

105TH CONGRESS  
1ST SESSION

# H. R. 1135

To provide for the protection of farmland at the Point Reyes National Seashore, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1997

Ms. WOOLSEY (for herself and Mr. GILCHREST) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the protection of farmland at the Point Reyes National Seashore, 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 “Point Reyes National  
5 Seashore Farmland Protection Act of 1997”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

8 (1) protect the pastoral nature of the land adja-  
9 cent to the Point Reyes National Seashore from de-

1        velopment that would be incompatible with the char-  
 2        acter, integrity, and visitor experience of the park;

3            (2) create a model public/private partnership  
 4        among the Federal, State, and local governments, as  
 5        well as organizations and citizens that will preserve  
 6        and enhance the historic agricultural lands along  
 7        Tomales and Bodega Bay Watersheds;

8            (3) protect the substantial Federal investment  
 9        in Point Reyes National Seashore by furnishing wa-  
 10       tershed and environmental protection and maintain-  
 11       ing the relatively undeveloped nature of the land  
 12       surrounding Tomales and Bodega Bays; and

13           (4) preserve productive long-term agriculture  
 14        and aquaculture in Marin and Sonoma Counties,  
 15        primarily by maintaining the land in private owner-  
 16       ship restricted by conservation easements.

17 **SEC. 3. ADDITION OF FARMLAND PROTECTION AREA TO**  
 18 **POINT REYES NATIONAL SEASHORE AND AC-**  
 19 **QUISITION OF DEVELOPMENT RIGHTS.**

20        (a) ADDITION.—Section 2 of the Act entitled “An Act  
 21       to establish the Point Reyes National Seashore in the  
 22       State of California, and for other purposes” (16 U.S.C.  
 23       459c–1) is amended by adding at the end the following:

24           “(c) The Point Reyes National Seashore shall also  
 25       include the Farmland Protection Area depicted on the

1 map numbered 612/60,163 and dated July, 1995. Such  
2 map shall be on file and available for public inspection  
3 in the Offices of the National Park Service, Department  
4 of the Interior, Washington, District of Columbia.

5 “(d) Within the Farmland Protection Area depicted  
6 on the map referred to in section 2(c) of this Act the pri-  
7 mary objective shall be to maintain agricultural land in  
8 private ownership protected from nonagricultural develop-  
9 ment by conservation easements.”

10 (b) AUTHORITY FOR FARMLAND ACQUISITION AND  
11 MANAGEMENT.—Section 3 of such Act (16 U.S.C. 459c–  
12 2) is amended by adding at the end the following:

13 “(d)(1) Notwithstanding subsections (a) through (c)  
14 of this section, the Secretary, to encourage continued agri-  
15 cultural use, may acquire lands or interests in lands from  
16 the owners of such lands within the Farmland Protection  
17 Area depicted on the map referred to in section 2(c) of  
18 this Act. Except as provided in paragraph (3), lands and  
19 interests in lands may only be acquired under this sub-  
20 section by donation, purchase with donated or appro-  
21 priated funds, or exchange. Lands acquired under this  
22 subsection by exchange may be exchanged for lands lo-  
23 cated outside of the State of California, notwithstanding  
24 section 206(b) of the Federal Land Policy and Manage-  
25 ment Act of 1976 (43 U.S.C. 1716(b)).

1       “(2)(A) The Secretary shall give priority to (i) ac-  
2       quiring interests in lands through the purchase of develop-  
3       ment rights and conservation easements, (ii) acquiring  
4       lands and interests therein from nonprofit corporations  
5       operating primarily for conservation purposes, and (iii) ac-  
6       quiring lands and interests therein by donation or ex-  
7       change.

8       “(B) The Secretary shall not acquire any conserva-  
9       tion easements on land within the Farmland Protection  
10      Area from nonprofit organizations which were acquired by  
11      such nonprofit organizations prior to January 1, 1997.

12      “(C) For the purpose of managing, in the most cost  
13      effective manner, interests in lands acquired under this  
14      subsection, and for the purpose of maintaining continuity  
15      with lands that have existing easements, the Secretary  
16      shall enter into cooperative agreements with public agen-  
17      cies or nonprofit organizations having substantial experi-  
18      ence holding, monitoring, and managing conservation  
19      easements on agricultural land in the region, such as the  
20      Marin Agricultural Land Trust, the Sonoma County Agri-  
21      cultural Preservation and Open Space District, and the  
22      Sonoma Land Trust.

23      “(3)(A) Within the boundaries of the Farmland Pro-  
24      tection Area depicted on the map referred to in section  
25      2(c), absent an acquisition of privately owned lands or in-

1 terests therein by the United States, nothing in this Act  
2 shall authorize any Federal agency or official to regulate  
3 the use or enjoyment of privately owned lands, including  
4 lands currently subject to easements held by the Marin  
5 Agricultural Land Trust, the Sonoma County Agricultural  
6 Preservation and Open Space District, and the Sonoma  
7 Land Trust, and such privately owned lands shall continue  
8 under the jurisdiction of the State and political subdivi-  
9 sions within which they are located.

10       “(B) The Secretary may permit, or lease, lands ac-  
11 quired in fee under this subsection. Any such permit or  
12 lease shall be subject to such conditions and restrictions  
13 as the Secretary deems necessary to assure the continued  
14 agricultural use of such lands in a manner compatible with  
15 the purposes of the Point Reyes National Seashore Farm-  
16 land Protection Act of 1997. Notwithstanding any other  
17 provision of law, revenues derived from any such permit,  
18 or lease, may be retained by the Secretary, and such reve-  
19 nues shall be available, without further appropriation, for  
20 expenditure to further the goals and objectives of agricul-  
21 tural preservation within the boundaries of the area de-  
22 picted on the map referred to in section 2(c).

23       “(C) Lands, and interests in lands, within the area  
24 depicted on the map referred to in section 2(c) of this Act  
25 which are owned by the State of California, or any political

1 subdivision thereof, may be acquired only by donation or  
2 exchange.

3 “(4) Section 5 shall not apply with respect to lands  
4 and interests in lands acquired under this subsection.”.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
6 9 of such Act (16 U.S.C. 459c–7) is amended by adding  
7 at the end the following: “In addition to the sums author-  
8 ized to be appropriated by this section before the enact-  
9 ment of the Point Reyes National Seashore Farmland  
10 Protection Act of 1997, there is authorized to be appro-  
11 priated \$30,000,000 to be used on a matching basis to  
12 acquire lands and interests in lands under section 3(d).  
13 The Federal share of the costs for acquiring land and in-  
14 terests in lands under section 3(d) shall be one half of  
15 the total costs of such acquisition. The non-Federal share  
16 of such acquisition costs may be in the form of property,  
17 monies, services, or in-kind contributions, fairly valued.  
18 For such purposes, any lands or interests in lands that  
19 are within the boundaries of the area depicted on the map  
20 referred to in section 2(c), that are currently held under  
21 a conservation easement by the Marin Agricultural Land  
22 Trust, the Sonoma County Agricultural Preservation and  
23 Open Space District, the Sonoma Land Trust, or any  
24 other land protection agency or by the State of California  
25 or any political subdivision thereof shall be considered a

- 1 matching contribution from non-Federal sources in an
- 2 amount equal to the fair market value of such lands or
- 3 interests in land, as determined by the Secretary.”.

