

# Instream Flows in the Spokane River

**May 14, 2014**  
**Open House**  
**CenterPlace Regional Center**

**Guy J. Gregory**  
**Washington Dept. of Ecology**  
**Water Resources Program**

Spokane River at Sandifur Bridge  
Downstream August 23, 2005  
discharge = 598 cfs at Spokane

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# Purpose of Rule

- Establish instream flow levels necessary to protect wildlife, fish, scenic, aesthetic, recreation, water quality and other environmental values, navigational values, and stock watering requirements;
- Meet water resource management objectives of the Spokane area watershed plans adopted under RCW 90.82;
- To protect existing water rights; and
- Establish and protect Washington State interests in the water resources of the Spokane River.

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# Why now?

- We've got the science now.
  - WRIA process
  - Avista 401 process
  - SVRPA study, etc.
- We've got the people now.
  - Most WRIA participants and informed people are still here
  - Rule development staff within Ecology are here and experienced
  - 10 years of outreach = an informed public
- We've got the authority now.

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# Instream Flow Rulemaking Authority

- Water Code, Chapter 90.03 RCW;
- Ground Water Code 90.44 RCW;
- Minimum Water Flows and Levels, Chapter 90.22 RCW;
- Water Resources Act of 1971, Chapter 90.54 RCW;
- Watershed Planning Act, Chapter 90.82 RCW;

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# What setting an instream flow does:

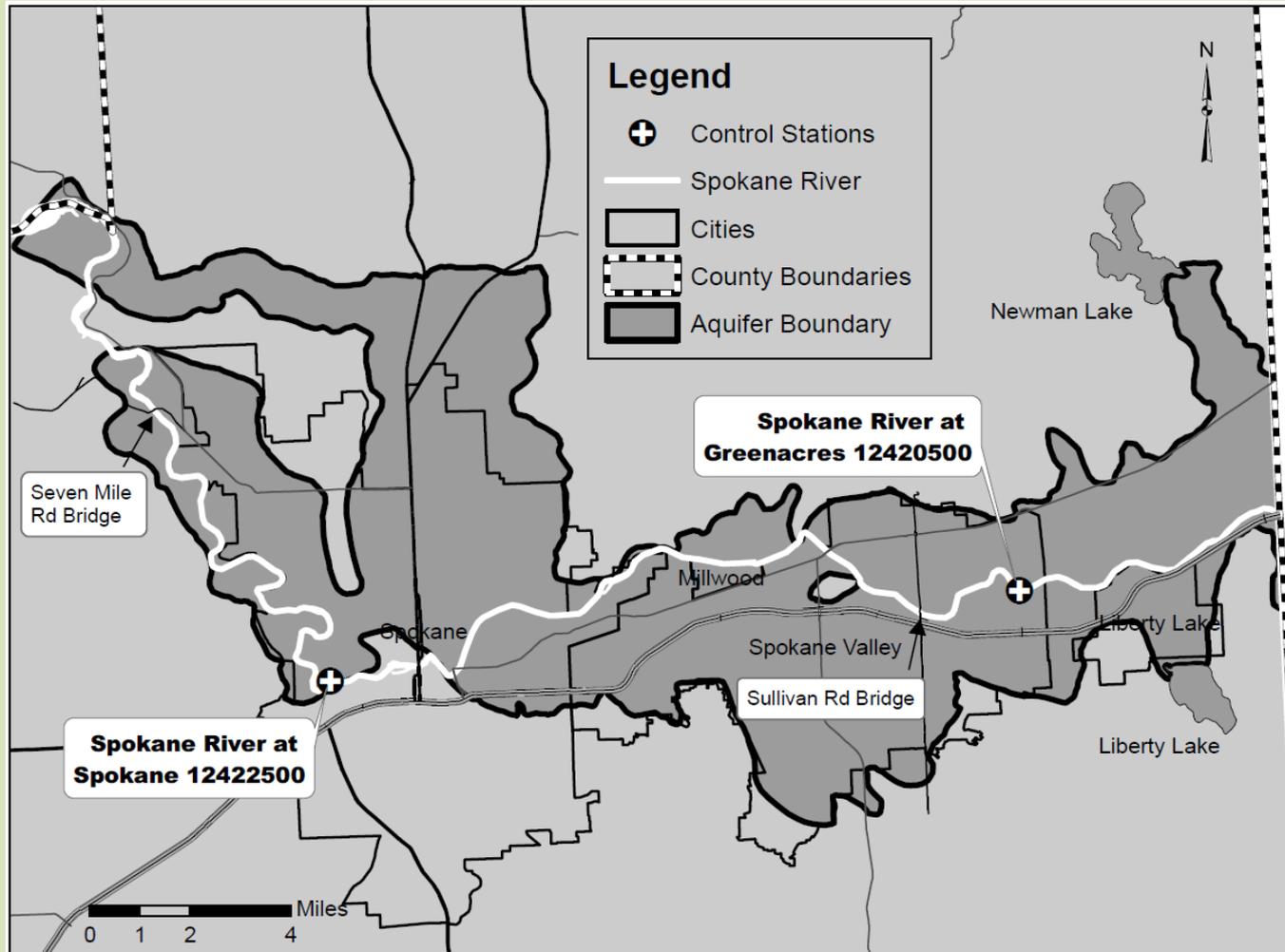
- Protects instream uses. Rule = an appropriation of water with priority date. Those instream flow numbers will be set by the rule for the Spokane River
- Establishes river flows at which junior water right permits (those issued after the rule is adopted) will be interrupted.
- Protects senior rights. Existing rights are not affected by the instream flow.
- Changes and transfers of existing water rights can be granted if they do not impair instream flows (or other senior rights)... impairment can be mitigated
- Permit exempt uses of groundwater are allowed, but will be mitigated
- The proposed rule requires metering of new withdrawals

