

MESA VERDE NATIONAL PARK BOUNDARY EXPANSION  
ACT OF 2007

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OCTOBER 22, 2007.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 783]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 783) to modify the boundary of Mesa Verde National Park, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Mesa Verde National Park Boundary Expansion Act of 2007”.

**SEC. 2. FINDINGS; PURPOSES.**

(a) **FINDINGS.**—Congress finds that—

(1) on June 29, 1906, Mesa Verde National Park was established as the first national park in the United States to preserve the works of humanity;

(2) on September 6, 1978, Mesa Verde National Park became the first World Heritage Site designated in the United States; and

(3) Mesa Verde National Park protects some of the best preserved and notable archeological sites of the ancient Puebloan culture that flourished in the southwestern United States from approximately 600–1300, including the elaborate stone villages in the sheltered alcoves of the canyon walls referred to as “cliff dwellings”.

(b) **PURPOSES.**—The purposes of this Act are—

(1) to modify the boundary of Mesa Verde National Park—

(A) to protect the archeological sites located on property adjacent to the Park boundary;

(B) to extend and expand the knowledge and understanding of the ancient Puebloan culture, a major influence in the development of the southwestern United States;

(C) to protect from potential development the scenic and biological value of the pinyon-juniper covered hills that—

- (i) border the Park; and
- (ii) are in full view of the Park entrance road; and

(D) to protect the largest recorded colony of the globally imperiled Gray's Townsend Daisy, to ensure continuation of a major wildlife corridor, and to protect important habitat for wildlife; and

(2) to provide greater opportunities to visitors, researchers, and surrounding communities to understand and appreciate the natural environment of Mesa Verde and the contributions of the ancient Puebloan culture to the region by providing the land required to construct a contemporary museum collections storage facility and visitor orientation center.

### SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term “map” means the map entitled “Mesa Verde National Park Proposed Boundary Adjustment”, numbered 307/80,180, and dated March 1, 2007.

(2) PARK.—The term “Park” means the Mesa Verde National Park in the State of Colorado.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

### SEC. 4. MESA VERDE NATIONAL PARK.

(a) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire the land or an interest in the land described in subsection (b) for addition to the Park.

(2) MEANS.—An acquisition of land under paragraph (1) may be made by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a)(1) is the approximately 360 acres of land adjacent to the Park, as generally depicted on the map.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(d) BOUNDARY MODIFICATION.—The boundary of the Park shall be revised to reflect the acquisition of the land under subsection (a).

(e) ADMINISTRATION.—The Secretary shall administer any land or interest in land acquired under subsection (a)(1) as part of the Park in accordance with the laws (including regulations) applicable to the Park.

### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

### PURPOSE OF THE BILL

The purpose of H.R. 783 is to modify the boundary of Mesa Verde National Park.

### BACKGROUND AND NEED FOR LEGISLATION

H.R. 783 modifies the boundary of Mesa Verde National Park to add 362 acres and authorizes the National Park Service to acquire this land by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

Mesa Verde National Park in Southwestern Colorado was established in 1906 to protect lands inhabited by Ancestral Puebloans from approximately 600 A.D. to 1300 A.D. It contains the most complete and extensive concentration of cliff-dwellings in the United States. Today, with more than 52,000 acres, the park preserves and protects more than 4,000 archeological sites and over 3,000,000 associated objects in the park's research collection.

H.R. 783 authorizes acquisition of a 324-acre parcel, known as the Henneman property, and a 38-acre parcel that the Mesa Verde Foundation proposes to donate to the National Park Service. Both parcels border the northeastern park boundary. The Henneman

property is in full view of the park's entrance road and contains Ancestral Puebloan sites, an ancient pinyon-juniper forest, and the largest recorded population of the globally-imperiled Gray's Townsend Daisy. The property is currently zoned for subdivision into 10-acre lots. The family would prefer to protect the property through inclusion in the park. The Hennemans have entered into a contract to sell their property to the Conservation Fund by November 15, 2007, contingent upon passage of this legislation and availability of funds to acquire the property.

The Mesa Verde Foundation has been working with the park to design and construct a visitor information center and museum collection facility to be located on the Foundation's 38-acre parcel adjacent to the park entrance. The Foundation intends to donate the parcel to the park but can not do so until the park boundary is expanded.

