

August 15, 2023

State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Scott Valley residents respond to Petition to Set Minimum Flows on the Scott River

Dear State Water Resources Control Board,

We, the undersigned 496 individuals, are Scott Valley residents and neighbors: small business owners, tribal members (Shasta, Karuk and Yurok), and concerned community members. We respectfully request that you reject a recent petition¹ calling for new, permanent, unreasonably high instream flow minimums in the Scott River—regulations that would effectively end irrigation in Scott Valley for the vast majority of summers, thereby crippling our agriculture-based economy. Our multi-generational farmers and ranchers would likely be forced to sell their property, their livestock, and quite possibly their homes.

The flow levels being considered for August through October are above the river’s average flows for those months, based on 80 years of flow data from the U.S. Geological Survey². The petitioned flows are higher for every month than the emergency regulation levels required by this Water Board for the past two years (see figure A). In fact, according to UC Davis hydrologists who have studied the Scott River watershed for 15 years³, our river couldn’t meet the petitioned levels in 75% of water years, even in a scenario where there was absolutely no irrigation and no hayfields or pasture⁴.

Yet, the petition blames Scott Valley agriculture for the river’s falling short of the “desired” flow levels. The petition was filed in May 2023 by the Karuk tribal council, Environmental Law Foundation, and two fisheries groups based out of San Francisco. It was not discussed locally, nor does it have the support of our community.

Local data proves that the proposed flows are not needed to support a healthy salmon population in the Scott River system⁵. Our Coho Salmon populations have been on an upward trend for the past 15

¹ Petition for Rulemaking to Set Minimum Flows on the Scott River, filed May 23, 2023 by Karuk Tribe, Environmental Law Foundation, Pacific Coast Federation of Fishermen’s Associations, and Institute for Fisheries Resources. See [ScottRiverPetitionForRulemaking.pdf \(envirolaw.org\)](#)

² See US Geological Survey flow data for Scott River at river mile 21, dating back to 1941 at: [Scott R NR Fort Jones CA - USGS Water Data for the Nation](#)

³ Foglia, L., A. McNally, C. Hall, L. Ledesma, R. J. Hines, and T. Harter, 2013. Scott Valley Integrated Hydrologic Model: Data Collection, Analysis, and Water Budget, Final Report. University of California, Davis, <http://groundwater.ucdavis.edu>, April 2013. 101 p. See [APPENDIX 2-E Scott Valley GSP Groundwater Model: Additional Documentation and Water Budget Tables \(siskiyou.ca.us\)](#).

⁴ See [Scott Valley Groundwater Sustainability Plan Appendix 4-A](#), Scott Valley Management Scenario Results, p. 23

⁵ As evidenced by comparing USGS historical flow data to annual [Scott River Salmon Studies](#) produced by California Department of Fish and Wildlife. The latest CDFW Report showed near record-breaking outmigration of Coho juveniles in Spring of 2021 at 68,616 juveniles. Also see white paper by Sari Sommarstrom, PhD: [WHITE+PAPER+-Coho+Salmon+Status 4-13-22.pdf \(squarespace.com\)](#)

years, with the highest average return rate on the Klamath and one of the highest rates in the state, according to California Department of Fish & Wildlife’s annual salmon studies.

Local agriculture has sacrificed greatly in the name of improving fish habitat, from putting fish screens on all ditch diversions, to fencing riparian areas, to leasing surface water to the Scott River Water Trust for instream use⁶. The Water Trust, a community-supported nonprofit, exemplifies Scott Valley’s innovative and progressive nature and was the first of its kind in this state. As well, we all support the Scott Valley Area Plan⁷, adopted locally and codified in the Siskiyou County General Plan in 1980, which restricts residential development and preserves our open spaces.

Meanwhile, our fall-run Chinook have persisted in migrating into the valley and successfully spawning, rearing, and outmigrating—although for three of the past five years, they have had more difficulty getting into their spawning grounds in the valley. This has been largely due to late fall rains creating a narrow fall migration window⁸. Due to drought (see figure 2) and multiple other factors, Chinook have been struggling across the entire Klamath watershed—not just the Scott⁹. Destroying Scott Valley agriculture will not solve the Chinook problem.

Our farmers and ranchers have historically been very proactive about conservation, and are currently seeking ways they can help even more—from increasing groundwater storage that could help instream flows, to continuing to improve their irrigation efficiency. Irrigation efficiency has been increasing in Scott Valley over the past decade, according to the Scott Valley Groundwater Sustainability Plan¹⁰. Meanwhile, irrigated acreage has changed very little since the 1950’s¹¹.

