

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2835

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

May 17

- 1 On page 2 of the printed A-engrossed bill, delete lines 32 through 45.
- 2 On page 3, delete lines 1 through 24 and insert:
- 3 **“SECTION 2. (1) As used in this section:**
- 4 **“(a)(A) ‘Project’ means a bridge project proposed for funding under a draft Statewide**
- 5 **Transportation Improvement Program that consists of:**
- 6 **“(i) Construction of a new bridge that crosses a floatable natural waterway; or**
- 7 **“(ii) Improvements to an existing bridge that crosses a floatable natural waterway.**
- 8 **“(B) ‘Project’ does not mean maintenance of an existing bridge.**
- 9 **“(b) ‘Public access’ means public access to a floatable natural waterway.**
- 10 **“(2) The Department of Transportation shall notify the Department of State Lands, the**
- 11 **State Parks and Recreation Department and the State Marine Board when the Department**
- 12 **of Transportation proposes a project for funding under a draft Statewide Transportation**
- 13 **Improvement Program, unless:**
- 14 **“(a) The project is part of a project on a limited access highway or ferry terminal; or**
- 15 **“(b) The Department of Transportation determines that siting public access near the**
- 16 **project is not feasible.**
- 17 **“(3) After receiving notice from the Department of Transportation under subsection (2)**
- 18 **of this section, the Department of State Lands, the State Parks and Recreation Department**
- 19 **and the State Marine Board may propose changes to the project to enable public access and**
- 20 **may provide the Department of Transportation with an estimate of:**
- 21 **“(a) The availability of funding from sources other than the State Highway Fund for a**
- 22 **public access site near the project;**
- 23 **“(b) The likelihood and type of any potential public use of a public access site near the**
- 24 **project; and**
- 25 **“(c) Any impacts associated with siting public access near the project.**
- 26 **“(4) After receiving proposed changes to a project under subsection (3) of this section,**
- 27 **the Department of Transportation shall consider:**
- 28 **“(a) The proposed changes;**
- 29 **“(b) Whether the proposed changes alter the purpose of or need for the project;**
- 30 **“(c) The availability of funding from sources other than the State Highway Fund for a**
- 31 **public access site near the project;**
- 32 **“(d) The likelihood and type of any potential public use of a public access site near the**
- 33 **project;**
- 34 **“(e) Any impacts associated with siting public access near the project; and**
- 35 **“(f) Any impacts on traffic, roadways or highway safety from siting public access near**

1 **the project.**

2 **“(5) To the greatest extent practicable, when constructing a project, the Department of**
3 **Transportation may not adversely impact existing, lawful public access.”.**

4
