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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Silviculture Regulatory Consistency Act'.

SEC. 2. SILVICULTURAL ACTIVITIES.

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

'(3) SILVICULTURAL ACTIVITIES-

'(A) NPDES PERMIT REQUIREMENTS FOR SILVICULTURAL ACTIVITIES- The Administrator shall neither require a permit under this section, nor directly or indirectly require any State to require a permit under this section, for a discharge resulting from the conduct of any silvicultural activity, such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road use, construction, and maintenance, from which there is runoff.

'(B) PERMITS FOR DREDGED OR FILL MATERIAL- Nothing in this paragraph exempts the conduct of a silvicultural activity resulting in the discharge of dredged or fill material from any permitting requirement under section 404.'.

END