

Law Enforcement and Criminal Justice Subcommittee Meeting

Tuesday, October 17, 2017

Table of Contents

Contents

Agenda	4
Meeting Minutes	6
Study Timeline	12
Land, Water, and Conservation Division	14
Overview	14
<i>Table 1. DNR Organizational Unit: Land, Water, and Conservation Division.</i>	<i>14</i>
Organizational Chart - LWC	14
Figure 1. Agency organizational chart - Land, Water, and Conservation Division portion, provided by the agency, current as of August 9, 2017.	15
Products, Services, and Customers	16
Figure 2.1 Additional information about Land, Water, and Conservation Division's deliverables.	17
Figure 2.2 Additional information about Land, Water, and Conservation Division's deliverables.	18
Revenue Sources.....	19
Table 3.1 Revenue generated by LWC during FY 2015-16 and 2016-17.....	19
Table 3.2. Agency revenue sources utilized by LWC during FY 2016-17 and 2017-18.	20
Strategic Resource Allocation and Performance.....	21
Funds Spent/Transferred not toward the agency's comprehensive strategic plan.....	21
Funds Spent toward the agency's comprehensive strategic plan.....	21
Hydrology	22
Table 4.1. List of deliverables associated with hydrology.....	22
Table 4.2 Strategic plan applicable to hydrology: Strategy 1.1, Objective 1.1.1: Conduct or arrange for studies, inquires, surveys, or analysis; prepare reports; review actions; and appoint advisory boards as may be relevant in implementation of water policy - resource (human and financial) allocations.	25
Table 4.3. Performance measures associated with hydrology.	26
Geology	30
Table 5.1. List of deliverables associated with geology.	30
Table 5.2 Strategic plan applicable to geology: Strategy 1.1, Objective 1.1.2: Produce reliable geologic maps and information in support of economic development, environmental protection, and land-use planning - resource (human and financial) allocations.	33
Table 5.3. Performance measures associated with geology.	34
GIS	37
Table 6.1. List of deliverables associated with GIS.	37
Table 6.2 Strategic plan applicable to GIS: Strategy 1.1, Objective 1.1.3: Expand digital capabilities and uses for the dissemination of information - resource (human and financial) allocations.	38
Table 6.3. Performance measures associated with GIS.....	39
Climatology	41
Table 7.1. List of deliverables associated with climatology.	41
Table 7.2 Strategic plan applicable to climatology: Strategy 1.2, Objective 1.2.1: Monitor, conduct and report on studies of climate and weather events of environmental and economic importance to the State - resource (human and financial) allocations.	44
Table 7.3. Performance measures associated with climatology.	45
Flood Mitigation	47
Table 8.1. List of deliverables associated with flood mitigation.....	47

<i>Table 8.2 Strategic plan applicable to flood mitigation: Strategy 1.2, Objective 1.2.2: Administer the Federal Emergency Management Agency, Flood Mitigation Assistance, Cooperating Technical Partners, Community Assistance-State Support Services Element Programs - resource (human and financial) allocations.</i>	52
Table 8.3. Performance measures associated with flood mitigation.	53
Aquatic Nuisance Species	56
Table 9.1. List of deliverables associated with aquatic nuisance species.	56
<i>Table 9.2 Strategic plan applicable to aquatic nuisance species: Strategy 1.3, Objective 1.3.1: Reduce the footprint of invasive species to provide high quality habitat for hunting, fishing, and recreational activities by utilizing prevention, new and existing technologies, biocontrol, and selective herbicides to improve habitat, provide navigability, and keep water supply sources accessible - resource (human and financial) allocations.</i>	58
Table 9.3. Performance measures associated with aquatic nuisance species.	59
Heritage Trust: Cultural Preserve and Endangered Species	61
Table 10.1. List of deliverables associated with cultural preserve management.	61
<i>Table 10.2 Strategic plan applicable to Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.1: Survey, research, outreach, education, and management activities for Cultural Heritage Trust Preserves and Programs as well as meeting with the Heritage Trust Advisory Board for board action as required by statute - resource (human and financial) allocations.</i>	64
Table 10.3. Performance measures associated with Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.1.	65
<i>Table 10.4 Strategic plan applicable to Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.2: Update inventory of Rare, Threatened and Endangered Species in SC - resource (human and financial) allocations.</i>	68
Table 10.5. Performance measures associated with Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.2.	69
Soil and Water Conservation Districts	70
Table 11.1. List of deliverables associated with soil and water conservation districts.	70
<i>Table 11.2 Strategic plan applicable to the soil and water conservation districts: Strategy 1.5, Objective 1.5.1: Provide increased technical assistance and administrative support to Conservation District Commissioners, District staff and partner agencies - resource (human and financial) allocations.</i>	73
Table 11.3. Performance measures associated with soil and water conservation districts.	74
Scenic Rivers/Federal Energy Regulatory Commission (FERC) License	76
Table 12.1. List of deliverables associated with scenic rivers/Federal Energy Regulatory Commission (FERC) license.	76
<i>Table 12.2 Strategic plan applicable to the scenic rivers/Federal Energy Regulatory Commission (FERC) license: Strategy 1.6, Objective 1.6.1: Conservation of SC's river heritage and protection of the unique or outstanding scenic, recreational, geologic, botanical, fish, wildlife, historic and cultural values of selected rivers and river segments of the state - resource (human and financial) allocations.</i>	78
Table 12.3. Performance measures associated with scenic rivers/Federal Energy Regulatory Commission (FERC) license.	79
Figure 3. Land, Water, and Conservation Division employees and expenses.	80
Agency Recommendations related to LWC	81
Internal Change #3: Facility to house a Cultural Resource Center which will include an Archaeology Laboratory and staff offices	82
Law Recommendation # 3: S.C. Code Ann. 10-9-320	83
Law Recommendation # 4: S.C. Code Ann. 11-37-200	83
Law Recommendation # 11: SC Code Ann. 48-11-10 through 48-11-15	84
Law Recommendation # 12: S.C. Code Ann. 48-9-30	85
Law Recommendation # 13: S.C. Code Ann. 48-9-40	85
Law Recommendation # 14: S.C. Code Ann. 48-9-45	86
Law Recommendation # 15: S.C. Code Ann. 48-9-50	86
Law Recommendation # 16: S.C. Code Ann. 48-9-220	86
Law Recommendation # 17: S.C. Code Ann. 48-9-230	87
Law Recommendation # 18: S.C. Code Ann. 48-9-310	87
Law Recommendation# 19: S.C. Code Ann. 48-9-1220	88
Law Recommendation # 20: S.C. Code Ann. 48-9-1250	89
Law Recommendation # 21: S.C. Code Ann. 48-9-1320	89
Law Recommendation # 22: S.C. Code Ann. 48-9-1510 through 1870	90

