

Calendar No. 928

106TH CONGRESS
2^D SESSION

S. 2547

[Report No. 106-479]

To provide for the establishment of the Great Sand Dunes National Park and the Great Sand Dunes National Preserve in the State of Colorado, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2000

Mr. ALLARD (for himself and Mr. CAMPBELL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 3 (legislative day, SEPTEMBER 22), 2000

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the title

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

A BILL

To provide for the establishment of the Great Sand Dunes National Park and the Great Sand Dunes National Preserve in the State of Colorado, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Great Sand Dunes Na-
3 tional Park Act of 2000”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Great Sand Dunes National Monument
7 in the State of Colorado was established by Presi-
8 dential proclamation in 1932 to preserve Federal
9 land containing spectacular and unique sand dunes
10 and additional features of scenic, scientific, and edu-
11 cational interest (including the unique pulse flow
12 characteristics of Sand Creek and Medano Creek,
13 which are integral to the existence of the dunes sys-
14 tem);

15 (2) the Great Sand Dunes, together with the
16 associated sand sheet and adjacent wetland and up-
17 land, contain a variety of unique ecological, geologi-
18 cal, paleontological, archaeological, scenic, historical,
19 and wildlife components, which—

20 (A) are enhanced by the serenity and rural
21 western setting of the area; and

22 (B) comprise a setting of irreplaceable na-
23 tional significance;

24 (3) the Great Sand Dunes and adjacent land
25 within the Great Sand Dunes National Monument—

1 (A) provide extensive opportunities for
2 educational activities, ecological research, and
3 recreational activities; and

4 (B) are publicly used for hiking, camping,
5 and fishing, and for wilderness value (including
6 solitude);

7 (4) other public and private land adjacent to
8 the Great Sand Dunes National Monument—

9 (A) offers additional unique geological,
10 hydrological, paleontological, scenic, scientific,
11 educational, wildlife, and recreational resources;
12 and

13 (B) contributes to the protection of—

14 (i) the sand sheet associated with the
15 dune mass;

16 (ii) the ground water system on which
17 the features of the dunes and the adjacent
18 wetland rely; and

19 (iii) the wildlife, viewshed, and scenic
20 qualities of the Great Sand Dunes Na-
21 tional Monument;

22 (5) some of the private land described in para-
23 graph (4) contains important portions of the sand
24 dune mass, the associated sand sheet, and unique al-

1 pine environments, which would be threatened by fu-
2 ture development pressures;

3 (6) the designation of a Great Sand Dunes Na-
4 tional Park, which would encompass the Great Sand
5 Dunes National Monument and additional land,
6 would provide—

7 (A) greater long-term protection of the ge-
8 ological, hydrological, paleontological, scenic,
9 scientific, educational, wildlife, and recreational
10 resources of the area (including the sand sheet
11 associated with the dune mass and the ground
12 water system on which the sand dune and wet-
13 land systems depend); and

14 (B) expanded visitor use opportunities; and

15 (7) land in and adjacent to the Great Sand
16 Dunes National Monument is—

17 (A) recognized for offering exceptional
18 multiple use opportunities;

19 (B) recognized for offering natural, eco-
20 logical, cultural, scenic, paleontological, wilder-
21 ness, and recreational resources;

22 (C) recognized as being a fragile and irre-
23 placeable ecological system that could be de-
24 stroyed if not carefully protected; and

1 (D) worthy of consideration for additional
2 protection.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) **ADVISORY COUNCIL.**—The term “Advisory
6 Council” means the Great Sand Dunes National
7 Park Advisory Council established under section
8 8(a).

9 (2) **NATIONAL PARK.**—The term “national
10 park” means the Great Sand Dunes National Park
11 established under section 4(a).

12 (3) **PARK AND PRESERVE MAP.**—The term
13 “park and preserve map” means the map entitled
14 “Great Sand Dunes National Park and Preserve”,
15 dated March 17, 2000.

16 (4) **PARK RESOURCES.**—The term “park re-
17 sources” means the resources described in section 2.

18 (5) **PARK USES.**—The term “park uses” means
19 the uses described in section 2.

20 (6) **PRESERVE.**—

21 (A) **IN GENERAL.**—The term “preserve”
22 means the Great Sand Dunes National Preserve
23 established under section 4(b).

24 (B) **INCLUSIONS.**—The term “preserve”
25 includes Federal land and interests in Federal

1 land that are administered by the National
 2 Park Service in the vicinity of the national
 3 park, but outside the boundaries of the national
 4 park.

5 (7) SECRETARY.—The term “Secretary” means
 6 the Secretary of the Interior.

7 **SEC. 4. GREAT SAND DUNES NATIONAL PARK AND GREAT**
 8 **SAND DUNES NATIONAL PRESERVE, COLO-**
 9 **RADO.**

10 (a) GREAT SAND DUNES NATIONAL PARK.—

11 (1) ESTABLISHMENT.—

12 (A) IN GENERAL.—The Secretary may es-
 13 tablish the Great Sand Dunes National Park in
 14 the State of Colorado, as generally depicted on
 15 the park and preserve map, as a unit of the Na-
 16 tional Park System.

17 (B) AVAILABILITY OF MAP.—The park and
 18 preserve map shall be on file and available for
 19 public inspection in the offices of the Depart-
 20 ment of the Interior.

21 (2) ESTABLISHMENT REQUIRED.—

22 (A) IN GENERAL.—Notwithstanding para-
 23 graph (1), the Secretary shall establish the na-
 24 tional park as soon as the Secretary determines
 25 that sufficient land having a sufficient diversity

1 of resources has been acquired to warrant des-
2 ignation of the land as a unit of the National
3 Park System.

4 (B) NOTIFICATION.—Until the date on
5 which the national park is established, the Sec-
6 retary shall annually notify the Committee on
7 Energy and Natural Resources of the Senate
8 and the Committee on Resources of the House
9 of Representatives of—

10 (i) the estimate of the Secretary of
11 the acreage necessary to achieve a suffi-
12 cient diversity of resources to warrant des-
13 ignation of the national park; and

14 (ii) the progress of the Secretary in
15 acquiring that acreage.

16 (3) INCLUSION OF NATIONAL MONUMENT.—

17 (A) IN GENERAL.—The Secretary shall in-
18 clude the Great Sand Dunes National Monu-
19 ment in the national park.

20 (B) AVAILABILITY OF FUNDS.—On the
21 date of establishment of the national park, any
22 funds made available for the purposes of the
23 national monument shall be available for the
24 purposes of the national park.

