



# COUNTY OF SISKIYOU

## Board of Supervisors

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May 29, 2024

The Honorable Gavin Newsom  
1021 O Street, Suite 9000  
Sacramento, CA 95814

**Subject: Rescind Executive Order N-5-23**

Dear Governor Newsom:

The Siskiyou County Board of Supervisors is writing this letter to urge you to rescind Executive Order N-5-23, and all other executive orders associated with the Klamath River related to drought. The U.S. Drought Monitor’s recent update removed the remaining portion of Siskiyou County from “Abnormally Dry”, meaning that Siskiyou County, and northern California, are no longer under drought or dry conditions. This comes as welcome news.

You issued these Executive Orders during times of drought throughout California, as detailed in part in Executive Order N-5-23, which states “the multi-year nature of the current drought, which began three years after the record-setting drought of 2012-2016, continues to have significant, immediate impacts on communities across California with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water...”. This Executive Order goes on to state that “... continued action by the State is needed to address ongoing consequences of the drought emergency, including groundwater supply shortages, domestic well failures, and drought-related harm to native fish in the Klamath River and Clear Lake watersheds...”. This language, and other statements in the Executive Order, were tied to drought conditions and were the basis for the Order(s). Now that drought conditions are over in California, it is time to rescind Executive Order N-5-23 in its entirety, and any other outstanding provisions of other Executive Orders associated with N-5-23.

The 2022 Siskiyou County Annual Crop and Livestock Report stated that the gross agricultural receipts in 2022 totaled \$377 million, a reduction of \$16 million from 2021. The Crop Report further states that drought conditions affected agricultural production and that irrigation water was limited due to drought and regulatory curtailment/reduced deliveries across all production areas in Siskiyou County. Farmers and ranchers throughout Siskiyou County have worked with State and Federal agencies to take action to conserve water and improve water quality. These actions include riparian restoration, fencing to exclude livestock from riparian areas, Safe Harbor Agreements, Local Cooperative Solutions (which offer opportunities to propose alternatives to curtailments), irrigation reduction, land idling, canal piping or lining, improving diversions to allow for fish passage, relocating points of diversion to protect critical fish habitat, and groundwater recharge, among others. These actions can only be implemented, and are only fully effective, when agricultural production, and the associated economic value, can sustain crop and livestock production, and the generational continuation of farming and ranching.

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Brandon Criss  
*District 1*

Ed Valenzuela  
*District 2*

Michael Kobseff  
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Nancy Ogren  
*District 4*

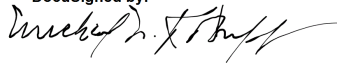
Ray Haupt  
*District 5*

The State legislature through the passage of the Sustainable Groundwater Management Act (SGMA) clearly granted groundwater management to Groundwater Sustainability Agencies (GSA). In Siskiyou County, the Siskiyou County Flood Control and Water Conservation District (whose Board of Directors are the County Supervisors), is the GSA for the Shasta, Scott, and Butte Valley Groundwater Basins. In Tulelake, Siskiyou County, Modoc County, Tulelake Irrigation District, and the City of Tulelake jointly serve as the GSA for the Tulelake Basin.

The Flood District recently received \$ 10.6 million in grant funding from the Department of Water Resources for SGMA implementation. This funding is being utilized to develop and implement a broad range of projects, such as groundwater recharge to benefit both streamflow and disadvantaged community wells, monitoring, and data collection to better understand local hydrology, and management actions to develop more efficient irrigation delivery systems. However, the Executive Order(s) enabled the State Water Resources Control Board (State Board) to implement Emergency Regulations in the Scott and Shasta Valley watersheds, providing the State Board the ability to curtail both surface water and groundwater extractions. The latter conflicts with the GSA's ability to effectively implement portions of the Groundwater Sustainability Plans (GSP's), by limiting the authorities of the GSA through the State's overreach through curtailment actions. Rescinding the Executive Order(s), thereby prompting the Water Board to cancel the Emergency Regulations, is the most effective way to ensure that the GSA can exercise its full authority.

We appreciate your attention to this matter, and we look forward to the Executive Order(s) being rescinded.

Sincerely,

DocuSigned by:  
  
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Michael N. Kobseff  
Chair, Board of Supervisors

cc: Assemblywoman Megan Dahle  
Senator Brian Dahle  
Rural County Representative of California (RCRC)  
Charlton "Chuck" Bonham, Director, California Department of Fish and Wildlife  
E. Joaquin Esquivel, Chair, State Water Resources Control Board  
Shaw Yoder Antwih Schmelzer & Lange