



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

July 8, 2015

Public Utility District No. 1 of Clallam County
Attn: Tom Martin, P.E.
PO Box 1090
Port Angeles, WA 98362-0207

Dear Mr. Martin:

Re: Short-term/Emergency Drought Authorization No. G2-30668 for Withdrawal of Ground Water

This letter serves as a short-term permit authorizing the withdrawal of groundwater from Township Line Road Well 1 (ACA564) and Well 2 (ACA565).

On June 24, 2015, Public Utility District No. 1 of Clallam County (the District) applied for a short-term authorization to withdraw public ground water from two existing wells known as the Township Line Road Wells. A maximum withdrawal rate of 35 gallons per minute (gpm) and 18.87 acre-feet per year is requested for municipal supply purposes. The wells are located within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, T. 29 N., R. 5 W.W.M. in Clallam County. Well #1/S03 (ACA564) is 108 feet deep. Well #2/S05 (ACA565) is 444 feet deep.

Background

The Township Line Road Wells were originally constructed under a Preliminary Permit issued under Water Right Application G2-28757. They were intended to serve as a back-up source to supplement surface water diversions from Morse Creek under Water Right Certificate S2-00076. Morse Creek is currently the only authorized source capable of serving the higher elevation pressure zones of the Fairview Water System. However, this water right is interruptible and requires diversions to cease whenever streamflows drop below 25 cubic feet per second (cfs).

The Fairview System is part of the District's Port Angeles Composite system which is supplied by three additional sources: The Bluffs Well, Bobcat Hollow Well and Old Olympic Highway Well. Withdrawals from all of these sources are authorized under Superseding Ground Water Right Permit 7439. The water system is also equipped to receive and distribute wholesale water through an inter-tie with the neighboring City of Port Angeles. Although there are multiple sources capable of serving the lower elevations of the Port Angeles Composite system, the system currently lacks the booster capacity needed to pump water from these sources to the higher elevations.

On March 13, 2015, the Department of Ecology issued a drought declaration for the Elwha-Dungeness Watershed which includes Morse Creek. As forecasted, Morse Creek is experiencing record low flows and is soon expected to fall below 25 cfs, requiring the District to cease diversions of surface water. An alternate source of supply is needed to deliver safe drinking water to upper Fairview customers while preserving critical in-stream flows for fish.



With the declaration of a drought, Ecology may authorize emergency withdrawals of public surface or ground waters following investigations and due consideration of comments received from appropriate governmental bodies. In order to approve a request for emergency withdrawals, RCW 43.83B.410(1)(a) requires that:

- (i) The waters proposed for withdrawal are to be used for a beneficial use involving a previously established activity or purpose;
- (ii) The previously established activity or purpose was furnished water through rights applicable to the use of a public body of water that cannot be exercised due to the lack of water arising from natural drought conditions; and
- (iii) The proposed withdrawal will not reduce flows or levels below essential minimums necessary (A) to assure the maintenance of fisheries requirements, and (B) to protect federal and state interests.

Due to the extended drought forecast this year, the District is currently working to install temporary pumps and adapt the existing infrastructure to convey groundwater up-gradient from the lower elevations of the water system to the upper Fairview area. Once the temporary system has been approved by the Department of Health and becomes operational, the Township Line Road wells under this short-term permit will be delegated to emergency standby status.

Investigations

The Township Line Road wells are located on a ground-water divide separating the Morse and Bagley Creek drainages. Well #1 (ACA564) is completed at a depth of 108 feet. The well report indicates water-bearing silt was encountered at a depth of 51 to 75 feet and water-bearing sand with gravel at 75 to 105 feet. Shale bedrock was encountered at 105 feet. The well report indicates that the well is capable of producing 30 gpm and had a static water level of 42 feet when it was drilled in October, 1993.

