

119TH CONGRESS
2D SESSION

S. _____

To amend the Federal Water Pollution Control Act to clarify the scope of an exemption from permits for the discharge of dredged or fill material, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. LUMMIS introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Federal Water Pollution Control Act to clarify the scope of an exemption from permits for the discharge of dredged or fill material, 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 “Farmers and Ranchers
5 Relief Act of 2026”.

6 **SEC. 2. INTENT OF CONGRESS.**

7 It is the intent of Congress that, to provide meaning-
8 ful permitting relief to landowners—

1 (1) the exemptions under section 404(f)(1) of
2 the Federal Water Pollution Control Act (33 U.S.C.
3 1344(f)(1)) for certain discharges of dredged or fill
4 material from the prohibition under that Act (33
5 U.S.C. 1251 et seq.) of unpermitted discharge of
6 pollutants (commonly referred to as “section 404(f)
7 exemptions”) be interpreted liberally; and

8 (2) the recapture provision under section
9 404(f)(2) of the Federal Water Pollution Control
10 Act (33 U.S.C. (f)(2)) be interpreted narrowly.

11 **SEC. 3. CLARIFICATION OF EXEMPTION FOR NON-PROHIB-**
12 **ITED DISCHARGE OF DREDGED OR FILL MA-**
13 **TERIAL.**

14 Section 404(f) of the Federal Water Pollution Con-
15 trol Act (33 U.S.C. 1344(f)) is amended—

16 (1) in paragraph (1), in the matter preceding
17 subparagraph (A), by striking “Except as provided
18 in paragraph (2) of this subsection, the discharge”
19 and inserting “The discharge”; and

20 (2) by adding at the end the following:

21 “(3) CONSTRUCTION.—This subsection shall be
22 construed liberally in favor of not prohibiting, and
23 not requiring a permit under this section for, any
24 discharge of dredged or fill material described in
25 paragraph (1).”.