

Union Calendar No. 778

118TH CONGRESS
2D SESSION

H. R. 8811

[Report No. 118–753, Part I]

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

NOVEMBER 18, 2024

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

NOVEMBER 18, 2024

Referral to the Committees on Transportation and Infrastructure, Agriculture, and Energy and Commerce extended for a period ending not later than December 19, 2024

DECEMBER 19, 2024

Additional sponsors: Mr. PANETTA and Ms. TLAIB

DECEMBER 19, 2024

Committees on Transportation and Infrastructure, Agriculture, and Energy
and Commerce discharged; committed to the Committee of the Whole
House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 21, 2024]

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 mat-*
8 *ter preceding paragraph (1), by striking “2025” and insert-*
9 *ing “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—*

14 *(1) in the section heading, by inserting “;*
15 ***BLACK VULTURE LIVESTOCK PROTECTION PRO-***
16 ***GRAM”*** after “**COMMON RAVENS**” and conforming
17 *the table of contents accordingly;*

18 *(2) by redesignating subsections (a) through (c)*
19 *as paragraphs (1) through (3), respectively, and in-*
20 *denting appropriately;*

21 *(3) in each of paragraphs (2) and (3) (as so re-*
22 *designated), by striking “subsection (a)” and insert-*
23 *ing “paragraph (1)”;*

24 *(4) by inserting before paragraph (1) (as so re-*
25 *designated) the following:*

1 “(a) *DEPREDAATION PERMITS FOR BLACK VULTURES*
2 *AND COMMON RAVENS.—*”; and

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

4 “(b) *BLACK VULTURE LIVESTOCK PROTECTION PRO-*
5 *GRAM.—*

6 “(1) *IN GENERAL.—The Secretary, in coordina-*
7 *tion with States, shall carry out, through fiscal year*
8 *2030, a black vulture livestock protection program*
9 *(referred to in this subsection as the ‘program’) that*
10 *allows 1 public entity or Farm Bureau organization*
11 *per State to hold a statewide depredation permit to*
12 *protect commercial agriculture livestock from black*
13 *vulture predation.*

14 “(2) *REQUIREMENTS.—Each public entity or*
15 *Farm Bureau organization that holds a depredation*
16 *permit under the program—*

17 “(A) *shall—*

18 “(i) *demonstrate sufficient experience*
19 *and capacity to provide government regu-*
20 *lated services to the public, as determined*
21 *by the Secretary;*

22 “(ii) *submit a complete depredation*
23 *permit application, as determined by the*
24 *Secretary, for review and approval accord-*

1 *ing to procedures of the United States Fish*
2 *and Wildlife Service;*

3 *“(iii) be responsible for complying*
4 *with, and ensuring subpermittee compliance*
5 *with, as applicable, all permit conditions;*
6 *and*

7 *“(iv) be responsible for collecting, man-*
8 *aging, and reporting required information*
9 *under the permit; and*

10 *“(B) may subpermit to livestock producers*
11 *to take black vultures for the purposes of livestock*
12 *protection.*

13 *“(3) STUDY.—The Secretary, in consultation*
14 *with the Secretary of Agriculture, acting through the*
15 *Administrator of the Animal and Plant Health In-*
16 *spection Service, shall carry out a study on whether*
17 *prescribed take levels of black vultures may be in-*
18 *creased for subpermittees within a biologically sus-*
19 *tainable take level for the population.*

20 *“(4) REPORT.—Not later than 1 year after the*
21 *date of enactment of the America’s Conservation En-*
22 *hancement Reauthorization Act of 2024, the Sec-*
23 *retary, in consultation with the Secretary of Agri-*
24 *culture, acting through the Administrator of the Ani-*
25 *mal and Plant Health Inspection Service, shall sub-*

1 *mit to the Chair and Ranking Member of the Com-*
2 *mittee on Environment and Public Works of the Sen-*
3 *ate and the Chair and Ranking Member of the Com-*
4 *mittee on Natural Resources of the House of Rep-*
5 *resentatives a report on the status of the program, in-*
6 *cluding the results of the study required under para-*
7 *graph (3).”.*

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

9 *Section 104 of the America’s Conservation Enhance-*
10 *ment Act (16 U.S.C. 667h) is amended—*

11 *(1) in subsection (b)—*

12 *(A) in paragraph (1), by striking “after the*
13 *completion of the study required by subsection*
14 *(c)”;* and

15 *(B) in paragraph (5)(A), by striking “180*
16 *days after the date on which the study is com-*
17 *pleted under subsection (c)” and inserting “90*
18 *days after the date of the enactment of the Amer-*
19 *ica’s Conservation Enhancement Reauthorization*
20 *Act of 2024. The efforts of the Task Force shall*
21 *not be contingent on the completion of the study*
22 *required by subsection (c)”;* and

23 *(2) in subsection (d)(1), by striking “2025” and*
24 *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 *servaion 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 preceding*
17 *subparagraph (A), by striking “2025” and inserting*
18 *“2030”; and*

19 *(2) in subsection (b)(1)—*

20 *(A) in subparagraph (A), by striking “and*
21 *cooperative agreements,” and inserting “, cooper-*
22 *ative agreements, participating agreements, and*
23 *similar instruments used for providing partner-*
24 *ship 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) the
5 following:

