

104-66, title I, §1011(p), Dec. 21, 1995, 109 Stat. 710, provided for protection of program participants.

### SUBCHAPTER III—MATCHING GRANTS FOR CONSERVATION ACTIVITIES

#### §§ 3431 to 3436. Repealed. Pub. L. 104-127, title III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007

Section 3431, Pub. L. 97-98, title XV, §1514, Dec. 22, 1981, 95 Stat. 1333, authorized formulation and implementation of grants program.

Section 3432, Pub. L. 97-98, title XV, §1515, Dec. 22, 1981, 95 Stat. 1334, related to program and plan review and implementation.

Section 3433, Pub. L. 97-98, title XV, §1516, Dec. 22, 1981, 95 Stat. 1334, related to long-range programs and annual work plans.

Section 3434, Pub. L. 97-98, title XV, §1517, Dec. 22, 1981, 95 Stat. 1334, authorized technical assistance to landowners and operators.

Section 3435, Pub. L. 97-98, title XV, §1518, Dec. 22, 1981, 95 Stat. 1335, related to recordkeeping, audit and examination, and access to books and records.

Section 3436, Pub. L. 97-98, title XV, §1519, Dec. 22, 1981, 95 Stat. 1335, authorized appropriations to carry out provisions of subchapter III.

### SUBCHAPTER IV—RESERVOIR SEDIMENTATION REDUCTION PROGRAM

#### §§ 3441 to 3445. Repealed. Pub. L. 104-127, title III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007

Section 3441, Pub. L. 97-98, title XV, §1521, Dec. 22, 1981, 95 Stat. 1336, authorized formulation and implementation of reservoir sedimentation reduction program.

Section 3442, Pub. L. 97-98, title XV, §1522, Dec. 22, 1981, 95 Stat. 1336, related to preparation and contents of plan.

Section 3443, Pub. L. 97-98, title XV, §1523, Dec. 22, 1981, 95 Stat. 1336, related to approval of plans by Congress.

Section 3444, Pub. L. 97-98, title XV, §1524, Dec. 22, 1981, 95 Stat. 1336, authorized appropriations for carrying out provisions of subchapter IV.

Section 3445, Pub. L. 97-98, title XV, §1525, Dec. 22, 1981, 95 Stat. 1337, required report to Congress by Jan. 1, 1987, evaluating program.

### SUBCHAPTER V—RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM

#### CODIFICATION

Subtitle H of title XV of the Agriculture and Food Act of 1981, comprising this subchapter, was originally enacted by Pub. L. 97-98, title XV, Dec. 22, 1981, 95 Stat. 1337, and amended by Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359; Pub. L. 104-127, Apr. 4, 1996, 110 Stat. 888. Subtitle H is shown herein, however, as having been added by Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 269, without reference to the intervening amendments because of the extensive revision of the subtitle's provisions by Pub. L. 107-171.

#### § 3451. Definitions

In this subchapter:

##### (1) Area plan

The term “area plan” means a resource conservation and use plan developed through a locally led planning process by a council for a designated area of 1 or more States, or of land under the jurisdiction of an Indian tribe, that includes 1 or more of the following elements:

(A) A land conservation element, the purpose of which is to control erosion and sedimentation.

(B) A water management element that provides 1 or more clear environmental or conservation benefits, the purpose of which is to provide for—

(i) the conservation, use, and quality of water, including irrigation and rural water supplies;

(ii) the mitigation of floods and high water tables;

(iii) the repair and improvement of reservoirs;

(iv) the improvement of agricultural water management; and

(v) the improvement of water quality.

(C) A community development element, the purpose of which is to improve—

(i) the development of resources-based industries;

(ii) the protection of rural industries from natural resource hazards;

(iii) the development of adequate rural water and waste disposal systems;

(iv) the improvement of recreation facilities;

(v) the improvement in the quality of rural housing;

(vi) the provision of adequate health and education facilities;

(vii) the satisfaction of essential transportation and communication needs; and

(viii) the promotion of food security, economic development, and education.

(D) A land management element, the purpose of which is—

(i) energy conservation, including the production of energy crops;

(ii) the protection of agricultural land, as appropriate, from conversion to other uses;

(iii) farmland protection; and

(iv) the protection of fish and wildlife habitats.

##### (2) Board

The term “Board” means the Resource Conservation and Development Policy Advisory Board established under section 3456(a) of this title.

##### (3) Council

The term “council” means a nonprofit entity (including an affiliate of the entity) operating in a State that is—

(A) established by volunteers or representatives of States, local units of government, Indian tribes, or local nonprofit organizations to carry out an area plan in a designated area; and

(B) designated by the chief executive officer or legislature of the State to receive technical assistance and financial assistance under this subchapter.

##### (4) Designated area

The term “designated area” means a geographic area designated by the Secretary to receive technical assistance and financial assistance under this subchapter.

##### (5) Financial assistance

The term “financial assistance” means a grant or loan provided by the Secretary (or