

118TH CONGRESS
2D SESSION

S. 4752

To establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize Government efficiency and reduce costs, in cooperation with State and local governments, Indian Tribes, Native Hawaiians, and other entities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2024

Mr. WHITEHOUSE (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. CARPER, Ms. WARREN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize Government efficiency and reduce costs, in cooperation with State and local governments, Indian Tribes, Native Hawaiians, and other entities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safeguarding Amer-
3 ica’s Future and Environment Act” or the “SAFE Act”.

4 **SEC. 2. FINDINGS, PURPOSES, AND POLICY.**

5 (a) FINDINGS.—Congress finds that—

6 (1) healthy, diverse, and productive commu-
7 nities of fish, wildlife, and plants provide significant
8 benefits to the people and economy of the United
9 States, including—

10 (A) abundant clean water supplies;

11 (B) flood and coastal storm protection;

12 (C) clean air;

13 (D) a source of food, fiber, medicines, and
14 pollination of the crops and other plants of the
15 United States;

16 (E) outdoor recreation, which is a source
17 of jobs and economic stimulus;

18 (F) hunting and fishing opportunities and
19 support for subsistence communities;

20 (G) opportunities for scientific research
21 and education;

22 (H) world-class tourism destinations that
23 support local economies;

24 (I) sequestration and storage of carbon to
25 help mitigate changes to the global climate sys-
26 tem; and

1 (J) cultural values and sources of tradi-
 2 tional knowledge and practice;

3 (2) the United States Geological Survey, Na-
 4 tional Oceanic and Atmospheric Administration, Na-
 5 tional Aeronautics and Space Administration, and
 6 other agencies within the United States Global
 7 Change Research Program have observed that the
 8 fish, wildlife, and plants of the United States are
 9 facing increasing risks from changing patterns of ex-
 10 treme weather and climate, including—

11 (A) severe droughts and heatwaves;

12 (B) severe storms and floods;

13 (C) frequent and severe wildfires;

14 (D) more frequent and severe outbreaks of
 15 forest pests and invasive species;

16 (E) flooding and erosion of coastal areas
 17 due to rising sea levels;

18 (F) melting glaciers and sea ice;

19 (G) thawing permafrost;

20 (H) shifting distributions of fish, wildlife,
 21 and plant populations;

22 (I) disruptive shifts in the timing of fish,
 23 wildlife, and plant natural history cycles, such
 24 as blooming, breeding, and seasonal migrations;

1 (J) increasing ocean temperatures and
2 acidification;

3 (K) altered patterns of rain, snow, runoff,
4 and streamflow; and

5 (L) habitat loss, degradation, fragmenta-
6 tion, and movement; and

7 (3) the Federal Government should provide
8 leadership in preparing for and responding to the ef-
9 fects described in paragraph (2) to ensure that
10 present and future generations continue to receive
11 the benefits of the abundant and diverse fish, wild-
12 life, and plant resources of the United States.

13 (b) PURPOSES.—The purpose of this Act is to estab-
14 lish an integrated national approach—

15 (1) to respond to ongoing and expected effects
16 of extreme weather and climate change by pro-
17 tecting, managing, and conserving the fish, wildlife,
18 and plants of the United States; and

19 (2) to maximize Government efficiency and re-
20 duce costs, in cooperation with State and local gov-
21 ernments, Indian Tribes, Native Hawaiians, and
22 other entities.

23 (c) NATIONAL FISH, WILDLIFE, AND PLANTS CLI-
24 MATE CHANGE ADAPTATION POLICY.—It is the policy of
25 the Federal Government, in cooperation with State and

1 local governments, Indian Tribes, Native Hawaiians, and
2 other interested stakeholders, to evaluate and reduce the
3 increased risks and vulnerabilities associated with climate
4 change and extreme weather events, and to use all prac-
5 ticable means to protect, manage, and conserve healthy,
6 diverse, and productive fish, wildlife, and plant popu-
7 lations.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) ADAPTATION.—The term “adaptation”
11 means—

12 (A) the process of adjustment to actual or
13 expected climate and the effects of climate
14 change; and

15 (B) with respect to fish, wildlife, and
16 plants, protection, management, and conserva-
17 tion efforts designed to maintain or enhance the
18 ability of fish, wildlife, and plants to withstand,
19 adjust to, or recover from the effects of extreme
20 weather and climate change (including, where
21 applicable, ocean acidification, drought, flood-
22 ing, and wildfire).

