

approved by the soil and water conservation district in which the land described in the agreement is situated, to be carried out on such land during a period of not to exceed ten years, providing for changes in cropping systems and land uses and for the installation of soil and water conservation practices and measures needed to conserve and develop the soil, water, woodland, wildlife, energy, and recreation resources of and enhance the water quality of lands within the area included in plans for works of improvement, as provided for in such plans, including watershed or sub-watershed work plans in connection with the eleven watershed improvement programs authorized by section 13 of the Act of December 22, 1944 (58 Stat. 887), as amended and supplemented. Applications for assistance in developing such conservation plans shall be made in writing to the soil and water conservation district involved, and the proposed agreement shall be reviewed by such district. In return for such agreements by landowners, operators, and occupiers the Secretary shall agree to share the costs of carrying out those practices and measures set forth in the agreement for which he determines that cost sharing is appropriate and in the public interest. The portion of such costs, including labor, to be shared shall be that part which the Secretary determines is appropriate and in the public interest for the carrying out of the practices and measures set forth in the agreement, except that the Federal assistance shall not exceed the rate of assistance for similar practices and measures under existing national programs. The Secretary may terminate any agreement with a landowner, operator, or occupier by mutual agreement if the Secretary determines that such termination would be in the public interest, and may agree to such modifications of agreements, previously entered into hereunder, as he deems desirable to carry out the purposes of this paragraph or to facilitate the practical administration of the agreements provided for herein. Notwithstanding any other provision of law, the Secretary, to the extent he deems it desirable to carry out the purposes of this paragraph, may provide in any agreement hereunder for (1) preservation for a period not to exceed the period covered by the agreement and an equal period thereafter of the cropland, crop acreage, and allotment history applicable to land covered by the agreement for the purpose of any Federal program under which such history is used as a basis for an allotment or other limitation on the production of any crop; or (2) surrender of any such history and allotments.

**(b) Waiver**

The Secretary may waive the watershed plan for works of improvement if the Secretary determines that—

- (1) the watershed plan is unnecessary or duplicative; and
- (2) the works of improvement are otherwise consistent with applicable requirements under section 1004 of this title.

(Aug. 4, 1954, ch. 656, §3, 68 Stat. 666; Aug. 7, 1956, ch. 1027, §1(b), 70 Stat. 1088; Pub. L. 92-419, title

II, §201(c), Aug. 30, 1972, 86 Stat. 667; Pub. L. 97-98, title XV, §1512(c), Dec. 22, 1981, 95 Stat. 1333; Pub. L. 101-624, title XIV, §1464, Nov. 28, 1990, 104 Stat. 3616; Pub. L. 115-334, title II, §2401(a), Dec. 20, 2018, 132 Stat. 4570.)

REFERENCES IN TEXT

Section 13 of the Act of December 22, 1944 (58 Stat. 887), as amended and supplemented, referred to in par. (6), is section 13 of act Dec. 22, 1944, ch. 665, 58 Stat. 887, which was not classified to the Code.

AMENDMENTS

2018—Pub. L. 115-334 inserted section catchline, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1990—Par. (6). Pub. L. 101-624 inserted “and enhance the water quality of” after “recreation resources of”.

1981—Par. (6). Pub. L. 97-98 inserted reference to energy in the enumeration of the various aspects of lands to be conserved and developed within areas included under plans for works of improvement.

1972—Par. (6). Pub. L. 92-419 added par. (6).

1956—Pars. (2) to (6). Act Aug. 7, 1956, substituted in par. (2) provisions authorizing the Secretary to prepare plans and estimates required for adequate engineering evaluation for provisions which authorized the Secretary to make studies for physical and economic soundness of plans for works of improvement, added par. (3), and redesignated former pars. (3) and (4) as (4) and (5), respectively.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of Title 7, Agriculture.

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of Agriculture under this chapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 1002 of this title.

EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Amendment by act Aug. 7, 1956, as applicable to all works of improvement and plans for such works under the provisions of this chapter, see Extension of Benefits note set out under section 1001 of this title.

**§ 1003a. Cost share assistance**

**(a) Easements**

The Secretary may provide cost share assistance to project sponsors to enable such sponsors to acquire perpetual wetland or floodplain conservation easements to perpetuate, restore and enhance the natural capability of wetlands and floodplains to retain excessive floodwaters, improve water quality and quantity, and provide habitat for fish and wildlife.

**(b) Amount**

The Secretary shall require that project sponsors of watershed projects provide up to 50 percent of the cost of acquiring easements under subsection (a).

(Aug. 4, 1954, ch. 656, §3A, as added Pub. L. 101-624, title XIV, §1462, Nov. 28, 1990, 104 Stat. 3615.)

**§ 1004. Conditions for Federal assistance**

The Secretary shall require as a condition to providing Federal assistance for the installation