

**AMENDMENT TO H.R. 200, AS REPORTED  
OFFERED BY MR. KILDEE OF MICHIGAN**

Add at the end the following:

1 **TITLE \_\_\_\_\_—PROHIBITION ON**  
2 **OPERATION OF CERTAIN**  
3 **AQUACULTURE FACILITIES**

4 **SEC. \_\_\_\_ . PROHIBITION ON AQUACULTURE FACILITIES AF-**  
5 **FECTING WILD AND SCENIC RIVERS.**

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

13 (b) ADMINISTRATION AND CERTIFICATIONS.—

14 (1) IN GENERAL.—The Secretary of the Inte-  
15 rior shall administer this section.

16 (2) CERTIFICATIONS.—Upon receipt of a re-  
17 quest for a certification required by subsection (a)  
18 submitted by a person operating or seeking to oper-  
19 ate an aquaculture facility, the Secretary shall—

1 (A) determine whether or not such facility  
2 will discharge a pollutant into a river any seg-  
3 ment of which is a wild and scenic river; and

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

8 (c) RELATIONSHIP TO OTHER LAW.—This section,  
9 and a determination or certification by the Secretary  
10 under this section, shall not be construed to affect section  
11 318 of the Federal Water Pollution Control Act (33  
12 U.S.C. 1328) or the authority of the Administrator of the  
13 Environmental Protection Agency under that section.

14 (d) DEFINITIONS.—In this section:

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

21 (2) POLLUTANT.—The term “pollutant” has  
22 the meaning that term has under section 502(6) of  
23 the Federal Water Pollution Control Act (33 U.S.C.  
24 1362(6)).

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

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

