Public Law 98-548
98th Congress

An Act

Oct. 26, 1984
[H.R. 5271]

To extend the Wetlands Loan Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

That the first section of the Act entitled "An Act to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat, and for other purposes", approved October 4, 1961, is amended by striking out "September 30, 1984," and inserting in lieu thereof "September 30, 1986,".

16 USC 715k-3.

SEC. 102. Section 3 of such Act of October 4, 1961, is amended by striking out "October 1, 1984," each place it appears therein and inserting in lieu thereof "October 1, 1986,".

16 USC 715k-5.

TITLE II—TO ESTABLISH THE CONNECTICUT COASTAL NATIONAL WILDLIFE REFUGE

FINDINGS AND PURPOSES

16 USC 668dd note.

SEC. 201. (a) FINDINGS.—The Congress finds that—

(1) Chimon Island, off the coast of Norwalk, is the most important heron rookery in Connecticut and contains one of the three largest wading bird colonies in the Northeast United States;

(2) Milford Point, a narrow ten-acre tombolo, is one of the few remaining nesting sites in Connecticut for the piping plover;

(3) Falkner's Island supports the only significant breeding population of the roseate tern in Connecticut and the only major population of the common tern; and

(4) Sheffield Island is an excellent potential nesting habitat for heron.

(b) PURPOSES.—The purposes for which the Connecticut Coastal National Wildlife Refuge is established are—

(1) to enhance the populations of herons, egrets, terns, and other shore and wading birds within the refuge;

(2) to encourage natural diversity of fish and wildlife species within the refuge;

(3) to provide for the conservation and management of all fish and wildlife, within the refuge;

(4) to fulfill the international treaty obligations of the United States respecting fish and wildlife; and

(5) to provide opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation.

DEFINITIONS

SEC. 202. As used in sections 201 through 205 of this Act—

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(1) The term "refuge" means the Connecticut Coastal National Wildlife Refuge.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "selection area" means the lands and waters of Chimon Island, Milford Point, Falkner's Island, and Sheffield Island in the State of Connecticut.

ESTABLISHMENT OF REFUGE

SEC. 203. (a) SELECTION.—(1) Within ninety days after the effective date of this Act, the Secretary shall— Public availability. Federal Register, publication.

(A) designate approximately one hundred and forty-five acres of land and waters within the selection area as land which the Secretary considers appropriate for the refuge;

(B) prepare a detailed map depicting the boundaries of the land designated under subparagraph (A), which map shall be on file and available for public inspection at offices of the United States Fish and Wildlife Service, and publish notice in the Federal Register of such availability.

(2) The Secretary may make such minor revisions in the boundaries designated under paragraph (1)(B) of this subsection as may be appropriate to carry out the purpose of this Act or to facilitate the acquisition of property within the refuge.

(b) ACQUISITION.—(1) Except as provided in paragraph (2), the Secretary shall acquire (by donation, purchase with donated or appropriated funds, or exchange) lands, waters, or interests therein within the boundaries designated under subsection (a)(1)(B).

(2) The Secretary of the department in which the Coast Guard is operating shall transfer jurisdiction over Falkner's Island, Connecticut, to the Department of the Interior; except that the Coast Guard shall remain responsible for the operation and maintenance of the lighthouse on the island.

(c) ESTABLISHMENT.—The Secretary shall establish the national wildlife refuge, by publication of a notice to that effect in the Federal Register, whenever sufficient property has been acquired under this section to constitute an area that can be effectively managed as a national wildlife refuge. Federal Register, publication.

ADMINISTRATION

SEC. 204. The Secretary shall administer all lands, waters, and interests therein, acquired under section 203 of this Act in accordance with the provisions of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee). The Secretary may utilize such additional statutory authority as may be available to him for the conservation and development of wildlife and natural resources, the development of outdoor recreation opportunities, and interpretive education as he deems appropriate to carry out the purposes of the refuge.

AUTHORIZATION OF APPROPRIATIONS

SEC. 205. There is authorized to be appropriated to the Department of the Interior $2,500,000 from funds not otherwise appropriated from the Land and Water Conservation Fund for the acquisition of lands for the refuge, which sums shall remain available until expended.

