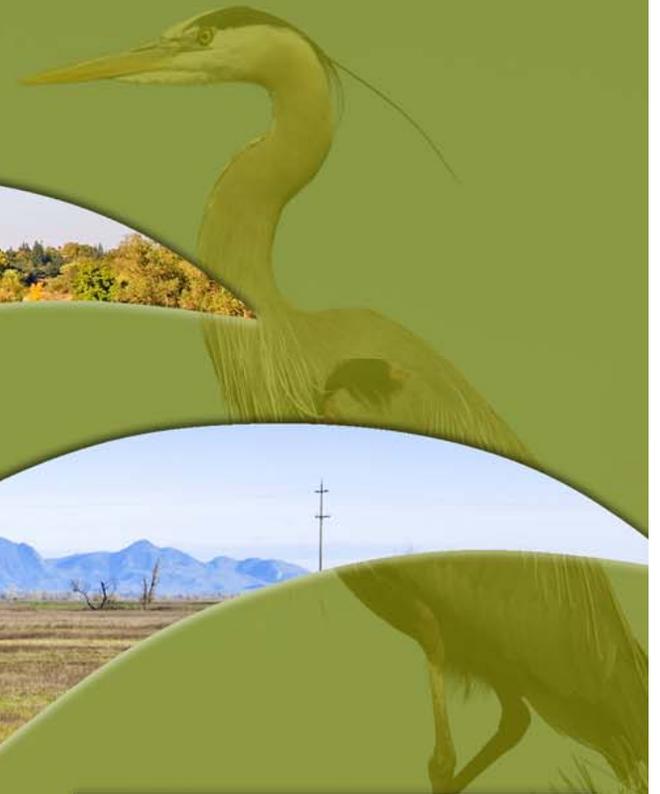


Single-Year Water Transfers and the Delta Plan

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Today's discussion points

- Water transfer mechanics
- Water transfer oversight
- Delta Plan recommendation WR R15
- Arriving at Council's determination that single-year water transfers do not have significant impacts on the coequal goals
- Possible Outcomes
- Next steps

Most Common Types of Water Transfers



- **Groundwater Substitution**

Replace surface water diversions with groundwater pumping; transfer the difference



- **Cropland Idling/Crop Shifting**

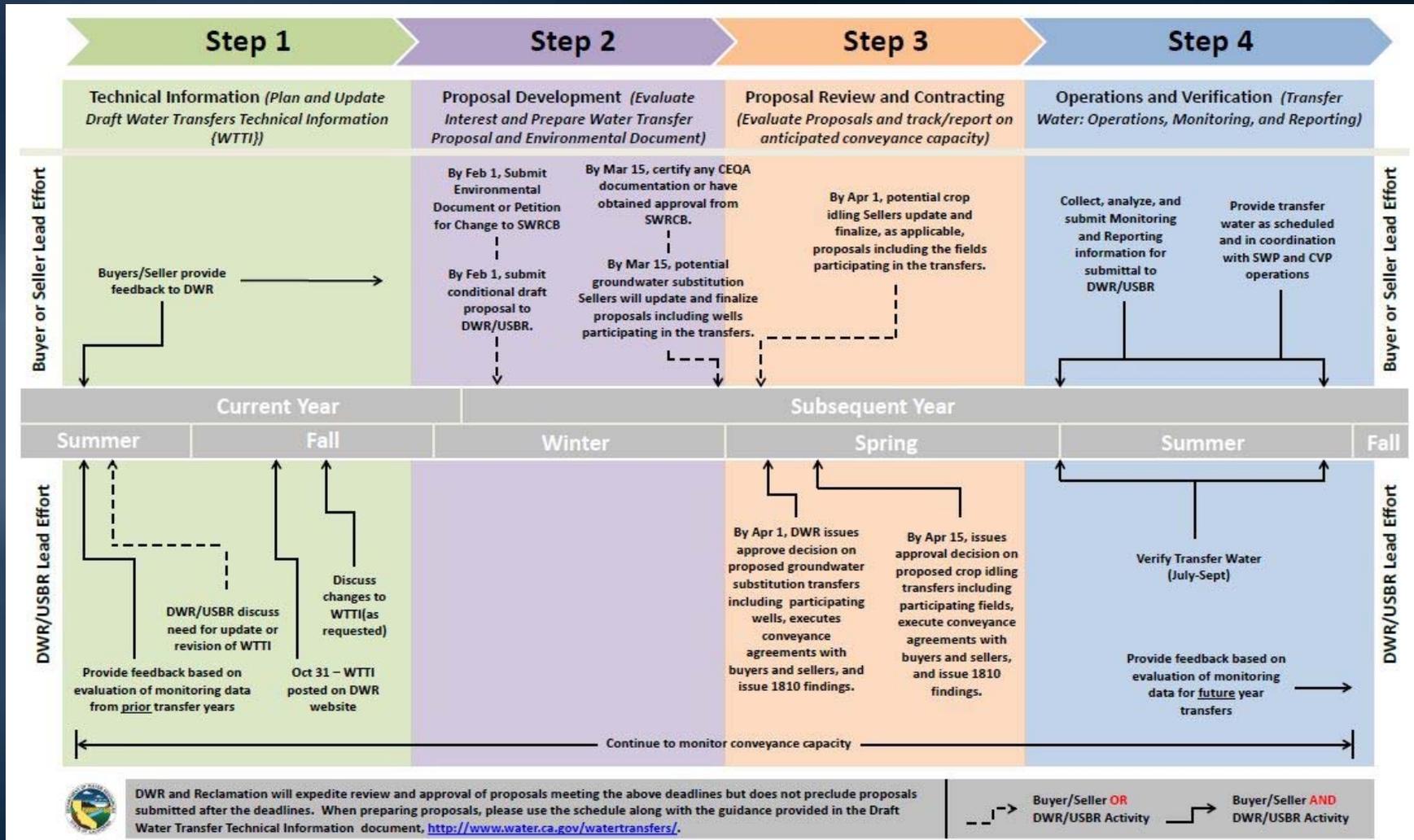
Fallow land or shift to less water-intensive crops; transfer the savings



