CHAPTER 25—JELLYFISH OR SEA NETTLES, OTHER SUCH PESTS, AND SEAWEED IN COASTAL WATERS: CONTROL OR ELIMINATION

Sec.
1201. Declaration of purposes; Secretary's cooperation with and assistance to States.
1202. Authority of Secretary; studies, research, and investigations; control measures; execution of program; other actions; costs.
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§ 1201. Declaration of purposes; Secretary's cooperation with and assistance to States

For the purposes of conserving and protecting the fish and shellfish resources in the coastal waters of the United States and the Commonwealth of Puerto Rico, and promoting and safeguarding water-based recreation for present and future generations in these waters, the Secretary of Commerce is authorized to cooperate with, and provide assistance to, the States in controlling and eliminating jellyfish, commonly referred to as ''sea nettles'', and other such pests and in conducting research for the purposes of controlling floating seaweed in such waters.

(Pub. L. 89–720, § 1, Nov. 2, 1966, 80 Stat. 1149; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

''Secretary of Commerce'' was substituted in text for ''Secretary of the Interior'' in view of: the creation of the National Oceanic and Atmospheric Administration in the Department of Commerce and the Office of Administrator of such Administration; the abolition of the Bureau of Commercial Fisheries in the Interior Department and the Office of Director of such Bureau; transfers of functions, including functions formerly vested by law in the Secretary of the Interior or the Interior Department which were administered through the Bureau of Commercial Fisheries or were primarily related to such Bureau, exclusive of certain enumerated functions with respect to Great Lakes fishery research, Missouri River Reservoir research, Gulf Breeze Biological Laboratory, and Trans-Alaska pipeline investigations; and transfer of marine sport fish programs of Bureau of Sport Fisheries and Wildlife by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

§ 1202. Authority of Secretary; studies, research, and investigations; control measures; execution of program; other actions; costs

In carrying out the purposes of this chapter, the Secretary, in cooperation with the States and the Commonwealth of Puerto Rico, is authorized (1) to conduct, directly or by contract, such studies, research, and investigations, as he deems desirable, to determine the abundance and distribution of jellyfish and other such pests and their effects on fish and shellfish and water-based recreation, (2) to conduct studies of control measures of such pests and of floating seaweed, (3) to carry out, based on studies made pursuant to this chapter, a program of controlling or eliminating such pests and such seaweed, and (4) to take such other actions as the Secretary deems desirable: *Provided*, That the costs of such actions shall be borne equally by the Federal Government and by the States and the Commonwealth of Puerto Rico, acting jointly or severally.

(Pub. L. 89–720, § 2, Nov. 2, 1966, 80 Stat. 1149.)

§ 1203. Authorization of appropriations

There is authorized to be appropriated not to exceed $500,000 for the fiscal year ending June 30, 1968, $750,000 for the fiscal year ending June 30, 1969, $1,000,000 for the period beginning July 1, 1969, and ending June 30, 1973, and $400,000 for each of the fiscal years ending June 30, 1974, June 30, 1975, June 30, 1976, and June 30, 1977.

(Pub. L. 89–720, § 3, Nov. 2, 1966, 80 Stat. 1149; Pub. L. 91–451, Oct. 14, 1970, 84 Stat. 922; Pub. L. 92–604, Oct. 31, 1972, 86 Stat. 1493.)

AMENDMENTS

1972—Pub. L. 92–604 authorized appropriations of $400,000 for fiscal years ending June 30, 1974, 1975, 1976, and 1977.

1970—Pub. L. 91–451 substituted ''for the period beginning July 1, 1969, and ending June 30, 1973'' for ''for the fiscal year ending June 30, 1970''.

§ 1204. Compacts

The Congress consents to any compact or agreement between any two or more States for the purpose of carrying out a program of research, study, investigation, and control of jellyfish and other such pests in the coastal waters of the United States. The right to alter, amend, or repeal this section or the consent granted herein is expressly reserved.

(Pub. L. 89–720, § 4, Nov. 2, 1966, 80 Stat. 1149.)

§ 1205. General authority of Secretary for conducting studies, research, and investigations unaffected

Nothing in this chapter shall be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary of Commerce to conduct studies, research, and investigations related to the mission of the Department of Commerce.

(Pub. L. 89–720, § 5, Nov. 2, 1966, 80 Stat. 1149; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior and substitution of Department of Commerce for Department of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 1201 of this title.

CHAPTER 25A—CROWN OF THORNS STARFISH

Sec.
1211. Congressional statement of purpose.
1212. Investigation and control of crown of thorns starfish.
1213. Authorization of appropriations.