23 (2) COMMITTEE.—The term “Committee”
24 means the Advisory Committee on Climate Change

and Natural Resource Sciences established under section 6(b)(1).

(3) ECOLOGICAL PROCESSES.—The term “ecological processes” means biological, chemical, or physical interaction between the biotic and abiotic components of an ecosystem, including—

(A) decomposition;

(B) disease epizootiology;

(C) disturbance regimes, such as fire and flooding;

(D) gene flow;

(E) hydrological cycling;

(F) larval dispersal and settlement;

(G) nutrient cycling;

(H) pollination;

(I) predator-prey relationships; and

(J) soil formation.

(4) HABITAT.—The term “habitat” means the physical, chemical, and biological properties that fish, wildlife, or plants use for growth, reproduction, survival, food, water, or cover (whether on land, in water, or in an area or region).

(5) HABITAT CONNECTIVITY.—The term “habitat connectivity” means areas that facilitate terres-

trial, marine, estuarine, and freshwater fish, wildlife,
or plant movement that is necessary—

(A) for migration, gene flow, or dispersal;

or

(B) to respond to the ongoing and expected effects of climate change (including, where applicable, ocean acidification, drought, flooding, and wildfire).

(6) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(7) NATIONAL STRATEGY.—The term “National Strategy” means the National Fish, Wildlife, and Plants Climate Adaptation Strategy released March 26, 2013.

(8) NATIVE AMERICAN.—The term “Native American” has the meaning given the term in section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).

(9) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

1 (10) NETWORK.—The term “Network” means
 2 the Climate Adaptation Science Center Network es-
 3 tablished under section 6(a)(1).

4 (11) RESILIENCE; RESILIENT.—The terms “re-
 5 silience” and “resilient” mean the ability to antici-
 6 pate, prepare for, and adapt to changing conditions
 7 and withstand, respond to, and recover rapidly from
 8 disruptions.

9 (12) STATE.—The term “State” means—

- 10 (A) a State of the United States;
- 11 (B) the District of Columbia;
- 12 (C) American Samoa;
- 13 (D) Guam;
- 14 (E) the Commonwealth of the Northern
- 15 Mariana Islands;
- 16 (F) the Commonwealth of Puerto Rico;
- 17 and
- 18 (G) the United States Virgin Islands.

19 (13) WORKING GROUP.—The term “Working
 20 Group” means the National Fish, Wildlife, and
 21 Plants Climate Adaptation Strategy Joint Imple-
 22 mentation Working Group established under section
 23 4(a).

1 **SEC. 4. NATIONAL FISH, WILDLIFE, AND PLANTS CLIMATE**
2 **ADAPTATION STRATEGY JOINT IMPLEMENTA-**
3 **TION WORKING GROUP.**

4 (a) ESTABLISHMENT.—Not later than 90 days after
5 the date of enactment of this Act, the President shall es-
6 tablish a National Fish, Wildlife, and Plants Climate Ad-
7 aptation Strategy Joint Implementation Working Group
8 composed of the heads of Federal and State agencies or
9 departments with jurisdiction over fish, wildlife, and plant
10 resources of the United States, and Tribal representatives,
11 as follows:

12 (1) The Administrator of the Environmental
13 Protection Agency.

14 (2) The Administrator of the Federal Emer-
15 gency Management Agency.

16 (3) The Administrator of the National Oceanic
17 and Atmospheric Administration.

18 (4) The Chair of the Council on Environmental
19 Quality.

20 (5) The Chief of Engineers.

21 (6) The Chief of the Forest Service.

22 (7) The Commissioner of Reclamation.

23 (8) The Director of the Bureau of Indian Af-
24 fairs.

25 (9) The Director of the Bureau of Land Man-
26 agement.

1 (10) The Director of the National Park Service.

2 (11) The Director of the United States Fish
3 and Wildlife Service.

4 (12) The Director of the United States Geologi-
5 cal Survey.

6 (13) The Secretary of Agriculture.

7 (14) The Secretary of Defense.

8 (15) State representatives from each regional
9 association of State fish and wildlife agencies.

10 (16) Not less than 2 representatives of Indian
11 Tribes or Native Hawaiian organizations.

