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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

# H. R.

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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, local, and Tribal Governments and other entities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. CARTWRIGHT introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# 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, local, and Tribal Governments 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; and

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

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

9                   (A) severe droughts and heatwaves;

10                   (B) severe storms and floods;

11                   (C) frequent and severe wildfires;

12                   (D) more frequent and severe outbreaks of  
13           forest pests and invasive species;

14                   (E) flooding and erosion of coastal areas  
15           due to rising sea levels;

16                   (F) melting glaciers and sea ice;

17                   (G) thawing permafrost;

18                   (H) shifting distributions of fish, wildlife,  
19           and plant populations;

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

23                   (J) increasing ocean temperatures and  
24           acidification;

1 (K) altered patterns of rain, snow, runoff,  
2 and streamflow; and

3 (L) habitat loss, degradation, fragmenta-  
4 tion, and movement; and

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

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

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

17 (2) to maximize Government efficiency and re-  
18 duce costs, in cooperation with State, local, and  
19 Tribal Governments and other entities.

20 (c) NATIONAL FISH, WILDLIFE, AND PLANTS CLI-  
21 MATE CHANGE ADAPTATION POLICY.—It is the policy of  
22 the Federal Government, in cooperation with State and  
23 local governments, Indian Tribes, and other interested  
24 stakeholders to evaluate and reduce the increased risks  
25 and vulnerabilities associated with climate change and ex-

1 treme weather events, and to use all practicable means to  
2 protect, manage, and conserve healthy, diverse, and pro-  
3 ductive fish, wildlife, and plant populations.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) ADAPTATION.—The term “adaptation”  
7 means—

8 (A) the process of adjustment to actual or  
9 expected climate and the effects of climate  
10 change; and

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

19 (2) CENTER.—The term “Center” means the  
20 National Climate Change and Wildlife Science Cen-  
21 ter established under section 6(a)(1).

22 (3) COMMITTEE.—The term “Committee”  
23 means the Advisory Committee on Climate Change  
24 and Natural Resource Sciences established under  
25 section 6(b)(1).

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

5                   (A) decomposition;

6                   (B) disease epizootiology;

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

9                   (D) gene flow;

10                  (E) hydrological cycling;

11                  (F) larval dispersal and settlement;

12                  (G) nutrient cycling;

13                  (H) pollination;

14                  (I) predator-prey relationships; and

15                  (J) soil formation.

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

21           (6) HABITAT CONNECTIVITY.—The term “habi-  
22           tat connectivity” means areas that facilitate terres-  
23           trial, marine, estuarine, and freshwater fish, wildlife,  
24           or plant movement that is necessary—

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

2 or

3 (B) to respond to the ongoing and ex-  
4 pected effects of climate change (including,  
5 where applicable, ocean acidification, drought,  
6 flooding, and wildfire).

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

11 (8) NATIONAL STRATEGY.—The term “National  
12 Strategy” means the National Fish, Wildlife, and  
13 Plants Climate Adaptation Strategy released March  
14 26, 2013.

15 (9) RESILIENCE; RESILIENT.—The terms “re-  
16 silience” and “resilient” mean the ability to antici-  
17 pate, prepare for, and adapt to changing conditions  
18 and withstand, respond to, and recover rapidly from  
19 disruptions.

20 (10) STATE.—The term “State” means—

21 (A) a State of the United States;

22 (B) the District of Columbia;

23 (C) American Samoa;

24 (D) Guam;

1 (E) the Commonwealth of the Northern  
2 Mariana Islands;

3 (F) the Commonwealth of Puerto Rico;  
4 and

5 (G) the United States Virgin Islands.

6 (11) WORKING GROUP.—The term “Working  
7 Group” means the National Fish, Wildlife, and  
8 Plants Climate Adaptation Strategy Joint Imple-  
9 mentation Working Group established under section  
10 4(a).

11 **SEC. 4. NATIONAL FISH, WILDLIFE, AND PLANTS CLIMATE**  
12 **ADAPTATION STRATEGY JOINT IMPLEMENTA-**  
13 **TION WORKING GROUP.**

14 (a) ESTABLISHMENT.—Not later than 90 days after  
15 the date of enactment of this Act, the President shall es-  
16 tablish a National Fish, Wildlife, and Plants Climate Ad-  
17 aptation Strategy Joint Implementation Working Group  
18 composed of the heads of Federal and State agencies or  
19 departments with jurisdiction over fish, wildlife, and plant  
20 resources of the United States, and Tribal representatives,  
21 as follows:

22 (1) The Administrator of the Environmental  
23 Protection Agency.

