

**H.R. 1230, TO ESTABLISH THE
DETROIT RIVER INTER-
NATIONAL WILDLIFE REFUGE
IN THE STATE OF MICHIGAN**

LEGISLATIVE HEARING

BEFORE THE
SUBCOMMITTEE ON FISHERIES CONSERVATION,
WILDLIFE AND OCEANS

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

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C O N T E N T S

| | Page |
|--|------|
| Hearing held on June 21, 2001 | 1 |
| Statement of Members: | |
| Dingell, Hon. John D., a Representative in Congress from the State of Michigan | 2 |
| Prepared statement of | 8 |
| Gilchrest, Hon. Wayne T., a Representative in Congress from the State of Maryland, Prepared statement of | 1 |
| Kind, Hon. Ron, a Representative in Congress from the State of Wisconsin, Prepared statement of | 5 |
| Underwood, Hon. Robert, a Delegate to Congress from Guam, Prepared statement of | 5 |
| Statement of Witnesses: | |
| Ashe, Daniel M., Chief, National Wildlife Refuge System, U.S. Department of the Interior | 10 |
| Prepared statement of | 13 |
| Guyer, Dr. Gordon, Chairman of the Board, Pheasants Forever, Prepared statement of | 35 |
| Letter submitted for the record | 35 |
| Hartig, Dr. John, Detroit River Navigator, Greater Detroit American Heritage River Initiative | 15 |
| Prepared statement of | 17 |
| Jakcsy, John, Regional Manager of Community Relations and Communications, Great Lakes Operations, National Steel Corporation . | 19 |
| Prepared statement of | 20 |
| Nomsen, Dave, Vice President of Government Affairs, Pheasants Forever | 34 |
| Taylor, Helen, State Director, Michigan Chapter, The Nature Conservancy | 21 |
| Prepared statement of | 23 |
| Tori, Gildo M., State and Federal Coordinator, Ducks Unlimited, Inc. | 28 |
| Prepared statement of | 29 |
| Additional materials supplied: | |
| Bagale, Edward J., Vice Chancellor for Government Relations, The University of Michigan-Dearborn, Statement submitted for the record .. | 46 |
| Cool, K.L., Director, Department of Natural Resources, Lansing, Michigan, Letter submitted for the record | 49 |
| Engler, Hon. John, Governor, State of Michigan, Letter submitted for the record | 50 |
| Front, Alan, Senior Vice President, The Trust for Public Land, Statement submitted for the record | 47 |
| Goodheart, Jim, Executive Director, Michigan United Conservation Clubs, Memorandum submitted for the record | 51 |
| Map of Lower Detroit River Ecosystem | 52 |
| Stroh, Peter W., Chairman, Greater Detroit American Heritage River Initiative, Letter submitted for the record | 53 |
| Whelan, Susan, Member of Parliament, Essex, House of Commons, Ottawa, Canada, Letter submitted for the record | 55 |

**H.R. 1230, TO ESTABLISH THE DETROIT
RIVER INTERNATIONAL WILDLIFE REFUGE
IN THE STATE OF MICHIGAN**

**Thursday, June 21, 2001
U.S. House of Representatives
Subcommittee on Fisheries Conservation, Wildlife and Oceans
Committee on Resources
Washington, DC**

The Subcommittee met, pursuant to notice, at 10:07 a.m., in Room 1324, Longworth House Office Building, Hon. Wayne T. Gilchrest [Chairman of the Subcommittee] presiding.

Mr. GILCHREST. Good morning, everyone. The hearing of the Fish, Wildlife, and Oceans Subcommittee will come to order.

[The prepared statement of Mr. Gilchrest follows:]

**Statement of The Honorable Wayne T. Gilchrest, Chairman, Subcommittee
on Fisheries Conservation, Wildlife And Oceans**

Good morning, I am pleased to convene this hearing and I compliment the Dean of the House of Representatives, the Honorable John Dingell for introducing the Detroit River International Wildlife Refuge Establishment Act. This innovative proposal would create the first ever international wildlife refuge.

The Detroit River was formed over 14,000 years ago and it is an international waterway that flows through a metropolitan region of over five million people. Sadly, the overwhelmingly majority of its wetlands have been lost to development.

Nevertheless, the Detroit River has one of the highest diversities of fish and wildlife in all of the Great Lakes. There are more than 29 species of waterfowl and 65 different kinds of fish found there. In addition, it was designated as an American Heritage River in 1998 and is pending similar recognition in Canada.

H.R. 1230 has been co-sponsored by 24 members of the House and it has been endorsed by a diverse group of elected officials and various organizations including Ducks Unlimited, Michigan United Conservation Clubs, Pheasants Forever and the Nature Conservancy.

I look forward to hearing more about this legislation, how this refuge designation will assist in the restoration of wetland habitat, the sources of funding to acquire the necessary Refuge lands and how section 7, the indemnification provisions will work. I am confident that our distinguished witnesses will address these issues in their testimony.

I am now pleased to recognize the distinguished Ranking Minority Member for any opening statement he may have on this legislation.

Mr. GILCHREST. Mr. Dingell, thank you very much for coming here this morning. We have read through some of the testimony that we will hear from the witnesses, and John, it sounds like an extraordinarily wonderful thing that you are embarking upon, to create this habitat corridor with connecting refuges in what once

was a pristine, beautiful area of North America, and with your efforts and our help, a piece of that beautiful wildlife habitat can be restored.

Mr. Dingell, I know you have been here in Congress for many, many years and your love for the outdoors and its resources is well known. What we want to do this morning is listen to you tell the story about this idea, and with collective cooperation from this great body, the U.S. House of Representatives, and our counterparts, who are not always so great, on the Senate side, we will make this happen.

Welcome, Mr. Dingell.

**STATEMENT OF HON. JOHN D. DINGELL, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MICHIGAN**

Mr. DINGELL. Mr. Chairman, you make me feel very good with that opening statement. First of all, for the record, my name is John Dingell. I represent the Congressional district which borders this wonderful area, the east side. The river flows approximately north and south. I want to express my thanks to you for not only your kind statement, but for convening this hearing today, and I want to express my particular thanks to Mr. Underwood and to the Committee for your kindness to me.

We in Michigan love the Detroit River and the Great Lakes like you in Maryland love that wonderful body of water, the Chesapeake, and we are concerned that we do the things that we can to save it and to preserve the values that are there. One of the remarkable things about this area is that the values are there, and I will address that in just a little bit.

I would like to mention some of the people who are here with me this morning as witnesses, and with the approval of the chair, I would ask that they come forward to the witness table at this time, if that meets with your approval, Mr. Chairman.

Mr. GILCHREST. Without objection, Mr. Dingell.

Mr. DINGELL. Mr. Chairman, I would be remiss if I didn't mention your extraordinary leadership in the area of conservation. All of us owe you a debt for the courage, the vision, the effort, and the energy which you have brought to this business of conservation and I want to express to you my personal gratitude for what it is that you have done.

I would ask that Helen Taylor of the Nature Conservancy come forward; John Jakcsy of National Steel, about whom I will mention a little more in just a little bit; Dave Nomsen, who is here for Gordon Guyer of Pheasants Forever, one of the great national conservation organizations; Gildo Tori of Ducks Unlimited; and John Hartig, who is our River Navigator in the Heritage River which was set up by the administration. So we have here a rather remarkable panel and they are prepared to testify. I would note also that Dan Ashe is here, and one of my duck hunting friends, John Stinson on behalf of National Steel.

Mr. Chairman, this is a wonderful area. When you go out there, you will find that there are enormous celery beds, tremendous habitat. Already, there is a national refuge, the Wyandotte Refuge, which is administered by the Shiawassee Refuge, which comprises about 300 acres on what is called Grassy and Mamajuda Island.

Just recently, Mr. Jakcsy and the National Steel Company, with the help of Mr. Stinson and others in that very fine company, gave the Federal Government and the Fish and Wildlife Service about 20 more acres which is also prime duck habitat with some superb celery beds, which are extremely important to the more than three million ducks and geese which go north and south on this river every spring and fall.

I would note that we have sought in every way possible to make the task of this Committee easy, because if you will note, there is no opposition to this legislation. You will also note, Mr. Chairman, that the Canadians are highly supportive, are working with us, both to create a Heritage River, and will begin their efforts to convert this into an international wildlife refuge, something which is of unique value.

I would note that we have listened very carefully to the concerns of the members of this Committee and we do not allow compulsory process for the taking of land. Any land which would be acquired or interest in land which would be acquired would have to be done on a voluntary, free-will basis by the seller or donor or whatever it might happen to be.

I would note to you that every newspaper in the area, including the Canadian papers, support this, the Detroit News Free Press and the Wyandotte News Herald, which publishes right in the middle of the picture which you see there. I would note that almost every government of every community in that area supports this proposal. That even includes the government of Grosse Île, which is the island right in the middle of the river, which has great concerns and which has some rather remarkable habitat right there. Also, Riverview and Trenton, which are very much concerned with the preservation of small remaining bits of shoreline.

I would observe to you, Mr. Chairman, that it is not necessary for there to be huge acquisitions of land or even any significant acquisitions of land because that land can be acquired either by procuring interests or by executing cooperative agreements or cooperative management agreements or easements between the Federal Government, again, on a totally voluntary basis on the part of the land owner. I would note that all major land owners in this area support this, as do the chambers of commerce and as does our Governor, our Department of Natural Resources, and letters from these people and organizations will be submitted.

The Down River Community Conference, which is an organization composed of all of the local units of government, also supported by legislature, has indicated support, and the Honorable Susan Whelan, M.P., has sent a letter, which we have included in the record, which indicates her personal support for this, and I am working with both her and Deputy Prime Minister Herb Gray in Canada to try to move forward Canadian participation, particularly in some very special areas.

Ducks Unlimited will be able to tell you about the remarkable habitats which we have in the Detroit River, both on our side of the river and on theirs. I would note to you that for an industrial river, this is a remarkable thing. They have grown enormous wall-eye. There are lake sturgeon. This area is a remarkable trout stream and also has salmon going up and down the river. You

should know that when the freighters pass up and down the river in November and December, you will see clouds of ducks going up, so that if you are standing on the shore, it looks like smoke. It is unbelievable, the number of birds that are out there, particularly in the celery beds which are there.

I would anticipate that you will note that there is no change of substantive Federal law and no impingement upon State law, and we have had a very extensive dialogue both with the States and with the local units of government about the fact that this constitutes no threat to them nor does it constitute threat to the land owners who are on the shore.

There is some extraordinary habitat out in the river itself and the function of the refuge will, in fact, be simply to allow a coordinated management of all of this area with the full participation of State and local units of government, which are extensive land holders down there, including a very major hunting area of about 3,000 acres at Pointe Mouillee, which is just to the south of the areas that you are looking at here, and also some major county and city parks which are there right on the shore.

The establishment of cooperative management arrangements between the Federal Government and the different State, local, and private interests in the area will afford us an opportunity to really realize the fish and wildlife values of these areas, both insofar as fish and wildlife are concerned and insofar as other value.

I would note that the Detroit River is, amongst other things, a great hunting area. I have shot ducks out there since I was a very young man and it is dangerous, but it is great fun.

[Laughter.]

Mr. DINGELL. I would note to you that hunting will be done and fishing and trapping and other things, which are always of concern to members of this Committee, under Federal law if this goes forward, and that has been a very major concern to the hunters and fishermen of the area and to the State game and fish. I would note that NRA and the Michigan United Conservation Clubs are in strong support of this legislation, which tends to indicate that there is no threat to the shooters and the sportsmen of the country.

Having said that, Mr. Chairman, if you have some questions, I will be delighted to respond. I do want to express my personal appreciation to you and to Mr. Underwood and the Committee for your kindness to me today. I have tried to respond by giving you no problems or troubles with this legislation and I have the privilege of also thanking these distinguished Americans who are here with us today to give you further comments about their interests in this legislation.

Mr. GILCHREST. Thank you very much, Mr. Dingell.

I will yield now for a statement and, I guess, any questions Mr. Underwood may have. Mr. Dingell, you represent the Detroit River. I represent the Chesapeake Bay. Mr. Underwood represents the Pacific Ocean. Mr. Underwood?

Mr. DINGELL. And between us, Mr. Chairman, we are going to see that those wonderful areas are protected.

Mr. GILCHREST. Yes, sir.

Mr. UNDERWOOD. Thank you, Mr. Chairman, and I, too, want to welcome our esteemed colleague, the Dean of the House, John Dingell, to the Subcommittee.

I am a proud cosponsor of your legislation. I know that there may be some minor issues that need to be worked out, but I see that you have brought everybody but the Canadians to our Subcommittee today, and I would just like to note for the record that as dangerous as duck hunting may be for you, it is much more dangerous for the ducks.

[Laughter.]

Mr. DINGELL. I thank you for those kind words.

Mr. UNDERWOOD. I ask unanimous consent to enter my statement into the record, as well as a statement of Ron Kind.

Mr. GILCREST. Without objection.

Mr. UNDERWOOD. Thank you.

[The prepared statement of Mr. Underwood follows:]

Statement of The Honorable Robert Underwood, a Delegate to Congress from Guam

Thank you, and good morning, Mr. Chairman. In the interest of time, my opening remarks will be brief.

Allow me first to welcome our esteemed colleague, the Dean of the House of Representatives, Congressman John Dingell. I am proud to be a co-sponsor of your bill, H.R. 1230, and I look forward to learning more about your ideas for enhancing the fish and wildlife habitat of the Detroit River.

Mr. Chairman, I also think it appropriate to recognize Mr. Dingell for his life time dedication towards the protection, conservation and restoration of our Nation's invaluable fish and wildlife heritage.

His leadership on the Migratory Bird Commission, his commitment towards fulfilling the North American Waterfowl Management Plan, and his strong support of the Dingell-Johnson and Pittman-Robertson Sport Fish and Wildlife Restoration Programs, are just a few examples of his remarkable contributions to conservation.

Perhaps most important, Mr. Dingell's dedication has meant that millions of sportsmen and women will always have unspoiled places to fish, to hunt, to hike, or to simply reflect on life, and we are all better for it.

Before settlement by the French in the late 1600's, the Algonquin tribes of the Ottawa and Chippewa, and also the Iroquois and the Huron tribes, were drawn to the Detroit River for easy transportation. They were also drawn to the river to exploit its tremendous natural bounty of fish, forests and fur.

Regrettably, much of what distinguished the Detroit River to Native Americans has been lost through subsequent centuries of settlement and industrial development. But not all was lost. And like all great rivers, the Detroit River has proven to be resilient. It was, after all, designated as a American Heritage River in 1998 by President Clinton.

H.R. 1230 provides us with the unique opportunity to expand the existing Wyandotte National Wildlife Refuge to create a new international wildlife refuge to further restore and enhance the fish and wildlife habitats of the lower Detroit River. In my opinion, it is an opportunity that this Congress should not pass up.

I realize that some concerns have been raised about the bill as introduced. Yet I am advised that none of these issues are insurmountable. In this regard, I look forward to amicably resolving these issues, and in moving ahead on this innovative legislation. Thank you.

[The prepared statement of Mr. Kind follows:]

Statement of The Honorable Ron Kind, a Representative in Congress from the State of Wisconsin

I want to commend Chairman Gilchrest and Ranking Member Underwood for holding this public hearing on legislation to establish a Detroit River International Wildlife Refuge. I also wish to congratulate Representative John Dingell for introducing this important measure.

Refuges are needed within the Great Lakes region, and the refuge created by this legislation will provide for the protection of vital fish and wildlife species. Unfortunately, our nation does a poor job of funding these important environmental treasures. As documented by the Audubon Society report, entitled *Refuges in Crisis*, the National Wildlife Refuge System is in a state of crisis. In the Audubon report, ten refuges, each of which is a major national or international conservation priority, are jeopardized by imminent threats.

In order to improve these refuges, the federal government needs to significantly increase its financial commitment. Specifically, I would like to bring to the Committee's attention the dire need for increased funding for U.S. Fish and Wildlife Service (FWS) programs within Region 3; a region which encompasses some of the nation's most important ecosystems, including the Detroit River, the Great Lakes and the entire Upper Mississippi River Basin. The FWS programs within Region 3 are vital to the continued diversity and ecological health of these systems, which in turn support a vast array of commercial and recreational enterprises.

Sport fishing on the Upper Mississippi River alone provides \$175 million annually to the regional economy. The Upper Mississippi National Fish and Wildlife Refuge and the Trempealeau, Mark Twain, and Clarence Cannon Refuges in the Upper Mississippi River Basin attract more than 4 million visitors annually—more than Yellowstone National Park!

Together with its tributaries, the Upper Mississippi River system provides the largest contiguous area of fish and wildlife habitat in the central United States. This river system was recognized by Congress as a "nationally significant ecosystem and a nationally significant navigation system."

As a member of Resources Committee, I hope to work with the administration and with our colleagues on the Appropriations Committee to find additional resources that are needed for addressing financial needs that exist within our nation's refuges. Even within tight budgets and the existing operations and maintenance backlogs, it is imperative that this nation provides additional funding for the National Wildlife Refuge System.

It is my hope that when discussing the future of the Refuge System, the administration and the majority party address the need for sufficient and equitable distribution of funds to regional wildlife refuges. Equitable distribution of Refuge System funds is important in ensuring the future viability of the National Wildlife Refuge System.

Thank you for your attention to this important matter.

Mr. UNDERWOOD. I have no questions, Mr. Chairman.

Mr. DINGELL. Mr. Chairman, I would also ask that the editorials in the papers which we have submitted, together with the letters of support, resolutions of State and local units of government, be inserted in the record in appropriate fashion.

[The aforementioned information has been retained in the Committee's official files.]

Mr. UNDERWOOD. Let me ask just one question, then, because it appears to involve a high level of collaboration and cooperation with the Canadians. Perhaps you could explain a little bit of the work that you have done and the local communities have done with the Canadians to help work this out.

Mr. DINGELL. I would simply observe that our people in the Detroit area love that river and they love the lake above Lake St. Clair and the lake to the immediate south, which is Lake Erie. There are wonderful places for recreation, fish and wildlife, and for rebuilding of person after a rather busy week. The place is full of boats, full of hunters, full of fishermen. All we had to do, really, to let people know about this was to tell them what we were trying to do, consult with them about what they thought ought to be done, and lo and behold, they all came forward, including Mr. Jakcsy and the steel company and have already given us the first 20 acres.

So if you bring the people in and you have the kind of folks we do up in our area, including Mr. Hartig, who is the navigator, and all of our people from State and local units of government, from also the private organizations or some of the semi-governmental agencies which we have up there, the result, you will always see.