Scott Valley residents love our vibrant, rural valley. We support continued efforts to protect our watershed’s fish populations. We also support our farmers and ranchers, and believe their existence here is crucial to preserving our community, resources, and open spaces. Adoption of the petition’s proposed flow levels—and the resulting irrigation curtailments—would be devastating to our valley.

Sincerely,

Scott Valley residents and neighbors (see signatures below)

Contact: Theodora Johnson
Spokesperson, Scott Valley Agriculture Water Alliance
theo@scottvalleyagwa.org/ 530.598.3081

⁶ See [ABOUT US | scottriverwatertrust \(scottwatertrust.org\)](https://scottriverwatertrust.org)

⁷ Scott Valley Area Plan: [pln_gp_scottvalleyareaplanwithoutlargemaps.pdf \(siskiyou.ca.us\)](https://pln_gp.scottvalleyareaplanwithoutlargemaps.pdf)

⁸ “The years 2015, 2018 and 2020 were the three driest falls during the period of monitoring at the counting facility. The proportion of Chinook Salmon that spawned downstream of the counting station in 2015, 2018 and 2020 were 82%, 68% and 69% respectively which corresponded with the three lowest average October flow years” ([CDFW Salmon Studies 2021](#))

⁹ Knechtle & Giudice. 2022. Scott River Salmon Studies. CDFW, Yreka.

¹⁰ See [Scott Valley Groundwater Sustainability Plan, Chapter 2, p. 57](#).

¹¹ Harter, Thomas, and Ryan Hines. 2008. “Scott Valley Community Groundwater Study Plan.” Davis. CA: Groundwater Cooperative Extension Program University of California Davis. <http://groundwater.ucdavis.edu/files/136426.pdf>.

Figure A

Comparison of Scott River mean flows from 1942 to 2022, as compared to petition’s proposed flows and the emergency regulation flows.

Measurements are in cubic feet per second (cfs), as measured at the USGS Gage below Fort Jones (river mile 21.5)

	Mean Monthly Flow '42-'22	Petition Flow Proposed Permanent	SWB Emergency Regulation 2022 Minimum Flow
January	988	362	200
February	1090	362	200
March	1000	354	200
April	999	134	150
May	1,100	165	150
June 1 - 15	669	165	125
June 16 - 30		165	125/ 90
June 24 - 30		-	90
July 1 - 15	168	165	50
July 16 - 31		134	50
August	54	77	30
September	45	62	33
October	96	134 / 139	40
November	286	266	60
December	784	337	150

Figure B

Precipitation logs at Fort Jones show 20-year downward trend.

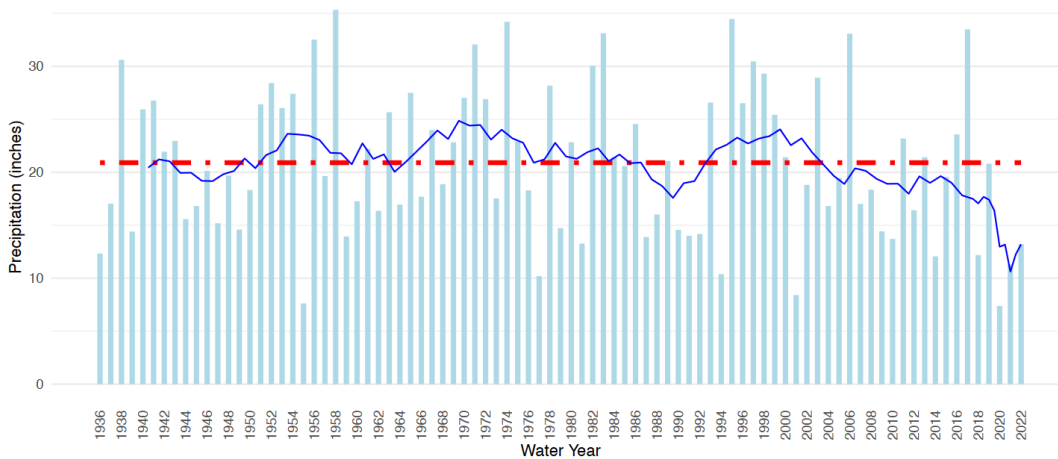


Figure 4: Fort Jones annual precipitation from 1935 to 2022, according to CDEC data. The long term mean is shown as a red dashed line, and the ten year rolling mean is the blue trendline.