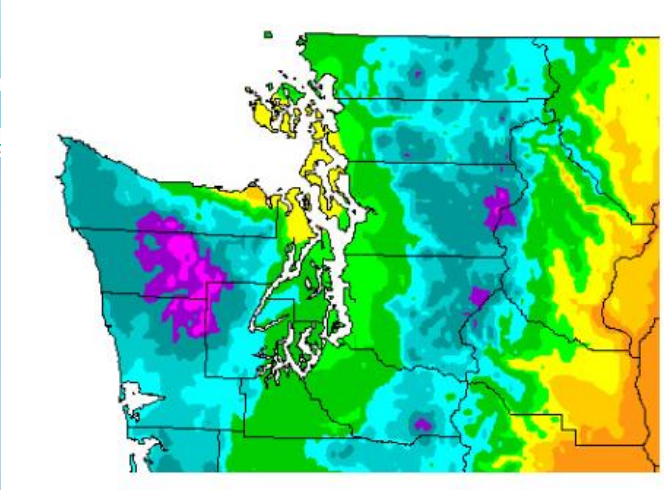
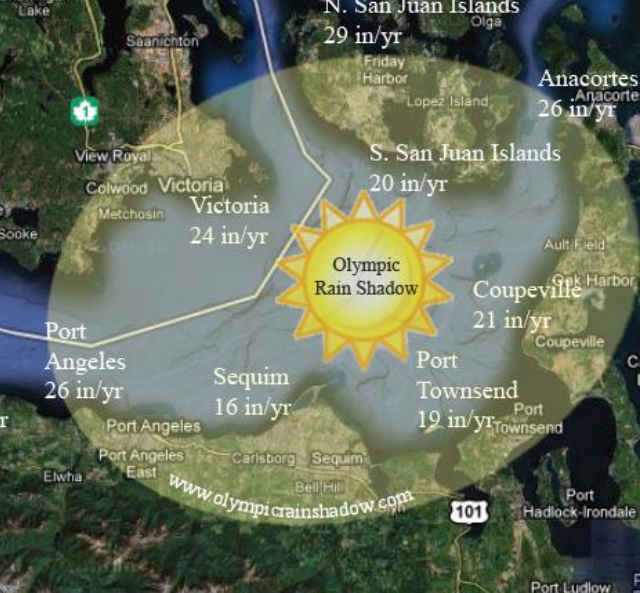


The First 5 Years of Implementing the Dungeness Instream Flow Regulation



Michael Gallagher
Water Resources Program
Southwest Regional Office
March 14, 2018
Sequim Association of Realtors - AM
Dungeness River Management Team - PM



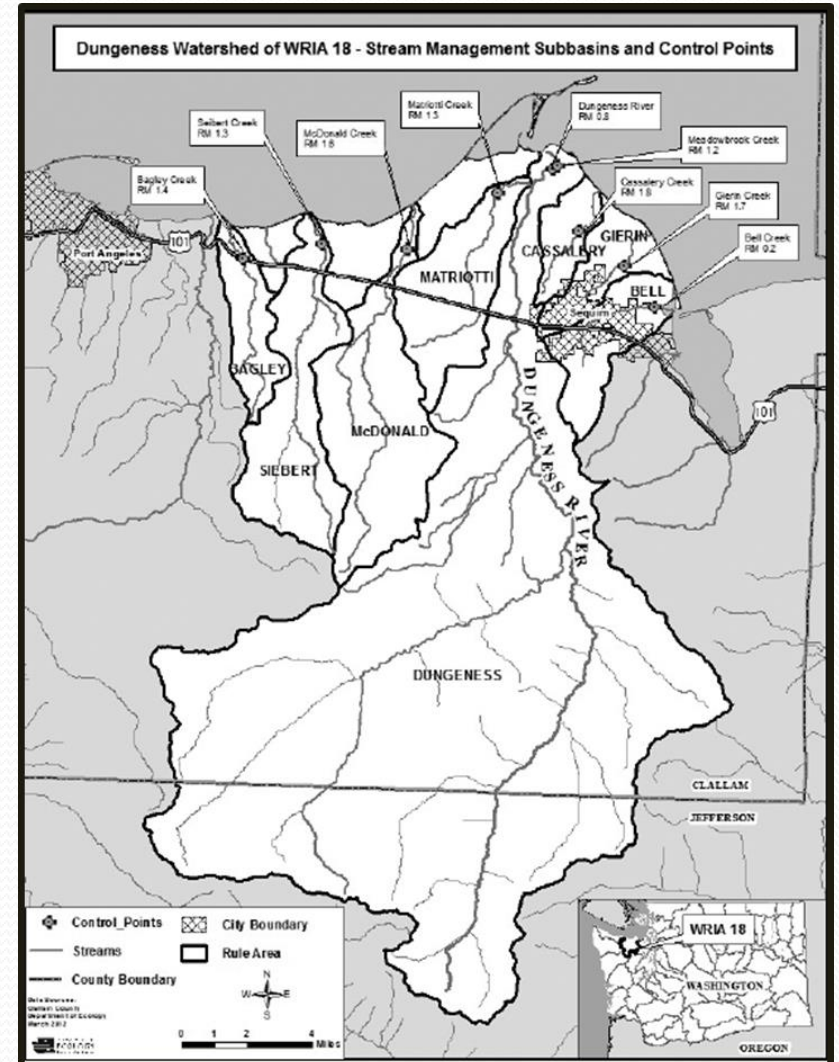
Rule originated as a recommendation from the Elwha-Dungeness Watershed Plan

- Elwha-Dungeness Watershed plan was developed and approved under the Watershed Planning Act (Chapter 90.82 RCW) .
- An extended Clallam County review of the Plan included several meetings with stakeholders, public meetings, and hearings. Members of the planning teams reviewed public comment and amended plan recommendations where consensus could be reached. The Clallam County Board of Commissioners unanimously adopted the plan on June 7, 2005.
- Plan recommendations related to rule development include:
 - Adopt by rule the recommended instream flow levels for streams and tributaries.
 - Protect and continue to restore flows in the Dungeness mainstem.
 - Negotiate measures to provide future drinking water while protecting late summer and fall stream flows.
 - Develop aquifer and off-channel storage and conservation as sources of new water supplies and as a means to minimize effects on late season stream flows.
 - Emphasize the need for new development to use existing public water systems wherever possible.

**Rule adopted November 16, 2012
as Chapter 173-518 WAC
Rule in effect as of January 2, 2013**

Purpose of the Rule

- Protect existing water rights.
- Protect instream resources.
- Set up a framework for future water management decisions.



The rule applies to any use and/or appropriation of surface and/or ground water begun after the effective date of the rule - January 2, 2013

-

- New permit-exempt withdrawals are **not allowed** in areas where municipal water is available from City, PUD or water systems with adequate water rights in a timely and reasonable manner.
- If this option is not available, then new water users are required to mitigate

Mitigation = offset or compensate for the impacts of the new water use. Mitigation may be achieved through the Dungeness Water Exchange (DWE), or individually via an accepted mitigation plan.

To date, all new water users have “purchased” their mitigation via the DWE.

Wide variation in flow in Dungeness River - on top of the ~15 inches of precipitation/year

Dungeness River – Same Spot - 8 Months apart



Dungeness River at Old Olympic Highway Bridge – December 10, 2014 Flow @ ~ 5,000 CFS

Same Spot August 24, 2015 Flow @ ~60 cfs

2003-2017 flow of Dungeness River at Schoolhouse Bridge Gage

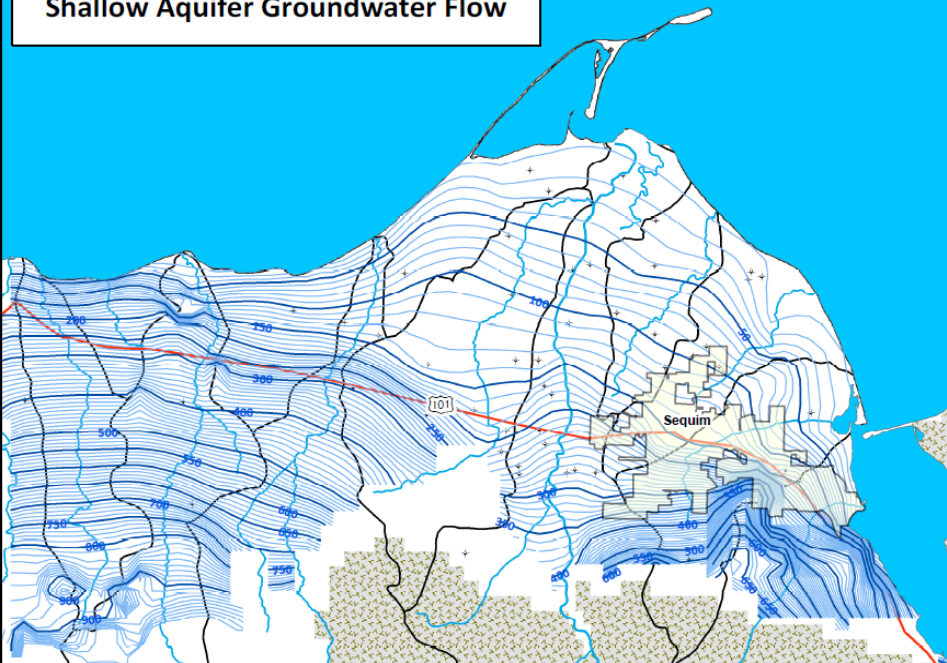
Year	Flow on July 31 (in cubic feet/second)	Flow on Sept 30 (in cubic feet/second)
2003	300	100
2004	150	90
2005	80	50
2006	200	80
2007	200	80
2008	200	80
2009	100	57
2010	500	200
2011	700	200
2012	400	120
2013	224	120 (09/14) 1,270 (09/30)
2014	191	66 (9/15) 117 (9/30)
2015	61	70
2016	209	84
2017	268	98

