

109TH CONGRESS
1ST SESSION

S. 2114

To establish the Confluence National Heritage Corridor in the States of Missouri and Illinois, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2005

Mr. TALENT introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Confluence National Heritage Corridor in the States of Missouri and Illinois, 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 “Confluence National
5 Heritage Corridor Act”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) the Confluence National Heritage Corridor
9 is a nationally important and cohesive assemblage of
10 natural, historic, cultural, educational, scenic, and

1 recreational resources geographically focused on the
2 confluences of the Mississippi, Missouri, and Illinois
3 Rivers in the St. Louis region that—

4 (A) represents the center of the nationally
5 significant 3,740-mile transcontinental river
6 system and landscape that runs from Min-
7 nesota, the Great Lakes, and the Rocky Moun-
8 tains to the Gulf of Mexico, thence to the St.
9 Lawrence Seaway and the Atlantic coast, and
10 drains approximately 40 percent of the conti-
11 nental United States;

12 (B) forms a nationally distinctive Midwest
13 riverine landform, climate, and vegetation that
14 for centuries has attracted and supported a
15 great variety of people and activities as a place
16 of economic, social, and artistic exchange, en-
17 counter, and inspiration;

18 (C) has been instrumental in the creation
19 and perpetuation of American river culture and
20 contains numerous sites and structures that tell
21 a nationally significant story of economic
22 growth, transportation corridors, and artistic
23 endeavors, all unique and critical to the fabric
24 of American life;

(D) expresses a confluence of diverse cultures, traditions, customs, beliefs, and folk life spanning more than 1,000 years, including confluences of prehistoric Mississippian to Siouan, Spanish to French, English to American, and others, making the Midwest a valuable and distinctive part of the heritage of the United States;

(E) served as America's Gateway to the West for centuries and contains many of the most significant crosscontinental trails;

(F) was the departing and returning point for Lewis and Clark's Voyage of Discovery, a great scientific and mapping expedition of the western half of the United States; and

(G) has been the site of many nationally significant stories, legal court cases, and debates in the quest to realize the ideals of freedom, including stories, cases, and debates relating to Dred and Harriet Scott, Mary Meachum, Elijah Lovejoy, and others;

(2) the Heritage Corridor represents a distinctive landscape reflecting many aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use;

1 (3) the Heritage Corridor provides outstanding
2 opportunities to conserve natural, cultural, and his-
3 toric features;

4 (4) the Heritage Corridor provides outstanding
5 recreational and interpretive opportunities;

6 (5) the Heritage Corridor has an identifiable
7 theme, the resources of which retain integrity capa-
8 ble of supporting interpretation;

9 (6) the Heritage Corridor and adjacent areas
10 contain at least—

11 (A) 1 designated and 2 pending United
12 Nations Educational, Scientific and Cultural
13 Organization World Heritage sites;

14 (B) 13 National Historic Landmarks;

15 (C) 62 districts of the National Register of
16 Historic Places;

17 (D) 250 National Register properties;

18 (E) the Lewis and Clark National Historic
19 Trail;

20 (F) 4 National Scenic Roads and Byways;

21 (G) 2 properties listed on the National
22 Park Service's National Underground Railroad
23 Network to Freedom that contribute to the
24 Heritage Corridor; and

1 (H) other significant undesignated prop-
2 erties and landscapes;

3 (7) the importance of the Heritage Corridor
4 and the role of the Mississippi, Missouri, and Illinois
5 Rivers in the history of the United States has been
6 honored and recognized in many ways, including—

7 (A) the designation by Congress of the site
8 for the Jefferson National Expansion Memorial
9 in 1935;

10 (B) the authorization of that memorial in
11 1954; and

12 (C) the construction of Eero Saarinen’s
13 Arch, an engineering marvel and a symbol of
14 the gateway to the West;

