



Audubon of Kansas is Working to Restore Quivira National Wildlife Refuge's Water Rights

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Snowy Plover at Quivira National Wildlife Refuge.
Photo by David Seibel

Quivira National Wildlife Refuge attracts hundreds of thousands of ducks, geese, shorebirds, wading birds, and water birds annually. Located in the middle of the Central Flyway, it is in the primary path of many species of migrating birds. Three hundred forty species have been recorded on its 22,135 acres.

But the water which is its lifeblood is being increasingly sucked up by irrigators upstream in the Rattlesnake Creek Basin. Despite owning a water right which is senior to 95 percent of those in the Basin, the Refuge has suffered severe and frequent violations of its rights by junior users. Result: groundwater in the Refuge's 7,000 acres of wetlands has been "regularly and substantially" lowered, according to a 2015 report by the Kansas Division of Water Resources (DWR), the state agency that grants and monitors water rights.

The DWR reviewed shortages at the Refuge and found they exceeded 3,000 acre-feet in eighteen out of the thirty-four years prior to 2015.

Quivira is one of thirty "Wetlands of International Importance," under an international treaty from 1971. It became part of the Western Hemisphere Shorebird Reserve Network in 1994, and was designated a Globally Important Bird Area by the American Bird Conservancy in 2001.

Audubon of Kansas believes it is critical to restore the water to which the Refuge is legally entitled. For that reason, it recently sent a letter to DWR demanding that this be done. The letter, written and reviewed by legal counsel, cites federal and state laws which:

(1) prohibit reductions of the Refuge's water rights, (2) bar drilling and pumping of subsurface water to make up for the violations, and (3) require environmental and administrative reviews. It distills the binding law into a series of requirements for successful resolution of Quivira's impairment, and proposes several solutions.

Quivira sees tens of thousands of Sandhill Cranes each year, as well as many Whooping Cranes—which were once reduced to a population of sixteen total and are an endangered species. Recently, forty-nine Whoopers were observed there on a single day. The Refuge hosts a nesting population of Least Terns, also an endangered species, as well as Snowy Plovers, which are classified as Threatened in Kansas.

Many, many other species of conservation concern depend on Quivira and its water, including Piping Plovers, Black Rails, Black Terns, Eastern and Western Hognose Snakes, Ferruginous Hawks, Golden Eagles, Long-billed Curlews, Short-eared Owls, and Southern Bog Lemmings.

AOK's letter was signed by the chair of its board of trustees, Margy Stewart, and its Executive Director, Ron Klataske. Copies went to the U.S. Fish and Wildlife Service, which manages the Refuge, and to the U.S. Department of Interior, as well as the groundwater management district comprising most of the irrigators upstream.

The letter can be accessed on AOK's website at www.audubonofkansas.org.