EMERGENCY PREPAREDNESS COMMITTEE CHARTER
DEERLAKE VILLAGE COMMUNITY ASSOCIATION

PURPOSE.

The Emergency Preparedness Committee's purpose is as follows:

- To investigate and formulate programs to prevent or to minimize the impact upon Deerlake Village residents' homes and properties from flooding, forest fire, or other natural disasters.
- To comply with Transylvania County and North Carolina State laws and requirements for dam safety.

GOALS.

- To review and update the Emergency Action Plan (EAP) of the Deerlake Village Community annually, as required by City, State, and Federal agencies.
- To develop any further safety programs as necessitated by any new or updated safety programs and guidelines that pertain to the Deerlake Village Community.
- To prepare and submit to the County's Emergency Services Director Emergency Call Lists for all of Deerlake Village and for those who would be affected by flood waters, should the dam break.
- To review and, if needed, update the Emergency Preparedness Committee Charter annually.
- To inform owners and residents of the emergency preparedness activities within the DVCA.
- To provide contact information regarding emergency activities within the community.

MEMBERSHIP.

The Emergency Preparedness Committee must have the President of the Deerlake Village Community Association (DVCA) as the liaison due to the North Carolina State requirement of having a dam owner. The DVCA President must submit an ownership letter to the State of North Carolina Department of Environmental Quality. See **Appendix A** for an example of the letter. The Dam Owner / DVCA President is also the EAP Coordinator.

The Board will appoint a chair and committee members (up to a maximum of 5 total) to represent all areas of the community. The chairperson and members of the EPC are appointed by the Board of Directors to serve (3) three-year terms.

- No member of the Board of Directors shall serve as chairperson of the committee; however, a Board member may serve as a non-voting acting chairperson until another chairperson can be recruited.
- No more than one member of a household shall be a member of the committee.

- Individuals may be reappointed by the Board to serve multiple consecutive or non-consecutive terms on the committee.
- A committee member may choose to resign at any time.
- The committee may invite other residents or owners to volunteer to assist and advise the committee on special projects.

SKILLS REQUIRED FOR CHAIR.

The chairperson must have the following mandatory skills and knowledge:

- Speak, read, and write in American English.
- Understand grammar, punctuation, and spelling for correct construction of the material included in the Emergency Action Plan.
- Use of an editor program for written publications. Most commonly used are Microsoft (MS) Word, Apple Pages, and Adobe Editor. When using MS Word, one should know
    - How to use columns.
    - How to use tables.
    - How to use the review features of "Spelling and Grammar" checking.
    - How to use the review features of "Track Changes".
- Use of email. Most commonly used is MS Outlook followed by Google Mail.
- Use of processes to convert any information generated to a portable document format (PDF). The simple method is to perform a "Print to PDF" function within your editing program.
- Use the Transylvania County Basic Property Search to update table 5.1 of the EAP for changes of ownership within the inundation areas. This is located here: Basic Search
- Understand the responsibility of conducting table top exercises for validation of the EAP.

Recommended skills for the chairperson include:

- Ability to generate templates within the editor program.
- Ability to use or generate graphics.
- Ability to generate "signatures" within email programs for a consistent message for each type of communication to targeted recipients.

SKILLS REQUIRED FOR MEMBERS.

The members' skills required for emergency preparedness are:

- Speak, read, and write in American English.
- Understand grammar, punctuation, and spelling for correct construction of the material included in each monthly edition.
- Use of an editor program for written publications. Most commonly used are Microsoft (MS) Word, Apple Pages, and Adobe Editor. When using MS Word, one should know

  - How to use the review features of "Spelling and Grammar" checking.
  - How to use the review features of "Track Changes".

RESPONSIBILITIES.

