

118TH CONGRESS
2D SESSION

H. R. 8811

To reauthorize the America’s Conservation Enhancement Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2024

Mr. WITTMAN (for himself, Mrs. KIGGANS of Virginia, Mrs. DINGELL, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Energy and Commerce, 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 reauthorize the America’s Conservation Enhancement Act, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “America’s Conservation Enhancement Reauthorization
6 Act of 2024”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

- Sec. 101. Losses of livestock due to depredation by federally protected species.
 Sec. 102. Black vulture livestock protection program.
 Sec. 103. Chronic Wasting Disease Task Force.
 Sec. 104. Protection of water, oceans, coasts, and wildlife from invasive species.
 Sec. 105. North American Wetlands Conservation Act.
 Sec. 106. National Fish and Wildlife Foundation Establishment Act.
 Sec. 107. Modification of definition of sport fishing equipment under TSCA.
 Sec. 108. Chesapeake Bay Program.
 Sec. 109. Chesapeake Bay Initiative Act of 1998.
 Sec. 110. Chesapeake Watershed Investments for Landscape Defense.

TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS

- Sec. 201. National Fish Habitat Board.
 Sec. 202. Fish Habitat Partnerships.
 Sec. 203. Fish habitat conservation projects.
 Sec. 204. Technical and scientific assistance.
 Sec. 205. Accountability and reporting.
 Sec. 206. Funding.
 Sec. 207. Technical correction.

1 **TITLE I—WILDLIFE ENHANCE-**
 2 **MENT, DISEASE, AND PREDA-**
 3 **TION**

4 **SEC. 101. LOSSES OF LIVESTOCK DUE TO DEPREDATION BY**
 5 **FEDERALLY PROTECTED SPECIES.**

6 Section 102(d) of the America’s Conservation En-
 7 hancement Act (7 U.S.C. 8355(d)) is amended, in the
 8 matter preceding paragraph (1), by striking “2025” and
 9 inserting “2030”.

10 **SEC. 102. BLACK VULTURE LIVESTOCK PROTECTION PRO-**
 11 **GRAM.**

12 Section 103 of the America’s Conservation Enhance-
 13 ment Act (7 U.S.C. 8356) is amended—

1 (1) in the section heading, by inserting “;
2 **BLACK VULTURE LIVESTOCK PROTECTION**
3 **PROGRAM**” after “**COMMON RAVENS**”;

4 (2) by redesignating subsections (a) through (c)
5 as paragraphs (1) through (3), respectively, and in-
6 denting appropriately;

7 (3) in each of paragraphs (2) and (3) (as so re-
8 designated), by striking “subsection (a)” and insert-
9 ing “paragraph (1)”;

10 (4) by inserting before paragraph (1) (as so re-
11 designated) the following:

12 “(a) DEPREDATION PERMITS FOR BLACK VULTURES
13 AND COMMON RAVENS.—”; and

14 (5) by adding at the end the following:

15 “(b) **BLACK VULTURE LIVESTOCK PROTECTION**
16 **PROGRAM.—**

17 “(1) **IN GENERAL.—**The Secretary, in coordina-
18 tion with States, shall carry out, through fiscal year
19 2030, a black vulture livestock protection program
20 (referred to in this subsection as the ‘program’) that
21 allows 1 public entity or Farm Bureau organization
22 per State to hold a statewide depredation permit to
23 protect commercial agriculture livestock from black
24 vulture predation.

1 “(2) REQUIREMENTS.—Each public entity or
2 Farm Bureau organization that holds a depredation
3 permit under the program—

4 “(A) shall—

5 “(i) demonstrate sufficient experience
6 and capacity to provide government regu-
7 lated services to the public, as determined
8 by the Secretary;

9 “(ii) submit a complete depredation
10 permit application, as determined by the
11 Secretary, for review and approval accord-
12 ing to procedures of the United States
13 Fish and Wildlife Service;

14 “(iii) be responsible for complying
15 with, and ensuring subpermittee compli-
16 ance with, as applicable, all permit condi-
17 tions; and

18 “(iv) be responsible for collecting,
19 managing, and reporting required informa-
20 tion under the permit; and

21 “(B) may subpermit to livestock producers
22 to take black vultures for the purposes of live-
23 stock protection.

24 “(3) STUDY.—The Secretary, in consultation
25 with the Secretary of Agriculture, acting through the

1 Administrator of the Animal and Plant Health In-
2 spection Service, shall carry out a study on whether
3 prescribed take levels of black vultures may be in-
4 creased for subpermittees within a biologically sus-
5 tainable take level for the population.

6 “(4) REPORT.—Not later than 1 year after the
7 date of enactment of the America’s Conservation
8 Enhancement Reauthorization Act of 2024, the Sec-
9 retary, in consultation with the Secretary of Agri-
10 culture, acting through the Administrator of the
11 Animal and Plant Health Inspection Service, shall
12 submit to the Chair and Ranking Member of the
13 Committee on Environment and Public Works of the
14 Senate and the Chair and Ranking Member of the
15 Committee on Natural Resources of the House of
16 Representatives a report on the status of the pro-
17 gram, including the results of the study required
18 under paragraph (3).”.