- **Reservoir Storage**

Release stored water when it can be captured and/or diverted downstream

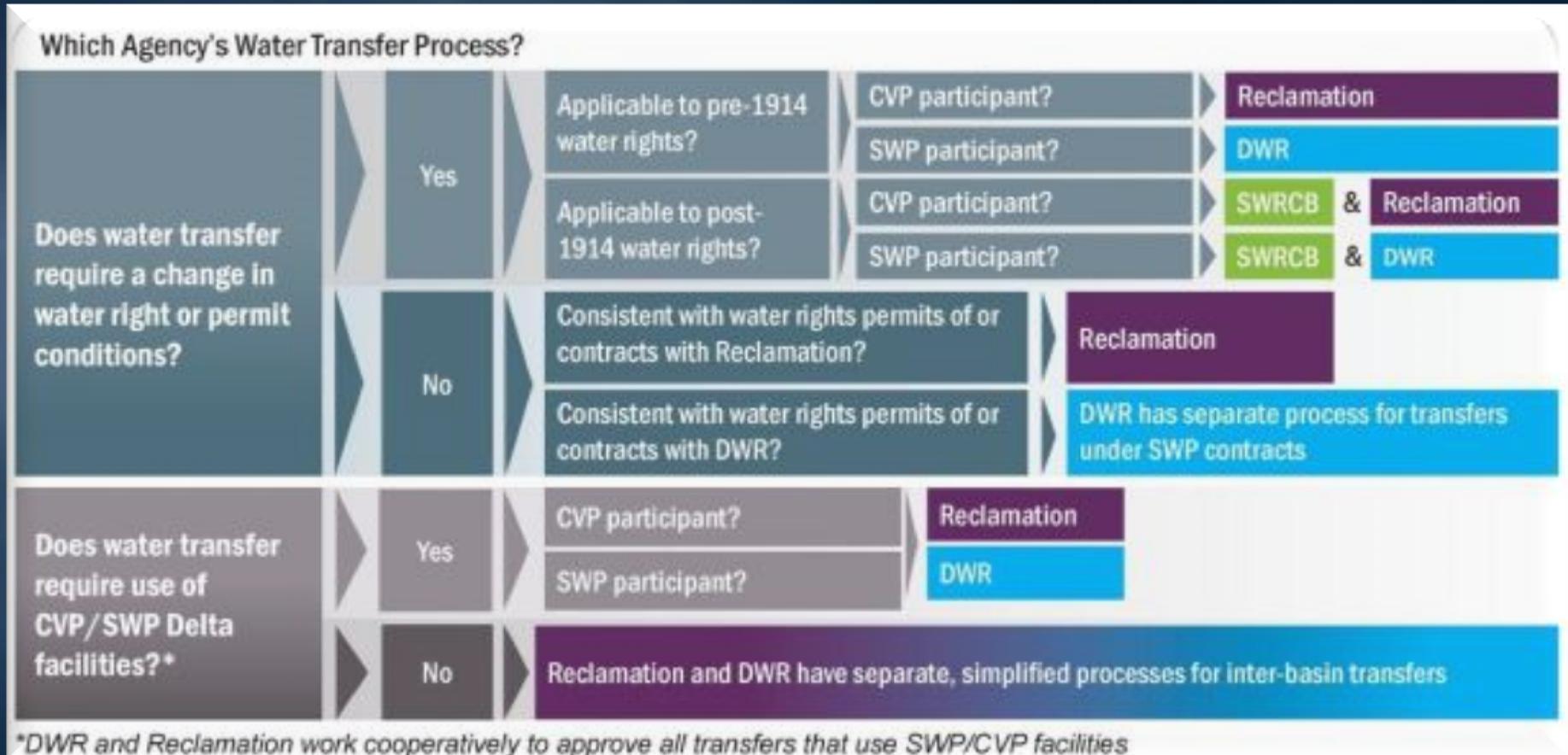
Transfer Process & Schedule



Risks to Transfers

- Curtailments
- Flood releases from reservoirs
- SWP or CVP export capacity
- Delta Outflow requirements

Transfer Oversight



Transfer Oversight

Agency Water Transfer Processes

AGENCY	DWR	Reclamation	SWRCB
How to start agency process?	<ul style="list-style-type: none"> Contact DWR with transfer proposal Agree to cost reimbursement 	<ul style="list-style-type: none"> Send letter of request for transfer with information on seller, buyer, type, amount, and timing of transfer Reclamation sends letter back with cost reimbursement requirements Agencies agree to move forward 	File petition for temporary water transfer (1 year or less) or for long-term transfer under the applicable provisions of the Water Code.
What technical information is required in submittal packages?*	Information as listed in Water Transfer Technical Information (crop shifting/cropland idling and groundwater substitution)	Information as listed in <ul style="list-style-type: none"> CVPIA Criteria Checklist for a complete written Transfer Proposal Water Transfer Technical Information (crop shifting/cropland idling and groundwater substitution) 	Information as required for the type of transfer being sought by the appropriate SWRCB form.
*See checklists for data requirements			
What regulatory compliance is required?	CEQA (DWR requires transferor to complete CEQA documentation)	NEPA and ESA	Temporary water transfers are exempt from CEQA. Long-term water transfers require CEQA compliance.
What is acceptance of transfer proposals based on?	<ul style="list-style-type: none"> Complete Sumbittal Package Determination of real water and Project operation considerations Water Code Section 1810 - use of a water conveyance facility is to be made without injuring any legal user of water and without unreasonably affecting fish, wildlife or other instream beneficial uses; the overall economy; or the environment of the transferor area CEQA 	<ul style="list-style-type: none"> Complete Submittal Package Determination of real water and Project operation considerations CVPIA section 3405(a) - No adverse impacts on CVP contractors, water supply or operations, fish and wildlife obligations, and groundwater conditions in the transferor area NEPA - No adverse environmental impacts 	Transfer shall not injure any legal user of the water and not unreasonably affect fish, wildlife or other instream beneficial uses.

