

HB0245/433224/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 245
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike “the” and substitute “certain”.

AMENDMENT NO. 2

On page 5, in line 31, after “PERMITS” insert “IN A COUNTY”.

On page 6, strike beginning with “A” in line 1 down through “OF” in line 5 and substitute:

“1. THE DEPARTMENT WITHDRAWS THE AUTHORITY DELEGATED UNDER THIS SECTION TO PROCESS AND ISSUE ON-SITE SEWAGE DISPOSAL PERMITS OR INDIVIDUAL WELL CONSTRUCTION PERMITS FROM A HEALTH OFFICER FOR THE COUNTY OR ANOTHER COUNTY OFFICIAL AUTHORIZED TO ADMINISTER AND ENFORCE ENVIRONMENTAL LAWS; OR

2. THE HEALTH OFFICER OR COUNTY OFFICIAL RETURNS THE DELEGATED AUTHORITY TO THE DEPARTMENT; AND

(II) A LICENSED ENVIRONMENTAL HEALTH SPECIALIST REVIEWS AND APPROVES”;

in line 7, after “(2)” insert “(I)”; in the same line, strike “SHALL BE”; in line 8, strike “(I) ESTABLISHED” and substitute:

“1. SHALL BE ESTABLISHED”;

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and strike beginning with “(II)” in line 9 down through “PROCESS” in line 10 and substitute:

“2. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, MAY NOT EXCEED \$575.”

(II) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE DEPARTMENT MAY ANNUALLY INCREASE THE FEES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN ACCORDANCE WITH THE PERCENTAGE INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON METROPOLITAN AREA DURING THE PREVIOUS YEAR.

2. THE DEPARTMENT MAY NOT ANNUALLY INCREASE THE FEES UNDER THIS SUBSECTION BY MORE THAN 3%.”

AMENDMENT NO. 3

On page 10, strike beginning with the colon in line 24 down through “Credited” in line 25 and substitute “**CREDITED**”; in lines 27 and 29, strike “1.” and “2.”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 27, strike “2024” and substitute “**2029**”; in the same line, strike “7.75” and substitute “**9**”; in line 29, strike “2024” and substitute “**2029**”; in the same line, in each instance, strike the bracket; and in the same line, strike “AN 8”.

On pages 10 and 11, strike beginning with the semicolon in line 30 on page 10 down through “title” in line 3 on page 11.

AMENDMENT NO. 4

On page 13, after line 9, insert:

“(12) “TIER II HIGH QUALITY WATERSHED” MEANS THE LAND AND WATER AREA WHICH DRAINS TOWARD OR INTO A TIER II HIGH QUALITY WATER AS DESIGNATED AND IDENTIFIED IN A GEOGRAPHIC INFORMATION SYSTEM BY THE DEPARTMENT.”;

in line 10, strike “and”; and in the same line, after “(6)” insert “**, AND (7)**”.

On page 14, in line 23, strike “paragraph” and substitute “**PARAGRAPHS**”; in line 24, after “(ii)” insert “**AND (7)(I)**”; in line 29, strike “paragraph” and substitute “**PARAGRAPHS**”; and in the same line, after “(5)” insert “**AND (7)**”.

On page 16, in line 14, after the bracket, insert “**EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (5) OF THIS SUBSECTION, ALL APPLICATIONS FOR WETLANDS AND WATERWAYS AUTHORIZATIONS ISSUED BY THE DEPARTMENT FOR ACTIVITIES PROPOSED IN A TIER II HIGH QUALITY WATERSHED SHALL BE ACCOMPANIED BY AN ADDITIONAL APPLICATION FEE, AS FOLLOWS:**

(I) FOR AN APPLICATION FOR A MINOR PROJECT OR MINOR MODIFICATION.....\$400;
AND

(II) FOR AN APPLICATION FOR A MAJOR PROJECT OR MAJOR MODIFICATION.....\$1,600.

(8)”;

in line 21, strike “and”; in the same line, after “(6)”, insert “**, AND (7)**”; and in line 23, strike “**(8)**” and substitute “**(9)**”.

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On page 17, in line 14, after “resources” insert “, INCLUDING TIER II HIGH QUALITY WATERS AND TIER II HIGH QUALITY WATERSHEDS”.

AMENDMENT NO. 5

On page 37, in line 30, in each instance, strike the bracket; and in line 31, strike “\$50” and substitute “\$75”.

On page 38, in line 1, in each instance, strike the bracket; and in the same line, strike “\$1,000 per year” and substitute “:

(I) \$10,000 IN FISCAL YEAR 2025;

(II) \$10,500 IN FISCAL YEAR 2026;

(III) \$11,000 IN FISCAL YEAR 2027;

(IV) \$11,500 IN FISCAL YEAR 2028; AND

(V) \$12,000 IN FISCAL YEAR 2029 AND EACH FISCAL YEAR THEREAFTER”.

On page 39, strike beginning with the first bracket in line 11 down through the second bracket in line 12 and substitute “:

(1) FOR AN OPERATOR WITH 5 ACRES OR LESS OF AFFECTED LAND, \$120 FOR EACH YEAR OF OPERATION; OR

(2) FOR AN OPERATOR WITH MORE THAN 5 ACRES OF AFFECTED LAND, \$75 FOR EACH ACRE OF AFFECTED LAND FOR EACH YEAR OF OPERATION BUT NOT EXCEEDING:

(I) \$10,000 IN FISCAL YEAR 2025;

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(II) \$10,500 IN FISCAL YEAR 2026;

(III) \$11,000 IN FISCAL YEAR 2027;

(IV) \$11,500 IN FISCAL YEAR 2028; AND

**(V) \$12,000 IN FISCAL YEAR 2029 AND EACH FISCAL YEAR
THEREAFTER**".

AMENDMENT NO. 6

On page 40, after line 12, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That this Act may not be construed to expand the definition or scope of what is considered a dam under State law and regulation."

in line 13, strike "and" and substitute a comma; in the same line, after "3", insert ", and 4"; in the same line, strike "4." and substitute "5."; in line 15, strike "5." and substitute "6."; and in line 16, strike "4" and substitute "5".