Summary of Meeting
BDAC Water Transfers Work Group
September 24, 1998
Thirteenth Meeting

Key Points

- Participants present at the meeting generally agreed with staff's suggestion to establish a technically focused task force to work on defining transferable water. It was noted that this should be feasible without going through legislative changes.
- The CALFED staff, along with Jerry Johns of the SWRCB, will develop an initial list of potential participants in a technical team. This will be discussed at the next BDAC work group meeting.
- A representative from the Transfer Agency Group (TAG) presented the recommended solution intended to help resolve questions about access to existing facilities. This includes a more comprehensive forecasting and disclosure process by state and federal project operators to provide timely information to the public and to transfer proponents regarding potential windows of opportunity for moving water through CVP and SWP facilities.

Discussion Items

- As a correction to the minutes from the August 12, 1998 meeting it should be noted that there was not consensus on the issue of whether impact analysis should vary with the type of water transfers. In the minutes the example was given that water transfers from storage were less likely to have socio-economic impacts so impact analysis should focus on hydrology. This statement was not intended to imply that no socio-economic impact analysis should occur, only that such a proposed transfer would focus its impact analysis on hydrology, with socio-economics becoming secondary. For other types of transfers, such as fallowing transfers, the impact analysis may be reversed with socio-economics being the focus.
- The schedule for releasing a revised draft of the water transfer program is as follows (in reverse order):
    - Late December 1998 - Public Revised Draft of Water Transfer Program
    - Mid-November 1998 - Administrative Draft of Water Transfer Program
    - Early October 1998 - Early Review Draft of Revised Draft (This version will be made available for members of the BDAC Water Transfer Work Group for review and comment to be discussed at the November 12, 1998 work group meeting.)
- During the discussion regarding resolving the issue of transferable water definitions, it was suggested that resolution is needed now or CALFED will have a difficult time being successful. This concern centers around the need to estimate how much water can be transferred to help meet supply shortages. This, in turn, it was suggested, would provide an answer to whether or not new surface storage should be part of the CALFED solution, and if so, how much was needed. Others responded stating that it would be useful to know how much water may be transferable, but obtaining a legitimate estimate is not realistic because of the unknown responses to market prices, etc. The market becomes the place where many questions are answered.

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- Support for establishing a technical team to investigate the transferable water issue was strong. Past attempts to transfer water have sometimes failed because of difficulty in determining the amount of water available to transfer. This team would identify various scenarios of water transfers (i.e., from fallowing, from conservation, from groundwater) and determine, from a technical basis, where agreement exists on determination methods and where they do not. Findings of the team would be brought back to the BDAC work group to discuss which would ultimately become advice to CALFED.
- It was noted by some participants that the current criteria used to define transferrable water benefit the state and federal projects. To facilitate transfers, engineers and hydrologists should help clarify definitions, irrespective of who benefits from criteria used. Base definitions on sound science, and where science is undefined, bring questions forward for policy decisions.
- A suggestion was made that any set of definitions incorporate a feedback mechanism to allow for review so changes can be made if warranted (i.e., every 5 years). It was also suggested that clarified definitions err on the conservative side to minimize any adverse impacts that could occur if the definitions are too liberal.
- CALFED staff suggested that the Water Quality technical team or the Diversion Effects on Fisheries Team (DEFT) be used as models for establishing a Water Transfer Technical Team. The team should include objective participants who do not represent any particular interest (i.e., academia, expertise from other states). This team would identify various water transfer scenarios that require defining transferability criteria. A report back to BDAC Water Transfers Work Group would include the team's findings, where definitions seems clear (and what they are), and what scenarios require clarification.
- A suggestion was made that the agencies, through the Transfer Agency Group (TAG), develop a proposed set of clarifications/regulations, then get the public to review and comment. This suggestion was countered by statement that some feel the state and federal projects have a self-interest.
- SWRCB staff noted that to do an appropriate job in setting regulations will require significant resource commitments (staff and dollars). A suggestion was made that CALFED recommend that appropriate funding be provided to the SWRCB to ensure rules are established, if determined to be necessary. It was noted that DWR spent over $250,000 just to comprehensively review and coordinate on efforts to pass the Model Transfer Act. This amount could be seen as the minimum needed to fund SWRCB efforts.
- A suggestion was made to look to the Air Resources Board for a model of rules/regulation development with public participation. Supposedly, they have been successful in implementing changes and clarifications, similar to what is being proposed for the "definition" efforts.
- With regard to the proposed solution to questions of access to conveyance facilities, it was suggested that the forecasting and disclosure of information be expanded to include other reaches of the state/federal conveyance facilities. As it is now written, this solution focuses on just the export pumping facilities.

The next meeting of the BDAC Water Transfer Work Group is scheduled for:

Thursday, November 12, 1998 from 9:30 a.m. to 12:30 p.m. (Location to be determined)
The agenda will include time dedicated to discuss specific comments of work group participants on the *Early Review Draft of the Water Transfer Program Appendix*

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