

WRIA 2 San Juan Islands Watershed Water Availability



High Winds buffeting San Juan Island; Photo by Bob Jensen, <https://flic.kr/p/TzWteg>

Overview

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What is a watershed?

Washington is divided into 62 major watersheds or Water Resource Inventory Areas (WRIAs), which are areas that each capture precipitation and funnel rain and snowmelt through smaller subbasins into streams, tributaries, and rivers and typically drain to marine waters or the Columbia River.

Introduction to WRIA 2

The San Juan Islands Watershed or water resource inventory area (WRIA) 2 consists of a group of four major islands and over 100 smaller islands situated in the Salish Sea between Skagit County and Vancouver Island.

There are no major rivers in the watershed. Much of the water available for economic use comes from reservoir storage of runoff and from groundwater.

How can I get water?

Depending on your proposal, you may have more than one option to acquire a reliable water supply:

- Connecting to an existing water system is usually the fastest and easiest option if your project is within the system’s service area.
- Using a permit-exempt well if you meet the limits under state law.
- Installing a cistern and collecting rainwater may be possible.
- Purchasing an existing water right and transferring it to the new use.
- Applying for a new water right, which may need mitigation.

See the *Options for Acquiring Water* section for more information about water right permit options and when to meet with Ecology staff.

Washington Water Law Waters of the state belong to the public and can't be owned by any one individual or group. Water right holders have the right to USE water, from a set source, for a particular purpose, in a specific location.

The Department of Ecology is responsible for managing the water resources of the state, including issuing the right to use water as well as protecting the instream resources for the benefit of the public.

Washington water law is based on the “prior appropriation” system, often called “first in time, first in right.” New water rights may not harm older water rights. Applications for water from the same source must be processed in the order they are received, although there are certain exceptions.

Applicable Laws and Regulations

- [RCW 90.03](#): Washington Water Code
- [RCW 90.44](#): Regulation of Public Groundwaters
- [RCW 90.54](#): Water Resources Act of 1971
- [RCW 90.94](#): Streamflow Restoration

Water Availability Factors

Due to Washington’s varied land uses, terrain, and precipitation levels, water availability for new water right permits varies dramatically across the state. In the San Juan Island Watershed, key factors affecting water availability include:

- Source limitations
- Closures
- Seawater intrusion
- Existing water rights

Source limitations

This watershed has administrative restrictions known as Surface Water Source Limitations (SWSLs), which limit most water sources in the watershed. This determination comes from the Washington Department of Fish and Wildlife (WDFW) that flows be protected to maintain fish populations.

Closures

Ecology has closed Lake Killebrew and Sportsman Lake to new appropriations based on WDFW recommendations. In addition, Egg Lake is essentially closed to new uses in the summertime. The lake level cannot drop more than six inches below the summer average.

Seawater intrusion

The movement of saltwater into freshwater aquifers, known as seawater intrusion, is a concern for coastal areas of Puget Sound. Any groundwater withdrawals located in the coastal areas are evaluated for the risk of seawater intrusion into existing fresh groundwater supplies.

Existing water rights

Water rights have been issued in the San Juan Islands Watershed for over 100 years, and as a result most water in the watershed is already legally spoken for or “appropriated.”

Precipitation

The islands are partially situated in the rain shadow of the Olympic Mountains and therefore receive a broad range of annual rainfall, from less than 26 inches in the southeastern part of Lopez Island and San Juan Island to over 48 inches in the northeast part of Orcas Island.

Most of this precipitation arrives during the winter months when water demands are the lowest, and only a fraction becomes available for human and economic uses. Little of the San Juan Islands watershed benefits from snowpack, so during the summer when there is little rain, streamflows are dependent on groundwater inflow. This means that groundwater and surface water are least available when water demands are the highest.

Summary

Increasing demands for water over time, from ongoing population growth, agriculture, and other consumptive uses as well as associated land use practices, have resulted in lower streamflows and declining groundwater levels in some areas. These decreases have impacted important resources for fisheries and general stream health. The impacts of climate change in WRIA 2 are also yet to be fully realized. However, it is apparent that water availability is limited throughout the San Juan Islands Watershed.

