

CAT ISLAND NATIONAL WILDLIFE REFUGE
ESTABLISHMENT ACT

JUNE 8, 2000.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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

REPORT

[To accompany H.R. 3292]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3292) to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cat Island National Wildlife Refuge Establishment Act”.

SEC. 2. FINDINGS.

The Congress finds that—

(1) as the southernmost unveeved portion of the Mississippi River, Cat Island, Louisiana, is one of the last remaining tracts in the lower Mississippi Valley that is still influenced by the natural dynamics of the river;

(2) Cat Island supports one of the highest densities of virgin bald cypress trees in the entire Mississippi River Valley, including the Nation’s champion cypress tree which is 17 feet wide and has a circumference of 53 feet;

(3) Cat Island is important habitat for several declining species of forest songbirds and supports thousands of wintering waterfowl;

(4) Cat Island supports high populations of deer, turkey, and furbearers, such as mink and bobcats;

(5) conservation and enhancement of this area through inclusion in the National Wildlife Refuge System would help meet the habitat conservation goals of the North American Waterfowl Management Plan;

(6) these forested wetlands represent one of the most valuable and productive wildlife habitat types in the United States, and have extremely high recreational value for hunters, anglers, birdwatchers, nature photographers, and others; and

(7) the Cat Island area is deserving of inclusion in the National Wildlife Refuge System.

SEC. 3. DEFINITIONS.

For purposes of this Act—

- (1) the term “Refuge” means the Cat Island National Wildlife Refuge; and
- (2) the term “Secretary” means the Secretary of the Interior.

SEC. 4. PURPOSES.

The purposes for which the Refuge is established and shall be managed are—

- (1) to conserve, restore, and manage habitats as necessary to contribute to the migratory bird population goals and habitat objective as established through the Lower Mississippi Valley Joint Venture;
- (2) to conserve, restore, and manage the significant aquatic resource values associated with the area’s forested wetlands and to achieve the habitat objectives of the “Mississippi River Aquatic Resources Management Plan”;
- (3) to conserve, enhance, and restore the historic native bottomland community characteristics of the lower Mississippi alluvial valley and its associated fish, wildlife, and plant species;
- (4) to conserve, enhance, and restore habitat to maintain and assist in the recovery of endangered, and threatened plants and animals;
- (5) to provide opportunities for priority public wildlife dependent uses for compatible hunting, fishing, trapping, wildlife observation and photography, and environmental education and interpretation; and
- (6) to encourage the use of volunteers and facilitate partnerships among the United States Fish and Wildlife Service, local communities, conservation organizations, and other non-Federal entities to promote public awareness of the resources of the Refuge and the National Wildlife Refuge System and public participation in the conservation of those resources.

SEC. 5. ESTABLISHMENT OF REFUGE.

(a) **ACQUISITION BOUNDARY.**—The Secretary is authorized to establish the Cat Island National Wildlife Refuge, consisting of approximately 36,500 acres of land and water, as depicted upon a map entitled “Cat Island National Wildlife Refuge–Proposed”, dated _____, 2000, and available for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) **BOUNDARY REVISIONS.**—The Secretary may make such minor revisions of the boundary designated under this section as may be appropriate to carry out the purposes of the Refuge or to facilitate the acquisition of property within the Refuge.

(c) **ACQUISITION.**—The Secretary is authorized to acquire the lands and waters, or interests therein, within the acquisition boundary described in subsection (a) of this section.

(d) **ESTABLISHMENT.**—The Secretary shall establish the Refuge by publication of a notice to that effect in the Federal Register and publications of local circulation whenever sufficient property has been acquired to constitute an area that can be efficiently managed as a National Wildlife Refuge.

SEC. 6. ADMINISTRATION.

The Secretary shall administer all lands, waters, and interests therein acquired under this Act in accordance with the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd et seq.). The Secretary may use such additional statutory authority as may be available for the conservation of fish and wildlife, and the provision of fish- and wildlife-oriented recreational opportunities as the Secretary considers appropriate to carry out the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of the Interior—

- (1) such funds as may be necessary for the acquisition of lands and waters designated in section 5(c); and
- (2) such funds as may be necessary for the development, operation, and maintenance of the Refuge.

PURPOSE OF THE BILL

The purpose of H.R. 3292 is to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

BACKGROUND AND NEED FOR LEGISLATION

Cat Island, which is also known as Tunica Swamp, is located about 30 miles north of Baton Rouge in West Feliciana Parish, Louisiana. It is not really an island but a 36,500-acre peninsula comprised of bottomland hardwoods.

Unlike most of the rest of the Mississippi River, Cat Island has never been leveed or altered by a major flood control project. It is one of the few natural areas along the river which still experiences seasonal overflows.

