



The Mountains Voice

...is calling you

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From: **David Hopkins**

Publisher

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DATE: August 11, 2020

TMV Internal Reference Request # 0024

OPEN RECORDS REQUEST (ORR)

Pursuant to Georgia Open Records Law (O.C.G.A. 50-18-70 et seq), I would like to:

Inspect and Copy; Obtain Copies (*select option*) of the following Records:

ORR SECTION 1: REFERENCE & BACKGROUND:

Lake Petit Dam (GA ID# 112-009-00462 / National Inventory Of Dams (NID) ID# GA00685), located in Pickens County Georgia, was completed in 1972. The Permitted & Listed Owner of the Dam is shown as the Big Canoe Corporation, which is the successive Developer of the private community "Big Canoe" in which the Petit Lake Dam is situated. Lake Petit Dam is an Earthen Dam listed as being 126 feet tall, 908 feet long, has a surface area of over 100 acres, and holds the equivalent of 7500 acres/ft of water. Lake Petit Dam is a Class 1 Dam; is listed as a High Hazard Dam; is under an Emergency Action Plan (EAP) requirement.

Under the Rules & Regulations of the State of Georgia, in the Subject 391-3-8 RULES FOR DAM SAFETY, the following legal requirements exist:

(1) Rule 391-3-8-.05(5) requires that "If the ownership changes from one person to another, the new owner shall immediately notify the Director in writing of such transactions."

(2) Rule 391-3-8-.10 details the Inspection and Maintenance Plan Requirements, which include the following:

- a) Quarterly Inspections & Submitted Reports by the Dam Owner.
- b) Inspection by a professional, registered Engineer every 2 years, and submitted reports.

(3) Rule 391-3-8-.11 details the requirements for Emergency Action Plans, which states the following: "Dam Owners of Category I dams shall develop, and submit to the Division for approval, Emergency Action Plans (EAP) using the Division approved format."

ORR SECTION 2: SPECIFIC OPEN RECORDS REQUESTS:

- (1) I request a current copy of any and all documents that list or show the current "Owner" of the Lake Petit Dam.
 - (2) I request a copy of all historically available documents that meet Rule 391-3-8-.05(5) requirements for written notification to the Director of any change of Ownership of the Lake Petit Dam.
 - (3) I request a copy of all documents that show notification of, or effect of owner transfer from the Big Canoe Corporation, or any subsequent Owner, to a new subsequent Owner. In short, I would like complete historical documentation showing Chain of Ownership for the Lake Petit Dam.
 - (4) I request a copy of all documents that show notification or effect of owner transfer to the Big Canoe Property Owners Association, including any documentation that shows said organization as the Dam Owner at any time, past or present.
 - (5) I request a copy of all Quarterly Owner Inspections Reports for Lake Petit Dam, for the past 6 years.
 - (6) I request a copy of all Engineering Inspections Reports for Lake Petit Dam, for the past 6 years, including full documentation.
 - (7) I request a full documentation copy of the current Lake Petit Dam Emergency Action Plan (EAP).
 - (8) I request a full copy of all revisions or versions of the Lake Petit Dam Emergency Action Plan (EAP) made or submitted within the past 6 years.
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If this request is denied in whole or in part, I ask that you cite in writing the specific statutory exemption upon which you have relied, as required by law. I also ask that you release all separate portions of otherwise exempt material. Please waive any costs associated with this request, or first inform me about such costs as required by Georgia law. As you know, the Law requires a response by you within three business days of your receipt of this letter and provides sanctions for non-compliance. I look forward to hearing from you.

Cost estimates should be submitted by email to themtnsvoice@aol.com along with payment remittance instructions, or you may call me at 706-285-7040. Copies of Records are requested to be provided in electronic format. Electronic records responses should be submitted by email to themtnsvoice@aol.com.

If for any reason there is a specific and valid reason why the records cannot be simply forwarded in a cost effective and quick electronic format, preferably in PDF, please inform me of said fact including the time the documents will be ready, and I will make arrangements to either have them picked up, or will provide you with a Mailing Address to where they may be sent depending upon the manner of shipment. Please include separate mailing costs in any cost estimate that may be forthcoming.

Sincerely,

- david hopkins / publisher
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