Chapter 173-507 WAC
INSTREAM RESOURCES PROTECTION PROGRAM—SNOHOMISH RIVER BASIN, WATER RESOURCE INVENTORY AREA (WRIA) 7

Last Update: 5/27/26

WAC

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WAC 173-507-010 General provision. These rules apply to surface waters within the Snohomish River basin, WRIA 7 (see WAC 173-500-040). Chapter 173-500 WAC, the general rules of the department of ecology for the implementation of the comprehensive water resources program, applies to this chapter 173-507 WAC.

[Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-010, filed 9/6/79.]

WAC 173-507-020 Establishment of instream flows. (1) Instream flows are established for stream management units with monitoring to take place at certain control stations as follows:

STREAM MANAGEMENT UNIT INFORMATION

Control Station No. Stream Management Unit Name	Control Station by River Mile and Section, Township and Range	Affected Stream Reach Including Tributaries
12.1330.00 So. Fk. Skykomish River	51.6 28-27-10E	From confluence with N. Fk. Skykomish River to headwaters.
12.1381.50 Sultan River	5.1 17-28-8E	From mouth to headwaters.
12.1411.00 Skykomish River	25.0 12-27-6E	From mouth to headwaters, excluding So. Fk. Skykomish River and Sultan River.
12.1430.00 No. Fk. Snoqualmie	2.2 26-24-8E	From mouth to headwaters.
12.1445.00 Snoqualmie River	40.0 19-24-8E	From Snoqualmie Falls to headwaters, excluding No. Fork Snoqualmie River.
12.1485.00 Tolt River	8.7 31-26-8E	From mouth to headwaters.
12.1490.00 Snoqualmie River	23.0 9-25-7E	From confluence with Harris Creek to Snoqualmie Falls, excluding Tolt River.
12. Snoqualmie River	2.5 26-27-6E	From mouth to confluence with Harris Creek, including Harris Creek.
12.1554.00 Pilchuck River	1.9 18-28-6E	From mouth to headwaters.

STREAM MANAGEMENT UNIT INFORMATION

Control Station No. Stream Management Unit Name	Control Station by River Mile and Section, Township and Range	Affected Stream Reach Including Tributaries
12.1508.00 Snohomish River	20.4 16-27-6E	From influence of mean annual high tide at low base flow levels to confluence with Skykomish River and Snoqualmie River, excluding Pilchuck River.

(2) Instream flows established for the stream management units in WAC 173-507-020(1) are as follows:

INSTREAM FLOWS IN THE SNOHOMISH RIVER BASIN
(in Cubic Feet per Second)

Month	Day	12.1330.00 So. Fk. Skykomish	12.1411.00 Skykomish	12.1430.00 No. Fk.* Snoqualmie	No. Fk.** Snoqualmie
Jan.	1	900	2200	260	200
	15	900	2200	260	200
Feb.	1	900	2200	260	200
	15	900	2200	260	200
Mar.	1	900	2200	260	200
	15	900	2200	300	200
Apr.	1	1100	2650	300	200
	15	1250	3250	300	200
May	1	1250	4000	300	200
	15	1250	4900	300	200
June	1	1250	4900	300	200
	15	1250	4900	300	200
July	1	1250	3250	300	200
	15	950	2170	195	140
Aug.	1	650	1450	130	100
	15	450	1000	130	100
Sept.	1	450	1000	130	100
	15	450	1000	130	100
Oct.	1	550	1300	130	130
	15	700	1700	165	165
Nov.	1	900	2200	210	200
	15	900	2200	260	200
Dec.	1	900	2200	260	200
	15	900	2200	260	200

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* Normal year flows must be maintained at all times unless a critical condition is declared by the director. The director, or his designee, may authorize, in consultation with the state departments of fisheries and wildlife, a reduction in instream flows during a critical condition period. At no time are diversions subject to this regulation permitted for any reason when flows fall below the following critical year flows, except where a declaration of overriding considerations of public interest is made by the director.

** Critical year flows represent flows below which the department believes substantial damage to instream values will occur.