24 (2) The Administrator of the Federal Emer-  
25 gency Management Agency.



1           (3) The Administrator of the National Oceanic  
2           and Atmospheric Administration.

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

5           (5) The Chief of Engineers.

6           (6) The Chief of the Forest Service.

7           (7) The Commissioner of Reclamation.

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

10          (9) The Director of the Bureau of Land Man-  
11          agement.

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

13          (11) The Director of the United States Fish  
14          and Wildlife Service.

15          (12) The Director of the United States Geologi-  
16          cal Survey.

17          (13) The Secretary of Agriculture.

18          (14) The Secretary of Defense.

19          (15) State representatives from each regional  
20          association of State fish and wildlife agencies.

21          (16) Not less than 2 Tribal representatives.

22          (b) DUTIES.—The Working Group shall serve as a  
23          forum for interagency consultation on, and the coordina-  
24          tion of, the development and implementation of the Na-  
25          tional Strategy.

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

3 (1) two shall be representatives of the Federal  
4 Government;

5 (2) one shall be a representative of a State; and

6 (3) one shall be a Tribal representative.

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 to review and revise the  
20 National Strategy to incorporate—

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

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

1           (2) in carrying out paragraph (1), provide pub-  
2       lic notice and opportunity for comment.

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

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

7           (2) describe current observation and monitoring  
8       activities at the Federal, State, Tribal, and local lev-  
9       els relating to the ongoing and expected effects of  
10      climate change on fish, wildlife, and plants;

11          (3) identify and prioritize research and data  
12      needs;

13          (4) identify fish, wildlife, and plants likely to  
14      have the greatest need for protection, restoration,  
15      and conservation due to the ongoing and expanding  
16      effects of extreme weather and climate change;

17          (5) include specific protocols for integrating  
18      fish, wildlife, and plant adaptation strategies and ac-  
19      tivities into the conservation and management of  
20      natural resources by Federal agencies to ensure con-  
21      sistency across agency jurisdictions;

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

1           (7) identify Federal policies and actions that  
2           may reduce resilience and increase the vulnerability  
3           of fish, wildlife, and plants to extreme weather and  
4           climate change;

5           (8) include specific actions that Federal agen-  
6           cies shall take to protect, conserve, and manage fish,  
7           wildlife, and plants to maintain the inherent resil-  
8           ience and adaptability of fish, wildlife, and plants to  
9           withstand, adjust to, or recover from the ongoing  
10          and expected effects of climate change, including a  
11          timeline to implement those actions;

12          (9) include specific mechanisms for ensuring  
13          communication and coordination—

14                 (A) among Federal agencies; and

15                 (B) between Federal agencies and State  
16                 agencies, territories of the United States, In-  
17                 dian Tribes, private landowners, conservation  
18                 organizations, and other countries that share  
19                 jurisdiction over fish, wildlife, and plants with  
20                 the United States;

21          (10) include specific actions to develop and im-  
22          plement coordinated fish, wildlife, and plants inven-  
23          tory and monitoring protocols through interagency  
24          coordination and collaboration with States and local

1 governments, Indian Tribes, and private organiza-  
2 tions; and

3 (11) include procedures for guiding the develop-  
4 ment of detailed strategy implementation plans re-  
5 quired under section 7.

6 (d) IMPLEMENTATION.—

7 (1) IN GENERAL.—Consistent with other laws  
8 and Federal trust responsibilities concerning Indian  
9 land or rights of Indians under treaties with the  
10 United States, each Federal agency shall integrate  
11 the elements of the National Strategy that relate to  
12 conservation, management, and protection of fish,  
13 wildlife, and plants into agency plans, environmental  
14 reviews, and programs.

15 (2) PUBLIC REPORT.—The Working Group  
16 shall, on a biannual basis, between revisions to the  
17 National Strategy, make available to the public a re-  
18 port documenting any actions implementing the  
19 Strategy.

20 (3) COORDINATION.—The Working Group shall  
21 coordinate the implementation of the National Strat-  
22 egy with Federal agencies not represented on the  
23 Working Group to achieve the policy of the United  
24 States described in section 2(c).