1 (C) ~~TERMINATION OF MONUMENT.~~—The
2 Great Sand Dunes National Monument shall
3 terminate on the date on which the national
4 park is established.

5 (b) ~~PRESERVE.~~—

6 (1) ~~ESTABLISHMENT.~~—The Secretary may es-
7 tablish the Great Sand Dunes National Preserve in
8 the State of Colorado, as generally depicted on the
9 park and preserve map, as a unit of the National
10 Park System.

11 (2) ~~INCLUSIONS.~~—To protect park resources
12 and park uses, the Secretary may include in the pre-
13 serve any Federal land adjacent to the national park
14 that may be managed in conjunction with the na-
15 tional park.

16 (c) ~~TRANSFER OF JURISDICTION.~~—

17 (1) ~~DEPARTMENT OF THE INTERIOR LAND.~~—
18 The Secretary shall transfer to the National Park
19 Service administrative jurisdiction over any land
20 under the jurisdiction of Department of the Interior
21 that—

22 (A) is depicted on the park and preserve
23 map as being within the boundaries of the na-
24 tional park or the preserve; and

1 (B) is not under the administrative juris-
2 diction of the National Park Service on the date
3 of enactment of this Act.

4 (2) FOREST SERVICE LAND.—The Secretary
5 and the Secretary of Agriculture may—

6 (A) transfer to the National Park Service
7 administrative jurisdiction over the Forest Sys-
8 tem land depicted on the park and preserve
9 map that is within the boundaries of the na-
10 tional park or the preserve; and

11 (B) transfer to the Forest Service adminis-
12 trative jurisdiction over any land depicted on
13 the park and preserve map that is—

14 (i) under the jurisdiction of Depart-
15 ment of the Interior; and

16 (ii) suitable for inclusion in the Rio
17 Grande National Forest.

18 (3) PUBLIC NOTICE AND INPUT.—The Sec-
19 retary and the Secretary of Agriculture shall ensure
20 that any agreement to transfer land under para-
21 graph (2) is based on adequate public notice and
22 comment.

23 (d) MAP AND LEGAL DESCRIPTION.—

24 (1) IN GENERAL.—As soon as practicable after
25 the establishment of the national park and the pre-

1 serve, the Secretary shall file maps and a legal de-
2 scription of the national park and the preserve with
3 the Committee on Energy and Natural Resources of
4 the Senate and the Committee on Resources of the
5 House of Representatives.

6 (2) FORCE AND EFFECT.—The maps and legal
7 description shall have the same force and effect as
8 if included in this Act, except that the Secretary
9 may correct clerical and typographical errors in the
10 legal description and maps.

11 (3) PUBLIC AVAILABILITY.—The maps and
12 legal description shall be on file and available for
13 public inspection in the appropriate offices of the
14 National Park Service.

15 **SEC. 5. ADMINISTRATION OF NATIONAL PARK AND PRE-**
16 **SERVE.**

17 (a) APPLICABILITY OF NATIONAL PARK SYSTEM
18 LAWS.—The Secretary shall administer the national park
19 and the preserve in accordance with—

20 (1) this Act; and

21 (2) all laws generally applicable to units of the
22 National Park System, including—

23 (A) the Act entitled “An Act to establish
24 a National Park Service, and for other pur-

1 poses”, approved August 25, 1916 (16 U.S.C.
2 1 et seq.); and

3 (B) the Act entitled “An Act to provide for
4 the preservation of historic American sites,
5 buildings, objects, and antiquities of national
6 significance, and for other purposes”, approved
7 August 21, 1935 (16 U.S.C. 461 et seq.).

8 (b) PROTECTION OF HYDROLOGIC REGIME.—In ad-
9 ministering the national park and the preserve, the Sec-
10 retary shall—

11 (1) protect and maintain the balance in the hy-
12 drologic regime necessary for the protection of park
13 resources and park uses; and

14 (2) minimize, to the extent consistent with park
15 protection, adverse impacts on adjacent communities
16 and wetlands.

17 (c) GRAZING.—

18 (1) NON-FEDERAL LAND.—The Secretary shall
19 not prohibit grazing on non-Federal land located
20 within the boundaries of the national park and the
21 preserve.

22 (2) FEDERAL LAND.—

23 (A) ACQUIRED STATE OR PRIVATE
24 LAND.—With respect to former State or private
25 land that has been acquired for the national

1 park and the preserve, the Secretary, in con-
2 sultation with the lessee, may permit the con-
3 tinuation of grazing on the land, subject to ap-
4 plicable law (including regulations).

5 (B) OTHER FEDERAL LAND.—With respect
6 to land that is Federal land as of the date of
7 enactment of this Act and that is located within
8 the boundaries of the national park and the
9 preserve, the Secretary shall prohibit grazing on
10 the land if the Secretary determines that graz-
11 ing would harm the resources or values of the
12 national park or the preserve.

13 (d) HUNTING, FISHING, AND TRAPPING.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), the Secretary shall permit hunting, fish-
16 ing, and trapping on land and water within the pre-
17 serve in accordance with applicable Federal and
18 State laws.

19 (2) ADMINISTRATIVE EXCEPTIONS.—The Sec-
20 retary may designate areas where, and establish lim-
21 ited periods when, no hunting, fishing, or trapping
22 shall be permitted under paragraph (1) for reasons
23 of public safety, administration, or compliance with
24 applicable law.

1 ~~(3) AGENCY AGREEMENT.—~~Except in an emer-
 2 gency, regulations closing areas within the preserve
 3 to hunting, fishing, or trapping under this sub-
 4 section shall become effective only with the agree-
 5 ment of the appropriate agency of the State of Colo-
 6 rado having responsibility for fish and wildlife ad-
 7 ministration.

8 ~~(4) RULES OF CONSTRUCTION.—~~Nothing in
 9 this Act—

10 ~~(A)~~ affects any jurisdiction or responsi-
 11 bility of the State of Colorado with respect to
 12 fish and wildlife on Federal land and water cov-
 13 ered by this Act; or

14 ~~(B)~~ authorizes the Secretary to require a
 15 Federal permit to hunt, fish, or trap on Federal
 16 land and water covered by this Act.

