

non-Federal resources to project construction or operation; and

(8) in the case of at-risk youth recreation grants, the Secretary shall give a priority to each of the following criteria:

(A) Programs which are targeted to youth who are at the greatest risk of becoming involved in violence and crime.

(B) Programs which teach important values and life skills, including teamwork, respect, leadership, and self-esteem.

(C) Programs which offer tutoring, remedial education, mentoring, and counseling in addition to recreation opportunities.

(D) Programs which offer services during late night or other nonschool hours.

(E) Programs which demonstrate collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including the private sector and community and nonprofit organizations.

(F) Programs which leverage public or private recreation investments in the form of services, materials, or cash.

(G) Programs which show the greatest potential of being continued with non-Federal funds or which can serve as models for other communities.

(Pub. L. 95-625, title X, §1005, Nov. 10, 1978, 92 Stat. 3540; Pub. L. 103-322, title III, §31503, Sept. 13, 1994, 108 Stat. 1889.)

#### AMENDMENTS

1994—Subsec. (c)(8). Pub. L. 103-322, which directed the addition of par. (8) to this section without specifying the subsec. to which par. (8) was to be added, was executed by adding par. (8) to subsec. (c) to reflect the probable intent of Congress.

#### “SECRETARY” DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95-625, set out as a note under section 2503 of this title.

### § 2505. Rehabilitation and innovation grants

#### (a) Authorization; transfer; payments; modification

The Secretary is authorized to provide 70 per centum matching rehabilitation and innovative grants directly to eligible general purpose local governments upon his approval of applications therefor by the chief executives of such governments.

(1) At the discretion of such applicants, and if consistent with an approved application, rehabilitation and innovation grants may be transferred in whole or in part to independent special purpose local governments, private nonprofit agencies or county or regional park authorities: *Provided*, That assisted recreation areas and facilities owned or managed by them offer recreation opportunities to the general population within the jurisdictional boundaries of an eligible applicant.

(2) Payments may be made only for those rehabilitation or innovative projects which have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of a project, except that the Sec-

retary may, when appropriate, make advance payments on approved rehabilitation and innovative projects in an amount not to exceed 20 per centum of the total project cost.

(3) The Secretary may authorize modification of an approved project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time a project was proposed.

#### (b) Special considerations

Innovation grants should be closely tied to goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 2506(b)(2) of this title.

(Pub. L. 95-625, title X, §1006, Nov. 10, 1978, 92 Stat. 3541.)

#### “SECRETARY” DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95-625, set out as a note under section 2503 of this title.

### § 2506. Local commitments to system recovery and maintenance

#### (a) Recovery action programs; preliminary action programs; five-year recovery action programs; continuing planning process

As a requirement for project approval, local governments applying for assistance under this chapter shall submit to the Secretary evidence of their commitments to ongoing planning, rehabilitation, service, operation, and maintenance programs for their park and recreation systems. These commitments will be expressed in local park and recreation recovery action programs which maximize coordination of all community resources, including other federally supported urban development and recreation programs. During an initial interim period to be established by regulations under this chapter, this requirement may be satisfied by local government submissions of preliminary action programs which briefly define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit the applicant to a scheduled program development process. Following this interim period, all local applicants shall submit to the Secretary, as a condition of eligibility, a five-year action program for park and recreation recovery that satisfactorily demonstrate:<sup>1</sup>

(1) systematic identification of recovery objectives, priorities, and implementation strategies;

(2) adequate planning for rehabilitation of specific recreation areas and facilities, including projections of the cost of proposed projects;

(3) capacity and commitment to assure that facilities provided or improved under this chapter shall thereafter continue to be adequately maintained, protected, staffed, and supervised;

(4) intention to maintain total local public outlays for park and recreation purposes at

<sup>1</sup> So in original. Probably should be “demonstrates.”

levels at least equal to those in the year preceding that in which grant assistance is sought beginning in fiscal year 1980 except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(5) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process which includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

**(b) Recovery action program special considerations**

Action programs shall address, but are not limited to the following considerations:

(1) Rehabilitation of existing recreational sites and facilities, including general system-wide renovation; special rehabilitation requirements for recreational sites and facilities in areas of high population concentration and economic distress; and restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance.

(2) Local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including but not limited to recycling of abandoned schools and other public buildings for recreational purposes; multiple use of operating educational and other public buildings; purchase of recreation services on a contractual basis; use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents; integration of recovery program with federally assisted projects to maximize recreational opportunities through conversion of abandoned railroad and highway rights-of-way, waterfront, and other redevelopment efforts and such other federally assisted projects as may be appropriate; conversion of recreation use of street space, derelict land, and other public lands not now designated for neighborhood recreational use; and use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs. In order to be eligible to receive "at-risk youth recreation grants" a local government shall amend its 5-year action program to incorporate the goal of reducing crime and juvenile delinquency and to provide a description of the implementation strategies to achieve this goal. The plan shall also address how the local government is coordinating its recreation programs with crime prevention efforts of law enforcement, juvenile corrections, and youth social service agencies.

**(c) Recovery action program grants**

The Secretary is authorized to provide up to 50 per centum matching grants to eligible local applicants for program development and planning specifically to meet the objectives of this chapter.

(Pub. L. 95-625, title X, §1007, Nov. 10, 1978, 92 Stat. 3541; Pub. L. 103-322, title III, §31504, Sept. 13, 1994, 108 Stat. 1889.)

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-322 inserted at end of concluding provisions "In order to be eligible to receive 'at-risk youth recreation grants' a local government shall amend its 5-year action program to incorporate the goal of reducing crime and juvenile delinquency and to provide a description of the implementation strategies to achieve this goal. The plan shall also address how the local government is coordinating its recreation programs with crime prevention efforts of law enforcement, juvenile corrections, and youth social service agencies."

"SECRETARY" DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95-625, set out as a note under section 2503 of this title.

**§ 2507. State action incentive; Federal implementation grants, increase**

The Secretary is authorized to increase Federal implementation grants authorized in section 2505 of this title by providing an additional match equal to the total match provided by a State of up to 15 per centum of total project costs. In no event may the Federal matching amount exceed 85 per centum of total project cost. The Secretary shall further encourage the States to assist him in assuring that local recovery plans and programs are adequately implemented by cooperating with the Department of the Interior in monitoring local park and recreation recovery plans and programs and in assuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

(Pub. L. 95-625, title X, §1008, Nov. 10, 1978, 92 Stat. 3542.)

"SECRETARY" DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95-625, set out as a note under section 2503 of this title.

**§ 2508. Matching requirements; non-Federal share of project costs**

The non-Federal share of project costs assisted under this chapter may be derived from general or special purpose State or local revenues.<sup>1</sup> State categorical grants, special appropriations by State legislatures, donations of land, buildings, or building materials and/or in-kind construction, technical, and planning services. No moneys from the Land and Water Conservation Fund (77 Stat. 49), as amended [16 U.S.C. 460f-5], or from any other Federal grant program other than general revenue sharing and the community development block grant programs shall be

<sup>1</sup> So in original. The period probably should be a comma.