

RED RIVER NATIONAL WILDLIFE REFUGE ACT

SEPTEMBER 6, 2000.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 4318]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4318) to establish the Red River National Wildlife Refuge, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Red River National Wildlife Refuge Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The area of Louisiana known as the Red River Valley, located along the Red River Waterway in Caddo, Bossier, Red River, Natchitoches, and DeSoto Parishes, is of critical importance to over 350 species of birds (including migratory and resident waterfowl, shore birds, and neotropical migratory birds), aquatic life, and a wide array of other species associated with river basin ecosystems.

(2) The bottomland hardwood forests of the Red River Valley have been almost totally cleared. Reforestation and restoration of native habitat will benefit a host of species.

(3) The Red River Valley is part of a major continental migration corridor for migratory birds funneling through the mid continent from as far north as the Arctic Circle and as far south as South America.

(4) There are no significant public sanctuaries for over 300 river miles on this important migration corridor, and no sig-

nificant Federal, State, or private wildlife sanctuaries along the Red River north of Alexandria, Louisiana.

(5) Completion of the lock and dam system associated with the Red River Waterway project up to Shreveport, Louisiana, has enhanced opportunities for management of fish and wildlife.

(6) The Red River Valley offers extraordinary recreational, research, and educational opportunities for students, scientists, bird watchers, wildlife observers, hunters, anglers, trappers, hikers, and nature photographers.

(7) The Red River Valley is an internationally significant environmental resource that has been neglected and requires active restoration and management to protect and enhance the value of the region as a habitat for fish and wildlife.

SEC. 3. ESTABLISHMENT AND PURPOSES OF REFUGE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish the Red River National Wildlife Refuge, consisting of approximately 50,000 acres of Federal lands, waters, and interests therein within the boundaries depicted upon the map entitled “Red River National Wildlife Refuge—Proposed”, dated July 20, 2000.

(2) BOUNDARY REVISIONS.—The Secretary shall make such minor revisions of the boundaries of the Refuge as may be appropriate to carry out the purposes of the Refuge or to facilitate the acquisition of property within the Refuge.

(3) AVAILABILITY OF MAP.—The Secretary shall keep the map referred to in paragraph (1) available for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) PURPOSES.—The purposes of the Refuge are the following:

(1) To restore and preserve native Red River ecosystems.

(2) To provide habitat for migratory birds.

(3) To maximize fisheries on the Red River and its tributaries, natural lakes, and man-made reservoirs.

(4) To provide habitat for and population management of native plants and resident animals (including restoration of extirpated species).

(5) To provide technical assistance to private land owners in the restoration of their lands for the benefit of fish and wildlife.

(c) EFFECTIVE DATE.—The establishment of the Refuge under paragraph (1) of subsection (a) shall take effect on the date the Secretary publishes, in the Federal Register and publications of local circulation in the vicinity of the area within the boundaries referred to in that paragraph, a notice that sufficient property has been acquired by the United States within those boundaries to constitute an area that can be efficiently managed as a National Wildlife Refuge.

SEC. 4. ADMINISTRATION OF REFUGE.

(a) IN GENERAL.—The Secretary shall administer all lands, waters, and interests therein acquired under section 5 in accordance with—

(1) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and the Act of September 28,

1962 (76 Stat. 653; 16 U.S.C. 460k et seq.; commonly known as the Refuge Recreation Act);

(2) the purposes of the Refuge set forth in section 3(b); and

(3) the management plan issued under subsection (b).

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Secretary shall issue a management plan for the Refuge.

(2) **CONTENTS.**—The management plan shall include provisions that provide for the following:

(A) Planning and design of trails and access points.

(B) Planning of wildlife and habitat restoration, including reforestation.

(C) Permanent exhibits and facilities and regular educational programs throughout the Refuge.

(D) Provision of opportunities for compatible fish- and wildlife-oriented recreation, to ensure that hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the priority general public uses of the Refuge, in accordance with section 4(a)(3) and (4) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668ee(a)(3), (4)).

