CRISIS
for America’s Wetlands

OUR NATION’S WETLANDS FACE THEIR GREATEST RISK
IN OVER 35 YEARS, AND FEDERAL LEGISLATION THAT WOULD
PROTECT THEM NEEDS YOUR SUPPORT
In late January, the president of the United States will summarize his views of how the nation is doing in his annual State of the Union address. He’ll also present some ideas for actions that he thinks could improve things. But he won’t be covering everything that’s important to everyone in one short speech. So, Ducks Unlimited thought it would be useful to the nation’s duck hunters and others interested in wetland conservation to provide a short “State of the Wetlands” report.

In summary, the good news is that, at least until recently, the overall state of the nation’s wetlands had been improving. The bad news, however, is that every year we are still losing more than 80,000 acres of wetlands that are important to waterfowl and wildlife. The really bad news is that wetland loss has likely accelerated, and we are on the verge of having to watch wetlands disappear from the landscape much more rapidly unless we act now. Let’s take a closer look at what’s going on with the nation’s wetlands.
for America’s Wetlands

The State of America’s Wetlands

The U.S. Fish and Wildlife Service (USFWS) has published four periodic reports covering the status and trends of wetlands in the United States over the last 50 years. When small, mostly artificial ponds are discounted, these reports document ongoing and sometimes alarming wetland loss. Between the 1950s and 1970s, for example, more than a half-million acres of wetlands were being lost every year. By the mid-1980s, the nation had lost over half its original wetlands.

Fortunately for ducks, the rate of net wetland loss across the nation slowed significantly over the last 30 years. Important factors in reducing wetland losses included passage of the Clean Water Act (CWA) in 1972, voluntary conservation programs such as the Wetlands Reserve Program (WRP) and other Farm Bill conservation programs since 1985, and the North American Wetlands Conservation Act (NAWCA) in 1989. The 1970s also heralded a greater awareness of the importance of conservation to everyone’s day-to-day interests, helping DU and other conservation organizations grow and conserve wetlands at a faster rate.

The most recent USFWS report covering 1998 to 2004 showed that wetland loss had slowed, but the nation was still losing over 80,000 acres annually. This is equivalent to...
losing a football field of wetlands every nine minutes. In total, the United States has lost approximately 16.8 million acres of wetlands since the mid-1950s and more than 2 million acres of vegetated wetlands just since 1986.

WHAT WETLAND LOSS MEANS FOR DUCKS

Although everyone ought to be concerned about wetland loss, duck hunters should be particularly concerned about the nation’s wetland trends, because small vegetated marshes and wetlands that are most important to waterfowl, such as prairie potholes, have long suffered disproportionate losses. The latest USFWS report highlighted prairie potholes, stating, “Eighty-five percent of all freshwater wetland losses were wetlands less than 5.0 acres. Fifty-two percent were wetlands less than 1.0 acre.” This means that well over 50,000 pothole-size wetlands were lost every year from 1998 to 2004. Duck populations cannot afford these continued losses, especially since about two-thirds of the approximately 20 million potholes that once existed are already gone.

About half the average total annual production of ducks comes from the Prairie Pothole Region (PPR). One USFWS analysis suggested that duck production in the PPR of the United States would decline by 70 percent if all wetlands less than one acre in size were lost. However, wetland losses far less than this would affect duck numbers and could reduce waterfowl hunting seasons.

In recent years, urban sprawl has replaced agriculture as the leading cause of wetland loss in the United States. The wetland above was drained for a housing development.

Wetland loss in already hard-hit migration and wintering areas has also continued. For example, the U.S. Geological Survey reports that over 25 square miles of Louisiana’s coast, among the most important waterfowl wintering habitat in North America, are lost annually. The Rainwater Basin region of Nebraska is a key migration area, particularly in the spring, at times supporting 50 percent of midcontinent mallards and 90 percent of midcontinent white-fronted geese. But, there are fewer than 400 basins remaining, less than 5 percent of those once present.

AN UNEXPECTED THREAT TO WETLANDS

Although by the turn of the 21st century the nation had not halted the loss of wetlands most important to wildlife, the rate of loss had slowed substantially. Steady progress was being made, and there was a sense that, with continued...
support for programs such as WRP and NAWCA, we might finally turn the corner and begin to add wetlands to the nation’s inventory. Then, in 2001, the U.S. Supreme Court delivered the first of two unexpected blows to the CWA, the foundation of the nation’s system of wetland protection since 1972. They made matters even worse with a second decision in 2006.

To summarize two confusing, split decisions, the Court essentially said: (1) exercising federal Clean Water Act jurisdiction over a wetland required more than showing that migratory birds used the wetland, and (2) there needed to be some significant ecological or hydrological connection, direct or indirect, between wetlands and navigable waters to establish jurisdiction. The decisions created many more questions than they answered and confused the agencies responsible for administration of wetlands protection (Environmental Protection Agency and the U.S. Army Corps of Engineers) about which wetlands and other waters should be protected by the CWA. The two agencies subsequently spent many months after the second ruling trying to interpret the meaning of the Court’s decisions and working on new operating guidelines for their staffs and for people needing permits for work that affected wetlands.

There was a glimmer of hope in that five of the justices supported a position that would continue to offer strong wetland protection, as Congress originally intended in 1972, as long as there was a solid, scientific foundation for doing so. Unfortunately, they did so in three separate rulings that contributed to the confusion and challenges stemming from the rulings. Nevertheless, understanding that virtually all wetlands and tributaries collectively have a significant effect on downstream waters and the people who use them or live near them, DU and other conservation groups remained hopeful that the guidance being developed by the agencies could restore some protections that were removed in the 2001 Supreme Court ruling.

However, the guidance that was finally released in mid-2007 went the other direction. The agencies interpreted the Court’s decisions in a way that removed many millions of acres of wetlands from CWA jurisdiction, leaving them unprotected from being drained and filled. Ironically, the process they established not only significantly weakened wetland protections but also created huge delays and backlogs in the permitting process.

**WETLANDS, THE ECONOMY, AND THE PUBLIC GOOD**

Wetlands do much more than provide habitat for waterfowl and other wildlife. They produce a diverse array of services such as floodwater storage, groundwater recharge, and water quality protection and improvement. These tangible benefits of wetland conservation provide valuable economic benefits to everyone. For example:

- Waterfowl hunting is a powerful economic engine that depends on wetland conservation. In 2001, approximately 1.8 million waterfowl hunters spent almost $1 billion for hunting-related goods and services, generated a total economic output of $2.3 billion, and supported 21,415 jobs.
- Nearly 20 million people watched waterfowl and shorebirds in 2001, with an economic output of $9.8 billion.
- Coastal storm surges can be reduced by one foot for every 2.7 miles of coastal wetlands. Coastal marsh reduced Hurricane Andrew’s storm surge by 4.4 to 6 feet, preventing flooding of homes and businesses.
- Managed wetlands and other low areas could store floodwater in the Red River Basin for an estimated $32 to $37 per acre-foot. The same storage would cost $91 to $213 per acre-foot using structures such as dams and levees.
- The Midwest Flood of 1993, the largest flooding disaster in U.S. history before Hurricane Katrina, caused $16 billion in damage. It has been estimated that restoring half the original wetlands in the upper Midwest, approximately 3 percent of the watershed, could have stored much of the 1993 floodwater.
- To cost-effectively provide a high-quality water supply, New York City chose a $250 million program to protect up to 350,000 acres of wetlands and riparian lands in its watershed instead of constructing conventional water treatment plants at a cost of $6 billion to $8 billion.

**IN TOTAL, THE UNITED STATES HAS LOST APPROXIMATELY 16.8 MILLION ACRES OF WETLANDS SINCE THE MID-1950s AND MORE THAN 2 MILLION ACRES OF VEGETATED WETLANDS JUST SINCE 1986.**

Without public policies that conserve wetlands, many duck populations could decline to levels that can no longer support hunting.
process. This has created serious problems for landowners and developers who applied for permits for projects involving filling of wetlands. The result was that no one was happy, and wetlands left unprotected began disappearing from the landscape, along with places for ducks to nest, migrate, and winter—and places for duck hunters to hunt.