Well #2 (ACA565) is completed at a depth of 444 feet. This well was drilled through water-bearing layers of silt and sand from 51-102 feet. Shale was encountered from 102 to 444 feet with water-bearing shale from 185 to 200 feet. The well report shows that this well was air-tested at 5 gpm and had a static water level of 42 feet when it was drilled in October, 1993.

Due to hydraulic connection of surface and ground waters, withdrawals from the Township Line Road wells have the potential to reduce flows in both Morse Creek and Bagley Creek, both of which support anadromous fish. Stream flows for Morse and Bagley Creeks for the months of September, October and November are typically below the regulatory in-stream flow levels recommended in the Water Resource Inventory Area 18 Watershed Plan. Thus, use of the Township Line Road wells cannot be approved for long-term supply purposes.

Because there is currently no alternative back-up source for the upper Fairview system, the use of the Township Line Road wells may be approved for short-term emergency withdrawals for the duration of this year's drought. The District's application requests a total of 35 gpm and 18.87 acre-feet.

The District has pumped the Township Line Road wells under temporary and emergency authorizations since 1994. These wells were brought on-line during periods when Morse Creek flows fell below 25 cfs and during high flows when high turbidity would overwhelm the former treatment system. The highest annual withdrawal occurred in 1994 when the wells pumped a total of 19 acre-feet. To date, there have been no reports of interference or impairment of existing rights when pumping the Township Line Road wells.

Ecology last issued a short-term authorization to use the wells in 2012 and 2013 but production records show that they have not actually been pumped since 2010. The Township Line Road wells were historically pumped much more heavily during high flow periods rather than as a back-up during low flows. The District indicates that groundwater production rapidly diminishes with regular use and the wells may not reliably supply customers over an extended period of time as may be required during this year's drought.

We recommend that the District measure static and/or pumping water levels and track recovery time in these wells, using a consistent methodology, at least weekly, to monitor the groundwater supply when the wells are in use. In the event that the wells are unable to sustain adequate production, the District may need to move to Stage 5 of its Drought Response Plan and must promptly notify Ecology to request an alternative source of supply.

Although the groundwater tapped by the Township Line Road wells likely contributes flow to both Morse and Bagley Creeks, the impacts of groundwater withdrawals on the streams will be delayed and likely very brief in duration as the District is diligently working to adapt its conveyance system and install temporary pumping stations in a timely manner. The District plans to have a temporary pumping system in place by August 1, 2015 to move water from their lower elevation wells to the Township Line Road Reservoir which feeds the upper Fairview water system. Once this is accomplished, use of the Township Line Road wells will not be required except as a back-up source.

The short-term use of the Township Line Road wells under this emergency drought authorization was approved by Steve Boessow of the Washington State Department of Fish and Wildlife. He recommends that diversions under the District's Morse Creek water right, Certificate S2-00076, cease when flows fall below 25 cfs, as required under the right and that surface-water diversions not resume until later this season when the creek is reliably flowing above 25 cfs. In terms of surface water impacts, the use of groundwater from wells is preferable to the direct diversion of surface water. Approval of these wells for emergency use will, at least temporarily, provide a safe alternative source of drinking water for the 566 upper Fairview customers with minimal impacts to flows on Morse and Bagley Creeks.

Ecology's Well Log Database indicates that very few wells are drilled within a half-mile radius of the Township Line Road wells and that only one of these, a 91-foot well drilled in 1990, appears to represent a senior ground water right. The Water Rights Tracking System shows that several groundwater right claims are on file for wells in this area but no formal water rights are on record. Because of limited groundwater supplies in this area, impairment is possible, although unlikely, due to the short-term nature of the proposed pumping.

RCW 43.83B.410(1)(b) requires that all withdrawal authorizations issued under this section contain a provision that allows for termination of withdrawals, in whole or in part, whenever they would conflict with surface water flows and levels needed to assure the maintenance of fisheries requirements and to protect federal and state interests. Although unlikely to conflict with these statutory requirements, this authorization will include this condition.

