

104TH CONGRESS
1ST SESSION

H. R. 2567

To amend the Federal Water Pollution Control Act relating to standards for constructed water conveyances.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 1995

Mr. CONDIT (for himself and Mr. MATSUI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act relating to standards for constructed water conveyances.

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. CONSTRUCTED WATER CONVEYANCES.**

4 Section 303(c)(2) of the Federal Water Pollution
5 Control Act (33 U.S.C. 1313(c)(2)) is amended by adding
6 at the end the following:

7 “(C) STANDARDS FOR CONSTRUCTED
8 WATER CONVEYANCES.—

9 “(i) RELEVANT FACTORS.—If a State
10 exercises jurisdiction over constructed

1 water conveyances in establishing stand-
2 ards under this section, the State shall
3 consider the following:

4 “(I) The existing and planned
5 uses of water transported in a convey-
6 ance system.

7 “(II) Any water quality impacts
8 resulting from any return flow from a
9 constructed water conveyance to navi-
10 gable waters and the need to protect
11 downstream users.

12 “(III) Management practices nec-
13 essary to maintain the conveyance
14 system.

15 “(IV) State or regional water re-
16 sources management and water con-
17 servation plans.

18 “(V) The authorized purpose for
19 the constructed conveyance.

20 “(ii) RELEVANT USES.—If a State
21 adopts or reviews water quality standards
22 for constructed water conveyances, it shall
23 not be required to establish recreational,
24 aquatic life, or fish consumption uses for
25 such systems if the uses are not existing or

1 reasonably foreseeable or such uses impede
2 the authorized uses of the conveyance sys-
3 tem.

4 “(iii) STATUTORY CONSTRUCTION.—
5 Nothing in this subparagraph shall be con-
6 strued to require a State to exercise juris-
7 diction over constructed water conveyances
8 in establishing standards.

9 “(iv) CONSTRUCTED WATER CONVEY-
10 ANCES DEFINED.—In this subparagraph,
11 the term ‘constructed water conveyance’
12 means a manmade water transport system
13 constructed for the purpose of transporting
14 water in a waterway that is not and never
15 was a natural waterway.”.

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