And I would simply note there that that map there which you are seeing tells you why our people are so enthused about it and the rich opportunity for, with absolutely minimal expenditures, to have a really great program for protecting a critical area, and this has been identified by different government agencies that have studied it as an area of peculiar and special wildlife value.

Mr. GILCREST. Thank you, Robert.

Mr. Dingell, the area shown on the map, I guess what I am trying to understand is what exactly will be the wildlife refuge, any part of the shoreline on either side of the river through the course of this 18 miles?

Mr. DINGELL. Well, maybe if I come over, Mr. Chairman, I can kind of point to some of the things that might help with the answer to your question. You will note that there are open spaces. This is Henopen Marsh, which is actually run by the township of Grosse Ile, which is here, a major conservation area which the city has gotten from the Federal Government more recently. There will be cooperative agreements, I am convinced, with regard to those.

The east side of the river, which flows at this point north and south, is American. The west side is—wait a minute, the west side is Michigan, the United States. The east side is Canada. The land which was given by National Steel is right here at the very north end. It is a home for rum runners. They even had a chicken farm on there at one time. The owner had to abandon it because there were too many shootouts between the revenuers and the rum runners.

This here is Wyandotte National Wildlife Refuge, which is administered by the Fish and Wildlife Service and the Shiawassee Refuge. It is about 300 acres. This is an area which is undergoing redevelopment. It is called Fighting Island. There was some bad will between the U.S. and the Canadians in the old days. That was a site that was used for years as a dump for chemicals that were processed over here near Wyandotte. It now is under the process of being redeveloped, and believe it or not, there is some great pheasant hunting and some absolutely magnificent duck shooting out there.

If you come on down, there are some islands down here which are now in the process of being bought by various groups, most of which are establishing Michigan offices so that they can do this.

Here is absolutely a superb duck area. If you ever get a chance go, Mr. Chairman, go.

Not a lot of these lands are, in fact, going to be acquired. Most of the negotiations will be in cooperative management agreements and easements. There is a major generating facility on the U.S. side and they actually are maintaining lands now for conservation purposes in that area. A similar thing is going on at Solutia.

So with fairly small, if any, vehicle acquisition, largely which, I think, will be probably by donation, we are going to see some remarkable fish and wildlife value. Islands like these are very

unique. They are very small, but the value for wildlife is enormous. The government owns no land. It is all done by easements, cooperative agreements.

Mr. GILCREST. Mr. Dingell, the boundaries of this refuge are not what we see on this map, but they are pieces within this mapped out area?

Mr. DINGELL. Yes, sir, Mr. Chairman. What you are seeing here are a lot of small tracts of land which are connected by a lot of very important water, which is full of aquatic feed for ducks, celery and things of that kind, which are immensely valuable. And some of them, for example, Mud Island, one of my old friends used to conduct research shoots out there. I never got to go up there.

Mr. GILCREST. So most of the development and most of the homes will not be within the boundary of the wildlife refuge that we see on this map?

Mr. DINGELL. No. Actually, if you look at this, you will find, Mr. Chairman, there is very little which defines the boundaries. The boundaries under which refuge activities may be conducted are defined, but there are no meets and bounds definitions or description of the refuge. It just permits refuge activities and agreements and that sort of thing, or in instances where a voluntary agreement is negotiated between the parties and the land owners. There are no specific areas. And we do not mess with our Canadian friends, who are they are very sensitive on matters of this kind.

Mr. GILCREST. Sure. Thank you very much, Mr. Dingell.

Mr. DINGELL. Mr. Chairman, thank you, and I want to thank the Committee and I do want to thank my good friends who have come here, some at great distance from Michigan to be with the Committee and tell you their concerns. Thank you, Mr. Chairman.

Mr. GILCREST. Yes, sir.

[The prepared statement of Mr. Dingell follows:]

Statement of The Honorable John D. Dingell, a Representative in Congress from the State of Michigan

Good morning Mr. Chairman and other distinguished Members of the Committee. It is an honor and a pleasure for me to join you today to testify in support of H.R. 1230, legislation that will create an International Wildlife Refuge along the Detroit River in southeast Michigan. I thank the Subcommittee and Chairman James Hansen for their assistance and for holding this hearing. This legislation is of immense importance to the people of southeast Michigan and our neighbors in south Ontario.

Mr. Chairman, I would like to begin by touching on the rich history of the Detroit River and noting that this year marks the 300th anniversary of the founding of the City of Detroit. It was the Detroit River—the vital artery that linked the Great Lakes—which first brought the Indians, French, British, and Americans to the Midwest. They came because of the rich ecological treasures of the River. Long before Detroit became the automobile capital of the world, it was the fur trading capital of North America. By the late 19th Century, the River transformed Detroit into an industrial hub, and soon after Detroit became the “Motor City.”

Mr. Chairman, the Lower Detroit River is and has been an area of tremendous bio-diversity, with unique geological features and a wide variety of plant life that attract numerous species of fish and wildlife. Being a duck hunter, I would like to point out that this area serves as a prime waterfowl migration corridor. In fact, it is estimated that 300,000 diving ducks stop in the River to rest and feed in beds of water and celery during their fall migration from Canada.

The Detroit River is important for outdoor enthusiasts of many stripes, including fishermen and boaters. At least 65 species of fish live in the Detroit River, including 10 million walleye. More than one million pleasure boats are registered in Michigan,

and over half of them use southeast Michigan waterways including the Detroit River.

However, like many rivers along the Great Lakes, the Detroit River has suffered the consequences of prolonged periods of unsound environmental practices. The Detroit River, which has lost over 95% of its coastal wetland habitats, has been identified as one of 34 Waterfowl Habitat Areas of Concern by the Canada–United States North American Waterfowl Management Plan.

Despite increased awareness of the importance of the Detroit River, habitats continue to be degraded. There is a great urgency and unique opportunity to protect the remaining high quality habitats before they are lost to further development and to rehabilitate and enhance degraded ones. This is essential to sustain quality of life of those living along the Detroit River.

Efforts to restore the ecology of the Detroit River have been underway on both the Canadian and American shores. In 1960, Congress created the Wyandotte National Wildlife Refuge, a 304-acre entity that sits in the Detroit River. Earlier this year, the Wyandotte Refuge grew when National Steel donated Mud Island to the Fish and Wildlife Service. Currently, the Trust for Public Land and Nature Conservancy are working to acquire and preserve additional pieces of land along the Detroit River.

In 1998, President Clinton designated the Detroit River an American Heritage River. I am pleased to report that this summer the Detroit River will also receive a Canadian Heritage River designation, making it the first international heritage river in the world.

• If passed, H.R. 1230 will do the following:

1. Authorize the Secretary of Interior to acquire American lands adjacent to the Detroit River for purposes of wildlife and habitat protection. This bill grants the Secretary flexibility in acquiring land within the boundaries of this Refuge. However, I want to emphasize that Section 5 of H.R. 1230 is intended to prohibit all federal takings from private property owners, the State or local governments unless the property owner is a willing seller/donor. This means the State of Michigan, for example, can approve or disapprove of the acquisition by the federal government of any State lands or bottomlands.
2. Management of the Refuge. The Refuge will include all land from the American side of the River west to Jefferson Avenue. The Refuge will run from the northern border of Zug Island to the southern border of Sterling State Park. Approximately 5,451 acres will be included within the boundaries of the Refuge.

Section 6 of H.R. 1230 explains how the Refuge will be managed. Federal land within the Refuge will be managed by the Secretary, as is currently done at the Wyandotte Refuge. However, ownership and management of all State, local, and privately owned land will be maintained by the current owner unless land or interest therein is sold or donated by willing sellers or donors to the federal government. Management and ownership of the waters of the Detroit River and Lake Erie will not be changed by this bill. Furthermore, the current riparian rights will be protected and unchanged by passage of H.R. 1230.

Ownership of the bottomlands of Lake Erie will remain with the State of Michigan. In accordance with current law, no activities shall be undertaken on these bottomlands without the Secretary obtaining all required State approvals. No additional federal permits, licenses, approvals or fees will be required for Michigan residents to conduct activities on or adjacent to the Detroit River or Lake Erie as a result of H.R. 1230.

3. Priority Use of the Refuge. Section 6 (b) explains the priority uses of the Refuge. The intent of H.R. 1230 is that the Refuge should be used for fish and wildlife oriented recreation, including hunting, fishing, trapping and boating. The Secretary, pursuant to Section 6 (b), shall ensure that these uses are the priority uses of the refuge. State laws pertaining to hunting, fishing, trapping and boating should be maintained.
4. Allow the Secretary of Interior to grant the donors/sellers either a permanent conservation easement or negotiate cooperative management agreements with landowners living along the Detroit River. Section 7 of H.R. 1230 is unique and offers potential sellers/donors incentives to transfer land to the federal government in exchange for protections against liability, so long as their property has met applicable State standards regarding pollutants or contaminants and the Secretary deems acquisition in the national interest. This will encourage owners of land

no longer used for industrial purposes to trade, sell, or donate property to the refuge rather than letting it sit idle.

5. Authorize the Secretary to use any existing authorities to complete projects along the Detroit River. H.R. 1230 also encourages the State to use "Greenways" authority under the Transportation Equity Act (TEA-21) to provide funding for trails within the Refuge.
6. Authorize the Secretary to spend such sums as may be necessary to obtain properties donated to the United States for the purpose of adding such lands to the Detroit River International Wildlife Refuge.
7. Authorize the President and Secretary of Interior to negotiate with Canadian officials to create a Detroit River International Wildlife Corridor in the lands adjacent to the River, including both American and Canadian lands.

H.R. 1230 represents a sensible approach to conservation by prescribing a formula that balances the need to preserve and protect the Detroit River for conservation and recreational use and the need to protect property rights. H.R. 1230 will demonstrate how—working as a team—federal, state, and local officials in the United States and in Canada, can work with businesses, conservationists and citizens to create something special, that will improve the quality of life for all our citizens.

H.R. 1230 has been enthusiastically received by the citizens and communities of southeast Michigan. Just yesterday, Michigan Governor John Engler offered his "enthusiastic support" for H.R. 1230. I have submitted for the Committee Report his and other relevant letters of support from communities, businesses, conservation groups, civic organizations, and other elected officials.

Again, I thank the Committee for inviting me today and also for your efforts to give Detroit a lasting birthday present by passing H.R. 1230. If the Committee has any questions, I would be pleased to answer them at this time.

Mr. GILCHREST. Mr. Dingell, if you would like, have time, you are welcome to join us on the dais.

Mr. DINGELL. I would be honored to do that and I would love to. I am going to sit down here with my friends with my thanks to this Committee.

Mr. GILCHREST. Yes, sir. Thank you.

We would ask the next witnesses to join us at the panel, Mr. Dan Ashe, Assistant Director for Refuges and Wildlife, U.S. Fish and Wildlife Service; Mr. John Hartig, Greater Detroit American Heritage River Initiative; Mr. John Jakcsy, National Steel, Great Lakes Division; Ms. Helen Taylor, State Director, Michigan Chapter of the Nature Conservancy; Mr. Gildo Tori, Ducks Unlimited; and Mr. Dave Nomsen, Pheasants Forever, Vice President of Government Affairs. I hope there is enough room down there, ladies and gentlemen.

Welcome, everybody. We look forward to your testimony and appreciate your efforts in this most worthy endeavor.

Mr. Ashe, you may begin.

**STATEMENT OF DANIEL M. ASHE, ASSISTANT DIRECTOR FOR
REFUGES AND WILDLIFE, FISH AND WILDLIFE SERVICE, U.S.
DEPARTMENT OF THE INTERIOR**

Mr. ASHE. Thank you, Mr. Chairman. It is good to be here again and in front of the Subcommittee. One of these days, we are going to have to do that canoe hearing out at Blackwater Refuge that you have talked about from time to time. This Committee room is a great venue, but that would even be a better venue.

Mr. GILCHREST. I agree with you, Mr. Ashe. We will make a note to do that before the end of July.

Mr. ASHE. There we go.

I appreciate the chance to provide the administration's views on H.R. 1230, authorizing the establishment of the Detroit River International Wildlife Refuge. The administration believes that implementation of this concept can showcase the role of America's National Wildlife Refuge System in promoting international environmental cooperation and will support H.R. 1230 if our concerns regarding potential contaminant liability can be addressed.

The bill creates the Detroit River International Wildlife Refuge, essentially expanding the existing Wyandotte National Wildlife Refuge to encompass 19 miles and various islands in the Detroit River. While we are familiar with the area and its wildlife resources due to the presence of the existing refuge, we have not engaged in a detailed planning effort for this proposal and don't have much of the specific information that we will eventually need to make proper management decisions.

The administration believes in emphasizing the use of a wide range of innovative conservation tools beyond traditional land acquisition, including conservation easements and technical and financial assistance to land owners. We believe that this bill will further the use of these innovative approaches.

Although the bill proposes something unique, an internationally-oriented wildlife refuge, it is grounded on programs with which we have extensive and successful experience. One of the chief purposes set forth in the bill is to facilitate conservation partnerships among the Service, Canada, the national and provincial governments in Canada, State and local governments in the United States, local communities in the U.S. and Canada, and conservation organizations and other non-Federal entities.

This is not a new experience for either the Fish and Wildlife Service or the Refuge System. We have been working with Canada for over 10 years in the context of the North American Waterfowl Management Plan and with the United States through our Partners for Fish and Wildlife Program. These programs have been highly successful and our National Wildlife Refuges play a major role in both. Therefore, if the bill should be enacted, we have a sound operational basis for proceeding with these types of partnerships.

The natural resource values of the Detroit River were well articulated by Congressman Dingell, and I will not repeat that here. Hunting, fishing, and boating take place throughout the area proposed for inclusion in the refuge. On an average day, the amount of use can exceed 500 waterfowl hunters, over 400 anglers, and over 800 pleasure boaters. Compatible hunting and fishing are priority public uses within the Refuge System and we anticipate that these uses would be enhanced by the conservation efforts that this bill authorizes.

Other public uses, such as photography, interpretation, environmental education, and wildlife observation now takes place on a very limited basis. However, if the refuge were established and trails and other facilities provided, we would anticipate that these uses would dramatically increase and that up to 1,000 visitors a day could be expected.

Mr. Chairman, you and the other Subcommittee members are well aware of the operations, maintenance, and construction needs

within the Refuge System. Enactment of H.R. 1230 will increase those needs. The administration is committed to achieving balance between acquiring new lands and meeting the needs for operating and maintaining what we have. The Service has made a commitment to link the growth of the Refuge System with the costs of management and to consider potential operations and maintenance costs when we consider potential additions to the system. We will do that in this case.

We estimate that up to six full-time staff may be required to operate and maintain a refuge of the size of the proposed Detroit International Wildlife Refuge, with an annual operating budget in the neighborhood of \$650,000. A refuge located in an urban setting with high public use potential, like the one proposed in this bill, is also likely to require significant capital investment, including administrative facilities, parking lots, trails, kiosks, and potentially a visitor's center. Added costs for habitat restoration would undoubtedly need to be carefully considered when making decisions to acquire land or accept donated lands within the proposed refuge. We would hope to work with Mr. Dingell and the Detroit community to secure significant non-Federal contributions to this effort.

As mentioned initially, we have some concerns about contamination associated with this proposal, or contaminated areas associated with this proposal. The Detroit River has a long history of contaminant-related impairments to beneficial uses of its waters, and the longstanding Departmental policy is that any proposed acquisition be evaluated for potential contaminant problems. Although it is allowable under current regulations to acquire contaminated property after appropriate reviews and approvals, in reality, it is highly unlikely, and if we did now acquire contaminated property, remedies would still be available against the prior owner and other responsible parties for any necessary cleanup costs.

Section 7 of H.R. 1230 authorizes the President to accept donations of contaminated property if cleaned to applicable State standards, and then to indemnify the owner against future claims for cleanup costs, thus transferring these costs to the taxpayer. While it is difficult to argue against the enactment of discretionary authority, we nevertheless believe this provision should be removed from the bill.

We do not believe that we should be creating situations where costs for contaminant cleanups could be shifted from responsible parties to the American taxpayer. Given that the cost to clean and restore contaminated areas could far exceed the value of the property, the Service could be subject to intense pressure to accept donations and provide the authorized waiver of liability. This would leave liability for future, perhaps unforeseen, cleanup costs with the Federal Government rather than the responsible party.

Having said all of that, we do believe there is a real opportunity for international environmental progress as a result of the concepts embodied in H.R. 1230. We would expect no less in legislation from Representative Dingell, who has done as much or more for the National Wildlife Refuge System than anyone in modern times. We hope we can reach a mutually acceptable solution to our concerns and work together to enact this legislation.

That concludes my statement and I will be pleased to respond to your questions.

Mr. GILCREST. Thank you, Mr. Ashe.

[The prepared statement of Mr. Ashe follows:]

Statement of Dan Ashe, Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, U.S. Department of the Interior

Mr. Chairman, I appreciate this opportunity to provide the Administration's views on H.R. 1230, authorizing the establishment of the Detroit River International Wildlife Refuge. The Administration believes implementation of this concept can showcase the role of America's National Wildlife Refuge System in promoting international environmental cooperation, and will support H.R. 1230 if our concerns regarding potential contaminant liability can be addressed.

As the establishment of the Detroit International Wildlife Refuge has not been considered a priority acquisition by the Service, the Service has done no formal planning or evaluation work related to Mr. Dingell's proposal, H.R. 1230. The bill expands the existing Wyandotte National Wildlife Refuge (NWR) from 460 acres to include land along 19 miles of the Detroit river and various islands in the Detroit River. So while we are generally familiar with the area, we lack vital information at this point in time, such as how many acres will be added to the refuge boundary and the environmental condition of these lands, necessary to resolve concerns we have with the legislation, especially related to wetland and shoreline restoration costs.

In addition to establishing the new refuge boundaries, the bill also provides authority for the Secretary to acquire the lands and waters within those boundaries not only with appropriated or donated funds, but also by donation or exchange. In fact, one of the islands, Mud Island, was officially donated to us just last Saturday, and I want to publicly thank Congressman Dingell for arranging that donation.

The Administration believes in emphasizing the use of a wide range of innovative conservation tools beyond traditional land acquisition, including conservation easements, technical and financial assistance to landowners, rehabilitation of existing land holdings, and the purchase of development rights. We believe that this bill will further the use of innovative tools as well as donations.

