COUNTY OF SISKIYOU

Flood Control & Water Conservation District

To: Siskiyou County Board of Supervisors
From:
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Submission date: 9-21-2021
GSP sections reviewed: We are Scott Valley residents and are asking for these changes to the Scott Valley SGMA Plan

Last week's SGMA Public comment meeting in Fort Jones CA. was successful in discussing several of these changes. It was stated by Dr. Thomas Harter and Matt Parker that the name Scott Valley will be the name used in the plan and not Scott River Valley. Also was clarified and changed was water storage will be in the first tier of the plan not the third. This may seem like a small change for some but for us as farmers and ranchers this is a huge change for the better. Thank you to all the Board Supervisors and the SGMA Planning Committee that listen to our needs. Let's keep working as a Team!
Lauren Sweezey

Chapter, Page & Line number	Suggested revision	
Comment overview	Please note, comments were submitted on the first draft of the GSP by the abovementioned 42 commentors. Most of these individuals are Scott Valley farmers and ranchers who will be directly affected by this GSP. Yet, our comments were largely ignored in the latest iteration of the GSP. The below comments are largely copied and pasted from the original comments.	LS-001
	One thing, however, is different in this draft: our name. Scott Valley is called just that—Scott Valley, not "Scott River Valley." Please remove all such references. Renaming our valley is an insult to our residents and an erasure our history.	LS-002
	A primary goal of this GSP should be to preserve and protect agriculture. The people who live in Scott Valley love it. Why is this place so special? It's beautiful, clean, rural, and safe. We know our neighbors because we've been able to establish deep roots in agriculture. Without agriculture, what would	LS-003

Scott Valley be? We have an obligation to allow our kids the opportunity to pursue the productive and honorable trade of agriculture, just as we have. The importance of agriculture to our nation's health and security need not be explained. Yet we must recognize that, on a local level, agriculture is just as crucial. We must protect it in order to preserve Scott Valley as we know and love it.

LS-003, Cont'd

Benefiting agriculture and fish can be done by increasing our water supply—or, more appropriately, holding onto our water supply. **During 7 to 10 days of high spring flows, enough water flows out of the valley to supply all of Scott Valley's farmers and ranchers with the water they need for the whole irrigation season.** We must implement water storage projects, both above- and below-ground, in order to hold onto that water. This will benefit ALL beneficial users in Scott Valley.

LS-004

Any project that puts increased regulatory burden on agriculture should not be considered in this plan. SGMA does not require punitive measures; the law simply asks the GSA to address groundwater quality and supply issues. Water storage measures are included in SGMA and therefore are attainable.

LS-005

Proposals to turn off pumps and repurpose land away from agriculture will do damage to our economy, culture, and environment. Fallowed fields generally make bad neighbors: hotbeds for noxious weeds and fire danger. The more we discourage farmers and ranchers from being productive, the more we invite subdivisions and urban sprawl. Also, by discouraging above-board productivity, we inadvertently encourage below-board, illegal activities such as marijuana cultivation, which is dangerous to our citizens and damaging to our environment--including water quality.

LS-006

Furthermore, adding damaging regulations will invite a "snitch" culture where people turn in their neighbors for trying to be productive, care for their land, and provide for their families. Regulations that go against human nature will only cause conflict. We who live in Scott Valley must stand firm against any proposals to divide us and transform our landscape and culture away from agriculture.

LS-007

Again, SGMA allows for a wide variety of projects and management actions and does not mandate the use of punitive regulations.

LS-008

Please see the attached flyer that has been circulating with Scott Valley residents since mid-April. It encourages water storage, groundwater recharge, fish-friendly structures, and other projects and opposes well metering, fees and fines for water use, and forced pump turn-off dates.

