Chapter 173-514 WAC

INSTREAM RESOURCES PROTECTION PROGRAM—KENNEDY-GOLDSBOROUGH WATER RESOURCE INVENTORY AREA (WRIA) 14

WAC 173-514-010 General provision. These rules apply to waters within the Kennedy-Goldsborough water resource inventory area (WRIA 14), as defined in WAC 173-500-040. This chapter is promulgated pursuant to chapter 90.54 RCW (Water Resources Act of 1971), chapter 90.22 RCW (minimum water flows and levels), chapter 75.20 RCW (State Fisheries Code) and in accordance with chapter 173-500 WAC (water resources management program).

WAC 173-514-020 Purpose. The purpose of this chapter is to retain perennial rivers, streams, and lakes in the Kennedy-Goldsborough water resource inventory area with instream flows and levels necessary to provide protection for wildlife, fish, scenic, aesthetic, and environmental values, recreation, navigation, and water quality.

WAC 173-514-030 Establishment of instream flows. (1) Stream management units and associated control stations are established as follows:

<table>
<thead>
<tr>
<th>Control Station No.</th>
<th>Control Station By</th>
<th>Stream Management Unit Name</th>
<th>River Mile and Sec. Township, &amp; Range</th>
<th>Stream Management Reach</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-0740-00</td>
<td>.02</td>
<td>Shumocher Creek</td>
<td>Sec.7, T.21N., R.2WWM</td>
<td>From influence of mean annual high tide at low instream flow levels to headwaters, including all tributaries.</td>
</tr>
<tr>
<td>WDOE-0745-50</td>
<td>0.14</td>
<td>Sherwood Creek</td>
<td>Sec.20, T.22N., R.1WWM</td>
<td>From influence of mean annual high tide at low instream flow levels to Mason Lake, including all tributaries.</td>
</tr>
</tbody>
</table>

(2) Instream flows are established for the stream management units in WAC 173-514-030(1) as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Day</th>
<th>12-0740-00</th>
<th>WDOE-0745-50</th>
<th>12-0750-00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>1</td>
<td>20</td>
<td>60</td>
<td>55</td>
</tr>
<tr>
<td>Feb</td>
<td>15</td>
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<tr>
<td>Mar</td>
<td>15</td>
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<td>60</td>
<td>55</td>
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<tr>
<td>Apr</td>
<td>15</td>
<td>20</td>
<td>60</td>
<td>55</td>
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<tr>
<td>May</td>
<td>1</td>
<td>17</td>
<td>48</td>
<td>39</td>
</tr>
<tr>
<td>Jun</td>
<td>15</td>
<td>14</td>
<td>37</td>
<td>33</td>
</tr>
<tr>
<td>Jul</td>
<td>1</td>
<td>8.6</td>
<td>17.5</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>15</td>
<td>7.2</td>
<td>14</td>
<td>20</td>
</tr>
</tbody>
</table>

(6/9/88)
**Kennedy-Goldsborough Area—WRIA 14**

### Instream Flows in the Kennedy-Goldsborough WRIA (Cont'd)

#### Instantaneous cubic feet per second

<table>
<thead>
<tr>
<th>Month</th>
<th>Day</th>
<th>Shumocher Creek</th>
<th>Cranberry Creek</th>
<th>Deer Creek</th>
<th>Cranberry Creek</th>
<th>Johns Creek</th>
<th>Deer Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug</td>
<td>1</td>
<td>6</td>
<td>11</td>
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</table>

*Denotes closure period to all consumptive uses*

### Instream Flows in the Kennedy-Goldsborough WRIA (Cont'd)

#### Instantaneous cubic feet per second

<table>
<thead>
<tr>
<th>Month</th>
<th>Day</th>
<th>Cranberry Creek</th>
<th>Johns Creek</th>
<th>Goldsborough Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>1</td>
<td>50</td>
<td>45</td>
<td>50</td>
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<tr>
<td></td>
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<tr>
<td></td>
<td>15</td>
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<td>Mar</td>
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<tr>
<td>May</td>
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<tr>
<td></td>
<td>15</td>
<td>23.5</td>
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<td>Jun</td>
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<td>14</td>
<td>15.5</td>
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<td>Jul</td>
<td>1</td>
<td>10.5</td>
<td>12</td>
<td>50</td>
</tr>
<tr>
<td></td>
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</tbody>
</table>

*Denotes closure period to all consumptive uses*

### Instream Flows in the Kennedy-Goldsborough WRIA (Cont'd)

#### Instantaneous cubic feet per second

<table>
<thead>
<tr>
<th>Month</th>
<th>Day</th>
<th>Mill Creek</th>
<th>Skookum Creek</th>
<th>Kennedy Creek</th>
<th>Perry Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>1</td>
<td>65</td>
<td>40</td>
<td>60</td>
<td>50</td>
</tr>
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</tr>
<tr>
<td>May</td>
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<td>26</td>
<td>35</td>
<td>50</td>
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<tr>
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<td>15</td>
<td>46</td>
<td>16.5</td>
<td>27</td>
<td>6.8</td>
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<td>Jun</td>
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<td>20</td>
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<td>7</td>
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<td>12</td>
<td>1.5</td>
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<td>Aug</td>
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</tr>
<tr>
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<td>15</td>
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<td>1</td>
</tr>
<tr>
<td>Sep</td>
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<tr>
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<td>15</td>
<td>20</td>
<td>3</td>
<td>7</td>
<td>1</td>
</tr>
</tbody>
</table>

