

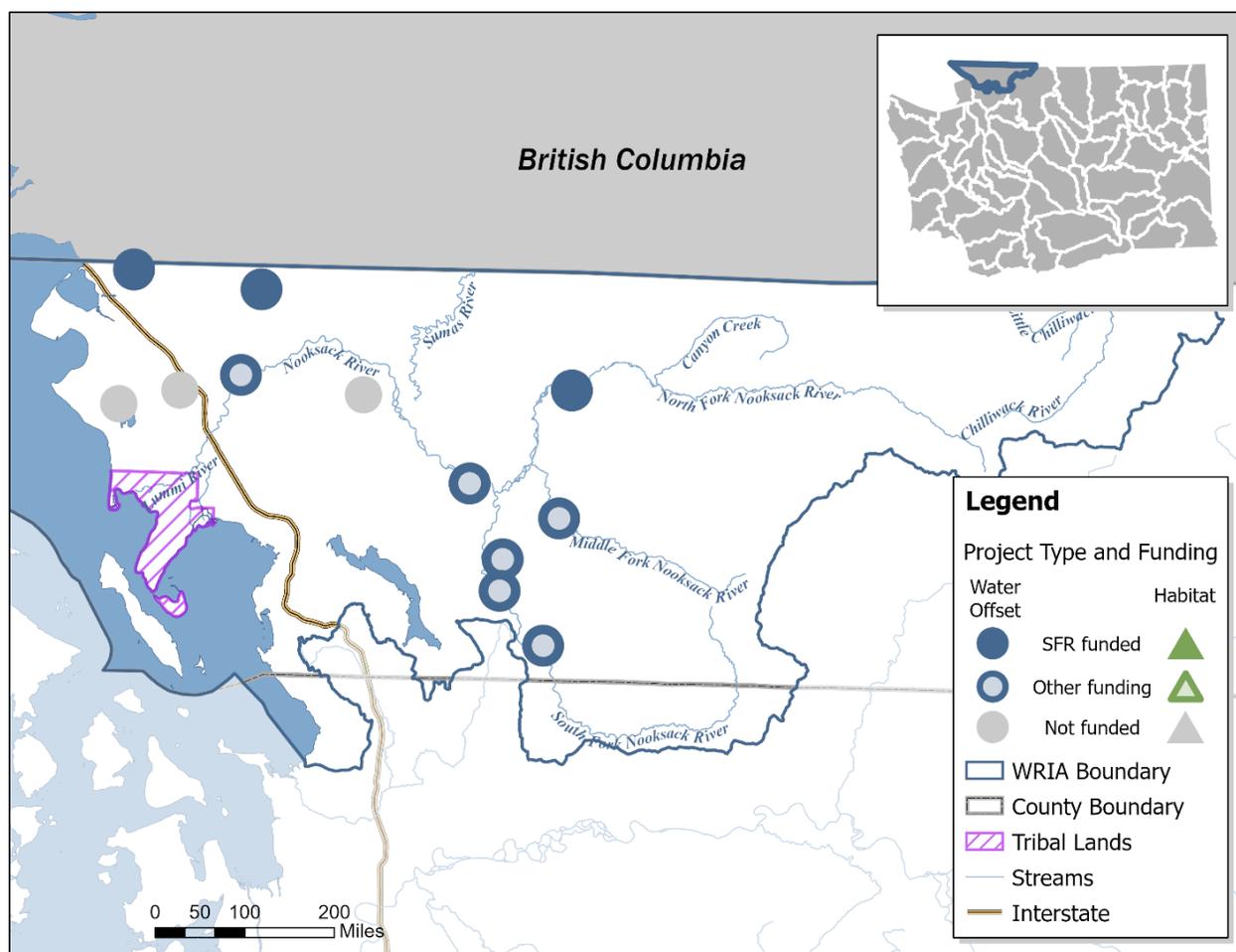
# Implementation Assessment for the Nooksack Watershed's 2020 Instream Flow Rule

The Washington Department of Ecology adopted amendments to the Instream Resources Protection Program for the Nooksack Water Resource Inventory Area (WRIA) 1 on May 27, 2020. The rule became effective on June 27, 2020. Implementation is ongoing as local entities develop their projects and secure funding.

