

## Calendar No. 906

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 106-459

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### CAT ISLAND NATIONAL WILDLIFE REFUGE ESTABLISHMENT ACT

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

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

### REPORT

[to accompany H.R. 3292]

The Committee on Environment and Public Works, to which was referred a bill to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, 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. 3292 would authorize the establishment of an approximately 36,500-acre National Wildlife Refuge in West Feliciana Parish, Louisiana. Cat Island is a peninsula consisting of bottomland forest bordered on the west by the Mississippi River and on the east by the Tunica Hills. The yearly pattern of backwater flooding provided nourishment for the hardwood forests, diverse plant species, and numerous wildlife along the lower Mississippi River. Cat Island, unique for being unleveed, is one of the last remaining tracts in the lower Mississippi River Alluvial Valley that is still influenced by the natural dynamics of the river.

Numerous lakes formed by the Mississippi River provide excellent habitat for several types of waterfowl, songbirds, and neotropical migratory birds. Cat Island is also home to alligators, otter, mink, deer, and the threatened Louisiana black bear. In addition, the world's largest bald cypress tree and one of the densest stands of virgin bald cypress in the State are found in Cat Island.

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 \$20 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. 3292 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 June 20, 2000, H.R. 3292 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. The commit-

tee adopted by voice vote an amendment offered by Chairman Smith to make the bill consistent with the National Wildlife Refuge Improvement Act of 1997. On September 28, 2000, H.R. 3292 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. 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, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN.

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#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

*H.R. 3292, Cat Island National Wildlife Refuge Establishment Act, as ordered reported by the Senate Committee on Environment and Public Works on September 28, 2000*

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 Act 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 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 implementing H.R. 3292 would cost about \$30 million over the next 5 to 7 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 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 June 7, 2000, CBO transmitted a cost estimate for H.R. 3292, as ordered reported by the House Committee on Resources on May 24, 2000. The two versions of the legislation are very similar, and the cost estimates are identical.

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

