

TO REDESIGNATE THE MASON NECK NATIONAL WILDLIFE REFUGE IN
VIRGINIA AS THE ELIZABETH HARTWELL MASON NECK NATIONAL
WILDLIFE REFUGE

APRIL 25, 2006.—Referred to the House Calendar and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3682]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3682) to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3682 is to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge.

BACKGROUND AND NEED FOR LEGISLATION

The Mason Neck National Wildlife Refuge was administratively created on February 1, 1969. The Refuge, located in Lorton, Virginia, was established for the protection of nesting, feeding and roosting habitat for bald eagles. In fact, it was the first such wildlife refuge created to protect what was then an endangered species. The original land, which was 845 acres, was purchased from funds allocated under the Land and Water Conservation Fund. Until 1974, Mason Neck was a subunit of the Blackwater National Wildlife Refuge Complex.

Over time, the Refuge has grown. As of September 30, 2004, 1,488 acres have been purchased at a cost of \$7,235,360, and an additional 789 acres are leased from the Northern Virginia Regional Park Authority. Currently, the Refuge, situated along the Potomac River on the Mason Neck Peninsula, consists of 2,277

acres of hardwood and pine forest, 300 acres of freshwater marshes and over 4 miles of coastline. This urban refuge has the largest freshwater marsh in Northern Virginia, the largest Great Blue heron rookery in the Mid-Atlantic region, and has more than 200 species of birds, 44 species of reptiles and amphibians and 31 species of mammals.

Mason Neck National Wildlife Refuge offers ideal habitat for eagles and it is, therefore, not surprising that the Refuge is listed as one of the top locations in the lower 48 states for viewing bald eagles. According to the U.S. Fish and Wildlife Service, eagles use the mature forests for shelter and nesting sites and the bays, marshes and rivers for foraging activities. It has been estimated that a number of bald eagles nest within the Refuge and up to 100 birds winter within the Refuge boundaries.

In addition, to wildlife observation, the Refuge offers other forms of wildlife dependent recreation including environmental education, fishing and hunting. According to the most recent figures, there are about 30,000 people who visited the Refuge each year.

The term "Mason Neck" refers to George Mason who built the Gunston Hall Plantation and was one of the richest planters in Virginia. He served in the Virginia House of Burgesses, was the original author of the Virginia Bill of Rights and represented the State at the Constitutional Convention in 1787.

This legislation which would rename the Refuge as the Elizabeth Hartwell Mason Neck National Wildlife Refuge. Elizabeth Hartwell, who was affectionately called the "Eagle Lady," was a leading environmentalist who successfully led a campaign to protect the Mason Neck Peninsula for the preservation of the American bald eagle. Due to her tireless leadership, the 2,277-acre Mason Neck National Wildlife Refuge, the 1,804-acre Mason Neck State Park and the 1,003-acre Pohick Bay Regional Park were established.

As a lifetime Virginian, she dedicated her life to conservation causes and her list of public service achievements included winning the Conservation Award of the National Capital Area Federation of Garden Clubs in 1967, and being named Fairfax County's Citizen of the Year in 1971. She also served as Vice Chairman of the Northern Virginia Regional Park Authority, Chairman of the Citizens Council for a Clean Potomac, Vice President of the Conservation Council of Virginia and as a long-time member of the Northern Virginia Potomac River Basin Commission. She also founded the 11-member Conservation Committee for Mason Neck, organized the Friends of Mason Neck and was a Board Member of the Audubon Naturalist Society of the Central Atlantic States.

Between 1965 and 1983, Mrs. Hartwell was credited with stopping at least 21 separate environmental threats to Mason Neck. These threats included efforts to: provide a deep-water port for ocean going vessels; an outer beltway highway plan through the Refuge; a garbage landfill for the District of Columbia; a liquified natural gas pipeline; and a major sewer line construction project. There are many people who believe that the Mason Neck National Wildlife Refuge would not exist today had it not been for Mrs. Elizabeth Hartwell. In addition, a number of local organizations such as the Hallowing Point Citizens Association, the Lorton Federation of Citizens Associations and the Mason Neck Citizens Association

have endorsed this designation. Sadly, Mrs. Hartwell died at the age of 76 of congestive heart failure on December 14, 2000.

COMMITTEE ACTION

H.R. 3682 was introduced on September 7, 2005, by Congressman Tom Davis (R-VA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries and Oceans. On December 6, 2005, the Subcommittee held a hearing on the bill. On March 29, 2006, the Full Resources Committee met to consider the bill. The Subcommittee on Fisheries and Oceans was discharged from further consideration of the bill by unanimous consent. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 3682—A bill to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge

H.R. 3682 would redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge. Based on information from the Department of the

Interior and assuming the availability of appropriated funds, CBO estimates that any resulting change in federal spending would be negligible. The bill would not affect direct spending or revenues.

H.R. 3682 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Paul R. Cullinan, Chief, Human Resources Cost Estimates Unit for the Budget Analysis Division.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

