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2^D SESSION

H. R. 4289

To amend the Watershed Protection and Flood Prevention Act to establish a Waterways Restoration Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1994

Ms. FURSE (for herself, Mr. DELLUMS, Mr. EVANS, Mr. HOCHBRUECKNER, Mr. RICHARDSON, Mr. SHAYS, Ms. NORTON, Ms. WOOLSEY, Mr. MILLER of California, Ms. ESHOO, Mr. DEFazio, Mr. McDERMOTT, Mr. WYDEN, Mr. STUDDS, Mr. HAMBURG, Mr. BARRETT of Wisconsin, Mrs. UNSOELD, Ms. MCKINNEY, Mr. SANDERS, Mr. DICKS, Mr. RANGEL, and Ms. VELÁZQUEZ) introduced the following bill; which was referred jointly to the Committees on Agriculture, Merchant Marine and Fisheries, and Public Works and Transportation

A BILL

To amend the Watershed Protection and Flood Prevention Act to establish a Waterways Restoration Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Waterways Restoration
5 Act of 1994”.

6 **SEC. 2. FINDINGS AND POLICY.**

7 (a) FINDINGS.—Congress finds that—

1 (1) restoring degraded streams, rivers, wet-
2 lands, and other waterways to their natural state is
3 a cost effective and environmentally sensitive means
4 to control flooding, excessive erosion, sedimentation,
5 and nonpoint pollution, including stormwater runoff;

6 (2) protecting and restoring watersheds pro-
7 vides critical ecological benefits by restoring and
8 maintaining biodiversity, providing fish and wildlife
9 habitat, filtering pollutants, and performing other
10 important ecological functions;

11 (3) waterway restoration and protection
12 projects can provide important economic benefits by
13 rejuvenating waterfront areas, providing recreational
14 opportunities, and creating community service jobs
15 and job training opportunities in environmental res-
16 toration for disadvantaged youth, displaced resource
17 harvesters, and other unemployed residents; and

18 (4) restoring waterways helps to increase the
19 fishing potential of waterways and restore dimin-
20 ished fisheries, which are important to local and re-
21 gional cultures and economies and to low income
22 and ethnic cultural groups who rely heavily on fish
23 as a food source.

24 (b) POLICY.—Therefore, Congress declares it in the
25 national interest to—

1 (1) protect and restore the chemical, biological,
2 and physical components of streams and rivers and
3 associated wetland systems such that the biological
4 and physical structures, diversity, functions, and dy-
5 namics of the stream and wetland ecological systems
6 are restored;

7 (2) replace deteriorating stormwater structural
8 infrastructures and physical waterway alterations
9 that are environmentally destructive with cost effec-
10 tive, low maintenance, and environmentally sensitive
11 projects;

12 (3) promote the use of nonstructural means to
13 manage and convey streamflow, stormwater, and
14 flood waters;

15 (4) increase the involvement of the public and
16 youth conservation and service corps in the monitor-
17 ing, inventorying, and restoration of watersheds in
18 order to improve public education, prevent pollution,
19 and develop coordinated citizen and governmental
20 partnerships to restore damaged waterways; and

21 (5) benefit business districts, local economies,
22 and neighborhoods through the restoration of water-
23 ways.

1 **SEC. 3. WORKS OF IMPROVEMENT DEFINED.**

2 The second paragraph of section 2 of the Watershed
3 Protection and Flood Prevention Act (16 U.S.C. 1002; re-
4 lating to works of improvement) is amended by striking
5 the following: “Each project must contain benefits directly
6 related to agriculture, including rural communities, that
7 account for at least 20 percent of the total benefits of the
8 project.”.

9 **SEC. 4. WATERWAYS RESTORATION PROGRAM.**

10 The Watershed Protection and Flood Prevention Act
11 (16 U.S.C. 1001–1008; 1010) is amended by adding at
12 the end the following:

13 **“SEC. 14. WATERWAYS RESTORATION PROGRAM.**

14 “(a) ESTABLISHMENT.—The Secretary, acting
15 through the Chief of the Soil Conservation Service, shall
16 establish and implement a Waterways Restoration Pro-
17 gram in accordance with the requirements of this section.
18 Under the program, the Secretary shall provide technical
19 assistance and grants, on a competitive basis, to eligible
20 entities to assist such entities in carrying out waterway
21 restoration projects.

