Summary of Meeting
BDAC Water Transfers Work Group
December 17, 1997
Fifth Meeting

Key Points

- Options for resolving third party and groundwater protection issues offered at the previous meeting were "voted" on to help develop a consensus set of options. Upon further refinement, these broad, direction-indicating solution options will be forwarded to the full BDAC and to CALFED.
- The details of how, who, and what level were main points of concern raised about the list of brainstormed solution options. It was made clear by several BDAC representatives that the details of many of the solutions can change whether or not they are acceptable.
- There was general consensus over the need to have 1) more and better baseline data collection and analysis, 2) neutral-party analysis and monitoring of specific transfers (for a range of attributes), 3) stronger public participation and disclosure of transfer proposals, and 4) cumulative impact analysis.

Discussion Overview

- Alex Hildebrand gave an overview of a memo he sent to CALFED. The main points of the memo were 1) to include analysis of redirected impacts from a Central Valley watershed perspective, and 2) need to include prioritization of transfers based on purpose of use (e.g., agricultural to agricultural transfers). It was Alex's contention that many transfers approved in today's system are actually selling water that belongs to someone else in the system.
- Gary Bobker asked that the BDAC committee to include on an upcoming agenda a discussion of acquiring water through transfers for ecosystem purposes.
- A list of solution options brainstormed during the last meeting was distributed. Attached was a rough categorization of these options into 5 categories: baseline data collection and analysis; local/regional policies on market processes; analysis and monitoring of specific transfers; public participation in review and approval processes; and new regulatory and/or legal requirements. It was stressed by CALFED staff that the categorization was an attempt to make it easier for BDAC to see similarities in many of the options and to aid in discussing the importance of particular solutions.
- A suggestion was made to add "public education of water transfer terms" to the list under "Public participation in the review and approval process". It was felt that many different interpretations of terms, such as overdraft and perennial yield, cause confusion in the public when it comes time to discuss the potential impacts of a specific transfer. An effort to use uniform terminology or to provide a good definition of particular terms for a particular transfer is necessary in order for adequate public participation. This could be viewed as offering a course called "Transfers 1A".
- A clarification was requested regarding the desire to not allow a programmatic level EIR to be used for a groundwater substitution proposal. After some discussion, revised wording

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was suggested stating "need adequate, project specific, environmental review for each transfer proposal". This wording better covered the concerns expressed about the potential for inadequate environmental impact documentation to be used to gain transfer approval.

- Mary Selkirk led the work group participants through a "voting" exercise to see where consensus lay on particular solution options. Each option listed under the main category heading was given a letter (1a, 1b, 1c, etc.). Discussion and debate occurred on each solution options. Most of the debate centered on the details or particular wording of an option. For instance, concern was expressed regarding the term "agreed upon" as part of a need for more baseline data. Some stated that their support for such an option was dependent on who was doing the agreeing. The following solution options received unanimous or nearly unanimous support:

1. Baseline data collection and analysis
   a. do extensive groundwater monitoring before, during, and after program operates
   b. establish *credible and adequate (wording change)* baseline information
   d. develop baseline research, especially with regard to groundwater and groundwater/surface water interaction (*having CALFED do this was removed*)
2. Local/regional *management tools (wording change)* on market processes
   b. need adequate, project specific, environmental review for each transfer proposal
   f. have transfer proponents pay for and implement public disclosure for specific transfers
   h_2. develop analysis requirements that vary depending on the type of transfer (i.e., intra-district, intra-basin, purpose of use, instream, and out-of-basin).
   k. establish basin-wide planning goals *for water resources (especially for groundwater) (added wording)*
   m. define the range of transfers needed for a CALFED solution (this option does not necessarily fit under this category but was unanimously supported)
3. Analysis and monitoring of specific transfers
   b. do extensive groundwater monitoring before, during, and after program operates
4. Public participation in review and approval process
   a. publicly disclose plans, explain anticipated impacts and mitigation strategies
   b. *disclose (wording change)* what impacts can be claimed and the procedures to submit/process claims
   c. have better public notice of specific transfers
   e. have decisions made with all stakeholders present, not in isolation (independent) forum
   h. public education of transfer terms *(added to list during meeting)*

- Strong disagreement was expressed specifically with regard to 2i - *establish a limit of the quantity of water transferred from any one region or political entity (district)*. This concern was mainly expressed by the water users, both buying and selling regions. Some of this concern stemmed from the potential limitation on the ability for landowners to choose their business. Such a limitation on transfers may result in forcing some landowners to still farm, even when it is not economical to do so.

The next meeting of the BDAC Water Transfer Work Group is scheduled for:
January 21, 1997 from 9:30 a.m. to 12:00 p.m. in the Resources Building (exact room to be determined). Discussion will focus on further refinement of advice to BDAC and CALFED as well as discussion of other important water transfer issues.

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