



Skagit River Basin Mitigation Program Accounting Report

March 23, 2020 – December 31, 2023

Introduction

The Department of Ecology (Ecology) developed the Skagit River Basin Mitigation Program (SRBMP) to support both existing and a limited number of new water uses within the Skagit River watershed. The mitigation program was established by a 0.5 cubic feet per second (cfs) new water release from Seattle City Light’s Gorge Reservoir, approved under secondary use permit S1-28885. In total, 362 acre-feet/year (afy) was made available for new and existing uses, including those homes built and reliant upon water reserved in the now 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).

This accounting report is developed pursuant to the Skagit River Basin Mitigation Plan, 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 March 23, 2020, when the mitigation Program was first launched, through December 31, 2023. Water from this mitigation source is available for permit-exempt domestic groundwater use only.

Skagit River Basin Mitigation Program use – balance of available mitigation

The SRBMP was established to: (1) provide mitigation to all parcels that were issued a county building permit between 2001 and the court’s decision in 2013 on the assumption that water was available and (2) offer a limited quantity of mitigation water to prospective new users within the approved mitigation zone (see Page 4). These two subsets will be referred to as “existing users” and “new users.” This mitigation zone covers certain portions of the Skagit River watershed (see mitigation zone map at end of this report).

Existing users

Ecology determined the number of existing properties that qualify for mitigation by reviewing building permits issued by Skagit County between April 14, 2001 and October 3, 2013.¹ Ecology allocated a consumptive use amount of 0.5 afy per connection for existing users. This is a higher-than-average consumptive use.

¹ The Washington State Supreme Court invalidated reservations of non-interruptible water for future use in the Skagit basin as a result of the Swinomish Tribal Nation v. Ecology case on October 3, 2013, thus requiring mitigation for all new uses after adoption of the Instream Flow Rule (173-503 WAC).

New users

New users became eligible for the Skagit River Basin Mitigation Program in early 2021. New users that fall within the outlined mitigation zone are eligible for a Proof of Mitigated Water Supply (PMWS) document. Each PMWS document allocates 0.36 afy per connection for single domestic uses, based on 0.20 afy for indoor use and 0.16 afy for outdoor use.

Allocations from the SRBMP are outlined in Table 1.

Table 1. Skagit River Basin 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	346	N/A	0.5	N/A	173
New Uses	107	103	0.36	0.2	17.12

Total Allocated	190.12
Water available (afy)	362
Amount remaining (afy)	171.88

Addition of new water in mitigation program

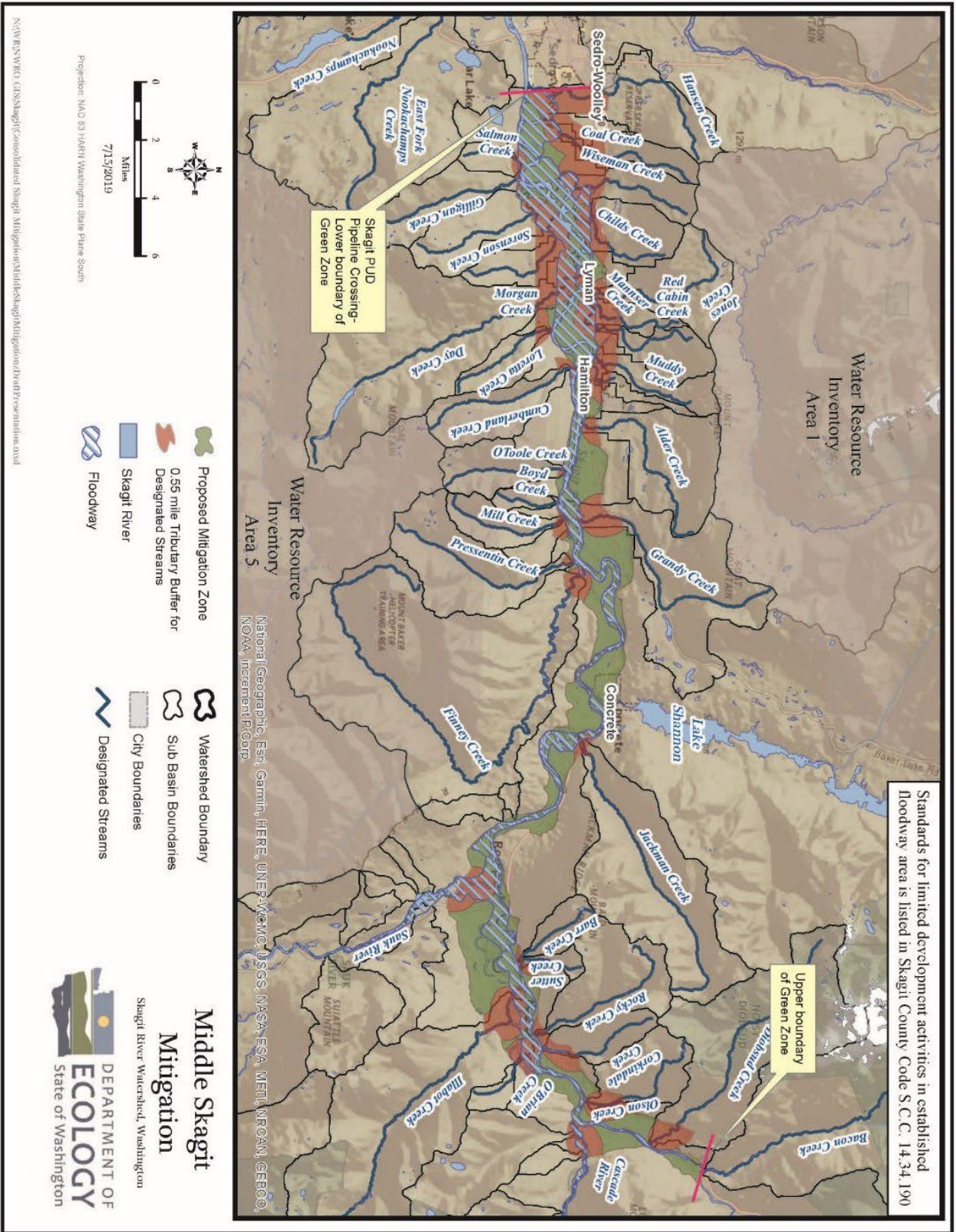
At this time, no additional water has been added to this mitigation program. The total amount of water available is reflected in Table 1.

Changes to mitigation credit issuance and accounting

No adjustments to mitigation credit allocations were made during the March 23, 2020 – December 31, 2023, time period.

Questions

Questions regarding this report, the mitigation plan, 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 website at <https://apps.ecology.wa.gov/ecy/publications/SummaryPages/2211011.html> and Ecology's webpage for [Skagit River Basin water availability](#).

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² www.ecology.wa.gov/contact