

103D CONGRESS  
2D SESSION

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# **S. 1919**

## **AN ACT**

To improve water quality within the Rio Puerco watershed and to help restore the ecological health of the Rio Grande through the cooperative identification and implementation of best management practices which are consistent with the ecological, geological, cultural, sociological, and economic conditions in the region.

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To improve water quality within the Rio Puerco watershed and to help restore the ecological health of the Rio Grande through the cooperative identification and implementation of best management practices which are consistent with the ecological, geological, cultural, sociological, and economic conditions in the region.

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 “Rio Puerco Watershed  
5        Act of 1994”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) over time, extensive ecological changes have  
4 occurred in the Rio Puerco watershed, including—

5 (A) erosion of agricultural and range  
6 lands;

7 (B) impairment of waters due to heavy  
8 sedimentation;

9 (C) reduced productivity of renewable re-  
10 sources;

11 (D) loss of biological diversity;

12 (E) loss of functioning riparian areas; and

13 (F) loss of available surface water;

14 (2) damage to the watershed has seriously af-  
15 fected the economic and cultural well-being of its in-  
16 habitants, including—

17 (A) loss of existing communities that were  
18 based on the land and were self-sustaining; and

19 (B) adverse effects on the traditions, cus-  
20 toms, and cultures of the affected communities;

21 (3) a healthy and sustainable ecosystem is es-  
22 sential to the long-term economic and cultural viabil-  
23 ity of the region;

24 (4) the impairment of the Rio Puerco watershed  
25 has damaged the ecological and economic well-being

1 of the area below the junction of the Rio Puerco  
2 with the Rio Grande including—

3 (A) disruption of ecological processes;

4 (B) water quality impairment;

5 (C) significant reduction in the water stor-  
6 age capacity and life expectancy of the Ele-  
7 phant Butte Dam and Reservoir system due to  
8 sedimentation;

9 (D) chronic problems of irrigation system  
10 channel maintenance; and

11 (E) increased risk of flooding caused by  
12 sediment accumulation;

13 (5) the Rio Puerco is a major tributary of the  
14 Rio Grande and the coordinated implementation of  
15 ecosystem-based best management practices for the  
16 Rio Puerco system could benefit the larger Rio  
17 Grande system;

18 (6) the Rio Puerco watershed has been stressed  
19 from the loss of native vegetation, introduction of  
20 exotic species, and alteration of riparian habitat  
21 which have disrupted the original dynamics of the  
22 river and disrupted natural ecological processes;

23 (7) the Rio Puerco watershed is a mosaic of  
24 private, Federal, tribal trust, and State land owner-

1 ship with diverse, sometimes differing management  
2 objectives;

3 (8) development, implementation, and monitor-  
4 ing of an effective watershed management program  
5 for the Rio Puerco watershed is best achieved  
6 through cooperation among affected Federal, State,  
7 local, and tribal entities;

8 (9) the Secretary of the Interior, acting through  
9 the Director of the Bureau of Land Management, in  
10 consultation with the entities listed in paragraph  
11 (8), and in cooperation with the Rio Puerco Water-  
12 shed Committee, is best suited to coordinate man-  
13 agement efforts in the Rio Puerco watershed; and

14 (10) accelerating the pace of improvement in  
15 Rio Puerco watershed on a coordinated, cooperative  
16 basis will benefit persons living in the watershed as  
17 well as downstream users on the Rio Grande.

18 **SEC. 3. MANAGEMENT PROGRAM.**

19 (a) IN GENERAL.—The Secretary of the Interior, act-  
20 ing through the Bureau of Land Management and in con-  
21 sultation with the Rio Puerco Management Committee es-  
22 tablished pursuant to section 4, shall—

23 (1) establish a clearinghouse for research and  
24 information on management within the area identi-  
25 fied as the Rio Puerco Drainage Basin as depicted

1 on the map entitled “The Rio Puerco Watershed”  
2 dated June 1994, as described in the attached map,  
3 including—

4 (A) current and historical natural resource  
5 conditions; and

6 (B) data concerning the extent and causes  
7 of watershed impairment;

8 (2) establish an inventory of best management  
9 practices and related monitoring activities that have  
10 been or may be implemented within the area identi-  
11 fied as the Rio Puerco Watershed Project as de-  
12 picted on the map entitled “The Rio Puerco Water-  
13 shed” dated June 1994; and

14 (3) provide support to the Rio Puerco Manage-  
15 ment Committee to identify objectives, monitor re-  
16 sults of ongoing projects, and develop alternative wa-  
17 tershed management plans for the Rio Puerco  
18 Drainage Basin, based on best management prac-  
19 tices.