**Minimum Flow as set in WAC
173-518-040**

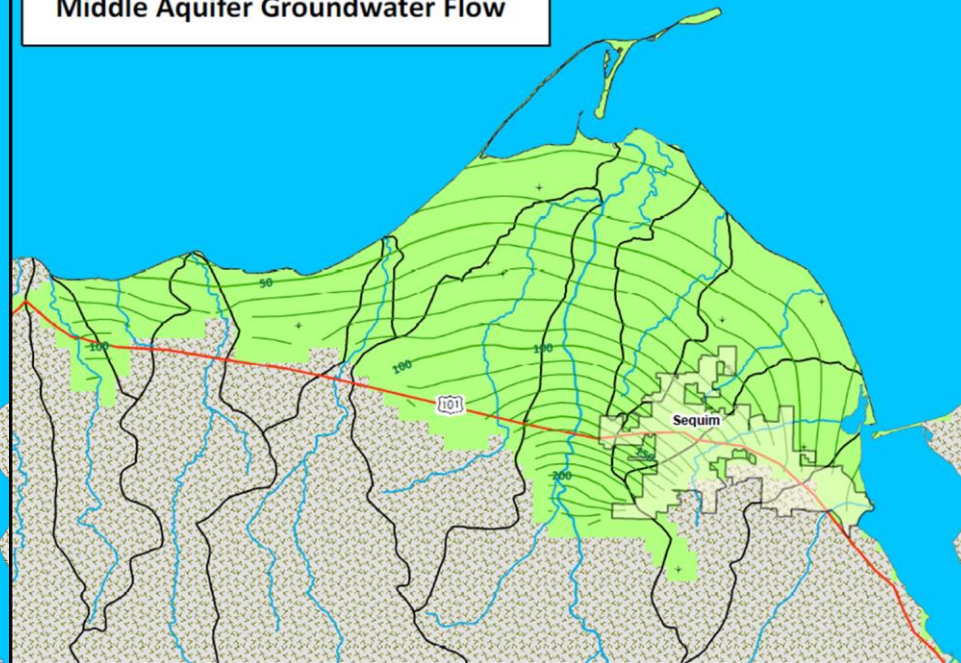
Month	Dungeness Mainstem CFS
January	575
February	575
March	575
April	475
May	475
June	475
July	475
August	180
September	180
October	180
November	575
December	575

Instream flows established in this rule are water rights and will be protected from impairment by any new water rights commenced after the effective date of this chapter and by future water rights changes and transfers.

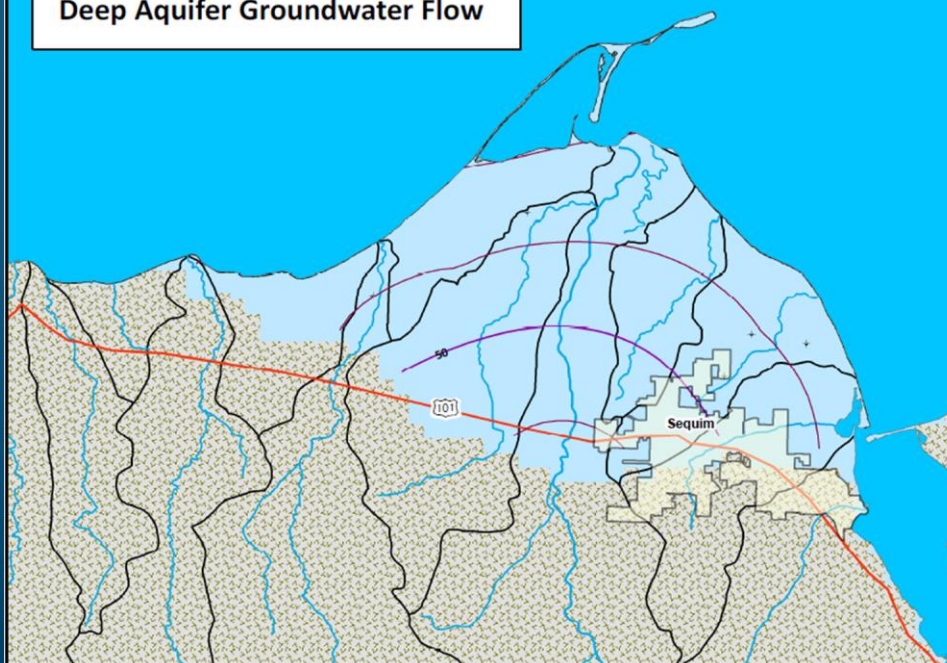
Shallow Aquifer Groundwater Flow



Middle Aquifer Groundwater Flow



Deep Aquifer Groundwater Flow



Connection Between Aquifers

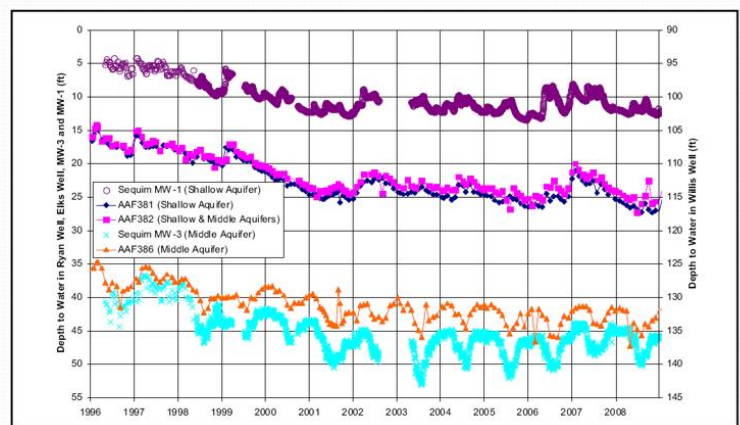


Figure 8-6
Water-Level Trends in Wells Surrounding the Port Williams Wellfield
City of Sequim
2008 Monitoring Report

Side Looking View of Regional Ground Water Flow System (looking West)

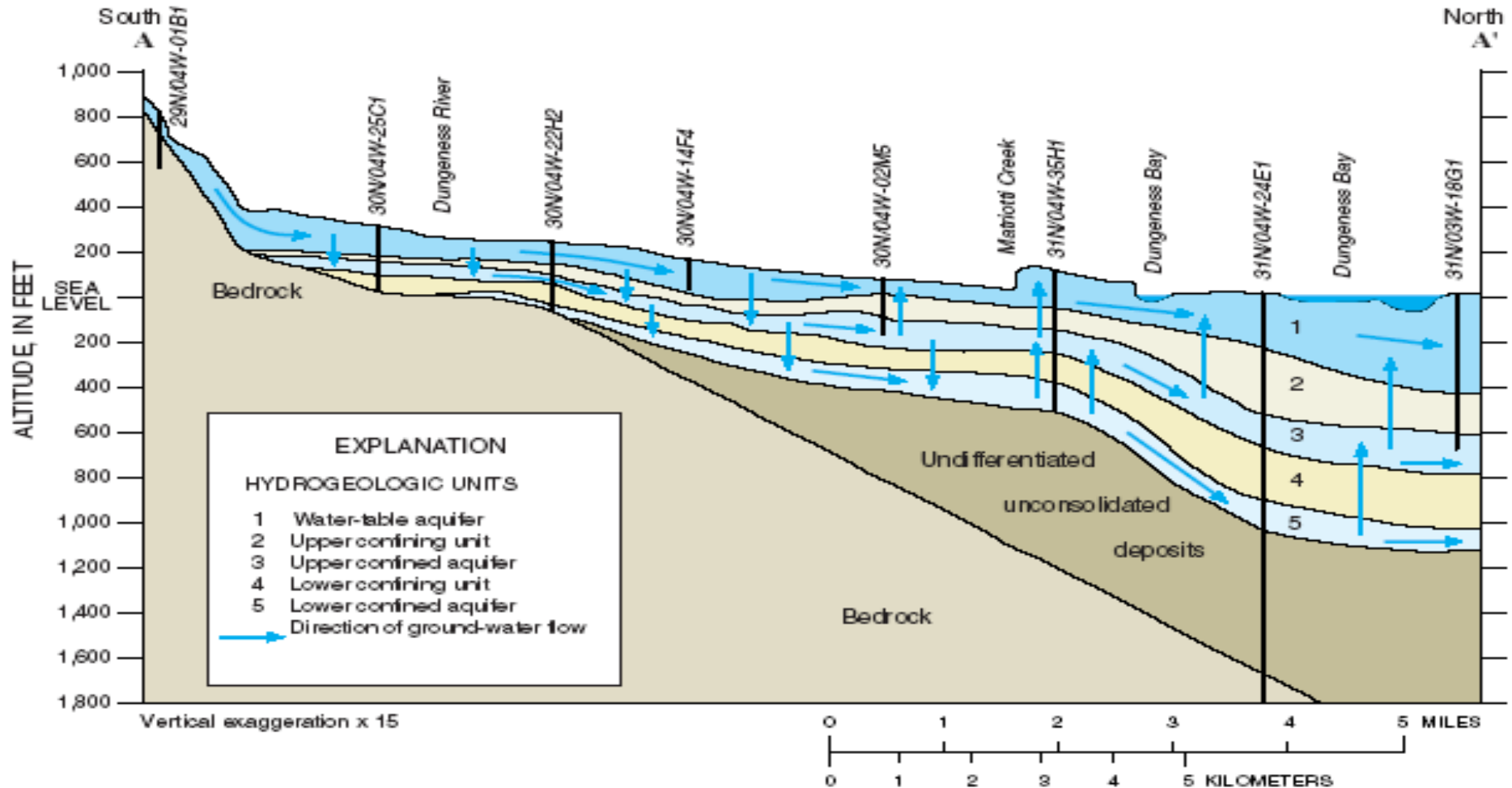


Figure 4. Hydrogeologic section showing the principal aquifer and confining units and directions of ground-water flow on the Sequim-Dungeness peninsula, Clallam County, Washington.

