



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

July 20, 2015

Colonel Philip M. Secrist III
United States Army Corps of Engineers
502 8th Street
Huntington, WV 25701

Subject: Buckeye Lake Dam
Request for Emergency Procedures and Permit
Federal Section 404 Authorization

Dear Colonel Secrist:

The Ohio Department of Natural Resources ("ODNR") respectfully requests for the United States Army Corps of Engineers ("the Corps") to invoke emergency procedures to authorize special processing of our permit application as outlined in 33 CFR 325.2(e)(4) for urgent repairs to Buckeye Lake Dam. Below is the rationale for our request and supporting documentation.

In April 2014, ODNR commissioned the Corps' Huntington District to assess the existing condition of Buckeye Lake Dam and make recommendations for the repair, operation, and maintenance of the dam. Study findings were issued in March 2015 in a report titled "*Review of Past Reports and Existing Conditions and Recommendations for Interim Risk Reduction Measures, Operation, and Maintenance.*" This report identifies numerous deficiencies with the 184-year-old Buckeye Lake Dam and provides recommended interim risk reduction measures to mitigate the present threat to public safety until comprehensive repair or replacement of the dam can be completed. Select key conclusions and recommendations in the report include:

- The District has determined, using applicable engineering standards of practice, that the Buckeye Lake Dam embankment does not meet dam safety standards. Furthermore, it is the District's opinion that the **likelihood of dam failure is high and poses significant risks to the public.**
- The District recommends that interim risk reduction measures **be implemented immediately.**

ODNR has either completed or is in the process of implementing the non-structural interim risk reduction measures outlined in the March 2015 report, including maintaining the lake level at the winter season level which is 3 feet lower than the summer season level. Although non-structural interim measures including a lower lake level will reduce risk to public safety, there remains a concern that significant rainfall events can quickly raise the lake level, exacerbating known deficiencies associated with uncontrolled seepage, embankment instability, and overtopping, and thereby posing a continued and unacceptably high risk of dam failure. Based on historic floods, ODNR also believes higher than acceptable lake levels may occur even if the lake was completely drained. Therefore, structural interim risk reduction measures are also necessary to reasonably protect the public.

Consequently, ODNR proposes to proceed as quickly as possible with structural interim risk reduction measures to further ensure public safety. The structural measures primarily consist of constructing an embankment stabilization berm and seepage barrier within the lake bed and against the upstream face of the dam. At present, we anticipate constructing the stabilization berm and seepage barrier along the entire 4.1 mile-long dam embankment. Please see the attached detail sheets.

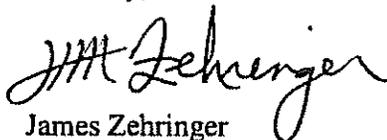
In order to implement the structural interim risk reduction measures in the timeliest manner, and to comply with Ohio's public contracting procedures, ODNR authorized the attached "Declaration of Public Exigency" in accordance with the emergency provisions of Section 1501.011 of the Ohio Revised Code.

To be clear, ODNR remains committed to the full permitting process. While these interim risk reduction measures are underway, and upon completion of a final proposed design, ODNR will apply for individual permit coverage for the installation of a replacement dam. Once constructed, the replacement structure will further mitigate the present deficiencies and associated public safety risk to more acceptable and permanent levels.

An expedited review and consideration of this request would be greatly appreciated.

If you have any questions or concerns, please contact John Kessler, ODNR liaison to USACE, at 614-265-6621 or john.kessler@dnr.state.oh.us.

Sincerely,



James Zehringer
Director

enclosures

cc: Lee Robinette, USACE