

118TH CONGRESS
1ST SESSION

H. R. 6854

To direct the Secretary of the Interior to establish 2 grant programs to sustain populations of species of migratory waterfowl through the deployment of tools and practices that complement habitat conservation.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2023

Mrs. FISCHBACH (for herself, Mr. LAMALFA, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of the Interior to establish 2 grant programs to sustain populations of species of migratory waterfowl through the deployment of tools and practices that complement habitat conservation.

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 Enhancement
5 Now Act”.

6 **SEC. 2. GRANT PROGRAMS TO SUSTAIN POPULATIONS OF**
7 **SPECIES OF MIGRATORY WATERFOWL.**

8 (a) FINDINGS.—Congress finds that—

1 (1) the maintenance of healthy populations of
2 migratory birds in North America is largely depend-
3 ent on the protection, restoration, and management
4 of wetland ecosystems and other habitats in Canada,
5 as well as in the United States and Mexico, as iden-
6 tified in the Implementation Plans of Joint Ventures
7 authorized under the North American Waterfowl
8 Management Plan;

9 (2) duck populations in North America are
10 being threatened by the loss in the quantity and
11 quality of breeding habitat, which leads to declining
12 nest success;

13 (3) low nest success has been widely docu-
14 mented to be the key annual driver in duck popu-
15 lations;

16 (4) additional tools can be employed to increase
17 nest success to complement the private, State, and
18 Federal habitat conservation programs and efforts in
19 order to sustain healthy waterfowl populations;

20 (5) relatively modest investments in manage-
21 ment can make meaningful impacts towards
22 supplementing waterfowl production in areas where
23 waterfowl production outcomes have not been fully
24 met;

1 (6) numerous studies have made it clear that
2 nesting structures, in particular “hen houses”, are
3 the most efficient and cost-effective tool for increas-
4 ing nest success; and

5 (7) providing incentives to private landowners
6 to establish nesting cover, create or restore brood
7 ponds, and provide brood water is a priority to en-
8 hance production of mallards, gadwalls, and other
9 breeding ducks in California.

10 (b) GRANT PROGRAMS.—

11 (1) HEN HOUSE GRANT PROGRAM.—

12 (A) IN GENERAL.—The Secretary shall es-
13 tablish a competitive grant program to award
14 amounts to eligible entities to strategically
15 place, build, and maintain hen houses in the
16 prairie pothole region for the purpose of im-
17 proving the nesting success rates of populations
18 of species of migratory waterfowl.

19 (B) APPLICATIONS.—To be eligible for a
20 grant under this paragraph, an eligible entity
21 shall submit to the Secretary an application in
22 such form, at such time, and containing such
23 information as the Secretary determines appro-
24 priate.

25 (2) BREEDING HABITAT GRANT PROGRAM.—

1 (A) IN GENERAL.—The Secretary shall es-
2 tablish a competitive grant program to award
3 amounts to eligible entities to develop breeding
4 habitat for species of migratory waterfowl with-
5 in California for the purpose of enhancing the
6 breeding success rates of populations of species
7 of migratory waterfowl, including by—

8 (i) establishing nesting cover;

9 (ii) creating brood ponds; and

10 (iii) providing incentives to willing
11 landowners to carry out the activities de-
12 scribed in this subparagraph on land under
13 the control of such landowners within Cali-
14 fornia.

15 (B) APPLICATIONS.—To be eligible for a
16 grant under this paragraph, an eligible entity
17 shall submit to the Secretary an application in
18 such form, at such time, and containing such
19 information as the Secretary determines appro-
20 priate.

21 (c) DEFINITIONS.—In this section:

22 (1) ELIGIBLE ENTITY.—The term “eligible enti-
23 ty” means—

24 (A) a State, local, or Tribal government;

25 (B) a nonprofit organization; and

1 (C) an individual.

2 (2) HEN HOUSE.—The term “hen house”
3 means a type of cylindrical nest structure installed
4 on a post in a prairie pothole.

5 (3) PRAIRIE POTHOLE.—The term “prairie pot-
6 hole” means a depressional wetland, including a
7 freshwater marsh, that provides vital habitat to spe-
8 cies of nesting waterfowl and other species.

9 (4) PRAIRIE POTHOLE REGION.—The term
10 “prairie pothole region” means North Dakota, South
11 Dakota, Montana, Iowa, and Minnesota.

12 (5) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 (d) FUNDING.—For each of fiscal years 2024
15 through 2028, of the amounts appropriated or otherwise
16 made available to the “Department of the Interior—Office
17 of the Secretary—Departmental Operations” account for
18 each such fiscal year—

19 (1) \$1,500,000 shall be made available to carry
20 out subsection (b)(1); and

21 (2) \$1,500,000 shall be made available to carry
22 out subsection (b)(2).

○