

104TH CONGRESS
1ST SESSION

S. 626

To amend the Watershed Protection and Flood Prevention Act to establish a waterways restoration program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 1995

Mr. HATFIELD (for himself and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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 1995”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) restoring degraded streams, rivers, and
9 other waterways to a natural state is a cost effective

1 means of controlling flooding, excessive erosion, sedi-
2 mentation, and nonpoint pollution, including
3 stormwater runoff;

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

9 (3) waterway restoration and protection
10 projects can provide important economic and edu-
11 cational benefits by rejuvenating waterfront areas,
12 providing recreational opportunities such as green-
13 ways, and creating community service jobs and job
14 training opportunities in waterway restoration for
15 disadvantaged youths, displaced resource harvesters,
16 and other unemployed persons;

17 (4) restoring waterways helps to increase the
18 fishing potential of waterways and restore dimin-
19 ished fisheries, which are important to local and re-
20 gional cultures and economies; and

21 (5) low income and minority communities fre-
22 quently experience disproportionately severe deg-
23 radation of waterways, but historically have had dif-
24 ficulty in meeting eligibility requirements for Fed-
25 eral watershed projects under the Watershed Protec-

1 tion and Flood Prevention Act (16 U.S.C. 1001 et
2 seq.) due to Federal policy obstacles such as local
3 cost share requirements and formulas for assessing
4 costs and benefits that favor high land values.

5 (b) POLICY.—Congress declares it in the national in-
6 terest to—

7 (1) protect and restore the chemical, biological,
8 and physical components of waterways and associ-
9 ated ecological systems such that the biological and
10 physical structures, diversity, functions, and dynam-
11 ics of the waterways and systems are restored;

12 (2) replace deteriorating stormwater structural
13 infrastructures and physical waterway alterations
14 that are ecologically damaging with cost effective,
15 low maintenance, and ecologically sensitive projects;

16 (3) promote the use of nonstructural means to
17 manage and convey streamflow, stormwater, and
18 flood waters;

19 (4) increase the involvement of the public and
20 youth conservation or service corps in the monitor-
21 ing, inventorying, and restoration of watersheds to
22 improve public education, prevent pollution, and de-
23 velop coordinated citizen and governmental partner-
24 ships to restore damaged waterways; and

1 (5) benefit business districts, local economies,
2 and neighborhoods through the restoration of water-
3 ways and the development of multiuse greenway cor-
4 ridors.

5 **SEC. 3. DEFINITION OF WORKS OF IMPROVEMENT.**

6 Section 2 of the Watershed Protection and Flood
7 Prevention Act (16 U.S.C. 1002) is amended by striking
8 “Each project” and all that follows through “of the
9 project.”.

10 **SEC. 4. WATERWAYS RESTORATION PROGRAM.**

11 The Watershed Protection and Flood Prevention Act
12 (16 U.S.C. 1001 et seq.) is amended by adding at the end
13 the following:

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

15 “(a) DEFINITIONS.—In this section:

16 “(1) BIOTECHNICAL SLOPE PROTECTION.—The
17 term ‘biotechnical slope protection’ means the use of
18 live or dead plant material, alone or in conjunction
19 with an inert material, to repair and fortify a water-
20 shed slope, roadcut, stream bank, or other site vul-
21 nerable to excessive erosion, using systems such as
22 brush piling, brush layering, brush matting, fascines,
23 joint plantings, live stakes, seeding, stem cuttings,
24 and pole cuttings.

1 “(2) CHANNELIZATION.—The term ‘channeliza-
2 tion’ means removing the meanders and vegetation
3 from a river or stream to accelerate storm flow ve-
4 locity, filling habitat to accommodate land develop-
5 ment or existing structures, or stabilizing a bank
6 with concrete or riprap.

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

9 “(A) a tribal or local government, flood
10 control district, water district, conservation dis-
11 trict (as defined by section 1201(a)(2) of the
12 Food Security Act of 1985 (16 U.S.C.
13 3801(a)(2))), agricultural extension 4-H pro-
14 gram, nonprofit organization, or watershed
15 council; or

16 “(B) an unincorporated neighborhood or-
17 ganization, watershed council, or small citizen
18 nongovernmental or nonprofessional organiza-
19 tion for which an incorporated nonprofit organi-
20 zation is acting as a fiscal agent.

