

Insert Today's Date
Office of Dam Safety
Department of Conservation and Recreation
John Augustus Hall
180 Beaman Street
West Boylston, MA 01583

RE: Dam Inspection Order

Dear Commissioner Sullivan:

In accordance with 302 CMR 10.00, I ascertain that my *dam(s)*, associated with the *cranberry company*, should be excluded from the Dam Inspection Order recently mailed to me. The agricultural use exclusion provisions in the dam safety regulations demonstrate that my *dam(s)* are non-jurisdictional.

I have identified my dams as follows:

Dam Name	National Dam ID	Town	Location	Height
<i>Dam 1</i>	<i>MA1234</i>	<i>Wareham</i>	<i>38°53'23"N , 77°00'27"W</i>	<i>5</i>
<i>Dam 2</i>	<i>MA5678</i>	<i>Carver</i>	<i>Murphy Bogs, Pond Street, .5 miles from Elm Street, south side near reservoir</i>	<i>3</i>

My dams meet the requirements for agricultural use exclusion, as cited in 302 CMR 10.03 (noted below) under section *c, d, and e*.

Dam

... The word "dam" shall not mean any of the following:

- (c) any appurtenant works which temporarily impounds or diverts water used on land in agricultural use as defined pursuant to M.G.L. c. 131, § 40;
- (d) any barrier or appurtenant works which has a size classification of small or low hazard potential classification that is used on land in agricultural use as defined in M.G.L. c. 131, § 40; and
- (e) any barrier which is not in excess of six feet in height, regardless of storage capacity, or which has a storage capacity at maximum water storage elevation not in excess of 15 acre feet, regardless of height. The Commissioner shall make such determination by taking into consideration factors such as height, type of structure, condition of structure, volume of the impoundment, extent of development downstream, and other factors deemed appropriate by the Commissioner.

I understand that upon receipt of this letter, your office will begin a review process and respond to me in writing with your determination.

Sincerely,
Your Name
Cranberry Company Name