

Chapter NR 333

**DAM CONSTRUCTION**

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Note: Chapter NR 117 as if existed on November 30, 1983 was renumbered to be chapter NR 333, effective December 1, 1983.

NR 333.01 Definitions. (1) "Dam" means any artificial barrier, together with appurtenant works, which does or may impound or divert water.

(2) "Reservoir" means a storage place which contains or will contain the water impounded by a dam.

(3) "Height" means the vertical distance from the natural bed of the stream or watercourse at the downstream toe of a dam to the maximum possible water storage elevation.

(4) "Impounding capacity" means the ability of a reservoir to retain a volume of water.

(5) "Water storage elevation" means that elevation of water surface which could be obtained in a reservoir without the dam being overtopped.

(6) "Head" means the difference between the water storage elevation and the minimum possible tail water elevation.

(7) "Enlargement" means any change in or addition to an existing dam or reservoir, which raises or may raise the water storage elevation of the water impounded by the dam or reservoir.

(8) "Alterations" or "repairs" means only such alterations or repairs as may affect the safety of the dam or reservoir.

(9) "Owner" does not include the United States but does include any of the following who own, control, operate, maintain, manage or propose to construct a dam or reservoir:

(a) The state and its departments, institutions, agencies and political subdivisions.

(b) Every municipal or quasi-municipal corporation.

(c) Every public utility.

(d) Every district.

(e) Every person as defined in s. 990.01 (26), Stats.

(f) The duly authorized agents, lessees, or trustees of any of the foregoing.

(g) Receivers or trustees appointed by any court for any of the foregoing.

History: Cr. Register, February, 1975, No. 230, eff. 3-1-75

NR 333.02 Plans and specifications for dams. (1) All plans and specifications for dams submitted to the department for examination pursuant to s. 31.12, Stats., must be signed, sealed and dated by a professional engineer licensed under the provisions of s. 443.01, Stats., if:

(a) The difference between the maximum possible headwater elevation and the minimum possible tailwater elevation (maximum head) is 6 feet or more, and

(b) The dam has an impounding capacity at maximum water storage elevation of 15 acre feet or more.

(2) The plans and specifications prepared by or under the supervision of engineers in the employ of federal agencies are exempt from the requirements that they be prepared by an engineer licensed under the provisions of s. 443.01, Stats.

History: Cr. Register, February, 1975, No. 230, eff. 3-1-75.

NR 333.03 Responsible supervision of construction. (1) Dams for which plans have been approved under ch. 31, Stats., shall be constructed under the responsible supervision of a professional engineer licensed under the provisions of s. 443.01, Stats., if:

(a) The difference between the maximum possible headwater elevation and the minimum possible tailwater elevation (maximum head) is 6 feet or more, and

(b) The dam has an impounding capacity at maximum water storage elevation of 15 acre feet or more.

(2) Engineers in the employ of federal agencies are exempt from the requirements for licensing under the provisions of s. 443.01, Stats., for the purposes of this section.

History: Cr. Register, February, 1975, No. 230, eff. 3-1-75.

NR 333.04 Performance bond. The department may require the posting of a performance bond by the owner to insure compliance with plans and specifications.

History: Cr. Register, February, 1975, No. 230, eff. 3-1-75.