

- (I) local government;
- (II) consulting foresters;
- (III) environmental organizations;
- (IV) forest products industry;
- (V) forest land owners;
- (VI) land-trust organizations, if applicable in the State;
- (VII) conservation organizations;
- (VIII) the State fish and wildlife agency; and
- (IX) the State Technical Committee.

(iii) any other individuals determined appropriate by the Secretary.

(C) Terms

The members of the State Coordinating Committee appointed under subparagraph (B)(ii) shall serve 3-year terms, with the initial members serving staggered terms as determined by the State forester or equivalent State official, and may be reappointed for consecutive terms.

(D) Existing committees

Existing State forestry committees may be used to complement, formulate, or replace the State Coordinating Committees to avoid duplication of efforts if such existing committees are made up of membership that is similar to that described in subparagraph (B)(ii), and if such existing committees include landowners and the general public in their memberships.

(2) Duties

A State Coordinating Committee shall—

(A) consult with other Department of Agriculture and State committees that address State and private forestry issues;

(B) make recommendations to the Secretary concerning the assignment of priorities and the coordination of responsibilities for the implementation of this chapter by the various Federal and State forest management agencies that take into consideration the mandates of each such agency;

(C) make recommendations to the State forester or equivalent State official concerning the development of the State-wide assessment and strategy regarding forest resource conditions under section 2101a of this title; and

(D) make recommendations to the Secretary concerning those forest lands that should be given priority for inclusion in the Forest Legacy Program established pursuant to section 2103c of this title.

(3) Termination

The State Coordinating Committees shall not terminate.

(4) Rule of construction

Nothing in this section shall be construed to compel action by any State official.

(Pub. L. 95-313, §19, as added Pub. L. 101-624, title XII, §1222, Nov. 28, 1990, 104 Stat. 3540; amended Pub. L. 110-234, title VII, §7511(c)(37), title VIII, §§8005, 8006, May 22, 2008, 122 Stat. 1271, 1284, 1285; Pub. L. 110-246, §4(a), title VII, §7511(c)(37), title VIII, §§8005, 8006, June 18, 2008, 122 Stat. 1664, 2032, 2045-2047.)

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

2008—Subsec. (a). Pub. L. 110-246, §8005, added subsec. (a) and struck out former subsec (a) which related to: in par. (1) establishment of a Forest Resource Coordinating Committee; in par. (2) composition of the Committee; in par. (3) designation of a chairperson; and in par. (4) duties of the Committee.

Subsec. (b)(1)(B)(i). Pub. L. 110-246, §7511(c)(37), substituted “National Institute of Food and Agriculture” for “Extension Service”.

Subsec. (b)(1)(B)(ii)(IX). Pub. L. 110-246, §8006(1), added subcl. (IX).

Subsec. (b)(2)(C). Pub. L. 110-246, §8006(2), substituted “the State-wide assessment and strategy regarding forest resource conditions under section 2101a of this title” for “a Forest Stewardship Plan under paragraph (3)”.

Subsec. (b)(3) to (6). Pub. L. 110-246, §8006(3), (4), redesignated pars. (5) and (6) as (3) and (4), respectively, and struck out former pars. (3) and (4) which related to development of a Forest Stewardship Plan and authorized the use of other plans if they fully conformed to section objectives.

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, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

Amendment by section 7511(c)(37) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of Title 7, Agriculture.

§ 2114. Administration

(a) In general

The Secretary shall administer this chapter in accordance with regulations that the Secretary shall develop.

(b) Guidelines

The regulations promulgated under this chapter shall include guidelines for the administration of this chapter at the Federal and State levels and shall identify the measures and activities that are eligible for cost sharing under this chapter.

(c) Existing mechanisms

Existing mechanisms shall be used to the extent possible to make payments and deliver services to the landowner under this chapter.

(d) Land grant universities

The Secretary, in consultation with State foresters or equivalent State officials, may provide assistance directly to other State and local natural resource management agencies and land grant universities in implementing this chapter in cases in which the State foresters or equivalent State officials are not able to make fund transfers to other State and local agencies.