(Modified from Drost, 1983) See [figure 1](#) for the trace of the section.

Water Wells in the Dungeness Valley

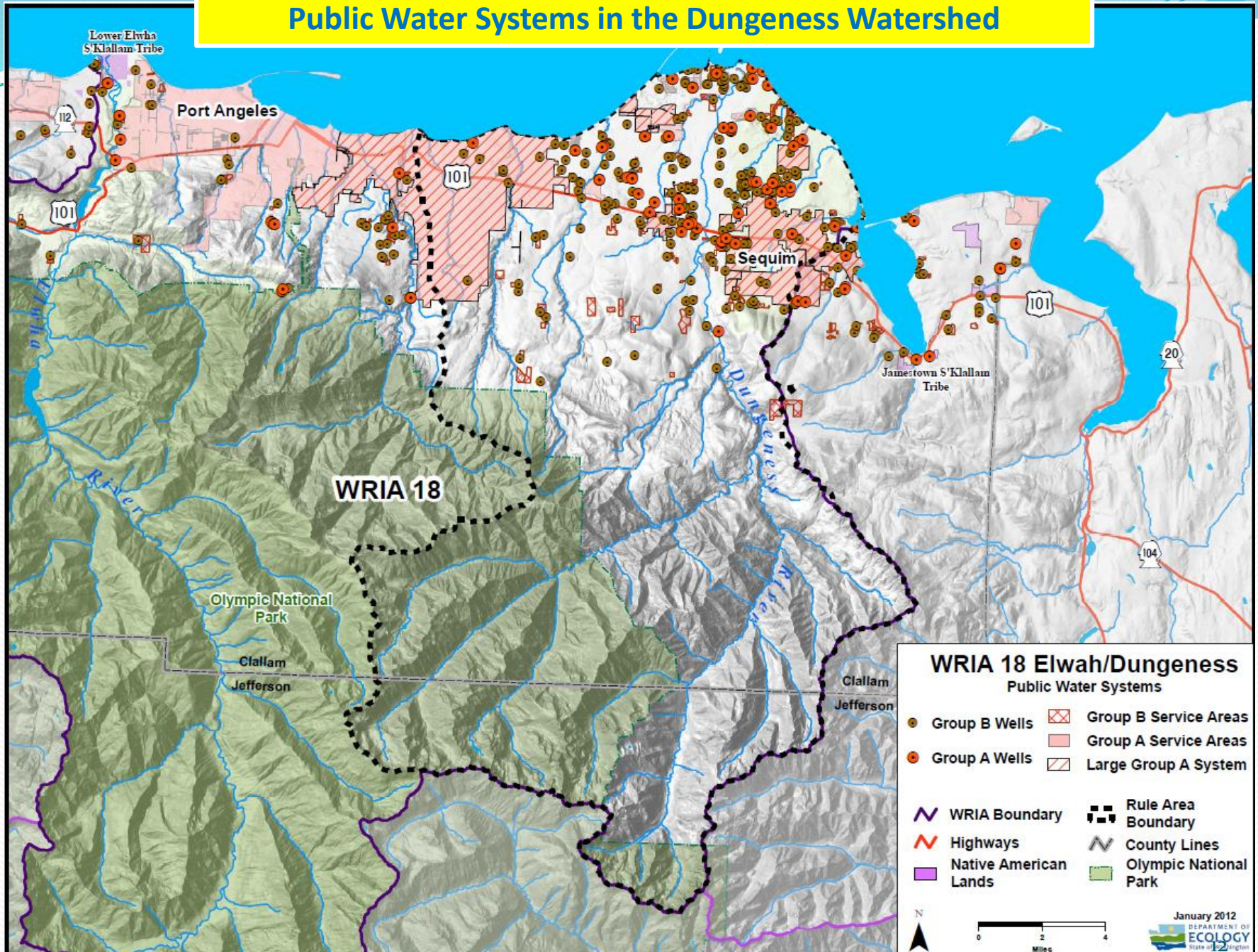
- There are approximately **4,725 water wells**
- A vast majority of these wells are for domestic use or for very small “Group B” water systems. Most of these wells withdraw less than 5000 gallons per day and are exempt from needing a water right
- *This is approximately one percent of all of the water wells in Washington State in an area of less than one-tenth of one percent of the total land area of Washington*

Water Rights in the Dungeness Valley

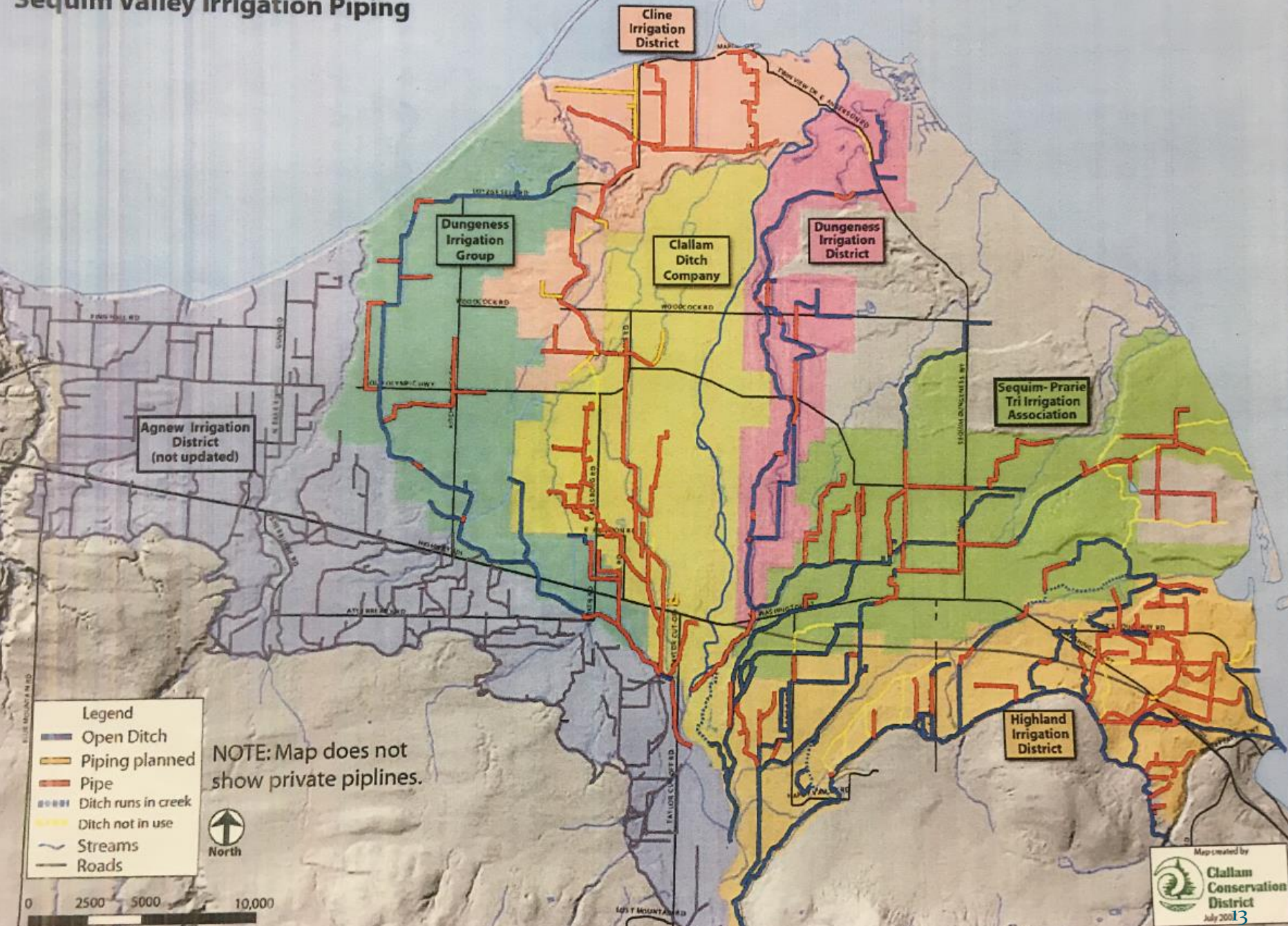
- There are **1,875 water rights** in the area:
 - East of Finn Hall-R Corner
 - West of Sequim Bay and
 - North of Olson Road
- Of these water rights:
 - 1,465 are water right **Claims**
 - 403 are water right **Certificates**
 - 7 are water right **Permits**
 - **Most senior water right is November 1, 1895**
 - There are currently
 - 8 **New Water Right** applications – 7 are for small public water supply systems and 1 for Clallam PUD



Public Water Systems in the Dungeness Watershed



Sequim Valley Irrigation Piping



Cline Irrigation District

Dungeness Irrigation Group

Clallam Ditch Company

Dungeness Irrigation District

Agnew Irrigation District (not updated)

Sequim-Prarie Tri Irrigation Association

Highland Irrigation District

- Legend
- Open Ditch
 - Piping planned
 - Pipe
 - Ditch runs in creek
 - Ditch not in use
 - Streams
 - Roads

NOTE: Map does not show private pipelines.

