

STATE WATER RESOURCES CONTROL BOARD

In the Matter of: )

)

Listening Session Two )

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LISTENING SESSION REGARDING EMERGENCY REGULATION EFFORTS IN

THE SCOTT RIVER AND SHASTA RIVER WATERSHEDS

MONTAGUE COMMUNITY CENTER AUDITORIUM

216 S. 11th STREET

MONTAGUE, CA 96064

MONDAY, OCTOBER 30, 2023

5:30 P.M.

Reported by:

Chris Caplan

APPEARANCES

PRESENTERS

Wyatt Amaral, USDA Farm Service Agency

Katherine Lewis, USDA Farm Service Agency

Michael Harris, California Department of Fish & Wildlife

Heather Wood, USDA Conservation Service

STAFF, STATE WATER RESOURCES CONTROL BOARD, DIVISION OF  
WATER RIGHTS

Erik Ekdahl, Deputy Director

Erin Ragazzi, Assistant Deputy Director

Zack Zwahlen, Senior Environmental Scientist-Supervisor,  
Instream Flows Unit

Philip Dutton, Program Manager, Supply, Demand, and  
Instream Flows Section

PUBLIC COMMENTERS

Judy Holmes

Cricket Martin

Richard Marshall,

Bernard Dowling

Sheila Meamber

Scott Murphy

Don Meamber

Tim Johnson

Lauren Sweezey

Angelina Cook

Smokey Dowling

Michele Johnson

Theo Johnson

Paul Sweezey

Ryan Walker

Jess Hariss



1 here from a couple agencies that provide funding, so I'm  
2 going to give them each a few minutes to talk about the  
3 funding opportunities that they have and then you can go  
4 and see them at their respective tables to find out more if  
5 you want to discuss any of that further. So first I'm going  
6 to bring up Katherine and Wyatt.

7 (OFF MIC COLLOQUOY)

8 MR. AMRAL: Hello, I'm Wyatt Amral. I'm the new  
9 CED or County Executive Director at the Farm Service  
10 Agency. We'll just do that. I'm the New County Executive  
11 director at the Farm Service Agency and I'm on all the  
12 program side, so we help with natural disaster programs  
13 such as drought, tornadoes, hurricanes, all sorts of stuff  
14 like that. We have two good programs as of now for this  
15 year from past drought, the Livestock Forest Program and  
16 Emergency Livestock Assistance Program. Both are very  
17 useful for ranchers and farmers. We have been trying to do  
18 a lot of outreach to many of you producers to get you guys  
19 in and updated and apply to these programs.

20 Katherine?

21 MS. LEWIS: Yeah, I'm the Farm Loan Manager for  
22 the county and FS also has loan programs. Our loan programs  
23 are typically temporary supervised credit. Most of my  
24 customers are beginning farmers, need a little foot up and  
25 get going, or producers who have suffered a disaster - we

1 had a setback and maybe you're at that place where the bank  
2 says it can't help anymore. Maybe that would be a good time  
3 to come in and see if FSA's loan programs couldn't help  
4 you. I could talk about interest rates and types of loans.  
5 I'm not (indiscernible), I'm going to tell you if you, your  
6 neighbors, your friends, your son, your cousin scratching  
7 their head and can't get the capital they need to keep  
8 moving forward in their operation, please suggest that they  
9 pop in, call the FSA office. We're kind of busy, and make  
10 an appointment and come in and have a chat with either  
11 myself or Emily Rowley. We're here to help and look forward  
12 to talking to a few of you tonight. Thanks.

13 MR. AMRA: Thank you guys.

14 MS. RAGAZZI: Thank you both.

15 (OFF MIC COLLUQUOY)

16 Okay. And then Mike Harris from CDFW.

17 MR. HARRIS: Hi, I'm Mike. I'm with CDFW. Back in  
18 20 - December, 2022, the department received 200 million in  
19 new funding for multi-benefit ecosystem restoration and  
20 protection projects. Some of which directly to the  
21 governor's new initiatives. Since March of 2023, we've  
22 awarded on a monthly basis through it's our streamlined  
23 application process, which I'll talk about in a second,  
24 over \$141 million under this grant initiative. Close to \$31  
25 million of that has come to the Klamath Basin and the

1 Shasta and the Scott. The initiatives for the Governor are  
2 drought resiliency, protecting salmon, addressing climate  
3 impacts, nature-based solutions, wetlands, mountain meadows  
4 restoration and wildlife corridors. Right now we're  
5 focusing on wetlands and mountain restoration projects that  
6 restore enhanced wetlands and mountain meadow ecosystems.  
7 Additionally, we have some continuing grant funding  
8 opportunities that are available. Our last allotment for  
9 prop one and 68 will be distributed over the next two years  
10 or until the funds are gone. And under our Prop 68 fund,  
11 CDFW has approximately \$4 million marked for Klamath  
12 Trinity Restoration.

13           Our last continuing grant program is FRGP, the  
14 Fisheries Restoration Grant Program. That's a federal  
15 program that typically receives approximately \$16 million  
16 annually for salmon restoration and the next application  
17 round will be available in January, 2024. If you've gone  
18 through our process in the past where you fill out a grant  
19 proposal and you submit it somewhere and you wait six  
20 months to hear something we've gotten rid of that. We now  
21 have through cutting the green tape an application portal,  
22 four to five page project description, maps and documents,  
23 but we review those and actually try and approve those  
24 monthly. So now if you're looking for funding and you put  
25 in a project application, you'll probably hear back from us

1 within a month or so if we need to get more information.  
2 And so that's our update and I'll be back at that table if  
3 anybody has any questions. Thank you.

4 MS. RAGAZZI: Okay. With that I'm going to open  
5 it up for comments from folks that are interested in  
6 providing comments. Going to turn this around and I'm going  
7 to invite people to come up and sit at the table, provide  
8 your name, spell your name for Chris, please, and then go  
9 ahead and make your comment. Who wants to be first?

10 MS. HOLMES: Good evening. My name is Judy  
11 Holmes, J-U-D-Y. Holmes, H-O-L-M-E-S. I am a daughter of a  
12 landowner who has owned land since 1976. Currently involved  
13 in the Safe Harbor Association, have two properties.  
14 Neither of them are on an irrigation district, so they're -  
15 one's riparian. Another is with a Edson Foulke Group  
16 (phonetic). So a variety of aspects are addressing us. I'm  
17 also working pretty high with the Safe Harbor group and we  
18 had a number of questions - and would you like me to just  
19 kind of work through each one at a time? Okay.

20 My husband, Justin Holmes, is on SGMA, and so  
21 this question goes with curtailments and how they will  
22 interface with local GSA and the understanding of  
23 groundwater, and how that is so pertinent to a number of  
24 the areas in the Shasta Valley. We have alluvial grounds.  
25 Our ranch in Gazelle. Specifically, we recharge in February

1 for the town of Gazelle and that water that we recharge on  
2 our land also reaches Grenada. And when we do not do that,  
3 there are more wells that are dry. So we are very  
4 responsible to assisting not just us, but other towns and  
5 individuals with their wells. So the question is, does the  
6 GSA function under a different level of scrutiny when there  
7 are curtailment orders? Are you working with SGMA in that  
8 process and what would be the end result?

9 MS. RAGAZZI: So at this meeting we aren't really  
10 looking to provide question and answer type of format.

11 MS. HOLMES: Okay, that's fine.

12 MS. RAGAZZI: We're really looking for feedback.  
13 We're happy to sit with you and discuss personal.

14 MS. HOLMES: That's fine. That's fine. Just know  
15 it's a concern because when curtailments hit, it hits more  
16 than just the individual that's curtailed.

17 MS. RAGAZZI: And I think one -

18 UNIDENTIFIED MALE: No, go ahead.

19 MS. RAGAZZI: Aspect I'm taking away from your  
20 comment is the connection between curtailments and SGMA and  
21 how they interrelate with one another.

22 MS. HOLMES: Correct. And we would like to better  
23 understand that.

24 MS. RAGAZZI: Yeah.

25 MS. HOLMES: Okay. Second question -



1 MS. RAGAZZI: And I encourage you, to at the end  
2 of this meeting, come up and talk with us about that.

3 MS. HOLMES: That sounds great. Thank you.

4 Another question is, you've talked greatly about  
5 LCSs, which are just another step or another level to jump  
6 through to be considered a group of individuals working  
7 together. The individuals at the Safe Harbor have been  
8 working together for 15 years, have come together with an  
9 agreement with CDFW as well as NOAA in agreement to  
10 efficiency projects and habitat improvements. And is there,  
11 or will there be, an opportunity for the individuals of the  
12 Safe Harbor to be accepted as an LCS immediately or do we  
13 have to jump through another hoop. And let me say jump in  
14 that the SHA took us 15 years, and it was our private  
15 monies that put us together. We didn't have a grant to keep  
16 us going forward. So that would a question or something  
17 that we would really appreciate is being considered as an  
18 LCS.

19 I know that this was discussed at the prior  
20 meeting, but what actions and results have been taken  
21 against the illegal growing that's occurring? All of us as  
22 ranchers along the river and those that have impact to the  
23 river not necessarily aligned against the river - we're  
24 being held to very high standards. We have accepted the  
25 work to create a TMDL and we have a group of individuals

1 who are not. And they're not being kept to the task and we  
2 feel that there is great environmental impact with the lack  
3 of animal life as well as the refuse that is deposited as  
4 well as pesticides and herbicides being used that are  
5 probably not legal. So that is another aspect. If we're  
6 going to be managed, we would like all to be managed and  
7 held to the same responsibility and held to the same core  
8 level of expectations.

9           This is a question that will be in general,  
10 understanding the fish entering the mouth of the Klamath  
11 and what is that percentage showing up in the mouth of the  
12 Shasta and the Scott Rivers? There are many tributaries  
13 that add to the Klamath River and there are two that are  
14 being hit extremely hard. Are the rest, and will they be,  
15 looked at just as intensely? And where is that first number  
16 taken on the Klamath River? Is it by the mouth? Is it at  
17 other tributaries that are closer to? Or is it 147 miles  
18 from the mouth of the Klamath River? And there's a lot  
19 going on between the mouth and 147 miles. So we would like  
20 to know, and we would like to have all tributaries be  
21 responsible and held, again, if we are going to be held to  
22 standards. We want everybody to be held to standards.

23           Definitive studies for flows. The Safe Harbor has  
24 worked with - basically creating a flow strategy when  
25 efficiency projects have been put in place. All of us are

1 working toward that. That's something we are very strongly  
2 supportive of. We do want to become stronger and better at  
3 managing our waters and we need the help and the support of  
4 the state and the federal groups to come together and  
5 support us with that. But we also need real research to be  
6 accountable from all aspects to then assist all of us and  
7 particularly the state in knowing what is the correct flow  
8 to go after historical has not been held at 40 CFS. That is  
9 a flow that we're hearing consistently that everybody wants  
10 to meet and we say why and where is the hard data for that?  
11 And we would like it to be a third party that's doing that  
12 data retrieval. And then the last question is about data.

