

Calendar No. 296

117TH CONGRESS
2^D SESSION**S. 753****[Report No. 117–89]**

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

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2021

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

MARCH 2, 2022

Reported by Mr. MANCHIN, with an amendment

[Omit the part struck through and insert the part printed in *italie*]

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”.

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

3 The Highlands Conservation Act (Public Law 108–
4 421; 118 Stat. 2375) is amended—

5 (1) in section 3—

6 (A) by amending paragraph (1) to read as
7 follows:

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

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

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

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

24 “(B) identified by a Highlands State as
25 having high conservation value using the best

1 available science and geographic information
2 systems; and”;

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

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

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

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

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

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

1 (D) by redesignating subsection (e) as sub-
 2 section (g); and

3 (E) by inserting after subsection (d) the
 4 following:

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

11 “(f) LIMITATION ON ADMINISTRATIVE EXPENSES.—

12 “(1) FEDERAL ADMINISTRATION.—The Sec-
 13 retary of the Interior may not expend more than
 14 \$300,000 for the administration of this Act in each
 15 fiscal year.

16 “(2) STATE ADMINISTRATION.—A State that
 17 receives funds under this section for a land con-
 18 servation partnership project may not use more than
 19 5 percent of the funds to administer the land con-
 20 servation partnership project.”;

21 (3) in section 5—

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

25 (B) in subsection (b)—

1 (i) in paragraph (1), by striking “, in-
 2 cluding a Pennsylvania and Connecticut
 3 Update”; and

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

9 (C) in subsection (c), by striking “2005
 10 through 2014” and inserting “2022 through
 11 2028”; and

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

14 “(f) APPRAISAL METHODOLOGY.—

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

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

1 “(A) an appraisal methodology approved
2 by the Secretary of the Interior under para-
3 graph (1); and
4 “(B) applicable State law.”.

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