

September 25, 2020

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

**Re: Water Supplies for Lower Klamath National Wildlife Refuge**

Dear Secretary Bernhardt,

Our organizations, which collectively represent millions of sportsmen and conservationists across the U.S., respectfully request that the Lower Klamath National Wildlife Refuge be provided with a reliable water supply.

Lower Klamath became the nation's first waterfowl refuge in 1908, established by President Theodore Roosevelt. The refuge is a 50,000-acre component of the Klamath Basin National Wildlife Refuge (NWR) Complex, dedicated primarily to waterfowl. Originally a vast natural lake and marsh, the refuge is now in danger of reverting to desert.

The Klamath NWR Complex is one of the most important staging areas for migrating waterfowl in all of North America. An estimated 80 percent of Pacific Flyway waterfowl, representing one-quarter of the waterfowl in North America, depend upon this region for fall and spring staging during their annual migrations. Additionally, a large number of resident waterfowl rely on it in the spring and summer for breeding and molting purposes.

The Lower Klamath refuge, however, has been plagued with water supply problems since at least 2001. The refuge has two sources of water: the Klamath Irrigation Project, which is administered by the Bureau of Reclamation, and the Tule Lake Irrigation District (I.D.). The Project delivers unused irrigation water in most years, and the Tule Lake I.D. pumps irrigation tailwater, that otherwise would flood the district, through a tunnel in a ridge between the two lake basins.

In the early 2000s, the Klamath Irrigation Project's supply was diminished through allocations of water to protect endangered fish species in the Klamath River and Upper Klamath Lake. In 2006, a power contract that kept pumping costs low expired, and the amount of water that Tule Lake I.D. could afford to pump dropped by over half. The reduction in water supply has made water deliveries to the refuge unreliable, especially in dry years. In 2013-2014, and again in 2018, the refuge had too little water for the fall and spring migrations. Ducklings were also stranded and waterfowl disease outbreaks occurred. Waterfowl populations have correspondingly declined significantly as water deliveries have been reduced over time. Currently, an avian botulism outbreak—which is exacerbated by limited flooded wetland habitat—has killed an estimated 40,000 birds this summer at both Lower Klamath refuge and neighboring Tule Lake refuge.

The Klamath Basin Restoration Agreement, or KBRA, was a comprehensive water agreement among all the water users in the Klamath Basin, which would have provided the following to the Lower Klamath NWR:

- 48,000 to 60,000 acre feet of water from March through October, and 35,000 acre feet for the rest of the year
  - Contingent on availability of water in Upper Klamath Lake
  - This would provide a sufficient water supply in 9 out of 10 years
- The refuge would be made a purpose of the Klamath Project
- Water would be provided for “walking wetlands”
- Affordable electric power from federal government sources would be provided to Tule Lake I.D. to pump water “through the hill” from the Tule Lake sumps
- Leases of refuge land to farmers would continue to be allowed
- Certain lands would be transferred from the Bureau of Reclamation to the U.S. Fish & Wildlife Service

Unfortunately, the KBRA expired at the end of 2015 without further authorization by Congress. The various parties are trying again to reach a comprehensive agreement, but that will be a long process.

Short of a comprehensive water agreement among all the water users in the Klamath Basin, the refuge needs the following from the federal government:

- Funding, up to \$60 million, to purchase senior water rights within the Klamath Basin for transfer to the Lower Klamath NWR;
- Assurances from the Bureau of Reclamation that the transferred water will be stored in Upper Klamath Lake and delivered at the proper time and in the proper quantity through the conveyance facilities of the Klamath Project;
- A source of affordable electric power for the Tule Lake I.D. to use in pumping water through the ridge to the Lower Klamath NWR.

We strongly urge that the federal government take concrete steps to provide the Lower Klamath NWR with a reliable water supply to protect the Public Trust resource embodied by the hundreds of thousands of waterfowl that use the refuge each year. The money, assurances, and power source described above would allow the refuge manager to schedule water each year to meet the year-round needs of waterfowl in the Pacific Flyway.

Thank you for your consideration.

Sincerely,

California Waterfowl Association  
 Congressional Sportsmen’s Foundation  
 Delta Waterfowl  
 Ducks Unlimited  
 Houston Safari Club  
 National Shooting Sports Foundation  
 North American Falconers Association

North American Grouse Partnership  
Orion: The Hunter's Institute  
Pheasants Forever  
Quality Deer Management Association  
Quail Forever  
Theodore Roosevelt Conservation Partnership