

# Focus on: Proposed Crown Columbia water bank



## Current Status

The Department of Ecology's Office of Columbia River is considering an application to create an area-wide water bank under a single permit in the Columbia River watershed. Public notice on the bank, proposed by the Crown Columbia LLC, was published in affected counties, and comments were accepted during a 30-day comment period.

Ecology is now formally consulting with tribal governments, state agency partners, local governments and stakeholders on this proposal, as part of our decision-making process. We are giving careful consideration to these consultations and the comments we received as we evaluate the merits of the application toward making a final decision.

## Overview of water banking in Washington

Water banks, such as the one proposed by Crown Columbia, are authorized under state law for private and public entities. As new water supplies have grown scarce, water banking structures have become more common throughout Washington as a means to help meet growing water demands.

Banks using the state's Trust Water Program enter into legal instruments called Trust Water Agreements that spell out provisions of the bank. The water rights put into trust with the state for banking purposes may be used to offset or mitigate new uses.

These new authorizations must also be evaluated for suitability and approved by Ecology. Under state law, water banks cannot be used in ways that impair existing water rights (including instream flows), and must be in the interest of the public.

For more information, please read our [history and purpose of water banks focus sheet](#)<sup>1</sup>.

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<sup>1</sup> Publication 20-11-063: <https://apps.ecology.wa.gov/publications/SummaryPages/2011063.html>

## Details about the Crown Columbia proposal

### Background

Crown Columbia LLC has acquired a number of existing valid water rights along the Columbia River to seed a proposed bank under a single, area-wide permit. If approved, the organization proposes to acquire additional water rights that might be brought under the umbrella of the area-wide water bank. The rights proposed for the new bank are deeded to Ecology under the Trust Water Program for streamflow and new-use mitigation. The permit, if approved, would make water available for long-term leases throughout the Columbia River Basin.

### Evaluating the proposal

Each water right proposed for mitigation by the bank must be legally evaluated by Ecology and meet the specifications identified in the Trust Water Agreement. A report examining the water rights must describe the water right assets, including where and how it has been put to beneficial use. In addition, we require proof of a recorded deed with the county of origin. Each *new water use* proposed from the bank must follow Ecology's permitting processes, including public notice and comment, water right examination reports, and that proposed use may not impair existing water rights.

### Oversight

Ecology will maintain oversight of any bank that is approved, related to permitting and tracking of incoming (mitigation) water rights, and the approval of permits issued from the bank for new uses. All transactions, and water use data must be posted on Ecology's website, as required by existing laws. In addition, banks must submit quarterly reports on water supply and trust water transfers. New uses of water must be metered and electronically conveyed to Ecology.

### Special provisions proposed to counties by Crown Columbia

The Crown Columbia bank proposes to offer county governments an opportunity to acquire up to 25 percent of the water it owns in each particular county at the same cost incurred by Crown for its acquisition. This section of the Crown Trust Water Agreement offers counties of origin first option of the water supply from the bank to meet local demands. Crown Columbia proposes to lease water for uses in areas where water supply options are limited in the Columbia River Basin.

### Next steps

Before making a decision about the Crown Columbia application, we are consulting with tribal governments, state agency partners, local governments and stakeholders. Ecology will carefully review and consider all the public comments we received and the concerns raised in these consultations.

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#### ADA accommodations

To request ADA accommodation, call Ecology at 509-307-1202, email [tihi461@ecy.wa.gov](mailto:tihi461@ecy.wa.gov) or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877- 833-6341.