

## S 1288

A bill to amend the Federal Water Pollution Control Act to allow preservation leasing as a form of compensatory mitigation for discharges of dredged or fill material affecting Indian land, and for other purposes.

**Congress:** 115 (2017–2019, Ended)

**Chamber:** Senate

**Policy Area:** Environmental Protection

**Introduced:** May 25, 2017

**Current Status:** Read twice and referred to the Committee on Environment and Public Works.

**Latest Action:** Read twice and referred to the Committee on Environment and Public Works. (May 25, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/senate-bill/1288>

### Sponsor

**Name:** Sen. Sullivan, Dan [R-AK]

**Party:** Republican • **State:** AK • **Chamber:** Senate

### Cosponsors (1 total)

| Cosponsor                   | Party / State | Role | Date Joined  |
|-----------------------------|---------------|------|--------------|
| Sen. Murkowski, Lisa [R-AK] | R · AK        |      | May 25, 2017 |

### Committee Activity

| Committee                              | Chamber | Activity    | Date         |
|--|---------|-------------|--------------|
| Environment and Public Works Committee | Senate  | Referred To | May 25, 2017 |

### Subjects & Policy Tags

#### Policy Area:

Environmental Protection

### Related Bills

| Bill       | Relationship | Last Action   |
|------------|--------------|---|
| 115 S 1289 | Related bill | May 25, 2017: Read twice and referred to the Committee on Environment and Public Works. |

This bill amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to allow a permittee under the Act to satisfy compensatory mitigation requirements for discharging dredged or fill material into the waters of the United States (permitted activity) by entering into a preservation lease with an Indian tribe whose wetlands are affected.

A preservation lease is an agreement under which a permittee leases wetlands or other aquatic sites on Indian land for the sole purpose of preserving the wetlands or other aquatic sites in an undisturbed state during the term of the lease to mitigate for a permitted activity. The term of the lease may not be less than the life of the permitted activity and must be adjusted to account for the cessation of the impacts caused by such activity.

If a permittee enters into a preservation lease and subsequently ceases to maintain the permitted activity, or seeks to abandon the permitted activity without a good faith transfer, the permittee must obtain a permit modification from the U.S. Army Corps of Engineers, which may require restoration and rehabilitation of the area.

## **Actions Timeline**

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- **May 25, 2017:** Introduced in Senate
- **May 25, 2017:** Read twice and referred to the Committee on Environment and Public Works.