

106TH CONGRESS  
1ST SESSION

# H. R. 2454

To assure the long-term conservation of mid-continent light geese and the biological diversity of the ecosystem upon which many North American migratory birds depend, by directing the Secretary of the Interior to implement rules to reduce the overabundant population of mid-continent light geese.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 1, 1999

Mr. SAXTON (for himself, Mr. YOUNG of Alaska, Mr. DINGELL, Mr. CHAMBLISS, Mr. PETERSON of Minnesota, Mr. PICKERING, Mr. HUNTER, Mr. CUNNINGHAM, and Mr. TANNER) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To assure the long-term conservation of mid-continent light geese and the biological diversity of the ecosystem upon which many North American migratory birds depend, by directing the Secretary of the Interior to implement rules to reduce the overabundant population of mid-continent light geese.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Arctic Tundra Habitat  
5 Emergency Conservation Act”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) The winter index population of mid-con-  
4 tinent light geese was 800,000 birds in 1969, while  
5 the total population of such geese is more than  
6 5,000,000 birds today.

7 (2) The population of mid-continent light geese  
8 is expanding by over 5 percent each year, and in the  
9 absence of new wildlife management actions it will  
10 grow to more than 6,800,000 breeding light geese in  
11 3 years.

12 (3) The primary reasons for this unprecedented  
13 population growth are—

14 (A) the expansion of agricultural areas and  
15 the resulting abundance of cereal grain crops;

16 (B) the establishment of sanctuaries along  
17 the flyways of migrating light geese; and

18 (C) a decline in light geese harvest rates.

19 (4) As a direct result of this population explo-  
20 sion, the Hudson Bay Lowlands Salt-Marsh eco-  
21 system in Canada is being systematically destroyed.  
22 This ecosystem contains approximately 135,000  
23 acres of essential habitat for migrating light geese  
24 and many other avian species. Biologists have testi-  
25 fied that  $\frac{1}{3}$  of this habitat has been destroyed,  $\frac{1}{3}$

1 is on the brink of devastation, and the remaining  $\frac{1}{3}$   
2 is overgrazed.

3 (5) The destruction of the Arctic tundra is hav-  
4 ing a severe negative impact on many avian species  
5 that breed or migrate through this habitat, including  
6 the following:

7 (A) Canada Goose.

8 (B) American Wigeon.

9 (C) Dowitcher.

10 (D) Hudsonian Godwit.

11 (E) Stilt Sandpiper.

12 (F) Northern Shoveler.

13 (G) Red-Breasted Merganser.

14 (H) Oldsquaw.

15 (I) Parasitic Jaeger.

16 (J) Whimbrel.

17 (H) Yellow Rail.

18 (6) It is essential that the population of mid-  
19 continent light geese be reduced by 50 percent by  
20 the year 2005 to ensure that the fragile Arctic tun-  
21 dra is not irreversibly damaged.

22 (b) PURPOSES.—The purposes of this Act are the fol-  
23 lowing:

24 (1) To reduce the population of mid-continent  
25 light geese.

1           (2) To assure the long-term conservation of  
2           mid-continent light geese and the biological diversity  
3           of the ecosystem upon which many North American  
4           migratory birds depend.

5 **SEC. 3. REQUIREMENT TO IMPLEMENT RULES TO CONTROL**  
6                   **OVERABUNDANT MID-CONTINENT LIGHT**  
7                   **GEESE POPULATIONS.**

8           (a) IN GENERAL.—The Secretary shall implement  
9           the rules published by the Service on February 16, 1999,  
10           relating to use of additional hunting methods to increase  
11           the harvest of mid-continent light geese (64 Fed. Reg.  
12           7507–7517) and the establishment of a conservation order  
13           for the reduction of mid-continent light goose populations  
14           (64 Fed. Reg. 7517–7528), without regard to the with-  
15           drawal of such rules by the rule published on June 17,  
16           1999 (64 Fed. Reg. 32778–32780).

17           (b) APPLICATION.—Subsection (a) shall apply only  
18           during the period that—

19                   (1) begins on the date of the enactment of this  
20           Act; and

21                   (2) ends on the latest of—

22                           (A) the effective date of rules issued by the  
23                   Service after such date of enactment to control  
24                   overabundant mid-continent light geese popu-  
25                   lations; and

1 (B) the date of the publication of a final  
2 environmental impact statement for such rules  
3 under section 102(2)(C) of the National Envi-  
4 ronmental Policy Act of 1969 (42 U.S.C.  
5 4332(2)(C)).

6 (c) **RULE OF CONSTRUCTION.**—This section shall not  
7 be construed to limit the authority of the Secretary or the  
8 Service to issue rules, under another law, to regulate the  
9 taking of mid-continent light geese.

10 **SEC. 4. DEFINITIONS.**

11 In this Act:

12 (1) **MID-CONTINENT LIGHT GEESE.**—The term  
13 “mid-continent light geese” means Lesser snow  
14 geese (*Anser caerulescens caerulescens*) and Ross  
15 geese (*Anser rossii*) that primarily migrate between  
16 Canada and the States of Alabama, Arkansas, Colo-  
17 rado, Illinois, Indiana, Iowa, Kansas, Kentucky,  
18 Louisiana, Michigan, Minnesota, Mississippi, Mis-  
19 souri, Montana, Nebraska, New Mexico, North Da-  
20 kota, Ohio, Oklahoma, South Dakota, Tennessee,  
21 Texas, Wisconsin, and Wyoming.

22 (2) **SECRETARY.**—The term “Secretary” means  
23 the Secretary of the Interior.

1           (3) SERVICE.—The term “Service” means the  
2           United States Fish and Wildlife Service.

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