

S 990

American Wildlife Enhancement Act of 2001

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Public Lands and Natural Resources

**Introduced:** Jun 6, 2001

**Current Status:** Message on House action received in Senate and at desk: House amendments to Senate bill.

**Latest Action:** Message on House action received in Senate and at desk: House amendments to Senate bill. (Nov 15, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/990>

Sponsor

**Name:** Sen. Smith, Bob [R-NH]

**Party:** Republican • **State:** NH • **Chamber:** Senate

Cosponsors (20 total)

Cosponsor	Party / State	Role	Date Joined
Sen. DeWine, Mike [R-OH]	R · OH		Sep 4, 2001
Sen. Voinovich, George V. [R-OH]	R · OH		Sep 5, 2001
Sen. Warner, John [R-VA]	R · VA		Sep 5, 2001
Sen. Graham, Bob [D-FL]	D · FL		Sep 19, 2001
Sen. Chafee, Lincoln [R-RI]	R · RI		Sep 20, 2001
Sen. Bond, Christopher S. [R-MO]	R · MO		Sep 25, 2001
Sen. Jeffords, James M. [I-VT]	I · VT		Oct 30, 2001
Sen. Leahy, Patrick J. [D-VT]	D · VT		Oct 30, 2001
Sen. Cleland, Max [D-GA]	D · GA		Nov 5, 2001
Sen. Crapo, Mike [R-ID]	R · ID		Nov 6, 2001
Sen. Lieberman, Joseph I. [D-CT]	D · CT		Nov 7, 2001
Sen. Reid, Harry [D-NV]	D · NV		Nov 9, 2001
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Nov 13, 2001
Sen. Miller, Zell [D-GA]	D · GA		Nov 13, 2001
Sen. Baucus, Max [D-MT]	D · MT		Nov 15, 2001
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Dec 4, 2001
Sen. Dayton, Mark [D-MN]	D · MN		Dec 6, 2001
Sen. Landrieu, Mary L. [D-LA]	D · LA		Dec 14, 2001
Sen. Carnahan, Jean [D-MO]	D · MO		Dec 18, 2001
Sen. Johnson, Tim [D-SD]	D · SD		Dec 19, 2001

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Dec 13, 2001
Natural Resources Committee	House	Discharged From	Nov 15, 2002

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

No related bills are listed.

American Wildlife Enhancement Act of 2002 - **Title I: Endangered and Threatened Species Stewardship Program** - (Sec. 102) Amends the Endangered Species Act of 1973 to authorize the Secretary of the Interior to: (1) provide financial assistance to any person, including small landowners and conservation organizations, for development and implementation of an endangered and threatened species recovery agreement; (2) review such agreements; (3) enter into approved agreements; and (4) monitor agreement implementation. Requires persons receiving such assistance to: (1) either act or refrain from acting, as appropriate, in a manner which contributes to the recovery of species which are endangered, threatened, or at risk, specifically actions which result in habitat destruction and affect the availability of water; (2) make demonstrable progress; and (3) provide scheduling, monitoring, and notification specifics.

Grants priority to agreements which: (1) have the greatest potential for impact; (2) benefit multiple endangered, threatened, or at risk species; (3) carry out State or local conservation plans; or (4) are proposed by small landowners. Requires Federal or State participation in any species recovery agreement on Federal or State lands, respectively. Allocates funding equally among small landowners, public lands, and others.

Authorizes appropriations for FY 2003 through 2007.

**Title II: Cooperative Regional Conservation Program** - (Sec. 201) Amends the Partnerships for Wildlife Act to direct the Secretary to establish a competitive program for grants to States to pay the Federal share of the costs of conservation of non-Federal land or water of regional or national significance. Gives priority to interstate projects which protect ecosystems and are a priority of the State and local communities. Limits the Federal share to 50 percent. Directs the Secretary to make a grant to New Hampshire for the acquisition of conservation easements for certain lands sold by International Paper to the Trust for Public Land.

Authorizes appropriations for FY 2003 through 2007.

**Title III: Conservation and Restoration of Shrubland and Grassland** - (Sec. 301) Amends the Partnerships for Wildlife Act to direct the Secretary to establish a conservation assistance program to encourage the conservation and restoration of natural grassland or shrubland that serves as habitat for endangered, threatened, or at risk species. Includes land that was or could be natural grassland or shrubland. Makes landowners, permit holders, or conservation entities including sportsmen's or environmental organizations and land trusts, eligible for such grants. Permits managed grazing, haying or mowing (but not during bird nesting season), fire rehabilitation, and fencing and fire breaks. Prohibits payment under this and other specified conservation acts for the same conservation activity.

Authorizes appropriations for FY 2003 through 2007.

**Title IV: Cibola National Wildlife Refuge, California** - (Sec. 401) Revokes Public Land Order 3442, dated August 21, 1964, insofar as it applies to specified lands in Imperial County, California (certain lands included in Cibola National Wildlife Refuge).

(Sec. 402) Directs the Secretary to resurvey and publish the new boundaries of the Refuge.

