

1 A BILL

2 21-386

3 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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5  
6 To designate an official fish of the District of Columbia, to designate an official amphipod of the  
7 District of Columbia, to authorize the Mayor to designate and regulate critical areas for  
8 environmental protection, to authorize the Mayor to issue regulations for shoreline  
9 protection measures, to authorize the Mayor to identify and regulate invasive plants and  
10 nonindigenous nuisance species, to authorize the Mayor to take action to address the  
11 spread of invasive plants and nonindigenous nuisance species, to authorize recovery of  
12 costs incurred by the District in controlling the spread of invasive plants and  
13 nonindigenous nuisance species, to authorize the Mayor to issue fines for violations, to  
14 provide inspection authority and right of entry to the Mayor, to provide for civil  
15 enforcement, to authorize the Mayor to issue fishing licenses, to authorize properly  
16 delegated private entities to sell fishing licenses, to provide for the denial, revocation, or  
17 suspension of a private entity's authority to sell fishing licenses, to authorize emergency  
18 suspension and voluntary surrender of a private entity's authorization to sell fishing  
19 licenses, to authorize the Mayor to regulate the use of certain types of fishing gear, to  
20 authorize the Mayor to issue a fish consumption advisory, to authorize the Mayor manage  
21 fishing seasons by administrative order, to designate the Department of Energy and  
22 Environment as the District's natural resources trustee, to amend the penalty for water  
23 pollution control violations, to expand protection for amphibians and invertebrates, and to  
24 establish a Fishing License Fund.

25  
26 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
27 act may be cited as the "Fisheries and Wildlife Omnibus Amendment Act of 2016".

28 TITLE I. NATURAL RESOURCES EDUCATION

29 Sec. 101. Official fish of the District of Columbia.

30 (a) The American shad (*Alosa sapidissima*) is an anadromous species of game fish native  
31 to the eastern United States and Canada. Spending much of their lives at sea, American shad

32 leave the ocean to find river systems and migrate or “run” upstream into freshwater  
33 environments to spawn in their birthplaces, including the Potomac River.

34 (b) Once abundant in the Potomac River watershed and considered one of the most  
35 valuable commercial fisheries in the United States, the American shad has experienced species-  
36 threatening declines throughout the entirety of its native range. A combination of factors, such as  
37 overfishing, degraded water quality, the recovery of shad predator species, the closing of historic  
38 shad spawning waters, and the building of dams for hydroelectric power, have contributed to  
39 these massive declines.

40 (c) In response to American shad population declines, the District and others, beginning  
41 in 2005, undertook restoration activities, including education, reopening fish passages, manual  
42 spawning, chemical marking, stocking, identification, and other efforts. Since restoration efforts  
43 began, more than 10 miles of closed spawning surface waters have been opened and more than  
44 10 million American shad hatchlings have been manually spawned and released.

45 (d) In 2011, the Potomac River Fisheries Commission reported that American shad  
46 population targets for the Potomac River established by the Atlantic States Marine Fisheries  
47 Commission have been met and deemed that the American shad population for the Potomac  
48 River had recovered. The District will continue its restoration efforts to ensure the future of the  
49 species.

50 (e) The American shad (*Alosa sapidissima*) is designated as the official fish of the  
51 District of Columbia.

52 Sec. 102. Official amphipod of the District of Columbia.

53 (a) The Hay's Spring amphipod (*Stygobromus hayi*) is a federally-endangered, globally-  
54 rare species of crustacean that is native to and found only in a few springs within the District's  
55 portion of the Rock Creek watershed.

56 (b) Spending most of its life underground, the Hay's Spring amphipod lives in  
57 groundwater seeps.

58 (c) The Hay's Spring amphipod measures 5-10 millimeters in length, and is colorless and  
59 blind because it lives underground.

60 (d) The species is highly sensitive to groundwater contaminants and is therefore a strong  
61 indicator of the health of the District's natural ecosystems, especially Rock Creek and Rock  
62 Creek Park.

63 (e) The Hay's Spring amphipod (*Stygobromus hayi*) is designated as the official  
64 amphipod of the District of Columbia.

