

May 15, 2018

The Honorable Ash Kalra
California State Assembly
State Capitol, Room 5160
Sacramento, CA 95814

RE: AB 2627 (Kalra) – OPPOSE

Dear Assemblymember Kalra:

The organizations listed on this letter are writing, unfortunately, to oppose AB 2627 (Kalra). Our organizations represent farmers, ranchers, forest landowners, and businesses upon which agricultural and forestry businesses depend. California farms, ranches, and privately-owned forests provide significant habitat for a wide range of bird species, both common and those with special status. Any change to rules surrounding bird management and protection will impact these landowners and managers, it is for this reason that we are writing to express our concerns with AB 2627 (Kalra).

California's farm, ranch, and timber lands provide significant habitat values to a diversity of wildlife species, including numerous common and special status bird species. It has been documented that California's rice fields provide habitat for 187 bird species¹ and that wintering waterfowl in the Central Valley get more than 50 percent of their nutrition from rice fields². California's working rangelands provide valuable habitat for raptors wintering in the Central Valley and surrounding foothill areas. Sandhill cranes feed on crop stubble left by farmers in the Delta. Swainson's hawks depend on irrigated pasture and alfalfa fields for foraging habitat. Northern and California spotted owls depend on California forests for nesting and foraging habitat. These are just a few examples of the many birds supported by California agriculture and forestry operations.

AB 2627 (Kalra) would require the Department of Fish and Wildlife (DFW) to adopt best management practices for activities that may result in take of migratory nongame birds. These new requirements are likely to place additional burdens on California's farmers, ranchers, and forest landowners who are currently providing significant habitat for migratory nongame birds. Further, by listing specific documents providing guidance to reduce take for certain practices, activities not included are placed at risk for enforcement activities prior to the development of best management practices by DFW.

Additionally, it is unclear how activities that do not have existing guidance documents for best management practices (BMP) would operate while DFW develops BMPs. We expect that timber harvest in particular will be stopped until BMPs are identified. This is concerning not only for the economic impact this stoppage would have, but there are also no consequences if BMPs are

¹ Sterling, J. and P. Buttner. Wildlife Known to use California Ricelands. 2011.
(<http://calrice.org/pdf/wildlife/Species-Report.pdf>)

² Ibid.

not developed by December 31, 2019; likely meaning that timber operations will be on hold well beyond 2019.

The amendments also fail to recognize the existence of current federal regulations that allow for take of migratory birds. Current federal regulations include provisions that allow for the issuance of depredation permits to take migratory birds causing damage to property as well as providing ongoing take authorization for certain species of birds causing specific damage. In the U.S., European starlings, blackbirds, and crows cause an estimated annual damage to grain, fruit, and berry crops of \$150 million³. Agricultural lands provide a significant amount of habitat for birds, but some of these birds can also cause significant damage. Current federal law recognizes this balance, but AB 2627 does not.

It is for these reasons that we must, unfortunately, oppose AB 2627 (Kalra).

Sincerely,

Noelle G. Cremers
Senior Policy Advocate

CC: The Honorable Ash Kalra

³ USDA APHIS Blackbirds and Starlings in Conflict with Agriculture
(https://www.aphis.usda.gov/aphis/ourfocus/wildlifedamage/operational-activities/sa_blackbirds/ct_conflicts)
(Accessed April 5, 2018)