

1977 through 1980 formerly contained in pars. (7) and (8), and authorized appropriation of \$9,000,000 for grants under section 1461 of this title for fiscal years 1981 through 1985. Former par. (5) redesignated (4).

Subsec. (a)(6). Pub. L. 96-464, §13(1), redesignated par. (9) as (6) and substituted authorization of appropriation of \$6,000,000 for fiscal years 1981 through 1985, for authorization of appropriation of \$5,000,000 for fiscal years 1977 through 1980. Former par. (6), which contained authorization of appropriation of \$10,000,000 for fiscal years 1977 through 1980 for financial assistance under section 1456c of this title with equal division between subsecs. (a) and (b), was struck out.

Subsec. (a)(7) to (9). Pub. L. 96-464, §13(1), combined provisions of pars. (7) and (8) into par. (5) and redesignated par. (9) as (6).

Subsec. (b). Pub. L. 96-464, §13(2), substituted "subsection (b) of this section, of which not to exceed \$150,000,000 shall be for purposes of subsections (c)(1), (c)(2) and (c)(3) of such section" for "subsections (b) and (c)(2), of which not to exceed \$50,000,000 shall be for purposes of subsections (c)(1) and (d)(4) of such section".

Subsec. (c). Pub. L. 96-464, §13(3), substituted "section 1455 or 1456b of this title" for "section 1454, 1455, 1456b or 1456c of this title".

1978—Subsec. (a)(3). Pub. L. 95-372, §502, substituted "for each of the fiscal years ending September 30, 1977, and September 30, 1978, and not to exceed \$130,000,000 per fiscal year for each of the fiscal years occurring during the period beginning on October 1, 1978, and ending September 30, 1988," for "for each of the 8 fiscal years occurring during the period beginning October 1, 1976, and ending September 30, 1984."

Subsec. (a)(4) to (9). Pub. L. 95-372, §503(e), added par. (4) and redesignated former pars. (4) to (8) as (5) to (9), respectively.

Subsec. (b). Pub. L. 95-372, §503(f), substituted "subsections (b) and (c)(2)" for "subsection (b)" and "subsections (c)(1)" for "subsections (c)".

1976—Subsec. (a)(1). Pub. L. 94-370, §14, substituted provisions authorizing appropriations of sums not to exceed \$20,000,000 for each of the fiscal years ending Sept. 30, 1977, Sept. 30, 1978, and Sept. 30, 1979 for provisions authorizing appropriations of the sum of \$9,000,000 for the fiscal year ending June 30, 1973, and for each of the fiscal years 1974 through 1977.

Subsec. (a)(2). Pub. L. 94-370, §14, substituted provisions authorizing appropriations of sums not to exceed \$50,000,000 for each of the fiscal years ending Sept. 30, 1977, Sept. 30, 1978, Sept. 30, 1979, and Sept. 30, 1980 for provisions authorizing appropriations of sums not to exceed \$30,000,000 for the fiscal year ending June 30, 1974, and for each of the fiscal years 1975 through 1977.

Subsec. (a)(3). Pub. L. 94-370, §14, substituted provisions authorizing appropriations of sums not to exceed \$50,000,000 for each of the 8 fiscal years occurring during the period beginning Oct. 1, 1976, and ending Sept. 30, 1984, as may be necessary for grants under section 1456a(b) of this title for provisions authorizing appropriations of sums not to exceed \$6,000,000 for the fiscal year ending June 30, 1974, as may be necessary for grants under section 1461 of this title, to remain available until expended.

Subsec. (a)(4) to (8). Pub. L. 94-370, §14, added pars. (4) to (8).

Subsec. (b). Pub. L. 94-370, §14, substituted provisions authorizing appropriations until Oct. 1, 1986 to the Fund of sums not to exceed \$800,000,000 for the purpose of carrying out provisions of section 1456a of this title, other than subsec. (b) of such section, of which sums not to exceed \$50,000,000 shall be for purposes of subsecs. (c) and (d)(4) of such section for provisions authorizing appropriations of sums not to exceed \$3,000,000, for fiscal year 1973 and for each of the four succeeding fiscal years, as may be necessary for administrative expenses for administration of this chapter.

Subsec. (c). Pub. L. 94-370, §14, added subsec. (c).

1975—Subsec. (a)(1). Pub. L. 93-612, §1(3)(A), increased from \$9,000,000 to \$12,000,000 the sums authorized to be

appropriated for the 3 fiscal years following the fiscal year 1974.

Subsec. (a)(3). Pub. L. 93-612, §1(3)(B), inserted "and for each of the three succeeding fiscal years," after "fiscal year ending June 30, 1974."

## § 1465. Appeals to the Secretary

### (a) Notice

Not later than 30 days after the date of the filing of an appeal to the Secretary of a consistency determination under section 1456 of this title, the Secretary shall publish an initial notice in the Federal Register.

### (b) Closure of record

#### (1) In general

Not later than the end of the 160-day period beginning on the date of publication of an initial notice under subsection (a), except as provided in paragraph (3), the Secretary shall immediately close the decision record and receive no more filings on the appeal.

#### (2) Notice

After closing the administrative record, the Secretary shall immediately publish a notice in the Federal Register that the administrative record has been closed.

### (3) Exception

#### (A) In general

Subject to subparagraph (B), during the 160-day period described in paragraph (1), the Secretary may stay the closing of the decision record—

(i) for a specific period mutually agreed to in writing by the appellant and the State agency; or

(ii) as the Secretary determines necessary to receive, on an expedited basis—

(I) any supplemental information specifically requested by the Secretary to complete a consistency review under this chapter; or

(II) any clarifying information submitted by a party to the proceeding related to information in the consolidated record compiled by the lead Federal permitting agency.

