AMENDMENT TO RULES COMMITTEE
PRINT 115–79
OFFERED BY MR. KILDEE OF MICHIGAN

Add at the end the following:

TITLE —PROHIBITION ON
OPERATION OF CERTAIN
AQUACULTURE FACILITIES

SEC. ___. PROHIBITION ON AQUACULTURE FACILITIES AFFECTING WILD AND SCENIC RIVERS.

(a) Prohibition.—Notwithstanding any other provision 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.).