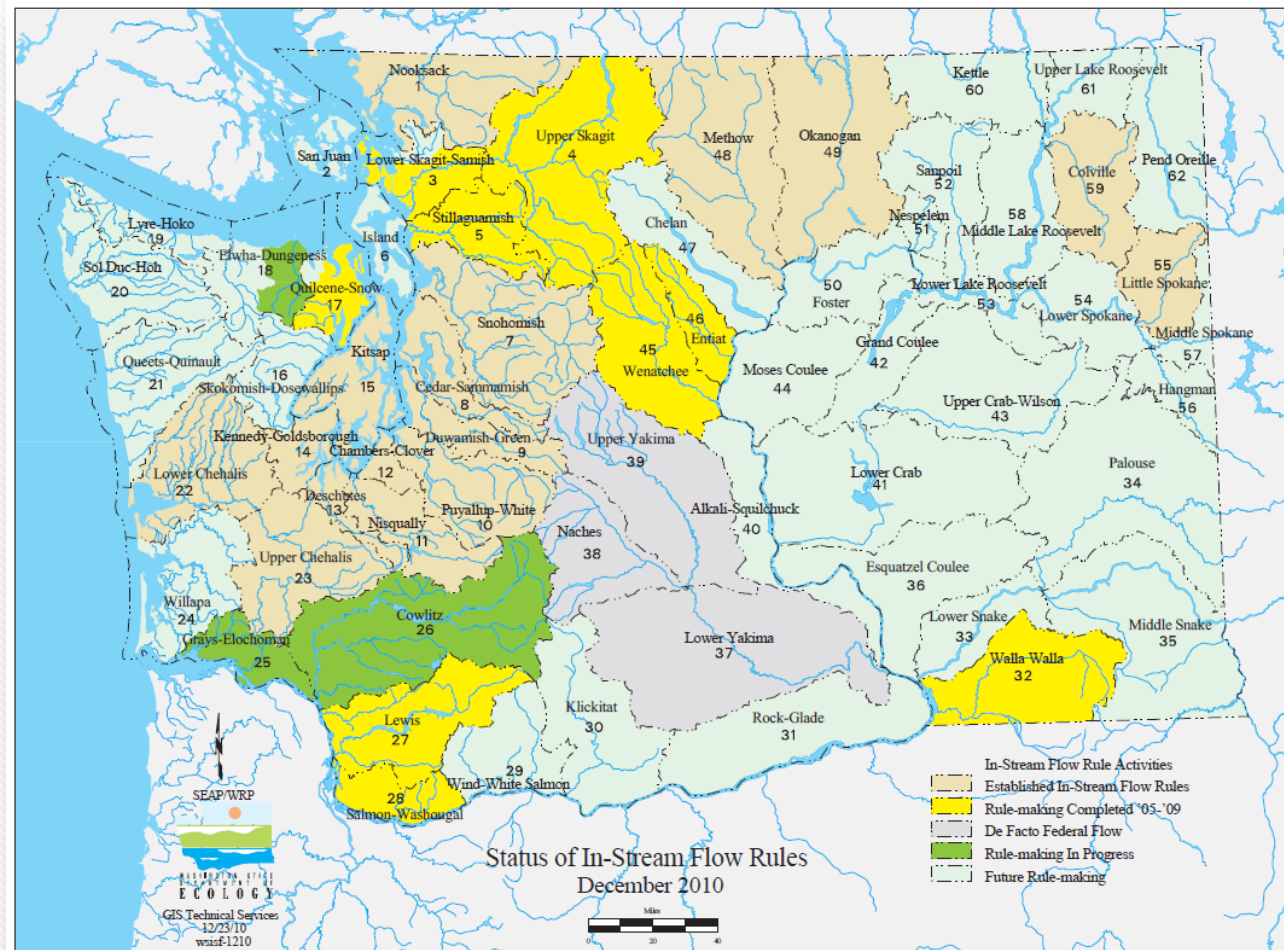


0 2500 5000 10,000

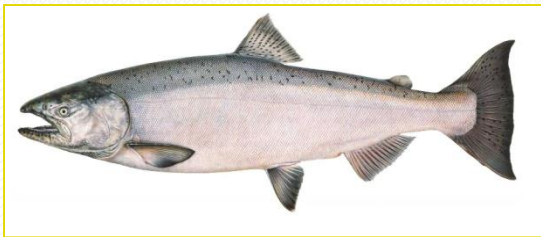
Map created by
Clallam Conservation District
July 2003

Statewide Instream Flow Program

- There are 62 Water Resources Inventory Areas (WRIA's) in the state
- 25 of these have instream flows set by rule, and there are 3 that have a de facto instream flow dues to an adjudication



Endangered Species Act (ESA)-Listed Species in the Dungeness



Chinook Salmon



Chum Salmon



Steelhead



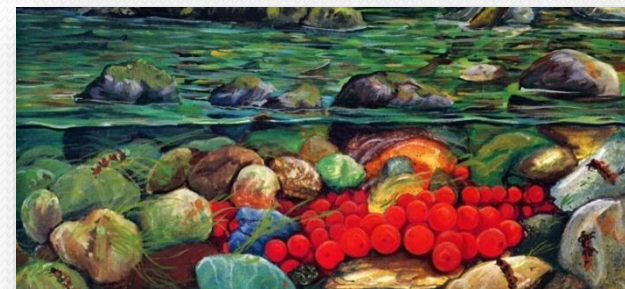
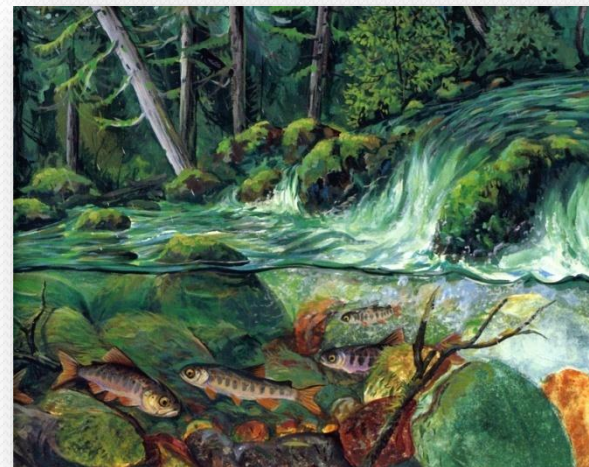
Bull Trout

How Low Flows Can Affect Fish

- Fish passage problems
- Loss of habitat
- Egg incubation mortality
- Mortality from high temperatures
- Increased competition for food
- Increased disease
- Predation from resident or introduced species
- Reduced production of essential food organisms
- Timing of migration for anadromous* species

***Anadromous fish:**

Born in freshwater, then migrate to the ocean as juveniles where they grow into adults before migrating back into freshwater to spawn.



The Dungeness Rule established a reserve of water available for mitigation

- Reserves allow for domestic use where mitigation is not available
- Mitigation is intended to replenish reserves
- If a reserve is fully allocated, no new uses are allowed until mitigation is put in place

Table V
Maximum Depletion Amounts Due to New Groundwater Appropriation

Subbasin Management Unit	Cubic Feet Per Second	Gallons Per Day
Bagley Creek	0.01	6,463
Bell Creek	0.0023	1,486
Cassalery Creek	0.0013	840
Dungeness River and Matriotti Creek	0.76	491,201
Gierin Creek	0.0109	7,045
McDonald Creek	0.003	1,939
Meadowbrook Creek	0.026	16,804
Siebert Creek	0.022	14,219

Mitigation through the Dungeness Water Exchange

- One time fee
- Tied to property, recorded with deed
- Price based on cost of water, mitigation project cost, transaction cost, and overhead
- Local Rule Implementation Council to be established
- Exchange is not a physical reservoir
- Water Rights held in the State Trust Program

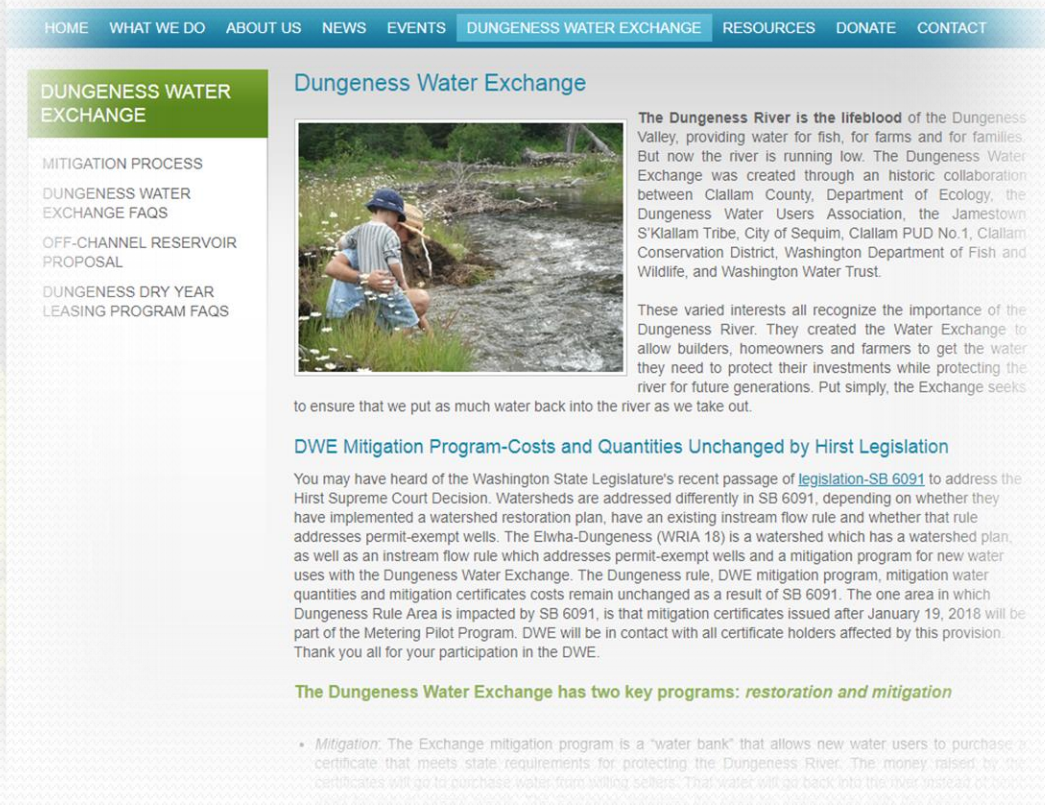
Stockwater mitigation is only needed for new stockwater needs in the Dungeness watershed and does not apply to existing stock water users.

Ecology has concluded that stockwater mitigation is needed for ungulates only (cows, donkeys, goats, horses, llamas, pigs, sheep) and does not apply to poultry such as chicken and ducks or pets such as dogs and cats.

