

MORE INFORMATION ON DOWNSTREAM HAZARD CLASSIFICATIONS

The owner of a dam first needs to make an estimate of the impoundment capacity at the maximum normal operating pool, which is usually to the crest of the principal or emergency spillway. If the impoundment capacity is 50 acre-feet or more, the owner must apply to the Department of Natural Resources and Conservation for hazard classification.

The determination of hazard involves an evaluation of the area downstream from the dam that would be flooded if the dam fails. If the flood would be likely to cause a loss of life, the dam or reservoir is classified as a high-hazard structure. The hazard classification is based on the potential loss of life downstream and **is not an assessment of the safety of the structure.**

To apply for a dam hazard classification, the owner should write or call any DNRC office and request an application form. A hazard classification will be made within 60 days after a complete application is received by the department. If it is determined that the dam is a high-hazard dam, a construction permit is necessary before construction. You will also need a dam safety operation permit before storing water.

It's a benefit to you to have the dam permitted. According to Montana's Dam Safety Law, once a high-hazard dam is permitted, the dam owner is not--in the absence of negligence--liable for damages resulting from flows of water from the dam or reservoir that exceed the 100-year floodplain. This provision reduces the risk of liability of the owner of a high-hazard dam.