

MEMORANDUM OF UNDERSTANDING
Between the
USDI
NATIONAL PARK SERVICE, PACIFIC WEST REGION
And the
U.S. GEOLOGICAL SURVEY, WESTERN REGION
And the
BUREAU OF LAND MANAGEMENT
IDAHO, MONTANA AND OREGON/WASHINGTON STATE OFFICES
And the
BUREAU OF RECLAMATION, PACIFIC NORTHWEST REGION
And the
U.S. FISH AND WILDLIFE SERVICE, REGION I
And the
U.S. ARMY CORPS OF ENGINEERS, NORTHWESTERN DIVISION
And the
USDA FOREST SERVICE,
NORTHERN AND PACIFIC NORTHWEST REGIONS

This Memorandum of Understanding (MOU) is made and entered into by and between the: USDI National Park Service, Pacific West Region, the U.S. Geological Survey Western Region, the Bureau of Land Management Idaho, Montana and Oregon/Washington State Offices, the Bureau of Reclamation, Pacific Northwest Region, the U.S. Fish and Wildlife Service, Region 1; the U.S. Army Corps of Engineers, Northwestern Division; and the USDA Forest Service, Northern and Pacific Northwest Regions.

Background: During the latter phases of the Pleistocene ice age, 18,000 to 12,000 years ago, a lobe of the Cordilleran ice sheet advanced into the Idaho Panhandle to the area now occupied by Lake Pend Oreille, thus blocking the Clark Fork River drainage and causing Glacial Lake Missoula to form in western Montana. This ice dam, holding back some 500 cubic miles of water when the lake was at its greatest depth and extent, would fail repeatedly. When the dam broke, a towering mass of water and ice was released that swept across parts of Idaho, Washington, and Oregon on its way to the Pacific Ocean. *See the Ice Age Floods Area Map attached as Exhibit B.*

As evidence of their passing, the effect of these repeated cataclysmic ice age floods is recorded on the landscape itself and in geologic character of the region's many geomorphic landforms; including many features that, today, are located on lands administered by a number of federal agencies (listed above in this MOU).

Since 1993, the above named federal agencies have met on an informal basis to discuss how to promote an awareness and understanding of Glacial Lake Missoula and the resulting Ice Age Floods among general audiences at the local, regional, national, and international levels. In

2001, the USDI National Park Service completed a special resource study entitled *Ice Age Floods, Study of Alternatives and Environmental Assessment, Following the Pathways of the Glacial Lake Missoula Floods*. This document identifies positive educational and economic outcomes that can best be achieved through the planned and documented efforts of the parties to this MOU.

Passage of the Omnibus Public Land Management Act of 2009 established the Ice Age Floods National Geologic Trail (Title V – Rivers and Trails, Subtitle C). See *Exhibit A*

—establishes the Arizona National Scenic Trail, the New England National Scenic Trail, the **Ice Age Floods National Geologic Trail**, the Washington-Rochambeau Revolutionary Route National Historic Trail, the Pacific Northwest National Scenic Trail and adds additional routes and land components to the Trail of Tears National Historic Trail.

I. PURPOSE:

The purpose of this MOU is to develop a coordinated and scientifically accepted interpretation of the nationally significant values and features associated with the Ice Age Floods National Geologic Trail (hereafter referred to as the IAFNGT) that are found on federal lands in the states of Idaho, Montana, Oregon, and Washington.

II. LEGAL AUTHORITY:

The Act of August 25, 1916, 16 U.S.C. § 1, 2-4 and amendments thereto, authorizes the NPS to promote and regulate the use of the federal areas known as national parks, monuments, and reservations by such means and measures as conform to the fundamental purpose of the parks, monuments and reservations, which purpose is to conserve the scenery and natural and historic objects and wild-life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

III. STATEMENT OF MUTUAL BENEFITS AND INTERESTS:

The parties share a mutual interest in federal land management, scientific research and a responsibility for providing the public with high quality cohesive and educational interpretive programs. All parties will benefit from the coordination and cooperation necessary to comprehensively plan and execute a connected, informative, stimulating, and scientifically accepted Ice Age Floods story along the IAFNGT pathways.

IV. EACH PARTY WILL:

- A. Participate on the Ice Age Floods Interagency Coordination Committee (Coordination Committee) to collaborate and oversee the activities that will enhance interpretation of the Ice Age Floods story and features along the flood pathways of the IAFNGT.

