
State Water Resources Control Board

NOTICE OF PUBLIC MEETING AND OPPORTUNITY FOR COMMENT: DRAFT DROUGHT EMERGENCY REGULATION FOR SCOTT RIVER AND SHASTA RIVER WATERSHEDS

On May 10, 2021, Governor Gavin Newsom extended the drought State of Emergency to cover 41 counties in California, including the Klamath River watershed, which includes the Scott River and Shasta River watersheds. To ensure critical instream flows for species protection, the proclamation directs the State Water Resources Control Board (State Water Board) Board and California Department of Fish and Wildlife (CDFW) to evaluate minimum instream flows and other actions to protect salmon, steelhead, and other native fishes in critical systems in the state and work with water users and other parties on voluntary measures to implement those actions. To the extent voluntary actions are not sufficient, the State Water Board, in coordination with CDFW, is to consider emergency regulations to establish minimum drought instream flows.

In response to emergency drought conditions in the Scott River and Shasta River watersheds, drought minimum instream flow information provided CDFW for these watersheds, and feedback received at the July 1 meeting on potential drought actions, State Water Board staff have prepared a **draft drought emergency regulation for public comment**. Staff will hold a public meeting to provide information and solicit input on the draft regulation as follows:

**Tuesday, July 20, 2021
3:00 p.m. – 5:00 p.m.**

Zoom Link:

<https://waterboards.zoom.us/j/92638914518?pwd=bmXNR25lS3A4WXNxQWZiTFZWMUt0QT09>

Phone Number: 1-669-900-9128

Meeting ID: 926 3891 4518

Passcode: 553784

It is possible that one or more members of the State Water Board will attend the meeting. A quorum of the State Water Board may be present at the meeting. However, no State Water Board action will be taken.

Interested parties may provide written comments on the draft drought emergency regulation for the Scott River and Shasta River watershed. **Comments on the draft emergency regulation are due by 5:00 pm on Friday, July 23, 2021.** Comments should be emailed to: ScottShastaDrought@waterboards.ca.gov.

BACKGROUND

Water year 2021 is another very dry year, following on the similarly dry water year 2020. Precipitation levels are half of normal across much of the Klamath Basin. The Scott River and Shasta River watersheds are experiencing one of the most severe droughts on record. The Scott River is experiencing one of the four driest years on record, with flows in the lowest five percent of the historical record. The current water year is the driest on record for the Shasta River, with flows in the lowest one percent of the historical record.

Under California’s priority-based water rights system, if there is insufficient water to support all water rights, junior water right holders are ordered to limit or stop their water diversions first, based on their water right priority, to satisfy the rights of those more senior to them. On June 1, 2021, the State Water Board issued Notices of Water Unavailability to 102 diverters in the Scott River watershed.

On June 15, 2021, CDFW sent a letter to the State Water Board that provided recommended drought minimum instream flows for the Scott River and Shasta River (see Table 1 and Table 2 below) and requested that the State Water Board adopt emergency regulations.

Table 1. Scott River CDFW Recommended Daily Emergency Instream Flow Requirements (in cubic feet per second) at Fort Jones Gage (U.S. Geological Survey Gage No. 11519500)

| Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|
| 200 | 200 | 200 | 150 | 150 | 125 | 50 | 30 | 33 | 40 | 60 | 150 |

Table 2. Shasta River CDFW Recommended Daily Emergency Instream Flow Requirements (in cubic feet per second) at Yreka Gage (U.S. Geological Survey Gage No. 11517500)

| Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|
| 135 | 135 | 135 | 70 | 50 | 50 | 50 | 50 | 50 | 125 | 150 | 150 |

On July 1, 2021, the State Water Board hosted a public meeting to share information on the drought and CDFW’s recommended drought emergency minimum instream flow recommendations. CDFW staff participated in the meeting. The State Water Board and CDFW solicited comments on actions that may be taken to address water shortages in the Scott River and Shasta River watersheds, including funding for water conservation or efficiency projects, temporary urgency changes, use of instream flow dedications under Water Code section 1707, forbearance, a drought emergency regulation, and increased enforcement.

ADDITIONAL INFORMATION

For additional information on drought-related activities, please visit the State Water Board's [Drought website](#)¹. Information specific to drought-related efforts in the Scott River and Shasta River watersheds can be found on the State Water Board's [Scott River and Shasta River watersheds Drought website](#)², which is available from the State Water Board's Drought website. This website will be updated with related materials and information as available.

HOW TO RECEIVE UPDATES

If you would like to receive email updates about the Shasta River and Scott River watersheds drought effort, please [sign up](#) for the State Water Board's "Scott Shasta Drought" email subscription list under "State Water Resources Control Board", then "Water Rights" at: https://www.waterboards.ca.gov/resources/email_subscriptions/

QUESTIONS

Please email questions regarding this notice and related efforts to: ScottShastaDrought@waterboards.ca.gov.

¹ URL: <https://www.waterboards.ca.gov/drought/>

² URL: https://www.waterboards.ca.gov/drought/scott_shasta_rivers/