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TITLE: GREAT SAND DUNES NATIONAL PARK AND PRESERVE ACT OF 2000

SPEAKER: Mr. HANSEN. Mr. McINNIS. Mr. UDALL of Colorado. Mr. HEFLEY. Ms. DeGETTE.

BILL NUMBER:

H.R. 829

TEXT: [*H10709]

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2547) 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.

The Clerk read as follows:

S. 2547

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Great Sand Dunes National Park and Preserve Act of 2000".

SEC. 2. FINDINGS.

Congress finds that--

(1) the Great Sand Dunes National Monument in the State of Colorado was established by Presidential proclamation in 1932 to preserve Federal land containing spectacular and unique sand dunes and additional features of scenic, scientific, and educational interest for the benefit and enjoyment of future generations;

(2) the Great Sand Dunes, together with the associated sand

sheet and adjacent wetland and upland, contain a variety of rare ecological, geological, paleontological, archaeological, scenic, historical, and wildlife components, which--

(A) include the unique pulse flow characteristics of Sand Creek and Medano Creek that are integral to the existence of the dunes system;

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

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

(D) comprise a setting of irreplaceable national significance;

(3) the Great Sand Dunes and adjacent land within the Great Sand Dunes National Monument--

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

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

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

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

(B) contributes to the protection of--
(i) the sand sheet associated with the dune mass;
(ii) the surface and ground water systems that are necessary to the preservation of the dunes and the adjacent wetland; and

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

(5) some of the private land described in paragraph (4) contains important portions of the sand dune mass, the associated sand sheet, and unique alpine environments, which would be threatened by future development pressures;

(6) the designation of a Great Sand Dunes National Park, which would encompass the existing Great Sand Dunes National Monument and additional land, would provide--

(A) greater long-term protection of the geological, hydrological, paleontological, scenic, scientific, educational, wildlife, and recreational resources of the area (including the sand sheet associated with the dune mass and

the ground water system on which the sand dune and wetland systems depend); and

(B) expanded visitor use opportunities;

(7) land in and adjacent to the Great Sand Dunes National Monument is--

(A) recognized for the culturally diverse nature of the historical settlement of the area;

(B) recognized for offering natural, ecological, wildlife, cultural, scenic, paleontological, **wilderness**, and recreational resources; and

(C) recognized as being a fragile and irreplaceable ecological system that could be destroyed if not carefully protected; and

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

SEC. 3. DEFINITIONS.

In this Act:

(1) Advisory council.--The term "Advisory Council" means the Great Sand Dunes National Park Advisory Council established under section 8(a).

(2) Luis maria baca grant no. 4.--The term "Luis Maria Baca Grant No. 4" means those lands as described in the patent dated February 20, 1900, from the United States to the

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heirs of Luis Maria Baca recorded in book 86, page 20, of the records of the Clerk and Recorder of Saguache County, Colorado.

(3) Map.--The term "map" means the map entitled "Great Sand Dunes National Park and Preserve", numbered 140/80,032 and dated September 19, 2000.

(4) National monument.--The term "national monument" means the Great Sand Dunes National Monument, including lands added to the monument pursuant to this Act.

(5) National park.--The term "national park" means the Great Sand Dunes National Park established in section 4.

(6) National wildlife refuge.--The term "wildlife refuge" means the Baca National Wildlife Refuge established in section 6.

(7) Preserve.--The term "preserve" means the Great Sand

Dunes National Preserve established in section 5.

(8) Resources.--The term "resources" means the resources described in section 2.

(9) Secretary.--The term "Secretary" means the Secretary of the Interior.

(10) Uses.--The term "uses" means the uses described in section 2.

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

(a) Establishment.--When the Secretary determines that sufficient land having a sufficient diversity of resources has been acquired to warrant designation of the land as a national park, the Secretary shall establish the Great Sand Dunes National Park in the State of Colorado, as generally depicted on the map, as a unit of the National Park System. Such establishment shall be effective upon publication of a notice of the Secretary's determination in the Federal Register.

(b) Availability of Map.--The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) Notification.--Until the date on which the national park is established, the Secretary shall annually notify the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives of--

(1) the estimate of the Secretary of the lands necessary to achieve a sufficient diversity of resources to warrant designation of the national park; and

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

(d) Abolishment of National Monument.--(1) On the date of establishment of the national park pursuant to subsection (a), the Great Sand Dunes National Monument shall be abolished, and any funds made available for the purposes of the national monument shall be available for the purposes of the national park.

(2) Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to "Great Sand Dunes National Monument" shall be considered a reference to "Great Sand Dunes National Park".

(e) Transfer of Jurisdiction.--Administrative jurisdiction is transferred to the National Park Service over any land

under the jurisdiction of the Department of the Interior that--

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

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

SEC. 5. GREAT SAND DUNES NATIONAL PRESERVE, COLORADO.

(a) Establishment of Great Sand Dunes National Preserve.--

(1) There is hereby established the Great Sand Dunes National Preserve in the State of Colorado, as generally depicted on the map, as a unit of the National Park System.

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

(3) Any lands within the preserve boundaries which were designated as **wilderness** prior to the date of enactment of this Act shall remain subject to the **Wilderness** Act (16 U.S.C. 1131 et seq.) and the Colorado **Wilderness** Act of 1993 (Public Law 103-767; 16 U.S.C. 539i note).

(b) Map and Legal Description.--(1) As soon as practicable after the establishment of the national park and the preserve, the Secretary shall file maps and a legal description of the national park and the preserve with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

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

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

(c) Boundary Survey.--As soon as practicable after the establishment of the national park and preserve and subject to the availability of funds, the Secretary shall complete an official boundary survey.

SEC. 6. BACA NATIONAL WILDLIFE REFUGE, COLORADO.

(a) Establishment.--(1) When the Secretary determines that

sufficient land has been acquired to constitute an area that can be efficiently managed as a National Wildlife Refuge, the Secretary shall establish the Baca National Wildlife Refuge, as generally depicted on the map.

(2) Such establishment shall be effective upon publication of a notice of the Secretary's determination in the Federal Register.

(b) Availability of Map.--The map shall be on file and available for public inspection in the appropriate offices of the United States Fish and Wildlife Service.

(c) Administration.--The Secretary shall administer all lands and interests therein acquired within the boundaries of the national wildlife refuge in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and the Act of September 28, 1962 (16 U.S.C. 460k et seq.) (commonly known as the Refuge Recreation Act).