(3) **PUBLIC PARTICIPATION.**—

(A) **IN GENERAL.**—The Secretary shall provide an opportunity for public participation in developing the management plan.

(B) **LOCAL VIEWS.**—The Secretary shall give special consideration to views by local public and private entities and individuals in developing the management plan.

(c) **WILDLIFE INTERPRETATION AND EDUCATION CENTER.**—

(1) **IN GENERAL.**—The Secretary shall construct, administer, and maintain, at an appropriate site within the Refuge, a wildlife interpretation and education center.

(2) **PURPOSES.**—The center shall be designed and operated—

(A) to promote environmental education; and

(B) to provide an opportunity for the study and enjoyment of wildlife in its natural habitat.

SEC. 5. ACQUISITION OF LANDS, WATERS, AND INTERESTS THEREIN.

(a) **IN GENERAL.**—The Secretary may acquire up to 50,000 acres of lands, waters, or interests therein within the boundaries of the Refuge described in section 3(a)(1).

(b) **INCLUSION IN REFUGE.**—Any lands, waters, or interests acquired by the Secretary under this section shall be part of the Refuge.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this Act.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) **REFUGE.**—The term “Refuge” means the Red River National Wildlife Refuge established under section 3.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

PURPOSE OF THE BILL

The purpose of H.R. 4318 is to establish the Red River National Wildlife Refuge.

BACKGROUND AND NEED FOR LEGISLATION

The National Wildlife Refuge System is comprised of federal lands that have been acquired or reserved for the conservation of fish and wildlife. Totalling about 93 million acres, the System provides habitat for hundreds of fish and wildlife species, including more than 258 species listed as threatened or endangered under the Endangered Species Act. The System is also designed to offer priority public wildlife-dependent uses for compatible hunting, fishing, wildlife observation and photography, and environmental education and interpretation. Currently, 290 refuges are open for hunting and 260 units are open for fishing. This represents more than 90 percent of all the refuge acreage.

The first wildlife refuge was created at Pelican Island, Florida, in 1903, by President Theodore Roosevelt. Today the System has 525 refuges and 38 wetland management districts, which are located in all 50 States and the nine U.S. insular areas. These units range in size from less than one acre at the Mille Lacs National Wildlife Refuge in Minnesota to the largest, the 19.3 million acre Arctic National Wildlife Refuge in Alaska. Funding for refuge land acquisition comes from two primary sources: (1) annual appropriations from the Land and Water Conservation Fund; and (2) the Migratory Bird Conservation Fund, which is funded from the purchase of federal duck stamps, import duties collected on arms and ammunition, and wildlife refuge entrance fees.

The National Wildlife Refuge System is managed primarily in accordance with three federal statutes: the Refuge Recreation Act of 1962, the National Wildlife Refuge System Administration Act of 1966, and the landmark National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), which created for the first time an organic law for our nation's National Wildlife Refuge System.

The Red River Valley is located along the Red River waterway in Caddo, Bossier, Red River, Natchitoches, and DeSoto Parishes, Louisiana. It is the most degraded watershed in the region. The Valley was almost totally cleared of its forest cover beginning in the 1820s, primarily for cotton production. The Red River is a disjunct tributary of the Mississippi River, which was heavily degraded in the 1800s and continuing on through a soybean farming boom of the late 1960s.

Despite this degradation, the Red River Valley is part of an historic migratory corridor for over 350 species of birds. These include migratory waterfowl, shorebirds (including the endangered least tern), and neotropical migratory birds. It is part of the Mid-Continent Flyway region that stretches as far north as the Arctic Circle to as far south as Tierra del Fuego in South America.

