

113TH CONGRESS
1ST SESSION

S. 971

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

MAY 16, 2013

Mr. WYDEN (for himself, Mr. CRAPO, Mr. BAUCUS, and Mr. RISCH) 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 not require a permit or otherwise
9 promulgate regulations under this section or di-
10 rectly or indirectly require any State to require
11 a permit under this section for a discharge of
12 stormwater runoff resulting from the conduct of
13 the following silvicultural activities: nursery op-
14 erations, site preparation, reforestation and
15 subsequent cultural treatment, thinning, pre-
16 scribed burning, pest and fire control, har-
17 vesting operations, surface drainage, and road
18 use, construction, and maintenance.

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

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