

108TH CONGRESS
2D SESSION

S. 2841

To designate the Ice Age Floods National Geologic Trail, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2004

Ms. CANTWELL (for herself, Mr. CRAIG, Mrs. MURRAY, Mr. SMITH, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To designate the Ice Age Floods National Geologic Trail,
and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ice Age Floods Na-
5 tional Geologic Trail Designation Act of 2004”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) at the end of the last Ice Age, some 12,000
9 to 17,000 years ago, a series of cataclysmic floods
10 occurred in what is now the northwest region of the

1 United States, leaving a lasting mark of dramatic
2 and distinguishing features on the landscape of
3 parts of the States of Montana, Idaho, Washington
4 and Oregon;

5 (2) geological features that have exceptional
6 value and quality to illustrate and interpret this ex-
7 traordinary natural phenomenon are present on Fed-
8 eral, State, tribal, county, municipal, and private
9 land in the region; and

10 (3) in 2001, a joint study team headed by the
11 National Park Service that included about 70 mem-
12 bers from public and private entities completed a
13 study endorsing the establishment of an Ice Age
14 Floods National Geologic Trail—

15 (A) to recognize the national significance
16 of this phenomenon; and

17 (B) to coordinate public and private sector
18 entities in the presentation of the story of the
19 Ice Age floods.

20 (b) PURPOSE.—The purpose of this Act is to des-
21 ignate the Ice Age Floods National Geologic Trail in the
22 States of Montana, Idaho, Washington, and Oregon, ena-
23 bling the public to view, experience, and learn about the
24 features and story of the Ice Age floods through the col-
25 laborative efforts of public and private entities.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) ICE AGE FLOODS; FLOODS.—The term “Ice
4 Age floods” or “floods” means the cataclysmic floods
5 that occurred in what is now the northwestern
6 United States during the last Ice Age from massive,
7 rapid and recurring drainage of Glacial Lake in Mis-
8 soula, Montana.

9 (2) PLAN.—The term “plan” means the cooper-
10 ative management and interpretation plan author-
11 ized under section 5(f).

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 (4) TRAIL.—The term “Trail” means the Ice
15 Age Floods National Geologic Trail designated by
16 section 4(a).

17 **SEC. 4. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.**

18 (a) DESIGNATION.—In order to provide for public ap-
19 preciation, understanding, and enjoyment of the nationally
20 significant natural and cultural features of the Ice Age
21 floods and to promote collaborative efforts for interpreta-
22 tion and education among public and private entities lo-
23 cated along the pathways of the floods, there is designated
24 the Ice Age Floods National Geologic Trail.

25 (b) LOCATION.—

1 (1) MAP.—The route of the Trail shall be gen-
2 erally depicted on the map entitled “Ice Age Floods
3 National Geologic Trail,” numbered _____,
4 and dated _____.

5 (2) ROUTE.—The route shall generally follow
6 public roads and highways__

7 (A) from the vicinity of Missoula in west-
8 ern Montana;

9 (B) across northern Idaho;

10 (C) through eastern and southern sections
11 of Washington;

12 (D) across northern Oregon in the vicinity
13 of the Willamette Valley and the Columbia
14 River; and

15 (E) to the Pacific Ocean.

16 (3) REVISION.—The Secretary may revise the
17 map by publication in the Federal Register of a no-
18 tice of availability of a new map as part of the plan.

19 (c) MAP AVAILABILITY.—Any map referred to in sub-
20 section (b) shall be on file and available for public inspec-
21 tion in the appropriate offices of the National Park Serv-
22 ice.

1 **SEC. 5. ADMINISTRATION.**

2 (a) IN GENERAL.—The Secretary, acting through the
3 Director of the National Park Service, shall administer the
4 Trail in accordance with this Act.

5 (b) TRAIL MANAGEMENT OFFICE.—In order for the
6 National Park Service to manage the Trail and coordinate
7 Trail activities with other public agencies and private enti-
8 ties, the Secretary may establish and operate a trail man-
9 agement office within the vicinity of the Trail.

10 (c) LAND ACQUISITION.—

11 (1) IN GENERAL.—If the acquisition is con-
12 sistent with the plan, the Secretary may acquire
13 land, in a quantity not to exceed 25 acres, for ad-
14 ministrative and public information purposes to fa-
15 cilitate the geographic diversity of the Trail through-
16 out the States of Montana, Idaho, Washington, and
17 Oregon.