At this time, there are no significant public sanctuaries for over 300 river miles in this important migratory corridor, and no National Wildlife Refuge along the Red River north of Alexandria, Louisiana, to Texarkana, Arkansas. By creating the Red River National Wildlife Refuge, the sponsors believe that the Red River eco-

system will be restored and that the recreational, research, and educational opportunities of this Valley can be enhanced in the future by students, scientists, birdwatchers, wildlife observers, hunters, anglers, trappers, hikers, and nature photographers.

The bill directs the Secretary of the Interior to acquire approximately 50,000 acres of land and adjacent waters for inclusion within the proposed refuge. The purpose of the refuge would be to restore and preserve native Red River ecosystems; provide habitat for migratory birds; maximize the fisheries on the Red River; provide habitat for native plants and resident animals; and provide technical assistance for the restoration of private lands for the benefit of fish and wildlife populations. H.R. 4318 authorizes such sums as are necessary to carry out this bill.

Furthermore, in administrating the refuge, the Secretary shall issue a management plan that provides opportunities for compatible fish and wildlife-oriented recreation, to ensure that hunting, fishing, wildlife observation and photography, and environmental education interpretations are the priority general public uses of the refuge. Finally, the Committee expects that land acquisition for the Red River Refuge would be from willing sellers. The Service has not utilized hostile condemnation for over 11 years, and has acquired less than two-tenths of one percent of Refuge System land by condemnation. In the unlikely event that the Service would initiate condemnation, the agency should consult with the members of Congress representing the area, the House Committee on Resources, the Senate Committee on Environment and Public Works and the House and Senate Committee on Appropriations prior to initiating such actions.

COMMITTEE ACTION

H.R. 4318 was introduced on April 13, 2000, by Congressman Jim McCrery (R-LA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries Conservation, Wildlife and Oceans. On May 11, 2000, the Subcommittee held a hearing on the bill. On July 20, 2000, the Subcommittee met to consider H.R. 4318. Congressman Jim Saxton (R-NJ) offered an amendment in the nature of a substitute that clarified the purposes of the refuge, how it would be administered in the future and deleted a section of the bill which required continued public service on a range of public infrastructure projects. The amendment was adopted by unanimous consent. The bill, as amended, was reported favorably to the full Resource Committee by unanimous consent. On July 26, 2000, the Full Resources Committee met to consider H.R. 4318. There were no further amendments and the bill as amended was favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of Rule X and clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of Rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of Rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of Rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 9, 2000.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4318, the Red River National Wildlife Refuge Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 4318—Red River National Wildlife Refuge Act

H.R. 4318 would direct the U.S. Fish and Wildlife Service (USFWS) to establish the Red River National Wildlife Refuge in Louisiana, effective on the date that the agency determines that it has acquired enough land within the boundaries of the proposed refuge to be managed efficiently. The bill would authorize the agency to acquire land, water, and related interests within the proposed 50,000-acre refuge. In addition to managing this acreage, the agency would restore native species and ecosystems and provide oppor-

tunities for environmental education and for recreational uses such as hunting and fishing. The bill would require the agency to construct and operate a wildlife interpretation and education center at the new refuge. For the purposes of acquiring, developing, and operating the refuge, the bill would authorize the appropriation of whatever sums are necessary.

The cost of implementing H.R. 4318 would depend on the outcome of formal property appraisals and on the degree of restoration and development undertaken at the proposed refuge. Based on information provided by the USFWS, CBO estimates that it would cost between \$70 million and \$100 million over the next 10 years to implement this legislation, assuming appropriation of the necessary amounts. We estimate that about 60 percent of the funds would be needed to acquire about 50,000 acres. The agency would use between \$20 million and \$30 million to restore habitat and species within the new lands and to construct a wildlife interpretation and education center. During the acquisition and development period, managing the new acreage and related construction projects would cost \$8 million over the 10 years. After this period, when all land has been acquired and developed, we estimate that the agency would spend between \$3 million and \$5 million annually to operate it and to make payments to local governments under the Refuge Revenue Sharing Act, assuming appropriation of the necessary amounts.

H.R. 4318 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.