

106TH CONGRESS
1ST SESSION

H. R. 2202

To authorize the Secretary of the Interior to make grants to promote the voluntary protection of certain lands in portions of Marin and Sonoma Counties, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1999

Ms. WOOLSEY introduced the following bill; which was referred to the
Committee on Resources

A BILL

To authorize the Secretary of the Interior to make grants to promote the voluntary protection of certain lands in portions of Marin and Sonoma Counties, California, 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 Farmland
5 Protection Act of 1999”.

6 **SEC. 2. POINT REYES FARMLAND PROTECTION.**

7 (a) DEFINITIONS.—In this section:

8 (1) ELIGIBLE LANDS.—

1 (A) IN GENERAL.—The term “eligible
2 lands” means parcels of land in Marin or
3 Sonoma Counties in the State of California that
4 are located wholly or partially in what is known
5 as—

6 (i) the Marin County coastal zone,
7 unit II, per Marin County Agricultural
8 Zoning Map, file designation, MALT-
9 AGDWG, PLT.HPG, extending from
10 Lagunitas Creek north along the east
11 shore of Tomales Bay to the boundary
12 with Sonoma County; or

13 (ii) the Sonoma County coastal zone,
14 per the Sonoma County Post-Local Coastal
15 Plan Certification Map of January 1981,
16 extending from the boundary with Marin
17 County north to Highway 1 and Doran
18 Beach Road.

19 (B) EXCLUSION.—The term does not in-
20 clude any lands described in subparagraph (A)
21 that are zoned solely or exclusively for commer-
22 cial or residential use.

23 (2) ELIGIBLE ENTITY.—The term “eligible enti-
24 ty” means—

25 (A) a State or local government agency; or

1 (B) a nonprofit organization having sub-
2 stantial experience in the holding, monitoring,
3 and managing of conservation easements on eli-
4 gible lands, including the Marin Agricultural
5 Land Trust, the Sonoma County Agricultural
6 Preservation and Open Space District, and the
7 Sonoma Land Trust.

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (b) PURPOSES.—The purposes of this section are—

11 (1) to promote the acquisition of conservation
12 easements on eligible lands from willing sellers,
13 which will protect agricultural lands and prevent in-
14 compatible development, while still maintaining the
15 lands in private ownership;

16 (2) to create a voluntary public/private partner-
17 ship among the Federal Government, the State of
18 California, local governments, eligible entities, and
19 participating citizens, which can serve as a model for
20 other farmland, watershed, and open space preserva-
21 tion efforts; and

22 (3) to protect the substantial Federal invest-
23 ment in the Point Reyes National Seashore by pro-
24 tecting nearby eligible lands and water resources

1 that maintain the relatively undeveloped nature of
2 the lands adjacent to Tomales and Bodega Bays.

3 (c) GRANTS FOR PURCHASE OF EASEMENTS.—To
4 promote the purposes of this section, the Secretary may
5 make grants to eligible entities to provide the Federal
6 share of the cost of purchasing permanent conservation
7 easements on eligible lands from willing sellers for the pur-
8 pose of preserving agricultural lands.

9 (d) NEGOTIATION, ACQUISITION, AND ADMINISTRA-
10 TION OF EASEMENTS.—

11 (1) ACQUISITION OF PERMANENT EASE-
12 MENTS.—Easements acquired using funds provided
13 by the Secretary under subsection (c) shall be in
14 perpetuity.

15 (2) NEGOTIATION.—The acquisition of an ease-
16 ment using funds provided by the Secretary under
17 subsection (c) shall be negotiated and transacted be-
18 tween the willing seller and the eligible entity.

19 (3) ADMINISTRATION.—Easements acquired by
20 an eligible entity using funds provided by the Sec-
21 retary under subsection (c) shall be held by the eligi-
22 ble entity.

23 (4) EXECUTORY LIMITATION.—If an eligible en-
24 tity holding an easement acquired using funds pro-
25 vided by the Secretary under subsection (c) ceases to

1 exist or ceases to be a nonprofit organization, the el-
2 igible entity's rights and obligations under the ease-
3 ment shall vest in the United States.

4 (e) PROTECTION OF PRIVATE PROPERTY.—

5 (1) CONSENT OF OWNER REQUIRED.—No inter-
6 est in eligible lands may be acquired using funds
7 provided by the Secretary under subsection (c) with-
8 out the consent of the owner of the eligible lands.

9 (2) PROHIBITION ON LAND PURCHASES.—
10 Funds provided by the Secretary under subsection
11 (c) may not be used, or combined with other funds,
12 to acquire land in fee title.

13 (3) REGULATION.—Nothing in this Act shall be
14 construed to authorize the Secretary or any other
15 Federal agency or official to regulate the use or en-
16 joyment of privately owned eligible lands, including
17 lands subject to easements held by an eligible entity.

18 (f) MATCHING FUNDS.—

19 (1) MATCHING REQUIREMENT.—Subject to
20 paragraph (2), the Federal share of the costs for ac-
21 quiring a conservation easement in eligible lands
22 may not exceed one half of the total costs of such
23 acquisition. The non-Federal share of the acquisition
24 costs may be provided in the form of property, mon-
25 ies, services, or in-kind contributions, fairly valued.

1 (2) RECOGNITION OF PREVIOUS CONSERVATION
2 EFFORTS.—To the extent that an eligible entity
3 holds conservation easements on eligible lands as of
4 the date of the enactment of this Act, the Secretary
5 shall waive the match requirement of paragraph (1)
6 for that eligible entity until such time as Federal
7 funds are provided to that eligible entity under sub-
8 section (c) in an amount equal to the fair market
9 value of the conservation easements, as determined
10 by the Secretary.

11 (g) RELATIONSHIP TO OTHER LAND PRESERVATION
12 EFFORTS.—The authority provided by this section is in
13 addition to, and shall not preclude the use of, other au-
14 thorities that may be available to the Federal Government
15 to preserve eligible lands.

16 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated \$60,000,000 to the Sec-
18 retary to make grants under this section.

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