

# Union Calendar No. 452

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2026

[Report No. 113-607]

To amend the Federal Water Pollution Control Act to exempt certain silvicultural activities from national pollutant discharge elimination system permitting requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2013

Ms. HERRERA BEUTLER (for herself, Mr. SCHRADER, Mr. BENISHEK, Mrs. McMORRIS RODGERS, Mr. RIBBLE, Mr. SIMPSON, Mr. THOMPSON of Pennsylvania, Mr. WALDEN, Mr. BISHOP of Georgia, Mr. LARSEN of Washington, Mr. RAHALL, Ms. SEWELL of Alabama, Mr. COTTON, Mr. DUNCAN of South Carolina, Mr. KINGSTON, Mr. JONES, Mr. MICHAUD, Mr. BARROW of Georgia, Mr. PETERSON, and Mr. HASTINGS of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

NOVEMBER 12, 2014

Additional sponsors: Mr. YOUNG of Alaska, Mr. WESTMORELAND, Mr. AUSTIN SCOTT of Georgia, Mr. OWENS, Mrs. CAPITO, Mr. MULVANEY, Mr. NOLAN, Mr. FLEMING, Mr. GIBSON, Mrs. ROBY, Mr. WITTMAN, Mr. CRENSHAW, Mr. HANNA, Mr. HURT, Mr. DUFFY, Mr. CRAWFORD, Mr. BUTTERFIELD, Mr. GOHMERT, Mr. ADERHOLT, Mr. LAMALFA, Mr. SOUTHERLAND, Mr. MCKINLEY, Mr. GRIFFIN of Arkansas, Mr. GOSAR, Mr. WOMACK, Mr. DAINES, Mr. HARPER, Mr. LABRADOR, Mr. REICHERT, Mr. GIBBS, Mrs. LUMMIS, Mr. ENYART, Mr. MULLIN, Mr. BACHUS, Mr. KILMER, Mr. DENHAM, Mr. GRIFFITH of Virginia, Mr. NUNNELEE, Mr. ROGERS of Alabama, Mr. SANFORD, Mr. MCINTYRE, Mr. MEADOWS, Mr. TIPTON, Mr. GOODLATTE, Mr. FORBES, Mr. RICE of South Carolina, Ms. KUSTER, Mr. PALAZZO, Mr. BARLETTA, and Mr. WALBERG

NOVEMBER 12, 2014

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To amend the Federal Water Pollution Control Act to exempt certain silvicultural activities from national pollutant discharge elimination system permitting requirements, and for other purposes.

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 of 2013”.

6 **SEC. 2. SILVICULTURAL ACTIVITIES.**

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

10           “(3) SILVICULTURAL ACTIVITIES.—

11                   “(A) NPDES PERMIT REQUIREMENTS FOR  
12           SILVICULTURAL ACTIVITIES.—The Adminis-  
13           trator shall not require a permit or otherwise  
14           promulgate regulations under this section or di-  
15           rectly or indirectly require any State to require  
16           a permit under this section for a discharge of  
17           stormwater runoff resulting from the conduct of  
18           the following silviculture activities: nursery op-  
19           erations, site preparation, reforestation and  
20           subsequent cultural treatment, thinning, pre-  
21           scribed burning, pest and fire control, har-  
22           vesting operations, surface drainage, and road  
23           use, construction, and maintenance.

24                   “(B) PERMITS FOR DREDGED OR FILL MA-  
25           TERIAL.—Nothing in this paragraph exempts a

1 silvicultural activity resulting in the discharge  
2 of dredged or fill material from any permitting  
3 requirement under section 404.”.



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