

107TH CONGRESS
1ST SESSION

H. R. 3570

To direct the Secretary of the Interior to monitor the health of the Missouri River and measure biological, chemical, and physical responses to changes in river management and other significant variables.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2001

Mr. BEREUTER introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of the Interior to monitor the health of the Missouri River and measure biological, chemical, and physical responses to changes in river management and other significant variables.

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 “Lewis and Clark Voy-
5 age of Scientific Discovery Act”.

1 **SEC. 2. LONG-TERM MONITORING PROGRAM.**

2 (a) ESTABLISHMENT.—Not later than 2 years after
3 the date of the enactment of this Act, the Secretary of
4 the Interior, in consultation with the Director of the
5 United States Geological Survey, shall establish a program
6 at the River Studies Center of the Biological Resources
7 Division of the United States Geological Survey, located
8 in Columbia, Missouri—

9 (1) to determine and monitor the biological and
10 chemical characteristics of the Missouri River;

11 (2) to determine and monitor the interrelation-
12 ship of those characteristics with the hydrology and
13 geomorphology of the river; and

14 (3) to monitor and assess the biota, including
15 threatened or endangered species, habitats, and
16 water quality of the Missouri River.

17 (b) DEVELOPMENT.—To develop the program, the
18 Secretary of the Interior and the Director of the United
19 States Geological Survey shall consult with—

20 (1) the Governors of affected States, acting
21 through—

22 (A) the Missouri River Natural Resources
23 Committee; and

24 (B) the Missouri River Basin Association;
25 and

26 (2) the Secretary of Agriculture;

1 (3) the Secretary of the Army;

2 (4) the Western Area Power Administration;

3 (5) the Administrator of the Environmental
4 Protection Agency; and

5 (6) the Missouri River Basin Tribes.

6 (c) ACTIVITIES.—The program under subsection (b)
7 shall provide scientific information to—

8 (1) guide operation and management of the
9 Missouri River; and

10 (2) measure and model the impact of manage-
11 ment alternatives through—

12 (A) monitoring of biota, including threat-
13 ened or endangered species, habitats, and water
14 quality;

15 (B) focused investigations of cause and ef-
16 fect relationships; and

17 (C) identification and evaluation of meth-
18 ods to conserve fish and wildlife, including
19 threatened and endangered species.

20 (d) BASELINE.—The program under subsection (b)
21 shall establish a baseline of conditions against which fu-
22 ture activities can be measured.

23 (e) DATABASE.—The Secretary of the Interior
24 shall—

1 (1) establish a database on Missouri River
2 biota, including threatened or endangered species,
3 habitats, and water quality; and

4 (2) make the database readily available to the
5 public.

6 (f) REPORT.—Not later than 3 years after the date
7 of establishment of the program under subsection (b), and
8 not less frequently than every 3 years thereafter, the Sec-
9 retary of the Interior, acting through the Director of the
10 United States Geological Survey, shall—

11 (1) review the program;

12 (2) as necessary, establish and revise the objec-
13 tives of the program; and

14 (3) submit to Congress a report on the environ-
15 mental health of the Missouri River.

16 (g) INDIAN TRIBES.—Notwithstanding any other
17 provision of law, the Secretary of the Interior shall enter
18 into contracts, pursuant to the Indian Self Determination
19 Act (title I of the Indian Self Determination and Edu-
20 cation Assistance Act; 25 U.S.C. chapter 14, subchapter
21 II, part A (25 U.S.C. 450f et. seq.)) with Tribes whose
22 Reservations are located along the Missouri River and
23 have an interest in environmental restoration. The tasks
24 to be contracted shall implement the goals set forth in this
25 section and shall complement the activities undertaken by

1 the Secretary of the Interior and the affected State Gov-
2 ernments.

3 (h) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—There are authorized to be
5 appropriated to the Secretary of the Interior to
6 carry out this section—

7 (A) \$6,500,000 for fiscal year 2002;

8 (B) \$8,500,000 for fiscal year 2003; and

9 (C) \$15,100,000 for each of fiscal years
10 2004 through 2016.

11 (2) ALLOCATION OF FUNDS.—Funding of the
12 program shall be implemented in the following man-
13 ner:

14 (A) Not more than the following percent-
15 age of the funds available shall be directed to
16 the River Studies Center of the Biological Re-
17 sources Division of the United States Geological
18 Survey, located in Columbia, Missouri:

19 (i) 25 percent in fiscal year 2002

20 (ii) 40 percent in fiscal year 2003

21 (iii) 65 percent in fiscal years after
22 2003.

23 At least 50 percent of such funds shall be di-
24 rected to the River Studies Center in fiscal
25 years after 2003.

(B) The remaining funds shall be made available to State fish and wildlife agencies in the Missouri River basin to conduct monitoring activities designed to enhance and supplement existing scientific knowledge of the Missouri River system.

(3) THREATENED AND ENDANGERED SPECIES.—Of the amounts made available under paragraph (1) for each fiscal year, \$1,500,000 shall be made available to the Secretary of the Interior and the State agencies with jurisdiction for Missouri River fish and wildlife to monitor and conduct focused investigations of endangered fish, including pallid sturgeon response to main stem reservoir operations.

(4) STATE AGENCY FUNDING.—Funds authorized to be appropriated under this section shall be made available as necessary to contract with the State agencies with jurisdiction for Missouri River fish and wildlife to collect field data and support field operations for the monitoring component of the program.

(5) FUNDING OF FOCUSED INVESTIGATIONS.—The focused investigations component of the program established under this section shall be funded

1 using a competitive process. Each year, the directors
2 of the State fish and game agencies with jurisdiction
3 for Missouri River fish and wildlife, in consultation
4 with the Secretary of the Interior, and the entities
5 listed under section 2(b)(1), shall prioritize informa-
6 tion needs and issue a request for proposals to
7 State, Federal, for-profit, and not-for-profit organi-
8 zations with Missouri River interest and expertise.
9 The directors and the Secretary shall review and se-
10 lect those proposals to be funded.

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