

118TH CONGRESS
2D SESSION

S. 4193

To amend the Food Security Act of 1985 to improve wildlife habitat connectivity and wildlife migration corridors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2024

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to improve wildlife habitat connectivity and wildlife migration corridors, 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 “Habitat Connectivity
5 on Working Lands Act of 2024”.

6 **SEC. 2. CONSERVATION PROGRAMS.**

7 (a) DEFINITION OF NATIVE BIG GAME SPECIES.—
8 Section 1201(a) of the Food Security Act of 1985 (16
9 U.S.C. 3801(a)) is amended—

1 (1) by redesignating paragraphs (18) through
 2 (27) as paragraphs (19) through (28), respectively;
 3 and

4 (2) by inserting after paragraph (17) the fol-
 5 lowing:

6 “(18) NATIVE BIG GAME SPECIES.—The term
 7 ‘native big game species’ means a native species of
 8 a large mammal, including a wild deer, an elk, a
 9 pronghorn, a wild sheep, and a moose.”.

10 (b) REGIONAL CONSERVATION PARTNERSHIP PRO-
 11 GRAM CRITICAL CONSERVATION AREAS.—Section
 12 1271F(a)(2)(C) of the Food Security Act of 1985 (16
 13 U.S.C. 3871f(a)(2)(C)) is amended by inserting “, includ-
 14 ing restoration and enhancement of wildlife habitat
 15 connectivity and wildlife migration corridors, with a focus
 16 on native big game species” before “; and”.

17 (c) ENROLLMENT IN THE ENVIRONMENTAL QUALITY
 18 INCENTIVES PROGRAM AND THE CONSERVATION STEW-
 19 ARDSHIP PROGRAM OF GRASSLAND ENROLLED IN THE
 20 CONSERVATION RESERVE PROGRAM.—

21 (1) ENVIRONMENTAL QUALITY INCENTIVES
 22 PROGRAM.—Section 1240B(d) of the Food Security
 23 Act of 1985 (16 U.S.C. 3839aa–2(d)) is amended—

(A) in paragraph (6), by striking “A producer” and inserting “Except as provided in paragraph (8), a producer”; and

(B) by adding at the end the following:

“(8) COST-SHARE PAYMENTS FOR GRASSLAND ENROLLED IN THE CONSERVATION RESERVE PROGRAM.—

“(A) IN GENERAL.—The Secretary may provide payments under the program for costs associated with planning, design, materials, equipment, installation, labor, management, maintenance, or training with respect to eligible land that is—

“(i) enrolled in the conservation reserve program under section 1231(d)(2)(A); and

“(ii) of ecological significance, as described in section 1231(d)(2)(B)(iii).

“(B) LIMITATIONS.—

“(i) OTHER FEDERAL PROGRAMS.—A producer shall not be eligible for payments under subparagraph (A) for practices if the producer receives payments or other benefits for the same practice on the same land under another Federal program

(other than the conservation reserve program under subchapter B of chapter 1).

“(ii) PROTECTION OF EMERGENCY GRAZING AND HAYING.—An activity to restore or enhance wildlife habitat connectivity or wildlife migration corridors carried out using a payment under subparagraph (A) shall not prevent or alter emergency haying or emergency grazing carried out in accordance with the requirements of the conservation reserve program under subchapter B of chapter 1.”.

(2) CONSERVATION STEWARDSHIP PROGRAM.—
Section 1240J(b) of the Food Security Act of 1985
(16 U.S.C. 3839aa–22(b)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting “and except as provided in paragraph (3),” after “paragraph (2),”; and

(B) by adding at the end the following:

“(3) COST-SHARE PAYMENTS FOR GRASSLAND ENROLLED IN THE CONSERVATION RESERVE PROGRAM.—

“(A) IN GENERAL.—The Secretary may provide payments under the program for costs

1 associated with planning, design, materials,
2 equipment, installation, labor, management,
3 maintenance, or training with respect to eligible
4 land that is—

5 “(i) enrolled in the conservation re-
6 serve program under section
7 1231(d)(2)(A); and

8 “(ii) of ecological significance, as de-
9 scribed in section 1231(d)(2)(B)(iii).

10 “(B) LIMITATIONS.—

11 “(i) OTHER FEDERAL PROGRAMS.—A
12 producer shall not be eligible for payments
13 under subparagraph (A) for conservation
14 activities if the producer receives payments
15 or other benefits for the same conservation
16 activities on the same land under another
17 Federal program (other than the conserva-
18 tion reserve program under subchapter B
19 of chapter 1).

