

under this chapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 2002 of this title.

§ 2004. Continuing appraisal of soil, water, and related resources

(a) Data

In recognition of the importance of and need for obtaining and maintaining information on the current status of soil, water, and related resources, the Secretary is authorized and directed to carry out a continuing appraisal of the soil, water, and related resources of the Nation. The appraisal shall include, but not be limited to—

- (1) data on the quality and quantity of soil, water, and related resources, including fish and wildlife habitats;
- (2) data on the capability and limitations of those resources for meeting current and projected demands on the resource base;
- (3) data on the changes that have occurred in the status and condition of those resources resulting from various past uses, including the impact of farming technologies, techniques, and practices;
- (4) data on current Federal, State, and tribal laws, policies, programs, rights, regulations, ownerships, and their trends and other considerations relating to the use, development, and conservation of soil, water, and related resources;
- (5) data on the costs and benefits of alternative soil and water conservation practices;
- (6) data on alternative irrigation techniques regarding their costs, benefits, and impact on soil and water conservation, crop production, and environmental factors; and
- (7) data on conservation plans, conservation practices planned or implemented, environmental outcomes, economic costs, and related matters under conservation programs administered by the Secretary.

(b) Collection of data

The appraisal shall utilize data collected under this chapter and pertinent data and information collected by the Department of Agriculture and other Federal, State, tribal, and local agencies and organizations. The Secretary shall establish an integrated system capable of using combinations of resource data to determine the quality and capabilities for alternative uses of the resource base and to identify areas of local, State, tribal, and National concerns and related roles pertaining to soil and water conservation, resource use and development, and environmental improvement.

(c) Public participation

The appraisal shall be made in cooperation with conservation districts, State and tribal soil and water conservation agencies, and other appropriate citizen groups, and local, tribal, and State agencies under such procedures as the Secretary may prescribe to insure public participation.

(d) Evaluation of appraisal

In conducting the appraisal described in subsection (a), the Secretary shall concurrently so-

licit and evaluate recommendations for improving the appraisal, including the content, scope, process, participation in, and other elements of the appraisal, as determined by the Secretary.

(e) Completion dates

The Secretary shall conduct comprehensive appraisals under this section, to be completed by December 31, 2010, and December 31, 2015. The Secretary may make such additional interim appraisals as the Secretary considers appropriate.

(Pub. L. 95-192, § 5, Nov. 18, 1977, 91 Stat. 1408; Pub. L. 99-198, title XII, § 1252(a), Dec. 23, 1985, 99 Stat. 1516; Pub. L. 110-234, title II, § 2804(b), May 22, 2008, 122 Stat. 1086; Pub. L. 110-246, § 4(a), title II, § 2804(b), June 18, 2008, 122 Stat. 1664, 1814; Pub. L. 113-79, title II, § 2508(b), Feb. 7, 2014, 128 Stat. 756.)

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

2014—Subsec. (a)(4). Pub. L. 113-79, § 2508(b)(1), substituted “, State, and tribal” for “and State”.

Subsec. (b). Pub. L. 113-79, § 2508(b)(2), inserted “, tribal” after “State” in two places.

Subsec. (c). Pub. L. 113-79, § 2508(b)(3), substituted “State and tribal soil” for “State soil” and “local, tribal,” for “local”.

2008—Subsec. (a)(7). Pub. L. 110-246, § 2804(b)(1), added par. (7).

Subsecs. (d), (e). Pub. L. 110-246, § 2804(b)(2)-(4), added subsec. (d), redesignated former subsec. (d) as (e), and substituted “The Secretary shall conduct comprehensive appraisals under this section, to be completed by December 31, 2010, and December 31, 2015.” for “The Secretary shall conduct four comprehensive appraisals under this section, to be completed by December 31, 1979, December 31, 1986, December 31, 1995, and December 31, 2005, respectively.”

1985—Subsec. (d). Pub. L. 99-198 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “The appraisal shall be completed by December 31, 1979, and at each five-year interval thereafter during the period this chapter is in effect.”

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.

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of Agriculture under this chapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 2002 of this title.