(Pub. L. 95-313, §20, as added Pub. L. 101-624, title XII, §1223, Nov. 28, 1990, 104 Stat. 3542.)

CHAPTER 42—EMERGENCY CONSERVATION PROGRAM

Sec.	
2201.	Payments to agricultural producers for carrying out wind erosion control or rehabilitation measures; criteria.
2202.	Payments to agricultural producers for carrying out water conservation or water enhancing measures; criteria.
2203.	Undertaking of runoff retardation and soil-erosion preventive measures; cooperation with landowners and land users; criteria.
2204.	Authorization of appropriations; availability of funds; implementation of provisions; limitations on expenditures.
2205.	Regulations for implementation of provisions.
2206.	Emergency forest restoration program.

§ 2201. Payments to agricultural producers for carrying out wind erosion control or rehabilitation measures; criteria

The Secretary of Agriculture is authorized to make payments to agricultural producers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created that (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage that is unusual in character and, except for wind erosion, is not the type that would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use.

(Pub. L. 95-334, title IV, §401, Aug. 4, 1978, 92 Stat. 433.)

EFFECTIVE DATE

Section 406 of title IV of Pub. L. 95-334 provided that: "The provisions of this title [enacting this chapter] shall become effective October 1, 1978."

§ 2202. Payments to agricultural producers for carrying out water conservation or water enhancing measures; criteria

The Secretary of Agriculture is authorized to make payments to agricultural producers who carry out emergency water conservation or water enhancing measures (including measures carried out to assist confined livestock) during periods of severe drought as determined by the Secretary.

(Pub. L. 95-334, title IV, §402, Aug. 4, 1978, 92 Stat. 434; Pub. L. 101-82, title V, §502, Aug. 14, 1989, 103 Stat. 586.)

AMENDMENTS

1989—Pub. L. 101-82, §502(1), inserted "(including measures carried out to assist confined livestock)".

Pub. L. 101-82, §502(2), temporarily substituted "any fiscal year in which there is a period of severe drought" for "periods of severe drought". See Effective and Termination Dates of 1989 Amendment note below.

EFFECTIVE AND TERMINATION DATES OF 1989 AMENDMENT

Section 502(2) of Pub. L. 101-82 provided in part that amendment by section 502(2) of Pub. L. 101-82 is effective only for fiscal year 1989.

§ 2203. Undertaking of runoff retardation and soil-erosion preventive measures; cooperation with landowners and land users; criteria

The Secretary of Agriculture is authorized to undertake emergency measures, including the purchase of floodplain easements, for runoff retardation and soil-erosion prevention, in cooperation with landowners and land users, as the Secretary deems necessary to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of that watershed.

(Pub. L. 95-334, title IV, §403, Aug. 4, 1978, 92 Stat. 434; Pub. L. 104-127, title III, §382, Apr. 4, 1996, 110 Stat. 1016.)

AMENDMENTS

1996—Pub. L. 104-127 inserted "including the purchase of floodplain easements," after "emergency measures".

DISASTER ASSISTANCE FOR WATERSHED PROTECTION ACTIVITIES

Pub. L. 100-387, title IV, §402, as added Pub. L. 101-82, title V, §503, Aug. 14, 1989, 103 Stat. 586, provided that:

"(a) **IN GENERAL.**—The Secretary of Agriculture may provide disaster relief assistance in accordance with this 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.

"(b) **FORM OF ASSISTANCE.**—The assistance authorized by this section—

"(1) includes both financial and technical assistance; and

"(2) shall be provided in a manner consistent with similar assistance authorized under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 1990."

§ 2204. Authorization of appropriations; availability of funds; implementation of provisions; limitations on expenditures

There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this chapter. Such funds shall remain available until expended. In implementing the provisions of this chapter, the Secretary of Agriculture may use the facilities, services, and authorities of the Commodity Credit Corporation. The 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.)

§ 2205. Regulations for implementation of provisions

The Secretary of Agriculture 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.)

§ 2206. Emergency forest restoration program

(a) Definitions

In this section: