

## CURTAILMENT FREQUENTLY ASKED QUESTIONS

### CURTAILMENTS

**Q: Are there specific triggers that would lead to [curtailment](#)?**

**A:** When the amount of water available in a surface water source is not sufficient to support the needs of existing water right holders and in-stream uses, the State Water Board may issue notices of curtailment to water rights holders based on California's water rights priority system. The Board is assessing the amount of water needed by water rights holders in critical watersheds along with the available and projected supplies to determine when insufficient water is available to meet more senior water right holders' needs.

**Q: How is that determined?**

**A:** Board staff analyzes DWR data, water right information on past use and what water right holders are doing now, DWR and U.S. Geological Survey gauging system data, and current watershed conditions. Staff evaluates and considers current and forecasted conditions, water demand, and public trust needs. The analysis is watershed specific and every watershed is different. Staff actively works with DWR and other agencies and uses the most current information available to make its determination.

**Q: Where can I obtain information on notices of curtailment?**

**A:** Information on notices of curtailment and other drought related actions are posted on the Water Board [website](#).

**Q: Have water rights been curtailed in the past?**

**A:** Yes. In 1976-77 the State Water Board curtailed water rights in many watersheds throughout the state. It also curtailed water rights in 1987-88. Curtailments have been more frequent in specific watersheds, including the Bay-Delta watershed.

**Q: What areas have received curtailment notices?**

**A:** The State Water Board issued curtailment notices for the Scott River, Eel River, Russian River above the Dry Creek confluence, Sacramento River Basin and the San Joaquin River Basin in May and June of 2014. For more information, please visit our [curtailment](#) page.

**Q: What is the purpose of the statewide [informational letters](#)?**

**A:** The letters are to advise water right holders to plan ahead. Water right holders should be aware of conditions in their watershed and anticipate that as conditions get drier later in the season, and absent a much greater amount of rainfall than anticipated, their ability to divert water may be limited or stopped entirely. The letters encourage conservation and the identification of alternative water supplies, if available. Just because you have a water right that entitles you to divert water in ordinary years does not mean that water will be available under your priority of right in this extraordinarily dry year.

**Q: Are there penalties involved if water rights holders are told to curtail, and they don't comply?**

**A:** Yes, it would be considered an unauthorized diversion and a trespass against the state. Violations could be subject to an Administrative Civil Liability (ACL) under the Water Code, or referred to the Attorney General. Administrative cease and desist orders and court injunctions may also be issued to require that diversions stop. An ACL for an unauthorized diversion may impose liability up to \$1000 a day plus \$2500 per acre foot illegally diverted for violations during the current drought. If the matter is referred to the Attorney General for enforcement, penalties may be imposed by the court, which could be substantially higher than ACL penalties in some circumstances.

### Contact Information

- Drought Year Hotline (916) 341-5300
- Curtailment Hotline (916) 341-5342