## 65 TITLE II. NATURAL RESOURCES CONSERVATION

### 66 Sec. 201. Definitions.

67 For the purposes of this title, the term:

68 (1) "Critical aquifer recharge areas" means areas with a critical recharging effect  
69 on aquifers, including areas where an aquifer that is a source of drinking water is vulnerable to  
70 contamination that would affect the potability of water or is susceptible to reduced recharge.

71 (2) "Critical areas" include the following areas and ecosystems:

72 (A) Wetlands;

73 (B) Critical aquifer recharge areas;

74 (C) Fish and wildlife habitat conservation areas;

75 (D) Frequently-flooded areas; and

76 (E) Areas containing species of local importance.

77 (3)(A) “District waters” means flowing and still bodies of water in the District,  
78 whether artificial or natural, whether underground or on land.

79 (B) “District waters” does not include:

80 (i) Water on private property that is prevented from reaching  
81 underground or land watercourses; and

82 (ii) Water in closed collection or distribution systems.

83 (4) “Fish and wildlife habitat conservation areas” means areas that serve a critical  
84 role in sustaining needed habitats and species for the functional integrity of the ecosystem and  
85 which, if altered, may reduce the likelihood that species will persist over the long term

86 (5) “Frequently flooded areas” means lands either in the floodplain subject to a  
87 1% or greater chance of flooding in any given year or within areas subject to flooding due to  
88 high groundwater .

89 (6) “Invasive plant” means a terrestrial or aquatic plant species that:

90 (A) Is not indigenous to the District or District waters; and

91 (B) If introduced or allowed to spread within the District, will cause or is  
92 likely to cause economic harm, ecological harm, environmental harm, or harm to human health.

93                   (7) “Living shoreline project” means shoreline protection measures that use non-  
94 structural stabilization practices to control shore erosion by trapping sediment, filtering pollution,  
95 and providing important aquatic and terrestrial habitat.

96                   (8) “Natural resources” means the land, air, water, minerals, flora, and fauna in  
97 the District and District waters.

98                   (9) “Nonindigenous nuisance species” means a terrestrial or aquatic animal  
99 species that does not naturally occur in the District and whose presence in the District or in  
100 District waters poses or is likely to pose a significant threat of harm to:

101                               (A) The diversity or abundance of any species indigenous to the District or  
102 District waters;

103                               (B) The ecological stability of District lands or waters; or

104                               (C) The commercial, industrial, public, recreational, aquacultural, or other  
105 beneficial uses of the District or District waters.

106                   (10) “Person” means any individual, partnership, corporation (including a  
107 government corporation), trust association, firm, joint stock company, organization, commission,  
108 the District or federal government, or any other entity.

109                   (11) “Shoreline protection measures” means coastal engineering activities that  
110 reduce the risk of flooding, erosion, or inundation of land and structures.

111                   (12) “Species of local importance” means those plant and animal species that are  
112 of concern in the District due to their population status, emerging threats to their population  
113 status, or their sensitivity to habitat alteration, or that are game species.

114 (13) “Wetlands” means a marsh, swamp, or other area that is:

115 (A) Periodically inundated by tides or having saturated soil conditions for  
116 prolonged periods of time; and

117 (B) Capable of supporting aquatic vegetation.

118 Sec. 202. Critical areas.

119 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
120 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules  
121 to:

122 (1) Designate critical areas for protection within the District; and

123 (2) Protect, conserve, or enhance the environmental function and value of critical  
124 areas.

125 Sec. 203. Shoreline protection.

126 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
127 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules  
128 to require shoreline protection measures, which shall, to the maximum extent possible, promote  
129 the use of living shoreline projects.

130 Sec. 204. Invasive plants and nonindigenous nuisance species.

131 (a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
132 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue  
133 rules to identify invasive plants and nonindigenous nuisance species.

134 (b) Except as provided in section 207, no person shall knowingly import, transport, offer  
135 for sale, sell, purchase, give, receive, plant, spread, or introduce into the District or District  
136 waters any invasive plant.