§ 2005. Soil and water conservation program

(a) Program development

The Secretary is hereby authorized and directed to develop in cooperation with and participation by the public through conservation districts, State, tribal, and national organizations and agencies, and other appropriate means, a national soil and water conservation

program (hereinafter called the “program”) to be used as a guide in carrying out the activities of the Secretary which assist landowners and land users, at their request, in furthering soil and water conservation on the private, tribal, and non-Federal lands of the Nation. The program shall set forth direction for future soil and water conservation efforts of the United States Department of Agriculture based on the current soil, water, and related resource appraisal developed in accordance with section 2004 of this title, taking into consideration both the long- and short-term needs of the Nation, the landowners, and the land users, and the roles and responsibilities of Federal, State, tribal, and local governments in such conservation efforts. The program shall also include but not be limited to—

- (1) analysis of the Nation’s soil, water, and related resource problems;
- (2) analysis of existing Federal, State, tribal, and local government authorities and adjustments needed;
- (3) an evaluation of the effectiveness of the soil and water conservation ongoing programs and the overall progress being achieved by Federal, State, tribal, and local programs and the landowners and land users in meeting the soil and water conservation objectives of this chapter;
- (4) identification and evaluation of alternative methods for the conservation, protection, environmental improvement, and enhancement of soil and water resources, in the context of alternative time frames, and a recommendation of the preferred alternatives and the extent to which they are being implemented;
- (5) investigation and analysis of the practicability, desirability, and feasibility of collecting organic waste materials, including manure, crop and food wastes, industrial organic waste, municipal sewage sludge, logging and wood-manufacturing residues, and any other organic refuse, composting, or similarly treating such materials, transporting and placing such materials onto the land to improve soil tilth and fertility. The analysis shall include the projected cost of such collection, transportation, and placement in accordance with sound locally approved soil and water conservation practices;
- (6) analysis of the Federal and non-Federal inputs required to implement the program;
- (7) analysis of costs and benefits of alternative soil and water conservation practices; and
- (8) investigation and analysis of alternative irrigation techniques regarding their costs, benefits, and impact on soil and water conservation, crop production, and environmental factors.

(b) Evaluation of existing conservation programs

In evaluating existing conservation programs, the Secretary shall emphasize demonstration, innovation, and monitoring of specific program components in order to encourage further development and adoption of practices and performance-based standards.

(c) Improvement to program

In developing a national soil and water conservation program under subsection (a), the Secretary shall solicit and evaluate recommendations for improving the program, including the content, scope, process, participation in, and other elements of the program, as determined by the Secretary.

(d) Completion dates

The initial program shall be completed not later than December 31, 2011, and December 31, 2016, respectively.¹

(Pub. L. 95–192, § 6, Nov. 18, 1977, 91 Stat. 1409; Pub. L. 99–198, title XII, § 1252(b), Dec. 23, 1985, 99 Stat. 1516; Pub. L. 103–354, title II, § 246(f)(2)(C), Oct. 13, 1994, 108 Stat. 3225; Pub. L. 110–234, title II, § 2804(c), May 22, 2008, 122 Stat. 1087; Pub. L. 110–246, § 4(a), title II, § 2804(c), June 18, 2008, 122 Stat. 1664, 1815; Pub. L. 113–79, title II, § 2508(c), Feb. 7, 2014, 128 Stat. 756.)

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

2014—Subsec. (a). Pub. L. 113–79 inserted “, tribal,” after “conservation districts, State” and “, tribal,” after “private” in introductory provisions, and “, tribal” after “Federal, State” wherever appearing.

2008—Subsecs. (b) to (d). Pub. L. 110–246, § 2804(c), added subsecs. (b) and (c), redesignated former subsec. (b) as (d), and substituted “December 31, 2011, and December 31, 2016” for “December 31, 1979, and program updates shall be completed by December 31, 1987, December 31, 1997, and December 31, 2007”.

1994—Subsec. (a). Pub. L. 103–354 in first sentence of introductory provisions substituted “Secretary” for “Soil Conservation Service” before “which assist”.

1985—Subsec. (b). Pub. L. 99–198 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The program plan shall be completed not later than December 31, 1979, and be updated at each five-year interval thereafter during the period this chapter is in effect.”

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.

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of Agriculture under this chapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 2002 of this title.

§ 2005a. Repealed. Pub. L. 104–127, title III, § 336(e), Apr. 4, 1996, 110 Stat. 1007

Section, Pub. L. 99–198, title XII, § 1251, Dec. 23, 1985, 99 Stat. 1516, related to technical assistance for water resources.

¹ So in original. See 2008 Amendment note below.