20 “(ii) PROTECTION OF EMERGENCY
21 GRAZING AND HAYING.—An activity to re-
22 store or enhance wildlife habitat
23 connectivity or wildlife migration corridors
24 carried out using a payment under sub-
25 paragraph (A) shall not prevent or alter

1 emergency haying or emergency grazing
 2 carried out in accordance with the require-
 3 ments of the conservation reserve program
 4 under subchapter B of chapter 1.”.

5 (3) PAYMENT LIMITATION FOR RENTAL PAY-
 6 MENTS UNDER THE CONSERVATION RESERVE PRO-
 7 GRAM.—Section 1234(g)(1) of the Food Security
 8 Act of 1985 (16 U.S.C. 3834(g)(1)) is amended by
 9 striking “\$50,000” and inserting “\$125,000”.

10 (d) INCREASED PAYMENTS UNDER THE ENVIRON-
 11 MENTAL QUALITY INCENTIVES PROGRAM.—Section
 12 1240B(d) of the Food Security Act of 1985 (16 U.S.C.
 13 3839aa–2(d)) is amended—

14 (1) in paragraph (3)(F), by inserting “and
 15 wildlife habitat connectivity” before “; or”; and

16 (2) in paragraph (7)(A)—

17 (A) in clause (iii), by striking “or” at the
 18 end;

19 (B) in clause (iv), by striking the period at
 20 the end and inserting “; or”; and

21 (C) by adding at the end the following:

22 “(v) addresses the conservation and
 23 restoration of wildlife habitat, including
 24 wildlife habitat connectivity and wildlife
 25 migration corridors.”.

1 (e) CONSERVATION PRACTICE STANDARDS.—Section
 2 1242 of the Food Security Act of 1985 (16 U.S.C. 3842)
 3 is amended by adding at the end the following:

4 “(j) ADDRESSING BARRIERS TO HABITAT
 5 CONNECTIVITY.—

6 “(1) IN GENERAL.—The Secretary shall—

7 “(A) to the maximum extent practicable,
 8 fully incorporate nonstructural methods to man-
 9 age livestock distribution, such as virtual fenc-
 10 ing, into the conservation practice standards;
 11 and

12 “(B) provide for the appropriate range of
 13 conservation practices and resource mitigation
 14 measures available to landowners using non-
 15 structural methods described in subparagraph
 16 (A).

17 “(2) AVAILABILITY OF ADEQUATE TECHNICAL
 18 ASSISTANCE.—The Secretary shall ensure that ade-
 19 quate technical assistance is available for the imple-
 20 mentation of—

21 “(A) nonstructural methods described in
 22 paragraph (1)(A); and

23 “(B) other practices that support habitat
 24 connectivity through Federal conservation pro-
 25 grams.”.

1 (f) ADMINISTRATIVE REQUIREMENTS FOR CON-
 2 SERVATION PROGRAMS.—Section 1244 of the Food Secu-
 3 rity Act of 1985 (16 U.S.C. 3844) is amended by adding
 4 at the end the following:

5 “(q) ENCOURAGEMENT OF HABITAT CONNECTIVITY
 6 AND NATIVE BIG GAME MIGRATION CORRIDORS.—In car-
 7 rying out any conservation program administered by the
 8 Secretary, the Secretary may, as appropriate, encourage—

9 “(1) the conservation of landscape corridors
 10 and hydrologic connectivity, where native big game
 11 species and ecological processes can transition from
 12 one habitat to another, in order to conserve native
 13 biodiversity and ensure resiliency against impacts
 14 from a range of stressors; and

15 “(2) the use of conservation practices that sup-
 16 port the development, restoration, and maintenance
 17 of landscape corridors and hydrologic connectivity.”.

18 **SEC. 3. HIGH-PRIORITY RESEARCH AND EXTENSION AREAS.**

19 Section 1672(d) of the Food, Agriculture, Conserva-
 20 tion, and Trade Act of 1990 (7 U.S.C. 5925(d)) is amend-
 21 ed by adding at the end the following:

22 “(21) VIRTUAL FENCING.—Research and exten-
 23 sion grants may be made under this section for the
 24 purposes of—

1 “(A) understanding and addressing the
2 barriers to the adoption of virtual fencing tech-
3 nology; or

4 “(B) studying the effects of virtual fencing
5 technology on—

6 “(i) natural and cultural resources,
7 such as—

8 “(I) sensitive riparian areas; and

9 “(II) crucial winter range and
10 stopover habitats for native big game
11 species (as defined in section 1201(a)
12 of the Food Security Act of 1985 (16
13 U.S.C. 3801(a))); or

14 “(ii) overall range health.”.

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