Findings and Conclusion

- Water is available from the Township Line Road wells for short-term emergency use;
- Municipal supply is a beneficial use of water and the District's water service to existing customers in the upper Fairview area is a previously established use;
- The usual source of supply for the upper Fairview system is Morse Creek which cannot be diverted from due to extreme low flows resulting from severe natural drought conditions this year;

- The proposed short-term use is unlikely to impair existing water rights;
- The proposed appropriation will not reduce surface water flows or levels below essential minimums necessary to assure the maintenance of fisheries requirements;
- The short-term emergency use, as recommended, will not be detrimental to the public interest.

I recommend approval of the requested short-term emergency withdrawals from the Township Line Road wells.

This authorization is issued subject to the following conditions:

1. This authorization is **effective immediately** and expires on **November 1, 2015**.
2. The maximum instantaneous withdrawal rate from Township Line Road Wells #1 and #2 combined must not exceed **35 gallons per minute**.
3. The annual quantity of water withdrawn from the Township Line Road wells under this short-term permit must not exceed a combined total of **19.0 acre-feet**.
4. This permit authorizes the use of water, as needed, for municipal supply of the Port Angeles Composite Water System upper Fairview pressure zones.
5. The PUD must implement Stage 4 of its Drought Response Plan prior to pumping these wells and must maintain this level of conservation when using these sources.
6. Water under this authorization may be used for public water supply purposes only.
7. The State Board of Health rules require public water supply owners to obtain written approval from the Department of Health prior to any new construction, or alterations of a public water system.
8. An access port must be maintained on each well, as described in WAC 173-160.
9. An approved measuring device must be maintained for each well in accordance with Chapter 173-173 WAC.
10. The amount of water pumped from the wells under this authorization must be measured and recorded daily.
11. Metering data must be promptly submitted to Ecology's Southwest Regional Office upon request.
12. Withdrawals authorized under this permit are subject to regulation, if required, to protect existing water rights from impairment.
13. At such time that the District's proposed temporary pumping system has been approved by the Department of Health and is operational, the Township Line Road wells must be delegated to emergency standby status.
14. This authorization may be terminated, in whole or in part, if withdrawals are determined to conflict with the maintenance of sufficient streamflows and levels necessary to meet fisheries requirements and to protect federal and state interests.

15. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times to the records of water use and to inspect at reasonable times any measuring device used to meet the above conditions.
16. This short-term authorization expires on **November 1, 2015**, unless sooner revoked by the Department of Ecology.

This permit is subject to revocation for failure to comply with any of the conditions specified above.

This emergency short-term permit does not authorize diversion of surface water from Morse Creek when flows are below 25 cfs as measured by Ecology's gage at Station 18C150. In the event that the Township Line Road wells are unable to sustain adequate production and the proposed temporary conveyance system is not yet operational, the District must request and receive approval from Ecology prior to withdrawing or diverting water from an alternative source.

If you have any questions, please contact Marie Peter at (360) 407-0279 or mpet461@ecy.wa.gov.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov> .
To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>.

Sincerely,



Michael J. Gallagher
Section Manager
SWRO Water Resources

Enclosure: "*Your Right to Be Heard*"

BY CERTIFIED MAIL: 7013 2630 0001 9408 8626

cc: Anna Zaklikowski, DOH Southwest Drinking Water Operations
Steve Boessow, WDFW
Vicki Cline, ECY SWRO

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IMPORTANT: Save this receipt and present it when making an inquiry.
 PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

SW-WR G2-30668

DEPARTMENT OF ECOLOGY
 SOUTHWEST REGIONAL OFFICE
 PO BOX 47775
 OLYMPIA, WA 98504-7775

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>Barbara Hoffman</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Barbara Hoffman</i></p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>TOM MARTIN PE PUD 1 OF CLALLAM COUNTY PO BOX 1090 PT ANGELES WA 98362-0207</p> </div>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>
<p>7013 2630 0001 9408 8626</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p style="text-align: right;">SWWR G2-30668</p>	
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	