15 (8) capturing the interconnected stories relating
16 to the Heritage Corridor through partnerships with
17 the National Park Service, Missouri and Illinois his-
18 torical sites and programs, local organizations, and
19 citizens will augment the story opportunities within
20 the Heritage Corridor for the educational and rec-
21 reational benefit of this and future generations of
22 Americans;

23 (9) residents, nonprofit organizations, other pri-
24 vate entities, and units of Federal, State, and local

1 government throughout the Heritage Corridor dem-
2 onstrate support for—

3 (A) the designation of the Heritage Cor-
4 ridor as a national heritage area; and

5 (B) the management of the Heritage Cor-
6 ridor in accordance with that designation;

7 (10) a well-organized collaboration of Federal,
8 State, and local government agencies, nonprofit or-
9 ganizations, and officials in the St. Louis region has
10 come together during the last decade to work col-
11 laboratively on efforts to feature and promote the
12 heritage, conservation, and recreation aspects of the
13 Heritage Corridor along the Mississippi River,
14 through its confluences with the Missouri River and
15 the Illinois River;

16 (11) the collaboration has completed sufficient
17 planning and community outreach, including—

18 (A) developing a master plan with imple-
19 mentation strategies and a suitability and feasi-
20 bility study for the national heritage designa-
21 tion to document and recognize a sufficient as-
22 semblage of nationally distinctive, historical re-
23 sources within the Heritage Corridor;

1 (B) cultivating programs, projects, and
2 sites that honor the historic, cultural, and nat-
3 ural resources of the confluence; and

4 (C) demonstrating the feasibility and need
5 of establishing the Heritage Corridor;

6 (12) the St. Louis region officially recognized
7 the national significance of the Heritage Corridor
8 when the St. Louis Regional Chamber and Growth
9 Association and the East/West Gateway Coordi-
10 nating Council, St. Louis's regional planning author-
11 ity, endorsed the confluence project as a regional
12 priority, encouraging tourism and continued eco-
13 nomic development while improving the quality of
14 life for all residents and visitors;

15 (13) public and private sector interests, having
16 embraced and endorsed the Heritage Corridor, in-
17 tend to collaborate with the Federal Government to
18 conserve, develop, and promote the Heritage Cor-
19 ridor; and

20 (14) the Heritage Corridor is best managed by
21 the Confluence National Heritage Corridor Associa-
22 tion, a nonprofit corporation created for the pur-
23 poses of preserving, interpreting, developing, pro-
24 moting, and making available to the public the story
25 and resources within the Heritage Corridor.

1 (b) PURPOSES.—The purposes of this Act are—

2 (1) to preserve, conserve, and interpret, for the
3 educational, cultural, and historic benefit of present
4 and future generations, the unique and significant
5 contributions to the national heritage of the people,
6 land, water, and structures within the Heritage Cor-
7 ridor;

8 (2) to encourage within the Heritage Corridor
9 a broad range of economic opportunities to enhance
10 the quality of life for present and future generations;

11 (3) to encourage collaboration and partnerships
12 among Federal, State, and local governments, non-
13 profit organizations, and the private sector to con-
14 serve and manage resources and opportunities in the
15 Heritage Corridor by providing grants, technical as-
16 sistance, and training; and

17 (4) to authorize the Secretary of the Interior to
18 provide financial and technical assistance to the
19 Heritage Corridor through a nonprofit organization,
20 in accordance with this Act and in cooperation with
21 local agencies, in a collaborative effort to prepare
22 and implement a Heritage Corridor management
23 plan.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) HERITAGE CORRIDOR.—The term “Herit-
 2 age Corridor” means the Confluence National Herit-
 3 age Corridor established by section 4(a).

4 (2) LOCAL COORDINATING ENTITY.—The term
 5 “Local Coordinating Entity” means the Confluence
 6 National Heritage Corridor Association.

7 (3) MANAGEMENT PLAN.—The term “Manage-
 8 ment Plan” means the management plan developed
 9 under section 6.

