

104TH CONGRESS
1ST SESSION

H. R. 2429

To amend the Farms for the Future Act of 1990 to provide agricultural producers, in cooperation with States and local governments, financially competitive options for maintaining farmland in agricultural production.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 1995

Mr. FARR (for himself, Mr. GILCHREST, Mr. OLVER, Mr. HOLDEN, Mrs. MORELLA, Mr. GEJDENSON, Mr. ROSE, Mr. FAZIO of California, Mr. CONDIT, Mr. DOOLEY, Mr. SAXTON, and Mr. LOBIONDO) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Farms for the Future Act of 1990 to provide agricultural producers, in cooperation with States and local governments, financially competitive options for maintaining farmland in agricultural production.

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 “Farms for the Future
5 Act Amendments of 1995”.

1 **SEC. 2. PURPOSE AND FINDINGS.**

2 (a) PURPOSE.—It is the purpose of this Act to pro-
3 vide agricultural producers in the United States, in co-
4 operation with States and local governments, financially
5 competitive options for maintaining prime, unique, and
6 other strategic farmland in agricultural production.

7 (b) FINDINGS.—Congress finds the following:

8 (1) Prime, unique, and other farmland that has
9 strategic importance because of its exceptional agri-
10 cultural, economic, or environmental contribution to
11 society is being converted to nonagricultural uses be-
12 cause agricultural producers and other owners of
13 such lands lack financially competitive options for
14 retaining it in agricultural production.

15 (2) States and local governments have been un-
16 able to provide sufficient incentives to landowners to
17 maintain prime, unique, and other strategic farm-
18 land in agricultural production.

19 (3) Federal assistance is needed to achieve the
20 national interest in protecting prime, unique, and
21 other strategic farmlands.

22 **SEC. 3. FEDERAL COST SHARING FOR ACQUISITION OF**
23 **FARMLAND PROTECTION EASEMENTS.**

24 The Farms for the Future Act of 1990 (chapter 2
25 of subtitle E of title XIV of Public Law 101–624; 7 U.S.C.

1 4201 note) is amended by adding at the end the following
2 new section:

3 **“SEC. 1470C. FEDERAL COST SHARING FOR ACQUISITION**
4 **OF FARMLAND PROTECTION EASEMENTS.**

5 “(a) DEFINITIONS.—For purposes of this section:

6 “(1) QUALIFYING FARMLAND.—The term
7 ‘qualifying farmland’ means land used for agricul-
8 tural production that is determined by a eligible
9 State or a local governmental agency of an eligible
10 State to be—

11 “(A) of particular importance to the State
12 or locality because of its agricultural, economic,
13 or environmental characteristics; and

14 “(B) at risk of conversion to uses incom-
15 patible with agricultural production.

16 “(2) FARMLAND PROTECTION EASEMENT.—The
17 term ‘farmland protection easement’ means an ease-
18 ment that, with respect to a parcel of land—

19 “(A) prohibits or severely limits the uses of
20 the land that are incompatible with continued
21 agricultural production; and

22 “(B) runs with the land and binds all fu-
23 ture landowners.

24 “(3) ELIGIBLE STATE.—The term ‘eligible
25 State’ means a State that has a program, approved

1 by the Secretary, to acquire farmland protection
2 easements.

3 “(b) FARMLAND PROTECTION EASEMENT COST-
4 SHARING.—In lieu of the authorities provided elsewhere
5 in this chapter to assist eligible States to retain qualifying
6 farmland in agricultural use, the Secretary may carry out
7 a matching grant program under this section.

8 “(c) FARMS FOR THE FUTURE MATCHING
9 GRANTS.—The Secretary may make matching grants to
10 an eligible State (and local governments approved by the
11 State) to be used for the purpose of acquiring farmland
12 protection easements to protect qualifying farmland from
13 uses inconsistent with continued agricultural production
14 or for the development or improvement of similar pro-
15 grams with this purpose.

16 “(d) MATCHING REQUIREMENTS.—Matching grants
17 under subsection (c) shall be made on a 50–50 matching
18 basis, except that the Secretary may make matching
19 grants for up to 90 percent of the cost of acquiring farm-
20 land protection easements by an eligible State (and local
21 governments approved by the State) that is actively devel-
22 oping or carrying out programs to protect farmland from
23 uses inconsistent with continued agricultural production.

24 “(e) LIMITATION ON TOTAL AMOUNT OF GRANTS.—
25 An eligible State may not receive more than 10 percent

1 of the total amount made available for matching grants
2 under subsection (c) for a fiscal year. However, if fewer
3 than 10 eligible States participate, the share provided to
4 a State may be equal to its pro rata share of the total
5 matching funds all States make available.

6 “(f) CONDITIONS ON ASSISTANCE.—In providing as-
7 sistance under this section, the Secretary shall ensure
8 that—

9 “(1) funds provided under this section are used
10 by an eligible State to protect qualifying farmland,
11 with priority given to those lands of greatest impor-
12 tance to the State’s agriculture industry; and

13 “(2) on average the purchase price of farmland
14 protection easements acquired using such funds do
15 not exceed fair market value.

16 “(g) AUTHORIZATION OF APPROPRIATIONS.— There
17 is authorized to be appropriated such sums as may be nec-
18 essary to carry out this section for each fiscal year.”.

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