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NATURAL RESOURCES

Michael L. Parson, Governor

Carol S. Comer, Director

September 26, 2019

Caldwell County Commission
C/O C. R. Bud Motsinger
P.O. Box 67
Kingston, Missouri 64650

RECEIVED
OCT 04 2019
Christine Owen
CALDWELL COUNTY CLERK

RE: Little Otter Creek LO-1 Dam (MO40181) Caldwell County

Dear Mr. Motsinger:

As a result of our review of the construction permit application, plans, and specifications for the Little Otter Creek LO-1 Dam, I am pleased to inform you that a construction permit has been issued and is enclosed for your use. A copy of the permit is also being sent to Mr. Marty Comstock P.E., the engineer of record.

The construction permit submittal contained "permit set only" plans. Final construction plans shall be submitted to this office prior to construction. If substantial changes exist compared to the "permit set only" plans previously reviewed, construction permit C-588 will be revoked and an application for a new construction permit will be required.

Please notify us at least 5 days prior to starting construction. If you have any questions about this letter or the permit requirements in general, please give me a call at 573-368-2178.

Sincerely,

MISSOURI GEOLOGICAL SURVEY

Ryan P. Stack, P.E.
Chief Engineer
Dam and Reservoir Safety Program

c: USDA-Natural Resources Conservation Svc.
C/O Mr. Marty Comstock, P.E.
601 Business Loop 70W, Ste. 250
Columbia, Missouri 65203



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**STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
DAM AND RESERVOIR SAFETY COUNCIL**

CONSTRUCTION PERMIT

Pursuant to Chapters 236.400 through 236.500 of the Revised Statutes of Missouri and the rules established by the Dam and Reservoir Safety Council, and on the basis of statements and information contained in the permit application, letters, maps, plans, specifications and reports prepared by Marty Comstock, P.E. 25697, hereafter known as the permittee's engineer, for the Little Otter Creek LO-1 Dam, Caldwell County, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED TO**, the Caldwell County Commission hereafter known as the permittee, whose address for the purpose of notices and other communications pertaining to this permit is P.O. Box 67; Kingston, Missouri 64650, which address is subject to change by written notice from the permittee, **TO CONSTRUCT** an earthen dam having a height of 82ft. and a reservoir surface area of 345 acres at the water storage elevation. The principal spillway will consist of a rectangular concrete drop inlet connected to a 36-inch reinforced concrete pipe conduit through the embankment. The principal spillway crest elevation will be 855.1 feet. The auxiliary (emergency) spillway will consist of an open channel on the right abutment that is 300 feet wide with a crest elevation of 860.7 feet. The minimum crest of the dam will be elevation 869.5 feet. The dam is located in Section 32, Township 57 North, Range 27 East, and assigned the identification number of MO40181. The approximate UTM Coordinates are 4,395,183 meters North and 418,832 meters East, Zone 15. This permit is subject to the following provisions:

GENERAL PROVISIONS:

1. No liability shall be imposed upon or incurred by the State of Missouri and/or the Dam and Reservoir Safety Council, or any of their officers, agents, employees and members, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors or closed corporations of successors or assigns relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees or contractors for any damages or injury resulting from any such act or omission by them or for violation of or failure to comply with the provisions of the permit or applicable provisions of law.

2. The permittee shall comply with all Federal, State, and local laws and regulations, and shall obtain such other permits as may be required.
3. In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property rights or interest of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, it is the sole responsibility of the permittee, before proceeding therewith, to obtain the written consent of all persons, agencies, or authorities concerned, and to acquire all property rights, and interests necessary therefor, including flood easements or permissions for all properties which may be inundated by the dam on a temporary or permanent basis in the upstream impoundment area below the top of dam elevation.
4. The permittee shall notify the Dam and Reservoir Safety Council in writing upon the sale or other transfer of interest in said dam or reservoir.
5. Based on conditions existing at the time of issuing this permit, the Downstream Environment Zone is Class II.

SPECIAL PROVISIONS:

1. The Chief Engineer of the Dam and Reservoir Safety Program shall be notified in writing at least five (5) days in advance of the commencement of the work authorized herein.
2. Construction work authorized under this permit shall be completed on or before September 26, 2021, unless extended in writing by the Dam and Reservoir Safety Council or the Chief Engineer of the Dam and Reservoir Safety Program.
3. No changes shall be made in the construction of the dam which adversely affect the dam or reservoir with regard to its integrity or to the environment, public safety, life or property.
4. If the permittee finds at any time during construction or operation that, in order to adequately protect the integrity of the dam, the environment or public health, safety or welfare, immediate alterations to the approved plans and specifications are required, the alterations may be started, but the permittee shall promptly notify the Chief Engineer of such requirements. If the alterations are to remain as permanent project features, the permittee shall, as soon as practicable, revise the plans and specifications and submit the revisions to the Dam and Reservoir Safety Council for approval. Such alteration shall be discontinued if disapproved by the Council, upon notice of such disapproval.
5. The permittee shall immediately notify in writing, the Chief Engineer of any unforeseen conditions discovered during construction that may adversely affect the structural stability of the dam.
6. The permittee, in cooperation with the permittee's engineer, shall be responsible for providing adequate controls on construction activities, compliance with plans and specifications authorized herein and verification of design, construction, and operating assumptions.

7. The permittee shall, as soon as practicable following construction, cover or protect all exposed soil resulting from the construction by placing riprap, sod and/or seed on banks and slopes of said construction for the prevention of soil erosion.
8. Within two (2) weeks of completion of the work authorized under this permit, the owner shall notify the Chief Engineer in writing that construction was completed in accordance with the approved plans and specifications. As-built plans and drawings shall be submitted if significant changes were made during construction.
9. Undertaking or initiating any work or part thereof authorized herein by the permittee constitutes acceptance of the permit and all its terms and conditions.

Executed at Rolla, Missouri on this 26th day of
September, 2019

DAM AND RESERVOIR SAFETY COUNCIL

By: 
Chief Engineer
Dam and Reservoir Safety Program