Stockwater is available for a one-time fee for purchase from the Dungeness Water Exchange.

Some Background...

- Dungeness Water Rule passed January 2, 2013
- 175 AFY purchased. 130 AFY for aquifer recharge of smaller streams. 45 AFY left in mainstem.
- DWE offers mitigation for new uses




HOME WHAT WE DO ABOUT US NEWS EVENTS **DUNGENESS WATER EXCHANGE** RESOURCES DONATE CONTACT

DUNGENESS WATER EXCHANGE

- MITIGATION PROCESS
- DUNGENESS WATER EXCHANGE FAQs
- OFF-CHANNEL RESERVOIR PROPOSAL
- DUNGENESS DRY YEAR LEASING PROGRAM FAQs

Dungeness Water Exchange



The Dungeness River is the lifeblood of the Dungeness Valley, providing water for fish, for farms and for families. But now the river is running low. The Dungeness Water Exchange was created through an historic collaboration between Clallam County, Department of Ecology, the Dungeness Water Users Association, the Jamestown S'Klallam Tribe, City of Sequim, Clallam PUD No.1, Clallam Conservation District, Washington Department of Fish and Wildlife, and Washington Water Trust.

These varied interests all recognize the importance of the Dungeness River. They created the Water Exchange to allow builders, homeowners and farmers to get the water they need to protect their investments while protecting the river for future generations. Put simply, the Exchange seeks to ensure that we put as much water back into the river as we take out.

DWE Mitigation Program-Costs and Quantities Unchanged by Hirst Legislation

You may have heard of the Washington State Legislature's recent passage of [legislation-SB 6091](#) to address the Hirst Supreme Court Decision. Watersheds are addressed differently in SB 6091, depending on whether they have implemented a watershed restoration plan, have an existing instream flow rule and whether that rule addresses permit-exempt wells. The Elwha-Dungeness (WRIA 18) is a watershed which has a watershed plan, as well as an instream flow rule which addresses permit-exempt wells and a mitigation program for new water uses with the Dungeness Water Exchange. The Dungeness rule, DWE mitigation program, mitigation water quantities and mitigation certificates costs remain unchanged as a result of SB 6091. The one area in which Dungeness Rule Area is impacted by SB 6091, is that mitigation certificates issued after January 19, 2018 will be part of the Metering Pilot Program. DWE will be in contact with all certificate holders affected by this provision. Thank you all for your participation in the DWE.

The Dungeness Water Exchange has two key programs: restoration and mitigation

- *Mitigation:* The Exchange mitigation program is a "water bank" that allows new water users to purchase a certificate that meets state requirements for protecting the Dungeness River. The money raised by the certificates will go to purchase water from willing sellers. That water will go back into the river instead of being used for other purposes.

Mitigation Packages Offered

Mitigation Package Description

Package Description	Average Amount of Indoor Use (Gallons/Day)	Average Amount of Outdoor Use (Gallons/Day)	Amount of Irrigated Lawn Area (Square Feet)	Amount of Irrigated Lawn Area (Acres)
Indoor Only Package (minimal incidental outdoor use only) \$1,000.00	150* (average)	0	0	0
Indoor with Basic Outdoor Package \$2,000.00	150* (average)	89	2,500 (approx. 50 x 50 ft.)	0.06
Indoor with Extended Outdoor Package \$3,000.00	150* (average)	200	5,625 (approx. 75 x 75 ft.)	0.13

Note: The Exchange accounts for domestic mitigation using a standard average daily amount of 150 gallons (WAC 173-518-080 (b)). This is the annual amount of water that the Exchange and the mitigation certificate purchasers agree upon as the basis for their transaction. The amount of outdoor use is based on the amount of irrigation required for turf grass according to the Washington Irrigation Guide (20.80 inches/year). A larger amount of landscaping or garden area may be possible with the same number of gallons per day.

Stockwater Mitigation Packages

Number of Stock	Average Pumping Volume in Gallons/Day	Average Pumping Volume in Gallons/Year	Average Pumping Volume in Acre Feet/Year	Price
Up to 5 Animals	60	21,900.00	0.067	\$1,300.00
Up to 10 Animals	120	43,800.00	0.134	\$1,800.00
Up to 15 Animals	180	65,700.00	0.202	\$2,200.00

Note: The amount of water consumed by stock animals varies considerably depending on the type of animal, the size of the animal, the temperature and climate and whether the animal is lactating. The Exchange worked the Department of Ecology to consult scientific information from the US Department of Agriculture on stock water consumption and chose 12 gallons per day as a conservative average for stock water consumption.

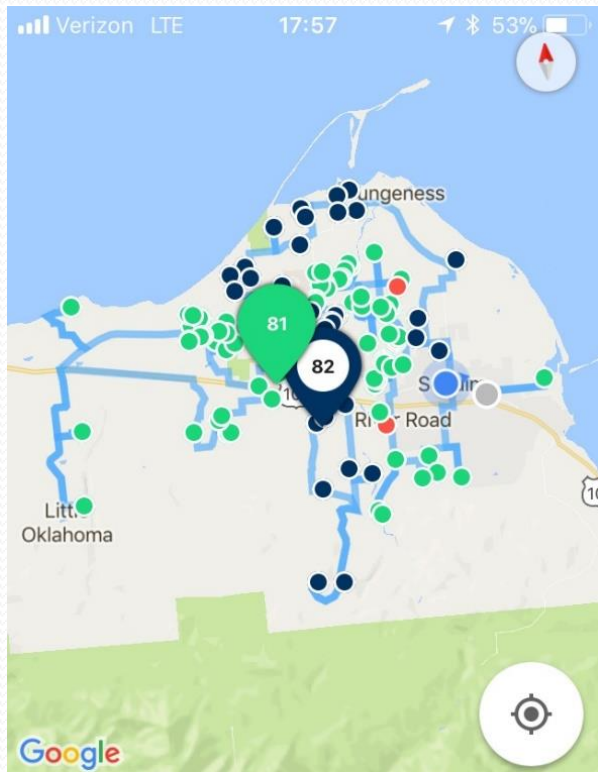
DWE 2013-Present

Mitigation Packages Sold*	Consumptive Impact (AFY)
<i>Indoor- 233</i>	3.961
<i>Basic Outdoor- 35</i>	3.15
<i>Extended Outdoor- 24</i>	4.8
<i>Stock Water (5 animals)- 3</i>	.102
<i>Stock Water (10 animals)- 2</i>	.134
<i>Stock Water (15 animals)- 1</i>	.101
<i>Water Rights- 3</i>	2.76
TOTAL	15.008

- Projected at least 40 years of supply remaining
- Total AFY Purchased for the Exchange= 175

*updated 3/7/18

Metering



- 130 meters monitored in December 2017
- Two 10 hour days driving around Sequim

224 certificates issued to date*

*(3/7/18)

235 unique parcels to monitor

132 instances with a verified meter

103 instances with no meter verified

Unique Parcels to Monitor



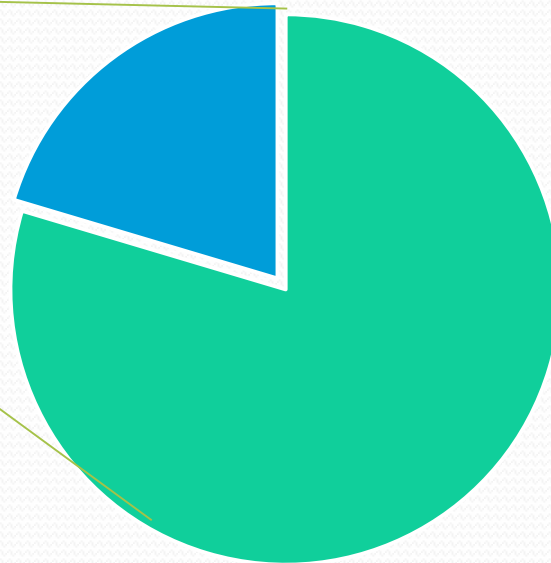
Unverified Meters-44% meters

Unique Parcels to
Monitor

Meter
verified
56%



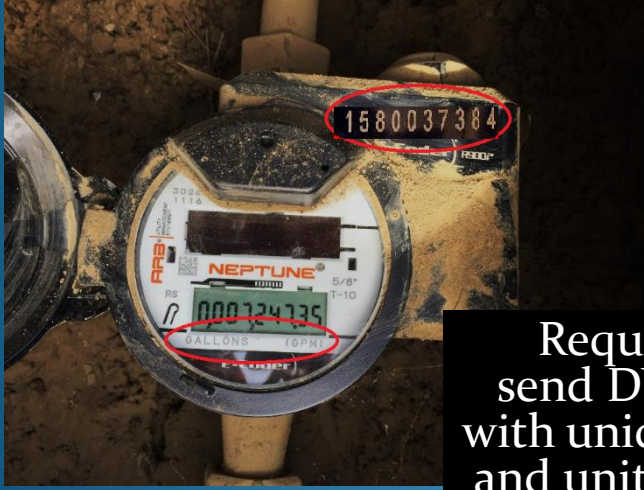
No
meter
veri...



80% of unverified meters will
be identified by new building
inspection requirements

- Out of...
- Haven't...