137 (c) Except as provided in section 207, no person shall knowingly possess, import,  
138 transport, offer for sale, sell, purchase, give, receive, breed, or introduce into the District or  
139 District waters any nonindigenous nuisance species.

140 ~~(d) It shall not be a violation of subsection (b) or (c) of this section to import, transport,~~  
141 ~~offer for sale, sell, purchase, give, or receive an invasive plant or nonindigenous nuisance species~~  
142 ~~if it is dead and no longer capable of growth or reproduction.~~

143 (d) It shall not be a violation of subsection (b) or (c) of this section to possess, import,  
144 transport, offer for sale, sell, purchase, give, receive, or introduce into the District:

145 (1) An invasive plant if it is dead and no longer capable of growth and  
146 reproduction;

147 (2) An animal belonging to a nonindigenous nuisance species if it is dead or no  
148 longer capable of reproduction; or

149 (3) An animal belonging to a nonindigenous nuisance species that is  
150 domesticated.

151 (e)(1) The Mayor may conduct measures to eradicate or control the spread of any  
152 invasive plant or ~~nonindigenous nuisance species~~ nonindigenous nuisance species, other than  
153 domesticated animals.

154 (2) In exercising the authority granted by this section related to nonindigenous  
155 nuisance species, the Mayor shall:

156 (A) Employ humane practices to the maximum extent feasible;

157 (B) Abide by the standards established for wildlife control service  
158 providers in section 3 of the Wildlife Protection Act of 2010, effective February 26, 2015 (D.C.  
159 Law 18-829; D.C. Official Code § 8-2202); and

160 (C) Coordinate and partner with the Animal Care and Control Agency  
161 established by section 3 of the Animal Control Act of 1979, effective October 18, 1979 (D.C.  
162 Law 3-30; D.C. Official Code § 8-1802).

163 (f)(1) Notwithstanding any other provision of this section, the Mayor shall not  
164 purposefully kill a feral cat pursuant to authority granted in this section. The Mayor shall not  
165 capture a feral cat pursuant to this section unless ~~it threatens~~ it presents a specific threat to the  
166 life, habitat, or reproduction of a species of local importance. If the Mayor captures a feral cat  
167 pursuant to this section, it shall promptly turn it over to the Animal Care and Control Agency.”

168 (2) The Mayor shall not undertake any effort to control, remove, or eradicate a  
169 population of feral cats pursuant to this section unless:

170 (A) It presents a specific threat to the life, habitat, or reproduction of a  
171 species of local importance; and

172 (B) The Mayor’s actions are pursuant to a plan that is based on the trap,  
173 neuter, and release population control method and developed and approved by a working group  
174 consisting of the following representatives:



- 175 (i) A representative of the Department of Energy and Environment;  
176 (ii) A representative of the Animal Care and Control Agency;  
177 (iii) Two community members appointed by the Mayor; and  
178 (iv) One community member appointed by the Chairperson of the  
179 Council Committee with oversight of the Department of Energy and Environment.

180 Sec. 205. Entry and inspection.

181 (a) To ensure compliance with this title, the Mayor may, at any reasonable time and upon  
182 the presentation of appropriate credentials to, and with the consent of, the owner, operator, or  
183 person in charge:

184 (1) Enter any place to determine a person's compliance with this title or a  
185 regulation promulgated pursuant to this title; and

186 (2) Inspect and copy any record, report, or other document or information related  
187 to compliance with this title and regulations promulgated pursuant to this title.

188 (b) If the Mayor is denied access to enter or inspect and copy records in accordance with  
189 this section, the Mayor may apply to the Superior Court for the District of Columbia for a search  
190 warrant.

191 Sec. 206. Enforcement and penalties.

192 (a) The Mayor may impose civil infraction penalties, fines, and fees as sanctions for any  
193 violation of this title or a regulation issued pursuant to this title, pursuant to the Department of  
194 Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C.  
195 Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

196 (b) In addition to any penalties authorized by this section, the Mayor may require  
197 reimbursement for the costs of investigation, control, and eradication incurred by the District as a  
198 result of a violation of this title or a regulation issued pursuant to this title.

