

106TH CONGRESS  
2D SESSION

# S. 2041

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 8, 2000

Mrs. LINCOLN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

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

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. EXEMPTION FOR SILVICULTURAL ACTIVITIES.**

4       (a) IN GENERAL.—Section 402(l) of the Federal  
5       Water Pollution Control Act (33 U.S.C. 1342(l)) is  
6       amended by adding at the end the following:

7               “(3) SILVICULTURAL ACTIVITIES.—The Admin-  
8       istrator shall not require a permit under this section,

1       nor shall the Administrator directly or indirectly re-  
 2       quire any State to require such a permit, for dis-  
 3       charges of stormwater runoff from silvicultural ac-  
 4       tivities conducted in connection with—

5               “(A) site preparation;

6               “(B) reforestation (including subsequent  
 7       cultural treatment);

8               “(C) thinning;

9               “(D) prescribed burning;

10              “(E) pest and fire control;

11              “(F) harvesting operations;

12              “(G) surface drainage;

13              “(H) road construction and maintenance;

14              and

15              “(I) nursery operations.”.

16       (b) CONFORMING AMENDMENT.—Section 502(14) of  
 17 the Federal Water Pollution Control Act (33 U.S.C.  
 18 1362(14)) is amended by striking the second sentence and  
 19 inserting the following: “This term does not include agri-  
 20 cultural stormwater discharges, return flows from irri-  
 21 gated agriculture, and discharges of stormwater runoff  
 22 from silvicultural activities described in section  
 23 402(l)(3).”.

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