10 (4) SECRETARY.—The term “Secretary” means
 11 the Secretary of the Interior.

12 **SEC. 4. CONFLUENCE NATIONAL HERITAGE CORRIDOR.**

13 (a) ESTABLISHMENT.—There is established in the
 14 States of Missouri and Illinois a national heritage cor-
 15 ridor, to be known as the “Confluence National Heritage
 16 Corridor”.

17 (b) BOUNDARIES.—The boundaries of the Heritage
 18 Corridor are as follows:

19 (1) The corridor consisting of the land and
 20 water within the area generally bounded—

21 (A) in the State of Illinois, from the con-
 22 fluence of the Illinois and Mississippi Rivers at
 23 Pere Marquette State Park along the Illinois
 24 Bluffs adjacent to the Mississippi River and the
 25 National Scenic Byway to Alton, Illinois, thence

1 along Great River Road/State Route 3 to Mac-
 2 Arthur Bridge; and

3 (B) in the State of Missouri, from the area
 4 of the MacArthur Bridge, Jefferson National
 5 Expansion Memorial, and Eads Bridge in the
 6 south, thence north along Broadway Street and
 7 Riverview Drive to the Columbia Bottom Con-
 8 servation Area and the confluence of the Mis-
 9 sissippi and Missouri Rivers, thence along the
 10 Missouri Bluffs adjacent to the Missouri River,
 11 to Interstate Route 370 at St. Charles, thence
 12 north to the confluence of the Illinois and Mis-
 13 sissippi Rivers.

14 (2) Of sites connected to the corridor, the fol-
 15 lowing:

16 (A) Cahokia Mounds (a United Nations
 17 Educational, Scientific and Cultural Organiza-
 18 tion World Heritage Site and a National His-
 19 toric Landmark).

20 (B) Sites in adjacent neighborhoods and
 21 cities, including—

22 (i) downtown St. Louis;

23 (ii) north St. Louis and north St.

24 Louis county communities;

25 (iii) the Village of Brooklyn; and

1 (iv) the cities of Cahokia, East St.
 2 Louis, Venice, Brooklyn, Hartford, Wood
 3 River, and Godfrey.

4 (C) Such sites, such as Calvary Cemetery,
 5 Bellefontaine Cemetery, Fort Bellefontaine, and
 6 Horseshoe Lake State Park, as the Local Co-
 7 ordinating Entity determines to be appropriate.

8 (D) Other contributing communities, sites,
 9 buildings, and districts in the area of the Herit-
 10 age Corridor, in accordance with the Manage-
 11 ment Plan.

12 (c) FINAL BOUNDARIES.—The final boundaries of
 13 the Heritage Corridor shall be determined by the Local
 14 Coordinating Entity in the Management Plan.

15 (d) MAP.—A map of the Heritage Corridor shall—
 16 (1) be included in the Management Plan; and
 17 (2) be on file in the appropriate offices of the
 18 National Park Service and the Department of the
 19 Interior, as determined by the Secretary.

20 **SEC. 5. LOCAL COORDINATING ENTITY.**

21 (a) IN GENERAL.—The Confluence National Herit-
 22 age Corridor Association shall serve as the local coordi-
 23 nating entity for the Heritage Corridor.

1 (b) AUTHORITY.—In carrying out the Management
2 Plan, the Local Coordinating Entity may use funds made
3 available pursuant to this Act—

4 (1) to enter into cooperative agreements with
5 and provide technical assistance to the States of
6 Missouri and Illinois, including political jurisdictions,
7 nonprofit organizations, and other interested parties
8 of those States;

9 (2) to hire and compensate staff;

10 (3) to obtain money or services from any
11 source, including money or services provided under
12 any other Federal law or program;

13 (4) to enter into contracts for goods and serv-
14 ices; and

15 (5) to encourage any other activity that, as de-
16 termined by the Local Coordinating Entity—

17 (A) furthers the purposes of the Heritage
18 Corridor; and

19 (B) is consistent with the Management
20 Plan.