13           Some of us have been monitoring the Shasta River  
14 for 10 years with RCD's help. They have been so helpful in  
15 obtaining monies and we've been so grateful to have that.  
16 We have hard data. But that data comes at a price. And our  
17 city has been doing a great job at getting their grants.  
18 The more data you need, which is important for you to make  
19 good decisions, needs to be supported by the State because  
20 the State is who is asking for that data. And so if you're  
21 expecting land owners to come up with that money or the  
22 monitors fees or the payment to manage the data, I think  
23 that's ill placed and we need to have that better  
24 understanding of who's using the data, how is it being used  
25 and looked at, and then we need a full support of the

1 system so that we can all better understand better.

2 I know that my reach on the Shasta River is one  
3 of the coolest and has some of the best DO numbers amongst  
4 the group that we have been recording against. That's  
5 because I have wonderful spring water coming in. I'm  
6 blessed with that. We need to know the entire reach. It's  
7 not just this little area.

8 And then lastly, the water district, the  
9 Watermaster District. And the Watermaster is responsible  
10 for adjudicated waters, but we work as riparian landowners  
11 hand-in-hand with a Watermaster, voluntarily. I wish  
12 everybody would. We tell her when we're on, we tell her  
13 when we're leaving for a week and we're going to turn off  
14 and that allows her to irrigate another area and get that  
15 district in. Everybody needs to have that involvement. But  
16 then the Watermaster District needs to be bolstered. It  
17 needs to be further supported.

18 So we would look for the State to better assist  
19 in financially bolstering the Watermaster District. If  
20 adjudicated water right holders are all they're interested  
21 in, you're leaving out a big group and it will not just be  
22 riparian users but even maybe surface (indiscernible) well  
23 users and that's that coordination of SGMA and SGMA and  
24 groundwater management. So there's a lot of balances, but  
25 we would hope that the State would look at all those

1 details. They're not easy and nothing was created in a day  
2 and nothing will be turned over in a day. We know that  
3 these dams coming out might possibly have an impact on  
4 Shasta and Scott and what's required from us, but just  
5 remember it didn't take a day to build the dams and it's  
6 not going to take a day to resolve the issues. So we're all  
7 interested in helping and you have our support, but we want  
8 it to be fair and just we want our data to be used properly  
9 and not unproperly.

10 Any other questions, thoughts. Okay, thank you.

11 MS. RAGAZZI: I invite whomever else would like  
12 to come up and speak. And again, if you could state your  
13 name and spell it for the court reporter please.

14 My name is Cricket Martin. First name spelled  
15 just like the bug, C-R-I-C-K-E-T. Last name Martin, M-A-R-  
16 T-I-N. Like I already said, my name is Cricket Martin and  
17 together my husband and his family, we own and operate our  
18 family's third generation organic dairy in Scott Valley. In  
19 2022, the 30 percent water curtailment combined with  
20 another severe drought year for our area left us facing  
21 some really hard conversations and decisions about the  
22 future of our business as an organic pasture-based dairy.

23 Part of our USDA organic operational requirements  
24 are that cattle must consume at least 30 percent of their  
25 total feed intake from pasture for a minimum of 120 days.

1 Beyond that, our operation does also grow a substantial  
2 portion of our own cattle feed, but we do also purchase  
3 outside organic hay and grain as well.

4 Excuse me.

5 While we were able to meet the USDA operational  
6 grazing requirements for 2022, we were severely limited as  
7 to the amount of grazing that we could do in comparison to  
8 a baseline year like 2020. Not being able to graze as much  
9 results in faster utilization of our own produced feed and  
10 ultimately leads to purchasing more outsourced hanging  
11 grain, which for 2022 - excuse were at a premium price  
12 because of the drought and the 30 percent water  
13 curtailment. In 2022, we were able to scrape by but  
14 continued years like this, we put our operation out of  
15 business. We operate on a small but sustainable scale as it  
16 is. We would need to downsize our herd size in order to  
17 continue to comply with our USDA organic grazing  
18 requirements. Also meet the 30 percent water reduction and  
19 still be profitable enough to purchase outsource feed due  
20 to not being able to produce enough of our own.

21 This is quoted from our milk purchaser Organic  
22 West in direct regards to our operation in 2022.  
23 Maintaining there is in our certification for organic by  
24 decreasing their herd size would result in major challenges  
25 for Organic Wuest milk to efficiently and profitably pick

1 up their milk. If we lose our contract with Organic West  
2 because of downsizing to accommodate water restrictions and  
3 affordability, it's safe to say that we won't be able to  
4 sign on with any other producer and we will close the  
5 business. As third generation dairy farmers, we see the  
6 future of our business continuing to the next generation.  
7 While being able to effectively work alongside other water  
8 users to find a common solution that fits all involved.  
9 What we have done in our ranch to meet the 30 percent water  
10 curtailment thus far has been the following. We've turned  
11 off all pumps one day a week. We've quit irrigating  
12 September 1st, which is at the minimum two weeks earlier  
13 than a baseline year like 2020. And we've planted crops  
14 that use about two thirds less the water than our previous  
15 harvests. We will continue to comply with water  
16 curtailments and regulations with the hope that a fair  
17 consideration will be given and implemented when making  
18 decisions going forward that affect the future of our  
19 business and all other water users. Thank you.

20 (APPLAUSE)

21 Is there someone else that wants to come up? And  
22 again, if you could state your name and spell it for Chris,  
23 that would be appreciated.

24 MR. MARSHALL: My name is Richard Marshall, M-A-  
25 R-S-H-A-L-L. And the way I understood it this evening, we

1 were supposed to talk about the 417 page petition, which  
2 the Karuks had put before your group. If you're all  
3 listening, raise your hand there. I want to make sure I  
4 know you guys went to sleep the last time I think I met  
5 you.

6 My concern is first of all regarding grazing. I  
7 don't think it's very clear on how you take care of your  
8 livestock. And I know when I called your office to talk to  
9 him about it, some very astute individual on your staff  
10 side said I should just go out and buy feed at the store.  
11 And obviously he doesn't understand the problem because in  
12 order to make the economics work, you got to be able to  
13 keep your pasture going through the time period that's  
14 necessary to keep your animals going because you can't just  
15 go get new animals every year. So you got to keep it going.

16 I wanted to say that the AGWA document that was  
17 submitted to you, I think it was pretty well thought out  
18 and they're trying to do their best there. But I wanted to  
19 bring up another issue.

20 Congressman McClintock wrote a very good article  
21 called Freedom or Socialism, It's Time to Choose. And what  
22 he was referring to, in this article, I have to paraphrase,  
23 it's pretty lengthy, is basically overregulation by  
24 authorities such as yourself coming from Sacramento and  
25 telling our local area how we're supposed to take care of



1 our crops and our water that we have here to take care of  
2 our ranches and farms. And he points out how this is being  
3 done from afar. Like you come from Sacramento, you're not  
4 living the life every day that we have to live here taking  
5 care of the animals. So you really don't know what the  
6 situation is. And I would like to question the authority of  
7 your group because in what you're trying to do in terms of  
8 regulation, we know the Supreme Court is shortly going to  
9 decide on the Chevron deference case, which will have some  
10 impact on what you guys are doing.

11           But before we get to that point, I just point out  
12 that in the late fifties with the Klamath Compact, put into  
13 place some very astute individuals here in Siskiyou County  
14 and an astute Board of Supervisors, pushed hard to have  
15 certain things granted to them in order to control the  
16 water of Siskiyou County and not have it taken down to  
17 southern California, which was what was in the offing. And  
18 to do that they created a Flood Control and Water  
19 Conservation District with the assistance of Pauline Davis,  
20 who was an Assemblywoman at the time, known as Lady of the  
21 Lakes. And in that document, which was is chapter 2121 of a  
22 document was adopted at the time, this is 1957. It was  
23 entered into and attached to Schedule B of the Klamath  
24 Compact, which is a federal statute. And the federal  
25 statute which was passed at that time said that the county,

1 through its Flood Control and Water Conservation District,  
2 shall have control of all of its surface and stored water  
3 as well as subterranean waters within the county accepting  
4 only the part that was delineated in the compact itself,  
5 which was the area around the dams.

6 Everything else in the county was the county's  
7 responsibility to take care of and I would suggest and  
8 submit to you that the county is the best place to have  
9 these decisions made. If you want to hold the county Flood  
10 Control and Water Conservation District liable for doing  
11 the right thing, then that's your prerogative to do that.  
12 But us as citizens shouldn't have to deal with you. We  
13 should be dealing with the county and we should be making  
14 these decisions locally because we understand the water  
15 system much better than someone from afar who thinks they  
16 can make decisions for us. So that's what I have to submit.

17 (APPLAUSE)

18 MS. RAGAZZI: Anyone who wants to come up. Well  
19 first thing, your name and how to spell it please.

20 MR. DOWLING: Bernard Dowling. B-E-R-N-A-R-D D-O-  
21 W-L-I-N-G. I've been coming to these things since, well,  
22 it's been 30 years and it's always the same thing. I know  
23 it's happening is here, you need to check a box that's say  
24 you have community input. It means nothing. You're going to  
25 do what you're going to do to us. You already do. Cut us

1 off, take our water away, shut our - this is interesting  
2 about we supposed to cut our water by 30 percent. I want to  
3 know, have you cut your incomes by 30 perecent? I mean  
4 we're all in this together, right? So you cut your incomes  
5 by 30 percent? No? I didn't think so.

6 So well there's that. So I'm frustrated because  
7 here we are again. I've been to so many of these meetings  
8 and it's always the same thing. We show up, you check the  
9 box, you have community input and you go right ahead and  
10 run over us roughshod.

11 (APPLAUSE)

12 MS. MEAMBER: My name is Sheila Meamber, S-H-E-I-  
13 L-A M-E-A-M-B-E-R from Montague. Just a little bit of our  
14 background. Our family been in the farm and cattle industry  
15 since at least the 1800s. Our ancestors donated a half  
16 section of land, the other half section donated by the Webb  
17 family establishing the town site of Montague. Upon  
18 completion of the Central Pacific Railroad, Montague became  
19 the hub for railroad shipping of livestock, primarily  
20 cattle and horses for the Army. So we have a long history,  
21 so this is personal. We have our ranch, we have a north  
22 ranch and a south ranch. Our south ranch orders along the  
23 Shasta River. It runs right through our property. You can  
24 see it off of Oberlin Road when you come off of Oberlin  
25 Road and come onto the Montegue Granada Road. Our North

1 ranch is north of Montague where we have our residence.

2           So why are we here? I've listened to and  
3 participated virtually via email and past Water Quality  
4 Control Board meetings, by Zoom meetings, regarding water  
5 rights and submitted documentation regarding our position.  
6 Today, I'm here again giving my input so it can't be stated  
7 we weren't given the opportunity to do so. And I'll have to  
8 echo what your previous speaker said is that you were here  
9 to check off a box. And I laugh because that's the second  
10 item on my list here. Soliciting public input is a  
11 formality. In all reality, the Water Board has already made  
12 its decision and that was at the last Water Board Staff  
13 Workshop on October 6th, 2023 regarding emergency  
14 regulation efforts in the Scott River and Shasta River  
15 watersheds. Therefore, it doesn't matter what documentation  
16 and valid data that we have provided, we'll change the  
17 Water Board's decision. At that hearing many individuals  
18 from Shasta Valley and Scott Valley made the trip from here  
19 down south to Roseville to attend that meeting, submitting  
20 some compelling data and historical documentation to  
21 support their PowerPoint presentations.

