To amend the Food Security Act of 1985 to improve the wetland conservation program.

A BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wetland Delineation Act of 2018”.

SEC. 2. WETLAND CONVERSION.

Section 1221(d) of the Food Security Act of 1985 (16 U.S.C. 3821(d)) is amended—

(1) by striking “Except as” and inserting the following:
“(1) IN GENERAL.—Except as”; and
(2) by adding at the end the following:
“(2) DUTY OF THE SECRETARY.—The Secretary shall determine that a person is ineligible under paragraph (1) only after the Secretary determines that an exemption under section 1222(b) does not apply to that person.”.

SEC. 3. DELINEATION OF WETLANDS.

(a) IDENTIFICATION OF MINIMAL EFFECT EXEMPTIONS.—Section 1222(d) of the Food Security Act of 1985 (16 U.S.C. 3822(d)) is amended in the first sentence by inserting “and not later than 180 days after the date of enactment of the Wetland Delineation Act of 2018,” before “the Secretary”.

(b) MITIGATION BANKING.—Section 1222(k)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3822(k)(1)(B)) is amended—
(1) by striking “Of the funds” and inserting the following:
“(i) MANDATORY FUNDING.—Of the funds”;
(2) in clause (i) (as so designated), by striking “$10,000,000” and all that follows through “paragraph” and inserting “to carry out this paragraph $10,000,000 for fiscal year 2019 and each fiscal
year thereafter, to remain available until expended’’;

and

(3) by adding at the end the following:

“(ii) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this paragraph $5,000,000 for each of fiscal years 2019 through 2023.”.