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REPORT
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HOPEWELL CULTURE NATIONAL HISTORICAL PARK BOUNDARY ADJUSTMENT ACT

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

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

R E P O R T

[To accompany H.R. 2197]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2197) to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, and for other purposes, 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. 2197 is to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio.

BACKGROUND AND NEED FOR LEGISLATION

The Hopewell Culture was a pre-European civilization now best known for the numerous mounds and earthworks, often built in geometric patterns, found throughout the Ohio Valley. This mound-building culture flourished between 200 B.C. and 500 A.D. at the center of a vast trade network that brought raw materials from much of the continent to Ohio: copper from the Great Lakes, mica from the southern Appalachian Mountains, seashells from the Gulf of Mexico and volcanic obsidian from the Rocky Mountains.

Hopewell Culture National Historical Park, located in south-central Ohio near Chillicothe, Ohio, grew out of the former Mound City Group National Monument, which was created in 1923 by presidential proclamation. Congress expanded the monument in 1980 (Public Law 96–607), adding a portion of the nearby Hopeton Earthworks.

In 1992, Congress further expanded the park, expanding the boundaries of the Hopeton Earthworks unit and adding the High Bank Works, the Hopewell Mound Group and a portion of the Seip Earthworks. That law (Public Law 102–294) also renamed the park to reflect the name given to a culture formed by a broad network of economic, political and religious connections among different Native American groups.

The current park boundary encompasses 1,174 acres (947 acres are federally owned and the National Park Service has another 8 acres under easement) in five sites scattered along Paint Creek and the Scioto River.

H.R. 2197 would add two tracts, the 177-acre Spruce Hill Works unit and a 180-acre addition to the existing Seip Earthworks unit.

The Spruce Hill site was recently purchased by a coalition of archaeologists and Native American groups who intend to protect the site until it can be added to the park. The site includes a stone rampart enclosing 140 acres on top of an irregularly shaped hill; the fortress-like structure may have been defensive or ceremonial. Finely crafted objects have been found at the site, as have structures that may be ancient smelting furnaces. The site was added to the National Register of Historic Places on Feb. 23, 1972. The site also includes natural areas including an Appalachian hardwood forest, open fields that are home to rare Grasshopper and Henslow's sparrows, and white oak wetlands that shelter salamanders, wood frogs and wood ducks.

The Seip Earthworks consists of earthworks shaped in squares and circles and three connected burial mounds. Objects found during excavations of the largest mound in the early 1900s include a stone effigy pipe, a trumpeter swan effigy of tortoise shell, copper objects, textiles, and flint tools. The park currently owns 168 acres of the earthworks; and more of the site is protected as part of the Seip Mound State Memorial. The proposed addition includes a large elliptical mound and the remains of workshops used to create ceremonial objects.

Of the 180 acres to be added to the Seip Earthworks unit, 69 acres are already owned by the National Park Service but lie outside the congressionally established boundary of the park. The bill would adjust the boundary to reflect that and include 39 acres owned by the Ohio Historical Society as well as two parcels that may be acquired from willing sellers.

COMMITTEE ACTION

H.R. 2197 was introduced on May 7, 2007, by Representative Zachary Space (D–OH). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On June 14, 2007, the Subcommittee held a hearing on the bill. On October 10, 2007, the Subcommittee was discharged from further consideration of the legislation and the Full Natural Resources Committee met to consider the bill. The bill was ordered favorably reported, without amendment, 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.

CONSTITUTIONAL AUTHORITY STATEMENT

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

COMPLIANCE WITH HOUSE RULE XIII

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

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

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

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

H.R. 2197—Hopewell Culture National Historical Park Boundary Adjustment Act

H.R. 2197 would expand the boundaries of the Hopewell Culture National Historical Park in Ohio by nearly 360 acres. The National Park Service (NPS) could acquire that acreage (or lesser property interests such as easements) by purchase, donation, or exchange.

Based on information provided by the NPS, CBO estimates that implementing H.R. 2197 would cost about $1 million over the next five years, assuming the availability of appropriated funds. We estimate that the NPS would spend about $700,000 of this amount in the first year or two to purchase about 250 acres of private land, including nearly 180 acres at the Spruce Hill Works site and about 70 acres at the Seip Earthworks site. (We expect that 39 acres of land at the Seip Earthworks site would be donated by the Ohio Historical Society; the remaining 70 acres at that site are already owned by the NPS.) We estimate that the NPS would spend $300,000 over the following few years to construct visitor facilities for the two sites, including trails, parking lots, and wayside exhibits. Finally, we estimate that costs to manage the newly added

areas would be minimal. Enacting H.R. 2197 would have no effect on direct spending or revenues.

H.R. 2197 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no cost on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 2197 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

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, existing law in which no change is proposed is shown in roman):

SECTION 2 OF THE ACT OF MAY 27, 1992

(Public Law 102–294)

AN ACT to rename and expand the boundaries of the Mound City Group National Monument in Ohio.

SEC. 2. EXPANSION OF BOUNDARIES.

(a) IN GENERAL.—The boundaries of the Hopewell Culture National Historical Park (referred to as the "park") are revised to include the lands within the areas marked for inclusion in the monument as generally depicted on—

(1) * * *

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(3) the map entitled "Hopewell Mound Group" numbered 353–80029 and dated July 1987; [and]

(4) the map entitled "Seip Earthworks" numbered 353–80033 and dated July 1987[.]*; and*

(5) the map entitled "Hopewell Culture National Historical Park, Ohio Proposed Boundary Adjustment" numbered 353/80,049 and dated June, 2006.

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(d) ACQUISITION OF LANDS.—(1) * * *

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(3) The Secretary may acquire lands added by subsection (a)(5) only from willing sellers.

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