

Water Resources Management Program for the Dungeness Portion of the Elwha-Dungeness Water Resource Inventory Area (WRIA) 18, Chapter 173-518 WAC

Effective January 2, 2013, there will be a new water resources management rule for the Dungeness basin. The rule will cover the eastern portion of Water Resource Inventory Area (WRIA) 18, located in northwest Washington in eastern Clallam County and a small portion in Jefferson County.

Water supply in the Dungeness varies greatly throughout the year. Snow melt feeds the Dungeness River in spring and early summer. In the summer, streamflows drop rapidly as snow pack and rainfall diminish. By late summer streams and rivers are almost entirely fed by groundwater, and stream flows decline: exactly the same time that farm irrigation and lawn-watering are at their peaks and spawning fish and the natural environment also need water in streams.

The Dungeness watershed is already over-allocated during the July 15 to November 15 timeframe. Demand for water for new residences continues. And there are four fish species listed under the Endangered Species Act. For all of these reasons, careful water management is needed if there is to be enough water for all the demands on it, now and in the future.

What is Chapter 173-518 WAC?

The adoption of Chapter 173-518 WAC is needed to protect instream values within the Dungeness watershed; avoid injury to existing water rights from future appropriations of water; meet statutory obligations to manage waters for public use; and to implement recommendations of the Elwha-Dungeness Watershed Plan. This water management rule:

- Sets instream flows.
- Closes or seasonally closes rivers and streams to future withdrawals.
- Requires mitigation for new consumptive uses of water.
- Establishes reserves of water for future domestic use.

WHY IT MATTERS

The Department of Ecology has a legal obligation to both protect reliable supplies of drinking water and to protect fish, wildlife and other “instream resources” that depend on adequate amounts of water in streams. With increasing demands for a limited supply of water, the Dungeness watershed faces many water challenges. Careful water management is needed to help ensure there is enough water for all uses, now and into the future. This rule will affect how water is managed from the effective date forward, for the benefit of people and the environment.

Rule adoption date:
November 16, 2012

Rule effective date:
January 2, 2013

Contact information:

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Special accommodations:

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Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

- Sets maximum allocations of water from the mainstem Dungeness River during the open period.
- Allows storage projects.
- Requires metering of new withdrawals.

Response to Comments

Ecology's response to comments received during the public comment period is now available. Download a copy at: <https://fortress.wa.gov/ecy/publications/SummaryPages/1211039.html>
Please note: Due to the size of this file it may take a long time to download.

Whom will this rule affect?

Beginning on January 2, 2013, all new water uses must comply with this rule. The rule will affect:

- Land owners and developers
- Well drillers
- Local and state agencies
- Public and interested parties

To ease the transition to a new water management framework Clallam County will cover the new cost to mitigate domestic water use until June 30, 2013 using funds from their (Watershed Implementation) grant, funded by Ecology. Additionally, Ecology is requesting funds for the 2013-15 biennium for water supply projects that support mitigation, flow restoration and to offset the cost of mitigating new domestic water use. These decisions do not alter the rule's requirements, nor would they alter the responsibility of new water users in the future to bear the cost of mitigation for new domestic water use if the legislature decides not to fund it.

Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at 360-407-6998 or bari.schreiner@ecy.wa.gov.

More information on the rule

For more information please visit the web site at:

<http://www.ecy.wa.gov/programs/wr/instream-flows/dungeness.html>

To get updates on Ecology's rule-making activities, sign-up for the WACTrack e-mail list at www.ecy.wa.gov/maillist.html.

