

118TH CONGRESS  
1ST SESSION

# S. 1145

To establish a competitive grant program to support the conservation and recovery of native plant and animal species in the State of Hawaii, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Mr. SCHATZ (for himself and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To establish a competitive grant program to support the conservation and recovery of native plant and animal species in the State of Hawaii, 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.**

4 This Act may be cited as the “Hawaii Native Species  
5 Conservation and Recovery Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ELIGIBLE ENTITY.**—The term “eligible enti-  
9 ty” means—

- 1 (A) the State;
- 2 (B) a unit of local government in the  
3 State;
- 4 (C) a Native Hawaiian organization;
- 5 (D) a nonprofit organization;
- 6 (E) a business; and
- 7 (F) an institution of higher education.

8 (2) GRANT PROGRAM.—The term “grant pro-  
9 gram” means the Hawaii Native Species Conserva-  
10 tion and Recovery Grant Program established under  
11 section 3(a).

12 (3) NATIVE HAWAIIAN ORGANIZATION.—The  
13 term “Native Hawaiian organization” has the mean-  
14 ing given the term in section 3 of the NATIVE Act  
15 (25 U.S.C. 4352).

16 (4) NATIVE SPECIES.—The term “native spe-  
17 cies” means a plant or animal species that is native  
18 to the State.

19 (5) SECRETARY.—The term “Secretary” means  
20 the Secretary of the Interior, acting through the Di-  
21 rector of the United States Fish and Wildlife Serv-  
22 ice.

23 (6) STATE.—The term “State” means the State  
24 of Hawaii.

1 **SEC. 3. HAWAII NATIVE SPECIES CONSERVATION AND RE-**  
2 **COVERY GRANT PROGRAM.**

3 (a) ESTABLISHMENT.—Not later than 180 days after  
4 the date on which amounts are appropriated to carry out  
5 this Act, the Secretary shall establish a grant program,  
6 to be known as the “Hawaii Native Species Conservation  
7 and Recovery Grant Program”, to annually provide,  
8 through cooperative agreements, grants, micro grants, or  
9 other means, funding to eligible entities to carry out  
10 projects that—

11 (1) achieve the funding priorities developed  
12 under subsection (c); and

13 (2) meet the criteria developed under subsection  
14 (e).

15 (b) PURPOSE.—The grant program shall identify pri-  
16 orities and provide funding and technical assistance to  
17 carry out coordinated, science-based conservation and re-  
18 covery projects in the State—

19 (1) to prevent and mitigate the introduction  
20 and spread of invasive species, pests, and diseases  
21 that threaten native species;

22 (2) to address the ecological consequences of  
23 climate change on native species;

24 (3) to address loss and degradation of native  
25 species’ habitats;

1           (4) to manage, maintain, and restore popu-  
2           lations of native species;

3           (5) to increase scientific capacity to support the  
4           planning, monitoring, and research activities nec-  
5           essary for the conservation and recovery of native  
6           species;

7           (6) to improve information collection, ecological  
8           monitoring, and management relating to the activi-  
9           ties described in paragraphs (1) through (5); and

10          (7) to engage the public through outreach, edu-  
11          cation, and community involvement to increase ca-  
12          pacity and support for the conservation and recovery  
13          of native species in the State.

14          (c) DEVELOPMENT OF PRIORITIES.—In carrying out  
15          the grant program, the Secretary shall coordinate with the  
16          following individuals to develop annual, science-based  
17          funding priorities for the grant program that support the  
18          purposes described in subsection (b):

19               (1) The heads of Federal agencies, including—

20                       (A) the Administrator of the National Oce-  
21                       anic and Atmospheric Administration (or a des-  
22                       ignee);

23                       (B) the Administrator of the Environ-  
24                       mental Protection Agency (or a designee);

1 (C) the Secretary of Agriculture (or a des-  
2 ignee); and

3 (D) the head of any other applicable Fed-  
4 eral agency (or a designee), as determined by  
5 the Secretary.

6 (2) The Chairperson of the Hawaii Board of  
7 Land and Natural Resources (or a designee).