21 (c) DUTIES.—

22 (1) IN GENERAL.—To further the purposes of
23 the Heritage Corridor, the Local Coordinating Enti-
24 ty shall—

1 (A) determine the final boundaries of, and
2 prepare a map with respect to, the Heritage
3 Corridor;

4 (B) prepare and submit to the Secretary a
5 Management Plan in accordance with section 6;

6 (C) assist units of local government, re-
7 gional planning organizations, and nonprofit or-
8 ganizations to—

9 (i) carry out programs and projects
10 that recognize, conserve, and enhance im-
11 portant resource values in the Heritage
12 Corridor;

13 (ii) establish and maintain interpre-
14 tive exhibits and programs in the Heritage
15 Corridor;

16 (iii) develop recreational and edu-
17 cational opportunities in the Heritage Cor-
18 ridor;

19 (iv) increase public awareness and ap-
20 preciation of natural, historic, scenic, and
21 cultural resources of the Heritage Cor-
22 ridor;

23 (v) conserve and restore historic sites
24 and buildings in the Heritage Corridor in
25 accordance with heritage area themes; and

1 (vi) ensure that clear, consistent, and
2 appropriate signs identifying points of pub-
3 lic access and sites of interest are posted
4 throughout the Heritage Corridor;

5 (D) promote a wide range of partnerships
6 among agencies, organizations, and individuals
7 to further the purposes of the Heritage Cor-
8 ridor; and

9 (E) encourage economic viability that is
10 consistent with the purposes of the Heritage
11 Area.

12 (2) MEETINGS.—

13 (A) IN GENERAL.—The Local Coordinating
14 Entity shall meet at least semiannually regard-
15 ing the development and implementation of the
16 Management Plan.

17 (B) PUBLIC PARTICIPATION.—Meetings of
18 the Local Coordinating Entity shall be open to
19 the public.

20 (3) MANAGEMENT PLAN.—

21 (A) IN GENERAL.—The Local Coordinating
22 Entity shall prepare and submit to the Sec-
23 retary a Management Plan in accordance with
24 section 6.

1 (B) FACTORS FOR CONSIDERATION.—In
2 preparing the Management Plan, the Local Co-
3 ordinating Entity shall take into consideration
4 the interests of units of government, businesses,
5 organizations, and individuals in the Heritage
6 Corridor.

7 (4) REPORTS; AUDITS.—

8 (A) REPORTS.—For any fiscal year during
9 which the Local Coordinating Entity receives
10 funds under section 9, the Local Coordinating
11 Entity shall submit to the Secretary a report
12 describing the activities of the Local Coordi-
13 nating Entity during that fiscal year, includ-
14 ing—

15 (i) the accomplishments, expenses,
16 and income of the Local Coordinating En-
17 tity; and

18 (ii) any grant made by the Local Co-
19 ordinating Entity to another entity during
20 the fiscal year.

21 (B) AUDITS.—For any fiscal year during
22 which the Local Coordinating Entity receives
23 funds under section 9, the Local Coordinating
24 Entity shall—

1 (i) make available for audit any infor-
 2 mation relating to the expenditure of the
 3 funds and any matching funds; and

4 (ii) require any other organization
 5 that receives funds pursuant to the Man-
 6 agement Plan to make available for the
 7 audit all records and other information re-
 8 lating to the expenditure of the funds.

9 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
 10 ERTY.—The Local Coordinating Entity shall not use funds
 11 received pursuant to section 9 to acquire real property.

12 **SEC. 6. MANAGEMENT PLAN.**

13 (a) IN GENERAL.—Not later than 3 years after the
 14 first date on which funds are made available pursuant to
 15 section 9, the Local Coordinating Entity shall submit to
 16 the Secretary a Management Plan relating to the Heritage
 17 Corridor.