Law Recommendation #23: S.C. Code Ann. 48-22-10	96
Law Recommendation #24: S.C. Code Ann. 48-22-20	96
Law Recommendation #25: S.C. Code Ann. 48-22-30	96
Law Recommendation #26: S.C. Code Ann. 48-22-40	97
Law Recommendation # 27: SC Code Ann. 49-3-30	98
Law Recommendation # 28: S.C. Code 49-3-40 through 50	98
Law Recommendation # 57: S.C. Code Ann. 50-13-1415	100
Law Recommendation # 80: S.C. Code Ann. 51-17-40 and 70	100
Law Recommendation # 81: S.C. Code Ann. 51-17-140	100
Law Recommendation # 82: S.C. Code Ann. 51-17-150	101
Law Recommendation # 83: S. C. Code Ann. 51-17-310 through 51-17-360	101
Committee Contact Information	105

AGENDA

**South Carolina
House of Representatives**



Legislative Oversight Committee

LAW ENFORCEMENT AND CRIMINAL JUSTICE SUBCOMMITTEE

Chairman Edward R. Tallon Sr.

The Honorable Katherine E. (Katie) Arrington

The Honorable William M. (Bill) Hixon

The Honorable J. Todd Rutherford

Tuesday, October 17, 2017

10:00am

Room 110, Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AMENDED AGENDA

- I. Approval of Meeting Minutes**
- II. Discussion of the study of the Department of Natural Resources**
- III. Adjournment**

MEETING MINUTES

Chairman Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. "Katie" Arrington
Gary E. Clary
MaryGail K. Douglas
Phyllis J. Henderson
Joseph H. Jefferson Jr.
Mandy Powers Norrell
J. Todd Rutherford
Tommy M. Stringer
Bill Taylor*



*William K. (Bill) Bowers
Neal Collins
Raye Felder
William M. "Bill" Hixon
Robert L. Ridgeway III
James E. Smith Jr.
Edward R. Tallon Sr.
Robert Q. Williams*

South Carolina House of Representatives

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

**Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building**

*Charles L. Appleby IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Law Enforcement and Criminal Justice Subcommittee

**Monday, October 9, 2017
10:45am**

**217 Ft. Johnson Road, Charleston, SC
Marine Resources Research Institute (MRRI) Auditorium Blatt Room 108**

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Law Enforcement and Criminal Justice Subcommittee meeting was called to order by Chairman Edward R. Tallon, Sr. , on Wednesday, October 4, 2017, in Room 108 of the Blatt Building. The following members of the Subcommittee were present for either all or a portion of the meeting: Chairman Tallon, Representative Katherine E. Arrington, and Representative William M. Hixon.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Hixon makes a motion to approve the meeting minutes from the prior Subcommittee meeting.

Representative Hixon's motion to approve the minutes from the October 4, 2017 meeting:	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Discussion of the Department of Natural Resources

- I. Chairman Tallon explains the purpose of the meeting today is to take a tour of the facility and receive details about the agency's Marine Resource Division. He also reminds those who were sworn in during prior meetings that they remain under oath anytime they are with the Subcommittee or Committee.
- II. Rep. Hixon makes several motions which are listed below.

Rep. Hixon's motion that the Subcommittee Study include a recommendation that the audit manager create an internal manual to assist with succession planning.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study include a recommendation that the agency hire an internal auditor to serve under the audit manager.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study include a recommendation that the head of the agency's audit team directly report to the board.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study include a recommendation that a fee be required for turkey tags to cover the cost of printing and mailing and any additional revenue from the tags being earmarked for turkey conservation programs at the agency.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study include a recommendation to authorize state agencies, including DNR, to add the costs imposed on the state agency by a consumer's credit card or other banking institution, to the cost of the transaction, in all transactions in which the consumer has the opportunity to utilize a method of payment that would not impose an additional cost to the state agency (i.e., cash or check).	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study approve each of the agency's recommended changes to law which are in the agency's Program Evaluation Report (PER) and the agency has indicated do not impact any other agency. The recommendation item numbers from the PER are: 1, 9, 10, 31, 32, 34, 35, 42, 61, 62, 67, 68, 70, 72, 73, and 77.	Yea	Nay	Not Voting
Rep. Arrington	✓		

Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study include a recommendation that the agency have an outside independent entity perform an employee morale/leadership survey once every three years.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Later in the meeting, Director Alvin Taylor notes the agency is already in the process of implementing this recommendation.