12 (b) DUTIES.—The Working Group shall serve as a
13 forum for interagency consultation on, and the coordina-
14 tion of, the development and implementation of the Na-
15 tional Strategy.

16 (c) CO-CHAIRS.—There shall be 4 co-chairs, of
17 whom—

18 (1) 2 shall be representatives of the Federal
19 Government;

20 (2) 1 shall be a representative of a State; and

21 (3) 1 shall be a representative of an Indian
22 Tribe or a Native Hawaiian organization.

23 (d) FACA.—Notwithstanding section 1009 of title 5,
24 United States Code, the Working Group may close a meet-
25 ing of the Working Group to the public or redact informa-

1 tion from minutes of a meeting of the Working Group if
2 the applicable Tribal or Native Hawaiian organization rep-
3 resentatives on the Working Group determine that a meet-
4 ing or minutes from a meeting, as applicable, will disclose
5 sensitive traditional ecological knowledge.

6 (e) FOIA.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (3), information described in paragraph (2)
9 shall be exempt from disclosure under section
10 552(b)(3) of title 5, United States Code.

11 (2) INFORMATION DESCRIBED.—The informa-
12 tion referred to in paragraph (1) is information that
13 a representative of an Indian Tribe or a Native Ha-
14 waiian organization on the Working Group or any
15 other member of an Indian Tribe or a Native Ha-
16 waiian organization—

17 (A) submits to or discusses with the Work-
18 ing Group; and

19 (B) designates as sensitive or private ac-
20 cording to Tribal or Native Hawaiian custom,
21 law, culture, or religion.

22 (3) EXCEPTION.—If a representative of an In-
23 dian Tribe or a Native Hawaiian organization on the
24 Working Group or any other member of an Indian
25 Tribe or a Native Hawaiian organization requests

1 information that the Tribal or Native Hawaiian or-
 2 ganization representative or member submitted to
 3 the Working Group and designated as sensitive or
 4 private, as described in paragraph (2), the Tribal or
 5 Native Hawaiian organization representative or
 6 member shall receive that information.

7 **SEC. 5. NATIONAL FISH, WILDLIFE, AND PLANTS CLIMATE**
 8 **ADAPTATION STRATEGY.**

9 (a) IN GENERAL.—The Working Group shall adopt
 10 the National Strategy to protect, manage, and conserve
 11 fish, wildlife, and plants to maintain the inherent resil-
 12 ience and adaptability of fish, wildlife, and plants to with-
 13 stand the ongoing and expected effects of extreme weather
 14 and climate change.

15 (b) REVIEW AND REVISION.—Not later than 1 year
 16 after each release of the assessment required under section
 17 106 of the Global Change Research Act of 1990 (15
 18 U.S.C. 2936), the Working Group shall—

19 (1) use sound science and traditional ecological
 20 knowledge to review and revise the National Strat-
 21 egy to incorporate—

22 (A) new information regarding the ongoing
 23 and expected effects of climate change on fish,
 24 wildlife, and plants; and

1 (B) advances in the development of fish,
2 wildlife, and plant adaptation strategies; and

3 (2) in carrying out paragraph (1)—

4 (A) provide public notice and opportunity
5 for comment; and

6 (B) include robust consultation or engage-
7 ment with Indian Tribes and Native Hawaiian
8 organizations, as appropriate.

9 (c) CONTENTS.—A revised National Strategy shall—

10 (1) assess the vulnerability of fish, wildlife, and
11 plants to climate change, including short-term, me-
12 dium-term, long-term, and cumulative impacts;

13 (2) describe current, observation, and moni-
14 toring activities at the Federal, State, Tribal, and
15 local levels relating to the ongoing and expected ef-
16 fects of climate change on fish, wildlife, and plants;

17 (3) identify and prioritize research and data
18 needs and areas to incorporate traditional ecological
19 knowledge;

20 (4) identify fish, wildlife, and plants likely to
21 have the greatest need for protection, restoration,
22 and conservation due to the ongoing and expanding
23 effects of extreme weather and climate change;

24 (5) include specific protocols for integrating
25 fish, wildlife, and plant adaptation strategies and ac-

1 activities into the conservation and management of
2 natural resources by Federal agencies to ensure con-
3 sistency across agency jurisdictions;

4 (6) identify opportunities for maintaining, re-
5 storing, or enhancing fish, wildlife, and plants to re-
6 duce the risks of extreme weather and climate
7 change on other vulnerable sectors of society;

