
State Water Resources Control Board

August 2, 2024

Mr. Brandon Fawaz
Fawaz Farming



CONDITIONAL APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR FAWAZ FARMING

Dear Mr. Fawaz:

The State Water Resources Control Board (State Water Board) adopted an emergency regulation that went into effect on February 1, 2024, that establishes emergency minimum flows in the Scott River and Shasta River watersheds (Cal. Code Regs., tit. 23, §§ 875-875.9) (Regulation). Under the Regulation, local cooperative solutions by individuals or groups may be proposed by petition to the Deputy Director of the Division of Water Rights (Deputy Director) as an alternative means of reducing water use to meet or preserve the emergency minimum flows, or to provide other fishery benefits, in lieu of curtailment. Section 875, subdivision (f)(4)(D) describes three types of local cooperative solutions that are specifically available for overlying or adjudicated groundwater diversions for irrigated agriculture: Best Management Practices, Graduated Cessation Schedule, and Percent Reduction. The Deputy Director may approve a proposal submitted by an individual or group, provided that it meets the specific requirements of the applicable groundwater local cooperative solution type and satisfies the metering and inspection requirements.

Summary of Proposal

The State Water Board received a groundwater local cooperative solution proposal from Brandon Fawaz (petitioner) that involves reducing water use from eight groundwater wells that irrigate a total of 908 acres using the Best Management Practices and Graduated Cessation Schedule groundwater local cooperative solution options.

- **Best Management Practices Proposal:** Under the Best Management Practices portion of the proposal, the petitioner proposes to use a low-energy precision application (LEPA) system on 694 acres of irrigated land, use soil moisture sensors to inform irrigation timing, stop irrigating corners after June 15, and forgo the use of end guns.
- **Graduated Cessation Schedule Proposals:** The petitioner proposes to use Option 1 and Option 2 of the Graduated Cessation Schedule local cooperative solution for 117 and 97 acres, respectively.

The Option 1 schedule involves ceasing:

- At least 15% of irrigated acres by July 15,
- At least 50% of irrigated acres by August 15, and
- At least 90% of irrigated acres by August 31, with a maximum of 8 inches of water to be applied to the remaining 10% of irrigated acres during the remainder of the irrigation season. This 10% can be on land previously fallowed.

To meet the conditions of this graduated cessation schedule, the petitioner proposes to cease irrigation for 21.1 acres on July 15, 2024, which accounts for 18% of the total 117 acres. On August 15, 2024, irrigation will cease on an additional 39.95 acres, bringing the total irrigated acres with irrigation ceased for the season to 52.2%. Finally, on August 31, 2024, irrigation will cease on at least 44.25 acres to achieve 90% cessation of the total 117 acres. The petitioner requests to provide specific details of the irrigated acreage to be ceased on the final cessation date to the State Water Board on August 25, 2024.

The Option 2 schedule involves ceasing:

- At least 20% of irrigated acres by July 20,
- At least 50% of irrigated acres by August 20, and
- At least 95% of irrigated acres by September 5, with a maximum of 6 inches of water to be applied to the remaining 5% of irrigated acres during the remainder of the irrigation season. This 5% can be on land previously fallowed.

To meet the conditions of this graduated cessation schedule, the petitioner proposes to cease irrigation of 19.58 acres on July 20, 2024, which accounts for 20% of the total 97 acres. On August 20, 2024, irrigation will cease on an additional 28.93 acres, bringing the total irrigated acres with irrigation ceased for the season to 50%. Finally, on September 5, 2024, irrigation will cease on at least 43.64 acres to achieve 95% cessation of the total 97 acres. The petitioner requests to provide specific details of the irrigated acreage to be ceased on the final cessation date to the State Water Board on August 25, 2024.

The proposal was first posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 22, 2024; a revised proposal was then posted on July 18, 2024. A further description of the site and water reduction measures is provided in the application submitted for this proposal. The application identifies Scott River Water Trust as the Coordinating Entity and includes a Binding Agreement that grants property access to verify compliance with the proposal.

Groundwater Metering

A groundwater local cooperative solution must include a description of metering in place for groundwater well extractions and a proposal to meter, record, and report such extractions to the Deputy Director or the Coordinating Entity, as applicable. If a meter has not been installed prior to the start of the irrigation season, the petitioner may submit a time schedule as part of the proposal that describes and substantiates the efforts, actions, and timelines for meter installation. The Deputy Director may waive the

metering requirement for groundwater wells irrigating less than 30 acres or upon a determination that metering in a particular instance is not feasible.

The petitioner has installed meters on four groundwater wells and six pivots that irrigate 675 acres of the total 908 irrigated acres. The proposal includes a plan to record and maintain a log of the meter data and submit it to the Coordinating Entity each month for the entire irrigation season. Additionally, the petitioner requests to waive the metering requirement for the remaining 233 irrigated acres because the irrigation systems do not have easily accessible pipes for installation, or the well design will not accommodate a meter. The proposal includes a plan to monitor water usage on this remaining acreage and maintain a log of the data, which will be submitted to the Coordinating Entity each month for the entire irrigation season.

Approval

The Division of Water Rights has reviewed the groundwater local cooperative solution proposal and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D), with the following condition:

- The petitioner shall provide the State Water Board with specific details of the irrigated acreage to be ceased on the final cessation date for the Option 1 and Option 2 Graduated Cessation Schedule local cooperative solution proposals on or before August 25, 2024.

The Division of Water Rights grants the petitioner's request to waive the metering requirement for 233 irrigated acres considering that meters have been installed to monitor water usage for 74% of the 908 total irrigated acres included in the proposal. Further, as alfalfa is the sole crop type included in the proposal, the proposed metering plan is sufficient to provide a comprehensive overview of water use for this crop.

The petitioner's groundwater local cooperative solution proposal is hereby approved. Any failure to implement the proposal or violation of the conditions of this approval are subject to enforcement as a violation of the Regulation. Additionally, violations of other provisions of the Regulation (e.g., surface water curtailment) may result in termination of this approval.

If you have questions regarding this approval, please contact Division of Water Rights staff via email to: ScottShastaDrought@waterboards.ca.gov or by leaving a message on our dedicated phone line at: (916) 327-3113.

Sincerely,



Erik Ekdahl
Deputy Director
Division of Water Rights

ec: Scott River Water Trust
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