

WAC 173-545-060 Instream flows based on watershed planning. (1)

The instream flows established in this section are based on the recommendations of the Wenatchee watershed planning unit and public input received during the rule-making process. These instream flows are established under RCW 90.82.080, and are necessary to meet the water resource management and ecosystem maintenance objectives of the Wenatchee watershed plan.

(2) Instream flows established in this section protect stream flows from future appropriations, and preserve flow levels that are necessary to protect wildlife, fish, water quality, aesthetic and other environmental values, recreation, and navigational values.

(3) Instream flows in subsection (7) of this section established at new locations or in larger amounts than the instream flows in WAC 173-545-050(1) are water rights with a priority date of November 2, 2001.

(4) All water rights (surface and groundwater) established after the effective date of this rule, and not covered under the reservation in WAC 173-545-090, are subject to these instream flows. Water rights junior to the instream flow may be exercised when flow or groundwater conditions will provide enough water to satisfy senior rights, including the instream flows. New appropriations which would conflict with instream flows shall be authorized only in situations where it is clear that the overriding considerations of the public interest will be served.

(5) Based upon the department's determination of overriding considerations of public interest, the reservation of water established in WAC 173-545-090 is not subject to the instream flows in subsection (7) of this section or WAC 173-545-050(1).

(6) Instream flows are expressed in cubic feet per second (cfs). Instream flows are measured at the control stations identified in WAC 173-545-040.

(7) Instream flows are established for the stream management units in WAC 173-545-040, as follows:

Instream Flows in the Wenatchee River Basin
Based on Watershed Planning
 (instantaneous cubic feet per second)

Month	Day	12-4570.00	12-4585.00	12-4590.00	ECY 45J070
		Wenatchee R. at Plain	Icicle Cr. near Leavenworth	Wenatchee R. at Peshastin	Nason Cr. near Mouth
Jan	1	550	267	1933	120
	15	550	267	1933	120
Feb	1	550	267	1933	120
	15	550	566	2800	160
Mar	1	550	518	2800	160
	15	700	518	2800	160
Apr	1	910	650	2800	160
	15	1150	650	2800	160
May	1	1500	650	2800	160
	15	2000	650	2800	160
Jun	1	2500	650	2800	160
	15	2000	550	1933	210
Jul	1	1500	550	1933	210
	15	1200	550	1933	210
Aug	1	880	400	1933	180
	15	700	343	1400	180
Sep	1	660	275	1311	165
	15	620	275	1311	165

Month	Day	12-4570.00 Wenatchee R. at Plain	12-4585.00 Icicle Cr. near Leavenworth	12-4590.00 Wenatchee R. at Peshastin	ECY 45J070 Nason Cr. near Mouth
Oct	1	580	267	1932	120
	15	520	267	2672	120
Nov	1	550	267	2900	120
	15	550	267	2900	120
Dec	1	550	267	1933	120
	15	550	267	1933	120

Instream Flows in the Wenatchee River Basin
(cont'd)
(instantaneous cubic feet per second)

Month	Day	12-4625.00 Wenatchee R. at Monitor	ECY 45F070 Peshastin Cr. at Green Bridge Rd.	Chumstick Cr. at North Road
Jan	1	1867	53	To be determined (tbd)
	15	1867	53	
Feb	1	1867	53	tbd
	15	2400	120	
Mar	1	2400	120	tbd
	15	2400	120	
Apr	1	2400	120	tbd
	15	2400	120	
May	1	2400	120	tbd
	15	2400	120	
Jun	1	2400	120	tbd
	15	1600	110	
Jul	1	1600	110	tbd
	15	1600	110	
Aug	1	1600	80	tbd
	15	900	80	
Sep	1	900	80	tbd
	15	1338	80	
Oct	1	1723	53	tbd
	15	2427	53	
Nov	1	2800	53	tbd
	15	2800	53	
Dec	1	1867	53	tbd
	15	1867	53	

(8) Instream flow hydrographs, WAC 173-545-170, Appendix 1 to this rule, shall be used for identification of instream flows on those days not specifically identified in WAC 173-545-060(7).

(9) Future consumptive water right permits issued hereafter for the withdrawal of surface and groundwater from the mainstem Wenatchee River and tributaries shall be subject to instream flows established in subsection (7) of this subsection, except for those withdrawals eligible for the reservation under WAC 173-545-090.

(10) Projects that would reduce the flow in a portion of a stream's length (e.g.: Hydroelectric diversion projects) are consumptive with respect to the bypassed portion of the stream and are subject to specific instream flow requirements for the bypassed reach. The department may require detailed, project-specific instream flow studies to determine a specific instream flow for the bypassed reach. The flows established in subsection (7) of this section shall apply to the bypassed stream reach unless the department, by order, determines that different flows may be maintained in the bypassed reach.

[Statutory Authority: Chapters 90.82, 90.54, 90.22, 90.03, and 90.44 RCW. WSR 08-01-045 (Order 07-06), § 173-545-060, filed 12/12/07, effective 1/12/08. Statutory Authority: Chapters 90.54, 90.22 and 75.20 RCW. WSR 83-13-016 (Order DE 83-8), § 173-545-060, filed 6/3/83.]