(d) Protection of Water Resources.--In administering water resources for the national wildlife refuge, the Secretary shall--

(1) protect and maintain irrigation water rights necessary for the protection of monument, park, preserve, and refuge resources and uses; and

(2) minimize, to the extent consistent with the protection of national wildlife refuge resources, adverse impacts on other water users.

SEC. 7. ADMINISTRATION OF NATIONAL PARK AND PRESERVE.

(a) In General.--The Secretary shall administer the national park and the preserve in accordance with--

(1) this Act; and

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

(A) the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1, 2-4) and

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

(b) Grazing.--

(1) Acquired state or private land.--With respect to former State or private land on which grazing is authorized to occur on the date of enactment of this Act and which is acquired for the national monument, or the national park and preserve,

or the wildlife refuge, the Secretary, in consultation with the lessee, may permit the continuation of grazing on the land by the lessee at the time of acquisition, subject to applicable law (including regulations).

(2) Federal land.--Where grazing is permitted on land that is Federal land as of the date of enactment of this Act and that is located within the boundaries of the national monument or the national park and preserve, the Secretary is authorized to permit the continuation of such grazing activities unless the Secretary determines that grazing would harm the resources or values of the national park or the preserve.

(3) Termination of leases.--Nothing in this subsection shall prohibit the Secretary from accepting the voluntary termination of leases or permits for grazing within the national monument or the national park or the preserve.

(c) Hunting, Fishing, and Trapping.--

(1) In general.--Except as provided in paragraph (2), the Secretary shall permit hunting, fishing, and trapping on land and water within the preserve in accordance with applicable Federal and State laws.

(2) Administrative exceptions.--The Secretary may designate areas where, and establish limited periods when, no hunting, fishing, or trapping shall be permitted under paragraph (1) for reasons of public safety, administration, or compliance with applicable law.

(3) Agency agreement.--Except in an emergency, regulations closing areas within the preserve to hunting, fishing, or trapping under this subsection shall be made in consultation with the appropriate agency of the State of Colorado having responsibility for fish and wildlife administration.

(4) Savings clause.--Nothing in this Act affects any jurisdiction or responsibility of the State of Colorado with respect to fish and wildlife on Federal land and water covered by this Act.

(d) Closed Basin Division, San Luis Valley Project.--Any feature of the Closed Basin Division, San Luis Valley Project, located within the boundaries of the national monument, national park or the national wildlife refuge, including any well, pump, road, easement, pipeline, canal, ditch, power line, power supply facility, or any other project facility, and the operation, maintenance, repair, and replacement of such a feature--

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

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

(e) Withdrawal--(1) On the date of enactment of this Act, subject to valid existing rights, all Federal land depicted on the map as being located within Zone A, or within the boundaries of the national monument, the national park or the preserve is withdrawn from--

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

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(B) location, entry, and patent under the mining laws; and
(C) disposition under all laws relating to mineral and geothermal leasing.

(2) The provisions of this subsection also shall apply to any lands--

(A) acquired under this Act; or
(B) transferred from any Federal agency after the date of enactment of this Act for the national monument, the national park or preserve, or the national wildlife refuge.

(f) Wilderness Protection.--(1) Nothing in this Act alters the **Wilderness** designation of any land within the national monument, the national park, or the preserve.

(2) All areas designated as **Wilderness** that are transferred to the administrative jurisdiction of the National Park Service shall remain subject to the **Wilderness** Act (16 U.S.C. 1131 et seq.) and the Colorado **Wilderness** Act of 1993 (Public Law 103-77; 16 U.S.C. 539i note). If any part of this Act conflicts with the provisions of the **Wilderness** Act or the Colorado **Wilderness** Act of 1993 with respect to the **wilderness** areas within the preserve boundaries, the provisions of those Acts shall control.

SEC. 8. ACQUISITION OF PROPERTY AND BOUNDARY ADJUSTMENTS

(a) Acquisition Authority.--(1) Within the area depicted on the map as the "Acquisition Area" or the national monument, the Secretary may acquire lands and interests therein by purchase, donation, transfer from another Federal agency, or exchange: Provided, That lands or interests therein may only be acquired with the consent of the owner thereof.

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

(b) Boundary Adjustment.--As soon as practicable after the acquisition of any land or interest under this section, the Secretary shall modify the boundary of the unit to which the

land is transferred pursuant to subsection (b) to include any land or interest acquired.

(c) Administration of Acquired Lands.--

(1) General authority.--Upon acquisition of lands under subsection (a), the Secretary shall, as appropriate--

(A) transfer administrative jurisdiction of the lands of the National Park Service--

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

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

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

(2) Forest service administration.--(A) Any lands acquired within the area depicted on the map as being located within Zone B shall be transferred to the Secretary of Agriculture and shall be added to and managed as part of the Rio Grande National Forest.

(B) For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Rio Grande National Forest, as revised by the transfer of land under paragraph (A), shall be considered to be the boundaries of the national forest.

SEC. 9. WATER RIGHTS.

(a) San Luis Valley Protection, Colorado.--Section 1501(a) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575; 106 Stat. 4663) is amended by striking paragraph (3) and inserting the following:

"(3) adversely affect the purposes of--

"(A) the Great Sand Dunes National Monument;

"(B) the Great Sand Dunes National Park (including purposes relating to all water, water rights, and water-dependent resources within the park);

"(C) the Great Sand Dunes National Preserve (including purposes relating to all water, water rights, and water-dependent resources within the preserve);

"(D) the Baca National Wildlife Refuge (including purposes relating to all water, water rights, and water-dependent resources within the national wildlife refuge); and

"(E) any Federal land adjacent to any area described in subparagraph (A), (B), (C), or (D).".

(b) Effect on Water Rights.--

(1) In general.--Subject to the amendment made by subsection (a), nothing in this Act affects--

(A) the use, allocation, ownership, or control, in existence on the date of enactment of this Act, of any water, water right, or any other valid existing right;

(B) any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) any interstate water compact in existence on the date of enactment of this Act; or

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

(2) Water rights for national park and national preserve.-- In carrying out this Act, the Secretary shall obtain and exercise any water rights required to fulfill the purposes of the national park and the national preserve in accordance with the following provisions:

(A) Such water rights shall be appropriated, adjudicated, changed, and administered pursuant to the procedural requirements and priority system of the laws of the State of Colorado.