Cat Island contains one of the highest densities of old-growth bald cypress trees in the United States. It has been estimated that many of these trees are between 500 and 1,000 years old, and the Nation's largest cypress tree, which is 17 feet wide with a circumference of 53 feet, resides here. Cat Island also supports a wide variety of vegetation including hackberry-elm-ash, overcup oak-bitter pecan, and shrub-scrub swamps.

Cat Island is located along the Mississippi River Flyway, which is a major migratory bird corridor for gadwalls, green-winged teals, mallards, ring-necked ducks, and woodcocks. In fact, it has been estimated that these lands provide essential winter habitat for more than 25,000 mallards. This region is also home for many wading birds such as great egrets, snowy egrets, cattle egrets, glossy ibis, yellow-crowned night herons, black-crowned night herons, green herons, great blue herons, wood stocks, and bittens. Several rookeries are present, and the shallow lakes and flooded farm fields are prime wintering habitat for many shorebirds.

In addition, Cat Island has large populations of bobcat, deer, mink, raccoon, and turkey. Within the 36,500 acres, some of the oldest hunting clubs in Louisiana have, in the past, leased land that has provided excellent wildlife-dependent recreational opportunities for thousands of Americans.

In terms of fishery resources, Cat Island has several freshwater lakes that provide outstanding sport fishing. Species found within these lakes include bream, buffalo, catfish, crappie, gar, and largemouth bass. Crawfishing is also extremely popular. For generations, hunting and fishing has been a traditional and cherished pastime for local residents and tourists.

H.R. 3292 will establish the Cat island National Wildlife Refuge. Under the terms of the legislation, the purposes of the refuge would be to conserve, restore, and manage habitat for migratory bird populations; conserve the native bottomland timber community characteristics of the Lower Mississippi alluvial valley; maintain and assist in the recovery of endangered and threatened plants and animals; provide opportunities for priority public wildlife-dependent uses for compatible hunting, fishing, trapping, wildlife observation, and photography; and encourage the use of volunteers to promote public awareness of the refuge. The bill directs the Secretary of the Interior to acquire by purchase or donation property that will form the basis of the proposed Cat Island National Wildlife Refuge.

In Fiscal year 2000, Congress appropriated \$500,000 for Cat Island land acquisition. On March 23, 2000, the Migratory Bird Conservation Commission voted to spend \$500,000 to purchase 632

acres of this land. The Administration has requested an additional \$4 million for Cat Island in Fiscal Year 2001.

COMMITTEE ACTION

H.R. 3292 was introduced on November 10, 1999, by Congressman Richard H. Baker (R-LA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries Conservation, Wildlife and Oceans.

On March 30, 2000, the Subcommittee held a hearing on H.R. 3292. Testimony was heard from the Honorable Richard H. Baker (R-LA); Mr. Daniel Ashe, Assistant Director for Refuges and Wildlife, U.S. Fish and Wildlife Service; and Mr. Robert C. Toombs, East Central Regional Manager, the Timber Company. In his testimony, the author of the bill stated, "One of the reasons that Cat Island has not been overrun by development or stripped of its natural resources is because of the efforts of Louisiana sportsmen who love the outdoors and work hard to preserve areas for hunting and fishing."

On April 6, 2000, the Subcommittee met to mark up the bill. Subcommittee Chairman Jim Saxton (R-NJ) offered an amendment in the nature of a substitute that increased the size of the refuge from 9,477 acres to 36,500 acres and clarified the purposes for establishing this refuge. The amendment was adopted by voice vote. The bill, as amended, was reported favorably to the full Resources Committee by voice vote.

On May 24, 2000, the full Resources Committee met to consider the bill. No further amendments were offered and the bill as amended was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

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

CONSTITUTIONAL AUTHORITY STATEMENT

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

COMPLIANCE WITH HOUSE RULE XIII

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

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

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

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 7, 2000.

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3292, the Cat Island national Wildlife Refuge Establishment Act.

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

Sincerely,

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

Enclosure.

H.R. 3292—Cat Island National Wildlife Refuge Establishment Act

H.R. 3292 would direct the U.S. Fish and Wildlife Service (USFWS) to establish the Cat Island National Wildlife Refuge on about 36,500 acres in Louisiana. The bill would authorize the agency to acquire this acreage and manage the new refuge as a unit of the National Wildlife Refuge System. For the purposes of acquiring, developing, and operating the refuge, the bill would authorize the appropriation of whatever sums are necessary.

Assuming appropriation of the necessary amounts, and based on information provided by the USFWS, CBO estimates that implementing H.R. 3292 would cost about \$30 million over the next five to seven years to acquire and manage all of the acreage for the new refuge. (\$500,000 has already been appropriated for this purpose.) After the refuge has been established, we estimate that the agency would spend about \$500,000 annually on operations, and to make payments to local governments under the Refuge Revenue Sharing Act, assuming availability of the necessary amounts.

H.R. 3292 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

The staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

CHANGES IN EXISTING LAW

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

