

# Calendar No. 303

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1165

[Report No. 109-191]

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

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IN THE SENATE OF THE UNITED STATES

JUNE 6, 2005

Mr. INOUE (for himself and Mr. AKAKA) introduced the following bill; which  
was read twice and referred to the Committee on Environment and Public  
Works

DECEMBER 8, 2005

Reported under authority of the order of the Senate of November 18, 2005,  
by Mr. INHOFE, with amendments

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## A BILL

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, in-  
5 cluding—

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” ; ~~and on file~~ *dated October 20, 2005, and*  
24           *on file* in the office of the Director.

1 (b) BOUNDARY REVISIONS.—~~Not later than 90 days~~  
2 ~~after the date of enactment of this Act,~~ the Secretary may  
3 *The Secretary may* make such minor modifications to the  
4 boundary of the Refuge as the Secretary determines to  
5 be appropriate to—

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

8 (2) facilitate the acquisition of property within  
9 the Refuge.

10 (c) AVAILABILITY OF MAP.—

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

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

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

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

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

1           (1) become part of the Refuge; and

2           (2) be administered in accordance with applica-

3       ble law.

4 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

5       There are authorized to be appropriated such sums

6 as are necessary to carry out this Act.



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