

(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.)

#### Editorial Notes

##### 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.

#### Statutory Notes and Related Subsidiaries

##### 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.

##### 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.

#### Executive Documents

##### 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.

#### § 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 per-

cent 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 of works of improvement that local organizations shall—

(1) acquire, or with respect to interests in land to be acquired by condemnation provide assurances satisfactory to the Secretary that they will acquire, without cost to the Federal Government from funds appropriated for the purposes of this chapter, such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance: *Provided*, That when a local organization agrees to operate and maintain any reservoir or other area included in a plan for public fish and wildlife or recreational development, the Secretary shall be authorized to bear not to exceed one-half of the costs of (a) the land, easements, or rights-of-way acquired or to be acquired by the local organization for such reservoir or other area, and (b) minimum basic facilities needed for public health and safety, access to, and use of such reservoir or other area for such purposes: *Provided further*, That the Secretary shall be authorized to participate in recreational development in any watershed project only to the extent that the need therefor is demonstrated in accordance with standards established by him, taking into account the anticipated mandays of use of the projected recreational development and giving consideration to the availability within the region of existing water-based outdoor recreational developments: *Provided further*, That the Secretary shall be authorized to participate in not more than one recreational development in a watershed project containing less than seventy-five thousand acres, or two such developments in a project containing between seventy-five thousand and one hundred and fifty thousand acres, or three such developments in projects exceeding one hundred and fifty thousand acres: *Provided further*, That when the Secretary and a local organization have agreed that the immediate acquisition by the local organization of land, easements, or rights-of-way is advisable for the preservation of sites for works of improvement included in a plan from encroachment by residential, commercial, industrial, or other development, the Secretary shall be authorized to advance to the local organization from funds appropriated for construction of works of improvement the amounts required for the acquisition of such land, easements or rights-of-way; and, except where such costs are to be borne by the Secretary, such advance shall be repaid by the local organization, with interest, prior to construction of the works of improvement, for credit to such construction funds: *Provided further*, That the Secretary shall be authorized to bear an amount not to exceed one-half of the