

115TH CONGRESS  
2D SESSION

# S. 2834

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

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IN THE SENATE OF THE UNITED STATES

MAY 10, 2018

Mr. HOEVEN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

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

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 “Wetland Delineation  
5 Act of 2018”.

6 **SEC. 2. WETLAND CONVERSION.**

7 Section 1221(d) of the Food Security Act of 1985  
8 (16 U.S.C. 3821(d)) is amended—

9 (1) by striking “Except as” and inserting the  
10 following:

1 “(1) IN GENERAL.—Except as”; and

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

3 “(2) DUTY OF THE SECRETARY.—The Sec-  
4 retary shall determine that a person is ineligible  
5 under paragraph (1) only after the Secretary deter-  
6 mines that an exemption under section 1222(b) does  
7 not apply to that person.”.

8 **SEC. 3. DELINEATION OF WETLANDS.**

9 (a) IDENTIFICATION OF MINIMAL EFFECT EXEMP-  
10 TIONS.—Section 1222(d) of the Food Security Act of  
11 1985 (16 U.S.C. 3822(d)) is amended in the first sentence  
12 by inserting “and not later than 180 days after the date  
13 of enactment of the Wetland Delineation Act of 2018,”  
14 before “the Secretary”.

15 (b) MITIGATION BANKING.—Section 1222(k)(1)(B)  
16 of the Food Security Act of 1985 (16 U.S.C.  
17 3822(k)(1)(B)) is amended—

18 (1) by striking “Of the funds” and inserting  
19 the following:

20 “(i) MANDATORY FUNDING.—Of the  
21 funds”;

22 (2) in clause (i) (as so designated), by striking  
23 “\$10,000,000” and all that follows through “para-  
24 graph” and inserting “to carry out this paragraph  
25 \$10,000,000 for fiscal year 2019 and each fiscal

1 year thereafter, to remain available until expended”;  
2 and

3 (3) by adding at the end the following:

4 “(ii) AUTHORIZATION OF APPROPRIA-  
5 TIONS.—There is authorized to be appro-  
6 priated to the Secretary to carry out this  
7 paragraph \$5,000,000 for each of fiscal  
8 years 2019 through 2023.”.

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