17 ~~(e) CLOSED BASIN DIVISION, SAN LUIS VALLEY~~
 18 ~~PROJECT.—~~Any feature of the Closed Basin Division, San
 19 Luis Valley Project, located within the boundaries of the
 20 national park or the preserve, including any well, pump,
 21 road, easement, pipeline, canal, ditch, power line, power
 22 supply facility, or any other project facility, and the oper-
 23 ation, maintenance, repair, and replacement of such a
 24 feature—

25 ~~(1)~~ shall not be affected by this Act; and

1 (2) shall continue to be the responsibility of,
2 and be operated by, the Bureau of Reclamation in
3 accordance with title I of the Reclamation Project
4 Authorization Act of 1972 (~~43~~ U.S.C. 615aaa et
5 seq.):

6 (f) WILDERNESS PROTECTION.—

7 (1) IN GENERAL.—Nothing in this Act alters
8 the wilderness designation of any land within the
9 boundaries of the national park or the preserve.

10 (2) ADMINISTRATION.—All areas designated as
11 wilderness within the national park and the preserve
12 on the date of enactment of this Act shall remain
13 subject to the Wilderness Act (16 U.S.C. 1131 et
14 seq.):

15 (g) WITHDRAWAL.—On the date of enactment of this
16 Act, subject to valid existing rights, all Federal land de-
17 picted on the park and preserve map as being located with-
18 in the boundaries of the national park or the preserve is
19 withdrawn from—

20 (1) all forms of entry, appropriation, or disposal
21 under the public land laws;

22 (2) location, entry, and patent under the mining
23 laws; and

24 (3) disposition under all laws relating to min-
25 eral and geothermal leasing.

1 **SEC. 6. ACQUISITION OF PROPERTY AND BOUNDARY AD-**
2 **JUSTMENTS.**

3 (a) **ACQUISITION AUTHORITY.—**

4 (1) **IN GENERAL.—**The Secretary may acquire
5 non-Federal land and water (including interests in
6 non-Federal land or water) for inclusion in the na-
7 tional park or the preserve, including—

8 (A) land or water, or interests in land or
9 water, owned by the State of Colorado; and

10 (B) other land depicted on the park and
11 preserve map as being suitable for acquisition
12 by the Secretary for inclusion in the park or the
13 preserve.

14 (2) **BOUNDARY ADJUSTMENT.—**As soon as
15 practicable after the establishment of the national
16 park and the preserve, the Secretary shall modify
17 the boundary of the national park and preserve to
18 include any land or interest acquired under this sub-
19 section.

20 (b) **LUIS MARIA BACA GRANT NO. 4.—**

21 (1) **ACQUISITION AUTHORITY.—**The Secretary
22 may negotiate for and acquire all or any appropriate
23 portion of the Luis Maria Baca Grant No. 4, as de-
24 picted on the park and preserve map.

25 (2) **TREATMENT OF ACQUIRED LAND.—**

1 (A) FISH AND WILDLIFE ADMINISTRA-
2 TION.—In the case of any portion of the Luis
3 Maria Baca Grant No. 4 acquired under para-
4 graph (1) that is depicted in Zone A of the
5 park and preserve map, the Secretary, acting
6 through the United States Fish and Wildlife
7 Service, shall administer the acquired land as a
8 unit of the National Wildlife Refuge System.

9 (B) FOREST SERVICE ADMINISTRATION.—

10 (i) IN GENERAL.—In the case of any
11 portion of the Luis Maria Baca Grant No.
12 4 acquired under paragraph (1) that is de-
13 picted in Zone B of the park and preserve
14 map, the Secretary shall transfer the ae-
15 quired land to the administrative jurisdic-
16 tion of the Forest Service, as provided in
17 section 4(e), for management consistent
18 with this Act.

19 (ii) LAND AND WATER CONSERVATION
20 FUND.—For the purposes of section 7 of
21 the Land and Water Conservation Fund
22 Act of 1965 (16 U.S.C. 460l-9), the
23 boundaries of the Rio Grande National
24 Forest, as revised by the transfer of land
25 under this subparagraph or section 4(e),

1 shall be considered to be the boundaries of
2 the national forest.

3 ~~(C) INCLUSION IN NATIONAL PARK.—~~The
4 Secretary shall include in the national park all
5 portions of the Luis Maria Baca Grant No. 4
6 that—

7 (i) are acquired under paragraph (1);

8 and

9 (ii) are not described in subparagraph

10 ~~(A) or (B).~~

11 ~~(e) AUTHORIZED METHODS OF ACQUISITION.—~~Any
12 interest in land or water may be acquired under this sec-
13 tion by—

14 ~~(1) donation;~~

15 ~~(2) purchase from willing sellers with donated~~
16 ~~or appropriated funds; or~~

17 ~~(3) exchange.~~

18 ~~(d) ADMINISTRATION.—~~The Secretary shall admin-
19 ister any non-Federal land, water, or interest in land or
20 water acquired under this section in accordance with sec-
21 tion 5, except in the case of land described in subsection
22 ~~(b)(2)(B).~~

23 ~~(e) HUNTING, FISHING, AND TRAPPING ON NON-~~
24 ~~FEDERAL LAND.—~~

1 (1) NO PROHIBITION.—The Secretary shall not
 2 prohibit hunting, fishing, or trapping on non-Federal
 3 land located within the boundaries of the national
 4 park.

5 (2) TERMINATION OF AUTHORITY.—On the
 6 date on which the United States acquires fee owner-
 7 ship of a parcel of non-Federal land described in
 8 paragraph (1), the restriction under that paragraph
 9 shall terminate with respect to the parcel.

10 **SEC. 7. WATER RIGHTS.**

11 (a) SAN LUIS VALLEY PROTECTION, COLORADO.—
 12 Section 1501(a) of the Reclamation Projects Authoriza-
 13 tion and Adjustment Act of 1992 (Public Law 102-575;
 14 106 Stat. 4663) is amended by striking paragraph (3) and
 15 inserting the following:

16 “(3) adversely affect the purposes of—

17 “(A) the Great Sand Dunes National
 18 Monument;

19 “(B) the Great Sands Dunes National
 20 Park (including purposes relating to all water,
 21 water rights, and water-dependent resources
 22 within the park);

23 “(C) the Great Sand Dunes National Pre-
 24 serve (including purposes relating to all water,

1 water rights, and water-dependent resources
2 within the preserve); and

3 “(D) any Federal land adjacent to any
4 area described in subparagraphs (A), (B), or
5 (C).”.

6 (b) EFFECT ON WATER RIGHTS.—

7 (1) IN GENERAL.—Subject to the amendment
8 made by subsection (a), nothing in this Act affects—

9 (A) the use, allocation, and State jurisdic-
10 tion, in existence on the date of enactment of
11 this Act, over—

12 (i) water;

13 (ii) any existing water right and devel-
14 opment;

15 (iii) any water law;

16 (iv) any compact; or

17 (v) any other valid existing right; or

18 (B) any vested absolute or decreed condi-
19 tional water right in existence before the date
20 of enactment of this Act, including any water
21 right held by the United States.

