

REFERENCES IN TEXT

The Urban Park and Recreation Recovery Act of 1978 (Public Law 95-625, 92 Stat. 3538), referred to in subsec. (b), is title X of Pub. L. 95-625, Nov. 10, 1978, 92 Stat. 3538, which was classified generally to chapter 45 (§ 2501 et seq.) of Title 16, Conservation. The Act was substantially repealed and restated as this chapter by Pub. L. 113-287, §§ 3, 7, Dec. 19, 2014, 128 Stat. 3180, 3272. The findings and purposes of the Act are contained in sections 1002 and 1003 of the Act. Section 1002 was classified to section 2501 of Title 16 and was omitted from the Code. Section 1003 is set out as a note under section 200501 of this title. For complete classification of this Act to the Code, see Tables. For disposition of former sections of Title 16, see Disposition Table preceding section 100101 of this title.

§ 200503. Rehabilitation grants and innovation grants

(a) MATCHING GRANTS.—The Secretary may provide 70 percent matching rehabilitation grants and innovation grants directly to eligible general purpose local governments on the Secretary’s approval of applications for the grants by the chief executive officials of those governments.

(b) SPECIAL CONSIDERATIONS.—An innovation grant 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 200504(c)(2) of this title.

(c) TRANSFER.—If consistent with an approved application, a grant recipient may transfer a rehabilitation grant or innovation grant in whole or in part to an independent special purpose local government, private nonprofit agency, or county or regional park authority if the assisted recreation area or facility owned or managed by the transferee¹ offers recreation opportunities to the general population within the jurisdictional boundaries of the grant recipient.

(d) PAYMENTS.—Payments may be made only for a rehabilitation project or innovation project that has been approved by the Secretary. Payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of the project, except that the Secretary, when appropriate, may make advance payments on an approved rehabilitation project or innovation project in an amount not to exceed 20 percent of the total project cost.

(e) MODIFICATION OF PROJECT.—The Secretary may authorize modification of an approved project only when a grant recipient adequately demonstrates that the modification is necessary because of circumstances not foreseeable at the time at which the project was proposed.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3183.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200503	16 U.S.C. 2505.	Pub. L. 95-625, title X, § 1006, Nov. 10, 1978, 92 Stat. 3541.

In subsection (a), the words “chief executive officials” are substituted for “chief executives” for consistency in the new title.

¹ So in original. Probably should be “transferee”.

In subsection (c), the words “At the discretion of such applicants” are omitted as unnecessary.

§ 200504. Recovery action programs

(a) EVIDENCE OF LOCAL COMMITMENT TO ONGOING PROGRAMS.—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 that 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 that 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 5-year action program for park and recreation recovery that satisfactorily demonstrates—

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

(4) the intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought 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.

(b) CONTINUING PLANNING PROCESS.—Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process that includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

(c) SPECIAL CONSIDERATIONS.—Action programs shall address, but are not limited to—

(1) rehabilitation of existing recreational areas and facilities, including—

(A) general systemwide renovation;

(B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features

in parks of historical or architectural significance; and

(2) local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—

(A) recycling of abandoned schools and other public buildings for recreational purposes;

(B) multiple use of operating educational and other public buildings, purchase of recreation services on a contractual basis;

(C) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;

(D) 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;

(E) conversion of recreation use of street space, derelict land, and other public land not now designated for neighborhood recreational use; and

(F) 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.

(d) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(e) ELIGIBILITY FOR AT-RISK YOUTH RECREATION GRANTS.—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.

(f) MATCHING RECOVERY ACTION PROGRAM GRANTS.—The Secretary may provide up to 50 percent matching recovery action program grants to eligible local governments for program development and planning specifically to meet the objectives of this chapter.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3183.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200504	16 U.S.C. 2506.	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.

In subsection (c)(1), the word “areas” is substituted for “sites” for consistency with the defined term and with the new chapter.

§ 200505. State action

(a) ADDITIONAL MATCH.—The Secretary may increase rehabilitation grants or innovation grants authorized in section 200503 of this title by providing an additional match equal to the total match provided by a State of up to 15 percent of total project costs. The Federal matching amount shall not exceed 85 percent of total project cost.

(b) ADEQUATE IMPLEMENTATION OF LOCAL RECOVERY PLANS.—The Secretary shall encourage States to assist the Secretary in ensuring—

(1) that local recovery plans and programs are adequately implemented by cooperating with the Secretary in monitoring local park and recreation recovery plans and programs; and

(2) consistency of the plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3185.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200505	16 U.S.C. 2507.	Pub. L. 95–625, title X, § 1008, Nov. 10, 1978, 92 Stat. 3542.

In subsection (a), the words “rehabilitation grants or innovation grants” are substituted for “Federal implementation grants” for clarity. See 36 CFR 72.32(c).

§ 200506. Non-Federal share of project costs

(a) SOURCES.—

(1) ALLOWABLE SOURCES.—The non-Federal share of project costs assisted under this chapter may be derived from general or special purpose State or local revenues, State categorical grants, special appropriations by State legislatures, donations of land, buildings, or building materials, and in-kind construction, technical, and planning services. Reasonable local costs of recovery action program development to meet the requirements of section 200504(a) of this title may be used as part of the local match only when the local government has not received a recovery action program grant.

(2) NON-ALLOWABLE SOURCES.—No amount from the Land and Water Conservation Fund or from any other Federal grant program other than the community development block grant programs shall be used to match Federal grants under this program.

(b) ENCOURAGEMENT OF STATES AND PRIVATE INTERESTS.—The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project costs.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3185.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200506	16 U.S.C. 2508.	Pub. L. 95–625, title X, § 1009, Nov. 10, 1978, 92 Stat. 3543.

In subsection (a), the word “recovery” is added after “Reasonable local costs of”, and the words “a recovery