

117TH CONGRESS  
1ST SESSION

# S. 753

To reauthorize the Highlands Conservation Act, to authorize States to use funds from that Act for administrative purposes, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 16, 2021

Mr. MURPHY (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To reauthorize the Highlands Conservation Act, to authorize States to use funds from that Act for administrative purposes, 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 “Highlands Conserva-  
5 tion Reauthorization Act of 2021”.

6 **SEC. 2. REAUTHORIZATION OF THE HIGHLANDS CON-**  
7 **SERVATION ACT.**

8 The Highlands Conservation Act (Public Law 108–  
9 421; 118 Stat. 2375) is amended—

1 (1) in section 3—

2 (A) by amending paragraph (1) to read as  
3 follows:

4 “(1) HIGHLANDS REGION.—The term ‘High-  
5 lands region’ means—

6 “(A) the area depicted on the map entitled  
7 ‘The Highlands Region’, dated June 2004, up-  
8 dated after the date of enactment of the High-  
9 lands Conservation Reauthorization Act of 2021  
10 to comprise each municipality included on the  
11 list of municipalities included in the Highlands  
12 region as of that date of enactment, and main-  
13 tained in the headquarters of the Forest Service  
14 in Washington, District of Columbia; and

15 “(B) a municipality approved by the Direc-  
16 tor of the United States Fish and Wildlife Serv-  
17 ice under section 4(e).”;

18 (B) in paragraph (3), by amending sub-  
19 paragraph (B) to read as follows:

20 “(B) identified by a Highlands State as  
21 having high conservation value using the best  
22 available science and geographic information  
23 systems; and”;

1 (C) in paragraph (4)(A), by striking “; or”  
2 and inserting “, including a political subdivision  
3 thereof; or”; and

4 (D) by striking paragraphs (5) through  
5 (7);  
6 (2) in section 4—

7 (A) in subsection (a)(1), by striking “in  
8 the Study” and all that follows through the end  
9 of the paragraph and inserting “using the best  
10 available science and geographic information  
11 systems; and”;

12 (B) in subsection (c), by amending para-  
13 graph (5) to read as follows:

14 “(5) provides that land conservation partner-  
15 ship projects will be consistent with areas identified  
16 as having high conservation value in accordance with  
17 the purposes described in section 2 in the Highlands  
18 region.”;

19 (C) in subsection (e), by striking  
20 “\$10,000,000 for each of fiscal years 2005  
21 through 2021” and inserting “\$20,000,000 for  
22 each of fiscal years 2022 through 2028”;

23 (D) by redesignating subsection (e) as sub-  
24 section (g); and

1 (E) by inserting after subsection (d) the  
2 following:

3 “(e) REQUEST FOR INCLUSION OF ADDITIONAL MU-  
4 NICIPALITY.—The Director of the United States Fish and  
5 Wildlife Service may, at the request of a Highlands State,  
6 approve the inclusion of a municipality within the State  
7 as part of the Highlands region.

8 “(f) LIMITATION ON ADMINISTRATIVE EXPENSES.—

9 “(1) FEDERAL ADMINISTRATION.—The Sec-  
10 retary of the Interior may not expend more than  
11 \$300,000 for the administration of this Act in each  
12 fiscal year.

13 “(2) STATE ADMINISTRATION.—A State that  
14 receives funds under this section for a land con-  
15 servation partnership project may not use more than  
16 5 percent of the funds to administer the land con-  
17 servation partnership project.”;

18 (3) in section 5—

19 (A) in subsection (a), by striking “the  
20 Study, Update, and any future study that the  
21 Forest Service may undertake in”;

22 (B) in subsection (b)—

23 (i) in paragraph (1), by striking “, in-  
24 cluding a Pennsylvania and Connecticut  
25 Update”; and

1 (ii) in paragraph (2), by striking “the  
2 findings” and all that follows through the  
3 end of the paragraph and inserting “with  
4 stakeholders regarding implementation of  
5 the program; and”;

6 (C) in subsection (c), by striking “2005  
7 through 2014” and inserting “2022 through  
8 2028”;

9 (4) in section 6, by adding at the end the fol-  
10 lowing:

11 “(f) APPRAISAL METHODOLOGY.—

12 “(1) IN GENERAL.—With respect to an ap-  
13 praisal related to a land acquisition carried out  
14 under this Act, a Highlands State may use an ap-  
15 praisal methodology approved by the Secretary of  
16 the Interior.

17 “(2) ALTERNATIVE APPRAISAL METHOD-  
18 OLOGY.—A Highlands State may petition the Sec-  
19 retary of the Interior to consider an alternative ap-  
20 praisal methodology when there is a conflict, in any  
21 Highlands State, between—

22 “(A) an appraisal methodology approved  
23 by the Secretary of the Interior under para-  
24 graph (1); and

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“(B) applicable State law.”.

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