S.

To establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and conserving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

IN THE SENATE OF THE UNITED STATES

Mr. WHITEHOUSE (for himself and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and conserving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Safeguarding America’s Future and Environment Act” or the “SAFE Act”.

SEC. 2. FINDINGS, PURPOSES, AND POLICY.

(a) FINDINGS.—Congress finds that—

(1) natural resources provide significant benefits to the people and economy of the United States, including—

(A) abundant clean water supplies;

(B) flood and coastal storm protection;

(C) clean air;

(D) a source for food, fiber, medicines, and for pollination of the crops and other plants of the United States;

(E) outdoor recreation, which is a source of jobs and economic stimulus;

(F) hunting and fishing opportunities and support of subsistence communities;

(G) scientific research and education; and

(H) world-class tourism destinations that support local economies;

(2) the United States Geological Survey, National Oceanic and Atmospheric Administration, National Aeronautics and Space Administration, and other agencies within the United States Global Change Research Program have observed that the
natural resources of the United States are facing increasing impacts from climate variability and change, including—

(A) more frequent and severe droughts and heatwaves;

(B) more frequent and severe storms and floods;

(C) more frequent and severe wildfires;

(D) more frequent and severe outbreaks of forest pests and invasive species;

(E) flooding and erosion of coastal areas due to rising sea levels;

(F) melting glaciers and sea ice;

(G) thawing permafrost;

(H) shifting fish, wildlife, and plant population ranges;

(I) disruptive shifts in the timing of fish, wildlife, and plant natural history cycles, such as blooming, breeding, and seasonal migrations; and

(J) ocean acidification; and

(3) the Federal Government should provide leadership in preparing for and responding to the impacts described in paragraph (2) to ensure that present and future generations continue to receive
the benefits of the abundant and diverse natural re-

sources of the United States.

(b) PURPOSES.—The purpose of this Act is to estab-

lish an integrated Federal program—

(1) to respond to ongoing and expected impacts

of climate variability and change by protecting, re-

storing, and conserving the natural resources of the

United States; and

(2) to maximize government efficiency and re-

duce costs, in cooperation with State, local, and trib-

al governments and other entities.

(c) NATURAL RESOURCES CLIMATE CHANGE ADAP-

TATION POLICY.—It is the policy of the Federal Govern-

ment, in cooperation with State and local governments, In-

dian tribes, and other interested stakeholders, to use all

practicable means to protect, restore, and conserve natural

resources so that natural resources—

(1) become more resilient, adapt to, and with-

stand the ongoing and expected impacts of climate

variability and change; and

(2) can continue safeguarding the communities

in, and sustaining the economy of, the United

States.

SEC. 3. DEFINITIONS.

In this Act:
(1) BOARD.—The term “Board” means the Science Advisory Board established under section 6(b)(1).

(2) CENTER.—The term “Center” means the National Climate Change and Wildlife Science Center established under section 6(a)(1).

(3) CORRIDORS.—The term “corridors” means areas that—

(A) provide connectivity, over different time scales, of landscapes, habitats or potential habitats, and ecological processes; and

(B) facilitate terrestrial, marine, estuarine, and freshwater fish, wildlife, or plant movement that is necessary—

(i) for migration, gene flow, or dispersal; or

(ii) to respond to the ongoing and expected impacts of climate change (including, where applicable, ocean acidification, drought, flooding, and wildfire).

(4) ECOLOGICAL PROCESSES.—The term “ecological processes” means biological, chemical, or physical interaction between the biotic and abiotic components of an ecosystem, including—

(A) nutrient cycling;
(B) pollination;
(C) predator-prey relationships;
(D) soil formation;
(E) gene flow;
(F) disease epizootiology;
(G) larval dispersal and settlement;
(H) hydrological cycling;
(I) decomposition; and
(J) disturbance regimes, such as fire and flooding.

(5) **Habitat.**—The term “habitat” means the physical, chemical, and biological properties that fish, wildlife, or plants use for growth, reproduction, survival, food, water, or cover (whether on land, in water, or in an area or region).

(6) **Indian tribe.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(7) **Natural resources.**—The term “natural resources” means land, wildlife, fish, air, water, plants, habitats, and ecosystems of the United States.