WAC 173-514-040 **Surface water source limitations to further consumptive appropriation.** (1) The department, having determined further consumptive appropriation for all uses would harmfully impact instream values, closes the following streams including tributaries for the period indicated:

(a) Stream Name | Tributary to | Closure Period  
--- | --- | ---  
Alderbrook Creek | Hood Canal | May 1 - October 31  
Campbell Creek | Oakland Bay | May 1 - October 31  
Elson Creek | Skookum Inlet | May 1 - October 31  
Fawn Lake Outlet | Skookum Inlet | May 1 - October 31  
Jones Creek | Pickering Passage | May 1 - October 31  
Jarrell Creek | Jarrell Cove | May 1 - October 31  
Little Creek | Skookum Creek | May 1 - October 31  
Melaney Creek | Oakland Bay | May 1 - October 31  
Shelton Creek | Oakland Bay | May 1 - October 31  
Sothah Creek | Hood Canal | May 1 - October 31  
Uncle John Creek | Oakland Bay | May 1 - October 31  

The minimum flow during the closure period on the streams listed above is the natural flow. Because insufficient flow data is available to develop instream flows outside the

[Ch. 173-514 WAC—p. 2] (6/9/88)
closure period, minimum flows for any water right application for consumptive use will be considered on a case by case basis in consultation with the departments of fisheries and game (RCW 75.20.050).

<table>
<thead>
<tr>
<th>Stream/Tributary to</th>
<th>Action</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goldsborough Creek -</td>
<td>Closure+</td>
<td>May 1 - October 31</td>
</tr>
<tr>
<td>Oakland Bay</td>
<td>Low flow</td>
<td>All year</td>
</tr>
<tr>
<td>Gosnell Creek -</td>
<td>Low flow@</td>
<td>May 1 - October 31</td>
</tr>
<tr>
<td>Isabella Lake</td>
<td>(10 cfs)</td>
<td></td>
</tr>
<tr>
<td>Jarrell Creek -</td>
<td>Low flow@</td>
<td>Sept. 16 - November 15</td>
</tr>
<tr>
<td>Jarrell Cove</td>
<td>(30 cfs)</td>
<td></td>
</tr>
<tr>
<td>Johns Creek -</td>
<td>Low flow@</td>
<td>May 1 - November 15</td>
</tr>
<tr>
<td>Oakland Bay</td>
<td>(4 cfs)</td>
<td></td>
</tr>
<tr>
<td>Kennedy Creek -</td>
<td>Low flow@</td>
<td>May 1 - November 15</td>
</tr>
<tr>
<td>Totten Inlet</td>
<td>(3 cfs)</td>
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<tr>
<td>Schneider Creek -</td>
<td>Closure#</td>
<td>May 1 - October 31</td>
</tr>
<tr>
<td>Totten Inlet</td>
<td>Lake level</td>
<td>All year</td>
</tr>
<tr>
<td>Skookum Creek -</td>
<td>Closeup</td>
<td>May 1 - October 31</td>
</tr>
<tr>
<td>Skookum Inlet</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Summit Lake -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennedy Creek -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unnamed Stream -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mill Creek Sec.34, T20N R.3 EWM</td>
<td>Low flow (2 cfs)</td>
<td>All year</td>
</tr>
</tbody>
</table>

*Closures and low flow limitations also apply to tributaries of these streams
@Superseded by a new action in this section.
#The minimum flow during the closure period is the natural flow.
+Minimum flows are specified in WAC 173-514-030(2).

Because sufficient hydrologic data is available for the above streams, a minimum flow is established during the closed and nonclosed period in WAC 173-514-030(2).

(2) Except as noted in the footnotes, the following existing surface water source limitations, previously established administratively under the authority of chapter 90.03 RCW and RCW 75.20.050 are hereby confirmed and adopted for the period indicated:

WAC 173-514-050 Lakes. In future permitting actions relating to withdrawal of lake waters, lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

WAC 173-514-060 Exemptions. (1) Nothing in this chapter shall affect existing water rights, riparian, appropria
tive, or otherwise existing on the effective date of this chapter, nor shall it affect existing rights relating to the operation of any navigation, hydroelectric, or water storage reservoir or related facilities.

(2) Single domestic and stockwatering use, except that related to feedlots, shall be exempt from the provisions estab-

[Statutory Authority: Chapters 90.54, 90.22 and 75.20 RCW. 88-13-037 (Order 88-11), § 173-514-085, filed 6/9/88. Statutory Authority: Chapters 90.54, 90.22 and 75.20 RCW. 84-04-014 (Order DE 83-34), § 173-514-080, filed 1/23/84.]