8 (7) identify opportunities to increase co-stew-
9 ardship and co-management of fish, wildlife, and
10 plants between Indian Tribes, Native Hawaiian or-
11 ganizations, and Federal and State partners;

12 (8) identify Federal policies and actions that
13 may reduce resilience and increase the vulnerability
14 of fish, wildlife, and plants to extreme weather and
15 climate change;

16 (9) include specific actions that Federal agen-
17 cies shall take to protect, conserve, and manage fish,
18 wildlife, and plants to maintain the inherent resil-
19 ience and adaptability of fish, wildlife, and plants to
20 withstand, adjust to, or recover from the ongoing
21 and expected effects of climate change, including a
22 timeline to implement those actions;

23 (10) include specific mechanisms for ensuring
24 communication and coordination—

25 (A) among Federal agencies; and

1 (B) between Federal and State agencies,
2 territories of the United States, Indian Tribes,
3 Native Hawaiian organizations, private land-
4 owners, conservation organizations, and other
5 countries that share jurisdiction over fish, wild-
6 life, and plants with the United States;

7 (11) include specific actions to develop and im-
8 plement coordinated fish, wildlife, and plants inven-
9 tory and monitoring protocols through—

10 (A) interagency coordination and collabora-
11 tion with States, local governments, and private
12 organizations; and

13 (B) robust consultation or engagement
14 with Indian Tribes and Native Hawaiian orga-
15 nizations, as appropriate; and

16 (12) include procedures for guiding the develop-
17 ment of detailed strategy implementation plans re-
18 quired under section 7.

19 (d) IMPLEMENTATION.—

20 (1) IN GENERAL.—Consistent with other laws
21 and Federal trust responsibilities concerning Indian
22 land or rights of Indians under treaties with the
23 United States, and through collaboration, engage-
24 ment, and resource co-stewardship and co-manage-
25 ment, as appropriate, with Indian Tribes and Native

1 Hawaiian organizations, each Federal agency shall
2 integrate the elements of the National Strategy that
3 relate to conservation, management, and protection
4 of fish, wildlife, and plants into agency plans, envi-
5 ronmental reviews, and programs.

6 (2) PUBLIC REPORT.—The Working Group
7 shall, on a biannual basis, between revisions to the
8 National Strategy, make available to the public a re-
9 port documenting any actions implementing the
10 Strategy.

11 (3) COORDINATION.—The Working Group shall
12 coordinate the implementation of the National Strat-
13 egy with Federal agencies, Indian Tribes, and Na-
14 tive Hawaiian organizations not represented on the
15 Working Group to achieve the policy of the United
16 States described in section 2(c).

17 **SEC. 6. FISH, WILDLIFE, AND PLANTS ADAPTATION**
18 **SCIENCE AND INFORMATION.**

19 (a) CLIMATE ADAPTATION SCIENCE CENTER NET-
20 WORK.—

21 (1) ESTABLISHMENT.—The Secretary of the In-
22 terior, in collaboration with the States, Indian
23 Tribes, Native Hawaiian organizations, and other
24 partner organizations, shall establish a Climate Ad-
25 aptation Science Center Network.

1 (2) STRUCTURE.—The Network shall consist of
2 a National Climate Adaptation Science Center and a
3 network of Regional Climate Adaptation Science
4 Centers (referred to in this section as “Centers”)
5 that adequately represent the ecological diversity, cli-
6 mate risks, and adaptation science needs across
7 States and territories of the United States.

8 (3) DUTIES OF CENTERS.—The Centers shall
9 assess and develop scientific information, tools,
10 strategies, and techniques to support the Working
11 Group, Federal and State agencies, Indian Tribes,
12 Native Hawaiian organizations, regionally based
13 science and conservation centers, regional coordi-
14 nating entities, and other interested parties in ad-
15 dressing the effects of extreme weather and climate
16 change on fish, wildlife, and plants.

17 (4) GENERAL AUTHORITY TO ENTER INTO CON-
18 TRACTS, GRANTS, AND COOPERATIVE AGREE-
19 MENTS.—The Secretary may enter into contracts,
20 grants, or cooperative agreements with State agen-
21 cies, State cooperative extension services, institutions
22 of higher education, other research or educational
23 institutions and organizations, Tribal organizations,
24 Native Hawaiian organizations, Federal and private
25 agencies and organizations, individuals, and any

1 other contractor or recipient, to further the duties
 2 under paragraph (3) without regard to—

3 (A) any requirements for competition;

4 (B) section 6101 of title 41, United States
 5 Code; or

6 (C) subsections (a) and (b) of section 3324
 7 of title 31, United States Code.

