

WAC 173-505-050 Establishment of instream flows. (1) Instream flows established in this section protect stream flows from future withdrawals, and preserve flow levels that are necessary to protect wildlife, fish, water quality, scenic, aesthetic and other environmental values, navigational values, and stock watering requirements.

(2) Instream flows established in this section are water rights with a priority date the same as the effective date of this chapter.

(3) Instream flows are expressed in cubic feet per second (cfs). These flows are measured at the control points identified in WAC 173-505-040 and apply to the stream management reach. The instream flow provisions for any water right located in a stream management unit shall specifically describe the instream flow levels for the control station in that unit and shall refer generally to other downstream instream flow requirements that may also become controlling and critical to the use of water under such right.

(4) Instream flows are to be protected from impairment by junior water rights. Except as provided in WAC 173-505-080, 173-505-090, and 173-505-110, junior water rights shall be exercised only when flow conditions provide enough water to satisfy senior rights, including the instream flows set in this chapter. Withdrawals of water that would conflict with the established instream flows shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

(5) Stream flow requirements on existing water rights are not modified by this chapter. Existing water rights that include a provision that water use will be subject to future instream flows are now subject to the instream flows established in WAC 173-505-050.

(6) Instream flows are established for the stream management units in WAC 173-505-040, as follows:

Table 2
Instream Flows for the Mainstem and North and South Forks, Stillaguamish River
(in cubic feet per second) (RM = River Mile)

Month	Day	Ecology Station #05A070	USGS Station #12167000	Ecology Station #05B090	USGS Station #12161000	
		Stillaguamish RM 11.2	North Fork Stillaguamish RM 6.5	North Fork Stillaguamish RM 17.6	South Fork Stillaguamish RM 24.4	South Fork Stillaguamish RM 34.9
Jan.	1-31	2200	1200	915	1200	
Feb.	1-29	2000	1200	850	1200	
Mar.	1-15	2000	1300	850	2250	1600
	16-31	2000	1300	915	2250	1600
Apr.	1-30	2000	1300	915	2000	1600
May	1-31	2000	1300	915	2000	1600
Jun.	1-15	2000	1300	915	1200	1060
	16-30	2000	1400	650	1200	1060
Jul.	1-15	2000	1100	600	1150	1060
	16-31	2000	800	500	750	700
Aug.	1-15	1700	800	425	750	700
	16-31	1700	800	500	750	700
Sep.	1-15	1700	800	700	775	700
	16-30	1700	800	850	775	700
Oct.	1-15	1700	800	870	1250	1200
	16-31	1700	800	870	1900	1700

Month	Day	Ecology Station #05A070	USGS Station #12167000	Ecology Station #05B090	USGS Station #12161000
		Stillaguamish RM 11.2	North Fork Stillaguamish RM 6.5	North Fork Stillaguamish RM 17.6	South Fork Stillaguamish RM 24.4
Nov.	1-15	2200	950	915	1800
	16-30	2200	950	915	1800
Dec.	1-31	2200	1300	915	1800

Table 3
Instream Flows for Tributaries of
the Mainstem and North and South Forks Stillaguamish River Basin
(in cubic feet per second) (RM = River Mile)

Month	Day	RM 0.5	RM 17	RM 1.2	RM 3.3	RM 5.0	RM 0.3	RM 1.3	RM 0.3
		Pilchuck Creek	Pilchuck Creek	Squire Creek	Jim Creek	Canyon Creek	Lake Creek	Deer Creek	Brooks Creek
Jan.	1-31	170	98	200	250	525	21	411	39
Feb.	1-29	170	98	200	250	450	21	411	39
Mar.	1-15	170	98	280	250	450	21	474	68
Mar.	16-31	170	98	280	250	450	21	474	68
Apr.	1-30	170	98	280	250	450	21	474	68
May	1-31	170	98	280	250	450	21	474	68
Jun.	1-15	170	98	280	250	450	21	313	45
Jun.	16-30	170	98	280	250	350	21	313	45
Jul.	1-31	170	98	200	250	350	21	195	45
Aug.	1-31	140	98	200	250	350	21	88	17
Sep.	1-30	170	98	200	250	400	21	353	17
Oct.	1-31	170	98	200	250	525	21	617	39
Nov.	1-15	170	98	160	250	525	21	411	39
Nov.	16-30	170	98	160	250	525	21	411	39
Dec.	1-31	170	98	160	250	525	21	411	39

