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SENATE

{ REPORT
106-461

CAHABA RIVER NATIONAL WILDLIFE REFUGE ESTABLISHMENT ACT

OCTOBER 2 (legislative day, SEPTEMBER 22), 2000.—Ordered to be printed

Mr. SMITH of New Hampshire, from the Committee on
Environment and Public Works, submitted the following

REPORT

to accompany H.R. 4286]

The Committee on Environment and Public Works, to which was referred a bill to provide for the establishment of the Cahaba River National Wildlife Refuge in Bibb County, Alabama, having considered the same, reports favorably thereon and recommends that the bill do pass.

BACKGROUND AND NEED FOR LEGISLATION

On March 14, 1903, by Executive Order, President Theodore Roosevelt established the first national wildlife refuge on Pelican Island. Pelican Island is a small island in Florida's Indian River; the refuge was established specifically to protect the brown pelican. At the turn of the century, brown pelicans were being hunted for their feathers for hats and quills, causing a significant decline in the population.

Today, the National Wildlife Refuge System (Refuge System) has evolved into the most comprehensive system of lands devoted to wildlife protection and management in the world. Currently, there are 526 refuges in the United States and its territories, providing important habitat for 700 bird species, 220 mammal species, 250 species of amphibians and reptiles, and over 200 fish species. The refuges range in size from less than one acre at the Mille Lac National Wildlife Refuge in Minnesota, to 19.2 million in the Arctic National Wildlife Refuge in Alaska. Each year, the Refuge System attracts more than 34 million visitors who participate in a variety of recreational activities including observing and photographing

wildlife, fishing, hunting and taking part in system-sponsored educational programs.

The operation and management of the Refuge System is governed by numerous laws, treaties and executive orders pertaining to the conservation and protection of natural and cultural resources. The most important orders and laws affecting the Refuge System are the Fish and Wildlife Act of 1956, the Refuge Recreation Act of 1962, the National Wildlife Refuge System Administration Act of 1966, the Endangered Species Act of 1973, and the National Wildlife Refuge System Improvement Act of 1997. The management of individual refuges is determined by the legislation, executive order or legislative action that creates the refuge.

H.R. 4286 would authorize the establishment of an approximately 3,500 acres National Wildlife Refuge along a 3.5 mile stretch of the Cahaba River in Bibb County, Alabama. The Cahaba River is the longest free-flowing river in Alabama and one of the most biologically rich. One of the reasons that this area is unique is its evolutionary history. During the Pleistocene era, ice sheets did not advance into this area, enabling a variety of organisms to evolve into new species.

Today, the Cahaba River basin supports a significant amount of diverse habitat and wildlife including 69 rare and imperiled species. The Cahaba River is also home to 131 species of fish; more than any other river in North America. The river basin also supports a considerable amount of botanical life, including the largest known population of shoals lily (locally known as the Cahoba Lily) in the world.

Although the bill authorizes such sums as are necessary for the purchase of the refuge land, the United States Fish and Wildlife Service has indicated that the estimated cost is \$4.2 million.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee makes the following evaluation of the regulatory impact of the reported bill. The reported bill will have no regulatory impact. This bill will not have any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the committee finds that H.R. 4286 would impose no Federal intergovernmental unfunded mandates on State, local, or tribal governments. All of the bills directives are imposed on Federal agencies. The bill does not directly impose any private sector mandates.

LEGISLATIVE HISTORY

On July 11, 2000, H.R. 4286 was referred to the Senate Committee on Environment and Public Works. No hearings were held on this bill. The Committee on Environment and Public Works held a business meeting to consider this bill on September 21; the business meeting was continued on September 28, 2000. On September

28, 2000, H.R. 4286 was favorably reported by the committee on a voice vote.

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, September 29, 2000.

Hon. ROBERT C. SMITH, *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. 4286, the Cahaba River 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, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 4286, Cahaba River National Wildlife Refuge Establishment Act, as ordered reported by the Senate Committee on Environment and Public Works on September 28, 2000

H.R. 4286 would establish the Cahaba River National Wildlife Refuge in Alabama, effective on the date that the U.S. Fish and Wildlife Service (USFWS) determines that it has acquired enough land within the proposed refuge boundary to be managed efficiently. The Act would authorize the agency to acquire land, water, and related interests within the proposed 3,500-acre refuge. In addition to managing this acreage, the agency would restore native species and habitat and provide opportunities for recreational uses such as hunting and fishing. For the purposes of acquiring, developing, and operating the refuge the Act 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 it would cost about \$7 million over the next 3 or 4 years to acquire and restore all of the acreage for the new refuge. After the refuge has been established, we estimate that the agency would spend about \$600,000 annually to operate it and to make payments to local governments under the Refuge Revenue Sharing Act, assuming availability of the necessary amounts.

H.R. 4286 would not affect direct spending or receipts, therefore, pay-as-you-go procedures would not apply. The legislation 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.

On July 6, 2000, CBO submitted a cost estimate for H.R. 4286, as ordered reported by the House Committee on Resources on June 28, 2000. The two versions of the legislation are identical, as are the CBO cost estimates.

The CBO staff contact for this estimate is Deborah Reis, who can be reached at 226–2860.

This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate, provides that reports to the Senate should show changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.

