

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 615

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “a certain portion of”; in the same line, after “River” insert “Basin”; in line 5, strike “determinations, assessments,” and substitute “assessments”; strike beginning with “a” in line 8 down through “circumstances” in line 9 and substitute “the Secretary from issuing a waterway construction permit to construct a water intake pipe in the Potomac River for a certain period of time unless certain circumstances exist”; and in line 15, strike “5-12A-05” and substitute “5-12A-04”.

AMENDMENT NO. 2

On page 2, in line 3, after “RIVER” insert “AT LITTLE FALLS”; in line 14, after the second “THE” insert “NONTIDAL PORTION OF THE”; in the same line, after “RIVER” insert “BASIN”; in line 14, strike the colon; in line 15, strike “(1)”; in line 18, strike “2035” and substitute “2030”; in line 22, strike “THE NEED TO MEET”; in lines 22 and 23, strike “DURING CONDITIONS COMPARABLE TO THE MOST SEVERE DROUGHT AND THE LONGEST DROUGHT OF RECORD”; strike in their entirety lines 24 and 25 and substitute:

“(4) THE FREQUENCY AND DURATION OF LOW FLOW OCCURRENCES IN THE RIVER AND THEIR IMPACT ON WATER AVAILABILITY; AND”;

in lines 17, 19, 21, and 26, strike “(I)”, “(II)”, “(III)”, and “(V)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(5)”, respectively; and strike in their entirety lines 27 through 35, inclusive, and substitute a period.

On page 3, strike in their entirety lines 1 through 12, inclusive; in line 13, strike the colon; strike in their entirety lines 14 through 30, inclusive; in line 31, strike “(2)”; in line 32, strike “ONLY”; in lines 32 and 35, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively; in lines 33 and 34, strike “ARE ADDRESSED BY AN ADEQUATE

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ENFORCEMENT PROGRAM” and substitute “HAVE BEEN SHOWN TO BE EFFECTIVE IN THE PAST”.

On page 4, strike beginning with “, ARE” in line 1 down through “RESEARCH” in line 10; in line 25, after “(4)” insert “(I)”; and after line 26, insert:

“(II) THE REPORT SHALL INCLUDE A SUMMARY OF ONGOING WATER QUALITY STUDIES PERTAINING TO THE POTOMAC RIVER BASIN AND THEIR STATUS.”.

AMENDMENT NO. 3

On pages 4 and 5, strike beginning with line 34 on page 4 through line 9 on page 5 and substitute:

“(B) THE SECRETARY MAY NOT, PRIOR TO 6 MONTHS AFTER THE SECRETARY HAS SUBMITTED TO THE GENERAL ASSEMBLY THE STUDY REQUIRED UNDER THIS SUBTITLE, GRANT A WATERWAY CONSTRUCTION PERMIT TO ANY PERSON TO CONSTRUCT A WATER INTAKE PIPE IN THE POTOMAC RIVER UNLESS:

(1) THE PIPE WILL BE USED AS A REPLACEMENT FOR A PIPE ALREADY IN USE;

(2) THE PIPE CANNOT BE USED CONCURRENTLY WITH THE PIPE ALREADY IN USE;

(3) THE PIPE DOES NOT HAVE THE PHYSICAL CAPACITY TO WITHDRAW FROM THE POTOMAC RIVER AN AMOUNT OF WATER THAT EXCEEDS THE AMOUNT OF WATER THE PERSON IS AUTHORIZED TO WITHDRAW UNDER THE WATER APPROPRIATION PERMIT BY MORE THAN 5 MGD; AND

(4) THE PIPE IS PLACED NOT LESS THAN 30 INCHES BELOW THE WATER SURFACE AT THE RIVER’S HISTORIC LOW FLOW.

(C) SUBSECTION (B) OF THIS SECTION ONLY APPLIES TO A PERMIT

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WATERWAY CONSTRUCTION PERMIT PENDING ON OR BEFORE APRIL 15, 1999.”.

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