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

23 “(A) is acting as a legal entity that can ac-
24 cept government or private funds and pass the

1 funds on to an unincorporated community, cul-
2 tural, or neighborhood organization; and

3 “(B) has entered into a written agreement
4 with the unincorporated organization that speci-
5 fies the funding, program, and working ar-
6 rangements for carrying out a project under the
7 program.

8 “(5) GREENWAY.—The term ‘greenway’ means
9 a floodplain, floodprone, or project right-of-way that
10 provides flood risk reduction, floodwater conveyance,
11 fish and wildlife habitat, or ecological benefits, and
12 that may provide public access, including a water-
13 front.

14 “(6) NONPROFIT ORGANIZATION.—The term
15 ‘nonprofit organization’ means an organization de-
16 scribed in section 501(c)(3) of the Internal Revenue
17 Code of 1986 which is exempt from tax under sec-
18 tion 501(a) of the Code.

19 “(7) PROGRAM.—The term ‘program’ means
20 the waterways restoration program established by
21 the Secretary under subsection (b).

22 “(8) SECRETARY.—The term ‘Secretary’ means
23 the Secretary of Agriculture.

24 “(9) STRUCTURE.—The term ‘structure’ means
25 a physical project component used to restore a na-

1 tive ecosystem, including a rock, wood cribwall,
2 geotextile netting, geogrid, dirt-filled gabion, weir,
3 gully check dam, jack, groin, or fence.

4 “(10) WATERSHED COUNCIL.—The term ‘wa-
5 tershed council’ means a representative group of
6 local watershed residents (including representatives
7 from the private, public, government, and nonprofit
8 sectors) organized to develop and carry out a con-
9 sensus watershed restoration plan that includes res-
10 toration, acquisition, and related activities.

11 “(11) WATERWAY.—The term ‘waterway’
12 means a natural, degraded, seasonal, or created wet-
13 land on private or public land, including—

14 “(A) a river, stream, riparian area, marsh,
15 pond, bog, mudflat, lake, or estuary; or

16 “(B) a natural or humanmade watercourse
17 on public or private land that is culverted,
18 channelized, or vegetatively cleared, including a
19 canal, irrigation ditch, drainage way, or naviga-
20 tion, industrial, flood control, or water supply
21 channel.

22 “(12) YOUTH CONSERVATION OR SERVICE
23 CORPS PROGRAM.—The term ‘youth conservation or
24 service corps program’ means a full-time, year-round
25 youth corps program or a full-time summer youth

1 corps program as described in section 122(a)(2) of
2 the National and Community Service Act of 1990
3 (42 U.S.C. 12572(a)(2)).

4 “(b) ESTABLISHMENT.—The Secretary shall estab-
5 lish and carry out a waterways restoration program, under
6 which the Secretary shall provide technical assistance and
7 grants, on a competitive basis, to eligible entities to assist
8 the entities in carrying out waterway restoration projects.

9 “(c) ADMINISTRATION.—

10 “(1) OBJECTIVES.—A project shall be eligible
11 for assistance under the program if the project is de-
12 signed to achieve ecological restoration or protection
13 and—

14 “(A) flood damage reduction;

15 “(B) erosion control;

16 “(C) stormwater management; or

17 “(D) water quality enhancement.

18 “(2) USES.—Funds made available for an eligi-
19 ble project may be used for—

20 “(A) restoration and monitoring of a de-
21 graded waterway, including revegetation, res-
22 toration of a biological community, or a change
23 in land management practices;

24 “(B) restoration or establishment of a wet-
25 land or riparian environment as part of a

1 multiobjective stormwater management system,
2 in which the restored or established area pro-
3 vides stormwater storage, detention, and reten-
4 tion, nutrient filtering, wildlife habitat, and in-
5 creased biological diversity;

6 “(C) reduction of runoff;

7 “(D) stream bank restoration using the
8 principles of biotechnical slope stabilization;

9 “(E) establishment and acquisition of a
10 multiobjective floodplain riparian and adjacent
11 floodprone land, including a greenway, for sedi-
12 ment storage, floodwater storage and convey-
13 ance, wildlife habitat, and recreation;