22 “(b) PROJECT ELIGIBILITY.—

23 “(1) PROJECT OBJECTIVES.—A project shall be
24 eligible for assistance under the program if the
25 project is designed to achieve ecological restoration

1 or protection and 1 or more of the following objec-
2 tives:

3 “(A) Flood damage reduction.

4 “(B) Erosion control.

5 “(C) Stormwater management.

6 “(D) Water quality enhancement.

7 “(2) LOCATION OF PROJECTS.—A project may
8 be carried out under the program on Federal lands
9 or on State or private lands in any case in which the
10 State or the private land owner is a sponsor or co-
11 sponsor of the project.

12 “(3) PROJECT DESCRIPTIONS.—Projects eligible
13 for assistance under the program shall include
14 projects for any of the following purposes:

15 “(A) Restoration and monitoring of de-
16 graded waterways, including revegetation, res-
17 toration of biological communities, and changes
18 in land management practices.

19 “(B) Reestablishment of stream channel
20 quasi-equilibrium.

21 “(C) Restoration or establishment of wet-
22 land and riparian environments as part of a
23 multiobjective stormwater management system
24 in which the restored or established areas pro-
25 vide stormwater storage, detention, and reten-

1 tion; nutrient filtering; wildlife habitat; and in-
2 creased biological diversity.

3 “(D) Reduction of runoff.

4 “(E) Stream bank restoration using the
5 principles of biotechnical slope stabilization.

6 “(F) Creation and acquisition of multi-ob-
7 jective floodplain riparian zones, including re-
8 moval of natural or humanmade levees, for
9 floodwater and sediment storage, wildlife habi-
10 tat, and recreation.

11 “(G) Removal of culverts and storm drains
12 to establish natural environmental conditions.

13 “(H) Organization of local watershed coun-
14 cils in conjunction with the implementation of
15 on-the-ground action education or restoration
16 projects.

17 “(I) Training of participants, including
18 youth conservation and service corps program
19 participants, in restoration techniques in con-
20 junction with the implementation of on-the-
21 ground action education or restoration projects.

22 “(J) Development of waterway restoration
23 or watershed plans which are intended for use
24 within the grant agreement period to implement
25 specific restoration projects.

1 “(K) Restoration of any stream channel to
2 reestablish a meandering, bankfull flow channel,
3 riparian vegetation, and floodplain in order—

4 “(i) to restore the functions and dy-
5 namics of a natural stream system to a
6 previously channelized waterway; or

7 “(ii) to convey larger flood flows as an
8 alternative to a channelization project.

9 “(L) Release of reservoir flows to restore
10 riparian and instream habitat.

11 “(M) Watershed or wetland programs that
12 have undergone planning pursuant to other
13 Federal, State, tribal, or local programs and
14 laws and have received necessary environmental
15 review and permits.

16 “(N) Early action projects which a water-
17 shed council wants to implement prior to the
18 completion of its required final consensus wa-
19 tershed plan, if the project is determined to
20 meet the council’s watershed management ob-
21 jectives and is useful in fostering citizen in-
22 volvement in the planning process.

23 “(4) PRIORITY PROJECTS.—Projects which have
24 the following attributes shall be given priority by

1 interdisciplinary teams established under this section
2 in determining funding priorities:

3 “(A) Projects located in or directly benefit-
4 ing low-income or economically depressed areas
5 adversely impacted by poor watershed manage-
6 ment.

7 “(B) Projects that will restore or create
8 businesses or occupations in the project area.

9 “(C) Projects providing opportunities for
10 participants in Federal, State, tribal, and local
11 youth conservation and service corps and pro-
12 vide training in environmental restoration, mon-
13 itoring, and inventory work.

14 “(D) Projects serving communities com-
15 posed of minorities or Native Americans, in-
16 cluding the development of outreach programs
17 to facilitate the participation by such groups in
18 the program.

19 “(E) Projects identified as regional prior-
20 ities that have been planned within a regional
21 context and coordinated with Federal, State,
22 tribal, and local agencies.

23 “(F) Projects that will restore wildlife or
24 fisheries of commercial, recreational, subsist-
25 ence, or scientific concern.

1 “(G) Projects training and employing fish-
2 ers and other resource harvesters whose liveli-
3 hoods have been adversely impacted by habitat
4 degradation.

5 “(H) Projects providing significant im-
6 provements in ecological values and functions in
7 the project area.

8 “(I) Projects previously approved under
9 this Act which meet or are redesigned to meet
10 the requirements of this section.

