



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Northern Region  
601 Locust Street  
Redding, CA 96001  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



June 3, 2022

Erik Ekdahl, Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
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Sacramento, CA 94814  
[erik.ekdahl@waterboards.ca.gov](mailto:erik.ekdahl@waterboards.ca.gov)

**SUBJECT: Adjustment under Section 875(c)(1)(B) of the Drought Emergency Regulation to Ramp Down Minimum June Flow on the Scott River**

Dear Deputy Director Ekdahl:

The purpose of this letter is to transmit alternative flows under Section 875(c)(1)(B) of the Drought Emergency Regulation for June on the Scott River. This review was conducted in the spirit of Resolution 6 of the Shasta and Scott drought emergency flow requirements adopted on August 30, 2021. Resolution 6 states:

*“Resolved #6; The State Water Board directs staff to continue to work with CDFW to evaluate and refine the drought minimum instream flows adopted in this regulation if new scientifically-defensible information becomes available....”*

**Brief Background**

On June 15, 2021, the California Department of Fish and Wildlife (CDFW) transmitted a letter providing drought emergency minimum flow recommendations for the Shasta and Scott Rivers to inform a drought emergency regulation. On August 17, 2021, the SWRCB approved a drought emergency regulation that included CDFW recommended minimum flows, and several pathways to request an exemption (e.g., health and safety, non-consumptive uses, etc.). On August 30, 2021, the Office of Administrative Law adopted the drought emergency regulation for the Shasta River, and it went into effect.

**Section 875(c)(1)(B) of the Emergency Regulation**

The California Department of Fish and Wildlife or the National Marine Fisheries Service may notify the Deputy Director that the pertinent life stage(s) of the

Deputy Director Ekdahl

June 3, 2022

Page 2 of 3


pertinent species the flows are crafted to protect is not yet, or is no longer present at the time anticipated, or the California Department of Fish and Wildlife, after coordination with the National Marine Fisheries Service, may notify the Deputy Director that lower alternative flows at the Yreka gage, or that alternative flows at a different point or points in the watershed provide equal or better protection for the pertinent species' relevant life stage. Using this information, as well as other information that could affect the need for curtailments to meet minimum flow needs for fisheries purposes, including weather forecasting, the need for flows to ramp up or down, the contributions of voluntary flow measures, and future flow needs, the Deputy Director may determine not to issue curtailment orders, to issue curtailment orders to a smaller priority grouping described in section 875.5, or to suspend curtailment orders already issued in order of priority as described in section 875.5, as applicable.

### **Ramp Down of Minimum June Flow on the Scott River**

The current minimum flow is scheduled to be reduced at the Fort Jones gage from 125 cubic feet per second (cfs) in June to 50 cfs in July. This 75 cfs reduction will likely result in a considerable change in stream profile that represents a potential stranding risk to out-migrating juvenile Chinook Salmon, and to juvenile Coho Salmon that are currently distributing to over summering rearing habitat. The risk from ramping down on any juvenile salmon that have not emerged is less significant than the benefit of giving a cue to the remaining fish to distribute in the system. CDFW consulted with National Marine Fisheries Service, and we are collectively recommending a ramp down flow from 125 cfs to 90 cfs at the Fort Jones gage (USGS 11519500) during the last 7 calendar days of June 2022.

We appreciate the opportunity to provide this evaluation considering Resolution 6 of the approved regulation. If you have any questions regarding this memorandum, please contact Environmental Program Manager Joe Croteau at [klamathwatershed@wildlife.ca.gov](mailto:klamathwatershed@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
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Tina Bartlett, Regional Manager  
Northern Region

Ec's on page 3

Deputy Director Ekdahl

June 3, 2022

Page 3 of 3

ec: **State Water Resources Control Board**

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