- B. Designate a representative to serve on the Coordination Committee. A list of Coordination Committee Principal Representatives is attached as *Exhibit C*. Descriptions of Coordination Committee Organization and Conduct, and Responsibilities are attached as *Exhibits D and E* respectively.
- C. Recognize the Coordination Committee Chairperson as the principal point of contact for the Coordination Committee. *See Exhibit D item C and Exhibit E item B.*
- D. Make best efforts to perform their individual activities associated with this MOU.
- E. At their discretion, provide personnel, equipment, and services to carry out their respective responsibilities of this MOU.
- F. Voluntarily seek Coordination Committee review of site development plans and interpretive messages associated with the IAFNGT and Ice Age Floods story.

IV. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE PARTIES THAT:

- A. PRINCIPAL REPRESENTATIVES. The principal representatives for this MOU are listed in *Exhibit C*.
- B. The principal representatives will make themselves available at mutually agreeable times, for continuing consultation to discuss the conditions covered by this MOU and agree to actions essential to fulfill its purposes. At a minimum, the parties will participate in an annual meeting generally held during the month of October.
- C. This MOU hereby incorporates the following Exhibits:

<u>Exhibit</u>	<u>Contents</u>
A	Ice Age Floods National Geologic Trail Legislation
B	Ice Age Floods Area Map
C	Interagency Coordination Committee Representatives
D	Interagency Coordination Committee Organization and Conduct
E	Interagency Coordination Committee Responsibilities

- D. *Exhibits B-E* to this MOU may be revised or deleted by Coordination Committee consensus. The latest revision of these Exhibits will automatically be incorporated into this MOU without necessitating a formal modification as defined in Provision IV-I.
- E. This MOU does not alter management control of any lands. Each agency will retain all responsibility and management discretion on the lands under its jurisdiction.
- F. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the parties from participating in similar activities with other public or private agencies, organizations, and individuals.

- G. NON-FUND OBLIGATING DOCUMENT. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that will be made in writing by representatives of the parties and will be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Specifically, this MOU does not establish authority for noncompetitive award to the parties of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.
- I. MODIFICATION. Modifications within the scope of this MOU will be made by mutual consent of the parties, by issuance of a written modification, signed and dated by all parties, prior to any changes being performed.
- J. TERMINATION. Any party, in writing, may terminate their participation in this MOU in whole, or in part, at any time before the date of expiration.
- K. In the interest of efficiency, this MOU will be distributed electronically for signature. Signatory officials should initially respond with their electronic signature to the email address listed below, followed by mailing their original hard copy signature to:

Marsha Davis, Geologist, National Park Service, Pacific West Region, 909 First Avenue, Seattle, WA 98104-1060; phone 206-220-4262; fax 206-220-4159; mailto:marsha_davis@nps.gov.

Once fully executed, an electronic version of this MOU will be mailed to the Principal Contacts listed in *Exhibit E*. Copies of the hard copy signatures will be made available to the parties upon request.

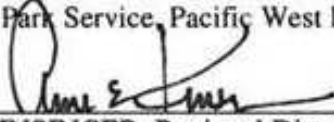
- L. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through March 31, 2020, at which time it will expire.

In witness whereof, the parties hereto have executed this MOU as of the last date written below.



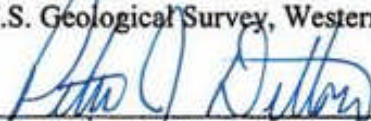
RORY WESTBERG, Regional Director
National Park Service, Pacific West Region

March 19, 2010
Date



ANNE KINSINGER, Regional Director
U.S. Geological Survey, Western Region

4/7/10
Date



Peter J. Dilton, State Director (Acting)
Bureau of Land Management, Idaho State Office

April 23, 2010
Date



MIKE NEDD, Acting State Director
Bureau of Land Management, Montana/Dakotas State Office

8/23/10
Date



ED SHEPARD, State Director
Bureau of Land Management, Oregon/Washington State Office

5/25/2010
Date

Acting For



KARL WIRKUS, Regional Director
Bureau of Reclamation, Pacific Northwest Region

June 29, 2010
Date



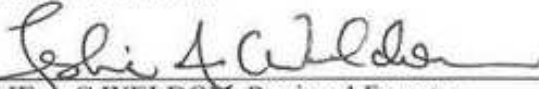
ROBYN THORSON, Regional Director
U.S. Fish and Wildlife Service, Region 1