- Maintain the required documentation for the dam. The dam is designated as ***TRANS-007 Deer Lake Dam***. TRANS stands for Transylvania County and 007 designates that is the 7th dam under the county's purview.
- Maintain contact with the designated professional engineer for our dam for updates to the inundation zones and affiliated maps. Our Engineer is John Garner, Garner Engineering, 20 Glenn Willow Dr, Suite 11, Arden, NC 28704-1299. His website is Dam Engineering in North Carolina | Garner Engineering. His email is john@garner-eng.com. His telephone number is 828.628.8943 and his 24-hour emergency contact number is 828.337.5716.
- Follow the guidance of the State of North Carolina Department of Environmental Quality (DEQ) guidance and use the DEQ's Emergency Action Plan (EAP) template. The DEQ EAP template is provided at the following site: Planning for a Dam Emergency | NC DEQ
- Review and update the template's contents based on the changes to State of North Carolina guidance provided on the Department of Environmental Quality website: Planning for a Dam Emergency | NC DEQ
- Review and update all contact information within the EAP.
- Perform activities described in the Appendix D of the EAP.
- Complete the updating of the EAP within the month of February of each calendar year. Once the update is complete, the Dam Owner will accomplish:
  - Complete the annual application to be submitted by the Dam Owner. See Appendix B of this charter for a recent application.
  - Submit a PDF version of the EAP to each entity in the distribution per the EAP's Appendix F.
  - Submit a physical printed copy of the EAP to each entity in the distribution per the EAP's Appendix F. Hand deliver locally and mail to NC DEQ and our engineer.
- Announce the annual desk top exercise via the Deerlake Diary / Newsletter. This exercise will be on a Saturday not later than six months after approval of the EAP by the State of North Carolina.
- Conduct a desk top review and exercise of the EAP. Generate meeting minutes as a record of meeting the State of North Carolina's requirements.
- Request NC DEQ dam inspection results from the Lake Management Committee.
- Review and update the Deerlake Village webpage addressing emergency.
- Generate a redacted EAP for posting on the Deerlake Village website. The emails and phone numbers of DVCA persons (not deerlakevillage.org emails) will be redacted throughout the EAP.

MEETINGS.

- Frequency of formal meetings. There must be an annual meeting to conduct the desk top exercise and review of the Emergency Action Plan. It must be done within 6 months of the approval of the EAP by the State of North Carolina.
- Informal communications and coordination.
    - From the election of the President of the DVCA Board of Directors to the submission of the update EAP, the EPC chairperson and the President with meet electronically to complete the following: 1) New Dam Owner Letter and Application; 2) EAP Updating and Application; and 3) Generation and distribution of the electronic PDF and printed version of the EAP.
    - Communications are conducted via email and sometimes via telephonic conversations. The schedule above indicated the communications dates and activities.

RECORDS KEEPING.

- Meeting Minutes: There must be an annual meeting to conduct the desk top exercise and review of the Emergency Action Plan. It must be done within 6 months of the approval of the EAP by the State of North Carolina. The minutes will be distributed to the Secretary of the DVCA Board of Directors secretary@deerlakevillage.org, to the EPC members, to the Lake Management Committee chairperson, and to the dam owner.
- PDF Version of the EAP: PDF versions are to be distributed per Appendix F of the EAP and to the Dam Owner, EPC members, the Lake Management Committee chairperson, and to the Secretary of the DVCA Board of Directors.
- UPS Printing Receipts: The EPC chairperson will ensure to obtain a receipt for printing the Emergency Action Plans from the UPS store. DVCA has an account and upon picking up the prints the editor will inform UPS to charge the cost to the DVCA account. The EPC chairperson will scan or photograph the receipt and send it via email to treasurer@deerlakevillage.org as soon as possible. Once sent, the receipt may be discarded.
- Applications: The Dam Owner shall email the application to NC DEQ and courtesy copy the EPC chairperson. The EPC chairperson shall retain an electronic copy of each application submitted.
- Dam Owner Letters: The Dam Owner shall email the Dam Ownership letter to NC DEQ and courtesy copy the EPC chairperson. The EPC chairperson shall retain an electronic copy of each Dam Ownership letter submitted.
- Dam Inspection Results: The EPC chairperson shall email the Lake Management Committee chairperson to obtain the annual dam inspection results from the NC DEQ. The EPC chairperson shall retain an electronic copy of annual dam inspection results.

ANNUAL BUDGET.

- Expenses for the printing of the Emergency Action Plan will be charged to Account 1100, Administrative Supplies & Postage.
- No formal budget is required. Budget for the upcoming year should be developed by summing the printing costs of the previous year and adding a management reserve of 10%.
- The informal budget will be sent to the president, the treasurer, and the EPC members.

INTERFACE WITH OTHER COMMITTEES.

The EPC will communicate with:

- the DVCA Board of Directors officer as mentioned in this charter.
- the Newsletter committee for publication of EPC activities and messages.
- the Lake Management Committee to obtain NC DEQ dam inspection results.
- the Deerlake Village webmaster for posting of the emergency information and the redacted EAP.

REVIEW OF CHARTER.