(B) The purposes and other substantive characteristics of such water rights shall be established pursuant to State law, except that the Secretary is specifically authorized to appropriate water under this Act exclusively for the purpose of maintaining ground water levels, surface water levels, and stream flows on, across, and under the national park and national preserve, in order to accomplish the purposes of the national park and the national preserve and to protect park resources and park uses.

(C) Such water rights shall be established and used without interfering with--

(i) any exercise of a water right in existence on the date of enactment of this Act for a non-Federal purpose in the San Luis Valley, Colorado; and

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

(D) Except as provided in subsections (c) and (d), no Federal reservation of water may be claimed or established for the national park or the national preserve.

(c) National Forest Water Rights.--To the extent that a water right is established or acquired by the United States

for the Rio Grande National Forest, the water right shall--

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

(2) retain its priority and purpose when included in the national preserve.

(d) National Monument Water Rights.--To the extent that a water right has been established or acquired by the United States for the Great Sand Dunes National Monument, the water right shall--

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

(2) retain its priority and purpose when included in the national park.

(e) Acquired Water Rights and Water Resources.--

(1) In general.--(A) If, and to the extent that, the Luis Maria Baca Grant No. 4 is acquired, all water rights and water resources associated with the Luis Maria Baca Grant No. 4 shall be restricted for use only within--

(i) the national park;

(ii) the preserve;

(iii) the national wildlife refuge; or

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

(B) Use.--Except as provided in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LC, and Baca Grande Water and Sanitation District, dated August 28, 1997, water rights and water resources described in subparagraph (A) shall be restricted for use in--

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

(ii) fish and wildlife management and protection; or

(iii) irrigation necessary to protect water resources.

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

(f) Disposal.--The Secretary is authorized to sell the water resources and related appurtenances and fixtures as the Secretary deems necessary to obtain the termination of obligations specified in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LLC and the Baca Grande Water and Sanitation District, dated August 28, 1997. Prior

to the sale, the Secretary shall determine that the sale is not detrimental to the protection of the resources of Great Sand Dunes National Monument, Great Sand Dunes National Park, and Great Sand Dunes National Preserve, and the Baca National Wildlife Refuge, and that appropriate measures to provide for such protection are included in the sale.

SEC. 10. ADVISORY COUNCIL.

(a) Establishment.--The Secretary shall establish an advisory council to be known as the "Great Sand Dunes National Park Advisory Council".

(b) Duties.--The Advisory Council shall advise the Secretary with respect to the preparation and implementation of a management plan for the national park and the preserve.

(c) Members.--The Advisory Council shall consist of 10 members, to be appointed by the Secretary, as follows:

(1) One member of, or nominated by, the Alamosa County Commission.

(2) One member of, or nominated by, the Saguache County Commission.

(3) One member of, or nominated by, the Friends of the Dunes Organization.

(4) Four members residing in, or within reasonable proximity to, the San Luis Valley and 3 of the general public, all of whom have recognized backgrounds reflecting--

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

(B) the interests of persons that will be affected by the planning and management of the national park and the preserve.

(d) Applicable Law.--The Advisory Council shall function in accordance with the Federal Advisory Committee Act (5 U.S.C. App.) and other applicable laws.

(e) Vacancy.--A vacancy on the Advisory Council shall be filled in the same manner as the original appointment.

(f) Chairperson.--The Advisory Council shall elect a chairperson and shall establish

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such rules and procedures as it deems necessary or desirable.

(g) No Compensation.--Members of the Advisory Council shall

serve without compensation.

(h) Termination.--The Advisory Council shall terminate upon the completion of the management plan for the national park and preserve.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

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

Pursuant to the rule, the gentleman from Utah (Mr. Hansen) and the gentleman from Colorado (Mr. Udall) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. Hansen).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill provides 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.

Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. McInnis), who is the author of the legislation.

Mr. McINNIS. Mr. Speaker, first of all, I would like to point out, so we have kind of a perspective of what we are talking about, this is a photo of the Great Sand Dunes, what we propose to make a national park in Colorado. I want to let everyone know that this is our opportunity to mark for all future generations of Americans a national park that is well deserved. This bill was carried out of the United States Senate with unanimous consent by Senator Wayne Allard. Senator Allard and myself have spent a lot of time in the local community and we have also had a lot of help, frankly, from our Democratic colleagues in Colorado and some of our Republican colleagues, not only here in Congress through the gentlewoman from Colorado (Ms. DeGette) and the gentleman from Colorado (Mr. Udall) but also through the State House in Colorado, the State Senate in Colorado, which by strong majorities support naming a new national park in the State of Colorado.

We also have the support of Governor Bill Owens, who strongly believes that a national park of the Sand Dunes is long time overdue in the State of Colorado. We have the Attorney General in the State of Colorado. We have community support. This proposal was built at the

community level up. Neither Senator Allard nor myself walked into this community and said, hey, we would like to create a new national park down there.

Obviously both Senator Allard and I and my colleagues on both sides of the aisle have been down to look at this national park, what we hope to be the national park, and are amazed by what we walk into. The fact is, it did not come from us. This started at the local community level, and over a period of years we have built up the momentum and we are now finally on the verge, finally on the verge of one final vote to create a national park in Colorado that will last forever, for all generations of America. That is why I urge support tonight.

Let me say that the Great Sand Dunes, this makeup if we can see right behind it, that is not painted in on this picture, those over 14,000 foot peaks of the Alpine Meadows. It is the only place in the world, the only place in the world, where we can see desert sands piled up as great sand dunes mixed in amongst the Alpine 14,000 Rocky Mountain foot peaks. Take a look at everything from the ecosystems of the water and the sand and the wind, there is no other combination like this in the world. All America deserves the privilege of having this as a national park for preservation.

I look forward and I am honored to be the one that is sponsoring this on the House side and I openly thank my colleague on the Senate side, of whom it means as much to him as it does to me, as it does to the people of Colorado, as it does to the people of America, that this become a national park.

Now in the last few hours somebody has suggested that it is not in my congressional district. I want to point out that this is entirely, entirely in the Third Congressional District. This is my congressional district this national park proposal is in, and I know this. My family has multiple generations not very far from that park. I have been in that park numerous times. Now is our opportunity, Mr. Speaker, to stand up and be counted. Now is our opportunity for future generations of America to create a new national park in the State of Colorado. I ask for support.

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of the bill. Mr. Speaker, along with my colleague, the gentleman from Colorado (Mr. McInnis), I strongly support passage of this bill to provide for an expansion of the Great Sand Dunes National Monument in Colorado and its

redesignation as a national park. I want to thank again my colleague, the gentleman from Colorado (Mr. McInnis), for his leadership in making it possible for the House to consider this legislation today.

