

112TH CONGRESS
1ST SESSION

S. 1369

To amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2011

Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

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 “Silviculture Regulatory
5 Consistency Act”.

1 **SEC. 2. SILVICULTURAL ACTIVITIES.**

2 Section 402(l) of the Federal Water Pollution Control
3 Act (33 U.S.C. 1342(l)) is amended by adding at the end
4 the following:

5 “(3) SILVICULTURAL ACTIVITIES.—

6 “(A) NPDES PERMIT REQUIREMENTS FOR
7 SILVICULTURAL ACTIVITIES.—The Adminis-
8 trator shall neither require a permit under this
9 section, nor directly or indirectly require any
10 State to require a permit under this section, for
11 a discharge resulting from the conduct of any
12 silvicultural activity, such as nursery oper-
13 ations, site preparation, reforestation and sub-
14 sequent cultural treatment, thinning, prescribed
15 burning, pest and fire control, harvesting oper-
16 ations, surface drainage, or road use, construc-
17 tion, and maintenance, from which there is run-
18 off.

19 “(B) PERMITS FOR DREDGED OR FILL MA-
20 TERIAL.—Nothing in this paragraph exempts
21 the conduct of a silvicultural activity resulting
22 in the discharge of dredged or fill material from
23 any permitting requirement under section
24 404.”.

○