



Cherry Valley, Pennsylvania

Studying its potential as a national wildlife refuge

Cherry Valley National Wildlife Refuge Study Act

In 2005, Representative Paul Kanjorski submitted a bill before Congress to create a national wildlife refuge within Cherry Valley. In 2006, Congress passed the Cherry Valley National Wildlife Refuge Study Act. The Act directed the U.S. Fish and Wildlife Service to evaluate the valley for potential inclusion as a future national wildlife refuge. The text of the Act is below.

TITLE VI--CHERRY VALLEY NATIONAL WILDLIFE REFUGE

SEC. 601. Short title.

This title may be cited as the "Cherry Valley National Wildlife Refuge Study Act".

SEC. 602. Findings.

The Congress finds the following:

- (1) The scenic Cherry Valley area of Northeastern Pennsylvania is blessed with more than 80 special-concern animal and plant species and natural habitats.
- (2) In a preliminary assessment of Cherry Valley, United States Fish and Wildlife Service biologists ranked Cherry Valley very high as a potential national wildlife refuge.
- (3) Six species that are listed as endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) have been documented within or near Cherry Valley: The bog turtle (possibly the most significant population of the listed subspecies), the dwarf wedge mussel, the northeastern bulrush, the small whorled pogonia, the bald eagle, and the Indiana bat (a historic resident, with efforts under way to re-establish favorable conditions).
- (4) Cherry Valley provides habitat for at least 79 species of national or regional concern, which either nest in Cherry Valley or migrate through the area during critical times in their life cycle, including--
 - (A) neo-tropical migratory birds such as the Cerulean Warbler, the Worm-eating Warbler, and the Wood Thrush, all of which nest in Cherry Valley;
 - (B) waterfowl such as the American Black Duck;
 - (C) several globally rare plants, such as the spreading globeflower; and
 - (D) anadromous fish species.
- (5) The Cherry Valley watershed encompasses a large segment of the Kittatinny Ridge, an important migration route for birds of prey throughout the Northeastern United States. Every migratory raptor species in the Northeast is regularly observed along the Kittatinny Ridge during the autumnal migration, including the bald eagle, the golden eagle, and the broad-winged hawk.
- (6) The Kittatinny Ridge also includes a long segment of the Appalachian Trail, a nationally significant natural-cultural-recreational feature.
- (7) Many of the significant wildlife habitats found in the Cherry Valley, especially the rare calcareous wetlands, have disappeared from other localities in their range.
- (8) Ongoing studies have documented the high water quality of Cherry Creek.
- (9) Public meetings over several years have demonstrated strong, deep, and growing local support for a Cherry Valley National Wildlife Refuge, as demonstrated by the following:

(A) Area landowners, business and community leaders, media, and elected officials have consistently voiced their enthusiasm for a Cherry Valley National Wildlife Refuge.

(B) Numerous local communities and public and private conservation entities share complementary goals for protecting Cherry Valley and are energetically conserving wildlife habitat and farmland. Along with State land-management agencies and the National Park Service, these local entities represent potential strong partners for the United States Fish and Wildlife Service, and view a Cherry Valley National Wildlife Refuge as a complement to existing private, county, municipal, and State efforts.

(C) A number of local landowners have already put their land into conservation easements or other conservation arrangements.

(D) A voter-approved Monroe County Open Space Fund and a voter-approved Stroud Township municipal land conservation fund have contributed to many of these projects.

(10) Two federally owned parcels of land are contiguous to the area to be studied under this title as for acquisition and inclusion in a future Cherry Valley National Wildlife Refuge: The Delaware Water Gap National Recreation Area and a 700-acre segment of the Appalachian Trail owned by the National Park Service.

SEC. 603. Study of refuge potential and future refuge land acquisition.

(a) Study.--The Secretary shall initiate within 30 days after the date of the enactment of this Act a study to evaluate the fish and wildlife habitat and aquatic and terrestrial communities located in Northeastern Pennsylvania and identified on the map entitled, "Proposed Cherry Valley National Wildlife Refuge-- Authorization Boundary", dated February 24, 2005, for their potential acquisition by the United States Fish and Wildlife Service through donation, exchange, or willing seller purchase and subsequent inclusion in a future Cherry Valley National Wildlife Refuge.

(b) Consultation.--The Secretary, while conducting the study required under this section, shall consult appropriate State and local officials, private conservation organizations, major landowners and other interested persons, regarding the identification of eligible lands, waters, and interests therein that are appropriate for acquisition for a national wildlife refuge and the determination of boundaries within which such acquisitions should be made.

(c) Components of study.--As part of the study under this section the Secretary shall do the following:

(1) Determine if the fish and wildlife habitat and aquatic and terrestrial communities to be evaluated are suitable for inclusion in the National Wildlife Refuge System and management under the policies of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

(2) Assess the conservation benefits to be gained from the establishment of a Cherry Valley National Wildlife Refuge including--

(A) preservation and maintenance of diverse populations of fish, wildlife, and plants, including species listed as threatened species or endangered species;

(B) protection and enhancement of aquatic and wetland habitats;

(C) opportunities for compatible wildlife-dependent recreation, scientific research, and environmental education and interpretation; and

(D) fulfillment of international obligations of the United States with respect to fish, wildlife, and their habitats.

(3) Provide an opportunity for public participation and give special consideration to views expressed by local public and private entities regarding lands, waters, and interests therein for potential future acquisition for refuge purposes.

(4) The total area of lands, water, and interests therein that may be acquired shall not in the aggregate exceed 30,000 acres.

(d) Report.--The Secretary shall, within 12 months after date of the enactment of this Act, complete the study required by this section and submit a report containing the results thereof to the Committee on

Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate. The report shall include--

- (1) a map that identifies and prioritizes specific lands, waters, and interests therein for future acquisition, and that delineates an acquisition boundary, for a potential Cherry Valley National Wildlife Refuge;
 - (2) a cost estimate for the acquisition of all lands, waters, and interests therein that are appropriate for refuge status; and
 - (3) an estimate of potentially available acquisition and management funds from non-Federal sources.
- (e) Authorization of appropriations.--There is authorized to be appropriated to the Secretary \$200,000 to carry out the study.

SEC. 604. Definitions.

In this title the term "Secretary" means the Secretary of the Interior acting through the Director of the United States Fish and Wildlife Service.