

109TH CONGRESS
1ST SESSION

S. 1165

AN ACT

To provide for the expansion of the James Campbell National
Wildlife Refuge, Honolulu County, Hawaii.

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 “James Campbell Na-
5 tional Wildlife Refuge Expansion Act of 2005”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the United States Fish and Wildlife Service
4 manages the James Campbell National Wildlife Ref-
5 uge for the purpose of promoting the recovery of 4
6 species of endangered Hawaiian waterbirds;

7 (2) the United States Fish and Wildlife Service
8 leases approximately 240 acres of high-value wetland
9 habitat (including ponds, marshes, freshwater
10 springs, and adjacent land) and manages the habitat
11 in accordance with the National Wildlife Refuge Sys-
12 tem Improvement Act (16 U.S.C. 668dd note; Public
13 Law 105–312);

14 (3) the United States Fish and Wildlife Service
15 entered into a contract to purchase in fee title the
16 land described in paragraph (2) from the estate of
17 James Campbell for the purposes of—

18 (A) permanently protecting the endangered
19 species habitat; and

20 (B) improving the management of the Ref-
21 uge;

22 (4) the United States Fish and Wildlife Service
23 has identified for inclusion in the Refuge approxi-
24 mately 800 acres of additional high-value wildlife
25 habitat adjacent to the Refuge that are owned by
26 the estate of James Campbell;

1 (5) the land of the estate of James Campbell on
2 the Kahuku Coast features coastal dunes, coastal
3 wetlands, and coastal strand that promote biological
4 diversity for threatened and endangered species,
5 including—

6 (A) the 4 species of endangered Hawaiian
7 waterbirds described in paragraph (1);

8 (B) migratory shorebirds;

9 (C) waterfowl;

10 (D) seabirds;

11 (E) endangered and native plant species;

12 (F) endangered monk seals; and

13 (G) green sea turtles;

14 (6) because of extensive coastal development,
15 habitats of the type within the Refuge are increas-
16 ingly rare on the Hawaiian islands;

17 (7) expanding the Refuge will provide increased
18 opportunities for wildlife-dependent public uses, in-
19 cluding wildlife observation, photography, and envi-
20 ronmental education and interpretation; and

21 (8) acquisition of the land described in para-
22 graph (4)—

23 (A) will create a single, large, manageable,
24 and ecologically-intact unit that includes suffi-

1 cient buffer land to reduce impacts on the Ref-
2 uge; and

3 (B) is necessary to reduce flood damage
4 following heavy rainfall to residences, busi-
5 nesses, and public buildings in the town of
6 Kahuku.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) **DIRECTOR.**—The term “Director” means
10 the Director of the United States Fish and Wildlife
11 Service.

12 (2) **REFUGE.**—The term “Refuge” means the
13 James Campbell National Wildlife Refuge estab-
14 lished pursuant to the Endangered Species Act of
15 1973 (16 U.S.C. 1531 et seq.).

16 (3) **SECRETARY.**—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 4. EXPANSION OF REFUGE.**

19 (a) **EXPANSION.**—The boundary of the Refuge is ex-
20 panded to include the approximately 1,100 acres of land
21 (including any water and interest in the land) depicted on
22 the map entitled “James Campbell National Wildlife Ref-
23 uge—Expansion” dated October 20, 2005, and on file in
24 the office of the Director.

1 (b) BOUNDARY REVISIONS.—The Secretary may
2 make such minor modifications to the boundary of the
3 Refuge as the Secretary determines to be appropriate to—

4 (1) achieve the goals of the United States Fish
5 and Wildlife Service relating to the Refuge; or

6 (2) facilitate the acquisition of property within
7 the Refuge.

8 (c) AVAILABILITY OF MAP.—

9 (1) IN GENERAL.—The map described in sub-
10 section (a) shall remain available for inspection in
11 an appropriate office of the United States Fish and
12 Wildlife Service, as determined by the Secretary.

13 (2) NOTICE.—As soon as practicable after the
14 date of enactment of this Act, the Secretary shall
15 publish in the Federal Register and any publication
16 of local circulation in the area of the Refuge notice
17 of the availability of the map.

18 **SEC. 5. ACQUISITION OF LAND AND WATER.**

19 (a) IN GENERAL.—Subject to the availability of ap-
20 propriated funds, the Secretary may acquire the land de-
21 scribed in section 4(a).

22 (b) INCLUSION.—Any land, water, or interest ac-
23 quired by the Secretary pursuant to this section shall—

24 (1) become part of the Refuge; and

1 (2) be administered in accordance with applica-
2 ble law.

3 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as are necessary to carry out this Act.

 Passed the Senate December 16, 2005.

 Attest:

Secretary.

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