22           For example, Sarah Strom (PHONETIC), Gary Black  
23 as well as others, presented some pretty devastating and  
24 awesome documentation. At the end of a very long day, it  
25 was clear from the comments by the Water Board what the

1 outcome of the water's decision was, and I must say I was  
2 not surprised. Frankly, I don't expect the Water Board's  
3 decision to be any different here today. There are a number  
4 of environmental groups that are well funded and can  
5 continue to drag this out and possibly bankrupt those who  
6 don't comply or others who are trying to work out amiable  
7 compromises. But just give up because it's not worth the  
8 hassle, and in the end it will never be enough. They will  
9 keep moving the goalposts.

10           This brings back memories to me, and probably  
11 many others here, of how the timber industry was shut down  
12 because of the spotted owl. We know now how that turned  
13 out. Not very well. In Governor Newsom's water resilience  
14 document, section 4.3, August, 2022, he states,  
15 "legislation where appropriate and regulations that would  
16 allow for curtailments of water rights in years when there  
17 is not a declared drought emergency. The state currently  
18 lacks authority in most years to implement the priority  
19 water rights system without a declared drought emergency."  
20 In other words, control water by overriding water rights.

21           I'm not going to go into this one, but I was just  
22 want to mention that somebody had brought up, and I think  
23 probably at your first meeting you had somebody probably  
24 talking about the illegal cannabis grows out in Mount  
25 Shasta, Big Springs area. I know personally that the Water

1 Board has been updated regularly by those affected in those  
2 areas.

3           And I even sent the Water Board a copy of the  
4 Grand Jury report that made a report on what's happening  
5 out there and it's gotten much worse. But this Water Board  
6 is targeting the farmers and ranchers because they are the  
7 low hanging fruit. So I don't see any movement on the Water  
8 Board or the Governor's Office or any other representatives  
9 in helping Siskiyou County address this problem. We don't  
10 have the police force staff to go out and monitor what's  
11 going out there on out there. We have the illegal cartels.  
12 You've got the Mexican, the Russian, the Chinese, you name  
13 it, they're out there.

14           The toxic environment, (indiscernible) issues are  
15 horrible. Animal abuse, sex trafficking, and the stealing  
16 of our water. This is a prime candidate for a superfund,  
17 and requests have been made to the Governor and others to  
18 declare this a State of Emergency. We are not being heard.  
19 We are being ignored. And to give you an example how dire  
20 the situation is when it comes to funding. We recently held  
21 a fundraising event to raise money to hire a grant writer,  
22 to apply for funds to help our Sheriff's Department  
23 purchase much needed safety and other equipment needed to  
24 assist in their efforts to control and clean up the  
25 cannabis activity. This is how desperate the situation is

1 when the county does not have the funding to combat this  
2 blight on our county, let alone the personnel to deal with  
3 the criminal activity.

4 I would like, since all of you have made the trip  
5 here for this meeting, for us to be heard, it would be in  
6 your best interest and ours to make it a point of visiting  
7 this area because you actually see it with your own eyes.  
8 You can't appreciate the depth of depravity and horror  
9 occurring there. The other issue is the tribes are being  
10 used as a proxy to take over the water, especially if the  
11 tribes give the water human rights as they did in 2019. The  
12 Yurok tribe granted personhood to the Klamath River, the  
13 first known river to be granted such rights in North  
14 America. They felt the need to protect the Klamath River  
15 from climate change, state policies and federal policies  
16 that have affected the flow of water and harmed the flow of  
17 water and harmed their main food source, the salmon.

18 Next, misinformation. In August, 2022, ranchers  
19 were falsely accused of killing tens of thousands of fish  
20 by diverting water from the Shasta River in order to  
21 provide water for what I'm gathering, 5,000 head of cattle  
22 and also to fill ponds for emergency fire suppression. They  
23 even requested permission from the Water Board but never  
24 received a response. So after two weeks, the desperate  
25 branches decided to divert water from the Shasta River.

1 This event made news all over the state showing dead fish  
2 in the river, succumbing to high water temperatures and  
3 purported to be salmon. But salmon usually doesn't migrate  
4 due to warm water temperatures and probably were not  
5 salmon, but maybe suckers. Articles failed to mention the  
6 circumstances surrounding the dead fish, which were  
7 attributed to the debris and resulting in low oxygen in the  
8 Klamath River due to the McKinney fire.

9 Another item is the manipulation of data, which  
10 is deciding on the desired outcome or probability by  
11 selecting data to support propositions and ignoring another  
12 pertinent data, thereby skewing the outcome. I think that  
13 has been demonstrated. Computer modeling, inputting data to  
14 affect a desired outcome that is being selective about  
15 entering certain data, such as weather conditions over a  
16 long period of time, using a random cutoff period,  
17 sunspots, tree rings, et cetera, or any unusual  
18 circumstances are very seldom used in collection of data.  
19 Regarding funding, there's a lot of funding available now  
20 for grants, so-called free money. Your tax dollars to  
21 encourage farmers and ranchers to follow their land are  
22 offering funding. They're also encouraging individuals to  
23 enter into conservation easements, et cetera. So you just  
24 have to Google USDA, which I did randomly one day, and I  
25 looked down on California and I was amazed if all the funds



1 that are available for disadvantaged, which called  
2 disadvantaged people to name a few. And did you know that  
3 I'm a woman and I'm considered disadvantaged in that  
4 category.

5           So, in conclusion, I listened to not long ago the  
6 California Water Plan Update for 2023 in Roseville. This is  
7 October 3rd and 4th. I'm here to say the government has a  
8 broader plan. So after ranchers and farmers follow their  
9 land or try to work with the State Water Board and other  
10 agencies - state and federal, their objective is that after  
11 they take your land, they're going to create green spaces  
12 for farmers and ranchers, government owned land leased back  
13 to them to meet there, the government's objective of  
14 ownership and their objective is 30 percent by 2030, 50  
15 percent by 2050 with the ultimate goal of a hundred percent  
16 government owned land. Also tribes getting back their  
17 ancestral land. They're promoting conservation and land  
18 trusts. And we're also dealing with race and equity. So  
19 this is a much broader picture than just what's happening  
20 here in Siskiyou County and I'm saying people need to wake  
21 up. Thank you.

22           (APPLAUSE)

23           MS. RYAN: Who could go after Sheila? Good job.  
24 Sheila, should get another round of applause. Just amazing.

25           (APPLAUSE)

1           So my name is Erin Ryan, E-R-I-N. Last name is  
2 Ryan, R-Y-A-N. I'm here with the Office of Congressman Doug  
3 LaMalfa , basically to support our constituents. I know we  
4 don't get to tell the State how to do things, which is  
5 good. The 10th amendment's a great thing. As far as water  
6 goes, I think most people understand that beneficial use is  
7 part of the mix. And as I said in the first round of  
8 comments, there is no beneficial use to the cartel use of  
9 water out here. I know you met with those folks earlier in  
10 the day. I have no idea what they've told you, but I know  
11 what they've told all of us. And that they need the water  
12 for their animals. They don't have animals. I challenge you  
13 to fly over.

14           It's a hellscape. I could show you pictures, I'd  
15 be happy to. I've driven out there many times. I've flown  
16 over many times. There is nothing being done out there that  
17 could be done on any private piece of property anywhere in  
18 the state ever. You cannot buy a piece of property, scrape  
19 it down to the bare earth and then have 55 gallon drums of  
20 chemicals sitting there. Now let's forget about the fact  
21 that most of these chemicals are illegal for use in this  
22 country and have been for over 50 years. But even the ones  
23 that are legal - I like the 55 gallon drum of spray  
24 adhesive that they put on the marijuana to attract more  
25 pollen. That's fantastic and I'm sure that's wonderful for

1 people who use that. That's stuff. If my husband at the  
2 John Deere dealership were to put 55 gallon drums of  
3 chemicals directly on the ground, he'd be closed in one  
4 day.

5 His business would not be operational. Yet, you  
6 go out there and there are, I couldn't even count for you  
7 how many sites have large 55 gallon drums leaking into the  
8 ground. They're storing and mixing chemicals with millions  
9 of gallons of water. The lady who was sitting right here in  
10 the first round, she ran a game camera and counted the  
11 water trucks that went by. And at one point a year ago, it  
12 was 8 million gallons a day in water trucks going past her  
13 property. Just when you do the math water truck holds this  
14 amount and count them all. She actually did that. She  
15 counted for quite some time and I know sent that to the  
16 Water Board. They can't function out there without water.  
17 That whole thing goes away. On the coast, different deal.  
18 They slurp the water out of the rivers, creeks, streams,  
19 that sort of thing.

20 There are no homes out there. They have not  
21 applied for one home permit in this county. They have not  
22 applied for one well permit in this county and they have  
23 not applied for one septic permit in this county. And yet  
24 you have approximately 5,000 greenhouses with, I'm going to  
25 say plus or minus 10,000 people who are all pooping and

1 peeing on the ground. And all their garbage is on the  
2 ground. And I can show you pictures, I have seen it myself.  
3 Multiple times. They dig a hole. But the hole you - would  
4 think if you dig a hole for garbage and you put the garbage  
5 in the hole, which isn't what you're supposed to do anyway,  
6 but you would fill in the hole. No, you don't fill in the  
7 hole, you just leave the hole open. The garbage just blows  
8 all over the place. It's horrible.

9 I haven't seen a deer. Oh, you can speed by the  
10 way on a 12. Anytime at night you'll never hit a deer.  
11 There's nothing alive over there. It's all gone. There are,  
12 I mean it's well documented. They cook and eat dogs out  
13 there. There's just bad stuff going on. So besides the  
14 human trafficking and all the other horrible crimes that  
15 Sheila brought up, you are looking at millions of gallons  
16 of water just right there being used. I realize we have  
17 different aquifers, we have different, all these things.  
18 They might not be taking that person's water. Scott  
19 Valley's water isn't that water. It's the idea that the  
20 regulatory body involved in water isn't actually regulating  
21 water for everybody. Only some people, and I will go back  
22 in time a little bit - I'm old, I won't go all the way  
23 back, but roughly 10 years ago I dealt with Trinity County  
24 and I received a phone call from a constituent that said  
25 that she could no longer leave the windows in her house

1 open.

2 She was on a creek up there outside of Alman  
3 (phonetic) Pot Mountain - Post Mountain. But I mean, and  
4 it's in that murder mountain film. It's in all of them.  
5 Anyway, she had a creek that ran behind her house, could  
6 not leave the windows of her house open because she was  
7 asphyxiated by the smell of the diesel that was running in  
8 her creek. The illegal dope growers there were all on  
9 public land, but they had these tanks built into the  
10 ground, they didn't care. I mean they're making billions of  
11 dollars. So they had the diesel leaching into the ground,  
12 which was showing up in the creek and running behind her  
13 house. And let's see, he was Senator LaMalfa at that time.  
14 And so we were State and I had just come from private  
15 industry and I thought, hey, we have people for that,  
16 right? So I call, not you guys, but whoever previous to you  
17 guys, was the Water Board.

