

(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

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 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.

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 require-

ments 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 action program grant” are substituted for “program development grants”, for clarity. See 36 CFR 72.32(a).

§ 200507. Conversion of recreation property

No property improved or developed with assistance under this chapter shall, without the approval of the Secretary, be converted to other than public recreation uses. The Secretary shall approve such a conversion only if the Secretary finds it to be in accord with the then-current local park and recreation recovery action program and only on such conditions as the Secretary considers necessary to ensure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3186.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 200507 | 16 U.S.C. 2509. | Pub. L. 95–625, title X, §1010, Nov. 10, 1978, 92 Stat. 3543. |

The words “then current” are substituted for “current” for clarity.

§ 200508. Coordination of program

The Secretary shall—

(1) coordinate the urban park and recreation recovery program with the total urban recovery effort and cooperate to the fullest extent possible with other Federal agencies and with State agencies that administer programs and policies affecting urban areas, including programs in housing, urban development, natural resources management, employment, transportation, community services, and voluntary action;

(2) encourage maximum coordination of the program between State agencies and local applicants; and

(3) require that local applicants include provisions for participation of community and neighborhood residents and for public-private coordination in recovery planning and project selection.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3186.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 200508 | 16 U.S.C. 2510. | Pub. L. 95–625, title X, §1011, Nov. 10, 1978, 92 Stat. 3543. |

In subsection (a)(1), the word “departments” is omitted as being included in “agency”.