Options for Acquiring Water

Permit-exempt options

State law, RCW 90.44.050, exempts the following uses from the water right permitting process:

- Single or group domestic uses, not exceeding 5,000 gallons per day (gpd).
- Irrigation of up to a half-acre of non-commercial lawn or garden.
- Industrial purposes (such as water for a store, restaurant, or small industrial facility, or irrigation of a small commercial farm), not exceeding 5,000 gpd.
- Stockwater to provide drinking water for stock animals. Other stock-related purposes (such as washdown of a milking parlor or irrigation for growing hay for stock animals) may require a water right permit.

A project proposal is also limited to the use of one exemption for each type of use, so a housing subdivision, for example, cannot use a series of wells to exceed the 5,000 gpd limit or the half-acre of non-commercial lawn and garden. The entire subdivision, collectively, cannot exceed either limitation.

There is no exemption from permitting for surface water appropriations.

Permit options

If your project cannot access water from an existing water purveyor and doesn't qualify for use of a permit-exempt well, you will need to:

- Apply for and receive a new water right, or
- Buy an existing water right and change or transfer it to the new use.



Ecology asks anyone who needs a water right (new, change, or transfer) to submit the pre-application consultation form and meet with us to review your water supply needs and project proposal. See the *Resources* section for forms and other information.

New water right

Attempting to acquire new water rights within areas regulated with either instream flows or closures will likely be a very difficult and expensive process. It generally requires the hiring of qualified professionals and submitting a comprehensive mitigation and monitoring plan. This does not guarantee approval of a water right. Mitigation can be any action or group of actions that address, in-time and in-place, the impact of the water withdrawal or diversion on instream flows or other senior water rights.

Projects proposing non-consumptive uses of water may be approvable in both closed areas and areas with instream flow regulations.

Change or transfer of an existing water right

It can be easier to buy an existing water right and change the purpose and/or place of use. Changing either of these aspects of a water right can be challenging if the change creates a new or different impact on a stream. It is important that the water right be in good standing by regular use over its lifetime.

Processing options

The wait for your water right application to be processed can be years. An option to speed up the process:

- Submit your new or change water right application through the [Cost Reimbursement Program](#).

For more information on this and other options, refer to [Alternatives for Water Right Application Processing](#).

You can discuss all of your options to supply water to your project at your pre-application consultation with Ecology. To schedule, submit the [pre-application consultation form](#).

Mitigation refers to measures taken to prevent any impact on streamflow during the period that water is not available, by either:

- Halting the diversion or withdrawal, or
- Replacing the water taken—in time and in-place.

A common form of mitigation is to retire an existing water right upstream from the new use.

Resources

Contact Information

Ecology Northwest Region Office
15700 Dayton Ave N, Shoreline, WA
Mail: PO Box 330316
Shoreline, WA 98133
(206) 594-0000

More Information

Visit our website for the most current information.
ecology.wa.gov/Water-Shorelines/Water-supply

Publications and forms are searchable in the
online database.

ecology.wa.gov/publications



Forms

- [Water Right Pre-Application Consultation form](#),
Form ECY 070-440 <https://apps.ecology.wa.gov/publications/summarypages/ecy070440.html>
- [Application for a New Water Right](#),
Form ECY 040-114 <https://apps.ecology.wa.gov/publications/summarypages/ecy040114.html>
- [Application to Change or Transfer a Water Right or Claim](#),
Form ECY 040-197 <https://apps.ecology.wa.gov/publications/summarypages/ecy040197.html>

Publications

- [Cost Reimbursement Program](#), Publication 05-11-016
<https://apps.ecology.wa.gov/publications/SummaryPages/0511016.html>
- [Alternatives for Water Right Application Processing](#), Publication 11-11-067
<https://apps.ecology.wa.gov/publications/SummaryPages/1111067.html>
- [Focus on: The Groundwater Permit Exemption](#), Publication 19-11-090
<https://apps.ecology.wa.gov/publications/SummaryPages/1911090.html>

Website – ecology.wa.gov

- Visit the [water rights permits page](#) for more information and helpful links.
<https://ecology.wa.gov/WaterRightPermits>
- Use the [Water Rights Search](#) to locate and research water rights on land parcels anywhere in the state. <https://apps.wr.ecology.wa.gov/WaterRightsSearch>

ADA accommodations

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6872, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

Map

