

Public Law 108-481
108th Congress

An Act

Dec. 23, 2004
[H.R. 2619]

Kilauea Point
National Wildlife
Refuge
Expansion Act of
2004.
16 USC 668dd
note.

To provide for the expansion of Kilauea Point National Wildlife Refuge.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Kilauea Point National Wildlife Refuge Expansion Act of 2004”.

SEC. 2. EXPANSION OF KILAUEA POINT NATIONAL WILDLIFE REFUGE.

(a) IN GENERAL.—The Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or exchange, all or a portion of the land or interests in land described in subsection (b), as depicted on a map on file with the United States Fish and Wildlife Service entitled “Kilauea Point Wildlife Refuge Expansion Area” and dated April 22, 2004.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the following:

(1) Parcel 1, consisting of approximately 12 acres known as the Kilauea Bay property.

(2) Parcel 2, consisting of approximately 40 acres known as the Kilauea Vistas property.

(3) Parcel 3, consisting of approximately 162 acres known as the Kilauea Falls Ranch.

(4) Parcel 4, consisting of approximately 5 acres known as the Kauai Public Land Trust Kahili Beach property.

(5) Parcel 5, comprised of lot 10c of the parcel known as Kilauea Garden Farms, and consisting of approximately 15 acres.

(c) BOUNDARY REVISIONS.—The Secretary may make such minor revisions in the boundaries of any of the parcels described in subsection (b) as may be appropriate to facilitate the acquisition of land or interests under subsection (a).

(d) INCLUSION IN REFUGE.—Land and interests acquired under this section shall become part of the Kilauea Point National Wildlife Refuge.

(e) MANNER OF ACQUISITION.—All acquisitions of land or waters under this Act shall be made in a voluntary manner and shall not be the result of forced takings.

(f) ADDITIONAL PURPOSES.—In addition to the purposes of the Refuge under other laws, regulations, Executive orders, and comprehensive conservation plans, the Refuge shall be managed for—

(1) the protection and recovery of endangered Hawaiian water birds and other endangered birds, including the Nene (Hawaiian goose); and

(2) the conservation and management of native coastal strand, riparian, and aquatic biological diversity.

(g) PRIORITY GENERAL PUBLIC USES.—Nothing in this Act shall be considered to affect any policy or requirement, under paragraph (3) or (4), respectively, of section 4(a) of the National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668dd(a)), to treat compatible wildlife-dependent recreational uses as priority general public uses of the Refuge.

SEC. 3. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer all federally owned land, water, and interests in land and water that are located within the boundaries of the Kilauea Point National Wildlife Refuge in accordance with—

- (1) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.); and
- (2) this Act.

(b) ADDITIONAL AUTHORITY.—The Secretary may, in the administration of the Kilauea Point National Wildlife Refuge, use such additional statutory authority available to the Secretary for the conservation of fish and wildlife, and the provision of opportunities for fish- and wildlife-dependent recreation, as the Secretary determines to be appropriate to carry out this Act.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary—

- (1) to acquire land and water within the Refuge under section 2(a); and
- (2) to develop, operate, and maintain the Refuge.

Approved December 23, 2004.

LEGISLATIVE HISTORY—H.R. 2619:

HOUSE REPORTS: No. 108-522 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 19, considered and passed House.

Dec. 8, considered and passed Senate.

