

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8811
OFFERED BY MRS. KIGGANS OF VIRGINIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

5 (b) TABLE OF CONTENTS.—The table of contents for
6 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—

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

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

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

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

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

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

4 “(b) BLACK VULTURE LIVESTOCK PROTECTION
5 PROGRAM.—

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
2 Fish and Wildlife Service;

3 “(iii) be responsible for complying
4 with, and ensuring subpermittee compli-
5 ance with, as applicable, all permit condi-
6 tions; and

7 “(iv) be responsible for collecting,
8 managing, and reporting required informa-
9 tion under the permit; and

10 “(B) may subpermit to livestock producers
11 to take black vultures for the purposes of live-
12 stock 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
22 Enhancement Reauthorization Act of 2024, the Sec-
23 retary, in consultation with the Secretary of Agri-
24 culture, acting through the Administrator of the
25 Animal and Plant Health Inspection Service, shall

1 submit to the Chair and Ranking Member of the
2 Committee on Environment and Public Works of the
3 Senate and the Chair and Ranking Member of the
4 Committee on Natural Resources of the House of
5 Representatives a report on the status of the pro-
6 gram, including the results of the study required
7 under paragraph (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
13 the completion of the study required by sub-
14 section (c)”;

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
19 America’s Conservation Enhancement Reau-
20 thorization Act of 2024. The efforts of the Task
21 Force shall not be contingent on the completion
22 of the study required by subsection (c)”;

23 (2) in subsection (d)(1), by striking “2025”
24 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. 666e-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 more
10 than 10 years.”; and

11 (D) in subparagraph (C) (as so redesi-
12 gnated), 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 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 “, sub-
11 ject to paragraph (3),” after “Act and”; and

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

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

18 (2) by amending subsection (f) to read as fol-
19 lows:

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

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

1 “(2) DESIGNATION OR MODIFICATION PROC-
2 ESS.—A Partnership designation or modification the
3 Board recommends to Congress shall be deemed to
4 be approved by Congress if Congress does not pass
5 a joint resolution of disapproval with respect to the
6 designation or modification by the date that is 90
7 days after the date on which the relevant congress-
8 sional committees receive such recommendation.”.

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

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

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

14 (2) in subsection (e)—

15 (A) by striking paragraph (1) and insert-
16 ing the following:

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

21 (B) in paragraph (2), in the matter pre-
22 ceding subparagraph (A), by striking “Such
23 non-Federal share of the cost of a fish habitat
24 conservation project” and inserting “The non-
25 Federal 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 insert-
4 ing “, the Bureau of Land Management,” after “the For-
5 est 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”; and

8 (E) in paragraph (5) (as so redesign-
9 nated)—

10 (i) by redesignating clauses (i)
11 through (v) as subparagraphs (A) through
12 (E), respectively, and indenting appro-
13 priately; and

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

18 **SEC. 206. FUNDING.**

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

21 (1) in paragraph (1)—

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

24 (B) by striking “2025” and inserting
25 “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
16 the ‘Federal Advisory Committee Act’),”.