Rep. Hixon's motion that the Subcommittee Study include a recommendation that state agencies be prohibited from procuring products or services annually until all employees involved in procurement for an agency successfully complete an annual curriculum approved by the Director of the State Fiscal Accountability Authority's Division of Procurement Services.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

III. Chairman Tallon recesses the meeting for the tour of the facility and lunch.

IV. Chairman Tallon reconvenes the meeting at 1:00pm.

V. Mr. Robert Boyles, Deputy Director of the agency's Marine Resource Division (MRD) provides information on the following topics related to this division:

- a. Organization of the division;
- b. Products and services;
- c. Portions of the agency's strategic plan related to the division;
- d. Strategic resource allocation; and

e. Performance measures.

Subcommittee members ask questions which Mr. Boyles and other agency representatives answer.

VI. There being no further business, the meeting is adjourned.

Draft

STUDY TIMELINE

Draft

Study Update - Department of Natural Resources

- March 11, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 8, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- May 10, 2017 - **Full committee votes to make the agency the next agency for the Law Enforcement and Criminal Justice Subcommittee to study.** Video of the meeting is available online.
- May 19, 2017 - Agency receives notice that it has been selected for study.
- June 27 - July 28, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- August 30, 2017 - Agency submits its **Program Evaluation Report**, which is available online.
- September 25, 2017 - Subcommittee meets with agency (**Meeting #1**) to discuss the agency's history; legal directives; mission and vision; general information about employees; and agency organization.
- October 4, 2017 - Subcommittee meets with agency (**Meeting #2**) to discuss the agency's Office of Media and Outreach; Office of Support Services; Office of Environmental Programs; and recommendations relating to the agency as a whole.
- October 9, 2017 - Subcommittee meets with agency (**Meeting #3**) to discuss the agency's Marine Resource Division and tour the agency's Marine Resource Divisions office in Fort Johnson, Charleston.
- October 16, 2017 - Full Committee meets with agency (**Meeting #4**) to receive public input.
- October 17, 2017 - (TODAY) Subcommittee meets with agency (**Meeting #5**) to discuss the agency's Land, Water, and Conservation Division.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

LAND, WATER, AND CONSERVATION DIVISION

Overview

Land, Water, and Conservation Division (LWC) is one of the agency's organizational units. This unit develops and implements programs that study, manage, and conserve the state's land and water resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database. Table 9 provides additional information about the unit.

Table 1. DNR Organizational Unit: Land, Water, and Conservation Division.

<u>Details:</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	2.94%	0.00%	5.40%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

Organizational Chart - LWC

Figure 1 includes the portion of the agency's organizational chart, current as of August 9, 2017, that applies to the Land, Water, and Conservation Division.

