



March 5, 2014

Felicia Marcus, Chair  
State Water Resources Control Board  
1001 I Street, Sacramento, CA 95814

**RE: Comments on Drought Actions and Potential Impacts to Refuges and Central Valley Wetlands**

Dear Chair Marcus and Members of State Water Resources Control Board:

Our groups are writing to provide the Board and related agencies information about the continuing stress and adverse consequences that the drought is causing to critical ecosystem values that are at stake along the Pacific Flyway. Recognizing the complex interests the Board must balance and weigh in this critical—and now compounded—third dry year, we recommend priorities and actions to protect basic habitat for waterfowl and migratory birds, especially in the Central Valley refuge areas.

In sum, our concerns are that the ongoing drought this year will compound impacts to wetland wildlife, already stressed by declining water supplies to our state and federal refuges and other managed wetland habitats over the last 2 dry years. This year, Central Valley refuges anticipate receiving little more than one-quarter of their legally-mandated water supplies. Furthermore, post-harvest flooding of wildlife-friendly farmland—a collaborative success story for agriculture and the environment that has provided a vital component of or the flyway habitat mosaic necessary to support birds by supplementing public and private managed wetland habitat—could decline severely this year because of potential water supply curtailments.

**The loss of flooded agricultural habitat places overwhelming pressure on our public and private refuges, and cuts to refuge water deliveries make refuges less able to provide food**

**resources and nesting habitat for millions of birds and other species.** Collectively, available habitat may be reduced to levels not seen since the early 1980s. We must consider these collective and compounding effects on birds and other wetland-dependent wildlife and safeguard against so much habitat loss in the Central Valley.

We appreciate and recognize the challenge confronting the Board to balance all interests in response to the drought and increasingly scarce water resources. We understand through the proposed revisions to the Board's Emergency Order (February 28, 2014) that the Board staff continues to seek an overall water management strategy that addresses multiple public interests, including contractual obligations for both urban and agricultural water users, water quality considerations, and conservation of fish and wildlife. We also recognize the important objective of maintaining salinity control in the Delta throughout 2014. We continue to support the Board's efforts to anticipate and plan for continued drought conditions, and to ensure enough water is stored for the health and safety of all Californians, while also recognizing north-of-Delta, in-Delta, and south-of-Delta environmental protections. However, we discourage the Board from being too hasty. Take action only after directly engaging with agencies and organizations, considering all information provided by the state and federal water projects and creative solutions proposed by water users.

**Protecting Central Valley wetlands is critically important – especially during drought.**

California's public refuges, private wetlands, and some agricultural land provide indispensable habitat along the Pacific Flyway—together piecing together less than one-tenth of the four million wetland acres that once supported migrating birds and other wildlife before human development over a century ago. Millions of birds depend on these wetlands to rest and feed between long flights of hundreds or even thousands of miles. Their over-winter survival and breeding success from one season to the next is critically linked to the quality, abundance, and distribution of wetlands in the Central Valley. These relatively few remaining wetland areas are not incidental; their existence depends on dedicated water supplies and active management.

During the last severe California drought in the late 1970s, curtailments to refuge water deliveries resulted in significant impacts to wetland habitat and waterbird populations, especially wintering waterfowl. Further declines in the 1980s ultimately led to federal legislation and international agreements to mitigate for and reverse the damage.

Since the 1980s, thousands of acres of wetland habitat have been restored, and thousands more have been supplemented through compatible agricultural practices such as post-harvest flooding of rice and corn. Central Valley rice fields and wetlands collectively have been designated one of the largest internationally significant shorebird ecological sites in North America. Populations of many once-listed or declining species, such as the Aleutian Canada goose and White-faced ibis, have improved significantly. Recreation opportunities such as hunting and birdwatching have benefitted local communities and economies.

This drought—now entering a third consecutive dry year—threatens to dramatically impact the value of these long-term public investments. In particular, the cumulative impacts of habitat lost on both refuges and agricultural land presents an unprecedented challenge to birds and other wetland-dependent wildlife, and it may take many years for populations to recover.

Unquestionably, our farms and communities are suffering during this drought. So, too, are migratory birds, resident waterfowl, and other wetland wildlife. These species have no insurance policy to recover from the significant loss of habitat they could suffer this year if no action is taken. To protect our public investments and international commitments, we must provide a backstop to so much habitat loss in the Central Valley by prioritizing and augmenting water supplies to the remaining 5 percent of California wetlands.

