

# Chapter One: Purpose and Background

## CHAPTER OVERVIEW

Chapter one describes why and how the Waco Mammoth Site Special Resource Study was conducted. The chapter concludes with a brief discussion of study limitations, cost feasibility, and legislative processes.

## PURPOSE AND NEED

New areas are typically added to the national park system by an act of Congress. However, before Congress decides to create a new park it needs to know whether the area's resources meet established criteria for designation. The National Park Service (NPS) is often tasked to evaluate potential new areas for compliance with these criteria and document its findings in a special resource study.

On December 16, 2002, Public Law 107-341 directed the secretary of the interior, in consultation with the state of Texas, the city of Waco, and other appropriate organizations, to conduct a special resource study to determine the national significance, suitability, and feasibility of designating the Waco Mammoth Site area located in the city of Waco, Texas, as a unit of the national park system. The legislation further requires that the study process follow Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)).

The purpose of this special resource study is to provide Congress with information about the quality and condition of the Waco Mammoth Site and its relationship to criteria for parklands applied by the National Park Service.

This report summarizes NPS findings from its preliminary investigations and, in combination with additional analysis, provides a comprehensive assessment of the Waco Mammoth Site as a potential addition to the national park system.

## BACKGROUND

The Waco Mammoth Site is located 4.5 miles north of Waco's city center. Situated in a partially excavated wooded ravine between two upland river terraces between the Bosque and Brazos Rivers, the study area includes over 109 combined acres under the ownership of the city of Waco and Baylor University. Both entities have formed a partnership for the purpose of providing preservation and interpretation of the paleontological resources discovered there. The site is being studied because it has yielded a nursery herd of Columbian mammoths ranging from 3 to 55 years of age, which appear to have died approximately 68,000 years ago. The Waco Mammoth Site is the largest concentration in North America of extinct proboscideans dying from the same event; as such it provides a unique opportunity to understand and interpret the behavior and ecology of an extinct species. The discoveries have received international attention, with archeologists, geologists, and paleontologists from United States, Sweden, and Great Britain visiting the site.

Baylor University has been actively investigating the site since its discovery in 1978 by Paul Barron and Eddie Bufkin. To date, the skeletons of 24 mammoths and 1 camel have been discovered. Additional remains found at the site indicate the presence of an extinct saber tooth cat, dwarf antelope, and giant tortoise. Three quarters of the mammoth specimens have been removed and are currently being stored in Baylor University's Mayborn Museum Complex. The *in situ* remains, under a 40'x100' tent structure in the upper part of the site, include an almost complete skeleton of an adult bull mammoth, parts of a juvenile skeleton, the exposed skull of a female mammoth and its skeleton which has not been fully exposed, parts of other mammoth skeletons, and the camel skeleton.

Since 1978, local citizenry, Baylor University, and the city of Waco have been actively working together to protect the Waco Mammoth Site in a number of ways. Collectively they have acquired over 109 acres of land in and around the discovery site. Grants secured through the Cooper Foundation have supported a majority of the excavations and research since 1984. A fiberglass cast made from a series of latex molds of the *in situ* bull and juvenile has been incorporated into the Waco Mammoth Site Experience exhibit at the Baylor University's Mayborn Museum Complex.

## STUDY METHODOLOGY

By law (Public Law 91-383 §8 as amended by §303 of the National Parks Omnibus Management Act (Public Law 105-391)) and NPS policy, potential new units of the national park system must 1) possess nationally significant resources, 2) be a suitable addition to the system, 3) be a feasible addition to the system, and 4) require direct NPS management or administration instead of alternative protection by other agencies or the private sector. A seven step study methodology was used to determine if the Waco Mammoth Site satisfied the required conditions.

### *Step 1: Evaluate National Significance, Suitability, and Feasibility*

To be eligible for designation, potential new areas must be nationally significant, a suitable addition to the national park system, and feasible to manage and operate.

To be considered nationally significant, an area must satisfy all four of the following standards:

- The area must be an outstanding example of a particular resource type.
- The area must possess exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage.

- The area must offer superlative opportunities for recreation, public use and enjoyment, or scientific study.
- The area must retain a high degree of integrity as a true, accurate, and relatively unspoiled example of the resource.

To be suitable as a new unit, an area must represent a natural or cultural theme or type of recreational resource that is not already adequately represented in the national park system or is not comparably represented or protected for public enjoyment by another entity.

To be feasible as a new unit, an area's natural systems or historic settings must be of sufficient size and appropriate configuration to ensure long-term protection of the resources and to accommodate public use. It must have potential for efficient administration at reasonable cost. Important feasibility factors include landownership, acquisition costs, access, threats to the resource, and staff or development requirements.

A complete discussion of national significance, suitability, and feasibility is presented in chapter three of this document.

### *Step 2: Initiate an Evaluation of Need for Direct National Park Service Management*

If the resources meet the criteria for national significance, suitability, and feasibility, the special resource study process continues with a series of steps to assist in the determination of need for direct National Park Service management instead of alternative protection by another group.

### *Step 3: Assess Public Opinion and Ideas about Managing the Site*

During a process called "scoping," information was obtained about the broad range of potential ideas, goals, and objectives that future visitors, park neighbors, local and state government agencies, regional residents, and the general public would like to see achieved at the Waco Mammoth Site. Scoping occurred

continuously throughout the planning process. A summary of stakeholder ideas and concerns is presented in chapter four.

#### ***Step 4: Develop Management Alternatives***

As might be expected, some of the desires, future visions, and development ideas expressed by stakeholders were mutually compatible and others were not. Working in conjunction with its many planning partners, the planning team drew upon the full range of stakeholder input to formulate a range of management alternatives, each reflecting a different combination of site development, interpretation, management responsibility, and cost variables. When considered together, the range of ideas is intended to express the broad diversity of public comments and suggestions received during scoping. A complete description of each management alternative is included in chapter four.