Mr. Speaker, the Great Sand Dunes National Monument is one of Colorado's gems. The remarkable dunes within its boundaries exist because of a set of very unusual circumstances. They are also part but only part of a complex ecosystem that includes adjacent lands. This natural interconnective system includes towering peaks soaring 14,000 feet above sea level, an intricate underground water supply, and a vast valley filled with wonderful wildlife and rare plants. The natural resources of the area are complemented by a rich human history that includes American Indians, Spanish explorers and the mountain men.

All of these elements culminate in the amazing site of sand dunes reaching hundreds of feet high piled up against the rugged snow capped Rockies.

Enactment of this bill will authorize the acquisition of key parts of adjacent lands from willing sellers. That will allow not just an expansion of the national monument but also for boundary revisions of the San Isabel National Forest and for establishment of a national wildlife refuge.

This will protect the Dunes and also protect the many lives that depend on the water and other resources of the affected lands.

Physically, these dunes have a long geologic history. Politically, their protection is an example of one of the most important conservation laws on our books, the Antiquities Act. That law gave President Hoover the authority for establishment of the national monument and it gave Presidents Truman and Eisenhower the authority to enlarge it.

The Antiquities Act has proved its value over the years. Since its enactment, almost every President, starting with Theodore Roosevelt, has used it to set aside some of the most special parts of our public lands as an enduring legacy for future generations.

In some instances, Presidential action has been controversial, but they have stood the test of time and nowhere more than with the Great Sand Dunes and other national monuments in Colorado. We are very proud of the special places that have been set aside in our State. We do not want to abolish the Colorado National Monument. We do not want to weaken the protection of Dinosaur National Monument. We highly prize the archeological and other values of Yucca House and Hovenweep Monuments, and we are very protective of both the Great Sand Dunes National Monument and the Black Canyon of the Gunnison.

We know the values of these areas. That is why last year the Colorado delegation worked together to further expand the Black Canyon Monument and to redesignate it as a national park. That is why I strongly support this bill. Like the Black Canyon, the Great Sand Dunes are a remarkable natural wonder, visible for many miles and attracting the interest of ordinary visitors as well as geologists, biologists, and other scientists.

Together with the adjacent lands addressed by the bill, they are part of an array of diverse natural, environmental and scientific resources that the Department of Interior has found deserving of inclusion in our national park system.

In short, this is a good bill. It has broad support among our Coloradans,

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including both Senators, our governor and our State's attorney general. It is supported as well by the Clinton-Gore administration. I urge its approval by the House.

Currently, the Great Sand dunes National monument covers approximately 38,000 acres in the San Luis Valley of south central Colorado. The current monument boundary includes only the dunes themselves, which, at over 700 feet in height, are the tallest in North America. The dunes, however, are only one part of a highly complex system that includes the extremely fragile and vulnerable sand sheet, the surrounding watershed, and the underground aquifer, all of which are integral to the flow of water and replenishment of sand that created and maintains the dunes. These critical elements of the system are located mostly outside of the monument boundaries, on Federal, State, and private lands. Expanding the boundaries of the national monument to include the entire natural system, as provided for in S. 2547, will help to ensure the long-term preservation of the dunes.

The bill will also help to address long-standing concerns surrounding protection of the water resources of the San Luis Valley. A large ranch, known as the Luis Maria Baca Grant No. 4, is located to the west of the existing national monument and contains key lands in the sand sheet and water resources that support the dune system, as well as other wetlands, rich wildlife habitat, and a diversity of ecosystem types.

In 1986, the private owners of the Baca property attempted to obtain a water right to pump as much as 200,000 acre-feet-per year from the unconfined aquifer beneath the land to communities along Colorado's Front Range. The effort failed when the courts dismissed their claims, and the owners subsequently sold the property.

The potential for development and export of the water, however, is still a major concern for residents of the valley because of the potential for such a project to affect the availability of water for irrigation and other local uses. S. 2547 would authorize the Federal acquisition of the Baca property, incorporating parts of the property into a national park, national wildlife refuge, and the existing national forest. The legislation requires the Department of the Interior to work with the State of Colorado to protect the water dependent resources of the dunes while not jeopardizing valid existing water rights.

S. 2547 authorizes the Secretary of the Interior to establish the Great Sand Dunes National Park when the Secretary determines that land having a sufficient diversity of resources has been acquired to warrant its designation as a national park.

The national park will include the existing national monument (which will be abolished when the national park is established), as well as adjacent lands located generally to the west, including the Baca property and other State, private, and Federal lands which would be acquired by or transferred to the National Park Service.

In addition, S. 2547 establishes the Great Sand Dunes National Preserve from lands that are currently included in the Rio Grande National Forest. Administrative jurisdiction over these lands is transferred from the Secretary of Agriculture to the Secretary of the Interior to be managed as a unit of the National Park System.

Finally, S. 2547 authorizes the Secretary to establish the Baca National Wildlife Refuge after determining that sufficient lands have been acquired to constitute an area that can be efficiently managed as a National Wildlife Refuge. The refuge would be comprised of the western portion of lands acquired from the Luis Maria Baca Grant No. 4, as well as adjacent State and private lands, and land currently managed by the Bureau of Land Management.

As noted by Stephen Saunders, the Assistant Secretary of the Interior for Fish and Wildlife and Park, this legislation is an excellent example of what Congress and the Administration can accomplish when we work together.

In December of last year Secretary Babbitt traveled to Colorado and met with Senators Allard and Campbell, Congressman McInnis, Colorado Attorney General Ken Salazar, and other Coloradans to explore the threats to the sand dunes and the opportunities to preserve them. In that meeting--which some in the Colorado press immediately called the Summit at the Dunes--it became evident that there was broad agreement about what needs to be done, and about the need to work together to make it happen.

Since then, the Secretary and others in the Department have worked closely with the Colorado Congressional delegation, the state government, and others in reaching agreement on the broad outlines of this legislation.

The bill before the House is the result of that process. It is supported by Colorado Senators and Representatives of both parties, by Governor Bill Owens, a Republican, and by the Attorney General of Colorado, Ken Salazar, the highest ranking Democrat in the state government, who, as a native of this part of the State, understands this issue especially well. It has been editorially endorsed and is supported by people throughout Colorado. It deserves enactment.

