



COUNTY OF SISKIYOU

Board of Supervisors

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April 30, 2026

Via Electronic Mail Only

State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814
ScottShastaFlows@waterboards.ca.gov

Subject: Shasta Range of Flow-Comments

Dear State Water Resources Control Board,

The Siskiyou County Board of Supervisors (Board) and Siskiyou County Flood Control and Water Conservation District (District), serving as the Groundwater Sustainability Agency (GSA) for the Shasta Valley groundwater subbasin, respectfully submit the following comments on the Draft Range of Flows for the Shasta River watershed released March 13, 2026.

We recognize the State Water Resources Control Board's (SWRCB) effort to develop permanent flows in the Scott and Shasta watersheds. However, we believe a more effective approach is collaborative management efforts shaped by local stakeholders rather than continued regulatory enforcement and hurdles. While the SWRCB works to establish permanent flows, water users in the Shasta watershed are already required to comply with the Sustainable Groundwater Management Act (SGMA) and the emergency regulations under AB 263. Our primary concern is that the current proposed range of flows could impose more stringent and economically damaging flow requirements on Shasta Valley irrigators and communities without adequate scientific justification or meaningful evaluation of less restrictive alternatives. Continued expansion of regulatory requirements and resources dedicated to their development does not resolve fishery and water management issues. A more effective approach is collaborative engagement among stakeholders within the affected watershed. We also request further justification for the Scientific and Economic Analysis, specifically how the results will be used to support and shape the eventual permanent flow requirements.

To address these concerns, we respectfully offer the following comments and recommended modifications:

- 1. We request that the SWRCB publish a technical memo identifying: (1) specific scientific studies and datasets that directly informed each flow range in Table 1; (2) how lessons learned from implementation of the emergency regulations were quantified and applied, and (3) what peer review, if any, was applied to the initial flow range development before public release.** The public

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notice states, *"The initial range of flows for the Shasta River watershed was developed based on a review of available scientific information."* This description is insufficient to explain how the proposed flow ranges were derived. We received a follow up email with access to what was termed *"the available scientific information that was considered in developing the draft range of baseline minimum flows for the Shasta River watershed"*, however providing access to a file with hundreds of reports and materials, many of which are hundreds of pages long, does not offer meaningful clarity. During the April 9th webinar workshop, SWRCB staff provided a shorter list of references, however, staff still did not offer clear justification for the proposed flow ranges. Additionally, SWRCB staff stated that they also used *"lessons learned from implementation of the emergency regulations"* in framing the flows but again offered no further explanation of what those lessons learned were.

The GSA has conducted extensive scientific analysis to develop and implement the Groundwater Sustainability Plans (GSP) under SGMA and have been subject to significant public scrutiny regarding how that science informed the development of GSP metrics. We respectfully request that the SWRCB meet a similar level of transparency by publishing a clear justification or technical summary outlining the specific scientific basis and reasoning used to develop the flow ranges in Table 1.

2. **We recommend that the range of flows for each reach be expanded to include lower flow scenarios.** The current draft appears to emphasize relatively high flow ranges across multiple reaches and time periods. However, the analysis should not assume that higher flows will necessarily result in proportionally greater fishery benefits. The study should explicitly evaluate whether lower flow scenarios could achieve fishery objectives while reducing impacts on other water users.

A transparent analytical framework should be used to balance expected fishery benefits against clearly defined economic costs. This should include consideration of whether targeted habitat improvements, temperature management strategies, and timing-specific flow measures could allow lower flow regimes while still meeting biological objectives. The analysis should also evaluate a full range of potential management scenarios to ensure a complete and scientifically-sound assessment. This should include conditions reflecting full legal water use, consistent with the court-ordered Shasta River decree, as well as more restrictive scenarios, in order to fully understand economic and scientific tradeoffs.

We request that SWRCB further coordinate with our hydrologic modeling consultants to evaluate whether the proposed flow ranges are achievable without significant economic harm to the Shasta Valley. In the absence of site-specific measurements or a technical memo documenting the basis for the proposed flow assumptions (as referenced in Comment #1), there is insufficient evidence demonstrating that the flow ranges in Table 1 are achievable under real-world conditions. SWRCB

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staff should work directly with us and our modeling consultants to test proposed flow ranges under dry, normal, and wet hydrologic conditions.

The Economic and Scientific Analysis should then evaluate whether these scenarios could achieve flow objectives without causing significant economic impacts to the Shasta Valley, including communities that are largely comprised of economically disadvantaged populations. Consistent with SGMA implementation, water management decisions must account for all beneficial uses and users of water. In developing the GSP, a broad range of management scenarios, from full water use to significant curtailment, were evaluated to understand system-wide impacts.

We remain willing to work with SWRCB staff and consultants to further refine flow scenarios for evaluation, particularly given that we maintain a robust hydrologic model capable of supporting this analysis in our role as the GSA.

3. **We request that the SWRCB include a regulatory and legal analysis of how proposed flow ranges in Table 1 would interact with: (1) existing Shasta River water rights decree and watermaster responsibilities; (2) SGMA implementation authorities; and (3) the Regional Water Quality Control Board's pending irrigated lands program.** The stream reaches in Figure 1, along with the corresponding flow ranges in Table 1, could create legal and management conflicts with existing regulations and the Shasta River decree if implemented. We hear from stakeholders in the Shasta Valley that the numerous regulations placed on irrigators has become onerous, cumbersome to follow and conflicting in terms of compliance on their operations. We are concerned that if the range of flows noted in Table 1 are implemented under the permanent flow requirements, there will be additional legal conflicts with current and future regulatory actions.
4. **We strongly encourage increased technical coordination between State Water Resources Control Board staff, our consultants, and relevant state agencies to ensure consistency with monitoring data, modeling results, and ongoing management actions.** We also recommend that SWRCB staff include the Department of Water Resources (DWR), which oversees SGMA implementation statewide, in this coordination, particularly with respect to any groundwater management actions or metrics incorporated into current or future flow recommendations. We have concerns regarding a statement in the public notice suggesting that groundwater levels must be maintained to support specific instream conditions. The notice states:

"...baseline flow conditions may require maintaining groundwater levels sufficient to sustain cold groundwater inputs into streams during the summer and fall when surface water flows are lower and warmer, and to support earlier streamflow connection in the fall for salmonid passage and access to spawning grounds."

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We have commented since the initiation of the emergency regulations that the SWRCB impinging upon the SGMA authority granted to the Flood District. Statements such as those referenced above are inconsistent with the statutory framework of SGMA and improperly encroach on the GSA's exclusive role as the agency responsible for groundwater management in the Shasta Valley, including development and implementation of the primary monitoring network and hydrologic modeling used in the basin. We request clarification regarding the scientific basis for the statement cited above, how it is being incorporated into the upcoming Economic and Scientific Analysis, and what specific metrics are being used to define sufficient groundwater levels. We also request identification of the underlying data, assumptions, and modeling outputs that support this conclusion. We look forward to receiving those specific reports, summaries and metrics from SWRCB.

The Board appreciates the opportunity to comment on the Draft Range of Flows for the Shasta River watershed and looks forward to working with SWRCB Board members and staff to develop long-term water management solutions.

Sincerely,

Signed by:

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Ray A. Haupt

Chair, Siskiyou County Board of Supervisors

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