

Calendar No. 367

111TH CONGRESS
2^D SESSION**S. 1519****[Report No. 111–182]**

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

IN THE SENATE OF THE UNITED STATES

JULY 27, 2009

Mr. CARDIN (for himself, Mr. VITTER, Ms. LANDRIEU, Ms. MIKULSKI, and
Mr. MERKLEY) introduced the following bill; which was read twice and
referred to the Committee on Environment and Public Works

MAY 5, 2010

Reported by Mrs. BOXER, without amendment

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”.

1 **SEC. 2. FINDINGS; PURPOSE.**

2 (a) FINDINGS.—Congress finds that—

3 (1) wetland and tidal marshes in the Chesapeake Bay, the State of Louisiana, and other coastal
4 States provide significant cultural, economic, and ecological benefits to the United States;

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

8 (3) the Nutria Eradication and Control Act of 2003 (Public Law 108–16; 117 Stat. 621) authorized the Maryland Nutria Project, which has successfully eradicated nutria from more than 130,000
9 acres of Chesapeake Bay wetland in the State of Maryland;

10 (4) the Nutria Eradication and Control Act of 2003 (Public Law 108–16; 117 Stat. 621) and the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C. 3951 et seq.) authorized the
11 Coastwide Nutria Control Program, which has reduced nutria-impacted wetland acres in the State of Louisiana from 80,000 acres to 23,141 acres; and

12 (5) proven techniques developed under the Nutria Eradication and Control Act of 2003 (Public

1 Law 108–16; 117 Stat. 621) that are eradicating
 2 nutria from the State of Maryland and are reducing
 3 the acres of nutria-impacted wetland in Louisiana,
 4 should be applied to nutria eradication or control
 5 programs in other nutria-infested coastal States.

6 (b) PURPOSE.—The purpose of this Act is to author-
 7 ize the Secretary of the Interior to provide financial assist-
 8 ance to the States of Maryland, Louisiana, Delaware, Or-
 9 egon, Virginia, and Washington to carry out activities—
 10 (1) to eradicate or control nutria; and
 11 (2) to restore nutria damaged wetland.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

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

17 (2) PROGRAM.—The term “program” means
 18 the nutria eradication program established by sec-
 19 tion 4(a).

20 (3) SECRETARY.—The term “Secretary” means
 21 the Secretary of the Interior.

22 **SEC. 4. NUTRIA ERADICATION PROGRAM.**

23 (a) IN GENERAL.—There is established a nutria
 24 eradication program under which the Secretary may, sub-
 25 ject to the availability of appropriations, provide financial

1 assistance to the States of Maryland and Louisiana and
2 the coastal States to implement measures—

3 (1) to eradicate or control nutria; and

4 (2) to restore wetland damaged by nutria.

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

6 (1) to eradicate nutria in the State of Mary-
7 land;

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

10 (3) to restore wetland damaged by nutria.

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

19 (d) COST-SHARING REQUIREMENT.—

20 (1) FEDERAL SHARE.—The Federal share of
21 the total cost of the program may not exceed 75 per-
22 cent.

23 (2) IN-KIND CONTRIBUTIONS.—The non-Fed-
24 eral share of the total cost of the program may be

1 provided in the form of in-kind contributions of ma-
2 terials or services.

3 (e) LIMITATION ON ADMINISTRATIVE EXPENSES.—

4 Not more than 5 percent of the financial assistance pro-
5 vided by the Secretary under the program may be used
6 for administrative expenses.

7 **SEC. 5. REPORT.**

8 Not later than 180 days after the date of enactment
9 of this Act, the Secretary and the National Invasive Spe-
10 cies Council shall—

11 (1) for purposes of the program, give consider-
12 ation to—

13 (A) the 2002 report for the Louisiana De-
14 partment of Wildlife and Fisheries entitled
15 “Nutria in Louisiana”; and

16 (B) the March 2009 update of the docu-
17 ment entitled “Eradication Strategies for the
18 Nutria in the Chesapeake and Delaware Bay
19 Watersheds” and dated March 2002;

20 (2) continue, in cooperation with the State of
21 Louisiana Department of Wildlife and Fisheries and
22 the State of Maryland Department of Natural Re-
23 sources, a long-term nutria control or eradication
24 program, as appropriate, with the objective to sig-
25 nificantly reduce and restore the damage nutria

1 cause to coastal wetland in the States of Louisiana
2 and Maryland; and

3 (3) develop, in cooperation with the State of
4 Delaware Department of Natural Resources and En-
5 vironmental Control, the State of Virginia Depart-
6 ment of Game and Inland Fisheries, the State of Or-
7 egon Department of Fish and Wildlife, and the
8 State of Washington Department of Fish and Wild-
9 life, long-term nutria control or eradication pro-
10 grams, as appropriate, with the objective to signifi-
11 cantly reduce and restore the damage nutria cause
12 to coastal wetland in the coastal States.

13 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

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

16 (1) \$4,000,000 to provide financial assistance
17 under the program to each of the States of Mary-
18 land and Louisiana; and

19 (2) \$1,000,000 to provide financial assistance
20 under the program to each of the coastal States.

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