**Title V: Nutria Eradication or Control** - (Sec. 502) Authorizes the Secretary to provide financial assistance to the States of Maryland and Louisiana for a program to implement measures to: (1) eradicate nutria in Maryland; (2) eradicate or control nutria in Louisiana and other States; and (3) restore marshland damaged by nutria.

Directs the Secretary to require that the program in Maryland consist of management, research, and public education

activities carried out in accordance with the U.S. Fish and Wildlife Service document entitled "Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds."

Limits the Federal share of program costs to 75 percent. Prohibits use of more than five percent of such Federal assistance for administrative expenses.

Authorizes appropriations for FY 2003 through 2006.

(Sec. 503) Directs the Secretary and the National Invasive Species Council to: (1) give consideration to the 2002 report for the Louisiana Department of Wildlife and Fisheries entitled "Nutria in Louisiana" and the 2002 document entitled "Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds"; and (2) develop, in cooperation with such Department and the State of Maryland Department of Natural Resources, a long-term nutria control or eradication program, as appropriate, with the objective to significantly reduce and restore the damage nutria cause to coastal wetlands in Louisiana and Maryland.

**Title VI: Acquisition of Garrett Island, Maryland** - Blackwater National Wildlife Refuge Expansion Act - (Sec. 603) Authorizes the Secretary to acquire Garrett Island in Cecil County, Maryland. Requires the Secretary to manage the Island as the Garret Island Unit of the Blackwater National Wildlife Refuge for the purposes of: (1) supporting the Delmarva Conservation Corridor Demonstration Program; (2) conserving, restoring, and managing habitats as necessary to contribute to the migratory bird populations prevalent in the Atlantic Flyway; (3) conserving, restoring, and managing the significant aquatic resource values associated with submerged adjacent land and achieving the habitat objectives of the Chesapeake 2000 Agreement; (4) conserving its archaeological resources; and (5) providing public access that does not adversely impact natural resources.

**Title VII: Ottawa National Wildlife Refuge Complex Expansion** - Ottawa National Wildlife Refuge Complex Expansion and Detroit River International Wildlife Refuge Expansion Act - (Sec. 704) Expands the boundaries of the Ottawa National Wildlife Refuge Complex (Refuge Complex) to include lands and waters in Ohio from the eastern boundary of Maumee Bay State Park to the eastern boundary of the Darby Unit. Authorizes the Secretary to make boundary revisions to the Refuge Complex as necessary.

Extends the southern boundary of the International Refuge south to include additional lands and waters in Michigan east of Interstate Highway 75 from the southern boundary of Sterling State Park to the Ohio State boundary.

(Sec. 705) Authorizes the Secretary to acquire (with the consent of the present owners) the lands and waters within the boundaries of the Refuge Complex as expanded by this title.

(Sec. 706) Requires the Secretary to: (1) administer all federally owned lands, waters, and interest that are within the boundaries of the Refuge Complex, as expanded by this title; and (2) ensure that hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the priority public uses of the Refugee Complex.

Authorizes the Secretary to enter into cooperative agreements with specified entities to manage lands within the Refuge Complex, to promote public awareness of the resources of the western basin of Lake Erie, and to encourage public participation in the conservation of those resources.

Requires the Secretary to encourage the State of Ohio to use existing authorities under the Transportation Equity Act for the 21st Century to provide funding for acquisition and development of trails within the boundaries of the Refuge Complex.

(Sec. 707) Requires the Secretary, acting through the Director of the United States Fish and Wildlife Service, to study fish and wildlife habitat and aquatic and terrestrial communities of the two dredge spoil sites located within Toledo Harbor near the mouth of the Maumee River.

(Sec. 708) Authorizes appropriations.

**Title VIII: Bear River Migratory Bird Refuge Claims Settlement** - Bear River Migratory Bird Refuge Settlement Act of 2002 - (Sec. 804) Prohibits the Secretary from entering into an agreement with the State of Utah for the transfer of lands or interests in land within the Bear River Migratory Bird Refuge unless the agreement requires: (1) the State to support the U.S. application to add an enlarged Hyrum Reservoir or another storage facility as an alternate place of storage under the Refuge's existing 1000 cubic feet per second State certified water right, contingent upon demonstration by the United States that no injury to water rights shall occur; (2) the State, if it prevails in a suit against the United States challenging the validity of the deed issued pursuant to such agreement, to pay the United States for property improvements, such as water control structures and buildings, and to repay amounts paid to the State by the United States pursuant to the agreement or because of U.S. ownership of the land; and (3) the Secretary to agree to pay \$15 million to the State upon delivery of a quitclaim deed that meets Justice Department standards and covers all lands and interests claimed by the State within the Refuge, subject to the condition that the State use such payment for the purposes and in the amounts specified below.

Requires the State to deposit \$10 million into the Wetlands and Habitat Protection Account.

Authorizes the Executive Director of the Utah Department of Natural Resources to use the interest on such amount for wetland or open space protection and for enhancement and acquisition of wildlife habitat in and near the Great Salt Lake.