Statement of Ken Salazar, Attorney General of Colorado, on S. 2547,
Great Sand Dunes National Park Act of 2000

I offer this statement to express my strong support for S. 2547, which redesignates the Great Sand Dunes National Monument as a national park and adds protection to the rare geological and ecological area within and surrounding the current Monument. This action will protect and enhance one of the great ecosystems in the Sangre de Cristo mountain range, as well as head off damaging water export schemes that threaten the existence of that ecosystem.

The San Luis Valley in Colorado is the largest, highest alpine valley in the country with an average elevation of over 7,000 feet. The Valley extends 140 miles from the divide with the Arkansas River on the north to the San Antonio Mountains in New Mexico to the south. The Valley spans about 70 miles east to west, from the Sangre de Cristo Mountain Range to the San Juan Mountain Range. The headwaters of the Rio Grande are located in the San Juans above the town of South Fork. The Valley has a colorful and rich heritage starting with the Native American tribes, the first Colorado settlements in the 1850's, and a history of agriculture and mining.

The Great Sand Dunes became a national monument in 1932. The Dunes cover 39 square miles and sit at the center of one of the most extensive wetland systems in the Rocky Mountains. The Dunes are inextricably tied to the flows of Sand Creek and Medano Creek, the latter of which not only transports sands, but exhibits an interesting and rare phenomenon known as a "pulsating" or "surge" flows, creating mini-waves in the creek. The government has obtained reserved rights for those creeks. The Dunes and the surrounding area overlie the groundwater system on which the features of the Dunes and adjacent wetlands rely.

The San Luis Valley in Colorado has unique hydrologic

characteristics. Underlying the lands in the Valley are two aquifers: the upper aquifer is known as the "unconfined" or "shallow" aquifer, the lower aquifer is called the "confined" aquifer. These aquifers interact with the surface streams to create a delicate hydrologic balance within the Valley. The agricultural economy and the wildlife values are dependent on maintaining that balance. Although there is a considerable amount of water in the confined aquifer, pumping that water to the surface will disrupt the overall balance. The State Engineer recognized this in 1972, when he stopped issuing well-permits.

S. 2547 recognizes that some lands adjacent to the Dunes contain important portions of the sand dune mass and the ground water system on which the sand dune and wetland systems depend. S. 2547 provides the Secretary of the Interior with authority to protect this hydrologic system by purchasing lands surrounding the dunes, thus protecting the aquifers from being significantly depleted.

The State of Colorado, along with New Mexico and Texas, is party to the Rio Grande Compact, which allocates waters of the Rio Grande among the three states. Under the 1938 Compact, Colorado must make deliveries to the state line pursuant to a schedule based on the amount of flows in the river. The State Engineer closely regulates all withdrawals of water from the stream system and connecting groundwater system in order to make Colorado's Compact deliveries. The Closed Basin Project, located in the San Luis Valley, is a federal project, authorized by the Reclamation Project Authorization Act of 1972 to provide water to local federal reserves and to assist Colorado in making its Compact deliveries. The Project captures water historically discharged by evapotranspiration from water on the surface or in the soil or by native plant life. That water is then used to augment the flows of the Rio Grande, assisting Colorado in meeting its Compact delivery obligations and the United States in meeting its treaty obligations to Mexico. Viability of the project is dependent upon maintenance of the delicate hydrologic balance in the Valley.

The Baca Grant No. 4 is a 100,000-acre parcel of land located just north and west of the Great Sand Dunes National Monument. In 1986 American Water Development, Inc. ("AWDI") sought the right to withdraw 200,000 acre-feet of ground water per year from the aquifers underlying the Grant. AWDI's plans met with strong opposition from the water users, the State, and the United States, all of whom spent a great deal of time, effort and funds to protect the Valley resources. The United States opposed the project not only because of its effect on the Sand Dunes, but also because of the damage that would be sustained by the Closed Basin Project and the national wildlife reserves in the Valley. The water court found that the withdrawals of groundwater proposed by AWDI would lower the water level in the unconfined aquifer, depleting flows in the natural stream system and

significantly reducing the annual yield of the Closed Basin Project. The Colorado Supreme Court affirmed the findings of the water court.

Water users and the State of Colorado have been concerned about a new project that

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threatens the hydrologic balance in the Valley. The project, billed as the "No Dam Water Project," is sponsored by Stockman's Water Company, successors in interest to AWDI. The project proposes the transbasin export of up to 100,000 acre- feet of confined aquifer water from a well field on the Baca Grant No. 4. We know that the withdrawal of any water will affect the system overall.

Over the last seven years, the community has made efforts through The Nature Conservancy to acquire land near the Sand Dunes in an effort to protect this natural resource. Last year, The Nature Conservancy purchased over 50,000 acres of land in two ranches known as the Zapata Ranch and the Medano Ranch located directly adjacent and south of the Sand Dunes National Monument. The federal government has also acquired another parcel of land in the area known as the White Ranch for inclusion in the National Wildlife Refuge system. S. 2547 will assure further protection of the ecosystem.

I strongly support the creation of the Sand Dunes National Park and Preserve as provided in S. 2547. The bill contains sufficient language to protect existing water rights and provides that the Secretary shall obtain any new water right in accordance with federal and State law. Further, if lands on the Baca Grant No. 4 are acquired, all water rights and water resources associated with the Grant shall be restricted for use only within the park, preserve, or immediately surrounding areas of Alamosa or Saguache Counties in Colorado. This protects the Valley from future speculative water projects intended to export water to other basins within and outside the State of Colorado, which would be damaging to the Sand Dunes and its ecosystem.

S. 2547 will preserve a very unique and outstanding resource in this country, the Sand Dunes and their associated resources. It will also protect the delicate hydrologic balance of the San Luis Valley, assuring the resources necessary to sustain the Sand Dunes. I am committed to working with Congress and the Administration to achieve these laudable goals.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield 6 minutes to the gentleman from

Colorado (Mr. Hefley), a senior member of the Committee on Resources.

Mr. HEFLEY. Mr. Speaker, I must object to the bill before us, Senate bill 2547, the Great Sand Dunes National Park and Preserve Act. This bill has never been the subject of hearings in the House of Representatives before the Committee on Resources.

National parks should not be designated without going through the process. The gentleman from Utah (Mr. Hansen) and I have worked long and hard in that committee, the gentleman from Utah (Mr. Hansen) is chairman of the Subcommittee on National Parks and Public Lands, to see that there is a logical process for naming national parks.

