

**Editorial Notes**

## AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, § 2707(2), added subsec. (a). Former subsec. (a) redesignated (b).

Subsec. (b). Pub. L. 115-334, § 2707(1), (3), redesignated subsec. (a) as (b), in heading, substituted “Applications” for “In general”, and, in text, substituted “3871d(d)(2)” for “3871d(d)(3)” and “program contracts” for “producer contracts” and inserted “that address 1 or more priority resource concerns for which the critical conservation area is designated” before period at end. Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 115-334, § 2707(1), redesignated subsec. (b) as (c). Former subsec. (c) redesignated (e).

Subsec. (c)(1). Pub. L. 115-334, § 2707(4)(B), added par. (1). Former par. (1) redesignated (2).

Subsec. (c)(2). Pub. L. 115-334, § 2707(4)(A), (C), redesignated par. (1) as (2), added subpar. (C), redesignated subpar. (E) as (D), and struck out former subpars. (C) and (D) which read as follows:

“(C) would benefit from water quality improvement, including through reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

“(D) would benefit from water quantity improvement, including improvement relating to—

“(i) groundwater, surface water, aquifer, or other water sources; or

“(ii) a need to promote water retention and flood prevention; or”.

Subsec. (c)(3). Pub. L. 115-334, § 2707(4)(D), added par. (3) and struck out former par. (3). Prior to amendment, text read as follows: “Critical conservation area designations under this section shall expire after 5 years, subject to redesignation, except that the Secretary may withdraw designation from an area if the Secretary finds the area no longer meets the conditions described in paragraph (1).”

Pub. L. 115-334, § 2707(4)(A), redesignated par. (2) as (3). Former par. (3) redesignated (4).

Subsec. (c)(4). Pub. L. 115-334, § 2707(4)(A), redesignated par. (3) as (4).

Subsec. (d). Pub. L. 115-334, § 2707(5), added subsec. (d).

Subsec. (e). Pub. L. 115-334, § 2707(1), redesignated subsec. (c) as (e).

Subsec. (e)(1). Pub. L. 115-334, § 2707(6)(A), substituted “program contract” for “producer contract”.

Subsec. (e)(3). Pub. L. 115-334, § 2707(6)(B), struck out par. (3). Text read as follows: “For a critical conservation area described in subsection (b)(1)(D), the Secretary may use authorities under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), other than section 14 of such Act (16 U.S.C. 1012), to carry out projects for the purposes of this section.”

**CHAPTER 59—WETLANDS RESOURCES**

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## SUBCHAPTER I—GENERAL PROVISIONS

**§ 3901. Findings and statement of purpose****(a) Findings**

The Congress finds that—

(1) wetlands play an integral role in maintaining the quality of life through material contributions to our national economy, food supply, water supply and quality, flood control, and fish, wildlife, and plant resources, and thus to the health, safety, recreation, and economic well-being of all our citizens of the Nation;

(2) wetlands provide habitat essential for the breeding, spawning, nesting, migration, wintering and ultimate survival of a major portion of the migratory and resident fish and wildlife of the Nation; including migratory birds, endangered species, commercially and recreationally important finfish, shellfish and other aquatic organisms, and contain many unique species and communities of wild plants;

(3) the migratory bird treaty obligations of the Nation with Canada, Mexico, Japan, the Union of Soviet Socialist Republics, and with various countries in the Western Hemisphere require Federal protection of wetlands that are used by migratory birds for breeding, wintering or migration and needed to achieve and to maintain optimum population levels, distributions, and patterns of migration;

(4) wetlands, and the fish, wildlife, and plants dependent on wetlands, provide significant recreational and commercial benefits, including—

(A) contributions to a commercial marine harvest valued at over \$10,000,000,000 annually;

(B) support for a major portion of the Nation’s multimillion dollar annual fur and hide harvest; and

(C) fishing, hunting, birdwatching, nature observation and other wetland-related recreational activities that generate billions of dollars annually;

(5) wetlands enhance the water quality and water supply of the Nation by serving as groundwater recharge areas, nutrient traps, and chemical sinks;

(6) wetlands provide a natural means of flood and erosion control by retaining water during periods of high runoff, thereby protecting against loss of life and property;

(7) wetlands constitute only a small percentage of the land area of the United States, are estimated to have been reduced by half in the contiguous States since the founding of our Nation, and continue to disappear by hundreds of thousands of acres each year;

(8) certain activities of the Federal Government have inappropriately altered or assisted in the alteration of wetlands, thereby unnecessarily stimulating and accelerating the loss of these valuable resources and the environmental and economic benefits that they provide; and

(9) the existing Federal, State, and private cooperation in wetlands conservation should be strengthened in order to minimize further