

- Sec.  
1012. Rehabilitation of structural measures near, at, or past their evaluated life expectancy.
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#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to section 4601-17 of this title; title 22 section 277d-29; title 30 section 1265; title 33 sections 1288, 2298, 2311; title 40 App. section 214.

### § 1001. Declaration of policy

Erosion, floodwater, and sediment damages in the watersheds of the rivers and streams of the United States, causing loss of life and damage to property, constitute a menace to the national welfare; and it is the sense of Congress that the Federal Government should cooperate with States and their political subdivisions, soil or water conservation districts, flood prevention or control districts, and other local public agencies for the purpose of preventing such damages, of furthering the conservation, development, utilization, and disposal of water, and the conservation and utilization of land and thereby of preserving, protecting, and improving the Nation's land and water resources and the quality of the environment.

(Aug. 4, 1954, ch. 656, §1, 68 Stat. 666; Pub. L. 92-419, title II, §201(a), Aug. 30, 1972, 86 Stat. 667.)

#### AMENDMENTS

1972—Pub. L. 92-419 expanded the declaration of policy to include conservation and utilization of land, improvement of land and water resources, and quality of the environment.

#### SHORT TITLE

Section 11 of act Aug. 4, 1954, as renumbered by act Aug. 7, 1956, ch. 1027, §1(g), 70 Stat. 1088, provided that: "This Act [enacting this chapter, amending section 701b of Title 33, Navigation and Navigable Waters, and enacting provisions set out as notes under this section and section 701b of Title 33] may be cited as the 'Watershed Protection and Flood Prevention Act'."

#### WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS EXEMPT FROM REQUIREMENTS FOR INDEPENDENT WATER PROJECT REVIEW

For exemption of projects under this chapter from independent water project review requirements of Ex. Ords. No. 12113 and 12141, see Pub. L. 96-528, title VI, §622, Dec. 15, 1980, 94 Stat. 3118, set out as a note under section 1962 of Title 42, The Public Health and Welfare.

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

Section 2 of act Aug. 7, 1956, ch. 1027, 70 Stat. 1090, provided that sections 1006a and 1006b of this title and the amendments made by act Aug. 7, 1956 to sections 1002 to 1005 of this title should be applicable to all works of improvement and plans for such works under

the provisions of this chapter and that any plans for works of improvement with respect to which the Secretary of Agriculture was authorized prior to Aug. 7, 1956 to participate in the installation of works of improvement in accordance with such plan, or any plan for works of improvement which had received prior to Aug. 7, 1956 the approval of congressional committees, need not be submitted to the congressional committees as required by this chapter.

### § 1002. Definitions

For the purposes of this chapter, the following terms shall mean:

The "Secretary"—the Secretary of Agriculture of the United States.

"Works of improvement"—any undertaking for—

- (1) flood prevention (including structural and land treatment measures),
- (2) the conservation, development, utilization, and disposal of water, or
- (3) the conservation and proper utilization of land,

in watershed or subwatershed area not exceeding two hundred and fifty thousand acres and not including any single structure which provides more than twelve thousand five hundred acre-feet of floodwater detention capacity, and more than twenty-five thousand acre-feet of total capacity. No appropriation shall be made for any plan involving an estimated Federal contribution to construction costs in excess of \$5,000,000, or which includes any structure which provides more than twenty-five hundred acre-feet of total capacity unless such plan has been approved by resolutions adopted by the appropriate committees of the Senate and House of Representatives: *Provided*, That in the case of any plan involving no single structure providing more than 4,000 acre-feet of total capacity the appropriate committees shall be the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives and in the case of any plan involving any single structure of more than 4,000 acre-feet of total capacity the appropriate committees shall be the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives, respectively. Each project must contain benefits directly related to agriculture, including rural communities, that account for at least 20 percent of the total benefits of the project. A number of such subwatersheds when they are component parts of a larger watershed may be planned together when the local sponsoring organizations so desire.

"Local organization"—any State, political subdivision thereof, soil or water conservation district, flood prevention or control district, or combinations thereof, or any other agency having authority under State law to carry out, maintain and operate the works of improvement; or any irrigation or reservoir company, water users' association, or similar organization having such authority and not being operated for profit that may be approved by the Secretary; or any Indian tribe or tribal organization, as defined in section 450b of title 25, having authority under Federal, State, or Indian tribal