

108TH CONGRESS
1ST SESSION

H. R. 3482

To amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm and ranch land to voluntarily make their land available for access by the public under programs administered by States.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2003

Mr. POMEROY (for himself and Mr. OSBORNE) introduced the following bill;
which was referred to the Committee on Agriculture

A BILL

To amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm and ranch land to voluntarily make their land available for access by the public under programs administered by States.

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 “Voluntary Public Ac-
5 cess and Wildlife Habitat Incentive Program Act of
6 2003”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1 (1) according to the United States Fish and
2 Wildlife Service, in 2001, 82,000,000 individuals in
3 the United States aged 16 years and older partici-
4 pated in wildlife-related recreation, including
5 34,000,000 individuals who hunted, and more than
6 66,000,000 who engaged in wildlife-related recre-
7 ation such as observing, feeding, or photographing
8 wildlife, in the United States;

9 (2) individuals who participated in wildlife-re-
10 lated activities in 2001 spent an estimated
11 \$108,000,000,000, including—

12 (A) more than \$35,000,000,000 on fishing;

13 (B) nearly \$21,000,000,000 on hunting;

14 and

15 (C) more than \$28,000,000,000 on food,
16 lodging, and transportation;

17 (3) the growing public demand for outdoor rec-
18 reational opportunities is increasingly constrained by
19 the limits on both public and private land resources;

20 (4) limited public access on private land has
21 often frustrated and disappointed hunters and other
22 naturalists, and undermined the relationship be-
23 tween land owners and the general public;

24 (5) several States have established successful
25 but modest walk-in programs to encourage public ac-

1 cess on private farm and ranch land, yet the demand
 2 for such voluntary access programs remains largely
 3 unfulfilled;

4 (6) traditional agricultural markets have in re-
 5 cent years offered limited income opportunities for
 6 farm and ranch land owners and operators; and

7 (7) current proposals to reform world agricul-
 8 tural trade favor the development of new methods to
 9 support the income of agricultural producers that
 10 have minimal impact on agricultural production and
 11 prices.

12 **SEC. 3. VOLUNTARY PUBLIC ACCESS AND HABITAT INCEN-**
 13 **TIVE PROGRAM.**

14 (a) IN GENERAL.—Chapter 5 of subtitle D of title
 15 XII of the Food Security Act of 1985 (16 U.S.C. 3839bb
 16 et seq.) is amended by adding at the end the following:

17 **“SEC. 1240Q. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**
 18 **CENTIVE PROGRAM.**

19 “(a) IN GENERAL.—The Secretary shall establish a
 20 voluntary public access program under which States may
 21 apply for grants to encourage owners and operators of pri-
 22 vately-held farm and ranch land to voluntarily make that
 23 land available for access by the public under programs ad-
 24 ministered by the States.

1 “(b) APPLICATIONS.—In submitting applications for
2 a grant under the program, a State shall describe—

3 “(1) the benefits that the State intends to
4 achieve by encouraging public access on private farm
5 and ranch land, through such activities as hunting,
6 fishing, bird watching, and related outdoor activities;
7 and

8 “(2) the methods that will be used to achieve
9 those benefits.

10 “(c) PRIORITY.—In approving applications and
11 awarding grants under the program, the Secretary shall
12 give priority to States that propose—

13 “(1) to maximize participation by offering a
14 program the terms of which are likely to meet with
15 widespread acceptance among landowners;

16 “(2) to ensure that land enrolled under the
17 State program has appropriate wildlife habitat;

18 “(3) to strengthen wildlife habitat improvement
19 efforts on land enrolled in a special conservation re-
20 serve enhancement program described in 1234(f)(4)
21 by providing incentives to increase public access on
22 that land; and

23 “(4) to use additional Federal, State, or private
24 resources in carrying out the program.

1 “(d) RELATIONSHIP TO OTHER LAWS.—Nothing in
2 this section preempts a State law (including any State li-
3 ability law).

4 “(e) REGULATIONS.—The Secretary shall promulgate
5 such regulations as are necessary to carry out this sec-
6 tion.”.

7 (b) FUNDING.—Section 1241(a) of the Food Security
8 Act of 1985 (16 U.S.C. 3841(a)) is amended by adding
9 at the end the following:

10 “(8) The voluntary public access program
11 under section 1240Q, using, to the maximum extent
12 practicable, \$50,000,000 in each of fiscal years 2003
13 through 2007.”.

14 **SEC. 4. PREVENTION OF EXCESS BASE ACRES.**

15 Section 1101(g)(2) of the Farm Security and Rural
16 Investment Act of 2002 (7 U.S.C. 7911(g)(2)) is amended
17 by striking subparagraph (C).

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