LS-009

	It's been stated by more than one member of the Advisory Committee that this GSP development process "felt like a runaway train." Productive ideas that have had support from almost the entire committee—if not the entire committee—have been given very little attention by the Tech Team. It's time to put this plan back on track so that it suits the needs of Scott Valley.	LS-010
Detailed comments:		
Executive Summary p 8	**As noted above, we lose most of our water as flow down the river and to the ocean:** "Annual outflow from the Basin occurs largely as Scott River flow exiting the Basin to the northwest (ranging -689 to -85 TAF, median of -292), though a significant portion leaves as ET (-130 to -90 TAF, median of -112)."	LS-011
Exec Summ p 11	This GSP relegates our most promising water storage projects to "Tier III" implementation—meaning "Additional PMAs that may be implemented in the future, as necessary 284 (initiation and/or implementation 2027–2042)." Meanwhile, "Tier II" projects have concrete plans to start right away. One of those projects, "voluntary managed land repurposing," is problematic for Scott Valley. Removing ag land from the equation means our kids will have lower chances of continuing our farming and ranching tradition. What will take its place?	LS-012
Ch 1 p 6	"Consensus building is a foundational principle of all committee discussions, and membership is intended to reflect the diversity of beneficial groundwater uses and users in Scott Valley." **Comment: It can't be said that every PMA listed has consensus among AC members. On numerous occasions, members of the irrigation ad hoc committee have voiced their disapproval of proposals to turn off pumps, yet that option remains in the plan.** **Furthermore, the Tech Team held separate "ad hoc" committee meetings but never provided the full AC with an opportunity to meet in-person to find common ground. The subcommittees seemed to be working in silos.** **To the question of whether the AC represents the diversity of Scott Valley, it should be noted that cattle producers are not represented on the Committee, even though they represent a sizeable portion of the valley's economy, affected land area, and culture.**	LS-013
Ch 1 p 7	"The final section of the C&E Plan describes outreach strategies which the local GSA employs to effectively advance SGMA implementation. Specific tools and forums include the following: • Advisory committee meetings • Constituent briefings with local organizations • Tribal engagement • Public meetings and workshops • GSA Board meetings • Coordination with local resource conservation districts • Coordination with state and federal agencies •	LS-014

	Integration of relevant studies and materials • Interested parties list • Informational materials • County SGMA website • Local media and public service announcements" **Comment: The listed public outreach goals have, unfortunately, not been met. A very important group of stakeholders—landowners who use enough water to be affected by SGMA regulations—has been largely unaware of the GSA's activities to date, and until very recently has not been educated about SGMA. "Broad stakeholder input and feedback" has not been happening, at least among Scott Valley's farmers and ranchers.** **The excuse of "COVID" should not prevent our affected stakeholders from having meaningful engagement in this process. Zoom meetings led by the Tech Team do not constitute an open, accessible forum for most farmers and ranchers. Most of the "meetings" were held in the middle of the work day. In-person meetings should be held, at times convenient for farmers and ranchers.**	LS-014, Cont'd
Ch 2 p 37	"The [Scott Valley Area Plan] includes multiple goals and policies that align with those in the GSP. Specifically, the focus on managing growth in a sustainable way while protecting priority agricultural lands and natural resources is an overarching theme in both the SVAP and the GSP." **Comment: The SVAP is explicit about protecting agricultural land. The GSP draft should explicitly protect ag, as well. (This comment was also made in the first draft, which means "agriculture" was deliberately left out. Why?)**	LS-015
Ch 2 p 42	"The Valley and headwater tributaries of the mountains surrounding Scott Valley provide key spawning and rearing habitat for native anadromous fish species, including Oncorhynchus tschawytscha (Chinook salmon), Oncorhynchus kisutch (coho salmon) and Oncorhynchus mykiss (steelhead trout). Coho salmon in the Southern Oregon Northern California Coast Evolutionary Significant Unit (SONCC ESU) are listed as threatened at both the federal and state levels (NCRWQCB 2005)." **Comment: It should be noted that the Scott has never been prime habitat for coho. We are at the very bottom of the coho's natural range. Coho are harvested in great numbers off the coast of Alaska. This assertion is supported by the Shasta Indian tribe, which has stated that the Klamath (and by extension the Scott) is, "since time immemorial," historically unfit for coho. Additionally, a CDFW publication from 2007 refers to coho as a coastal fish that doesn't like to spawn farther than 20 miles inland (California Finfish and Shellfish Identification Book - a**	LS-016

companion guide to the California Fishing Passport, California Department of Fish and Game, 2007).

It should further be noted that the Chinook is also harvested commercially in the northern Pacific.

Both Coho and Chinook populations are affected by many factors, such as gill netting (some Yuroks say they "don't know how a single fish gets up the river"); predation at the mouth of the Klamath; oceanic decadal oscillation; and more. This SGMA process must not be used as a weapon to target groundwater pumping when in fact many variables affect these species.

LS-016, Cont'd

Ch 2 p 76

"Identification of Groundwater Dependent Ecosystems". This section is troubling. No agricultural members of the Advisory Committee were invited to join the "Surface Water" subcommittee that helped create this section. Nor were ag members given a very clear picture of what the Surface Water subcommittee was doing.