18 And I said, Hey, we have a problem. Somebody  
19 needs to get out there. And they flat told me, nobody's  
20 going, it's too dangerous. I'm like, but wait. And I was  
21 working up here and all these nice people who were trying  
22 to grow food and raise crops and animals and contribute to  
23 society and what is in our grocery store. They were being  
24 regulated out of existence and going to meeting after  
25 meeting after meeting and trying desperately to hold onto

1 their water and their rights and all these things. And yet  
2 those guys were given a pass because they were scary and  
3 dangerous and out of the way. It's happening here right  
4 down the road and oddly enough, 63 parcels from that  
5 location up there are landowners over here. It's the same  
6 people, doing the same thing and yet they get to get away  
7 with it because nobody can figure out how to wrap their  
8 arms around it. But I would say that if you are regulating  
9 beneficial use of water for all concerned and we've got  
10 tribes and we've got fish and we've got agricultural and  
11 all these different things, that ain't one of them. It's  
12 not on the list. It's just not on the list. Nothing about  
13 what they are doing is legal. And the county has tried  
14 desperately to reign this in and they're currently  
15 hamstrung in the courts because now they're considered  
16 racist for wanting to stop water being hauled to criminal  
17 enterprises.

18           It's madness, actually. We have arrived at  
19 madness. I saw a little meme, it said at this point if a  
20 clown invited me into the woods, I would just go. And I  
21 think we're there. I think the clown is probably right  
22 outside. It's Halloween and everything. So if there really  
23 is a clown, I didn't do it. But honestly that has to be  
24 discussed. The State doesn't want to talk about it. I  
25 realize because it blows up the, hey, we're going to

1 legalize cannabis and crime will disappear. We all know  
2 that didn't happen. It wasn't going to happen and hasn't  
3 happened. But if you can take that back that the people  
4 here, it is totally inappropriate to regulate them at that  
5 level and let 10,000 people, my God, they only have 17,000  
6 voters in this whole county and you got 10,000 people  
7 growing illegal dope. Do the math. This is a huge  
8 percentage of people who have come from out of the area and  
9 they're not necessarily illegal aliens. They came from  
10 Minnesota. They came from Fresno. They have come here on  
11 purpose because they're making billions of dollars and  
12 these guys meanwhile can't raise food. So we can all feed  
13 our families. Makes no sense. Watch out for clowns, they're  
14 all bad.

15 (APPLAUSE)

16 MR. MURPHY: Good evening. Name is Scott Murphy,  
17 S-C-O-T-T M-U-R-P-H-Y. And I'm from Etna. I grow hay over  
18 in Etna. I used to have a small cow calf operation over  
19 there. And then I also have a liquid feed business as well.  
20 Mineral supplement. We do the same for cattle as what kind  
21 of like what pregnant women go through with their prenatal  
22 vitamins. We do the same thing for cows because those cows  
23 are what make us the living.

24 So I have also seen quite a bit of reduction of  
25 herds and so that is reflected on my business and of

1 providing with the mineral supplement.

2           One of the things that Erin was saying about the  
3 cannabis, it's grown to a point that we're disgusted with  
4 it. Growing up in Scott Valley over in Etna, we always had  
5 a little bit of dope that was being grown back up in the  
6 mountains of Forks of Salmon, Cecilville, Sawyers Bar. All  
7 that area. But it was grown by a bunch of hippies, thrown  
8 back from the seventies and everything. And we didn't  
9 really cotton to that too well, but I think we would all  
10 say that we could go back to having those hippies growing  
11 the dope in the mountains over there if we could get rid of  
12 all of that over in Big Springs area. And there was illegal  
13 activity going on over there too, but minuscule compared to  
14 what's going on now.

15           The other thing I want to bring up is - on your  
16 little field trip, if you get the opportunity to go out  
17 there, I invite you also to go drive through the Louie  
18 (phonetic) Ranch, the Old Louie Ranch or the Busk Ranch.  
19 Same place over on Louie Road. You'll be down in that area  
20 when you drive through there. That ranch was purchased by  
21 TNC Nature Conservancy several years ago. And after four  
22 years of their ownership, the water rights on that ranch  
23 reverted to the California Fish - I'll say it, Game and  
24 Game. It should be game not Wildlife. But anyways,  
25 essentially that ranch is dried up and it's star thistle



1 that's about that tall, it looks terrible. They don't have  
2 any water on it anymore. There used to be a big beautiful  
3 stone or brick house there and it's still there, but it's  
4 not as beautiful as it used to be.

5           There should be a nice green lawn there. There  
6 should be a swing set in the lawn with kids swinging on it.  
7 There should be irrigators out there pushing water across  
8 the landscape, growing grass for cattle. And it's not that  
9 way. Now if you go ahead and you go over down south a  
10 little bit further than that, the Mole Richardson Ranch  
11 (phonetic) was recently purchased as well. That water from  
12 Parks Creek is going to stay in the creek. They're going to  
13 dry up that ranch and it's going to look like the Louie  
14 Ranch. They also recently purchased the Miners Creek Ranch  
15 over in Scott Valley off of French Creek. And the intent is  
16 that that water is going to stay in French Creek also. It's  
17 going to turn it into a big old weed patch. And all those  
18 people that are downstream from that ranch are going to  
19 deal with those weeds, especially when it gets brought down  
20 by high flood water and it goes across our alfalfa fields.

21           It's going to make a mess. I don't support  
22 limiting the purchase of property through discrimination.  
23 But I do support keeping property in ag production. That's  
24 what pays taxes. So there's that right there.

25           Also, last year we were under an LCS. And I

1 followed my LCS right up until September one and shut my  
2 water off. This year I didn't have to have an LCS, but on  
3 August 30th, the morning of August 30th, I called Adam  
4 Weinberg (phonetic) up. I said, "Adam, I said, you probably  
5 ought to know that I shut my water off on August 30th. Last  
6 year it was September one." He said, well why'd you do  
7 that? I said, well Adam, we're not all a bunch of water  
8 mongers here. My crops don't need the water right now. I'm  
9 ready to dry down so I can go ahead and harvest my hay  
10 crops. So yeah, I could have kept irrigating, but number  
11 one, I didn't need to.

12 I had plenty of groundwater in the soil to go  
13 ahead and have those crops continue growing some more.  
14 Also, we're getting cooler at that time of the year and  
15 it's going to take longer for our crops to go ahead and  
16 cure once you've gone ahead and cut them to go ahead and  
17 get it raked and bailed and hauled off the field. We're  
18 done. And he couldn't understand that, you know, why did  
19 you do that? And the other perception that I get from a lot  
20 of the people that don't understand irrigation - let's say  
21 we're running 10 hour sets on these wheel lines. Well,  
22 we're not running 10 hour sets on these wheel lines all  
23 summer long. There are big periods of time when we don't  
24 have that water running at all because we want to dry down  
25 the crop, dry down the soil so we can go ahead and cure the

1 crop so we can get it off the field.

2           It's not always running. And I did just receive a  
3 letter via Scott Valley Irrigation District. I have a small  
4 pond, very small. It's probably an eighth of this room,  
5 that's in front of my house that was dug back in the '60s  
6 by Manuel Reyes, who's no longer with us, for fire  
7 suppression along East Side Road. Well it's in contest now  
8 with the State Water Board because I'm holding water. This  
9 was a deal that was done back in 1921 for us to go ahead  
10 and have that water because the ditch had to run through  
11 our ranch and it also separated us from about 27 acres of  
12 ground. The ditch did. So what happens? I'm deathly afraid  
13 of fire and so I do keep water stored in a water truck on  
14 my ranch with a pump with sprayers, hoses and everything  
15 else so I can go ahead and put out fires if I need to.

16           And I've had to use it a couple of times. So  
17 that's pond there is what we can draft water from. Now in  
18 the wintertime, is it a big problem to draft or to have to  
19 put out a fire? You're darn right. We have a lot of fires.  
20 We have a lot of flue fires and things like that. We have  
21 burn piles that do get out of control and the big wind  
22 comes up and might spark it off someplace. But if you water  
23 truck sitting there, you can go ahead and take care of it  
24 pretty easily. Now in the summertime, we have all this  
25 pressurized water now and so we can draft water off of the

1 main mainline in their irrigation systems to go ahead and  
2 fill water trucks pretty easily. But what happens when all  
3 of those water trucks are out on wildfires? Our arsenal for  
4 fighting fires on the valley floor isn't there anymore.

5           Thank God we've got a couple people like myself  
6 and Mark Johnson and Jimmy Johnson and people like that.  
7 The Dowlings that might have some water trucks hanging  
8 around still that we can go ahead and take care of our own  
9 when Scott Valley Fire Department can't get to us quick  
10 enough. They are a very efficient company though. Scott  
11 Valley Fire Department or yeah, fire department is. But  
12 what happens with our wonderful blackouts or rolling  
13 brownouts that Governor Newsom wants to place upon us in  
14 the middle of summertime and to turn our pumps off, how are  
15 we going to get that water? It's going to be from ponds  
16 like that that are in front of my house. And how many times  
17 has the other pond on my parents' house been dipped out of  
18 by CalFire and also Forest Service with the helicopters to  
19 go ahead and put on wildfires.

20           If I can save a neighbor's property or my  
21 property, go ahead, go to it. All my neighbors know that my  
22 truck is full of water all the time and the keys are in it.  
23 You don't have to ask me. I might not be around. I might be  
24 over here in Shasta Valley putting out mineral supplement.  
25 I don't need to be around, just turn the key on the truck

1 and take it and go put out a fire. That's the kind of  
2 community we have here.

3 But I do applaud you for coming up here to listen  
4 us. I appreciate that and I know you can check your box.  
5 Most of us that are sitting here today didn't travel down  
6 to Roseville. We can't hardly get away because we've got to  
7 sit here and take care of cattle and take care of crops.  
8 There are some of us that are able to go ahead and delegate  
9 that authority to others and to go down and speak with you  
10 people and God bless those people that do go down and to  
11 Sacramento and whatnot and talk to you guys. And as far as  
12 Zoom meetings and stuff like that, some of us have to run  
13 swathers and rakes and baylors and harrow beds, so we can't  
14 all participate in these Zoom meetings and get our work  
15 done. But thank you very much for making this opportunity  
16 for us.

17 (APPLAUSE)

18 MR. MEAMBER: My name's Don Meamber. D-O-N M-E-A-  
19 M-B-E-R. Thank you for coming up and listening to what we  
20 had to say. My wife pretty much said the history of our  
21 ranch going back into the 1800s when they owned the area  
22 that the town of Montegue is in or half of it. My ranch, we  
23 irrigate out of the Shasta River south of town and we also  
24 get water from the Montegue Conservation District and we  
25 recycle every gallon of water, tries to run off the ranch,

1 keep it out of the stream. And we also have 178 acre foot  
2 storage reservoir built by the state and federal funding to  
3 store the City of Montague's wastewater, which we recycle  
4 also.

5 I've always been kind of interested in  
6 restoration of the river and got involved with the RCD  
7 during that time and as a result I got awarded a plaque and  
8 a framed certificate from the Klamath River Basin Fisheries  
9 Task Force and then from the North Coast Regional Water  
10 Quality Control Board for what we did.

11 One topic I haven't heard mentioned at your  
12 meetings is since you're only thing I can think of with  
13 this, trying to get more water in the rivers, trying to  
14 help the fish water's one thing, but the quality of the  
15 water is another thing and you haven't said anything about  
16 the survival of the smolts that leave the system and the  
17 time that they leave in the spring, it's the Chinook zero  
18 plus. They were just born that spring. They leave early in  
19 the spring and so do the one plus Coho, but the river  
20 doesn't get challenged for having enough water for them  
21 when they leave earlier than when the river gets low. But  
22 the only thing I've seen is when everybody turned on the  
23 irrigation the same day and impacted the river. And that  
24 happened, I think it's back in the 1920s once and I saw it  
25 one other time, but that's the only other time say that I

1 think the river getting too low was injurious fish.