Month	Day	12.1381.50 Sulton	12.1445.00 Snoqualmie (above Falls)	12.1485.50 Tolt River*	Tolt River**
Jan.	1		1550	280	190
	15		1550	280	190
Feb.	1		1550	280	190
	15		1550	280	190
Mar.	1		1550	280	190
	15		1550	280	190

Month	Day	12.1381.50 Sulton	12.1445.00 Snoqualmie (above Falls)	12.1485.50 Tolt River*	Tolt River**
Apr.	1		1550	280	190
	15		1550	280	190
May	1		1550	280	190
	15		1550	280	190
June	1		1550	280	190
	15		1550	280	165
July	1		1550	280	140
	15		1100	240	120
Aug.	1		770	170	120
	15		600	120	120
Sept.	1		600	120	120
	15		600	120	120
Oct.	1		820	190	185
	15		1100	280	190
Nov.	1		1550	280	190
	15		1550	280	190
Dec.	1		1550	280	190
	15		1550	280	190

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* Normal year flows must be maintained at all times unless a critical condition is declared by the director. The director, or his designee, may authorize, in consultation with the state departments of fisheries and wildlife, a reduction in instream flows during a critical condition period. At no time are diversions subject to this regulation permitted for any reason when flows fall below the following critical year flows, except where a declaration of overriding considerations of public interest is made by the director.

** Critical year flows represent flows below which the department believes substantial damage to instream values will occur.

Month	Day	12.1490.00 Snoqualmie (Carnation)	12. Snoqualmie (mouth)	12.1554.00 Pilchuck R.	12.1508.00 Snohomish R.
Jan.	1	2500	2800	300	6000
	15	2500	2800	300	6000
Feb.	1	2500	2800	300	6000
	15	2500	2800	300	6000
Mar.	1	2500	2800	300	6000
	15	2500	2800	300	6000
Apr.	1	2500	2800	300	6000
	15	2500	2800	300	6500
May	1	2500	2800	300	7200
	15	2500	2800	300	8000
June	1	2500	2800	300	8000
	15	2500	2800	300	8000
July	1	1850	2180	220	5700
	15	1300	1550	160	4000
Aug.	1	950	1080	120	2800
	15	700	800	85	2000
Sept.	1	700	800	85	2000
	15	700	800	85	2000
Oct.	1	1050	1200	130	2900
	15	1650	1850	200	4000
Nov.	1	2500	2800	300	6000
	15	2500	2800	300	6000
Dec.	1	2500	2800	300	6000
	15	2500	2800	300	6000

(3) Instream flow hydrographs, as represented in the document entitled "Snohomish River instream resource protection program," shall be used for definition of instream flows on those days not specifically identified in WAC 173-507-020(2).

(4) All consumptive water rights hereafter established shall be expressly subject to the instream flows established in WAC 173-507-020 (1) through (3).

(5) At such time as the departments of fisheries and/or wildlife and the department of ecology agree that additional stream management units should be defined, other than those specified in WAC 173-507-020(1), the department of ecology shall identify additional control stations and management units on streams and tributaries within the basin and shall set instream flows where possible for those stations as provided in chapters 90.22 and 90.54 RCW.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-507-020, filed 6/9/88. Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-020, filed 9/6/79.]

WAC 173-507-030 Surface water source limitations to further consumptive appropriations. (1) The department, having determined further consumptive appropriations would harmfully impact instream values, adopts instream flows as follows confirming surface water source limitations previously established administratively under authority of chapter 90.03 RCW and RCW 75.20.050.

LOW FLOW LIMITATIONS

Stream	Limitation	Point of Measurement
Evans Creek, Tributary to Lake Beecher	No diversion when flow drops below 2.0 cfs.	800 ft. So. and 800 ft. east of center of Sec. 7, T. 27 N., R. 6 E.W.M.
Foye Creek Tributary to Riley Slough	No diversion when flow drops below 4.0 cfs.	750 ft. So. and 325 ft. east of N1/4 cor. of Sec. 18, T. 27 N., R. 6 E.W.M.
French Creek, Tributary to Snohomish River	No diversion when flow drops below 0.75 cfs.	125 ft. No. and 1300 ft. west of E1/4 of Sec. 20, T. 28 N., R. 6 E.W.M.
Langlois Creek Tributary to Tolt River	No diversion when flow drops below 3.0 cfs.	1040 ft. No. and 1250 ft. east of SW1/4 cor. of Sec. 22, T. 25 N., R. 7 E.W.M.
Tate Creek, Tributary to No. Fk. Snoqualmie River	No diversion when flow drops below 2.0 cfs.	900 ft. east and 870 ft. No. of W1/4 cor. of Sec. 26, T. 24 N., R. 8 E.W.M.
Tulalip Creek, Tributary to Tulalip Bay	No diversion when flow drops below 2.5 cfs.	1125 ft. west and 125 ft. No. of S1/4 cor. of Sec. 22, T. 30 N., R. 4 E.W.M.
Unnamed Stream (Coon Creek), Tributary to Pilchuck River.	No diversion when flow drops below 1.0 cfs.	480 ft. No. and 240 ft. west of center of Sec. 19, T. 30 N., R. 7 E.W.M.
Unnamed Stream (Coon Creek), Tributary to Pilchuck River	One-half of low flow must be bypassed.	800 ft. east and 1100 ft. So. of W1/4 cor. of Sec. 19, R. 30 N., R. 7 E.W.M.
Unnamed Stream, Tributary to Cherry Creek	No diversion when flow drops below 1.0 cfs.	1000 ft. So. and 400 ft. west of NE cor. of Sec. 16, T. 26 N., R. 7 E.W.M.

