Work Flow For Mitigating Interruptible Water Rights

Applicant Submits a Proposal for Mitigation or an Alternative method on a ground water change or new application

Water Conservancy Board requests technical assistance

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

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

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.

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

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

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

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

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

DOH reviews for reliability and other statutory requirements

Chapter 43.20 RCW
Chapter 246-290 WAC

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 the 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.

Responsibilities:
- Ecology/Conservancy Board responsibility
- DOH responsibility
- Joint Ecology & DOH responsibility
- Purveyor/Applicant responsibility