Although this bill proposes something unique - an internationally-oriented Wildlife Refuge - it is grounded on programs with which we have extensive and successful experience. One of the chief purposes set forth in H.R. 1230 for expanding and refocusing the Wyandotte refuge is:

to facilitate partnerships among the Service, Canadian national and provincial authorities, State and local governments, local communities in the United States and in Canada, conservation organizations, and other non-Federal entities to promote public awareness of the resources of the Detroit River.

This is not a new experience for either the Fish and Wildlife Service or the Refuge System. We have been doing this with Canada for over 10 years with the North American Waterfowl Management Plan, and within the United States with our Partners for Fish and Wildlife Program, although neither has been focused on the Detroit River. Both of these programs have been highly successful, and our National Wildlife Refuges play a major role in both.

The Department believes that the bill will build on this success by, among other things, authorizing the Secretary to enter into cooperative agreements with non-federal landowners within the newly-established refuge boundaries in order to both encourage public participation in the conservation of these lands and to help ensure that such lands are managed in a manner consistent with the bill's requirements.

Therefore, should the bill be enacted, we have a sound operational basis for cooperative conservation efforts, both with the Canadian government, and with potential conservation partners among state, provincial and local governments, business and community groups on both sides of the border.

The natural resource values of the Detroit River are well documented. They include major migratory corridors for waterfowl, and other birds. In particular, this area was once one of the most significant staging areas for canvasbacks and other diving ducks in the United States, and significant concentrations are still found there. The Detroit River is internationally renowned for its walleye sport fishery, and supports many other species of fish as well. The "Findings" section of the bill provides considerable detail on wildlife resources, and I will not repeat that here.

Existing public use activities on and around Wyandotte NWR include fishing, waterfowl hunting, and pleasure boating. The amount of angler use during an average

day may range up to 100 people, depending upon the availability of specific fish species. Waterfowl hunting that takes place on the Refuge can range up to 50 hunters per day.

These activities also take place throughout the area proposed for inclusion into the Detroit River Wildlife Refuge. On an average day for the entire area the amount of use for waterfowl hunting can exceed 500 hunters; fishing, over 400 anglers, and for boating, over 800 pleasure boats. Compatible hunting and fishing are priority public uses within the Refuge System, and we anticipate that these uses would be enhanced by the conservation effort this bill authorizes.

Other public uses such as photography, interpretation, environmental education and wildlife observation now takes place on a very limited basis. However, if the refuge were established and trails and other facilities provided, we anticipate these uses would dramatically increase, and that up to 1,000 visitors could be expected each day.

Mr. Chairman, you and the other Subcommittee Members are well aware of the operations, maintenance and construction needs within the Refuge System, and enactment of H.R. 1230 will increase those needs. The Administration is committed to achieving a better balance between acquiring new lands and meeting the needs for operating and maintaining what we have. Further, the Administration is examining the Service's land acquisition process from a management perspective to ensure long-term management and costs are considered in acquisition decisions. The Service has made a commitment to link the growth of the refuge system, in part, with the costs of management and to consider potential operations and maintenance costs when considering potential additions to the system.

While we have a rough estimate of the base operations of a refuge roughly the size of a fully operational Detroit International Wildlife Refuge, we are especially concerned about the restoration costs for this particular area which we do not have an estimate for but we expect to be great.

We estimate that up to six full time staff may be required to fully operate and maintain a refuge the size of the proposed Detroit International Wildlife Refuge. An annual operating budget to cover costs associated with staffing, operation, and maintenance of, a similarly sized and situated refuge may be in the neighborhood of \$650,000. A refuge located in an urban setting with high public use potential like the one proposed in H.R. 1230, is also likely to require significant capital investment, including administrative facilities, parking lots, trails and kiosks and a visitor center.

These costs do not, however, include costs necessary to restore the critical wetlands, shoreline, and other lands that are degraded. Because the creation of the Detroit International Wildlife Refuge was not included in the Service's Land Acquisition Priority system, we do not have an estimate of the costs associated with these activities, however, since roughly 95 percent of the Detroit River's original wetlands have disappeared and most of the shoreline is now lined with steel seawalls, these costs are likely to be quite large.

Consistent with the Administration's commitment to achieving a better balance between acquiring new lands and meeting the needs for operating and maintaining what we currently have in the National Wildlife Refuge System, these added costs would undoubtedly need to be carefully considered when making decisions to acquire or accept donated lands within the refuge boundaries if this bill is enacted. We would hope to work with Mr. Dingell and the Detroit community to secure significant non-Federal contributions towards these costs if the bill were enacted.

We also have concerns with other parts of the bill and look forward to working with Representative Dingell and the Committee to address these concerns.

As mentioned initially, we do have substantial contaminant concerns associated with this proposal. The Detroit River has a long history of contaminant-related impairments to the beneficial uses of its waters. This led the International Joint Commission to list the Detroit River as one of 43 Areas of Concern in the Great Lakes basin. Within the Detroit River watershed there are many Federal CERCLA (Superfund) sites, as well as State of Michigan designated sites of contamination.

Due to long standing sediment contamination in the river system, the U.S. Army Corps of Engineers has disposed of contaminated sediments derived from maintenance dredging of navigation channels in confined disposal facilities (CDF); first at the Grassy Island CDF, which is within the Wyandotte NWR, and currently at the CDF at Pointe Mouillee State Game Area. Both CDFs fall within the proposed boundaries for the Detroit River International Wildlife Refuge. From 1962-1983, approximately 3 million cubic yards of contaminated sediments were disposed in the Grassy Island CDF. This CDF lacks the confinement technology employed in later CDF designs in the Great Lakes, including the Pointe Mouillee CDF.

In the late 1980s, the Service initiated limited studies on Grassy Island that documented contamination in sediment and biota that posed a health risk to terrestrial wildlife. As a result of these studies, the Department of the Interior designated Grassy Island, in 1995, as 1 of 3 Hazardous Materials Management Demonstration Sites throughout the country. Currently, the Service is evaluating the facility with the intent of implementing remedial measures and restoration, if necessary.

The Michigan Department of Environmental Quality has recently assessed sediment contamination in the Trenton Channel, a portion of the lower Detroit River that has historically been a contaminant hotspot. This survey of 84 sampling locations classified bottom sediments ranging from not impacted to extremely contaminated, with mercury, heavy metals, PCBs, PAHs, and oil and grease being the primary contaminants of concern. Sediment contamination was most severe along the mainland shoreline, in areas with fine sands and silts. Six major areas with an estimated 483,000 cubic yards of contaminated sediment were identified as the areas of sediment concern.

It is long-standing Departmental policy that any proposed acquisition be evaluated for possible contaminant problems. Although it is allowable under current regulations to acquire contaminated property after appropriate reviews and approvals, in reality it is highly unlikely we would ever do so. Grassy Island and other contaminated areas within the Refuge System were acquired before the current practices were instituted. And if we did now acquire contaminated property, remedies would still be available against the prior owner and other responsible parties for any necessary cleanup.

However, section 7 of H.R. 1230 allows the President to accept donations of contaminated property, if cleaned to applicable State standards, and to then indemnify the donor against any future claims for cleanup costs, thus transferring these costs to the taxpayers.

While it is difficult to argue against the enactment of discretionary authority, we nevertheless believe this provision should be removed from the bill. We do not believe we should be creating situations where costs for contaminant cleanups could be shifted from responsible parties to the American taxpayer. Given that the costs to clean and restore contaminated areas could far exceed the value of the property, the Service could be subject to intense pressure to accept donations and provide the authorized waiver of liability. This would leave the liability for future, perhaps unforeseen, cleanup costs with the Federal government rather than the responsible party.

There is a real opportunity for international environmental progress in the concepts embodied H.R. 1230. We would expect no less in legislation from Representative Dingell, who has done as much or more for the National Wildlife Refuge System as anyone in modern times. We hope we can reach a mutually acceptable solution to our concerns and work together to secure its enactment. The Administration will support H.R. 1230 if section 7 is deleted.

This concludes my prepared statement. I would be pleased to respond to any questions you may have.

Mr. GILCREST. Dr. Hartig, you may begin, sir.

**STATEMENT OF JOHN H. HARTIG, RIVER NAVIGATOR,
GREATER DETROIT AMERICAN HERITAGE RIVER INITIATIVE**

Mr. HARTIG. Thank you, Mr. Chairman, members of the Committee. It is a real pleasure and a privilege to be here. Again, my name is John Hartig and I am the River Navigator for the Greater Detroit American Heritage River Initiative, one of 14 American Heritage Rivers in the United States and soon to become the first International Heritage River System in North America, with the Canadian Heritage River designation next month.

Last fall, at the request of Congressman Dingell and Peter Stroh, who is the Chairman of the Greater Detroit American Heritage River Initiative and who you have written testimony from, approached us about bringing together the key players on the Canadian and U.S. side of the river, to bring together representatives from Ontario Ministry of Natural Resources, from Ontario Ministry of Environment, Environment Canada, the City of Windsor, Essex

Region Conservation Authority, Canada Department of Fisheries and Oceans, University of Windsor, and equal numbers from the U.S. side, including businesses like Solutia, BASF Corporation, DTE Energy, nonprofit organizations like Ducks Unlimited, like Friends of Detroit River, and the goal of that meeting was to reach agreement on a conservation vision for the lower Detroit River ecosystem.

One of the questions we always get asked in submitting grants to do different things is how are you coordinated and integrated with Canada? This vision statement is key to keep everyone on the same page, to provide clear direction, and hopefully will be a catalyst for actions that we all want.

On the map that Mr. Dingell pointed out to you, on my left and to your right, at the top is the vision statement. It says, "In 10 years, the lower Detroit River ecosystem will be an international conservation region where health and diversity of wildlife and fish are sustained through protection of existing significant habitats and rehabilitation of degraded ones and where the resulting ecological, recreational, economic, educational, and quality of life benefits are sustained for present and future generations."

You can imagine sometimes where you bring two countries together, a process of state and lots of stakeholders. It is hard to reach agreement on a clear vision statement and a set of principles to guide actions. But in this case, we were very fortunate. Everyone was bought in. We now have agreement on this conservation vision for the lower Detroit River, and I have submitted written testimony and I would ask that that be entered into the record, if I could, please.

Mr. GILCHREST. Without objection.

Mr. HARTIG. Thank you. We have this unique area. It is like two funnels. We are the intersection of two major flyways coming across North America. The intersection of these two funnels comes across our region, and as Congressman Dingell said, three to five million waterfowl migrate through the area. Three-hundred-thousand diving ducks rest there, a huge fishery.

This resource base is really important to our economies, as well. We just completed Walleye Week in the lower Detroit River in April. It brought \$1 million into the local economy, and they caught the single largest walleye ever caught in the Professional Walleye Trail Pro-Am Tournament in the United States. We are a national record, 13.2 pounds. We now have bald eagles nesting along the Detroit River, the first time in 100 years on the U.S. side of the Detroit River. We have sturgeon natural reproduction in the Detroit River. Native Americans used to fish for them. Early Europeans used to have a fishery for caviar. We haven't had natural reproduction in over 50 years. We now have it documented this spring in our Detroit River.

It is an exceptional resource. It means a huge amount to our local economies. It is very important to achieving the quality of life that everyone wants. The number two industry in our State, in our region, is tourism and the Detroit River is very important to it.

As a result of Congressman Dingell and Peter Stroh's initiative to get all the lower ends of the pyramid together, get agreement on a conservation vision, work very closely with Deputy Prime Min-

ister Herb Gray, Member of Parliament Susan Whelan, we have agreement on where we want to go. The refuge would be a wonderful tool to help us get there. The Greater Detroit American Heritage River Initiative strongly supports this. Thank you very much.

Mr. GILCHREST. Thank you, Dr. Hartig.

[The prepared statement of Mr. Hartig follows:]

Statement of Dr. John H. Hartig, Detroit River Navigator

Good morning Mr. Chairman and members of the Subcommittee. I am John Hartig, the River Navigator for the Greater Detroit American Heritage River Initiative. Thank you for inviting me to testify regarding H.R. 1230, Congressman Dingell's bill to provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan.

In 1998 the President of the United States designated the Detroit River an American Heritage River. The Detroit River is one of 14 rivers that received this designation. We anticipate it will receive a Canadian Heritage River designation later this year, making it the first international heritage river system in North America. The purpose of the U.S. designation is to coordinate and integrate existing federal programs for economic development, environmental stewardship, and historic preservation, thereby better serving communities and groups protecting the rivers.

My role is to help communities set priorities and then to partner with the federal government to achieve their priorities. I am an employee of the U.S. Department of Transportation and support for my position comes from the Saint Lawrence Seaway Development Corporation, the Federal Highway Administration, and the U.S. Coast Guard—all organizations within the Department of Transportation.

The Greater Detroit American Heritage River Initiative will soon release a Conservation Vision for the Lower Detroit River and I wish to share the fundamental elements of this vision with you this morning in hopes that it will assist you in your consideration of H.R. 1230.

We understand that a successful conservation vision for the future of the Lower Detroit River must spring from its heritage as one of North America's greatest rivers. The Detroit River connects the Upper and Lower Great Lakes. Further, it links Canadians and Americans, and it connects us with both past and future generations still to come. The Detroit River is an invaluable, multifaceted resource that serves as the foundation of our economies, provides numerous recreational opportunities and ecological values, and enhances our quality of life. Yet, the River, and the quality of the life it sustains are at risk.

The Detroit River Remedial Action Plan (RAP) notes that over 95% of the historical, coastal wetlands along the river have been lost to development. It is urgent that we protect remaining coastal wetlands and ecological features before they are lost to further development, and we must rehabilitate degraded wetlands and ecological features.

More than 29 species of waterfowl and 65 kinds of fish make their home in the Detroit River. The Detroit River is also a major migration corridor for hundreds of fish, butterfly, raptor, neo-tropical bird, and waterfowl species. Approximately 150 species of bird nest near the river.

The diversity of biota and habitats in the Lower Detroit River provides abundant benefits to the over 5 million area residents. A vision based on conservation principles will secure these benefits for generations to come.

The Lower Detroit River has an international reputation for duck hunting. In 1991, retail sales related to waterfowl hunting in Michigan were estimated at \$20.1 million. During the same year, bird watching, photography, and other non-consumptive uses of waterfowl contributed an additional \$192.8 million to Michigan's economy. Similar 1998 statistics show that spending for hunting and fishing near the City of Windsor and Essex County totaled \$2.2 million, while an additional \$14.6 million was spent on non-consumptive activities, including naturalist activities.

Over 870,000 pleasure boats are registered in Michigan and about half of those are used on the Detroit River and Lake St. Clair, in part to fish for the estimated 10 million walleye that ascend the Detroit River each spring from Lake Erie to spawn. It is estimated that, each spring, walleye fishing alone brings in \$1 million to communities along the lower Detroit River.

Despite increased public awareness of their importance, fish and wildlife habitats in the Lower Detroit River continue to be destroyed and degraded. There is a sense of urgency and a unique opportunity to protect the remaining high quality habitats before they are lost to further development and to rehabilitate and enhance de-

graded ones. This is essential to sustain the quality of life that attracts so many people to the Detroit River corridor.

The time is right for agreement on a conservation vision for the Lower Detroit River Ecosystem. This conservation vision for the Lower Detroit River Ecosystem will:

- Provide strategic direction for habitat conservation programs in the Lower Detroit River and support linkages with similar efforts in tributaries and their watersheds;
- Further binational coordination of efforts to conserve natural resources in this internationally significant region;
- Provide the rationale and direction for local conservation and land use planning initiatives, and illustrate their role in achieving this conservation vision; and
- Catalyze actions in both Canada and the United States to conserve and protect unique habitats and ecological features for the benefit of present and future generations.

Recognizing the importance of the Lower Detroit River Ecosystem in sustaining quality of life, the following conservation vision was developed to provide strategic direction for management:

In 10 years the Lower Detroit River Ecosystem will be an international conservation region where the health and diversity of wildlife and fish are sustained through protection of existing significant habitats and rehabilitation of degraded ones, and where the resulting ecological, recreational, economic, educational, and quality of life benefits are sustained for present and future generations.

This conservation vision is supported by the following elements that further define the desired future state of the Lower Detroit River:

- Remaining marshes, coastal wetlands, islands, and natural shorelines are protected in perpetuity from development;
- Degraded marsh, wetland, island, and shoreline habitats are rehabilitated, wherever and whenever possible, and protected in perpetuity;
- An International Wildlife Refuge is established and is managed in a partnership consistent with this vision statement;
- The environment is clean and safe for all wildlife, fish, and other biota, including humans;
- Fish and wildlife communities are healthy, diverse, and self-sustaining;
- Levels of toxic substances do not threaten wildlife, fish, or human health;
- Economic development and redevelopment is well planned, aesthetically pleasing, and environmentally sustainable; and
- Public access and recreational and educational uses are seen as priorities for achieving quality of life.

Further discussions are necessary to more fully develop specific partnerships and projects that will enable us to achieve this desired future state and to ensure that all stakeholder groups participate. As much as possible, future actions should capitalize on and even flow out of existing initiatives. Examples include the Detroit River Canadian Cleanup Committee, the U.S. Remedial Action Plan Team for the Detroit River, the Greater Detroit American Heritage River Initiative, and the anticipated Canadian Heritage River initiative for the Detroit River. The present binational effort to develop delisting criteria for the river, such as environmental and natural resource rehabilitation targets, should provide good direction for activities.

Future activities can be broadly organized into two categories. The first focuses on habitat protection, whereby existing high quality habitats or features are protected before their functions are lost. Protection of existing habitats or features is a higher priority than rehabilitating degraded ones—although all stakeholders recognize the critical importance of rehabilitating degraded habitats along the river. Most of the remaining habitats or features are irreplaceable to the Lower Detroit River Ecosystem. Their protection is essential if the Detroit River is to maintain the significant fish and wildlife values it possesses. Another priority is to rehabilitate areas in accordance with the recommendations for the Biodiversity Conservation Strategy for the Essex Region and the habitat inventory recently completed for the U.S. side of the river by the U.S. Geological Survey–Great Lakes Science Center.

The achievement of this conservation vision will require that people on both sides of the Detroit River recognize that ecosystem integrity is the foundation for healthy economies and communities. All stakeholders are encouraged to champion binational and regional cooperation, and practice stewardship. New partnerships for monitoring will be essential to measure and celebrate progress. Use of geographical information system and World Wide Web technologies will provide essential information and powerful analytical tools to help stakeholders make more informed decisions. Innovative education and outreach programs will be necessary for municipali-

ties, businesses, and citizens to understand their important roles and their individual responsibilities in achieving this conservation vision.