22 (2) NO INTERFERENCE.—In carrying out this
23 Act, the Secretary shall obtain and exercise any
24 water right—

1 (A) in accordance with Federal and State
2 law; and

3 (B) without interfering with any diversion,
4 storage, or use of water for a non-Federal pur-
5 pose in the San Luis Valley, Colorado, that is
6 in existence on the date of enactment of this
7 Act.

8 (e) FOREST SERVICE WATER RIGHTS.—To the ex-
9 tent that a water right is established or acquired by the
10 United States for the Rio Grande National Forest, the
11 water right shall—

12 (1) be considered to be of equal use and value
13 for the national preserve; and

14 (2) retain its priority and purpose when in-
15 cluded in the national preserve.

16 (d) NATIONAL MONUMENT WATER RIGHTS.—To the
17 extent that a water right has been established or acquired
18 by the United States for the Great Sand Dunes National
19 Monument, the water right shall—

20 (1) be considered to be of equal use and value
21 for the national park; and

22 (2) retain its priority and purpose when in-
23 cluded in the national park.

24 (e) WATER RIGHTS AND WATER RESOURCES ON
25 LUIS MARIA BACA GRANT NO. 4.—

1 (1) IN GENERAL.—

2 (A) LOCATION.—If, and to the extent that,
3 the Luis Maria Baca Grant No. 4 is acquired,
4 all water rights and water resources associated
5 with the Luis Maria Baca Grant No. 4 shall be
6 restricted for use only within—

7 (i) the national park;

8 (ii) the preserve; or

9 (iii) the immediately surrounding
10 areas of Alamosa or Saguache Counties,
11 Colorado.

12 (B) USE.—Water rights and water re-
13 sources described in subparagraph (A) shall be
14 restricted for use in—

15 (i) the protection of park resources
16 and park values;

17 (ii) fish and wildlife management and
18 protection; or

19 (iii) irrigation, except as provided in
20 the memorandum of water service agree-
21 ment and the water service agreement be-
22 tween the Cabeza de Vaca Land and Cattle
23 Company, LLC, and Baca Grande Water
24 and Sanitation District, dated August 28,
25 1997.

1 (2) STATE AUTHORITY.—If and to the extent
 2 that, water rights associated with the Luis Maria
 3 Baca Grant No. 4 are acquired, the use of those
 4 water rights shall be changed only in accordance
 5 with the laws of the State of Colorado.

6 (f) PROTECTION OF WATER RESOURCES.—The Sec-
 7 retary shall take such actions as are within the authority
 8 of the Secretary to ensure that any new or additional
 9 water development in the San Luis Valley aquifers is con-
 10 sistent with the protection and maintenance of the hydro-
 11 logic balance necessary for preservation of park resources
 12 and park uses.

13 **SEC. 8. ADVISORY COUNCIL.**

14 (a) ESTABLISHMENT.—The Secretary shall establish
 15 an advisory council to be known as the “Great Sand
 16 Dunes National Park Advisory Council”.

17 (b) DUTY.—The Advisory Council shall advise the
 18 Secretary with respect to preparation and implementation
 19 of a management plan for the national park and the pre-
 20 serve.

21 (c) APPLICABLE LAW.—The Advisory Council shall
 22 function in accordance with—

23 (1) this Act;

24 (2) the Federal Advisory Committee Act (5
 25 U.S.C. App.); and

1 ~~(3)~~ the Federal Land Policy and Management
2 Act of 1976 (~~43~~ U.S.C. 1701 et seq.).

3 ~~(d)~~ MEMBERS.—The Advisory Council shall consist
4 of ~~10~~ members, to be appointed by the Secretary, as fol-
5 lows:

6 ~~(1)~~ ~~1~~ member of, or nominated by, the Alamosa
7 County Commission.

8 ~~(2)~~ ~~1~~ member of, or nominated by, the
9 Saguache County Commission.

10 ~~(3)~~ ~~1~~ member of, or nominated by, the Friends
11 of the Dunes Organization.

12 ~~(4)~~ ~~7~~ members residing in, or within reasonable
13 proximity to, the San Luis Valley, who have recog-
14 nized backgrounds reflecting—

15 ~~(A)~~ the purposes for which the national
16 park and the preserve are established; and

17 ~~(B)~~ the interests of persons that will be af-
18 fected by the planning and management of the
19 national park and the preserve.

20 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated such sums
22 as are necessary to carry out this Act.

23 **SECTION 1. SHORT TITLE.**

24 *This Act may be cited as the “Great Sand Dunes Na-*
25 *tional Park Act of 2000”.*

1 **SEC. 2. FINDINGS.**

2 *Congress finds that—*

3 *(1) the Great Sand Dunes National Monument*
4 *in the State of Colorado was established by Presi-*
5 *dential proclamation in 1932 to preserve Federal*
6 *land containing spectacular and unique sand dunes*
7 *and additional features of scenic, scientific, and edu-*
8 *cational interest for the benefit and enjoyment of fu-*
9 *ture generations;*

10 *(2) the Great Sand Dunes, together with the as-*
11 *sociated sand sheet and adjacent wetland and upland,*
12 *contain a variety of rare ecological, geological, pale-*
13 *ontological, archaeological, scenic, historical, and*
14 *wildlife components, which—*

15 *(A) include the unique pulse flow character-*
16 *istics of Sand Creek and Medano Creek that are*
17 *integral to the existence of the dunes system;*

18 *(B) interact to sustain the unique Great*
19 *Sand Dunes system beyond the boundaries of the*
20 *existing National Monument;*

21 *(C) are enhanced by the serenity and rural*
22 *western setting of the area; and*

23 *(D) comprise a setting of irreplaceable na-*
24 *tional significance;*

25 *(3) the Great Sand Dunes and adjacent land*
26 *within the Great Sand Dunes National Monument—*

1 (A) provide extensive opportunities for edu-
2 cational activities, ecological research, and rec-
3 reational activities; and

4 (B) are publicly used for hiking, camping,
5 and fishing, and for wilderness value (including
6 solitude);

7 (4) other public and private land adjacent to the
8 Great Sand Dunes National Monument—

9 (A) offers additional unique geological,
10 hydrological, paleontological, scenic, scientific,
11 educational, wildlife, and recreational resources;
12 and

13 (B) contributes to the protection of—

14 (i) the sand sheet associated with the
15 dune mass;

16 (ii) the surface and ground water sys-
17 tems that are necessary to the preservation
18 of the dunes and the adjacent wetland; and

