

**POL 5103**

**WATER RESOURCES PROGRAM POLICY**

Resource Contact: Dam Safety Office

Effective Date: 07-01-91

References: RCW 43.21A.064

Revised: 07-01-1999

RCW 86.16.035

RCW 93.03.350

Chapter 173-175 WAC

**APPLICABILITY OF POLICIES TO DAMS WHICH ARE FEDERALLY OWNED**

**POLICY STATEMENT:**

Functions of the Dam Safety office related to engineering review and approval of construction plans and specifications, construction inspection and periodic inspection will not generally be applied to dams that are, or will be, owned by an agency of the Federal government, provided that agency has oversight on operation and maintenance and has an adequate dam safety program for periodic inspection and repair of completed projects. Federally owned dams not meeting the above criteria are subject to state statutes, rules and these policies.

The DSO will continue to be the state repository for pertinent plans, reports, and other documents related to safety of the federal dams. In addition, the DSO will coordinate with the Bureau of Reclamation and the Corps of Engineers dam safety programs, and may accompany and assist them on inspections when invited. Finally, the DSO will provide technical expertise and assistance to the State Emergency Management Division in the event of an emergency at a Federally owned dam.

**DISCUSSION:**

This is a direct implementation of WAC 173-175-020(3). Exemption under this policy is intended to apply primarily to dams owned and operated by the U.S. Army Corps of Engineers and Bureau of Reclamation. Both agencies have full time engineering staff responsible for dam safety activities.

There are a number of Federal agencies which own dams and which have minimal or no dam safety program. The DSO will continue to apply state statutes, rules and policies to these projects. This approach places a priority on providing public safety regardless of issues related to state/federal jurisdiction.

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**Special Note:** These policies and procedures are used to guide and ensure consistency among water resources program staff in the administration of laws and regulations. These policies and procedures are not formal administrative regulations that have been adopted through a rule-making process. In some cases, the policies may not reflect subsequent changes in statutory law or judicial findings, but they are indicative of the department's practices and interpretations of laws and regulations at the time they are adopted. If you have any questions regarding a policy or procedure, please contact the department.