

TO UPDATE THE MAP OF, AND MODIFY THE MAXIMUM  
ACREAGE AVAILABLE FOR INCLUSION IN, THE  
FLORISSANT FOSSIL BEDS NATIONAL MONUMENT

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FEBRUARY 26, 2018.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. BISHOP of Utah, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 835]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 835) to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 835 is to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument.

BACKGROUND AND NEED FOR LEGISLATION

The Florissant Fossil Beds National Monument was designated in Teller County, Colorado, in 1969 to preserve one of the richest fossil deposits in the world and interpret its geological significance and its paleontological resources.<sup>1</sup> The Monument features detailed fossils of insects, plants and giant petrified redwood stumps, teaching visitors about prehistoric Colorado. The Monument offers a va-

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<sup>1</sup>*“Learn about the Park.”* Florissant Fossil Beds. National Parks Service. <https://www.nps.gov/flfo/learn/index.htm>.

riety of recreational activities including hiking, sightseeing, ranger-led experiences and stargazing.<sup>2</sup>

The Monument has a collection of more than 12,000 fossil specimens and is part of ongoing collaborations with universities.<sup>3</sup> These resources have allowed scientists to study the ecosystem of the area from 34–35 million years ago.

The Monument encompasses 5,998 acres just west of Pikes Peak, and 35 miles west of Colorado Springs, Colorado.<sup>4</sup>

In May 2016, the National Park Service (NPS) received a proposed donation of 280 acres of private land adjacent to the current northwestern boundary of the Monument.<sup>5</sup> The donation would give access to the Monument for wildland fire protection and additional wildlife habitat.

The Monument size is capped at 6,000 acres by Public Law 91–60 and requires legislative action to expand the boundaries.

H.R. 835 would allow for modification of the maximum area of the Monument to 6,300 acres and allow NPS to accept the 280 acres currently being held by the Palmer Land Trust and Coalition for the Upper South Platte.<sup>6</sup>

This legislation would allow for updates to the official map of the Florissant Fossil Beds National Monument. According to NPS, the only additional expenses associated with accepting the donation would be the minor labor cost to move boundary fences and update maps. No additional funding or staff is needed.<sup>7</sup>

#### COMMITTEE ACTION

H.R. 835 was introduced on February 2, 2017, by Congressman Doug Lamborn (R–CO). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On February 6, 2018, the Subcommittee held a hearing on the legislation. On February 14, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

#### 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.

<sup>2</sup>“Basic Information” Florissant Fossil Beds. National Parks Service. <https://www.nps.gov/flfo/planyourvisit/basicinfo.htm>.

<sup>3</sup>Statement of Dr. Stephanie Toothman, Associate Director, Cultural Resources, Partnerships and Science, National Parks Service. June 15, 2016.

<sup>4</sup>S. Rept. 115–38—TO UPDATE THE MAP OF, AND MODIFY THE MAXIMUM ACREAGE AVAILABLE FOR INCLUSION IN, THE FLORISSANT FOSSIL BEDS NATIONAL MONUMENT.

<sup>5</sup>Statement of Dr. Stephanie Toothman, Associate Director, Cultural Resources, Partnerships and Science, National Parks Service. June 15, 2016.

<sup>6</sup>S. Rept. 115–38—TO UPDATE THE MAP OF, AND MODIFY THE MAXIMUM ACREAGE AVAILABLE FOR INCLUSION IN, THE FLORISSANT FOSSIL BEDS NATIONAL MONUMENT.

<sup>7</sup>Florissant Fossil Beds National Monument Questions and Answers. National Parks Service.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET  
ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, February 20, 2018.*

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 835, a bill to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

KEITH HALL,  
*Director.*

Enclosure.

*H.R. 835—A bill to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument*

H.R. 835 would revise the boundary of the Florissant Fossil Beds National Monument in Colorado and increase the maximum number of acres that could be included in that monument from 6,000 acres to 6,300 acres. Enacting H.R. 835 would enable the National Park Service (NPS) to proceed with plans to acquire approximately 280 acres of land for inclusion within the monument. The underlying legislation that established the monument authorizes the NPS to acquire land by donation, purchase, or exchange.

According to the NPS, the owner of the 280-acre parcel is willing to donate the land for inclusion within the monument; CBO estimates that any administrative costs associated with such a transaction would be negligible. Alternatively, if the NPS were to purchase the parcel, CBO estimates that the resulting costs would total about \$1 million over the 2018–2022 period; such spending would be subject to the availability of appropriated funds. That estimate is based on information from the NPS and recent sale prices of comparable tracts of land in the areas where the land would be purchased. Total costs would depend on the average price per acre, which according to local property records could range from \$2,500 per acre to \$4,000 per acre.

Enacting H.R. 835 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 835 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 835 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On April 7, 2017, CBO transmitted a cost estimate for S. 287 a bill to update the map of, and modify the maximum acreage available for inclusion in the Florissant Fossil Beds National Monument, as ordered reported by the Senate Committee on Energy and Natural Resources on March 30, 2017. The bills are similar and CBO's estimates of their budgetary effects are the same.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument.

#### EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

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

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

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

#### **PUBLIC LAW 91-60**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the benefit and enjoyment of present and*

future generations the excellently preserved insect and leaf fossils and related geologic sites and objects at the Florissant lakebeds, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or exchange such land and interests in land in Teller County, Colorado, as he may designate from the lands shown on the map [entitled "Proposed Florissant Fossil Beds National Monument", numbered NM-FFB-7100, and dated March 1967, and more particularly described by metes and bounds in an attachment to that map,] *entitled "Florissant Fossil Beds National Monument Proposed Boundary Adjustment", numbered 171/132,544, and dated May 3, 2016*, not exceeding, however, [six thousand acres] *6,300 acres* thereof, for the purpose of establishing the Florissant Fossil Beds National Monument.

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