

and research order issued under section 2903 of title 7 in effect on April 4, 1996.

**(D) Area included**

The area proposed to be included in a grazing management district shall be determined by the Secretary on the basis of an application by farmers or ranchers.

**(E) Authorization**

The Secretary may use authority under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to operate, on a demonstration basis, a grazing management district.

**(F) Activities**

The activities of a grazing management district shall be scientifically sound activities, as determined by the Secretary in consultation with a technical advisory committee composed of ranchers, farmers, and technical experts.

**(e) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2002 through 2012.

(Pub. L. 99-198, title XII, §1240M, as added Pub. L. 104-127, title III, §335, Apr. 4, 1996, 110 Stat. 1002; amended Pub. L. 107-171, title II, §2502(a), May 13, 2002, 116 Stat. 264; Pub. L. 110-234, title II, §2601, May 22, 2008, 122 Stat. 1068; Pub. L. 110-246, §4(a), title II, §2601, June 18, 2008, 122 Stat. 1664, 1796.)

REFERENCES IN TEXT

The Agricultural Adjustment Act, referred to in subsec. (d)(3)(E), is title I of act May 12, 1933, ch. 25, 48 Stat. 31, as amended, which is classified generally to chapter 26 (§601 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 601 of Title 7 and Tables.

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 L. 110-234 were repealed by section 4(a) of Pub.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. (e). Pub. L. 110-246, §2601, substituted “2012” for “2007”.

2002—Pub. L. 107-171 amended section catchline and text generally. Prior to amendment, section required the Secretary to establish conservation farm option pilot programs for producers of wheat, feed grains, cotton, and rice.

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-1. Wildlife habitat incentive program**

**(a) In general**

The Secretary, in consultation with the State technical committees established under section 3861 of this title, shall establish within the Natural Resources Conservation Service a program

to be known as the wildlife habitat incentive program (referred to in this section as the “program”) for the development of wildlife habitat on private agricultural land, nonindustrial private forest land, and tribal lands.

**(b) Cost-share payments**

**(1) In general**

Under the program, the Secretary shall make cost-share payments to owners of lands referred to in subsection (a) to develop—

- (A) upland wildlife habitat;
- (B) wetland wildlife habitat;
- (C) habitat for threatened and endangered species;
- (D) fish habitat; and
- (E) other types of wildlife habitat approved by the Secretary, including habitat developed on pivot corners and irregular areas.

**(2) Increased cost share for long-term agreements**

**(A) In general**

In a case in which the Secretary enters into an agreement or contract to protect and restore plant and animal habitat that has a term of at least 15 years, the Secretary may provide cost-share payments in addition to amounts provided under paragraph (1).

**(B) Funding limitation**

The Secretary may use, for a fiscal year, not more than 25 percent of funds made available under section 3841(a)(7) of this title for the fiscal year to carry out contracts and agreements described in subparagraph (A).

**(c) Regional equity**

In carrying out this section, the Secretary shall, to the maximum extent practicable, ensure that regional issues of concern relating to wildlife habitat are addressed in an appropriate manner.

**(d) Priority for certain conservation initiatives**

In carrying out this section, the Secretary may give priority to projects that would address issues raised by State, regional, and national conservation initiatives.

**(e) Payment limitation**

Payments made to a person or legal entity, directly or indirectly, under the program may not exceed, in the aggregate, \$50,000 per year.

(Pub. L. 99-198, title XII, §1240N, as added Pub. L. 107-171, title II, §2502(a), May 13, 2002, 116 Stat. 266; amended Pub. L. 110-234, title II, §2602, May 22, 2008, 122 Stat. 1068; Pub. L. 110-246, §4(a), title II, §2602, June 18, 2008, 122 Stat. 1664, 1796.)

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, §2602(a)(1), inserted “for the development of wildlife habitat on private agricultural land, nonindustrial private forest land, and tribal lands” before period at end.

Subsec. (b)(1). Pub. L. 110-246, §2602(a)(2), substituted “owners of lands referred to in subsection (a)” for “landowners” in introductory provisions.

Subsec. (b)(1)(E). Pub. L. 110-246, §2602(b), inserted “, including habitat developed on pivot corners and irregular areas” before period at end.

Subsec. (b)(2)(B). Pub. L. 110-246, §2602(c), substituted “25 percent” for “15 percent”.

Subsecs. (d), (e). Pub. L. 110-246, §2602(d), added subsecs. (d) and (e).

#### 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-2. Grassroots source water protection program

#### (a) In general

The Secretary shall establish a national grassroots water protection program to more effectively use onsite technical assistance capabilities of each State rural water association that, as of May 13, 2002, operates a wellhead or groundwater protection program in the State.

#### (b) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2008 through 2012.

(Pub. L. 99-198, title XII, §1240O, as added Pub. L. 107-171, title II, §2502(a), May 13, 2002, 116 Stat. 267; amended Pub. L. 110-234, title II, §2603, May 22, 2008, 122 Stat. 1068; Pub. L. 110-246, §4(a), title II, §2603, June 18, 2008, 122 Stat. 1664, 1796.)

#### 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. (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”.

#### 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. Great Lakes basin program for soil erosion and sediment control

#### (a) Program authorized

The Secretary may carry out the Great Lakes basin program for soil erosion and sediment control (referred to in this section as the “program”), including providing assistance to implement the recommendations of the Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes.

#### (b) Consultation and cooperation

The Secretary shall carry out the program in consultation with the Great Lakes Commission created by Article IV of the Great Lakes Basin Compact (82 Stat. 415) and in cooperation with the Administrator of the Environmental Protection Agency and the Secretary of the Army.

#### (c) Assistance

In carrying out the program, the Secretary may—

(1) provide project demonstration grants, provide technical assistance, and carry out information and educational programs to improve water quality in the Great Lakes basin by reducing soil erosion and improving sediment control; and

(2) establish a priority for projects and activities that—

(A) directly reduce soil erosion or improve sediment control;

(B) reduce soil loss in degraded rural watersheds; or

(C) improve water quality for downstream watersheds.

#### (d) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out the program \$5,000,000 for each of fiscal years 2008 through 2012.

(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.)

#### 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—Pub. L. 110-246, §2604, amended section generally. Prior to amendment, section related to: in subsec. (a), authorization to carry out the Great Lakes basin program for soil erosion and sediment control in consultation with the Great Lakes Commission and in cooperation with the Administrator of the Environmental Protection Agency and the Secretary of the Army; in subsec. (b), provision of assistance and prioritization of projects; and, in subsec. (c), appropriations for fiscal years 2002 through 2007.

#### 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-4. Chesapeake Bay watershed

#### (a) Chesapeake Bay watershed defined

In this section, the term “Chesapeake Bay watershed” means all tributaries, backwaters, and side channels, including their watersheds, draining into the Chesapeake Bay.

#### (b) Establishment and purpose

The Secretary shall assist producers in implementing conservation activities on agricultural lands in the Chesapeake Bay watershed for the purposes of—

(1) improving water quality and quantity in the Chesapeake Bay watershed; and

(2) restoring, enhancing, and preserving soil, air, and related resources in the Chesapeake Bay watershed.

#### (c) Conservation activities

The Secretary shall deliver the funds made available to carry out this section through applicable programs under this subchapter to assist producers in enhancing land and water resources—