



COUNTY OF SISKIYOU

Board of Supervisors

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November 20, 2024

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
SENT VIA EMAIL: ScottShastaDrought@waterboards.ca.gov

Subject: Comment Letter – Scott-Shasta Emergency Regulation/Alternatives Comments

Ms. Tyler and Members of the State Water Resources Control Board:

The Siskiyou County Board of Supervisors (County) and the Siskiyou County Flood Control and Water Conservation District (District) (acting as the Groundwater Sustainability Agency for the Scott Valley and Shasta Valley Groundwater Basin) are jointly writing to provide comments regarding the October 22, 2024 “Notice and Opportunity to Comment on a potential Emergency Regulation” (Regulations) for the Scott and Shasta River Watersheds. We appreciate the opportunity to comment on this matter, as we acknowledge that water management changes are necessary in the Scott and Shasta watersheds to provide certainty in the future for all beneficial users of water. We continue to be concerned with the use of the emergency regulations as a mechanism to resolve fisheries issues, and we continue to adamantly support collaborative efforts that achieve both a healthy fishery and thriving agriculture. Below you can find more specific comments on the matter.

Current Emergency Regulation Format

Since the inception of the Emergency Regulations in 2021, there have been hurdles to creating positive actions to bring forth the results we all want. The Local Cooperative Solution (LCS) set-up on the surface sounds reasonable, however the timeliness of the review period caused great confusion and angst among the participants and the stakeholders interested in a particular LCS. Irrigators were on constant hold, waiting on approval for an LCS, all the while irrigation season was either already in place or quickly approaching which made for tricky business and planning decisions. We prefer to see a more efficient and longer-term agreement provided to the LCS participants. The current one year of regulation renewal does not allow for a multi-year LCS development and creates a burdensome workload for both SWRCB staff implementing the LCS's and the participating irrigator. In addition, each year of renewal provided a new nuance to the LCS program which makes development that much more confusing and troublesome. This again demonstrates that multi-year LCS's or collaborative agreements are much more effective and efficient for all involved.

We emphasize the need to build in flexibility within a collaborative program moving forward. This applies to both the management approach and the decision points in place. Having one stream

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gage per watershed as the single measuring and compliance point does not make management sense for such dynamic watersheds. There are monitoring locations in place or in conception that would easily allow for more reliable information, decision making, and compliance measures. LCS or water user management programs should also be given more flexibility in how they are developed.

Sustainable Groundwater Management Act (SGMA):

Extending the Regulations continue to ignore the authorities and local control granted to the district through SGMA. This has been a concern since the initial Regulations were adopted by the Water Board in 2021. We have been actively implementing the GSP's through a variety of projects and actions detailed within the documents. We have dramatically increased the monitoring and data collection grids and developed reliable Integrated Hydrology Models for scenario evaluations. The GSA has been able to improve our understanding of the total water budget, run management scenarios with confidence, and evaluate strategies that will meet flow demands while maintaining viable irrigation. Although we have engaged with SWRCB staff by sharing our collected information for the implementation of their flow targets, unfortunately, we are concerned that our GSA technical experts have not been included to assist with evaluating water management actions in the two valleys. A collaborative approach amongst our agencies to develop flow management strategies would be for the broad benefit to the Shasta and Scott watersheds.

SGMA Groundwater Advisory Committees

Through the SGMA process, the GSA established basin focused groundwater advisory committees, made up of multiple stakeholder interests in the respective valleys. Although the work and discussions focus primarily around implementation of the GSP's, it is widely understood that there is a significant groundwater-surface water interaction within each valley. Decisions made regarding groundwater should fully consider impacts on surface water and vice versa. Therefore, the groundwater advisory committees should be used as a key forum for engagement and deliberation on the implementation of flow strategies. These committees provide a public and well attended setting to engage multiple stakeholders where productive discussions can be had. We request that the SWRCB utilize the committees as a platform to hold discussions regarding developing flow management strategies.

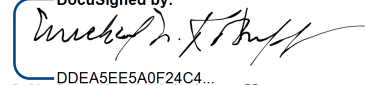
Conclusion:

We conclude by noting that as of November 14, the U.S. Drought Monitor considers the majority of Siskiyou County to be D0 (Abnormally Dry), with only a small portion classified as D1 (Moderate Drought). As of the writing of this letter, our region is experiencing what is predicted to be a close to record multi-day rain and snowfall event. With this in mind, it is not the time to re-adopt the Emergency Regulations, which were originally intended to address severe drought emergencies.

We fully believe the best path forward to resolve water conflicts and develop water sustainability for all beneficial users of water in Scott and Shasta Valleys, is through the development of collaborative efforts. We respectfully ask the SWRCB to immediately task the community and stakeholders to begin working on collaborative water management solutions. The SWRCB can and should use its influence to encourage water users, tribal representatives, environmental interests and special interest groups to work together towards this end. Siskiyou County is

willing to commit the time and available resources needed to make this a reality. As always, we welcome SWRCB Members and staff to continue to visit our beautiful valleys, and we appreciate your efforts to do so thus far. We look forward to working with you.

Sincerely,

DocuSigned by:

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Michael N. Kobseff
Chair, Board of Supervisors

cc: Senator Brian Dahle
Assemblymember Megan Dahle
Rural County Representative of California (RCRC)
California State Association of Counties (CSAC)
Shaw Yoder Antwih Schmelzer & Lange
Director Charlton "Chuck" Bonham, CDFW
Paul Gosselin, DWR