

STATEMENT FOR THE RECORD
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE
HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS,
OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 1545, TO
ESTABLISH THE WACO MAMMOTH NATIONAL MONUMENT IN THE STATE OF
TEXAS, AND FOR OTHER PURPOSES.

JUNE 14, 2011

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 1545, a bill to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes.

The Department supports establishing a unit of the National Park System to commemorate and protect the Waco Mammoth site consistent with the study the National Park Service (NPS) completed in 2008. However, we oppose H.R. 1545 in its current form. The Department testified in support of H.R. 1376, a similar bill, before this subcommittee on April 23, 2009, during the last Congress. During this Congress, we testified before the Senate Subcommittee on National Parks, on May 11, 2011, in opposition to S. 849, a bill identical to H.R. 1545. As we explain in this testimony, H.R. 1545 contains significant changes to the last Congress's bill. It requires the Secretary of the Interior (Secretary) to administer the national monument as a unit of the National Park System - but prohibits the Secretary from expending any federal funds to do so. We would like to work with the sponsor and the committee on revising the bill so that we could support it.

H.R. 1545 would establish a new unit of the National Park System, the Waco Mammoth National Monument (monument), near the city of Waco, Texas. The bill directs the Secretary to administer the monument in accordance only with the provisions found in the bill and with any cooperative agreements entered into with Baylor University and the City of Waco. The bill also authorizes the Secretary to acquire land for the monument by donation from the City of Waco. The Secretary is authorized to complete a General Management Plan for the monument within three years after enactment, but prohibited from expending any federal funds to do so. Finally, no federal funds are authorized to be used to pay for costs associated with the monument, and designation of the monument as a unit of the National Park System shall terminate if the Secretary determines that federal funds are required to operate and maintain the monument.

The NPS was directed to complete a Special Resource Study (SRS) of the Waco Mammoth site by Public Law 107-341. This study evaluated a 109-acre site owned by the City of Waco and Baylor University and found that the site met all the criteria for designation as a unit of the National Park System.

The Waco Mammoth Site area is located approximately 4.5 miles north of the center of Waco, near the confluence of the Brazos and the Bosque rivers. Baylor University has been investigating the site since 1978 after hearing about bones emerging from eroding creek banks that led to the uncovering of portions of five mammoths. Since then several additional mammoth

remains have been uncovered making this the largest known concentration of mammoths dying from the same event.

The discoveries have received international attention and many of the remains have been excavated and are in storage or still being researched. The SRS determined that the combination of both in situ articulated skeletal remains and the excavated specimens from the site represents the nation's first and only recorded nursery herd of Pleistocene mammoths. The resource possesses exceptional interpretive value and superlative opportunities for visitor enjoyment and scientific study.

From the time the site was discovered until the present, the University and the City have managed the site responsibly. The SRS examined a range of proposed options for the NPS involvement at the site. We believe that the NPS joining in partnership with the city of Waco, Baylor University, and others would offer the most effective and cost-efficient management of this unique resource.

The provisions in H.R. 1545 contradict each other by requiring the Secretary to administer the monument as a unit of the National Park System, but then deleting the reference to the laws applicable to such units, and prohibiting the expenditure of federal funds to carry out the administration of the monument. Expenditure of funds is specifically prohibited for carrying out the cooperative agreement for management of the monument, acquiring land, developing a visitor center, operating or maintaining the monument, constructing exhibits, or developing the General Management Plan.

The National Park Service preserves and protects areas of the country that are found to be nationally significant. If the Waco Mammoth site were designated a unit of the National Park System to be administered by the Secretary, then the laws applicable to such units would need to apply and federal funds would be needed to carry out those responsibilities, as they are for all other units of the National Park System.

The ambiguity as to the applicable laws and the lack of certainty and continuity of non-federal funding could create an untenable situation for staffing the park and providing consistent visitor services. This uncertainty could lead to the NPS not knowing from month to month whether the park would be open. Also, federal land acquisition policies generally do not allow the federal government to accept lands acquired with a reverter clause attached, as proposed in the bill.

We would be happy to work with the committee to revise the bill into a form that we could support, such as H.R. 1376 from the 111th Congress. In that version of the bill, the monument would be established based upon the management alternative recommended in the SRS, where we estimated that the costs to create the monument would include \$8.1 million from the identified partners to develop the facilities at the monument, with the NPS providing an additional \$600,000 for enhanced interpretive media. Total operational costs are estimated to be \$645,000 with the NPS contributing approximately \$345,000 for the NPS staffing of four full-time equivalent positions and associated supplies, materials, and equipment. All funds would be subject to NPS priorities and the availability of appropriations.

Mr. Chairman, that concludes my statement. I would be happy to answer any questions that you or other members of the Subcommittee may have.