

Thomas C. Jorling
Commissioner

December 4, 1990

MEMORANDUM

TO: Regional Water Engineers, Bureau Directors, Section Chiefs

SUBJECT: Division of Water Technical Operational Guidance Series
(3.1.1)
ICE JAM PROBLEMS
(Originator: James F. Kelley)

I. PURPOSE

To inform Department personnel of the statutory flood control limitation and continue the policy of technical assistance to communities with ice jam problems.

II. DISCUSSION

Annually the Department receives numerous requests for assistance due to flooding problems caused by ice jams. The severity and frequency of ice jam problems is primarily dependent upon below normal winter temperatures.

The Department of Environmental Conservation's statutory authority for flood control is stated as follows:

"The Commissioner of Environmental Conservation is hereby authorized and directed for and in behalf of the State to carry out the State's participation in a Federal program of flood control, to sign all necessary acts in connection therewith to consummate the intent and purpose running with the approval by the Federal Government of flood control projects in New York State and the allotment of monies for such projects, if, as, and when made by the Federal Government."

A Federally-constructed project is defined as a permanently maintained channel improvement, levee, or wall system, constructed on Department lands or easements. Department flood control responsibilities are limited to the confines of a Federally-constructed flood control project. The Department of Environmental Conservation has no statutory authority to take emergency actions for the alleviation of flooding outside the limits of a Federally-constructed flood control project.

III. GUIDANCE

It is the policy of the Department to provide technical assistance, as advise/guidance, to village, town city and county officials or other State agencies upon request by appropriate officials, subject to the availability of staff. Technical assistance specifically does not include: (a) financial aid, (b) loan or rental of Department equipment, or (c) obtaining of easements or rights-of-entry to problem areas.

Response for technical assistance shall conform to the following format:

- A. The Emergency Operations Unit shall coordinate Central Office response.
- B. Regional Director, Region 3 thru 9, shall designate an ice jam coordinator.
- C. Requests for assistance coming to Central Office are referred to appropriate Region.
 1. Region to assign investigator and advise the Emergency Operations Unit.
 2. Investigator makes preliminary assessment. Ensuing information is reported on an ice jam investigation form.
 - a. Type of jam
 - b. Cause of jam
 - c. Damage potential
 3. Investigator discusses possible actions with local officials
 - a. If flooding of residences is imminent, advise local officials to consider evacuation -- THIS IS A LOCAL DECISION!!!!
 - b. Suggest possible methods of breaching, diverting, etc.
 - c. Advise of regulatory requirements.
 4. Report to Regional Director or his designees on assessment actions/decisions -- Region advises the Emergency Operations Unit.
 5. Memo Report to Regional Director or his designee with copy to the Emergency Operations Unit using attached form.

DEC ICE JAM INVESTIGATION

DEC Region _____ Investigator _____

Date Notified _____ Notified by _____

Affiliation _____ Telephone _____

City/Town _____ County _____

Stream Name _____ Date Occurred _____

Type of Jam _____

Point of Stoppage _____

Length of Jam _____

Others Present:	Name	Affiliation	Telephone
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1.	_____	_____	_____
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2.	_____	_____	_____
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Damage Potential _____

Recommendations _____

Recommendations made to:

	Name	Affiliation
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1.	_____	_____
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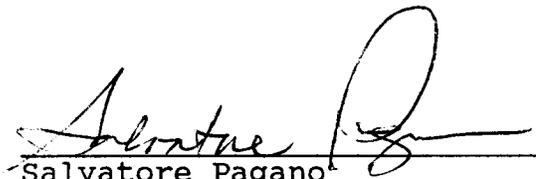
2.	_____	_____
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Action Taken: _____

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- D. Requests for assistance coming to Regional Office
 - 1. Advise the Emergency Operations Unit of request
 - 2. Follow above procedure under C.
- E. The Emergency Operations Unit provides regular status reports to Executive staff, Flood Protection Bureau and other units having need for information and maintains a file on ice jam problems.
- F. The Emergency Operations Unit will act as liaison to the State Emergency Management Office.
- G. The Flood protection Bureau will provide technical advice/guidance to the Emergency Operations Unit as requested.
- H. The Flood Protection Bureau will provide training in ice jam matters as requests.

For emergency activities no permits are required in accordance with Section 15-00501.6 or 15-0505.6, provided that the Regional Permit Administrator is given written notification within 48 hours after commencement of work.



Salvatore Pagano
Director, Division of Water

cc: Dr. Banks
Mr. Campbell
Ms. Chrimes
Mr. Bruening
Regional Engineers for Environmental Quality