Final Building Inspection Metering Requirement



Requires owner to send DWE a picture with unique meter ID and units of measure

Permit Information:
 (360)417-2595
 dcdldg@co.clallam.wa.us
 www.clallam.net/permits

Inspections (24 hrs):
 (360)417-2518

Clallam County
Department of Community Development
 Clallam County Courthouse
 223 E. 4th Street - Suite 5
 Port Angeles, WA 98362-0149

Renewal _____

Permit No: **BPT00-00005**

Expires: **October 10, 2019**
 Parcel No: **00-00-00-000003**

Building Permit

Applicant: **JANE Q PUBLIC** Primary:
 Fax:
 Phone1:
 Phone2:

Contractor:

Parcel No.: **00-00-00-000003** Located in **Section 00, T 00 N, R 00 WWM**
 Address: **223 E 4th St MAIN** Size: **Acres**
 . **WA** Zoned:

Project Description and Application Type: **Residential**
This is a temporary building, so the permit will go away too

Location:

Project Value:	Floor Areas (sq ft)	Plumbing Fixtures:	Required Setbacks
CodeEdition:	First Fl: 1,000	Wood Stoves:	Front:
Units:	Second Fl:	Fireplace Inserts:	Side 1:
Bldgs:	Third Fl:	Fireplaces:	Side 2:
Type Const:	Finished Bsmt:	Heat Types:	Rear:
Occ Group:	Unfinished Bsmt:		Drywell Vol.: 15.0
Bedrooms:	Garage:		Flood Elev Cert. N
Bathrooms: 0	Carport:		Required?: N
Stories:	Cov. Deck:		Shoreline?: N
	Deck:		
		Energy Code Path:	

Hiring an unregistered contractor exposes you to significant legal and financial risks. (RCW 18.27) For more information, or to find out if your contractor is registered go to www.HiringaContractor.lni.wa.gov or call 1-800-647-0982.

To monitor the progress of your inspections (listed on the back of this permit), and the other requirements listed below, go to "www.clallam.net/permits" and select "On-Line Permits"

FEES			
Type	Amount Paid	Date	Receipt
Total:			

Additional Inspections and Other Requirements for this Permit

- Make/Model _____ VIN _____
- Sewer Connection Permit must be finalized prior to Building Permit Final Inspection
- Road Approach Permit must be finalized prior to Building Permit Final Inspection
- All Conditional Use Permit conditions must be met prior to Building Permit Final Inspection
- Prior to final inspection: Dungeness Water Exchange's written approval of compliance with well metering requirements**

Stream Balances

CREDITS AND OBLIGATIONS

Item	Bagley	Bell	Cassalery	Dungenes s (incl. Matriotti)	Gierin	McDonal d	Meadow	Siebert	Totals
Reservation Amounts Set in Rule	7.241	1.665	0.941	550.284	7.892	2.172	18.826	15.929	604.95
2013	0.000	0.000	0.005	-	0.000	0.000	0.023	-	0.03
2014	0.083	0.017	0.142	-	0.087	0.050	0.040	0.024	0.44
2015	0.083	0.022	0.171	-	0.114	0.082	0.042	0.025	0.54
2016	0.083	0.033	0.416	-	0.245	0.100	0.065	0.025	0.97
2017	0.032	-	-	-	-	-	0.014	-	0.05

Aquifer Recharge Summary



WASHINGTON
WATER TRUST
Working to restore our state's rivers and streams.

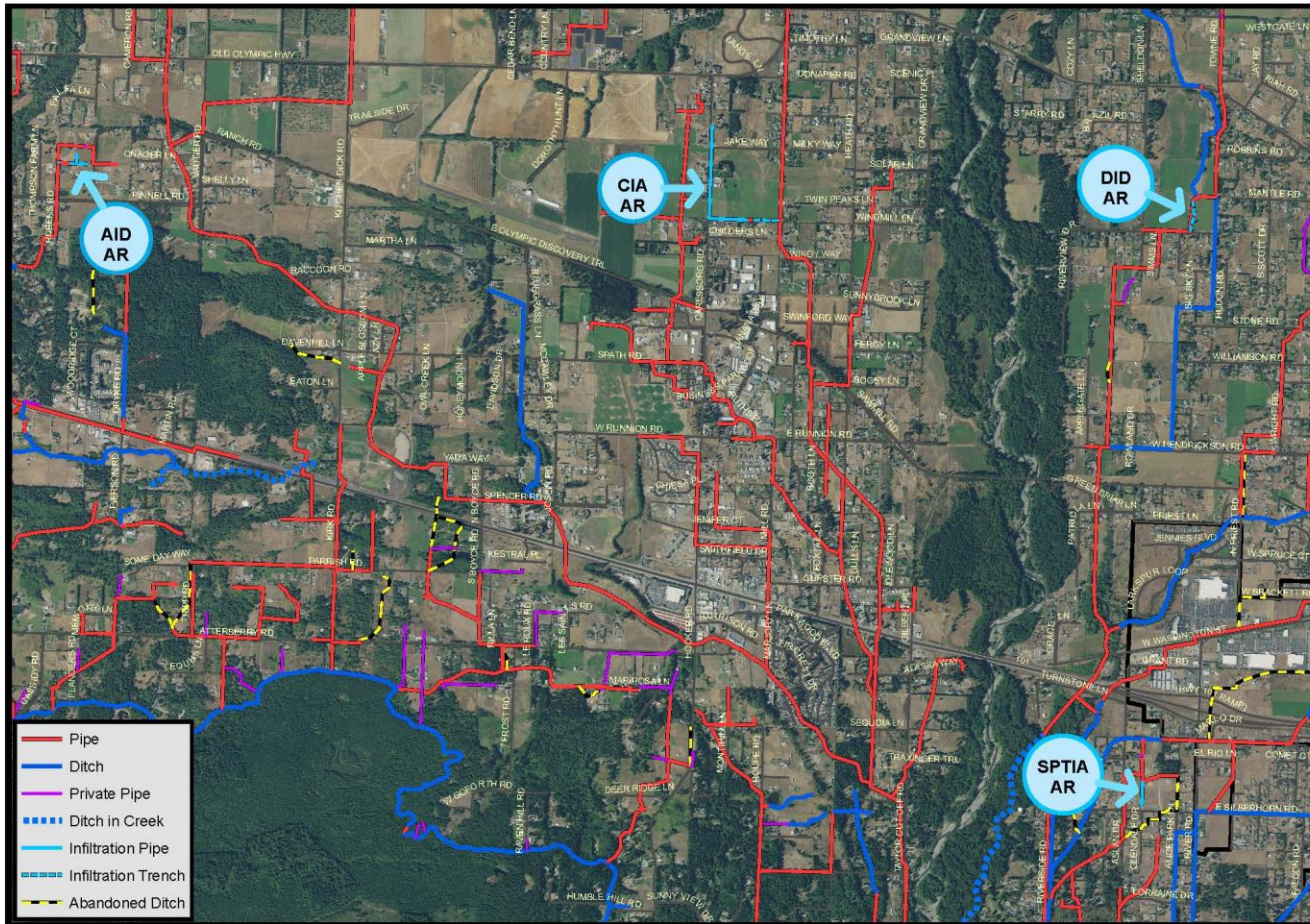
Mitigation Recharge

District/Company	Site	# of Days	Rate of Recharge-CFS	AFY
Agnew Irrigation District	AID-Pinnell Rd AR	45	0.5	44.7
Dungeness Irrigation District	DID-McComb Rd AR	8	0.4	6.4
Sequim Prairie-Tri Irrigation Assn	SPTIA-Silberhorn Rd AR	9	0.2	3.58
TOTAL				54.68

Restoration Recharge

District/Company	Site	# of Days	Rate of Recharge-CFS	AFY
Clallam Ditch Association	CDA Jakeway AR	29	2.5	143.80
Clallam Ditch Association	CDA Jakeway AR	1	2	3.96
TOTAL				147.76

Aquifer Recharge



Dungeness Aquifer Recharge Sites



DISCLAIMER: While every precaution was taken in preparing this map, the publisher disclaims any warranty of fitness or accuracy of the data. This map is approximate in nature, based on compilation of data from multiple

11/8/2017 Cartographer: Joe Holtrop

Aquifer Recharge Summary

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TOTAL				54.68

Restoration Recharge

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Clallam Ditch Association	CDA Jakeway AR	1	2	3.96
TOTAL				147.76

Where does the Mitigation Fee go?

- Dungeness Water Exchange negotiated an agreement to purchase a portion of senior water rights (**175 Acre-Feet**) held by the Dungeness Water Users Association (Irrigators).
- The Exchange has also developed a water management agreement that allows delivery of the purchased water (**130 AFY**) to supply aquifer recharge projects in the Dungeness.
 - In addition to providing mitigation water, these recharge projects will enhance stream flows in small streams and the Dungeness River.
- In addition to providing mitigation water, these recharge projects will enhance stream flows in small streams and the Dungeness River.
- Remaining **45 AFY** is for mitigation recharge directly to the mainstem
- The Department of Ecology has provided start-up funding for these projects, which will provide mitigation for between 950-2,350 wells, depending on the amount and type of mitigation packages sold and the depth and location of new wells.

