

(2) Application

An application for a grant under this subsection shall include an identification and description of the best management practices and measures which the State proposes to utilize in implementing an approved management plan with any Federal assistance to be provided under the grant.

(3) Federal share

(A) The Federal share of the cost of each comprehensive management plan implemented with Federal assistance under this section in any fiscal year shall not exceed 75 percent of the cost incurred by the State in implementing such management program and the non-Federal share of such costs shall be provided from non-Federal sources.

(B) The Federal share of the cost of each public facility management plan implemented with Federal assistance under this section in any fiscal year shall not exceed 50 percent of the cost incurred by the State in implementing such management program and the non-Federal share of such costs shall be provided from non-Federal sources.

(4) Administrative¹ costs

For the purposes of this section, administrative costs for activities and programs carried out with a grant in any fiscal year shall not exceed 5 percent of the amount of the grant in that year.

(5) In-kind contributions

In addition to cash outlays and payments, in-kind contributions of property or personnel services by non-Federal interests for activities under this section may be used for the non-Federal share of the cost of those activities.

(c) Enforcement assistance

Upon request of a State or Indian tribe, the Director or the Under Secretary, to the extent allowable by law and in a manner consistent with section 141 of title 14, may provide assistance to a State or Indian tribe in enforcing an approved State or interstate invasive species management plan.

(Pub. L. 101-646, title I, §1204, Nov. 29, 1990, 104 Stat. 4770; Pub. L. 104-332, §2(e)(6), (h)(1), Oct. 26, 1996, 110 Stat. 4089, 4091.)

AMENDMENTS

1996—Pub. L. 104-332, §2(h)(1), made technical amendment to Pub. L. 101-646, §1204, which enacted this section.

Subsec. (a). Pub. L. 104-332, §2(e)(6)(A)(i), substituted “State or interstate invasive species management plans” for “State plan” in heading.

Subsec. (a)(1). Pub. L. 104-332, §2(e)(6)(A)(ii)(I), substituted “After providing notice and opportunity for public comment, the Governor of each State may prepare and submit, or the Governors of the States and the governments of the Indian tribes involved in an interstate organization, may jointly prepare and submit” for “The Governor of each State may, after notice and opportunity for public comment, prepare and submit” in introductory provisions.

Subsec. (a)(1)(A). Pub. L. 104-332, §2(e)(6)(A)(ii)(II), (III), inserted “or within the interstate region in-

involved” after “within the State” and substituted “technical, enforcement, or financial assistance (or any combination thereof)” for “technical and financial assistance”.

Subsec. (a)(1)(B). Pub. L. 104-332, §2(e)(6)(A)(ii)(III), inserted “or within the interstate region involved” after “within the State”.

Subsec. (a)(2)(B). Pub. L. 104-332, §2(e)(6)(A)(iii)(I), struck out “and” at end.

Subsec. (a)(2)(C). Pub. L. 104-332, §2(e)(6)(A)(iii)(III), added subpar. (C). Former subpar. (C) redesignated (D).

Subsec. (a)(2)(D). Pub. L. 104-332, §2(e)(6)(A)(iii)(II), (IV), redesignated subpar. (C) as (D) and inserted “, and enabling legislation” before period.

Subsec. (a)(3)(A). Pub. L. 104-332, §2(e)(6)(A)(iv)(I), inserted “or interstate organization” after “the State” and “Indian tribes,” after “local governments and regional entities.”.

Subsec. (a)(3)(B). Pub. L. 104-332, §2(e)(6)(A)(iv)(II), inserted “or the appropriate official of an interstate organization” after “a State”.

Subsec. (a)(4). Pub. L. 104-332, §2(e)(6)(A)(v), inserted “or the interstate organization” after “the Governor”.

Subsec. (b)(1). Pub. L. 104-332, §2(e)(6)(B), struck out “or the Assistant Secretary, as appropriate under subsection (a) of this section,” after “The Director” and substituted “management plans approved under subsection (a) of this section” for “approved management plans”.

Subsec. (c). Pub. L. 104-332, §2(e)(6)(C), added subsec. (c).

§ 4725. Relationship to other laws

All actions taken by Federal agencies in implementing the provisions of section 4722 of this title shall be consistent with all applicable Federal, State, and local environmental laws. Nothing in this chapter shall affect the authority of any State or political subdivision thereof to adopt or enforce control measures for aquatic nuisance species, or diminish or affect the jurisdiction of any State over species of fish and wildlife. Compliance with the control and eradication measures of any State or political subdivision thereof regarding aquatic nuisance species shall not relieve any person of the obligation to comply with the provisions of this subchapter.

(Pub. L. 101-646, title I, §1205, Nov. 29, 1990, 104 Stat. 4771; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 101-646, Nov. 29, 1990, 104 Stat. 4761, known as the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 4701 of this title and Tables.

AMENDMENTS

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §1205, which enacted this section.

§ 4726. International cooperation**(a) Advice**

The Task Force shall provide timely advice to the Secretary of State concerning aquatic nuisance species that infest waters shared with other countries.

(b) Negotiations

The Secretary of State, in consultation with the Task Force, is encouraged to initiate nego-

¹ So in original. Probably should be “Administrative”.