8 (b) ADVISORY COMMITTEE ON CLIMATE CHANGE
 9 AND NATURAL RESOURCE SCIENCES.—

10 (1) IN GENERAL.—Not later than 180 days
 11 after the date of enactment of this Act, and pursu-
 12 ant to chapter 10 of title 5, United States Code
 13 (commonly known as the “Federal Advisory Com-
 14 mittee Act”), the Secretary of the Interior shall es-
 15 tablish an Advisory Committee on Climate Change
 16 and Natural Resource Sciences.

17 (2) MEMBERSHIP.—The Committee shall be
 18 comprised of 25 members who—

19 (A) represent—

20 (i) Federal agencies;

21 (ii) State and local governments;

22 (iii) Indian Tribes and Native Hawai-
 23 ian organizations;

24 (iv) nongovernmental organizations;

25 (v) academic institutions; and

- 1 (vi) the private sector; and
- 2 (B) have expertise in—
 - 3 (i) biology (including fish, wildlife,
 - 4 plant, aquatic, coastal, and marine biol-
 - 5 ogy);
 - 6 (ii) ecology;
 - 7 (iii) climate change (including, where
 - 8 applicable, ocean acidification, drought,
 - 9 flooding, and wildfire);
 - 10 (iv) traditional ecological knowledge;
 - 11 and
 - 12 (v) other relevant scientific disciplines.

13 (3) CHAIR.—The Secretary of the Interior shall
 14 appoint a Committee Chair from among the mem-
 15 bers of the Committee.

16 (4) DUTIES.—The Committee shall—

17 (A) advise the Secretary of the Interior on
 18 the establishment, implementation, and evalua-
 19 tion of the Network and the integration of cli-
 20 mate adaptation science into the operation of
 21 bureaus and programs of the Department of
 22 the Interior;

23 (B) advise the Working Group on the state
 24 of the science regarding—

1 (i) the ongoing and expected effects of
2 extreme weather and climate change on
3 fish, wildlife, and plants; and

4 (ii) scientific strategies and mecha-
5 nisms for fish, wildlife, and plant adapta-
6 tion;

7 (C) identify and recommend priorities for
8 ongoing research needs on the issues described
9 in subparagraph (B) to inform the research pri-
10 orities of the Centers and other Federal climate
11 science institutions; and

12 (D) review and comment on each revised
13 National Strategy before that National Strategy
14 is finalized.

15 (5) COLLABORATION.—The Committee shall
16 collaborate with climate change and fish, wildlife,
17 and plant research entities in other Federal agencies
18 and departments.

19 (6) AVAILABILITY TO PUBLIC.—The advice and
20 recommendations of the Committee shall be made
21 available to the public.

22 (7) FACA.—Notwithstanding section 1009 of
23 title 5, United States Code, the Committee may
24 close a meeting of the Committee to the public or re-
25 dact information from minutes of a meeting of the

1 Committee if a member representing an Indian
2 Tribe or a Native Hawaiian organization on the
3 Committee determines that a meeting or minutes
4 from a meeting, as applicable, will disclose sensitive
5 traditional ecological knowledge.

6 (8) FOIA.—

7 (A) IN GENERAL.—Except as provided in
8 subparagraph (C), information described in
9 subparagraph (B) shall be exempt from disclo-
10 sure under section 552(b)(3) of title 5, United
11 States Code.

12 (B) INFORMATION DESCRIBED.—The in-
13 formation referred to in subparagraph (A) is in-
14 formation that a member representing an In-
15 dian Tribe or a Native Hawaiian organization
16 on the Committee—

17 (i) submits to or discusses with the
18 Committee; and

19 (ii) designates as sensitive or private
20 according to Native American custom, law,
21 culture, or religion.

22 (C) EXCEPTION.—If a member rep-
23 resenting an Indian Tribe or a Native Hawaiian
24 organization on the Committee requests infor-
25 mation that the member submitted to the Com-

1 mittee and designated as sensitive or private, as
 2 described in subparagraph (B), that member
 3 shall receive that information.