Current count of Mitigation Certificates Issued 5 years into the rule being in effect

233 indoor certificates issued @ .017 AFY = 3.961 AFY

35 basic outdoor certificates issued @ .09 AFY = 3.15 AFY

24 extended outdoor certificates issued @ .20 AFY = 4.8 AFY

6 stockwater (3 5 animal, 2 10 and 1 15 animal) packages issued @
.067 AFY = .337 AFY

3 water rights PUD certificate issued = 2.76 AFY

Total = 15.008 AFY Issued Mitigation Credits used

Total Mitigation Water Available - 175 AFY

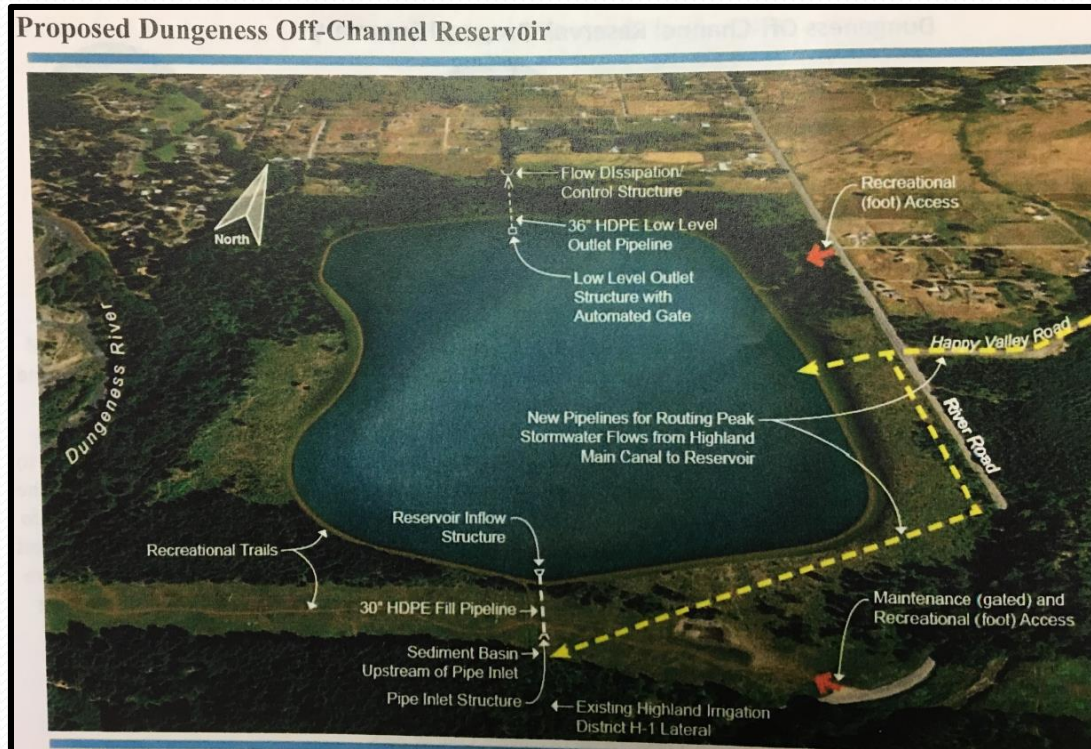
About 40 years of supply remaining...

NB – each indoor mitigation certificate purchased at 150 Gallons per day, and assuming 90% septic return, is in a sense a 15 gpd consumptive water right, and offsets the reservation (spread across the Dungeness River and independent streams by that collective amount)

Conclusions

- Dungeness Rule (WAC 173-518) now in effect for over 5 years (Jan. 2013 – March 2018)
- Over 230 indoor domestic mitigation certificates issued
- 50+ outdoor mitigation certificates issued
- Four shallow aquifer recharge facilities are operational this past year, taking river water via irrigation diversion in the late Spring to recharge the shallow aquifer at critical locations to help summer streamflow of several of the independent streams in the basin
- Remote read meters being read 2X/year by Dungeness Water Exchange. Recent law directs that a metering pilot project be conducted in the Dungeness.
- Ongoing efforts to

Secure funding for construction of an off-channel reservoir



Off-Channel reservoir could provide up to 30 CFS of irrigation for irrigators on east side of river, thus keeping 30 cfs in the river during the critical low flow period of August 15 – September 15.

GOOD NEWS!! \$2,500,000 in recently passed Supplemental Budget for land acquisition.

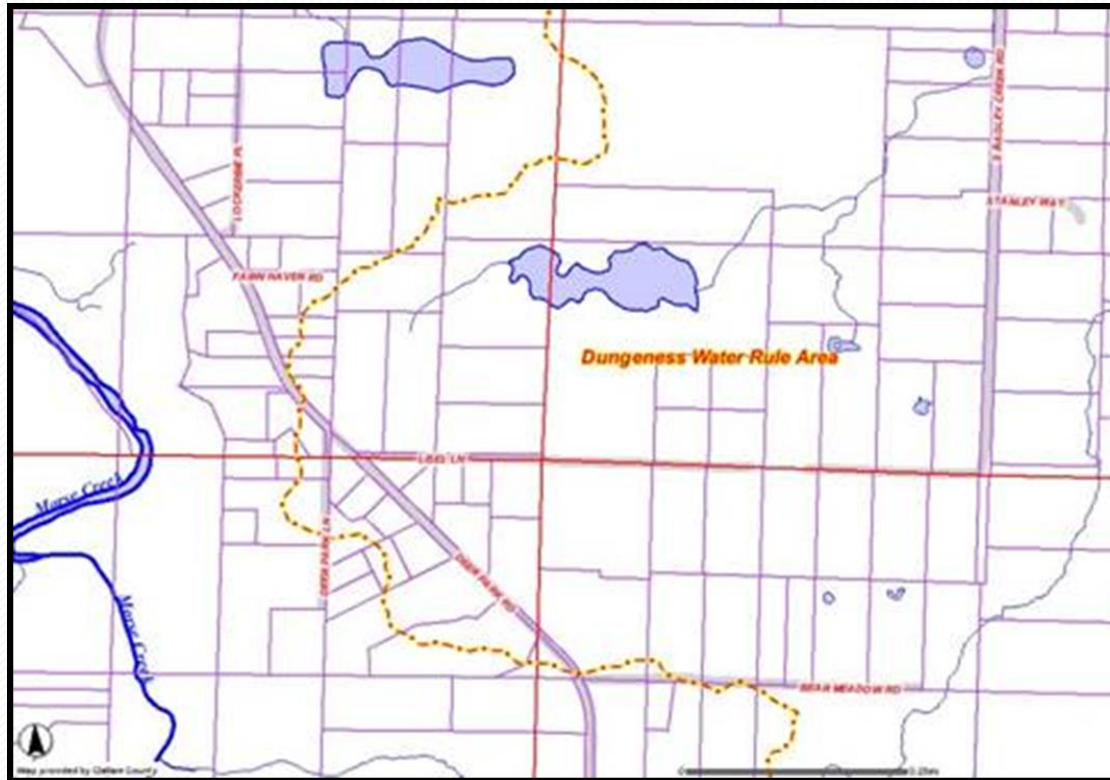
Besides land acquisition, reservoir design, permitting, construction and ongoing operations/maintenance costs will need future funding for the Off-Channel Reservoir Project to be realized

What is considered domestic use?

- Domestic use is defined as “use of water associated with human health and welfare requirements, including water used for drinking, bathing, sanitary purposes, cooking, laundering, and other incidental household uses.
- Examples of incidental household uses include, but are not limited to: Washing windows, car washing, cleaning exterior structures, care of household pets, and watering potted plants.

Domestic use does not include other uses allowed under the groundwater permit exemption: Outdoor irrigation of up to one-half acre of noncommercial lawn or garden, stockwatering, and industrial use.”

Who is “in” and who is “out?”

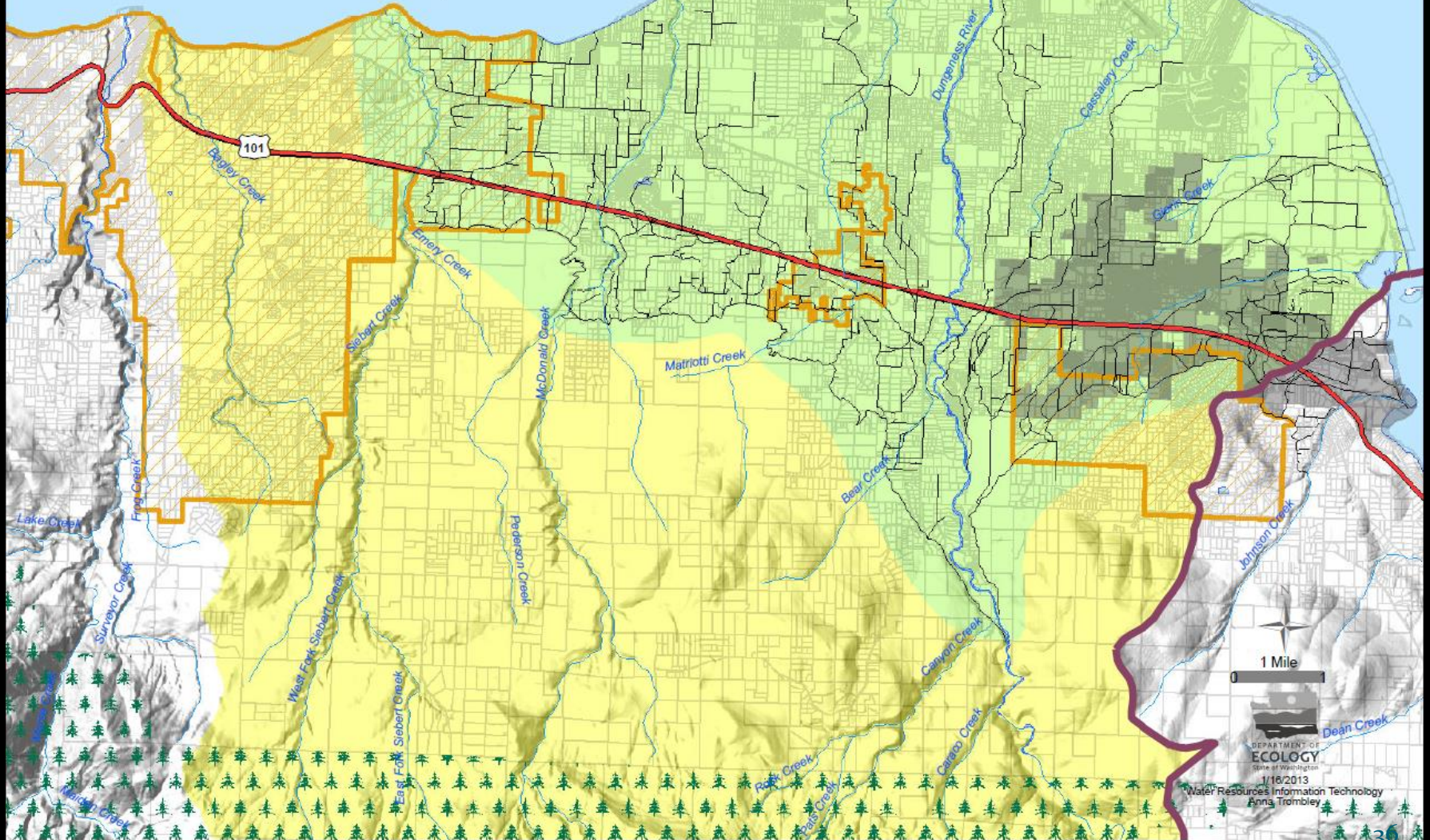


- For those parcels that are partially in and out of the rule area, *if the owner can locate a well outside of the rule area, then they are “out” and do not need to pay a mitigation fee. If they put their well “in”, then they will need to pay the mitigation fee.*

Likely Mitigation Availability in Dungeness Watershed



- | | | | |
|---|----------------------------------|---|-------------------------------------|
|  | Available for domestic use only |  | Available for domestic & other uses |
|  | Clallam County PUD #1 boundaries |  | National Park & Forest |
|  | Clallam County Parcels |  | irrigation ditches |
|  | Sequim |  | WRIA 18 Boundary |
|  | Water Bodies |  | Rivers |
| | |  | Major Roads |



How Yellow-and Green Areas are Delineated

- Dividing line is based on location of highest irrigation ditch or pipe with a small uphill buffer.
- Green area has “water for water” availability for mitigation for indoor and outdoor use.
- Yellow area has no “water for water” availability at this time – so indoor use only.
- Aquifer recharge projects still in process of making green area “green”.

