

AMENDMENTS

1996—Pub. L. 104-332, §2(h)(1), made technical amendment to Pub. L. 101-646, §1207, which enacted this section.

Pub. L. 104-332, §2(g), substituted “Congress” for “appropriate Committees”.

§ 4728. Brown tree snake control program

The Task Force shall, within the program developed under subsection (a),¹ undertake a comprehensive, environmentally sound program in coordination with regional, territorial, State and local entities to control the brown tree snake (*Boiga irregularis*) in Guam and other areas where the species is established outside of its historic range.

(Pub. L. 101-646, title I, §1209, Nov. 29, 1990, 104 Stat. 4772; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091.)

AMENDMENTS

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §1209, which enacted this section.

§ 4729. Coastal Aquatic Invasive Species Mitigation Grant Program and Mitigation Fund**(1) Definitions**

In this section:

(A) Coastal zone

The term “coastal zone” has the meaning given the term in section 1453 of this title.

(B) Eligible entity

The term “eligible entity” means—

- (i) a State;
 - (ii) a unit of local government;
 - (iii) an Indian Tribe;
 - (iv) a nongovernmental organization;
- and
- (v) an institution of higher education.

(C) Exclusive Economic Zone

The term “Exclusive Economic Zone” means the Exclusive Economic Zone of the United States, as established by Presidential Proclamation 5030, dated March 10, 1983 (16 U.S.C. 1453 note).

(D) Foundation

The term “Foundation” means the National Fish and Wildlife Foundation established by section 3701(a) of this title.

(E) Fund

The term “Fund” means the Coastal Aquatic Invasive Species Mitigation Fund established by paragraph (3)(A).

(F) Program

The term “Program” means the Coastal Aquatic Invasive Species Mitigation Grant Program established under paragraph (2)(A).

(G) Secretary

The term “Secretary” means the Secretary of Commerce.

(2) Grant program**(A) Establishment**

The Secretary and the Foundation shall establish a program, to be known as the

“Coastal Aquatic Invasive Species Mitigation Grant Program”, under which the Secretary and the Foundation shall award grants to eligible entities in accordance with this paragraph.

(B) Purposes

The purposes of the Program are—

(i) to improve the understanding, prevention, and mitigation of, and response to, aquatic invasive species in—

- (I) the coastal zone; and
- (II) the Exclusive Economic Zone;

(ii) to support the prevention and mitigation of impacts from aquatic invasive species in the coastal zone; and

(iii) to support the restoration of Pacific Island habitats, marine, estuarine, and Great Lakes environments in the coastal zone and the Exclusive Economic Zone that are impacted by aquatic invasive species.

(C) Use of grants**(i) In general**

A grant awarded under the Program shall be used for an activity to carry out the purposes of the Program, including an activity—

(I) to develop and implement procedures and programs, including permissible State ballast water inspection programs, to prevent, detect, control, mitigate, and rapidly or progressively eradicate aquatic invasive species in the coastal zone or the Exclusive Economic Zone, particularly in areas with high numbers of established aquatic invasive species;

(II) to restore habitat impacted by an aquatic invasive species;

(III) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species;

(IV) to develop mitigation measures to protect natural and cultural living resources, including shellfish, from the impacts of aquatic invasive species; or

(V) to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from aquatic invasive species.

(ii) Prohibition on funding litigation

A grant awarded under the Program may not be used to fund litigation in any matter.

(D) Administration

Not later than 90 days after December 4, 2018, the Foundation, in consultation with the Secretary, shall establish the following:

(i) Application and review procedures for awarding grants under the Program.

(ii) Approval procedures for awarding grants under the Program, including a requirement for consultation with—

- (I) the Secretary of the Interior; and
- (II) the Administrator.

(iii) Performance accountability and monitoring measures for activities funded by a grant awarded under the Program.

¹So in original. Probably should be “subsection (a) of section 4722 of this title.”