

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947**

OFFERED BY MR. GARAMENDI OF CALIFORNIA

(Farm Bill Amendment)

In section 8102, relating to the Forest Legacy Program, insert before the existing text “(a) AUTHORIZATION OF APPROPRIATIONS.—” and add at the end the following:

1 (b) AUTHORIZING STATES TO ALLOW QUALIFIED
2 ORGANIZATIONS TO ACQUIRE, HOLD, AND MANAGE CON-
3 SERVATION EASEMENTS.—Subsection (l) of section 7 of
4 the Cooperative Forestry Assistance Act of 1978 (16
5 U.S.C. 2103c) is amended by adding at the end the fol-
6 lowing new paragraph:

7 “(4) STATE AUTHORIZATION.—

8 “(A) IN GENERAL.—At the request of a
9 State acting through the State Lead Agency,
10 the Secretary shall authorize the State to allow
11 qualified organizations, as defined in section
12 170(h)(3) of the Internal Revenue Code of
13 1986, and organized for one or more of the
14 purposes described in section 170(h)(4)(A) of
15 that Code, to acquire, hold, and manage con-

1 servation easements, using funds granted to the
2 State under this subsection, for purposes of the
3 Forest Legacy Program in the State.

4 “(B) ELIGIBILITY.—To be eligible to ac-
5 quire and manage conservation easements
6 under this paragraph, a qualified organization
7 described in subparagraph (A) must dem-
8 onstrate to the Secretary the abilities necessary
9 to acquire, monitor, and enforce interests in
10 forestland consistent with the Forest Legacy
11 Program and the assessment of need for the
12 State.

13 “(C) REVERSION.—If the Secretary, or a
14 State acting through the State Lead Agency,
15 makes any of the determinations described in
16 subparagraph (D) with respect to a conserva-
17 tion easement acquired by a qualified organiza-
18 tion under the authority of subparagraph (A)—

19 “(i) all right, title, and interest of the
20 qualified organization in and to the con-
21 servation easement shall terminate; and

22 “(ii) all right, title, and interest in
23 and to the conservation easement shall re-
24 vert to the State or other qualified des-
25 ignee as approved by the State.

1 “(D) DETERMINATIONS.—The determina-
2 tions required for operation of the reversionary
3 interest retained in subparagraph (C) are
4 that—

5 “(i) the qualified organization is un-
6 able to carry out its responsibilities under
7 the Forest Legacy Program in the State
8 with respect to the conservation easement;

9 “(ii) the conservation easement has
10 been modified in a way that is inconsistent
11 with the purposes of the Forest Legacy
12 Program or the assessment of need for the
13 State; or

14 “(iii) the conservation easement has
15 been conveyed to another person (other
16 than a qualified organization approved by
17 the State and the Secretary).”.