2 But what is injurious to the fish is once they  
3 get into the Klamath River, it's pretty safe in the Shasta  
4 and Scott. The Klamath River's got the polychaete worms and  
5 a couple diseases, Parvacapsula, Ceratonova (phoetnic)  
6 Shasta that are diseases that kill. I haven't seen any  
7 studies that estimate the number, but from when I was on  
8 the RCD Board, the Fish & Game used to come to the meetings  
9 and with information about finding all the dead fish are  
10 the very, very sick fish in their screw traps where they  
11 trapped them and must, it sounded so bad. It must be 80  
12 percent death rate in the Klamath River. I may be wrong,  
13 but it sounds bad.

14 And then I've always wondered, is there anything,  
15 any kind of management that could be done to be deadly on  
16 the p lolycheate worms? They don't seem to be doing  
17 anything about it, but I just heard a story a few days ago  
18 that they think when the dams come out that the gravel's  
19 going to get tore up more and maybe kill them. But of  
20 course I don't support dam removal. And also I think that  
21 the river being kept low or kept so full all summer is  
22 helpful to the worms to survive. And it's like when I got  
23 married in '68, we were up above Copco Lake and out in  
24 wading in the Klamath River almost. We were out in the  
25 middle of the river and it was a lot lower than it is now.

1 The Bureau of Reclamation is keeping the river so much  
2 fuller. I have to think that that's probably helps these  
3 predators of the fish survive. So I think if this whole  
4 thing of getting more water in the Shasta is a wrong way to  
5 go, not hurting the fish for the river being lower than  
6 what you guys want, but the Klamath River is too full.  
7 They're putting too much water down there. They need to  
8 dump more in the wintertime and use a lot more for  
9 irrigation. And anyway, those are my thoughts on it and  
10 thank you.

11 MR. HARRIS: Hello, my name's Jess Harris. J-E-S-  
12 S H-A-R-R-I-S. I want to ask this question, what  
13 constitutes an emergency for our area? What are the  
14 parameters? Who declares it? Obviously Newsom declared this  
15 last time and then kept us under it without any familiarity  
16 of the area. And I believe that local input needs to be  
17 applied here. I think that that should be a Board of  
18 Supervisors decision and then obviously coordinated with  
19 the state programs. And I don't believe any regulations  
20 should be applied until a standard is created for  
21 determining what an emergency declaration needs to look  
22 like. Our Governor doesn't have the knowledge to know when  
23 we're in water emergency, neither does the State Water  
24 Board. These folks that deal with the water, they're the  
25 experts in their field because they're the boots on the



1 ground. They're the ones that are dealing with this stuff  
2 on a consistent basis and they need to be part of what  
3 constitutes, hey, we're under an emergency situation and  
4 then be able to work with the agencies, not be lorded over  
5 by the agencies.

6           The other thing is, are we going to be under  
7 emergency regulations forever to fit these biased desires,  
8 whether it be tribes or environmental groups? At what point  
9 does this emergency regulation end and who's, who's  
10 responsible for these stream flows? Is it just agriculture?  
11 You've heard a ton today about illegal cannabis. That's a  
12 huge deal. Like I've said time and time again, I've been in  
13 the middle of that stuff.

14           You've heard some about the chemicals. One thing  
15 that I don't think I've heard today is I've physically  
16 witnessed chemical tests out in the field in those grows  
17 and watched them come back positive for nerve agents. So  
18 going back to some of the things you've heard about water  
19 quality, what are we looking at for water quality? It  
20 doesn't matter how much of it you have, if it's poisoned,  
21 correct, and so these are issues that need to be addressed  
22 before you start worrying about flows.

23           The other thing is the flow rate that is being  
24 recommended here. It's kind of funny to me because look at  
25 the flow rate. So when they anticipate taking out the dams,

1 they anticipate having the Fall Creek Hatchery in place. I  
2 would encourage you guys to look at the estimated flows on  
3 that little creek that they're anticipating fish making it  
4 up, and then look at that in comparison to what they're  
5 asking for here because it's crazy. Probably not even 10  
6 CFS up there. That would be a pretty steady creek up there.  
7 So I encourage you guys to really look at that.

8           The water, and I'll say it again, the water's  
9 being stolen out in front of agriculture on here. Dwinnell  
10 was built by agriculture. It was put together by  
11 agriculture and between Dwinnell and where these folks are  
12 getting their water, that water's being taken out in front  
13 of them and poisoned out in front of them at the same time.  
14 And then the crackdowns happen to happen on agriculture,  
15 which is not fair to them. I think that the illegal  
16 activity needs to be fixed first and then let's do a more  
17 updated study on what's going on with the stream flows and  
18 see where we're really at.

19           I'll say it again. I believe that this is a  
20 discriminating issue. It's against one group of people and  
21 there's a whole lot of people that need to be looked at in  
22 this situation. And it can't just be the people that you  
23 know that are going to comply with what you're wanting to  
24 do or the people that are going to want to work with you.  
25 You have to take a look at the people that are breaking the

1 law and circumventing all of the legal processes here.  
2 These folks understand conservation up here. We're all  
3 hunters, fishermen, folks here in agriculture. We want the  
4 best for this land. We want things to be at their optimum  
5 levels. Nobody wants to see the fish go extinct. Nobody  
6 wants to see any of our critters up here in bad status, but  
7 we need to look at the whole picture too.

8 I heard somebody in the first session talk about  
9 an ecosystem. Well, yeah, it's the whole watershed and we  
10 have to protect the whole watershed, not just one specific  
11 species that we'll want to look at. You look back years ago  
12 and it was the Sucker fish. Well now they don't care about  
13 sucker fish. Sucker fish doesn't care. The salmon's more  
14 important. And then are we going to create the same issue  
15 that we had with the spotted owl and forestry? This  
16 decision, when you're just focusing on the salmon, you're  
17 missing all of the other science that goes into all this.  
18 They missed it with a spotted owl. They screamed and they  
19 cried about the spotted owl. We got to stop logging, we got  
20 to stop logging. And then fast forward to present day and  
21 now all of the woods are burning up. There's no habitat for  
22 the spotted owl, anyways. We created our own catastrophe  
23 and I feel that by setting regulations without having the  
24 full picture, we could be running into the same thing  
25 again. And we really need to take a 30,000 foot approach

1 from this, not just focus on what the special interest  
2 groups and the tribes are bringing before the water board  
3 and the staff. I mean, I get it. They have something that  
4 they're focused on, but that doesn't mean that it's  
5 correct.

6 I think that we need to really look at the  
7 studies and the science that are being used to set these  
8 flows. I talked earlier about I believe that they need to  
9 be third party, not anything that can potentially be  
10 biased. How recent is the last Thrush McBain study and what  
11 are you guys using? Is that what you guys are using? How  
12 accurate are they?

13 Again, back to who's doing these studies, and  
14 I'll reiterate over and over again. Money buys science  
15 today and we have to acknowledge that. That's not going to  
16 go away. And then the State Water Board needs to be an  
17 oversight element here, possibly a mediation element. But  
18 this community needs to be allowed to work this out, come  
19 together, use the knowledge that these folks have, whether  
20 it's the ranchers and farmers, it's the tribes, it's the  
21 people that are sole focus or if the fish. They need to be  
22 allowed to collaborate and bring before you guys, Staff the  
23 State Water Board goals. We need goals, not restrictions.  
24 The regulations - it's not bending anybody. It's not. It's  
25 not allocating water where it needs to go. Talking back

1 about the fish, so you guys set the regulation for the  
2 flows during an emergency time. Okay, the waters poison,  
3 the fish die anyways. We need to work together and come up  
4 to a solution. Setting regulations is not solutions and  
5 thank you guys for your time.

6 MR. JOHNSON: My name is Tim Johnson. It's  
7 spelled like it sounds. My family came to Scott Valley in  
8 1868 and I'm not even going to go into the 30 percent cut  
9 because we all know what that did to our crops.

10 So I'm about the winter stock water. So for  
11 generations we have what soon as the creek started running  
12 in the winter, we have dumped water to the top of our ranch  
13 and it fills our whole ranch and four ranches below us,  
14 clear to the Scott River. And by doing that we can actually  
15 use less water through the summer because our aquifers are  
16 full. We haven't been able to do that in the last few  
17 years. So I mean late in the summer last year we were short  
18 on feed. We had to sell cows. Then with I guess the  
19 curtailment also, normally after our last crops are off,  
20 we'll make a pass of water across our fields and that'll  
21 give us more pasture into the fall.

22 We weren't able to do that because our thing said  
23 we were to shut off September 1st and we did. We followed  
24 it to the letter. But by doing that, we didn't get our fall  
25 feed off of our hay fields either. So we started feeding

1 hay a month and a half early, \$300 hay and we couldn't  
2 afford that. So that brought us to sell cows and when they  
3 were worth nothing. Now they're worth a lot. I wish we had  
4 those cows back.

5 So for 150 years that's worked for us and now  
6 somebody thinks that it can't work anymore, but it does. So  
7 this summer last year we were under curtailment, 30  
8 percent. And the river was dry for two months. I don't know  
9 how long, but this year we weren't under curtailment. The  
10 river was dry for four days. And it's just all has to do  
11 with how much water we get, how much rain we get. If it  
12 gets cold, the trees shut down. The farmers don't take the  
13 water. It's all the trees in the brush when it gets cold,  
14 the trees in the brush shut down from taking water, the  
15 river runs. That's just how it works. It always has and  
16 that's how it's it. It's not the farmer taking the water  
17 that's robbing water out of the creeks. Thank you.

18 MS. SWEEZEY: So Lauren Sweezey, it's L-A-U-R-E-N  
19 S-W-E-E-Z like zebra, E-Y. And I'm here for myself. I'm not  
20 here representing AGWA. I'm giving you the good news about  
21 the fish are here.

22 So the Department of Fish and Wildlife recently  
23 sent out a report on October 23rd and 945 adult Coho have  
24 passed the weir at gauge mile - gauge 18. That's really  
25 good news and that's way above average for a traditional

1 year of water. This has been a great year for water because  
2 God gave us a lot of water. He gave us a fantastic snow  
3 pack. Scott Valley, I'm not talking about Shasta Valley.  
4 Scott Valley is filled with nature's water. We have no  
5 reservoir as you know. We have no on off switch. It's what  
6 God gives us. And man, he gave us great water this year. So  
7 recently I started counting fish for Fish and Wildlife as a  
8 volunteer. I'm out on my river stretch, which is a mile and  
9 just about two tenths counting fish twice a week. And  
10 you're not just counting fish when the fish die, you cut  
11 them up, you grab scales, tissue, a little bone out of  
12 their forehead.

