

109TH CONGRESS
1ST SESSION

S. 177

To further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2005

Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. ALLARD, Mr. BAUCUS, and Mr. ENSIGN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, 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 “Salt Cedar and Rus-
5 sian Olive Control Demonstration Act”.

1 **SEC. 2. SALT CEDAR AND RUSSIAN OLIVE CONTROL DEM-**
2 **ONSTRATION PROGRAM.**

3 (a) ESTABLISHMENT.—The Secretary of the Interior
4 (referred to in this Act as the “Secretary”), acting
5 through the Commissioner of Reclamation and in coopera-
6 tion with the Secretary of Agriculture and the Secretary
7 of Defense, shall carry out a salt cedar (*Tamarix* spp) and
8 Russian olive (*Elaeagnus angustifolia*) assessment and
9 demonstration program—

10 (1) to assess the extent of the infestation by
11 salt cedar and Russian olive trees in the western
12 United States;

13 (2) to demonstrate strategic solutions for—

14 (A) the long-term management of salt
15 cedar and Russian olive trees; and

16 (B) the reestablishment of native vegeta-
17 tion; and

18 (3) to assess economic means to dispose of bio-
19 mass created as a result of removal of salt cedar and
20 Russian olive trees.

21 (b) ASSESSMENT.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date on which funds are made available to carry
24 out this Act, the Secretary shall complete an assess-
25 ment of the extent of salt cedar and Russian olive

1 infestation on public and private land in the western
2 United States.

3 (2) REQUIREMENTS.—In addition to describing
4 the acreage of and severity of infestation by salt
5 cedar and Russian olive trees in the western United
6 States, the assessment shall—

7 (A) consider existing research on methods
8 to control salt cedar and Russian olive trees;

9 (B) consider the feasibility of reducing
10 water consumption by salt cedar and Russian
11 olive trees;

12 (C) consider methods of and challenges as-
13 sociated with the revegetation or restoration of
14 infested land; and

15 (D) estimate the costs of destruction of
16 salt cedar and Russian olive trees, related bio-
17 mass removal, and revegetation or restoration
18 and maintenance of the infested land.

19 (c) LONG-TERM MANAGEMENT STRATEGIES.—

20 (1) IN GENERAL.—The Secretary shall identify
21 and document long-term management and funding
22 strategies that—

23 (A) could be implemented by Federal,
24 State, and private land managers in addressing

1 infestation by salt cedar and Russian olive
2 trees; and

3 (B) should be tested as components of
4 demonstration projects under subsection (d).

5 (2) GRANTS.—The Secretary shall provide
6 grants to institutions of higher education to develop
7 public policy expertise in, and assist in developing a
8 long-term strategy to address, infestation by salt
9 cedar and Russian olive trees.

10 (d) DEMONSTRATION PROJECTS.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date on which funds are made available to
13 carry out this Act, the Secretary shall establish a
14 program that selects and funds not less than 5
15 projects proposed by and implemented in collabora-
16 tion with Federal agencies, units of State and local
17 government, national laboratories, Indian tribes, in-
18 stitutions of higher education, individuals, organiza-
19 tions, or soil and water conservation districts to
20 demonstrate and evaluate the most effective methods
21 of controlling salt cedar and Russian olive trees.

22 (2) PROJECT REQUIREMENTS.—The demonstra-
23 tion projects under paragraph (1) shall—

1 (A) be carried out over a time period and
2 to a scale designed to fully assess long-term
3 management strategies;

4 (B) implement salt cedar or Russian olive
5 tree control using 1 or more methods for each
6 project in order to assess the full range of con-
7 trol methods, including—

8 (i) airborne application of herbicides;

9 (ii) mechanical removal; and

10 (iii) biocontrol methods, such as the
11 use of goats or insects;

12 (C) individually or in conjunction with
13 other demonstration projects, assess the effects
14 of and obstacles to combining multiple control
15 methods and determine optimal combinations of
16 control methods;

17 (D) assess soil conditions resulting from
18 salt cedar and Russian olive tree infestation
19 and means to revitalize soils;

20 (E) define and implement appropriate final
21 vegetative states and optimal revegetation
22 methods, with preference for self-maintaining
23 vegetative states and native vegetation, and tak-
24 ing into consideration downstream impacts,
25 wildfire potential, and water savings;

1 (F) identify methods for preventing the re-
2 growth and reintroduction of salt cedar and
3 Russian olive trees;

4 (G) monitor and document any water sav-
5 ings from the control of salt cedar and Russian
6 olive trees, including impacts to both ground-
7 water and surface water;

8 (H) assess wildfire activity and manage-
9 ment strategies;

10 (I) assess changes in wildlife habitat;

11 (J) determine conditions under which re-
12 moval of biomass is appropriate (including opti-
13 mal methods for the disposal or use of bio-
14 mass); and

15 (K) assess economic and other impacts as-
16 sociated with control methods and the restora-
17 tion and maintenance of land.

