

Nisqually Watershed, WRIA 11

This focus sheet provides information on the availability of water for new uses in the Nisqually Watershed. This information provides a starting point for potential water users in determining the best strategies for securing water for a future project or proposal in this area.

This watershed consists of the Nisqually River and numerous tributary creeks and streams. The lower Nisqually Watershed is one of the most intensely farmed basins in western Washington. The annual precipitation in the Nisqually Watershed ranges from 40 inches in the lower Nisqually Watershed to over 120 inches per year in the Cascade Mountains. Most of the precipitation arrives during the winter months when water demands are the lowest. During the summer, the snowpack is gone, there is little rain, and naturally low stream flows are dependent on groundwater inflow. At the same time the demand for water for human uses, including irrigation, are at the yearly maximum. This means that groundwater and surface water are least available when water demands are the highest.

Factors affecting water availability

There is limited water available for new uses in WRIA 11, especially given that river levels need to be maintained to ensure adequate water quality and fish migration. Additionally, Tacoma Power has senior water rights to maintain reservoir levels in Alder Lake, and as a result much of the water in the Nisqually River Watershed has already been spoken for. Increased demands from population growth, low summer and early fall streamflow levels, and impacts from climate change add to the challenge of finding new water supplies in WRIA 11, especially during the summer months.

[Chapter 173-511 WAC](#) is the instream flow rule for the Nisqually River Watershed, including the Mashel River and several smaller streams such as Ohop, Tanwax, McAllister, and Yelm creeks. This rule closes and partially closes numerous streams to any new appropriations, as well as adopts instream flows on other streams and creeks. The instream flow rule was adopted in 1981.



Definitions

Instream flows: Flow levels adopted into an administrative rule that create a water right for the stream to protect fish, wildlife, stock watering, recreational uses, and other instream uses and values. Typical instream flow rules now include broader water management strategies.

Seawater intrusion: The movement of salt water into freshwater aquifers.

Surface water source limitation: A recommendation from the Department of Fish and Wildlife that flows be protected to maintain fish populations. See RCW 77.57.020

WRIA: Water Resources Inventory Area; also known as a watershed or river basin. For environmental administration and planning purposes, Washington is divided up into 62 major watersheds, or WRIsAs.

Tacoma Power operates Alder and La Grande Dams and under their FERC license must release water in amounts similar to the adopted instream flows for the Nisqually River. This results in stream flows in the Nisqually River below Alder Dam generally meeting instream flow levels year-round. However, Tacoma Power has the authority to withhold flows below the dam in certain circumstances in order to maintain operational levels in the Alder Lake Reservoir.

The Nisqually Indian Tribe is very concerned about maintaining flows and fish habitat in the watershed. Ecology submits all water right applications and associated mitigation plans to the Tribe for their review.

Some areas located near Puget Sound, primarily east of Johnson Point, may have the potential for seawater intrusion.

Water currently available for new uses

Connecting to an established water supplier for your new water use is often the fastest and simplest option for securing a new water supply.

The groundwater permit exemption allows certain users of small quantities of groundwater (most commonly, single residential well owners) to construct wells and develop their water supplies without obtaining a water right permit from Ecology. In a recent decision, the Washington State Supreme Court ruled that counties must ensure new uses of water (including permit-exempt wells) will not impact instream flows or closed water bodies when it approves building permits or subdivision applications. Even though the rule adopted by Ecology for this watershed does not limit the use of permit-exempt wells, counties are required under the Growth Management Act to protect streams and other waterbodies in their county. Counties may not issue permits for projects that will rely on a permit-exempt well, unless it determines that the water use will not impact instream flows or closed water bodies.

For more information on the decision, visit <http://www.ecy.wa.gov/programs/WR/nwro/hirst.html>. For more information on the groundwater permit exemption, visit <https://fortress.wa.gov/ecy/publications/documents/1511016.pdf>.

For more information on how instream flow may impact county approvals, visit Department of Ecology's [Domestic Water Availability Maps](#) and contact your county to find out how these restrictions apply to your project.

Additional options for finding a water supply include processing a water right application through the [Cost Reimbursement Program](#). The applicant may need to develop mitigation to offset the impacts of their water use to surface water.

For more information on these and other options, refer to "[Alternatives for Water Right Application Processing](#)."

Pending water right applications in this watershed

Washington water law is based on the “prior appropriation” system, often called “first in time, first in right.” Applications for water from the same source must be processed in the order they are received. (There are certain exceptions, see “Additional options for processing water right applications” above.)

Ecology asks anyone who needs a water right (new, change, or transfer) to submit the pre-application consultation form and meet with us to review your water supply needs and project proposal.

