

CHAPTER 54—RESOURCE CONSERVATION**SUBCHAPTER I—SOIL AND WATER
CONSERVATION**

Sec.

3401. Repealed.

**SUBCHAPTER II—SPECIAL AREAS CONSERVATION
PROGRAM**

3411 to 3420. Repealed.

**SUBCHAPTER III—MATCHING GRANTS FOR
CONSERVATION ACTIVITIES**

3431 to 3436. Repealed.

**SUBCHAPTER IV—RESERVOIR SEDIMENTATION
REDUCTION PROGRAM**

3441 to 3445. Repealed.

**SUBCHAPTER V—RESOURCE CONSERVATION AND
DEVELOPMENT PROGRAM**

3451. Definitions.

3452. Resource conservation and development program.

3453. Selection of designated areas.

3454. Powers of the Secretary.

3455. Eligibility; terms and conditions.

3456. Resource Conservation and Development Policy Advisory Board.

3457. Repealed.

3458. Limitation on assistance.

3459. Supplemental authority of the Secretary.

3460. Authorization of appropriations.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

3471. Payments for land removed from production for conservation purposes; authorization of appropriations.

3472. Conservation tillage; Congressional findings, etc.

3473. Regulations.

**SUBCHAPTER I—SOIL AND WATER
CONSERVATION****§ 3401. Repealed. Pub. L. 104-127, title III,
§ 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section, Pub. L. 97-98, title XV, § 1501, Dec. 22, 1981, 95 Stat. 1328, reaffirmed congressional policy regarding soil and water conservation.

**SUBCHAPTER II—SPECIAL AREAS
CONSERVATION PROGRAM****§§ 3411 to 3414. Repealed. Pub. L. 104-127, title
III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section 3411, Pub. L. 97-98, title XV, § 1502, Dec. 22, 1981, 95 Stat. 1328, set forth findings relating to special areas conservation.

Section 3412, Pub. L. 97-98, title XV, § 1503, Dec. 22, 1981, 95 Stat. 1329, related to program formulation and implementation.

Section 3413, Pub. L. 97-98, title XV, § 1504, Dec. 22, 1981, 95 Stat. 1331, related to designation of geographic area as special area.

Section 3414, Pub. L. 97-98, title XV, § 1505, Dec. 22, 1981, 95 Stat. 1331, set forth limitations on contracts under program.

**§ 3415. Repealed. Pub. L. 104-66, title I, § 1011(p),
Dec. 21, 1995, 109 Stat. 710**

Section, Pub. L. 97-98, title XV, § 1506, Dec. 22, 1981, 95 Stat. 1332, directed Secretary to submit copies of special area reports to Congress.

**§§ 3416 to 3418. Repealed. Pub. L. 104-127, title
III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section 3416, Pub. L. 97-98, title XV, § 1506, formerly § 1507, Dec. 22, 1981, 95 Stat. 1332; renumbered § 1506, Pub.

L. 104-66, title I, § 1011(p), Dec. 21, 1995, 109 Stat. 710, related to utilization of services and facilities in carrying out provisions of this subchapter.

Section 3417, Pub. L. 97-98, title XV, § 1507, formerly § 1508, Dec. 22, 1981, 95 Stat. 1332; renumbered § 1507, Pub. L. 104-66, title I, § 1011(p), Dec. 21, 1995, 109 Stat. 710, authorized expenditure of funds for improvement of technology.

Section 3418, Pub. L. 97-98, title XV, § 1508, formerly § 1509, Dec. 22, 1981, 95 Stat. 1332; renumbered § 1508, Pub. L. 104-66, title I, § 1011(p), Dec. 21, 1995, 109 Stat. 710, authorized appropriations to carry out subchapter programs.

**§ 3419. Repealed. Pub. L. 104-66, title I, § 1011(q),
Dec. 21, 1995, 109 Stat. 710**

Section, Pub. L. 97-98, title XV, § 1510, Dec. 22, 1981, 95 Stat. 1332, directed Secretary to submit reports to Congress concerning operation of special areas conservation program.

**§ 3420. Repealed. Pub. L. 104-127, title III,
§ 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section, Pub. L. 97-98, title XV, § 1509, formerly § 1511, Dec. 22, 1981, 95 Stat. 1332; renumbered § 1509, Pub. L. 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 the Secretary and other Federal agencies) to, or a cooperative agreement entered into by the Secretary (or the Secretary and other Federal agencies) with, a council, or association of councils, to carry out an area plan in a designated area, including assistance provided for planning, analysis, feasibility studies, training, education, and other activities necessary to carry out the area plan.

(6) Indian tribe

The term “Indian tribe” has the meaning given the term in section 450b of title 25.

(7) Local unit of government

The term “local unit of government” means—

(A) any county, city, town, township, parish, village, or other general-purpose subdivision of a State; and

(B) any local or regional special district or other limited political subdivision of a State, including any soil conservation district, school district, park authority, and water or sanitary district.

(8) Locally led planning process

The term “planning process” means actions taken by a locally led council to develop and carry out an effective area plan in a designated area, including development of the area plan, goals, purposes, policies, implementation activities, evaluations and reviews, and the opportunity for public participation in the actions.

(9) Nonprofit organization

The term “nonprofit organization” means any organization that is—

(A) described in section 501(c) of title 26; and

(B) exempt from taxation under section 501(a) of title 26.

(10) Project

The term “project” means a project that is carried out by a council to achieve any of the elements of an area plan.