4/2/10
Date



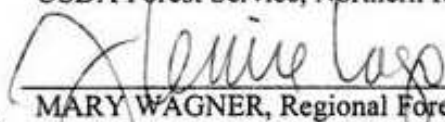
JOHN R. McMAHON, Brigadier General, Division
Commander, U.S. Army Corps of Engineers,
Northwestern Division

1 APR 2010
Date



LESLIE C. WELDON, Regional Forester
USDA Forest Service, Northern Region (Region 1)

8-12-10
Date



MARY WAGNER, Regional Forester
USDA Forest Service, Pacific Northwest Region (Reg. 6)

May 4, 2010
Date

NFS 10-MU-11062771-016

EXHIBIT A

OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009

SEC. 5203. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.

(a) Findings; Purpose-

(1) FINDINGS- Congress finds that—

(A) at the end of the last Ice Age, some 12,000 to 17,000 years ago, a series of cataclysmic floods occurred in what is now the northwest region of the United States, leaving a lasting mark of dramatic and distinguishing features on the landscape of parts of the States of Montana, Idaho, Washington and Oregon;

(B) geological features that have exceptional value and quality to illustrate and interpret this extraordinary natural phenomenon are present on Federal, State, tribal, county, municipal, and private land in the region; and

(C) in 2001, a joint study team headed by the National Park Service that included about 70 members from public and private entities completed a study endorsing the establishment of an Ice Age Floods National Geologic Trail—

(i) to recognize the national significance of this phenomenon; and

(ii) to coordinate public and private sector entities in the presentation of the story of the Ice Age floods.

(2) PURPOSE- The purpose of this section is to designate the Ice Age Floods National Geologic Trail in the States of Montana, Idaho, Washington, and Oregon, enabling the public to view, experience, and learn about the features and story of the Ice Age floods through the collaborative efforts of public and private entities.

(b) Definitions- In this section:

(1) ICE AGE FLOODS; FLOODS- The term 'Ice Age floods' or 'floods' means the cataclysmic floods that occurred in what is now the northwestern United States during the last Ice Age from massive, rapid and recurring drainage of Glacial Lake Missoula.

(2) PLAN- The term 'plan' means the cooperative management and interpretation plan authorized under subsection (f)(5).

(3) SECRETARY- The term 'Secretary' means the Secretary of the Interior.

(4) TRAIL- The term 'Trail' means the Ice Age Floods National Geologic Trail designated by subsection (c).

(c) Designation- In order to provide for public appreciation, understanding, and enjoyment of the nationally significant natural and cultural features of the Ice Age floods and to promote collaborative efforts for interpretation and education among public and private entities located along the pathways of the floods, there is designated the Ice Age Floods National Geologic Trail.

(d) Location-

(1) MAP- The route of the Trail shall be as generally depicted on the map entitled 'Ice Age Floods National Geologic Trail,' numbered P43/80,000 and dated June 2004.

(2) ROUTE- The route shall generally follow public roads and highways.

(3) REVISION- The Secretary may revise the map by publication in the Federal Register of a notice of availability of a new map as part of the plan.

(e) Map Availability- The map referred to in subsection (d)(1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(f) Administration-

(1) IN GENERAL- The Secretary, acting through the Director of the National Park Service, shall administer the Trail in accordance with this section.

(2) LIMITATION- Except as provided in paragraph (6)(B), the Trail shall not be considered to be a unit of the National Park System.

(3) TRAIL MANAGEMENT OFFICE- To improve management of the Trail and coordinate Trail activities with other public agencies and private entities, the Secretary may establish and operate a trail management office at a central location within the vicinity of the Trail.

(4) INTERPRETIVE FACILITIES- The Secretary may plan, design, and construct interpretive facilities for sites associated with the Trail if the facilities are constructed in partnership with State, local, tribal, or non-profit entities and are consistent with the plan.

(5) MANAGEMENT PLAN-

(A) IN GENERAL- Not later than 3 years after funds are made available to carry out this section, the Secretary shall prepare a cooperative management and interpretation plan for the Trail.