20 (b) RIO PUERCO MANAGEMENT PLAN.—Not later  
21 than 2 years after the date of enactment of this Act, the  
22 Secretary, in consultation with the Rio Puerco Manage-  
23 ment Committee, shall prepare a report of appropriate al-  
24 ternatives for the improvement of watershed conditions in  
25 the Rio Puerco Drainage Basin. The alternatives shall—

1           (1) identify reasonable and appropriate goals  
2           and objectives for landowners and managers in the  
3           Rio Puerco watershed;

4           (2) describe potential alternative actions to  
5           meet the goals and objectives, including proven best  
6           management practices and costs associated with im-  
7           plementing the actions;

8           (3) recommend voluntary implementation of ap-  
9           propriate best management practices on both public  
10          and private lands;

11          (4) provide for cooperative development of man-  
12          agement guidelines for maintaining and improving  
13          the ecological, cultural, and economic conditions on  
14          both public and private lands;

15          (5) provide for the development of public par-  
16          ticipation and community outreach programs that  
17          would include proposals for—

18                 (A) cooperative efforts with private land-  
19                 owners to encourage implementation of best  
20                 management practices within the watershed;  
21                 and

22                 (B) involving private citizens in restoring  
23                 the watershed;

24          (6) provide for the development of proposals for  
25          voluntary cooperative programs among the Rio

1 Puerco Management Committee membership to im-  
2 plement best management practices in a coordinated,  
3 consistent, and cost-effective manner;

4 (7) provide for the encouragement and support  
5 implementation of best management practices on  
6 private lands; and

7 (8) provide for the development of proposals for  
8 a monitoring system that—

9 (A) builds upon existing data available  
10 from private, Federal, and State sources;

11 (B) provides for the coordinated collection,  
12 evaluation, and interpretation of additional data  
13 as needed or collected; and

14 (C) will provide information to—

15 (i) assess existing resource and socio-  
16 economic conditions;

17 (ii) identify priority implementation  
18 actions; and

19 (iii) assess the effectiveness of actions  
20 taken.

21 **SEC. 4. RIO PUERCO MANAGEMENT COMMITTEE.**

22 (a) ESTABLISHMENT.—There is established the Rio  
23 Puerco Management Committee (referred to in this sec-  
24 tion as the “Committee”).

1 (b) MEMBERSHIP.—The Committee shall be con-  
2 vened by a representative of the Bureau of Land Manage-  
3 ment, and shall include representatives from—

4 (1) the Rio Puerco Watershed Committee;

5 (2) affected tribes and pueblos;

6 (3) the National Forest Service of the Depart-  
7 ment of Agriculture;

8 (4) the Bureau of Reclamation;

9 (5) the Geological Survey;

10 (6) the Bureau of Indian Affairs;

11 (7) the Fish and Wildlife Service;

12 (8) the Army Corps of Engineers;

13 (9) the Soil Conservation Service of the Depart-  
14 ment of Agriculture;

15 (10) the State of New Mexico, including the  
16 New Mexico Environment Department and the State  
17 Engineer;

18 (11) affected local Soil and Water Conservation  
19 Districts;

20 (12) the Elephant Butte Irrigation District;

21 (13) private landowners; and

22 (14) other interested citizens.

23 (c) DUTIES.—The Rio Puerco Management Commit-  
24 tee shall—

1           (1) advise the Secretary of the Interior, acting  
2 through the Director of the Bureau of Land Man-  
3 agement, on the development and implementation of  
4 the Rio Puerco Management Program described in  
5 section 3; and

6           (2) serve as a forum for information about ac-  
7 tivities that may affect or further the development  
8 and implementation of the best management prac-  
9 tices described in section 3.

10 **SEC. 5. REPORT.**

11       Two years after the date of enactment of this Act,  
12 and biennially thereafter, the Secretary of the Interior, in  
13 consultation with the Rio Puerco Management Committee,  
14 shall transmit to the Committee on Energy and Natural  
15 Resources of the Senate and to the Committee on Natural  
16 Resources of the House of Representatives a report con-  
17 taining—

18           (1) a summary of accomplishments as outlined  
19 in section 3; and

20           (2) proposals for joint implementation efforts,  
21 including funding recommendations.

22 **SEC. 6. LOWER RIO GRANDE HABITAT STUDY.**

23       (a) IN GENERAL.—The Secretary of the Interior  
24 shall, in cooperation with the State of New Mexico, con-

1 duct a study of the Rio Grande from Caballo Lake to  
2 Sunland Park, New Mexico. The study shall include—

3 (1) a survey of the current habitat conditions of  
4 the river and its riparian environment;

5 (2) identification of the changes in vegetation  
6 and habitat over the past 400 years and the effect  
7 of the changes on the river and riparian area; and

8 (3) an assessment of the feasibility, benefits,  
9 and problems associated with activities to prevent  
10 further habitat loss and restoration of habitat  
11 through reintroduction or establishment of appro-  
12 priate native plant species.

13 (b) TRANSMITTAL.—Not later than 3 years after the  
14 date on which funds are made available to carry out this  
15 Act, the Secretary shall transmit the study authorized by  
16 this section to the Committee on Energy and Natural Re-  
17 sources of the Senate and to the Committee on Natural  
18 Resources of the House of Representatives.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated such sums  
3 as are necessary to carry out this Act.

      Passed the Senate August 2 (legislative day, July  
20), 1994.

Attest:

*Secretary.*

S 1919 ES—2

S 1919 ES—3

S 1919 ES—4

S 1919 ES—5