Meanwhile, the Surface Water subcommittee was doing some pretty major things: "The group was created to assist with the identification of high-priority habitat, define a healthy hydrologic system in the Basin, and define metrics indicative of ecosystem health to assist in the definition of measurable objectives, undesirable results, and associated monitoring activities." Clearly, these important aspects should have had the entire Advisory Committee's consultation. This does not appear to have been the case.

It seems the drafters of the GSP expected some blowback on this. On page 81, the GSP states, "A total of seven meetings [of the Surface Water subcommittee] were held between February 2020 and March 2021." No other subcommittee meetings were documented this way in the GSP. This seems to be an attempt to legitimize the somewhat cover-of-darkness process by which this section was developed.

LS-017

Some details about GDEs that should be addressed are:

- Maps: Presence of a GDE on one's property seems as though it could have real ramifications. The GDE map on p 81 lacks any detail. Landowners should be able to see whether they are a target of extra scrutiny.
- In two instances (western pond turtle and yellow-legged frog, p 85), the language points explicitly to "groundwater pumping" as potentially damaging. This is inappropriate. The main threat is drought. Placing blame on pumping implies the GSA's intent to curtail

	pumping. This is not necessary; we should pursue supply-side projects, which would alleviate the potential threats to these species.	LS-017, Cont'd
Ch 2 p 131	"For the Scott Valley, the sustainable yield is equal to the 28 year average groundwater pumping of 42 thousand acre-feet per year minus any future reduction in groundwater pumping resulting from the implementation of project and management actions (see Chapter 4)…" **This should be removed. Reductions of groundwater pumping should not be part of the GSP. As noted in numerous instances, there is no overdraft of water in Scott Valley, unlike some other basins developing GSPs. (Example: "Historical water levels indicate that there is no overdraft and no long-term decline in water levels" in Scott Valley (Ch 3 p 41).)**	LS-018
Ch 3 p. 25	"The GSA plans to collaborate with other entities to add monitoring locations to fill data gaps." **Comment: The GSA should make clear that it will only accept verifiable data. Trust could become an issue for the public with the GSA accepting data from third parties.**	LS-019
Chr. 3 p 59	"that is, what is an "unreasonable" amount of streamflow depletion, which could be reframed as: what is a "reasonable" amount of avoided groundwater use?" **Comment: The latter question is flawed. Streamflow depletion reversal should be achieved by <u>adding water</u> to the equation, not by cutting back on current use (unless voluntary irrigation efficiencies are made).**	LS-020
Ch. 3 p. 60	"The MAR-ILR scenarios, once fully implemented, provide a relative streamflow depletion reversal that averages 19% during September–November…" **Comment: I support this PMA but I am concerned 19% may be a high estimate. How many of the landowners in the proposed areas have been contacted to see if it will work for them? Also, more detailed maps than what's available in Appendix 4a would be helpful.**	LS-021
Ch. 3 p. 61	"The average relative stream depletion reversal of the implemented PMAs during September–November must exceed 15% of the depletion caused by groundwater pumping from outside the adjudicated zone in 2042 and thereafter." **Comment: Since this self-imposed percentage is in bold and is so specific, the GSP should give a brief explanation of how it was arrived at.**	LS-022
Ch 3 p 61	**These five-year goals for stream depletion reversal (5% by 2027, 10% by 2032, 15% by 2037) may need to be revised in order to accommodate the less expedient but more beneficial supply-side projects, such as reservoir-building and MAR/ILR.**	LS-023

