

Calendar No. 26109TH CONGRESS
1ST SESSION**S. 177****[Report No. 109–15]**

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, Mr. ENSIGN, Mr. BENNETT, and Mr. SALAZAR) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 7, 2005

Reported by Mr. DOMENICI, without amendment

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”.

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

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

15 (1) to assess the extent of the infestation by
16 salt cedar and Russian olive trees in the western
17 United States;

18 (2) to demonstrate strategic solutions for—

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

21 (B) the reestablishment of native vegeta-
22 tion; and

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

1 (b) ASSESSMENT.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date on which funds are made available to carry
4 out this Act, the Secretary shall complete an assess-
5 ment of the extent of salt cedar and Russian olive
6 infestation on public and private land in the western
7 United States.

8 (2) REQUIREMENTS.—In addition to describing
9 the acreage of and severity of infestation by salt
10 cedar and Russian olive trees in the western United
11 States, the assessment shall—

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

14 (B) consider the feasibility of reducing
15 water consumption by salt cedar and Russian
16 olive trees;

17 (C) consider methods of and challenges as-
18 sociated with the revegetation or restoration of
19 infested land; and

20 (D) estimate the costs of destruction of
21 salt cedar and Russian olive trees, related bio-
22 mass removal, and revegetation or restoration
23 and maintenance of the infested land.

24 (c) LONG-TERM MANAGEMENT STRATEGIES.—

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

4 (A) could be implemented by Federal,
5 State, and private land managers in addressing
6 infestation by salt cedar and Russian olive
7 trees; and

8 (B) should be tested as components of
9 demonstration projects under subsection (d).

10 (2) GRANTS.—The Secretary shall provide
11 grants to institutions of higher education to develop
12 public policy expertise in, and assist in developing a
13 long-term strategy to address, infestation by salt
14 cedar and Russian olive trees.

15 (d) DEMONSTRATION PROJECTS.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date on which funds are made available to
18 carry out this Act, the Secretary shall establish a
19 program that selects and funds not less than 5
20 projects proposed by and implemented in collabora-
21 tion with Federal agencies, units of State and local
22 government, national laboratories, Indian tribes, in-
23 stitutions of higher education, individuals, organiza-
24 tions, or soil and water conservation districts to

1 demonstrate and evaluate the most effective methods
2 of controlling salt cedar and Russian olive trees.

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

5 (A) be carried out over a time period and
6 to a scale designed to fully assess long-term
7 management strategies;

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

12 (i) airborne application of herbicides;

13 (ii) mechanical removal; and

14 (iii) biocontrol methods, such as the
15 use of goats or insects;

16 (C) individually or in conjunction with
17 other demonstration projects, assess the effects
18 of and obstacles to combining multiple control
19 methods and determine optimal combinations of
20 control methods;

21 (D) assess soil conditions resulting from
22 salt cedar and Russian olive tree infestation
23 and means to revitalize soils;

24 (E) define and implement appropriate final
25 vegetative states and optimal revegetation

1 methods, with preference for self-maintaining
2 vegetative states and native vegetation, and tak-
3 ing into consideration downstream impacts,
4 wildfire potential, and water savings;

5 (F) identify methods for preventing the re-
6 growth and reintroduction of salt cedar and
7 Russian olive trees;

8 (G) monitor and document any water sav-
9 ings from the control of salt cedar and Russian
10 olive trees, including impacts to both ground-
11 water and surface water;

12 (H) assess wildfire activity and manage-
13 ment strategies;

14 (I) assess changes in wildlife habitat;

15 (J) determine conditions under which re-
16 moval of biomass is appropriate (including opti-
17 mal methods for the disposal or use of bio-
18 mass); and

19 (K) assess economic and other impacts as-
20 sociated with control methods and the restora-
21 tion and maintenance of land.

22 (e) DISPOSITION OF BIOMASS.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date on which funds are made available to carry
25 out this Act, the Secretary, in cooperation with the

1 Secretary of Agriculture, shall complete an analysis
2 of economic means to use or dispose of biomass cre-
3 ated as a result of removal of salt cedar and Russian
4 olive trees.

5 (2) REQUIREMENTS.—The analysis shall—

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

8 (B) consider and build upon existing re-
9 search by the Department of Agriculture and
10 other agencies on beneficial uses of salt cedar
11 and Russian olive tree fiber; and

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

17 (f) COSTS.—

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

20 (A) the assessment under subsection (b)
21 shall be carried out at a cost of not more than
22 \$4,000,000;

23 (B) the identification and documentation
24 of long-term management strategies under sub-

1 section (c) shall be carried out at a cost of not
2 more than \$2,000,000;

3 (C) each demonstration project under sub-
4 section (d) shall be carried out at a Federal
5 cost of not more than \$7,000,000 (including
6 costs of planning, design, implementation,
7 maintenance, and monitoring); and

8 (D) the analysis under subsection (e) shall
9 be carried out at a cost of not more than
10 \$3,000,000.

11 (2) COST-SHARING.—

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

20 (B) DEMONSTRATION PROJECTS CARRIED
21 OUT ON NON-FEDERAL LAND.—

22 (i) IN GENERAL.—The Federal share
23 of the costs of any demonstration project
24 funded under subsection (d) that is not

1 carried out on Federal land shall not ex-
2 ceed—

3 (I) 75 percent for each of the
4 first 5 years of the demonstration
5 project; and

6 (II) for the purpose of long-term
7 monitoring, 100 percent for each of
8 such 5-year extensions as the Sec-
9 retary may grant.

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

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

1 (h) INDEPENDENT REVIEW.—The Secretary shall
2 subject to independent review—

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

4 (2) the identification and documentation of
5 long-term management strategies under subsection
6 (c);

7 (3) the demonstration projects under subsection
8 (d); and

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

10 (i) REPORTING.—

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

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

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

22 (1) \$20,000,000 for fiscal year 2006; and

23 (2) \$15,000,000 for each subsequent fiscal
24 year.

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