

PUBLIC LAW 107-308—DEC. 2, 2002

NORTH AMERICAN WETLANDS
CONSERVATION REAUTHORIZATION ACT

Public Law 107–308
107th Congress

An Act

Dec. 2, 2002
[H.R. 3908]

To reauthorize the North American Wetlands Conservation Act, and for other purposes.

North American
Wetlands
Conservation
Reauthorization
Act.
16 USC 4401
note.

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 “North American Wetlands Conservation Reauthorization Act”.

SEC. 2. AMENDMENT OF NORTH AMERICAN WETLANDS CONSERVATION ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.).

SEC. 3. FINDINGS AND STATEMENT OF PURPOSE.

(a) FINDING.—Section 2(a)(1) (16 U.S.C. 4401(a)(1)) is amended by striking “and other habitats” and inserting “and associated habitats”.

(b) PURPOSES.—Section 2(b) (16 U.S.C. 4401(b)) is amended—
(1) in paragraph (1) by striking “and other habitats for migratory birds” and inserting “and habitats associated with wetland ecosystems”;

(2) in paragraph (2) by inserting “wetland associated” before “migratory bird”; and

(3) in paragraph (3)—

(A) by inserting “wetland associated” before “migratory birds”; and

(B) by inserting “, the United States Shorebird Conservation Plan, the North American Waterbird Conservation Plan, the Partners In Flight Conservation Plans,” after “North American Waterfowl Management Plan”.

SEC. 4. DEFINITION OF WETLANDS CONSERVATION PROJECT.

Section 3(9) (16 U.S.C. 4402(9)) is amended—

(1) in subparagraph (A) by inserting “of a wetland ecosystem and associated habitat” after “including water rights,”; and

(2) in subparagraph (B) by striking “and other habitat” and inserting “and associated habitat”.

SEC. 5. REAUTHORIZATION.

Section 7(c) (16 U.S.C. 4406(c)) is amended by striking “not to exceed” and all that follows and inserting “not to exceed—

- “(1) \$55,000,000 for fiscal year 2003;
- “(2) \$60,000,000 for fiscal year 2004;
- “(3) \$65,000,000 for fiscal year 2005;
- “(4) \$70,000,000 for fiscal year 2006; and
- “(5) \$75,000,000 for fiscal year 2007.”.

SEC. 6. ALLOCATION.

Section 8(a) (16 U.S.C. 4407(a)) is amended—

(1) in paragraph (1)—

(A) by striking “(but at least 50 per centum and not more than 70 per centum thereof)” and inserting “(but at least 30 percent and not more than 60 percent)”; and

(B) by striking “4 per centum” and inserting “4 percent”; and

(2) in paragraph (2) by striking “(but at least 30 per centum and not more than 50 per centum thereof)” and inserting “(but at least 40 percent and not more than 70 percent)”.

SEC. 7. CLARIFICATION OF NON-FEDERAL SHARE OF THE COST OF APPROVED WETLANDS CONSERVATION PROJECTS.

Section 8(b) (16 U.S.C. 4407(b)) is amended by striking so much as precedes the second sentence and inserting the following:

“(b) COST SHARING.—(1) Except as provided in paragraph (2), as a condition of providing assistance under this Act for any approved wetlands conservation project, the Secretary shall require that the portion of the costs of the project paid with amounts provided by non-Federal United States sources is equal to at least the amount allocated under subsection (a) that is used for the project.

“(2) Federal moneys allocated under subsection (a) may be used to pay 100 percent of the costs of such projects located on Federal lands and waters, including the acquisition of inholdings within such lands and waters.

“(3)”.

SEC. 8. TECHNICAL CORRECTIONS.

(a) The North American Wetlands Conservation Act is amended as follows:

(1) In section 2(a)(10) (16 U.S.C. 4401(a)(10)), by inserting “of 1973” after “Species Act”.

(2) In section 2(a)(12) (16 U.S.C. 4401(a)(12)), by inserting “and in 1994 by the Secretary of Sedesol for Mexico” after “United States”.

(3) In section 3(2) (16 U.S.C. 4402(2)), by striking “Committee on Merchant Marine and Fisheries of the United States House of Representatives” and inserting “Committee on Resources of the House of Representatives”.

(4) In section 3(5) (16 U.S.C. 4402(5)), by inserting “of 1973” after “Species Act”.

(5) In section 3(6) (16 U.S.C. 4402(6)), by inserting after “1986” the following: “, and by the Secretary of Sedesol for Mexico in 1994, and subsequent dates”.

(6) In section 4(a)(1)(B) (16 U.S.C. 4403(a)(1)(B)), by striking “section 3(2)(B)” and inserting “section 3(g)(2)(B)”.

(7) In section 4(c) (16 U.S.C. 4403(c)), in the matter preceding paragraph (1), by striking “Commission” and inserting “Council”.

(8) In section 5(a)(5) (16 U.S.C. 4404(a)(5)), by inserting “of 1973” after “Species Act”.

(9) In section 5(b) (16 U.S.C. 4404(b)), by striking “by January 1 of each year,” and inserting “each year”.

(10) In section 5(d) (16 U.S.C. 4404(d)), by striking “one Council member” and inserting “2 Council members”.

(11) In section 5(f) (16 U.S.C. 4404(f)), by striking “subsection (d)” and inserting “subsection (e)”.

(12) In section 10(1)(C) (16 U.S.C. 4409(1)(C)), by striking “western hemisphere pursuant to section 17 of this Act” and inserting “Western Hemisphere pursuant to section 16”.

(13) In section 10(1)(D) (16 U.S.C. 4409(1)(D)), by striking the period and inserting “; and”.

(14) In section 16(a) (16 U.S.C. 4413), by striking “western hemisphere” and inserting “Western Hemisphere”.

16 USC 4403.

Effective date.
16 USC 4403
note.

(b)(1) Section 112(1) of Public Law 101-593 (104 Stat. 2962) is amended by striking “and before the period”.

(2) Paragraph (1) of this subsection shall be effective on and after the effective date of section 112(1) of Public Law 101-593 (104 Stat. 2962).

SEC. 9. CHESAPEAKE BAY INITIATIVE.

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105-312) is amended by striking “2003” and inserting “2008”.

Approved December 2, 2002.

LEGISLATIVE HISTORY—H.R. 3908:

HOUSE REPORTS: No. 107-421 (Comm. on Resources).

SENATE REPORTS: No. 107-304 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 148 (2002):

May 7, considered and passed House.

Nov. 14, considered and passed Senate, amended. House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Dec. 2, Presidential remarks.

