

Dam Safety

Proposed Rule to Increase Fees

Department of Ecology

Water Resources Program- Dam Safety Office

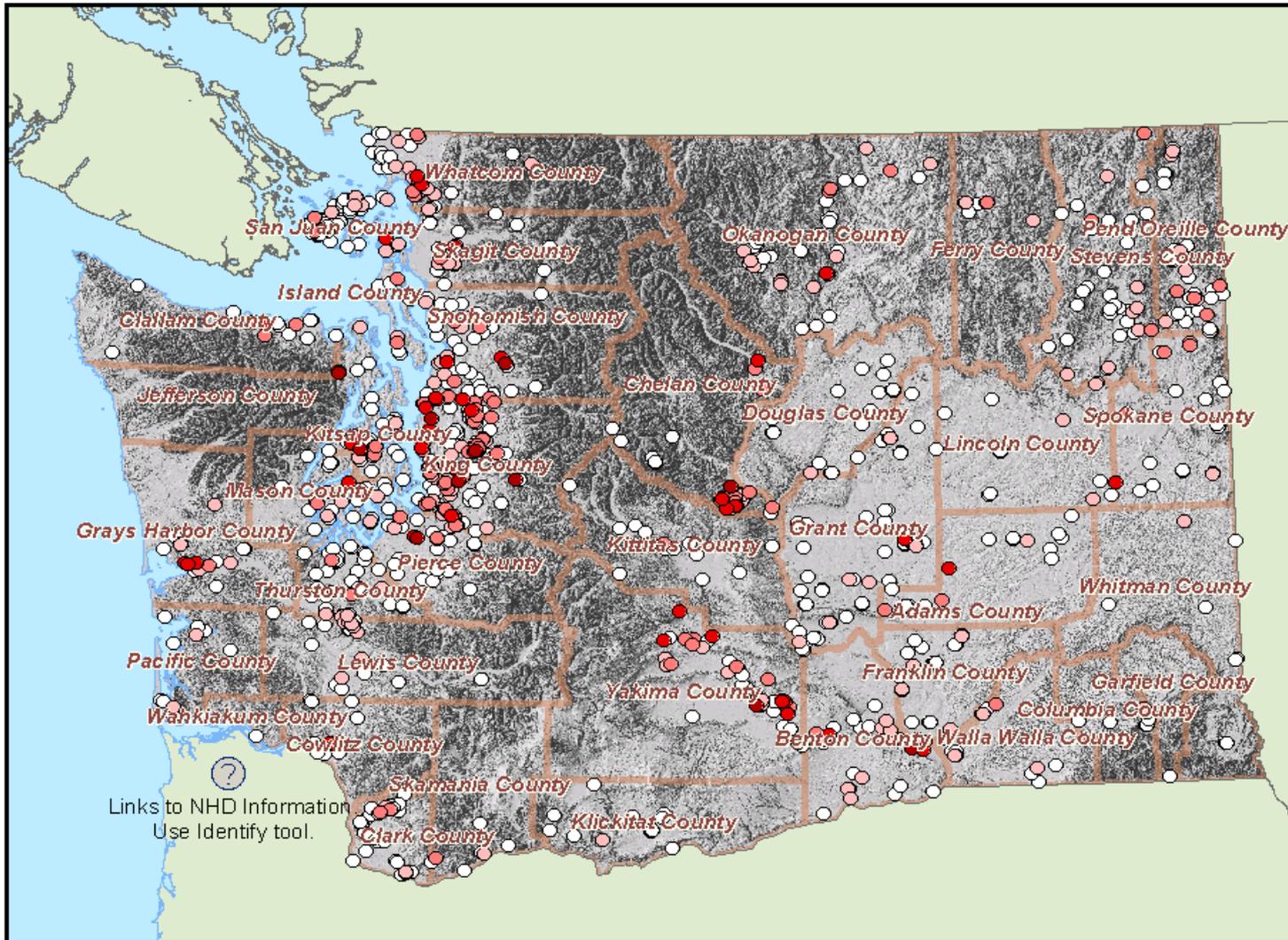
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Fee Presentation

- I. Dams in Washington State
- II. Dam Safety Office & Services
- III. Fee Proposal
- IV. Questions

Dams in Washington State



Dams in Washington State

By state statute, a dam is defined as any impounding barrier that can store 10 acre-feet or more of water

- Steady increase in number of dams
- Recent count is 1,046 “jurisdictional” dams
 - Impounding barrier storing ≥ 10 acre feet
 - Not-FERC (federal regulated, inspected)

Dams in Washington State- Drinking Water Supply



Masonry Dam, Cedar River, King County

Dams in Washington State - Irrigation



Broetje Block 96 Frost Control Pond , Walla Walla

Dams in Washington State – Waste Treatment



Addy Sewage Lagoon , Stevens County

Dams in Washington State – Mine Tailings



Asamera Mine Tailings Dam, Wenatchee

Dams in Washington State – Recreation / Irrigation



Beehive Reservoir Main Dam, Mission Ridge, Chelan County

Dams Classifications

- *High hazard*: a dam that has 3 or more homes downstream that would be inundated in a dam failure (174 dams)
- *Significant hazard*: a dam that has 1 or 2 homes downstream, or that a dam failure would cause severe property damage or environmental degradation (206 dams)
- *Low hazard* means no homes downstream (666 dams)

Dam Safety Office

- Part of Department of Ecology, Water Resources Program
- Mission
 - Protect human life, safety, & property from dam failures
 - Assure proper dam construction, operations, & maintenance

Dam Safety Office - Services

- Owner of dam has duty to build, maintain, & operate dam to safe standard.
- Dam Safety Office has duty to provide services & regulate to help assure dam safety.
- Compliance with dam safety law & rules reduces risk of failure & provides defensible standard of stewardship in event of claims & liability issue.

