

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, with \$25,000,000 appropriated for fiscal year 1990.

§ 2204. Funding and administration

(a) Authorization of appropriations

There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this chapter, to remain available until expended.

(b) Set-aside for fencing

Of the amounts made available under subsection (a) for a fiscal year, 25 percent shall be set aside until April 1 of that fiscal year for the repair or replacement of fencing.

(c) Use of Commodity Credit Corporation

In implementing this chapter, the Secretary may use the facilities, services, and authorities of the Commodity Credit Corporation.

(d) Limitation

The Commodity Credit 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.

(Pub. L. 95-334, title IV, §404, Aug. 4, 1978, 92 Stat. 434; Pub. L. 115-334, title II, §2403(a)(2)(A), (e), Dec. 20, 2018, 132 Stat. 4571, 4572.)

Editorial Notes

2018—Pub. L. 115-334, §2403(e), inserted section catchline; designated first, third, and fourth sentences as subsections (a), (c), and (d), respectively, and inserted headings; in subsection (a), inserted “, to remain available until expended” before period at end; in subsection (c), substituted “In implementing this chapter” for “In implementing the provisions of this chapter”; in subsection (d), substituted “The Commodity Credit Corporation” for “The Corporation”; added subsection (b); and struck out former second sentence which read as follows: “Such funds shall remain available until expended.”

Pub. L. 115-334, §2403(a)(2)(A), substituted “Secretary” for “Secretary of Agriculture” in third sentence.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 406 of Pub. L. 95-334, set out as a note under section 2201 of this title.

§ 2205. Regulations for implementation of provisions

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

(Pub. L. 95-334, title IV, §405, Aug. 4, 1978, 92 Stat. 434; Pub. L. 115-334, title II, §2403(a)(2)(A), Dec. 20, 2018, 132 Stat. 4571.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-334 substituted “The Secretary is” for “The Secretary of Agriculture is”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 406 of Pub. L. 95-334, set out as a note under section 2201 of this title.

§ 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.

(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.

(Pub. L. 95-334, title IV, §407, as added Pub. L. 110-234, title VIII, §8203(a), May 22, 2008, 122 Stat.