



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Washington State Habitat Office
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RECEIVED

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Department of Ecology
Water Resources Program
PO Box 47600
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Water Resources Program
Department of Ecology

Re: Comments on Proposed Water Instream Flow Rule for WRIA 17 streams

Attn: Ann Wessel

In response to the Department of Ecology's (Ecology) proposal to adopt a water resource management rule (Proposed Rule) for the Quilcene-Snow Water Resources Inventory Area 17 (WRIA 17), the National Marine Fisheries Service (NMFS) is providing comments that are aimed at conserving salmon and steelhead. We are pleased that Ecology also offered an opportunity for NMFS to comment on the Preliminary Draft Rule for this area, and that Ecology seriously considered our previous comments, sent by email January 23, 2009.

According to the overview prepared by Ecology, "Ecology is proposing to adopt a rule that will help manage water to meet the current and future needs of people, farms and fish." NMFS supports this statement of purpose but does not see sufficient attention in the Proposed Rule that the present and future needs of fish are likely met.

Our comments are based on background information provided by Ecology, and also the Salmon Recovery Plan for Hood Canal summer-run chum, which NMFS approved May 2007, and available at: <http://www.nwr.noaa.gov/Salmon-Recovery-Planning/Recovery-Domains/Puget-Sound/Hood-Canal-Plan.cfm>.

According to the WRIA 17 Watershed Management Plan (October 2003), "the optimum instream flows far exceed the estimated streamflows expected during median years, and also are greater than flows expected in wet years during the times that salmon need the water to be in the streams."

We are pleased that Ecology recognizes the flow-impaired conditions in streams important for federally protected Hood Canal summer-run chum salmon. The Recovery Plan has identified several of the streams described in the Proposed Rule as important for conservation of summer-chum (listed as Threatened under the Endangered Species Act - ESA). Specifically, Big Quilcene, Little Quilcene, Chimaquam, Salmon, and Snow creeks

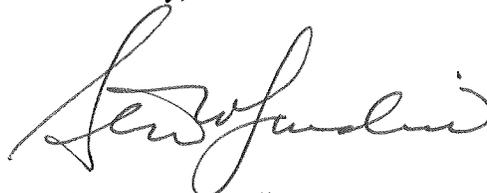
are vital for recovery of the summer-chum, and are each flow-limited. While Big Quilcene is much larger than the other streams, and potentially able to absorb minor changes in flows resulting from slight amounts of additional withdrawals, Chimacum Creek is not able to absorb any additional withdrawals.

The Proposed Rule states, "Ecology finds that there is some water available above the instream flows at specific locations and times of year in the Big Quilcene River and Chimacum Creek that could be appropriated for storage or other projects that do not require year-round water supplies." NMFS does not agree that any additional water should be appropriated from Chimacum Creek and recommends the Proposed Rule be revised. Until NMFS agrees there is substantial certainty that winter water could be withdrawn from Chimacum Creek with no adverse effect on salmon every year, that stream should not be open for additional appropriations.

NMFS supports the proposal to meter new wells. In order to track actual water use, NMFS recommends that all existing and future withdrawals, including all wells, be metered with water use reported regularly to Ecology. Because viable stocks of summer-run chum salmon are dependent on sufficient flows for immigration, spawning and incubation, and sufficient water is typically not entirely available in each of their natal streams each summer and autumn, the amount of every withdrawal is important to track. While Ecology assumes domestic use rate of 250 gallons per day, and proposes to allow up to 5,000 gpd for agricultural use, actual amounts have apparently not been measured and the cumulative amount of water withdrawals are uncertain for the summer-run chum streams.

Please contact Matthew.Longenbaugh@noaa.gov , 360-753-7761, if you have questions about these comments.

Sincerely,



Steven W. Landino
Washington State Director
For Habitat Conservation

cc: Thom Johnson, WDFW
Richard Brocksmith, HCCC