# Setting an instream flow does not:

- Put water in streams. *Setting* flow  $\neq$  *achieving* flow  
*For example:*
  - Dry year: senior rights get water, instream flows are not met. Rights junior to the instream flow are interrupted.
  - Wet year: senior rights get water and the instream flow is attained and junior users are not interrupted.
- Affect continued use of water rights existing at the time the rule becomes effective
- Affect tribal or federal reserved rights to water

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# Applicability



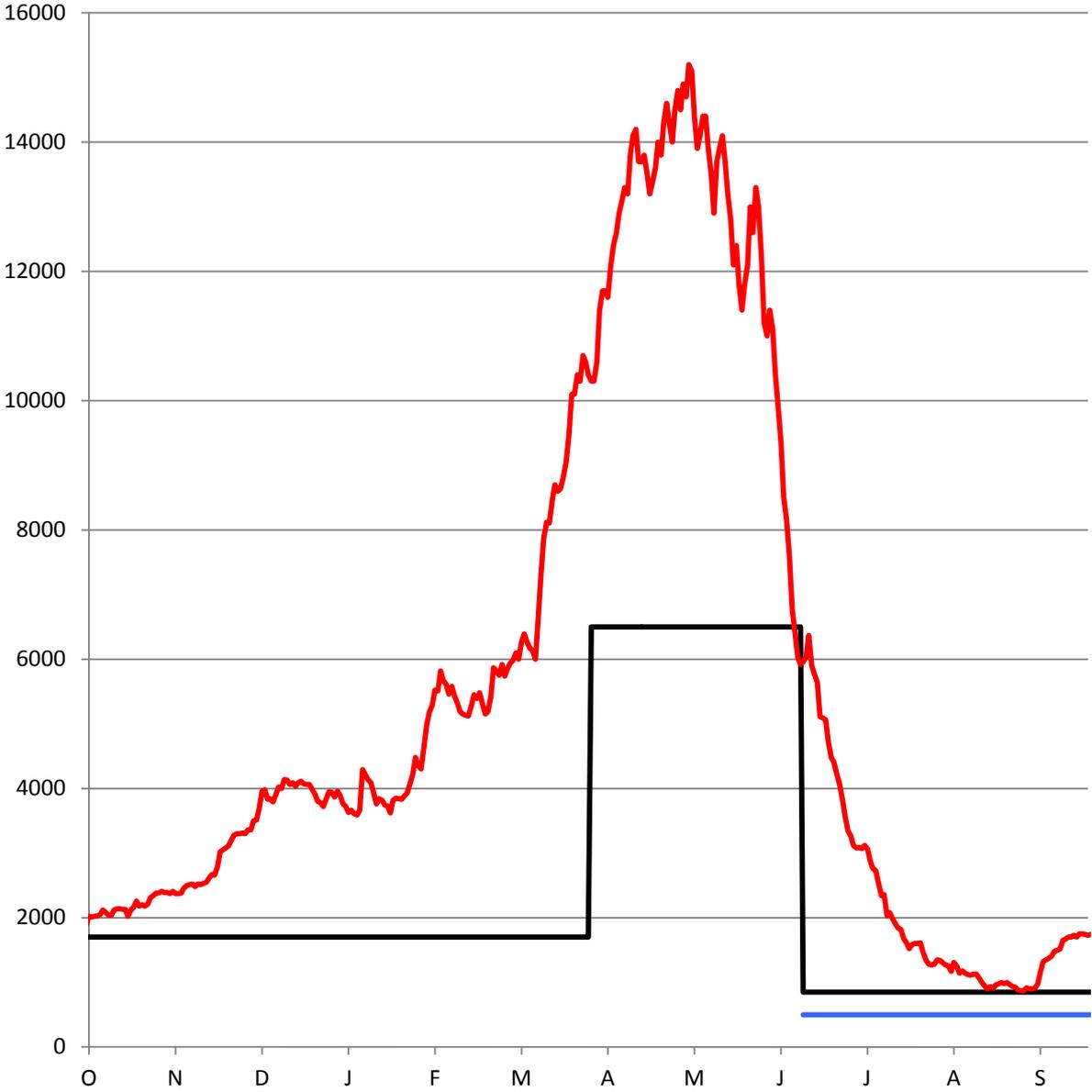
The rule will apply only to new uses of surface and groundwater within the Washington portion of the Spokane Valley Rathdrum Prairie Aquifer.

