

111TH CONGRESS  
1ST SESSION

# H. R. 3850

To provide for the eradication and control of nutria in Maryland, Louisiana,  
and other coastal States.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2009

Mr. KRATOVIL (for himself and Mr. BOUSTANY) introduced the following bill;  
which was referred to the Committee on Natural Resources

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## A BILL

To provide for the eradication and control of nutria in  
Maryland, Louisiana, and other coastal States.

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 “Nutria Eradication  
5       and Control Act of 2009”.

6       **SEC. 2. FINDINGS; PURPOSE.**

7       (a) FINDINGS.—Congress finds that—

8               (1) wetland and tidal marshes in the Chesapeake Bay, the State of Louisiana, and other coastal  
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1 States provide significant cultural, economic, and ec-  
2 ological benefits to the United States;

3 (2) the South American nutria (*Myocastor*  
4 *coypus*) is directly contributing to substantial marsh  
5 loss on Federal, State, and private land in the  
6 States of Maryland and Louisiana and other coastal  
7 States;

8 (3) the Nutria Eradication and Control Act of  
9 2003 (Public Law 108–16; 117 Stat. 621) author-  
10 ized the Maryland Nutria Project, which has suc-  
11 cessfully eradicated nutria from more than 130,000  
12 acres of Chesapeake Bay wetland in the State of  
13 Maryland;

14 (4) the Nutria Eradication and Control Act of  
15 2003 (Public Law 108–16; 117 Stat. 621) and the  
16 Coastal Wetlands Planning, Protection, and Restora-  
17 tion Act (16 U.S.C. 3951 et seq.) authorized the  
18 Coastwide Nutria Control Program, which has re-  
19 duced nutria-impacted wetland acres in the State of  
20 Louisiana from 80,000 acres to 23,141 acres; and

21 (5) proven techniques developed under the Nu-  
22 tria Eradication and Control Act of 2003 (Public  
23 Law 108–16; 117 Stat. 621) that are eradicating  
24 nutria from the State of Maryland and are reducing  
25 the acres of nutria-impacted wetland in Louisiana,

1 should be applied to nutria eradication or control  
2 programs in other nutria-infested coastal States.

3 (b) PURPOSE.—The purpose of this Act is to author-  
4 ize the Secretary of the Interior to provide financial assist-  
5 ance to the States of Maryland, Louisiana, Delaware, Or-  
6 egon, Virginia, and Washington to carry out activities—

7 (1) to eradicate or control nutria; and

8 (2) to restore nutria damaged wetland.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) COASTAL STATE.—The term “coastal  
12 State” means each of the States of Delaware, Or-  
13 egon, Virginia, and Washington.

14 (2) PROGRAM.—The term “program” means  
15 the nutria eradication program established by sec-  
16 tion 4(a).

17 (3) SECRETARY.—The term “Secretary” means  
18 the Secretary of the Interior.

19 **SEC. 4. NUTRIA ERADICATION PROGRAM.**

20 (a) IN GENERAL.—There is established a nutria  
21 eradication program under which the Secretary may, sub-  
22 ject to the availability of appropriations, provide financial  
23 assistance to the States of Maryland and Louisiana and  
24 the coastal States to implement measures—

25 (1) to eradicate or control nutria; and

1 (2) to restore wetland damaged by nutria.

2 (b) GOALS.—The goals of the program shall be—

3 (1) to eradicate nutria in the State of Mary-  
4 land;

5 (2) to eradicate or control nutria in the State  
6 of Louisiana and the coastal States; and

7 (3) to restore wetland damaged by nutria.

8 (c) ACTIVITIES IN THE STATE OF MARYLAND.—The  
9 Secretary shall require that the program carried out in  
10 the State of Maryland consist of management, research,  
11 and public education activities carried out in accordance  
12 with the document published by the United States Fish  
13 and Wildlife Service entitled “Eradication Strategies for  
14 Nutria in the Chesapeake and Delaware Bay Water-  
15 sheds”, dated March 2002, and updated March 2009.

16 (d) COST-SHARING REQUIREMENT.—

17 (1) FEDERAL SHARE.—The Federal share of  
18 the total cost of the program may not exceed 75 per-  
19 cent.

20 (2) IN-KIND CONTRIBUTIONS.—The non-Fed-  
21 eral share of the total cost of the program may be  
22 provided in the form of in-kind contributions of ma-  
23 terials or services.

24 (e) LIMITATION ON ADMINISTRATIVE EXPENSES.—  
25 Not more than 5 percent of the financial assistance pro-

1 vided by the Secretary under the program may be used  
2 for administrative expenses.

3 **SEC. 5. REPORT.**

4 Not later than 180 days after the date of enactment  
5 of this Act, the Secretary and the National Invasive Spe-  
6 cies Council shall—

7 (1) for purposes of the program, give consider-  
8 ation to—

9 (A) the 2002 report for the Louisiana De-  
10 partment of Wildlife and Fisheries entitled  
11 “Nutria in Louisiana”; and

12 (B) the March 2009 update of the docu-  
13 ment entitled “Eradication Strategies for the  
14 Nutria in the Chesapeake and Delaware Bay  
15 Watersheds” and dated March 2002;

16 (2) continue, in cooperation with the State of  
17 Louisiana Department of Wildlife and Fisheries and  
18 the State of Maryland Department of Natural Re-  
19 sources, a long-term nutria control or eradication  
20 program, as appropriate, with the objective to sig-  
21 nificantly reduce and restore the damage nutria  
22 cause to coastal wetland in the States of Louisiana  
23 and Maryland; and

24 (3) develop, in cooperation with the State of  
25 Delaware Department of Natural Resources and En-

1 vironmental Control, the State of Virginia Depart-  
2 ment of Game and Inland Fisheries, the State of Or-  
3 egon Department of Fish and Wildlife, and the  
4 State of Washington Department of Fish and Wild-  
5 life, long-term nutria control or eradication pro-  
6 grams, as appropriate, with the objective to signifi-  
7 cantly reduce and restore the damage nutria cause  
8 to coastal wetland in the coastal States.

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

10 There are authorized to be appropriated to the Sec-  
11 retary for each of fiscal years 2010 through 2014—

12 (1) \$4,000,000 to provide financial assistance  
13 under the program to each of the States of Mary-  
14 land and Louisiana; and

15 (2) \$1,000,000 to provide financial assistance  
16 under the program to each of the coastal States.

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