19 (iii) the wildlife, viewshed, and scenic
20 qualities of the Great Sand Dunes National
21 Monument;

22 (5) some of the private land described in para-
23 graph (4) contains important portions of the sand
24 dune mass, the associated sand sheet, and unique al-

1 *pine environments, which would be threatened by fu-*
2 *ture development pressures;*

3 *(6) the designation of a Great Sand Dunes Na-*
4 *tional Park, which would encompass the existing*
5 *Great Sand Dunes National Monument and addi-*
6 *tional land, would provide—*

7 *(A) greater long-term protection of the geo-*
8 *logical, hydrological, paleontological, scenic, sci-*
9 *entific, educational, wildlife, and recreational re-*
10 *sources of the area (including the sand sheet as-*
11 *sociated with the dune mass and the ground*
12 *water system on which the sand dune and wet-*
13 *land systems depend); and*

14 *(B) expanded visitor use opportunities;*

15 *(7) land in and adjacent to the Great Sand*
16 *Dunes National Monument is—*

17 *(A) recognized for the culturally diverse na-*
18 *ture of the historical settlement of the area;*

19 *(B) recognized for offering natural, ecologi-*
20 *cal, wildlife, cultural, scenic, paleontological,*
21 *wilderness, and recreational resources; and*

22 *(C) recognized as being a fragile and irre-*
23 *placeable ecological system that could be de-*
24 *stroyed if not carefully protected; and*

1 (8) *preservation of this diversity of resources*
2 *would ensure the perpetuation of the entire ecosystem*
3 *for the enjoyment of future generations.*

4 **SEC. 3. DEFINITIONS.**

5 *In this Act:*

6 (1) *ADVISORY COUNCIL.*—*The term “Advisory*
7 *Council” means the Great Sand Dunes National Park*
8 *Advisory Council established under section 8(a).*

9 (2) *LUIS MARIA BACA GRANT NO. 4.*—*The term*
10 *“Luis Maria Baca Grant No. 4” means those lands*
11 *as described in the patent dated February 20, 1900,*
12 *from the United States to the heirs of Luis Maria*
13 *Baca recorded in book 86, page 20, of the records of*
14 *the Clerk and Recorder of Saguache County, Colo-*
15 *rado.*

16 (3) *MAP.*—*The term “map” means the map enti-*
17 *tled “Great Sand Dunes National Park and Pre-*
18 *serve”, numbered 140/80,032 and dated September 19,*
19 *2000.*

20 (4) *NATIONAL MONUMENT.*—*The term “national*
21 *monument” means the Great Sand Dunes National*
22 *Monument, including lands added to the monument*
23 *pursuant to this Act.*

1 (5) *NATIONAL PARK.*—*The term “national park”*
2 *means the Great Sand Dunes National Park estab-*
3 *lished in section 4.*

4 (6) *NATIONAL WILDLIFE REFUGE.*—*The term*
5 *“wildlife refuge” means the Baca National Wildlife*
6 *Refuge established in section 6.*

7 (7) *PRESERVE.*—*The term “preserve” means the*
8 *Great Sand Dunes National Preserve established in*
9 *section 5.*

10 (8) *RESOURCES.*—*The term “resources” means*
11 *the resources described in section 2.*

12 (9) *SECRETARY.*—*The term “Secretary” means*
13 *the Secretary of the Interior.*

14 (10) *USES.*—*The term “uses” means the uses de-*
15 *scribed in section 2.*

16 **SEC. 4. GREAT SAND DUNES NATIONAL PARK, COLORADO.**

17 (a) *ESTABLISHMENT.*—*When the Secretary determines*
18 *that sufficient land having a sufficient diversity of resources*
19 *has been acquired to warrant designation of the land as*
20 *a national park, the Secretary shall establish the Great*
21 *Sand Dunes National Park in the State of Colorado, as gen-*
22 *erally depicted on the map, as a unit of the National Park*
23 *System. Such establishment shall be effective upon publica-*
24 *tion of a notice of the Secretary’s determination in the Fed-*
25 *eral Register.*

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 (c) *NOTIFICATION.*—*Until the date on which the na-*
5 *tional park is established, the Secretary shall annually no-*
6 *tify the Committee on Energy and Natural Resources of the*
7 *Senate and the Committee on Resources of the House of*
8 *Representatives of—*

9 (1) *the estimate of the Secretary of the lands nec-*
10 *essary to achieve a sufficient diversity of resources to*
11 *warrant designation of the national park; and*

12 (2) *the progress of the Secretary in acquiring the*
13 *necessary lands.*

14 (d) *ABOLISHMENT OF NATIONAL MONUMENT.*—(1) *On*
15 *the date of establishment of the national park pursuant to*
16 *subsection (a), the Great Sand Dunes National Monument*
17 *shall be abolished, and any funds made available for the*
18 *purposes of the national monument shall be available for*
19 *the purposes of the national park.*

20 (2) *Any reference in any law (other than this Act),*
21 *regulation, document, record, map, or other paper of the*
22 *United States to “Great Sand Dunes National Monument”*
23 *shall be considered a reference to “Great Sand Dunes Na-*
24 *tional Park”.*

1 (e) *TRANSFER OF JURISDICTION.*—*Administrative ju-*
 2 *risdiction is transferred to the National Park Service over*
 3 *any land under the jurisdiction of the Department of the*
 4 *Interior that—*

5 (1) *is depicted on the map as being within the*
 6 *boundaries of the national park or the preserve; and*

7 (2) *is not under the administrative jurisdiction*
 8 *of the National Park Service on the date of enactment*
 9 *of this Act.*

10 **SEC. 5. GREAT SAND DUNES NATIONAL PRESERVE, COLO-**
 11 **RADO.**

12 (a) *ESTABLISHMENT OF GREAT SAND DUNES NA-*
 13 *TIONAL PRESERVE.*—(1) *There is hereby established the*
 14 *Great Sand Dunes National Preserve in the State of Colo-*
 15 *rado, as generally depicted on the map, as a unit of the*
 16 *National Park System.*

17 (2) *Administrative jurisdiction of lands and interests*
 18 *therein administered by the Secretary of Agriculture within*
 19 *the boundaries of the preserve is transferred to the Secretary*
 20 *of the Interior, to be administered as part of the preserve.*
 21 *The Secretary of Agriculture shall modify the boundaries*
 22 *of the Rio Grande National Forest to exclude the transferred*
 23 *lands from the forest boundaries.*

24 (3) *Any lands within the preserve boundaries which*
 25 *were designated as wilderness prior to the date of enactment*