13           You measure them, you determine if they've  
14 spawned or not. And it's all recorded in given to Fish and  
15 Wildlife. So if we were to follow the new petition flows,  
16 it would look like this in the river. Currently - I started  
17 counting fish about four weeks ago. It started at about 50  
18 CFS. And one CFS, as you all should know, is about seven  
19 and a half gallons. So according to the emergency  
20 regulation that we had been under for - let me get the  
21 right month for October, we would've been required to have  
22 40 CFS in the river in order to do any stock water, not  
23 irrigation, but use for watering. It was 40 CFS and we were  
24 at 50 to 61. Today was 61 under the tribe's proposal and  
25 their petition, they want 139, we don't need 139. I have

1 video after video of beautiful, healthy, strong salmon in  
2 the river spawning.

3           They're not terribly scarred. There's no belly  
4 scraping spawning, which actually is a natural process for  
5 them to spawn, but there's plenty of fresh good water and I  
6 will show anybody at any time these videos. Recently there  
7 was a male salmon that came in 90 centimeters. Huge big  
8 fish, female carcass that I recently measured, 74  
9 centimeters. Why such big fish? Could it be anything with  
10 there's no fish getting caught in the nets right now. Are  
11 there too many big fish being caught normally on other  
12 years when they're not prohibited to fish? I don't know.  
13 I'm not that kind of fisherman. But it kind of makes sense  
14 to have these gigantic fish in the river right now when  
15 they can't fish. The commercial fishermen can't do it. So  
16 maybe that needs to be looked at if you want to have more  
17 population for the Chinook and spawning. What is being  
18 taken and when and why. Maybe there should be a little bit  
19 of regulation on that. Just another thing to look at.

20           And any of you that would like to come out on a  
21 Monday or Thursday when I'm counting fish, I'll probably  
22 have you take some samples of some tissue and scales and  
23 then at the end you have to cut them in half so nobody  
24 accidentally counts them twice. I maybe will let you do  
25 that too, but truly it's so exciting you guys. We have



1 plenty of good fresh water and we don't have these  
2 unreachable high standards of CFS that's necessary in the  
3 winter or excuse me, in the river from what the tribes are  
4 petitioning for right now. It's 61 and it's amazing. When I  
5 first started counting fish it was 50 and it was still  
6 amazing. It was so amazing. I sent that video to you for  
7 the flow call and I love to be joyful about the fish coming  
8 and I have been for over 43 years and I'm going to keep on  
9 doing it and I think we can all come to a reasonable  
10 amount.

11           The emergency regulation right now, we would be  
12 meeting and then some each time. Doesn't need to be an on  
13 off switch in how we're looking at this. It needs to be  
14 water year and I am referring to if you need to have  
15 regulations and curtailments, it needs to be looked at by  
16 water year and what is truly going on in Scott Valley.  
17 That's what I'm talking about is Scott Valley and I  
18 apologize, Shasta Valley, I don't know enough about your  
19 side of the mountain to put out a good case. Maybe you have  
20 beautiful salmon coming up also, but I know right now in  
21 the Scott it's amazing. That's all.

22           MS. COOK: Good evening. My name is Angelina  
23 Cook, A-N-G-E-L-I-N-A C-O-O-K. I want to thank you for  
24 making the time to be here tonight. I know sometimes it  
25 looks like you're checking the box, but at least you're

1 checking the box and you're actually engaging the diverse  
2 interest. Who will be impacted by this decision? I live in  
3 McCloud and for the past 20 years I have been working to  
4 protect and restore ecosystems in Mount Shasta's  
5 watersheds. The reason I've dedicated my life to watershed  
6 stewardship is because intact ecosystems are necessary to  
7 support all life. And when it comes to watersheds,  
8 literally everyone is a stakeholder, landowners and renters  
9 alike locally and downstream. Tonight I'm commenting on  
10 behalf of California Sport Fishing Protection Alliance and  
11 I'd like to represent the interests of a group that isn't  
12 here tonight. And those are the interests of fishing  
13 communities downstream, I've heard multiple comments  
14 questioning the Water Board's concern about current fish  
15 populations and what might constitute emergency flow  
16 status. And in my estimation -

17 (COLLOQUOY)

18 So evidence that current water use practices are  
19 harming fish locally and throughout the state is this  
20 year's closure of the entire salmon fishery. There are a  
21 multitude of fishing communities downstream along  
22 California's coastal reaches of the Klamath Basin that have  
23 been completely shut down all year. They have not received  
24 compensation. They did not get to harvest one or two, much  
25 less three or four crop rotations. And 2023 was not the

1 first year that they have been completely shut down.  
2 Millions if not billions dollars of revenue, property  
3 taxes, retail sales and livelihoods have been lost to this  
4 year's fishing family - have been lost to this year's  
5 salmon closure. And these fishing families downstream have  
6 every right to flourish as Siskiyou county residents do.

7           While I absolutely support the legitimate rights  
8 of and ranchers local to grow food, support families and  
9 generate livelihoods, the Water Board and Siskiyou County  
10 must accept that water rights were allocated during much  
11 wetter times.

12           We are teetering at the brink of keystone species  
13 extinction, and society cannot continue to enable unlimited  
14 unmonitored industrial scale uses of water. Efficiency  
15 measures that have been implemented have proven  
16 insufficient. I'm sorry. Farm efficiency measures have  
17 proven insufficient to address the challenges that drought  
18 and warming temperatures present to communities today.  
19 Voluntary actions have also proven insufficient to ensure  
20 that all critical reaches of river remain wet during salmon  
21 migration season. The Sustainable Groundwater Management  
22 Act has made some progress in generating some science and  
23 local agreement that groundwater regulation is required to  
24 ensure that domestic wells don't go dry. But SGMA does not  
25 seem to be doing much to encourage conservation or

1 reintroduce species that can help recharge aquifers  
2 meaningfully like Beaver. And so SGMA is as a step, but  
3 it's not going to get us to the point we need to be at. I'm  
4 heartened by the comments in this and the earlier session  
5 that acknowledge the importance of intact ecosystems by  
6 encouraging regulation of all water users, including  
7 cannabis growers.

8           In order to mitigate drought, revitalize  
9 endangered species, and stabilize water availability for  
10 the agricultural community, Siskiyou County needs basic  
11 laws such as minimum instream flow requirements that will  
12 assist local water users in adjusting to reasonable use of  
13 water under current conditions. Thanks again for your time.

14           MR. DOWLING: It's Smokey Dowling, S-M-O-K-E-Y W.  
15 D-O-W-L-I-N-G. Just a quick question for the Board. Do you  
16 know what communists use to light their houses before they  
17 use candles? Electricity.

18           (APPLAUSE)

19           MS. MICHELE JOHNSON: Hi. My name is Michele  
20 Johnson. It's spelled M-I-C-H-E-L-E J-O-H-N-S-O-N. And I  
21 wasn't here when you guys first started, so can I get your  
22 names and positions on the Water Board, please?

23           (OFF MIC COLLUQUOY)

24           MS. RAGAZZI: So good evening. I'm Erin Ragazzi.  
25 I'm an Assistant Deputy Director in the Division of Water

1 Rights at the State Water Board.

2 MS. MICHELE JOHNSON: Okay.

3 MR. EKDAHL: I'm Eric Ekdahl. I'm the Deputy  
4 Director for Division of Water Rights at the State Water  
5 Board.

6 MR. DUTTON: Hi, Phillip Dutton. I'm a program  
7 manager at the Division of Water Rights.

8 MR. EKDAHL: My name is Zach Zwahlen. I'm the  
9 supervisor of Instream Flows Unit.

10 MS. MICHELE JOHNSON: Thank you guys. I just  
11 wanted to make sure that I knew who I was talking with.

12 There's a couple of different things that I'm  
13 kind of taking from a different route here. Siskiyou County  
14 is not a wealthy county and we do not receive tax dollars  
15 from our cannabis at all. We receive tractor supply stays  
16 in business because of them. That's about it. That's the  
17 only good thing that they have brought or money-wise to our  
18 county. Our county is over 60 percent federal owned by U.S.  
19 Bureau of Land Management, Department of Fish and Game,  
20 whoever owns whatever else. And then also we have  
21 reservations, our land, all of that is non-taxed land. We  
22 receive federal government funding from the federal  
23 government, not the State of California, pretty much a  
24 dollar per acre on federal funding, which is we have like  
25 \$2.12 million, something like that we receive as a whole

1 county to help supply and help keep our federal lands  
2 going.

3           Our non-tax reservation lands, we do not receive  
4 money from the State on that. We have to apply for federal  
5 monies to help our schools, our local - all of our local  
6 education agencies have to apply for funding to help  
7 supplement the funding we would receive normally in  
8 property taxes. Every person who owns a average \$225,000  
9 house in Shasta and Scott Valley pay an average of \$1,500 a  
10 year in property taxes. So that is just for a single family  
11 residence. When you take ranchers who own land, who own  
12 multiple acres and stuff like that, they pay a lot more in  
13 property taxes. And I don't have the number because I  
14 forgot my paper at home, that said how many ranches, how  
15 many irrigated land acres, how many farmable acres Siskiyou  
16 County has. But once you figure that out, the money  
17 produced in Shasta and Scott Valleys from property taxes is  
18 immense.

19           Okay. We help support our county, local county  
20 schools, government, et cetera, et cetera through our  
21 property taxes. There's not a lot of additional funding  
22 that helps out Siskiyou County. So when you take 30 percent  
23 of our water, 30 percent of our profits, we still have to  
24 pay the same in property taxes for everybody. Okay? We're  
25 not getting, oh, well 30 percent off your property taxes

1 then. So just consider that, keep that in mind also.

2           With what all we've lost already, along with what  
3 we still have to pay just to own what we own. And these  
4 people work hard. They pay their taxes, they do everything  
5 they can to make sure their kids go to school, make sure -  
6 or homeschool or do whatever they do. I'm just trying to  
7 really put it out there that these people work hard, pay  
8 their taxes and Siskiyou County is what it is because of  
9 that. As far as the federal government land and the  
10 reservation land, we still are reliant on the federal  
11 government for that, not the state. The state does not come  
12 through and help us at all. So just keep that in mind  
13 please. Thank you.

14           MS. THEO JOHNSON: Good evening. My name is Theo  
15 Johnson, T-H-E-O J-O-H-N-S-O-N. And I was at the earlier  
16 session today, so I've heard a lot of the frustration that  
17 you've heard from the residents and the people who are  
18 going to be living under these regulations.

19           And I had about four ideas that I think you could  
20 turn it around in people's minds and help them have some  
21 faith that this is - that you're sincerely trying to do  
22 something good for fish and good for our aquifer. But the  
23 one thing I'd start with is actually about - I would ask  
24 you to go back to your Board Members and ask them to come  
25 to a listening session here. I think it's important that

1 they come. They're the decision makers that are going to  
2 take a vote on something that could make or break us here.  
3 The second thing I would ask you to do to show us that this  
4 is really about fish and really about promoting a healthy  
5 aquifer, and I'm speaking for Scott Valley.

6 I'm a Scott Valley rancher. Not speaking for  
7 Scott Valley. I'm speaking about Scott Valley. I would say  
8 focus your next regulation on tributaries and reaches of  
9 the river where fish really live. So focus your regulations  
10 on the timing and location that's important to our fish  
11 populations, unlike the 2022 regulation. We have a lot of  
12 data in Scott Valley on fish migration rearing and  
13 escapement, and we also have a lot of flow data and we're  
14 working on getting more and different tributaries and  
15 different reaches of the river. We shouldn't be basing our  
16 regulation on the USGS gauge way down river where it's just  
17 not relevant to the fish lifecycles. We can come up with  
18 reasonable and achievable expectations for different  
19 tributaries and different reaches of our river that are  
20 meaningful. The second thing I would say is let us do  
21 recharge. Let us recharge our aquifer in the winter. In the  
22 spring when water flows are abundant, we don't necessarily  
23 have a water quantity problem. You've heard this before, we  
24 have an occasional water timing problem.