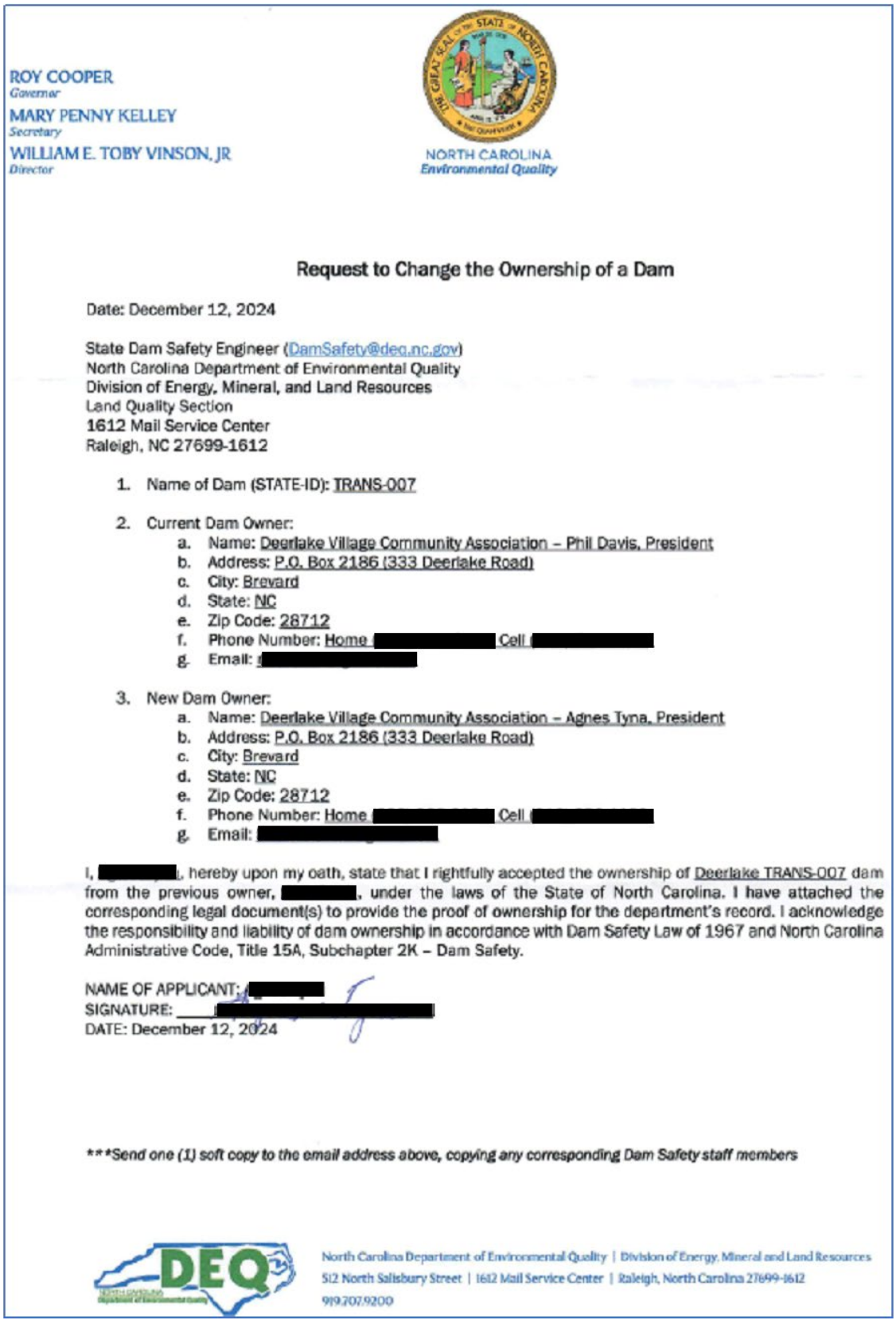
Review this charter not later than June 30th of the calendar year. Ensure it is compared to any governing documents, Bylaws, policies, North Carolina Law, and rules.

- Once the update is approved, share a copy with all committee members, board liaison, and the DVCA webmaster.
- This charter is to be posted on Governance - Deerlake Village webpage at the bottom with all the other charters.

APPROVAL.

The Emergency Preparedness Committee Charter was approved by the DVCA Board of Directors on the 14th day of May 2026.