**Examples of grandfathering in
previous use
VS
needing to pay the mitigation fees**

Group A water system or Group B water system that has been in operation for greater than 5 years

- **For Group A water systems** in the Dungeness Basin that are located within the rule area, the property owner would need to hook up to the Group A system rather than have a well constructed. For example, a system that has 300 active service connections and a total buildout of 350 connections – this shows that there is inchoate (existing water rights for future water supply) water available, so new homes in this type of system only need to pay whatever fees that the Group A system charges to hook up.
- **For Group B water systems**, if the hookup occurs more than 5 years after the first hookup, the new hookup will need to pay the one-time mitigation fee of \$1000 for indoor use, \$1000 more (\$2000 total) for outdoor use for an area of 50 feet by 50 feet irrigation, or \$2000 more (\$3000 total) for outdoor use for an area of 75 feet by 75 feet irrigation.

Property owner living on 2.5 acre parcel of property in a motor home

- Year - early 2013
- Property has an exempt well and owner using well for water supply for several years.
- Now plan to build home
- **Decision:**
 - Although the residents not living in a “Single Family Dwelling Unit” as defining in Clallam County Code, they have been putting the water to beneficial use prior to the effective date of the rule, so no Mitigation Fee/Certificate required.

Property owner living on 5 acre parcel of property in a 30 foot trailer

- Year - 2013
- Property has an exempt well and owner using well for water supply for 10 years.
- Built a 3-car garage for storage and garlic hanging
- Built 2 greenhouses and a hoop house
- Also hooked up to a county approved 3-4 bedroom partially pressurized septic system
- Now intend to build house...
- **Decision:**
 - Although the residents not living in a “Single Family Dwelling Unit” as defining in Clallam County Code, they have been putting the water to beneficial use prior to the effective date of the rule, so no Mitigation Fee/Certificate required.

3-acre parcel for sale – prospective buyer wants to bring 2 horses on property

- Property has an existing house, is served by a well, is fenced and has irrigation rights through the Dungeness Ditch Co.
- **Decision:**
 - Since property has a house and well that was in use prior to effective date of rule and has outdoor irrigation rights via the Dungeness Irrigation Co, no mitigation fee /Certificate is necessary.
 - Parcel owner to purchase a Stockwater Mitigation Certificate for the two horses.
 - A 1-5 animal Stockwater Mitigation Certificate costs \$1,300.

Inquiry to Construct a new home with a detached building w/ bathroom only for a small wood working operation

- Land currently vacant of structures and has no well
- A new well will be constructed on property to provide water supply
- **Decision**
 - Need Mitigation Certificate for indoor water.
 - Do not need a separate Mitigation Certificate (and associated mitigation fee) for detached woodworking operation since separate building would only have a bathroom served by same on-site new well
 - A bathroom (toilet and sink only) in a separate building is not charged a mitigation fee because it is not a new use of water, but rather a convenience of using the same source in a different building on the property

Existing home with a grandfather well, but now wishes to build an ADU

- Indoor Mitigation Certificate required for ADU since ADU will have a bathroom, laundry and kitchen – this is considered a new use of water

I have lived in my home and used my well for 15 years, but now I want to....

- Build on to my home, adding 3 bedroom and a new bathroom.
- As long as the build-on shares a “common wall” with the original house, no indoor mitigation fee required.
- If build-on is an entirely separate structure, then an indoor mitigation certificate is required.

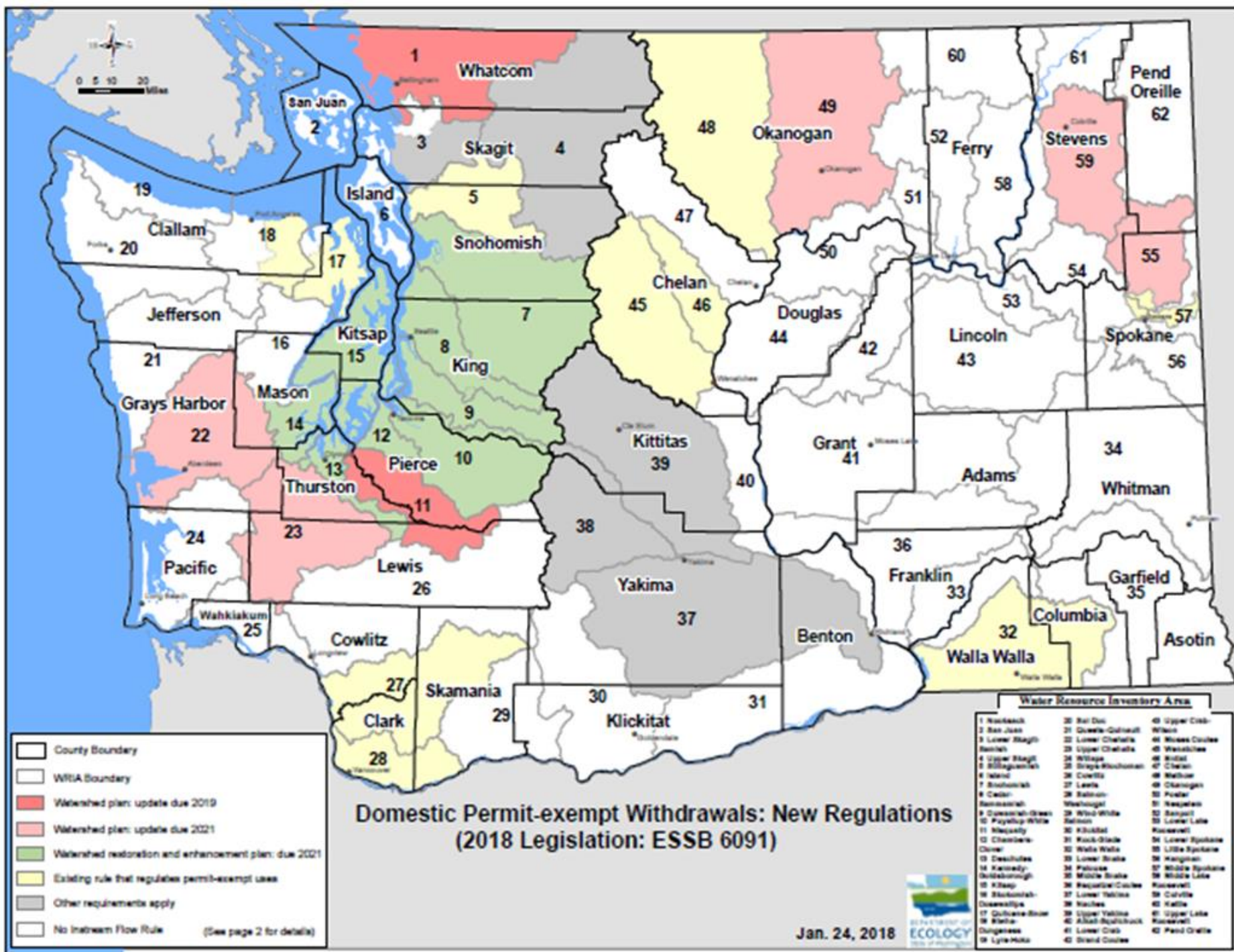


ESSB 6091

Brief Overview of New Law

Summary of the new law

- The law focuses on 15 watersheds that were impacted by the Hirst decision and also establishes standards for rural residential permit-exempt wells in the rest of the state.
 - The law divides the 15 basins into those that have a previously adopted watershed plan and those that did not.
- The law allows counties with those 15 watersheds to rely on our instream flow rules in preparing comprehensive plans and development regulations and for water availability determinations.
- It allows rural residents to have access to water from permit-exempt wells to build a home.
- It lays out these interim standards that will apply until local committees develop plans to be adopted into rule:
 - Allows a maximum of 950 or 3,000 gallons per day for domestic water use, depending on the watershed.
 - Establishes a one-time \$500 fee for landowners building a home using a permit-exempt well in the affected areas.
- It retains the current maximum of 5,000 gallons per day limit for permit-exempt domestic water use in watersheds that do not have existing instream flow rules.
- It invests \$300 million over the next 15 years in projects that will help fish and streamflows.



Two Metering Pilot Projects Directed in the new Law

- The law directs Ecology to initiate a metering pilot program in the **Dungeness Basin** and in Kittitas County (Section 204).
- We will work with the entities that are implementing existing programs to implement this section and are currently developing a process to purchase and provide meters.
- We anticipate paying for new meters once we have this process in place; we do not intend to reimburse homeowners who bought meters before we launch the new process. Landowners wanting to build immediately using a permit-exempt well in these basins may purchase their own meter through the existing program, or wait until we have our new process in place to obtain a meter free of charge.