25 On that note, one of our timing problems, lately,



1 has been related to getting our fall Chinook run into the  
2 valley, and that is largely due to delay the fall rains  
3 that we've been experiencing in three of the past five or  
4 six years. This year we've had some delayed rains, but we  
5 had good enough flows to get the Chinook in and that's been  
6 great. But, if you could give us the chance to use the  
7 Scott River Water Trust to do some water leasing in the  
8 fall to leave some stock water in the river, that would be  
9 one example where you showed us that this was really about  
10 fish and the needs of those fish and not just punishing  
11 regulations designed to put us out of business. So thank  
12 you.

13 (APPLAUSE)

14 MR. SWEEZEY: Good evening. My name is Paul. Paul  
15 Sweezey, S-W-E-E-Z-E-Y. Sorry about my voice. I just wanted  
16 to share a couple of observations that I've had about the  
17 Scott River. I've lived in Scott Valley since 1969. And I  
18 was a kid and back in the late sixties and early seventies  
19 there was very little groundwater pumping in the valley  
20 there. And I witnessed our property is quite a few miles up  
21 from the gauge we're about even with the town of Etna and  
22 the river used to disconnect back then in the early  
23 seventies. There was surface irrigation in the spring and  
24 early summer when it was available. And after that there  
25 was no irrigation. The wells that were in Scott Valley were

1 shallow. There was very little deep water aquifer pumping  
2 and the river still disconnected.

3 I'm not really an old timer in Scott Valley and  
4 there are a lot of old timers in this county that have  
5 witnessed the exact same thing way further back than what  
6 I'm telling you about right now. So that's just an  
7 observation that's real. I would swear under oath to it.  
8 But that is how the Scott River works. When there's a  
9 snowpack, there's water through the summer and into the  
10 fall. When there's a drought and no snowpack, the river  
11 disconnects. It's the way it works. It always has its  
12 mother nature.

13 The other thing I would like to say is - so I  
14 don't know the numbers off the top of my head, but the  
15 flows that the tribes are asking for in the petition are  
16 unobtainable. I mean, it's just not going to happen whether  
17 there's any pumping, whether there's any surface  
18 irrigation, it's just not going to happen. It's not  
19 realistic. And I hope there's a lot of data and I hope the  
20 data will prove that. And I think it will. But I think with  
21 reasonable flows, we can all make it work. I don't believe  
22 that any species of salmon that have been around for  
23 hundreds to thousands of years are going to go extinct this  
24 year or next without the intervention of a group of people  
25 managing the water. I don't feel that's going to happen.

1           So I'm a farmer in Scott Valley, have been for  
2 over 50 years and the last 10 or 15 years, we've had a  
3 target on our backs. And I just - the Scott River Basin is  
4 about, and I know you guys know these numbers, but it's  
5 about 300,000 acres. The amount of irrigated ground in  
6 Scott Valley makes up about 30,000 acres. So it's less than  
7 10 percent. Why aren't we looking at upland management?  
8 There's gazillions of trees sucking up water before it ever  
9 gets to the valley floor. So it's just seems like something  
10 that should be focused on. Thank you.

11           MR. WALKER: Hello again. Ryan Walker, R-Y-N  
12 (SIC) W-A-L-K-E-R, Siskiyou County Farm Bureau. I just  
13 wanted to thank you once again for coming out. I hope we're  
14 kind of winding to an end here. And I think one of the  
15 themes that I'm sure you'll take back to the Board is that  
16 there's a lot of frustration. And I know there's  
17 frustration on all sides and I know there's frustration  
18 even among the staff trying to get your hands around this.  
19 I do - as we move into this next stage of emergency  
20 regulation, there's one point I think that should be  
21 addressed. And that is that what started out as an  
22 emergency regulation under a drought that was an extreme  
23 drought is now an emergency regulation under a normal water  
24 scenario. And that's kind of weird. And we're probably not  
25 overly happy that the Governor's emergency declaration is

1 still in place when we've had by all terms a good water  
2 year.

3 But I just hope that as the new e-regs are  
4 developed, it is contemplated. We might have a good water  
5 year. It is contemplated we might have a normal water year.  
6 It's contemplated we could have a drought water year. And  
7 there needs to be some contemplation of water year type in  
8 the regs, especially when it comes to the LCSs is. And we  
9 don't know what the year's going to be like when the 2022  
10 regs were put in place. Everyone kind of said we're in an  
11 extreme drought and 30 percent LCS makes sense and 30% LCS  
12 no one would've bought into this year because the risk  
13 benefit in that just made no sense. And so I just hope as  
14 you're developing, modifying the 30 percent LCS, developing  
15 new LCSs, thinking about flow targets, I hope that we  
16 contemplate that we are kind of in a new paradigm here and  
17 in a perfect world, we not be working under the drought  
18 regulations. And we'd have a much more thoughtful process.

19 That's not where we're at. But let's not make bad  
20 decisions just because we're not in a full CEQA  
21 promulgation or better yet legislative scenario where our  
22 representatives might bring various thoughts into it. So I  
23 just bring that up and I hope that water year type is  
24 something we can move in just as we move into getting into  
25 more nuanced flow gauging instead of just these bottom

1 gauges. And then thanks again. I hope that you'll keep in  
2 contact with the community as we continue to move forward  
3 on this process.

4 MR. FAWAZ: Hi, Brandon Fawaz, again. B-R-A-N-D-  
5 O-N. Last name "F" as in Foxtrot, A-W-A-Z.

6 I'm not going to rehash or reiterate what I went  
7 over earlier, and I'll try to be a little bit briefer here  
8 in this evening's session. I just had a couple of thoughts  
9 occur to me and without reiterating or echoing what Ryan  
10 Walker just had to say - that a couple thoughts have popped  
11 into my head.

12 One, something I think that the ag community is  
13 very concerned about right now is that we seem to have a  
14 joint sense of cooperation both between our tribal  
15 neighbors and the ag community that hasn't probably been  
16 seen in years past for sure. But we're pretty scared of the  
17 speed of regulation happening at a pace that outpaces the  
18 speed of permits and projects. And then we would fall to a  
19 casualty in that process if we have to make immediate cuts  
20 or things of a regulatory nature while we feel there are  
21 solutions that are staring at us in the face, but oh, that  
22 takes too long to be permitted, or oh, that agency will  
23 have to sign off and then we could do that.

24 In our world, we hold our water rights and our  
25 ability to pump water as our reasonable right to use under

1 the law and would look at the fact that if something's  
2 going to be changed there, we can't operate the way we've  
3 always operated, then the state shouldn't be able to  
4 operate as they've always operated with the permit process  
5 being slower. So as things develop and we come up with  
6 ideas that seem new and different, that could possibly work  
7 for everyone. There's a lot of projects that have been  
8 thrown out and we've discussed that are not extremely  
9 argumentative, but it always looks like that's a one, two  
10 or five year process. And if we're in an emergency state  
11 that things cannot wait for that long of a process, then we  
12 want to reemphasize the point that the solutions - all the  
13 solutions cannot wait for that length of time.

14           And something else that comes to my mind is that  
15 earlier it was said, well, it's time that we pay the piper.  
16 I didn't borrow from the piper. And so I want to be part of  
17 the solutions. And I think one thing that we in ag are  
18 guilty of is we've been too efficient along the way. I've  
19 been involved in meetings along the way and we keep saying,  
20 well, if you do this, it won't work for us. But yet here we  
21 still are today.

22           I got to say we've cut a lot of the fat out at  
23 this point in time. That it's getting more serious. I never  
24 thought I would see people come together like a couple  
25 years ago the way it happened and reduce their water even

1 prior to the regulation being fully adopted when there was  
2 a voluntary effort in Scott Valley, and I'm speaking more  
3 to Scott Valley. Shasta Valley with their issues,  
4 definitely had cuts where people didn't make it and sustain  
5 through the past years. And I don't want to see that happen  
6 in our valley. This area is designated as a socio  
7 disadvantaged community. You've heard me talk before that  
8 I'm on our city council and I'm on our unified school  
9 board. We keep losing working class jobs. There's 10 to 12  
10 people that depend on me for a paycheck, a roof over their  
11 house and to live in our community.

12           If we lose more of those working class people and  
13 we lose any more students at our high school, like I said  
14 before, we lose the ability to have an English teacher  
15 under (indiscernible) grade level. This is our community  
16 where we raise our children and where we don't want to see  
17 it shrunk anymore. Our local City of Etna, the entire city  
18 has a budget of right around a million dollars or a few  
19 dollars less. And we're struggling because we've seen it  
20 important to have an ambulance service so that if someone  
21 gets hurt, they're not waiting over an hour from an  
22 ambulance from Yreka. We're not in Sacramento. Things and I  
23 appreciate you coming up here. I'm not trying to take any  
24 cheap shots at you for that at all whatsoever. But things  
25 are so drastically different here that if you're not

1 immersed in living in the life here, it's not something  
2 that I can easily portray in a few minutes.

3 My wife was from the East Bay, out of Walnut  
4 Creek when I met her, and when she first came up here, she  
5 couldn't believe how we lived and how things were so  
6 different. And we liked that, but we're not opposed to  
7 making some changes and doing things that help, but like I  
8 spoke about earlier, we can only be responsible for our  
9 piece of the pie. So thank you.

10 (APPLAUSE)

11 MS. RAGAZZI: Any other comments? It's okay to  
12 end with Brandon if you want to. I'm not. Okay.

13 UNIDENTIFIED FEMALE SPEAKER: Can you discuss  
14 next steps?

15 MS. RAGAZZI: Yes. Thank you for that. Next  
16 steps.

17 So I expect that the Board will be putting out -,  
18 Board Staff will be putting out, I should say Staff will be  
19 putting out a preliminary draft regulation. So we're  
20 synthesizing all of the information we've heard since the  
21 regulation adopted and even before the regulation adopted  
22 over the past year. And we'll be putting out a preliminary  
23 draft regulation. I want to emphasize preliminary. That  
24 means it's staff's ability to put out something to get  
25 feedback. So it really is an opportunity for us to hear



1 comments and get feedback on what is in that proposed  
2 preliminary draft. It is not a final and the comments are  
3 going to be really important in helping shape what we bring  
4 to the Board. We've been told to come back to the Board no  
5 later than December 6th. So I expect in the next week or so  
6 that preliminary draft regulation will be released.

7 We've had preliminary drafts released in the  
8 past. So we normally will have a public meeting associated  
9 with that preliminary draft where we can go through what it  
10 is proposing, what the changes are from the last version,  
11 answer any questions and then receive comments on that  
12 preliminary draft. Any comments we don't receive at that  
13 meeting, it's fine. There'll be a comment period so people  
14 can send in an email with additional comments after the  
15 fact as well. That meeting will be a virtual meeting, I'm  
16 sure because of the timeline we're on and the ability to  
17 reach a very wide amount of people at the same time. And so  
18 -

19 UNIDENTIFIED MALE SPEAKER 2: I can't believe is  
20 you think you have this power over us. Who gives you this  
21 power over all of us?

