

118TH CONGRESS
1ST SESSION

H. R. 5250

To amend the Agricultural Credit Act of 1978 with respect to the emergency watershed program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 2023

Mr. DAVIS of North Carolina (for himself, Mr. MOLINARO, Ms. SPANBERGER, and Mr. NUNN of Iowa) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Credit Act of 1978 with respect to the emergency watershed program, 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 “Flooding Prevention,
5 Assessment, and Restoration Act of 2023”.

6 **SEC. 2. EMERGENCY WATERSHED PROGRAM.**

7 Section 403 of the Agricultural Credit Act of 1978
8 (16 U.S.C. 2203) is amended by adding at the end the
9 following:

1 “(c) LEVEL OF RESTORATION.—In carrying out this
2 section, the Secretary may undertake measures that in-
3 crease the level of protection above that which would be
4 necessary to address the immediate impairment of the wa-
5 tershed if the Secretary determines that such restoration
6 is in the best interest of the long-term health and the pro-
7 tection of the watershed from repetitive impairments.”.

8 **SEC. 3. NATIONAL AGRICULTURE FLOOD VULNERABILITY**
9 **STUDY.**

10 Not later than 2 years after the date of enactment
11 of this Act, the Secretary of Agriculture shall submit to
12 the Committee on Agriculture of the House of Representa-
13 tives and the Committee on Agriculture, Nutrition, and
14 Forestry of the Senate a national agriculture flood vulner-
15 ability report containing the results of a conservation ef-
16 fects assessment project studying flood risk on agricul-
17 tural lands, including—

18 (1) an analysis of economic losses of crops and
19 livestock resulting from flooding under different re-
20 currence scenarios;

21 (2) an analysis of the downstream effects of
22 mitigation activities carried out as part of a water-
23 shed management approach;

24 (3) an analysis of available Federal and State
25 data relating to flood risk, as applicable to agricul-

1 tural land, including data relating to riverine flood-
2 ing, coastal flooding, storm surge, extreme precipita-
3 tion, and flash flooding; and

4 (4) a description of ongoing producer-level con-
5 servation practices and broader government initia-
6 tives to manage flooding impact and flood risk with-
7 in and across watersheds, and recommendations for
8 additional practices and initiatives to further address
9 such impact and risk.

10 **SEC. 4. REHABILITATION OF STRUCTURAL MEASURES**
11 **NEAR, AT, OR PAST THEIR EVALUATED LIFE**
12 **EXPECTANCY.**

13 Section 14(b)(2) of the Watershed Protection and
14 Flood Prevention Act (16 U.S.C. 1012(b)(2)) is amended
15 to read as follows:

16 “(2) AMOUNT OF ASSISTANCE; LIMITATIONS.—

17 “(A) IN GENERAL.—The amount of Fed-
18 eral funds that may be made available under
19 this subsection to a local organization for con-
20 struction of a particular rehabilitation project
21 shall be equal to 65 percent of the total reha-
22 bilitation costs, but not to exceed 100 percent
23 of actual construction costs incurred in the re-
24 habilitation.

1 “(B) LIMITED RESOURCE AREAS.—Not-
2 withstanding subparagraph (A), the Secretary
3 may contribute up to 90 percent of the total re-
4 habilitation costs to a local organization for
5 construction of a particular rehabilitation
6 project that serves a limited resource area, as
7 determined by the Secretary, but not to exceed
8 100 percent of actual construction costs in-
9 curred in the rehabilitation.

10 “(C) COSTS OF RESOURCE RIGHTS AND
11 PERMITS.—The local organization shall be re-
12 sponsible for the costs of water, mineral, and
13 other resource rights and all Federal, State,
14 and local permits.”.

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