One of the reasons for that is that we love national parks. We are proud of our national parks, and we do not have the resources, it seems, to take care of the national parks we have like they should be taken care of.

We have in Yellowstone, one of the jewels of the system, in Yosemite, we have roads that have potholes in them; we have guardrails that are falling down, all kinds of maintenance things that we simply do not have the resources to take care of evidently because we are not doing a very good job of it.

So when we add national parks, that draws on all the other national parks, and the pie is divided up that much more. The main thing is it ought to go through a logical process. The gentleman from Utah (Mr. Hansen) and I several years ago put in legislation in place to see that that would happen. What ought to happen with this bill is that next year we ought to have hearings on it. We ought to take it through the process and we ought to answer all the questions.

Now there are a number of questions to be answered. First, most National Park Service regulations say that a park comprises a variety of resources. Now I know the proponents of this would say that there are a variety of resources. There are mountains, there are streams and so forth, but the basic thing is there is a pile of sand, a beautiful pile of sand. But that is the basic resource for this park.

If the gentleman from Colorado (Mr. Udall) has been, and he has, in a lot of national parks, I would start with Rocky Mountain National Park, for instance, in our own State, I would ask the gentleman to compare that in his own mind to the Sand Dunes National Park, and it does not compare.

I do not honestly feel this rises to the level of a national park. I think it is a great national monument, but I do not think it rises to the level of a national park.

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Second, the land acquisition provisions of this bill are open to discussion. This gives the Secretary the right to acquire land, and it takes it out of the hands of Congress. Usually we are the ones that do the acquiring of land. This gives the Secretary the right to do that.

The Baca Ranch, which is adjacent to the existing monument, I would have no objection to us buying and adding to the monument, except there is a problem with whether it is for sale or not; some of the owners want to sell it, some do not, and the price that has been quoted to me is far above the appraised value on it. I do not think we want to get into that kind of a situation.

Third, the act would create as many as four inholders, none of which have been contacted, as far as I can tell, as to their feelings in this matter.

Lastly, there is a question of water beneath the dunes. One of the main reasons for this bill is to stop the speculation on water in that valley. Now, I do not want water in that valley to come to the front range of Colorado. I do not want it to come to Colorado Springs, Aurora, or anywhere else. I want that water to stay in the valley.

So this is a good part of the bill. If you actually bought the ranch and tied up the water and kept it in the valley, that is a good part of it. I think that can be done as a monument. It does not have to be a national park. In fact, every bit of this, except the Baca Ranch, is protected in one way or another. It is either **wilderness**, national forest, or monument. So this is not an environmental vote. The environment is being protected, whether it is a national park or not.

There are many public officials in Colorado who would like to have input into this and have contacted me, not the least of which are the three county commissioners from the county where this is, who are opposed to this.

By circumventing the process, we lose the opportunity for the public to have input in it, which I think that the gentleman from Colorado (Mr. Udall) would champion, that the public should have input into anything like this. We have been contacted by numerous public officials who say, we would like to testify on this. We would like to testify on this.

Therefore, I urge that S. 2547 be rejected and that next year we have full hearings on it. It may be this is the right thing to do. We may decide it is the right thing to do. But is not the right thing to do this way. I do not know very many times in the history of this House where you have designated a national park without it going through the full procedure of both the House and the Senate.

The arguments I get for it are twofold. The water we have already talked about. That is a good argument. Second, economic development. Well, you should not name national parks as an economic development process. That is not why they should be named.

All I am asking is we go through the normal process; we have the hearings, and we make a decision based upon the merit, not based upon who can put the most pressure on the Speaker. This did not come out of the committee; this came out of the Speaker's office. He put it on the calendar. I do not know why he put it on the calendar and circumvented the whole process. I do not think he should have, but this should not be based on that. It should be based upon merit.

I ask us to reject this and have the hearings, go through the process, and then we may well decide it is a good idea.

Mr. UDALL of Colorado. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado (Ms. DeGette).

Ms. DeGETTE. Mr. Speaker, I rise today in strong support of this legislation. Colorado's Great Sand Dunes area is an amazing site, well worth the protection afforded by a national park designation.

As we have seen from that magnificent photo that my colleague from the Western Slope has, the Sand Dunes rise up from the Colorado plains evoking the great Sahara Desert's mountains of sand. Yet the Great Sand Dunes are but

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a part of the larger unique ecosystem. The snow-capped Sangre de Cristo Mountains tower in the background, and nearby wetlands harbor numerous species, including sandhill cranes and white-faced ibis. The entire ecosystem will benefit from the protection Congress provides today.

This designation will also benefit the people of southern Colorado, not only because it protects one of their most treasured natural resources, but also because such protection will boost the local economy. Preserving natural resources provides Western Slope communities with a comparative advantage over other rural areas for diversifying their economy by enhancing their ability to attract and retain businesses and a talented workforce. Protecting public lands

provides many economic benefits and maintains the natural capital that forms the foundation of Colorado's identity, quality of life and economic well-being.

I sincerely hope that the passage of this bill is the next step in a concentrated effort to safeguard all lands in Colorado which are deserving of appropriate protection.

Last year, for example, I introduced H.R. 829, the Colorado **Wilderness** Act. This legislation would designate 1.4 million acres of land in Colorado as **wilderness**, including a small portion of the Great Sand Dunes. Today's legislation does not include any **wilderness** designation, and I hope the Colorado delegation will work together, as we did on this bill and several other bills, to provide the protection **wilderness** designation affords to these areas.

Earlier this year, the Colorado delegation came together to designate the Black Ridge Canyons as **wilderness**. Yesterday the House passed the Spanish Peaks **Wilderness** Act. Today we have another bipartisan effort that will result in strong protections for unique parts of Colorado.

These are good first steps. However, because of the growth pressures on our precious public lands in Colorado, we need to look at a comprehensive Colorado public lands policy.

Public support throughout the State is growing for this proposal tonight and other public lands proposals, as is evidenced by the bipartisan support you heard from my colleagues, that our legislature, that our local elected officials and that our citizens have all across the State for more protection of public lands. Well, today's legislation will provide protection for some of Colorado's most unique areas.

We must not stop there. We need to take additional steps to protect other areas of Colorado from the threats of growth and overuse. Areas such as Dominguez Canyon and Handies Peak are **wilderness** study areas that must be protected through permanent **wilderness** designation. If we wait to act on each of the 48 areas in Colorado included within my bill that deserve **wilderness** protection individually, many of them will be gone by the time we are ready to legislate.