22 MS. RAGAZZI: I don't feel that I have power over  
23 you. The question was -

24 UNIDENTIFIED MALE SPEAKER 2: Yes you do. You  
25 shut us down, take our water, take our property.

1 MR. EKDAHL: Alright, we've been asked for next  
2 steps and if we're going to devolve into yelling and  
3 fighting, I think we're done. We'll talk about next steps  
4 separately. Thank you.

5 UNIDENTIFIED MALE SPEAKER 2: I'll be done.

6 MR. MURPHY: I do have a question and that is  
7 how, okay, you said -

8 MS. RAGAZZI: So just really quickly.

9 MR. MURPHY: Scott Murphy.

10 MS. RAGAZZI: So yeah, he's still transcribing.

11 MR. MURPHY: S-C-O-T-T M-U-R-P-H-Y. So you said  
12 preliminary, which means changes can be made after the  
13 preliminary regulations. The avenue that we're going to go  
14 down based on how you see you can do that. So our water  
15 content in those mountains starts basically now and goes  
16 all the way until, I don't know, our last snow for the  
17 season last year was probably in April.

18 (OFF MIC COMMENTARY)

19 June. In the mountains. In June. In June.

20 MS. RAGAZZI: But the measurement.

21 MR. MURPHY: So we don't even have an inventory  
22 of the water that's going to be available for that next  
23 irrigation season. So how can that be done? What if we have  
24 an abundant water season again this year, which I hope and  
25 pray we do, but you know what I'm talking about, Eric. How

1 can you say you're only going to get this much water?  
2 You're going to be held to 30 percent on the LCS and yes,  
3 there's going to be curtailments on the surface water.

4 MS. RAGAZZI: So I think those are great  
5 questions for us to talk about when we have a preliminary  
6 draft to speak from.

7 MR. MURPHY: Okay.

8 MS. RAGAZZI: Because hopefully some of that will  
9 be incorporated into a preliminary draft or those questions  
10 can be answered as part of looking at what the preliminary  
11 draft is and how that might play out if they were adopted  
12 by the Board and in place.

13 MR. MURPHY: Because as a hay grower, I can't  
14 sell next year's hay because it's not even been grown yet.  
15 I don't know what my inventory is going to be. So it's  
16 difficult for us in that sense.

17 MR. EKDAHL: And if it is another wet year like  
18 this last year, there were no curtailments. At least in the  
19 Scott because it was a wet year. And so even if we just,  
20 and I'm not saying that we will, but even if we just carbon  
21 copied from last year, if you had a similar water year, you  
22 wouldn't be curtailed because there'd be sufficient water.

23 So we want feedback, we want to put it out. We  
24 probably will ask some specific questions even in putting  
25 out the preliminary draft.

1           MR. MURPHY: And so the preliminary can be  
2 considered a just in case?

3           MS. RAGAZZI: It can be considered. Okay, a  
4 preliminary draft is if we took it to the Board that day,  
5 that would be what we were taking to the Board. Except I  
6 think that we will be more apt to put things in that we  
7 might not even take to the Board because we want to see  
8 feedback on them.

9           So it's our opportunity to put something out  
10 there as a, I don't want to say these are the concepts that  
11 we're considering, these are the ideas. What do you think  
12 of these ideas so that we can formalize something to bring  
13 to the Board for adoption at their December, likely the  
14 December 6th Board Meeting. There will also be an  
15 opportunity to provide comments on that to the Board  
16 directly.

17           So I just want to prepare you that a preliminary  
18 draft is very preliminary, so please read it, comment on  
19 it. Giving us early feedback at that point is going to be  
20 very valuable and helpful in us being able to craft what we  
21 eventually bring to the Board later. That's all I'm trying  
22 to say.

23           MR. MURPHY: Alright, thank you very much.

24           MR. EKDAHL: Thank you.

25           MS. SWEEZEY: (Indiscernible)

1 MS. RAGAZZI: That's okay. Just remember name and  
2 spell it for Chris, plesae.

3 MS. SWEEZEY: No negative. And it's fish video.  
4 No, it's not. Lauren Sweezy, same thing. So what I would  
5 like to have you consider is since we have the Scott River  
6 and the Shasta River, when you have your draft proposal  
7 that you're preparing, come to Scott Valley and I will help  
8 you find a facility to host a meeting like this for folks  
9 in Scott Valley or those that might be interested in Scott  
10 Valley. And let's have a discussion on that preliminary  
11 draft and do the same for Shasta Valley. I feel the Board  
12 owes it to us to individualize these meetings, to take the  
13 time to come up from Sacramento, sit with us, let us talk  
14 about it and let's discuss ideas about it. And if it's in  
15 Scott Valley, you're going to have more Scott Valley input.  
16 If it's in Shasta, you're going to have more Shasta input.

17 And that's what you need. If you want to do  
18 something for everyone, you need to do your best. And I  
19 will help you find facilities. I mean, I love having  
20 parties. I wouldn't say it's a party, but I'm going to show  
21 videos. But let me help you and we'll find a way because if  
22 you could come up here and do this preliminary a draft and  
23 if you could bring two Board members, there's no reason why  
24 they can't come. That doesn't wreck the Brown Act and so  
25 forth. Let them be here. And let's work together. It

1 shouldn't just be information with no dialogue back. I  
2 think it would be a great way to do it.

3 MS. RAGAZZI: So I agree that that would be a  
4 very nice way to do it. I also am aware of what our  
5 timeframes are like. So I'm not going to say that can't  
6 happen. We will try to digest that. I can commit to the  
7 fact that we will have a public meeting. I cannot today  
8 commit to that. But I agree. And our goal is to do as much  
9 of that as we can. We are under an intense timeframe.

10 MS. SWEEZEY: So why is it so intense? Why?

11 MS. RAGAZZI: Our Board has directed us to do -

12 MS. SWEEZEY: Yes, but what is the reasoning? We  
13 have this great water year. We have great fish counts. We  
14 have healthy water, everything is going so well, and yet  
15 all of a sudden somebody has determined deadline for it for  
16 a huge, huge decision. And it shouldn't be that way. There  
17 should be adjustments.

18 MS. RAGAZZI: There are various reasons for -

19 MS. SWEEZEY: No, I don't mean you as staff, like  
20 you have this control like, hey, we're changing the staff  
21 meeting to a different day. No, it's not that kind of  
22 thing. And I will call the Board Directors, I will call  
23 each of them and let them know there is no need for this  
24 December 6th that you need your preliminary draft turned in  
25 by then because seventh, eighth, ninth, and the rest of

1 December is going to go on. Are winters going to come?  
2 Things are going to change. And it's not like Christmas.  
3 You can't change Christmas, but you can change this time.  
4 Now I don't mean you the staff, I mean me. I'm going to get  
5 on the phone.

6 MR. EKDAHL: No, please do communicate that. And  
7 we'll relay that message as well. And like Erin was saying,  
8 we'll look and see what we can do. And we can't guarantee  
9 it. We can't guarantee it, but we'll relay that message.

10 MS. SWEEZEY: And I just like to add a little pat  
11 on the back for all of you. I have felt since I started in  
12 on this AGWA process and being more involved in knowing and  
13 having to do public speaking, which I like to talk, but not  
14 like that. I'm getting more comfortable with it. But all of  
15 you have been polite and made me feel comfortable and I  
16 know you all have a good heart. So let's all just work  
17 together and find the right of right and we'll do it.

18 MR. EKDAHL: Sorry, I also want to say thank you  
19 for everybody participating today. I mean, I know there's  
20 accusations that we're just checking a box. We're really  
21 not. We are here to solicit input and work with the  
22 feedback that we get. And the fact that everyone took time  
23 out today, we had about a hundred people at the 2:00 p.m.  
24 meeting, and I don't know what the count is here, 50 ish,  
25 maybe a little bit higher even.

1 MS. SWEEZEY: You should have had dinner.

2 MR. EKDAHL: Yeah, no, but retrospect, right? But  
3 you're all really busy and you have families and you have  
4 ranches and farms and livestock and other things that you  
5 have to take care of. And we do recognize that you are  
6 taking time out to bring these comments and feedback to us  
7 for something as we've heard overwhelmingly today could be  
8 really kind of like a seismic magnitude impact to the  
9 people of these valleys. And we take that extremely  
10 seriously and do thank the people that were here today and  
11 provided the comments that we got and overwhelmingly have  
12 been treated remarkably well and fairly and kindly as we  
13 kind of engage in this effort. And it's been more  
14 collaborative in these last couple of years than in many  
15 years prior to that. And that's, thank you all. So yeah.

16 MS. RAGAZZI: Okay. Thank you.

17 MR. JOHNSON: I just have, I'll be nice. I  
18 promise.

19 MS. RAGAZZI: Just state your name for Chris.

20 MR. JOHNSON: So we had a little school -

21 MS. RAGAZZI: State your name for Chris.

22 MR. JOHNSON: Tim Johnson.

23 MS. RAGAZZI: Thank you.

24 MR. JOHNSON: So we had a little school at Scott  
25 Valley. It's called Quartz Valley School. It opened the



1 year Abraham Lincoln was inaugurated. And during the  
2 eighties, the majority of our school money came from timber  
3 dollars. We had lots of logging, everything in Siskiyou  
4 County. So in the eighties, that little teeny school, it  
5 was a one room schoolhouse. It probably at the most it ever  
6 had was maybe like 36, maybe 40 kids. A lot of times it had  
7 15, 20. That little school in the eighties, its timber  
8 dollars was \$360,000 during the eighties. That's just what  
9 their timber money that they received. When it closed, it's  
10 closed 10, maybe 15 years ago. Now it's timber dollars was  
11 \$36,000. So that's just tax revenue that Siskiyou County  
12 didn't have anymore. And so if we lose water, that's tax  
13 revenue more that Siskiyou County will not have. It affects  
14 everything to the schools, the stores, everything. That's  
15 all I have to say. Thank you.

16 MS. RAGAZZI: Thank you everybody for coming  
17 tonight and safe travels home.

18  
19  
20  
21  
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23  
24

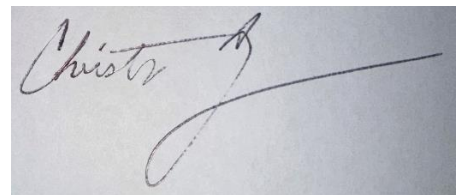
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I do hereby certify that the testimony in  
The foregoing hearing was taken at the time  
and place therein stated; that the testimony  
of said witnesses were reported by me, a  
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And I further certify that I am not of  
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cause named in said caption.

IN WITNESS WHEREOF,

I have hereunto set my hand this 28th day of  
November, 2023.

A photograph of a handwritten signature in black ink on a light-colored surface. The signature is written in a cursive style and appears to read "Chris Caplan".

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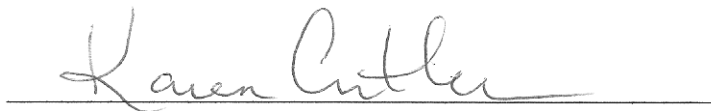
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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of November, 2023.

A handwritten signature in cursive script that reads "Karen Cutler". The signature is written in black ink and is positioned above a solid horizontal line that serves as a baseline for the signature.

Karen Cutler  
Certified Transcriber  
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