

## **Potential Water Transfer Issues to be Addressed by the CALFED Transfers Agency Group**

There are several topics related to water transfers which may be viewed as issues that require resolution or as opportunities for CALFED agencies to better coordinate their activities. The following topics may be appropriate for discussion in the format of the CALFED Transfers Agency Group:

1.     **Definition of Transferable Water, Conserved Water** Are agency definitions and rules regarding transferable water and conserved water consistent in content and consistently applied? Can these definitions and rules be reconciled with CALFED goals to increase conservation and improve water quality?
2.     **Regulatory Processing/Streamlining** Are transfer requests unreasonably delayed by agencies, or are transfer requests sometimes accompanied by inadequate documentation which delays processing?
3.     **Sec. 1707 Transfers** Do CALFED agencies have an adequate method of tracking instream transfers for fishery purposes and ensuring that water designated for this purpose is not diverted by downstream water users before it reaches the Delta?
4.     **Priority of Access to Facilities** What are the appropriate rules or priorities for access to transfer facilities among state, federal, and other users?
5.     **Carriage Water Requirements and/or Applicability of the Inflow/Export Ratios to Cross-Delta Transfers** What portion of the water transferred across the Delta should go to outflow?
6.     **Reservoir Refill Criteria** What rules should be followed for replacement of water released from storage for transfers?
7.     **Groundwater Transfers or Groundwater Replacement** What are appropriate policies and safeguards related to transfers involving groundwater?
8.     **Environmental Impacts** What rules should be applied to transfers in order to ensure protection of environmental values?

The following issues may be more appropriate for consideration in forums other than the Transfers Agency Group, but agency input will be important:

9.     **Third Party Impacts** What rules should be applied to protect local water supply conditions and economies?

(Over)

10. **Local Control or Approval of Transfers** To what extent should local water users, districts, and governments play a role in transfer approval?
11. **Water Right Assurances** Existing law provides assurance that water rights are protected even if the water is transferred, yet concerns remain over water right holder ability to retain control of water, particularly after transfers that may extend over many years.
12. **Physical Capacity of Facilities** What assumptions should be made in the CALFED storage/conveyance component about providing adequate or additional capacity for transfer water?

### **Proposed Format for Transfers Issue Discussion**

For each issue listed above, it will be helpful to have a short paper describing the background, alternative viewpoints, and options for resolution of the issue. These papers can serve as focus for subsequent discussions by the TAG or as background for the new BDAC Water Transfers Work Group.

For consistency, each paper should be structured to include the following sections, to the extent possible:

1. Background/Explanation of Issue in a Water Transfers Context
2. Alternative Viewpoints/Why There is a Perceived Problem
3. Solution Options ( including no action, as appropriate)

Each paper should be as brief as possible, but detailed enough to provide the TAG with a focus for discussion and provide BDAC members with a common understanding of the issue. (Try for two pages or less.) Submittal in electronic format (WordPerfect for Windows) would be most helpful.

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