

Union Calendar No. 297

112TH CONGRESS
2^D SESSION

H. R. 1545

[Report No. 112-430]

To establish the Waco Mammoth National Monument in the State of Texas,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2011

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

APRIL 16, 2012

Additional sponsors: Mr. FARENTHOLD, Mr. HALL, Mr. CARTER, Ms.
GRANGER, Mr. SESSIONS, Mr. CULBERSON, Mr. GOHMERT, Mr. BRADY
of Texas, Mr. BARTON of Texas, Mr. NEUGEBAUER, Mr. BURGESS, Mr.
CANSECO, and Mr. POE of Texas

APRIL 16, 2012

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 14, 2011]

A BILL

To establish the Waco Mammoth National Monument in
the State of Texas, 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 “Waco Mammoth Na-*
5 *tional Monument Establishment Act of 2011”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds that—*

8 *(1) the Waco Mammoth Site area is located near*
9 *the confluence of the Brazos River and the Bosque*
10 *River in central Texas, near the city of Waco;*

11 *(2) after the discovery of bones emerging from*
12 *eroding creek banks leading to the uncovering of por-*
13 *tions of 5 mammoths, Baylor University began inves-*
14 *tigating the site in 1978;*

15 *(3) several additional mammoth remains have*
16 *been uncovered making the site the largest known con-*
17 *centration of mammoths dying from the same event;*

18 *(4) the mammoth discoveries have received inter-*
19 *national attention; and*

20 *(5) Baylor University and the city of Waco,*
21 *Texas, have been working together—*

22 *(A) to protect the site; and*

23 *(B) to develop further research and edu-*
24 *cational opportunities at the site.*

1 **SEC. 3. DEFINITIONS.**

2 *In this Act:*

3 (1) *CITY.*—*The term “City” means the city of*
4 *Waco, Texas.*

5 (2) *MANAGEMENT PLAN.*—*The term “manage-*
6 *ment plan” means the management plan for the*
7 *Monument prepared under section 5(c)(1).*

8 (3) *MAP.*—*The term “map” means the map enti-*
9 *tled “Proposed Boundary Waco-Mammoth National*
10 *Monument”, numbered T21/80,000, and dated April*
11 *2009.*

12 (4) *MONUMENT.*—*The term “Monument” means*
13 *the Waco Mammoth National Monument established*
14 *by section 4(a).*

15 (5) *SECRETARY.*—*The term “Secretary” means*
16 *the Secretary of the Interior.*

17 (6) *STATE.*—*The term “State” means the State*
18 *of Texas.*

19 (7) *UNIVERSITY.*—*The term “University” means*
20 *Baylor University in the State.*

21 **SEC. 4. WACO MAMMOTH NATIONAL MONUMENT, TEXAS.**

22 (a) *ESTABLISHMENT.*—*There is established in the*
23 *State, as a unit of the National Park System, the Waco*
24 *Mammoth National Monument, as generally depicted on the*
25 *map.*

1 (b) *AVAILABILITY OF MAP.*—*The map shall be on file*
2 *and available for public inspection in the appropriate of-*
3 *fices of the National Park Service.*

4 **SEC. 5. ADMINISTRATION OF MONUMENT.**

5 (a) *IN GENERAL.*—*The Secretary shall administer the*
6 *Monument in accordance with—*

7 (1) *this Act; and*

8 (2) *any cooperative agreements entered into*
9 *under subsection (b)(1).*

10 (b) *AUTHORITIES OF SECRETARY.*—

11 (1) *COOPERATIVE AGREEMENTS.*—*The Secretary*
12 *may enter into cooperative management agreements*
13 *with the University and the City, in accordance with*
14 *section 3(l) of Public Law 91–383 (16 U.S.C. 1a–*
15 *2(l)).*

16 (2) *ACQUISITION OF LAND.*—*The Secretary may*
17 *acquire by donation only from the City any land or*
18 *interest in land owned by the City within the pro-*
19 *posed boundary of the Monument.*

20 (c) *GENERAL MANAGEMENT PLAN.*—

21 (1) *IN GENERAL.*—*Not later than 3 years after*
22 *the date of enactment of this Act, the Secretary, in*
23 *consultation with the University and the City, shall*
24 *complete a general management plan for the Monu-*
25 *ment.*

1 (2) *INCLUSIONS.*—*The management plan shall*
2 *include, at a minimum—*

3 (A) *measures for the preservation of the re-*
4 *sources of the Monument;*

5 (B) *requirements for the type and extent of*
6 *development and use of the Monument;*

7 (C) *identification of the capacity of the*
8 *Monument for accommodating visitors; and*

9 (D) *opportunities for involvement by the*
10 *University, City, State, and other local and na-*
11 *tional entities in—*

12 (i) *developing educational programs*
13 *for the Monument; and*

14 (ii) *developing and supporting the*
15 *Monument.*

16 (d) *PROHIBITION OF USE OF FEDERAL FUNDS.*—*No*
17 *Federal funds may be used to pay the costs of—*

18 (1) *carrying out a cooperative agreement under*
19 *subsection (b)(1);*

20 (2) *acquiring land for inclusion in the Monu-*
21 *ment under subsection (b)(2);*

22 (3) *developing a visitor center for the Monument;*

23 (4) *operating or maintaining the Monument;*

24 (5) *constructing exhibits for the Monument; or*

1 (6) *developing the general management plan*
2 *under subsection (c).*

3 (e) *USE OF NON-FEDERAL FUNDS.—Non-Federal*
4 *funds may be used to pay any costs that may be incurred*
5 *by the Secretary or the National Park Service in carrying*
6 *out this section.*

7 (f) *EFFECT ON ELIGIBILITY FOR FINANCIAL ASSIST-*
8 *ANCE.—Nothing in this Act affects the eligibility of the*
9 *Monument for Federal grants or other forms of financial*
10 *assistance that the Monument would have been eligible to*
11 *apply for had National Park System status not been con-*
12 *ferred to the Monument under this Act.*

13 (g) *TERMINATION OF NATIONAL PARK SYSTEM STA-*
14 *TUS.—*

15 (1) *IN GENERAL.—Designation of the Monument*
16 *as a unit of the National Park System shall termi-*
17 *nate if the Secretary determines that Federal funds*
18 *are required to operate and maintain the Monument.*

19 (2) *REVERSION.—If the designation of the Monu-*
20 *ment as a unit of the National Park System is termi-*
21 *nated under paragraph (1), any land acquired by the*
22 *Secretary from the City under subsection (b)(2) shall*
23 *revert to the City.*

1 *(h) PRIVATE PROPERTY PROTECTION.—No private*
2 *property may be made part of the Monument without the*
3 *written consent of the owner of that private property.*

4 **SEC. 6. NO BUFFER ZONES.**

5 *Nothing in this Act, the establishment of national*
6 *monument, or the management plan shall be construed cre-*
7 *ate buffer zones outside of the national monument. That an*
8 *activity or use can be seen or heard from within the Monu-*
9 *ment shall not preclude the conduct of that activity or use*
10 *outside the Monument.*

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