

105TH CONGRESS  
2D SESSION

# H. R. 3936

To modify the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed, which drain into the Monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize acquisition of those lands, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1998

Mr. REDMOND introduced the following bill; which was referred to the  
Committee on Resources

---

## A BILL

To modify the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed, which drain into the Monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize acquisition of those lands, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Bandelier National Monument Administrative Improve-  
6       ment and Watershed Protection Act of 1998”.

1 (b) TABLE OF CONTENTS.—The table of contents of  
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Boundary modification, Bandelier National Monument, New Mexico.
- Sec. 4. Land acquisition.
- Sec. 5. Administration.
- Sec. 6. Authorization of appropriations.

### 3 **SEC. 2. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—Congress finds that:

5 (1) Bandelier National Monument (in this Act  
 6 referred to as the “Monument”) was established by  
 7 Presidential proclamation on February 11, 1916, to  
 8 preserve the archaeological resources of a “vanished  
 9 people, with as much land as may be necessary for  
 10 the proper protection thereof. . .” (Presidential  
 11 Proclamation No. 1322; 39 Stat. 1764).

12 (2) At various times since the establishment of  
 13 the Monument, the Congress and the President have  
 14 adjusted the boundaries and purpose of the Monu-  
 15 ment to further preservation of archaeological and  
 16 natural resources within the Monument:

17 (A) On February 25, 1932, the Otowi Sec-  
 18 tion of the Santa Fe National Forest (some  
 19 4,699 acres of land) was transferred to the  
 20 Monument from the Santa Fe National Forest  
 21 (Presidential Proclamation No. 1991; 47 Stat.  
 22 2503).

1 (B) On December 9, 1959, 3,600 acres of  
2 Frijoles Mesa were transferred to the National  
3 Park Service from the Atomic Energy Commis-  
4 sion, and such lands were subsequently added  
5 to the Monument on January 9, 1961, because  
6 of “pueblo-type archeological ruins germane to  
7 those in the monument area” (Presidential  
8 Proclamation No. 3388; 75 Stat. 1014).

9 (C) On May 27, 1963, Upper Canyon, con-  
10 sisting of 2,882 acres of land previously admin-  
11 istered by the Atomic Energy Commission, was  
12 added to the Monument to preserve the lands  
13 “unusual scenic character together with geo-  
14 logic and topographic features, the preservation  
15 of which would implement the purposes of such  
16 monument (Presidential Proclamation No.  
17 3539; 77 Stat. 1006).

18 (D) In 1976, concerned about upstream  
19 land management activities that could result in  
20 flooding and erosion in the Monument, Con-  
21 gress enacted Public Law 94–578 (90 Stat.  
22 2732, 2736) to include the headwaters of the  
23 Rito de los Frijoles and the Cañada de Cochiti  
24 Grant (a total of 7,310 acres) within the  
25 boundaries of the Monument.

(E) In 1976, Congress enacted Public Law 94-567 (90 Stat. 2692), which created the Bandelier Wilderness, a 23,267 acres area that covers over 70 percent of the Monument.

(3) The Monument still has potential threats from flooding, erosion, and water quality deterioration because of the mixed ownership of the upper watersheds, along its western border, particularly in Alamo Canyon.

(b) PURPOSE.—The purpose of this Act is to modify the boundaries of the Monument to allow for acquisition and enhanced protection of the lands within the Monument's upper watershed.

14 SEC. 3. BOUNDARY MODIFICATION, BANDELIER NATIONAL  
15 MONUMENT, NEW MEXICO.

Effective on the date of enactment of this Act, the boundaries of the Monument are hereby modified to include approximately 935 acres of land, comprised of the Elk Meadows subdivision, the Gardner parcel, the Clark parcel, and the Baca Land & Cattle Co. lands within the Upper Alamo watershed, as depicted on the National Park Service map entitled “Proposed Boundary Expansion Map Bandelier National Monument” dated July 1997. Such map shall be on file and available for public inspection

1 in the offices of the Director of the National Park Service,  
2 Department of the Interior.

3 **SEC. 4. LAND ACQUISITION.**

4 (a) ACQUISITION AUTHORITY; METHODS.—Subject  
5 to subsections (b), (c), and (d), the Secretary of the Inte-  
6 rior may acquire lands and interests therein within the  
7 boundaries of the area added to the Monument by this  
8 Act by donation, purchase with donated or appropriated  
9 funds, transfer with another Federal agency, or exchange.

10 (b) CONSENT OF OWNER REQUIRED.—Lands or in-  
11 terests therein may be acquired under subsection (a) only  
12 with the consent of the owner of the lands.

13 (c) STATE AND LOCAL LANDS.—Lands or interests  
14 therein owned by the State of New Mexico, or a political  
15 subdivision thereof, may be acquired under subsection (a)  
16 only by donation or exchange.

17 (d) ACQUISITION OF LESS THAN FEE INTERESTS IN  
18 LAND.—The Secretary may acquire less than fee interests  
19 in land only if the Secretary determines that such less  
20 than fee acquisition will adequately protect the Monument  
21 from flooding, erosion, and degradation of its drainage wa-  
22 ters.

23 **SEC. 5. ADMINISTRATION.**

24 The Secretary of the Interior, acting through the Di-  
25 rector of the National Park Service, shall manage the

1 Monument, including lands added to the Monument by  
2 this Act, in accordance with this Act, the provisions of  
3 law generally applicable to units of National Park System,  
4 including the Act of August 25, 1916 (16 U.S.C. 1 et seq.;  
5 commonly known as the National Park Service Organic  
6 Act), and such specific laws as heretofore have been en-  
7 acted regarding the Monument.

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9       There is authorized to be appropriated such sums as  
10 may be necessary to carry out the purpose of this Act.

○