

§ 4408. Restoration, management, and protection of wetlands and habitat for migratory birds on Federal lands

The head of each Federal agency responsible for acquiring, managing, or disposing of Federal lands and waters shall, to the extent consistent with the mission of such agency and existing statutory authorities, cooperate with the Director of the United States Fish and Wildlife Service to restore, protect, and enhance the wetland ecosystems and other habitats for migratory birds, fish, and wildlife within the lands and waters of each such agency.

(Pub. L. 101-233, §9, Dec. 13, 1989, 103 Stat. 1976.)

§ 4409. Report to Congress

The Secretary shall report to the appropriate Committees on the implementation of this chapter. The report shall include—

(1) a biennial assessment of—

(A) the estimated number of acres of wetlands and habitat for waterfowl and other migratory birds that were restored, protected, or enhanced during such two-year period by Federal, State, and local agencies and other entities in the United States, Canada, and Mexico;

(B) trends in the population size and distribution of North American migratory birds;

(C) the status of efforts to establish agreements with nations in the Western Hemisphere pursuant to section 4413 of this title; and

(D) wetlands conservation projects funded under this chapter, listed and identified by type, conservation mechanism (such as acquisition, easement, or lease), location, and duration; and

(2) an annual assessment of the status of wetlands conservation projects, including an accounting of expenditures by Federal, State, and other United States entities, and expenditures by Canadian and Mexican sources to carry out these projects.

(Pub. L. 101-233, §10, Dec. 13, 1989, 103 Stat. 1976; Pub. L. 103-375, §2(b), Oct. 19, 1994, 108 Stat. 3494; Pub. L. 107-308, §8(a)(12), (13), Dec. 2, 2002, 116 Stat. 2448.)

REFERENCES IN TEXT

Section 4413 of this title, referred to in par. (1)(C), was in the original a reference to section 16 of Pub. L. 101-233 which enacted section 4413 of this title and amended section 2912 of this title.

AMENDMENTS

2002—Par. (1)(C). Pub. L. 107-308, §8(a)(12), substituted “Western Hemisphere” for “western hemisphere” and made technical amendment to reference in original act which appears in text as reference to section 4413 of this title.

Par. (1)(D). Pub. L. 107-308, §8(a)(13), substituted “; and” for period at end.

1994—Par. (1)(D). Pub. L. 103-375 added subpar. (D).

§ 4410. Revisions to Plan

The Secretary shall, in 1998 and at five-year intervals thereafter, undertake with the appropriate officials in Canada and Mexico to revise

the goals and other elements of the Plan in accordance with the information required under section 4409 of this title and with the other provisions of this chapter.

(Pub. L. 101-233, §11, Dec. 13, 1989, 103 Stat. 1976; Pub. L. 103-375, §2(c), Oct. 19, 1994, 108 Stat. 3494.)

AMENDMENTS

1994—Pub. L. 103-375 substituted “1998” for “1991”, inserted “and Mexico” after “Canada”, and struck out at end “The Secretary shall invite and encourage the appropriate officials in Mexico to participate in any revisions of the Plan.”

§ 4411. Relationship to other authorities

(a) Acquisition of lands and waters

Nothing in this chapter affects, alters, or modifies the Secretary’s authorities, responsibilities, obligations, or powers to acquire lands or waters or interests therein under any other statute.

(b) Mitigation

The Federal funds made available under this chapter and section 669b(b) of this title may not be used for fish and wildlife mitigation purposes under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) or the Water Resources Development Act of 1986, Public Law 99-662 (1986), 100 Stat. 4235.

(Pub. L. 101-233, §12, Dec. 13, 1989, 103 Stat. 1977.)

REFERENCES IN TEXT

The Fish and Wildlife Coordination Act, referred to in subsec. (b), is act Mar. 10, 1934, ch. 55, 48 Stat. 401, as amended, which is classified generally to sections 661 to 666c of this title. For complete classification of this Act to the Code, see Short Title note set out under section 661 of this title and Tables.

The Water Resources Development Act of 1986, referred to in subsec. (b), is Pub. L. 99-662, Nov. 17, 1986, 100 Stat. 4082, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 2201 of Title 33, Navigation and Navigable Waters, and Tables.

§ 4412. Limitation on assessments against Migratory Bird Conservation Fund

Notwithstanding any other provision of law, only those personnel and administrative costs directly related to acquisition of real property shall be levied against the Migratory Bird Conservation Account.¹

(Pub. L. 101-233, §14, Dec. 13, 1989, 103 Stat. 1977.)