18 (b) REQUIREMENTS.—The Management Plan shall—

19 (1) include comprehensive policies, strategies,
 20 and recommendations for conservation, funding,
 21 management, and development of the Heritage Cor-
 22 ridor;

23 (2) include provisions relating to existing State,
 24 county, and local plans regarding the Heritage Cor-
 25 ridor;

1 (3) include a description of any action of a
2 State or local government, private organization, or
3 individual to conserve the natural, historical, and
4 cultural resources of the Heritage Corridor;

5 (4) specify each existing and potential source of
6 funding to conserve, manage, and develop the Herit-
7 age Corridor during the first 5 years of implementa-
8 tion of the Management Plan;

9 (5) include an inventory of the natural, histor-
10 ical, cultural, educational, scenic, and recreational
11 resources of the Heritage Corridor with respect to
12 themes of the Heritage Corridor that should be pre-
13 served, restored, managed, developed, or maintained,
14 as determined by the Local Coordinating Entity;

15 (6) describe a program for implementing the
16 Management Plan, including—

17 (A) plans for resource conservation, res-
18 toration, construction; and

19 (B) any agreement relating to the imple-
20 mentation between the Local Coordinating En-
21 tity and any unit of government, organization,
22 or individual for the first 5 years of implemen-
23 tation of the Management Plan; and

24 (7) include an interpretive plan for the Heritage
25 Corridor.

1 (c) DETERMINATION OF SECRETARY.—

2 (1) IN GENERAL.—The Secretary shall approve
3 or disapprove a Management Plan under subsection
4 (a) by not later than 90 days after the date on
5 which the Management Plan is submitted.

6 (2) CRITERIA FOR APPROVAL.—In making a de-
7 termination under paragraph (1), the Secretary shall
8 take into consideration—

9 (A) whether the Local Coordinating Entity
10 accurately represents the diverse interests of
11 the Heritage Area, including—

12 (i) units of State and local govern-
13 ment;

14 (ii) natural and historic resource con-
15 servation organizations;

16 (iii) educational institutions;

17 (iv) businesses; and

18 (v) recreational organizations;

19 (B) whether the Local Coordinating Entity
20 afforded adequate opportunity, including public
21 hearings, for public and governmental involve-
22 ment in the preparation of the Management
23 Plan;

24 (C) whether the resource conservation and
25 interpretation strategies contained in the Man-

1 agement Plan, if implemented, would ade-
 2 quately conserve the natural, historical, and cul-
 3 tural resources of the Heritage Area; and

4 (D) whether the Management Plan is sup-
 5 ported by State and local officials the coopera-
 6 tion of which is needed to ensure the effective
 7 implementation of the State and local aspects of
 8 the Management Plan.

9 (3) DISAPPROVAL.—

10 (A) IN GENERAL.—If the Secretary dis-
 11 approves the Management Plan under para-
 12 graph (1), the Secretary shall provide to the
 13 Local Coordinating Entity—

14 (i) a written explanation of the rea-
 15 sons for the disapproval; and

16 (ii) recommendations for revisions to
 17 the Management Plan.

18 (B) REVISED MANAGEMENT PLAN.—

19 (i) IN GENERAL.—On disapproval of
 20 the Secretary under this paragraph, the
 21 Local Coordinating Entity shall prepare
 22 and submit to the Secretary a revised
 23 Management Plan, taking into consider-
 24 ation any recommendation of the Secretary
 25 under subparagraph (A)(ii).

1 (ii) DETERMINATION BY SEC-
 2 RETARY.—The Secretary shall approve or
 3 disapprove a revised Management Plan
 4 under clause (i) by not later than 60 days
 5 after the date on which the Management
 6 Plan is submitted.

7 (4) AMENDMENTS TO MANAGEMENT PLAN.—

8 (A) IN GENERAL.—Any substantial amend-
 9 ment to the Management Plan shall be subject
 10 to approval by the Secretary in accordance with
 11 this subsection.