2012 Discussion of Single-Year Transfers

- Useful tool in increasing California's water supply reliability
- The Council wanted to help transfers, not get in their way
- The Council had concerns that some single-year transfers lacked any oversight
- Concerns that recurring single-year transfers are avoiding analysis of long-term environmental impacts

Delta Plan Recommendation WR R15

The California Department of Water Resources and the State Water Resources Control Board should work with stakeholders to identify and recommend measures to reduce procedural and administrative impediments to water transfers and protect water rights and environmental resources by December 31, 2016. These recommendations should include measures to address potential issues with recurring transfers of up to 1 year in duration and improved public notification for proposed water transfers.

Council Determination on Single Year Transfers

California Code of Regulations, Title 23, Section 5001(dd))

Temporary water transfers of up to one year in duration. This provision shall remain in effect only through December 31, 2016, and as of January 1, 2017, is repealed, unless the Council acts to extend the provision prior to that date. The Council contemplates that any extension would be based upon the California Department of Water Resources' and the State Water Resources Control Board's participation with stakeholders to identify and recommend measures to reduce procedural and administrative impediments to water transfers and protect water rights and environmental resources by December 31, 2016. These recommendations should include measures to address potential issues with recurring transfers of up to 1 year in duration and improved public notification for proposed water transfers.

Next Steps

- September – DWR and SWRCB to brief the Council and make recommendations.
- September – Additional stakeholders to inform the Council
- Fall thru December – Council to decide what action to take and direct staff
- 2016 – staff to implement Council action

Possible Council Actions

- Do nothing and allow the regulation to expire
- Extend the regulation or make it permanent
- Amend the regulation to exclude certain types of single-year transfers

Note: Amending existing regulations will require submission to the OAL process and may require CEQA analysis.

Questions?