1 *of this Act shall remain subject to the Wilderness Act (16*
2 *U.S.C. 1131 et seq.) and the Colorado Wilderness Act of*
3 *1993 (Public Law 103–767; 16 U.S.C. 539i note).*

4 **(b) MAP AND LEGAL DESCRIPTION.**—(1) *As soon as*
5 *practicable after the establishment of the national park and*
6 *the preserve, the Secretary shall file maps and a legal de-*
7 *scription of the national park and the preserve with the*
8 *Committee on Energy and Natural Resources of the Senate*
9 *and the Committee on Resources of the House of Representa-*
10 *tives.*

11 (2) *The map and legal description shall have the same*
12 *force and effect as if included in this Act, except that the*
13 *Secretary may correct clerical and typographical errors in*
14 *the legal description and maps.*

15 (3) *The map and legal description shall be on file and*
16 *available for public inspection in the appropriate offices of*
17 *the National Park Service.*

18 **(c) BOUNDARY SURVEY.**—*As soon as practicable after*
19 *the establishment of the national park and preserve and*
20 *subject to the availability of funds, the Secretary shall com-*
21 *plete an official boundary survey.*

22 **SEC. 6. BACA NATIONAL WILDLIFE REFUGE, COLORADO.**

23 **(a) ESTABLISHMENT.**—(1) *When the Secretary deter-*
24 *mines that sufficient land has been acquired to constitute*
25 *an area that can be efficiently managed as a National*

1 *Wildlife Refuge, the Secretary shall establish the Baca Na-*
2 *tional Wildlife Refuge, as generally depicted on the map.*

3 (2) *Such establishment shall be effective upon publica-*
4 *tion of a notice of the Secretary's determination in the Fed-*
5 *eral Register.*

6 (b) *AVAILABILITY OF MAP.—The map shall be on file*
7 *and available for public inspection in the appropriate of-*
8 *fices of the United States Fish and Wildlife Service.*

9 (c) *ADMINISTRATION.—The Secretary shall administer*
10 *all lands and interests therein acquired within the bound-*
11 *aries of the national wildlife refuge in accordance with the*
12 *National Wildlife Refuge System Administration Act of*
13 *1966 (16 U.S.C. 668dd et seq.) and the Act of September*
14 *28, 1962 (16 U.S.C. 460k et seq.) (commonly known as the*
15 *Refuge Recreation Act).*

16 (d) *PROTECTION OF WATER RESOURCES.—In admin-*
17 *istering water resources for the national wildlife refuge, the*
18 *Secretary shall—*

19 (1) *protect and maintain irrigation water rights*
20 *necessary for the protection of monument, park, pre-*
21 *serve, and refuge resources and uses; and*

22 (2) *minimize, to the extent consistent with the*
23 *protection of national wildlife refuge resources, ad-*
24 *verse impacts on other water users.*

1 **SEC. 7. ADMINISTRATION OF NATIONAL PARK AND PRE-**
2 **SERVE.**

3 (a) *IN GENERAL.*—*The Secretary shall administer the*
4 *national park and the preserve in accordance with—*

5 (1) *this Act; and*

6 (2) *all laws generally applicable to units of the*
7 *National Park System, including—*

8 (A) *the Act entitled “An Act to establish a*
9 *National Park Service, and for other purposes”,*
10 *approved August 25, 1916 (16 U.S.C. 1, 2–4)*
11 *and*

12 (B) *the Act entitled “An Act to provide for*
13 *the preservation of historic American sites,*
14 *buildings, objects, and antiquities of national*
15 *significance, and for other purposes”, approved*
16 *August 21, 1935 (16 U.S.C. 461 et seq.).*

17 (b) *GRAZING.*—

18 (1) *ACQUIRED STATE OR PRIVATE LAND.*—*With*
19 *respect to former State or private land on which graz-*
20 *ing is authorized to occur on the date of enactment*
21 *of this Act and which is acquired for the national*
22 *monument, or the national park and preserve, or the*
23 *wildlife refuge, the Secretary, in consultation with the*
24 *lessee, may permit the continuation of grazing on the*
25 *land by the lessee at the time of acquisition, subject*
26 *to applicable law (including regulations).*

1 (2) *FEDERAL LAND.*—Where grazing is permitted
2 on land that is Federal land as of the date of enact-
3 ment of this Act and that is located within the bound-
4 aries of the national monument or the national park
5 and preserve, the Secretary is authorized to permit
6 the continuation of such grazing activities unless the
7 Secretary determines that grazing would harm the re-
8 sources or values of the national park or the preserve.

9 (3) *TERMINATION OF LEASES.*—Nothing in this
10 subsection shall prohibit the Secretary from accepting
11 the voluntary termination of leases or permits for
12 grazing within the national monument or the na-
13 tional park or the preserve.

14 (c) *HUNTING, FISHING, AND TRAPPING.*—

15 (1) *IN GENERAL.*—Except as provided in para-
16 graph (2), the Secretary shall permit hunting, fishing,
17 and trapping on land and water within the preserve
18 in accordance with applicable Federal and State
19 laws.

20 (2) *ADMINISTRATIVE EXCEPTIONS.*—The Sec-
21 retary may designate areas where, and establish lim-
22 ited periods when, no hunting, fishing, or trapping
23 shall be permitted under paragraph (1) for reasons of
24 public safety, administration, or compliance with ap-
25 plicable law.

1 (3) *AGENCY AGREEMENT.*—*Except in an emer-*
2 *gency, regulations closing areas within the preserve to*
3 *hunting, fishing, or trapping under this subsection*
4 *shall be made in consultation with the appropriate*
5 *agency of the State of Colorado having responsibility*
6 *for fish and wildlife administration.*

7 (4) *SAVINGS CLAUSE.*—*Nothing in this Act af-*
8 *fects any jurisdiction or responsibility of the State of*
9 *Colorado with respect to fish and wildlife on Federal*
10 *land and water covered by this Act.*

11 (d) *CLOSED BASIN DIVISION, SAN LUIS VALLEY*
12 *PROJECT.*—*Any feature of the Closed Basin Division, San*
13 *Luis Valley Project, located within the boundaries of the*
14 *national monument, national park or the national wildlife*
15 *refuge, including any well, pump, road, easement, pipeline,*
16 *canal, ditch, power line, power supply facility, or any other*
17 *project facility, and the operation, maintenance, repair,*
18 *and replacement of such a feature—*

19 (1) *shall not be affected by this Act; and*

20 (2) *shall continue to be the responsibility of, and*
21 *be operated by, the Bureau of Reclamation in accord-*
22 *ance with title I of the Reclamation Project Author-*
23 *ization Act of 1972 (43 U.S.C. 615aaa et seq.).*