14 “(F) removal of a culvert or storm drain to
15 reestablish natural ecological conditions and re-
16 duce flood damage;

17 “(G) organization of a local watershed
18 council, in conjunction with the implementation
19 of an on-the-ground action education or restora-
20 tion project;

21 “(H) training of a participant, including a
22 youth conservation or service corps program
23 participant, in restoration techniques, in con-
24 junction with the implementation of an on-the-
25 ground action education or restoration project;

1 “(I) development of a waterway restoration
2 or watershed plan that will be used within a
3 grant agreement period, referred to in sub-
4 section (d)(2), to carry out a specific restora-
5 tion project;

6 “(J) restoration of a stream channel to re-
7 establish a meandering, bankfull flow channel,
8 riparian vegetation, or a floodplain to—

9 “(i) restore the functions and dynam-
10 ics of a natural stream system to a pre-
11 viously channelized waterway so that chan-
12 nel dimensions and floodplain zones are
13 appropriately sized to the watershed and
14 the slope of the watershed, bankfull dis-
15 charges, and sediment sizes and transport
16 rates; or

17 “(ii) convey larger flood flows as an
18 alternative to a channelization project;

19 “(K) release of a reservoir flow to restore
20 a riparian or instream habitat;

21 “(L) a watershed or wetland project that
22 has undergone planning pursuant to another
23 Federal, State, tribal, or local program and law
24 and has received any necessary environmental
25 review or permit; and

1 “(M) an early action project that a water-
2 shed council wants to implement prior to the
3 completion of the final consensus watershed
4 plan, if the project meets the watershed man-
5 agement objectives of the council and is useful
6 in fostering citizen involvement in the planning
7 process.

8 “(3) LOCATION OF PROJECT.—A project may
9 be carried out under the program on—

10 “(A) Federal lands; or

11 “(B) State or private lands, if the State or
12 the private land owner is a sponsor or cospon-
13 sor of the project or otherwise consents.

14 “(4) PRIORITY PROJECT.—In determining fund-
15 ing priorities, a project shall have priority if the
16 project—

17 “(A) is located in or directly benefits a low
18 income or economically depressed area that is
19 adversely impacted by poor watershed manage-
20 ment;

21 “(B) restores or creates a business or oc-
22 cupation in the project area, including a public
23 access opportunity for a waterfront greenway;

24 “(C) provides an opportunity for a partici-
25 pant in a Federal, State, tribal, or local youth

1 conservation or service corps and provides
2 training in waterway restoration, monitoring,
3 and inventory work;

4 “(D) serves a community composed of mi-
5 norities or Native Americans, including a
6 project that develops an outreach program to
7 facilitate the participation by minorities or Na-
8 tive Americans in the program;

9 “(E) is identified as a regional priority,
10 planned in a regional context, and coordinated
11 with Federal, State, tribal, and local agencies;

12 “(F) will restore wildlife or a fishery that
13 has commercial, recreational, subsistence, or
14 scientific concern;

15 “(G) trains or employs a fisher or other re-
16 source harvester whose livelihood has been ad-
17 versely impacted by habitat degradation;

18 “(H) provides a significant improvement in
19 ecological values and functions in the project
20 area; or

21 “(I) was approved under this Act prior to
22 the date of enactment of this section, and the
23 project meets or was redesigned to meet the re-
24 quirements of this section.

1 “(5) COST-BENEFIT ANALYSIS.—A project shall
2 only be eligible for assistance under the program if
3 an interdisciplinary team, established under sub-
4 section (e), determines that the local social, eco-
5 nomic, ecological, and community benefits of the
6 project based on local needs, problems, and condi-
7 tions equal or exceed the local social, economic, eco-
8 logical, and community costs of the project.

9 “(6) FLOOD DAMAGE REDUCTION.—A project
10 to reduce flood damage shall be designed for the
11 level of risk selected by the local sponsor and co-
12 sponsors to best meet—

13 “(A) the needs of the local sponsor and co-
14 sponsors for reducing flood risks;

15 “(B) the ability of the local sponsor and
16 cosponsors to pay project costs; and

17 “(C) community objectives to protect or re-
18 store environmental quality.

