

# WRIA 6 Island County Watershed Water Availability



## 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 6

The Island County Watershed or Water Resource Inventory Area (WRIA) 6 consists of Whidbey and Camano Islands along with several smaller islands. The northern part of Whidbey Island has the largest population density while the rest of the islands mainly consist of low-density rural development.

There are no major rivers in the watershed, and much of the water available for economic use comes from groundwater, which is recharged exclusively from precipitation.

### 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. Water systems can be large municipalities (e.g., Freeland or Oak Harbor) or smaller, privately owned water systems serving the public.
- Using a permit-exempt well if you meet the limits under state law.
- Installing a cistern and collecting rainwater may be possible. (Contact Island County for more information.)
- Purchasing an existing water right and transferring it to the new use.
- Applying for a new water right, which may need mitigation.

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

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

### 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 Island County Watershed, key factors affecting water availability include:

- Declining groundwater levels
- Surface water closures
- Precipitation
- Seawater intrusion

### Declining groundwater levels

Declining groundwater levels have been reported in northern Camano Island. Ecology will not be able to issue a water right in this area if it is determined that withdrawing water would further lower these levels, unless an adequate mitigation plan is submitted and approved by Ecology.

### Surface water closures

Ecology has closed Maxwellton Creek to new appropriations based on recommendations from Washington Department of Fish and Wildlife.

Furthermore, Washington Department of Fish and Wildlife has recommended that at least half of the low flows be maintained in an unnamed creek in northeast Whidbey Island (Sect 22. T 33N Range 02 East).

### Precipitation

Much of the available water comes from groundwater, which is recharged exclusively from precipitation. The northern and central part of Whidbey Island is situated in the rain shadow of the Olympic Mountains resulting in average rainfall increasing from west to east across the county, from 20 inches at Coupeville to 36 inches at Goss Lake. 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.

The Island County Watershed does not benefit from snowpack so during the summer when there is little rain, low stream flows are dependent on groundwater inflow. This means that groundwater and surface water are least available when water demands are the highest.

### Seawater intrusion

The movement of saltwater into freshwater aquifers, known as seawater intrusion, is a concern for marine coastal areas. Any groundwater withdrawals located in the coastal areas are evaluated for the risk of seawater intrusion into existing fresh groundwater supplies. This is of exceptional concern in southern Camano Island, where seawater intrusion is already occurring, or the risk is very high.

### 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 that flows be protected to maintain fish populations.

### 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, saltwater intrusion, 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 6 are also yet to be fully realized. However, it is apparent that water availability is limited throughout the Island County 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 diversions.

## 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*

It may be possible to receive a new water right without mitigation in this watershed in areas without source limitations. Projects proposing non-consumptive uses of water may be approvable in all areas of the watershed. Attempting to acquire new consumptive water rights within areas regulated with source limitations can be a very difficult and expensive process, requiring a comprehensive mitigation and monitoring plan. 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 flows or other senior water rights.

### *Change or transfer an existing water right*

In certain areas of the watershed, 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](https://ecology.wa.gov/Water-Shorelines/Water-supply)

Publications and forms are searchable in the  
online database.

[ecology.wa.gov/publications](https://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](https://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

