



Media Release

Extremely dry conditions prompt restrictions for some water right holders on the Scott River

Low flows threaten survival of endangered species

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SACRAMENTO – With drought causing critically low flows and threatening the survival of coho salmon, an endangered species under both the California and Federal Endangered Species Acts, the State Water Resources Control Board today sent notices of water unavailability to 102 water right holders in the Scott River basin in Siskiyou County, urging them to stop diverting amid worsening hydrologic conditions.

The Scott River is an important Klamath River tributary for spawning and rearing coho and serves as critical habitat for Chinook salmon and steelhead trout. For a second consecutive year, dry conditions are endangering coho fry, or baby coho emerging from gravel, and juvenile coho that rely on robust seasonal flows to reach a suitable summer rearing habitat. Temporarily halting diversions will leave more water instream and improve habitat and migratory conditions necessary to save coho from extinction and protect spring Chinook salmon, a candidate for the California Endangered Species Act; steelhead, a state Fish Species of Species Concern; and fall Chinook salmon that provide a valuable resource for commercial and recreational fisheries.

On May 10, Governor Gavin Newsom expanded a drought proclamation to 41 of 58 counties in the state, including Siskiyou County. With historic drought conditions advancing rapidly - compounded by the impacts still being felt from the 2012–16 drought - the state is moving urgently to address acute water supply shortfalls while comprehensively building water resilience as the conditions persist.

“This two-year dry stretch in the Scott River will likely be the worst in recorded history,” said Alexander Sweat, a water resource control engineer with the State Water Board’s Division of Water Rights. “The 2020 water year was the sixth driest in 80 years, and 2021 is expected to be the fourth. We sent out similar letters last June, asking right holders to stop taking water, but because the watershed is now facing a triple threat of low snowpack, parched soils and climate change, the notices are going out a few weeks earlier this year.”



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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Under California law, a water right holder can use surface water for beneficial purposes such as agriculture, municipal supply, recreation and protection and enhancement of the environment. Water use restrictions generally are determined by seniority and the type of water right. In times of shortage, those with more junior rights may be required to stop diverting from rivers and streams before restrictions are imposed on more senior water right holders. (In this instance, the restrictions apply to those whose junior rights were adjudicated in 1980).

Only 158 of the 803 water rights in the watershed are affected. However, the Scott Valley Irrigation District, which is the largest right holder in the basin, is being asked to stop diverting. Right holders under a water unavailability directive can still access their water previously stored in reservoirs, but if that option is unavailable, they will have to find alternative sources such as groundwater or purchased water.

Today's action follows an evaluation of current instream flows, along with forecasts for future precipitation. Conditions will be closely monitored, and junior right holders will be updated if flows improve and water becomes available. Those who illegally divert when there is insufficient water under their priority of right are subject to potential enforcement actions, including fines of up to \$1,000 per day.

The State Water Board encourages diverters to collaborate on voluntary agreements that help local communities adapt to water shortages, prevent impacts to other legal water right users and benefit fish and wildlife.

The State Water Board website contains additional information about the notices of unavailability, [drought conditions](#) and [water rights](#).

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health and all beneficial uses, and to ensure proper water resource allocation and efficient use for current and future generations.