



Media Release

State Water Board staff proposes readoption of emergency drought regulation in Bay-Delta

Regulation would refine method for determining water unavailability

April 19, 2022

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SACRAMENTO – With three consecutive years of drought reducing water levels in the Sacramento-San Joaquin Delta watershed to alarming lows, the State Water Resources Control Board today released the draft of an [emergency regulation](#) to continue curtailments adopted last year to preserve water storage in reservoirs, protect drinking water supplies, prevent salinity intrusion and minimize impacts to fisheries and the environment.

A staff workshop to discuss the proposed draft and solicit public feedback will be held May 12.

The existing regulation, which authorizes the Division of Water Rights to curtail diversions for specific right holders when water levels are low, will expire this summer unless readopted by the State Water Board and approved by the Office of Administrative Law.

“Readopting the emergency measure is critical to protecting water stored in the Delta for human health and the environment, especially as we enter a third consecutive year of extreme drought,” said Diane Riddle, an assistant deputy director with the board. “Toward that end, we are continuing to update our method for determining when water is unavailable to ensure an efficient and equitable process for right holders.”

The first quarter of 2022 was the driest on record in the Sierras, and the state has received less than half of its yearly average rain and snowfall. While only a small number of the more than 17,000 water rights in the Delta watershed are currently curtailed, diminished snowpack and hydrologic forecasts indicate that supplies will diminish in coming months and that all right holders – including those with older or riparian rights – should prepare accordingly.

While notices of water unavailability were first issued in May of 2021, curtailments did not become effective until the emergency regulation was adopted in August. This year, water users should expect curtailments to be imposed much sooner and to affect more senior right holders and claimants since supplies may be the most limited during the peak irrigation period of June and July.



Without continued emergency measures, drinking water for 25 million individuals and irrigation supply for over three million acres of farmland could be further threatened. The 1,153 square-mile watershed also supports 80% of the state's commercial salmon fisheries and is an important habitat for more than 750 animal and plant species, including waterfowl, birds of prey and threatened or endangered fish such as the Delta smelt, Chinook salmon and steelhead.

In response to persistent dry conditions almost a year ago, on May 10, 2021 Gov. Gavin Newsom declared a drought emergency for 41 counties, including those within the Delta, and outlined various actions the board and other agencies should consider, including curtailments when water is not available. The governor expanded the emergency declaration statewide on Oct. 19.

Additional information on the Delta and [drought](#) is available on the board website.

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 resource allocation and efficient use for current and future generations.