

ADOPTED

1 Senators Price of the 56th and Cagle of the 49th offered the following amendment:

2 Amend the Senate Natural Resources and the Environment Committee substitute to SB 460
3 by striking lines 15 through 23 of page 2 and inserting in their place the following:

4 "(C) Springs and streams which discharge an average annual flow of 25 gallons per
5 minute or less may be piped, at the discretion of the landowner, pursuant to the terms
6 of a rule providing for a general variance promulgated by the board providing for notice
7 to the division or local issuing authority of the location and extent of the piping and
8 prescribed methodology for minimizing the impact of such piping and for measuring
9 the volume of water discharged by the stream and the improvement to water quality
10 downstream from the pipe. Any such pipe must stop short of the downstream
11 landowner's property, and the landowner must comply with the buffer requirement for
12 any adjacent streams. On or before December 31, 2004, the board shall adopt a rule or
13 regulation for such general variance for projects where the landowner shows that the
14 completed project will result in improved water quality for the affected stream."