

PETER A. DeFAZIO  
4TH DISTRICT, OREGON

TRANSPORTATION AND  
INFRASTRUCTURE

SUBCOMMITTEES:  
HIGHWAYS AND TRANSIT  
RANKING MEMBER

AVIATION

RAILROADS

NATURAL RESOURCES

SUBCOMMITTEES:  
NATIONAL PARKS, FORESTS, AND PUBLIC LANDS

ENERGY AND MINERAL RESOURCES



Congress of the United States  
House of Representatives

March 13, 2012

PLEASE RESPOND TO:

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EUGENE, OR 97401  
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- 125 CENTRAL AVENUE, #350  
COOS BAY, OR 97420  
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- 612 SE JACKSON STREET, #9  
ROSEBURG, OR 97470  
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- defazio.house.gov

Daniel Ashe  
Director, U.S. Fish and Wildlife Service  
U.S. Department of the Interior  
4401 N. Fairfax Drive, Suite 330  
Arlington, VA 22203

Dear Director Ashe:

I am writing regarding the proposed expansion of the Bandon Marsh National Wildlife Refuge (the Refuge) located in Coos County, Oregon. The proposal has generated significant public interest in my district and in some cases, controversy.

Like many of my constituents, I am puzzled by the timing of the study to expand the Refuge. As you know, restoration and expansion of the Ni-les'tun Unit of the Bandon Marsh was completed at the end of 2011. It was a successful project that resulted in the largest tidal marsh restoration project in Oregon, doubled the acreage of tidal marsh habitat in the estuary, and restored more than 400 acres of tidal wetlands.

Yet, less than a month after the ribbon cutting of the Ni-les'tun Unit restoration - a ribbon cutting I attended to acknowledge the good work of the local community and agency - my constituents were informed USFWS had initiated a new study analyzing an additional expansion of the Bandon Marsh Refuge encompassing 4,500 acres of private land held by 67 different owners. Just days after the only local public hearing on the proposed expansion, 67 landowners in my district received letters informing them their private land was the subject of a new federal study.

Rushing into a lengthy and expensive expansion of the Refuge seems ill-timed and is likely to generate significant public controversy. I personally believe a more prudent course is to use the next few years to monitor the ecosystem following restoration and to better understand the ecological impacts of the expansion. I would like to know the reasons for initiating the new study, why USFWS is considering expansion before examining the impacts of the recently completed restoration, and the specific timeline for decisions related to possible expansion.

In reaching out to my constituents on the topic, I have been made aware of legitimate concerns should the expansion of the Refuge proceed. I would like to take this opportunity to share these concerns with you and to obtain a response from USFWS.

As you know, USFWS did not use eminent domain to acquire lands for the Ni-les'tun Unit restoration and I have been assured by the local USFWS office that eminent domain will not be used to acquire additional private lands to expand the Bandon Marsh. I share my constituents' strong opposition to the use of eminent domain to condemn private property to expand the Refuge. I would like written confirmation that eminent domain will not be used and USFWS will only approach willing sellers if expansion moves forward.

Oregon is a smorgasbord of land ownership, especially on the coast. Land acquisitions from a willing seller to expand the Refuge, even with the best of intentions, may impact the use and value of neighboring lands. Please describe the agency's process for evaluating acquisitions of private property from willing sellers and what guarantees USFWS can offer to unwilling sellers that their private property will not be unfairly burdened or modified due to use-change of neighboring lands.

Finally, most of my constituents in Coos County recreate on public lands, including in or near the Bandon Wildlife Refuge. Maintaining these privileges is crucial and important to the local economy. Please describe any potential changes to recreation use in and around the Refuge should an expansion move forward.

Thanks in advance for your prompt reply to this letter. The proposed expansion of the Bandon Marsh National Wildlife Refuge has become an important issue in my district and I am looking forward to working with you to make sure my constituents have accurate and up-to-date information.

Sincerely,



Peter DeRazio  
Member of Congress