

107TH CONGRESS
2D SESSION

S. 2868

To direct the Secretary of the Army to carry out a research and demonstration program concerning control of salt cedar and other nonnative phreatophytes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2002

Mr. DOMENICI (for himself, Mr. CAMPBELL, and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To direct the Secretary of the Army to carry out a research and demonstration program concerning control of salt cedar and other nonnative phreatophytes.

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. SALT CEDAR CONTROL.**

4 (a) FINDINGS.—Congress finds that—

5 (1) States are having increasing difficulty meet-
6 ing their obligations under interstate compacts to
7 deliver water;

8 (2) it is in the best interest of States to mini-
9 mize the impact of and eradicate invasive species

1 that extort water in the Rio Grande watershed, the
2 Pecos River, and other bodies of water in the South-
3 west, such as the salt cedar, a noxious and non-
4 native plant that can use 200 gallons of water a day;
5 and

6 (3) as drought conditions and legal require-
7 ments relating to water supply accelerate water
8 shortages, innovative approaches are needed to ad-
9 dress the increasing demand for a diminishing water
10 supply.

11 (b) DEFINITIONS.—In this section:

12 (1) CONTROL METHOD.—

13 (A) IN GENERAL.—The term “control
14 method” means a method of controlling salt
15 cedar (Tamarix) or any other nonnative
16 phreatophyte.

17 (B) INCLUSIONS.—The term “control
18 method” includes the use of herbicides, mechan-
19 ical means, and biocontrols such as goats and
20 insects.

21 (2) DEMONSTRATION PROJECT.—The term
22 “demonstration project” means a demonstration
23 project carried out under this section.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of the Army, acting through the Chief
3 of Engineers.

4 (c) PROGRAM.—

5 (1) IN GENERAL.—Not later than 1 year after
6 the date on which funds are made available to carry
7 out this section, the Secretary shall—

8 (A) complete a program of research, in-
9 cluding a review of past and ongoing research,
10 concerning a control method for use in—

11 (i) the Rio Grande watershed in the
12 State of New Mexico;

13 (ii) the Pecos River in the State of
14 New Mexico; and

15 (iii) other bodies of water in the
16 States of Arizona, Colorado, New Mexico,
17 Texas, and Utah that are affected by salt
18 cedar or other nonnative phreatophytes;
19 and

20 (B) commence a demonstration program of
21 the most effective control methods.

22 (2) AVAILABLE EXPERTISE.—

23 (A) IN GENERAL.—In carrying out the
24 programs under paragraph (1), the Secretary

1 shall use the expertise of institutions of higher
2 education and nonprofit organizations—

3 (i) that are located in the States re-
4 ferred to in paragraph (1)(A)(iii); and

5 (ii) that have been actively conducting
6 research or carrying out other activities re-
7 lating to the control of salt cedar.

8 (B) INCLUSIONS.—Institutions of higher
9 education and nonprofit organizations under
10 subparagraph (A) include—

11 (i) Colorado State University;

12 (ii) Diné College in the State of New
13 Mexico;

14 (iii) Mesa State College in the State
15 of Colorado;

16 (iv) New Mexico State University;

17 (v) Northern Arizona University;

18 (vi) Texas A&M University;

19 (vii) University of Arizona;

20 (viii) Utah State University; and

21 (ix) WERC: A Consortium for Envi-
22 ronmental Education and Technology De-
23 velopment.

1 (d) FEDERAL EXPENSE.—The research and dem-
2 onstration program under subsection (c) shall be carried
3 out at full Federal expense.

4 (e) CONSULTATION.—The activities under this sec-
5 tion shall be carried out in consultation with—

6 (1) the Secretary of Agriculture;

7 (2) the Secretary of the Interior;

8 (3) the Governors of the States of Arizona, Col-
9 orado, New Mexico, Texas, and Utah;

10 (4) tribal governments; and

11 (5) the heads of other Federal, State, and local
12 agencies, as appropriate.

13 (f) RESEARCH.—To the maximum extent practicable,
14 the research shall focus on—

15 (1) supplementing and integrating information
16 from past and ongoing research concerning control
17 of salt cedar and other nonnative phreatophytes;

18 (2) gathering experience from past eradication
19 and control projects;

20 (3) arranging relevant data from available
21 sources into formats so that the information is ac-
22 cessible and can be effectively brought to bear by
23 land managers in the restoration of the Rio Grande
24 watershed;

1 (4) using control methods to produce water sav-
2 ings; and

3 (5) identifying long-term management and
4 funding approaches for control of salt cedar and wa-
5 tershed restoration.

6 (g) DEMONSTRATION PROJECTS.—

7 (1) IN GENERAL.—The Secretary shall carry
8 out not fewer than 10 demonstration projects, of
9 which not fewer than 2 shall be carried out in each
10 of the States referred to in subsection (c)(1)(A)(iii).

11 (2) COST.—Each demonstration project shall be
12 carried out at a cost of not more than \$7,000,000,
13 including costs of planning, design, and implementa-
14 tion.

15 (3) RELATIONSHIP TO OTHER CONTROL
16 PROJECTS.—Each demonstration project shall be co-
17 ordinated with control projects being carried out as
18 of the date of enactment of this Act by other Fed-
19 eral, State, tribal, or local entities.

20 (4) PERIOD OF PROJECT IMPLEMENTATION.—
21 Each demonstration project shall be carried out—

22 (A) during a period of not less than 2 but
23 not more than 5 years, depending on the con-
24 trol method selected; and

1 (B) in a manner designed to determine the
2 time period required for optimum use of the
3 control method.

4 (5) DESIGN.—

5 (A) CONTROL METHODS.—Of the dem-
6 onstration projects—

7 (i) at least 1 demonstration project
8 shall use primarily 1 or more herbicides;

9 (ii) at least 1 demonstration project
10 shall use primarily mechanical means;

11 (iii) at least 1 demonstration project
12 shall use a biocontrol such as goats or in-
13 sects; and

14 (iv) each other demonstration project
15 may use any 1 or more control methods.

16 (B) MEASUREMENT OF COSTS AND BENE-
17 FITS.—Each demonstration project shall be de-
18 signed to measure all costs and benefits associ-
19 ated with each control method used by the dem-
20 onstration project, including measurement of
21 water savings.

22 (6) MONITORING AND MAINTENANCE.—After
23 completion, each demonstration project shall be
24 monitored and maintained for a period of not more

1 than 5 years, at a cost of not more than \$100,000
2 per demonstration project per year.

3 (h) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this
5 section—

6 (1) \$10,000,000 for fiscal year 2003; and

7 (2) such sums as are necessary for each of fis-
8 cal years 2004 through 2007.

○