

Kitsap Watershed, WRIA 15

This focus sheet provides information on the availability of water for new uses in the Kitsap 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.

The Kitsap Watershed, also known as Water Resource Inventory Area 15 (WRIA 15), is situated in southern Puget Sound and comprises all of Kitsap county plus the northeastern part of Mason and the northwestern part of Pierce counties. This watershed is comprised mostly of rural development, but also includes the city of Bremerton and its suburbs. This watershed lacks any major rivers but includes numerous smaller streams.

Average precipitation is 30-70 inches per year. Most of this precipitation arrives during the winter months when water demands are the lowest, and only a fraction becomes available for human and economic uses. During the summer, there is little rain, so low stream flows are dependent on groundwater inflow. This means that groundwater and surface water are least available when water demands are the highest.

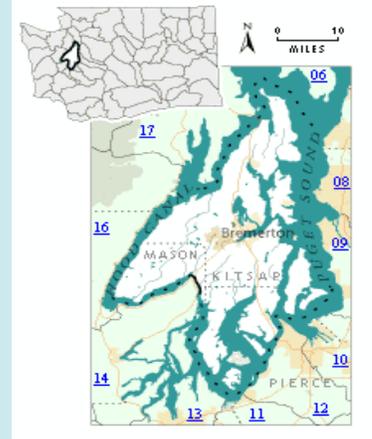
Much of the water in the Kitsap Watershed is already legally spoken for (“appropriated”). Increasing demands for water from ongoing population growth, diminishing surface water supplies, declining groundwater levels in some areas, and the impacts of climate change have put Washington’s water supplies at risk. The Kitsap Watershed increasingly lacks water when and where it is needed, particularly during the summer months.

Factors affecting water availability

Instream Resources Protection Program rule

WRIA 15 has an Instream Resources Protection Program rule ([WAC 173-515](#)) to protect senior water rights, maintain a healthy ecosystem, and help meet future water resource management objectives. Such rules are required by state law ([RCW 90.54](#)).

MORE INFORMATION



Definitions

Aquifer: A rock formation that is capable of storing and transmitting groundwater.

Instream flow: A stream flow protected in a rule. These rules specify the amount of water needed in a particular place for a defined time, and typically follow seasonal variations.

Mitigation plan: A scientifically-sound plan intended to avoid impairment to existing water rights or capturing water from a closed source.

Non-consumptive use: A use of water that does not diminish the quantity or quality of water in the water source.

Permit-exempt well: The state Ground Water Code allows for certain uses of small quantities of groundwater without obtaining a permit from Ecology. (RCW 90.44.050)

All future water withdrawals on the Kitsap Peninsula are subject to the instream flows. Therefore any new water rights will be interrupted when adopted instream flow levels for the rivers and streams and their tributaries are not met. Obtaining a new non-interruptible water right in this area will be a very difficult, expensive and lengthy process due to potential adverse impacts on these protected streams and rivers.

Coastal areas of Puget Sound

Any proposed water withdrawals in the coastal areas of Puget Sound are evaluated for the risk of seawater intrusion into fresh groundwater supplies. Coastal applicants may need to develop an adequate mitigation plan to address the risk of seawater intrusion.

Seasonal closures

The following streams and rivers with instream flows, including their tributaries, are closed to further uses during the following times of the year.

- May 15–Oct 31: Big Beef Creek
- June 1-Oct 15: Crescent Creek, Grover’s Creek, Olalla Creek, Unnamed Creek (aka Steel Creek)
- June 1-Oct 31: Anderson, Purdy, Rendland, and Rocky Creeks, plus an Unnamed Creek (aka Strawberry/Cook’s/Koch’s Creek)
- June 1–Nov 15: Lackey Creek
- June 15-Oct 15: Curley Creek, Tahuya River
- June 15–Oct 31: Dwatto River

Year-round closures: The following water bodies are closed year-round to all new uses.

Barker Creek	Salmonberry Creek
Blackjack Creek	Seabeck Creek
Burly Creek	Stansberry Lake
Chico Creek	Union River
Dickerson Creek	Unnamed Creek (aka Gamble or Christianson Creek)
Clear Creek	Unnamed Creek (aka Kutcher Creek)
Judd Creek	Unnamed Creek (aka Sullivan Creek)
Kitsap Creek	Unnamed Creek in NW ¼, NE ¼ Sect. 1 T22N R2W.
Minter Creek	Unnamed Creek in SE ¼, SW ¼ Sect. 17 T24N R 1E
Mission Creek	Unnamed Stream (aka Dogfish or Harding Creek)
Mission Lake	

Water supply available for new uses

Surface water

Surface water may be available for single residences through the water right permitting process. A recent Supreme Court decision, *Hirst v Whatcom County*, held counties are responsible for ensuring that no new use of water will impact instream flows or closed water bodies. This decision may impact the water right permitting process for surface waters in this WRIA.

