

Calendar No. 605

116TH CONGRESS
2^D SESSION

S. 2891

[Report No. 116–305]

To require the Secretary of the Interior to establish Tribal Wildlife Corridors,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2019

Mr. UDALL (for himself, Mr. BOOKER, Ms. HARRIS, Mr. BLUMENTHAL, Mr. SANDERS, Mr. TESTER, Ms. SMITH, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

DECEMBER 9, 2020

Reported by Mr. HOEVEN, without amendment

A BILL

To require the Secretary of the Interior to establish Tribal
Wildlife Corridors, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Wildlife Cor-
5 ridors Act of 2019”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **CONNECTIVITY.**—The term “connectivity”
4 means the degree to which the landscape or seascape
5 facilitates native species movement.

6 (2) **CORRIDOR.**—The term “corridor” means a
7 distinct component of a landscape or seascape
8 that—

9 (A) provides habitat or ecological connec-
10 tivity; and

11 (B) allows for fish, wildlife, or plant move-
12 ment.

13 (3) **INDIAN LAND.**—The term “Indian land”
14 means land of an Indian tribe, or an Indian indi-
15 vidual, that is—

16 (A) held in trust by the United States; or

17 (B) subject to a restriction against alien-
18 ation imposed by the United States.

19 (4) **INDIAN TRIBE.**—The term “Indian tribe”
20 has the meaning given the term in section 4 of the
21 Indian Self-Determination and Education Assistance
22 Act (25 U.S.C. 5304).

23 (5) **SECRETARY.**—The term “Secretary” means
24 the Secretary of the Interior, acting through the Di-
25 rector of the United States Fish and Wildlife Serv-

1 ice, in consultation with the Bureau of Indian Af-
2 fairs.

3 (6) TRIBAL WILDLIFE CORRIDOR.—The term
4 “Tribal Wildlife Corridor” means a corridor estab-
5 lished by the Secretary under section 3(a).

6 **SEC. 3. ESTABLISHMENT OF TRIBAL WILDLIFE CORRIDORS.**

7 (a) IN GENERAL.—

8 (1) NOMINATIONS.—An Indian tribe may nomi-
9 nate a corridor within Indian land of the Indian
10 tribe as a Tribal Wildlife Corridor by submitting to
11 the Secretary an application at such time, in such
12 manner, and containing such information as the Sec-
13 retary may require.

14 (2) DETERMINATION.—Not later than 90 days
15 after the date on which the Secretary receives an ap-
16 plication under paragraph (1), the Secretary shall
17 determine whether the nominated Tribal Wildlife
18 Corridor described in the application meets the cri-
19 teria established under subsection (b).

20 (3) PUBLICATION.—On approval of an applica-
21 tion under paragraph (2), the Secretary shall pub-
22 lish in the Federal Register a notice of the establish-
23 ment of the Tribal Wildlife Corridor, which shall in-
24 clude a map and legal description of the land des-
25 ignated as a Tribal Wildlife Corridor.

1 (b) CRITERIA.—

2 (1) IN GENERAL.—Not later than 540 days
3 after the date of enactment of this Act, the Sec-
4 retary shall establish criteria for determining wheth-
5 er a corridor nominated by an Indian tribe under
6 subsection (a)(1) qualifies as a Tribal Wildlife Cor-
7 ridor.

8 (2) INCLUSIONS.—The criteria established
9 under paragraph (1) shall include, at a minimum,
10 the following:

11 (A) The restoration of historical habitat
12 for the purposes of facilitating connectivity.

13 (B) The management of land for the pur-
14 poses of facilitating connectivity.

15 (C) The management of land to prevent
16 the imposition of barriers that may hinder cur-
17 rent or future connectivity.

18 (c) REMOVAL.—

19 (1) IN GENERAL.—An Indian tribe may elect to
20 remove the designation of a Tribal Wildlife Corridor
21 on the Indian land of the Indian tribe by notifying
22 the Secretary.

23 (2) EFFECT OF REMOVAL.—An Indian tribe
24 that elects to remove a designation under paragraph
25 (1) may not receive assistance under section 5 or 6.