APPENDIX A: Sample Request to Change Ownership of a Dam



ROY COOPER
Governor
MARY PENNY KELLEY
Secretary
WILLIAM E. TOBY VINSON, JR
Director

NORTH CAROLINA
Environmental Quality

Request to Change the Ownership of a Dam

Date: December 12, 2024

State Dam Safety Engineer (DamSafety@deq.nc.gov)
North Carolina Department of Environmental Quality
Division of Energy, Mineral, and Land Resources
Land Quality Section
1612 Mail Service Center
Raleigh, NC 27699-1612

1. Name of Dam (STATE-ID): TRANS-007
2. Current Dam Owner:
   a. Name: Deerlake Village Community Association – Phil Davis, President
   b. Address: P.O. Box 2186 (333 Deerlake Road)
   c. City: Brevard
   d. State: NC
   e. Zip Code: 28712
   f. Phone Number: Home [redacted] Cell [redacted]
   g. Email: [redacted]
3. New Dam Owner:
   a. Name: Deerlake Village Community Association – Agnes Tyna, President
   b. Address: P.O. Box 2186 (333 Deerlake Road)
   c. City: Brevard
   d. State: NC
   e. Zip Code: 28712
   f. Phone Number: Home [redacted] Cell [redacted]
   g. Email: [redacted]

I, [redacted], hereby upon my oath, state that I rightfully accepted the ownership of Deerlake TRANS-007 dam from the previous owner, [redacted], under the laws of the State of North Carolina. I have attached the corresponding legal document(s) to provide the proof of ownership for the department's record. I acknowledge the responsibility and liability of dam ownership in accordance with Dam Safety Law of 1967 and North Carolina Administrative Code, Title 15A, Subchapter 2K – Dam Safety.

NAME OF APPLICANT: [redacted]
SIGNATURE: [redacted]
DATE: December 12, 2024

****Send one (1) soft copy to the email address above, copying any corresponding Dam Safety staff members*

DEQ

North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
512 North Salisbury Street | 1612 Mail Service Center | Raleigh, North Carolina 27699-1612
919.707.9200

APPENDIX B: Dam Safety Program – Dam Application

APPLICATION PROCESS

NOTE: All applications must include a Dam Safety Application Form. This form should be completed to the best of your knowledge and ability. Applications that do not include this form will be considered incomplete and will be rejected. Fees are required for certain submissions, please view our Fees Page for more information. Applications that require a fee will only be considered completed, and accepted for review once the fee is received. If a fee is required, but not received, the application will be considered incomplete. To send your fee, please submit a check following the mailing instructions below:

via USPS:
Dam Safety Program
1612 Mail Service Center
Raleigh
NC 27699-1612

via courier:
Dam Safety Program
Archdale Building, Fifth Floor
512 North Salisbury Street
Raleigh
NC 27604

Plans/submissions should not be emailed or mailed directly to our internal engineering staff. Please send to the attention of Dam Safety and it will be marked with the received date corresponding to when the electronic copy is received.

Applicants must send one electronic copy to our Central Office using one of the following processes:

- Email it to our Dam Safety account: damsafety@deq.nc.gov. The subject line must include the dam name, State ID number, and type of application.
- Load it on a drive and mail it to the correct address based on your preferred method (see above).
- Upload files on Secure File Transfer Protocol (SFTP) site and send the link, login, and password to damsafety@deq.nc.gov. Login information and passwords should be sent in two separate emails. Per North Carolina Department of Information Technology, DropBox does not meet SFTP requirements.

The applicant must also send one hard copy of any engineering plans/drawings, along with a transmittal sheet stating the dam name, State ID number, and type of application, to the appropriate Regional Office based on the dam's location. Regional Offices cover different counties, check the Contact DEMLR Page for the address of the appropriate Regional Office based on the county your dam is located in.

- Hard copies are required to be sent to the appropriate Regional Office for engineering plans/drawings only.
  - Hard copies are not required for Emergency Actions Plans, Jurisdictional Determinations/Hazard Classifications, Operations and Maintenance Manuals, Extensions, Change of Engineer, Change of Owner, or other supporting documentation (e.g., design reports, calculation packages, etc.) submitted alongside engineering plans.
- Hard copies are not required to be submitted to the Central Office.

Failure to complete this process will result in an incomplete application. Incomplete applications will be returned to the engineer/owner for corrections and will require re-submission of all documents as a "new" submission. If a hard copy is accidentally sent to the incorrect Regional Office, it is the responsibility of the "sender" to either retrieve the documents or prepare a new copy and send them to the correct Regional Office.

