

(4) To acquire lands, or rights or interests therein, by purchase, gift, condemnation, or otherwise, whenever necessary for the purposes of this chapter.

(Apr. 27, 1935, ch. 85, § 1, 49 Stat. 163; Pub. L. 110-234, title II, § 2802(a)(1), May 22, 2008, 122 Stat. 1085; Pub. L. 110-246, § 4(a), title II, § 2802(a)(1), June 18, 2008, 122 Stat. 1664, 1813.)

#### 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 L. 110-234 were repealed by section 4(a) of Pub.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, § 2802(a)(1), inserted section catchline and substituted “to preserve soil, water, and related resources, promote soil and water quality,” for “and thereby to preserve natural resources,” in introductory provisions.

#### 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.

#### SHORT TITLE

See section 590q of this title.

#### TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with this chapter with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas transferred to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, until first anniversary of date of initial operation of Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§ 102(f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

Functions of Soil Conservation Service in Department of Agriculture with respect to soil and moisture conservation operations conducted on lands under jurisdiction of Department of the Interior transferred to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior through such agency or agencies in Department of the Interior as Secretary shall designate, by Reorg. Plan No. IV of 1940, § 6, eff. June 30, 1940, 5 F.R. 2421, 54 Stat. 1234, set out in the Appendix to Title 5, Government Organization and Employees.

Soil Conservation Service consolidated with other agencies into Agricultural Conservation and Adjustment Administration for duration of World War II, see Ex. Ord. No. 9069, Feb. 23, 1942.

#### POLICY

Declaration of policy to continue the Soil Conservation and Domestic Allotment Act, see section 1282 of Title 7, Agriculture.

### § 590b. Lands on which preventive measures may be taken

The acts authorized in section 590a(1) and (2) of this title may be performed—

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

(b) On any other lands, upon obtaining proper consent or the necessary rights or interests in such lands.

(Apr. 27, 1935, ch. 85, § 2, 49 Stat. 163.)

### § 590c. Conditions under which benefits of law extended to nongovernment controlled lands

As a condition to the extending of any benefits under this chapter to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this chapter, require the following:

(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion.

(2) Agreements or covenants as to the permanent use of such lands.

(3) Contributions in money, services, materials, or otherwise, to any operations conferring such benefits.

(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

(i) reasonable and appropriate;

(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

(iii) assessed based on the size of the land or the complexity of the resource issues involved.

(B) Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.

(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—

(i) to beginning farmers or ranchers (as defined in section 1991(a) of title 7);

(ii) to limited resource farmers or ranchers (as defined by the Secretary);

(iii) to socially disadvantaged farmers or ranchers (as defined in section 2003(e) of title 7);

(iv) to qualify for an exemption from ineligibility under section 3812 of this title; or

(v) to comply with Federal, State, or local regulatory requirements.

(Apr. 27, 1935, ch. 85, § 3, 49 Stat. 163; Pub. L. 113-67, div. A, title VII, § 705(a), Dec. 26, 2013, 127 Stat. 1192.)

#### AMENDMENTS

2013—Pub. L. 113-67, § 705(a)(1), substituted “require the following:” for “require—” in introductory provisions.

Par. (1). Pub. L. 113-67, § 705(a)(2), substituted period for semicolon at end.