8 (3) The Chairperson of the Hawaii Board of  
9 Agriculture (or a designee).

10 (4) Any other relevant stakeholder involved in  
11 the conservation and recovery of native species in  
12 the State that the Secretary determines to be appro-  
13 priate.

14 (d) REQUEST FOR PROPOSALS.—The Secretary shall  
15 publish in the Federal Register an annual request for pro-  
16 posals, in accordance with the funding priorities developed  
17 under subsection (c).

18 (e) CRITERIA.—The Secretary, in coordination with  
19 the individuals described in subsection (c), shall annually  
20 develop criteria for ranking project proposals to receive  
21 funding under the grant program.

22 (f) RECUSAL.—If the State or a unit of local govern-  
23 ment in the State applies for a grant under the grant pro-  
24 gram, then the individuals described in paragraphs (2),  
25 (3), and (4) of subsection (c) who are representatives of

1 the State or that unit of local government, as applicable,  
2 shall recuse themselves from all funding decisions relating  
3 to those applications.

4 (g) COST SHARING.—

5 (1) FEDERAL SHARE.—

6 (A) IN GENERAL.—Subject to subpara-  
7 graph (B), the Federal share of the cost of a  
8 project carried out under the grant program  
9 shall not exceed 75 percent.

10 (B) EXCEPTIONS.—The Federal share of  
11 the cost of a project carried out under the grant  
12 program may be 100 percent, as determined by  
13 the Secretary—

14 (i) for any project, in the discretion of  
15 the Secretary; or

16 (ii) if the project—

17 (I) is carried out by a Native Ha-  
18 waiian organization;

19 (II) significantly contributes to  
20 youth workforce readiness in the im-  
21 plementation of the project; or

22 (III) is carried out using a grant  
23 awarded under the grant program in  
24 an amount of not more than \$50,000.

1           (2) IN-KIND CONTRIBUTIONS.—The non-Fed-  
2           eral share of the cost of a project carried out under  
3           the grant program may be provided in the form of  
4           an in-kind contribution of services, materials, or ac-  
5           cess to land.

6           (h) REQUIREMENT.—Of the amounts made available  
7           to carry out the grant program for each fiscal year, not  
8           less than 5 percent shall be used to award grants for  
9           projects described in subclauses (I) through (III) of sub-  
10          section (g)(1)(B)(ii).

11          (i) TECHNICAL ASSISTANCE.—The Secretary may  
12          provide technical assistance to eligible entities to assist in  
13          the implementation of projects that receive funding under  
14          the grant program.

15          (j) CONSULTATION WITH NATIVE HAWAIIAN ORGA-  
16          NIZATIONS.—The Secretary, in carrying out the grant pro-  
17          gram, shall consult with Native Hawaiian organizations  
18          with respect to any project that receives funding under  
19          the grant program with implications for the Native Hawai-  
20          ian Community.

21          (k) SUPPLEMENT, NOT SUPPLANT.—Funds made  
22          available to carry out the grant program for each fiscal  
23          year shall supplement and not supplant other funds made  
24          available to carry out the purposes described in para-  
25          graphs (1) through (7) of subsection (b) in the State.

1 **SEC. 4. ANNUAL REPORT.**

2 Annually, the Secretary shall submit to Congress a  
3 report on the implementation of this Act, including—

4 (1) a description of each project that has re-  
5 ceived funding under the grant program; and

6 (2) the status of each project described in para-  
7 graph (1) that is in progress on the date of submis-  
8 sion of the applicable report.

9 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) **IN GENERAL.**—There is authorized to be appro-  
11 priated to the Secretary to carry out this Act \$30,000,000  
12 for the first fiscal year that begins after the date of enact-  
13 ment of this Act and for each of the 9 fiscal years there-  
14 after.

15 (b) **ADMINISTRATIVE EXPENSES.**—Of the amounts  
16 made available for each fiscal year under subsection (a),  
17 the Secretary shall use not more than 5 percent for admin-  
18 istrative expenses relating to carrying out the grant pro-  
19 gram.

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