# Instream Flow Recommendations

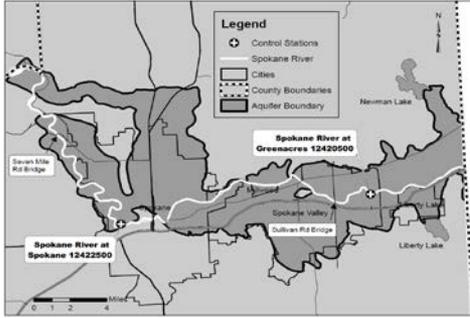
	At Spokane	At Greenacres
<b>October 1-March 31</b>	<b>1700 cfs</b>	
<b>April 1-June 15</b>	<b>6500 cfs</b>	
<b>June 16-September 30</b>	<b>850 cfs</b>	<b>500 cfs</b>

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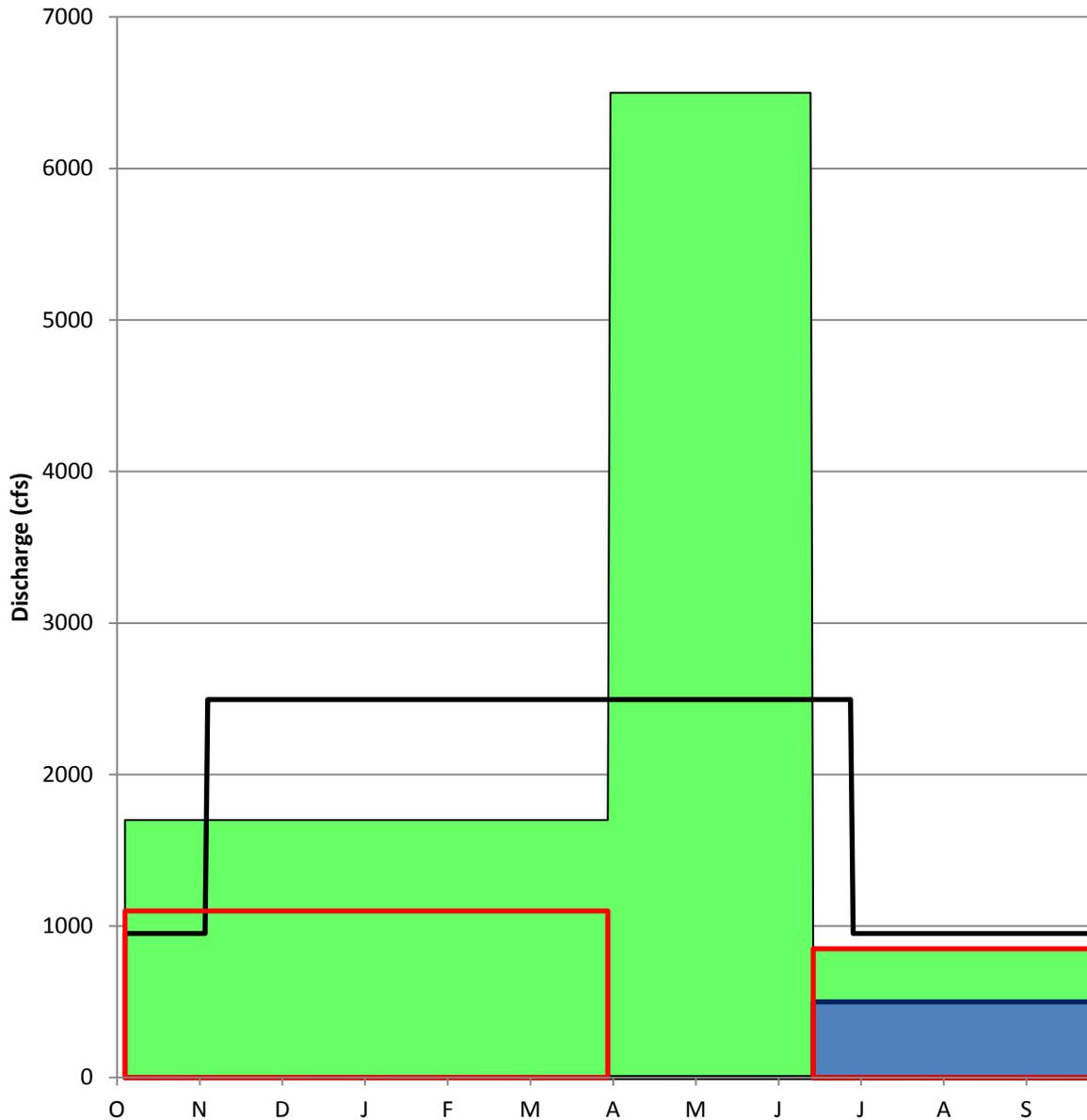
# Proposed flows vs. 50% exceedance flows @ Spokane Gage



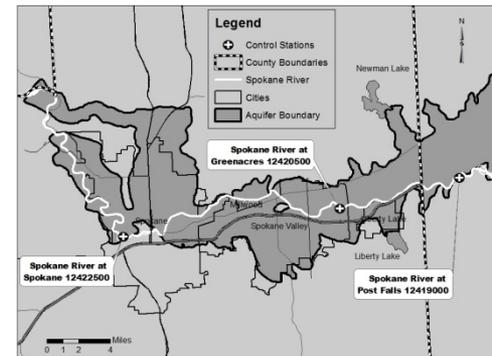
- Proposed Instream Flows at Spokane gage
- Proposed Instream Flows at Greenacres gage
- Median daily flow (50% exceedance value), at Spokane 1986-2013



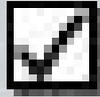
# Spokane River Regulatory Flows



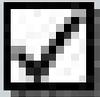
- Proposed Instream Flows at Spokane gage
- Proposed Instream Flows at Greenacres gage
- IWRB License 95-08780 Spokane Instream Flows- Post Falls gage
- FERC License Flows At Spokane gage



# Timing and Process



– ***First notice: CR-101 – Filed January 21, 2014***



– ***Draft Proposed Rule Language to Interested Persons: April 17, 2014***



– **Workshop on Draft: May 14, 2014: Centerplace, 4-7 PM: Public input through May**

– **Formal public process CR-102 begins late summer 2014**

– **Public Hearing – Fall 2014**

– **Rule Adoption- Early 2015**

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# More information

- Search Ecology webpage for Spokane River Rule
- <http://www.ecy.wa.gov/programs/wr/rules/557-ov.html>
- Sign up for listserv
- Phone or talk to any of us

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**Thank you!**  
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Spokane R. @ Harvard Rd.  
Downstream 4/21/2006  
19,200 cfs @ Post Falls

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