Table 4
Instream Flows for Tributaries of
the Mainstem and North and South Forks Stillaguamish River Basin
(in cubic feet per second) (RM = River Mile)

Month	Day	RM 0.3	RM 1.0	RM 0.5	RM 0.4	RM 0.3	RM 0.2	RM 0.2	RM 0.1
		Montague Creek	Rollins Creek	Boulder Creek	French Creek	Segelson Creek	Furland Creek	Ashton Creek	Grant Creek
Jan.	1-31	29	47	167	56	47	33	34	67
Feb.	1-29	29	47	167	56	47	33	34	67
Mar.	1-15	53	80	203	73	79	44	46	87
Mar.	16-31	53	80	203	73	79	44	46	87
Apr.	1-30	53	80	203	73	79	44	46	87
May	1-31	53	80	203	73	79	44	46	87
Jun.	1-15	35	53	134	48	52	29	30	57
Jun.	16-30	35	53	134	48	52	29	30	57
Jul.	1-31	35	53	134	48	52	29	30	57
Aug.	1-31	12	20	154	18	20	10	10	23
Sep.	1-30	12	47	250	84	47	49	51	101
Oct.	1-31	29	47	167	84	47	49	51	101

Month	Day	RM 0.3 Montague Creek	RM 1.0 Rollins Creek	RM 0.5 Boulder Creek	RM 0.4 French Creek	RM 0.3 Segelson Creek	RM 0.2 Furland Creek	RM 0.2 Ashton Creek	RM 0.1 Grant Creek
Nov.	1-15	29	47	167	56	47	33	34	67
Nov.	16-30	29	47	167	56	47	33	34	67
Dec.	1-31	29	47	167	56	47	33	34	67

Table 5
Instream
Flows for Tributaries of
the Mainstem and North and South Forks Stillaguamish River Basin
(in cubic feet per second) (RM = River Mile)

Month	Day	RM 3.0 Church Creek	RM 0.5 Glade Bekken Creek	RM 7.0 Portage Creek	RM 2.0 Fish Creek	RM 1.1 Rock Creek	RM 1.5 Koonz Creek
Jan.	1-31	24	10	11	16	29	19
Feb.	1-29	24	10	11	16	29	19
Mar.	1-15	43	21	22	30	53	36
Mar.	16-31	43	21	22	30	53	36
Apr.	1-30	43	21	22	30	53	36
May	1-31	43	21	22	30	53	36
Jun.	1-15	28	14	14	20	35	24
Jun.	16-30	28	14	14	20	35	24
Jul.	1-31	28	14	14	20	35	24
Aug.	1-31	10	4	4	6	12	8
Sep.	1-30	10	4	4	6	29	19
Oct.	1-31	24	10	11	16	29	19
Nov.	1-15	24	10	11	16	29	19
Nov.	16-30	24	10	11	16	29	19
Dec.	1-31	24	10	11	16	29	19

Table 6
Instream Flows for Tributaries of
the Mainstem and North and South Forks Stillaguamish River Basin
(in cubic feet per second) (RM = River Mile)

Month	Day	RM 1.5 Harvey Creek	RM 1.0 Armstrong Creek	RM 0.1 Jordan Creek	RM 1.6 Tiger Creek	RM 0.0 Siberia Creek
Jan.	1-31	9	34	18	27	37
Feb.	1-29	9	34	18	27	37
Mar.	1-15	6	46	34	48	49
Mar.	16-31	6	46	34	48	49
Apr.	1-30	6	46	34	48	49
May	1-31	4	46	34	48	49
Jun.	1-15	4	30	22	32	32
Jun.	16-30	4	30	22	32	32
Jul.	1-31	4	30	22	32	32
Aug.	1-31	4	10	7	11	11
Sep.	1-30	4	51	18	11	27
Oct.	1-31	4	51	18	11	55
Nov.	1-15	9	34	18	27	37

Month	Day	RM 1.5 Harvey Creek	RM 1.0 Armstrong Creek	RM 0.1 Jordan Creek	RM 1.6 Tiger Creek	RM 0.0 Siberia Creek
Nov.	16-30	9	34	18	27	37
Dec.	1-31	9	34	18	27	37

[Statutory Authority: Chapters 43.27A, 90.54, 90.22, and 90.82 RCW. WSR 05-18-016 (Order 02-17), § 173-505-050, filed 8/26/05, effective 9/26/05.]