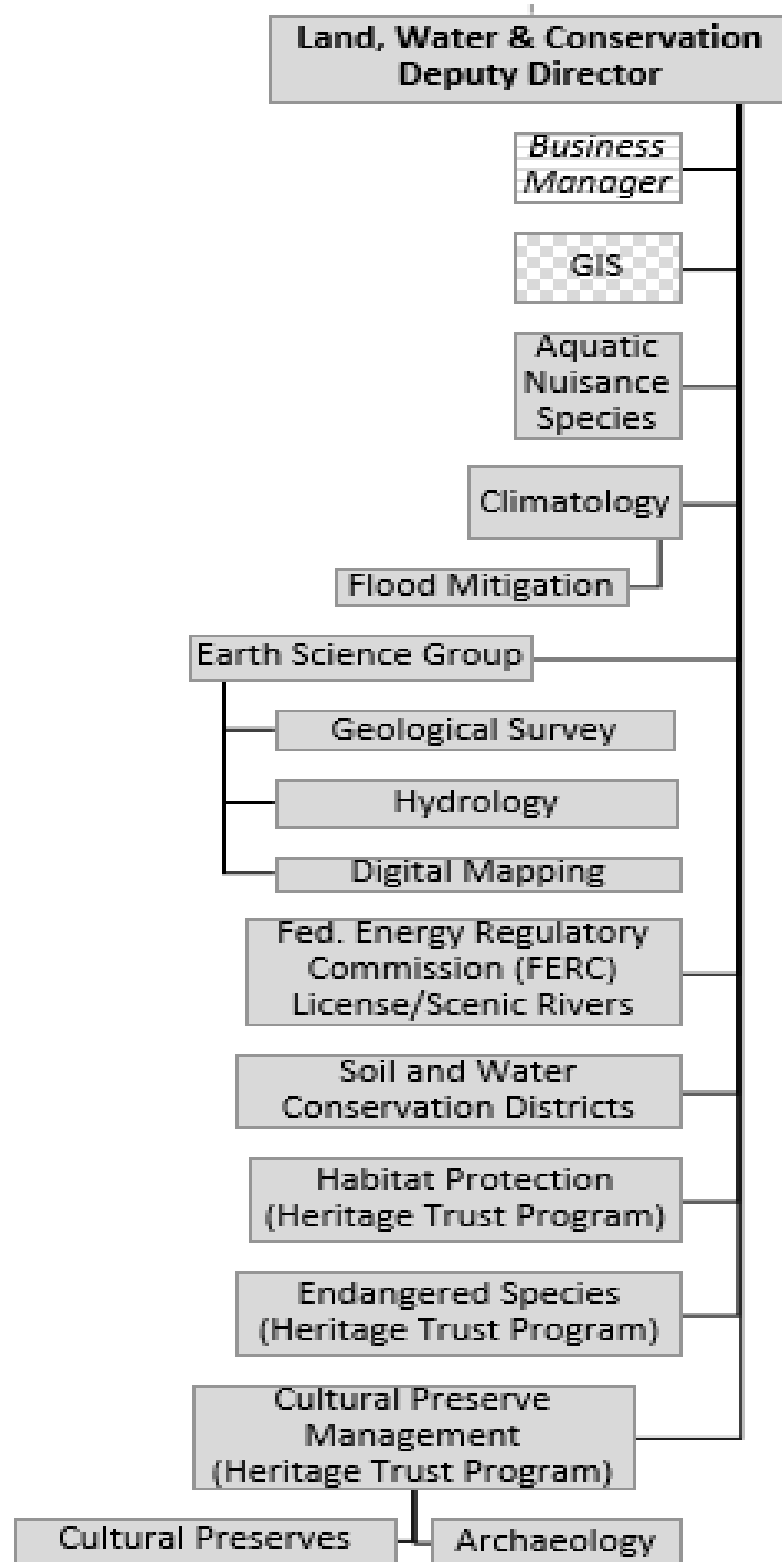


Figure 1. Agency organizational chart - Land, Water, and Conservation Division portion, provided by the agency, current as of August 9, 2017.

Products, Services, and Customers

LWC's purpose is to provide scientific and reliable information to policy and decision makers and to the public in order to understand, sustain and protect the state's natural resources for the benefit of all generations.¹ According to the agency, this is achieved through planning, research, technical assistance, public education and development of a comprehensive natural resources database.²

In the Program Evaluation Report, the Committee asks an agency **to provide a list of its deliverables** (i.e., products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts. Figure 2.1 and 2.2 provides a brief summary of the deliverables provided by LWC. Additional details about the deliverables are provided in the Strategic Resource Allocation and Performance section.



South Carolina Department of Natural Resources Land, Water and Conservation Division

Purpose: Provide scientific and reliable information to policy and decision makers and to the public in order to understand, sustain and protect the state's natural resources for the benefit of all generations. This is achieved through planning, research, technical assistance, public education and development of a comprehensive natural resources database.

- Surface-water quantity and water-allocation models were completed for each of the eight major river basins in the state.
- Work continued with the USGS on updating a groundwater flow model for the state, and with the USACE on developing water-demand forecasts for the Savannah River basin.
- The SCDNR groundwater monitoring network (169 wells) was linked to the USGS National Ground-Water Monitoring Network (NGWMN).
- Continued monitoring groundwater for aquifer levels and saltwater intrusion.
- New geologic mapping covering 372 square miles has been developed as digital map products using GIS. To date, more than 14,000 square miles (~45%) of the state have detailed geologic map information.
- Processing satellite data for EPA grant to study possible land subsidence related to groundwater withdrawal in Georgetown County.
- Completed the ACE Basin Coastal Vulnerability Project to demonstrate physical change on the shoreline www.dnr.sc.gov/geology/botanybay-coastal-erosion.
- More than 500,000 requests for Geological Survey webpages over the last four years.
- Work began on a grant from Bureau of Ocean Energy Management (BOEM) to analyze both regional and state offshore sand resources.
- South Carolina Core Repository contains over 1,500 cores and 230,000 linear feet of core material from around the State including offshore.
- Provided GIS support for all LWC Programs.
- Enhanced and expanded the Weatheralert notification system (2,937 subscriptions).
- Collected, analyzed and consolidated data on rainfall, streamflow and damage from Hurricane Matthew. Developed an on-line interactive story journal for the event <http://www.dnr.sc.gov/matthew2016>.



- Collaborated with the Law Enforcement Division in development of flood inundation maps for search and rescue missions.
- Assisted state and federal agencies and the public in data acquisition and forecast interpretation before, during and after tropical events, severe weather, winter weather, droughts and special event planning.
- Chaired and staffed six meetings of the SC Drought Response Committee to take appropriate action on drought status designations.
- Released three preliminary Flood Insurance Rate Maps.
- Conducted five Preliminary Digital Flood Insurance Rate Map Community Coordination meetings and seven public open houses.
- Assisted communities with substantial damage requirements post 2015 flood event and Hurricane Matthew.
- Community participation in the National Flood Insurance Program is 90% (236 communities).
- SCDNR has led the Light Imaging Detection and Range (LiDAR) Consortium since 2007, successfully establishing 28 financial and in-kind partners for the statewide acquisition of LiDAR data. LiDAR data is important to South Carolina as it is used for many purposes, including but not limited to flood modeling, storm water management, transportation planning, natural resources management and economic development.
- Facilitated and cost shared with SCDNR wildlife biologists to restore or improve habitat on SCDNR properties and with USFWS and TNC to improve habitat in and around the ACE Basin.

Figure 2.1 Additional information about Land, Water, and Conservation Division's deliverables.

