

**Testimony of Dave Miko,
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**House Committee on Natural Resources
Subcommittee on Water, Wildlife, and Fisheries**

Legislative Hearing on H.R. 1885, Town of North Topsail Beach Coastal Barrier Resources System Map Amendment Act of 2025; H.R. 3179, To rename the Anahuac National Wildlife Refuge located in the State of Texas as the “Jocelyn Nungaray National Wildlife Refuge”

May 20, 2025

Good morning, Chair Hageman, Ranking Member Hoyle, and members of the Subcommittee. My name is Dave Miko, and I am the Acting Deputy Director for Operations at the U.S. Fish and Wildlife Service (Service). Thank you for the opportunity to provide this testimony on the following legislation: H.R. 1885, Town of North Topsail Beach Coastal Barrier Resources System Map Amendment Act of 2025; and H.R. 3179, To rename the Anahuac National Wildlife Refuge located in the State of Texas as the “Jocelyn Nungaray National Wildlife Refuge”.

H.R. 1885, Town of North Topsail Beach Coastal Barrier Resources System Map Amendment Act of 2025

H.R. 1885, Town of North Topsail Beach Coastal Barrier Resources System Map Amendment Act of 2025, would revise the boundaries of a unit (Unit L06) of the John H. Chafee Coastal Barrier Resources System (CBRS) in North Topsail Beach, North Carolina.

CBRS Background

The CBRS was established under the Coastal Barrier Resources Act (CBRA) of 1982, which designated privately-owned areas along the Atlantic Ocean and Gulf of America coasts as units of the CBRS. CBRA does not impose any regulatory burden on landowners in the CBRS. However, most new federal expenditures and financial assistance, including federal flood insurance, are prohibited in CBRS units. Congress’ stated objectives in enacting CBRA were to save lives, save taxpayer dollars, and restrict new federal expenditures and financial assistance in coastal barrier habitat, using a free-market approach to conservation. Coastal barriers and associated wetlands protect inland coastal communities from erosion and coastal storms and support American jobs in the fishing, recreation, and outdoor tourism industries. They are important spawning, nursery, nesting, and feeding habitat for fish and wildlife.

As President Reagan noted upon signing CBRA into law, “This legislation will enhance both wise natural resource conservation and fiscal responsibility. It will save American taxpayers millions of dollars while, at the same time, taking a major step forward in the conservation of our magnificent coastal resources,” adding that “[CBRA] will not prohibit a property owner from building on his property, and it will not impose federally mandated duties on State or local governments. Instead, it simply adopts the sensible approach that risk associated with new

private development in these sensitive areas should be borne by the private sector, not underwritten by the American taxpayer.”

Multiple studies have since demonstrated that CBRA is effective at meeting these objectives. A 2019 study found that CBRA reduced federal coastal disaster expenditures by \$9.5 billion between 1989 and 2013 and forecasted that additional savings will range between \$11 and \$108 billion by 2068 (in 2016 dollars). A 2024 study found that the CBRS significantly reduces flood claims to the National Flood Insurance Program, generating an estimated savings to the federal government of an additional \$930 million per year.

The Service is responsible for administering CBRA, including maintaining and updating the official maps of the CBRS, making recommendations to Congress for changes to the boundaries, and consulting with federal agencies that propose to spend funds within the CBRS under the exceptions provided in CBRA. It is the purview of Congress to consider and adopt, where it chooses to, the Service’s recommended map revisions into law. Since the passage of the original CBRA in 1982, Congress has adopted CBRS maps produced by the Service a number of times through legislation, expanding the CBRS and improving the accuracy of maps. Today, the CBRS is comprised of 3.8 million acres of coastal barrier land and associated aquatic habitat along the Atlantic Ocean, Gulf of America, Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts.

H.R. 1885 and Unit L06

Under H.R. 1885, the Secretary of the Interior would be required to update the existing maps to exclude from Unit L06 of the CBRS each parcel in the Town of North Topsail Beach, North Carolina, that is designated by local zoning ordinance for purposes other than conservation as of the date of enactment. The Service estimates that if this legislation were enacted it would remove 1,087 acres (516 acres of “uplands” and 571 acres of wetlands) from this CBRS unit. This constitutes 70 percent of the uplands within Unit L06. The bill would remove approximately 600 structures and potentially hundreds of additional mobile homes/travel trailers from the CBRS designation and many vacant lots. These areas and structures would then be able to access a number of federal subsidies.