So I want to commend my colleague from the Western Slope. I want to commend my colleague, the gentleman from Colorado (Mr. Udall), and the bipartisan support of my fellow Members of Congress on this bill. I hope we can all sit together and work over the recess to have comprehensive Colorado omnibus **wilderness** legislation in the next session.

Mr. HANSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. McInnis).

Mr. McINNIS. Mr. Speaker, I think the gentleman from Colorado (Mr. Hefley) brought up a few points that should be addressed here.

First of all, in regard to the inholdings, there are three inholdings within the national park. All three of those are held by the Nature Conservancy District, which is 100 percent behind this national park.

In regard to the gentleman's discussions on process and we should never have a national park and have not had one in the best of the gentleman's memory that has happened in a process that did not go through the House committee, remember, this went through full hearings at the Senate committee. To the best of my knowledge, none of the gentleman's staff, none of the staff of any of the people the gentleman was talking about, even expressed an interest to go sit in on these hearings.

But back to my point: 2 weeks ago there was a national park, which, by the way, I support, that was included in the Interior bill, and there were no objections raised on the floor.

That is the mystery of this. I want the gentleman to know, I have gone to the committee. I have gone to my good colleague, and I say this with all due respect, because our dispute is a professional dispute, not a personal dispute, but I have gone to the gentleman and said, give me a hearing. I want this bill heard on its merits. Let it rise or fall on its own merits. But Colorado and the future of America, they deserve this national park.

It is in my district, by the way. I know a little something about it. I was denied the hearing month after month after month. Not by the chairman, by the way, not by the chairman, but at the request of the chairman.

I had no other choice but use the same rules that the gentleman who is opposed to this this evening, the rules he is using to kill this national park, the same rules I used to get to the House floor. The beauty of bringing it to the House floor is 435 Congressmen, 435 Congressmen make the decision whether this should be a national park. Not one Congressman. Not one Congressman kills this national park; 435 or 434 of my colleagues make the decision based on the merits whether we deserve another national park.

There are a number of other issues we ought to talk about. When we talk about the water to the dunes, as the gentleman and I discussed, and I know this and I say this to the credit of the gentleman, this

gentleman understands water. He has years of meritorious service in the State legislature of Colorado as well as the U.S. Congress on water issues.

But the gentleman could agree with me; you drain the water out of the Sand Dunes and you destroy it. You destroy the most unique, or the only, the only geological, geographical, any type of archeological, I could go on and on, type of site in the world that exists. You cannot drain the water out of there. Draining the water out is like taking the blood out of a human body and then telling the body to continue to live. It does not happen. It is destroyed. That water is the human blood for the San Luis Valley. I urge my colleague to join me in regards to that.

Mr. Speaker, it is clear that this process is within the process of the House, or we would not be here today. We had suspensions. In fact the Sand Creek, by our colleague, the gentleman from Colorado (Mr. Schaffer), yesterday, followed the exact same process. But I did not see anybody up there objecting to that.

Mr. HANSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. Hefley).

Mr. HEFLEY. Mr. Speaker, I would say to the gentleman from Colorado (Mr. McInnis), I do not want to prolong this. I think we have said what needs to be said.

The gentleman repeated several times that this is his district, his district, his district, as if it is in his district, we ought to do it.

When I got on the Subcommittee on National Parks and Public Lands several years ago, I discovered that a lot of Members were bringing parks home to their district, whether they had any merit or not. Steamtown, the gentleman from Utah (Mr. Hansen) may remember Steamtown is one of them. Our good friend Joe McDade brought that one home. I guess this has a whole lot more merit than that did, by the way. So there is interest by people when that is not in their district. There is interest in that park, or whether it is a park or not.

I do not know if the gentleman heard me, because I think the gentleman was talking to one of his staff at the time, but when the gentleman starts talking about draining water out from under the Dunes, I have no intention, and the gentleman knows that, of draining water out from under the Dunes.

The gentleman is absolutely right; you take that water, and the Dunes go away. The water has to stay there. I want the water to stay there, not just for the Dunes, but I want the water in the San Luis Valley to

stay in the San Luis Valley. I do not want it coming to the Eastern Slope or the big cities. I want it to stay there, because if it does not stay there, I think that valley, which is already economically depressed in many ways, becomes a real problem. So I want the water to stay there, and I do not want there to be any mistake about that.

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I guess I would just close by saying again, yes, this is part of the process; but it is a subversion of the process. There was a national park put in the Interior bill. I voted against that. I think that was wrong. I do not think that this should be part of the process. I think the process should be both Houses go through their committee structure, ask the questions, have the hearings, let everybody who wants to have input into it, and then make a logical decision.

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I had two comments I wanted to add to the debate this evening. I agree with my colleague, the gentleman from Colorado (Mr. Hefley), that this is not just a question of the third district in Colorado; it is a question I think for all of Colorado and really for all of the Nation; and that is why I support the bill, because I believe it will be good for Colorado, and it will be good for the Nation. I think it is important to bring it to the House and let all 435 of us have our say on this idea, that we would create a national park.

The other thing I want to add just from a personal point of view is that when you go to that area and you look at the Sand Dunes and their uniqueness, I agree with the gentleman, if it was just the Sand Dunes we were talking about, they might not rise to the level of a park. But when you add in this very diverse set of ecosystems that rise to the 14,000-foot level, it is truly unique, and I believe truly worthy of national park status.

That is why I support this legislation, and I think my colleague, the gentleman from Colorado (Mr. McInnis), has been right in bringing this question forward to the full House.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. McInnis).

Mr. McINNIS. Mr. Speaker, again to the colleague, talk about

subversion of the process, subversion of the process occurs when you cannot even get a committee hearing. I will not embarrass the gentleman by asking him, but I would if I were in some kind of real knock-down-drag-out, ask the question, did not I in fact request that this go to the committee? Did not the gentleman in fact request that it not go to the committee?

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The fact is this has had Senate hearings. The fact is that the gentleman can stall this bill to its death. Today is the last opportunity this bill will have to pass. It is the last opportunity to create a national park in the Third Congressional District, in my opinion, for a long period of time.

It has the unanimous support of the Governor's office, the Attorney General, near unanimous support of the State House, near unanimous support of the State Senate, unanimous support of the United States Senate.

This bill will pass on its merits, and that is what we have asked it to do, go on its merits. I should also bring up the point, because I am a strong private properties advocate, and my colleague from Colorado (Mr. Hefley) brings up the point to the best of his knowledge the owners of the Baca Ranch that would be involved in this are not interested in selling the ranch; wrong.

