

SB0399/823320/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 399
(Third Reading File Bill)

On page 5, in line 29, strike the first “THE” and substitute “:

1. THE”;

in the same line, strike “RUNS” and substitute “:

A. RUNS”;

and in line 30, strike “AND A” and substitute “:

B. DOES NOT DISTURB ANY AREA FURTHER THAN 200 FEET FROM THE NEAREST POINT OF THE POTOMAC EDISON TRANSMISSION LINE RIGHT-OF-WAY, UNLESS FEDERAL LAW OR REGULATION REQUIRES FURTHER DISTANCE BETWEEN THE TRANSMISSION LINES OR THE DEPARTMENT DETERMINES THAT A GREATER DISTANCE BETWEEN THE TRANSMISSION LINES IS NECESSARY TO MINIMIZE IMPACTS ON OTHER RESOURCES; AND

C. IS DESIGNED IN CONSULTATION WITH THE DEPARTMENT TO MINIMIZE FOREST LOSS, FRAGMENTATION, AND HABITAT; AND

2. A”.

On page 7, in line 15, strike the first “THE” and substitute “:

1. THE”;

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in the same line, strike “**RUNS**” and substitute “**;**”

A. RUNS”;

and in line 16, strike “**AND A**” and substitute “**;**”

B. DOES NOT DISTURB ANY AREA FURTHER THAN 200 FEET FROM THE NEAREST POINT OF THE POTOMAC EDISON TRANSMISSION LINE RIGHT-OF-WAY, UNLESS FEDERAL LAW OR REGULATION REQUIRES FURTHER DISTANCE BETWEEN THE TRANSMISSION LINES OR THE DEPARTMENT DETERMINES THAT A GREATER DISTANCE BETWEEN THE TRANSMISSION LINES IS NECESSARY TO MINIMIZE IMPACTS ON OTHER RESOURCES; AND

C. IS DESIGNED IN CONSULTATION WITH THE DEPARTMENT TO MINIMIZE FOREST LOSS, FRAGMENTATION, AND HABITAT; AND

2. A”.

On page 9, in line 29, strike the first “**THE**” and substitute “**;**”

1. THE”;

in the same line, strike “**RUNS**” and substitute “**;**”

A. RUNS”;

and in line 32, strike “**, AND A**” and substitute “**;**”

B. DOES NOT DISTURB ANY AREA FURTHER THAN 200 FEET FROM THE NEAREST POINT OF THE POTOMAC EDISON TRANSMISSION LINE RIGHT-OF-WAY, UNLESS FEDERAL LAW OR REGULATION REQUIRES FURTHER DISTANCE BETWEEN THE TRANSMISSION LINES OR THE DEPARTMENT DETERMINES THAT A GREATER DISTANCE BETWEEN THE TRANSMISSION LINES IS NECESSARY TO MINIMIZE IMPACTS ON OTHER RESOURCES; AND

C. IS DESIGNED IN CONSULTATION WITH THE DEPARTMENT TO MINIMIZE FOREST LOSS, FRAGMENTATION, AND HABITAT; AND

2. A".

On page 11, in line 2, strike "ADD ADDITIONAL WILDLAND ACREAGE" and substitute "ACQUIRE AND REPLACE THE TYPE 1 STATE WILDLAND ACREAGE THAT IS LOST AS A RESULT OF THE TRANSMISSION LINE WITH ACREAGE THAT IS TWICE THE SIZE AND IS SUITABLE FOR DESIGNATION AS WILDLAND ACREAGE, AND TO DEVELOP AND IMPLEMENT A LAND CONSERVATION MANAGEMENT PLAN FOR THE AREA AFFECTED BY THE TRANSMISSION LINE THAT SUPPORTS WILDLIFE HABITATS"; after line 6, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall not abrogate an existing right of public participation in statute or regulations.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Section 1 of this Act is contingent on:

(1) a 120-day stakeholder process that includes:

(Over)

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(i) a public participation process that meets the requirements of COMAR 20.79.01;

(ii) at least one public advertised meeting within 25 miles of each impacted designated wildland area;

(iii) at least one public meeting that provides for virtual participation;

(iv) special effort on the part of an applicant to reach out to organizations with special expertise in wildlands, wildlife management, and environmental stewardship; and

(v) a portal for public comments, which must be submitted to the Department of Natural Resources;

(2) a 90-day deliberation period by the Department of Natural Resources; and

(3) a recommendation by the Secretary of Natural Resources that the Public Service Commission issue a certificate of public convenience and necessity for a proposed transmission line.

(b) The Commission shall notify the Department of Legislative Services within 5 days after the criteria under subsection (a) of this section have been met.”;

in line 7, strike “3.” and substitute “5.”; in line 20, strike “4.” and substitute “6.”; and in the same line, after “That” insert “, subject to Section 4 of this Act.”.