(B) CONSULTATION- The Secretary shall prepare the plan in consultation with—

- (i) State, local, and tribal governments;
- (ii) the Ice Age Floods Institute;
- (iii) private property owners; and
- (iv) other interested parties.

(C) CONTENTS- The plan shall—

(i) confirm and, if appropriate, expand on the inventory of features of the floods contained in the National Park Service study entitled 'Ice Age Floods, Study of Alternatives and Environmental Assessment' (February 2001) by—

- (I) locating features more accurately;
 - (II) improving the description of features; and
 - (III) reevaluating the features in terms of their interpretive potential;
- (ii) review and, if appropriate, modify the map of the Trail referred to in subsection (d)(1);
 - (iii) describe strategies for the coordinated development of the Trail, including an interpretive plan for facilities, waysides, roadside pullouts, exhibits, media, and programs that present the story of the floods to the public effectively; and

(iv) identify potential partnering opportunities in the development of interpretive facilities and educational programs to educate the public about the story of the floods.

(6) COOPERATIVE MANAGEMENT-

(A) IN GENERAL- In order to facilitate the development of coordinated interpretation, education, resource stewardship, visitor facility development and operation, and scientific research associated with the Trail and to promote more efficient administration of the sites associated with the Trail, the Secretary may enter into cooperative management agreements with appropriate officials in the States of Montana, Idaho, Washington, and Oregon in accordance with the authority provided for units of the National Park System under section 3(l) of Public Law 91-383 (16 U.S.C. 1a-2(l)).

(B) AUTHORITY- For purposes of this paragraph only, the Trail shall be considered a unit of the National Park System.

(7) COOPERATIVE AGREEMENTS- The Secretary may enter into cooperative agreements with public or private entities to carry out this section.

(8) EFFECT ON PRIVATE PROPERTY RIGHTS- Nothing in this section—

(A) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

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

(9) LIABILITY- Designation of the Trail by subsection (c) does not create any liability for, or affect any liability under any law of, any private property owner with respect to any person injured on the private property.

(g) Authorization of Appropriations- There are authorized to be appropriated such sums as are necessary to carry out this section, of which not more than \$12,000,000 may be used for development of the Trail.