- Worked cooperatively with Santee Cooper, USFWS and SC Waterfowl Association to improve habitat in the Santee Cooper Lakes.
- Worked with SCDNR biologists and private landowners to restore sensitive Wood Stork habitat.
- Facilitated and/or cost shared with other local and private entities to improve habitat and recreational use by controlling numerous species in other public waters.
- Acquired and outfitted the newly renovated 9,000 square-foot Parker Annex (circa 1910). The Parker Annex Archaeology Center will house the agency's archaeological research program, artifact collections from across the state and offer teachers, students and the public the opportunity to participate in archaeological research projects conducted on SCDNR lands.
- Improved public safety at the Congaree Creek Heritage Preserve trail system.
- Removed Hurricane Matthew debris from six coastal Cultural Heritage Trust Preserves.
- Permitted two external archaeological research projects: Jocassee Gorges Pinnacle Mountain Petroglyph Survey and the Botany Bay Heritage Preserve Pockoy Island Shell Ring Investigation.
- Secured National Historic Preservation Act Section 106 clearance for the Sassafras Mountain Observation Tower project.
- The Flora Carolina project has compiled online over 211,000 herbarium records from eight of the state's larger herbaria with 77,000 specimens photographed at high resolution.
- Cooks Mountain, part of the 3674-acre Wateree River Heritage Preserve and WMA, was surveyed for ecological significance.
- Processed more than 300 requests for information from the Rare/Threatened/Endangered Species Database.
- Supported four active river conservation projects in 2017 where local partners are working to protect and enhance important river resources.
- Partners and staff collaborated to develop three information products in 2017: 1) HowsMySCRiver.org – a website for recreational water quality of Saluda and Congaree Rivers; 2) GoPaddleSC.com - a website guide to the state's rivers; and 3) the Edisto River Basin Boating Guide.
- 4,750 volunteers participated in Beach Sweep River Sweep and worked to remove litter and debris from public waterways at 120 sites statewide.
- Program staff provided technical assistance to the public in conjunction with the 46 Conservation Districts and the U.S. Department of Agriculture-Natural Resource Conservation Service (NRCS). Technical assistance includes producing conservation management plans. In FY 16-17, staff assisted with 876 conservation plans.
- Staff conducted 14 workshops and field days demonstrating the Rainfall Simulator unit which is an educational tool that illustrates water related soil erosion and runoff. The workshops are in cooperation with conservation districts, the National Grazing Land Coalition and the USDA-NRCS.



Figure 2.2 Additional information about Land, Water, and Conservation Division's deliverables.

Revenue Sources

In the Program Evaluation Report, the Committee asks the agency to provide information about its revenue sources.

This division generates revenue through the following sources³:

- Flood Training Registrations, weather certifications, printed products
- Map data, Core Sample logs, mineral rock kits and GIS publications
- Revenue passed to USGS for surface water, ground water, water quality station
- Reimbursements for aquatic weed management
- Heritage Trust Fund-Document Stamp
- Document Stamp Tax portion
- Donations

Based on information in the Program Evaluation Report, total revenue generated by the division in fiscal year 2015-16 was \$5,892,360.83 and in 2016-17, it was \$2,176,819. Table 3.1 includes the revenue generated by source during FY 2015-16 and 2016-17. Table 3.2 includes agency revenue sources utilized by LWC during FY 2016-17 and 2017-18.

Table 3.1 Revenue generated by LWC during FY 2015-16 and 2016-17.⁴

Revenue Source	Recurring or one-time?	State, Federal, or Other?	Does revenue remain with the agency or go to General Fund?	Total revenue generated in 2015-16	Total revenue estimated to generate in 2016-17
Flood Training Registrations, weather certifications, printed products	Recurring	Other	Agency	\$38,462.53	\$81,484.87
Cash Transfer	Recurring	Other	Agency	\$488,425.83	\$493,367.87
Cash Transfers	Recurring	Other	Agency	\$71,811.00	\$219,339.60
Map data, Core Sample logs, mineral rock kits and GIS publications	Recurring	Other	Agency	\$12,440.47	\$(5,333.06)
Revenue passed to USGS for surface water, ground water, water quality station ¹	Recurring	Other	US Geological Survey	\$508,436.00	\$494,656.00
Reimbursements for aquatic weed management ²	Recurring	Other	Agency	\$169,200.00	\$178,110.37
Heritage Trust Fund-Document Stamp	Recurring	Other	Agency	\$854,185.00	\$297,900.00
Heritage Trust Fund-Document Stamp	Recurring	Other	Agency	\$188,851.00	\$1,247,390.00
Document Stamp Tax portion ³	Recurring	Other	Agency	\$231,856.00	\$0.00
Document Stamp Tax portion-Bond Repayment ⁴	Recurring	Other	Agency	\$3,328,440.00	\$(830,095.85)
Donations ⁵	Recurring	Other	Agency	\$253.00	\$0.00
TOTAL				\$5,892,360.83	\$2,176,819.80

¹ Trust Funds

² Trust Funds

³ Trust Funds and Documentary Stamp Tax revenue resumed postings once HT Bond was called in December 2016

⁴ Trust Funds and Bond called December 2016, fund closed

⁵ Trust Funds

Table 3.2. Agency revenue sources utilized by LWC during FY 2016-17 and 2017-18.

Revenue Sources utilized	Recurring or one-time?	State, Federal, or Other?	Organizational Unit	2016-17 - Spent to Achieve Agency's Comprehensive Strategic Plan	2017-18 - Budgeted to spend to Achieve Agency's Comprehensive Strategic Plan
General Fund	Recurring	State	Agency	\$3,032,598	\$2,998,139
General Fund	One-Time	State	Agency	\$823,881	\$248,500
Federal Awards	Recurring	Federal	Agency	\$2,351,792	\$2,936,676
Flood Training Registrations, weather certifications, printed products	Recurring	Other	LWC	\$23,255	\$23,246
Cash Transfer	Recurring	Other	LWC	\$525,142	\$525,142
Cash Transfers	Recurring	Other	LWC	\$120,566	\$113,736
Map data, Core Sample logs, mineral rock kits and GIS publications	Recurring	Other	LWC	\$12,709	\$12,709
Revenue passed to USGS for surface water, ground water, water quality station	Recurring	Other	LWC	\$494,656	\$494,656
Reimbursements for aquatic weed mgmt	Recurring	Other	LWC	\$152,342	\$152,342
Heritage Trust Fund-Document Stamp	Recurring	Other	LWC	\$302,090	\$302,090
Heritage Trust Fund-Document Stamp	Recurring	Other	LWC	\$770,397	\$770,397
	<u>2016-17 Totals</u> (Percent of Total)		<u>2017-18 Totals</u> (Percent of Total)		
Recurring General Fund	\$3,032,598 (35.22%)		\$2,998,139 (34.95%)		
One-Time General Fund	\$823,881 (9.57%)		\$248,500 (2.90%)		
Recurring Federal	\$2,351,792 (27.32%)		\$2,936,676 (34.24%)		
Recurring Other	\$2,401,157 (27.89%)		\$2,394,318 (27.91%)		
GRAND TOTAL	\$8,609,428		\$8,577,633		