19 **SEC. 103. CHRONIC WASTING DISEASE TASK FORCE.**

20 Section 104(d)(1) of the America’s Conservation En-
21 hancement Act (16 U.S.C. 667h(d)(1)) is amended by
22 striking “2025” and inserting “2030”.

1 **SEC. 104. PROTECTION OF WATER, OCEANS, COASTS, AND**
2 **WILDLIFE FROM INVASIVE SPECIES.**

3 Section 10(p) of the Fish and Wildlife Coordination
4 Act (16 U.S.C. 666c–1(p)) is amended, in the matter pre-
5 ceding paragraph (1), by striking “2025” and inserting
6 “2030”.

7 **SEC. 105. NORTH AMERICAN WETLANDS CONSERVATION**
8 **ACT.**

9 Section 7(c) of the North American Wetlands Con-
10 servation Act (16 U.S.C. 4406(c)) is amended by striking
11 “2025” and inserting “2030”.

12 **SEC. 106. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**
13 **TABLISHMENT ACT.**

14 Section 10 of the National Fish and Wildlife Founda-
15 tion Establishment Act (16 U.S.C. 3709) is amended—

16 (1) in subsection (a)(1), in the matter pre-
17 ceding subparagraph (A), by striking “2025” and
18 inserting “2030”; and

19 (2) in subsection (b)(1)—

20 (A) in subparagraph (A), by striking “and
21 cooperative agreements,” and inserting “, coop-
22 erative agreements, participating agreements,
23 and similar instruments used for providing
24 partnership funds,”;

1 (B) by redesignating subparagraphs (B)
2 and (C) as subparagraphs (C) and (D), respec-
3 tively;

4 (C) by inserting after subparagraph (A)
5 the following:

6 “(B) FUNDING AGREEMENTS.—Federal
7 departments, agencies, and instrumentalities
8 may enter into a Federal funding agreement
9 with the Foundation for a period of not less
10 than 5 years and not more than 10 years.”; and

11 (D) in subparagraph (C) (as so redesign-
12 ated), by inserting “, and should when pos-
13 sible,” after “may”.

14 **SEC. 107. MODIFICATION OF DEFINITION OF SPORT FISH-**
15 **ING EQUIPMENT UNDER TSCA.**

16 Section 108(a) of the America’s Conservation En-
17 hancement Act (15 U.S.C. 2601 note) is amended by
18 striking “During the 5-year period beginning on the date
19 of enactment of this Act” and inserting “During the pe-
20 riod beginning on the date of enactment of the America’s
21 Conservation Enhancement Reauthorization Act of 2024
22 and ending on September 30, 2030”.

23 **SEC. 108. CHESAPEAKE BAY PROGRAM.**

24 Section 117(j) of the Federal Water Pollution Control
25 Act (33 U.S.C. 1267(j)) is amended—

1 (1) in paragraph (4), by striking “and” at the
2 end;

3 (2) in paragraph (5), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(6) for each of fiscal years 2026 through
7 2030, \$92,000,000.”.

8 **SEC. 109. CHESAPEAKE BAY INITIATIVE ACT OF 1998.**

9 Section 502(c) of the Chesapeake Bay Initiative Act
10 of 1998 (Public Law 105–312; 112 Stat. 2963; 134 Stat.
11 920) is amended by striking “2025” and inserting
12 “2030”.

13 **SEC. 110. CHESAPEAKE WATERSHED INVESTMENTS FOR**
14 **LANDSCAPE DEFENSE.**

15 Section 111(e)(1) of the America’s Conservation En-
16 hancement Act (33 U.S.C. 1267 note) is amended by
17 striking “2025” and inserting “2030”.

18 **TITLE II—NATIONAL FISH HABITAT**
19 **CONSERVATION**
20 **THROUGH PARTNERSHIPS**

21 **SEC. 201. NATIONAL FISH HABITAT BOARD.**

22 Section 203 of the America’s Conservation Enhance-
23 ment Act (16 U.S.C. 8203) is amended—

24 (1) in subsection (a)(2)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “26 members” and inserting
3 “28 members”;

4 (B) by amending subparagraph (A) to read
5 as follows:

6 “(A) 2 shall be representatives of the De-
7 partment of the Interior, including the United
8 States Fish and Wildlife Service and the Bu-
9 reau of Land Management;” and

10 (C) by striking subparagraphs (G) and (H)
11 and inserting the following:

12 “(G) 2 shall be representatives of Indian
13 Tribes, of whom—

14 “(i) 1 shall be a representative of In-
15 dian Tribes in the State of Alaska; and

16 “(ii) 1 shall be a representative of In-
17 dian Tribes in States other than the State
18 of Alaska;

19 “(H) 2 shall be representatives of—

20 “(i) the Regional Fishery Manage-
21 ment Councils established by section
22 302(a)(1) of the Magnuson-Stevens Fish-
23 ery Conservation and Management Act (16
24 U.S.C. 1852(a)(1)); or

1 “(ii) the Marine Fisheries Commis-
2 sions;”; and

3 (2) in subsection (e)(1)(B), by striking “all
4 members” and inserting “the members present”.

