

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE McCluskie

1 Amend printed bill, page 11, after line 7 insert:

2 "(k) "FENS OR PEATLANDS" MEANS WETLANDS WITH ORGANIC SOIL
3 THAT ARE CLASSIFIED AS A HISTOSOL IN THE GUIDANCE DOCUMENT TITLED
4 "FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES" PUBLISHED
5 BY THE FEDERAL NATURAL RESOURCES CONSERVATION SERVICE."

6 Reletter succeeding paragraphs accordingly.

7 Page 11, line 9, strike "(3)(k)(III)" and substitute "(3)(l)(III)".

8 Page 11, after line 26 insert:

9 "(n) "ISOLATED ORDINARY HIGH WATERMARK REACHES" MEANS
10 REACHES OF STATE WATERS WITH AN ORDINARY HIGH WATERMARK THAT
11 ARE BORDERED UPSTREAM AND DOWNSTREAM BY UPLANDS.

12 (o) "ISOLATED PONDS AND IMPOUNDMENTS" MEANS PONDS AND
13 IMPOUNDMENTS THAT ARE NOT WITHIN THE ONE-HUNDRED-YEAR
14 FLOODPLAIN OR WITHIN ONE THOUSAND FIVE HUNDRED FEET OF AN
15 ORDINARY HIGH WATERMARK OF OTHER STATE WATERS. IN THE ABSENCE
16 OF ONE-HUNDRED-YEAR FLOODPLAIN MAPPING BY THE FEDERAL
17 EMERGENCY MANAGEMENT AGENCY, THE ONE THOUSAND FIVE HUNDRED
18 FEET DISTANCE CRITERION APPLIES.

19 (p) "ISOLATED WETLANDS" MEANS WETLANDS WHOLLY
20 SURROUNDED BY UPLANDS, WITH NO CONTIGUOUS SURFACE WATER
21 CONNECTION TO DOWNSTREAM STATE WATERS. "ISOLATED WETLANDS"
22 DOES NOT INCLUDE WETLANDS WHERE ANY PORTION OF THE WETLAND IS
23 WITHIN THE ONE-HUNDRED-YEAR FLOODPLAIN OR WITHIN ONE THOUSAND
24 FIVE HUNDRED FEET OF THE ORDINARY HIGH WATERMARK OF OTHER STATE
25 WATERS. IN THE ABSENCE OF ONE-HUNDRED-YEAR FLOODPLAIN MAPPING
26 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE ONE THOUSAND
27 FIVE HUNDRED FEET DISTANCE CRITERION APPLIES.

28 (q) "KETTLE PONDS" MEANS LAKES, PONDS, OR WETLANDS
29 LOCATED WITHIN A FORMERLY GLACIATED LANDSCAPE AND FORMED BY
30 ICE BLOCKS LEFT BY A RETREATING GLACIER."

31 Reletter succeeding paragraphs accordingly.

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