



# Fact Sheet

## Frequently Asked Questions (FAQs): Curtailment updates in Sacramento-San Joaquin Delta

### Overview:

Drought conditions in the Sacramento-San Joaquin Delta (Delta) watershed have persisted since 2020, with conditions worsening in 2021. The ongoing drought conditions have resulted in alarmingly low reservoir levels and storage conditions. Precipitation over the two-year 2020-2021 time period is the lowest in California's observed records, which extend back over 100 years. Furthermore, hot, dry conditions this spring resulted in a shortfall of nearly 800,000 acre-feet of projected runoff, enough to supply more than one million households for a year and nearly the entire capacity of Folsom Reservoir. Without urgent action, the drinking water supply for 25 million Californians and irrigation for over three million acres of farmland could be at significant risk within the next year.

In response, Gov. Gavin Newsom on May 10, 2021 expanded an emergency proclamation to 41 California counties, including those within the Delta watershed, and directed the State Water Resources Control Board (State Water Board or Board) to consider measures to prohibit diversions when water is unavailable under a right holder's priority of right. On August 3, the State Water Board adopted an emergency curtailment and reporting regulation authorizing curtailment orders for the watershed to protect drinking water supplies, prevent salinity intrusion, and minimize impacts to fisheries and the environment.

Approximately 10,000 rights or claims were initially curtailed on August 20, but the numbers continue to be adjusted as water supply fluctuates and weather conditions change.

### What is a curtailment order?

A curtailment order is a directive from the State Water Board that prohibits diversions under a specific water right or claim when supply levels are low. In addition to these orders requiring curtailment currently or in response to future curtailment updates, the orders require right holders and claimants to confirm their compliance through the Board's [online Compliance Form](#) or indicate if they plan to seek an exception for allowable reasons such as supplying water for minimum human health and safety needs or non-consumptive uses. Curtailment orders are subject to enforcement under the Water Code for non-compliance.



## **How does the State Water Board determine who is curtailed?**

The Board adopted an emergency regulation that establishes the process and criteria for determining which water rights and claims are subject to curtailment. The regulation uses a "[Water Unavailability Methodology](#)" to identify which diverters in the Delta watershed have insufficient water supplies based on their priority of right.

## **How can I check if my water right is curtailed?**

To see if your water right is currently curtailed, search for your water right on the [Delta Watershed Curtailment Status List](#). For those with limited internet access, a recorded version of curtailment statuses is available at (916) 323-4643. Subscribe to the [Delta Drought email list](#) to be notified when curtailment statuses are updated.

## **How often are curtailments updated?**

Curtailments are updated at least weekly and more frequently when precipitation and runoff events result in changes to water availability. For example, if significant rainfall is forecast, curtailments will be suspended in order of water right priority to reflect the projected increase in water supply. However, updates are driven by the best available supply data and changes to curtailments may not occur broadly if only a small amount of precipitation is forecast. The Board currently uses forecast stream flow and precipitation estimates from the California-Nevada River Forecast Center for its curtailment updates. The State Water Board will continue to closely monitor water supply forecasts as a result of precipitation or runoff events to determine whether and when updates to curtailments are necessary or appropriate.

## **How will I know when curtailments have been updated?**

To receive timely notice of any changes to curtailment statuses, subscribe to the [Delta Drought email list](#). If you do not wish to subscribe to the email list, you can check the curtailment status of your water right or claim on the [Delta Watershed Curtailment Status List](#) or call (916) 323-4643.

## **It recently rained and there is water at my point of diversion.**

### **Why is my water right still curtailed?**

Although diverters may see water flowing past their point of diversion, it may be unavailable and needed for other uses such as more senior rights downstream and minimum human health and safety needs, or released from storage for redirection under another water right or contract. If supply is insufficient for all right holders, curtailments remain in place to prevent diverters from taking water outside of their priority of right.

## **How do curtailments relate to the terms and conditions of my water right?**

Diversers must always comply with the terms and conditions of their water right. If curtailments impose different requirements, the diverter must comply with the most stringent applicable requirement. For example, diversions outside of a water right's season of diversion, or diversion to storage when the right does not allow storage, are not authorized even if the water right is listed as 'not curtailed' on the Delta Watershed Curtailment Status List.

## **How can I report an unauthorized diversion?**

Information regarding an apparently illegal or unauthorized diversion can be submitted through the [CalEPA Environmental Complaint System](#). Please select "Water" and then "Complaint Details." You will be asked to describe the alleged unauthorized diversion and provide the location, information about the responsible party, the nature of the "water concern" (please select "water rights"), and the date of occurrence. If you choose to report anonymously, provide as much detail and complete information as possible in your complaint.

## **Where can I find more information?**

Additional information on curtailments can be found on the [Delta Drought](#) webpage. Information on curtailments and drought response in other watersheds is available on the [Drought](#) webpage in the "Regional Drought Response Information" section.

For those who have questions about drought in the Delta watershed or need assistance complying with curtailment or reporting requirements, please send an email to [Bay-Delta@waterboards.ca.gov](mailto:Bay-Delta@waterboards.ca.gov) or call the Delta Drought phone line at (916) 319-0960.

*(These frequently asked questions were last updated October 19, 2021.)*