



NR 117

Filed January 6, 1975  
9:40 am G.L.P.

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

L. P. Voigt  
Secretary

BOX 450  
MADISON, WISCONSIN 53701

IN REPLY REFER TO: \_\_\_\_\_

STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES )      ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, L. P. Voigt, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WR-58-74 was duly approved and adopted by this Department on October 18, 1974. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at Pyare Square Building in the City of Madison, this 31st day of December, 1974.

L. P. Voigt, Secretary

(SEAL)

STATE OF WISCONSIN NATURAL RESOURCES BOARD

.....  
IN THE MATTER of creating Chapter NR 117 .  
of the Wisconsin Administrative Code .  
pertaining to the planning and construction . WR-58-74  
of dams .  
.....

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

CREATING RULES

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 31.02(2) and 31.12(2) and Chapter 227, Wisconsin Statutes, the Natural Resources Board hereby creates rules as follows:

NR 117.01 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 section 990.01 (26), Wis. 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.

NR 117.02 Plans and Specifications for Dams. (1) All plans and specifications for dams submitted to the department for examination pursuant to section 31.12, Wis. Stats., must be signed, sealed and dated by a professional engineer licensed under the provisions of section 443.01, Wis. 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 section 443.01, Wis. Stats.

NR 117.03 Responsible Supervision of Construction. (1) Dams for which plans have been approved under chapter 31, Wis. Stats., shall be constructed under the responsible supervision of a professional engineer licensed under the provisions of section 443.01, Wis. 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 section 443.01, Wis. Stats., for the purposes of this section.

NR 117.04 Performance Bond. The department may require the posting of a performance bond by the owner to insure compliance with plans and specifications.

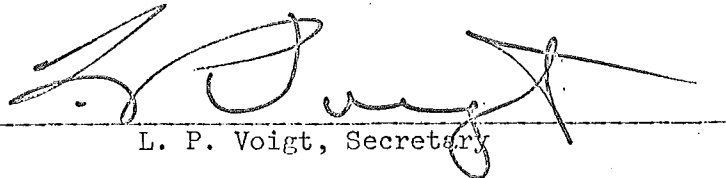
The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on October 18, 1974.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin December 31, 1974

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

  
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L. P. Voigt, Secretary

(SEAL)