

108TH CONGRESS  
1ST SESSION

# S. 1313

To establish the Congaree Swamp National Park in the State of South Carolina, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 23, 2003

Mr. HOLLINGS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To establish the Congaree Swamp National Park in the State of South Carolina, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Congaree National  
5       Park Act of 2003”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds that—

8               (1) Congaree Swamp National Monument, con-  
9       sisting of 22,200 acres, was established in 1976 to

1 preserve the finest remaining example of an old-  
2 growth southern hardwood forest in North America;

3 (2) Congaree Swamp contains a variety of rare  
4 ecological, geological, archaeological, scenic, histor-  
5 ical, and wildlife components, including—

6 (A) the largest remaining tract of old-  
7 growth bottomland hardwood forest in the  
8 United States, the remnant of an ecosystem  
9 that once covered more than 24,000,000 acres  
10 of river bottom from Maryland to Texas;

11 (B) extensive stands of old-growth bottom-  
12 land hardwoods and rare examples of the glob-  
13 ally endangered longleaf pine forest;

14 (C) important habitat for more than 700  
15 species of plants, 173 species of birds, 51 kinds  
16 of reptiles and amphibians, and 53 species of  
17 fish (including rare, threatened, and endan-  
18 gered species), and 10 species of rare plants;  
19 and

20 (D) a natural setting of national and inter-  
21 national significance;

22 (3) the Monument—

23 (A) provides opportunities for educational  
24 and recreational activities and research; and

1 (B) is used for hiking, camping, fishing,  
2 and unconfined wilderness experiences (includ-  
3 ing opportunities for solitude);

4 (4) certain private land adjacent to the Monu-  
5 ment—

6 (A) has been determined by the State of  
7 South Carolina to contain outstanding rec-  
8 reational areas and wildlife habitat;

9 (B) provides essential habitat for declining  
10 species of fish, wildlife, and plants, including  
11 colonial waterbirds and neotropical migratory  
12 songbirds; and

13 (C) contains a variety of archaeological  
14 and historical resources dating from 10,000  
15 years ago to the 19th century;

16 (5) the Monument and adjacent private land  
17 contain cultural resources important for interpreting  
18 life during the Colonial and Antebellum periods, in-  
19 cluding Buycke's levee, which—

20 (A) served as a cattle mound and a refuge  
21 for livestock; and

22 (B) has a doughnut-shaped construction,  
23 making it the only example of that type of con-  
24 struction known to exist; and

1 (6) land in and adjacent to the Monument is  
 2 recognized—

3 (A) as playing an important role in the  
 4 history of the United States from the explo-  
 5 rations of Hernando de Soto to the fall of Co-  
 6 lumbia, South Carolina in the Civil War;

7 (B) for offering natural, ecological, wild-  
 8 life, cultural, scenic, historic, wilderness, and  
 9 recreational resources; and

10 (C) as being a fragile and irreplaceable ec-  
 11 ological system that could be destroyed if not  
 12 carefully protected.

13 (b) PURPOSES.—The purposes of this Act are—

14 (1) to expand the boundary of the Monument  
 15 by approximately 4,576 acres and redesignate the  
 16 Monument as a national park to—

17 (A) protect and interpret an intact bottom-  
 18 land hardwood ecosystem;

19 (B) promote the recovery of longleaf pine  
 20 in upland habitats;

21 (C) restore ecological functions; and

22 (D) protect native populations of fish,  
 23 wildlife, and plants;

24 (2) to protect and interpret the site of  
 25 McCord's Ferry and other cultural features that il-

1 lustrate the evolving agricultural and commercial  
2 practices in the South during the Colonial and Ante-  
3 bellum periods; and

4 (3) to provide opportunities for scientific re-  
5 search and to enhance visitor opportunities at the  
6 Monument.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) MAP.—The term “map” means the map en-  
10 titled “Congaree National Park Boundary Map”,  
11 numbered 178/80015, and dated April 2003.

12 (2) PARK.—The term “Park” means the Con-  
13 garee National Park established by section 4(a).

14 (3) PLAN.—The term “plan” means the general  
15 management plan developed under section 5(b).

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

18 (5) STATE.—The term “State” means the State  
19 of South Carolina.

20 **SEC. 4. ESTABLISHMENT OF CONGAREE NATIONAL PARK.**

21 (a) ESTABLISHMENT.—There is established in the  
22 State the Congaree National Park.

23 (b) COMPOSITION.—The Park shall be composed of—

24 (1) the Congaree Swamp National Monument;  
25 and

1           (2) approximately 4,576 acres of land adjacent  
2           to the Congaree Swamp National Monument, as de-  
3           picted on the map.