#### COMMITTEE ACTION

H.R. 783 was introduced by Representative John Salazar (D-CO) on January 31, 2007. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On July 19, 2007, the Subcommittee held a hearing on the bill. On October 10, 2007, the Subcommittee was discharged from further consideration of H.R. 783 and the Full Natural Resources Committee met to consider the bill. Representative Raúl Grijalva (D-AZ) offered an amendment in the nature of a substitute to update the map reference in the bill. It was adopted by unanimous consent. The bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

Section 1 entitles the bill the "Mesa Verde National Park Boundary Expansion Act of 2007."

##### *Section 2. Findings and purposes*

Section 2 contains the bill's findings and purposes, which include the protection of archeological sites, the largest recorded colony of the globally imperiled Gray's Townsend Daisy, and pinyon-juniper hills that are currently outside the park boundary and threatened by development. A further purpose of the bill is to provide the land required to construct a contemporary museum collections storage facility and visitor orientation center.

##### *Section 3. Definitions*

Section 3 references the new official boundary map and defines the terms "Park" and "Secretary" as used in the Act.

##### *Section 4. Mesa Verde National Park*

Section 4(a) authorizes the Secretary of the Interior to acquire lands or interests therein described in subsection (b) for addition to Mesa Verde National Park. Lands may be acquired by donation, purchase from a willing seller with donated or appropriated funds, or by exchange. Section 4(b) describes the approximately 360 acres

to be acquired, as depicted on the referenced map. Section 4(c) states that the map shall be kept on file and available for public inspection in the appropriate offices of the National Park Service. Section 4(d) modifies the park boundary to reflect the acquisition of lands under this Act. Section 4(e) requires the Secretary to administer any acquired land as part of Mesa Verde National Park in accordance with the laws and regulations applicable to the park.

*Section 5. Authorization of appropriations*

Section 5 authorizes appropriations of such sums as may be necessary to carry out the Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.* Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act.* As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to modify the boundary of Mesa Verde National Park.

4. *Congressional Budget Office Cost Estimate.* Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 783—Mesa Verde National Park Boundary Expansion Act of 2007*

Summary: H.R. 783 would authorize the National Park Service (NPS) to acquire about 360 acres to be added to Mesa Verde National Park. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 783 would cost \$12 million over the 2008–2012 period. Enacting H.R. 783 would not affect direct spending or revenues.

H.R. 783 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would have no significant impact on the budgets of state, local, or tribal governments.

Estimated costs to the Federal Government: The estimated budgetary impact of H.R. 783 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
Estimated Authorization Level .....	2	10	0	0	0
Estimated Outlays .....	2	2	3	3	2

Basis of estimate: For this estimate, CBO assumes H.R. 783 will be enacted early in fiscal year 2008. Based on information provided by the NPS and assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost \$2 million in 2008 and \$12 million over the 2008–2012 period. Of that amount, we estimate that the NPS would spend \$2 million in the first year to purchase a 324-acre tract of land called the Henneman property. The remaining \$10 million would be spent to construct a visitor facility on a portion of a 38-acre property expected to be donated to the NPS in 2008 or 2009. Some federal construction costs could be offset by private donations to the NPS or through cost-sharing arrangements with the Mesa Verde Foundation.

We estimate that annual expenses to administer lands acquired under the bill, including those to operate the new visitor facility, would be less than \$100,000.

Intergovernmental and private-sector impact: H.R. 783 contains no intergovernmental or private-sector mandates as defined in UMRA and would have no significant impact on the budgets of state, local, or tribal governments.

Previous CBO estimate: On June 7, 2007, CBO transmitted a cost estimate for S. 126, the Mesa Verde National Park Boundary Expansion Act of 2007, as ordered reported by the Senate Committee on Energy and Natural Resources on May 23, 2007. S. 126 and H.R. 783 are identical, as are the estimated costs.

Estimate prepared by: Federal costs: Deborah Reis; Impact on state, local, and tribal governments: Lisa Ramirez-Branum; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

#### COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

#### EARMARK STATEMENT

H.R. 783 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

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CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

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