



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington D.C. 20240



August 19, 2024

Governor Laura Kelly
Capitol Building
300 SW 10th Avenue
Ste. 241 South
Topeka, Kansas 66612

Dear Governor Kelly:

On behalf of the U.S. Fish and Wildlife Service, I would like to express our appreciation for the identification and implementation of collaborative, short-term remedies to the water impairment on Quivira National Wildlife Refuge (Refuge). I especially want to recognize the continued leadership by Kansas Department of Agriculture, Division of Water Resources (KDA-DWR) Chief Engineer Earl Lewis over the past months and the progress made through the Rattlesnake Creek Stakeholder Working Group (Working Group) he convened.

The Service remains open to and supportive of this collaborative approach to help address the impairment of the water right at the Refuge while alleviating impacts to other water users and local communities. I commend the progress the Working Group has made toward the development of various conservation measures, including water right purchases/leasing, minimum desirable streamflow administration, moving water rights to less impactful areas, and pilot streamflow augmentation.

It is my understanding that, because of these conservation measures, meaningful progress has been made in Year 1, with approximately 3,300 acre-feet/year of reduced streamflow depletion resulting in a reduction of the Refuge's water right impairment. This is greater than the Service's proposed Year 1 target of 2,800 acre-feet/year and a step towards the same goals established in KDA's draft 2025 administrative orders. Since the Year 1 target was met, the Service does not believe it is necessary for Chief Engineer Lewis to issue administrative orders for 2025 in response to our standing request to secure water (Request).

The Service remains committed to continued collaboration through the Working Group to advance the meaningful progress discussed within the Working Group for Year 2 and beyond. That said, the Service intends the Request submitted to KDA-DWR on February 10, 2023, to be a standing Request that conveys the ongoing need for water delivery to the Refuge and that it remains in effect until such time as the impairment is considered remedied by KDA-DWR.

Thank you for your continued leadership on this difficult and important issue. Please contact Matt Hogan, Regional Director, Mountain Prairie Region, at 303-726-6251 or Matt_Hogan@fws.gov if you have any questions or would like to discuss further.

Sincerely,

A handwritten signature in blue ink that reads "Martha Williams". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Martha Williams
Director

cc: Senator Roger Marshall
Senator Jerry Moran
Representative Ron Estes