(8) **Natural resources adaptation.**—The term “natural resources adaptation” means the pro-
tection, restoration, and conservation of natural re-

sources so that natural resources become more resil-

ient, adapt to, and withstand the ongoing and ex-

pected impacts of climate variability and change (in-

cluding, where applicable, ocean acidification,

drought, flooding, and wildfire).

(9) PANEL.—The term “Panel” means the Nat-

ural Resources Climate Change Adaptation Panel es-

established under section 4(a).

(10) RESILIENCE; RESILIENT.—The terms “re-

silience” and “resilient”, with respect to a natural

resource, mean the ability of the natural resource to

recover from disturbance.

(11) STATE.—The term “State” means—

(A) a State of the United States;

(B) the District of Columbia;

(C) American Samoa;

(D) Guam;

(E) the Commonwealth of the Northern

Mariana Islands;

(F) the Commonwealth of Puerto Rico;

and

(G) the United States Virgin Islands.
(12) STRATEGY.—The term “Strategy” means the Natural Resources Climate Change Adaptation Strategy developed under section 5(a).

SEC. 4. NATURAL RESOURCES CLIMATE CHANGE ADAPTATION PANEL.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the President shall establish a Natural Resources Climate Change Adaptation Panel composed of the heads of Federal agencies or departments with jurisdiction over natural resources of the United States, including—

(1) the Administrator of the National Oceanic and Atmospheric Administration;

(2) the Chief of the Forest Service;

(3) the Director of the National Park Service;

(4) the Director of the United States Fish and Wildlife Service;

(5) the Director of the Bureau of Land Management;

(6) the Director of the United States Geological Survey;

(7) the Commissioner of Reclamation;

(8) the Director of the Bureau of Indian Affairs;
(9) the Administrator of the Environmental Protection Agency;
(10) the Chief of Engineers;
(11) the Chair of the Council on Environmental Quality, who shall serve as Chairperson of the Panel; and
(12) the Administrator of the Federal Emergency Management Agency.

(b) Duties.—The Panel shall serve as a forum for interagency consultation on, and the coordination of, the development and implementation of the Strategy.

SEC. 5. NATURAL RESOURCES ADAPTATION STRATEGY.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Panel shall develop a strategy to protect, restore, and conserve natural resources so that natural resources become more resilient, adapt to, and withstand the ongoing and expected impacts of climate variability and change.

(b) Requirements.—In developing and revising the Strategy, the Panel shall—

(1) use the best available science; and

(2) provide public notice and opportunity for comment from all interested stakeholders.

(c) Review and Revision.—Not later than 5 years after the date on which the Strategy is developed under...
subsection (a), and every 5 years thereafter, the Panel shall review and revise the Strategy to incorporate—

(1) new information regarding the ongoing and expected impacts of climate change on natural resources; and

(2) new advances in the development of natural resources adaptation strategies.

(d) CONTENTS.—The Strategy shall—

(1) assess the vulnerability of natural resources to climate change, including short-term, medium-term, long-term, cumulative, and synergistic impacts;

(2) describe current, observation, and monitoring activities at the Federal, State, tribal, and local levels relating to the ongoing and expected impacts of climate change on natural resources;

(3) identify and prioritize research and data needs;

(4) identify natural resources likely to have the greatest need for protection, restoration, and conservation due to the ongoing and expanding impacts of climate variability and change;

(5) include specific protocols for integrating natural resources adaptation strategies and activities into the conservation and management of natural re-
sources by Federal agencies to ensure consistency across agency jurisdictions;

(6) identify opportunities for maintaining, re-
storing, or enhancing natural resources to reduce the
risks of climate variability and change on other vul-
nerable sectors of society;

(7) identify Federal policies and actions that
may reduce resilience and increase the vulnerability
of natural resources to climate variability and
change;

(8) include specific actions that Federal agen-
cies shall take to protect, conserve, and restore nat-
ural resources to become more resilient, adapt to,
and withstand the ongoing and expected impacts of
climate change, including a timeline to implement
those actions;

(9) include specific mechanisms for ensuring
communication and coordination—
(A) among Federal agencies; and
(B) between Federal agencies and State
natural resource agencies, territories of the
United States, Indian tribes, private land-
owners, conservation organizations, and other
countries that share jurisdiction over natural
resources with the United States;
(10) include specific actions to develop and implement coordinated natural resources inventory and monitoring protocols through interagency coordination and collaboration with States and local governments, Indian tribes, and private organizations; and

(11) include procedures for guiding the development of detailed agency-specific adaptation plans required under section 7.

