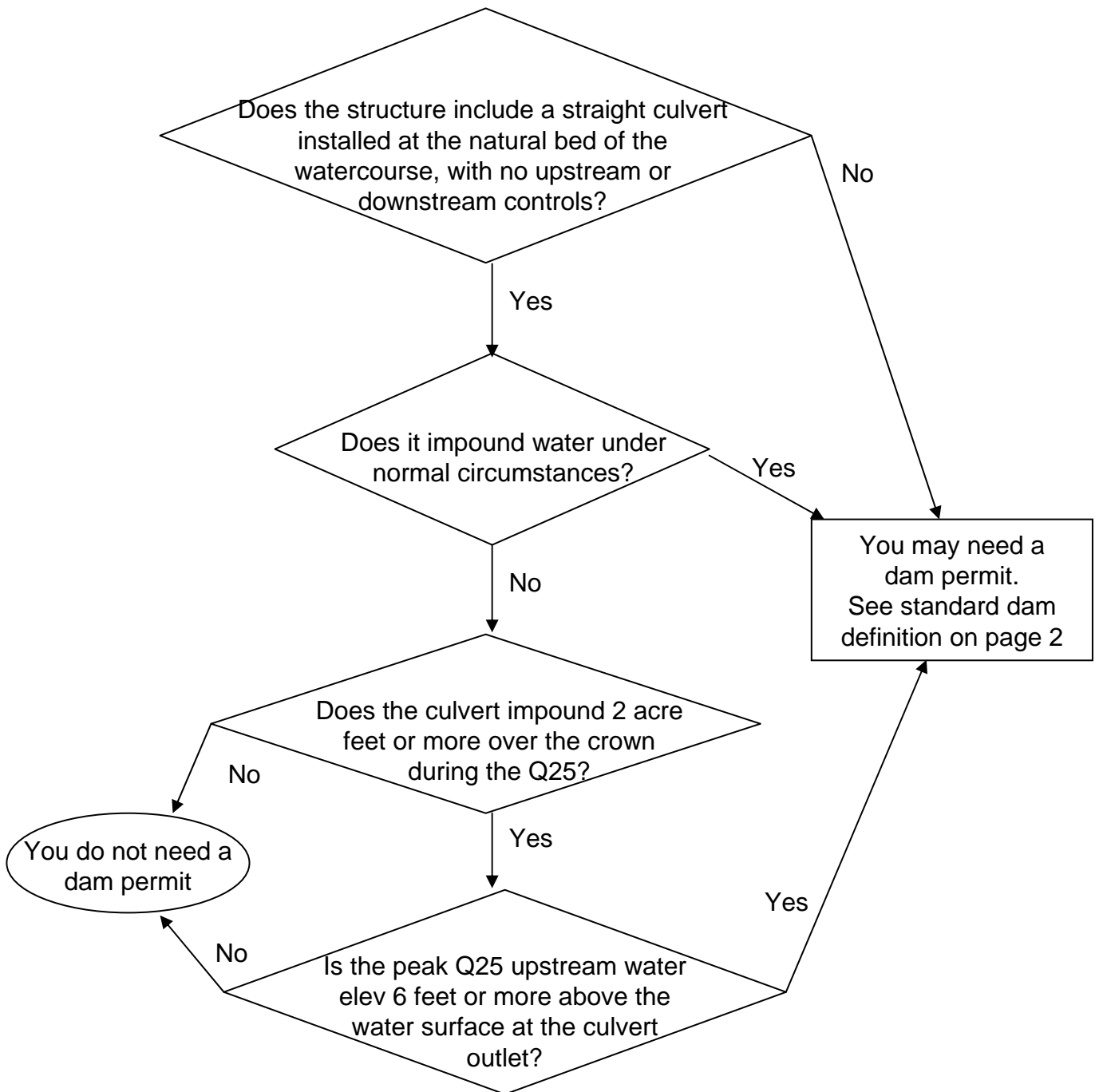


## Is your Storm Water Detention Pond a dam?



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

## Is your Roadway culvert a dam?



If you have any questions call  
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email us at [damsafety@des.nh.gov](mailto:damsafety@des.nh.gov)