A MORE SECURE FUTURE FOR WETLANDS

The federal agencies’ interpretation of the Supreme Court rulings has made it clear that passing legislation will be the only way to remedy the confusion and delays and restore protection to the nation’s wetlands before many more thousands of acres are irrevocably lost. The CWA is the “safety net” for the nation’s wetlands, and restoring decades-old wetland protections that the federal agencies have chosen to withdraw is essential to securing the future of waterfowl and waterfowl hunting.

The nation must also continue to provide strong support for important wetland- and waterfowl-friendly, science-based programs that farmers and other landowners use to voluntarily protect and restore wetlands across the landscape. WRP and NAWCA are two examples of programs that conserve thousands of acres of wetlands every year and replace a portion of those that are lost. If the nation is ever to begin gaining wetlands, programs such as these will be pivotal.

Finally, the central element of Ducks Unlimited’s 70-year-old conservation mission is to continue to work with farmers, landowners, state and federal agencies, and countless other partners to protect and restore habitats important to waterfowl across North America. The nation’s hunters and other waterfowl enthusiasts expect this of us, and we take the responsibility seriously. But we know that this is a huge task, and powerful forces have priorities that conflict with those of sportsmen and women. We also know that providing a more secure future for the nation’s wetlands and North America’s waterfowl pop-

Waterfowl rely on a variety of wetlands from prairie potholes to coastal marshes to seasonally flooded bottomland forests throughout their annual life cycle.

Rising commodity prices have made wetlands located on actively farmed landscapes vulnerable to drainage and conversion to crop production.
With wetland loss accelerating, waterfowl, fish and humans need champions now more than ever. So the question becomes, “Who will step up for the wetlands that provide habitat for waterfowl and other fish and wildlife, provide our clean drinking water, and protect our homes and communities from floods?”

Will it be your Member of Congress? Will they advocate for potholes, prairies, and flooded timber? What about clean water, healthy soil, and open spaces for hunting, fishing, or just enjoying the outdoors?

All of these are benefits of wetlands, and all of them are at risk unless wetland protections are restored.

Your elected representatives, from the town aldermen to your U.S. Senators, can take a stand for wetland conservation by supporting the Clean Water Restoration Act, legislation being discussed in the U.S. House and Senate. This legislation would restore protection to literally tens of millions of acres of wetlands that had their Clean Water Act protections taken away by policy changes stemming from federal agency interpretations of two Supreme Court cases. Have your Members of Congress signed on to cosponsor this legislation? Have you let your elected representatives know how important protection of the nation’s wetlands and water supplies is to you and the outdoor activities you love?

There are important and valuable federal programs that add and protect wetlands on the landscape. For example, restoration projects undertaken through North American Wetlands Conservation Act grants have conserved millions of acres of wetlands and waterfowl habitat across the continent. Each federal dollar spent on these grants typically leverages between $2 and $3 in partner funding, making it one of the most cost-effective conservation programs in history. There are also Farm Bill conservation programs like the Wetlands Reserve Program and the Conservation Reserve Program that have conserved more than 43 million acres of wetlands and other habitats. Yet, in spite of these wetland conservation gains, the nation continues to lose wetlands faster than it conserves them. It has become clear that the future of the nation’s wetlands and waterfowl resources cannot be sustained without restoring the Clean Water Act protections that were in place for over 30 years before the recent policy decisions stripped them away.

Are your Members of Congress doing all they can to stand up for clean water? Are they co-sponsors of the Clean Water Restoration Act? To find out, call (202) 224-3121 and ask to speak to your Member of Congress’ offices.
For more information contact:

Ducks Unlimited National Headquarters
901.758.3874
syaich@ducks.org

Ducks Unlimited Governmental Affairs Office
202.347.1530
nshader@ducks.org

www.ducks.org