



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

June 8, 2017

Mr. Latif Kaid, P.E.
NC State Building Commission
1307 Mail Service Center
Raleigh, NC 27699-1307

RE: Emergency Declaration – Temporary full breach of Woodlake Dam that was damaged during Tropical Storms Julia and Hermine and Hurricane Matthew

Mr. Kaid:

Under the provisions of 01 North Carolina Administrative Code 30D .0302(e), the Department of Environmental Quality (NCDEQ) has issued an emergency declaration for the Woodlake Dam in Moore County (Latitude 35.218, Longitude -79.19). In addition, NCDEQ's Division of Energy, Mineral and Land Resources (DEMLR) plans to exercise its authority under NCGS §143-215.32(c) and NCGS §143-64.31(a) to conduct a temporary full breach of the dam due to its current deficiencies, which if left uncorrected, could result in a failure causing loss of life and significant property damage downstream.

After Tropical Storms Julia and Hermine and Hurricane Matthew, DEMLR inspections confirmed that damage had occurred to 68 dams in North Carolina. Of those 68 dams, 22 were breached and 46 were damaged and in need of repair. More than 400 inspections were conducted during a 16-day period by DEMLR staff. The Woodlake Dam is one such dam and needs immediate action to abate the risk of loss of life and significant property damage downstream. Until now, the owner of the dam has been attempting to rectify the deficiencies, however DEMLR has received information that the owner of the dam will be unable to meet the requirements set forth in the Consent Judgement of Woodlake Dam, *State of N.C. ex. Rel. Regan v. Woodlake CC Corp.* (17 CVS 0082), issued by Judge Webb on March 15, 2017.

In its current condition, with the reservoir being completely drained and both bottom drains being fully open, 4.75 inches of rain in a 6-hour period could cause the damaged concrete spillway to flow which could cause further damage to the spillway and potentially breach the dam. In addition, 10.5 inches of rain in a 6-hour period could cause

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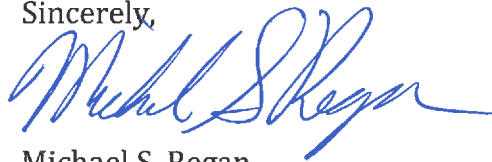
the dam to completely overtop and therefore not only damage the spillway further, but also potentially breach the dam either by overtopping or by complete destruction of the spillway.

Independent breach analyses completed by North Carolina Dam Safety show that there could potentially be 1670 parcels within the inundation area of the Woodlake Dam. North Carolina Dam Safety used the 2014 county parcel data to estimate that the total damage to property could be in excess of \$260,497,483. The total value is based on parcel data that may not have been updated lately and it should be noted that not all parcels had values associated with them. In addition, this value does not consider the value of infrastructure that could be damaged such as highways, bridges, utility lines, water/septic treatment facilities, churches, emergency services, businesses, or county, state and federal property that has not been assessed by the tax office or the potential loss of life.

Under this declaration, the Department intends to expedite the procurement of qualified dam engineers for the design and construction oversight for the temporary full breach of the damaged Woodlake Dam. Breaching the dam is a measure essential to provide emergency protection to protect life and property downstream.

I am making you aware of this course of action so that your staff can provide guidance as you deem appropriate. If you have any additional questions, please contact Mr. Michael Shelton, Capital Projects Coordinator, at Michael.shelton@ncdenr.gov or (919) 707-8527.

Sincerely,



Michael S. Regan
Secretary, NCDEQ

MSR/ted/bsc

Cc: John A. Nicholson, Deputy Secretary
Rex A. Whaley, CPA, Director, Financial Services
Tracy E. Davis, PE, CPM, Director, Division of Energy, Mineral, and Land Resources
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