

107TH CONGRESS
1ST SESSION

H. R. 1230

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2001

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Detroit River Inter-
3 national Wildlife Refuge Establishment Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) The Detroit River, one of North America’s
7 greatest rivers, was created some 14,000 years ago
8 during the retreat of the Wisconsin Glacier.

9 (2) The present river channel, established when
10 falling water levels permitted erosion of the Lake
11 Plain and moraines, is a connecting channel linking
12 the Upper and Lower Great Lakes, as well as link-
13 ing the United States to Canada.

14 (3) The Lower Detroit River ecosystem is di-
15 verse with a number of distinct channels, numerous
16 shoals that support dense stands of aquatic plants,
17 and many islands. These nationally and internation-
18 ally significant habitats and ecological features at-
19 tract as many as 29 species of waterfowl and 65
20 kinds of fish.

21 (4) The Detroit River is a major migration cor-
22 ridor for fish, butterflies, raptors, and other birds, in
23 addition to waterfowl. Over 300 species of birds have
24 been documented in the Detroit-Windsor area, of
25 which about 150 species breed in the immediate
26 area.

1 (5) Because the Great Lakes are situated at the
2 intersection of the Atlantic and Mississippi Flyways,
3 the Detroit River is an important waterfowl migra-
4 tion corridor. 3,000,000 ducks, geese, swans, and
5 coots migrate annually through the Great Lakes re-
6 gion.

7 (6) The importance of this corridor is recog-
8 nized in the Canada-United States North American
9 Waterfowl Management Plan that has identified the
10 Detroit River as part of one of 34 Waterfowl Habi-
11 tat Areas of Major Concern in the United States
12 and Canada.

13 (7) Some 300,000 diving ducks stop in the
14 Lower Detroit River on their fall migration from
15 Canada to the east and south each year to rest and
16 feed in beds of water celery found in the region.

17 (8) The international importance of the Lower
18 Detroit River area is manifested in the United
19 States congressional designation of the 460-acre Wy-
20 andotte National Wildlife Refuge.

21 (9) Canada's Canard River Marsh Complex is
22 an internationally significant waterfowl staging area
23 which is one of the main resting and feeding areas
24 for canvasbacks migrating from their nesting

1 grounds in the Canadian prairies to the East Coast.
2 Many over-winter in the area as well.

3 (10) The diversity of biota and habitats in the
4 Lower Detroit River ecosystem provides substantial
5 benefits to the over 5,000,000 people who live in the
6 vicinity. The Lower Detroit River has an inter-
7 national reputation for duck hunting. On an eco-
8 nomic basis, retail sales related to waterfowl hunting
9 in Michigan were estimated in 1991 to be
10 \$20,100,000. During the same year birding, photog-
11 raphy, and other nonconsumptive uses of waterfowl
12 contributed an additional \$192,800,000 in Michigan.

13 (11) More than 1,000,000 pleasure boats are
14 registered in Michigan and about half of those are
15 used on the Detroit River and Lake St. Clair, in
16 part to fish for the estimated 10,000,000 walleye
17 that migrate to the Detroit River each spring from
18 Lake Erie to spawn. These walleye have helped cre-
19 ate an internationally renowned sport fishery esti-
20 mated to bring in \$1,000,000 to the economy of
21 communities along the lower Detroit River each
22 spring.

23 (12) All of these natural resource values and
24 socioeconomic benefits were acclaimed when the De-
25 troit River was designated an American Heritage

1 River in 1998. The Detroit River is also a Canadian
2 Heritage River, making it the first international her-
3 itage river system in the world.

4 (13) The Detroit River has lost over 95 percent
5 of its coastal wetland habitats and despite increased
6 awareness and supporting science of their impor-
7 tance, habitats continue to be destroyed and de-
8 graded.

9 (14) Protection of remaining wildlife habitats
10 and enhancement of degraded wildlife habitats are
11 essential to sustain the quality of life enjoyed by so
12 many living along the Detroit River corridor.

13 **SEC. 3. DEFINITIONS.**

14 For purposes of this Act:

15 (1) The term “Refuge” means the Detroit
16 River International Wildlife Refuge established by
17 section 5.

18 (2) The term “Secretary” means the Secretary
19 of the Interior.

20 (3) The term “Detroit River” means those
21 lands and waters within the area described in section
22 5(a).

23 **SEC. 4. PURPOSES.**

24 The purposes for which the Refuge is established and
25 shall be managed are as follows:

1 (1) To protect the remaining high-quality fish
2 and wildlife habitats of the Detroit River before they
3 are lost to further development and to restore and
4 enhance degraded wildlife habitats associated with
5 the Detroit River.

6 (2) To assist in international efforts to con-
7 serve, enhance, and restore the native aquatic and
8 terrestrial community characteristics of the Detroit
9 River (including associated fish, wildlife, and plant
10 species) both in the United States and Canada.

