



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
COMMISSIONER ADAM H. PUTNAM  
THE CAPITOL

August 16, 2011

The Honorable Bill Nelson  
United States Senator  
716 Senate Hart Office Building  
Washington, DC 20510

Dear Senator Nelson:

I write today to ask you to support Senate Bill 1369, the Silviculture Regulatory Consistency Act. This Bill seeks to bring clarity to the long-standing interpretation and congressional intent of the Clean Water Act exemptions for silvicultural activities.

For over 35 years the forestry community in Florida has operated under a reasonable and responsible interpretation of the Federal Clean Water Act - especially as it relates to forest roads. As you may be aware, a recent ruling by the Ninth Circuit Court has overturned the long-standing exemption for forest roads, from the National Pollution Discharge Elimination System (NPDES) permitting process. While this ruling currently applies only to states within the Ninth Circuit Court jurisdiction, forest roads in Florida could ultimately be affected – if not by this ruling, then perhaps by another.

Senate Bill 1369 comes at a critical time for the forestry community in the state, as loggers and landowners face the prospect of burdensome permitting requirements during very difficult and uncertain economic conditions. It is also a critical time for the Florida Forest Service as we continue to look to our state forests for additional operating revenue. Timber sale operations on Florida state forests often include road work to facilitate log-truck transportation. The extension of the Ninth Circuit Court decision to the southeast, or a comparable lawsuit and decision from the Eleventh Circuit Court, would have grave economic implications for our agency, as well as associated jobs and economies, ranging from loggers to wood-products manufacturing facilities.



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I believe this legislation will help to advance the security and certainty of forestry regulations, and promote jobs and economic recovery in this important business sector for our state. Please don't hesitate to contact me if I can provide any additional information or clarity regarding this issue. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam H. Putnam', written in a cursive style.

Adam H. Putnam  
Commissioner of Agriculture