#### ***Step 5: Analyze Potential Environmental Consequences Associated with each Management Alternatives***

An analysis of the consequences of each alternative on the fundamental resources of the Waco Mammoth Site, other resources, visitor experience, management operations, and socioeconomic environment was prepared. The impact analysis focused on those resources and values that would be affected by one or more of the alternatives. The analysis included a description of the context, duration, and intensity of impacts on all the major resources and values affected by one or more of the alternatives. Direct and indirect impacts were described, as well as consideration of the effects of connected, similar, and cumulative actions.

The environmental review contributed to the evaluation of the need for direct National Park Service management.

#### ***Step 6: Publish Study Report and Distribute for Public Review and Comment***

As part of the overall effort to encourage public involvement in the decision-making process, solicitation of public comment on the

special resource study will follow the requirements of the National Environmental Policy Act (NEPA). Comments are considered a critical aid in helping the National Park Service refine and reshape, if necessary, its recommendations so that they best represent existing and potential future conditions at the site. After public review, comments on the study will be collected, analyzed, summarized.

#### ***Step 7: Transmit Study Report to Congress***

The study report and summary of public comments will be transmitted by the region to the Washington Office of the National Park Service, an agency within the Department of the Interior. The Department of the Interior will transmit the study and a recommendation to Congress.

## **STUDY LIMITATIONS**

A special resource study serves as one of many reference sources for members of Congress, the National Park Service, and other persons interested in the potential designation of an area as a new unit of the national park system. The reader should be aware that the analysis and findings contained in this report **do not guarantee the future funding, support, or any subsequent action by Congress**, the Department of the Interior, or the National Park Service. Because a special resource study is not a decision-making document, it does not identify a preferred NPS course of action.

NEPA regulations and NPS policy require that the study identify an environmentally preferred alternative. This is determined by applying criteria set forth in NEPA, as guided by direction from the Council on Environmental Quality (CEQ). The CEQ has stated that the environmentally preferred alternative is the alternative that will promote the national environmental policy as expressed in NEPA, Section 101 by accomplishing the following objectives:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.

- Assure for all generations safe, healthful, productive, and esthetically and culturally pleasing surroundings.
- Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
- Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

### **Cost Feasibility and Cost Estimates**

Many projects that are technically possible to accomplish may not be feasible in light of current budgetary constraints and other NPS priorities. This is especially likely where acquisition and development costs are high, the resource may lose its significant values before acquisition by the National Park Service, or other protection action is possible.

Preliminary cost estimates are provided for each management alternative for comparison purposes only. It is recommended that a more comprehensive cost estimate be prepared prior to initiating any of the proposed planning, design, or construction recommendations proposed in this study.

### **Congressional Legislation**

During scoping, many stakeholders had a number of questions regarding the special resource study process once the report is submitted to Congress. They also requested that the special resource study include a synopsis of the legislative process typically used to create a new unit of the national park system.

Legislation to create new parks may be introduced in either the House of Representatives or the Senate.

Once introduced, a new bill is assigned to the Committee having jurisdiction over the area affected by the measure. If introduced in the House, national parks legislation is generally referred to the Natural Resources Committee, Subcommittee on National Parks, Forests, and Public Lands. Park legislation introduced in the Senate is referred to the Energy and Natural Resources Committee, Subcommittee on National Parks.

The most intense discussions about a proposed new park generally occur during committee action. Public hearings are sometimes conducted so committee members can hear witnesses representing various viewpoints on the measure. The secretary of the interior may be asked to present the position of the Department of the Interior or the National Park Service on the bill to the committee during public hearings.

After hearings are completed, members of the committee study the information and viewpoints presented in detail. Amendments may be offered and committee members vote to accept or reject these changes. At the conclusion of deliberations, a vote of the committee members is taken to determine what action to take. The committee can decide to report (which means endorse or recommend) the bill for consideration by the full House, with or without amendment, or table it (which means no further action will occur). Congressional committees may table a bill for a variety of reasons including, but certainly not limited to, the legislative priorities of committee members or because the bill is not supported by the administration. Generally, if the committee feels another agency or organization is better suited to manage the site, or alternative preservation actions can recognize and protect important resources outside of the national park system, the proposed bill is not supported. Likewise, the committee may not support a bill over concerns for higher priority government-wide

obligations or sensitivity to adding additional management responsibilities to the National Park Service at a time of limited funding or personnel shortages.

Consideration by the full House or Senate can be a simple or complex operation depending on how much discussion is necessary and the numbers of amendments members wish to consider.

When all debate is concluded, the full House or Senate is ready to vote on the final bill. After a bill has passed in one house it goes to the other house for consideration. A bill must pass both the Senate and House of Representatives in the same language before it can be presented to the president for signature.

If the Senate changes the language of the bill, it must be returned to the House for concurrence or additional changes. This back-and-

forth negotiation may be conducted by a conference committee that includes both House and Senate members. The goal of a conference committee is to resolve any differences and report (resubmit) an identical measure back to both bodies for a vote.

After a bill has been passed in identical form by both the House and Senate, it is sent to the president who may sign the measure into law, veto it and return it to Congress, let it become law without a signature, or at the end of a session, pocket veto it. If the bill becomes law, a new unit of the national park system is authorized. The language in the new law is often referred to as the park's enabling legislation. Enabling legislation defines the purpose of the park and may specify any standards, limits, or actions that Congress wants taken related to planning, land acquisition, resource management, park operations, or funding.

