

**POL 5105**

**WATER RESOURCES PROGRAM POLICY**

Resource Contact: Dam Safety Office

Effective Date: 06-01-93

References: RCW 43.21A.064

Revised: 07-01-1999

RCW 86.16.035

RCW 90.03.350

Chapter 173-175 WAC

**EXEMPTION OF DAMS WHICH ARE 6 FEET OR LESS IN HEIGHT**

**POLICY STATEMENT:**

Dams which impound more than 10 acre-feet, but are 6 feet or less in height, as measured from the downstream toe to the dam crest, may be exempted from these policies and from regulation under Chapter 173-175 WAC, by the DSO. An exemption may be granted by the DSO for a dam whose failure is not judged to pose a risk to human life and minimal property damage would be expected (Downstream Hazard Class 3). Further, it must be judged by the DSO that there is essentially no reasonable chance that future development will alter the downstream hazard setting.

**DISCUSSION:**

Dams 6 feet or smaller in height rarely pose a significant threat to life or property in the event of a failure. A dam may be exempted where it is reasonable to expect that either there is no reasonable chance for future downstream development, or the topographic setting is such that there will be essentially no chance for loss of life. Consideration of future development is important in order to avoid the situation where a dam is exempted today and then later the exemption must be rescinded due to downstream development.

The 6 feet threshold is consistent with federal guidelines and many other state dam safety programs.

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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.