

RE: Lake Petit Dam- Big Canoe

From: Griffin, David <David.Griffin@dnr.ga.gov>

Tue, Jan 23, 2024 at 6:52 AM EST (GMT-05:00)

To: nora chisano <chisano@icloud.com>

Nora –

My apologies – I thought I responded to your previous e-mail, but apparently I didn't.

I am familiar with the site you have referenced. Note that this site includes a large portion, if not all of, our files. Since I have not created the site, I cannot verify if our entire file is there or not. However, it does appear to include all the major documents. If you would like a separate copy of our files, that can be arranged, but it will take time and there may be a cost involved. Let me know if you would like to pursue that.

So far as enforcement actions, it is at the Division's discretion if we do enforcement on a dam or not. The Safe Dams Act gives this discretion. Generally, enforcement is not done on dams whose owners are working toward compliance. As the owner of this dam has continued to work with us to address issues identified at the dam, we have not issued any enforcement against this dam. That may change in the future, but none has been issued to date. There is no website or log which lists all dams which are in non-compliance. I have attached a spreadsheet which includes enforcement actions which have been taken over the last several years, and which are still active. Note that the current status includes NCL (Letter of Noncompliance), NOV (Notice of Violation), and Executed Order (a Consent Order has been signed.)

So far as the seismic issue, I cannot say that seismic issues will or will not fix themselves over time, or if they have worsened over time. That would be for a geotechnical engineer to determine. I can say that the report which was prepared previously was never accepted or rejected by our office, which is why a new report has been prepared and is currently being reviewed. In general, I believe that there is a low risk to life and property from this dam, even including seismic.

David

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From: nora chisano <chisano@icloud.com>

Sent: Friday, January 19, 2024 10:15 AM

To: Griffin, David <David.Griffin@dnr.ga.gov>

Subject: Lake Petit Dam- Big Canoe

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Good Morning, David-

I have been looking forward to receiving a response to the concerns I raised in this communication. I do not believe I have received a response. If you have responded please resend.

I am very interested in the approach to enforcement actions taken by your agency or any other agency with authority. Is there a website or log that I can access and see what Dams in Georgia are under any non-compliance and is there a website or log where I can see what type of enforcement action has been undertaken? I am equally interested in the seismic problems with the Lake Petit Dam. Would the problems identified previously have cured themselves or gotten better with the passage of time?

I encourage you to send me information which I have not specifically requested but that you believe would assist me in understanding the situation.

I thank you for receiving this request,

Nora Chisano

Chisano@icloud.com

Greetings, David

I thank you for your past responses and look forward to better understanding the current situation with the dam. While I appreciate the attention you have given to my questions, I respectfully accept time constraints. I will make every effort to familiarize myself with the issues, wishing to minimize the need for your attention.

I was, just recently, directed to a website-

**Big Canoe's Lake Petit Dam – A
collection of historical documents**

lakepetitdam.com

I will assume- hopefully correctly, that you are familiar with this site. I have begun reading through the documents listed on the site. From a most preliminary review, it appears that the State of Georgia and the owner of the dam have enjoyed a very comfortable relationship for decades now, all the while- it seems that the dam has violated the laws of Georgia, with the knowledge of the responsible government oversight agency, and has not been held accountable. Your last communication to me caused me to think that this situation with violations may in fact be routine policy. If I read your communication, it seems that there is a subjective measurement governing enforcement. An approach such as that is rife with opportunity for abuse and to permit the owners of Lake Petit Dam to violate the law for decades with no consequence would, in my opinion, validate my concern. Also, it would naturally prompt questions about the adherence to treating all parties equally when the benchmark is "working on it". I hope you will receive my concerns and consider a different approach to assuring compliance with the requirements. I believe a strict adherence to regulations is important- But, I am intimately familiar with the Surfside Condo Collapse in Florida. Everything was good until it wasn't.

I would like to better understand the seismic problem. It seems that this problem is decades old and I understand that your agency is addressing it currently. I do not understand seismic issues. Is it possible or probable that the problem identified decades ago has improved or corrected itself over that period of time? Has the problem worsened over time? Your early communication with me indicated that you believe there is a low risk to life or property. Is that belief considering the seismic situation?

I thank you for being willing to answer my questions.

Regards,

Nora Chisano

Chisano@icloud.com

Sent from my iPad

Attachments

- Enforcement List.pdf