

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 395

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Shriver" and substitute "Shriver, and Hubbard"; strike beginning with "prohibiting" in line 3 down through "exist;" in line 6 and substitute "requiring the Secretary of the Environment to submit certain reports to the General Assembly; prohibiting the Secretary of the Environment from issuing certain permits before a certain time except when certain conditions are met; providing a certain exception to the prohibition against issuing a permit before a certain time; providing that this Act does not preempt or prohibit any ordinance, resolution, law, or rule more stringent than this Act;"; strike beginning with "providing" in line 7 down through "term;" in line 8; in line 8, strike "protection of" and substitute "waters in"; in line 9, after "River" insert "basin"; strike in their entirety lines 10 through 15, inclusive; and in line 17, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 30 on page 2, inclusive, and substitute:

"(a) The Secretary of the Environment shall submit the following reports to the General Assembly in accordance with § 2-1246 of the State Government Article:

(1) 2000 Water Demand Forecast and Resource Availability Analysis for the Washington Metropolitan Area, prepared by the Interstate Commission on the Potomac River Basin;

(2) Potomac River Basin-Wide Water Demand Forecast, prepared by the Interstate Commission on the Potomac River Basin; and

(3) Maryland's Source Water Assessment Program, prepared by the Department of the Environment.

(Over)

(b) The Secretary of the Environment may not issue a permit for the construction of a water intake pipe into the Potomac River until 6 months after the Secretary of the Environment has submitted the reports required under subsection (a) of this section unless:

(1) The new pipe will replace a pipe already in use;

(2) The new pipe cannot be used concurrently with the pipe to be replaced;

(3) The new pipe does not have the capacity to withdraw an amount of water that exceeds the amount of water authorized to be withdrawn by the water appropriation permit by more than 5 million gallons of water per day; and

(4) The new pipe will be placed at least 30 inches below the water surface at the Potomac River's historic low flow.

(c) Subsection (b) of this section does not apply to a person who:

(1) Holds or applies for a permit to construct a water intake pipe or structure to withdraw water from the Potomac River; and

(2) Returns all or a majority of the water withdrawn to the Potomac River within 3 miles of the point of withdrawal.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to preempt, prevail over, or prohibit adoption of any ordinance, resolution, law, or rule more stringent than this Act."

AMENDMENT NO. 3

On page 2, in line 31, strike "2." and substitute "3.".

On page 3, in line 1, strike "3." and substitute "4.".