This implementation assessment provides an update based on the best currently available information:

- Local water offset projects (as defined in the rule supporting document) implemented to offset the consumptive water use impacts from new domestic permit-exempt (PE) wells and achieve a net ecological benefit.
- Current and projected new domestic PE wells.
- Current estimated and projected consumptive water use impacts from these new wells.

## Projects in WRIA 1 (Nooksack Watershed)

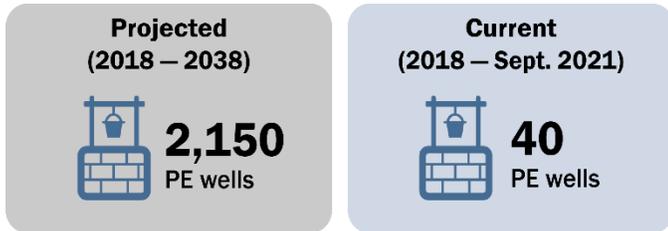


Approximate locations of projects in WRIA 1 from the adopted rule amendments. Projects contribute to the anticipated net ecological benefit and to offsetting the impacts from new PE wells. Projects are funded through either Ecology's Streamflow Restoration (SFR) grants or other funding sources.

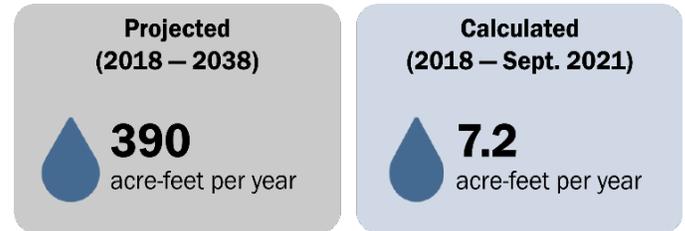
## Streamflow restoration in WRIA 1

Ecology is using the following parameters to track progress on project implementation. We will update these parameters in future versions of the publication.

### Number of new permit-exempt (PE) wells

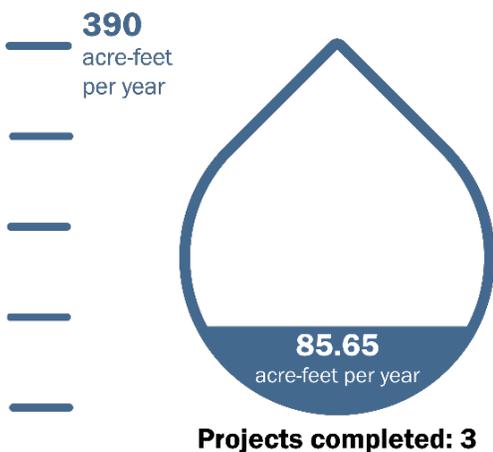


### Consumptive water use from PE wells



### Water offset from implementation

Several water-offset projects are underway and three are complete. We estimate the offset benefit of completed projects is 85.65 acre-feet per year.



### Funding sources for projects

Projects in WRIA 1 have received funding from the federal, state and local governments, and other sources. Below is an overview of funding sources:



## Implementation snapshot

- Installation of new permit exempt wells in WRIA 1 (Nooksack Watershed) is proceeding at a slower rate than the local watershed plan projected (12% below projected rate). Using the rule supporting document’s assumption of consumptive water use per new PE well, Ecology estimates the consumptive water use impacts from these new wells is likewise proceeding at a slower rate (12% below the projected rate).
- Several projects are underway, with funding from Ecology (\$6.4 million), the federal government, state government, local government and other sources. In 2019 and 2020, Ecology received 7 applications seeking competitive streamflow restoration grant funding for projects in the WRIA 1. Three of these projects received funding. One application that received a funding offer was subsequently withdrawn at the applicant’s request.

Project sponsors can update Ecology on the status of project implementation by emailing [WRProjects@ecy.wa.gov](mailto:WRProjects@ecy.wa.gov).

## Rulemaking summary

The WRIA 1 planning unit met from February 2018 to January 2019 to develop a watershed plan addendum. Despite working hard, the planning committee did not approve the addendum for Ecology to review. Ecology proceeded with rulemaking to amend the existing instream flow rule and meet the requirements of the streamflow restoration law (RCW 90.94.020). The rule was adopted on May 27, 2020. The rule supporting document:

- Projected 2,150 new PE wells from years 2018 to 2038.
- Estimated the impact of these wells on rivers and streams at 390 acre-feet per year.
- Identified 14 water offset<sup>1</sup> projects to provide a [net ecological benefit](#) to streamflows.