199 (c) The Attorney General for the District of Columbia may commence a civil action in  
200 the Superior Court of the District of Columbia or any other court of competent jurisdiction for  
201 damages, cost recovery, reasonable attorney and expert witness fees, and injunctive or other  
202 appropriate relief to enforce compliance with this title or the regulations adopted pursuant to this  
203 title.

204 Sec. 207. Exception for research.

205 (a) Notwithstanding section 204(b) and (c), the Mayor may issue a permit to allow the  
206 importation, possession, purchase, gift, receipt, transportation, planting, or breeding of an  
207 invasive plant or a nonindigenous nuisance species in the District for research by a recognized  
208 institution or government agency upon determining that adequate safeguards will be  
209 implemented and maintained to prevent the release, escape, or introduction of any such invasive  
210 plant or nonindigenous nuisance species into the District or District waters.

211 (b) The Mayor may modify, suspend, revoke, or deny a permit issued under this section  
212 for failure to comply with any conditions associated with the issuance of the permit, this title or a  
213 regulation promulgated pursuant to this title.

214 (c) A person aggrieved by an action of the Mayor taken pursuant to this section may  
215 appeal the action of the Mayor to the Office of Administrative Hearings pursuant to section 6(a)

216 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002  
217 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)).

218           Sec. 208. Rules.

219           The Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved  
220 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to  
221 implement the provisions of this title, including rules to establish fees.

222           TITLE III. FISHING

223           SUBTITLE A. AUTHORIZING FISHING LICENSURE BY PRIVATE ENTITIES

224           Sec. 301. Definitions.

225           For the purposes of this subtitle, the term:

226                   (1) “Covered establishment” means a business, nonprofit enterprise, or nonprofit  
227 institution that does not have as its primary or sole business the sale of licenses for recreational  
228 fishing in District waters.

229                   (2)(A) “District waters” means flowing and still bodies of water in the District,  
230 whether artificial or natural, whether underground or on land.

231                   (B) ”District waters” shall not include:

232                           (i) Water on private property prevented from reaching underground  
233 or land watercourses; and

234                           (ii) Water in closed collection or distribution systems.

235                   (3) “Recreational fishing” means the non-commercial taking or attempted taking  
236 of finfish for personal use, sport, or pleasure, and which are not for sale, trade, or barter.

237 (4) “Substantial change in ownership” means a transfer of 10% or more in the  
238 equity of or financial interest in a covered establishment.”

239 Sec. 302. Fishing licensure by private entities.

240 (a) The Mayor may sell licenses and licensure endorsements for recreational fishing in  
241 District waters.

242 (b) The Mayor may authorize a covered establishment to sell licenses and licensure  
243 endorsements for recreational fishing in District waters; provided, that the covered  
244 establishment:

245 (1) Designates and provides contact information for an agent to receive  
246 communication and notices from the Mayor;

247 (2) Operates a lawful establishment that is open to the public and maintains  
248 regular business hours;

249 (3) Demonstrates the ability to efficiently maintain an operation to sell licenses  
250 for recreational fishing in District waters;

251 (4) Demonstrates financial stability and responsibility;

252 (5) Provides a physically secure and readily accessible location in an area where  
253 the public may obtain a license; and

254 (6) Employs sufficient personnel to accommodate license purchasers efficiently.

255 (c) In determining whether the covered establishment meets the requirements set forth in  
256 subsection (b) of this section, the Mayor may consider business performance records, business

257 practices, financial resources, record of indebtedness, and other factors relating to financial  
258 reliability of the covered establishment including:

- 259 (1) The location at which the covered establishment intends to sell licenses;
- 260 (2) The number of customers who frequent the location;
- 261 (3) The volume of sales at the location;
- 262 (4) The days and hours of operation;
- 263 (5) The proximity to other agents; and
- 264 (6) Other relevant factors as determined by the Mayor.

265 (d) The Mayor shall develop an application for a covered establishment to apply to  
266 obtain authorization pursuant to subsection (b) of this section. An owner, partner, director, or  
267 officer authorized to bind the covered establishment may complete and file the application on  
268 behalf of the covered establishment.