11 “(5) COST-BENEFIT ANALYSIS.—A project shall
12 be eligible for assistance under the program if an
13 interdisciplinary team established under this section
14 determines that the local social, economic, ecological,
15 and community benefits of the project based on local
16 needs, problems, and conditions equal or exceed the
17 financial and social costs of the project.

18 “(6) FLOOD DAMAGE REDUCTION.—Projects for
19 which one of the purposes is to reduce flood dam-
20 ages shall be designed for the level of risk selected
21 by the local cosponsors and sponsors to best meet
22 their needs for reducing flood risks, their ability to
23 pay project costs, and community objectives to pro-
24 tect or restore environmental quality.

1 “(7) INELIGIBLE PROJECTS.—Projects involv-
2 ing channelization, stream bank stabilization using
3 methods other than biotechnical slope protection
4 methods, or construction of reservoirs shall not be
5 eligible for assistance under the program.

6 “(c) PROGRAM ADMINISTRATION.—

7 “(1) DESIGNATION OF PROGRAM ADMINISTRA-
8 TORS.—The Secretary shall designate a program ad-
9 ministrator for each State who shall be responsible
10 for administering the program in the State. Except
11 as provided by paragraph (2), the Secretary shall
12 designate the State Conservationist of the Soil Con-
13 servation Service of a State as the program adminis-
14 trator of the State.

15 “(2) APPROVAL OF STATE AGENCIES.—

16 “(A) IN GENERAL.—A State may submit
17 to the Secretary an application for designation
18 of a State agency to serve as the program ad-
19 ministrator of the State.

20 “(B) CRITERIA.—The Secretary shall ap-
21 prove an application of a State submitted under
22 subparagraph (A) if the application meets the
23 following criteria:

24 “(i) Demonstration of the ability of
25 the State agency to solicit, select, and fund

1 projects within a 1-year grant administra-
2 tion cycle.

3 “(ii) Demonstration of the responsive-
4 ness of the State agency to the administra-
5 tive needs and limitations of small non-
6 profit organizations and low income or mi-
7 nority communities.

8 “(iii) Demonstration of the success of
9 the State agency in implementing State or
10 local programs with objectives similar to
11 the objectives of this section.

12 “(iv) Demonstration of the ability of
13 the State agency to jointly plan and imple-
14 ment with Indian Tribes programs with
15 objectives similar to this section.

16 “(C) REDESIGNATION.—Whenever the Sec-
17 retary determines, after a public hearing, that
18 a State agency with an approved application
19 under this paragraph no longer meets the cri-
20 teria set forth in subparagraph (B), the Sec-
21 retary shall so notify the State and, if appro-
22 priate corrective action has not been taken
23 within a reasonable time, withdraw the designa-
24 tion of the State agency as the program admin-
25 istrator of the State and designate the State

1 Conservationist of the Soil Conservation Service
2 of the State as the program administrator of
3 the State.

4 “(3) TECHNICAL ASSISTANCE.—The State Con-
5 servationist of a State shall continue to carry out
6 the technical assistance portion of the program in
7 the State even if the State receives approval of an
8 application submitted under subparagraph (A).

9 “(d) GRANT APPLICATION CYCLE.—

10 “(1) IN GENERAL.—Grants under the program
11 shall be awarded on an annual basis.

12 “(2) GRANT AGREEMENTS.—The program ad-
13 ministrator of a State may enter into a grant agree-
14 ment with an eligible entity to permit the entity to
15 phase-in a project under the program for a period of
16 not to exceed 3 years; except that any such project
17 shall remain subject to reevaluation each year as
18 part of the annual funding cycle.

19 “(e) SELECTION OF PROJECTS.—

20 “(1) APPLICATIONS.—In order to receive assist-
21 ance to carry out a project under the program in a
22 State, an eligible entity shall submit to the program
23 administrator of the State an application which is in
24 such form and contains such information as the Sec-
25 retary may by regulation require.

1 “(2) REVIEW OF APPLICATIONS BY INTER-
2 DISCIPLINARY TEAMS.—

3 “(A) TRANSMITTAL.—Each application for
4 assistance under the program received by the
5 program administrator of a State shall be
6 transmitted to the interdisciplinary team of the
7 State established pursuant to this section.

