



July 29, 2019

The Honorable David Bernhardt
Secretary
U.S. Department of Interior
1849 C Street NW
Washington, D.C. 20240

Re: Water Supplies for Lower Klamath National Wildlife Refuge

Dear Secretary Bernhardt:

The undersigned request your assistance in ensuring an adequate and reliable water supply for the Lower Klamath National Wildlife Refuge. We believe that the Bureau of Reclamation should reinitiate a consultation for 2020 with the U.S. Fish & Wildlife Service and NOAA/National Marine Fisheries Service that redistributes the water in the Klamath Project in a way that better meets the needs of the endangered species as well as the Bureau's contractors within the Klamath Project, and provides an adequate and reliable water supply to the Lower Klamath NWR. While we recognize the importance of the expeditious consultation that resulted in the current biological opinions, the short timeframe precluded opportunities for engagement with stakeholders and creative solutions that benefit all parties.

The most recent biological opinions prepared under the Endangered Species Act place impossible conditions on the receipt of any water from the Klamath Project and through the Bureau of Reclamation. Despite the impact on the refuge and its dependent waterfowl and other wildlife populations, the Bureau adopted a Finding of No Significant Impact with respect to its Proposed Action and the resulting 2019 Operations Plan for the Klamath Project.

The area of the Klamath National Wildlife Refuge Complex is the single most important staging area for waterfowl in all of North America. An estimated 80 percent of Pacific Flyway waterfowl, representing 25 percent of the continental population, depend on this region for fall and spring staging during their annual migrations. In addition, 40 percent of California's

mallards, 66 percent of gadwalls, 77 percent of cinnamon teal, 90 percent of redheads, and 100 percent of canvasbacks have been documented as breeding on the Klamath refuge complex.

The Lower Klamath refuge should support over 1 million ducks and geese by early November each fall. On October 4, 2018, refuge biologists only counted approximately 29,000 ducks and 122,000 geese on the Lower Klamath refuge. These numbers are staggeringly low when compared to historical waterfowl numbers from just two decades ago, when the refuge received a more adequate water supply.

Since the listing of Coho salmon, Shortnose suckers, and Lost River suckers under the federal Endangered Species Act, the refuge has been at the bottom of the priority list for Klamath Basin water. With the Bureau of Reclamation being contractually obligated to deliver water for irrigated agriculture through the Klamath Project, the refuge has become the default source of water to meet the needs of threatened and endangered species. The current biological opinions make it practically impossible for the refuge to meet the criteria for receiving water. As a result, average water deliveries have declined by more than half since 2009. This is a continuation of a long-term water supply problem for the refuge.

Refuge staff and biologists do their best to make use of the water they can obtain. In every year, the refuge needs to have sufficient water to flood the wetlands complex ahead of the arrival of the migrating birds in mid-October, water to sustain the birds through the winter and spring, and water in the spring and summer to accommodate breeding and molting birds and to grow feed for the fall migration.

We believe a negotiated outcome can be achieved which improves the priority for the refuge for Project water without undue harm to other water users. There is currently a process, led by Alan Mikkelsen, to accomplish a comprehensive agreement among the stakeholders within the Klamath Basin and on the Klamath River and its tributaries. We encourage this process and hope to help it become a success.

Because this process may take years to complete, we respectfully suggest that the following options be considered for securing the relatively small amount of water needed in the interim:

1. The Bureau of Reclamation should prepare a sufficient Environmental Impact Statement under the National Environmental Protection Act (NEPA) that fully addresses the impacts to waterfowl and other wildlife resulting from the withdrawal of a water supply from the Klamath Project.
2. The Bureau of Reclamation should reinitiate a consultation with the U.S. Fish & Wildlife Service and NOAA/National Marine Fisheries Service for new biological opinions for 2020 that redistribute the water in the Klamath Project in a way that better meets the needs of the endangered species as well as the Bureau's contractors within the Klamath Project, and provides an adequate and reliable water supply to the Lower Klamath NWR.

In addition, it is our sincere hope that the Department of the Interior will work to secure and deploy the necessary funding and other resources needed to obtain additional water as an interim solution until a permanent and adequate water supply is provided. Acquiring water rights, repairing pumps and wells, and lowering the cost of power for pumping excess agricultural return water are examples of beneficial actions that can be taken as interim measures.

Thank you for your consideration of this request.

Respectfully,



Jeffrey A Volberg
Water Policy Director
California Waterfowl Association



Mike Ayers
President
Oregon Hunters Association



Michael Lynes
Director of Public Policy
Audubon California



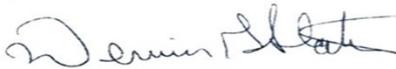
Ricardo Ortega
General Manager
Grassland Water District



Donald W. Kirby
President
Cal-Ore Wetlands & Waterfowl Council



Edward R. Miller
Vice President
The Black Brant Group



Dennis Slater
President
Tulare Basin Wetlands Association



Steve Chappell
Executive Director
Suisun Resource Conservation District



John Devney
Vice President
Delta Waterfowl



Mark Biddlecomb
Director of Western Operations
Ducks Unlimited

CC: Alan Mikkelsen, Special Advisor to the Secretary of the Interior
Brenda Burman, Commissioner of the Bureau of Reclamation
Aurelia Skipwith, Director of Fish and Wildlife Service
Ernest Conant, Director of Mid-Pacific Region, Bureau of Reclamation
Paul Souza, Director of the Pacific Southwest Region, Fish and Wildlife Service
Jeff Nettleton, Project Manager for the Klamath Project, Bureau of Reclamation
Greg Austin, Project Manager for the Klamath National Wildlife Refuges