1 **SEC. 6. FISH, WILDLIFE, AND PLANTS ADAPTATION**  
2 **SCIENCE AND INFORMATION.**

3 (a) NATIONAL CLIMATE CHANGE AND WILDLIFE  
4 SCIENCE CENTER.—

5 (1) AUTHORIZATION.—The Secretary of the In-  
6 terior, in collaboration with the States, Indian  
7 Tribes, and other partner organizations, shall estab-  
8 lish a National Climate Change and Wildlife Science  
9 Center.

10 (2) DUTIES OF CENTER.—The Center shall as-  
11 sess and develop scientific information, tools, strate-  
12 gies, and techniques to support the Working Group,  
13 Federal and State agencies, Tribes, regionally based  
14 science and conservation centers, regional coordi-  
15 nating entities, and other interested parties in ad-  
16 dressing the effects of extreme weather and climate  
17 change on fish, wildlife, and plants.

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

1 further the duties under paragraph (2) without re-  
2 gard 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 the Federal Advisory Committee Act (5  
13 U.S.C. App.), the Secretary of the Interior shall es-  
14 tablish an Advisory Committee on Climate Change  
15 and Natural Resource Sciences.

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

18 (A) represent—

19 (i) Federal agencies;

20 (ii) State, local, and Tribal Govern-  
21 ments;

22 (iii) nongovernmental organizations;

23 (iv) academic institutions; and

24 (v) the private sector; and

25 (B) have expertise in—

1 (i) biology (including fish, wildlife,  
2 plant, aquatic, coastal, and marine biol-  
3 ogy);

4 (ii) ecology;

5 (iii) climate change (including, where  
6 applicable, ocean acidification, drought,  
7 flooding, and wildfire); and

8 (iv) other relevant scientific dis-  
9 ciplines.

10 (3) CHAIR.—The Secretary of the Interior shall  
11 appoint a Committee Chair from among the mem-  
12 bers of the Committee.

13 (4) DUTIES.—The Committee shall—

14 (A) advise the Working Group on the state  
15 of the science regarding—

16 (i) the ongoing and expected effects of  
17 extreme weather and climate change on  
18 fish, wildlife, and plants; and

19 (ii) scientific strategies and mecha-  
20 nisms for fish, wildlife, and plant adapta-  
21 tion;

22 (B) identify and recommend priorities for  
23 ongoing research needs on the issues described  
24 in subparagraph (A) to inform the research pri-  
25 orities of the Center described in subsection (a)



1 and other Federal climate science institutions;  
2 and

3 (C) review and comment on each revised  
4 National Strategy before that National Strategy  
5 is finalized.

6 (5) COLLABORATION.—The Committee shall  
7 collaborate with climate change and fish, wildlife,  
8 and plant research entities in other Federal agencies  
9 and departments.

10 (6) AVAILABILITY TO PUBLIC.—The advice and  
11 recommendations of the Committee shall be made  
12 available to the public.

13 **SEC. 7. STRATEGY IMPLEMENTATION PLAN.**

14 (a) DEVELOPMENT.—Not later than 1 year after the  
15 date of enactment of this Act and not later than 1 year  
16 after the date of each revision of the National Strategy,  
17 the Working Group shall—

18 (1) complete a strategy implementation plan;

19 (2) provide opportunities for public review and  
20 comment on the plan; and

21 (3) submit the plan to the President for ap-  
22 proval.

23 (b) REQUIREMENTS.—The strategy implementation  
24 plan shall—

1           (1) identify and prioritize specific conservation  
2           and management strategies and actions that address  
3           the ongoing and expected effects of extreme weather  
4           and climate change on fish, wildlife, and plants, in-  
5           cluding—

6                   (A) protection, management, and conserva-  
7                   tion of terrestrial, marine, estuarine, and fresh-  
8                   water habitats and ecosystems;

9                   (B) establishment of terrestrial, marine,  
10                  estuarine, and freshwater habitat connectivity  
11                  corridors;

12                  (C) restoration and conservation of ecologi-  
13                  cal processes;

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

16                  (E) protection of fish, wildlife, and plant  
17                  health, recognizing that climate can alter the  
18                  distribution and ecology of parasites, pathogens,  
19                  and vectors;

20           (2) establish methods—

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

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

4 (3) describe current and proposed mechanisms  
5 to enhance cooperation and coordination of fish,  
6 wildlife, and plant adaptation efforts with other Fed-  
7 eral agencies, State and local governments, Indian  
8 Tribes, and nongovernmental stakeholders;

9 (4) include written guidance to resource man-  
10 agers; and

11 (5) identify and assess data and information  
12 gaps necessary to develop fish, wildlife, and plant  
13 adaptation plans and strategies.