12 (B) USE OF FUNDS.—The Local Coordi-
 13 nating Entity shall not use funds made avail-
 14 able pursuant to section 9 to carry out an
 15 amendment to the Management Plan until the
 16 Secretary has approved the amendment.

17 (d) DISQUALIFICATION.—If the Local Coordinating
 18 Entity fails to submit to the Secretary a Management
 19 Plan by the deadline described in subsection (a), the Local
 20 Coordinating Entity shall be ineligible to receive funds
 21 under this Act until the date on which the Secretary re-
 22 ceives the Management Plan.

23 **SEC. 7. ASSISTANCE; OTHER FEDERAL AGENCIES.**

24 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

1 (1) IN GENERAL.—On request of the Local Co-
 2 ordinating Entity, the Secretary may provide tech-
 3 nical and financial assistance on a reimbursable or
 4 nonreimbursable basis to entities in the Heritage
 5 Corridor to develop and implement the Management
 6 Plan.

7 (2) PRIORITY.—In providing assistance under
 8 paragraph (1), the Secretary shall give priority to
 9 activities that, as determined by the Secretary, facili-
 10 tate—

11 (A) the conservation of significant natural,
 12 historical, cultural, and scenic resources of the
 13 Heritage Corridor; and

14 (B) the provision of educational, interpre-
 15 tive, and recreational opportunities in accord-
 16 ance with the purposes of the Heritage Cor-
 17 ridor.

18 (3) COOPERATIVE AGREEMENTS.—The Sec-
 19 retary may enter into such cooperative agreements
 20 to carry out this subsection as the Secretary deter-
 21 mines to be appropriate.

22 (b) OTHER ASSISTANCE.—

23 (1) IN GENERAL.—On request of the Local Co-
 24 ordinating Entity, the Superintendent of the Jeffer-
 25 son National Expansion Memorial may provide to

1 the Local Coordinating Entity and other public and
 2 private organizations in the Heritage Corridor such
 3 assistance as the Superintendent determines to be
 4 appropriate to support the implementation of the
 5 Management Plan, subject to the availability of
 6 funds.

7 (2) COOPERATIVE AGREEMENTS.—The Super-
 8 intendent may enter into such cooperative agree-
 9 ments with public and private organizations to carry
 10 out this subsection as the Superintendent determines
 11 to be appropriate.

12 (c) OTHER FEDERAL AGENCIES.—A Federal agency
 13 carrying out an activity that affects the Heritage Corridor
 14 shall—

15 (1) take into consideration the potential effect
 16 of the activity on the Management Plan; and

17 (2) consult with the Local Coordinating Entity
 18 regarding the activity to minimize any adverse ef-
 19 fects on the Heritage Corridor.

20 **SEC. 8. LAND USE REGULATION AND PRIVATE PROPERTY.**

21 (a) IN GENERAL.—Nothing in this Act—

22 (1) grants any power of zoning or land use to
 23 the Local Coordinating Entity; or

24 (2) modifies, enlarges, or diminishes any au-
 25 thority of the Federal Government or any State or

1 local government to regulate any use of land under
2 any law (including regulations).

3 (b) PRIVATE PROPERTY.—Nothing in this Act—

4 (1) abridges the rights of any person with re-
5 spect to private property;

6 (2) affects any authority of the State or local
7 government with respect to private property; or

8 (3) imposes any additional burden on any prop-
9 erty owner.

10 **SEC. 9. FUNDING.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 there is authorized to be appropriated to carry out
14 this Act \$10,000,000.

15 (2) LIMITATION.—Not more than \$1,000,000
16 shall be made available to carry out this Act during
17 any fiscal year.

18 (b) FEDERAL SHARE.—The Federal share of the cost
19 of an activity carried out under this Act shall not exceed
20 50 percent.

21 **SEC. 10. TERMINATION.**

22 This Act and the authority of the Secretary to pro-
23 vide assistance under this Act terminate on the date that

- 1 is 15 years after the date on which funds are first made
- 2 available under section 9.