I have their correspondence.

Mr. Speaker, I submit the following for the Record:

Hogan & Hartson, I.I.p.,

Washington, DC, October 24, 2000.
Office of Congressman Scott McInnis,
Cannon House Office Building,
Washington, DC.

Dear Member of Congress: Farallon Capital Management owns a controlling interest in the Baca Ranch, located adjacent to Great Sand Dunes National Monument in southern Colorado. As controlling owners, we are fully supportive of establishment of Great Sand Dunes National Park and National Preserve as proposed in S. 2547 and of the government's interest in

acquiring the Baca Ranch property as provided for in Section 8 of S. 2547. To that end, we completed an independent Appraisal Report on April 18, 2000, and we look forward to continuing our cooperation with completion of the National Park and National Preserve. In addition, we have been in close contact with the Administration which fully supports this legislation and we look forward to completing the transaction for Baca Ranch following enactment of S. 2547.

Sincerely,

Douglas P. Wheeler,

Attorney for Farallon Capital Management.

Mr. Speaker, let me quote from the correspondence, as controlling owners, as controlling owners, we are fully supportive of establishment of the Great Sand Dunes National Park and the government's interest in acquiring the ranch property.

Mr. HEFLEY. Mr. Speaker, will the gentleman yield?

Mr. McINNIS. I yield to the gentleman from Colorado.

Mr. HEFLEY. Mr. Speaker, maybe the gentleman misunderstood what I said or I did not say it very well. I said there was a division among the owners as to whether or not to sell or not. The owners in San Francisco want to sell; the owners in Colorado do not.

Mr. McINNIS. Mr. Speaker, I will accept that from the gentleman. I will say the controlling owners. We do have a minority holder out there who thinks for pricing and negotiation purposes. The fact is that the controlling owners think it is a great proposal. The end holders think it is a great proposal; they support it. The people of the valley think it is a great proposal.

The gentleman brought up three county commissioners in a very small county. I have gone to them. They were worried about their \$68,000 loss of property tax. I replaced it with \$80-some-thousand, and it has an inflationary type of clause in it. It is not exactly stuck with inflation, but it goes up, that we will increase that amount every year.

We have done everything we can to appease those people, but what I think is the most important as I speak to the gentleman from Colorado (Mr. Hefley) is this process that we are talking about. I agree with the gentleman on Steamtown. I agree with the gentleman on some of these

other issues, but I think everybody with a couple of exceptions who has taken a look at this, the Sand Dunes say, gosh, this ought to be preserved for all future of America. We ought to expand on this and make it a national park.

The fact that we have it on here on the House floor is exactly where it ought to be. The best point I think the gentleman has made this evening is, Mr. McInnis, just because it is in your congressional district does not mean we should vote for it; that is right. That is why 435 Members of the United States Congress should vote for it, not one person in one committee stop it from ever having a hearing.

Mr. Speaker, just the same as we should not pass it just because of the fact it is in my district, we should also not allow it to have a committee hearing because of one person. We should bring it to the whole body, and that is exactly what we have done this evening. I encourage all of my 434 colleagues to vote yes on this and create a national park for the future of America.

I am proud of it. People in Colorado are proud of it. We want to show it off, not just to America, but to the world.

Mr. Speaker, I am submitting a letter from the State of Colorado raising an issue regarding control and management of hunting in the Great Sand Dunes National Preserve. I share the State of Colorado's concern, and as the House author of this bill and one involved in the negotiations that produced the final Senate version, I would read the current language in the light most favorable to Colorado's sovereignty and predominant role in hunting, fishing and trapping that states have in our federal/state system. Specifically, the term "limited periods" in section 7(c)(2) of the bill, referring to the time periods that hunting, fishing or trapping in the preserve may be prohibited, should be strictly construed to limit the time and nature of the closures or restrictions on hunting, fishing and trapping in the Great Sand Dunes National Preserve. Permanent closures or expansive closures would absolutely run counter to the intent of this legislation.

Moreover, section 7(c)(3) of the legislation calls for consultation by the Park Service with the appropriate Colorado agency on any limited prohibitions of hunting, fishing and trapping. As an author of this legislation, this language should be read as expansively as possible to require real, meaningful consultation with the State of Colorado, including involvement in the decisions and crafting the scope and nature of any closures to allow for the maximum management of the bighorn sheep herds and other wildlife in the Great Sand Dunes Preserve.

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State of Colorado,

Department of Natural Resources,

Denver, CO, October 4, 2000.

Mr. Mike Hess,
Cannon Building,
Washington, DC.

Dear Mike: Per our telephone conversation earlier today, it has come to our attention that some important language in the Great Sand Dunes National Park bill was not included. Specifically, the paragraph requiring the Secretary of the Interior to obtain approval of the Colorado Division of Wildlife before closing hunting opportunities, except for emergencies, was replaced with general consultation language.

This current form causes problems for the State of Colorado. We are concerned about giving the Secretary carte blanche to control the way we manage game and non-game species on a new national park.

As you know, the bighorn sheep is Colorado's state animal, and the Sangre de Cristo Mountains are home to the State's largest bighorn sheep herds. The management of this herd has been one of the Division of Wildlife's biggest success stories over the years, and the possibility that our most important management tool could be taken away by the Secretary of the Interior is adverse to the best interests of the State and our wildlife.

Furthermore, any ban on hunting in the expansion areas would also greatly reduce our ability to properly manage the elk herd in that game unit. This will increase our animal damage payments to citizens and reduce recreational opportunities.

I hope this is helpful. Thanks for all your great work on this important bill.

Sincerely,

Greg Walcher,

Executive Director.

Mr. UDALL of Colorado. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I just want to add a final word. I urge passage of this bill. I think it is the right thing to do for the State of Colorado. It is the right thing to do for the country. My colleague, the gentleman from Colorado (Mr. McInnis), has made a powerful argument. It is the right thing to do for the citizens of the world who would come to see this very unique area that starts with the Sand Dunes in a low elevation and rises to 14,000-foot peaks. I hope the House will do the right thing.

Madam Speaker, I urge passage of this bill.

Madam Speaker, I yield back the balance of my time.

Mr. HANSEN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. Biggert). The question is on the motion offered by the gentleman from Utah (Mr. Hansen) that the House suspend the rules and pass the Senate bill, S. 2547.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HEFLEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.