269 (e) The Mayor may develop criteria for renewal of a covered establishment's  
270 authorization under subsection (b) of this section, and an application for renewal. If a renewal  
271 application is denied, the covered establishment may submit an application pursuant to  
272 subsection (d) of this section.

273 (f) Authorizations to sell licenses issued by the Mayor:

- 274 (1) Shall be issued in the name of the covered establishment; and
- 275 (2) Shall be valid for a period determined by the Mayor and shall expire at  
276 midnight of the last day of the designated period.

277 (g) Any covered establishment authorized under subsection (b) of this section shall:

278 (1) Accurately and promptly report transactions and sales as required by the  
279 Mayor;

280 (2) Make all financial settlements and payments promptly; and

281 (3) Hold in trust all monies received from the sale of fishing licenses, until such  
282 monies are transferred to the Mayor.

283 (h) The Mayor may, by regulation, require a covered entity which applies for  
284 authorization or renewal of authorization pursuant to subsection (b) of this section to pay an  
285 application fee, and may prorate such fees or costs based on the period of the authorization.

286 (i) Upon expiration of the authorization, the covered establishment shall cease selling  
287 licenses unless and until the covered establishment's license is renewed or reissued.

288 Sec. 303. Denial, revocation, or suspension of authorization.

289 (a) The Mayor may deny, revoke, or suspend an authorization pursuant to section 302(b),  
290 after notice and opportunity for a hearing pursuant to section 305, for the following reasons:

291 (1) An owner, partner, director, officer, or the agent designated pursuant to  
292 section 302(b)(1) of the covered establishment has been convicted of, or pleaded guilty to, a  
293 felony;

294 (2) The covered establishment included false or misleading information on its  
295 application;

296 (3) The covered establishment is not authorized or licensed to operate or conduct  
297 business in the District;

298 (4) The covered establishment fails to notify the Mayor within 45 days in advance  
299 of a material change in information, including a substantial change in ownership, change of  
300 address, or a significant change in operations;

301 (5) The covered establishment fails to take security precautions as required by the  
302 Mayor in rules issued pursuant to section 306 regarding the handling of any licenses or licensure  
303 equipment;

304 (6) The covered establishment fails to comply with the requirements of this  
305 subtitle or any other laws or regulations applicable to the conduct of its operations; or

306 (7) The covered establishment becomes insolvent or dissolves.

307 (b) The Mayor, in the event of a denial, revocation, or suspension of authorization  
308 pursuant to subsection (a) of this section, shall provide notice, which shall include the reason for  
309 the denial, revocation, or suspension and shall notify the covered establishment of its right to  
310 contest the denial, revocation, or suspension at a hearing pursuant to section 305.

311 (c) Upon notification of the denial, revocation, or suspension of its authorization  
312 pursuant to subsection (a) of this section, the Mayor may require the covered establishment to:

313 (1) Cease the sale of licenses;

314 (2) Render an accounting by the date specified on the notice; or

315 (3) Surrender licensure equipment and any other District property to the District  
316 by the date specified on the notice.

317 Sec. 304. Voluntary surrender of authorization.

318 (a) An authorized covered establishment shall notify the Mayor, in writing, at least 30  
319 days in advance of the establishment's intent to voluntarily stop selling licenses pursuant to its  
320 authorization under section 302(b).

321 (b) The covered establishment shall return any District property related to the  
322 establishment's authorization pursuant to section 302(b) within 7 days of the date it voluntarily  
323 stops selling licenses pursuant to its authorization under section 302(b).

324 Sec. 305. Administrative Appeals.

325 A covered establishment aggrieved by an action of the Mayor taken pursuant to this title,  
326 or the regulations promulgated pursuant to this title, may appeal the action to the Office of  
327 Administrative Hearings pursuant to section 6(a) of the Office of Administrative Hearings  
328 Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-  
329 1831.03(a)).

