

L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 3839aa-8, Pub. L. 99-198, title XII, § 1240H, as added Pub. L. 104-127, title III, § 334, Apr. 4, 1996, 110 Stat. 1002, related to temporary administration of environmental quality incentives program, prior to the general amendment of this part by Pub. L. 107-171.

AMENDMENTS

2022—Subsecs. (b)(2), (c)(2). Pub. L. 117-169 substituted “2031” for “2023”.

2018—Subsec. (a)(1). Pub. L. 115-334, § 2301(d)(1)(J), substituted “this subpart” for “this part”.

Subsec. (a)(2)(A). Pub. L. 115-334, § 2307(a)(1), substituted “program or community colleges (as defined in section 3319e(a) of title 7) carrying out demonstration projects on land of the community college;” for “program;”.

Subsec. (a)(2)(B). Pub. L. 115-334, § 2301(d)(1)(J), substituted “this subpart” for “this part”.

Subsec. (a)(2)(E) to (H). Pub. L. 115-334, § 2307(a)(2), (3), added subpars. (E) and (F) and redesignated former subpars. (E) and (F) as (G) and (H), respectively.

Subsec. (b)(2). Pub. L. 115-334, § 2307(b), substituted “\$37,500,000 for each of fiscal years 2019 through 2023” for “\$25,000,000 for each of fiscal years 2009 through 2018”.

Pub. L. 115-334, § 2301(d)(1)(J), substituted “this subpart” for “this part”.

Subsecs. (c), (d). Pub. L. 115-334, § 2307(c), added subsecs. (c) and (d) and struck out former subsec. (c). Prior to amendment, text of subsec. (c) read as follows: “Not later than December 31, 2014, and every two years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including—

“(1) funding awarded;

“(2) project results; and

“(3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.”

2014—Subsec. (a)(2)(E), (F). Pub. L. 113-79, § 2207(1), added subpars. (E) and (F).

Subsec. (b)(2). Pub. L. 113-79, § 2207(2), substituted “\$25,000,000” for “\$37,500,000” and “2018” for “2012”.

Subsec. (c). Pub. L. 113-79, § 2207(3), added subsec. (c).

2008—Pub. L. 110-246, § 2509, amended section generally. Prior to amendment, section related to conservation innovation grants.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

§ 3839aa-9. Repealed. Pub. L. 113-79, title II, § 2706(a), Feb. 7, 2014, 128 Stat. 769

Section, Pub. L. 99-198, title XII, § 1240I, as added Pub. L. 107-171, title II, § 2301, May 13, 2002, 116 Stat. 257; amended Pub. L. 110-234, title II, § 2510, May 22, 2008, 122 Stat. 1064; Pub. L. 110-246, § 4(a), title II, § 2510, June 18, 2008, 122 Stat. 1664, 1792, related to agricultural water enhancement program.

Statutory Notes and Related Subsidiaries

REPEAL; TRANSITIONAL PROVISIONS

Pub. L. 113-79, title II, § 2706, Feb. 7, 2014, 128 Stat. 769, provided that:

“(a) REPEAL.—Except as provided in subsection (b), section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9) is repealed.

“(b) TRANSITIONAL PROVISIONS.—

“(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section [repealing section 3839aa-9 of this title] shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240I of the Food Security Act of 1985 ([former] 16 U.S.C. 3839aa-9) before the date of enactment of the Agricultural Act of 2014 [Feb. 7, 2014], or any payments required to be made in connection with the contract or agreement.

“(2) FUNDING.—

“(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240I of the Food Security Act of 1985 ([former] 16 U.S.C. 3839aa-9), any funds made available from the Commodity Credit Corporation to carry out the agricultural water enhancement program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

“(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary [of Agriculture] may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985 [16 U.S.C. 3871 et seq.], as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on the day before the date of enactment of the Agricultural Act of 2014.”

SUBPART B—CONSERVATION STEWARDSHIP PROGRAM

§ 3839aa-21. Definitions

In this subpart:

(1) Agricultural operation

The term “agricultural operation” means all eligible land, whether or not contiguous, that is—

(A) under the effective control of a producer at the time the producer enters into a contract under the program; and

(B) operated with equipment, labor, management, and production or cultivation practices that are substantially separate from other agricultural operations, as determined by the Secretary.

(2) Conservation activities

(A) In general

The term “conservation activities” means conservation systems, practices, or management measures.

(B) Inclusions

The term “conservation activities” includes—

(i) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary;

(ii) planning needed to address a priority resource concern;

(iii) development of a comprehensive conservation plan, as defined in section 3839aa-24(e)(1) of this title;