

## Calendar No. 376

104TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 104-255

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### AMAGANSETT NATIONAL WILDLIFE REFUGE

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APRIL 19, 1996.—Ordered to be printed

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

### REPORT

[To accompany S. 1422]

The Committee on Environment and Public Works, to which was referred the bill (S. 1422), to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge, and for other purposes, having considered the same, reports favorably thereon and recommends that the bill do pass.

#### GENERAL STATEMENT

The purpose of the bill is to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge.

#### BACKGROUND

The Amagansett National Wildlife Refuge was established in 1968. It is part of the Long Island National Wildlife Refuge Complex which consists of nine separate units totaling over 6,000 acres. S. 1422 would authorize the acquisition of 98 acres of land known as the "Shadmoor Parcel," to be added to the 36-acre Amagansett Refuge. The Shadmoor Parcel consists of maritime shrubland, freshwater wetlands, and rare maritime grassland. Located on the Shadmoor Parcel is the sandplain gerardia, listed as endangered under the Endangered Species Act, and four State-listed plant species. The Shadmoor Parcel would also serve as important habitat for over 70 species of birds, mammals, reptiles and amphibians.

## COMMITTEE ACTION

S. 1422 was introduced on November 17, 1995 by Senators Moynihan and D'Amato. The bill was referred to the Committee on Environment and Public Works. The committee held no hearings on S. 1422, and on March 28, 1996, voted to report the bill favorably by voice vote. There are no agency reports.

## SECTION-BY-SECTION ANALYSIS

*Section 1. Authority to acquire property for inclusion in the Amagansett National Wildlife Refuge*

Section 1(a) authorizes the Secretary of the Interior to acquire a 98-acre parcel of land known as the "Shadmoor Parcel" for inclusion in the Amagansett National Wildlife Refuge. This area is located along the Atlantic Ocean, adjacent to municipal park land in the town of East Hampton, Suffolk County, New York.

Section 1(b) provides that any land and interests in land acquired by the United States pursuant to this Act, shall be managed by the Secretary of the Interior as part of the Amagansett National Wildlife Refuge.

## HEARINGS

No hearings were held on the bill.

## ROLLCALL VOTES

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works required that any rollcall votes taken during consideration of legislation be noted in the report on that legislation.

At the business meeting of the Committee on Environment and Public Works on March 28, 1996, the bill S. 1422 was ordered to be reported favorably by voice vote. No rollcall vote was taken.

## REGULATORY IMPACT

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 bill.

The bill does not create any additional regulatory burdens.

## 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, April 18, 1996.*

Hon. JOHN H. CHAFEE,  
*Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1422, a bill to authorize the Secretary of the Interior to

acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge, and for other purposes. S. 1422 was ordered reported by the Senate Committee on Environment and Public Works on March 28, 1996. The costs of implementing this bill are highly uncertain because they would depend on the outcome of property appraisals that have not yet been completed and on future cost-sharing negotiations with local officials and conservation groups. Based on the information available at this time and assuming appropriation of the necessary amounts, CBO estimates that the Federal Government would spend between \$5 million and \$8 million within the next two years to purchase all of the property authorized to be acquired by this bill. Federal spending would be less if local governments or other organizations contribute a portion of the project's total cost. We estimate that annual expenses subsequent to purchase of the land would be between \$50,000 and \$100,000, also assuming appropriation of the necessary sums.

Implementing S. 1422 could affect direct spending; therefore pay-as-you-go procedures would apply to the bill. However, CBO estimates that there would be no net impact on mandatory spending. For purposes of this estimate, CBO has assumed that S. 1422 will be enacted during fiscal year 1996 and that whatever amounts are necessary for land acquisition would be appropriated within the following one or two years.

S. 1422 would authorize the Secretary of the Interior to acquire a 99-acre tract of land known as the Shadmoor Parcel in Suffolk County, New York. The acquired property would be managed by the U.S. Fish and Wildlife Service (USFWS) as part of the Amagansett National Wildlife Refuge. Although formal appraisals of the Shadmoor Parcel have not yet been completed, CBO estimates that the Federal Government would spend between \$5 million and \$8 million to purchase the entire property. This estimate is based on information obtained from local officials, land owners, and conservation groups. Under a recent proposal by the town of East Hampton, some portion of the cost would be contributed by the town. In addition, some of the property might be purchased by the Nature Conservancy for subsequent sale or donation to the USFWS. At this time, CBO cannot predict how much these cost-sharing measures might reduce Federal spending for this project.

Once the Shadmoor Parcel has been acquired by the USFWS, the agency would spend between \$50,000 and \$100,000 annually to maintain the site and make payments to local governments under the Refuge Revenue Sharing Act.

Enacting S. 1422 could affect direct spending if the USFWS accepts and uses funds contributed by East Hampton or others to purchase some of the Shadmoor Parcel, as the agency is authorized to do under existing law. However, any such transactions would offset each other, resulting in no net change in mandatory spending.

S. 1422 contains no intergovernmental or private sector mandates as defined in Public Law 104-4 and would impose no direct costs on State, local, or tribal governments. The town of East Hampton, New York, has indicated its intention to share in the cost of acquiring the Shadmoor property, but such participation

would be voluntary and not an enforceable duty imposed by this bill.

On April 18, 1996, CBO prepared a cost estimate for H.R. 1836, as ordered reported by the House Committee on Resources on March 28, 1996. The two bills, and the CBO estimates, are identical.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis, and for the State and local government impact, Marjorie Miller.

Sincerely,

JUNE E. O'NEILL.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes to existing law must be shown if applicable. No change to existing law would occur with passage of this legislation.