4 **SEC. 7. STRATEGY IMPLEMENTATION PLAN.**

5 (a) DEVELOPMENT.—Not later than 1 year after the
 6 date of enactment of this Act and not later than 1 year
 7 after the date of each revision of the National Strategy,
 8 the Working Group shall—

9 (1) complete a strategy implementation plan;

10 (2) provide opportunities for public review and
 11 comment on the plan;

12 (3) conduct robust consultation or engagement
 13 with Indian Tribes and Native Hawaiian organiza-
 14 tions, as appropriate; and

15 (4) submit the plan to the President for ap-
 16 proval.

17 (b) REQUIREMENTS.—The strategy implementation
 18 plan shall—

19 (1) identify and prioritize specific conservation
 20 and management strategies and actions that address
 21 the ongoing and expected effects of extreme weather
 22 and climate change on fish, wildlife, and plants, in-
 23 cluding—

24 (A) protection, management, co-steward-
 25 ship, co-management, and conservation of ter-

1 restrial, marine, estuarine, and freshwater habi-
 2 tats and ecosystems;

3 (B) establishment of terrestrial, marine,
 4 estuarine, and freshwater habitat connectivity
 5 corridors;

6 (C) restoration and conservation of ecologi-
 7 cal processes;

8 (D) protection of a broad diversity of spe-
 9 cies of fish, wildlife, and plant populations;

10 (E) protection of fish, wildlife, and plant
 11 health, recognizing that climate can alter the
 12 distribution and ecology of parasites, pathogens,
 13 and vectors; and

14 (F) management of human-wildlife con-
 15 flict, recognizing climate-induced movements of
 16 wildlife are likely to result in increased inter-
 17 actions between wildlife and human commu-
 18 nities;

19 (2) establish methods—

20 (A) to assess the effectiveness of strategies
 21 and conservation actions implemented by the
 22 agencies to protect, manage, and conserve fish,
 23 wildlife, and plants; and

1 (B) to update those strategies and actions
2 to respond to new information and changing
3 conditions;

4 (C) to consult or engage, as appropriate,
5 with Indian Tribes and Native Hawaiian orga-
6 nizations; and

7 (D) to incorporate traditional ecological
8 knowledge into plans and strategies;

9 (3) describe current and proposed mechanisms
10 to enhance cooperation and coordination of fish,
11 wildlife, and plant adaptation efforts with other Fed-
12 eral agencies, State and local governments, Indian
13 Tribes, Native Hawaiian organizations, and non-
14 governmental stakeholders;

15 (4) include written guidance to resource man-
16 agers; and

17 (5) identify and assess data and information
18 gaps necessary to develop fish, wildlife, and plant
19 adaptation plans and strategies.

20 (c) IMPLEMENTATION.—

21 (1) IN GENERAL.—On approval by the Presi-
22 dent, each Federal agency shall, consistent with ex-
23 isting authority, implement the strategy implementa-
24 tion plan under subsection (a)(1) through existing

1 and new plans, policies, programs, activities, and ac-
2 tions.

3 (2) CONSIDERATION OF EFFECTS.—To the
4 maximum extent practicable and consistent with ex-
5 isting authority, fish, wildlife, and plant conservation
6 and management decisions made by each Federal
7 agency shall consider and promote resilience to the
8 ongoing and expected effects of extreme weather and
9 climate change.

10 (d) REVISION AND REVIEW.—Not later than 1 year
11 after the National Strategy is revised under section 5(b),
12 the Working Group shall review and revise the strategy
13 implementation plan under subsection (a)(1) to incor-
14 porate the best available science, including advice and in-
15 formation pursuant to section 6 and other information, re-
16 garding the ongoing and expected effects of climate
17 change on fish, wildlife, and plants.

18 **SEC. 8. STATE FISH, WILDLIFE, AND PLANTS ADAPTATION**
19 **PLANS.**

20 (a) REQUIREMENT.—To be eligible to receive funds
21 pursuant to subsection (d), not later than 1 year after the
22 date of enactment of this Act and not later than 1 year
23 after the date of each revision of the National Strategy,
24 each State shall prepare and submit to the Secretary of
25 the Interior and the Secretary of Commerce a State fish,

1 wildlife, and plant adaptation plan detailing current and
2 future efforts of the State to address the ongoing and ex-
3 pected effects of climate change on fish, wildlife, and
4 plants and coastal areas within the jurisdiction of the
5 State.