Strategic Resource Allocation and Performance

In the Program Evaluation Report, the **Committee asks an agency how it allocates its human and financial resources to accomplish its goals** (i.e., broad expression of a long-term priority) **and objectives** (i.e., specific, measurable and achievable description of an effort the agency is implementing to achieve a goal) in the agency's strategic plan.⁵ The Committee also asks the agency to list any funds the agency spent or transferred not toward the agency's comprehensive strategic plan.

Funds Spent/Transferred not toward the agency's comprehensive strategic plan

In the Program Evaluation Report, under one of the revenue sources associated with the Land, Water, and Conservation division, the agency lists funds spent not directly toward the agency's comprehensive strategic plan. In fiscal year 2016-17, there was a Heritage Trust Bond payment of \$1,835,850.⁶ For fiscal year 2017-18, the agency did not estimate any funds being spent or transferred not directly toward the agency's strategic plan.

Funds Spent toward the agency's comprehensive strategic plan

On the next pages the products and services provided by the division are grouped into different sections and, within each section, is the portion of the agency's strategic plan applicable to the products and services in that section, along with the agency resources allocated to achieve that portion of the strategic plan⁷, and the performance measures analyzed by the agency. Figure 3 includes additional information about LWC's employees and financial expenses.

Hydrology

Table 4.1 includes deliverables associated with hydrology and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 4.2 includes the portion of the agency's strategic plan applicable to hydrology and agency resources allocated to achieve that portion of the strategic plan.⁸ Table 4.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 4.1. List of deliverables associated with hydrology.

<u>Deliverable</u>	The DNR Hydrology Section shall advise the Governor and General Assembly on formulating and establishing a comprehensive water resources policy to assure adequate supplies of surface and groundwaters of suitable quality are available.
<u>Applicable Law</u>	S.C. Code Ann. 49-3-10 through 49-3-50
<u>Other state agencies whose mission it may fit within</u>	DHEC
<u>Product/Service Components:</u>	See next page

			CUSTOMERS			COSTS	
Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
1A ⁶	Formulate and establish a comprehensive water resources policy.	Require	No	No	No	No	No
1B	Develop and establish policies and proposals designed to meet and resolve special problems of water resources use and control.	Require	No	No	No	No	No
1C	Review actions and policies of State agencies and US Army Corps of Engineers with water resource responsibilities to determine consistency with the comprehensive water policy.	Require	No	No	No	No	No
1D	Conduct/arrange for studies, inquires, surveys, or analyses relevant in the implementation of policy and in developing recommendations to the General Assembly.	Require	No	No	No	No	No
1E	Consult with other government agencies relating to the use and control of water resources of the State.	Require	No	No	No	No	No
1F	Authority to appoint interdepartmental and public advisory boards to advise in developing policies.	Allow	No	No	No	No	No
1G	Encourage, assist, and advise other State agencies responsible for water planning.	Require	No	No	No	No	No
1H	Determine if adequate supplies of surface and groundwaters of suitable quality for domestic, municipal, agricultural, and industrial uses are available.	Require	No	No	No	No	No
1I	Publish reports, including the results of studies, inquiries, surveys, and analyses.	Allow	No	Yes	No	Yes	Yes

⁶ Item numbers are the ones utilized in agency's program evaluation report.

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.⁹ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.¹⁰ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- Comprehensive water resources policy in the State is necessary to ensure that an adequate supply of clean water is available for all future off stream and instream uses, including public health, economic development, fish and wildlife habitat, and recreational opportunities.
- Intrastate and interstate problems must be addressed to protect our water resources from exploitation and misuse.
- Water policy would lack consistency and would thereby be ineffective, resulting in degradation and exploitation of our water resources.
- Technical and scientific studies are required to adequately address water resource issues and to provide reliable information to decision makers. Without this information, sound water policy cannot be developed causing degradation of our water.
- Consultation with other government agencies ensures that water policies are being enforced and that water is being protected and conserved.
- For water policies to be effective, stakeholders and the general public must have a say in how our water is managed. Lack of acceptance can lead to misuse of our water.
- The effective management of our water resources requires cooperation and shared responsibility among Federal, State and local agencies, without which the water resources of the state would be exploited and misused.
- Reports are published to provide reliable information and policy recommendations to decision makers, without which the water resources of the state would be exploited. Spatial information will not be in an electronic format for easy dissemination and efficient use, thereby limiting the value of the information.
- Over pumping of groundwater can result in saltwater intrusion and land subsidence. Over pumping of surface water can cause degradation of water quality and be harmful to fish and wildlife habitat.

How the General Assembly can help avoid the greatest potential harm, other than money

- | | |
|--|---|
| • Support recommendations in the State Water Plan. | • Additional FTE's needed to accomplish mission. |
| • Make water resources a high-priority item. | • Support and encourage cutting-edge geospatial technology |
| • Support water-planning efforts in the State. | • Support sharing of geospatial data, maps, reports, etc. between state agencies. |
| • Support interstate committees. | • Support information technology development services |
| • Support Savannah River Advisory Council. | • Support scientific inquiries. |
| • Support Governor's Savannah River Committee. | • Support technical and scientific studies. |
| • Support Catawba Wateree Working Group. | • Continue to support legislative duty. |

Table 4.2 Strategic plan applicable to hydrology: Strategy 1.1, Objective 1.1.1: Conduct or arrange for studies, inquires, surveys, or analysis; prepare reports; review actions; and appoint advisory boards as may be relevant in implementation of water policy - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.1 Water Resource Management and Earth Science research, as well as review of proposed environmental impacts as published in the regulatory arena to provide reliable, science-based information to decision makers and the public.

