CHAPTER 42—EMERGENCY CONSERVATION PROGRAM

§ 2201. Payments to agricultural producers for carrying out wind erosion control or rehabilitation measures; criteria

The Secretary of Agriculture is authorized to make payments to agricultural producers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created that (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage that is unusual in character and, except for wind erosion, is not the type that would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use.


Amendments
1989—Pub. L. 101–82, § 502(1), inserted ``(including measures carried out to assist confined livestock)''.

1986—Pub. L. 100–387, title IV, § 402, as added Pub. L. 101–82, title V, § 503, Aug. 14, 1989, 103 Stat. 586, provided that: ``(a) IN GENERAL.—The Secretary of Agriculture may provide disaster relief assistance in accordance with this section to repair damage caused by storms occurring in 1988 or 1989 to watersheds located in any county in any State, to the extent that funds authorized by this section remain available.

(b) FORM OF ASSISTANCE.—The assistance authorized by this section—

``(1) includes both financial and technical assistance; and

``(2) shall be provided in a manner consistent with similar assistance authorized under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

``(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $25,000,000 for fiscal year 1990.''

§ 2202. Payments to agricultural producers for carrying out water conservation or water enhancing measures; criteria

The Secretary of Agriculture is authorized to make payments to agricultural producers who carry out emergency water conservation or water enhancing measures (including measures carried out to assist confined livestock) during periods of severe drought as determined by the Secretary.


Amendments
1989—Pub. L. 101–82, § 502(1), inserted ``(including measures carried out to assist confined livestock)''.

1986—Pub. L. 100–387, title IV, § 402, as added Pub. L. 101–82, title V, § 503, Aug. 14, 1989, 103 Stat. 586, provided that: ``(a) IN GENERAL.—The Secretary of Agriculture may provide disaster relief assistance in accordance with this section to repair damage caused by storms occurring in 1988 or 1989 to watersheds located in any county in any State, to the extent that funds authorized by this section remain available.

(b) FORM OF ASSISTANCE.—The assistance authorized by this section—

``(1) includes both financial and technical assistance; and

``(2) shall be provided in a manner consistent with similar assistance authorized under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

``(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $25,000,000 for fiscal year 1990.''

§ 2204. Authorization of appropriations; availability of funds; implementation of provisions; limitations on expenditures

There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this chapter. Such funds shall remain available until expended. In implementing the provisions of this chapter, the Secretary of Agriculture may use the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out the provisions of this chapter unless funds specifically appropriated for such purpose have been transferred to it.


§ 2205. Regulations for implementation of provisions

The Secretary of Agriculture is authorized to prescribe such regulations as the Secretary determines necessary to carry out the provisions of this chapter.


§ 2206. Emergency forest restoration program

(a) Definitions

In this section:
(1) Emergency measures

The term “emergency measures” means those measures that—

(A) are necessary to address damage caused by a natural disaster to natural resources on nonindustrial private forest land, and the damage, if not treated—

(i) would impair or endanger the natural resources on the land; and

(ii) would materially affect future use of the land; and

(B) would restore forest health and forest-related resources on the land.

(2) Natural disaster

The term “natural disaster” includes wildfires, hurricanes or excessive winds, drought, ice storms or blizzards, floods, or other resource-impacting events, as determined by the Secretary.

(3) Nonindustrial private forest land

The term “nonindustrial private forest land” means rural land, as determined by the Secretary, that—

(A) has existing tree cover (or had tree cover immediately before the natural disaster and is suitable for growing trees); and

(B) is owned by any nonindustrial private individual, group, association, corporation, or other private legal entity, that has definitive decision-making authority over the land.

(4) Secretary

The term “Secretary” means the Secretary of Agriculture.

(b) Availability of assistance

The Secretary may make payments to an owner of nonindustrial private forest land who carries out emergency measures to restore the land after the land is damaged by a natural disaster.

(c) Eligibility

To be eligible to receive a payment under subsection (b), an owner must demonstrate to the satisfaction of the Secretary that the nonindustrial private forest land on which the emergency measures are carried out had tree cover immediately before the natural disaster.

(d) Cost share requirement

Payments made under subsection (b) shall not exceed 75 percent of the total cost of the emergency measures carried out by an owner of nonindustrial private forest land.

(e) Authorization of appropriations

There are authorized to be appropriated to the Secretary such funds as may be necessary to carry out this section. Amounts so appropriated shall remain available until expended.


CHAPTER 43—PUBLIC TRANSPORTATION PROGRAMS FOR NATIONAL PARK SYSTEM AREAS

§ 2301. Congressional statement of findings and purpose

(a) The Congress hereby finds that—

(1) the purpose of the National Park System is to preserve outstanding natural, scenic, historic, and recreational areas for the enjoyment, education, inspiration, and use of all people;

(2) units of the National Park System have recently been established near major metropolitan areas in order to preserve remaining open space and to provide recreational opportunities for urban residents (many of whom do not have access to personal motor vehicles); and

(3) circumstances which necessarily require people desiring to visit units of the National Park System to rely on personal motor vehicles may diminish the natural and recreational value of such units by causing traffic congestion and environmental damage, and by requiring the provision of roads, parking, and other facilities in ever-increasing numbers and density.

(b) The purpose of this chapter is to make the National Park System more accessible in a manner consistent with the preservation of parks and the conservation of energy by encouraging the use of transportation modes other than personal motor vehicles for access to and within units of the National Park System with minimum disruption to nearby communities through authorization of a pilot transportation program.