18 (2) METHODS.—

19 (A) PRIVATE LAND.—Private land may be
20 acquired from a willing seller under this Act
21 only by donation, purchase with donated or ap-
22 propriated funds, or exchange.

23 (B) NON-FEDERAL PUBLIC LAND.—Non-
24 Federal public land may be acquired from a
25 willing seller under this Act—

26 (i) only by donation or exchange; and

1 (ii) after consultation with the af-
2 fected unit of local government.

3 (d) INTERPRETIVE FACILITIES.—The Secretary may
4 plan, design, and construct interpretive facilities for sites
5 associated with the Trail if the facilities are constructed
6 in partnership with State, local, tribal, or non-profit enti-
7 ties and are consistent with the plan.

8 (e) INTERAGENCY TECHNICAL COMMITTEE.—

9 (1) IN GENERAL.—The Secretary shall establish
10 an interagency technical committee to advise the
11 trail management office on the technical planning
12 for the development of the plan.

13 (2) COMPOSITION.—The committee—

14 (A) shall include—

15 (i) representatives from Federal,
16 State, local, and tribal agencies with inter-
17 ests in the floods; and

18 (ii) representatives from the Ice Age
19 Floods Institute; and

20 (B) may include private property owners,
21 business owners, and nonprofit organizations.

22 (f) MANAGEMENT PLAN.—

23 (1) IN GENERAL.—Not later than 3 years after
24 funds are made available to carry out this Act under

1 section 6, the Secretary shall prepare a cooperative
2 management and interpretation plan for the Trail.

3 (2) CONSULTATION.—The Secretary shall pre-
4 pare the plan in consultation with—

5 (A) State, local, and tribal governments;

6 (B) the Ice Age Floods Institute;

7 (C) private property owners; and

8 (D) other interested parties.

9 (3) CONTENTS.—The plan shall—

10 (A) confirm and, if appropriate, expand on
11 the inventory of features of the floods contained
12 in the National Park Service study entitled “Ice
13 Age Floods, Study of Alternatives and Environ-
14 mental Assessment” (February 2001) by—

15 (i) locating features more accurately;

16 (ii) improving the description of fea-
17 tures; and

18 (iii) reevaluating the features in terms
19 of their interpretive potential;

20 (B) review and, if appropriate, modify the
21 map of the Trail referred to in section 4(b);

22 (C) describe strategies for the coordinated
23 development of the Trail, including an interpre-
24 tive plan for facilities, waysides, roadside pull-
25 outs, exhibits, media, and programs that

1 present the story of the floods to the public ef-
2 fectively; and

3 (D) identify potential partnering opportu-
4 nities in the development of interpretive facili-
5 ties and educational programs to educate the
6 public about the story of the floods.

7 (g) COOPERATIVE MANAGEMENT.—

8 (1) IN GENERAL.—In order to facilitate the de-
9 velopment of coordinated interpretation, education,
10 resource stewardship, visitor facility development
11 and operation, and scientific research associated
12 with the Trail and to promote more efficient admin-
13 istration of the sites associated with the Trail, the
14 Secretary may enter into cooperative management
15 agreements with appropriate officials in the States
16 of Montana, Idaho, Washington, and Oregon in ac-
17 cordance with the authority provided for units of the
18 National Park System under section 3(l) of Public
19 Law 91–383 (16 U.S.C. 1a–2(l)).

20 (2) UNIT OF NATIONAL PARK SYSTEM.—For
21 purposes of this subsection, the Trail shall be con-
22 sidered a unit of the National Park System.

23 (h) COOPERATIVE AGREEMENTS.—The Secretary
24 may enter into cooperative agreements with public or pri-
25 vate entities to carry out this Act.

1 (i) EFFECT ON PRIVATE PROPERTY RIGHTS.—Noth-
2 ing in this Act—

3 (1) requires any private property owner to allow
4 public access (including Federal, State, or local gov-
5 ernment access) to private property; or

6 (2) modifies any provision of Federal, State, or
7 local law with respect to public access to or use of
8 private land.

9 (j) LIABILITY.—Designation of the Trail by section
10 4(a) does not create any liability for, or affect any liability
11 under any law of, any private property owner with respect
12 to any person injured on the private property.

13 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated such sums
15 as are necessary to carry out this Act, of which not more
16 than \$500,000 may be used for each fiscal year for the
17 administration of the Trail.

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