

ROTA CULTURAL AND NATURAL RESOURCES STUDY ACT

JULY 13, 2010.—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. 4686]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4686) to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; FINDINGS.

(a) **SHORT TITLE.**—This Act may be cited as the “Rota Cultural and Natural Resources Study Act”.

(b) **FINDINGS.**—Congress finds as follows:

(1) The island of Rota was the only major island in the Mariana Islands to be spared the destruction and large scale land use changes brought about by World War II.

(2) The island of Rota has been described by professional archeologists as having the most numerous, most intact, and generally the most unique prehistoric sites of any of the islands of the Mariana Archipelago.

(3) The island of Rota contains remaining examples of what is known as the Latte Phase of the cultural tradition of the indigenous Chamorro people of the Mariana Islands. Latte stone houses are remnants of the ancient Chamorro culture.

(4) Four prehistoric sites are listed on the National Register of Historic Places: Monchon Archeological District (also known locally as Monchon Latte Stone Village), Taga Latte Stone Quarry, the Dugi Archeological Site that contains latte stone structures, and the Chugai Pictograph Cave that contains examples of ancient Chamorro rock art. Alaguan Bay Ancient Village is another latte stone prehistoric site that is surrounded by tall-canopy limestone forest.

(5) In addition to prehistoric sites, the island of Rota boasts historic sites remaining from the Japanese period (1914–1945). Several of these sites are on the National Register of Historic Places: Nanyo Kohatsu Kabushiki Kaisha Sugar Mill, Japanese Coastal Defense Gun, and the Japanese Hospital.

(6) The island of Rota’s natural resources are significant because of the extent and intact condition of its native limestone forest that provides habitat for several federally endangered listed species, the Mariana crow, and the Rota bridled white-eye birds, that are also native to the island of Rota. Three endangered plant species are also found on Rota and two are endemic to the island.

(7) Because of the significant cultural and natural resources listed above, on September 2005, the National Park Service, Pacific West Region, completed a preliminary resource assessment on the island of Rota, Commonwealth of the Northern Mariana Islands, which determined that the “establishment of a unit of the national park system appear[ed] to be the best way to ensure the long term protection of Rota’s most important cultural resources and its best examples of its native limestone forest.”

SEC. 2. NPS STUDY OF SITES ON THE ISLAND OF ROTA, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) **STUDY.**—The Secretary of the Interior shall—

(1) carry out a study regarding the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on the island of Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; and

(2) consider management alternatives for the island of Rota, Commonwealth of the Northern Mariana Islands.

(b) **STUDY PROCESS AND COMPLETION.**—Except as provided by subsection (c) of this section, section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct and completion of the study required by this section.

(c) **SUBMISSION OF STUDY RESULTS.**—Not later than 3 years after the date that funds are made available for this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

Amend the title so as to read:

A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

PURPOSE OF THE BILL

The purpose of H.R. 4686 is to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

BACKGROUND AND NEED FOR LEGISLATION

At 21,000 acres, Rota is the fourth-largest island in the Marianas Archipelago. Like the rest of the islands in the southern half of the chain, Rota is volcanic in origin, covered by uplifted limestone from ancient coral reefs. The island was one of the few in the Mariana Islands to be spared the destruction and large-scale land use changes brought about by World War II. For that reason, Rota retains large intact tracts of native limestone forest—the best remaining example in the island chain—as well as the most striking and well preserved examples of the three-thousand-year-old Chamorro culture.

Fringed by narrow coral reefs and reef platforms, as well as limestone cliffs, Rota limestone forests provide habitat for rare species, including birds such as the Mariana crow, the Rota bridled white-eye and the Mariana common moorhen, all federally listed as en-

dangered species; the Mariana fruit bat, a threatened species; as well as three endangered plants (two trees and a perennial herb).

According to a September 2005 preliminary resource assessment by the National Park Service (NPS), Rota possesses the most numerous, intact, and unique prehistoric sites of any of the islands of the Archipelago, including stone houses that are the remnants of what is known as the Latte Phase of the cultural tradition of the indigenous Chamorro people (latte refers to a structure consisting of a stone pillar capped by a separate rock, and is distinctive to the Chamorro culture).

Four of these prehistoric sites are listed on the National Register of Historic Places: Monchon Archeological District (also known locally as Monchon Latte Stone Village), Taga Latte Stone Quarry, the Dugi Archeological Site that contains latte structures, and the Chugai Pictograph Cave that contains examples of ancient Chamorro rock art. Alaguan Bay Ancient Village is another latte stone prehistoric site that is surrounded by tall-canopy limestone forest.

In addition to prehistoric sites, the island of Rota boasts historic sites remaining from the Japanese period (1914–1945). Several of these sites are also on the National Register of Historic Places: Nanyo Kohatsu Kabushiki Kaisha Sugar Mill, Japanese Coastal Defense Gun, and the Japanese Hospital.

The NPS preliminary resource assessment determined that, based on the natural and cultural resources of the island, “establishment of a unit of the National Park System appear[s] to be the best way to ensure the long term protection of Rota’s most important cultural resources and its best examples of its native limestone forest.” The special resource study authorized by H.R. 4686 will include a formal public comment process, and will provide more detailed information about the cultural and natural resources on Rota.

COMMITTEE ACTION

H.R. 4686 was introduced February 24, 2010, by Congressman Gregorio Kilili Camacho Sablan (D–CNMI). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At an April 27, 2010, hearing before the Subcommittee, a representative of the Department of the Interior testified that the Department would support the bill with an amendment to require completion of the study within three years after funds are appropriated for the purpose, rather than within 18 months, as was required by the bill as introduced.

On June 16, 2010, the Subcommittee on National Parks, Forests and Public Lands was discharged from further consideration of H.R. 4686 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairman Raúl Grijalva (D–AZ) offered an amendment in the nature of a substitute to change the deadline for the study from 18 months to three years from the time funding is made available. The amendment was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

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, and Article IV, section 3, 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.

As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill, as ordered reported, is to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

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. 4686—Rota Cultural and Natural Resources Study Act

H.R. 4686 would require the National Park Service (NPS) to conduct a study of the island of Rota, Commonwealth of the Northern Mariana Islands, to determine the suitability and feasibility of designating it as a unit of the National Park System. The NPS would have three years to complete the study and report to the Congress on its results.

Based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that carrying out the study required by H.R. 4686 would cost about \$200,000 over the next three years. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

H.R. 4686 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The 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. 4686 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 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

If enacted, this bill would make no changes in existing law.