

105TH CONGRESS  
1ST SESSION

# H. R. 1995

To provide for the protection of farmland at the Point Reyes National Seashore, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1997

Ms. WOOLSEY (for herself, Mr. GILCHREST, Mr. DINGELL, Mr. CAMPBELL, Mr. DOOLEY of California, and Mr. CONDIT) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To provide for the protection of farmland at the Point Reyes National Seashore, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Point Reyes National  
5 Seashore Farmland Protection Act of 1997”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

8 (1) protect the pastoral nature of the land adja-  
9 cent to the Point Reyes National Seashore from de-

1 velopment that would be incompatible with the char-  
2 acter, integrity, and visitor experience of the park;

3 (2) create a model public/private partnership  
4 among the Federal, State, and local governments, as  
5 well as organizations and citizens that will preserve  
6 and enhance the agricultural lands along Tomales  
7 and Bodega Bay Watersheds;

8 (3) protect the substantial Federal investment  
9 in Point Reyes National Seashore by protecting land  
10 and water resources and maintaining the relatively  
11 undeveloped nature of the land surrounding Tomales  
12 and Bodega Bays; and

13 (4) preserve productive uses of lands and wa-  
14 ters in Marin and Sonoma counties adjacent to  
15 Point Reyes National Seashore, primarily by main-  
16 taining the land in private ownership restricted by  
17 conservation easements.

18 **SEC. 3. ADDITION OF FARMLAND PROTECTION AREA TO**  
19 **POINT REYES NATIONAL SEASHORE AND AC-**  
20 **QUISITION OF DEVELOPMENT RIGHTS.**

21 (a) ADDITION.—Section 2 of the Act entitled “An Act  
22 to establish the Point Reyes National Seashore in the  
23 State of California, and for other purposes” (16 U.S.C.  
24 459c–1) is amended by adding at the end the following:

1       “(c) The Point Reyes National Seashore shall also  
2 include the Farmland Protection Area depicted on the  
3 map numbered 612/60,163 and dated July, 1995. Such  
4 map shall be on file and available for public inspection  
5 in the Offices of the National Park Service, Department  
6 of the Interior, Washington, District of Columbia.

7       “(d) Within the Farmland Protection Area depicted  
8 on the map referred to in section 2(c) of this Act the pri-  
9 mary objective shall be to maintain agricultural land in  
10 private ownership protected from nonagricultural develop-  
11 ment by conservation easements.”

12       (b) AUTHORITY FOR FARMLAND ACQUISITION AND  
13 MANAGEMENT.—Section 3 of such Act (16 U.S.C. 459c-  
14 2) is amended by adding at the end the following:

15       “(d)(1) Notwithstanding subsections (a) through (c)  
16 of this section, the Secretary, to encourage continued agri-  
17 cultural use, may acquire lands or interests in lands from  
18 the owners of such lands within the Farmland Protection  
19 Area depicted on the map referred to in section 2(c) of  
20 this Act. Except as provided in paragraph (3), lands and  
21 interests in lands may only be acquired under this sub-  
22 section by donation, purchase with donated or appro-  
23 priated funds, or exchange. Lands acquired under this  
24 subsection by exchange may be exchanged for lands lo-  
25 cated outside of the State of California, notwithstanding

1 section 206(b) of the Federal Land Policy and Manage-  
2 ment Act of 1976 (43 U.S.C. 1716(b)).

3 “(2)(A) The Secretary shall give priority to (i) ac-  
4 quiring interests in lands through the purchase of develop-  
5 ment rights and conservation easements, (ii) acquiring  
6 lands and interests therein from nonprofit corporations  
7 operating primarily for conservation purposes, and (iii) ac-  
8 quiring lands and interests therein by donation or ex-  
9 change.

10 “(B) The Secretary shall not acquire any conserva-  
11 tion easements on land within the Farmland Protection  
12 Area from nonprofit organizations which were acquired by  
13 such nonprofit organizations prior to January 1, 1997.

14 “(C) For the purpose of managing, in the most cost  
15 effective manner, interests in lands acquired under this  
16 subsection, and for the purpose of maintaining continuity  
17 with lands that have existing easements, the Secretary  
18 shall enter into cooperative agreements with public agen-  
19 cies or nonprofit organizations having substantial experi-  
20 ence holding, monitoring, and managing conservation  
21 easements on agricultural land in the region, such as the  
22 Marin Agricultural Land Trust, the Sonoma County Agri-  
23 cultural Preservation and Open Space District, and the  
24 Sonoma Land Trust.

1           “(3)(A) Within the boundaries of the Farmland Pro-  
2     tection Area depicted on the map referred to in section  
3     2(c), absent an acquisition of privately owned lands or in-  
4     terests therein by the United States, nothing in this Act  
5     shall authorize any Federal agency or official to regulate  
6     the use or enjoyment of privately owned lands, including  
7     lands currently subject to easements held by the Marin  
8     Agricultural Land Trust, the Sonoma County Agricultural  
9     Preservation and Open Space District, and the Sonoma  
10    Land Trust, and such privately owned lands shall continue  
11    under the jurisdiction of the State and political subdivi-  
12    sions within which they are located.

13           “(B) The Secretary may permit, or lease, lands ac-  
14    quired in fee under this subsection. Any such permit or  
15    lease shall be consistent with the purposes of the Point  
16    Reyes National Seashore Farmland Protection Act of  
17    1997. Notwithstanding any other provision of law, reve-  
18    nues derived from any such permit, or lease, may be re-  
19    tained by the Secretary, and such revenues shall be avail-  
20    able, without further appropriation, for expenditure to fur-  
21    ther the goals and objectives of agricultural preservation  
22    within the boundaries of the area depicted on the map re-  
23    ferred to in section 2(c).

24           “(C) Lands, and interests in lands, within the area  
25    depicted on the map referred to in section 2(c) of this Act

1 which are owned by the State of California, or any political  
2 subdivision thereof, may be acquired only by donation or  
3 exchange.

4 “(4) Section 5 shall not apply with respect to lands  
5 and interests in lands acquired under this subsection.”.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
7 9 of such Act (16 U.S.C. 459c-7) is amended by adding  
8 at the end the following: “In addition to the sums author-  
9 ized to be appropriated by this section before the enact-  
10 ment of the Point Reyes National Seashore Farmland  
11 Protection Act of 1997, there is authorized to be appro-  
12 priated \$30,000,000 to be used on a matching basis to  
13 acquire lands and interests in lands under section 3(d).  
14 The Federal share of the costs for acquiring land and in-  
15 terests in lands under section 3(d) shall be one half of  
16 the total costs of such acquisition. The non-Federal share  
17 of such acquisition costs may be in the form of property,  
18 monies, services, or in-kind contributions, fairly valued.  
19 For such purposes, any lands or interests in lands that  
20 are within the boundaries of the area depicted on the map  
21 referred to in section 2(c), that are currently held under  
22 a conservation easement by the Marin Agricultural Land  
23 Trust, the Sonoma County Agricultural Preservation and  
24 Open Space District, the Sonoma Land Trust, or any  
25 other land protection agency or by the State of California

1 or any political subdivision thereof shall be considered a  
2 matching contribution from non-Federal sources in an  
3 amount equal to the fair market value of such lands or  
4 interests in land, as determined by the Secretary.”.

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