19 “(7) INELIGIBLE PROJECT.—A project involving
20 channelization, stream bank stabilization using a
21 method other than biotechnical slope protection, con-
22 struction of a reservoir, or construction of a struc-
23 ture shall not be eligible for assistance under the
24 program unless the project is necessary for the rees-

1 tablishment of the structure, function, and diversity
2 of a native ecosystem.

3 “(d) PROGRAM ADMINISTRATION.—

4 “(1) DESIGNATION OF PROGRAM ADMINISTRA-
5 TORS.—The Secretary shall designate a program ad-
6 ministrator for each State who shall be responsible
7 for administering the program in the State. Except
8 as provided by paragraph (2), the Secretary shall
9 designate the State Conservationist of the Natural
10 Resources Conservation Service as the program ad-
11 ministrator of the State.

12 “(2) APPROVAL OF A STATE AGENCY.—

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

17 “(B) CRITERIA.—The Secretary shall ap-
18 prove an application of a State submitted under
19 subparagraph (A) if the application dem-
20 onstrates—

21 “(i) the ability of the State agency to
22 solicit, select, and fund projects within a 1-
23 year grant administration cycle;

24 “(ii) responsiveness by the State agen-
25 cy to the administrative needs and limita-

1 tions of small nonprofit organizations and
2 low income or minority communities;

3 “(iii) the success of the State agency
4 in carrying out State or local programs
5 that are similar to the program; and

6 “(iv) the ability of the State agency to
7 jointly plan and carry out with Indian
8 tribes programs similar to the program.

9 “(C) REDESIGNATION.—If the Secretary
10 determines, after a public hearing, that a State
11 agency approved under this paragraph no
12 longer meets the criteria set forth in subpara-
13 graph (B), the Secretary shall so notify the
14 State and, if appropriate corrective action has
15 not been taken within a reasonable time, with-
16 draw the approval of the State agency as the
17 program administrator of the State and des-
18 ignate the State Conservationist of the Natural
19 Resources Conservation Service as the program
20 administrator of the State.

21 “(3) TECHNICAL ASSISTANCE.—The State Con-
22 servationist of a State shall carry out the technical
23 assistance portion of the program in the State re-
24 gardless of approval under paragraph (2)(B).

1 “(e) ESTABLISHMENT OF INTERDISCIPLINARY
2 TEAMS.—

3 “(1) IN GENERAL.—There shall be established
4 in each State an interdisciplinary team of specialists
5 to assist in reviewing any project application submit-
6 ted under the program.

7 “(2) APPOINTMENT.—The interdisciplinary
8 team of a State shall be composed of—

9 “(A) individuals to be appointed on an an-
10 nual basis by the program administrator of the
11 State, including at least 1—

12 “(i) hydrologist;

13 “(ii) plant ecologist;

14 “(iii) aquatic biologist;

15 “(iv) biotechnical slope protection ex-
16 pert;

17 “(v) landscape architect or planner;

18 “(vi) member of the agricultural com-
19 munity;

20 “(vii) representative of the fish and
21 wildlife agency of the State; and

22 “(viii) representative of the soil and
23 water conservation agency of the State;
24 and

1 “(B) 4 representatives from Federal agen-
2 cies (5 representatives from Federal agencies
3 located in coastal States), to be appointed on an
4 annual basis by the appropriate regional or
5 State director of the agency, from—

6 “(i) the Natural Resources Conserva-
7 tion Service;

8 “(ii) the Environmental Protection
9 Agency;

10 “(iii) the United States Fish and
11 Wildlife Service;

12 “(iv) the Corps of Engineers; and

13 “(v) the National Marine Fishery
14 Service (in coastal States).

15 “(3) AFFILIATION OF REPRESENTATIVES.—A
16 representative appointed pursuant to paragraph
17 (2)(A) may be an employee of a Federal, State, trib-
18 al, or local agency or a nonprofit organization.

19 “(4) FEDERAL ADVISORY COMMITTEE ACT.—
20 Sections 9, 10(a)(2), and 14 of the Federal Advisory
21 Committee Act (5 U.S.C. App.) shall not apply to an
22 interdisciplinary team established under this sub-
23 section.

