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AB 472 – Waterfowl Nesting Habitat on Fallowed Lands

SUMMARY

AB 472 would establish an incentive program to help encourage landowners to maintain waterfowl nesting cover and related wildlife habitat on fallowed lands, including those fallowed as a result of a water transfer.

BACKGROUND

SB 749 (Wolk) (Chapter 387, Statutes of 2013) established a policy in the California Water Code to encourage private landowners to voluntarily establish a cover crop or leave natural cover for waterfowl and upland gamebird nesting purposes on fallowed lands that resulted from a water transfer. At the time, regulations promulgated by the Department of Water Resources (DWR) significantly hindered the establishment of cover crops and natural cover on these fallowed lands.

While DWR made minor changes to its Water Transfer Guidelines in response to SB 749, many landowners still fear that they will be penalized by DWR if they do not remove or kill (e.g. disc or spray herbicides) the vegetative cover. In addition, SB 749 did not establish any type of incentive program necessary to maximize landowner willingness to leave wildlife cover on fallowed lands.

Available nesting cover is a limiting factor for breeding waterfowl and other ground-nesting birds, especially in agricultural areas where clean farming practices have become the norm.

A previous federal effort to establish nesting cover via the Conservation Reserve Enhancement Program (CREP) demonstrated

that incentive-based, voluntary cover crop programs can benefit breeding waterfowl in California. CREP was modeled on the Conservation Reserve Program, a similar federal following program which is credited with increasing continental waterfowl populations.

More recently, the results of the 2013 Rice Cover Crop Rotation Pilot Project, which was part of DFW's Ecosystem Restoration Program, found that annual cover crops located adjacent to rice cultivation produced on average 39% nest success (which is well above the 15% that is typically targeted by waterfowl biologists).

PURPOSE

AB 472 would help create additional waterfowl breeding habitat in California, most notably in the rice-growing regions of the Sacramento Valley that often participate in water transfers and provide necessary summer waterfowl brood habitat for waterfowl species such as mallards.

This bill would also require the Department on Water Resources to consult with the Department of Fish and Wildlife (DFW) and U.S. Fish and Wildlife Service (USFWS) in implementing the program, which could include grants and other financial incentives.

SUPPORT

California Waterfowl Association (Sponsor)

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