

ADOPTED

Representative Stephens of the 164th et al. offer the following amendment:

1 *Amend the committee substitute to SB 101 (LC 40 0835S) by replacing lines 62 through 78*
2 *with the following:*

3 (C) On or before December 31, 2015, the board shall promulgate rules and regulations
4 that:

5 (i) Contain criteria for the grant or denial by the director of requests for variances
6 pursuant to this paragraph, including where an alteration within the buffer area has
7 been authorized pursuant to a permit issued by the United States Army Corps of
8 Engineers under Section 404 of the Federal Water Pollution Control Act of 1972, as
9 amended, or Section 10 of the Rivers and Harbors Act of 1899; provided, however,
10 that adequate erosion control measures are incorporated into the project plans and
11 specifications and such measures are fully implemented; and

12 (ii) Provide for variances by rule, subject to specified conditions, for certain
13 categories of activities within the buffer that will have minimal impact on the water
14 quality or aquatic habitat of the adjacent marsh, including where the area within the
15 buffer is not more than 500 square feet; provided, however, that adequate erosion
16 control measures are incorporated into the project plans and specifications and such
17 measures are fully implemented.