We now have binational agreement on this Conservation Vision for the Lower Detroit River Ecosystem. The proposed Detroit River International Wildlife Refuge has come out of the cooperative, Canada–United States efforts to reach agreement on the Conservation Vision. There is broad-based support amongst all levels of government, businesses, nongovernmental organizations, and concerned citizens for the creation of a Detroit River International Wildlife Refuge. Owners would manage many coastal habitats within the proposed refuge voluntarily. For example, businesses and local units of government could voluntarily manage upland and aquatic habitats on their property in support of refuge goals. Some lands may be donated, like the recent donation of Mud Island by National Steel Corporation to the U.S. Fish and Wildlife Service. Some key islands have been acquired for conservation and recreation purposes like Stoney Island. This island has been acquired by Michigan Natural Resource Trust Fund dollars. Existing federal and state programs would be used to conserve and rehabilitate key habitats. For example, Hennepin March is proposed to be rehabilitated using Water Resources Development Act funding. Calf Island is proposed to be purchased for conservation and recreation purposes using North American Wetlands Conservation Act funding. It is proposed that a variety of governmental, nongovernmental, and business programs, such as the Wildlife Habitat Council, will be used to achieve the goals of the Detroit River International Wildlife Refuge.

The Detroit River is part of one of 20 Biodiversity Investment Areas identified by Environment Canada and the U.S. Environmental Protection Agency through their State of the Lakes Ecosystem Conferences. Detroit River biodiversity includes 65 species of fish and 29 species of waterfowl. Detroit Audubon Society has identified 300 species of birds in the Detroit–Windsor area. In further recognition of this unique biodiversity, the Canada–United States North American Waterfowl Management Plan has identified the Detroit River as part of one of 34 Waterfowl Habitat Areas of Major Concern in the United States and Canada, and the Western Hemispheric Shorebird Reserve Network has declared the marshes along the Lower Detroit River and Northwest Ohio as part of a Regional Shorebird Reserve. Again, there is strong multi-stakeholder support for the creation of the Detroit River International Wildlife Refuge. It will further U.S. and Canadian joint efforts to conserve key ecological features that provide the foundation for our economies and sustain our quality of life.

Mr. GILCHREST. Mr. Jakcsy?

**STATEMENT OF JOHN JAKCSY, NATIONAL STEEL,
GREAT LAKES DIVISION**

Mr. JAKCSY. Mr. Chairman and members of the Committee, it is a privilege and an honor for me to address you this morning. My name is John Jakcsy. I am the Regional Manager of Communications and Community Relations for National Steel's Great Lakes Operations, which is located in Ecorse, Michigan. I have been involved in public affairs activities for National Steel for nearly 24 years in the Detroit area.

In the community, I presently serve as Chairman of the Board of the Southern Wayne County Chamber of Commerce and represent National Steel on the Down River Detroit Waterfront Revitalization Task Force, the Greater Detroit American Heritage River Initiative, and the City of Ecorse Community Enhancement Program. I am a lifelong resident of Wayne County. Through these experiences, I have gained much firsthand knowledge about the Detroit River and its value to our region.

With more than five miles of riverfront property, National Steel Corporation is a major landowner along the Detroit River. The Detroit River plays a vital role to National Steel and its employees. The river serves as a major strategic link to transport raw materials used in the making of steel. It provides other important func-

tions necessary to the operations of our company. For our employees, the river serves as a resource for recreational activities, such as boating, fishing, hunting, photography, and other leisure interests.

National Steel values the river and its many uses. Our environmental stewardship of the river is an important part of our corporate culture. We have completed major projects and made significant investment to protect and enhance the quality of Detroit River water. These efforts include investment for water purification, soft shore engineering projects, and the establishment of wildlife habitat.

Recently, on June 15, 2001, National Steel donated its 21-acre Mud Island property, located in the Detroit River in the City of Ecorse, to the United States Fish and Wildlife Service. Mud Island lies within a significant staging area for migratory birds and fish. The island is a haven for wildlife, trees, bushes, and grasses. It will become a part of the Wyandotte National Wildlife Refuge.

Unfortunately, significant loss of coastal wetlands habitat on the Detroit River ecosystem has occurred over many years. The need to protect remaining habitat and to restore other wetlands is clear. The best way to assure this objective is met is to create refuges that will provide wildlife protection for years to come. This is a main reason why National Steel donated Mud Island to become a part of the Wyandotte National Wildlife Refuge.

Under H.R. 1230, Mud Island will become a part of the Detroit River International Wildlife Refuge. H.R. 1230 provides an effective strategy for preserving wildlife habitat of this island and the many other islands, shoals, and channels along the lower Detroit River. H.R. 1230 offers a sensible approach to land preservation. It recognizes the historical and ecological balance of a working and recreational river. It does not threaten the rights of private landowners.

We believe that through the cooperative efforts of National Steel, the Down River Waterfront Task Force, the Greater Detroit American Heritage Initiative, and many other business and civic organizations, great progress is being made to protect and restore wildlife habitat of the Detroit River. Passage of H.R. 1230 will enhance these efforts.

The creation of the first international wildlife refuge of this sort will be an important mechanism for the vision of conservation, restoration, and management of fish and wildlife habitat in the United States and Canada. It is an important step in preserving Detroit River ecology for generations to come. We applaud Congressman John Dingell for introducing this legislation and give our support to it.

Mr. GILCHREST. Thank you very much, Mr. Jakcsy.
[The prepared statement of Mr. Jakcsy follows:]

Statement of John Jakcsy, Regional Manager of Community Relations and Communications, National Steel Corporation's Great Lakes Operations

My name is John Jakcsy. I am the Regional Manager of Community Relations and Communications for National Steel Corporation's Great Lakes Operations located in Ecorse, Michigan. I have been involved in public affairs activities for National Steel for nearly 24 years in the Detroit area.

In the community, I currently serve as Chairman of the Board of the Southern Wayne County Chamber of Commerce (1,100 members) and represent National Steel on the Downriver Detroit Waterfront Revitalization Task Force, the Greater Detroit American Heritage River Initiative and the City of Ecorse Community Enhancement Program. I am a lifelong resident of Wayne County, Michigan.

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We applaud Congressman John Dingell for introducing this legislation and give our support to it.

Mr. GILCHREST. Ms. Helen Taylor?

STATEMENT OF HELEN TAYLOR, STATE DIRECTOR, MICHIGAN CHAPTER, THE NATURE CONSERVANCY

Ms. TAYLOR. Thank you, Mr. Chairman and members of the Subcommittee. My name is Helen Taylor and I am the State Director of the Michigan Chapter of The Nature Conservancy, and on behalf of 34,000 members of the Michigan Chapter, I am delighted to be here to testify in support of Congressman Dingell's H.R. 1230, to establish the Detroit River International Wildlife Refuge.

For those of you who aren't familiar with The Nature Conservancy, we are a nonprofit private conservation organization. We are the largest in the U.S. and we have over a million members and over 3,000 staff scattered throughout 50 States and 28 countries.

Our mission is the protection of the plants and animals and natural communities that make up the diversity of life, so we are biodiversity focused and we do that through protecting the lands and waters that these creatures and plants and things need to survive.

We have been around for 50 years. We have protected over 12 million acres in the U.S. and over 80 million acres overseas. We are probably best known for our objective and scientific science-based approach to our conservation action, as well as our collaborative non-confrontational style. Because of that non-confrontational style, you may not hear from us that often, so you know that when we do step forward to say something, you can be sure that it is important and that it is coming from our science work that we think that this is a very important issue.

In 1996, we started an effort to scientifically analyze and identify and prioritize the most important places for biodiversity in the Great Lakes ecoregion, and we are doing that in 64 ecoregions throughout the U.S. and in all the countries that were active.

This ecoregion that you can see on this map here in the tan is defined by climate and physical land formation, which are the things that we think most influence where creatures and critters and plants live, and in that context, we took two-and-a-half years, involved 140 different partners, scientists, institutions. This was a big deal. We identified over 400 places in the Great Lakes ecosystem that are the most critical places to protect from here on out, and it is our blueprint for action in the Great Lakes. And lo and behold, as you can see, the Detroit River corridor emerged in that process and that is why I am here today.

This next map blows that up a little bit bigger. The Detroit River corridor, as you have heard from my colleagues, emerged for a number of different reasons, but primarily we are very interested in protecting those coastal marshes and wetlands for the protection of the neotropical migratory birds and waterfowl that use this corridor. You know tropical migratory birds is a fancy term for those little critters that take that long journey from as far away as South America all the way to North America. And so it becomes much more of an international issue than Canada and the U.S. It is international in a very global sense.

In addition, there are freshwater mussel species that are very important, 65 species of fish that live there, butterflies that use this as a migratory route. It is critical in many, many ways.

Probably one of the most stirring examples of its biological richness is the lake sturgeon that was mentioned before. This is the largest species of fish in the Great Lakes. It grows to be as old as 100 to 150 years old, and this armor-plated creature has existed actually in North American waters for millions of years. There are 20 States that historically have had the lake sturgeon in their waters, and 19 of them, including Michigan, identify it as a threatened species. It is essentially a very, very important part of the equation in the protection of the entire Great Lakes ecoregion.

Now, I am going to give you—you might wonder, if we identified 400 areas that are important for the protection of biodiversity in the Great Lakes, okay, so what is the big deal if we lose one of them? Why pay attention to this piece? I am going to give you an

analogy, and I think it is an appropriate analogy given that we are talking about Detroit, the auto making capital of the world.

Imagine your car out in your driveway, and every morning, you go out and you lift the hood and you take a part out, maybe just a nut, maybe just a bolt, maybe a wire, something small. And if every day you do that, your vehicle probably would work for a while, and in fact, it may work very well for quite a while, but eventually, it would stop working.

Think about nature in the same way. This ecosystem is a vast tapestry of threads and interconnected life cycles and functions and processes in a delicate balance and we do not want to tinker with nature. We do not know which part is the part or combination of parts that is going to render it inoperative.

And so when you think of that analogy, you want to think about protecting every piece of that puzzle and that equation, and the Detroit River corridor has emerged as a very critical piece of that picture.

Population growth and development at a remarkable level has still not kept the Detroit River corridor from maintaining a biological richness, and the lands and waters, the life that exists beneath the surface of the water and in the air and in the land in this area does not recognize government boundaries and jurisdictions, but the people in the Great Lakes ecoregion do. Individuals and organizations and institutions have worked in the context of the Great Lakes ecosystem for years, and H.R. 1230 represents an outstanding opportunity to continue that international collaboration.

The Nature Conservancy respectfully requests that the Committee support H.R. 1230 and enable us to protect these 18 miles of rich biological landscape. Thank you, Mr. Chairman. That concludes my remarks.

Mr. GILCHREST. Ms. Taylor, you did not disappoint us. You waxed most eloquently and poetically—

[Laughter.]

Mr. GILCHREST. —and the metaphors will be remembered for some time to come. Mr. Underwood says you have a degree in philosophy. Thank you very much.

[The prepared statement of Ms. Taylor follows:]

**Statement of Helen Taylor, State Director, Michigan Chapter,
The Nature Conservancy**

Mr. Chairman and members of the Subcommittee, I appreciate this opportunity to present The Nature Conservancy's testimony in support of H.R. 1230, legislation to create an international wildlife refuge along the lower Detroit River.

Introduction and Background

The Nature Conservancy is an international, non-profit organization dedicated to the conservation of biological diversity. Our mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. The Conservancy has more than 1,000,000 individual members and 1,900 corporate associates. We currently have programs in all 50 states and in 28 foreign countries. To date we have protected more than 11 million acres in the 50 states and Canada, and have helped local partner organizations preserve 80 million acres overseas. The Conservancy owns and manages 1,600 preserves throughout the United States—the largest private system of nature sanctuaries in the world. Sound science and strong partnerships with public and private landowners to achieve tangible and lasting results characterize our conservation programs.

Protecting biodiversity in the Great Lakes Region

In 1996, The Nature Conservancy launched a collaborative initiative to identify high priority biodiversity conservation sites throughout the Great Lakes region. The Conservancy oriented its work based on ecoregions—large areas defined by the influences of shared climate and geology, the main factors that determine broad-scale distribution of plants and animals. The Great Lakes ecoregion—which includes major portions of Canada and the United States—is one of 64 ecologically distinct regions of the continental United States. For each of these ecoregions, the Conservancy is developing a detailed plan that identifies the places that need to be protected to conserve native biodiversity for the long term.

The Great Lakes ecoregional plan, in essence, provides a blueprint for protecting the native species, natural communities and aquatic systems characteristic of the Great Lakes region. Through this systematic approach to prioritize conservation action, we are creating a comprehensive vision for Great Lakes conservation that addresses the full range of biological diversity.

The Ecological Importance of the Detroit River–Lake St. Clair Ecosystem

The coastal marshes and islands of the lower Detroit River emerged as a critically important conservation opportunity in the Nature Conservancy’s science-based ecoregional plan for the Great Lakes region.

The Detroit River plays a crucial role in the Great Lakes ecosystem. Despite considerable population growth and development, the Detroit River’s coastal wetlands and waterway continue to offer critical habitat for numerous species of Great Lakes fish and wildlife. The area is recognized as being an important migratory corridor for neotropical migrating birds and waterfowl.

Other institutions have identified the Detroit River–Lake St. Clair ecosystem as a key area of biodiversity. For example, in 1998 the United States Environmental Protection Agency and Environment Canada hosted a bilateral “State of the Lakes Ecosystem Conference” that identified 20 areas in the Great Lakes region recognized as having “exceptionally high ecological values which warrant exceptional attention to protect them from degradation.” The conference identified the 20 areas requiring “exceptional attention” as “Biodiversity Investment Areas.” The Detroit River–Lake St. Clair ecosystem was identified as one of those 20 Biodiversity Investment Areas based on:

- Its high levels of avian, aquatic, and botanical diversity;
- The presence of rare and threatened species; and
- Its role as an important migration corridor.

Freshwater Biodiversity in the Detroit River

Though we are a nation devoted to the beauty and recreational values of our streams, creeks, and rivers, few of us realize that the diversity of life in freshwater systems in the U.S. is exceptional, even when compared with the tropics. However, two centuries of land-use alterations, dam construction, introductions of non-native species, pollution, and water withdrawals have led to the accelerated and, in many cases, irreparable losses of freshwater species.

In a 1998 publication entitled *Rivers of Life*, The Nature Conservancy identified several groups of freshwater species in particular peril, including:

- 40 percent of freshwater fishes and amphibians are at risk;
- Two-thirds of freshwater mussel species are at risk of extinction; almost 1 in 10 may already have vanished forever.

The rivers of the Great Lakes ecoregion support numerous rare, threatened or endangered aquatic species. Several rare species of native freshwater mussels and more than 65 species of fish live in the waters of the Detroit River. As the findings in *Rivers of Life* indicate, freshwater mussels are some of the most imperiled species in the U.S. Unfortunately, the rare mussels in the Detroit River may not be viable, in part due to the introduction of non-native zebra mussels.

Perhaps the most stirring example of the river’s biological richness is the presence of lake sturgeon. The lake sturgeon’s historic range in the U. S. includes the waters of 20 states, 19 of which list it as a threatened species, including Michigan. In addition, the U.S. Fish and Wildlife lists lake sturgeon as a species of special concern.

The lake sturgeon is the largest species of fish in the Great Lakes ecosystem, and sport fishers in the United States and Canada frequently encounter lake sturgeon in the Detroit River. These primitive, armor-plated fish can attain ages of 100 to 150 years, and grow to impressive lengths. Though freshwater sturgeon first appeared in North American waters some 400 million years ago, during the Devonian Age (or Age of Fishes), much of their basic ecology, life history, and population dynamics in the Great Lakes remains unknown. However, seven historical spawning sites have been identified in the Detroit River.

The Detroit River is a Major Corridor for Migrating Birds

It has long been recognized that the Detroit River–Lake St. Clair ecosystem plays an important role in seasonal migration for a number of avian species:

- The river is an ecoregionally important stopover for site for hundreds of species of landbirds, shorebirds, and raptors; and,
- The river's remaining coastal marshes are especially important for waterfowl, providing shelter and food for more than three million migrating waterfowl each year and 29 different species.

Among vulnerable species, birds are an especially important focus for the Nature Conservancy's Great Lakes ecoregional plan because their distribution, relative abundance, and habitat requirements are comparatively well known. Nature Conservancy scientists therefore have been working in the Great Lakes region to identify breeding locations for birds of conservation concern, and to ascertain the important stopover and wintering sites for landbirds, raptors, shorebirds, and waterbirds.

Of the approximately 80 stopover sites named as important bird areas, most are concentrated along the shore of the Great Lakes. The Great Lakes ecoregion, along with ecoregions along the Gulf Coast, the northern Atlantic coast, and the Pacific coast, may support some of the highest concentrations of stopover sites on the continent.

An International Approach

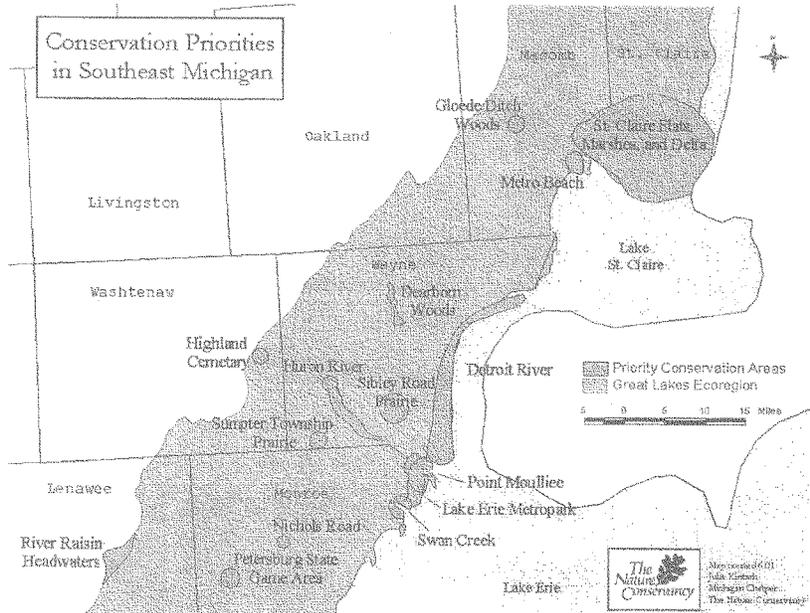
To prevent degradation of this rich biological resource, government agencies in the U.S. and Canada, conservation groups, and citizen's groups are working together to protect the Detroit River's rare and endemic species and natural communities.

