

115TH CONGRESS
1ST SESSION

H. R. 962

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2017

Mr. KILDEE introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 **FFECTING WILD AND SCENIC RIVERS.**

8 (a) PROHIBITION.—Notwithstanding any other provi-
9 sion of law, after the end of the 3-year period beginning

1 on the date of the enactment of this Act a person shall
2 not operate an aquaculture facility unless the Secretary
3 of the Interior has certified that such operation will not
4 discharge a pollutant into a river any segment of which
5 is a wild and scenic river.

6 (b) ADMINISTRATION AND CERTIFICATIONS.—

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

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

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

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

20 (c) RELATIONSHIP TO OTHER LAW.—This section,
21 and a determination or certification by the Secretary
22 under this section, shall not be construed to affect section
23 318 of the Federal Water Pollution Control Act (33
24 U.S.C. 1328) or the authority of the Administrator of the
25 Environmental Protection Agency under that section.

1 (d) DEFINITIONS.—In this section:

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

8 (2) POLLUTANT.—The term “pollutant” has
9 the meaning that term has under section 502(6) of
10 the Federal Water Pollution Control Act (33 U.S.C.
11 1362(6)).

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

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

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