

Frequently Asked Questions about Scott, Shasta Rivers

What is the significance of the Scott and Shasta Rivers?

The Scott and Shasta Rivers in Siskiyou County are tributaries to the Klamath River, which is the second largest river in California, and have immense economic, ecological and cultural importance. They supply water for agriculture, domestic users, the environment, fire protection, municipalities, tribal nations and recreation. The watersheds are also important nurseries for the threatened coho and culturally significant Chinook salmon.

How are fish species in the watersheds impacted by drought?

Coho salmon are listed as “threatened” under the federal and California Endangered Species Acts. Chinook salmon are culturally important and economically significant and declining at a faster rate in the Scott River than the Klamath Basin. Drought significantly lowers instream flows in the rivers and imperils habitat and migratory conditions for these fish.

What are current hydrologic conditions in the watersheds?

The watersheds are experiencing a second consecutive dry year, with precipitation approximately half of normal levels across much of the Klamath Basin. The Scott and Shasta River watersheds are experiencing one of the most severe droughts on record.

- The Scott River is having one of its three driest years on record, with flows in the lowest four percent. Flows in the Scott River are expected to remain at record lows through the fall.
- The Shasta River is enduring its driest year on record. Flows are in the lowest one percent and are expected to remain at record lows through the fall.

What is the emergency regulation in the Scott and Shasta River Watersheds and how does it relate to curtailments?

Under the Governor’s [expanded drought proclamation](#) that now covers 50 of 58 counties, the State Water Resources Control Board and California Department of Fish and Wildlife (CDFW) were directed to evaluate minimum instream flows and other actions to protect salmon, steelhead and other native fish, work with other parties on voluntary measures and pursue emergency regulations when necessary. This regulation establishes minimum flow requirements in the watersheds and authorizes the State Water Board to issue orders directing right holders to stop diverting to protect fish.

Once the board adopts a regulation, it must be approved by the Office of Administrative Law and filed with the Secretary of State before it takes effect.

Who will be most affected by the curtailments?

Water right holders who divert from surface and groundwater are the most likely to be impacted by curtailments, which are based on the water right priority system that affects the most junior water rights first. These include agriculture and ranching activities that rely on diversions from the Scott and Shasta watersheds.

What should right holders who receive the curtailment orders do?

Most right holders should stop diverting under the applicable right and certify to the board that they have done so within five days. If the right provides for the provision of water for human health and safety or livestock watering, diversions can continue if the right holder self-certifies for minimum diversion levels or petitions the board for higher levels. Minimum-level diversions are allowable before the board responds to the petition.

What triggers curtailments in the watersheds?

Curtailments are issued when there are insufficient flows to meet the minimum instream levels established in the emergency regulation to support coho and Chinook salmon. Both watersheds are experiencing some of their lowest levels in history.

How were the minimum instream flows developed?

The flows provided by the California Department of Fish and Wildlife in consultation with the National Marine Fisheries Service in June were developed to enable salmon in the Scott and Shasta Rivers to survive current acute conditions. They are recommendations for all life stages of salmon during the drought emergency and are not intended for long-term management considerations or to provide adequate protections for salmon over extended periods of time. The board independently decides whether or not to accept the recommendations.

How has the State Water Board engaged affected stakeholders?

Staff held public meetings on July 1 and July 20 to discuss the drought, potential voluntary actions and a proposed draft emergency curtailment regulation. The board released an initial draft for public comment on July 16 and accepted feedback until July 23. After receiving more than 100 comment letters, staff [revised the proposed regulation](#) to include increased flexibility for voluntary approaches to local solutions, the ability of the CDFW and the National Marine Fisheries Service to update minimum instream flows if lower flows will protect fisheries, and an exception for water use associated with reforestation efforts. Additionally, staff continues meeting with interested parties to explore voluntary approaches and ways to integrate such action into the regulation. Parties who would like to receive updates regarding the board's drought-related efforts

should subscribe to the board's "Scott-Shasta Drought" [email subscription list](#) under "Water Rights".

How will the curtailment orders authorized under the emergency regulation relate to the notices of unavailability that were issued in June to some right holders in the Scott River?

The board issued notices of water unavailability in June informing approximately 100 right holders in the Scott River watershed that water was not available under their priority of right. Curtailment orders were issued to a larger number of diverters (in both the Scott and Shasta watersheds) to meet minimum instream flows for fish, livestock needs and human health and safety. Unlike the notices, curtailment orders are directly enforceable. This streamlined approach enables the board to implement required instream flows in a timely manner.

What does the proposed regulation say about voluntary efforts?

The provisions regarding voluntary efforts at the individual, sub-watershed and watershed scale are intended to encourage collaborative actions that benefit instream flows and fisheries and limit or avoid the need for curtailment. In response to public input, staff revised the proposed regulation to include increased flexibility for voluntary approaches to local solutions.

Were curtailment orders issued in the Scott and Shasta watersheds during the last drought?

Curtailment orders were not issued during the last drought. In recent years, notices of water unavailability have been mailed to water users in the watersheds, and in June 2021, were sent to diverters in portions of the Scott River.

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