

## Brandon Loucks

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**From:** Marsh, Madeline (ECY) <mmsh461@ECY.WA.GOV>  
**Sent:** Thursday, October 9, 2025 1:24 PM  
**To:** Brandon Loucks  
**Cc:** Long, Samantha (ECY); Lee, Harrison (ECY)  
**Subject:** RE: Reservoir and Dam permit s

Hi Brandon,

Thanks for your patience as I dug into your question. Here's how to judge if a berm may fall under our jurisdiction:

- We judge if a dam falls under our jurisdiction only by the volume of the water retained by the dam, not dam height. 10 acre-feet is the rule.
  - See RCW 90.03.350
- The volume we consider is only that which can be stored above natural ground level or which could be released by a failure of the dam.
  - See WAC 173-175-20
- Dams 6 ft or less in height that meet or exceed the volume threshold can be exempted from our jurisdiction at the discretion of Ecology. This is examined on a case-by-case basis.
  - See WAC 173-175-20(2)

Let me know if you have any additional questions on the matter.

Take care,

### Madeline Marsh

Dam Safety Engineer, Water Resources  
WA State Department of Ecology  
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