(e) IMPLEMENTATION.—

(1) IN GENERAL.—Consistent with other laws and Federal trust responsibilities concerning Indian land, each Federal agency represented on the Panel shall integrate the elements of the Strategy that relate to conservation, restoration, and management of natural resources into agency plans, environmental reviews, and programs.

(2) PUBLIC REPORT.—Each agency shall, on an annual basis, make available to the public a report documenting the actions of the agency in implementing the Strategy.

(3) COORDINATION.—The Panel shall coordinate the implementation of the Strategy with non-Panel Federal agencies to achieve the national policy described in section 2(c).
SEC. 6. NATURAL RESOURCES ADAPTATION SCIENCE AND INFORMATION.

(a) NATIONAL CLIMATE CHANGE AND WILDLIFE SCIENCE CENTER.—

(1) ESTABLISHMENT.—The Secretary of the Interior, in collaboration with the States, Indian tribes, and other partner organizations, shall establish a National Climate Change and Wildlife Science Center within the United States Geological Survey.

(2) DUTIES OF CENTER.—The Center shall assess and develop scientific information, tools, strategies, and techniques to be used by the Panel, Federal and State agencies, and other interested parties in addressing the impacts of climate variability and change on natural resources.

(b) SCIENCE ADVISORY BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce and the Secretary of the Interior shall establish and appoint the members of a Science Advisory Board.

(2) MEMBERSHIP.—The Board shall be comprised of not fewer than 10 and not more than 20 members—

(A) who have expertise in biology (including fish, wildlife, plant, aquatic, coastal, and
marine biology), ecology, climate change (in-
cluding, where applicable, ocean acidification,
drought, flooding, and wildfire), and other rel-
evant scientific disciplines;

(B) who are scientists that represent a bal-
anced membership among Federal, State, tribal,
and local representatives, universities, and other
interested parties; and

(C) of whom at least 1/2 shall be rec-
ommended by the President of the National
Academy of Sciences.

(3) DUTIES.—The Board shall—

(A) advise the Panel on the state of the
science regarding—

(i) the ongoing and expected impacts
of climate variability and change on nat-
ural resources; and

(ii) scientific strategies and mecha-

nisms for natural resources adaptation;

(B) identify and recommend priorities for
ongoing research needs on the issues described
in subparagraph (A); and

(C) review and comment on the Strategy
before the Strategy is finalized.
(4) **COLLABORATION.**—The Board shall collaborate with climate change and ecosystem research entities in other Federal agencies and departments.

(5) **AVAILABILITY TO PUBLIC.**—The advice and recommendations of the Board shall be made available to the public.

**SEC. 7. FEDERAL NATURAL RESOURCE AGENCY ADAPTATION PLANS.**

(a) **DEVELOPMENT.**—Not later than 1 year after the date of development of the Strategy, each Federal agency with representation on the Panel shall—

(1) complete a natural resources adaptation plan for that Federal agency that is consistent with the Strategy;

(2) detail the ongoing and expanding proposed actions of the Federal agency, and any changes in decisionmaking processes necessary to increase the ability of resources under the jurisdiction of the agency;

(3) provide opportunities for public review and comment on the plan;

(4) coordinate with the plan of each other Federal agency with representation on the Panel; and

(5) submit the plan to the President for approval.
(b) REQUIREMENTS.—Each adaptation plan shall—

(1) identify and prioritize specific conservation strategies and actions that address the ongoing and expected impacts of climate variability and change on natural resources under the jurisdiction of the department or agency preparing the plan, including—

(A) protection, restoration, and conservation of natural resources to become more resilient, adapt to, and better withstand the impacts of climate variability and change;

(B) protection of habitats and ecosystems, the diversity of native fish, wildlife, and plant populations, and wildlife corridors, including—

(i) protection, restoration, and conservation of terrestrial, marine, estuarine, and freshwater habitats and ecosystems;

(ii) establishment of terrestrial, marine, estuarine, and freshwater corridors;

(iii) restoration and conservation of ecological processes;

(iv) protection of a broad diversity of native species of fish, wildlife, and plant populations across the ranges of those species; and
(v) protection of fish, wildlife, and
tplant health, recognizing that climate can
alter the distribution and ecology of
parasites, pathogens, and vectors;