5 **SEC. 202. FISH HABITAT PARTNERSHIPS.**

6 Section 204(e) of the America’s Conservation En-
7 hancement Act (16 U.S.C. 8204(e)) is amended—

8 (1) in paragraph (1), in the matter preceding
9 subparagraph (A), by inserting “, subject to para-
10 graph (3),” after “Act and”; and

11 (2) by adding at the end the following:

12 “(3) LIMITATION.—The Board shall only sub-
13 mit a report required under paragraph (1) in the fis-
14 cal years in which the Board is proposing modifica-
15 tions to, or new designations of, 1 or more Partner-
16 ships.”.

17 **SEC. 203. FISH HABITAT CONSERVATION PROJECTS.**

18 Section 205 of the America’s Conservation Enhance-
19 ment Act (16 U.S.C. 8205) is amended—

20 (1) in subsection (b), by striking “for the fol-
21 lowing fiscal year”; and

22 (2) in subsection (e)—

23 (A) by striking paragraph (1) and insert-
24 ing the following:

1 “(1) IN GENERAL.—The non-Federal share of
2 the total cost of all fish habitat conservation projects
3 carried out by a Partnership each year shall be at
4 least 50 percent.”; and

5 (B) in paragraph (2), in the matter pre-
6 ceding subparagraph (A), by striking “Such
7 non-Federal share of the cost of a fish habitat
8 conservation project” and inserting “The non-
9 Federal share described in paragraph (1)”.

10 **SEC. 204. TECHNICAL AND SCIENTIFIC ASSISTANCE.**

11 Section 206(a) of the America’s Conservation En-
12 hancement Act (16 U.S.C. 8206(a)) is amended by insert-
13 ing “, the Bureau of Land Management,” after “the For-
14 est Service”.

15 **SEC. 205. ACCOUNTABILITY AND REPORTING.**

16 Section 209 of the America’s Conservation Enhance-
17 ment Act (16 U.S.C. 8209) is amended—

18 (1) by striking subsection (b);

19 (2) in subsection (a)—

20 (A) by striking the subsection designation
21 and heading and all that follows through “Not
22 later than” in paragraph (1) and inserting the
23 following:

24 “(a) IN GENERAL.—Not later than”; and

1 (B) by redesignating paragraph (2) as sub-
2 section (b) and indenting appropriately; and
3 (3) in subsection (b) (as so redesignated)—

4 (A) in the matter preceding subparagraph
5 (A), by striking “paragraph (1)” and inserting
6 “subsection (a)”;

7 (B) by redesignating subparagraphs (A),
8 (B), (C), and (D) as paragraphs (1), (2), (3),
9 and (5), respectively, and indenting appro-
10 priately;

11 (C) in paragraph (3) (as so redesignated),
12 by striking “and” at the end;

13 (D) by inserting after paragraph (3) (as so
14 redesignated) the following:

15 “(4) a description of the status of fish habitats
16 in the United States as identified by Partnerships;
17 and”;

18 (E) in paragraph (5) (as so redesi-
19 gnated)—

20 (i) by redesignating clauses (i)
21 through (v) as subparagraphs (A) through
22 (E), respectively, and indenting appro-
23 priately; and

24 (ii) in subparagraph (C) (as so redesi-
25 gnated), by redesignating subclauses (I)

1 and (II) as clauses (i) and (ii), respec-
2 tively, and indenting appropriately.

3 **SEC. 206. FUNDING.**

4 Section 212(a) of the America’s Conservation En-
5 hancement Act (16 U.S.C. 8212(a)) is amended—

6 (1) in paragraph (1)—

7 (A) in the paragraph heading, by inserting
8 “PARTNERSHIPS AND” after “HABITAT”;

9 (B) by striking “2025” and inserting
10 “2030”; and

11 (C) by inserting “Partnership operations
12 under section 204 and” after “to provide funds
13 for”;

14 (2) in paragraph (2), in the matter preceding
15 subparagraph (A), by striking “2025” and inserting
16 “2030”; and

17 (3) in paragraph (3), in the matter preceding
18 subparagraph (A), by striking “2025” and inserting
19 “2030”.

20 **SEC. 207. TECHNICAL CORRECTION.**

21 Section 211 of the America’s Conservation Enhance-
22 ment Act (16 U.S.C. 8211) is amended, in the matter pre-
23 ceding paragraph (1), by striking “The Federal Advisory
24 Committee Act (5 U.S.C. App.)” and inserting “Chapter

1 10 of title 5, United States Code (commonly known as
2 the ‘Federal Advisory Committee Act’),”.

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