The proposed Detroit River International Wildlife Refuge is an outstanding example of diverse interests working together in partnership for the common good of all. The proposed refuge would protect over 18 miles of land, islands, and other natural features along the Detroit River, including many areas of biological significance that the Conservancy has targeted for the focus of our work.

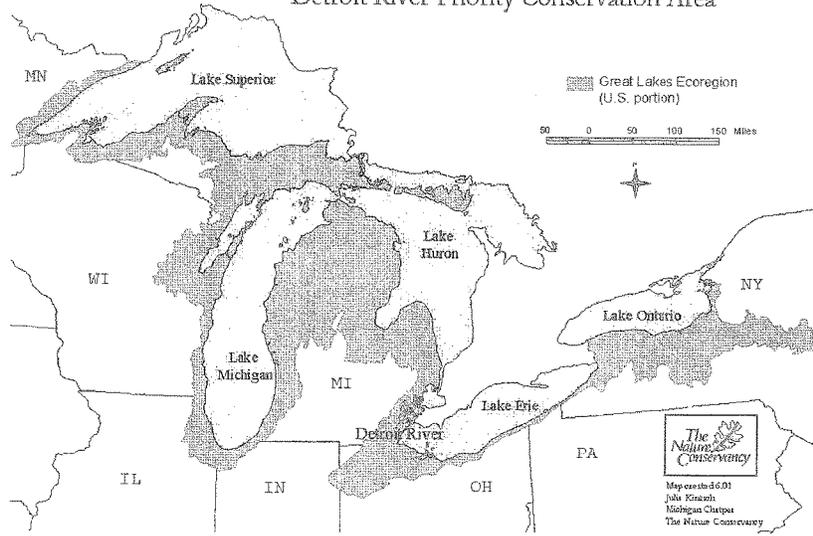
The proposed Detroit River International Wildlife Refuge represents an outstanding opportunity to protect some of the richest areas in the Great Lakes via a remarkable international partnership. The Nature Conservancy requests Committee support of H.R. 1230.

Thank you for your attention. I would be happy to answer any questions you may have.

[Attachments to Ms. Taylor's statement follow:]



Great Lakes Ecoregion -
Detroit River Priority Conservation Area



Mr. GILCHREST. Mr. Tori, we expect no less from you, sir.

Mr. TORI. Well, I won't do any Italian opera singing, that is for sure.

[Laughter.]

STATEMENT OF GILDO M. TORI, DUCKS UNLIMITED, INC.

Mr. TORI. Mr. Chairman and members of the Subcommittee, it is a pleasure to be here this morning. My name is Gildo Tori and I am the State and Federal Coordinator for Ducks Unlimited's Great Lakes Atlantic Regional Office in Ann Arbor, Michigan. I am a professional certified wildlife biologist and have training and experience in wetlands and waterfowl conservation. I have worked with DU since 1997, and before that worked 15 years with the Ohio Division of Wildlife as a wetlands and waterfowl ecologist.

DU appreciates the opportunity to speak to you today about the concepts embodied in H.R. 1230, the Detroit River International Wildlife Refuge Establishment Act. Ducks Unlimited supports the establishment of the Detroit River International Wildlife Refuge for the following four reasons.

First, this refuge would expand upon the existing Wyandotte National Wildlife Refuge and provide a more secure anchor for conservation efforts in this region.

Two, the new refuge would provide a unique opportunity for international cooperation between the U.S. and Canada government and nongovernmental partners to protect and restore this international treasure.

Third, the synergy provided by this refuge would aid and assist private nonprofit conservation groups to increase conservation efforts in this region.

And four, this refuge would protect the last remaining wetlands and water bodies in this important region for the benefit of our wildlife resources and for citizens on both sides of the border.

As mentioned before, the Detroit River, Lake St. Clair, and the southwestern Lake Erie and adjacent wetlands are historical and critical habitats for migratory birds. Dr. John Hartig gave you the view of it being a funnel for the two major flyways in North America, the Mississippi and the Atlantic flyway, and we have documented anywhere from three to five million waterfowl using this area during spring and fall migration, and also approximately 29 species of waterfowl.

So it is a critical and important place for waterfowl, but Ducks Unlimited is concerned about more than just ducks, I guess if you want to say. We are also concerned about the other species that use this area, and there have been over 300 bird species documented in the Detroit Windsor area and over 150 of those breed in the region. So it critically important, not just for ducks but for many species of wildlife.

Unfortunately, only 3 percent of the original wetlands along the U.S. side of the border remain and about 1 percent of the shoreline is not armored with steel or concrete, so it has been highly impacted by human development. Yet in spite of these developments and alterations, the Detroit River continues to provide good habitat for migratory birds.

As mentioned earlier, too, the wild celery is a critical component of the Detroit River and it is increasingly coming back and the birds are coming back. In fact, this morning as I flew here and flew right over the Detroit River, you could see the wild celery coming back, and as Helen mentioned, that is critical to have the plants support the wildlife population.

The Detroit River and surrounding water areas have also been listed as key areas for several organizations. It is a high priority region for Ducks Unlimited and our continental conservation plan. It is one of 34 special focus areas under the North American Waterfowl Management Plan. It is now part of the Western Hemisphere Shorebird Reserve Network. And the Canadian side is also part of the Eastern Habitat Joint Venture of the North American Waterfowl Management Plan, and our sister organization, Ducks Unlimited, has been working on this side of the river and is very excited about the potential for the international wildlife refuge and stands ready to support our efforts here.

Protection and restoration of habitat for fish and wildlife in Michigan waters of this waterway is a high priority for all of these agencies and for many nongovernmental organizations. Currently, there is a newly established partnership of 19 different groups and organizations that support the wetland restoration and protection in the region, and that highlights the importance of the area but it also says that there are a lot of folks out there that support this locally and are willing to stand with the Fish and Wildlife Service and other organizations to do their work and do their share.

In conclusion, Ducks Unlimited is here today to pledge our support to you and this Congress as you continue your excellent efforts to protect our country's natural heritage. We urge you to pursue the development of the Detroit River International Wildlife Refuge for the benefit of the citizens of this country and also of our friends in Canada and for the benefit of fish and wildlife in the Great Lakes ecosystem. Thank you very much.

Mr. GILCREST. Thank you, Mr. Tori.

[The prepared statement of Mr. Tori follows:]

Statement of Gildo M. Tori, Ducks Unlimited, Inc.

Mr. Chairman, members of the subcommittee, my name is Gildo M. Tori. I am the State and Federal Coordinator for Ducks Unlimited Inc.'s (DU) Great Lakes/Atlantic Regional Office in Ann Arbor, Michigan. I am a professional certified wildlife biologist with training and experience in wetlands and waterfowl ecology. I have worked for DU since 1997, before which I worked for the Ohio Division of Wildlife for 15 years as a wetlands ecologist.

Ducks Unlimited, Inc. was founded in 1937 by concerned and farsighted sportsmen and conservationists. It has grown from a handful of people to an organization of more than 1,000,000 supporters who now make up the largest wetlands and waterfowl conservation organization in the world. DU has conserved more than 9 million acres of wildlife habitat in the U.S., Canada and Mexico. DU prides itself on its work with private landowners and our many partnerships with federal, state, and local governments and non-governmental organizations.

DU appreciates the opportunity to speak to you today regarding concepts embodied in H.R. 1230, the Detroit River International Wildlife Refuge Establishment Act. Ducks Unlimited supports the establishment of the Detroit River International Wildlife Refuge for the following reasons: 1. This refuge would expand upon the existing Wyandotte Refuge, and provide a more secure anchor for conservation efforts in the region, 2. The new refuge would provide a unique opportunity for international cooperation between the U.S. and Canada among governmental and non-governmental partners to protect and restore this international treasure, 3. The syn-

ergy provided by this refuge would aid and assist private non-profit conservation organizations to increase conservation efforts in this important region, and 4. This refuge would protect the last remaining wetlands and water bodies in this important region, for the benefit of our wildlife resources and for the improvement in the quality of life on both sides of the border.

The Detroit River, Lake St. Clair, southwestern Lake Erie and the adjacent wetlands and tributaries are a historical and critical habitat base for our continent's waterfowl and wildlife resources. The Detroit River is the crossroads for birds migrating in the Atlantic and Mississippi flyways, basically serving as a funnel for migrating birds during the spring and fall. More than 300 bird species have been documented in the Detroit-Windsor area, with approximately 150 of those nesting in the region. Approximately 3 million ducks, geese and swans migrate annually through the Great Lakes, with a majority passing through the eastern portion of Michigan, Ontario and Ohio (Figure 1). The Detroit River, Lake St. Clair and Lake Erie are critical migration areas for canvasbacks and other diving ducks, and are the most important staging areas for black ducks on the continent (Figure 2). Bald eagles nest in the area and twenty-seven species of migrating swans, ducks, and geese have been identified.

Less than 3% of the original wetlands along the U.S. side of the Detroit River remain and only 1% of the U.S. shoreline is not armored with concrete or steel. Yet, in spite of intense development impacts, the lower Detroit River continues to provide critical habitat for waterfowl and other migratory birds. Extensive beds of extremely rare wild celery and undeveloped islands and shoals support one of the nation's most productive sport fisheries for walleye and support 117 other species of fish. Remaining islands are extremely vulnerable to development as evidenced by recent efforts to develop Humbug Island. Islands in the river exhibit a wide range of topographic features subject to the influence of the water levels in the Detroit River.

The Detroit River and the surrounding water and wetland resources have received many special designations based on its importance to migrating waterfowl, neotropical migrant songbirds, raptors, fish resources, and other wildlife.

For example:

1. This region is a high priority area for Ducks Unlimited's under its new Conservation Plan for North American waterfowl.
2. It is a special focus area under the North American Waterfowl Management Plan, one of 24 critical waterfowl areas listed by the U.S. Fish and Wildlife Service.
3. This region is listed as part of the Western Hemisphere Shorebird Reserve Network, site of regional importance.
4. The Canadian side of the river is located in the Eastern Habitat Joint Venture of Canada, under the North American Waterfowl Management Plan.
5. The Detroit River is located within the Coastal Zone of Michigan, as identified by the U.S. Department of Commerce.

In global perspective, the waterway contains remnant Great Lakes coastal marshes, lake plain prairies, oak savannahs, extensive beds of wild celery, and remnants of a diverse freshwater mussel community. For these and other biological reasons, and in addition to the above designations, the Detroit River was recognized by The Nature Conservancy as having globally significant biological diversity that should be conserved and enhanced by Canada and the United States under the 1992 United Nations Convention on Biological Diversity; by the State of Michigan under its Biodiversity Conservation Act; and by the binational Detroit River Remedial Action Plan. The latter plan lists loss of fish and wildlife habitat as an impaired water use that must be remediated to delist the river as an Area of Concern (AOC).

In 1997, this waterway was designated a focus area for habitat restoration by the Great Lakes Ecosystem Team of the U.S. Fish and Wildlife Service. In 1999, Lake St. Clair and the Detroit River were designated a focus area by the Midwest Natural Resources Group of 14 federal agencies. In 2000, the lower Detroit River and the western shore of Lake Erie were designated part of the Western Lake Erie Biodiversity Investment Area by the U.S. Environmental Protection Agency. In 2001, Canada and the U.S. agreed upon a Conservation Vision for the Lower Detroit River Ecosystem, including a Detroit River International Wildlife Refuge.

Protection and restoration of habitat for fish and wildlife in Michigan waters of this waterway is high priority for federal, state and provincial agencies, Ducks Unlimited, The Nature Conservancy, and numerous citizens groups. The continued use of this region as a major migration corridor for waterfowl, other birds, and fish coupled with the dramatic decline in habitat availability underscores the grave importance of conserving the remaining habitat areas. Designation of an international

wildlife refuge will serve as a direct mechanism to conserve habitat and as a catalyst to focus conservation attention to this region.

Currently, a newly established partnership has formed in support of wetland conservation in this region. Included in that partnership are federal, state and local agencies, private corporations and individuals, and non-governmental organizations, including the following: Algonac State Park, City of Monroe, Community Foundation for Southeast Michigan, Consumers Energy, Detroit Edison, Ducks Unlimited, Federated Garden Clubs of Michigan, Greater Detroit American Heritage River Initiative, Grosse Isle Nature and Land Conservancy, Michigan Department of Natural Resources, Pheasants Forever, National Steel Corporation, The Nature Conservancy, River Raisin Public Advisory Council, Solutia, Inc, Southeast Michigan Land Conservancy, Wildlife Habitat Council, Pt. Mouille Waterfowl Festival Committee and the U.S. Geological Survey. The importance of this region is indicated in the diversity of groups represented in this partnership. The Detroit River and the surrounding ecosystem is worthy of protection as a wildlife refuge.

Conclusion

Ducks Unlimited is here today to pledge our support to you and this Congress as you continue excellent efforts to protect our country's natural heritage. We urge you to pursue the development of the Detroit River International Wildlife Refuge, for the benefit of citizens in the United States and Canada, and for the benefit of wildlife, fish and our Great Lakes ecosystem. Thank you.

[Attachments to Mr. Tori's statement follow:]

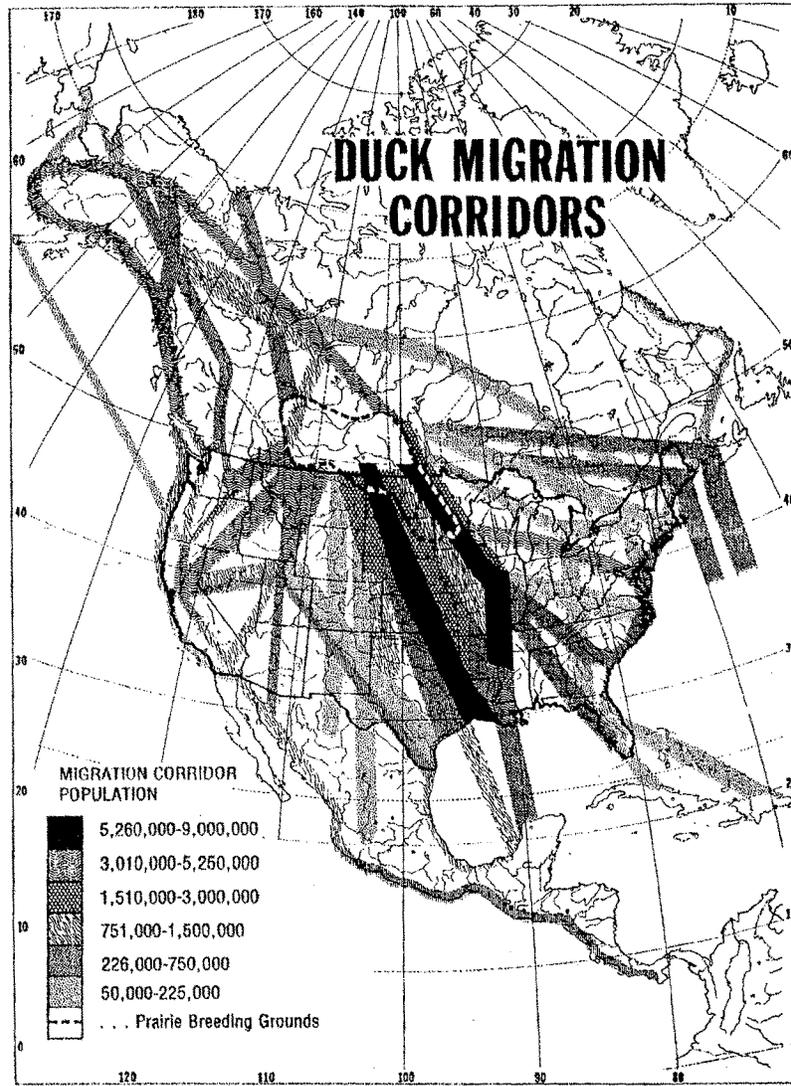


Figure 1-3.

Figure 1. Duck Migration Corridors. From Frank C. Bellrose's *Ducks, Geese and Swans of North America*. Stackpole Books.

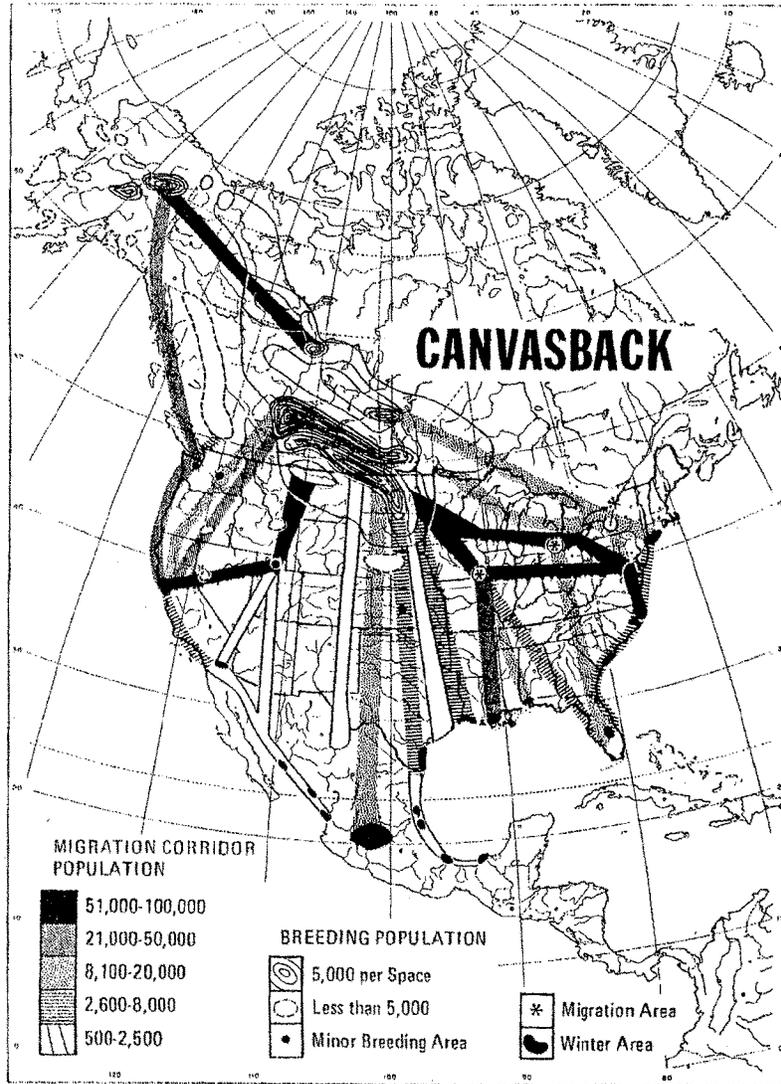


Figure 2. Canvasback Breeding and Migration Areas. From Frank C. Bellrose's Ducks, Geese and Swans of North America, Stackpole Books.

