

Committee on Resources,

Subcommittee on Fisheries Conservation, Wildlife & Oceans

[fisheries](#) - - Rep. Wayne Gilchrest, Chairman

U.S. House of Representatives, Washington, D.C. 20515-6232 - - (202) 226-0200

Witness Statement

The Honorable John D. Dingell
Testimony in Support of H.R. 1230
"The Detroit River International Wildlife Refuge"
House Committee on Resources
Subcommittee on Fish Conservation, Wildlife, and Oceans
June 21, 2001

Good morning Mr. Chairman and other distinguished Members of the Committee. It is an honor and a pleasure for me to join you today to testify in support of H.R. 1230, legislation that will create an International Wildlife Refuge along the Detroit River in southeast Michigan. I thank the Subcommittee and Chairman James Hansen for their assistance and for holding this hearing. This legislation is of immense importance to the people of southeast Michigan and our neighbors in south Ontario.

Mr. Chairman, I would like to begin by touching on the rich history of the Detroit River and noting that this year marks the 300th anniversary of the founding of the City of Detroit. It was the Detroit River – the vital artery that linked the Great Lakes – which first brought the Indians, French, British, and Americans to the Midwest. They came because of the rich ecological treasures of the River. Long before Detroit became the automobile capital of the world, it was the fur trading capital of North America. By the late 19th Century, the River transformed Detroit into an industrial hub, and soon after Detroit became the ‘Motor City.’

Mr. Chairman, the Lower Detroit River is and has been an area of tremendous bio-diversity, with unique geological features and a wide variety of plant life that attract numerous species of fish and wildlife. Being a duck hunter, I would like to point out that this area serves as a prime waterfowl migration corridor. In fact, it is estimated that 300,000 diving ducks stop in the River to rest and feed in beds of water and celery during their fall migration from Canada.

The Detroit River is important for outdoor enthusiasts of many stripes, including fishermen and boaters. At least 65 species of fish live in the Detroit River, including 10 million walleye. More than one million pleasure boats are registered in Michigan, and over half of them use southeast Michigan waterways including the Detroit River.

However, like many rivers along the Great Lakes, the Detroit River has suffered the consequences of prolonged periods of unsound environmental practices. The Detroit River, which has lost over 95% of its coastal wetland habitats, has been identified as one of 34 Waterfowl Habitat Areas of Concern by the Canada-United States North American Waterfowl Management Plan.

Despite increased awareness of the importance of the Detroit River, habitats continue to be degraded. There is a great urgency and unique opportunity to protect the remaining high quality habitats before they are lost to further development and to rehabilitate and enhance degraded ones. This is essential to sustain quality of

life of those living along the Detroit River.

Efforts to restore the ecology of the Detroit River have been underway on both the Canadian and American shores. In 1960, Congress created the Wyandotte National Wildlife Refuge, a 304-acre entity that sits in the Detroit River. Earlier this year, the Wyandotte Refuge grew when National Steel donated Mud Island to the Fish and Wildlife Service. Currently, the Trust for Public Land and Nature Conservancy are working to acquire and preserve additional pieces of land along the Detroit River.

In 1998, President Clinton designated the Detroit River an American Heritage River. I am pleased to report that this summer the Detroit River will also receive a Canadian Heritage River designation, making it the first international heritage river in the world.

- If passed, H.R. 1230 will do the following:

1. *Authorize the Secretary of Interior to acquire American lands adjacent to the Detroit River for purposes of wildlife and habitat protection.* This bill grants the Secretary flexibility in acquiring land within the boundaries of this Refuge. However, I want to emphasize that Section 5 of H.R. 1230 is intended to prohibit all federal takings from private property owners, the State or local governments unless the property owner is a willing seller/donor. This means the State of Michigan, for example, can approve or disapprove of the acquisition by the federal government of any State lands or bottomlands.
2. *Management of the Refuge.* The Refuge will include all land from the American side of the River west to Jefferson Avenue. The Refuge will run from the northern border of Zug Island to the southern border of Sterling State Park. Approximately 5,451 acres will be included within the boundaries of the Refuge.

Section 6 of H.R. 1230 explains how the Refuge will be managed. Federal land within the Refuge will be managed by the Secretary, as is currently done at the Wyandotte Refuge. However, ownership and management of all State, local, and privately owned land will be maintained by the current owner unless land or interest therein is sold or donated by willing sellers or donors to the federal government. Management and ownership of the waters of the Detroit River and Lake Erie will not be changed by this bill. Furthermore, the current riparian rights will be protected and unchanged by passage of H.R. 1230.

Ownership of the bottomlands of Lake Erie will remain with the State of Michigan. In accordance with current law, no activities shall be undertaken on these bottomlands without the Secretary obtaining all required State approvals. No additional federal permits, licenses, approvals or fees will be required for Michigan residents to conduct activities on or adjacent to the Detroit River or Lake Erie as a result of H.R. 1230.

3. *Priority Use of the Refuge. Section 6 (b) explains the priority uses of the Refuge.* The intent of H.R. 1230 is that the Refuge should be used for fish and wildlife oriented recreation, including hunting, fishing, trapping and boating. The Secretary, pursuant to Section 6 (b), shall ensure that these uses are the priority uses of the refuge. State laws pertaining to hunting, fishing, trapping and boating should be maintained.
4. *Allow the Secretary of Interior to grant the donors/sellers either a permanent conservation easement or negotiate cooperative management agreements with landowners living along the Detroit River.* Section 7 of H.R. 1230 is unique and offers potential sellers/donors incentives to transfer land to the

federal government in exchange for protections against liability, so long as their property has met applicable State standards regarding pollutants or contaminants and the Secretary deems acquisition in the national interest. This will encourage owners of land no longer used for industrial purposes to trade, sell, or donate property to the refuge rather than letting it sit idle.

5. *Authorize the Secretary to use any existing authorities to complete projects along the Detroit River.* H.R. 1230 also encourages the State to use "Greenways" authority under the Transportation Equity Act (TEA-21) to provide funding for trails within the Refuge.
6. *Authorize the Secretary to spend such sums as may be necessary to obtain properties donated to the United States for the purpose of adding such lands to the Detroit River International Wildlife Refuge.*
7. *Authorize the President and Secretary of Interior to negotiate with Canadian officials to create a Detroit River International Wildlife Corridor in the lands adjacent to the River, including both American and Canadian lands.*

H.R. 1230 represents a sensible approach to conservation by prescribing a formula that balances the need to preserve and protect the Detroit River for conservation and recreational use and the need to protect property rights. H.R. 1230 will demonstrate how -- working as a team -- federal, state, and local officials in the United States and in Canada, can work with businesses, conservationists and citizens to create something special, that will improve the quality of life for all our citizens.

H.R. 1230 has been enthusiastically received by the citizens and communities of southeast Michigan. Just yesterday, Michigan Governor John Engler offered his "enthusiastic support" for H.R. 1230. I have submitted for the Committee Report his and other relevant letters of support from communities, businesses, conservation groups, civic organizations, and other elected officials.

Again, I thank the Committee for inviting me today and also for your efforts to give Detroit a lasting birthday present by passing H.R. 1230. If the Committee has any questions, I would be pleased to answer them at this time.

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