330 Sec. 306. Rules; enforcement.

331 (a) The Mayor, pursuant to the District of Columbia Administrative Procedure Act,  
332 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules  
333 to implement the provisions of this subtitle.

334 (b) The Attorney General for the District of Columbia may commence a civil action in  
335 the Superior Court of the District of Columbia or any other court of competent jurisdiction for  
336 damages, reasonable attorney and expert witness fees, and injunctive or other appropriate relief  
337 to enforce compliance with this subtitle or the regulations adopted pursuant to this subtitle.

338 SUBTITLE B. ESTABLISHING AND CLARIFYING FISHING AUTHORITIES



339           Sec. 311. Allowable fishing gear types.

340           (a) Notwithstanding any other provision of law, the Mayor may authorize and license  
341 the possession, transport, and use of bows, arrows, spears, and other implements for the capture  
342 or killing of any fish.

343           (b) No person shall possess, transport, or use an implement authorized under this section,  
344 unless the license is in the licensee's physical possession when the licensee is possessing,  
345 transporting, or using the implement.

346           (c) The Mayor may impose civil infraction penalties, fines, and fees for a violation of this  
347 section or a regulation promulgated pursuant to this section, pursuant to the procedures of the  
348 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October  
349 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

350           (d) The Department of Energy and Environment may enter into an agreement with any  
351 federal or District agency to work cooperatively on enforcement of this section or a regulation  
352 promulgated pursuant to this section.

353           (e) The Mayor, pursuant to the District of Columbia Administrative Procedure Act,  
354 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to  
355 implement the provisions of this subtitle.

356           Sec. 312. Fish consumption advisory.

357           The Mayor may publish, based on scientific analysis of the composition of fish tissue  
358 and other scientific indicators, an advisory recommending the safest means of consuming fish  
359 captured in the District's waterways and any recommended consumption limits.

360 SUBTITLE C. PROTECTING AQUATIC LIFE THROUGH FISHERIES

361 MANAGEMENT AND ENFORCEMENT

362 Sec. 321. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law

363 (a) Section 4(b) (D.C. Official Code § 8-103.03(b)) is amended as follows:

364 (1) Paragraph (2) is amended to read as follows:

365 “(2) No person shall hunt, fish, capture, intentionally harm or attempt to hunt,  
366 fish, capture, or intentionally harm fish in District waters, except while in physical possession of  
367 a license issued by the Mayor. The Mayor may establish and modify through administrative  
368 order the seasons, methods, species, and allowable volume of take for fishing; provided that, if  
369 the Mayor issues an order pursuant to this paragraph, the Mayor shall first, pursuant to the  
370 District of Columbia Administrative Procedure Act, issue rules outlining how the administrative  
371 orders will be made public, including on an online website where the public may access up-to-  
372 date information about seasons, methods, species, and volume of take authorized pursuant to this  
373 section.”.

374 (2) Paragraph (3) is repealed.

375 (b) Section 19(b)(2)(A) (D.C. Official Code §8-103.18(b)(2)(A)) is amended by striking  
376 the phrase “\$50,000 for each violation” and inserting the phrase “\$50,000 for each violation,  
377 provided that the Mayor may adjust this civil penalty by rulemaking to account for inflation” in  
378 its place.

379 TITLE IV. ENVIRONMENT

380 SUBTITLE A. NATURAL RESOURCE PROTECTION

381           Sec. 401. The District Department of the Environment Establishment Act of 2005,  
382 effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is  
383 amended as follows:

384           (a) Section 106(2) (D.C. Official Code § 8-151.06(2)) is amended by striking the phrase  
385 “such as initiatives” and inserting the phrase “such as an aquatic resources education program,  
386 experiential learning activities that promote understanding and conservation of natural resources,  
387 and initiatives”:

388           (b) Section 107 (D.C. Official Code § 8-151.07) is amended as follows:

389                   (1) Paragraph (11) is amended by striking the phrase “; and” and inserting a  
390 semicolon in its place.

391                   (2) Paragraph (12) is amended by striking the period and inserting “; and” in its  
392 place.