8 “(B) REVIEW.—On an annual basis, the
9 interdisciplinary team of each State shall—

10 “(i) review applications transmitted to
11 the team pursuant to subparagraph (A);

12 “(ii) determine the eligibility of pro-
13 posed projects for funding under the
14 program;

15 “(iii) make recommendations concern-
16 ing funding priorities for such eligible
17 projects; and

18 “(iv) transmit its findings and rec-
19 ommendations to the program adminis-
20 trator of the State.

21 “(C) PROJECT OPPOSITION BY FEDERAL
22 REPRESENTATIVES.—If 2 or more of the mem-
23 bers of an interdisciplinary team of a State ap-
24 pointed pursuant to clause (ii), (iii) or (iv) of
25 subsection (f)(2)(B) are opposed to a project

1 which is supported by a majority of the mem-
2 bers of the interdisciplinary team, a determina-
3 tion on whether the project may receive assist-
4 ance under the program shall be made by the
5 Chief of the Soil Conservation Service. In mak-
6 ing a determination under this subparagraph,
7 the Chief shall consult with the Administrator
8 of the Environmental Protection Agency, the
9 Director of the Fish and Wildlife Service, and,
10 in coastal areas, the Assistant Administrator of
11 the National Marine Fisheries Service. The Sec-
12 retary shall conduct such monitoring activities
13 as are necessary to ensure the success and ef-
14 fectiveness of project determinations made pur-
15 suant to this subparagraph.

16 “(3) FINAL SELECTION.—The final determina-
17 tion on whether to provide assistance for a project
18 under the program shall be made by the program
19 administrator of the State and shall be based on the
20 recommendations of the interdisciplinary team of the
21 State transmitted pursuant to paragraph (2)(B).

22 “(f) APPOINTMENT OF INTERDISCIPLINARY
23 TEAMS.—

24 “(1) IN GENERAL.—There shall be established
25 in each State an interdisciplinary team of specialists

1 to assist in reviewing project applications under the
2 program.

3 “(2) APPOINTMENT.—The interdisciplinary
4 team of a State shall be composed of the following
5 members:

6 “(A) APPOINTEES OF THE PROGRAM AD-
7 MINISTRATOR.—Individuals to be appointed on
8 an annual basis by the program administrator
9 of the State, including at least 1 representative
10 of each of the following specialties:

11 “(i) Hydrologists.

12 “(ii) Plant ecologists.

13 “(iii) Aquatic biologists.

14 “(iv) Biotechnical slope protection
15 experts.

16 “(v) Landscape architect or planners.

17 “(vi) Members of the agricultural
18 community.

19 “(vii) Representatives of the fish and
20 wildlife agency of the State.

21 “(viii) Representatives of the soil and
22 water conservation agency of the State.

23 “(B) REPRESENTATIVES OF FEDERAL
24 AGENCIES.—One representative of each of the
25 following Federal agencies to be appointed on

1 an annual basis by the appropriate regional or
2 State director of the agency:

3 “(i) The Soil Conservation Service.

4 “(ii) The Environmental Protection
5 Agency.

6 “(iii) The National Marine Fishery
7 Service (in coastal States).

8 “(iv) The United States Fish and
9 Wildlife Service.

10 “(3) AFFILIATION OF MEMBERS.—Members ap-
11 pointed pursuant to paragraph (2)(A) may be em-
12 ployees of Federal, State, tribal, or local agencies or
13 non-profit organizations.

14 “(4) FEDERAL ADVISORY COMMITTEE ACT.—
15 The requirements of the Federal Advisory Commit-
16 tee Act (5 U.S.C. App. 1 et seq.) shall not apply to
17 an interdisciplinary team established under this sub-
18 section.

19 “(g) CONDITIONS FOR RECEIVING ASSISTANCE.—

20 “(1) PROJECT SPONSORS AND COSPONSORS.—

21 “(A) REQUIREMENT.—In order to be eligi-
22 ble for assistance under the program, a project
23 shall have as project participants both a citizens
24 organization and a State, regional, tribal, or
25 local governing body, agency, or district.

1 “(B) PROJECT SPONSOR.—One of the
2 project participants described in subparagraph
3 (A) shall be designated as the project sponsor.
4 The project sponsor shall act as the principal
5 party making the grant application and have
6 the primary responsibility for executing the
7 grant agreement, submitting invoices, and re-
8 ceiving reimbursements.

9 “(C) PROJECT COSPONSOR.—The other
10 project participant described in subparagraph
11 (A) shall be designated as the project cospon-
12 sor. The project cosponsor shall, jointly with
13 the project sponsor, support and actively par-
14 ticipate in the project. There may be more than
15 1 cosponsor for any project.

