



August 20, 2013

Hon. Anthony Rendon
Chairman
Assembly Water, Parks & Wildlife Committee
1020 N Street, Room 160
Sacramento CA 95814

Dear Chairman Rendon:

Thank you for the opportunity to comment on the Assembly Working Group's 2013 Water Bond Framework. The California Waterfowl Association is pleased to see that Section VI. of the Framework would provide funding for wetlands, among other activities protecting rivers, lakes, streams, and watersheds.

The California Waterfowl Association is a statewide nonprofit organization whose principal objective is the conservation of the state's waterfowl, wetlands, and hunting heritage. CWA believes hunters have been the most important force in conserving waterfowl and wetlands. CWA works with a wide variety of stakeholders dedicated to the protection, preservation, restoration, and management of California's wetland habitats. These stakeholders include the Audubon Society, the Nature Conservancy, Ducks Unlimited, the Central Valley Joint Venture, American Rivers, the Northern California Water Association, the Rice Commission, farmers and other private landowners, the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and many others.

A century ago, 4 million acres of the Central Valley consisted of wetlands that supported 20 to 40 million migrating waterfowl along the Pacific Flyway. By the 1980s, 95 percent of those wetlands had been "reclaimed," and bird populations plummeted to less than 5 million. Today, with the help of the California Waterfowl Association and other stakeholders, thousands of acres of California wetlands have been restored, enhanced, and protected. These remaining wetlands support some of the greatest concentrations of wintering waterfowl in the world, providing ecological and aesthetic benefits while sustaining a multi-billion dollar recreation and hunting industry.

However, legislatively-mandated commitments to supply water to refuges are not being met, due to lack of funding, rising water costs, and competing demands for water. This is leading to migratory birds finding fewer places to rest, feed, and raise their young, while overcrowding is leading to risks of disease outbreaks such as avian cholera and botulism. In addition, waterfowl habitat programs that have previously been supported through bond monies are currently in need of new funding.

Congress passed the 1992 Central Valley Project Improvement Act (CVPIA) in part to protect, restore, and enhance fish, wildlife, and their habitats in the Central Valley. The CVPIA promised 133,264 acre feet of water per year for wildlife refuges under the Incremental Level 4 allocation. The CVPIA required the

state and federal governments to be in full compliance with this provision over a decade ago, but much of the mandated water is not being delivered.

California's legal obligation and public trust responsibility to protect its remaining wetlands is not being met. Funding from a water bond could do much to help California keep its promises in the future.

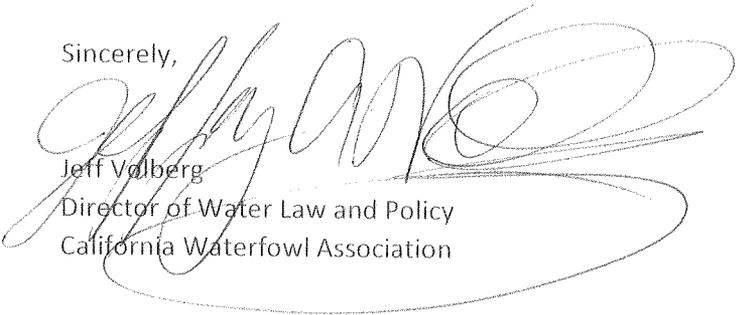
The water bond measure passed by the Legislature in 2009 (SBx7-2 (Cogdill)) provided two sources of funding for wetlands: Section 79755, subsections (b) and (p). These sections provided \$100 million and \$10 million respectively, allocated to the Wildlife Conservation Board, so the state could meet its obligations to provide funding for water and water conveyance for the CVPIA Refuge Water Supply Program and provide necessary funding for waterfowl habitat programs on private lands. The California Waterfowl Association urges the Assembly Working Group to include the following language in its introduced bond measure, consisting of the above sections but with minor modifications:

“Not less than one hundred million dollars (\$100,000,000) shall be available to the Wildlife Conservation Board for direct expenditures or grants for the acquisition of water or water rights from willing sellers and the construction of conveyance or the conveyance of water for the benefit of resident and migratory birds, shorebirds, and other wetland dependent species on wildlife refuges and wildlife habitat areas subject to Section 3406(d) of the federal Central Valley Project Improvement Act (Public Law 102-575), if the acquisition by the Wildlife Conservation Board is consistent with that federal act. All costs associated with the above expenditures or grants by the Wildlife Conservation Board for the purposes set forth under this section shall be paid out of the funds designated for the Wildlife Conservation Board.”

“Ten million dollars (\$10,000,000) shall be deposited in the California Waterfowl Habitat Preservation Account for the purposes of implementing the California Waterfowl Habitat Program described in Article 7 (commencing with Section 3460) of Chapter 2 of Part 1 of Division 4 of the Fish and Game Code, the California Landowner Incentive Program, and the Permanent Wetland Easement Program.”

Thank you for your consideration of the California Waterfowl Association's request. Association staff would be delighted to work with Assembly staff to ensure that this language is properly included in the upcoming bond measure. Any comments or inquiries may be addressed to either myself at jvolberg@calwaterfowl.org or Mark Hennelly, Vice President of Legislative Affairs and Public Policy, at mhennelly@calwaterfowl.org.

Sincerely,



Jeff Volberg
Director of Water Law and Policy
California Waterfowl Association