

112TH CONGRESS  
1ST SESSION

# S. 849

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

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## 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

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## 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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