Dam Safety Office - Services

Periodic Inspection Services

- Existing significant & high hazard dams
- 5 Year Cycle -- mostly
- Low Hazard Dams -- no periodic inspection or fees

Construction Services

- Permit process, project planning, & dam design
- Approval & construction guidance
- Construction inspections & declaration of completion

Dam Safety Office - Services

Compliance

Emergency Services

- Preparation & response to floods, earthquakes, accidents, terrorism
- Planning
- Working arrangements with local, state, & federal agencies

Coordination / Other

- Local, state, federal, & Canada
- Special inspections , complaints, unpermitted Dams
- Special projects, studies (e.g. storage, Chehalis flooding)

Dam Safety Office - Services

Staffing

- 7 Engineers
 - 3 Geotechnical with seismic expertise
 - 2 Hydrologic
 - 1 Structural
 - 1 Dam Safety
- 1 Environmental Specialist
- 1 Secretary
- 1 Section Manager (shared)

~ 9.5 Staff Total

Why Fee Increase?

Fee rule triggered by 2011 Operating Budget Legislation

SECOND ENGROSSED SUBSTITUTE HOUSE BILL 1087

Chapter 50, Laws of 2011 2011 1st Special Session

2011-2013 OPERATING BUDGET

- (2) Pursuant to RCW 43.135.055, the department is authorized to increase the following fees as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Wastewater discharge permit, not more than 4.34 percent in fiscal year 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not more than 10 percent during the biennium; and air contaminate source registration fee, not more than 36 percent during the biennium; **and dam safety and inspection fees, not more than 35 percent in fiscal year 2012 and 4.62 percent in fiscal year 2013.**

Fee Increase Proposal

- **Periodic Inspection**
 - Begin with Fiscal Year 2013 (July 2012 billing)
 - Combine authorized FY 2012 increase (35%) with FY 2013 increase (4.62%)
- Begin **Construction, Plan Review**, related fees effective as projects come in after rule adoption
 - 35% increase for projects coming in remainder of FY 2012 (through June 2012)
 - Additional 4.62% increase FY 2013 (starting July 2012)
- Remove provision for annual fiscal growth factor increase
- No non-fee technical or substantive changes

Fee Increase – Periodic Inspections

Hazard Class	Current Annual	Proposed 35% & 4.62%
High 3+ Homes Downstream	\$856	\$1,208
Significant 1-2 Homes Downstream	\$625	\$881
Low No Homes Downstream	\$0	\$0

Fee Exceptions

By Law RCW 90.03.470

- No periodic inspections or fees for low hazard dams
- No fees charged for inspections of significant & high hazard dams for the first 10 years after review & construction
- High hazard dams pay lower inspection fee for 10 to 20 years after construction
 - Equal to significant hazard dam inspection fee

Fee Increase - New Construction & Related Inspections

Size Based Examples – Height & Length

Size	Current	35% Increase FY 2012	4.62% Increase FY 2013
Small <15 Feet High, Assume 14 feet high, 800 feet long (Circle Fruit Koehn Ranch Reservoir)	\$8,511	\$11,490	\$12,021
Intermediate >15 < 50 Feet High Assume 26 feet high, 2200 feet long (SVID MP 37.1 Regulation Reservoir)	\$19,255	\$25,994	\$27,195
Large >50 Feet High Assume 60 feet high, 500 feet long, (Pend Oreille Mine, NE Tailings Dam).	\$34,638	\$46,761	\$48,922

Revenue Increase Estimates - Annual

Actual Revenue Will Vary by Number of Dams, Size , Class Mix & Construction Activity

Size	Current Rule	Proposed Rule 35% & 4.62 % Increase
Periodic Inspections	\$179,272	\$253,198
Construction, Plan Review, & Related	\$84,938	\$119,960
Total	\$264,210	\$373,158
Additional Estimated Annual Revenue: \$108,948 (\$373,158 - \$264,210)		
Revenue as % of DSO Cost: Current Fees \$264,210 / \$1,451,368 FY12 Cost = 18% Proposed Fee \$373,158 / \$1,451,368 = 25.7%		

Where Do Dam Safety Fees Revenues Go?

- 80% into State General Revenue Fund
(RCW 90.03.470)
- 20% into Water Rights Tracking System Account
(RCW 90.14.240)

Rule Development Schedule

Intent to Proceed (CR-101)	August 2011
Draft Rule Language (CR-102)	October
Public Notice	November 3
Hearings	December 7 & 8
Rule Comments Due	December 16
Rule Adoption (CR-103)	After December 23
Effective Date	31 days later

Submit Comments by: 5:00 PM December 16, 2011

- *By mail (postmarked by date above):*
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