24 “(5) NOTICE.—An interdisciplinary team shall
25 provide adequate public notice before conducting a

1 meeting under this section, including notification in
2 the official State journal.

3 “(f) CONDITIONS FOR RECEIVING ASSISTANCE.—

4 “(1) PROJECT SPONSOR AND COSPONSORS.—

5 “(A) REQUIREMENT.—To be eligible for
6 assistance under the program, a project shall
7 have as project participants—

8 “(i) a citizens organization; and

9 “(ii) a State, regional, tribal, or local
10 governing body, agency, or district.

11 “(B) PROJECT SPONSOR.—A project par-
12 ticipant referred to in subparagraph (A) shall
13 be designated as the project sponsor. The
14 project sponsor shall make the grant application
15 and have the primary responsibility for execut-
16 ing the grant agreement, submitting invoices,
17 and receiving reimbursements.

18 “(C) PROJECT COSPONSOR.—A project
19 participant that is not the project sponsor shall
20 be designated as the project cosponsor. The
21 project cosponsor shall, jointly with the project
22 sponsor, support and actively participate in the
23 project. There may be more than 1 cosponsor
24 for a project.

1 “(2) USE OF GRANT FUNDS.—Grant funds
2 made available under the program shall not supplant
3 other available funds for a waterway restoration
4 project, including developer fees, mitigation, or com-
5 pensation required as a permit condition or as a re-
6 sult of a violation of this Act or any other law.

7 “(3) MAINTENANCE REQUIREMENT.—At least 1
8 project sponsor or cosponsor shall be responsible for
9 ongoing maintenance of the project.

10 “(g) SELECTION OF A PROJECT.—

11 “(1) APPLICATION.—To receive assistance to
12 carry out a project under the program in a State,
13 an eligible entity shall submit to the program admin-
14 istrator of the State an application in such form and
15 containing such information as the Secretary may by
16 regulation require.

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

19 “(A) TRANSMITTAL.—Each application for
20 assistance under the program received by the
21 program administrator of a State shall be
22 transmitted to the interdisciplinary team of the
23 State established pursuant to this section.

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

1 “(i) review the applications transmit-
2 ted to the team pursuant to subparagraph
3 (A);

4 “(ii) determine the eligibility of pro-
5 posed projects for funding under the pro-
6 gram;

7 “(iii) make recommendations concern-
8 ing funding priorities for the eligible
9 projects; and

10 “(iv) transmit the findings and rec-
11 ommendations of the team to the program
12 administrator of the State.

13 “(C) PROJECT OPPOSITION BY CERTAIN
14 REPRESENTATIVES.—

15 “(i) IN GENERAL.—If 2 or more of
16 the members of an interdisciplinary team
17 of a State appointed pursuant to clause
18 (vii) or (viii) of subsection (e)(2)(A) or
19 clause (ii), (iii), or (v) of subsection
20 (e)(2)(B) are opposed to a project that is
21 supported by a majority of the members of
22 the interdisciplinary team, a determination
23 on whether the project may receive assist-
24 ance under the program shall be made by

1 the Chief of the Natural Resources Con-
2 servation Service.

3 “(ii) CONSULTATION.—In making a
4 determination under this subparagraph,
5 the Chief shall consult with the Adminis-
6 trator of the Environmental Protection
7 Agency, the Director of the Fish and Wild-
8 life Service, and, in coastal areas, the As-
9 sistant Administrator of the National Ma-
10 rine Fisheries Service.

11 “(iii) MONITORING.—The Secretary
12 shall conduct such monitoring activities as
13 are necessary to ensure the success and ef-
14 fectiveness of a project determination made
15 pursuant 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 made by the interdisciplinary team
21 of the State pursuant to paragraph (2)(B).

22 “(h) GRANT APPLICATION CYCLE.—

23 “(1) IN GENERAL.—A grant under the program
24 shall be awarded on an annual basis.

1 “(2) GRANT AGREEMENTS.—The program ad-
2 ministrators of a State may enter into a grant agree-
3 ment with an eligible entity to permit the entity to
4 phase in a project under the program for a period
5 of not to exceed 3 years, subject to reevaluation each
6 year as part of the annual funding cycle.