Authorizes the use of: (1) \$2 million for the development, improvement, and expansion of the James V. Hansen Shoshone Trail; (2) \$1 million for the development, improvement, and expansion of the Ogden-Weber Trail System; (3) \$1 million for the non-motorized trails program managed by the Utah State Division of Parks and Recreation; and (4) \$1 million for the preservation, reclamation, enhancement, and conservation of streams in the State of Utah.

Requires the Executive Director to maximize the use of such funds through coordination with nonprofit organizations, Federal agencies, other agencies of the State, and local governments, giving priority to those projects that include Federal, State, or private matching funds.

Authorizes appropriations for such payment.

**Title IX: Education and Administrative Center at Bear River Migratory Bird Refuge, Utah** - Bear River Migratory Bird Refuge Visitor Center Act - (Sec. 904) Directs the Secretary to construct an education and administrative center at the Bear River Migratory Bird Refuge in Box Elder County, Utah, to provide for the interpretation of resources at the Refuge for the education and benefit of the public, the advancement of research, protection, and health of waterfowl habitat, and the administration of such Refuge.

Authorizes appropriations.

**Title X: Accokeek Creek National Wildlife Refuge** - Accokeek Creek National Wildlife Refuge Establishment Act - (Sec. 1001) Requires the Secretary to establish the Accokeek Creek National Wildlife Refuge in Stafford County, Virginia. Authorizes the Secretary of the Interior to acquire land within the defined boundary of the Refuge from willing parties by purchase, lease, exchange, and donation.

**Title XI: Miscellaneous** - (Sec. 1101) Amends the Fish and Wildlife Foundation Establishment Act to set a minimum \$5,000 threshold for the amount of a National Fish and Wildlife Foundation grant requiring prior notification to the Member of Congress for the congressional district in which project to be funded will be carried out.

Allows the use of appropriations to the Foundation for use for matching, on a one-to-one basis, contributions (whether in currency, services, or property) made to the grant subrecipient (or, as currently, to the Foundation) by private persons and State and local government agencies.

**Title XII: Marine Turtle Conservation** - Marine Turtle Conservation Act of 2002 - (Sec. 1204) Directs the Secretary to provide financial assistance for projects for the conservation of marine turtles (loggerhead, green, hawksbill, Kemp's ridley, olive ridley, and leatherback) using amounts in a Marine Turtle Conservation Fund established by this Act.

Allows a project proposal to be submitted by: (1) any wildlife management authority of a foreign country that has within its boundaries marine turtle nesting habitats if such authority's activities affect marine turtle conservation; or (2) any person or group with the demonstrated expertise required for the conservation of such turtles.

Sets forth requirements for project elements, review, approval, and reporting.

(Sec. 1205) Establishes the Marine Turtle Conservation Fund in the Multinational Species Conservation Fund.

(Sec. 1206) Authorizes the Secretary to convene an advisory group of individuals representing public and private organizations actively involved in the conservation of marine turtles.

Authorizes appropriations for FY 2004 through 2008.

## Actions Timeline

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- **Nov 15, 2002:** Mr. Hansen asked unanimous consent to discharge from committee and consider.
- **Nov 15, 2002:** Committee on Resources discharged.
- **Nov 15, 2002:** Committee on Resources discharged.
- **Nov 15, 2002:** Considered by unanimous consent. (consideration: CR 11/14/2002 H8898-8911; text as passed Senate: CR 11/14/2002 H8899-8904)
- **Nov 15, 2002:** Passed/agreed to in House: On passage Passed without objection.
- **Nov 15, 2002:** On passage Passed without objection.
- **Nov 15, 2002:** The title of the measure was amended. Agreed to without objection.
- **Nov 15, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 15, 2002:** Message on House action received in Senate and at desk: House amendments to Senate bill.
- **Jan 29, 2002:** Executive Comment Requested from Interior.
- **Jan 23, 2002:** Message on Senate action sent to the House.
- **Jan 23, 2002:** Received in the House.
- **Jan 23, 2002:** Referred to the House Committee on Resources.
- **Dec 20, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S14054-14059; text of measure as reported in Senate: CR S14054-14059)
- **Dec 20, 2001:** The committee substitute as amended agreed to by Unanimous Consent.
- **Dec 20, 2001:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Dec 20, 2001:** Passed Senate with an amendment by Unanimous Consent.
- **Dec 13, 2001:** Committee on Environment and Public Works. Reported by Senator Jeffords with an amendment in the nature of a substitute. With written report No. 107-123.
- **Dec 13, 2001:** Committee on Environment and Public Works. Reported by Senator Jeffords with an amendment in the nature of a substitute. With written report No. 107-123.
- **Dec 13, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 283.
- **Nov 8, 2001:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 6, 2001:** Introduced in Senate
- **Jun 6, 2001:** Sponsor introductory remarks on measure. (CR S5897-5898)
- **Jun 6, 2001:** Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: (CR S5898-5902)