



United States Department of the Interior



In reply refer to:
FWS/R8

FISH AND WILDLIFE SERVICE

Pacific Southwest Region
2800 Cottage Way, Room W-2606
Sacramento, California 95825-1846

Mr. Mark Cady
Central Valley Water Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670

Dear Mr. Cady:

Please except these comments from the U.S. Fish and Wildlife Service (Service) on the December 2013 Proposed Waste Discharge Requirements for discharges from irrigated lands within the Sacramento River Watershed (Sacramento River Watershed Order). These comments follow written and oral comments by federal (Service and Bureau of Land Management) and private (Grassland Water District) wetland managers regarding impact of the Irrigated Lands Regulatory Program on managed wetlands. The Service generally supports all of those comments which were in regards to current efforts to regulate managed wetlands similar to irrigated agricultural lands.

The referenced previous correspondences establish that:

1. Managed wetlands provide food and habitat for millions of resident and migratory birds of the Pacific Flyway each year and provide a host of public trust benefits including habitat for listed species, improved water quality, and flood management.
2. Management of these lands is fundamentally different from that of commercial agriculture. Goals and objectives for managed wetlands include sustainable water management and use; establishment and maintenance of aquatic and terrestrial fish and wildlife habitat and habitat conditions, legislatively mandated crop depredation for surrounding agricultural lands, water quality improvement, and visitor services.
3. The Order states that managed wetlands are considered “waste dischargers” while its supporting documentation claim that creating and enhancing wetlands are suitable for mitigation. No scientific evidence has been provided showing managed wetlands discharge waste or cause water quality impairments.
4. Efforts to include managed wetlands into the existing structure of Waste Discharge Requirement templates and control plans are hampered by this fundamental difference in land management.
5. Limited funding available to state and federal managed wetlands would best be utilized to address overall water quality goals and objectives as they apply to operation and management of these unique properties.

While there has been some progress in recognizing the fundamental differences between commercial agriculture and managed wetlands within the context of the developing Long-Term Irrigated Lands Program (LT-IRLP) and templates (e.g., nitrogen management plans are no longer required for parcels that are solely operated as a managed wetland), we believe those fundamental differences warrant an approach for managed wetlands that takes into consideration the unique landscape, flood management, groundwater recharge, habitat, mitigation, and other public trust benefits these lands provide to the State of California.

We believe further discussion with the Board is needed to address a way forward that recognizes managed wetland function and value within context of overall water quality goals. In doing so, it is our hope that the Board will conclude that managed wetlands are important features on the landscape that help improve overall ecological value, including water quality.

We appreciate your consideration of these written comments, and welcome the opportunity to work with the Board to address these critical issues which we believe are critical to successful continued operation of state and federal managed wetlands, and the public trust values they provide. You may contact Mr. Dale Garrison, at (916) 414-6728.

Sincerely,



Cesar Blanco
CVPIA Implementation Division Chief
U.S. Fish and Wildlife Service

cc:

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