Stream	Limitation	Point of Measurement
Unnamed Stream, Tributary to McCoy Creek	No diversion when flow drops below 0.5 cfs.	600 ft. west and 100 ft. No. of SE cor. of Sec. 5, T. 27 N., R. 8 E.W.M.
Unnamed Stream, Tributary to Snoqualmie River	No diversion when flow drops below 30.0 cfs.	350 ft. west and 900 ft. No. of SE cor. of Sec. 5, T. 27 N., R. 8 E.W.M.
Unnamed Stream (Solberg Creek), Tributary to Snoqualmie River	No diversion when flow drops below 2.0 cfs.	600 ft. west and 1050 ft. No. of E cor. of Sec. 12, T. 25 N., R. 6 E.W.M.
Unnamed Stream, Tributary to Snoqualmie River	One-half of low flow must be bypassed.	500 ft. So. and 1120 ft. east of center Sec. 28, T. 25 N., R. 7 E.W.M.
Unnamed Stream, Tributary to Snoqualmie River	No diversion when flow falls below 1.0 cfs.	600 ft. No. of E1/4 cor. of Sec. 28, T. 25 N., R. 7 E.W.M.
Wood Creek, Tributary to Snohomish River	No diversion when flow drops below 0.75 cfs.	335 ft. No. and 130 ft. east of S1/4 cor. of Sec. 8, T. 28 N., R. 5 E.W.M.
Woods Creek Tributary to Skykomish River	No diversion when flow drops below 11.0 cfs.	Immediately below confl. of West Fork in SE1/4NW1/4 Sec. 33, T. 28 N., R. 7 E.W.M.
Woods Creek, Tributary to Skykomish River	No diversion when flow drops below 6.0 cfs.	Immediately above said confl. of West Fork.
Woods Creek, Tributary to Skykomish River	No diversion when flow drops below 2.5 cfs.	Immediately above confl. of Roesigner Cr. in NE1/4NW1/4 of Sec. 3, T. 28 N., R. 7 E.W.M.
Woods Creek, Tributary to Skykomish River	No diversion when flow drops below 0.5 cfs.	Roesigner Creek, immediately above said confl. with Woods Creek.
Woods Creek, Tributary to Skykomish River	No diversion when flow drops below 5.0 cfs.	West Fork, immediately above said confl. with Woods Creek.
Woods Creek, Tributary to Skykomish River	No diversion when flow drops below 2.5 cfs.	West Fork when it crosses the No. line of Sec. 5, T. 28 N., R. 7 E.W.M.
Unnamed Lake (Morris Lake), Tributary to Horseshoe Lake	No diversion when flow drops below 1.0 cfs.	Lake outlet at NE1/4NE1/4 of Sec. 9, T. 25 N., R 7 E.W.M.

Note: Affected stream reaches extend from mouth to headwaters and include all tributaries in the contributing drainage area unless specifically excluded.

(2) The department, having determined there are no waters available for further appropriation through the establishment of rights to use water consumptively, closes the following streams to further consumptive appropriation for the periods indicated. These closures confirm surface water source limitations previously established administratively under authority of chapter 90.03 RCW and RCW 75.20.050.

