

Nisqually Watershed Planning and the Streamflow Restoration Act

In response to the 2018 Streamflow Restoration Act (ESSB 6091), the Nisqually Planning Unit is working to develop a plan addressing projected growth and mitigation strategies for permit-exempt domestic use wells in the Nisqually watershed (WRIA 11). The Nisqually Indian Tribe is the lead agency for watershed planning in the Nisqually Watershed and has reconvened the Nisqually Planning Unit to respond to the legislative mandate of the Streamflow Restoration Act.

What is a permit-exempt well?

Permit-exempt wells often provide water to homes or small developments where community water supply is not available, usually in rural areas. Washington State allows small groundwater withdrawals without a permit or water right for:

- Domestic uses of less than 5,000 gallons per day per well (maximum 3,000 gallons per day per connection for domestic uses)*
- Industrial uses of less than 5,000 gallons per day
- Irrigation of a lawn or non-commercial garden, a half-acre or less in size (maximum 3,000 gallons per day per connection for domestic irrigation)
- Stock water

*ESSB 6091 sets an annual usage cap of 3,000 gallons per day per connection to an exempt well for domestic use for the Nisqually watersheds.

What does the Streamflow Restoration Act do?

Under ESSB 6091, communities (generally at the county level) must implement actions to mitigate for consumptive water use by permit-exempt wells that impact senior water rights. Senior water rights include instream flow rules setting minimum streamflow needed for salmonids.

In ESSB 6091, the Washington State Legislature mandated that the Nisqually Watershed Planning Unit and other watersheds proceed quickly to develop a watershed plan amendment with strategies to mitigate impacts of future permit exempt wells on stream flows. The Legislature, in passing the act, allocated \$300 million in capital funds over the next 15 years for all watershed planning and watershed restoration and enhancement projects. Strategies may include purchasing water rights, adopting county-level policies about well use, and watershed or habitat restoration projects to provide a net ecological benefit to streams impacted by exempt wells.

What is the Nisqually Watershed Planning Unit?

The Planning Unit is an existing group of government and citizen representatives responsible for the Nisqually Watershed Management Plan (2004). The Planning Unit is currently developing an amendment to the Watershed Management Plan in response to ESSB 6091. Planning Unit members participating in 6091 planning include Lewis, Pierce, and Thurston Counties, the Cities of Olympia, Lacey, and Yelm, the Town of Eatonville, the Nisqually Indian Tribe, Thurston Public Utility District, Washington State Departments of Ecology, Agriculture, and Fish & Wildlife, and the Nisqually River Council Citizens Advisory Committee.

For more information:

Planning Unit schedule and meeting materials: <http://nisquallyriver.org/nisqually-water-planning/>
Department of Ecology Guidance: <https://ecology.wa.gov/Water-Shorelines/Water-supply/Streamflow-restoration>

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