

112TH CONGRESS
1ST SESSION

S. 849

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

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2011

Mr. CORNYN (for himself and Mrs. HUTCHISON) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

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
9 near the confluence of the Brazos River and the

1 Bosque River in Central Texas, near the city of
2 Waco;

3 (2) after the discovery of bones emerging from
4 eroding creek banks leading to the uncovering of
5 portions of 5 mammoths, Baylor University began
6 investigating the site in 1978;

7 (3) several additional mammoth remains have
8 been uncovered making the site the largest known
9 concentration of mammoths dying from the same
10 event;

11 (4) the mammoth discoveries have received
12 international attention; and

13 (5) Baylor University and the city of Waco,
14 Texas, have been working together—

15 (A) to protect the site; and

16 (B) to develop further research and edu-
17 cational opportunities at the site.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) CITY.—The term “City” means the city of
21 Waco, Texas.

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

1 (3) MAP.—The term “map” means the map en-
2 titled “Proposed Boundary Waco-Mammoth Na-
3 tional Monument”, numbered T21/80,000, and
4 dated April 2009.

5 (4) MONUMENT.—The term “Monument”
6 means the Waco Mammoth National Monument es-
7 tablished by section 4(a).

8 (5) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (6) STATE.—The term “State” means the State
11 of Texas.

12 (7) UNIVERSITY.—The term “University”
13 means Baylor University in the State.

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

15 (a) ESTABLISHMENT.—There is established in the
16 State, as a unit of the National Park System, the Waco
17 Mammoth National Monument, as generally depicted on
18 the map.

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

22 **SEC. 5. ADMINISTRATION OF MONUMENT.**

23 (a) IN GENERAL.—The Secretary shall administer
24 the Monument in accordance with—

25 (1) this Act; and

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

3 (b) AUTHORITIES OF SECRETARY.—

4 (1) COOPERATIVE AGREEMENTS.—The Sec-
5 retary may enter into cooperative management
6 agreements with the University and the City, in ac-
7 cordance with section 3(*l*) of Public Law 91–383 (16
8 U.S.C. 1a–2(*l*)).

9 (2) ACQUISITION OF LAND.—The Secretary
10 may acquire by donation from the City any land or
11 interest in land owned by the City within the pro-
12 posed boundary of the Monument.

13 (c) GENERAL MANAGEMENT PLAN.—

14 (1) IN GENERAL.—Not later than 3 years after
15 the date of enactment of this Act, the Secretary, in
16 consultation with the University and the City, shall
17 complete a general management plan for the Monu-
18 ment.

19 (2) INCLUSIONS.—The management plan shall
20 include, at a minimum—

21 (A) measures for the preservation of the
22 resources of the Monument;

23 (B) requirements for the type and extent
24 of development and use of the Monument;

1 (C) identification of the capacity of the
2 Monument for accommodating visitors; and

3 (D) opportunities for involvement by the
4 University, City, State, and other local and na-
5 tional entities in—

6 (i) developing educational programs
7 for the Monument; and

8 (ii) developing and supporting the
9 Monument.

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

12 (1) carrying out a cooperative agreement under
13 subsection (b)(1);

14 (2) acquiring land for inclusion in the Monu-
15 ment under subsection (b)(2);

16 (3) developing a visitor center for the Monu-
17 ment;

18 (4) operating or maintaining the Monument;

19 (5) constructing exhibits for the Monument; or

20 (6) developing the general management plan
21 under subsection (c).

22 (e) USE OF NON-FEDERAL FUNDS.—Non-Federal
23 funds may be used to pay any costs that may be incurred
24 by the Secretary or the National Park Service in carrying
25 out this section.

1 (f) EFFECT ON ELIGIBILITY FOR FINANCIAL ASSIST-
 2 ANCE.—Nothing in this Act affects the eligibility of the
 3 Monument for Federal grants or other forms of financial
 4 assistance that the Monument would have been eligible to
 5 apply for had National Park System status not been con-
 6 ferred to the Monument under this Act.

7 (g) TERMINATION OF NATIONAL PARK SYSTEM STA-
 8 TUS.—

9 (1) IN GENERAL.—Designation of the Monu-
 10 ment as a unit of the National Park System shall
 11 terminate if the Secretary determines that Federal
 12 funds are required to operate and maintain the
 13 Monument.

14 (2) REVERSION.—If the designation of the
 15 Monument as a unit of the National Park System is
 16 terminated under paragraph (1), any land acquired
 17 by the Secretary from the City under subsection
 18 (b)(2) shall revert to the City.

19 **SEC. 6. NO BUFFER ZONES.**

20 Nothing in this Act, the establishment of the Monu-
 21 ment, or the management plan shall be construed to create
 22 buffer zones outside of the Monument.

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