

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1089

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to prevent and control the infestation of Lake Champlain by zebra mussels, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 28 (legislative day, JULY 10), 1995

Mr. LEAHY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to prevent and control the infestation of Lake Champlain by zebra mussels, 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; REFERENCES.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Lake Champlain Zebra Mussel Control Act of 1995”.

6 (b) REFERENCES.—Whenever in this Act an amend-  
7 ment or repeal is expressed in terms of an amendment  
8 to or repeal of a section or other provision, the reference

1 shall be considered to be made to a section or other provi-  
2 sion of the Nonindigenous Aquatic Nuisance Prevention  
3 and Control Act of 1990 (16 U.S.C. 4701 et seq.).

4 **SEC. 2. PREVENTION AND CONTROL OF ZEBRA MUSSEL IN-**  
5 **FESTATION OF LAKE CHAMPLAIN.**

6 (a) FINDINGS.—Section 1002(a) (16 U.S.C. 4701(a))  
7 is amended—

8 (1) by striking paragraph (3) and inserting the  
9 following new paragraph:

10 “(3) the zebra mussel was unintentionally intro-  
11 duced into the Great Lakes and has infested waters  
12 east of the Great Lakes, into the Hudson River and  
13 Lake Champlain;”

14 (2) in paragraph (4), by striking the period at  
15 the end and inserting “; and”; and

16 (3) by adding at the end the following new  
17 paragraph:

18 “(5) because the zebra mussel was discovered in  
19 Lake Champlain in 1993, the Congress should en-  
20 deavor to act quickly to establish zebra mussel con-  
21 trols for Lake Champlain.”.

22 (b) NATIONAL BALLAST WATER CONTROL PRO-  
23 GRAM.—Section 1102(a)(2) (16 U.S.C. 4712(a)(2)) is  
24 amended by inserting “Lake Champlain and other” after  
25 “economic uses of”.

1 (c) EX OFFICIO MEMBERS OF AQUATIC NUISANCE  
2 SPECIES TASK FORCE.—Section 1201(c) (16 U.S.C.  
3 4721(c)) is amended by inserting “, the Lake Champlain  
4 Basin Program,” before “and State agencies”.

5 (d) AQUATIC NUISANCE SPECIES PROGRAM.—Sub-  
6 sections (b)(6) and (i)(1) of section 1202 (16 U.S.C.  
7 4722) are each amended by inserting “, Lake Champlain,”  
8 after “Great Lakes” each place it appears.

9 **SEC. 3. VOLUNTARY GUIDELINES.**

10 Section 1202(c) (16 U.S.C. 4722(c)) is amended by  
11 adding at the end the following new paragraph:

12 “(3) VOLUNTARY GUIDELINES.—Not later than  
13 1 year after the date of enactment of this para-  
14 graph, the Task Force shall develop and submit to  
15 the Secretary for issuance by the Secretary, vol-  
16 untary guidelines for controlling the spread of the  
17 zebra mussel through recreational activities, includ-  
18 ing boating and fishing. Not later than the date  
19 specified in the preceding sentence, the Secretary  
20 shall issue voluntary guidelines that incorporate the  
21 guidelines developed by the Task Force under this  
22 paragraph.”.

23 **SEC. 4. STATE AND WATERSHED AQUATIC NUISANCE SPE-**  
24 **CIES MANAGEMENT PLANS.**

25 Section 1204(a) (16 U.S.C. 4724(a)) is amended—

1 (1) by striking “(a) STATE PLAN.—” and in-  
2 sserting the following: “(a) STATE OR WATERSHED  
3 PLAN.—”;

4 (2) in paragraph (1)—

5 (A) in the matter preceding subparagraph  
6 (A), by inserting “or the appropriate official of  
7 a watershed organization” after “the Governor  
8 of each State”; and

9 (B) in subparagraphs (A) and (B), by in-  
10 sserting “or the watershed” after “within the  
11 State” each place it appears;

12 (3) in paragraph (3)—

13 (A) in subparagraph (A), by inserting “or  
14 watershed organization” after “the State”; and

15 (B) in subparagraph (B), by inserting “or  
16 the appropriate official of a watershed organiza-  
17 tion” after “a State”;

18 (4) in paragraph (4), by inserting “or the ap-  
19 propriate official of the watershed organization”  
20 after “the Governor”; and

21 (5) by adding at the end the following new  
22 paragraph:

23 “(5) WATERSHED ORGANIZATION DEFINED.—  
24 For purposes of this subsection, the term ‘watershed  
25 organization’ means an entity with jurisdiction over

1 the management of a watershed pursuant to applica-  
2 ble Federal and State law.”.

3 **SEC. 5. SEA GRANT COLLEGE DESIGNATION.**

4 Section 207 of the National Sea Grant College Pro-  
5 gram Act (33 U.S.C. 1126) is amended by adding at the  
6 end the following:

7 “(d) DESIGNATION OF UNIVERSITY OF VERMONT.—  
8 Notwithstanding any other provision of this Act—

9 “(1) the University of Vermont in Burlington,  
10 Vermont, is deemed to meet the requirements for  
11 designation as a sea grant college under this section;  
12 and

13 “(2) not later than 30 days after the date of  
14 enactment of the Lake Champlain Zebra Mussel  
15 Control Act of 1995, the Secretary shall designate  
16 the University of Vermont as a sea grant college.”.

17 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 1301 (16 U.S.C. 4741) is amended—

19 (1) in subsection (a)(3), by striking “1993,  
20 1994, and 1995” and inserting “1996 through  
21 2000”;

22 (2) in subsection (b)—

23 (A) by striking “1991, 1992, 1993, 1994,  
24 and 1995” and inserting “1996 through 2000”;

1 (B) in paragraph (3), by inserting “, and  
2 the Lake Champlain Research Consortium,”  
3 after “Laboratory”;

4 (C) in paragraph (4)(A)—

5 (i) by inserting after “(33 U.S.C.  
6 1121 et seq.)” the following: “and grants  
7 to colleges for the benefit of agriculture  
8 and the mechanic arts referred to in the  
9 first section of the Act of August 30, 1890  
10 (26 Stat. 417, chapter 841; 7 U.S.C.  
11 322)”;

12 (ii) by inserting “and the Lake Cham-  
13 plain basin” after “Great Lakes region”;  
14 and

15 (D) in paragraph (7), by striking  
16 “\$2,000,000” and inserting “\$4,000,000”; and  
17 (3) in subsection (c), by striking “1991, 1992,  
18 1993, 1994, and 1995” and inserting “1996  
19 through 2000”.

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