11 (3) To facilitate partnerships among the United
12 States Fish and Wildlife Service, Canadian national
13 and provincial authorities, State and local govern-
14 ments, local communities in the United States and
15 in Canada, conservation organizations, and other
16 non-Federal entities to promote public awareness of
17 the resources of the Detroit River.

18 **SEC. 5. ESTABLISHMENT OF REFUGE.**

19 (a) BOUNDARIES.—There is hereby established the
20 Detroit River International Wildlife Refuge, consisting of
21 the lands and waters owned or managed by the Secretary
22 pursuant to this Act in the State of Michigan within the
23 area extending from the point in Michigan directly across
24 the river from northernmost point of Ojibway Shores to
25 the southern boundary of the Sterling State Park, as de-

1 picted upon a map entitled “Detroit River International
2 Wildlife Refuge Proposed”, dated July 31, 2001, which
3 shall be available for inspection in appropriate offices of
4 the United States Fish and Wildlife Service.

5 (b) EXISTING REFUGE LANDS.—The Wyandotte Na-
6 tional Wildlife Refuge is hereby included within, and shall
7 be a part of, the Detroit River International Wildlife Ref-
8 uge. All references to the Wyandotte National Wildlife
9 Refuge shall hereafter be treated as references to the De-
10 troit River International Wildlife Refuge.

11 (c) BOUNDARY REVISIONS.—The Secretary may
12 make such revisions of the boundaries of the Refuge as
13 may be appropriate to carry out the purposes of the Ref-
14 uge or to facilitate the acquisition of property within the
15 Refuge.

16 (d) ACQUISITION.—The Secretary is authorized to ac-
17 quire by donation, purchase with donated or appropriated
18 funds, or exchange the lands and waters, or interests
19 therein (including conservation easements), within the
20 boundaries of the Refuge.

21 (e) TRANSFERS FROM OTHER AGENCIES.—Any Fed-
22 eral property located within the boundaries of the Refuge
23 which is under the administrative jurisdiction of another
24 department or agency of the United States may, with the
25 concurrence of the head of administering department or

1 agency, be transferred without consideration to the admin-
2 istrative jurisdiction of the Secretary for the purposes of
3 this Act.

4 (f) **STUDY OF ASSOCIATED AREA.**—The Secretary
5 (acting through the Director of the United States Fish
6 and Wildlife Service) shall conduct a study of fish and
7 wildlife habitat and aquatic and terrestrial communities
8 of the north reach of the Detroit River, from the northern-
9 most point of Ojibway Shores north to the mouth of Lake
10 St. Clair, for potential inclusion in the Refuge. Not later
11 than 18 months after date of enactment of the Act, the
12 Secretary shall complete such study and submit a report
13 containing the results thereof to the Congress.

14 **SEC. 6. ADMINISTRATION.**

15 (a) **IN GENERAL.**—The Secretary shall administer all
16 federally owned lands, waters, and interests therein that
17 are within the boundaries of the Refuge in accordance
18 with the National Wildlife Refuge System Administration
19 Act (16 U.S.C. 668dd and following) and this Act. The
20 Secretary may use such additional statutory authority as
21 may be available for the conservation of fish and wildlife,
22 and the provision of fish and wildlife dependent rec-
23 reational opportunities as the Secretary considers appro-
24 priate to carry out the purposes of this Act.

1 (b) PRIORITY USES.—In providing opportunities for
2 compatible fish and wildlife dependent recreation, the Sec-
3 retary, in accordance with paragraphs (3) and (4) of sec-
4 tion 4(a) of the National Wildlife Refuge System Adminis-
5 tration Act of 1966 (16 U.S.C. 668dd(a)), shall ensure
6 that hunting, fishing, wildlife observation and photog-
7 raphy, and environmental education and interpretation are
8 the priority public uses of the Refuge.

9 (c) COOPERATIVE AGREEMENTS REGARDING NON-
10 FEDERAL LANDS.—The Secretary is authorized to enter
11 into cooperative agreements with the State of Michigan,
12 or any political subdivision thereof, and with any other
13 person or entity for the management in a manner con-
14 sistent with this Act of lands that are owned by such
15 State, subdivision, or other person or entity and located
16 within the boundaries of the Refuge and to promote public
17 awareness of the resources of the Detroit River Inter-
18 national Wildlife Refuge and encourage public participa-
19 tion in the conservation of those resources.

20 (d) USE OF EXISTING GREENWAY AUTHORITY.—The
21 Secretary shall encourage the State of Michigan to use
22 existing authorities under the Transportation Equity Act
23 for the 21st Century (TEA–21) to provide funding for ac-
24 quisition and development of trails within the boundaries
25 of the Refuge.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the De-
3 partment of the Interior—

4 (1) such sums as may be necessary for the ac-
5 quisition of lands and waters within the Refuge;

6 (2) such sums as may be necessary for the de-
7 velopment, operation, and maintenance of the Ref-
8 uge; and

9 (3) such sums as may be necessary to carry out
10 the study under section 5(f).

Passed the House of Representatives November 27,
2001.

Attest:

JEFF TRANDAHL,

Clerk.