Streamflow Restoration
Domestic Permit-exempt Withdrawals: New Regulations
(2018 Legislation: ESSB 6091)

Feb. 2, 2018

Water Resource Inventory Area

Streamflow Restoration
Domestic Permit-exempt Withdrawals: New Regulations
(2018 Legislation: ESSB 6091)
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Domestic permit-exempt withdrawals – New regulations
(2018 Legislation – Engrossed Substitute Senate Bill (ESSB) 6091)
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Watershed plans:

- Watershed plan: update due 2019 (ESSB 6091 - Section 202): WRIAs with an Instream Flow (ISF) rule that does not regulate permit-exempt uses and have an adopted Watershed Plan; plan updates due 2019.

  WRIAs 1 (Nooksack); 11 (Nisqually):
  - 3,000 gallons per day (gpd) as the maximum annual average
  - $500 fee

- Watershed plan: update due 2021 (ESSB 6091 - Section 202): WRIAs with an ISF rule that does not regulate permit-exempt uses and have an adopted Watershed Plan; plan updates due 2021.

  WRIAs 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan); 55 (Little Spokane); and 59 (Colville):
  - 3,000 gpd as the maximum annual average
  - $500 fee

Watershed Restoration and Enhancement (WRE) plans:

- WRE plan: due 2021 (ESSB 6091 - Section 203): WRIAs with an ISF rule that does not regulate permit-exempt uses and do not have an adopted Watershed Plan; plans due 2021.

  WRIAs 7 (Snohomish); 8 (Cedar-Sammamish); 9 (Duwamish-Green); 10 (Puyallup-White); 12 (Chambers-Clover); 13 (Deschutes); 14 (Kennedy-Goldsborough); and 15 (Kitsap):
  - 950 gpd as the maximum annual average; curtailed to 350 gpd during drought
  - $500 fee

No new regulations:

- Existing ISF rule that regulates permit-exempt uses (ESSB 6091 - Section 101(b)):

  WRIAs 5 (Stillaguamish); 17 (Quilcene-Snow); 18 (Elwha-Dungeness); 27 (Lewis); 28 (Salmon-Washougal); 32 (Walla Walla); 45 (Wenatchee); 46 (Entiat); 48 (Methow); and 57 (Middle Spokane)

- Other requirements apply (ESSB 6091 - Sections 101(e) and 101(f)):

  WRIAs 37 (Lower Yakima), 38 (Naches), 39 (Upper Yakima), 3 (Lower Skagit), and 4 (Upper Skagit)

- No ISF rule (ESSB 6091 - Section 101(g))