April 1, 2025 *Electronic Submission*

California Regional Water Quality Control Board

North Coast Region

Attention: Vallerie Quinto

5550 Skylane Blvd Ste. A

Santa Rosa, CA 95403

**SUBJECT: Siskiyou County Groundwater Sustainability Agency Comments in Response to Proposed Order No. R1-2025-0011 to Renew Order No. R1-2018-0018 and Order No. R1-2018-0019, Scott and Shasta River TMDL Conditional Waiver of Waste Discharge Requirements**

Dear Ms. Quinto:

Thank you for the opportunity to comment on the Proposed Order to Renew the Scott and Shasta Rivers Conditional Waivers of Waste Discharge Requirements (Proposed Order; Proposed Order No. R1-2025-0011). The Proposed Order extends Order No. R1-2018-0018 (Scott River TMDL Conditional Waiver of Waste Discharge Requirements) and Order No. R1-2018-0019 (Shasta River TMDL Conditional Waiver of Waste Discharge Requirements) until October 7, 2026. Order No. R1-2012-0084, Order No. R1-2018-0018, Order No. R1-2023-0005, and Proposed Order No. R1-2025-0011 are all revisions and/or extensions of the requirements of Order No. R1-2006-0081, adopted on August 9, 2006 (Conditional Waiver). We appreciate the North Coast Regional Water Quality Control Board (Regional Board) extending the Conditional Waivers for an additional year to allow ample time to develop Waste Discharge Requirements (WDRs) for ranchers in the Scott and Shasta River Watersheds in alignment with the State Water Board’s Irrigated Lands Regulatory Program (ILRP), precedential requirements, and other applicable policies. Given that WDRs are not required to be renewed every 5 years, it is essential that the development of the WDRs is done properly, and we look forward to working with the Regional Board to ensure this.

The Siskiyou County Flood Control and Water Conservation District (District) serves as the Groundwater Sustainability Agency (GSA) for three basins in Siskiyou County: Butte Valley, Scott Valley, and Shasta Valley. The Sustainable Groundwater Management Act (SGMA; California Water Code §10723-10726) outlines the roles and responsibilities of a GSA as the primary entity responsible for achieving groundwater sustainability within its jurisdiction. These provisions grant GSAs specific authorities including the power to conduct investigations, determine well spacing requirements, regulate groundwater extraction, impose fees, and

implement projects necessary to achieve the sustainability goals established in SGMA. Furthermore, these sections empower GSAs to regulate activities affecting the connection between surface water and groundwater to prevent undesirable results such as depletion of interconnected surface waters.

We believe that the mandate outlined in SGMA and the activities and actions underway and planned under the Scott and Shasta Groundwater Sustainability Plans (GSP) contain numerous elements that significantly overlap with the requirements of the Conditional Waivers. This is particularly evident in the groundwater-specific components of both programs, where the GSPs address many of the same monitoring and management requirements specified in the East San Joaquin Presidential Order (Order WQ 2018-0002). The GSA looks forward to working with the Regional Board to ensure that efforts taken under the GSP in both basins are as streamlined as possible with the efforts and requirements of the Conditional Waivers and future WDRs to prevent duplicative efforts.

Collaboration with respect to Conditional Waiver implementation and GSP implementation is essential where requirements of both overlap, particularly given the prevailing economic conditions of the Scott and Shasta basins. Both basins are designated as Disadvantaged Communities under SGMA (California Water Code §79505.5), with median household incomes below 80 percent of the statewide median. In these economically challenged areas, uncoordinated and duplicative regulatory requirements place disproportionate financial and administrative burdens on local residents and organizations. Streamlining efforts between the GSPs and the Conditional Waivers is not merely about administrative efficiency, it is an equity issue that directly impacts communities with limited resources.

The GSA appreciates the Regional Board's recent acknowledgment during the CEQA meeting that many farmers have already undertaken significant work under the existing Conditional Waivers to protect water quality and advance TMDL goals. These good-faith efforts should be recognized in the Conditional Waiver extension. Moving forward, we advocate for an equitable approach that both acknowledges existing best management practices by compliant landowners while also bringing previously non-participating entities into compliance. This balanced strategy would distribute regulatory burden fairly while maximizing environmental benefits through coordinated implementation of both programs.

In summary, groundwater management falls squarely within the purview of the GSA under SGMA. The GSA has both the statutory authority and responsibility to manage groundwater resources, including those aspects that affect surface water. Therefore, elements of the Conditional Waivers that address groundwater quality and management should formally recognize and incorporate the GSA as a key implementation partner. By leveraging the GSA's existing authority, technical expertise, and monitoring networks, the Regional Board can more effectively achieve the water quality objectives of the Conditional Waivers while reducing redundant regulatory requirements that strain limited community resources.

The Siskiyou County GSA looks forward to working with the Regional Board during the Conditional Waiver extension and in future regulatory efforts within the Scott and Shasta Basins.

If you have any questions or would like to discuss the comments in this letter further, please contact Matt Parker at 530-842-8005 or mparker@co.siskiyou.ca.us.

Sincerely,

Nancy Ogren, Chair

Siskiyou County Flood Control and Water Conservation District