

109TH CONGRESS
2D SESSION

H. R. 2720

AN ACT

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 the Direc-
11 tor of the United States Geological Survey and in coopera-
12 tion with the Secretary of Agriculture and the Secretary
13 of Defense, shall carry out a salt cedar (*Tamarix* spp) and
14 Russian olive (*Elaeagnus angustifolia*) assessment and
15 demonstration program—

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

19 (2) to demonstrate strategic solutions for—

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

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

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

4 (b) MEMORANDUM OF UNDERSTANDING.—As soon
5 as practicable after the date of enactment of this Act, the
6 Secretary and the Secretary of Agriculture shall enter into
7 a memorandum of understanding providing for the admin-
8 istration of the program established under subsection (a).

9 (c) ASSESSMENT.—

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

16 (2) REQUIREMENTS.—In addition to describing
17 the acreage of and severity of infestation by salt
18 cedar and Russian olive trees in the western United
19 States, the assessment shall—

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

22 (B) consider the feasibility of reducing
23 water consumption by salt cedar and Russian
24 olive trees;

1 (C) consider methods of and challenges as-
2 sociated with the revegetation or restoration of
3 infested land; and

4 (D) estimate the costs of destruction of
5 salt cedar and Russian olive trees, related bio-
6 mass removal, and revegetation or restoration
7 and maintenance of the infested land.

8 (3) REPORT.—

9 (A) IN GENERAL.—The Secretary shall
10 submit to the Committee on Energy and Nat-
11 ural Resources and the Committee on Agri-
12 culture, Nutrition, and Forestry of the Senate
13 and the Committee on Resources and the Com-
14 mittee on Agriculture of the House of Rep-
15 resentatives a report that includes the results of
16 the assessment conducted under paragraph (1).

17 (B) CONTENTS.—The report submitted
18 under subparagraph (A) shall identify—

19 (i) long-term management and fund-
20 ing strategies identified under subsection
21 (d) that could be implemented by Federal,
22 State, tribal, and private land managers
23 and owners to address the infestation by
24 salt cedar and Russian olive;

1 (ii) any deficiencies in the assessment
2 or areas for additional study; and

3 (iii) any field demonstrations that
4 would be useful in the effort to control salt
5 cedar and Russian olive.

6 (d) LONG-TERM MANAGEMENT STRATEGIES.—

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

10 (A) could be implemented by Federal,
11 State, tribal, and private land managers in ad-
12 dressing infestation by salt cedar and Russian
13 olive trees; and

14 (B) should be tested as components of
15 demonstration projects under subsection (e).

16 (2) GRANTS.—

17 (A) IN GENERAL.—The Secretary may
18 provide grants to eligible entities to provide
19 technical experience, support, and recommenda-
20 tions relating to the identification and docu-
21 mentation of long-term management and fund-
22 ing strategies under paragraph (1).

23 (B) ELIGIBLE ENTITIES.—Institutions of
24 higher education and nonprofit organizations
25 with an established background and expertise in

1 the public policy issues associated with the con-
2 trol of salt cedar and Russian olive trees shall
3 be eligible for a grant under subparagraph (A).

4 (C) MINIMUM AMOUNT.—The amount of a
5 grant provided under subparagraph (A) shall be
6 not less than \$250,000.

7 (e) DEMONSTRATION PROJECTS.—

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

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

21 (A) be carried out over a time period and
22 to a scale designed to fully assess long-term
23 management strategies;

24 (B) implement salt cedar or Russian olive
25 tree control using 1 or more methods for each

1 project in order to assess the full range of con-
2 trol methods, including—

- 3 (i) airborne application of herbicides;
4 (ii) mechanical removal; and
5 (iii) biocontrol methods, such as the
6 use of goats or insects;

7 (C) individually or in conjunction with
8 other demonstration projects, assess the effects
9 of and obstacles to combining multiple control
10 methods and determine optimal combinations of
11 control methods;

12 (D) assess soil conditions resulting from
13 salt cedar and Russian olive tree infestation
14 and means to revitalize soils;

15 (E) define and implement appropriate final
16 vegetative states and optimal revegetation
17 methods, with preference for self-maintaining
18 vegetative states and native vegetation, and tak-
19 ing into consideration downstream impacts,
20 wildfire potential, and water savings;