Mr. GILCHREST. Mr. Nomsen?

**STATEMENT OF DAVE NOMSEN, VICE PRESIDENT OF
GOVERNMENT AFFAIRS, PHEASANTS FOREVER**

Mr. NOMSEN. Thank you, Mr. Chairman, members of the Committee. My name is Dave Nomsen. I am Vice President of Governmental Affairs for Pheasants Forever, based in Alexandria, Minnesota, and I am very pleased to be here today on behalf of Dr. Gordon Guyer and Pheasants Forever.

Dr. Guyer is currently serving as Chairman of the Board for Pheasants Forever, and previously he was President of Michigan State University and also the Director of the Michigan Department of Natural Resources in the Department of Agriculture in Michigan. Thus, he is very familiar with the proposed refuge area.

Pheasants Forever is very pleased to offer our complete support for H.R. 1230, establishing the Detroit River International Wildlife Refuge. We believe that the refuge will provide tremendous benefits to sportsmen and sportswomen. We are pleased to see that hunting, fishing, wildlife observation and photography, and environmental education are specifically listed as priority uses of the proposed refuge. We believe that H.R. 1230 is a significant piece of legislation and, when completed, will offer tremendous wildlife conservation and environmental benefits to not only our nation's sportsmen, but society as a whole.

In the attached letter to my testimony from Dr. Guyer to Congressman Dingell, he points out how important the establishment of the refuge is both in terms of wildlife and water quality enhancement in the area.

Preservation of the lower Detroit River ecosystem through H.R. 1230 can ensure the future of fine waterfowling in this area and the millions who live nearby will benefit from the refuge's wildlife. Preserving the area will also improve water quality. Healthy wetland ecosystems can absorb nutrients and contaminants from runoff, reduce sediment loads, improving water quality not only for Michigan but also for the entire Lake Huron and Lake Erie watershed.

H.R. 1230 will complement Pheasants Forever's activities in Michigan. We are pleased to see provisions providing protection for land owners' decisions regarding land acquisition. At Pheasants Forever, all of our projects are voluntary in nature and completed with willing farmers and land owners. We believe that by incorporating these provisions, local and community support for the refuge will be strengthened.

Mr. Chairman, I thank you for the opportunity to testify in support of H.R. 1230. The Detroit River International Wildlife Refuge can benefit this nation's sportsmen and sportswomen, all conservationists, and everyone interested in a healthy environment. Please feel free to contact us for any additional information that we can provide. I would be happy to take questions at the appropriate time. Thank you very much.

Mr. GILCHREST. Thank you, Mr. Nomsen.

[The prepared statement of Mr. Guyer follows:]

Statement of Dr. Gordon Guyer, Chairman of the Board, Pheasants Forever

Mr. Chairman, members of the Committee, my name is Dave Nomsen. I am Vice-president of Governmental Affairs for Pheasants Forever from Alexandria, MN. I am pleased to be here today on behalf of Dr. Gordon Guyer and Pheasants Forever.

Dr. Guyer is currently serving as Chairman of the Board for St. Paul, MN based Pheasants Forever. Dr. Guyer is President Emeritus of Michigan State University and previous Director of the Department of Natural Resources and the Department of Agriculture in Michigan. As Chairman of the Board for Pheasants Forever, Dr. Guyer represents nearly 100,000 of our nations' sportsmen and sportswomen and Pheasants Forever 550 chapters nationwide in 28 states. Pheasants Forever was founded in 1982 and annually completes in excess of 32,000 wildlife habitat conservation projects in cooperation with willing farmers and landowners and natural resources agencies.

Pheasants Forever is pleased to offer our complete support for H.R. 1230 establishing the Detroit River International Wildlife Refuge. We believe that this refuge will provide tremendous benefits to sportsmen and sportswomen. We are pleased to see that hunting, fishing, wildlife observation and photography, and environmental education are specifically listed as priority uses of the proposed refuge.

We believe that H.R. 1230 is a significant piece of legislation and when completed will offer tremendous wildlife conservation and environmental benefits to not only our nations sportsmen, but society as a whole. In the attached letter to Representative Dingell, Dr. Guyer points out how important the establishment of the refuge will be in terms of both wildlife and water quality enhancement. Dr. Guyer points out the value of this area as a waterfowl migration corridor and has personally enjoyed some of the fine waterfowling experiences this area offers. Preservation of the Lower Detroit River ecosystem through H.R. 1230 can ensure the future of fine waterfowling in this area and the millions who live nearby will benefit from the refuges wildlife. The refuge will benefit numerous species of waterfowl and fish, provide habitat for other birds, butterflies, and mammals. Preserving this area will also improve water quality. Healthy wetland ecosystems can absorb nutrients and contaminants from runoff and reduce sediment loads improving water quality not only for Michigan but also for the entire Lake Huron and Lake Erie watershed.

H.R. 1230 will complement Pheasants Forever's activities in Michigan. Chapters complete projects that while focused on improving pheasants and pheasant habitat, these projects reduce soil erosion, benefits numerous species of wildlife, and improve water quality. Many of these projects are within the watershed above the Lower Detroit River and involve the successful Conservation Reserve and Wetland Reserve Programs. We believe that the addition of the Detroit River International Wildlife Refuge will move us toward a more comprehensive land management program benefiting Michigan farmers and landowners, sportsmen and sportswomen, and society as a whole. We are pleased to see provisions providing protection for landowners decisions regarding land acquisition. At Pheasants Forever all of our projects are voluntary and completed with willing farmers and landowners. We believe that by incorporating these provisions, local and community support for the refuge will be strengthened.

Mr. Chairman, thank-you for the opportunity to testify in support of H.R. 1230. The Detroit River International Wildlife Refuge can benefit this nations sportsmen and sportswomen, all conservationists, and everyone interested in a healthy environment. Please feel free to contact us for additional information and support regarding these issues. I would be happy to take questions at the appropriate time. Thank-you.

[A letter submitted for the record by Mr. Guyer follows:]

JUNE 18, 2001

The Honorable John D. Dingell
United States House of Representatives
Washington, D.C. 20515

Dear Representative Dingell:

It has been some time since I renewed acquaintances in Washington DC but it was certainly a privilege to have an opportunity to once again renew friendships with you last week and again admire the terrific comprehension you have for the importance of conservation programs and wildlife issues. You represent Michigan so appropriately and are one of the individuals we all look forward to supporting as

you maintain your fish, wildlife and conservation priorities. We are very fortunate in Michigan!

More importantly, I wanted to formalize my excitement and special support for your initiative on behalf of establishing a Southeastern Michigan International Wildlife Refuge. Certainly H.R. 1230 is the most significant piece of legislation that will not only enhance wildlife, but more importantly will be an important adjunct to maintaining and enhancing water quality in the entire lower Great Lakes watershed. My past experiences as Director of the Department of Natural Resources and the Department of Agriculture, and as President of Michigan State University have given me an opportunity to appreciate the fact that this area represents the greatest Midwest flyway for waterfowl and is also the drainage from some of the most productive farmland in the Midwest. Your creative philosophy for this Refuge will not only protect these important resources, but will be a significant contribution to not only Michigan, but the entire southern Lake Huron and Lake Erie watershed.

John, whatever I can do to support you in this regard, be sure and let me know. Thanks again for your hospitality.

VERY TRULY YOURS,

DR. GORDON GUYER

CHAIRMAN

Mr. GILCHREST. Thank you all for your testimony and for your support. I have just a couple of questions.

Can anyone tell me the potential acreage of this refuge and the potential cost involved in acquisition? I know there is a myriad of public and private sector interests in this. Some of the land might come as donations. There could be easements on some of that. Does anyone know the potential? You have outlined a number of islands and shorelines and wetland areas that are in it. It would be helpful for us to have some ballpark figure as to the number of acres and an approximate cost. Yes, sir?

Mr. JAKCSY. Mr. Chairman, in terms of the boundaries, the refuge will include all land from the American side of the river west to Jefferson Avenue, which is a main corridor along this 18-mile stretch of the lower Detroit area. It will run from the northern border of Mud Island all the way down to the southern border of Sterling State Park, and it encompasses approximately 5,451 acres to be included in the boundaries of the refuge.

Mr. GILCHREST. That is the U.S. side.

Mr. JAKCSY. On the U.S. side.

Mr. GILCHREST. Is there approximately the same number of acres on the Canadian side?

Mr. JAKCSY. That, I do not know.

Mr. GILCHREST. Dr. Hartig?

Mr. JAKCSY. I would say probably.

Mr. GILCHREST. Probably?

Mr. JAKCSY. Yes.

Mr. GILCHREST. So we are looking in the neighborhood of about 10,000 acres?

Mr. JAKCSY. I think that is fair to say. It is less developed on the Canadian side, so I would say it would be equal to what we have here.

Mr. GILCHREST. Okay.

Mr. HARTIG. That would be the maximum number, Mr. Chairman.

Mr. GILCHREST. Yes.

Mr. HARTIG. Probably, and again, as Congressman Dingell pointed out, this is voluntary. For example, if—one of the large islands just north of Grosse Ile is Fighting Island, which is owned by BASF Corporation, and if they wanted to—and they are doing some of that now—managing much of those lands for habitat conservation, if they wanted to enter into a cooperative agreement, they could be managing their lands in support of the goals of the international wildlife refuge. So it depends upon if they would want to do that.

Another example is Solutia, a chemical industry on the lower end of the Detroit River. They are doing some upland habitat work with Wildlife Habitat Council and they are doing some soft engineering of shorelines. They could be doing that not only for their internal goals but for the wildlife refuge. So you could—

Mr. GILCHREST. You say they are doing some soft engineering for shorelines?

Mr. HARTIG. Yes.

Mr. GILCHREST. What does that mean?

Mr. HARTIG. You heard Mr. Tori say that much of the Detroit River shoreline is hardened with concrete, break wall, and steel sheet piling. In fact, of the U.S. side, 31 of the 32 miles is very hardened.

Soft engineering says you don't need concrete and steel everywhere. You need it where you need to bring in freighters and cruise ships and things like that, but where you don't need it, you can change the slope, use varied size of rock, and you can use plants, and you can soften the shoreline and get habitat value out of it. Hard engineering, concrete and steel, has no habitat value, as you know, but we feel we can reclaim some of the shoreline for the benefits of the refuge.

Mr. GILCHREST. I see.

Mr. HARTIG. An example of that, Mr. Jakcsy told you they are already doing that on their property in support of wildlife conservation. BASF Corporation is doing it on the mainland.

Mr. GILCHREST. So you are taking some of that rip-rap, hard rock or steel shoreline, you are taking it apart, removing it, and replacing it with marsh grass or something of this nature?

Mr. HARTIG. In some cases, marsh grass. Engineers are very important, but they like straight lines. We don't always want straight lines in habit. We want some sinuosity of the shoreline. We would like to change the slope. We would like to add some natural vegetation and get some habitat value to support this unique biodiversity that—

Mr. GILCHREST. Dr. Hartig, when you are talking about engineering a soft shoreline, you know, in my mind, you have electrical engineers, you have chemical engineers, you have all kinds of engineers. So are these people doing that somehow environmental engineers that are trying to understand the design of the mechanics of natural processes, to put it back in place the way it was? What kind of engineers are doing this?

Mr. HARTIG. They are civil and environmental engineers. They are very much interested in the shoreline, in hydraulics and ecology, and it is the next generation of engineers to do it.

Mr. GILCHREST. I see.

Mr. HARTIG. One of the most important things, there is habitat value in it, but you can also save money for shoreline owners, whether it is an industry, whether it is a business or a community.

Mr. GILCHREST. Yes, sir?

Mr. TORI. I just wanted to comment on that. They are civil and environmental engineers in our office in Ducks Unlimited, and we actually have a staff and that is exactly what they do, is they do a lot of restoration work and take hard shorelines and engineer them back and try to emulate the natural processes that existed prior to the alterations. So it is a growing and rapidly developing field and there are a lot of creative engineers out there that just love to put back what nature created, so it is an important aspect of our office.

Mr. GILCHREST. Great. Thank you. Maybe we should contract a number of these environmental engineers and have them do a hydrologic study of the United States—

[Laughter.]

Mr. GILCHREST. —and give some estimate as to—

Mr. TORI. We would love to do that for you.

Mr. GILCHREST. We will work with John Dingell on that one.

Ms. Taylor, I had a question for you and it went out of my head. I will get back to it. One more question and then I will yield to Mr. Underwood. Two things, I guess. Has Nature Conservancy purchased any land here?

Ms. TAYLOR. Yes. We recently purchased Calf Island, which is at the southern end. Is it marked there? Yes, right there.

Mr. GILCHREST. Oh, I see.

Ms. TAYLOR. Which eventually we anticipate handing over to the U.S. Fish and Wildlife to be part of this refuge.

Mr. GILCHREST. Would that be a donation or a sale?

Ms. TAYLOR. Actually, we purchased it, and through a NAWCA grant, we would be reimbursed, but that grant is under consideration at this stage.

Mr. GILCHREST. I see. Do you have any statement or comment or feeling about Section 7 of the bill, the indemnification aspect of that?

Ms. TAYLOR. We don't have a position on that. I defer to my colleagues on that, actually. But overall, we feel the bill itself is a very important bill, so we support it in total, but on that particular issue, we don't have a position.

Mr. GILCHREST. Given the nature of the complexity of this proposed refuge, in that it won't all come at the same time, I assume, there will be pieces that will come into it over a period of time, some donated, some with easements, some with outright purchase, and that Mr. Ashe from the administration had some very strong reservations about Section 7, especially with the aspects of the liability, does anyone on the panel want to comment on that? Do you have any idea how that can be reconciled, changed? Mr. Dingell?

Mr. DINGELL. I apologize to the Committee. I should have addressed this. In a nutshell, that is entirely voluntary. There is no requirement here that there be any absolution given to anyone with regard to donations or sale of land by the Federal Government. This is something which is vested in the President. I have made some suggestions to the Committee with regard to a possible

redraft to move this discretion down to the Secretary, which would be exercised through the Director of Fish and Wildlife.

Our problem here, and the reason for this language in the bill, Mr. Chairman, is that this is an old industrial area. Industry began to locate here in the 1820's and 1830's. It was shipbuilding, chemicals, timber, furniture, cigars at one point, chemicals, mostly sodium-based chemicals, but others, oil refining, steel mills, and things of that kind. So we have been kind of harsh on that land.

So I anticipate that there will be significant donations either of fee or of interest in the land, such as easements and things of that kind. This permits the Secretary, functioning through the Director of Fish and Wildlife, as I have suggested the amendments to the Committee, to offer some assurance to a donor or a seller that there will not be a penalty associated with that act of virtue, because as you know, Mr. Chairman, not infrequently, as they say, no good deed goes unpunished, and it is our purpose with that particular drafting to see to it that we not penalize honest citizens who are seeking to work with us in this conservation cause.

The authority to use this is entirely discretionary with the Secretary or the President or the Director of Fish and Wildlife, and I am even suggesting to the Committee certain sensible constraints which the Secretary could use, such as considering the relative value of the donation or the sale and also considering the cost to the government and the potential liabilities absorbed by the government in the acceptance of the land, either by sale or donation.

Mr. GILCHREST. Thank you very much, Mr. Dingell.

Mr. Underwood?

Mr. UNDERWOOD. Thank you, Mr. Chairman.

Just following up on the issue of Section 7, and I thank Mr. Dingell for clarification, does this change your position, Mr. Ashe, of that amendment as put in, that it somehow—would it change the administration's position that the discretion is given to the Secretary via the Director of Fish and Wildlife as opposed to the President?

Mr. ASHE. Mr. Underwood, I guess when we sit down with the Committee, I know that the changes that Mr. Dingell has suggested, we have looked at them within the Fish and Wildlife Service and they certainly do address some of our concerns about Section 7. I guess we would need to sit down with the Committee and with the administration to determine whether or not that remedies the larger concern.

I think the larger concern is one of a conceptual level, at a policy level, and as I said in my statement, and Congressman Dingell is correct, the grant of authority is discretionary in the bill, and so certainly the administration or the Fish and Wildlife Service is not required to exercise that authority. Sometimes, though, the presence of discretion is not a good thing and—

Mr. UNDERWOOD. I am sure he will be interested to hear that.

Mr. ASHE. —and the presence of discretion—if Congress puts a provision into law and gives us the discretion to employ it, then presumably they intend us to use it and we will find ourselves under pressure to employ the exemption because—and again, we have not taken a detailed look at any of these properties—

Mr. UNDERWOOD. But there are two levels of discretion here, are there not? The first is whether to accept the property and the second is whether to indemnify.

Mr. ASHE. That is correct.

Mr. UNDERWOOD. Okay. So there are two levels. I would assume that that offers some protection if the property is very much contaminated.

Mr. ASHE. It does.

Mr. UNDERWOOD. But I appreciate the administration's concerns on that, as well.

For the rest of the panel, Mr. Gilchrest, the Chairman, asked the initial question, how much of this property—what would the total property be in the refuge, and then some of you proceeded to answer it by talking about various corporate holdings along the whole area. Can anyone offer any information about what would be anticipated to actually be donated to the Fish and Wildlife Service for the refuge? How much of that property is actually held by corporations and how much is actually held by individuals? Has anyone studied that, or is most of the anticipated property that would be given over is held by corporations?

Mr. HARTIG. I don't think anyone has studied that in depth. I think the number of parcels ultimately that might be given to the Fish and Wildlife Service might be relatively small, but I think a number of the corporations would manage their lands under the—consistently with the goals of an international wildlife refuge and the conservation vision, to meet the spirit and intent of that. So they might have a cooperative agreement in the end to do certain things voluntarily on their property to support the wildlife refuge concept.

Mr. UNDERWOOD. So has anyone kind of assessed how much would actually be covered by cooperative agreements as opposed to land being given over? I mean, I am assuming that Section 7 applies primarily to land that is being donated, and so I just want to find out for my understanding of the whole situation, how much land is anticipated would be actually given over and could be potentially covered by Section 7? Does anyone have any information on that?

[No response.]

