



OFFICE OF PAWNEE COUNTY COMMISSIONERS

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September 26, 2018

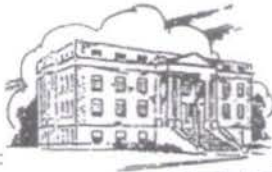
The Honorable Ryan Zinke
Department of Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Zinke:

We are writing to express the serious concern we have for the potentially negative impact of a pending decision regarding the method of providing additional water to Quivira National Wildlife Refuge ("Refuge"), which is managed by the U.S. Fish and Wildlife Service (the "Service"). Quite simply, this decision could be catastrophic to the local economy, and we need your support in accepting a solution that is wise for both local communities and the environment.

As you may know, in 2013 the Service filed a claim to the Kansas Department of Agriculture – Division of Water Resources ("KDA-DWR") that the water flowing into the Refuge from Rattlesnake Creek has been negatively impacted by irrigation. By Kansas law, the Service's surface water right is senior to the ground water rights of most irrigators and it was determined by the Chief Engineer of the Kansas Department of Water Resources that waterflow has been impaired, in part, by irrigation. Therefore, more surface water must be provided to the Refuge. It is important to note that this is not a water conservation measure for a declining water table; the ground water table in this area is stable and the issue at hand is to provide additional surface water to the Refuge. The issue now being deliberated is how much water must be provided and how that will be accomplished. The Chief Engineer at the KDA-DWR has also determined that augmentation, which would involve drilling new wells to provide additional water, is an acceptable method for providing the additional water the Service is entitled to under his ruling. The question is how that augmentation will occur, where the wells will be drilled, where the water will be delivered, and if additional reductions in irrigation will also be required.

If irrigation is curtailed, it will be disastrous to the local rural economy. The amount of revenue that irrigated cropland in the affected area brings into the local economy is approximately \$190 million per year, and under proposals being considered to require reductions in irrigation, this could be reduced by \$20 to \$50 million per year for perpetuity. It would also require farmers to bear the cash costs of developing the infrastructure many miles away from the Refuge to pump and deliver water through man-made systems to supplement the natural Rattlesnake Creek stream flow, which could be tens of millions of dollars to build. In reducing irrigation, there would be a ripple effect in the revenue of businesses that employ people and provide services in agronomy, grain merchandizing and storage, fuel,



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fertilizer, agriculture equipment, as well as in non-agriculture related retail, housing, and health care. School enrollment in districts, already small and operating in innovative ways to maintain high quality education on small budgets, would drop and possibly threaten the ability to keep the doors open. Land prices would fall, negatively impacting the tax base on which local governments and schools depend. It would cripple agricultural banking that has collateralized loans based on current land valuations, which would not only threaten existing loans but would freeze future lending. Using a multiplier provided by the Kansas City Federal Reserve Bank, this full effect could range from \$30 million to \$125 million per year in this local region. In this rural area, there simply is not another source of commerce that would replace that revenue. The impact of even 5% mandated reduction in agricultural production would dwarf the effect of any other state or federal initiative intended to stimulate growth, whether it be tax policy or any of a myriad of government-administered programs.

To put these costs into perspective, the assessed (tax) valuation in Stafford County, which is the heart of the affected area is about \$90 million per year, including all land, improvements, housing, commercial property, utilities, and personal property. The county budget for Stafford County, at the heart of the affected area, is \$13 million. St. John-Hudson school district, also in the heart of the affected area, has an annual budget of about \$5 million. The general funds of Cities of Stafford, St. John, and Macksville, the three largest towns in the county, are each under \$1 million.

The decimation of the local economy, however, is not necessary. There is a sensible solution, if the US Fish and Wildlife Service at Department of Interior will accept it. The Chief Engineer at KDA-DWR has determined that augmentation, which would provide surface water to the Refuge from water extracted from wells, is acceptable and that it can be accomplished with minimal, if any, reduction in irrigation. Drilling augmentation wells at the Refuge, where water can be delivered directly to where it is needed, when it is needed, could solve the problem while eliminating the need for the reductions in irrigation that will be so crippling. This is a much better solution than drilling augmentation wells many miles away, requiring expensive piping, or a system in which millions of gallons of water are pumped into a creek and subject to transmission loss and evaporation. Augmentation wells drilled at Quivira National Wildlife Refuge would be both efficient and sustainable. We understand that drilling wells to supplement the domestic and stockwater needs is currently practiced at the Refuge. Moreover, based on our research, right of way access for pipelines and wells occurs throughout the National Refuge System for the oil and gas industry as recently as Spring 2018. The well drilling for augmentation and right of way access for water pipelines at the Refuge would be analogous to both of these current practices and is potentially a much more efficient use of all resources.

Finally, we want to make clear the environmental context of this action. This proposed reductions in irrigation do not reduce aquifer usage – it would simply take from irrigation use and give to Quivira



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National Wildlife Refuge. While curtailing irrigation is a subject of discussion in other parts of Kansas and the United States to reduce water usage, in this case reducing irrigation is not reducing overall water consumption. Moreover, we are in the Great Bend Prairie portion of the High Plains Aquifer, which is a recharging aquifer that is not experiencing the same issues of water depletion like the Ogallala portion of the High Plains Aquifer. Having said that, water conservation is an important topic and there are measures that both the Refuge and farm producers can take to accomplish that goal. If conservation measures are prescribed as a part of the remedy for the impairment to the Service, it should require that all parties – including Quivira National Wildlife Refuge – improve water management.

Providing augmentation directly on Quivira National Wildlife Refuge could accomplish the goal of supplementing surface water for recreation without reducing water allocated to agriculture. We have the perception that what is holding this agreement back is the resistance of mid-level leaders within US Department of Interior, and that if there were acceptance of the concept of augmentation directly on the Refuge by the US Fish and Wildlife Service that the KDA-DWR would finalize its ruling. The reluctance of the US Fish and Wildlife Service to recognize the legitimate concerns of the people who live in proximity of the Refuge is a prime example of the frustration many citizens have for the regulatory burden of government. However, this is an opportunity for the current leadership at Department of Interior to show that there can be a balanced approach to managing wildlife and private property concerns. This is a reasonable solution that simply makes sense for all parties involved, and we urge you become involved to ensure this is a solution accepted by US Fish and Wildlife Service.

Sincerely,

cc:

US Senator Pat Roberts

US Senator Jerry Moran

US Representative Ron Estes

US Representative Roger Marshall

KS Department of Agriculture Secretary Jackie McClaskey



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