Work Flow For Water Systems with Interruptible Water Rights

Submit Change/New Application and SEPA checklist if required

Quantity, timing, and duration of the interruptible nature of the water right is determined (if possible)

Ecology determines if the change/new application passes the required statutory tests including impairment of existing rights, and determines if there is a probable significant adverse environmental impact under SEPA

Water Conservancy Board requests technical assistance

DOH will evaluate if the water system supply can meet the in-home domestic requirements (200 gpd/ERU) during the entire period of interruption

DOH will evaluate the applicants proposal for mandatory curtailment measures during the entire period of interruption

Unreliable Water Source

Reliable Water Source

Applicant may propose mitigation OR alternative methods (see Mitigation flowchart)

Ecology will deny the application

Ecology will approve the application

If change application is for surface water (surface to surface), then Ecology cannot consider public interest and will notify DOH of the issue

RCW 90.03.380

Ecology may approve the change application and DOH would need to make a reliability determination in the Water System review process

System reliability issues (DOH)

Submit New or Updated Water System Plan and SEPA checklist if required

DOH reviews for reliability and other statutory requirements

Chapter 43.20 RCW

Chapter 246-290 WAC

DOH approves or Denies Water System Plan

Ecology/Conservancy Board responsibility

DOH responsibility

Joint Ecology & DOH responsibility

Purveyor/Applicant responsibility
Applicant submits a proposal for mitigation or an alternative method on a ground water change or new application.

Water Conservancy Board requests technical assistance.

Applicant may propose to mitigate for in-stream flows through a water supply management plan:
- RCW 90.03.380(6)
- RCW 90.03.255
- RCW 90.44.055

Submit New or Updated Water System Plan and SEPA checklist if required.

Conduct separate SEPA review; Ecology may accept the mitigation making the water right non-interruptible and may approve the application.

DOH approves or denies Water System Plan.

DoH will evaluate if the applicant has the capacity to operate within the terms and conditions of the approved mitigation plan during the expected times of interruption:
- Chapter 43.20 RCW
- Chapter 246-290 WAC

DOH approves or denies Water System Plan.

Ecology will work with DoH to make a reliability determination. Ecology may approve or deny the application.

If the alternative method falls outside the guidelines of the MOU Appendix on reliability, Ecology will work with DOH to make a reliability determination. Ecology may approve or deny the application.

If the alternative method falls within the guidelines of the MOU Appendix on reliability, Ecology will accept the proposal and may approve the application.

If the alternative method falls within the guidelines of the MOU Appendix on reliability, Ecology will accept the proposal and may approve the application.

DOH will consider the Ecology-approved mitigated interruptible Water right to be equivalent to an Uninterruptable water right.

Applicant may propose alternative methods (short-term storage etc.) to mitigate for reliability, or acquire another non-interruptible Water Right.

DOH will evaluate if the applicant has the capacity to operate within the terms and conditions of the approved mitigation plan during the expected times of interruption:
- Chapter 43.20 RCW
- Chapter 246-290 WAC

Applicant may propose alternative methods (short-term storage etc.) to mitigate for reliability, or acquire another non-interruptible Water Right.

If the alternative method falls within the guidelines of the MOU Appendix on reliability, Ecology will accept the proposal and may approve the application.

If the alternative method falls outside the guidelines of the MOU Appendix on reliability, Ecology will work with DOH to make a reliability determination. Ecology may approve or deny the application.

Conduct separate SEPA review; Ecology may reject the proposed mitigation leaving the water right interruptible and Ecology will deny the application.

Ecology/Conservancy Board responsibility

DOH responsibility

Joint Ecology & DOH responsibility

Purveyor/Applicant responsibility
Work Flow For Water Systems with Leased Water Rights

Applicant submits a change application for a new or expanding system with Ecology

Change proposes a leased water right will be the sole source for the water system

Ecology will deny Change based on DOH’s reliability standards

Water Conservancy Board requests technical assistance

If lease is for surface water (surface to surface), then Ecology cannot consider public interest and will notify DOH of the issue

RCW 90.03.380

Ecology may approve the change application and DOH would need to make a reliability determination in the Water System Plan review process

Change proposes a leased water right will be a part of a water right portfolio for the water system

Ecology or Water Conservancy Board will consult with DOH

DOH will evaluate if non-leased portion of the water right portfolio will Meet the in-home domestic water supply requirements (350 gpd/ERU) during the entire period of interruption

DOH will evaluate if the applicant has the capacity to operate within the limits of the non-leased right during the entire period of interruption

If yes then Ecology can approve the change application

If no then Ecology will deny the change application

Ecology/Conservancy Board responsibility

DOH responsibility

Joint Ecology & DOH responsibility

Purveyor/Applicant responsibility