

Calendar No. 231

112TH CONGRESS
1ST SESSION

S. 899

[Report No. 112-94]

To provide for the eradication and control of nutria.

IN THE SENATE OF THE UNITED STATES

MAY 5, 2011

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

NOVEMBER 15, 2011

Reported by Mrs. BOXER, with an amendment

[Omit the part struck through and insert the part printed in italic]

A BILL

To provide for the eradication and control of nutria.

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 2011”.

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

2 Section 2 of the Nutria Eradication and Control Act
3 of 2003 (Public Law 108–16; 117 Stat. 621) is amend-
4 ed—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “and in
7 Louisiana” and inserting “, the State of Lou-
8 isiana, and other coastal States”;

9 (B) in paragraph (2), by striking “in
10 Maryland and Louisiana on Federal, State, and
11 private land” and inserting “on Federal, State,
12 and private land in the States of Maryland and
13 Louisiana and in other coastal States”; and

14 (C) by striking paragraphs (3) and (4) and
15 inserting the following:

16 “(3) This Act authorizes the Maryland Nutria
17 Project, which has successfully eradicated nutria
18 from more than 130,000 acres of Chesapeake Bay
19 wetlands in the State of Maryland and facilitated
20 the creation of voluntary, public-private partnerships
21 and more than 406 cooperative landowner agree-
22 ments.

23 “(4) This Act and the Coastal Wetlands Plan-
24 ning, Protection, and Restoration Act (16 U.S.C.
25 3951 et seq.) authorize the Coastwide Nutria Con-
26 trol Program, which has reduced nutria-impacted

1 wetland acres in the State of Louisiana from 80,000
2 acres to 23,141 acres.

3 “(5) The proven techniques developed under
4 this Act that are eradicating nutria in the State of
5 Maryland and reducing the acres of nutria-impacted
6 wetlands in the State of Louisiana should be applied
7 to nutria eradication or control programs in other
8 nutria-infested coastal States”; and

9 (2) by striking subsection (b) and inserting the
10 following:

11 “(b) PURPOSE.—The purpose of this Act is to au-
12 thorize the Secretary of the Interior to provide financial
13 assistance to the States of Delaware, Louisiana, Mary-
14 land, North Carolina, Oregon, Virginia, and Washington
15 to carry out activities—

16 “(1) to eradicate or control nutria; and

17 “(2) to restore nutria damaged wetlands.”.

18 **SEC. 3. DEFINITIONS.**

19 The Nutria Eradication and Control Act of 2003
20 (Public Law 108–16; 117 Stat. 621) is amended—

21 (1) by redesignating sections 3 and 4 as sec-
22 tions 4 and 5, respectively; and

23 (2) by inserting after section 2 the following:

24 **“SEC. 3. DEFINITIONS.**

25 “In this Act:

1 “(1) COASTAL STATE.—The term ‘coastal
2 State’ means each of the States of Delaware, Or-
3 regon, North Carolina, Virginia, and Washington.

4 “(2) PROGRAM.—The term ‘program’ means
5 the nutria eradication program established by sec-
6 tion 4(a).

7 “(3) PUBLIC-PRIVATE PARTNERSHIP.—The
8 term ‘public-private partnership’ means a voluntary,
9 cooperative project undertaken by governmental en-
10 tities or public officials and affected communities,
11 local citizens, nongovernmental organizations, or
12 other entities or persons in the private sector.

13 “(4) SECRETARY.—The term ‘Secretary’ means
14 the Secretary of the Interior.”.

15 **SEC. 4. NUTRIA ERADICATION PROGRAM.**

16 Section 4 of the Nutria Eradication and Control Act
17 of 2003 (Public Law 108–16; 117 Stat. 621) (as redesi-
18 gnated by section 3) is amended—

19 (1) by striking subsection (a) and inserting the
20 following:

21 “(a) IN GENERAL.—The Secretary may, subject to
22 the availability of appropriations, provide financial assist-
23 ance to the States of Maryland and Louisiana and the
24 coastal States to implement measures—

25 “(1) to eradicate or control nutria; and

1 “(2) to restore wetlands damaged by nutria.”;

2 (2) in subsection (b)—

3 (A) in paragraph (1), by inserting “the
4 State of” before “Maryland”;

5 (B) in paragraph (2), by striking “other
6 States” and inserting “the coastal States”; and

7 (C) in paragraph (3), by striking “marsh-
8 land” and inserting “wetlands”;

9 (3) in subsection (c)—

10 (A) by striking “(c) ACTIVITIES” and in-
11 serting “(c) ACTIVITIES IN THE STATE OF
12 MARYLAND”; and

13 (B) by inserting “, and updated in March
14 2009” before the period at the end;

15 (4) in subsection (e), by striking “financial as-
16 sistance provided by the Secretary under this sec-
17 tion” and inserting “the amounts made available
18 under subsection (f) to carry out the program”; and

19 (5) by striking subsection (f) and inserting the
20 following:

21 ~~“(f) AUTHORIZATION OF APPROPRIATIONS.—Subject~~
22 ~~to subsection (e), for each of fiscal years 2012 through~~
23 ~~2016, there are authorized to be appropriated to the Sec-~~
24 ~~retary to carry out the program such sums as are nec-~~
25 ~~essary.~~

1 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*Subject*
 2 *to subsection (e), there is authorized to be appropriated to*
 3 *the Secretary to carry out the program \$6,000,000 for each*
 4 *of fiscal years 2012 through 2016, of which—*

5 “(1) \$2,000,000 shall be used to provide finan-
 6 *cial assistance to the State of Maryland;*

7 “(2) \$2,000,000 shall be used to provide finan-
 8 *cial assistance to the State of Louisiana; and*

9 “(3) \$2,000,000 shall be used to provide finan-
 10 *cial assistance, on a competitive basis, to other coast-*
 11 *al States.”.*

12 **SEC. 5. REPORT.**

13 Section 5 of the Nutria Eradication and Control Act
 14 of 2003 (Public Law 108–16; 117 Stat. 621) (as redesign-
 15 nated by section 3) is amended—

16 (1) in paragraph (1), by striking “2002 docu-
 17 ment entitled ‘Eradication Strategies for Nutria in
 18 the Chesapeake and Delaware Bay Watersheds’;
 19 and” and inserting “March 2009 update of the docu-
 20 ment entitled ‘Eradication Strategies for Nutria in
 21 the Chesapeake and Delaware Bay Watersheds’ and
 22 originally dated March 2002;”;

23 (2) in paragraph (2)—

24 (A) by striking “develop” and inserting
 25 “continue”; and

1 (B) by striking the period at the end and
2 inserting “; and”; and

3 (3) by adding after paragraph (2) the following:

4 “(3) develop, in cooperation with the State of
5 Delaware Department of Natural Resources and En-
6 vironmental Control, the State of Virginia Depart-
7 ment of Game and Inland Fisheries, the State of Or-
8 egon Department of Fish and Wildlife, the State of
9 North Carolina Department of Environment and
10 Natural Resources, and the State of Washington De-
11 partment of Fish and Wildlife, long-term nutria con-
12 trol or eradication programs, as appropriate, with
13 the objective of—

14 “(A) significantly reducing and restoring
15 the damage nutria cause to coastal wetlands in
16 the coastal States; and

17 “(B) promoting voluntary, public-private
18 partnerships to eradicate or control nutria and
19 restoring nutria-damaged wetlands in the coast-
20 al States.”.

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