EXHIBIT B

Ice Age Floods Area Map

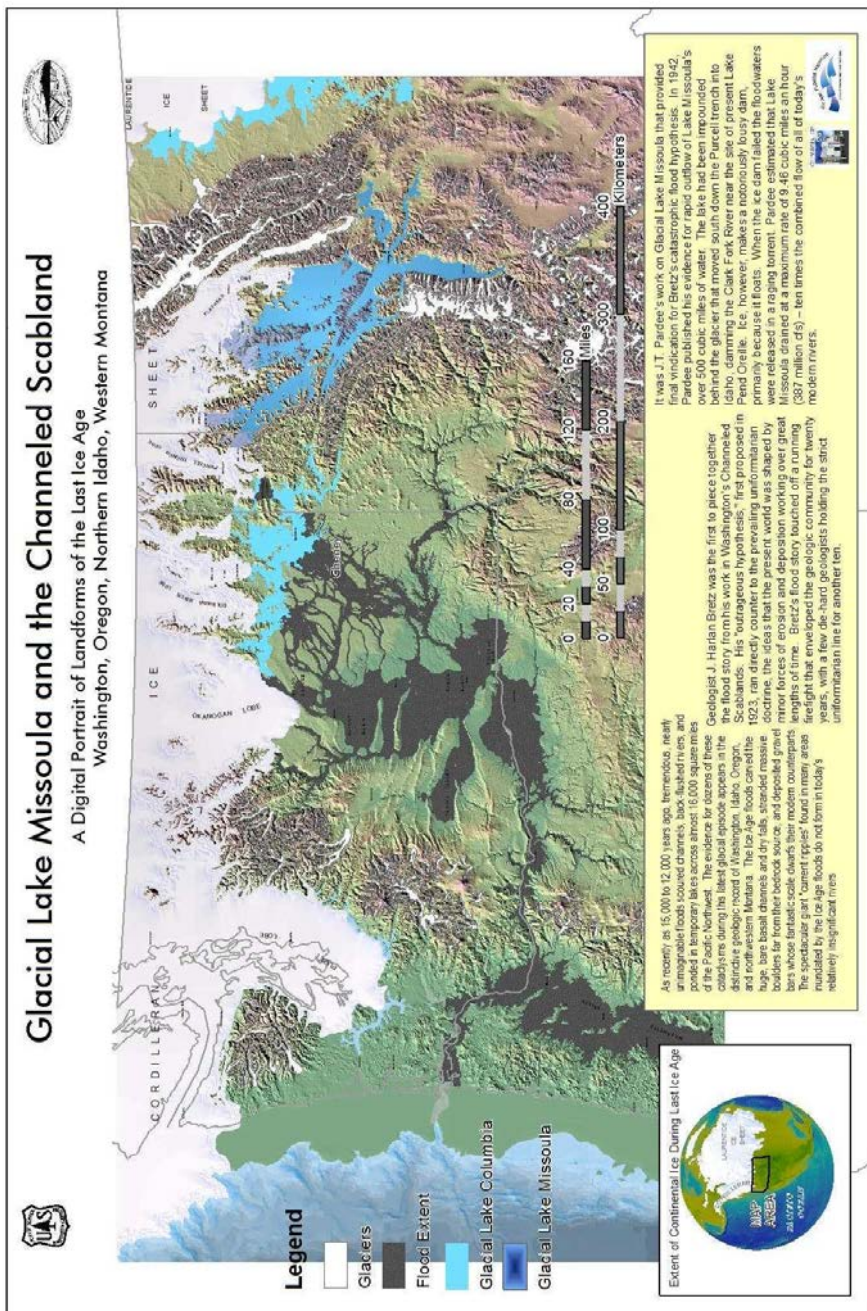


EXHIBIT C

INTERAGENCY COORDINATION COMMITTEE PRINCIPAL REPRESENTATIVES DECEMBER 2009

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EXHIBIT D

INTERAGENCY COORDINATION COMMITTEE ORGANIZATION AND CONDUCT

The Coordination Committee will:

- A. Be chaired by Brent Cunderla, USDI Bureau of Land Management, Wenatchee Field Office.
- B. Be comprised of one general representative from each of the Federal Agencies listed in this MOU (*Exhibit C*).
- C. Be comprised of a chairperson, vice-chairperson, and general Coordination Committee representatives. *See Exhibit E Interagency Coordination Committee Responsibilities item B.*
- D. Operate by “consensus.” Consensus means that 60% or more of the Coordination Committee members provide their concurrence.
- E. Share pertinent information.
- F. Promote cooperation across jurisdictional boundaries.
- G. Keep communication open and frequent so all representatives are informed on the status of the issues that may affect working relationships.

EXHIBIT E

INTERAGENCY COORDINATION COMMITTEE RESPONSIBILITIES

The Coordination Committee will:

- A. Convene at least one meeting annually. The meeting will generally be held in October.
- B. Elect from the body of Coordination Committee representatives a Coordination Committee chairperson and a Vice-chairperson.
- C. Define the term of appointments for the Coordination Committee chairperson, Vice-chairperson and the general Coordination Committee representatives.
- D. Define the area boundary for the Ice Age Floods story based on MOU objectives and IAFNGT legislation.
- E. Establish subcommittees (technical experts) to accomplish the objectives and tasks identified by the Coordination Committee.
- F. Establish and maintain a list of individuals (technical experts) with the knowledge, skills, and abilities essential to promoting and enhancing the scientifically accepted interpretation of the impacts that the presence of Glacial Lake Missoula and the flood events along the IAFNGT have had on the biologic and geologic characteristics of the affected areas.
- G. Establish and maintain a process for reviewing voluntarily submitted site development plans and interpretive messages for a consistent and scientifically accepted interpretation of the Ice Age Floods story.
- H. Develop a linked interpretive plan and provide recommendations to the parties of this MOU for potential modifications to this strategy.
- I. Identify and recommend opportunities for cooperative projects.
- J. Encourage cooperative relationships and active participation with private landowners, scientific organizations, user groups and other parties interested in the Ice Age Floods story associated with the IAFNGT.
- K. Maintain a record of accomplishments.
- L. Provide to the parties of this MOU a written report of project accomplishments by December 31 of each year.
- M. With approval of the appropriate agency line officer, add agency members to the Coordination Committee from time to time, as needed.
- N. As necessary, review and update *Exhibits B-E* to this MOU.

- O. Further refine specific Coordination Committee Responsibilities and provide those recommendations to the parties of this MOU.