

Introduction

The Department of Ecology (Ecology) developed the Big Lake Mitigation Program (BLMP) to support limited existing and new water uses in the lower portion of the Nookachamps sub-basin of the Skagit River watershed. The mitigation program was seeded with three water rights that historically served the Big Lake Water Association and were placed into Ecology's trust water program. In total, 15 acre-feet/year (afy) is available for new and existing uses, including those homes built and reliant upon water reserved in the invalidated 2006 amendment to the Instream Resources Protection Program – Lower and Upper Skagit Resource Inventory Area (WAC 173-503, also known as the Skagit Instream Flow Rule). Ecology jointly operates this program with Skagit County.

This accounting report is developed pursuant to the Big Lake Mitigation Program, which requires Ecology to develop an annual report that: (1) shows the balance of available mitigation credits, (2) identifies any new water that has been added to this water bank, and (3) accounts for any changes in consumptive use (e.g., a residence switches from septic to sewer).

This report summarizes the mitigation issued from December 3, 2018, when the mitigation program was first launched, through December 31, 2023. Water from this mitigation source is available for domestic water uses from permit-exempt wells.

Big Lake Mitigation Program use – balance of available mitigation

The BLMP was established to: (1) provide mitigation to parcels that were issued a county building permit between 2001 and the Supreme Court's decision in 2013 on the assumption that water was available,¹ and (2) offer a limited quantity of mitigation water to new users within the approved mitigation zone (see Page 3). These two subsets will be referred to as "existing users" and "new users."

Existing users

Ecology determined the number of existing properties qualifying for mitigation by reviewing building permits issued in the mitigation zone (see map at end of report) between April 14, 2001 and October 3, 2013, and cross-referencing this with building tax accounts and water well logs. Skagit County's property data includes information on a home's on-site septic versus sewer use.

¹ After the 2001 rule was announced, approximately 400 residences and eight businesses applied for and received county approval to develop new water uses in the Skagit River Basin. Of these, 19 residences fall within the Nookachamps sub-basin mitigation area and may impact Nookachamps Creek. When the 2006 rule amendment was overturned, these water users faced uncertainty regarding the availability of a legal water source. Ecology committed to securing a mitigation source for these subset of water users to ensure a legal water use.

New users

Skagit County requests Proof of Mitigated Water Supply documents for permits of plumbed buildings within the mitigation zone. This information is cross checked with Skagit PUD water transmission line location information and septic permits to inform accounting. All new users are required to install a telemetered meter. To date, six meters have been issued and connected.

Allocations from the BLMP are outlined in Table 1 below.

Table 1. Big Lake Mitigation Program - Water Allocation

Water use category	Number of uses	Number of installed septic systems	Initial Quantity Allocated (afy)	Septic Return Flow Credit (afy)	Final Quantity Allocated (afy)
Existing Uses	19	19	0.36	0.2	2.964
New Uses	7	7	0.36	0.2	1.092

Total Allocated (afy)	4.06
Water available (afy)	15.00
Amount remaining (afy)	10.94