(2) describe how the agency will—

(A) integrate the strategies and conserva-
tion activities into plans, programs, activities,
and actions of the agency relating to the con-
servation and management of natural resources;

(B) establish new plans, programs, activi-
ties, and actions, if necessary;

(C) maintain or restore corridors; and

(D) minimize the impacts of energy, devel-
opment, water, transportation, and trans-
mission projects and other activities on wildlife
and wildlife habitat;

(3) establish methods—

(A) to assess the effectiveness of strategies
and conservation actions the agency takes to
protect, restore, and conserve natural resources
so natural resources become more resilient,
adapt to, and withstand the ongoing and ex-
pected impacts of climate change; and
(B) to update those strategies and actions to respond to new information and changing conditions;

(4) describe current and proposed mechanisms to enhance cooperation and coordination of natural resources adaptation efforts with other Federal agencies, State and local governments, Indian tribes, and nongovernmental stakeholders;

(5) include written guidance to resource managers; and

(6) identify and assess data and information gaps necessary to develop natural resources adaptation plans and strategies.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—On approval by the President, each Federal agency with representation on the Panel shall, consistent with existing authority, implement the adaptation plan of the agency through existing and new plans, policies, programs, activities, and actions.

(2) CONSIDERATION OF IMPACTS.—To the maximum extent practicable and consistent with existing authority, natural resource management decisions made by each Federal agency with representation on the Panel shall—
(A) consider the ongoing and expected impacts of climate variability and change on natural resources; and

(B) select alternatives that will avoid and minimize those impacts and promote resilience.

(d) REVISION AND REVIEW.—Not later than 5 years after the date of implementation of the adaptation plan of a Federal agency, and every 5 years thereafter, the Federal agency shall review and revise the adaptation plan to incorporate the best available science, including advice and information pursuant to section 6 and other information, regarding the ongoing and expected impacts of climate change on natural resources.

SEC. 8. STATE NATURAL RESOURCES ADAPTATION PLANS.

(a) REQUIREMENT.—To be eligible to receive funds pursuant to subsection (d), not later than 1 year after the date of development of the Strategy, each State shall prepare and submit to the Secretary of the Interior and, as applicable, the Secretary of Commerce, a State natural resources adaptation plan detailing current and future efforts of the State to address the ongoing and expected impacts of climate change on natural resources and coastal areas within the jurisdiction of the State.
(b) REVIEW OR APPROVAL.—The Secretary of the Interior and, as applicable, the Secretary of Commerce shall—

(1) review each State adaptation plan; and

(2) approve a State adaptation plan if the plan—

(A) meets the requirements of subsection (c); and

(B) is consistent with the Strategy.

(c) CONTENTS.—A State adaptation plan shall—

(1) meet the requirements described in section 7(b);

(2) include the adaptation provisions of any State comprehensive wildlife conservation strategy (or State wildlife action plan) that has been—

(A) submitted to the United States Fish and Wildlife Service; and

(B) approved, or is pending approval, by the United States Fish and Wildlife Service;

(3) include the adaptation provisions of a statewide assessment and strategy for forest resources required under section 2A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a) that has been—
(A) submitted to the Secretary of Agriculture; and

(B) approved, or is pending approval, by the Secretary of Agriculture; and

(4) include the adaptation provisions of a Coastal Zone Management Plan or a Coastal and Estuarine Land Conservation Program Plan that has been—

(A) submitted to the National Oceanic and Atmospheric Administration; and

(B) approved, or is pending approval, by the National Oceanic and Atmospheric Administration.

(d) DISTRIBUTION OF FUNDS TO STATES.—Any funds made available pursuant to this Act shall be—

(1) used to carry out natural resources adaptation activities in accordance with adaptation plans approved under this section; and

(2) made available through—

(A) the State and tribal wildlife grant program under title I of division F of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2103); and
(B)(i) the grant program under section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455); and

(ii) the Coastal and Estuarine Land Conservation Program established under title II of the Department of Commerce and Related Agencies Appropriations Act, 2002 (16 U.S.C. 1456d).

(e) PUBLIC INPUT.—In developing an adaptation plan, a State shall solicit and consider input from the public and independent scientists.

(f) COORDINATION WITH OTHER PLANS.—A State adaptation plan shall, where appropriate, integrate the goals and measures set forth in other natural resources conservation strategies and plans.

(g) UPDATING.—Each State adaptation plan shall be updated at least every 5 years.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act such sums as are necessary.