§ 1211. Congressional statement of purpose

For the purpose of conserving and protecting coral reef resources of the tropical islands of in-

terest and concern to the United States in the Pacific and safeguarding critical island areas from possible erosion and to safeguard future recreational and esthetic uses of Pacific coral reefs, the Secretary of Commerce and the Secretary of the Smithsonian Institution are authorized to cooperate with and provide assistance to the governments of the State of Hawaii, the territories and possessions of the United States, including Guam and American Samoa, the Trust Territory of the Pacific Islands, and other island possessions of the United States, in the study and control of the seastar ''Crown of Thorns'' (Acanthaster planci).

(Pub. L. 91–427, § 1, Sept. 26, 1970, 84 Stat. 884; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

''Secretary of Commerce'' substituted in text for ''Secretary of the Interior'' in view of: creation of National Oceanic and Atmospheric Administration in Department of Commerce and Office of Administrator of such Administration; abolition of Bureau of Commercial Fisheries in Department of the Interior and Office of Director of such Bureau; transfers of functions, including functions formerly vested by law in Secretary of the Interior or Department of the Interior which were administered through Bureau of Commercial Fisheries or were primarily related to such Bureau, exclusive of certain enumerated functions with respect to Great Lakes fishery research, Missouri River Reservoir research, Gulf Breeze Biological Laboratory, and Trans-Alaska pipeline investigations; and transfer of marine sport fish program of Bureau of Sport Fisheries and Wildlife by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 1212. Investigation and control of crown of thorns starfish

In carrying out the purposes of this chapter, the Secretary of Commerce and the Secretary of the Smithsonian Institution are authorized to—

(1) conduct such studies, research, and investigations, as they deem desirable to determine the causes of the population increase of the ''Crown of Thorns'', their effects on corals and coral reefs, and the stability and regeneration of reefs following predation;

(2) to monitor areas where the ''Crown of Thorns'' may be increasing in numbers and to determine future needs for control;

(3) to develop improved methods of control and to carry out programs of control in areas where these are deemed necessary; and

(4) to take such other actions as deemed desirable to gain an understanding of the ecology and control of the seastar ''Crown of Thorns''.

(Pub. L. 91–427, § 2, Sept. 26, 1970, 84 Stat. 884; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

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 1211 of this title.

§ 1213. Authorization of appropriations

For the purpose of carrying out the provisions of this chapter, there is authorized to be appropriated for the period commencing on September 26, 1970, and ending June 30, 1975, not to exceed $4,500,000.

(Pub. L. 91–427, § 3, Sept. 26, 1970, 84 Stat. 884.)

CHAPTER 25B—REEFS FOR MARINE LIFE CONSERVATION

Sec.
1220. State applications for obsolete ships for use as offshore reefs.
(a) Conservation of marine life.
(b) Manner and form of applications; minimum requirements.
(c) Copies to Federal officers for official comments and views.
1220a. Transfer of title; terms and conditions.
1220b. Obsolete ships available; number; equitable administration.
1220c. Denial of applications; finality of decision.
1220d. ''Obsolete ship'' defined.

§ 1220. State applications for obsolete ships for use as offshore reefs

(a) Conservation of marine life

Any State may apply to the Secretary of Transportation (hereafter referred to in this chapter as the ''Secretary'') for obsolete ships which, but for the operation of this chapter, would be designated by the Secretary for scrapping if the State intends to sink such ships for use as an offshore artificial reef for the conservation of marine life.

(b) Manner and form of applications; minimum requirements

A State shall apply for obsolete ships under this chapter in such manner and form as the Secretary shall prescribe, but such application shall include at least (1) the location at which the State proposes to sink the ships, (2) a certificate from the Administrator, Environmental Protection Agency, that the proposed use of the particular vessel or vessels requested by the State will be compatible with water quality standards and other appropriate environmental protection requirements, and (3) statements and estimates with respect to the conservation goals which are sought to be achieved by use of the ships.

(c) Copies to Federal officers for official comments and views

Before taking any action with respect to an application submitted under this chapter, the Secretary shall provide copies of the application to the Secretary of the Interior, the Secretary of Defense, and any other appropriate Federal officer, and shall consider comments and views of such officers with respect to the application.

(Pub. L. 92–402, § 3, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98–623, title II, § 207(1), (2), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Subsecs. (a), (b). Pub. L. 98–623, § 207, substituted ''Secretary of Transportation'' for ''Secretary of Commerce'' and ''obsolete ships'' for ''Liberty ships'', wherever appearing.