

Public Law 81-66, May 19, 1949, 63 Stat. 70, referred to in subsec. (c)(2)(C), is act May 19, 1949, ch. 128 [Public Law 66, 81st Cong.], 63 Stat. 70, which is not classified to the Code.

AMENDMENTS

2002—Subsec. (b). Pub. L. 107-372 designated existing provisions as par. (1) and added par. (2).

1983—Subsec. (c)(2). Pub. L. 98-44 substituted “resources, prepared by an interstate commission” for “resources”, substituted “up to 90 percent” for “90 percent”, and inserted provision defining interstate commission for purposes of this paragraph.

Subsec. (c). Pub. L. 97-453 designated existing provisions as par. (1) and added par. (2).

1979—Subsec. (c). Pub. L. 96-118 struck out provisions respecting cost to Federal government of operation and maintenance of structures, devices, etc., constructed by States under cooperative agreements.

1978—Subsecs. (a), (c). Pub. L. 95-464 inserted “and Lake Champlain” after “Great Lakes”.

1974—Subsec. (c). Pub. L. 93-362 substituted “66% per centum” for “60 per centum”.

1970—Subsec. (a). Pub. L. 91-249, §1(a), made the Federal share of the cost of conservation, development and enhancement of the anadromous fishery resources subject to the provisions of subsec. (c) of this section.

Subsec. (c). Pub. L. 91-249, §1(b), added subsec. (c).

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-372, title III, §301, Dec. 19, 2002, 116 Stat. 3094, provided that: “This title [amending this section, sections 757d, 971h, 4101, 4107, and 5610 of this title, and provisions set out as a note under section 857-19 of Title 33, Navigation and Navigable Waters] may be cited as the ‘Fisheries Conservation Act of 2002.’”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-130, §1, Oct. 17, 1991, 105 Stat. 626, provided that: “This Act [amending section 757g of this title and provisions set out as notes under section 1851 of this title] may be cited as the ‘Striped Bass Act of 1991.’”

SHORT TITLE

Section 8, formerly section 7, of Pub. L. 89-304, as added by Pub. L. 91-249, §3, May 14, 1970, 84 Stat. 214, and renumbered by Pub. L. 96-118, §4, Nov. 16, 1979, 93 Stat. 859, provided that: “This Act [enacting this section and sections 757b to 757g of this title] may be cited as the ‘Anadromous Fish Conservation Act.’”

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior, by Reorg. Plan No. 4 of 1970, see note set out under section 755 of this title.

§ 757b. Authority of the Secretary with regards to Anadromous and Great Lakes fisheries; development and management

The Secretary, in accordance with any agreements entered into pursuant to section 757a(a) of this title, is authorized (1) to conduct such investigations, engineering and biological surveys, and research as may be desirable to carry out the program; (2) to carry out stream clearance activities; (3) to construct, install, maintain, and operate devices and structures for the improvement of feeding and spawning conditions, for the protection of fishery resources, and for facilitating the free migration of the fish, and for the control of the sea lamprey; (4) to construct, operate, and maintain fish hatcheries wherever necessary to accomplish the purposes of sections 757a to 757f of this title; (5) to conduct such studies and make such recommendations as the Secretary determines to be appro-

priate regarding the development and management of any stream or other body of water for the conservation and enhancement of anadromous fishery resources and the fish in the Great Lakes and Lake Champlain that ascend streams to spawn: *Provided*, That the reports on such studies and the recommendations of the Secretary shall be transmitted to the States, the Congress, and the Federal water resources construction agencies for their information: *Provided further*, That sections 757a to 757f of this title shall not be construed as authorizing the formulation or construction of water resources projects, except that water resources projects which are determined by the Secretary¹ to be needed solely for the conservation, protection, and enhancement of such fish may be planned and constructed by the Bureau of Reclamation in its currently authorized geographic area of responsibility or by the Corps of Engineers, or by the Department of Agriculture, or by the States, with funds made available by the Secretary under sections 757a to 757f of this title and subject to the cost-sharing and appropriations provisions of sections 757a to 757f of this title; (6) to acquire lands or interests therein by purchase, lease, donation, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition: *Provided*, That the lands or interests therein so exchanged shall involve approximately equal values, as determined by the Secretary: *Provided further*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged; (7) to accept donations of funds and to use such funds to acquire or manage lands or interests therein; and (8) to administer such lands or interests therein for the purposes of sections 757a to 757f of this title. Title to lands or interests therein acquired pursuant to sections 757a to 757f of this title shall be in the cooperating States or other non-Federal interests.

(Pub. L. 89-304, §2, Oct. 30, 1965, 79 Stat. 1125; Pub. L. 93-362, §1, July 30, 1974, 88 Stat. 398; Pub. L. 95-464, Oct. 17, 1978, 92 Stat. 1278; Pub. L. 96-118, §2, Nov. 16, 1979, 93 Stat. 859.)

AMENDMENTS

1979—Pub. L. 96-118 substituted “cooperating States or other non-Federal interests” for “United States”.

1978—Cl. (5). Pub. L. 95-464 inserted “and Lake Champlain” after “Great Lakes”.

1974—Cl. (3). Pub. L. 93-362 inserted reference to the control of the sea lamprey.

§ 757c. Approval for activities on land administered by other Federal departments or agencies

Activities authorized by sections 757a to 757f of this title to be performed on lands administered by other Federal departments or agencies shall be carried out only with the prior approval of such departments or agencies.

(Pub. L. 89-304, §3, Oct. 30, 1965, 79 Stat. 1126.)

§ 757d. Authorization of appropriations

There are authorized to be appropriated to carry out the purposes of sections 757a to 757f of

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