Mr. UNDERWOOD. No? Okay. Let me try another question. If Section 7 were absent in this legislation, what do you think the reaction of the corporations that currently hold land? Would they be as interested in donating land? I mean, is this critical to the possibilities? Maybe Mr. Jakcsy or Dr. Hartig would respond to that. Since I guess, Mr. Jakcsy, you represent—you don't represent the whole corporate community, obviously, but you are the only corporate representative.

Mr. JAKCSY. I think that where there are pockets or for pieces of land that would be suitable for inclusion in a refuge, I think whether Section 7 is included or not, say if it is not, I think obviously you would be more readily inclined to look at making those donations, making them available or having easements on those lands for refuge. With Section 7, I can't speak for the other corporations, but I think there is a realization that perhaps those properties that may be a little more questionable, they would probably

be held on by the corporations and not offered for realistic consideration and it would not become an issue. So it is those properties that are out there and available that could be given.

Mr. UNDERWOOD. Didn't National Steel just turn over Mud Island?

Mr. JAKCSY. Yes, we did. In that instance—

Mr. UNDERWOOD. What conditions were placed on that, or were there any activities there other than rum-running, as pointed out by Mr. Dingell?

[Laughter.]

Mr. JAKCSY. We had acquired Mud Island back in 1945 and it had been expanded through—the acreage had been expanded through some dredging of the Detroit River until it is now a 21-acre site, and that happened in the early 1960's. And we never did anything with the island. We left it in its natural habitat, and as a result, it was just a beautiful spot, a little jewel, we like to think of it, there off the shores of Ecorse, that was available, unused, and we felt this was the ideal fit for it in terms of being in a refuge.

So I think those kinds of parcels that have not been used by companies along the waterfront become—and are not going to be used in future plans for companies—they become an ideal fit, because as a member of the business community with the Southern Wayne County Chamber of Commerce, I know the spirit of the corporations on the river is to make the downriver a more attractive place to live and work and improve quality of life, which we have identified through our economic summits in the Down River Community on the value of the river. And I think where we can make these parcels available for the refuge, there is a keen interest to do that.

Mr. UNDERWOOD. Go ahead, Dr. Hartig.

Mr. HARTIG. May I give you two practical examples that we are working on right now with different industries along the Detroit River. There are two downfield sites and what they are looking at right now is there is a real key player in this and that is the State of Michigan, the Michigan Department of Environmental Quality, which is a regulatory agency, and in both these cases, all applicable State standards have to be met. That is—the State is adamant about that. The communities where these two parcels exist in want that, as well.

Having Section 7 in there, though, is an incentive for these corporations to grant the easement that we want to do some creative work on the shoreline. In both of these parcels, they are looking at granting an easement down to the water along the Detroit River and to view some of the wildlife areas. So it is very much an access to the river, as well, providing public access, like Congressman Dingell said, to appreciate the river, to benefit from it, as well.

In both cases, the final resolution will be that the State standards will be met for those parcels and they will then move forward with some habitat work, some easement for public access, as well.

Mr. UNDERWOOD. Yes, go ahead.

Ms. TAYLOR. What I was going to add, also, regardless of 7 being in or out, and I can't speak for all conservation organizations, but I think we are quite similar, that when we acquire any lands, and often in a refuge status we are acquiring them as an intermediate owner and then passing them on to the refuge status, we do base-

line environmental assessments. We have to go through many filters of assessment of that ownership for liability purposes, and so we would still do those things regardless.

I think what a lot that results from Section 7 is the incentive, as John said, to make that easier and to create an opportunity to encourage those companies to do so. But regardless, we are going to go through those same process.

What also I want to point out is that often in brownfields properties, having worked in brownfields policy in a previous life, much of that is a perception of contamination of these sites. So with incentives like that, we still go through the same rigors of assessment, yet many times these are not in the condition that people anticipate because of the historical industrial use of them. And, in fact, you need opportunities like this to create an incentive to move forward.

But all those same questions, we would go through before ownership, so—

Mr. UNDERWOOD. I think I am generally in agreement with that point. I congratulate the effort of Mr. Dingell to, in a sense, not give up on this area simply because it has had a lot of industrial activity, and we are trying to find the right language in here in order to make it possible, in order to make the refuge possible. I think almost all of us are on the same page on that issue. It is not a question of trying to give the business community a leg up or to be indemnified for any damage they may do to the community. I think we are just trying to find the right language to make it possible. It is a remarkable project in its conceptualization simply because of the fact that so much industrial activity has occurred here over a couple of centuries.

Mr. HARTIG. I think that is a very, very important point, because we are the heart of the industrial revolution. We are the Rust Belt, as they call us. And in the midst of major industry, we are going to have potentially an international wildlife refuge and how can that come about at a practical working level? I think Congressman Dingell is really at the cutting edge of this for the whole country and North America and this could be a model for the rest of the country and for Canada on how to do that in an industrial area. It is just an unbelievable opportunity and some incentives will be helpful along the way.

Mr. UNDERWOOD. Yes, sir?

Mr. TORI. I guess I could refer back to Helen Taylor's great example about the car. The Detroit River is a car that is limping along. We have taken out a lot of the parts and each one of our organizations—Ducks Unlimited, Pheasants Forever, and all the other folks represented here—we are the mechanics and we need to put this car back together. The folks here and the folks that support this refuge are willing to work on it, and the creation of this refuge is a really important tool to put this car together and get it up and running for the rest of the country to see. So we appreciate the support of it.

Mr. UNDERWOOD. The car analogy is appropriate, I guess, to this area, but after listening to Pheasants Forever and Ducks Unlimited, I was waiting for Sturgeon Survival or some other organization to come forward.

[Laughter.]

Mr. UNDERWOOD. I want to commend you all for your testimony. I was just wondering if any of you know of any creatures that live in the Black Lagoon when I look in this map.

[Laughter.]

Mr. UNDERWOOD. Thank you, Mr. Chairman. I couldn't resist that.

Mr. GILCHREST. Maybe that is where we can put the brown tree snakes.

Just a quick follow-up question to Mr. Ashe. Are there any other refuges in the U.S. similar to the proposed one we are looking at here today, where a lot of the land is not contiguous and in an industrial area, urban area, or is this fairly unique?

Mr. ASHE. We have refuges where we have lands which are not contiguous. We have many examples of refuges in—and we have—a good analogy for the Committee to look at would be the Silvio Conte Refuge in Connecticut, Vermont, New Hampshire, Massachusetts, where we have a very long corridor of river, hundreds of miles in that case, where we are working to preserve small components of the original river system. This is, of course, much smaller in terms of linear miles, but the same concept. The Conte River does include some urban areas, as well.

We have urban refuges in other parts of the country, so this is a combination. This really is a unique approach to creation of a refuge that combines different concepts that we employ in other parts of the country.

Mr. GILCHREST. So the Silvio Conte Refuge System, you have a number of States that are cooperating in preserving and restoring that particular habitat?

Mr. ASHE. Correct.

Mr. GILCHREST. And in this situation, you have Canada and the United States.

Mr. ASHE. Right.

Mr. GILCHREST. When this becomes a reality, the management of these pieces that make up the refuge, you mentioned earlier that it would probably take six full-time staff, and I am sure there would just be a number of volunteers on this project, as there are in other areas around the country. The six full-time staff, what kind of relationship would the six full-time staff on the U.S. side have with the number of Canadian staff I assume that they would put on their side? Would it be managed as a single ecosystem, do you foresee?

Mr. ASHE. Of course, I guess that relationship remains for us to work out with the government of Canada. You asked about land acquisition earlier. We don't have any authority to do land acquisition or even to bring lands in another country into the refuge system. So Canada would have to make a commitment to the conservation of the lands over which it has jurisdiction. We would bring our lands and our resources to the effort. So we would have to develop a cooperative agreement with the government of Canada and a cooperative approach to management of our lands jointly. So it would obviously be an effort that would entail a great degree of cooperation. It sounds like that level of cooperation is already there

and well underway. So it doesn't sound to me like it would be difficult for us to do.

Mr. GILCHREST. Just very quickly, your perspective, would Section 7, Mr. Ashe, be a disincentive for acquiring future lands?

Mr. ASHE. I think in some respects, Mr. Gilchrest, it could make negotiations difficult for us. I think the entire panel is correct. All of the mechanisms still are in place for us. We would do contaminant surveys, and I think in this case, because the government would be absorbing liability, in the case that we exercised this authority, the government would be the single liable party. And so we would have to take a very long and hard look at whether we wanted to exercise that authority.

In many cases, it would probably be cheaper for us—potentially would be cheaper for us to just buy the land and not absorb the liability associated with it. But as Mr. Dingell said, the bill actually asks us to make that—or his suggested changes to the bill ask us to make that judgment, which would be a proper judgment for us to make.

So it would be complicated and it, in some regards, might—well, I just think it might complicate negotiations between us and a potential donor if they saw a large benefit or advantage to them in transferring liability for cleanup to the Federal Government.

Mr. GILCHREST. I think, given the nature of this project and given the kind of information that we now have, let us say, as opposed to 10 years ago, I think we are up for it. I think we have the capacity to deal with it.

Mr. ASHE. I appreciate your confidence.

Mr. GILCHREST. Yes, sir. Dr. Hartig, did you want to make a comment?

Mr. HARTIG. Yes, maybe one other comment. The State of Michigan is also an owner of substantial property within the proposed refuge area. For example, Pointe Mouillee State Game Area is about 2,000 acres that is managed by the State on the lower left-hand corner.

Another one is Stony Island. Gildo, could you point that out, please, for us on the map? Stony Island was recently purchased with Michigan Natural Resource Trust Fund dollars by the State of Michigan and managed in perpetuity.

And you can see where there would be these cooperative agreements amongst Fish and Wildlife Service, the State, and other partners to manage it under the umbrella of the refuge. So much of this is underway.

I would like to point out that Congressman Dingell convened, or helped convene a State of the Strait conference recently. Destrois is the strait, and that was a binational conference where we brought together all the management agencies and concerned citizens. Over 300 people came together to sort of look at where we have come from, where we are, where we need to go, and the wildlife refuge concept was very much out in front there.

A joint management conference convened on an annual basis to coordinate, to integrate and move forward together would be a good starting point for this. It might lead to a cooperative agreement. But there are mechanisms that Congressman Dingell has already established to lay the foundation for this really important concept.

Mr. GILCHREST. It sounds like it is something we can move forward with. Mr. Ashe?

Mr. ASHE. Mr. Gilchrest, I guess I would just say, I do believe personally that we can, from the standpoint of the Fish and Wildlife Service, that we can work through our concerns with respect to Section 7. Mr. Dingell and his staff have already been responsive to some of our concerns in suggesting their changes to the bill. I do believe that we can resolve that. There may be some larger policy issues within the context of the administration that need to be worked out with respect to the liability. Other agencies have an interest in this issue, EPA and the Justice Department and others, that will need to work on it. I do believe that, from our perspective, we can negotiate in good faith and work out our concerns.

I think from the standpoint of the Committee and your responsibility for the refuge system, if we absorb liability within the refuge system, and as you know, we learn things every day about contaminants and about how the environment works, and particularly with respect to contamination, it is very difficult for us to look forward ten to 15 years and foresee things that might arise. And once we are the owner of land, and if the previous owner has been absolved from liability, then we would be responsible for any cleanup or remediation that is necessary, and those dollars would come from within our operational budget.

Mr. GILCHREST. I understand, and there is a certain amount of legitimate fear that goes along with that. We will see if we can work through that. Maybe there can be a voluntary corporate ecosystem restoration potential contamination fund that is put off to the side, and as employees leave work every day, they can drop a few quarters in there to help the refuge system.

[Laughter.]

Mr. GILCHREST. Ms. Taylor, I just want to make a comment that in your likely doing this, the protection you offer here as a result of your purchases, probably you are looking to where these migrating waterfowl are coming from and then where they are going to after they leave the Detroit River and sort of do the same kind of things in those places that you are doing right there in the Detroit River.

Ms. TAYLOR. You are asking if we are? Yes, very much so. There are—we have an initiative called Wings of America which looks at the migratory path of birds from North to South America, where we are trying to recognize and learn more about not only nesting and breeding locations at the southern reach and the northern reach of these creatures, but also their stopover sites and we are learning much more about what we once thought might be an insignificant, small piece of forest that maybe isn't large enough to be considered viable, et cetera, yet these small places are critical to the stopover sites that these creatures need from north to south.

So we are trying to think globally about these issues and then also deploy—and that is why many of our staff are in other countries, because we are trying to make a linkage between our activities and a place like Detroit corridor to the north and to the south, and we do that through other conservation partners. So yes, we very much are trying to stitch that together. Otherwise, we lose in the bigger picture if we only do this one place.

Mr. GILCHREST. Thank you very much.

I want to thank all the witnesses for their testimony and their contribution to this effort and Mr. Dingell for providing the vehicle upon which all of this will be a success. Basically, you are all just dismissed. I have to say something into the microphone for the hearing, but again, thank you all very much.

I ask unanimous consent that the following documents be included in the hearing record. These are letters and resolutions in support of H.R. 1230 by Governor John Engler of Michigan; the Michigan Department of Natural Resources; Ms. Susan Whelan, a member of the House of Commons in Canada; Mr. Peter Stroh, Chairman, Greater Detroit American Heritage River Initiative; and many others. We will submit this document to the record.

Mr. GILCHREST. The hearing is now adjourned.

[Whereupon, at 11:36 a.m., the Subcommittee was adjourned.]

The following information was submitted for the record. Additional materials have been retained in the Committee's official files.

1. Bagale, Edward J., Vice Chancellor for Government Relations, The University of Michigan-Dearborn, Statement submitted for the record
2. Front, Alan, Senior Vice President, The Trust for Public Land, Statement submitted for the record
3. Cool, K.L., Director, Department of Natural Resources, Lansing, Michigan, Letter submitted for the record
4. Engler, Hon. John, Governor, State of Michigan, Letter submitted for the record
5. Goodheart, Jim, Executive Director, Michigan United Conservation Clubs, Memorandum submitted for the record
6. Map of Lower Detroit River Ecosystem
7. Stroh, Peter W., Chairman, Greater Detroit American Heritage River Initiative, Letter submitted for the record
8. Whelan, Susan, Member of Parliament, Essex, House of Commons, Ottawa, Canada, Letter submitted for the record

**Statement of Edward J. Bagale, Vice Chancellor for Government Relations,
The University of Michigan-Dearborn**

Mr. Chairman, I am submitting this testimony in support of House Resolution 1230. As Vice Chancellor for Government Relations at the University of Michigan-Dearborn, I have spent many years working with broad-based community coalitions that are committed to environmental restoration and preservation, quality ecologically based recreation, and economic development. In that capacity, I serve as co-chair of Rouge River Gateway Partnership and am past president of the Automobile National Heritage Area. The University of Michigan-Dearborn and the aforementioned partnerships each consider it an important part of their mission to help promote and inculcate environmental awareness and the responsibilities of stewardship into each generation throughout the region we serve. These are values that are exemplified in H.R. 1230.

The University of Michigan-Dearborn is located on the banks of the historic Rouge River, one of the major watersheds flowing into the Detroit River. The Rouge River was once one of the worst sources of pollution in the Detroit River and the Great Lakes basin. But thanks to the commitment of the 48 communities within the watershed, hundreds of public and private institutions and thousands citizens, the Rouge River has become a national model for environmental reclamation. In the future, the Rouge watershed will be recognized for the contributions of its residents to historic preservation, habitat restoration, and industrial revitalization.

One of the important lessons that we have learned is that rivers and watersheds are important ways to define communities. These natural geographical features transcend political jurisdictions and encompass an enormous range of social and economic diversity. They connect us to our past, and they are linked to our future.

Of course, not everything connected to the environmental reclamation agenda for the Rouge River and the Detroit River is good news. The sad fact is that we have already lost over 95% of the coastal wetland habitats in Detroit River ecosystem. This is habitat that is critical to hundreds of species of birds, butterflies, and fish. Many of these species would naturally migrate into the Detroit River's tributaries, such as the Rouge River. But unless something is done immediately, the people of Detroit and Windsor run the risk of losing the remaining habitat along the Detroit River. This would reverberate throughout the watersheds feeding the Detroit River and be a tragedy for many millions of people on both sides of the border.

H.R. 1230 provides an effective strategy for preserving wildlife refuge in the Detroit River. It is also an important mechanism for forging a shared vision for conservation, restoration, and management of fish and wildlife habitats in both the United States and in Canada.

The citizens of Dearborn, Detroit, the communities downriver, and indeed in towns and townships extending throughout three watersheds are making incredible personal and financial sacrifices to clean up the water in their communities. We are rapidly moving forward toward full compliance with the Clean Water Act. We are integrating solid principles of environmental stewardship into the curricula of elementary, secondary and higher education institutions. Volunteers and professionals together are carefully monitoring the primary indices of environmental health. We believe we deserve the support of government in preserving these ecological treasures for future generations. Support of H.R. 1230 is an important step in achieving this important objective. I join with thousands of educators, public officials and residents throughout the regions served by the University of Michigan–Dearborn. We are united in our support of H.R. 1230. And we are committed to continuing to provide stewardship over the environmental resources entrusted to us.

Thank you for the opportunity to submit this testimony for the record.

Statement of Alan Front, Senior Vice President, The Trust for Public Land

Mr. Chairman, I appreciate the opportunity to offer the strong support of the Trust for Public Land for H.R. 1230 and the new Detroit River National Wildlife Refuge it will authorize, and to urge you to guide this important legislation to the timely enactment it deserves.

The Trust for Public Land (TPL) is a national nonprofit organization that works with private landowners, public agencies, community leaders, and other partners to conserve landscapes with compelling natural, recreational, cultural, and other resource values. Since its founding in 1972, TPL has assisted in over 2,000 willing-seller public acquisitions involving well over a million acres of resource lands. From this on-the-ground perspective, I would like to share with the Committee my organization's clear, experience-born understanding that

- the proposed Detroit River refuge is comprised of unique, and uniquely threatened, wetlands that rank in importance alongside the critical areas Congress previously has authorized for U.S. Fish & Wildlife Service stewardship;
- the moment is at hand to conserve these lands or to lose this opportunity forever; and
- the bill you are considering today, owing to Congressman Dingell's careful craftsmanship, is the best mechanism for meeting community and ecological needs, and of promoting the public/private partnerships in Michigan and internationally that will be needed to safeguard this vital area.

