

TITLE 16 - CONSERVATION

CHAPTER 10B - FISH RESTORATION AND MANAGEMENT PROJECTS

§ 777g–1. Boating infrastructure

(a) Purpose

The purpose of this section is to provide funds to States for the development and maintenance of facilities for transient nontrailerable recreational vessels.

(b) Omitted

(c) Plan

Within 6 months after submitting a survey to the Secretary under section 777g (g) of this title, a State may develop and submit to the Secretary a plan for the construction, renovation, and maintenance of facilities for transient nontrailerable recreational vessels, and access to those facilities, to meet the needs of nontrailerable recreational vessels operating on navigable waters in the State.

(d) Grant program

(1) Matching grants

The Secretary of the Interior shall obligate amounts made available under section 777c (a)(4) of this title to make grants to any State to pay not more than 75 percent of the cost to a State of constructing, renovating, or maintaining facilities for transient nontrailerable recreational vessels.

(2) Priorities

In awarding grants under paragraph (1), the Secretary shall give priority to projects that—

- (A) consist of the construction, renovation, or maintenance of facilities for transient nontrailerable recreational vessels in accordance with a plan submitted by a State under subsection (c) of this section;
- (B) provide for public/private partnership efforts to develop, maintain, and operate facilities for transient nontrailerable recreational vessels; and
- (C) propose innovative ways to increase the availability of facilities for transient nontrailerable recreational vessels.

(e) Definitions

For purposes of this section, the term—

- (1) “nontrailerable recreational vessel” means a recreational vessel 26 feet in length or longer—
 - (A) operated primarily for pleasure; or
 - (B) leased, rented, or chartered to another for the latter’s pleasure;
- (2) “facilities for transient nontrailerable recreational vessels” includes mooring buoys, day-docks, navigational aids, seasonal slips, safe harbors, or similar structures located on navigable waters, that are available to the general public (as determined by the Secretary of the Interior) and designed for temporary use by nontrailerable recreational vessels; and
- (3) “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 105–178, title VII, § 7404, June 9, 1998, 112 Stat. 486; Pub. L. 105–206, title IX, § 9012(c), July 22, 1998, 112 Stat. 864; Pub. L. 109–59, title X, § 10115, Aug. 10, 2005, 119 Stat. 1928.)

Codification

Section is comprised of section 7404 of Pub. L. 105–178. Subsec. (b) of section 7404 of Pub. L. 105–178, as amended by Pub. L. 105–206, § 9012(c), amended section 777g of this title.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

Section was enacted as part of the Sportfishing and Boating Safety Act of 1998, and also as part of the Transportation Equity Act for the 21st Century, and not as part of the Fish Restoration and Management Projects Act which comprises this chapter.

Amendments

2005—Subsec. (d)(1). Pub. L. 109–59 substituted “section 777c (a)(4) of this title” for “section 777c (b)(3)(B) of this title”.

1998—Subsec. (b). Pub. L. 105–206, § 9012(c), made a technical amendment to directory language of Pub. L. 105–178, § 7404(b). See Codification note above.

Effective Date of 2005 Amendments

From Aug. 10, 2005, to end of fiscal year 2005, subsec. (d)(1) of this section considered to read as immediately before enactment of Pub. L. 109–59, see section 101(b) of Pub. L. 109–74, set out as a note under section 777b of this title.

Amendment by Pub. L. 109–59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109–59, set out as a note under section 777b of this title.

Effective Date of 1998 Amendment

Title IX of Pub. L. 105–206 effective simultaneously with enactment of Pub. L. 105–178 and to be treated as included in Pub. L. 105–178 at time of enactment, and provisions of Pub. L. 105–178, as in effect on day before July 22, 1998, that are amended by title IX of Pub. L. 105–206 to be treated as not enacted, see section 9016 of Pub. L. 105–206, set out as a note under section 101 of Title 23, Highways.