

Stat. 751; Pub. L. 115–334, title II, §2405, Dec. 20, 2018, 132 Stat. 4573; Pub. L. 118–22, div. B, title I, §102(d)(1)(A), Nov. 17, 2023, 137 Stat. 116.)

Editorial Notes

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 made identical amendments to this section. The amendments by Pub. L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

AMENDMENTS

2023—Subsec. (b)(3). Pub. L. 118–22 inserted dash after “use”, designated remainder of existing provisions as subpar. (A), and added subpar. (B).

2018—Subsec. (b)(1). Pub. L. 115–334, §2405(a), substituted “2023” for “2018”.

Subsec. (b)(3). Pub. L. 115–334, §2405(b), added par. (3).

2014—Subsec. (b). Pub. L. 113–79 amended subsec. (b) generally. Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2008 through 2012.”

2008—Subsec. (b). Pub. L. 110–246, §2603, substituted “\$20,000,000 for each of fiscal years 2008 through 2012” for “\$5,000,000 for each of fiscal years 2002 through 2007”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2023 AMENDMENT

Amendment by Pub. L. 118–22 to be applied and administered as if enacted on Sept. 30, 2023, see section 102(g) of Pub. L. 118–22, set out in an Extension of Agricultural Programs note under section 9001 of Title 7, Agriculture.

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.

§ 3839bb–3. Repealed. Pub. L. 113–79, title II, §2708, Feb. 7, 2014, 128 Stat. 770

Section, Pub. L. 99–198, title XII, §1240P, as added Pub. L. 107–171, title II, §2502(a), May 13, 2002, 116 Stat. 267; amended Pub. L. 110–234, title II, §2604, May 22, 2008, 122 Stat. 1068; Pub. L. 110–246, §4(a), title II, §2604, June 18, 2008, 122 Stat. 1664, 1796, related to Great Lakes basin program for soil erosion and sediment control.

§ 3839bb–4. Repealed. Pub. L. 113–79, title II, §2709(a), Feb. 7, 2014, 128 Stat. 770

Section, Pub. L. 99–198, title XII, §1240Q, as added Pub. L. 110–234, title II, §2605, May 22, 2008, 122 Stat. 1069, and Pub. L. 110–246, §4(a), title II, §2605, June 18, 2008, 122 Stat. 1664, 1797, related to conservation activities on agricultural lands in the Chesapeake Bay watershed.

Statutory Notes and Related Subsidiaries

REPEAL; TRANSITIONAL PROVISIONS

Pub. L. 113–79, title II, §2709, Feb. 7, 2014, 128 Stat. 770, provided that:

“(a) REPEAL.—Except as provided in subsection (b), section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) is repealed.

“(b) TRANSITIONAL PROVISIONS.—

“(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section [repealing section 3839bb–4 of this title] shall not affect the validity or terms of any contract, agree-

ment, or easement entered into by the Secretary of Agriculture under section 1240Q of the Food Security Act of 1985 ([former] 16 U.S.C. 3839bb–4) 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, agreement, or easement.

“(2) FUNDING.—

“(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240Q of the Food Security Act of 1985 ([former] 16 U.S.C. 3839bb–4), any funds made available from the Commodity Credit Corporation to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, and easements 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.—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, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on the day before the date of enactment of the Agricultural Act of 2014.”

§ 3839bb–5. Voluntary public access and habitat incentive program

(a) Establishment

The Secretary shall establish a voluntary public access program under which States and tribal governments may apply for funding to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting or fishing under programs administered by the States and tribal governments.

(b) Applications

In submitting applications for funding under the program, a State or tribal government shall describe—

(1) the benefits that the State or tribal government intends to achieve by encouraging public access to private farm and ranch land for—

(A) hunting and fishing; and

(B) to the maximum extent practicable, other recreational purposes; and

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

(c) Priority

In approving applications and awarding funding under the program, the Secretary shall give priority to States and tribal governments that propose—

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

(2) to ensure that land enrolled under the State or tribal government program has appropriate wildlife habitat;

(3) to strengthen wildlife habitat improvement efforts on land enrolled in a conservation reserve enhancement program under section 3831a of this title or on land covered by a