§ 4413. Other agreements

The Secretary shall undertake with the appropriate officials of nations in the Western Hemisphere to establish agreements, modeled after the Plan or the Agreement, for the protection of migratory birds identified in section 2912(a)(5) of this title. When any such agreements are reached, the Secretary shall make recommendations to the appropriate Committees on legislation necessary to implement the agreements.

(Pub. L. 101-233, §16(a), Dec. 13, 1989, 103 Stat. 1977; Pub. L. 107-308, §8(a)(14), Dec. 2, 2002, 116 Stat. 2448.)

¹So in original. Probably should be “Fund”. See section 718d of this title.

AMENDMENTS

2002—Pub. L. 107-308 substituted “Western Hemisphere” for “western hemisphere”.

§ 4414. Assessment of progress in wetlands conservation

Not later than January 31, 1996, the Secretary, in cooperation with the Council, to further the purposes of the chapter shall—

(1) develop and implement a strategy to assist in the implementation of this Act in conserving the full complement of North American wetlands systems and species dependent on those systems, that incorporates information existing on the date of the issuance of the strategy in final form on types of wetlands habitats and species dependent on the habitats; and

(2) develop and implement procedures to monitor and evaluate the effectiveness of wetlands conservation projects completed under this chapter.

(Pub. L. 101-233, § 19, as added Pub. L. 103-375, § 3, Oct. 19, 1994, 108 Stat. 3494.)

CHAPTER 65—INTERNATIONAL FORESTRY COOPERATION

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§ 4501. Forestry and related natural resource assistance

(a) Focus of activities

To achieve the maximum impact from activities undertaken under the authority of this chapter, the Secretary shall focus such activities on the key countries which could have a substantial impact on emissions of greenhouse gases related to global warming.

(b) Authority for international forestry activities

In support of forestry and related natural resource activities outside of the United States and its territories and possessions, the Secretary of Agriculture may—

(1) provide assistance that promotes sustainable development and global environmental stability, including assistance for—

(A) conservation and sustainable management of forest land;

(B) forest plantation technology and tree improvement;

(C) rehabilitation of cutover lands, eroded watersheds, and areas damaged by wildfires or other natural disasters;

(D) prevention and control of insects, diseases, and other damaging agents;

(E) preparedness planning, training, and operational assistance to combat natural disasters;

(F) more complete utilization of forest products leading to resource conservation;

(G) range protection and enhancement; and

(H) wildlife and fisheries habitat protection and improvement;

(2) share technical, managerial, extension, and administrative skills related to public and private natural resource administration;

(3) provide education and training opportunities to promote the transfer and utilization of scientific information and technologies;

(4) engage in scientific exchange and cooperative research with foreign governmental, educational, technical and research institutions; and

(5) cooperate with domestic and international organizations that further international programs for the management and protection of forests, rangelands, wildlife and fisheries, and related natural resource activities.

(c) Eligible countries

The Secretary shall undertake the activities described in subsection (b), in countries that receive assistance from the Agency for International Development only at the request, or with the concurrence, of the Administrator of the Agency for International Development.

(Pub. L. 101-513, title VI, § 602, Nov. 5, 1990, 104 Stat. 2070; Pub. L. 102-574, § 2(b)(1), Oct. 29, 1992, 106 Stat. 4596.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this title”, meaning title VI of Pub. L. 101-513, Nov. 5, 1990, 104 Stat. 2070, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out below and Tables.

AMENDMENTS

1992—Subsec. (b). Pub. L. 102-574 struck out “(hereinafter referred to in this chapter as the Secretary)” after “Agriculture” in introductory provisions.

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-574, § 1, Oct. 29, 1992, 106 Stat. 4593, provided that: “This Act [enacting sections 4502a and 4503a to 4503d of this title, amending this section and section 4503 of this title, and enacting provisions set out as notes under sections 4502a and 4503a of this title] may be cited as the ‘Hawaii Tropical Forest Recovery Act’.”

SHORT TITLE

Pub. L. 101-513, title VI, § 601, Nov. 5, 1990, 104 Stat. 2070, provided that: “This title [enacting this chapter and amending sections 1641, 1643, 2101, and 2109 of this title] may be cited as the ‘International Forestry Cooperation Act of 1990’.”

§ 4502. Tropical deforestation assessment and assistance

In support of the Tropical Forestry Action Plan and to specifically address tropical deforestation and degradation, the Secretary may—

(1) support and actively participate in global and regional meetings that seek to reform such Plan;

(2) together with the United States Agency for International Development,¹ and other

¹ So in original. The comma probably should not appear.