North Carolina Department of Environmental Quality
Division of Energy, Mineral, and Land Resources

Dam Safety Program

APPLICATION FOR REVIEW BY NORTH CAROLINA DAM SAFETY

NOTE: All applications are reviewed on a first come, first served basis. Expedited reviews may be made on a case-by-case basis based on exceptional need. You can view your position in the queue by accessing the "NC Dam Applications Review Queue" located here. Modifications, repairs, decommission/removal/breach, and new construction are considered "Engineering Plans" and should be combined into a single group for the purposes of assessing your position in the queue. All other types of applications have separate queues.

Applications should be made in general accordance with the *Dam Safety Law of 1967* and the *North Carolina Administrative Code (NCAC) Title 15A, Subchapter 2K - Dam Safety*.

Applications need only contain supporting documentation, e.g. calculation packages, technical specifications, etc., pertinent to scope of work being proposed. For example, plans to repair only a slough need slope stability calculations, but no hydrology and hydraulics (H&H) calculations. Should the reviewing engineer identify potential deficiencies with the dam, beyond those addressed in this application, they may request additional supporting material to address those deficiencies on a case-by-case basis. Approval to conduct the work proposed herein may be conditional upon submitting a plan to address additional deficiencies as identified by the reviewing engineer.

Dam Name: Deer Lake Dam **State ID:** TRANS-007

Application type (check as applicable):

Application Fee Required

- ☐ Modification/Repair
- ☐ Decommission/Removal/Breach
- ☐ New Construction
- ☐ As-Built

Have you mailed your applicable fee following the APPLICATION PROCESS instructions?

- ☐ Yes
- ☐ No

Per § 143-215.28(A1)(1), your application will be considered incomplete until your fee is received. Incomplete applications are not added to the application review queue.

No Application Fee Required

- ☐ Jurisdictional Determination/Hazard Classification
- ☑ Emergency Action Plan (EAP)
- ☐ Operations & Maintenance Plan (O&M)
- ☐ Change of Engineer of Record
- ☐ Change of Dam Owner
- ☐ Extension Request
- ☐ Withdrawal Request

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APPLICATION FEES

A nonrefundable application processing and compliance fee in the amount of two and one-quarter percent (2.25%) of the **actual** cost of construction, repair, alteration, breach, or removal of the applicable dam shall be paid for the processing of applications for approvals to construct a new dam or modify, repair, decommission, remove, breach an existing dam as follows:

1. An initial fee of five hundred dollars ($500.00) or one-half of the processing and compliance fee based on the engineer's **estimated** cost of construction, whichever amount is greater, shall be submitted with the application.

2. The remainder of the processing and compliance fee based on the engineer's **actual** cost of construction (minus the initial fee paid), shall be paid when the as-built plans are submitted. The maximum fee shall not exceed fifty thousand dollars ($50,000).

For purposes of determining the actual cost of construction, the cost shall (i) include all labor and materials costs associated with the project for the applicable dam and (ii) not include the costs associated with acquisition of land or right-of-way, design, quality control, electrical generating machinery, or constructing a roadway across the dam.

Fee type:

☐ **Initial Fee**

(A) **Estimated** Construction Cost: $

(B) **Estimated** Total Fee: $
(2.25% of A)

(C) Initial Fee: $
(greater of 50% of B, or $500)

☐ **Final Fee (as-builts only)**

(A) **Actual** Construction Cost: $

(B) **Actual** Total Fee: $
(2.25% of A)

(C) Initial Fee Paid: $

(D) Final Fee: $
(B minus C)

NOTE: Additional information regarding application fees can be found in § 143-215.28A1 "Application fees". Final Approval to Impound or Breach will not be granted without the submission of a complete as-built package, which includes the final fee.

15A NCAC 02K .0203 – PROFESSIONAL ENGINEER REQUIREMENTS

15A NCAC 02K .0203 – The design, preparation of the plans and specifications, inspection of the construction of or on the dam, and certification that the dam was constructed, repaired, altered, or removed according to the plans approved by the Director and that the dam or its remains are safe shall be done by a legally qualified engineer and shall bear their professional seal unless exempted under the provisions of G.S. 89C-25.

Change of Engineer of Record, Change of Dam Owner, and Extension Requests are not required to be prepared by a registered professional engineer licensed to practice in the State of North Carolina (NC PE). Jurisdictional Determination/Hazard Classification requests are not required to be prepared by an NC PE, if prepared by the Dam Owner. In addition, per § 143-215.31.(2)d., a downstream inundation map prepared for an Emergency Action Plan does not require preparation by an NC PE or a person under the responsible charge of an NC PE unless the dam is associated with a coal combustion residuals surface impoundment, as defined by G.S. 130A-309.201. All other types of applications must be prepared by a NC PE and shall bear their professional seal.

