

108TH CONGRESS
1ST SESSION

H. R. 2580

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2003

Mr. CLYBURN introduced the following bill; which was referred to the Committee on Resources

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 the following:

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.

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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