

118TH CONGRESS
1ST SESSION

S. 1361

To amend the Agricultural Credit Act of 1978 to authorize the Secretary of Agriculture to provide for floodplain easement restoration and management, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2023

Ms. ERNST (for herself and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Agricultural Credit Act of 1978 to authorize the Secretary of Agriculture to provide for floodplain easement restoration and management, 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. EMERGENCY WATERSHED PROGRAM FLOOD-**
4 **PLAIN EASEMENT RESTORATION AND MAN-**
5 **AGEMENT.**

6 Section 403 of the Agricultural Credit Act of 1978
7 (16 U.S.C. 2203) is amended—

8 (1) in subsection (a)—

1 (A) by striking the subsection designation
2 and heading and all that follows through “The
3 Secretary” and inserting the following:

4 “(a) AUTHORIZATIONS.—

5 “(1) IN GENERAL.—The Secretary”; and

6 (B) by adding at the end the following:

7 “(2) EASEMENT RESTORATION.—The Secretary
8 may provide financial and technical assistance for
9 restoring adapted vegetative cover and the hydro-
10 logic functions and values of wetlands on floodplain
11 easements acquired under paragraph (1).

12 “(3) EASEMENT MANAGEMENT.—The Secretary
13 shall have sole discretion for entering into compat-
14 ible-use agreements with landowners and agreements
15 with government agencies or nongovernmental orga-
16 nizations to address maintenance and management
17 of the vegetative cover and wetlands restoration
18 measures on floodplain easements acquired under
19 paragraph (1).”; and

20 (2) in subsection (b), by striking the subsection
21 designation and heading and all that follows through
22 the “The Secretary” in the matter preceding sub-
23 paragraph (A) of paragraph (1) and inserting the
24 following:

1 “(b) MODIFICATION AND TERMINATION OF FLOOD-

2 PLAIN EASEMENTS.—

3 “(1) IN GENERAL.—The Secretary”.

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