

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1103

Sponsor:

Printer's No. 1419

1 Amend Bill, page 2, lines 17 through 22, by striking out all
2 of said lines and inserting

3 (c) Exemption.--The following shall apply:

4 (1) A high tunnel shall be exempted from the provisions
5 of this act if:

6 (i) the high tunnel or its flooring does not result
7 in an impervious area exceeding 25% of all structures
8 located on the owner's total contiguous land area;

9 (ii) the high tunnel, or the flooring for the high
10 tunnel if other than soil, does not remain at the same
11 location for a period longer than two years; and

12 (iii) the high tunnel meets one of the following:

13 (A) The high tunnel is located at least 100 feet
14 from any perennial stream or watercourse, public road
15 or neighboring property line.

16 (B) The high tunnel is located at least 35 feet
17 from any perennial stream or watercourse, public road
18 or neighboring property line and located on land with
19 a slope not greater than 7%.

20 (C) The high tunnel is supported with a buffer
21 or diversion system to manage storm water runoff in a
22 manner consistent with requirements of this act.

23 (2) A municipality that has adopted a local ordinance or
24 regulation that regulates high tunnels pursuant to a
25 watershed storm water plan under this section prior to the
26 effective date of this subsection shall amend the ordinance
27 or regulation to comply with this subsection.

28 (3) Nothing in this subsection shall be construed to
29 exempt high tunnels from other requirements applicable under
30 Federal, State or municipal laws.