6 (b) REVIEW OR APPROVAL.—The Secretary of the In-
7 terior and the Secretary of Commerce shall—

8 (1) review each State adaptation plan; and

9 (2) approve a State adaptation plan if the
10 plan—

11 (A) meets the requirements of subsection
12 (c); and

13 (B) is consistent with the National Strat-
14 egy.

15 (c) CONTENTS.—A State adaptation plan shall—

16 (1) meet the requirements described in section
17 7(b), except that the requirements of that section re-
18 lating to marine habitats or ecosystems shall not
19 apply to a State in which those habitats or eco-
20 systems do not exist;

21 (2) include the adaptation provisions of any
22 State comprehensive wildlife conservation strategy
23 (or State wildlife action plan) that has been—

24 (A) submitted to the Director of the
25 United States Fish and Wildlife Service; and

1 (B) approved, or is pending approval, by
2 the Director of the United States Fish and
3 Wildlife Service;

4 (3) include the adaptation provisions of a state-
5 wide assessment and strategy for forest resources re-
6 quired under section 2A of the Cooperative Forestry
7 Assistance Act of 1978 (16 U.S.C. 2101a) that has
8 been—

9 (A) submitted to the Secretary of Agri-
10 culture; and

11 (B) approved, or is pending approval, by
12 the Secretary of Agriculture;

13 (4) in the case of a State with coastal areas, in-
14 clude the adaptation provisions of a Coastal Zone
15 Management Plan or a Coastal and Estuarine Land
16 Conservation Program Plan that has been—

17 (A) submitted to the Administrator of the
18 National Oceanic and Atmospheric Administra-
19 tion; and

20 (B) approved, or is pending approval, by
21 the Administrator of the National Oceanic and
22 Atmospheric Administration; and

23 (5) include documentation describing efforts
24 and opportunities to conduct robust consultation or

1 engagement with Indian Tribes and Native Hawai-
2 ian organizations, as appropriate.

3 (d) DISTRIBUTION OF FUNDS TO STATES.—Any
4 funds made available pursuant to this Act shall be—

5 (1) used to carry out activities in accordance
6 with adaptation plans approved under this section;
7 and

8 (2) made available through—

9 (A) the State and Tribal wildlife grant pro-
10 gram under title I of division F of the Consoli-
11 dated Appropriations Act, 2008 (Public Law
12 110–161; 121 Stat. 2103); and

13 (B)(i) the grant program under section
14 306 of the Coastal Zone Management Act of
15 1972 (16 U.S.C. 1455);

16 (ii) the Coastal and Estuarine Land Con-
17 servation Program established under title II of
18 the Department of Commerce and Related
19 Agencies Appropriations Act, 2002 (16 U.S.C.
20 1456d); and

21 (iii) programs established under the Coop-
22 erative Forestry Assistance Act of 1978 (16
23 U.S.C. 2101 et seq.).

24 (e) TRIBAL CLIMATE PRIORITIES.—

1 (1) IN GENERAL.—Of the amounts made avail-
2 able to a State pursuant to this Act, not less than
3 2 percent shall be used to implement Tribal and Na-
4 tive Hawaiian climate priorities, as determined by
5 consultation or engagement with relevant Indian
6 Tribes and Native Hawaiian organizations, as appli-
7 cable and appropriate.

8 (2) FUNDING TO INDIAN TRIBES AND NATIVE
9 HAWAIIAN ORGANIZATIONS.—A State may award
10 amounts described in paragraph (1) to Indian Tribes
11 or Native Hawaiian organizations located in the
12 State to implement Tribal or Native Hawaiian cli-
13 mate priorities, as applicable and appropriate.

14 (f) PUBLIC INPUT.—In developing an adaptation
15 plan, a State shall—

16 (1) solicit and consider input from the public
17 and independent scientists; and

18 (2) conduct robust consultation or engagement
19 with Indian Tribes and Native Hawaiian organiza-
20 tions, as appropriate.

21 (g) COORDINATION WITH OTHER PLANS.—A State
22 adaptation plan shall, where appropriate, integrate the
23 goals and measures set forth in other climate adaptation,
24 hazard mitigation, and fish, wildlife, and plant conserva-
25 tion strategies and plans.

- 1 (h) UPDATES.—Each State adaptation plan shall be
- 2 updated at least every 4 years.