Addition of new water in mitigation program

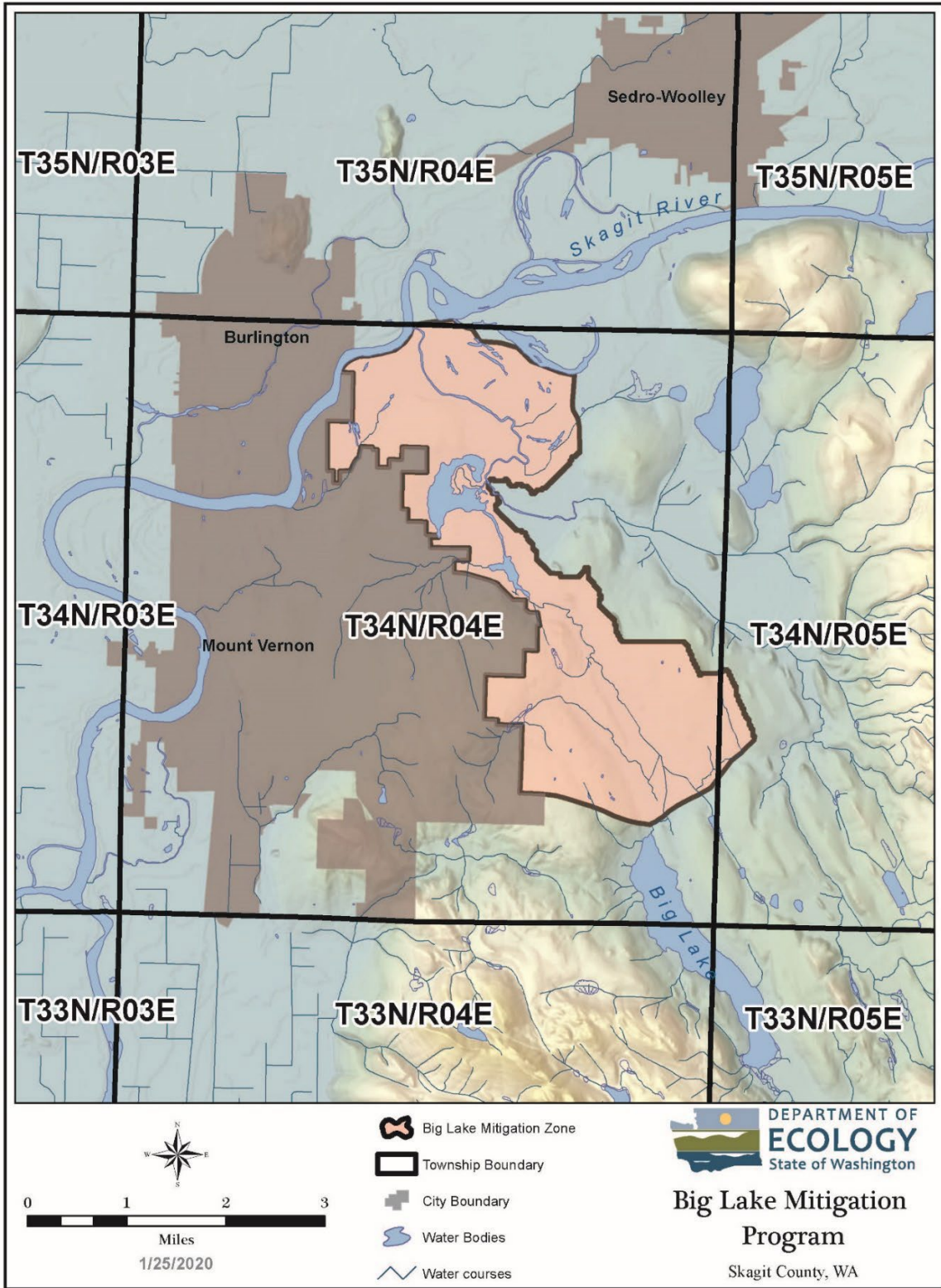
At this time, no additional water has been added to this mitigation program. The total amount of water available is reflected in Table 1.

Changes to mitigation credit issuance and accounting

From the period of December 3, 2018 to December 31, 2022, there have been no changes in existing or new users' wastewater disposal methods. All allocations reflect water users who utilize on-site septic systems.

Questions

Questions regarding this report, the Mitigation Program, or water availability within the Skagit watershed should be directed to John Rose at the Department of Ecology by phone at (206) 594-0204 or by email at john.rose@ecy.wa.gov.



Publication information

This report is available on the Department of Ecology's [webpage for Skagit River basin water availability](#) and at <https://apps.ecology.wa.gov/publications/SummaryPages/2211010.html>.

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² www.ecology.wa.gov/contact