



Overview of the Water Resources Management Program Rule for the Quilcene-Snow Watershed (WAC 173-517)

Note: This document summarizes the water management rule adopted on November 30, 2009. The rule takes effect on December 31, 2009. The rule only affects water right decisions made after the effective date. It does not affect people with existing water rights.

Introduction

The Quilcene-Snow watershed, Water Resource Inventory Area (WRIA) 17, is located in northwest Washington State and comprises most of eastern Jefferson County, and a portion of Clallam County. This rule covers a portion of WRIA 17, mainly in Jefferson County.

The watershed is home to several important fish species including four listed under the Endangered Species Act: summer chum and Chinook salmon, steelhead, and bull trout.

Low stream flows in the late summer and early fall are longstanding problems, identified as early as the 1940s by the Washington State Department of Fisheries. The Quilcene-Snow watershed is facing increasing water demand for new residents and there is a strong community interest in increasing local agriculture.



Elements of the rule

For management purposes, the rule breaks the watershed into 22 subbasins. Groups of subbasins with similar water conditions are managed together. The three major groupings are reserve areas, the Chimacum subbasin and coastal management areas.

The rule includes five key elements:

- Setting instream flows on 13 streams in 11 subbasins.
- Closing or seasonally closing the same subbasins to future withdrawals.
- Reserves of water for future use in these subbasins.
- Conservation standard for access to the water reserves.
- Metering of all new withdrawals throughout the area covered by the rule.

Instream flows

Stream flows are the amount of water flowing in a stream or river. "Instream flows" are stream flows protected in a rule. They are the flow levels needed in the river to protect and preserve instream resources and uses, including wildlife, fish, recreation, navigation, aesthetics, water quality and livestock watering.

An instream flow rule establishes a water right for the stream and is, in essence, a water right for fish and other instream resources. The rule specifies the amount of water needed in a particular place for a defined time, and typically follows seasonal variations.

The rule sets instream flows for the Big Quilcene and Little Quilcene Rivers, and Chimacum, Salmon, Snow, Tarboo, Thorndyke, Donovan, Howe, Leland, Ludlow, Piddling, and Spencer Creeks.

Closures

“Closure” refers to closing a specified water body to new uses. Closures protect areas where instream flow levels are not met, as well as existing water users.

Because of low flows, the rule closes surface and groundwater sources in most of the major stream subbasins to future withdrawals.

Since this means that most requests for new water uses would be denied, the rule includes exceptions to the closures, including reserved water (see “Reserves of water for future use”) and temporary use for environmental projects. The rule also allows seasonal (interruptible) uses, which are limited amounts of water for use during high flow periods, from the bigger rivers that can support these withdrawals. Seasonal uses are only allowed from the following rivers and times:

- Big Quilcene River from November 16 to June 15
- Chimacum Creek from December 1 to February 29

Reserves of water for future use

A reserve, or reservation, of water is a one-time, finite amount of water set aside for specific future uses. Reserves usually have conditions of use required to access them.

The rule creates reserves of water intended to provide enough water to meet local growth projections. The specific amounts were determined by careful data review and negotiations between technical staff from the state Departments of Ecology and Fish & Wildlife. The discussions resulted in reserve quantities that represent a balance between the projected needs of people and minimal impacts to stream flows.

Within each subbasin, a specific amount of water is available for certain uses, including:

- Individual and group domestic permit-exempt wells.
- Other small permit-exempt well uses.
- Permit-exempt wells for commercial agriculture in three subbasins.
- Possible new water right permits in three subbasins.

In the state Ground Water Code, the “groundwater permit exemption” (RCW 90.44.050) allows for certain uses of small quantities of groundwater without obtaining a permit from Ecology. While exempt from the permitting process, these withdrawals are still subject to all other state water laws.

The reserves are not subject to the instream flows or closures. Water use from a reserve is still subject to state laws: for example, the use cannot affect existing water users. In addition, the rule establishes a conservation standard for using water from the reserves (see below).

Conservation standard for use of water in reserves

The conservation standard for accessing reserved water is intended to stretch out-of-stream water supplies.

In all subbasins with reserves, those living in a public water system supply area are not eligible for a new permit-exempt well if they can be supplied in a timely and reasonable manner.

The conservation standard for new permit-exempt well uses in all reserves (except Chimacum) will:

- Apply to new individual permit-exempt well uses, typically single-family homes: Maximum of 500 gallons per day (gpd) and annual average of 350 gpd.
- Specify new group domestic use of 500 gpd maximum and annual average of 350 gpd per residence; combined total for all residences not to exceed 5,000 gpd.
- Allow outdoor water use.

Chimacum subbasin

Water supply is especially challenging in the Chimacum subbasin because of chronic low summer flows, the presence of ESA-listed salmon, a large unused water right, and the community’s substantial investment in restoration and preservation of fish habitat.

The reserved water in Chimacum subbasin is limited to domestic use only until another water supply can be put in place. Domestic use means water for human health and sanitation, such as drinking, bathing, cooking and laundering.

Metering

All new water users, including permit-exempt well users, must meter their water use.

Coastal management areas

The rule does not manage new uses of water in coastal management areas, except to require metering. Ecology may propose protections for small coastal drainages in a future rule.

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Ecology WRIA 17 website: <http://www.ecy.wa.gov/programs/wr/instream-flows/quilsnowbasin.html>

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