

111TH CONGRESS  
1ST SESSION

# S. 1525

To amend the Act of May 29, 1930 (Chapter 354; 46 Stat. 482; commonly known as the Capper-Cramton Act), to authorize a grant program to preserve resources in the National Capital region, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 28, 2009

Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. WEBB) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Act of May 29, 1930 (Chapter 354; 46 Stat. 482; commonly known as the Capper-Cramton Act), to authorize a grant program to preserve resources in the National Capital region, 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 “National Capital Re-  
5 gion Land Conservation Act of 2009”.

1 **SEC. 2. AUTHORIZATION OF GRANT PROGRAM.**

2       The Act of May 29, 1930 (Chapter 354; 46 Stat.  
3 482; commonly known as the Capper-Cramton Act), is  
4 amended by adding at the end the following:

5 **“SEC. 7. GRANT PROGRAM TO PRESERVE RESOURCES IN**  
6 **THE NATIONAL CAPITAL REGION.**

7       “(a) ESTABLISHMENT.—Out of amounts appro-  
8 priated to carry out this section, the Secretary of the Inte-  
9 rior, acting through the Director of the National Park  
10 Service, is authorized to make grants to covered States  
11 and covered local governments to assist the acquisition of  
12 lands and interests therein that affect or are within the  
13 National Capital region and that will be used for any of  
14 the following purposes:

15           “(1) Parks.

16           “(2) Open space.

17           “(3) Green space corridors that link public  
18 lands, lands subject to conservation restrictions, or  
19 a combination of such lands.

20           “(4) Agriculture.

21           “(5) Forests.

22           “(6) Fish and wildlife habitat.

23           “(7) Watershed protection.

24           “(8) Historic preservation.

25           “(9) Sensitive environmental area protection.

26           “(10) Public recreation.

1       “(b) RESTRICTION TO CERTAIN USES.—The Sec-  
2 retary shall require that, for each grant under subsection  
3 (a), any land or interest therein acquired through the as-  
4 sistance of such grant may not be used for a purpose other  
5 than a purpose described in subsection (a).

6       “(c) GRANT DETERMINATIONS.—In determining  
7 whether to make a grant under subsection (a), the Sec-  
8 retary shall consider the following:

9           “(1) How the proposed acquisition furthers  
10 local and regional planning and policy objectives.

11          “(2) The amount of non-Federal funding to be  
12 provided for the proposed acquisition.

13          “(3) The relationship of the proposed acqui-  
14 sition to other public lands and conservation areas.

15          “(4) The relative need of an area for the pro-  
16 posed acquisition due to such area’s limited or lack-  
17 ing quality or quantity of protected resources.

18          “(5) Any impending threat to the resource  
19 under consideration for protection by the proposed  
20 acquisition.

21       “(d) MATCHING REQUIREMENT.—Grants under sub-  
22 section (a) shall be in an amount not to exceed 50 percent  
23 of the total cost of the acquisition such grant will assist,  
24 which includes costs relating to purchase price, appraisal,

1 survey, title clearance, and closing. The non-Federal share  
2 of such cost may be in cash or in kind.

3 “(e) APPLICABLE LAWS.—Acquisitions assisted by a  
4 grant under subsection (a) shall be in accord with the laws  
5 of the applicable covered State, including any require-  
6 ments for appraisal and acceptable title.

7 “(f) TITLE AND MANAGEMENT OF LANDS.—Title to  
8 lands and interests therein acquired with the assistance  
9 of a grant under subsection (a) shall be held by the cov-  
10 ered State or covered local government making the acqui-  
11 sition. Management responsibilities for the lands and in-  
12 terests may be delegated to nonprofit organizations on  
13 such terms and conditions deemed by the title holder to  
14 be in the public interest.

15 “(g) RELATIONSHIP TO OTHER FEDERAL FUND-  
16 ING.—The authority of the Secretary to make grants  
17 under subsection (a) is in addition to any other authority  
18 provided to acquire lands and interests therein for related  
19 purposes, except that Federal funds provided under any  
20 other authority may not be used for the non-Federal share  
21 required under subsection (d).

22 “(h) PLANNING GRANTS.—The Secretary is author-  
23 ized to make grants to covered States, covered local gov-  
24 ernments, and nonprofit organizations for the purpose of  
25 planning and evaluating acquisitions eligible for a grant

1 under subsection (a). The sum of the amounts of grants  
 2 made under this subsection in a fiscal year may not exceed  
 3 5 percent of the amount of funds appropriated to carry  
 4 out this section in the fiscal year.

5 “(i) ADMINISTRATIVE COSTS.—Not more than 2 per-  
 6 cent of the amount of funds appropriated to carry out this  
 7 section in a fiscal year may be used for administrative  
 8 costs.

9 “(j) RELATIONSHIP TO OTHER PROVISIONS OF THIS  
 10 ACT.—No requirement of this Act, except a requirement  
 11 under this section, applies to an activity under this sec-  
 12 tion.

13 “(k) DEFINITIONS.—In this section, the following  
 14 definitions apply:

15 “(1) COVERED LOCAL GOVERNMENT.—The  
 16 term ‘covered local government’ means a political  
 17 subdivision of a covered State.

18 “(2) COVERED STATE.—The term ‘covered  
 19 State’ means each of Maryland, Virginia, West Vir-  
 20 ginia, and the District of Columbia, including any  
 21 department or agency thereof.

22 “(3) NATIONAL CAPITAL REGION.—The term  
 23 ‘National Capital region’ means the Washington-Ar-  
 24 lington-Alexandria, DC-VA-MD-WV Metropolitan  
 25 Statistical Area as such Area is defined by the Of-

1        fice of Management and Budget’s OMB Bulletin No.  
2        09–01, dated November 20, 2008, and as such Area  
3        may be revised by the Office of Management and  
4        Budget from time to time.

5            “(4) SECRETARY.—The term ‘Secretary’ means  
6        the Secretary of the Interior, acting through the Di-  
7        rector of the National Park Service.

8        “(1) AUTHORIZATION OF APPROPRIATIONS.—To  
9        carry out this section, there is authorized to be appro-  
10       priated to the Secretary \$50,000,000 for each of fiscal  
11       years 2010 through 2014.”.

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