393                   (3) New paragraph (13) is added to read as follows:

394                           “(13) Plan, design, implement, construct, and maintain projects to protect, restore,  
395 and enhance the environment.”.

396           (c) Section 108 (D.C. Official Code § 8-151.08) is amended as follows:

397                   (1) Paragraph (2) is amended by striking the phrase “natural resources policy and  
398 make” and inserting the phrase “natural resources policy, planning, and implementation, and for  
399 purposes of making” in its place

400                   (2) Paragraph (5) is amended by striking the phrase “protect the environment and  
401 to promote environmental awareness” and inserting the phrase “protect and enhance the

402 environment, natural resources, and promote environmental awareness, as well as to enforce the  
403 District’s environmental and natural resource laws” in its place.

404 (3) Paragraph (6) is amended by striking the phrase “; and” and inserting a  
405 semicolon in its place.

406 (4) Paragraph (7) is amended by striking the period and inserting a semicolon in  
407 its place.

408 (5) New paragraph (8) is added to read as follows:

409 “(8) Serve as the trustee for natural resources for the District.”

410 SUBTITLE B. EXPANDING PROTECTION FOR AMPHIBIANS AND  
411 INVERTEBRATES

412 Sec. 411. Section 1 of An Act To revise and modernize the fish and game laws of the  
413 District of Columbia, and for other purposes, approved August 23, 1958 (72 Stat. 814; D.C.  
414 Official Code § 22-4328), is amended by striking the phrase “As used in this section the term  
415 “wild animals” includes, without limitation, mammals, birds, fish, and reptiles not ordinarily  
416 domesticated.” and inserting the phrase “As used in this section the term “wild animals” includes  
417 not-ordinarily-domesticated mammals, birds, fish, amphibians, invertebrates, and reptiles.” in its  
418 place.

419 TITLE V. SPECIAL PURPOSE REVENUE FUNDS

420 Sec. 501. Fishing License Fund.

421 (a) There is established as a special fund the Fishing License Fund (“Fund”), which shall  
422 be administered by the Mayor in accordance with subsection (c) of this section.

423 (b) Proceeds from the sale of fishing licenses, or license endorsements, including  
424 proceeds collected pursuant to Subtitle A of Title III of this act shall be deposited into the Fund.

425 (c) Monies deposited into the Fund shall be used solely for the administration and  
426 management of the District's fish and wildlife resources by the agency responsible for protecting  
427 and managing those resources.

428 (d)(1) The money deposited into the Fund shall not revert to the General Fund of the  
429 District of Columbia at the end of a fiscal year, or at any other time.

430 (2) Subject to authorization in an approved budget and fiscal plan, any funds  
431 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

#### 432 TITLE VI. CONFORMING AMENDMENT

433 Sec. 601. Section 6 of the Office of Administrative Hearings Establishment Act of 2001,  
434 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by  
435 adding a new subsection (b-10) to read as follows:

436 “(b-10) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-  
437 4), (b-5), (b-6), (b-7), (b-8), (b-9), this act shall apply to all adjudicated cases involving the  
438 modification, suspension, revocation, or denial of a permit issued under section 209 and all  
439 adjudicated cases involving the denial, revocation, or suspension of an authorization under  
440 Subtitle A of Title III of the Fisheries and Wildlife Omnibus Amendment Act of 2016, as  
441 approved by the Committee on Transportation and the Environment on DATE, 2016 (Committee  
442 print of Bill 21-386).”.

443 TITLE VII. CONSTRUCTION, FISCAL IMPACT STATEMENT, EFFECTIVE DATE.

444           Sec. 701. Construction.

445           Nothing in this act shall be construed to affect an action or proceeding commenced before  
446 the effective date of this act.

447           Sec. 702. Fiscal impact statement.

448           The Council adopts the fiscal impact statement contained in the committee report as the  
449 fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
450 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

451           Sec. 703. Effective date.

452           This act shall take effect after approval by the Mayor (or in the event of veto by the  
453 Mayor, action by the Council to override the veto), a 60-day period of congressional review as  
454 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
455 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(2), and publication in the District of  
456 Columbia Register.