

Timeline: California State Water Resources Control Board- Drought Emergency Regulations for Scott River and Shasta River Watersheds

By Giuliano Galdi

5/10/2021: Governor Newsom declared drought emergency for 41 counties, including Siskiyou.

8/30/2021: The emergency regulation for the Klamath River watershed went in effect. The regulation authorize curtailments of diversion where flows are insufficient to protect fish. The emergency regulation provides the State Water Board authority to curtail water.

- Stockwater diversion – Need to immediately, as of 9/1/2021, reduce surface water livestock diversion to quantities (measured at the point of diversion) established by the emergency regulation:

Type of Stock	Quantity
○ Range cattle and horses	○ 15 gallons per day per head
○ Hogs and goats	○ 2.5 gallons per day per head
○ Sheep	○ 1.5 gallons per day per head
○ Poultry, rabbits, etc.	○ 0.25 gallon per day per head
○ Milch cows	○ 30 gallons per day per head
○ Hosing out dairy barn	○ 35 gallons per day per head

9/10/2021: State Water board sent out curtailment orders to water rights owners or landowners in Scott and Shasta River watersheds.

9/20/2021: State Water board partially suspended curtailment of a Shasta River Water Association’s (SRWA) water right. This suspension was due to Shasta River’s flow > 50 cfs

10/19/2021: Conditions were inadequate to lift curtailments

10/21/2021: **temporary suspension** of curtailments in the Shasta River to the priority date of July 1923 (see attached list), contingent on the 125 cfs minimum flow being sustained at the Yreka gage. Suspension expired on 10/31/2021.

10/25/2021: conditional **temporary** suspension of curtailments in the Scott River, contingent on the 40 cfs minimum flow being sustained at the Fort Jones gage. The Emergency Regulation includes a requirement that prohibits inefficient diversions for stockwater (generally unlined earthen ditches) from September through January regardless of whether curtailments are in place.

11/16/2021: Online portal information and list of diverters that had not submitted Curtailment Certification Form sent out.

11/30/2021: Notice stating curtailments should start on 12/1/2021 due to Scott River flows being 107 cfs, 43 less than the minimum flow required.

12/17/2022: **Temporary suspension** of curtailment in the Shasta River to the priority date of July 30, 1923, contingent on 135 cfs being sustained at the Yreka United States Geological Survey (USGS) gage through the remainder of December

1/10/2022: State Water Board issued an information Order to collect data on livestock watering between 11/1/2021 and 1/31/2022.

1/26/2022: State Water Board reminder about Information Order: diverter that did not respond to the survey regarding were subjected to penalties up to \$500.

2/4/2022: Scott River flow @ 195 cfs. Since it was 5 cfs lower than the minimum required. All diverters were encouraged to cease, reduce, or coordinate with their diversions over the weekend. Such efforts, with a combination of snowmelt, could bring the river flow above the minimum above, avoiding additional actions by the State Water Board.

2/11/2022: Addendum makes two changes to the curtailment orders and suspensions previously issued per the Drought Emergency Regulation adopted by the State Water Resources Control Board (State Water Board) for the Scott River and Shasta River watersheds.

- Mandatory reporting: diverters are required to report their daily diversion to State Water Board on a weekly basis. Diverters that divert less than 1 cfs/day are safe
- The temporary suspension of all curtailments in the Scott River Watershed is extended through 11:59 p.m. on Friday, February 18, 2022, as long as the 200 cubic feet per second flow requirement is sustained at the United States Geological Survey (USGS) Fort Jones gage. But, if flows are less than 200 cfs at the USGS Fort Jones gage, diversions under the water rights included in List A1 (attached to this email) must cease immediately

3/15/2022: **Curtailment reinstated in Shasta Valley.** Shasta River minimum flow updated to 105 cfs (March).

3/17/2022: Email about local cooperative solutions
(https://www.waterboards.ca.gov/drought/scott_shasta_rivers/ilcs.html)

3/21/2022: State Water Board mailed early warning letters to approx.. 20,000 water holders (state). Annual water use report was due on April 1, 2022. However, only 29% of reports had been submitted by 3/21/2022.

5/18/2022: State Water Board released a draft of changes to the drought emergency regulations for Scott and Shasta River watersheds. A meeting to discuss these updates was held on May 25, 2022.

6/28/2022: Even though the minimum flow requirements were being met on 6/28, State Water board emailed water rights owners encouraging them to reduce diversion amounts, or cease diversion, due to a declining trend in flow. Scott River flow on 6/28 was 112 cfs.

7/1/2022: Notice stating: “, all surface water diversions in the Scott River watershed (List A2 attached to this email) must cease diversions as of 12:00 p.m. (noon) by July 2, 2022. There were some exceptions regarding stockwater and human health.

7/6/2022: Curtailment adjustment “Since curtailments were reimposed for surface water rights on Saturday (7/2), flows have increased at the USGS Fort Jones gage. Based on current conditions, holders of First Priority Water Rights from the French Creek Adjudication, the Shackleford Adjudication, and Schedule B of the Scott River Adjudication, may divert up to fifteen percent (15%) of their first priority water rights (as defined in the respective decree) following notification to the State Water Board”

7/8/2022: Based on the date’s river conditions, holders of First Priority Water Rights from the French Creek Adjudication, the Shackleford Adjudication, and Schedule B of the Scott River Adjudication, may divert up to thirty percent (30%) of their first priority water rights (as defined in the respective decree) following notification to the State Water Board as noted in the Reporting section below. The required minimum flow at the USGS Fort Jones gage for July is 50 cfs. If flows are less than the required minimum flow at the USGS Fort Jones gage, these first priority tributary water right diversions must cease immediately, such that all surface water rights in the Scott River watershed are curtailed.

7/11/2022: Scott River surface water curtailment in place again.

7/14/2022: All surface water and groundwater diversions in the Scott River watershed must immediately cease unless they are approved under a petition or meet an exception