The designation of Unit L06 has been thoroughly reviewed by the Service, Congress, and the Judicial Branch a number of times in the past, including adoption of revised maps, and multiple public review and comment periods. This includes:

- 1982 -- Unit L06 was established by the enactment of CBRA in 1982. The original CBRS maps, including Unit L06, were developed following a years-long process involving reviews of aerial photography, on-the-ground inspections, public information sessions, and two comment periods.
- Mid 1982-1985 -- Following a lawsuit over the designation of Unit L06, the District Court decided in favor of the federal government in 1984. After the case was appealed, the lower court’s decision was upheld in 1985.
- 1990 -- As part of a CBRA reauthorization effort, all the CBRS units, including Unit L06, were reviewed again by the Department of the Interior (Department), including a public comment period, in the mid-1980s. Congress then reaffirmed and expanded Unit L06 with new maps in 1990 when it reauthorized CBRA.

- 2016-2018 -- The Service reviewed Unit L06 as part of a pilot project directed by Congress to assess modernizing the CBRS maps. The pilot project, which was subject to public review and comment, produced revised modernized maps for Unit L06 that were transmitted to Congress in 2016 and then adopted by Congress via the Strengthening Coastal Communities Act of 2018 (Pub. L. 115-358), signed into law by President Trump on December 21, 2018. These maps made appropriate technical corrections to address mapping errors (removing about 78 structures from the CBRS) and added approximately 170 qualifying acres to the CBRS (mostly wetlands).
- 2024 -- To correct a minor technical error in one of the maps of Unit L06, the Service produced a revised map that was enacted as part of the Bolstering Ecosystems Against Coastal Harm Act (Pub. L. 118-117).

As a general practice, the Service does not recommend removal of areas from the CBRS unless there is clear and compelling evidence that a technical mapping error led to their inclusion within the CBRS, in line with House Report 97-841 Part 1. The Service recognizes that while it is our responsibility under CBRA to maintain the official maps and conduct technical reviews, it is Congress' purview to adopt or reject revised maps through the legislative process.

The Service notes as a technical matter that while H.R. 1885 refers to one Unit L06 map, effective implementation would require updates to two L06 maps. However, we note that many roads and open water areas within the town that are not individually parceled would remain in the CBRS. Additionally, due to the provision in H.R. 1885 stating that the bill applies only to areas of the Unit that are within the municipality of the Town of North Topsail Beach, there are some private residential properties (including structures) and other areas in unincorporated Onslow County that would also remain within the Unit.

H.R. 3179, To rename the Anahuac National Wildlife Refuge located in the State of Texas as the “Jocelyn Nungaray National Wildlife Refuge”

H.R. 3179 renames the Anahuac National Wildlife Refuge (Refuge) in Texas to the Jocelyn Nungaray National Wildlife Refuge. Jocelyn Nungaray was a 12-year-old girl from Houston, Texas, whose life was tragically cut short in June 2024. She is remembered by her friends and family for her kindness, empathy, and zeal for life, as well as her love for animals. She was especially passionate about ensuring that animals had natural homes in which to thrive.

To honor Jocelyn's memory, on March 4, 2025, President Trump signed Executive Order 14229, “Honoring Jocelyn Nungaray,” directing the Department to rename the Refuge in Jocelyn's name. Secretary of the Interior Doug Burgum signed Secretary's Order 3425 on March 7, 2025, to provide further implementation instructions to the Service. The Service has since updated maps, signage, and documentation to reflect the name change. On April 24, 2025, Secretary Burgum and Service leadership were honored to join Jocelyn's loved ones, Governor Abbott, and Congressman Babin at a ceremony officially dedicating the Refuge as the Jocelyn Nungaray National Wildlife Refuge.

The Refuge is a unit of the National Wildlife Refuge System, a national network of lands and waters that conserves fish, wildlife, plants, and their habitats for the benefit of present and future

generations. For more than 60 years, the Refuge has served as a haven for wildlife and people along the Texas coast of the Gulf of America, making it a fitting tribute to Jocelyn and her love for animals. It protects approximately 39,000 acres of pristine coastal marsh and prairie, providing a sanctuary for migratory and resident waterfowl, shorebirds, and waterbirds. It supports huge flocks of migrating snow geese, sometimes numbering more than 80,000. The Refuge also hosts more than 800,000 visitors a year and provides excellent opportunities for fishing, waterfowl hunting, paddling, and wildlife watching. It is a place where Americans of all ages can immerse themselves in nature and make lasting memories on our nation's public lands.

H.R. 3179 would codify Executive Order 14229 and enshrine the name of the Jocelyn Nungaray National Wildlife Refuge in law. The Service supports H.R. 3179, which ensures the Refuge will remain a tribute to Jocelyn's life and a place where her memory can live on with dignity and peace.

Conclusion

Thank you for the opportunity to testify before you today. I would be pleased to answer any questions that you may have.