1 **SEC. 4. COORDINATION OF LAND USE PLANS.**

2 Section 202 of the Federal Land Policy and Manage-
3 ment Act of 1976 (43 U.S.C. 1712) is amended—

4 (1) in subsection (b)—

5 (A) by striking “Indian tribes by” and in-
6 serting the following: “Indian tribes—

7 “(1) by”;

8 (B) in paragraph (1) (as so designated), by
9 striking the period at the end and inserting “;
10 and”; and

11 (C) by adding at the end the following:

12 “(2) for the purposes of determining whether
13 the land use plans for land in the National Forest
14 System would provide additional connectivity to ben-
15 efit the purposes of a Tribal Wildlife Corridor estab-
16 lished under section 3(a) of the Tribal Wildlife Cor-
17 ridors Act of 2019.”; and

18 (2) by adding at the end the following:

19 “(g) TRIBAL WILDLIFE CORRIDORS.—On the estab-
20 lishment of a Tribal Wildlife Corridor under section 3(a)
21 of the Tribal Wildlife Corridors Act of 2019, the Secretary
22 shall conduct a meaningful consultation with the Indian
23 tribe that administers the Tribal Wildlife Corridor to de-
24 termine whether, through the revision of one or more ex-
25 isting land use plans, the Tribal Wildlife Corridor can—

26 “(1) be expanded into public lands; or

1 “(2) otherwise benefit connectivity (as defined
2 in section 2 of that Act) between public lands and
3 the Tribal Wildlife Corridor.”.

4 **SEC. 5. TECHNICAL ASSISTANCE.**

5 The Secretary shall provide to Indian tribes technical
6 assistance relating to the establishment, management, and
7 expansion of a Tribal Wildlife Corridor, including assist-
8 ance with accessing wildlife data and working with private
9 landowners to access Federal and State programs to im-
10 prove wildlife habitat and connectivity on non-Federal
11 land.

12 **SEC. 6. AVAILABILITY OF ASSISTANCE.**

13 (a) CONSERVATION PROGRAMS PRIORITY.—

14 (1) IN GENERAL.—In evaluating applications
15 under conservation programs described in paragraph
16 (2), the Secretary of Agriculture may give priority to
17 an application for a project that would enhance
18 connectivity through the expansion of a Tribal Wild-
19 life Corridor.

20 (2) PROGRAMS DESCRIBED.—The conservation
21 programs referred to in paragraph (1) are any of the
22 following conservation programs administered by the
23 Secretary of Agriculture:

24 (A) The conservation reserve program es-
25 tablished under subchapter B of chapter 1 of

1 subtitle D of title XII of the Food Security Act
2 of 1985 (16 U.S.C. 3831 et seq.).

3 (B) The environmental quality incentives
4 program established under subchapter A of
5 chapter 4 of subtitle D of title XII of the Food
6 Security Act of 1985 (16 U.S.C. 3839aa et
7 seq.).

8 (C) The conservation stewardship program
9 established under subchapter B of chapter 4 of
10 subtitle D of title XII of the Food Security Act
11 of 1985 (16 U.S.C. 3839aa–21 et seq.).

12 (D) The agricultural conservation ease-
13 ment program established under subtitle H of
14 title XII of the Food Security Act of 1985 (16
15 U.S.C. 3865 et seq.).

16 (b) WILDLIFE MOVEMENTS GRANT PROGRAM.—

17 (1) IN GENERAL.—The Secretary shall establish
18 a Tribal Wildlife Corridor grant program to encour-
19 age wildlife movement in accordance with this Act.

20 (2) GRANTS.—Beginning not later than 3 years
21 after the date of enactment of this Act, the Sec-
22 retary shall make grants under the program estab-
23 lished under paragraph (1) to one or more Indian
24 tribes to increase connectivity through Tribal Wild-
25 life Corridors.

1 **SEC. 7. SAVINGS CLAUSE.**

2 Nothing in this Act authorizes or affects the use of
3 private property or Indian land.

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