16 “(2) USE OF GRANT FUNDS.—Grant funds
17 made available under the program shall not supplant
18 other available funds for waterway restoration
19 projects, including developer fees, mitigation, or
20 compensation required as a permit condition or as a
21 result of a violation of the Federal Water Pollution
22 Control Act or any other law.

23 “(3) MAINTENANCE REQUIREMENT.—At least 1
24 project sponsor or cosponsor shall be designated as
25 responsible for on-going maintenance of the project.

1 “(h) NON-FEDERAL SHARE.—

2 “(1) IN GENERAL.—Except as provided by
3 paragraph (2), the non-Federal share of the cost of
4 a project under this section, including structural and
5 non-structural features, shall be 25 percent.

6 “(2) ECONOMICALLY DEPRESSED COMMU-
7 NITIES.—The Secretary may waive all or part of the
8 non-Federal share of the cost of any project that is
9 to be carried out under the program in an economi-
10 cally depressed community.

11 “(3) IN-KIND CONTRIBUTIONS.—Non-Federal
12 interests may meet any portion of the non-Federal
13 share of the cost of a project under this section
14 through in-kind contributions, including contribu-
15 tions of labor, involvement of youth service and con-
16 servation corps program participants, materials,
17 equipment, consulting services, and land.

18 “(4) REGULATIONS.—Not later than 1 year
19 after the date of the enactment of this section, the
20 Secretary shall issue regulations to establish proce-
21 dures for granting waivers under paragraph (2).

22 “(i) LIMITATIONS ON COSTS OF ADMINISTRATION
23 AND TECHNICAL ASSISTANCE.—Of the total amount made
24 available in any fiscal year to carry out this section—

1 “(1) not to exceed 15 percent may be used for
2 administrative expenses; and

3 “(2) not to exceed 25 percent may be used for
4 providing technical assistance.

5 “(j) CONSULTATION WITH FEDERAL AGENCIES.—In
6 establishing and carrying out the program under this sec-
7 tion, the Secretary shall consult with the heads of appro-
8 priate Federal departments and agencies, including the
9 Administrator of the Environmental Protection Agency,
10 the Assistant Secretary of the Army for Civil Works, the
11 Director of the United States Fish and Wildlife Service,
12 the Commissioner of the Bureau of Reclamation, the Di-
13 rector of the Geological Survey, the Chief of the Forest
14 Service, and the Assistant Administrator for the National
15 Marine Fishery Service.

16 “(k) CITIZENS OVERSIGHT COMMITTEE.—

17 “(1) ESTABLISHMENT.—The Governor of each
18 State shall establish a citizens oversight committee
19 to evaluate management of the program in the
20 State. The membership of a citizens oversight com-
21 mittee shall represent a diversity of regions, cul-
22 tures, and watershed management interests.

23 “(2) COMPONENTS TO BE EVALUATED.—Pro-
24 gram components to be evaluated by a citizens over-

1 sight committee established under paragraph (1) are
2 as follows:

3 “(A) Program outreach, accessibility, and
4 service to low income and minority ethnic com-
5 munities and displaced resource harvesters.

6 “(B) The manageability of grant applica-
7 tion procedures, contracting transactions, and
8 invoicing for disbursement for small nonprofit
9 organizations.

10 “(C) The success of the program in sup-
11 porting the range of the program objectives, in-
12 cluding evaluation of the environmental impacts
13 of the program as implemented.

14 “(D) The number of jobs created for iden-
15 tified target groups.

16 “(E) The diversity of job skills fostered for
17 long-term watershed related employment.

18 “(F) The extent of involvement of youth
19 conservation and service corps programs.

20 “(3) ANNUAL REPORT.—The program adminis-
21 trator of each State shall issue an annual report
22 summarizing the program evaluation under para-
23 graph (1). Such report shall be signed by each mem-
24 ber of the citizens oversight committee of the State
25 and shall be submitted to the Secretary.

1 “(4) FEDERAL ADVISORY COMMITTEE ACT.—
2 The requirements of the Federal Advisory Commit-
3 tee Act (5 U.S.C. App. 1 et seq.) shall not apply to
4 a citizens oversight committee established under this
5 subsection.