#### (B) Applicability

The Secretary may only stay the 160-day period described in paragraph (1) for a period not to exceed 60 days.

### (c) Deadline for decision

#### (1) In general

Not later than 60 days after the date of publication of a Federal Register notice stating when the decision record for an appeal has been closed, the Secretary shall issue a decision or publish a notice in the Federal Register explaining why a decision cannot be issued at that time.

#### (2) Subsequent decision

Not later than 15 days after the date of publication of a Federal Register notice explaining why a decision cannot be issued within the 60-day period, the Secretary shall issue a decision.

(Pub. L. 89-454, title III, §319, as added Pub. L. 104-150, §8, June 3, 1996, 110 Stat. 1382; amended

Pub. L. 109-58, title III, §381, Aug. 8, 2005, 119 Stat. 737.)

## REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(3)(A)(ii)(I), was in the original “this Act” which was translated as reading “this title”, meaning title III of Pub. L. 89-454 which is classified generally to this chapter, to reflect the probable intent of Congress.

## AMENDMENTS

2005—Pub. L. 109-58 amended section catchline and text generally, substituting provisions relating to notice, closure of record, and deadline for decision for provisions relating to notice, deadline for decision, and application of section.

**§ 1466. Appeals relating to offshore mineral development**

For any Federal administrative agency proceeding that is an appeal or review under section 319 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1465) related to any Federal authorization for the permitting, approval, or other authorization of an energy project, the lead Federal permitting agency for the project shall, with the cooperation of Federal and State administrative agencies, maintain a consolidated record of all decisions made or actions taken by the lead agency or by another Federal or State administrative agency or officer. Such record shall be the initial record for appeals or reviews under that Act, provided that the record may be supplemented as expressly provided pursuant to section 319 of that Act.

(Pub. L. 109-58, title III, §382, Aug. 8, 2005, 119 Stat. 738.)

## REFERENCES IN TEXT

The Coastal Zone Management Act of 1972, referred to in text, is title III of Pub. L. 89-454, as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to this chapter (§1451 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1451 of this title and Tables.

## CODIFICATION

Section was enacted as part of the Energy Policy Act of 2005, and not as part of the Coastal Zone Management Act of 1972 which comprises this chapter.

**CHAPTER 34—RURAL ENVIRONMENTAL CONSERVATION PROGRAM**

**§§ 1501 to 1508. Repealed. Pub. L. 104-127, title III, § 336(d)(1), Apr. 4, 1996, 110 Stat. 1006**

Section 1501, Pub. L. 91-524, title X, §1001, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 241; amended Pub. L. 93-125, §1(g)(i), Oct. 18, 1973, 87 Stat. 450; Pub. L. 99-198, title XIII, §1318(b)(2), Dec. 23, 1985, 99 Stat. 1531, related to establishment and purpose of program, contracting and purchasing authority of Secretary, and maintenance of continuing and stable supply of agricultural commodities and forest products.

Section 1502, Pub. L. 91-524, title X, §1002, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 242, required eligible landowners and operators to furnish plan of farming operations or land use to Secretary.

Section 1503, Pub. L. 91-524, title X, §1003, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 242; amended Pub. L. 93-125, §1(g)(i), Oct. 18, 1973, 87 Stat. 450, related to approved conservation plans as basis for contracts, duties under contracts, and termination or modification of contracts.

Section 1504, Pub. L. 91-524, title X, §1004, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 243, authorized furnishing of conservation materials to eligible owners and operators.

Section 1505, Pub. L. 91-524, title X, §1005, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 243; amended Pub. L. 95-113, title XV, §1509, Sept. 29, 1977, 91 Stat. 1022, authorized establishment of multiyear set-aside contracts.

Section 1506, Pub. L. 91-524, title X, §1006, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 244, authorized issuance of rules and regulations as well as limitations on total retired acreage.

Section 1507, Pub. L. 91-524, title X, §1007, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 244; amended Pub. L. 93-125, §1(g)(ii), Oct. 18, 1973, 87 Stat. 450, directed appointment of advisory boards to assist in development of programs under this chapter.

Section 1508, Pub. L. 91-524, title X, §1008, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 244, directed coordination with and utilization of Federal, State, and local services and facilities to carry out programs and plans.

**§ 1509. Repealed. Pub. L. 95-313, § 16(a)(7), formerly § 13(a)(7), July 1, 1978, 92 Stat. 374; renumbered § 16(a)(7), Pub. L. 101-624, title XII, § 1215(1), Nov. 28, 1990, 104 Stat. 3525**

Section, Pub. L. 91-524, title X, §1009, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 245, set forth provisions relating to establishment, funding requirements, etc., for the forestry incentives program.

## EFFECTIVE DATE OF REPEAL

Section repealed effective Oct. 1, 1978, see section 17 of Pub. L. 95-313, set out as an Effective Date note under section 2101 of this title.

**§ 1510. Repealed. Pub. L. 104-127, title III, § 336(d)(1), Apr. 4, 1996, 110 Stat. 1006**

Section, Pub. L. 91-524, title X, §1010, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 245; amended Pub. L. 95-313, §16(a)(7), formerly §13(a)(7), July 1, 1978, 92 Stat. 374, renumbered §16(a)(7), Pub. L. 101-624, title XII, §1215(1), Nov. 28, 1990, 104 Stat. 3525, related to authorization of appropriations as well as construction and continuation of programs, contracts, and authorities.

**CHAPTER 35—ENDANGERED SPECIES**

Sec.	
1531.	Congressional findings and declaration of purposes and policy.
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**§ 1531. Congressional findings and declaration of purposes and policy**

**(a) Findings**

The Congress finds and declares that—