DESCHUTES BASIN HABITAT CONSERVATION PLAN

Summer 2021

Plan Details

Permit: Endangered Species Act 10(a)(1)(B) permit, known as an Incidental Take Permit (ITP).

Permittees: Deschutes Basin Board of Control (DBBC) member districts[1] and the City of Prineville, (collectively referred to as the DBHCP Permittees).

Permit Length: 30 years

Covered Species: Bull trout (*Salvelinus confluentus*) and Oregon spotted frog (*Rana pretiosa*).

Covered Lands[2]: Crane Prairie, Wickiup and Crescent reservoirs; Crescent Creek, Little Deschutes River, Deschutes River, Tumalo Creek, Whychus Creek, Crooked River, McKay Creek, Lytle Creek, and Trout Creek. The downstream limit is the mouth of the Deschutes River.

Plan Benefits

1. **Protects irrigation districts AND endangered species** in the Deschutes River.

   How?

   Irrigation districts now have a 30-year permit (ITP) from the Federal government that confirms their activities are in compliance with the ESA.

   Endangered species[3] (Oregon spotted frog and bull trout) have conservation measures to enhance their habitats over the life of the permit. These measures support their recovery and hopefully lead to their ultimate removal from the list of endangered species in the future.

2. Provides **certainty and predictability** for water users and endangered species.

   How?

[1] DBBC member districts include: Arnold Irrigation District, Central Oregon Irrigation District, Lone Pine Irrigation District, North Unit Irrigation District, Ochoco Irrigation District, Swalley Irrigation District, Three Sisters Irrigation District and Tumalo Irrigation District.

[2] For a more detailed description of the Covered Lands see page 3-1, Biota Pacific 2020.

[3] The Oregon spotted frog and bull trout are listed as "Threatened" under the ESA, use of endangered above is the common usage for all species listed under the ESA (e.g., both threatened and endangered).

Irrigation districts have a known water management regime to follow; required minimum flows are established at specific times and locations for the next 30-years. Water managers can use this information as they make water management decisions.

Endangered species managers (FWS and our partners) know that the life history needs of the covered species will be met by aligning the water management decisions with the various biological life stage requirements of the species.

3. **Provides flexibility** in drought (or flood) situations.

   How?

   The HCP has provisions for 'adaptive management' which provides irrigation and wildlife managers tools to adapt to conditions in the basin. In this year of severe drought, FWS and the irrigation districts have used the adaptive management tools to optimize the use of this year's limited water supply for the best outcome possible for water users and wildlife.

4. **Provides a roadmap** for all basin partners to contribute to restoration needs in the Deschutes Basin.

   How?

   Until now most restoration partners have been reluctant to invest in necessary restoration projects on the Deschutes River because the flows were unpredictable and varied dramatically from season to season. For example, partners didn't want to restore riparian vegetation in one season only to have very high flows in the next season erode that work. With long-term predictability of flows over time, restoration partners can now begin the necessary work of restoring the Deschutes River.

5. Demonstrates that **local entities working together** can resolve potential ESA and agricultural conflicts.

   How?

   In some areas, and previously in the Deschutes Basin, conflicts between implementation of the ESA and agricultural issues has been resolved in the courts, rather than by informed parties sitting down and working out solutions that work locally. ESA implementation by litigation is costly and frequently removes local experts from the decision-making process. Well-intentioned petitioners and/or the courts are left to

make decisions in areas of complex natural resource management that may not address the complexities that local experts work to understand more fully every day.

The Deschutes Basin Habitat Conservation Plan (DBHCP) took twelve years to complete. Multiple changes occurred in the Federal government during that time. Three different Presidents (and now a fourth) have had teams that engaged in the development, approval and implementation of the DBHCP. Despite the varying approaches to ESA implementation that have occurred during that time, all administrations recognized that this locally developed plan was the right one for the Deschutes.