18 (e) DISPOSITION OF BIOMASS.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date on which funds are made available to carry
21 out this Act, the Secretary, in cooperation with the
22 Secretary of Agriculture, shall complete an analysis
23 of economic means to use or dispose of biomass cre-
24 ated as a result of removal of salt cedar and Russian
25 olive trees.

1 (2) REQUIREMENTS.—The analysis shall—

2 (A) determine conditions under which re-
3 moval of biomass is economically viable;

4 (B) consider and build upon existing re-
5 search by the Department of Agriculture and
6 other agencies on beneficial uses of salt cedar
7 and Russian olive tree fiber; and

8 (C) consider economic development oppor-
9 tunities, including manufacture of wood prod-
10 ucts using biomass resulting from demonstra-
11 tion projects under subsection (d) as a means
12 of defraying costs of control.

13 (f) COSTS.—

14 (1) IN GENERAL.—With respect to projects and
15 activities carried out under this Act—

16 (A) the assessment under subsection (b)
17 shall be carried out at a cost of not more than
18 \$4,000,000;

19 (B) the identification and documentation
20 of long-term management strategies under sub-
21 section (c) shall be carried out at a cost of not
22 more than \$2,000,000;

23 (C) each demonstration project under sub-
24 section (d) shall be carried out at a Federal
25 cost of not more than \$7,000,000 (including

1 costs of planning, design, implementation,
2 maintenance, and monitoring); and

3 (D) the analysis under subsection (e) shall
4 be carried out at a cost of not more than
5 \$3,000,000.

6 (2) COST-SHARING.—

7 (A) IN GENERAL.—The assessment under
8 subsection (b), the identification and docu-
9 mentation of long-term management strategies
10 under subsection (c), a demonstration project or
11 portion of a demonstration project under sub-
12 section (d) that is carried out on Federal land,
13 and the analysis under subsection (e) shall be
14 carried out at full Federal expense.

15 (B) DEMONSTRATION PROJECTS CARRIED
16 OUT ON NON-FEDERAL LAND.—

17 (i) IN GENERAL.—The Federal share
18 of the costs of any demonstration project
19 funded under subsection (d) that is not
20 carried out on Federal land shall not ex-
21 ceed—

22 (I) 75 percent for each of the
23 first 5 years of the demonstration
24 project; and

1 (II) for the purpose of long-term
2 monitoring, 100 percent for each of
3 such 5-year extensions as the Sec-
4 retary may grant.

5 (ii) FORM OF NON-FEDERAL
6 SHARE.—The non-Federal share of the
7 costs of a demonstration project that is not
8 carried out on Federal land may be pro-
9 vided in the form of in-kind contributions,
10 including services provided by a State
11 agency or any other public or private part-
12 ner.

13 (g) COOPERATION.—In carrying out the assessment
14 under subsection (b), the demonstration projects under
15 subsection (d), and the analysis under subsection (e), the
16 Secretary shall cooperate with and use the expertise of
17 Federal agencies and the other entities specified in sub-
18 section (d)(1) that are actively conducting research on or
19 implementing salt cedar and Russian olive tree control ac-
20 tivities.

21 (h) INDEPENDENT REVIEW.—The Secretary shall
22 subject to independent review—

23 (1) the assessment under subsection (b);

1 (2) the identification and documentation of
2 long-term management strategies under subsection
3 (c);

4 (3) the demonstration projects under subsection
5 (d); and

6 (4) the analysis under subsection (e).

7 (i) REPORTING.—

8 (1) IN GENERAL.—The Secretary shall submit
9 to Congress an annual report that describes the re-
10 sults of carrying out this Act, including a synopsis
11 of any independent review under subsection (h) and
12 details of the manner and purposes for which funds
13 are expended.

14 (2) PUBLIC ACCESS.—The Secretary shall fa-
15 cilitate public access to all information that results
16 from carrying out this Act.

17 (j) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this Act—

19 (1) \$20,000,000 for fiscal year 2006; and

20 (2) \$15,000,000 for each subsequent fiscal
21 year.

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