Objective 1.1.1 Conduct or arrange for studies, inquires, surveys, or analysis; prepare reports; review actions; and appoint advisory boards as may be relevant in implementation of water policy.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers (responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers has input into the budget for Objective 1.1.1

Partner(s), by segment: Federal and state government; higher education institutions; private individuals; and other

	<u>FTE equivalents utilized</u>	<u>Total spent¹¹ / budgeted¹²</u>
2016-17	11.75 FTE	\$1,725,645 (2.33%)
2017-18	11.75 FTE	\$1,663,833 (2.35%)

Table 4.3. Performance measures associated with hydrology.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Use hydrology information to develop plans to ensure surface and groundwater of suitable quality is available for all uses <u>Required by:</u> State government <u>Best in the Country:</u> Texas	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Updated State Water Plan
Develop surface-water quantity models for each of the State's eight major river basins for regional water planning <u>Additional Notes:</u> Models have been completed, will be used in the future for water planning and will be updated as new data becomes available. <u>Required by:</u> State government <u>Best in the Country:</u> CDM Smith, Inc.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 2 models <u>Actual:</u> 0 models	<u>Target:</u> 4 models <u>Actual:</u> 4 models	<u>Target:</u> 4 models <u>Actual:</u> 4 models	<u>Target:</u> No longer tracked
Develop a groundwater-quantity model and a groundwater-recharge model of the Coastal Plain for regional water planning <u>Required by:</u> State government <u>Best in the Country:</u> USGS/SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 3-year project with the USGS begins February 2016	<u>Target:</u> On schedule <u>Actual:</u> On schedule	<u>Target:</u> Both models scheduled to be completed by Feb. 2019
Develop water-demand forecasts for each of the State's eight major river basins for regional water planning <u>Required by:</u> State government <u>Best in the Country:</u> Private consultants	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1½-year project with the USACE begins May 2016 for one forecast (Savannah River basin)	<u>Target:</u> Final report due for the Savannah River basin
Meet and consult with agricultural, industrial, and municipal interest groups to propose policies for developing water-demand forecasts for regional water planning <u>Additional Notes:</u> Meetings were used to gather input from stakeholders on how forecast water-demand, which will be included in the water plan. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5 meetings <u>Actual:</u> 5 meetings	<u>Target:</u> No longer tracked

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Develop a groundwater-quantity model and a groundwater-recharge model for Aiken County to determine groundwater availability <u>Required by:</u> State government <u>Best in the Country:</u> USGS/SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 4-year project with the USGS begins December 2014	<u>Target:</u> On schedule <u>Actual:</u> Delays in project due to funding	<u>Target:</u> On schedule <u>Actual:</u> Project extended 6 months to include 2016 water-use data	<u>Target:</u> Both models scheduled to be completed by June 2019
Meet and consult with stakeholders, government agencies, water utilities, and other water-user groups to discuss water plans, policies, programs, and projects <u>Additional Notes:</u> Some meetings were not relevant to the section. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> % of Requested <u>Actual:</u> 85% (37 meetings)	<u>Target:</u> % of Requested <u>Actual:</u> 85% (82 meetings)	<u>Target:</u> % of Requested <u>Actual:</u> 85% (161 meetings)	<u>Target:</u> % of Requested <u>Actual:</u> 85% (148 meetings)	<u>Target:</u> % of Requested
Add 105 stream gages to the State's surface water monitoring network as a result of recommendations made at the workshops <u>Additional Notes:</u> New gages cost approximately \$16,000/year, the USGS has agreed to pay for installation if we maintain the gage for five years. <u>Required by:</u> State government <u>Best in the Country:</u> USGS	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 105 gages <u>Actual:</u> 20 gages (SCDOT funded)	<u>Target:</u> 85 gages
Produce potentiometric maps of the three major aquifers in the State to determine changes in groundwater availability <u>Additional Notes:</u> DNR typically makes one map per year, but last year made maps of all three aquifers as the information was needed to assist DNR in calibrating the groundwater model, which is used for water planning. DNR would like to add more wells to the network before making an additional map. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map <u>Actual:</u> 3 maps	<u>Target:</u> 0