**It is our hope that the Board’s actions will help provide a backstop to severe cutbacks in agricultural wetland habitat by prioritizing water supplies to public and private wetlands, especially in dry years.**

In consideration of substantial public investments in Pacific Flyway habitat over many years as well as international commitments to recover migratory bird species in the Central Valley, the Board’s considerations and actions should:

- Recognize that the remaining wetlands are a fraction of historical wetlands in the Central Valley, and thus require adequate water to be optimally managed to support the millions of migratory birds that depend on them in wet and dry years. With dwindling agricultural habitat, these wetlands face overwhelming pressure to provide for birds.
- Maintain water deliveries to managed wetlands. Legal commitments to refuge water contracts should not be compromised, especially in drought years. This is exactly the moment when larger ecological values in the flyway are most at risk.
- Provide funding for refuge infrastructure improvements and operations, such as groundwater wells for critical-year supplies, wherever feasible and appropriate.
- Allow refuges to manage forecasted water supplies optimally and efficiently by providing assurances that conserved water will be kept available for delivery in fall, when needed most by refuges to flood up wintering habitat for millions of arriving birds.
- Duly consider our obligations under international commitments as a signatory to the North American Waterfowl Management Plan, an international treaty recognizing the importance of recovering and maintaining waterfowl and other wetland wildlife through wetland restoration throughout North America, by providing water to wetlands in all years.

**To minimize wetland habitat losses this year and protect flyway habitat values, we recommend that the Board consider measures to help ensure some wildlife benefits from water transfers, improve infrastructure, and fund emergency water supply operations.**

Such measures should include:

- Maximize opportunities to build environmental benefits into these activities that enhance habitat for resident and migratory waterbirds. Water transfers that take water away from habitat-providing rice and other seasonal crops will likely impact birds and other listed terrestrial species.
- Enhance fallowed farmland resulting from water transfers through landowner incentives to provide habitat for resident nesting birds and other wildlife. For example, cover crops can provide critically important waterfowl nesting habitat with minimal precipitation and little to no supplemental irrigation.
- Seek out collaborative measures between state and federal efforts to make additional funding available to refuges so that existing water supply wells and pumps can operate as necessary to support habitat units, without funding restrictions.
- Where appropriate, rehabilitate existing wells and construct new wells at refuges and easement lands to provide supplemental or alternative water supplies in critical years to safeguard the longevity of established managed wetlands.
- Install new and rehabilitate existing infrastructure to improve water use efficiency of public and private wetland units. For example, functional lift pumps and pipelines can provide wetland managers the ability to reuse water flowing through the wetland units to provide spring irrigations to augment food resources to support migratory waterbirds. Grading ponds can also allow more efficient flooding targeted to foraging waterfowl and shorebirds.

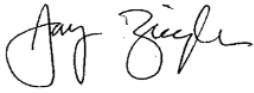
**We urge you to begin monitoring conditions on the ground to adaptively build and manage a better systemic response to emergency drought circumstances, now and in the future.**

- Investments are needed immediately to gauge stress and impacts during this drought year so wetland managers can best optimize conditions for birds across the valley and provide habitat more precisely when and where it is in greatest demand. Disease outbreaks can signal overcrowding on too little available habitat. Supplemental funding is needed for disease detection, diagnosis, and control so that federal and state refuge managers can manage changing conditions and coordinate water and habitat management across the Valley to minimize disease outbreaks.
- Additionally, long-term monitoring programs should be established or existing programs given renewed support to assess habitat conditions for waterfowl and shorebird populations. Impacts of the drought are complex and long-lasting, and current bird population surveys may not adequately reflect drought impacts.

We, the undersigned parties and organizations, very much appreciate your consideration of these measures, and we urge the Board to fully consider the cumulative effects that comprehensive “dewatering” of the Flyway may cause. It is within the Board’s authority to prioritize multi-benefit actions that can help sustain habitat values in the Central Valley for the benefit of migratory birds and wildlife.

We appreciate your attention to these matters, and look forward to continued dialogue to address the myriad challenges of this drought for the benefit of people, farms, cities, and wildlife.

Sincerely,



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