Surface water is also available for stock watering uses other than feedlots.

Groundwater

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.

If an applicant is not able to connect to an existing system, there may be additional options available. For more information, refer to "[Alternatives for Water Right Application Processing](#)." The applicant will likely need to develop a mitigation strategy to offset any impacts their water use will have on surface waters.

Note: You are encouraged to contact your regional Ecology office for further information on water availability in your area before submitting a water right application.

Non-consumptive uses

Water for non-consumptive uses (such as power generation) is still available, pending approval from Ecology.

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.

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

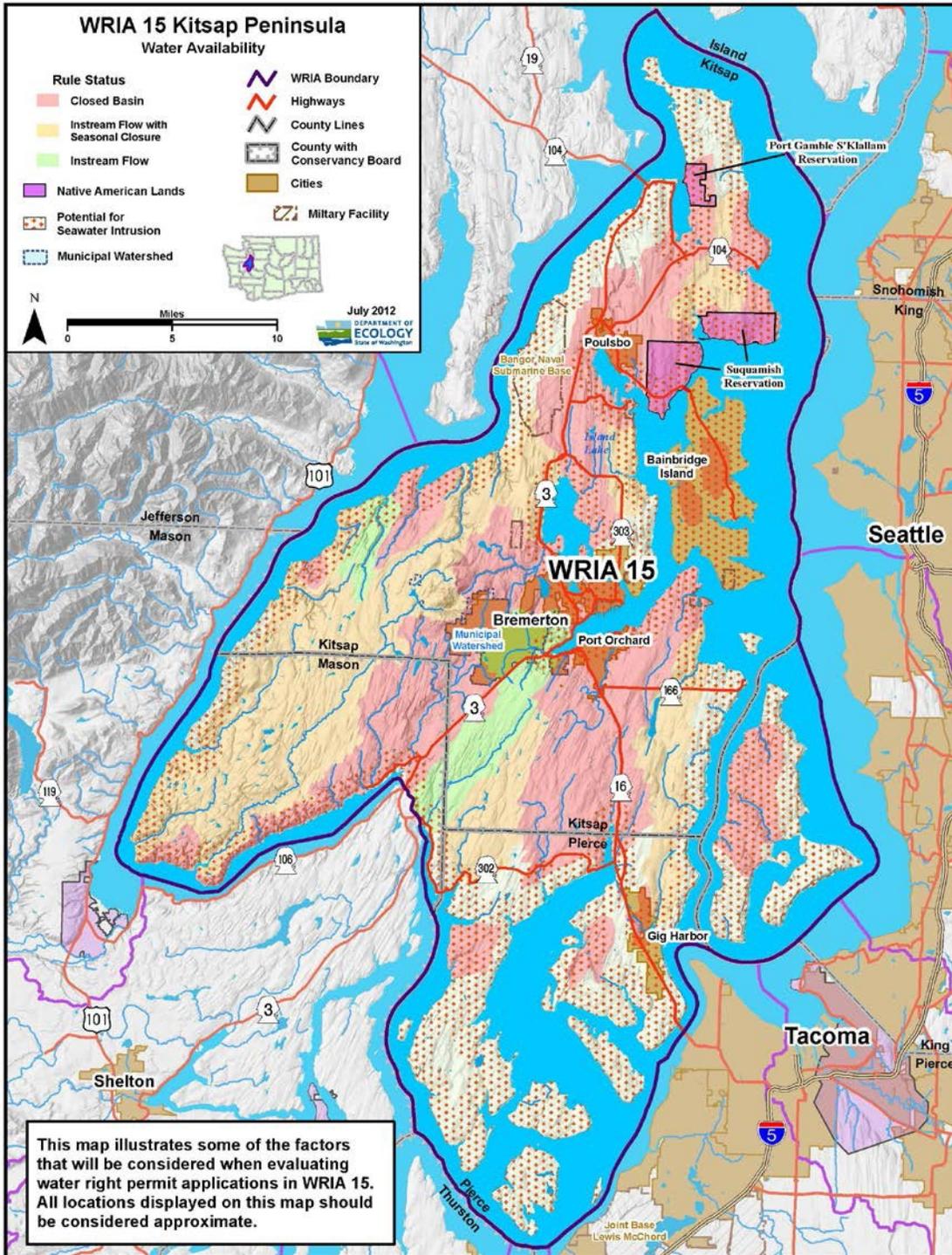
The map in this document shows some of the factors that will be considered when evaluating water right permit applications. Here are some information sources to assist you with your research:

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- 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
<http://apps.ecy.wa.gov/welllog/>

For more information

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