Ch. 3 p 64	"This explicit linkage between the measurable objective with the aspirational watershed goal also provides flexibility for compliance with potential future regulations or actions, in an integrated water management approach." **Comment: Agreed. As such, we should be proposing projects related to water storage, groundwater recharge, and instream structures to slow the flow. Regulatory hurdles, while inevitable, should not be used as a reason not to pursue these worthy projects. They are they only projects that will help achieve our groundwater goals without doing economic harm to a large swath of Scott Valley's farmers and ranchers.**	LS-024
Ch 3 p 66	"Seasonal pumping restrictions in the non-Adjudicated Zone. • Voluntary pumping restrictions in the Adjudicated Zone. • Conservation easements that would limit irrigation in some or all water years." **Comment: These demand-side "solutions" will likely have undesirable results for Scott Valley's economy and environment and should be removed. Pumping restrictions will result in economic hardship, which could result in the forced sale of farms and ranches. Those properties would be divided into the smallest possible acreages, resulting in a denser population. Pressure would inevitably mount to revise the SV Area Plan to allow prime ag land to be subdivided into smaller pieces.** **Fields that are not watered will be overtaken by invasive weeds (dyer's woad, star thistle, etc). Therefore, ranches with conservation easements for non-irrigation will become bad neighbors: weed factories and fire hazards. (Note: language throughout Appendix 4a indicates that non-irrigated land will return to "native vegetation." This is not accurate. Circumstances have changed over the past 100 years: we have more drought and better drainage. "Native" vegetation will not reestablish itself. Without irrigation, invasive weeds will replace crops.)**	LS-025
Ch. 4 p 5	"Under the Sustainable Groundwater Management Implementation Grant Program Proposition 68, grants can be awarded for planning activities and for projects with a capital improvement component. As such, state funds for reimbursing landowners for implementation of PMAs, including land fallowing and well-shut offs, currently cannot be obtained under this program." **Comment: This funding issue speaks to the point that productive projects such as water storage should be pursued, while land fallowing and well shut-offs should be avoided.**	LS-026
Ch 4 p 7	Table I PMA Summary Table. **Comment: Many promising ideas were proposed to the Tech Team to be included as Tier II or Tier III projects, with strong support from a sound majority of the Advisory Committee. Instead of including them in this table, those ideas were relegated to the last page of this report, with the reasoning that they "have not yet been investigated." Those proposals**	LS-027

	include: a study of the tailings for groundwater storage; recharge weirs; fish-friendly structures to decrease flow rates in Scott River and its tributaries; construction of a clay dam or permeable plug at the lower end of Scott Valley; and direct addition of water to the river during periods of low flow. **It's hard to believe that none of these proposals have been investigated enough to put in the Tier II or III categories.** **Other PMAs listed in this table are addressed below.**	LS-027, Cont'd
Ch 4 p 13	"Avoiding Significant Increase of Total Net Groundwater Use from the Basin." **Comment: Although this MA does propose significant regulations on new wells, it may be appropriate to avoid overdrafts in the Valley. It embodies the principle of "first in time, first in right," which has long been used in California water law.**	LS-028
Ch 4. P 13 line 350	"[No net increase in groundwater use] can be achieved through exchanges, conservation easements, and other voluntary market mechanisms." **The GSA should be mindful of unintended consequences. For example, a market exchange, which is explored in more detail on p 19, could in fact encourage urban development of ag ground.**	LS-029
Ch 4. P 19 cutout	"Market instruments" cutout. **Comment: This troubling passage seems to encourage the conversion of ag land to urban development, because urban land uses less water. The example in the cutout even goes so far as to allow development of "natural lands" after a city buys out ag land—because now the city has "credits" for using less water than the ag land did. This entire section epitomizes tone-deafness and should be removed.**	LS-030
Ch. 4 p 21	"Beaver Dam Analogues." **Comment: this section should be expanded to include other fish-friendly structures to slow the flow of the mainstem and tributaries for aquifer recharge. This concept has the support of many landowners along the river. I am told that BDAs (in some form) were used on the mainstem of the Scott several years ago and that the project successfully raised the water table. This is not mentioned in the draft.** **Other fish-friendly structures could include inflatable bladders: rubber dams that can quickly be inflated or deflated as needed. Thousands of these are used all over the world, with decades of success. In some cases, aquifer recharge is the sole purpose (e.g., the Santa Ana Inflatable**	LS-031

