

Columbia River Programmatic EIS

Policy Advisory Group

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Principles and Values

A number of principles informed selection of preferred alternatives:

- Match supply with demand; look for new supplies that can be developed quickly
- Provide both instream and out-of-stream benefits as soon as possible; won't move one forward without the other
- Pursue the values inherent in the new law and connect operations to the existing water right processing structure
- Be flexible; create space for innovation and learning



Selecting Water Supply Projects

- Preferred alternative: pursue a wide range of projects, not only new large off-channel storage, but manage risk by diversifying
- Be strategic about matching water supply investments with needs
- Projects may include:
 - Conservation and acquisition
 - Optimizing or expanding existing storage capacities
 - Evaluating new storage projects, both small and large
 - Long-term water supply agreements with other governments

Calculating Net Water Savings

Preferred alternative: continue to use current guidance, GUID-1210, to calculate consumptive and net water savings



Funding Criteria for Conservation Projects

Preferred alternative: Manage risks to instream conditions and the agency's ability to defend the issuance of new water rights from the onset by:

- Looking for projects in tributaries to secure instream benefits as new water flows to the mainstem
- Reserve some new water developed through conservation to protect instream conditions
- Reduce or eliminate water reserved to protect instream conditions as more water comes on-line and the program gains experience tracking new supplies and issuing new water rights.

Defining "Acquisition" and "Transfer"

Preferred alternative:

- Acquisitions are defined as six specific types of activities/projects that retire or permanently diminish consumptive water use
- Transfers are defined as the change of a water right from one place and person to another, or assignment of mitigation credit that allows a new permit to be issued.
- "Pumps and pipes" conservation projects are not considered acquisition or transfer



Conditioning Water Rights Changes on Instream Flows

Preferred alternative:

- continue to apply the 1980 instream flow rule to water right changes
- where applicable, for example, where a change in season of use could provide environmental benefits, use the Overriding Consideration of the Public Interest (OCPI) determination process to waive the 1980 rule limits on a case-by-case basis



Initiating VRAs

Preferred alternative:

- Ecology will support water users with common interests to consider a VRA where it benefits the program and the public interest
- However, this will be an ad hoc activity, rather than a major program emphasis
- Ecology will respond to and work with proponents to execute new VRA proposals that are consistent with the statute



Processing Water Rights Associated with VRAs

Preferred alternative:

- Consistent with 90.90 RCW, do not create a special line for rights associated with VRAs
- Consistent with current law and agency policy:
 - Continue to process all applications in accordance with the Hillis Rule
 - New applications and changes to existing water rights are two separate lines
 - Organize applications along the mainstem by date and by WRIA



Defining "No Negative Impact"

Preferred alternative:

- Mitigation from trust water rights will be available within the same pool as the trust water right originates, and to downstream pools
- Subject to the WRIA-based limitation on Account funds for acquisition and transfers (no cross-WRIA transfer for acquisition and transfer without specific Legislative authorization)



Defining Main Channel and One-Mile Zone

Preferred alternative:

- Use a straight line across the mouth of tributary streams to define the main channel of the Columbia River
- This alternative excludes backwatered areas of tributary streams within the definition of the one-mile zone.

Coordinating VRA Mitigation and Processing New Water Rights

Preferred alternative:

- Ecology will aggressively pursue new water supply projects to make mitigation water available for new permits, regardless of status with regard to a VRA
- If mitigation water is not available to senior applicants in the needed location and/or time, provide applicants an opportunity to voluntarily “step aside” for a set period in hopes appropriate mitigation water can be identified
- At the end of the set period, Ecology will process the applications to avoid ongoing delays or the effects of speculation on other applicants



Coordinating VRA and non-VRA Water Right Processing

Preferred alternative:

- Hybrid of the alternatives presented in the Columbia River Draft Programmatic Environmental Impact Statement (DPEIS)
- When the “source” is mitigation based on a tributary trust water right, process mainstem applications on a WRIA basis
- When the source is a mainstem trust water right, storage project, or other source process applications based on the mainstem line of applications

Funding Projects Associated with VRAs

Preferred alternative:

- Water supplies will be aggressively pursued to serve both VRA and non-VRA mainstem water right applications
- Funding criteria for water supply projects will include incentives for federal, local, or private participation as a method of sharing responsibility for the costs of water supply development and to support long-term financial sustainability for the program.
- New VRA's will be expected to fund a portion of the costs associated with developing new water supplies (e.g., building on the approach taken in the draft CSRIA VRA)



Inclusion of Exempt Wells in Water Use Inventory

Preferred alternative:

- Include exempt wells in the inventory
- First inventories focus on wells for which electronic data is currently available
- Subsequent inventories improved with additional information as resources and opportunity allow
- Provide access to aggregate data via the Internet consistent with the provisions of 90.90 RCW



Implementation of Preferred Alternatives

- Will occur primarily through agency policy and guidance, rulemaking if required by the APA, and individual permit decisions.
- Rulemaking may be applicable to:
 - use of GUID 1210
 - opportunity for senior applicants to voluntarily “step aside” for a set period if mitigation water is available not where they are located or they are not ready to proceed
 - funding criteria for new water supply projects, including the ability to reserve water to manage risk
 - Cost-share component included in future VRAs



Next Steps / Schedule

- Finalize EIS - publish February 15, 2007
- Move forward with implementation and dialogue with the Policy Advisory Group, including:
 - Continued work to identify and develop new water supplies commensurate with demand
 - Funding criteria, process description, and water supply projects delivered to the Legislature
 - Decisions on new permits
 - Improvement and Execution of the CSRIA VRA
 - Rulemaking and Agency Policy Guidance Documents



Discussion Questions

- Are the preferred alternatives clear? Any questions / clarifications?
- Any surprises? Any fatal flaws?
- Which implementation steps will require consultation with the Policy Advisory Group?

