



As We See It

Amending the Clean Water Act



Jim Geisinger – Chair, ALC Legislative Committee

Members of the American Loggers Council joined with several like-minded organizations in 2011 in an effort to amend the Clean Water Act to permanently exempt silvicultural operations, including the use of forest roads for transporting unrefined forest products from onerous National Pollution Discharge Elimination System (NPDES) permit requirements. In what can only be described as a temporary fix to the issue, members of Congress inserted language in the Omnibus Appropriations bill, H.R. 2055, which would prohibit the EPA from using any of its funding in 2012 to enforce the NPDES permitting system on silvicultural activities; however, the language contained in the appropriations bill is scheduled to expire in September of 2012. We have won the battle, but we have yet to win the war.

While the American Loggers Council thanks members of Congress for recognizing the severity of the issue and all of those who signed on to the Silviculture Regulatory Consistency Act in both the House and the Senate, the final language found in H.R. 2055 does not permanently fix the problem. As a matter of fact, the compromise that was negotiated in the language only served to kick the can further down the road for all of us in the forestry community. We now have until the end of September, 2012 to find a permanent solution to the problem before the EPA may once again begin enforcing the regulation that was brought on by the Ninth Circuit Court of Appeals which overturned a 35 year practice by the EPA of exempting silvicultural activities from NPDES permits.

The American Loggers Council will continue to work with members of Congress to permanently address this issue, and during the course of our activities, we will be asking the logging and forestry community to step up their efforts by contacting their respective Congressional representatives to help educate them on the impacts that requiring NPDES permits could have on the small businesses and family forest landowners who depend on sustainably managing our nation's forests for their livelihood .

Given the fact that 2012 is an election year, it will take no less than a Herculean effort to pass a bill that could be lost in the political minefield over the next nine months, and we are asking that you become engaged in the debates that are certain to take place. Your Congressmen, Congresswomen and Senators will be looking for support in 2012, and you have a golden opportunity to ask that they support a common sense issue that can save jobs and help our economy. There was tremendous bipartisan support in 2011 for the Silviculture Regulatory Consistency Act in both the House and the Senate. Let's not let politics in 2012 get in the way of passing a bill that will be a permanent fix to an issue that both sides of the aisle have already acknowledged. We believe that it will take all of us working together, to get the job done, and that is how we see it.

Jim Geisinger is the Executive Director for the Associated Oregon Loggers located in Salem Oregon and serves as the Chair of the American Loggers Council Legislative Committee.

The American Loggers Council is a non-profit 501(c)(6) corporation representing professional timber harvesters in 30 states across the US. For more information, visit their web site at www.americanloggers.org or contact their office at 409-625-0206.