24 (e) *WITHDRAWAL*—

1 (1) *On the date of enactment of this Act, subject*
2 *to valid existing rights, all Federal land depicted on*
3 *the map as being located within Zone A, or within*
4 *the boundaries of the national monument, the na-*
5 *tional park or the preserve is withdrawn from—*

6 (A) *all forms of entry, appropriation, or*
7 *disposal under the public land laws;*

8 (B) *location, entry, and patent under the*
9 *mining laws; and*

10 (C) *disposition under all laws relating to*
11 *mineral and geothermal leasing.*

12 (2) *The provisions of this subsection also shall*
13 *apply to any lands—*

14 (A) *acquired under this Act; or*

15 (B) *transferred from any Federal agency*
16 *after the date of enactment of this Act for the na-*
17 *tional monument, the national park or preserve,*
18 *or the national wildlife refuge.*

19 (f) *WILDERNESS PROTECTION.—*

20 (1) *Nothing in this Act alters the Wilderness des-*
21 *ignation of any land within the national monument,*
22 *the national park, or the preserve.*

23 (2) *All areas designated as Wilderness that are*
24 *transferred to the administrative jurisdiction of the*
25 *National Park Service shall remain subject to the*

1 *Wilderness Act (16 U.S.C. 1131 et seq.) and the Colo-*
2 *rado Wilderness Act of 1993 (Public Law 103-77; 16*
3 *U.S.C. 539i note). If any part of this Act conflicts*
4 *with the provisions of the Wilderness Act or the Colo-*
5 *rado Wilderness Act of 1993 with respect to the wil-*
6 *derness areas within the preserve boundaries, the pro-*
7 *visions of those Acts shall control.*

8 **SEC. 8. ACQUISITION OF PROPERTY AND BOUNDARY AD-**
9 **JUSTMENTS**

10 *(a) ACQUISITION AUTHORITY.—*

11 *(1) Within the area depicted on the map as the*
12 *“Acquisition Area” or the national monument, the*
13 *Secretary may acquire lands and interests therein by*
14 *purchase, donation, transfer from another Federal*
15 *agency, or exchange: Provided, That lands or interests*
16 *therein may only be acquired with the consent of the*
17 *owner thereof.*

18 *(2) Lands or interests therein owned by the State*
19 *of Colorado, or a political subdivision thereof, may*
20 *only be acquired by donation or exchange.*

21 *(b) BOUNDARY ADJUSTMENT.—As soon as practicable*
22 *after the acquisition of any land or interest under this sec-*
23 *tion, the Secretary shall modify the boundary of the unit*
24 *to which the land is transferred pursuant to subsection (b)*
25 *to include any land or interest acquired.*

1 (c) *ADMINISTRATION OF ACQUIRED LANDS.*—

2 (1) *GENERAL AUTHORITY.*—*Upon acquisition of*
3 *lands under subsection (a), the Secretary shall, as*
4 *appropriate—*

5 (A) *transfer administrative jurisdiction of*
6 *the lands of the National Park Service—*

7 (i) *for addition to and management as*
8 *part of the Great Sand Dunes National*
9 *Monument, or*

10 (ii) *for addition to and management*
11 *as part of the Great Sand Dunes National*
12 *Park (after designation of the Park) or the*
13 *Great Sand Dunes National Preserve; or*

14 (B) *transfer administrative jurisdiction of*
15 *the lands to the United States Fish and Wildlife*
16 *Service for addition to and administration as*
17 *part of the Baca National Wildlife Refuge.*

18 (2) *FOREST SERVICE ADMINISTRATION.*—

19 (A) *Any lands acquired within the area de-*
20 *scribed on the map as being located within Zone*
21 *B shall be transferred to the Secretary of Agri-*
22 *culture and shall be added to and managed as*
23 *part of the Rio Grande National Forest.*

24 (B) *For the purposes of section 7 of the*
25 *Land and Water Conservation Fund Act of 1965*

1 (16 U.S.C. 4601–9), the boundaries of the Rio
2 Grande National Forest, as revised by the trans-
3 fer of land under paragraph (A), shall be consid-
4 ered to be the boundaries of the national forest.

5 **SEC. 9. WATER RIGHTS.**

6 (a) *SAN LUIS VALLEY PROTECTION, COLORADO.*—Sec-
7 tion 1501(a) of the Reclamation Projects Authorization and
8 Adjustment Act of 1992 (Public Law 102–575; 106 Stat.
9 4663) is amended by striking paragraph (3) and inserting
10 the following:

11 “(3) adversely affect the purposes of—

12 “(A) the Great Sand Dunes National Monu-
13 ment;

14 “(B) the Great Sands Dunes National Park
15 (including purposes relating to all water, water
16 rights, and water-dependent resources within the
17 park);

18 “(C) the Great Sand Dunes National Pre-
19 serve (including purposes relating to all water,
20 water rights, and water-dependent resources
21 within the preserve);

22 “(D) the Baca National Wildlife Refuge (in-
23 cluding purposes relating to all water, water
24 rights, and water-dependent resources within the
25 national wildlife refuge); and

1 “(E) any Federal land adjacent to any area
2 described in subparagraphs (A), (B), (C), or
3 (D).”.

4 (b) *EFFECT ON WATER RIGHTS.*—

5 (1) *IN GENERAL.*—Subject to the amendment
6 made by subsection (a), nothing in this Act affects—

7 (A) the use, allocation, ownership, or con-
8 trol, in existence on the date of enactment of this
9 Act, of any water, water right, or any other
10 valid existing right;

11 (B) any vested absolute or decreed condi-
12 tional water right in existence on the date of en-
13 actment of this Act, including water right held
14 by the United States;

15 (C) any interstate water compact in exist-
16 ence on the date of enactment of this Act; or

17 (D) subject to the provisions of paragraph
18 (2), state jurisdiction over any water law.

