

Staff summary of Issues & Recommendations

Water Transactions (CBWTP)

*Preliminary draft, please refer to full recommendations for complete review

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2009 Fish and Wildlife Program Section

Section VIII. D. Land and Water Acquisition Funds (pg 62)

Overview:

Recommenders support continuing the water transactions program, requiring all transactions use consistent criteria, adding flexibility for additional funding when unusual opportunities arise, and for the Council to establish a prioritization process to rank water acquisition opportunities in the context of climate change. One recommendation is to ensure adequate funding to evaluate the biological effectiveness of water transactions. A recommendation for continued support for transactions in the Upper Deschutes was made based on recovery goals for Mid-C Steelhead.

Recommendations:

Washington Department of Fish and Wildlife (4)

Measure: Ensure adequate funding to evaluate the biological effectiveness of water transactions.
Rationale: The Columbia Basin Water Transactions Program works with qualified local and state program partners who join with irrigation districts, landowners, producers and others on projects to enhance stream flows. There is currently funding for monitoring through the WA Department of Ecology which needs to be maintained to ensure that the investments made in water transactions are resulting in ecological improvements to the system

Idaho Water Resource Board (10)

The effectiveness of the Water transaction program, a program to meet Council obligations to mitigate for fish & wildlife impacts through improving ESA-listed fish habitat with flow restoration, is an effective strategy and has been a highly successful program. More importantly, the success of the program in Idaho is directly due to program's guiding principles of respecting private property rights, respecting traditional agricultural values, and using market-based strategies make this program a shining example of the ability to take a balance approach to meeting ESA-listed fish needs and state needs simultaneously.

The IWRB strongly supports the water transactions program and encourages the continuation of the program with the current guiding principles. Idaho's participation in the Council's Water transactions program has demonstrated that voluntary and balanced approach can accomplish multiple benefits while protecting local communities and economies.

Columbia Basin Water Transactions Program (40)

- Develop a flexible mechanism that allows CBWTP to access additional funding in years when high priority flow restoration transactions exceed the program's annual budget. Due

to the nature of negotiating and implementing flow transactions, it is difficult to predict the amount of transaction funding that will be necessary within any particular year.

- Consider utilizing the CBWTP transaction review process to evaluate proposed Fish and Wildlife. Program investments in capital projects that propose to enhance instream flows. Adopting the CBWTP's criteria and process would assist the Council in ensuring that consistent metrics for evaluating outcomes are being applied to the review and approval of all Fish and Wildlife program investments relating to flow restoration.
- Provide technical and financial support for the establishment of a framework for prioritizing flow restoration activities with respect to the anticipated effects of climate change on tributary streamflows. The CBWTP would like to explore partnering with Bonneville to develop an assessment of climate change impacts specifically on streamflows and coordinate the development of a strategy for prioritizing actions to mitigate those impacts through flow restoration transactions.

Clark Fork Coalition (51)

Maintain the Program's current commitment to implementation of the water transaction program and increase the commitment where appropriate.

Deschutes River Conservancy (54)

Further invest in water transactions above the Pelton Round Butte dam complex on the Deschutes River as a strategy to recover Middle Columbia River steelhead; and Further emphasize the four directions provided to the water transactions program in 2009 (NPCC 2009: 62):

Integrate instream water transactions with efforts to set and meet flow targets and habitat restoration goals;

- Integrate instream water transactions with efforts to address other ecological factors that are limiting fish habitat;
- Coordinate with Bonneville on other funding efforts addressing flow restoration to ensure consistency; and
- To the extent possible, consider the potential impact of climate change while making water transaction recommendations.

**Program Language
(Implementation Provisions - pg 62)**

a. Water transaction program

Bonneville established a water transactions program in response to the 2000 Columbia River Basin Fish and Wildlife Program and the 2000 FCRPS Biological Opinion. Bonneville shall fund the continuation of the water transaction program to pursue water right acquisitions in subbasins where water quantity has been identified in a subbasin plan as a primary limiting factor. The water transaction program will continue to use both temporary and permanent transactions for instream flow restoration. The water transaction program will coordinate with the fish and wildlife agencies, tribes, and project sponsors to:

- Integrate instream water transactions with efforts to set and meet flow targets and habitat restoration goals
- Integrate instream water transactions with efforts to address other ecological factors that are limiting fish habitat
- Coordinate with Bonneville on other funding efforts addressing flow restoration to ensure consistency, and
- To the extent possible, consider the potential impact of climate change while making water transaction recommendations

Bonneville funding of the water transaction program shall continue to accommodate associated transaction costs. In recognition of the timeframes necessary to successfully complete water transactions, Bonneville funding of the water transaction program within a given year shall be carried forward into the next year where a water right transaction has been proposed to the water transaction program but could not be completed in the same fiscal year. The water transaction program will seek closer integration of land and water protection acquisition activities.