



1 ~~such~~ the permit:

2       ~~(a)~~ (1) Will not materially alter or affect the free-flowing  
3 characteristics of a substantial part of a protected stream or  
4 streams;

5       ~~(b)~~ (2) Is necessary to prevent an undue hardship; and

6       ~~(c)~~ (3) Meets with the approval of the ~~director~~ secretary.

7       (b) The Department of Transportation's Division of Highways is  
8 not required to obtain a permit under this section when it is  
9 repairing or replacing damaged bridges and that repair or  
10 replacement requires the construction of temporary flow diversions  
11 in the stream that will not permanently materially alter or affect  
12 the free-flowing characteristics of a substantial part of the  
13 steam, so long as boat passage remains available during the entire  
14 period of bridge repair or replacement.

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(NOTE: The purpose of this bill is to exempt the Division of Highways from the permitting requirements of the Natural Stream Preservation Act when it is building temporary construction access for bridge repair, so long as the construction does not impede or impair boat passage.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)