

108TH CONGRESS
1ST SESSION

S. 1236

To direct the Secretary of the Interior to establish a program to control or eradicate tamarisk in the Western States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2003

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

A BILL

To direct the Secretary of the Interior to establish a program to control or eradicate tamarisk in the Western States, 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 “Tamarisk Control and
5 Riparian Restoration Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the western United States is currently expe-
9 riencing its worst drought in modern history;

1 (2) the drought in the western United States
2 has caused—

3 (A) severe losses in rural, agricultural, and
4 recreational economies;

5 (B) detrimental effects on wildlife; and

6 (C) increased risk of wildfires;

7 (3) it is estimated that throughout the western
8 United States tamarisk, a noxious and non-native
9 plant—

10 (A) occupies between 1,000,000 and
11 1,500,000 acres of land; and

12 (B) is a nonbeneficial user of 2,000,000 to
13 4,500,000 acre-feet of water per year;

14 (4) the amount of nonbeneficial use of water by
15 tamarisk—

16 (A) is greater than the amount that valu-
17 able native vegetation would have used; and

18 (B) represents enough water for—

19 (i) use by 20,000,000 or more people;

20 or

21 (ii) the irrigation of over 1,000,000
22 acres of land;

23 (5) scientists have established that tamarisk in-
24 festations can—

25 (A) increase soil and water salinity;

1 (B) increase the risk of flooding through
 2 increased sedimentation and decreased channel
 3 conveyance;

4 (C) increase wildfire potential;

5 (D) diminish human enjoyment of and
 6 interaction with the river environment; and

7 (E) adversely affect—

8 (i) wildlife habitat for threatened and
 9 endangered species; and

10 (ii) the abundance and biodiversity of
 11 other species; and

12 (6) as drought conditions and legal require-
 13 ments relating to water supply accelerate water
 14 shortages, innovative approaches are needed to ad-
 15 dress the increasing demand for a diminishing water
 16 supply.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) PROGRAM.—The term “program” means
 20 the Tamarisk Assistance Program established under
 21 section 5.

22 (2) SECRETARY.—The term “Secretary” means
 23 the Secretary of the Interior, acting through the
 24 Commissioner of Reclamation.

25 (3) STATE.—The term “State” means—

1 (A) each of the States of Arizona, Cali-
2 fornia, Colorado, Idaho, Montana, New Mexico,
3 Nevada, Oklahoma, Texas, Utah, and Wyo-
4 ming; and

5 (B) any other State that is affected by
6 tamarisk, as determined by the assessment con-
7 ducted under section 4.

8 **SEC. 4. TAMARISK ASSESSMENT.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date on which funds are made available to carry out this
11 section, the Secretary shall complete an assessment of the
12 extent of tamarisk invasion in the western United States.

13 (b) COMPONENTS.—The assessment under subsection
14 (a) shall—

15 (1) address past and ongoing research on tested
16 and innovative methods to control tamarisk;

17 (2) estimate the costs for destruction of
18 tamarisk, biomass removal, and restoration and
19 maintenance of land;

20 (3) identify the States affected by tamarisk;
21 and

22 (4) include a gross-scale estimation of infested
23 acreage within the States identified.

1 **SEC. 5. STATE TAMARISK ASSISTANCE PROGRAM.**

2 (a) ESTABLISHMENT.—Based on the findings of the
3 assessment under section 4, the Secretary shall establish
4 the Tamarisk Assistance Program to provide grants to
5 States to carry out projects to control or eradicate
6 tamarisk.

7 (b) AMOUNT OF GRANT.—The amount of a grant to
8 a State under subsection (a) shall be determined by the
9 Secretary, based on the estimated infested acreage in the
10 State.

11 (c) DESIGNATION OF LEAD STATE AGENCY.—On re-
12 ceipt of a grant under subsection (a), the Governor of a
13 State shall designate a lead State agency to administer
14 the program in the State.

15 (d) PRIORITY.—

16 (1) IN GENERAL.—The lead State agency des-
17 ignated under subsection (c), in consultation with
18 the entities described in paragraph (2), shall estab-
19 lish the priority by which grant funds are distributed
20 to projects to control or eradicate tamarisk in the
21 State.

22 (2) ENTITIES.—The entities referred to in
23 paragraph (1) are—

24 (A) the National Invasive Species Council;

25 (B) the Invasive Species Advisory Com-
26 mittee;

1 (C) representatives from Indian tribes in
2 the State that have weed management entities
3 or that have particular problems with noxious
4 weeds;

5 (D) institutions of higher education in the
6 State;

7 (E) State agencies;

8 (F) nonprofit organizations in the State;
9 and

10 (G) soil and water conservation districts in
11 the State that are actively conducting research
12 on or implementing activities to control or
13 eradicate tamarisk.

14 (e) CONDITIONS.—A lead State agency shall require
15 that, as a condition of receipt of a grant under this Act,
16 a grant recipient provide to the lead State agency any nec-
17 essary information relating to a project carried out under
18 this Act.

19 (f) ADMINISTRATIVE EXPENSES.—Not more than 10
20 percent of the amount of a grant provided under sub-
21 section (a) may be used for administrative expenses.

22 (g) COST SHARING.—

23 (1) FEDERAL SHARE.—The Federal share of
24 the cost of carrying out a project under this section
25 shall be not more than 75 percent.

1 (2) NON-FEDERAL SHARE.—The non-Federal
2 share may be paid by a State, county, municipality,
3 special district, or nongovernmental entity.

4 (h) REPORT.—To be eligible for additional grants
5 under the program, not later than 180 days after the date
6 of completion of a project carried out under this Act, a
7 lead State agency shall submit to the Secretary a report
8 that describes the purposes and results of the project.

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to carry out
11 this Act—

12 (1) \$20,000,000 for fiscal year 2004; and

13 (2) such sums as are necessary for each fiscal
14 year thereafter.

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