4           (c) BOUNDARY SURVEY.—As soon as practicable  
5           after the date of enactment of this Act and subject to the  
6           availability of funds, the Secretary shall complete an offi-  
7           cial survey of the Park.

8           (d) MAP AND LEGAL DESCRIPTION.—

9           (1) AVAILABILITY OF MAP.—The map shall be  
10          on file and available for public inspection in the ap-  
11          propriate offices of the National Park Service.

12          (2) SUBMISSION TO CONGRESS.—As soon as  
13          practicable after the date of enactment of this Act,  
14          the Secretary shall submit to the Committee on En-  
15          ergy and Natural Resources of the Senate and the  
16          Committee on Resources of the House of Represent-  
17          atives the map and a legal description of the Park.

18          (3) EFFECT.—The map and legal description  
19          shall have the same force and effect as if included  
20          in this Act, except that the Secretary may correct  
21          any errors in the map or legal description.

22          (e) ACQUISITION OF LAND.—The Secretary may ac-  
23          quire by donation, purchase from a willing seller with do-  
24          nated or appropriated funds, transfer, or exchange, land  
25          or an interest in land for inclusion in the Park.

1 (f) BOUNDARY REVISION.—

2 (1) IN GENERAL.—Subject to paragraph (2),  
3 the Secretary may make minor revisions to the  
4 boundary of the Park by publishing in the Federal  
5 Register a revised map or boundary description.

6 (2) LIMITATION.—The total area of the Park  
7 shall not exceed 30,000 acres.

8 **SEC. 5. ADMINISTRATION.**

9 (a) IN GENERAL.—The Secretary shall administer  
10 the Park in accordance with this Act and the laws gen-  
11 erally applicable to units of the National Park System, in-  
12 cluding—

13 (1) the Act of August 25, 1916 (16 U.S.C. 1  
14 et seq.); and

15 (2) the Act of August 21, 1935 (16 U.S.C. 461  
16 et seq.).

17 (b) GENERAL MANAGEMENT PLAN.—

18 (1) IN GENERAL.—Not later than the end of  
19 the third fiscal year after the date on which funds  
20 are made available to carry out this Act, the Sec-  
21 retary shall prepare a general management plan for  
22 the Park.

23 (2) INCLUSIONS.—The plan shall include a rec-  
24 ommendation on whether the boundary of the Con-  
25 garee National Park Wilderness should be expanded.

1           (3) APPLICABLE LAW.—The Secretary shall  
2       prepare the plan in accordance with—

3                   (A) section 12(b) of the Act of August 18,  
4           1970 (16 U.S.C. 1a–7(b)); and

5                   (B) any other applicable law.

6           (4) SUBMISSION TO CONGRESS.—On completion  
7       of the plan, the Secretary shall submit to the Com-  
8       mittee on Energy and Natural Resources of the Sen-  
9       ate and the Committee on Resources of the House  
10      of Representatives the plan.

11      (c) FISHING.—

12           (1) IN GENERAL.—The Secretary shall permit  
13      sport fishing on land and water within the Park in  
14      accordance with applicable Federal and State laws.

15           (2) LIMITATIONS.—

16                   (A) REGULATIONS.—The Secretary may  
17      designate by regulation areas in which, and pe-  
18      riods during which, no fishing shall be per-  
19      mitted for reasons of public safety, administra-  
20      tion, fish or wildlife management, or public use  
21      and enjoyment of the Park.

22                   (B) CONSULTATION.—Except in an emer-  
23      gency, the Secretary shall consult with the ap-  
24      propriate State agency before promulgating reg-  
25      ulations under subparagraph (A).



1 **SEC. 6. DESIGNATION OF CONGAREE NATIONAL PARK WIL-**  
2 **DERNESS.**

3 (a) IN GENERAL.—The Congaree Swamp National  
4 Monument Wilderness in the State shall be designated as  
5 the “Congaree National Park Wilderness”.

6 (b) REFERENCES.—Any reference to the Congaree  
7 Swamp National Monument Wilderness in a law (includ-  
8 ing regulations), map, document, paper, or other record  
9 of the United States shall be considered to be a reference  
10 to the Congaree National Park Wilderness.

11 **SEC. 7. EFFECT.**

12 Nothing in this Act—

13 (1) affects the use of private land adjacent to  
14 the Park; or

15 (2) preempts the authority of the State with re-  
16 spect to the regulation of hunting, fishing, boating,  
17 and wildlife management on private land or water  
18 outside the boundaries of the Park.

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated such sums  
21 as are necessary to carry out this Act.

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