### Projected PE well growth and consumptive water use (years 2018 - 2038)



**2,150**  
PE wells



**390**  
acre-feet per year

### Projected streamflow benefits from planned projects



**3,767**  
acre-feet per year

A volume of 390 acre-feet is about 192 Olympic-sized swimming pools.

## Benefits of WRIA 1 rule implementation



Initiates locally led solutions.



Improves rivers and streams for salmon.



Offsets consumptive water use from rural homes.

## Streamflow Restoration Law (RCW 90.94)

In January 2018, the Washington State Legislature passed the Streamflow Restoration law (RCW 90.94) to help restore streamflows to levels necessary to support robust, healthy, and sustainable salmon populations while providing water for homes in rural Washington.

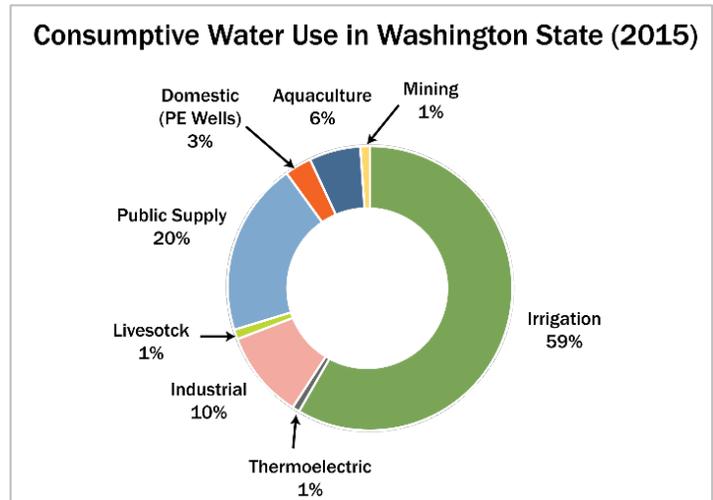
Ecology has been actively implementing this law since its passage. Ecology, in coordination with state and local agencies, tribal governments, and non-profit organizations has funded, led, and supported a range of 15 diverse local watershed plans across the state. Ecology, with generous support from the Legislature has also implemented a competitive grant offering to help state and local agencies, tribal governments, and non-profit organizations implement projects in the local watershed plans or amended rules required by this law.

<sup>1</sup> From NEB Guidance (Publication number 19-11-079): Offset is the anticipated ability of a project or action to counterbalance some amount of the new consumptive water use over the next 20 years (2018 – 2038). Offsets need to continue beyond the 20-year period for as long as new well pumping continues.

## Consumptive water use in Washington State

Significant resources and collaboration went into statewide and local planning, and ongoing local plan and rule implementation to offset water use from domestic permit-exempt (private) wells in Washington State.

Consumptive water use from these wells accounts for about 3% of water use in Washington, a small portion compared with other consumptive water uses.



Data adapted from U.S. Geological Survey’s report on Water Use in Washington (2015).

## Webpages

- [Streamflow Restoration](http://ecology.wa.gov/StreamflowRestoration): ecology.wa.gov/StreamflowRestoration
- [Streamflow Restoration Grants](http://ecology.wa.gov/StreamflowGrants): ecology.wa.gov/StreamflowGrants
- [WRIA 1 Rule Amendment](http://ecology.wa.gov/NooksackRuleUpdate): ecology.wa.gov/NooksackRuleUpdate

## Publications

- [Streamflow Restoration Program Status](#): Publication number 21-11-016
- [Final Guidance for Determining Net Ecological Benefit](#): Publication number 19-11-079

## Other resources

- [WRIA 1 Annual Report](#) (PDF from Whatcom County Public Works Department)<sup>2</sup>



Streamflow restoration program  
WRProjects@ecy.wa.gov  
360-407-6757



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

<sup>2</sup><https://apps.wr.ecology.wa.gov/docs/WaterRights/wrwebpdf/WhatcomCountyWRIA1RuleAmendmentStreamflow2020AnnualReport.pdf>