



# Media Release

## State Water Board Takes First Step Towards Curtailments For Sacramento River Tributaries

*Minimum Flow Emergency Regulations Proposed In Three Northern Creeks*

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SACRAMENTO – With California’s storm season at an end and weather warming up, the State Water Resources Control Board (State Water Board) has announced proposed regulations that would require curtailments on water diversions if minimum flows in three Sacramento River tributaries are not met. The [proposed regulations](#) are a first step towards potential curtailments in Mill Creek, Deer Creek and Antelope Creek.

In January, the State Water Board put water users in certain watersheds on notice that water curtailments would likely be issued due to lack of water in the state’s rivers. Late season rains delayed the necessity of curtailments, but continued dry conditions now make the likelihood of curtailments greater.

The proposed regulations complement an initiative by the National Oceanic and Atmospheric Administration (NOAA) Fisheries and the California Department of Fish and Wildlife (CDFW) that encourage voluntary agreements among water users to coordinate water diversions or share water.

The State Water Board’s emergency regulations will recognize voluntary water conservation and instream flow agreements between water users, CDFW and NOAA Fisheries as an alternative method of compliance with the regulations. In a separate announcement today, CDFW and NOAA unveiled the [California Voluntary Drought Initiative](#) to protect high priority salmon and steelhead rivers including the three tributaries addressed in the State Water Board’s proposed regulations. These voluntary agreements can substitute for State Water Board issued curtailment orders.

The proposed regulations announced by the State Water Board today will set emergency minimum flows in three Sacramento River tributaries that are important for fish passage: Mill Creek, Deer Creek and Antelope Creek. State scientists refer to these minimum flows as “belly scraping” flows because they ensure that enough water is flowing so that the fish can make it over the cobbles without getting stranded. Now that the rains have stopped, flows are

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beginning to decline. Minimum flows must be maintained now and at different points during the summer and fall to sustain State and federally listed Central Valley spring-run Chinook salmon and California Central Valley steelhead through critical migration periods.

Under the proposed regulations, if flows threaten to fall below the minimum levels, the State Water Board may issue a curtailment order using the water rights priority system to stop or “curtail” water diversions until the minimum flows are achieved. Curtailments would be lifted as soon as fish migration patterns end.

The proposed emergency regulations are posted for public review and comment, with State Water Board consideration set for May 20-21.

When there is not enough water to meet all water right holders’ needs, State law requires that junior water-rights holders stop diverting water so that there is water available to more senior water-rights holders: those with rights dating to before 1914 (pre-1914) and those on riparian land directly abutting a waterway. Diverting water when it is not available under a specific water right priority violates State law.

Governor Brown has called on all Californians to reduce their water use by 20 percent and prevent water waste – visit [SaveOurH2O.org](http://SaveOurH2O.org) to find out how everyone can do their part, and visit [Drought.CA.Gov](http://Drought.CA.Gov) to learn more about how California is dealing with the effects of the drought.

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