21 (F) identify methods for preventing the re-
22 growth and reintroduction of salt cedar and
23 Russian olive trees;

24 (G) monitor and document any water sav-
25 ings from the control of salt cedar and Russian

1 olive trees, including impacts to both ground-
2 water and surface water;

3 (H) assess wildfire activity and manage-
4 ment strategies;

5 (I) assess changes in wildlife habitat;

6 (J) determine conditions under which re-
7 moval of biomass is appropriate (including opti-
8 mal methods for the disposal or use of bio-
9 mass); and

10 (K) assess economic and other impacts as-
11 sociated with control methods and the restora-
12 tion and maintenance of land.

13 (f) DISPOSITION OF BIOMASS.—

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

21 (2) REQUIREMENTS.—The analysis shall—

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

24 (B) consider and build upon existing re-
25 search by the Department of Agriculture and

1 other agencies on beneficial uses of salt cedar
2 and Russian olive tree fiber; and

3 (C) consider economic development oppor-
4 tunities, including manufacture of wood prod-
5 ucts using biomass resulting from demonstra-
6 tion projects under subsection (e) as a means of
7 defraying costs of control.

8 (g) COSTS.—

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

11 (A) the assessment under subsection (c)
12 shall be carried out at a cost of not more than
13 \$4,000,000;

14 (B) the identification and documentation
15 of long-term management strategies under sub-
16 section (d)(1) and the provision of grants under
17 subsection (d)(2) shall be carried out at a cost
18 of not more than \$2,000,000;

19 (C) each demonstration project under sub-
20 section (e) shall be carried out at a Federal cost
21 of not more than \$7,000,000 (including costs of
22 planning, design, implementation, maintenance,
23 and monitoring); and

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

4 (2) COST-SHARING.—

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

13 (B) DEMONSTRATION PROJECTS CARRIED
14 OUT ON NON-FEDERAL LAND.—

15 (i) IN GENERAL.—The Federal share
16 of the costs of any demonstration project
17 funded under subsection (e) that is not
18 carried out on Federal land shall not ex-
19 ceed 75 percent.

20 (ii) FORM OF NON-FEDERAL
21 SHARE.—The non-Federal share of the
22 costs of a demonstration project that is not
23 carried out on Federal land may be pro-
24 vided in the form of in-kind contributions,
25 including services provided by a State

1 agency or any other public or private part-
2 ner.

3 (h) COOPERATION.—In carrying out the assessment
4 under subsection (c), the demonstration projects under
5 subsection (e), and the analysis under subsection (f), the
6 Secretary shall cooperate with and use the expertise of
7 Federal agencies and the other entities specified in sub-
8 section (e)(1) that are actively conducting research on or
9 implementing salt cedar and Russian olive tree control ac-
10 tivities.

11 (i) INDEPENDENT REVIEW.—The Secretary shall
12 subject to independent review—

13 (1) the assessment under subsection (c);

14 (2) the identification and documentation of
15 long-term management strategies under subsection
16 (d);

17 (3) the demonstration projects under subsection
18 (e); and

19 (4) the analysis under subsection (f).

20 (j) REPORTING.—

21 (1) IN GENERAL.—The Secretary shall submit
22 to Congress an annual report that describes the re-
23 sults of carrying out this Act, including a synopsis
24 of any independent review under subsection (I) and

1 details of the manner and purposes for which funds
2 are expended.

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

6 (k) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There are authorized to be
8 appropriated to carry out this Act—

9 (A) \$20,000,000 for fiscal year 2006; and

10 (B) \$15,000,000 for each of fiscal years
11 2007 through 2010.

12 (2) ADMINISTRATIVE COSTS.—Not more 15
13 percent of amounts made available under paragraph
14 (1) shall be used to pay the administrative costs of
15 carrying out the program established under sub-
16 section (a).

17 (l) TERMINATION OF AUTHORITY.—This Act and the
18 authority provided by this Act terminate on the date that
19 is 5 years after the date of the enactment of this Act.

Passed the House of Representatives May 2, 2006.

Attest:

Clerk.

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