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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.

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-
23rying 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 haying 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.”.