19 (2) *WATER RIGHTS FOR NATIONAL PARK AND NA-*
20 *TIONAL PRESERVE.*—In carrying out this Act, the
21 Secretary shall obtain and exercise any water rights
22 required to fulfill the purposes of the national park
23 and the national preserve in accordance with the fol-
24 lowing provisions:

1 (A) *Such water rights shall be appro-*
2 *priated, adjudicated, changed, and administered*
3 *pursuant to the procedural requirements and*
4 *priority system of the laws of the State of Colo-*
5 *rado.*

6 (B) *The purposes and other substantive*
7 *characteristics of such water rights shall be es-*
8 *tablished pursuant to State law, except that the*
9 *Secretary is specifically authorized to appro-*
10 *priate water under this Act exclusively for the*
11 *purpose of maintaining ground water levels, sur-*
12 *face water levels, and stream flows on, across,*
13 *and under the national park and national pre-*
14 *serve, in order to accomplish the purposes of the*
15 *national park and the national preserve and to*
16 *protect park resources and park uses.*

17 (C) *Such water rights shall be established*
18 *and used without interfering with—*

19 (i) *any exercise of a water right in ex-*
20 *istence on the date of enactment of this Act*
21 *for a non-Federal purpose in the San Luis*
22 *Valley, Colorado; and*

23 (ii) *the Closed Basin Division, San*
24 *Luis Valley Project.*

1 (D) *Except as provided in subsections (c)*
2 *and (d) below, no Federal reservation of water*
3 *may be claimed or established for the national*
4 *park or the national preserve*

5 (c) *NATIONAL FOREST WATER RIGHTS.—To the extent*
6 *that a water right is established or acquired by the United*
7 *States for the Rio Grande National Forest, the water right*
8 *shall—*

9 (1) *be considered to be of equal use and value for*
10 *the national preserve; and*

11 (2) *retain its priority and purpose when in-*
12 *cluded in the national preserve.*

13 (d) *NATIONAL MONUMENT WATER RIGHTS.—To the*
14 *extent that a water right has been established or acquired*
15 *by the United States for the Great Sand Dunes National*
16 *Monument, the water right shall—*

17 (1) *be considered to be of equal use and value for*
18 *the national park; and*

19 (2) *retain its priority and purpose when in-*
20 *cluded in the national park.*

21 (e) *ACQUIRED WATER RIGHTS AND WATER RE-*
22 *SOURCES.—*

23 (1) *IN GENERAL.—(A) If, and to the extent that,*
24 *the Luis Maria Baca Grant No. 4 is acquired, all*
25 *water rights and water resources associated with the*

1 *Luis Maria Baca Grant No. 4 shall be restricted for*
2 *use only within—*

3 *(i) the national park;*

4 *(ii) the preserve;*

5 *(iii) the national wildlife refuge; or*

6 *(iv) the immediately surrounding areas of*
7 *Alamosa or Saguache Counties, Colorado.*

8 *(B) USE.—Except as provided in the memo-*
9 *randum of water service agreement and the water*
10 *service agreement between the Cabeza de Vaca Land*
11 *and Cattle Company, LC, and Baca Grande Water*
12 *and Sanitation District, dated August 28, 1997,*
13 *water rights and water resources described in sub-*
14 *paragraph (A) shall be restricted for use in—*

15 *(i) the protection of resources and values for*
16 *the national monument, the national park, the*
17 *preserve, or the wildlife refuge;*

18 *(ii) fish and wildlife management and pro-*
19 *tection; or*

20 *(iii) irrigation necessary to protect water*
21 *resources.*

22 *(2) STATE AUTHORITY.—If, and to the extent*
23 *that, water rights associated with the Luis Maria*
24 *Baca Grant No. 4 are acquired, the use of those water*

1 *rights shall be changed only in accordance with the*
2 *laws of the State of Colorado.*

3 *(f) DISPOSAL.—The Secretary is authorized to sell the*
4 *water resources and related appurtenances and fixtures as*
5 *the Secretary deems necessary to obtain the termination of*
6 *obligations specified in the memorandum of water service*
7 *agreement and the water service agreement between the*
8 *Cabeza de Vaca Land and Cattle Company, LLC and the*
9 *Baca Grande Water and Sanitation District, dated August*
10 *28, 1997. Prior to the sale, the Secretary shall determine*
11 *that the sale is not detrimental to the protection of the re-*
12 *sources of Great Sand Dunes National Monument, Great*
13 *Sand Dunes National Park, and Great Sand Dunes Na-*
14 *tional Preserve, and the Baca National Wildlife Refuge, and*
15 *that appropriate measures to provide for such protection*
16 *are included in the sale.*

17 **SEC. 10. ADVISORY COUNCIL.**

18 *(a) ESTABLISHMENT.—The Secretary shall establish*
19 *an advisory council to be known as the “Great Sand Dunes*
20 *National Park Advisory Council”.*

21 *(b) DUTIES.—The Advisory Council shall advise the*
22 *Secretary with respect to the preparation and implementa-*
23 *tion of a management plan for the national park and the*
24 *preserve.*

1 (c) *MEMBERS.*—*The Advisory Council shall consist of*
2 *10 members to be appointed by the Secretary, as follows:*

3 (1) *one member of, or nominated by, the*
4 *Alamosa County Commission.*

5 (2) *one member of, or nominated by, the*
6 *Saguache County Commission.*

7 (3) *one member of, or nominated by, the Friends*
8 *of the Dunes Organization.*

9 (4) *4 members residing in, or within reasonable*
10 *proximity to, the San Luis Valley and 3 of the gen-*
11 *eral public, all of who have recognized backgrounds*
12 *reflecting—*

13 (A) *the purposes for which the national*
14 *park and the preserve are established; and*

15 (B) *the interests of persons that will be af-*
16 *ected by the planning and management of the*
17 *national park and the preserve.*

18 (d) *APPLICABLE LAW.*—*The Advisory Council shall*
19 *function in accordance with the Federal Advisory Com-*
20 *mittee Act (5 U.S.C. App.) and other applicable laws.*

21 (e) *VACANCY.*—*A vacancy on the Advisory Council*
22 *shall be filled in the same manner as the original appoint-*
23 *ment.*

1 (f) *CHAIRPERSON.*—*The Advisory Council shall elect*
2 *a chairperson and shall establish such rules and procedures*
3 *as it deems necessary or desirable.*

4 (g) *NO COMPENSATION.*—*Members of the Advisory*
5 *Council shall serve without compensation.*

6 (h) *TERMINATION.*—*The Advisory Council shall termi-*
7 *nate upon the completion of the management plan for the*
8 *national park and preserve.*

9 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

10 *There are authorized to be appropriated such sums as*
11 *are necessary to carry out this Act.*

Amend the title so as to read: “A bill to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.”.

Calendar No. 928

106TH CONGRESS
2D SESSION

S. 2547

[Report No. 106-479]

A BILL

To provide for the establishment of the Great Sand Dunes National Park and the Great Sand Dunes National Preserve in the State of Colorado, and for other purposes.

OCTOBER 3 (legislative day, SEPTEMBER 22), 2000

Reported with an amendment and an amendment to the title