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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Agricultural Credit Act of 1978 to authorize the Secretary of Agriculture to provide for floodplain easement restoration and management, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. MESSMER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Agricultural Credit Act of 1978 to authorize the Secretary of Agriculture to provide for floodplain easement restoration and management, and for other purposes.

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 “Restoring America’s  
5       Floodplains Act”.

1 **SEC. 2. EMERGENCY WATERSHED PROGRAM FLOODPLAIN**  
2 **EASEMENT RESTORATION AND MANAGE-**  
3 **MENT.**

4 (a) FLOODPLAIN EASEMENTS.—Section 403(b) of  
5 the Agricultural Credit Act of 1978 (16 U.S.C. 2203(b))  
6 is amended—

7 (1) by redesignating paragraphs (1) and (2) as  
8 paragraphs (5) and (6), respectively;

9 (2) by inserting after the subsection header the  
10 following:

11 “(1) EASEMENT RESTORATION.—The Secretary  
12 is authorized to restore appropriate vegetative cover,  
13 hydrological functions, and other functions and val-  
14 ues of the land subject to a floodplain easement ac-  
15 quired under subsection (a).

16 “(2) EASEMENT MAINTENANCE.—The Sec-  
17 retary is authorized to monitor, maintain, and en-  
18 hance appropriate vegetative cover, hydrological  
19 functions, and other restoration measures on land  
20 subject to a floodplain easement acquired under sub-  
21 section (a).

22 “(3) CONTRACTS AND AGREEMENTS.—In car-  
23 rying out paragraphs (1) and (2), the Secretary  
24 may—

25 “(A) enter into contracts with landowners;  
26 and

1           “(B) enter into agreements with States,  
2           nongovernmental organizations, and Indian  
3           Tribes.

4           “(4) COMPATIBLE USE AUTHORITY.—The Sec-  
5           retary may authorize a landowner to carry out ac-  
6           tivities on land subject to a floodplain easement ac-  
7           quired under subsection (a) that are—

8           “(A) compatible uses necessary to carry  
9           out paragraph (1) or (2); or

10          “(B) compatible economic uses (including  
11          such activities as hunting and fishing, managed  
12          timber harvest, water management, or periodic  
13          haymaking or grazing) if such uses are consistent  
14          with long-term protection of the floodplain func-  
15          tions and values for which the easement was ac-  
16          quired.”; and

17          (3) in paragraph (6), as so redesignated, by  
18          striking “paragraph (1)” and inserting “paragraph  
19          (5)” each place it appears.

20          (b) LEVEL OF RESTORATION.—Section 403 of the  
21          Agricultural Credit Act of 1978 (16 U.S.C. 2203) is  
22          amended by adding at the end the following:

23          “(c) LEVEL OF RESTORATION.—In carrying out this  
24          section, the Secretary may undertake measures that in-  
25          crease the level of protection above that which would be

1 necessary to address the immediate impairment of the wa-  
2 tershed if the Secretary determines that such restoration  
3 is in the best interest of the long-term health of the water-  
4 shed and the long-term protection of the watershed from  
5 repetitive impairments.”.