The resource values of Detroit River are diverse and compelling. The river corridor is home to some 65 fish species, including a huge annual spawning walleye fishery of international renown; dozens of waterfowl species that together comprise a migratory population of over three million ducks and geese; and over 150 nesting bird species in all. A key to the wildlife importance of Detroit River, which flows through the meeting-place of the Atlantic and Central Flyways, is its location. Since this 18-mile stretch of river flows through an area of substantial urbanization, location also is a central factor in its history and continuing importance as a major commercial and transportation corridor. And by extension, this urban location—and this urban land-use pattern—also have played a major role in the resource threat that makes passage of this legislation so vital.

Over 95 percent of the historic riverine wetlands along the Detroit River have been lost to development, floodwall construction, and other physical constraints to

tidal flows and meanders that once nourished this wetland ecosystem. Yet the remainder of the corridor—the river islands, marshlands and pocket wetlands that punctuate the stretches of commercial and other structures along the river—provide exceptional habitat for diverse wildlife in extraordinary numbers. Especially given the degree of habitat conversion and loss, these undeveloped remnants of the river's past are all the more important to sustain the area's resident and migratory wildlife populations. On the other hand, restoration of many of these sites is critical to maintain and enhance their natural values. And especially given the continued pressure for additional development, permanent protection of these parcels is the only true means of staving off additional construction and stemming the area's egregious habitat losses.

H.R. 1230 as introduced by Congressman Dingell is a carefully balanced approach, a helping hand rather than an iron fist, to address these restoration and land protection needs. Like other legislation approved by this Committee, the bill authorizes acquisition of refuge lands for public management and stewardship. But the Detroit River International Wildlife Refuge Act also includes a variety of provisions specific to the needs of this unique place: provisions that are generating remarkable partnership support locally, and internationally. With regard to land acquisition, the bill explicitly focuses on charitable land donations and willing-seller purchases, ensuring that all landowner participation will be by choice. It maintains an emphasis on historic public use by sportsmen and outdoor enthusiasts. It offers mechanisms for voluntary habitat management agreements between the Fish & Wildlife Service and its private neighbors. And with respect to a huge and enormously important public neighbor, it provides for coordination with Canadian authorities on cooperative approaches to habitat improvement between their side of the river, where conservation already has begun, and our own.

The Trust for Public Land has been working with many of the potential willing sellers and donors of wetland properties, ranging from pristine habitat lands to degraded but restorable habitat enhancement opportunities. Through this work, we have seen the groundswell of community support for this conservation proposal. We can assure the Committee that there is a large, representative sample of Detroit River landowners who are working with TPL to design conservation strategies for their properties in ways consistent with and inspired by this legislation. And we can assure you of our steadfast support of this visionary bill, which will make a habitat conservation solution possible for each of these landowners.

We look forward to working with you toward enactment of H.R. 1230, and to the remarkable cooperative model for conservation it will allow on the Detroit River.

**NATURAL RESOURCES
COMMISSION**

KEITH J. CHARTERS, Chair
NANCY A. DOUGLAS
PAUL EISELE
BOB GARNER
WILLIAM J. PARFET
FRANK WHEATLAKE

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T. MASON BUILDING, PO BOX 30028, LANSING MI 48909-7528

WEBSITE: www.michigan.dnr.com

K. L. COOL, Director

June 20, 2001

The Honorable John D. Dingell
United States House of Representatives
2328 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Dingell:

Thank you for your initiative to create an International Wildlife Refuge along the Detroit River. The Detroit River has played a remarkable role in America's history; it still exhibits significant biological diversity. I support your efforts to conserve our State's precious natural resources and to assure their continued availability to the public through H. R. 1230.

I sincerely appreciate the time you took to personally discuss this initiative with George Burgoyne and me. The creation of the new Federal Wildlife Refuge you propose is a concept that will aid in the conservation of the Detroit River and its unique natural, historical, and cultural resources.

Therefore, as Director of the Michigan Department of Natural Resources, I offer my enthusiastic support for your initiative to create an International Wildlife Refuge along the Detroit River.

Sincerely,

A handwritten signature in black ink, appearing to read "K. L. Cool".

K. L. Cool
Director

cc: Governor John Engler
Representative George Mans
Mr. Russell Harding, MDEQ



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JOHN ENGLER
GOVERNOR

June 20, 2001

The Honorable John D. Dingell
United States House of Representatives
2328 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Dingell:

Thank you for your recent efforts regarding legislation you have introduced as H.R. 1230 to create an international wildlife refuge along the Detroit River.

I appreciate the time you took to personally discuss questions and issues about your initiative with the Michigan Department of Natural Resources. Your clarification of legislative intent and commitment to appropriately address the issues raised by the State of Michigan during the upcoming legislative process will ensure the long-term conservation of this vital natural resource and its continued availability to the public.

I offer my enthusiastic support for your initiative to create an International Wildlife Refuge along the Detroit River. The creation of a new federal wildlife refuge in conjunction with an appropriate implementation role for the State will certainly enhance the conservation of the Detroit River and its unique natural, historical, and cultural resources.

Sincerely,

A handwritten signature in black ink, appearing to read "John Engler".

John Engler
Governor

JE/mdnr

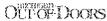
cc: Mr. K. L. Cool, MDNR
Mr. Russell Harding, MDEQ





*Uniting
Citizens to
Conserve
Michigan's
Natural
Resources
and Protect
OUR
Outdoor
Heritage*

Home of!



Michigan United Conservation Clubs

2101 Wood St. • P.O. Box 30235 • Lansing, Michigan 48909 • 517/371-1041 • FAX: 517/371-1505 • www.mucc.org

MEMORANDUM

To: Subcommittee on Fisheries Conservation, Wildlife, and Oceans
From: Jim Goodheart/Executive Director-Michigan United Conservation Clubs
Date: 6/18/01
Re: H.R. 1230

The Michigan United Conservation Clubs (MUCC) is a statewide, umbrella organization with nearly 100,000 members and over 500 affiliated clubs. MUCC's mission is uniting citizens to conserve Michigan's natural resources and protect our outdoor heritage.

The Michigan United Conservation Clubs (MUCC) strongly supports the passage of H.R. 1230 which provides for the establishment of the Detroit River International Wildlife Refuge. The proposed area along the river contains some of the last unique coastal habitats in the southern portion of the state. These remaining areas support a diversity of plant and wildlife species that are an important part of Michigan's natural heritage. The proposed refuge would be the first international refuge of its kind.

With over 95% of coastal wetland habitats on the Detroit River lost, it is important to conserve these remaining areas. The establishment of the refuge will allow for the protection, restoration, and enhancement of some of the few remaining native habitats in southeastern Michigan. Many species of fish and wildlife, including hundreds of species of migratory birds will greatly benefit by the protection and enhancement of these remaining coastal habitats.

Creating a refuge in close proximity to a large, highly developed metropolitan area will provide a valuable educational opportunity for citizens that are not regularly exposed to the unique native wildlife and habitats of the Great Lakes. Citizens that visit the refuge will develop a greater appreciation for the natural world. This appreciation will foster a sense of stewardship for the land so that these areas are protected for future generations to enjoy.

The wildlife dependent recreational uses that are provided for within the refuge will give visitors the opportunity to enjoy the refuge in a variety of ways. It should be stressed that wildlife viewing, hunting, fishing, trapping, wildlife photography, environmental education, and interpretation are all uses that will allow visitors to utilize, understand, and conserve the natural features of the refuge. Participation in such recreational activities will also promote an appreciation for the natural features of our Great Lakes system.

The establishment of the refuge will improve the quality of life for many residents that live in close proximity to the river. This realization is reflected in the tremendous amount of local support for the establishment of the refuge. The passage of this important legislation would be a benchmark victory for both Michigan's citizens and its wildlife.

The MUCC strongly urges the support of this crucial legislation. We look forward to working with legislators, local officials, and state and federal agencies to assist in any way possible with the development of the Detroit River International Wildlife Refuge. We would like to thank you for your efforts and interest on this issue. MUCC urges the continued support of H.R. 1230 to make the first International Refuge a reality.



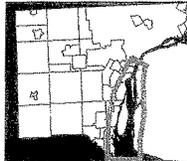
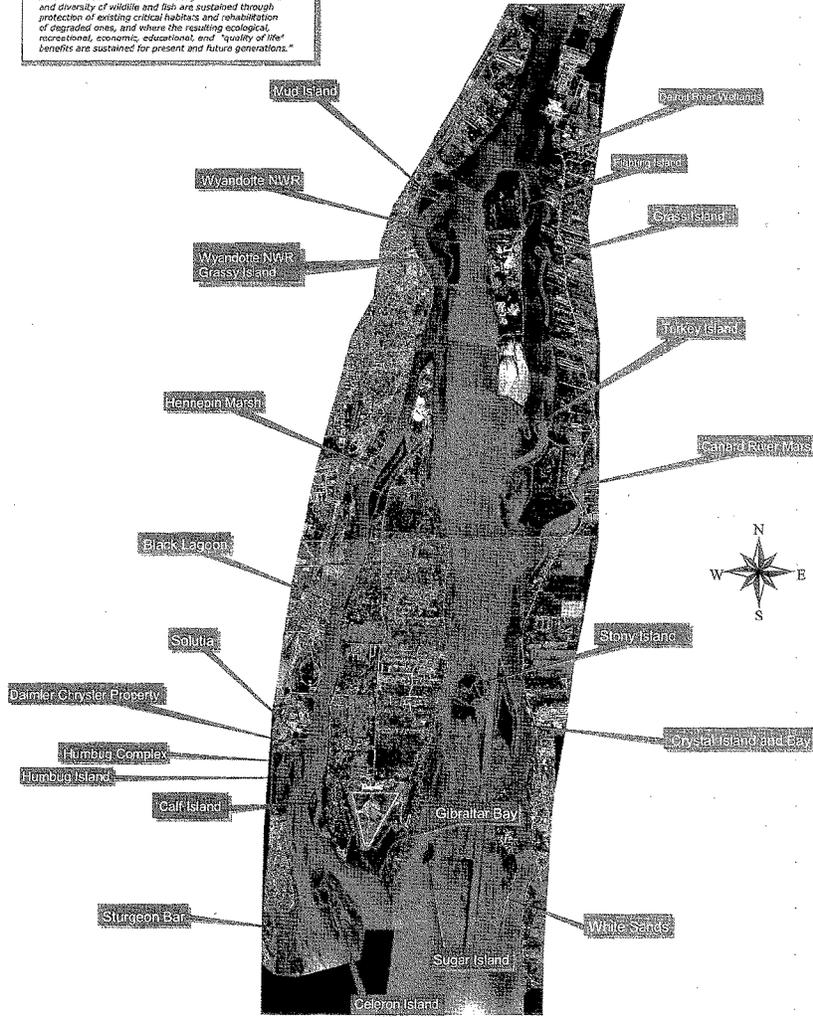
Lower Detroit River Ecosystem

Examples of Ecologically Significant Areas and Potential Rehabilitation Sites



Vision Statement

"In 10 years the Lower Detroit River Ecosystem will be an international conservation region where the health and diversity of wildlife and fish are sustained through protection of existing critical habitats and rehabilitation of degraded ones, and where the resulting ecological, recreational, economic, educational, and "quality of life" benefits are sustained for present and future generations."



© Wayne County GIS Management Unit
Office of the County Executive



1996 Photography Provided by the US Army Corp.

"Ojibway Shores is presently being assessed for its biological significance and habitat values; it may be appropriate to add this site to the map on the outcome of this assessment."



Greater Detroit American Heritage River Initiative

Our tie to history. Our tie to prosperity. Our tie to each other.

June 15, 2001

Executive Committee
Peter W. Stroh, Chairperson
Director
The Stroh Companies, Inc.

Dennis W. Archer
Mayor
City of Detroit

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County Executive
Wayne County

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The Honorable Wayne T. Gilchrest
Chairman
Subcommittee on Fisheries Conservation
U. S. House of Representatives
Washington, DC 20515

The Honorable James V. Hansen
Chairman
Committee on Resources
U. S. House of Representatives
Washington, DC 20515

RE: Support for H.R. 1230 to Establish International Refuge

Dear Representatives Gilchrest and Hansen:

I am writing to express the support of those of us who are engaged in the Greater Detroit American Heritage River Initiative for John Dingell's efforts to create the Detroit River International Wildlife Refuge. As you know so well, we represent a coalition of grass roots and environmental organizations, community leaders, and business stakeholders that have jointly committed to coordinate our respective efforts for a broad range of projects, all relating to protecting and enhancing our quality of life along the Detroit River.

We are working together to preserve the history and culture of this diverse region, to protect those remnants of the Detroit River's shoreline that remain undeveloped, to clean up and improve public access along its length, to improve water quality, and to encourage future economic development more sensitive to this region's past and its need for greater environmental protection. John Dingell's proposed refuge is in many ways the centerpiece of our efforts. As you may already know, the Detroit River was described by Cadillac when he reached this region 300 years ago "...this river is scattered over, from one lake to another, both on the mainland and the islands... with large clusters of trees surrounded by charming meadows... Game is very common... as are wild geese and all kinds of wild ducks... There are swans everywhere, there are quails, woodcocks, pheasants and rabbits... turkeys, partridges, jazelhens and a stupendous amount of turtle doves. This country is so temperate, so fertile and so beautiful that it may justly be called the earthly paradise of North America." North America's native people lived, fished and hunted here for millennia before his coming because of its natural pounities. It's interesting to note that there was not even an international boundary here until 1795 when the British withdrew from Michigan to Ontario on the other side.

While things are not quite like Cadillac described them around here any more, it is very fortunate that industrial development in this region has had relatively little impact on our transient water fowl and shore bird populations. In addition, our fishes are making a strong recovery as our efforts to restore water quality begin to pay off. Because we share with our Canadian neighbors those shore birds and water fowl who funnel through here on their annual migration, the fish who live not only in the river but enter annually from Lake Erie and Lake St. Clair to spawn, and the rich delta-like farm land along both shorelines makes it particularly appropriate that the refuge should be jointly designated with our Canadian neighbors as an international refuge. We strongly support their efforts to have their side of the river



Greater Detroit American Heritage River Initiative

Our tie to history. Our tie to prosperity. Our tie to each other.

June 15, 2001

Representatives Wayne T. Gilchrest and James V. Hansen

Page 2

Executive Committee

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designated a Canadian Heritage River and, with our respective designations, to better protect and preserve remaining habitat for the fish and wildlife that remain. The fish and the birds have never known of the borders that separate us and for that reason it is imperative that we coordinate our efforts for their protection. The Detroit River has already lost about 95% of its coastal wetland habitat, including many important, sensitive ecological systems. It is critical that we preserve what remains as well as support rehabilitation efforts wherever feasible. The lower Detroit River ecosystem is a very special area with several small, undeveloped islands with channels and shoals between them that support dense stands of aquatic growth. It is these unique habitats and ecological features that attract so many species of fish and wildlife. Many millions of ducks, geese and swans migrate annually through the Great Lakes Region and of those, over 300,000 diving ducks stop in the lower Detroit River to rest and to feed on its beds of wild celery during their fall migration from Canada to the east and the south. In addition, creating a refuge in close proximity to a large, highly urbanized metropolitan area will offer a valuable educational opportunity for citizens unfamiliar with our unique wildlife and habitats. It will add significantly to the region's quality of life.

To summarize, H.R. 1230 complements the work of the Greater Detroit American Heritage River Initiative. We are working with our Canadian partners to realize a lower Detroit River conservation vision that recognizes the importance of this region and identifies strategies for its protection and enhancement. The Detroit River International Wildlife Refuge will form the core of that effort.

Sincerely,

Peter W. Stroh
Chairman
Greater Detroit American Heritage River Initiative

cc:

The Honorable John D. Dingell
The Honorable John Engler
The Honorable Herb Gray
The Honorable Susan Whelan
Curt Boller
Dewey Henry
Senator Carl Levin
Edward McNamara
David Sanders
Nettie Seabrooks
Paul Tait
K. L. Cool
John Hartig

SUSAN WHELAN, M.P.
 ESSEX
 CHAIR, STANDING COMMITTEE ON INDUSTRY,
 SCIENCE AND TECHNOLOGY
 OTTAWA



SUSAN WHELAN, DÉPUTÉE
 ESSEX
 PRÉSIDENTE, COMITÉ PERMANENT DE
 L'INDUSTRIE, DES SCIENCES ET DE LA
 TECHNOLOGIE

June 20, 2001

Congressman Wayne Gilchrest
 Chair, Subcommittee on
 Fisheries, Conservation, Wildlife and Oceans
 House of Representatives
 2245 Rayburn House Office Building
 Washington, D.C. 20515

Dear Congressman Gilchrest:

Re: H.R. 1230 Detroit River Legislation

I am writing this letter in order to notify the U.S. House of Representatives of my support for Congressman John Dingell's U.S. House Bill H.R. 1230, entitled the *Detroit River International Wildlife Refuge Establishment Act*.

The importance of the Lower Detroit River ecosystem is clearly stated in Congressman Dingell's proposed legislation. The vast resource that the Detroit River provides to both Canada and the United States is a valuable attribute of interaction and cooperation between our great nations. The vision of making this an International Wildlife Refuge is widely supported because the outcome creates positive results for the area such as conservation, restoration and management of fish and wildlife habitats. Rehabilitation and protection are important aspects of promoting and maintaining our shared border.

Canada has programs currently in place to improve the quality of existing waterways and the wildlife that seek refuge in the Lower Detroit River. The *Canada Water Act* was implemented for the management of water resources in regard to conservation, utilization and development throughout Canada. Furthermore, the Ecological Gifts Program under our federal *Income Tax Act* recognizes donations of conservation easements or covenants over land remaining in private ownership. In 1999, the Minister of Environment on behalf of the Government of Canada signed the CEC Resolution for North American Bird Conservation Initiative with the United States and Mexico to protect all birds in all habitats.

In addition the Detroit River has been nominated for Heritage designation in Canada, which, upon approval, would make it the first International Heritage River since the U.S. announced the American Heritage River designation in the spring of 1998.

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 whelan2@parl.gc.ca

U.S. House Bill H.R. 1230 is an essential step for the preservation of the Lower Detroit River ecosystem. As an asset to both Canada and the United States, a mutual effort to promote conservation and rehabilitation of the Lower Detroit River ecosystem will benefit us all. The legislation proposed by Congressman Dingell recognizes the importance of a joint effort by Canada and the United States to clean up our waterways.

Thank you in advance for your consideration of this letter of support. Please contact me if you should have any further questions.

Sincerely,



Susan Whejan, MP Essex

Cc: Congressman John Dingell
Cc: Honourable Herb Gray, Deputy Prime Minister