TITLE III—TO ESTABLISH THE ATCHAFALAYA NATIONAL WILDLIFE REFUGE

DECLARATION OF FINDINGS AND PURPOSES

16 USC 668dd note.

SEC. 301. (a) FINDINGS.—The Congress finds that—

(1) thousands of acres of bottomland hardwoods are being cleared each year in the Mississippi River Delta;

(2) these forested wetlands represent one of the most valuable and productive wildlife habitat types in the United States and have extremely high recreational value for hunters, fishermen, trappers, birdwatchers, nature photographers, and others, and

(3) the Atchafalaya area is a bottomland hardwood swamp which provides habitat for a diversity of wildlife, including herons, egrets, and other wading birds; mallards, wood ducks, and countless waterfowl; black bears, deer, bobcat, muskrat, and other mammals; a large population of alligators; and the Louisiana crawfish, as well as bass, catfish, and other fish.

(b) PURPOSES.—The purposes for which the Atchafalaya National Wildlife Refuge is established are—

(1) to provide for the conservation and management of all fish and wildlife within the refuge;

(2) to fulfill the international treaty obligations of the United States with respect to fish and wildlife; and

(3) to provide opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation, including hunting, fishing and trapping, birdwatching, nature photography, and others.

DEFINITIONS

SEC. 302. As used in sections 301 through 305 of this Act—

(1) The term "Refuge" means Atchafalaya National Wildlife Refuge.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Selection area" means those lands and waters that are depicted on the map dated September 21, 1984, on file with the United States Fish and Wildlife Service which are not owned by the State of Louisiana and which are available from willing sellers.

ESTABLISHMENT OF REFUGE

SEC. 303. (a)(1) SELECTION.—Within one hundred and eighty days after the effective date of this Act, the Secretary shall—

(A) designate with the concurrence of the State of Louisiana land and waters within the selection area as land which the Secretary and the State of Louisiana consider appropriate for the refuge;

(B) prepare a detailed map with the concurrence of the State of Louisiana, depicting the boundaries of the land designated under subparagraph (A), which map shall be on file and available for public inspection at offices of the United States Fish and Wildlife Service, and publish notice in the Federal Register of such availability.

(2) The Secretary may make such minor revisions in the boundaries designated under paragraph (1)(B) of this subsection as may be

appropriate to carry out the purpose of this Act or to facilitate the acquisition of property within the refuge.

(b) ACQUISITION.—The Secretary shall acquire with funds provided under Public Law 98-396, the lands, waters, or interests therein within the boundaries designated under subsection (a)(1)(B). The Secretary is authorized to include in any transfer of property to the United States, pursuant to this Act, language requiring the United States, in the event that such property is no longer required for fish and wildlife conservation and prior to any subsequent sale, exchange, other transfer of the property acquired, to first offer such property to the vendors, their heirs, successors or assigns, at the same price then being offered by any third party, which price shall in no event be less than the current fair market value.

Public lands.
Ante, p. 1369.

(c) ESTABLISHMENT.—The Secretary shall establish the National Wildlife Refuge, by publication of a notice to that effect in the Federal Register, whenever sufficient property has been acquired under this section to constitute an area that can be effectively managed as a national wildlife refuge.

Federal Register, publication.

ADMINISTRATION

SEC. 304. The Secretary shall administer all lands, waters, and interests therein, acquired under section 303 of this Act in accordance with the provisions of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee). The Secretary may utilize such additional statutory authority as may be available to him for the conservation and development of wildlife and natural resources, the development of outdoor recreation opportunities, and interpretive education as he deems appropriate to carry out the purposes of the refuge: *Provided, however,* That the Secretary shall enter into a cooperative agreement with the State of Louisiana to provide for management of the refuge by the State in a manner that is consistent with the responsibilities of the Secretary as the primary Administrator of the refuge and the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee).

SEC. 305. The refuge shall be treated as a fee area for purposes of applying section 401 of the Act commonly referred to as the Refuge Revenue Sharing Act (16 U.S.C. 715s).

EFFECTIVE DATE

Effective date.

SEC. 306. This Act shall take effect October 1, 1984, or on the date of its enactment, whichever date is later.

Approved October 26, 1984.

LEGISLATIVE HISTORY—H.R. 5271:

HOUSE REPORT No. 98-705 (Comm. on Merchant Marine and Fisheries).
CONGRESSIONAL RECORD, Vol. 130 (1984):
Sept. 24, considered and passed House.
Oct. 3, considered and passed Senate, amended.
Oct. 4, House concurred in Senate amendments.