14 (c) IMPLEMENTATION.—

15 (1) IN GENERAL.—On approval by the Presi-  
16 dent, each Federal agency shall, consistent with ex-  
17 isting authority, implement the strategy implementa-  
18 tion plan under subsection (a)(1) through existing  
19 and new plans, policies, programs, activities, and ac-  
20 tions.

21 (2) CONSIDERATION OF EFFECTS.—To the  
22 maximum extent practicable and consistent with ex-  
23 isting authority, fish, wildlife, and plant conservation  
24 and management decisions made by each Federal  
25 agency shall consider and promote resilience to the

1 ongoing and expected effects of extreme weather and  
2 climate change.

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

11 **SEC. 8. STATE FISH, WILDLIFE, AND PLANTS ADAPTATION**  
12 **PLANS.**

13 (a) REQUIREMENT.—To be eligible to receive funds  
14 pursuant to subsection (d), not later than 1 year after the  
15 date of enactment of this Act and not later than 1 year  
16 after the date of each revision of the National Strategy,  
17 each State shall prepare and submit to the Secretary of  
18 the Interior and the Secretary of Commerce, a State fish,  
19 wildlife, and plant adaptation plan detailing current and  
20 future efforts of the State to address the ongoing and ex-  
21 pected effects of climate change on fish, wildlife, and  
22 plants and coastal areas within the jurisdiction of the  
23 State.

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

1 (1) review each State adaptation plan; and

2 (2) approve a State adaptation plan if the  
3 plan—

4 (A) meets the requirements of subsection  
5 (c); and

6 (B) is consistent with the National Strat-  
7 egy.

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

9 (1) meet the requirements described in section  
10 7(b), except that the requirements of that section re-  
11 lating to marine habitats or ecosystems shall not  
12 apply to a State in which those habitats or eco-  
13 systems do not exist;

14 (2) include the adaptation provisions of any  
15 State comprehensive wildlife conservation strategy  
16 (or State wildlife action plan) that has been—

17 (A) submitted to the Director of the  
18 United States Fish and Wildlife Service; and

19 (B) approved, or is pending approval, by  
20 the Director of the United States Fish and  
21 Wildlife Service;

22 (3) include the adaptation provisions of a state-  
23 wide assessment and strategy for forest resources re-  
24 quired under section 2A of the Cooperative Forestry

1 Assistance Act of 1978 (16 U.S.C. 2101a) that has  
2 been—

3 (A) submitted to the Secretary of Agri-  
4 culture; and

5 (B) approved, or is pending approval, by  
6 the Secretary of Agriculture; and

7 (4) in the case of a State with coastal areas, in-  
8 clude the adaptation provisions of a Coastal Zone  
9 Management Plan or a Coastal and Estuarine Land  
10 Conservation Program Plan that has been—

11 (A) submitted to the Administrator of the  
12 National Oceanic and Atmospheric Administra-  
13 tion; and

14 (B) approved, or is pending approval, by  
15 the Administrator of the National Oceanic and  
16 Atmospheric Administration.

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

19 (1) used to carry out activities in accordance  
20 with adaptation plans approved under this section;  
21 and

22 (2) made available through—

23 (A) the State and Tribal wildlife grant pro-  
24 gram under title I of division F of the Consoli-

1           dated Appropriations Act, 2008 (Public Law  
2           110–161; 121 Stat. 2103); and

3                   (B)(i) the grant program under section  
4           306 of the Coastal Zone Management Act of  
5           1972 (16 U.S.C. 1455);

6                   (ii) the Coastal and Estuarine Land Con-  
7           servation Program established under title II of  
8           the Department of Commerce and Related  
9           Agencies Appropriations Act, 2002 (16 U.S.C.  
10          1456d); and

11                   (iii) programs established under the Coop-  
12          erative Forestry Assistance Act of 1978 (16  
13          U.S.C. 2101 et seq.).

14          (e) PUBLIC INPUT.—In developing an adaptation  
15          plan, a State shall solicit and consider input from the pub-  
16          lic and independent scientists.

17          (f) COORDINATION WITH OTHER PLANS.—A State  
18          adaptation plan shall, where appropriate, integrate the  
19          goals and measures set forth in other climate adaptation,  
20          hazard mitigation, and fish, wildlife, and plant conserva-  
21          tion strategies and plans.

22          (g) UPDATES.—Each State adaptation plan shall be  
23          updated at least every 4 years.