	Rubber Dam Project, which supplies 100,000 Orange County residents with water each year.) **Recharge weirs, while more permanent and potentially damaging to surrounding fields during high water events, are also used around the world to recharge aquifers. They can be designed to allow fish passage.**	LS-031, Cont'd
Ch 4 p 22	Upslope water yield projects. **The "Green infrastructure" proposal is good and could be expanded. Clearing conifers, juniper, and brush all has potential to do good for the watershed, on both private and public land. By including such projects in this proposal, the GSA can encourage and partake in federal and private projects.**	LS-032
Ch 4 p 23	"Irrigation Efficiency Improvements". **Comments: As this PMA is fleshed out, the GSA should take care not to punish those who have already upgraded and invested in efficient systems, while antiquated systems get the grants. Perhaps the only fair way to go is a "First come, first serve" application system.** **This section merits more attention. While it claims that stream depletion is reversed by 4, 12 and -2 percent based on different scenarios, it doesn't describe what those scenarios are (nor does Appendix 4-A, which is referenced for more info). While irrigation efficiencies could hold potential for depletion reversal, this PMA seems to be glazed over when compared to more punitive options, such as pump turn-offs.**	LS-033
Ch 4 p 28	"Voluntary Land Repurposing". **Comment: This PMA should be used with extreme caution. From the perspective of a cattle producer, set-aside programs restrict the availability of pasture. Some would characterize term contracts, easements, etc. as "private decisions" by landowners. However, when government is offering incentives for such decisions, the concept of "free-market decisions" doesn't apply. Our local economy and culture will be affected in unforeseen ways when productive ag ground is set aside**.	LS-034
Ch 4 p 28	"Irrigated Margin Reduction." **Comment: This is another example of a program that will require enforcement, and will likely result in citizen-police who turn in their neighbors for following their natural instinct of trying to be productive.**	LS-035
Ch 4 p 29	"Crop Support: To support crop rotation, particularly for grain crops, access to crop support programs may be important to ensure that this option is economically viable." **Comment: This seems to rely on a federal program over which the GSA has no control. Rather than focusing on such weak possibilities, the GSP should focus on local, on-the-ground supply-side projects to increase the water table.**	LS-036
Ch 4 p 29 line 841	"For example, a corner of a field may be well suited for wildlife habitat, or solar panels or water storage." **Comment: The concept of pivot corners as**	LS-037

	reservoirs was brought up by a local rancher and merits attention. "Wildlife habitat" is more likely to be noxious weeds, which farmers will have to try to beat back from encroaching on their crops. Solar panels would require considerable infrastructure at great expense. Ponds, on the other hand, are relatively inexpensive to build and could contribute to groundwater recharge.	LS-037, Cont'd
Ch 4 p 30	"Tier III: Potential Future Project and Management Actions". **Comment: Some of these PMAs should not be relegated to Tier III. "Potential future" PMAs sends the clear message that these projects are not priorities, even though they are the least damaging and most promising for actually increasing the water table. Although they may take time to implement, these PMAs should be acted on <u>immediately</u>. (Examples: High mountain lake storage; MAR/ILR; reservoirs)**	LS-038
Ch 4 p 30	"Alternative, lower ET crops." **This section may have some potential; however, funding dedicated to research on this topic should be minimal. Farmers and ranchers are quite aware of which crops have a market in our region. Assuming grants are in limited supply, we have plenty of other supply-side projects that merit funding.**	LS-039
Ch 4 p 31	"Floodplain reconnection/expansion." **This section ties in with the concept of slowing the river/tributaries. For willing landowners, this holds potential to slow the flow and increase the water table. Conversations with landowners should be pursued. In this case, limited conservation easements may be appropriate.**	LS-040
Ch 4 p 32	"High Mountain Lakes - This potential project class supports the restoration or modification of high-altitude lakes…." **Comment: Rather than referring to this PMA as "potential," it should be pursued immediately. Also, is it possible to include what percentage of depletion reversal would be gained from the 3,500 AF of storage? Using the metric used on other PMAs would be helpful.**	LS-041
Ch 4 p 33	"Reservoirs….Still in the conceptualization phase, details of a reservoir project have not yet been confirmed." **Comment: This sentence insinuates a lack of interest in this PMA on the part of the GSA. This is perhaps the most promising PMA when it comes to benefits to all, and yet the topic is given one-half of one page in this chapter. Meanwhile, there are empty ponds and reservoirs that already exist in the valley, which could be used right away (albeit permitting may be required). As for potential future reservoirs, has anyone asked the landowners in those areas for their opinions? Why has this project been relegated to "Tier III" when all the most damaging options – turning off irrigation and repurposing ag ground—have had reams of research done on them?**	LS-042

	Several landowners have indicated they have ponds available. A survey should be conducted to assess how many existing ponds there are, and how many landowners would be willing to have new ones built on their land. Several locals have talked about using the dredger tailings and ponds to store even more water than they do now.	LS-042, Cont'd
Ch 4 p 33	"Strategic Groundwater Pumping Curtailment" **Comment: This section should be removed. This valley is not in an overdraft, and the GSP is on course to prevent that from happening without implementing any pump turn-offs. Including pump shut-offs as a potential future tool will result in pressure to use that tool. The mechanism should be removed entirely.**	LS-043