115TH CONGRESS
1ST SESSION

H. R. ______

To prohibit operation of aquaculture facilities that contribute to pollution of wild and scenic rivers.

IN THE HOUSE OF REPRESENTATIVES

Mr. KILDEE introduced the following bill; which was referred to the Committee on ________________

A BILL

To prohibit operation of aquaculture facilities that contribute to pollution of wild and scenic rivers.

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.

4 This Act may be cited as the “Preserve Fishing on
5 Wild and Scenic River Act”.

6 SEC. 2. PROHIBITION ON AQUACULTURE FACILITIES AF-
7 FECTING WILD AND SCENIC RIVERS.

8 (a) Prohibition.—Notwithstanding any other provi-
9 sion of law, after the end of the 3-year period beginning
on the date of the enactment of this Act a person shall not operate an aquaculture facility unless the Secretary of the Interior has certified that such operation will not discharge a pollutant into a river any segment of which is a wild and scenic river.

(b) Administration and Certifications.—

(1) IN GENERAL.—The Secretary of the Interior shall administer this section.

(2) CERTIFICATIONS.—Upon receipt of a request for a certification required by subsection (a) submitted by a person operating or seeking to operate an aquaculture facility, the Secretary shall—

(A) determine whether or not such facility will discharge a pollutant into a river any segment of which is a wild and scenic river; and

(B) if the Secretary determines that such facility will not discharge a pollutant into a river any segment of which is a wild and scenic river, certify that determination.

(c) RELATIONSHIP TO OTHER LAW.—This section, and a determination or certification by the Secretary under this section, shall not be construed to affect section 318 of the Federal Water Pollution Control Act (33 U.S.C. 1328) or the authority of the Administrator of the Environmental Protection Agency under that section.
(d) DEFINITIONS.—In this section:

(1) AQUACULTURE FACILITY.—The term “aquaculture facility” means a facility used for the propagation or rearing (or both) of aquatic species in a controlled or selected environment. The term does not include any fish hatchery operated by a Federal or State agency.

(2) POLLUTANT.—The term “pollutant” has the meaning that term has under section 502(6) of the Federal Water Pollution Control Act (33 U.S.C. 1362(6)).

(3) RIVER.—The term “river” has the meaning that term has under section 16(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1286(a)).

(4) WILD AND SCENIC RIVER.—The term “wild and scenic river” means any waters included in the national wild and scenic rivers system under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).