7 “(i) NON-FEDERAL SHARE.—

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

12 “(2) ECONOMICALLY DEPRESSED COMMU-
13 NITIES.—The Secretary may waive all or part of the
14 non-Federal share of the cost of a project that is
15 carried out in an economically depressed community.

16 “(3) IN-KIND CONTRIBUTIONS.—Non-Federal
17 interests may meet any portion of the non-Federal
18 share of the cost of a project under this section
19 through an in-kind contribution, including a con-
20 tribution of labor, involvement of a youth service or
21 conservation corps program participant, material,
22 equipment, consulting services, or land.

23 “(4) REGULATIONS.—Not later than 1 year
24 after the date of the enactment of this section, the

1 Secretary shall issue regulations to establish proce-
2 dures for granting waivers under paragraph (2).

3 “(j) LIMITATIONS ON COSTS OF ADMINISTRATION
4 AND TECHNICAL ASSISTANCE.—Of the total amount made
5 available for any fiscal year to carry out this section—

6 “(1) not more than 15 percent may be used for
7 administrative expenses; and

8 “(2) not more than 25 percent may be used for
9 providing technical assistance.

10 “(k) CONSULTATION WITH A FEDERAL AGENCY.—

11 In establishing and carrying out a program under this sec-
12 tion, the Secretary shall consult with the heads of appro-
13 priate Federal departments or agencies, including the Ad-
14 ministrator of the Environmental Protection Agency, the
15 Assistant Secretary of the Army for Civil Works, the Di-
16 rector of the United States Fish and Wildlife Service, the
17 Commissioner of the Bureau of Reclamation, the Director
18 of the Geological Survey, the Chief of the Forest Service,
19 the Assistant Administrator for the National Marine Fish-
20 ery Service, or the Director of the National Park Service.

21 “(l) CITIZENS OVERSIGHT COMMITTEE.—

22 “(1) ESTABLISHMENT.—The Governor of each
23 State shall establish a citizens oversight committee
24 to evaluate management of the program in the
25 State. The membership of a citizens oversight com-

1 mittee shall represent a diversity of regions, cul-
2 tures, and watershed management interests.

3 “(2) COMPONENTS TO BE EVALUATED.—Pro-
4 gram components to be evaluated by a citizens over-
5 sight committee established under paragraph (1)
6 are—

7 “(A) program outreach, accessibility, and
8 service to low income and minority ethnic com-
9 munities and displaced resource harvesters;

10 “(B) the manageability of grant applica-
11 tion procedures, contracting transactions, and
12 invoicing for disbursement for small nonprofit
13 organizations;

14 “(C) the success of the program in sup-
15 porting the range of the program objectives, in-
16 cluding evaluation of the environmental impacts
17 of the program as implemented;

18 “(D) the number of jobs created for identi-
19 fied target groups;

20 “(E) the diversity of job skills fostered for
21 long-term watershed related employment; and

22 “(F) the extent of involvement of youth
23 conservation or service corps programs.

24 “(3) ANNUAL REPORT.—The program adminis-
25 trator of each State shall issue an annual report

1 summarizing the program evaluation under para-
2 graph (1). The report shall be signed by each mem-
3 ber of the citizens oversight committee of the State
4 and shall be submitted to the Secretary.

5 “(4) FEDERAL ADVISORY COMMITTEE ACT.—
6 The requirements of sections 9, 10(a)(2), 10(e),
7 10(f), and 14 of the Federal Advisory Committee
8 Act (5 U.S.C. App.) shall not apply to a citizens
9 oversight committee established under this sub-
10 section.

11 “(5) NOTICE.—A citizens oversight committee
12 shall provide adequate public notice before conduct-
13 ing a meeting under this section, including notifica-
14 tion in the official State journal.

15 “(m) FUNDING.—

16 “(1) FUNDING PRIORITY.—The Secretary shall
17 give priority to a waterways restoration project
18 under this section in making funding decisions under
19 this Act.

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

23 “(3) APPLICABILITY OF REQUIREMENTS.—
24 Funds made available to carry out this section, and
25 financial assistance provided with the funds, shall be

1 subject to this section and, to the extent the require-
2 ments are consistent with this section, other provi-
3 sions of this Act.”.

○

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