

Calendar No. 299

111TH CONGRESS
2^D SESSION**H. R. 1376****[Report No. 111-149]**

IN THE SENATE OF THE UNITED STATES

JULY 28, 2009

Received; read twice and referred to the Committee on Energy and Natural
Resources

MARCH 2, 2010

Reported by Mr. BINGAMAN, without amendment

AN ACT

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 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) The Waco Mammoth Site area is located
2 near the confluence of the Brazos and the Bosque
3 rivers in Central Texas, near the City of Waco.

4 (2) Baylor University has been investigating the
5 site since 1978 after the discovery of bones emerging
6 from eroding creek banks leading to the uncovering
7 of portions of five mammoths.

8 (3) Several additional mammoth remains have
9 been uncovered making this the largest known con-
10 centration of mammoths dying from the same event.

11 (4) The discoveries have received international
12 attention.

13 (5) The University and the City of Waco have
14 been working together to protect the site and to de-
15 velop further research and educational opportunities.

16 **SEC. 3. DEFINITIONS.**

17 In this Act the following definitions apply:

18 (1) NATIONAL MONUMENT.—The term “na-
19 tional monument” means the Waco Mammoth Na-
20 tional Monument, established in section 4.

21 (2) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 (3) MAP.—The term “map” means the map ti-
24 tled “Proposed Boundary Waco-Mammoth National

1 Monument”, numbered T21/80,000, and dated
2 April, 2009.

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

4 (a) ESTABLISHMENT.—There is established the Waco
5 Mammoth National Monument in the State of Texas, as
6 a unit of the National Park System, as generally depicted
7 on the map.

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

11 **SEC. 5. ADMINISTRATION OF NATIONAL MONUMENT.**

12 (a) IN GENERAL.—The Secretary shall administer
13 the national monument in accordance with this Act, the
14 cooperative agreements described in this section, and laws
15 and regulations generally applicable to units of the Na-
16 tional Park System, including the National Park Service
17 Organic Act (39 Stat. 535, 16 U.S.C. 1).

18 (b) COOPERATIVE AGREEMENTS.—The Secretary
19 may enter into cooperative agreements for the manage-
20 ment of the national monument with Baylor University
21 and City of Waco, pursuant to the National Park Service
22 General Authorities Act (16 U.S.C. 1a-2(1)).

1 **SEC. 6. ACQUISITION OF PROPERTY AND BOUNDARY MAN-**
2 **AGEMENT.**

3 (a) ACQUISITION OF PROPERTY.—The Secretary is
4 authorized to acquire from willing sellers lands, or inter-
5 ests in lands, within the proposed boundary of the national
6 monument necessary for effective management.

7 (b) CONDITIONS.—Lands identified in subsection (a)
8 may be acquired—

9 (1) by donation, purchase with donated or ap-
10 propriated funds, transfer from another Federal
11 agency, or by exchange; and

12 (2) in the case of lands owned by the State of
13 Texas, or a political subdivision thereof, or Baylor
14 University only by donation or exchange.

15 **SEC. 7. CONSTRUCTION OF FACILITIES ON NONFEDERAL**
16 **LANDS.**

17 (a) IN GENERAL.—The Secretary is authorized, sub-
18 ject to the appropriation of necessary funds, to construct
19 essential administrative or visitor use facilities on non-
20 Federal lands within the national monument.

21 (b) OTHER FUNDING.—In addition to the use of Fed-
22 eral funds authorized in subsection (a), the Secretary may
23 use donated funds, property, and services to carry out this
24 section.

1 **SEC. 8. GENERAL MANAGEMENT PLAN.**

2 (a) IN GENERAL.—Not later than three years after
3 the date on which funds are made available to carry out
4 this Act, the Secretary, in consultation with Baylor Uni-
5 versity and City of Waco, shall prepare a management
6 plan for the national monument.

7 (b) INCLUSIONS.—The management plan shall in-
8 clude, at a minimum—

9 (1) measures for the preservation of the re-
10 sources of the national monument;

11 (2) requirements for the type and extent of de-
12 velopment and use of the national monument;

13 (3) identification of visitor carrying capacities
14 for national monument; and

15 (4) opportunities for involvement by Baylor
16 University, the City of Waco, the State of Texas,
17 and other local and national entities in the formula-
18 tion of educational programs for the national monu-

- 1 ment and for developing and supporting the national
- 2 monument.

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