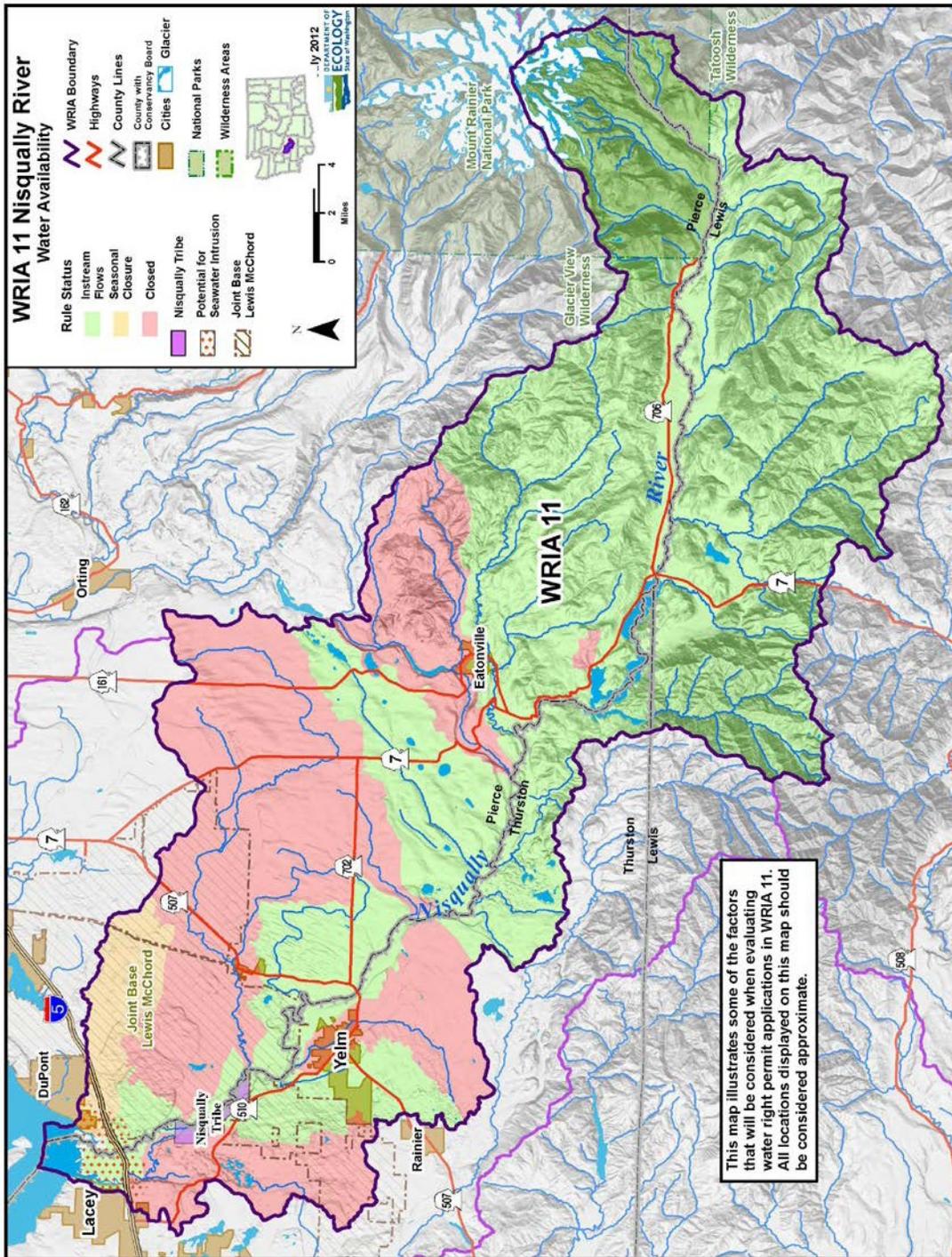
- Apply for a New Water Right
<http://www.ecy.wa.gov/programs/wr/rights/newrights.html>
- Apply to Change or Transfer a Water Right or Claim
http://www.ecy.wa.gov/programs/wr/rights/change_transfer_use.html

The map in this document shows some of the factors that will be considered when evaluating water right permit applications. Here are some information sources to assist you with your research:

- Locate and research water rights on land parcels anywhere in the state (Water Resource Explorer)
<http://www.ecy.wa.gov/programs/wr/info/webmap.html>
- Pending Water Right Applications by County
<http://www.ecy.wa.gov/programs/wr/rights/tracking-apps.html>
- Subscribe to a water right application RSS feed for a county or WRIA
http://www.ecy.wa.gov/programs/wr/rights/wr_app_rss.html
- WRIA map showing the total number of water right claims, certificates, permits and applications
<http://www.ecy.wa.gov/programs/wr/rights/Images/pdf/waterright-wria-maps.pdf>
- Search and view well reports using a variety of search tools
<https://fortress.wa.gov/ecy/waterresources/map/WCLSWebMap/default.aspx>

For more information

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