SURFACE WATER CLOSURES

Stream	Date of Closure	Period of Closure
Griffin Creek, Tributary to Snoqualmie River	9/22/53	All year
Harris Creek, Tributary to Snoqualmie River	1/20/44	All year
Little Pilchuck Creek, Tributary to Pilchuck River	5/6/52	All year
May Creek, Tributary to Wallace River	10/13/53	All year
Patterson Creek, Tributary to Snoqualmie River	2/19/52	All year
Quilceda Creek, Tributary to Ebey Slough	6/10/46	All year

Stream	Date of Closure	Period of Closure
Raging River, Tributary to Snoqualmie River	9/20/51	All year
Unnamed Stream (Bodell Creek), Tributary to Pilchuck River	9/6/51	All year

[Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-030, filed 9/6/79.]

WAC 173-507-040 Groundwater. In future permitting actions relating to groundwater withdrawals, the natural interrelationship of surface and groundwaters shall be fully considered in water allocation decisions to assure compliance with the meaning and intent of this regulation.

[Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-040, filed 9/6/79.]

WAC 173-507-045 Permit-exempt wells for domestic uses. (1) The requirements and limits in this section apply to permit-exempt domestic wells constructed after the effective date of this rule. For the purpose of this section, "permit-exempt domestic wells" means wells for groundwater withdrawals exempt from permitting under RCW 90.44.050 for domestic use.

(2) A city or county issuing a building permit under RCW 19.27.097 (1)(d), or approving a subdivision under chapter 58.17 RCW in this water resource inventory area must:

(a) Record relevant restrictions or limitations associated with water supply with the property title;

(b) Collect applicable fees, as described in subsection (3) of this section;

(c) Record the number of building permits issued under chapter 19.27 RCW or subdivision approvals issued under chapter 58.17 RCW subject to the provisions of this section;

(d) Annually transmit to the department $350 of each fee collected under this section;

(e) Annually transmit to the department an accounting of building permits and subdivision approvals subject to the provisions of this section.

(3) Consistent with the provision of this section, an applicant for a building permit shall:

(a) Pay a fee of $500 to the permitting authority;

(b) Limit withdrawals to a maximum annual average withdrawal of 950 gallons per day per connection; and

(c) Manage stormwater runoff on-site to the extent practicable by maximizing infiltration, including using low-impact development techniques, or by following stormwater management requirements adopted by the local permitting authority, if locally adopted requirements are more stringent.

(4) Upon the issuance of a drought emergency order under RCW 43.83B.405, the department may curtail withdrawal of groundwater exempt from permitting under RCW 90.44.050 and approved under this section to no more than 350 gallons per day per connection for indoor use only. Notwithstanding the limitation of this section, an applicant may

use groundwater exempt from permitting to maintain a fire control buffer during a drought emergency order.

[Statutory Authority: RCW 90.94.030 (3)(h) and 70A.02.060. WSR 26-12-038 (Order 24-09), s 173-507-045, filed 5/27/26, effective 6/27/26.]

WAC 173-507-050 Exemptions. (1) Nothing in this chapter shall affect existing water rights, riparian, appropriative, 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) Domestic inhouse use for a single residence and stock watering, except that related to feed lots, shall be exempt.

[Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-050, filed 9/6/79.]

WAC 173-507-060 Future rights. No right to divert or store public surface waters of the Snohomish WRIA 7 shall hereafter be granted which shall conflict with the instream flows and closures established in this chapter. Future rights for nonconsumptive uses, subject to the conditions herein established, may be granted.

[Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-060, filed 9/6/79.]

WAC 173-507-070 Enforcement. In enforcement of this chapter, the department of ecology may impose such sanctions as appropriate under authorities vested in it, including but not limited to the issuance of regulatory orders under RCW 43.27A.190 and civil penalties under RCW 90.03.600.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-507-070, filed 6/9/88. Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-070, filed 9/6/79.]

WAC 173-507-075 Appeals. All final written decisions of the department of ecology pertaining to permits, regulatory orders, and related decisions made pursuant to this chapter shall be subject to review by the pollution control hearings board in accordance with chapter 43.21B RCW.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-507-075, filed 6/9/88.]

WAC 173-507-080 Regulation review. The department of ecology shall initiate a review of the rules established in this chapter whenever new information, changing conditions, or statutory modifications make it necessary to consider revisions.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-507-080, filed 6/9/88. Statutory Authority: Chapters 90.22 and 90.54 RCW. WSR 79-10-003 (Order DE 79-8), § 173-507-080, filed 9/6/79.]