Check as applicable:

- ☒ My application ***is not*** required to be prepared by a registered professional engineer licensed to practice in the State of North Carolina
- ☐ My application ***is*** required to be prepared by a registered professional engineer licensed to practice in the State of North Carolina. See signed statement below.

ENGINEER'S STATEMENT

I am a registered Professional Engineer licensed to practice in the State of North Carolina. I am qualified in the technical fields pertinent to the scope of work proposed herein. This application was prepared by me, or under my supervision. The information submitted as part of this application is, to the best of my knowledge and belief, true, accurate, and complete.

Date: _____ **Firm:** _____

Name: _____ **Phone Number:** _____

Email Address: _____

Affix Seal: **Mailing Address:** _____

North Carolina Department of Environmental Quality
Division of Energy, Mineral, and Land Resources

Dam Safety Program

OWNER INFORMATION

Owners Full Name: Deerlake Village Community Association

Address: PO Box 2186 (Street or PO Box) | Brevard (City) | NC (State) | 28712 (Zip Code)

Phone Number: [redacted] **Email Address:** president@deerlakevillage.org

Owners Full Name:

Address: (Street or PO Box) (City) (State) (Zip Code)

Phone Number: **Email Address:**

Owners Full Name:

Address: (Street or PO Box) (City) (State) (Zip Code)

Phone Number: **Email Address:**

Owners Full Name:

Address: (Street or PO Box) (City) (State) (Zip Code)

Phone Number: **Email Address:**

NOTE: If there are additional owners, use the additional information sheet to provide the required contact information.

North Carolina Department of Environmental Quality
Division of Energy, Mineral, and Land Resources

Dam Safety Program

DAM INFORMATION

Dam Name: Deer Lake Dam **State ID:** TRANS-007

Current hazard classification (check one):

☑ High (Class C) ☐ Intermediate (Class B) ☐ Low (Class A)

Size classification (check one) – refer to 15A NCAC 02K .0205:

☑ Small ☐ Medium ☐ Large ☐ Very Large

Location Information

Latitude (yy.yyyy): 35.2509 **Longitude (-xx.xxxx):** -82.7289

Physical Dam Information

Type of Dam: earth
Concrete, earth fill, rockfill, masonry, zoned, homogeneous, gravity, arch, etc.

Structural Height (ft): 30.5
from the highest point on the top of dam to the lowest point on the downstream toe of the dam

Crest Elevation (ft NAVD88): 2187.54

Crest Length (ft): 440 **Crest Width (ft):** 12

Upstream Slope: 2 H : 1 V **Bottom Drain (Y/N):** yes

Downstream Slope: 2.5 H : 1 V **Date Bottom Drain Last Exercised:** Sep 2024

Year of Construction: 1922

Impoundment Information

Drainage Area (ac): 247

Normal Pool Elevation (ft NAVD88): 2181.14 **Maximum Pool Elevation (ft NAVD88):** 2186

Surface Area at Normal Pool (ac-ft): 36 **Surface Area at Maximum Pool (ac-ft):**

Impounding Capacity at Normal Pool (ac-ft): **Impounding Capacity at Maximum Pool (ac-ft):** 69

Maximum Impounding Capacity at Crest of Dam (ac-ft):

Freeboard at Normal Pool (ft): 6.5 **Freeboard at Maximum Pool (ft):** 5

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North Carolina Department of Environmental Quality
Division of Energy, Mineral, and Land Resources

Dam Safety Program

Spillway Information

	Principal Spillway	Auxiliary/Emergency Spillway (if applicable)
Spillway Type:	chute & flume	open channel, road
Construction Material:	concrete, stainless	vegetated, asphalt
Length (ft):	150	
Width (ft):	3	
Inlet Invert Elevation (ft NAVD88):	2181.14	
Outlet Invert Elevation (ft NAVD88):		
Flow Capacity (cfs):	540	

NOTE: If there are additional spillways, use the additional information sheet to provide the required information.

PROJECT DESCRIPTION

Provide a brief description of your proposed project.

February 2024 Revision No. 2 Emergency Action Plan revised to update change of ownership from [redacted] to [redacted] and to update Table 5.1 - Residents / Businesses / Roads / Infrastructure at Risk with new owners and contact information. (Now Revision 3 February 2025)

ADDITIONAL INFORMATION