6 “(B) *FUNDING AGREEMENTS.*—Federal de-
7 partments, agencies, and instrumentalities may
8 enter into a Federal funding agreement with the
9 Foundation for a period of not more than 10
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 strik-
18 ing “During the 5-year period beginning on the date of en-
19 actment of this Act” and inserting “During the period be-
20 ginning on the date of enactment of the America’s Conserva-
21 tion Enhancement Reauthorization Act of 2024 and ending
22 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 2030,*
7 *\$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 “2030”.*

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

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

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

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

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

23 (1) *in subsection (a)(2)—*

1 (A) in the matter preceding subparagraph
2 (A), by striking “26 members” and inserting “28
3 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 Bureau
9 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 Management
21 Councils established by section 302(a)(1) of
22 the Magnuson-Stevens Fishery Conservation
23 and Management Act (16 U.S.C.
24 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 of the America’s Conservation Enhance-*
7 *ment Act (16 U.S.C. 8204) is amended—*

8 (1) *in subsection (e)—*

9 (A) *in paragraph (1), in the matter pre-*
10 *ceding subparagraph (A), by inserting “, subject*
11 *to paragraph (3),” after “Act and”; and*

12 (B) *by adding at the end the following:*

13 “(3) *LIMITATION.—The Board shall only submit*
14 *a report required under paragraph (1) in the fiscal*
15 *years in which the Board is proposing modifications*
16 *to, or new designations of, 1 or more Partnerships.”;*
17 *and*

18 (2) *by amending subsection (f) to read as follows:*

19 “(f) *DESIGNATION OR MODIFICATION OF PARTNER-*
20 *SHIP.—*

21 “(1) *IN GENERAL.—Congress shall have the ex-*
22 *clusive authority to designate or modify a Partner-*
23 *ship.*

24 “(2) *DESIGNATION OR MODIFICATION PROC-*
25 *ESS.—A Partnership designation or modification the*

1 *Board recommends to Congress shall be deemed to be*
2 *approved by Congress if Congress does not pass a*
3 *joint resolution of disapproval with respect to the des-*
4 *ignation or modification by the date that is 90 days*
5 *after the date on which the relevant congressional*
6 *committees receive such recommendation.”.*

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

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

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

12 *(2) in subsection (e)—*

13 *(A) by striking paragraph (1) and inserting*
14 *the following:*

15 *“(1) IN GENERAL.—The non-Federal share of the*
16 *total cost of all fish habitat conservation projects car-*
17 *ried out by a Partnership each year shall be at least*
18 *50 percent.”; and*

19 *(B) in paragraph (2), in the matter pre-*
20 *ceding subparagraph (A), by striking “Such non-*
21 *Federal share of the cost of a fish habitat con-*
22 *servation project” and inserting “The non-Fed-*
23 *eral share described in paragraph (1)”.*

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

2 *Section 206(a) of the America’s Conservation En-*
3 *hancement Act (16 U.S.C. 8206(a)) is amended by inserting*
4 *“, the Bureau of Land Management,” after “the Forest*
5 *Service”.*

6 **SEC. 205. ACCOUNTABILITY AND REPORTING.**

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

9 *(1) by striking subsection (b);*

10 *(2) in subsection (a)—*

11 *(A) by striking the subsection designation*
12 *and heading and all that follows through “Not*
13 *later than” in paragraph (1) and inserting the*
14 *following:*

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

16 *(B) by redesignating paragraph (2) as sub-*
17 *section (b) and indenting appropriately; and*

18 *(3) in subsection (b) (as so redesignated)—*

19 *(A) in the matter preceding subparagraph*
20 *(A), by striking “paragraph (1)” and inserting*
21 *“subsection (a)”;*

22 *(B) by redesignating subparagraphs (A),*
23 *(B), (C), and (D) as paragraphs (1), (2), (3),*
24 *and (5), respectively, and indenting appro-*
25 *priately;*

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

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

5 “(4) a description of the status of fish habitats
6 in the United States as identified by Partnerships;
7 and”;

8 (E) in paragraph (5) (as so redesignated)—

9 (i) by redesignating clauses (i) through
10 (v) as subparagraphs (A) through (E), re-
11 spectively, and indenting appropriately;
12 and

13 (ii) in subparagraph (C) (as so redesi-
14 gnated), by redesignating subclauses (I)
15 and (II) as clauses (i) and (ii), respectively,
16 and indenting appropriately.

17 **SEC. 206. FUNDING.**

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

20 (1) in paragraph (1)—

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

23 (B) by striking “2025” and inserting
24 “2030”; and

1 (C) by inserting “Partnership operations
2 under section 204 and” after “to provide funds
3 for”;

4 (2) in paragraph (2), in the matter preceding
5 subparagraph (A), by striking “2025” and inserting
6 “2030”; and

7 (3) in paragraph (3), in the matter preceding
8 subparagraph (A), by striking “2025” and inserting
9 “2030”.

10 **SEC. 207. TECHNICAL CORRECTION.**

11 Section 211 of the America’s Conservation Enhance-
12 ment Act (16 U.S.C. 8211) is amended, in the matter pre-
13 ceding paragraph (1), by striking “The Federal Advisory
14 Committee Act (5 U.S.C. App.)” and inserting “Chapter
15 10 of title 5, United States Code (commonly known as the
16 ‘Federal Advisory Committee Act’),”.

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