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Calendar No. 356

108TH CONGRESS, *1st Session* | SENATE | REPORT 108–180

BLACKWATER NATIONAL WILDLIFE REFUGE EXPANSION ACT

OCTOBER 30, 2003.—Ordered to be printed

Mr. INHOFE, from the Committee on Environment and Public Works, submitted the following

REPORT

[to accompany H.R. 274]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (H.R. 274) to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge, having considered the same, reports favorably thereon and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

On June 23, 1942, President Roosevelt issued Executive Order 9185 establishing the Susquehanna National Wildlife Refuge in Cecil County, Maryland. This area, which was closed to hunting, contained thousands of acres of submerged aquatic vegetation providing superb habitat for a large population of diving ducks.

In 1978, the U.S. Fish and Wildlife Service opened the closed area to hunting because the aquatic vegetation had largely disappeared and waterfowl use had declined to the point where Federal protection was no longer necessary. As a result, the size of the refuge was reduced to the four acres of Battery Island which had been the site of a U.S. Coast Guard lighthouse since the 1920's. The Susquehanna Refuge has been further reduced by erosion and it is managed as a non-staffed satellite of the larger Blackwater National Wildlife Refuge.

Garrett Island is located at the mouth of the Susquehanna River and it is the only rocky island in the tidal waters of the Chesapeake Bay. It is a link between the river and the bay. The island is about a mile and a half wide, is comprised of approximately 198 acres, and rises to 115 feet above sea level. The island is currently owned by a group of private land conservators who donated 15 percent of the island to the Cecil Land Trust. It is estimated that the cost to the Federal Government of purchasing the remaining acreage would be $300,000.

Garrett Island has been occupied by humans for generations. It was the site of Maryland's second settlement in the early 1600's. In the mid–1800's, the B&O railroad purchased the island as a base for a bridge they built across the Susquehanna River and named it after its Chairman of the Board, John W. Garrett. Today, the island has no permanent residents and there is limited public use including bird watching, fishing and picnicking. The island has a variety of archeological, natural and wildlife resources. It provides high-quality habitat for 44 different avian populations, including 14 kinds of ducks, eagles, Canadian geese, common loons and tundra swans, and dozens of fish species.

OBJECTIVE OF THE LEGISLATION

H.R. 274 authorizes the Secretary of the Interior to acquire Garrett Island in Cecil County, Maryland. The Secretary is required to manage the Island as the Garret Island Unit of the Blackwater National Wildlife Refuge in order to support the Delmarva Conservation Corridor Demonstration Program; conserve, restore, and manage habitats as necessary to contribute to the migratory bird populations prevalent in the Atlantic Flyway; to conserve, restore, and manage the significant aquatic resource values associated with submerged adjacent land and achieving the habitat objectives of the Chesapeake 2000 Agreement; to conserve its archeological resources; and to provide public access that does not adversely impact natural resources.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

This Section cites the bill as the "Blackwater National Wildlife Refuge Expansion Act".

Sec. 2. Findings

This Section finds that Garrett Island is a microcosm of the geology and geography of the region; the only rocky island in the tidal waters of the Chesapeake; provides high-quality habitat for bird and fish species; and contains significant archaeological sites reflecting human history and prehistory of the region.

Sec. 3. Authority To Acquire Property for Inclusion in the Blackwater National Wildlife Refuge

This Section authorizes the Secretary of the Interior to acquire Garrett Island, located at the mouth of the Susquehanna River in Cecil County, Maryland and manage the lands as the Garrett Island Unit of the Blackwater National Wildlife Refuge. The purposes of the Garrett Island Unit are to support the Delmarva Con-

servation Corridor Demonstration Program; conserve, restore, and manage habitats as necessary to contribute to the migratory bird populations prevalent in the Atlantic Flyway; to conserve, restore, and manage the significant aquatic resource values associated with submerged adjacent land and achieving the habitat objectives of the Chesapeake 2000 Agreement; to conserve its archeological resources; and to provide public access that does not adversely impact natural resources.

LEGISLATIVE HISTORY

The Committee on Environment and Public Works met to consider H.R. 274 on July 30, 2003. The committee favorably reported the bill, H.R. 274, by voice vote.

REGULATORY IMPACT STATEMENT

In compliance of section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that H.R. 274 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104B4), the committee finds that H.R. 274 would impose no Federal intergovernmental unfunded mandates on State, local, or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 6, 2003.

Hon. JAMES M. INHOFE, *Chairman,*
Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 274, the Blackwater National Wildlife REfuge Expansion Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deb Reis who can be reached at 226–2860.

Sincerely,

DOUGLAS HOLTZ-EAKIN

H.R. 274, Blackwater National Wildlife Refuge Expansion Act, as ordered reported by the Senate Committee on Environment and Public Works on July 30, 2003

H.R. 274 would authorize the Secretary of the Interior to acquire Garrett Island, a 198-acre island located at the mouth of the Susquehanna River in Cecil County, Maryland. The legislation would direct the Secretary to manage the acquired island as a unit of the Blackwater National Wildlife Refuge.

Assuming the availability of appropriated funds and based on information from the U.S. Fish and Wildlife Service, CBO estimates that the agency would spend up to $800,000 to acquire the island in 2004. We also estimate that the agency would spend less than $200,000 annually to manage the island and to make payments to Cecil County under the Refuge Revenue Sharing Act, assuming appropriation of the necessary amounts.

H.R. 274 would not affect direct spending or revenues. H.R. 274 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of State, local, or tribal governments.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES TO EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.