6 “(l) DEFINITIONS.—For the purposes of this section,
7 the following definitions apply:

8 “(1) BIOTECHNICAL SLOPE PROTECTION.—The
9 term ‘biotechnical slope protection’ means the use of
10 live and dead plant material to repair and fortify
11 watershed slopes, roadcuts, stream banks, and other
12 sites vulnerable to excessive erosion, using such sys-
13 tems as brush piling, brush layering, brush matting,
14 fascines, joint plantings, and wood cribwalls.

15 “(2) CHANNELIZATION.—The term ‘channeliza-
16 tion’ means removing the meanders and vegetation
17 from rivers and streams for purposes of accelerating
18 storm flow velocities, filling habitat to accommodate
19 land development and existing structures, and sta-
20 bilizing banks with concrete or riprap.

21 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
22 tity’ means—

23 “(A) any tribal or local government, flood
24 control district, water district, conservation dis-
25 trict (as defined by section 1201(a)(2) of the

1 Food Security Act of 1985 (16 U.S.C.
2 3801(a)(2)), agricultural extension 4-H pro-
3 gram, nonprofit organization, or watershed
4 council; and

5 “(B) any unincorporated neighborhood or-
6 ganization, watershed council, or small citizen
7 nongovernmental or nonprofessional organiza-
8 tion for which an incorporated nonprofit organi-
9 zation acts as a fiscal agent.

10 “(4) FISCAL AGENT.—The term ‘fiscal agent’
11 means an incorporated nonprofit organization that—

12 “(A) acts as a legal entity which can ac-
13 cept government or private funds and pass
14 them onto an unincorporated community, cul-
15 tural, or neighborhood organization; and

16 “(B) has entered into a written agreement
17 with such an unincorporated organization that
18 specifies the funding, program, and working ar-
19 rangements for carrying out a project under the
20 program.

21 “(5) NONPROFIT ORGANIZATION.—The term
22 ‘nonprofit organization’ means any organization with
23 tax exempt status under section 501(c)(3) of the In-
24 ternal Revenue Code of 1986.

1 “(6) PROGRAM.—The term ‘program’ means
2 the Waterways Restoration Program established by
3 the Secretary under subsection (a).

4 “(7) SECRETARY.—The term ‘Secretary’ means
5 the Secretary of Agriculture acting through the
6 Chief of the Soil Conservation Service.

7 “(8) STREAM CHANNEL QUASI-EQUILIBRIUM.—
8 The term ‘stream channel quasi-equilibrium’ means
9 restoring channel geometrics, meanders, and slopes
10 so that channel dimensions are appropriately sized
11 to the watershed and its slope, bankfull discharges,
12 and sediment sizes and transport rates for the pur-
13 pose of correcting excessive channel erosion and
14 deposition.

15 “(9) WATERSHED COUNCIL.—The term ‘water-
16 shed council’ means a representative group of local
17 watershed residents (including the private, public,
18 government, and nonprofit sectors) organized to de-
19 velop and implement a consensus watershed restora-
20 tion plan that includes restoration, acquisition, and
21 other activities.

22 “(10) WATERWAY.—The term ‘waterway’
23 means any natural, degraded, seasonal, or created
24 wetland on private or public lands, including rivers,
25 streams, riparian areas, marshes, ponds, bogs,

1 mudflats, lakes, and estuaries. Such term includes
2 any natural or humanmade watercourse on public or
3 private lands which is culverted, channelized, or
4 vegetatively cleared, including canals, irrigation
5 ditches, drainage ways, and navigation, industrial,
6 flood control, and water supply channels.

7 “(11) YOUTH CONSERVATION AND SERVICE
8 CORPS.—The term ‘youth conservation and service
9 corps program’ means a full-time, year-round youth
10 corps program or a full-time summer youth corps
11 program described in section 122(a)(2) of the Na-
12 tional and Community Service Act of 1990 (42
13 U.S.C. 12572(a)(2)).

14 “(m) FUNDING.—

15 “(1) MINIMUM AMOUNTS.—Not less than 20
16 percent of the total amount appropriated to carry
17 out this Act for any fiscal year beginning after Sep-
18 tember 30, 1994, shall be used by the Secretary to
19 carry out this section.

20 “(2) TRANSFERRED FUNDS.—The Secretary
21 may accept transfers of funds from other Federal
22 departments and agencies in order to carry out the
23 objectives of this section.

24 “(3) APPLICABILITY OF REQUIREMENTS.—
25 Funds made available to carry out this section, and

1 financial assistance provided with such funds, shall
2 not be subject to any requirements of this Act other
3 than the requirements of this section.”.

○

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