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Add 233 wells to the DNR groundwater monitoring network as required to produce accurate potentiometric maps <u>Additional Notes:</u> Adding wells to the DNR groundwater network depends on the availability of the well (is the owner willing to turn it over to the state) and on its location, depth and condition. When DNR has funding available, we contract well drilling out to a company to drill new wells on DNR or state-owned properties. If there is not money for drilling new wells, we try to recruit wells that are being abandoned by their owners, which saves the state money. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 228 wells <u>Actual:</u> 11 wells	<u>Target:</u> 217 wells <u>Actual:</u> 28 wells	<u>Target:</u> 189 wells <u>Actual:</u> 2 wells	<u>Target:</u> 187 wells <u>Actual:</u> 6 wells	<u>Target:</u> 181 wells
Visit sites of the statewide DNR groundwater monitoring network, currently 137 sites and 169 wells, to measure groundwater levels and download water-level data from data recorders <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 660 site visits <u>Actual:</u> 660 site visits	<u>Target:</u> 810 site visits <u>Actual:</u> 810 site visits	<u>Target:</u> 792 site visits <u>Actual:</u> 792 site visits	<u>Target:</u> 822 site visits <u>Actual:</u> 822 site visits	<u>Target:</u> 822 site visits
Conduct geophysical surveys of water wells to determine groundwater availability <u>Additional Notes:</u> Determined by the number of requests. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> % of Requested <u>Actual:</u> 100% (26 wells surveyed)	<u>Target:</u> % of Requested <u>Actual:</u> 100% (7 wells surveyed)	<u>Target:</u> % of Requested <u>Actual:</u> 100% (9 wells surveyed)	<u>Target:</u> % of Requested <u>Actual:</u> 100% (26 wells surveyed)	<u>Target:</u> % of Requested
Review water permits, policies, programs, plans and projects <u>Additional Notes:</u> Determined by the number of permits submitted. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> % of Requested <u>Actual:</u> 100% (24 reviews)	<u>Target:</u> % of Requested <u>Actual:</u> 100% (28 reviews)	<u>Target:</u> % of Requested <u>Actual:</u> 100% (38 reviews)	<u>Target:</u> % of Requested <u>Actual:</u> 100% (55 reviews)	<u>Target:</u> % of Requested

<i>Performance Measures</i>	<i>Type of Measure</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Add groundwater data and wells to the DNR groundwater database <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> % of Available <u>Actual:</u> 100% (2634 wells)	<u>Target:</u> % of Available <u>Actual:</u> 100% (3117 wells)	<u>Target:</u> % of Available <u>Actual:</u> 100% (3202 wells)	<u>Target:</u> % of Available <u>Actual:</u> 100% (2912 wells added)	<u>Target:</u> % of Available
Provide water-related technical assistance and information to citizens, government entities, water managers, well drillers, engineers, and others <u>Additional Notes:</u> Determined by the number of requests. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> % of Requested <u>Actual:</u> 85% (198 requests)	<u>Target:</u> % of Requested <u>Actual:</u> 85% (199 requests)	<u>Target:</u> % of Requested <u>Actual:</u> 85% (227 requests)	<u>Target:</u> % of Requested <u>Actual:</u> 85% (213 requests)	<u>Target:</u> % of Requested
Develop a network of 25 wells along the coast to monitor for saltwater intrusion of coastal aquifers <u>Additional Notes:</u> Determined by the number of well owners who are willing to participate and by the availability of funds needed to drill new wells. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 25 <u>Actual:</u> 5	<u>Target:</u> 20 <u>Actual:</u> 3	<u>Target:</u> 17 <u>Actual:</u> 2	<u>Target:</u> 15 <u>Actual:</u> 0	<u>Target:</u> 15
Prepare technical/scientific reports that document results from water-related investigations <u>Additional Notes:</u> 2017-18 target is not an optimal target and is limited because of staff shortage. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 1 report <u>Actual:</u> 0 report	<u>Target:</u> 1 report <u>Actual:</u> 1 report	<u>Target:</u> 1 report <u>Actual:</u> 0 report	<u>Target:</u> 1 report <u>Actual:</u> 4 reports	<u>Target:</u> 1 report
Organize eight basin advisory councils to help develop regional water plans <u>Additional Notes:</u> Pilot-project in the Savannah River basin done in cooperation with Clemson and funded by Duke Energy Mitigation Funding from FERC relicensing. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 council

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Geology

Table 5.1 includes deliverables associated with geology and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 5.2 includes the portion of the agency's strategic plan applicable to geology and agency resources allocated to achieve that portion of the strategic plan.¹³ Table 5.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 5.1. List of deliverables associated with geology.

<u>Deliverable</u>	The Department is authorized through the Geological Survey to provide field and laboratory studies in Geology to provide advice and assistance to other state and local governmental agencies.
<u>Applicable Law</u>	S.C. Code Ann. 48-22-30 through 40 and Proviso 47.4, 2017-2018, Appropriations Act Part 1B
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	<u>CUSTOMERS</u>			<u>COSTS</u>	
			Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
2A ⁷	Field and laboratory studies in Geology mapping and related gathering of surface and subsurface data.	Require	Yes	Yes	Yes	Yes	Yes
2B	Advice and assistance on Geology.	Require	Yes	Yes	Yes	Yes	No
2C	Encourage economic development by disseminating published geologic information as bulletins, maps, economic reports, and open-file reports.	Require	Yes	Yes	Yes	Yes	Yes
2D	Provide unsolicited advice, when appropriate, to Mining Council.	Require	No	No	Yes	No	No
2E	Operate and maintain statewide repository for rock cores, well cutting, and related subsurface samples and all associated supplemental data.	Require	Yes	No	Yes	Yes	No
2F	Provide minerals research laboratory.	Require	No	Yes	Yes	No	Yes

⁷ Item numbers are the ones utilized in agency's program evaluation report.

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.¹⁴ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.¹⁵ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- Lack of information available to provide assistance to other state agencies, private companies, and general public.
- Accurate and reliable geologic information not available to the public.
- Lack of geologic support for economic development. Spatial information will not be in an electronic format for easy dissemination and efficient use, thereby limiting the value of the information.
- Lack of reliable and accurate information to the Mining Council.
- Exploration companies are aware of the Core Repository and use it on a frequent basis.
- Limited services to the general public will be reduced even more.

How the General Assembly can help avoid the greatest potential harm, other than money

- | | |
|--|--|
| • Add FTE's needed to accomplish mission. | • Support information technology development services |
| • Expand collaboration with other state agencies to disseminate geologic information, e.g. Dept Commerce, SCDOT. | • Support sharing of geospatial data, maps, reports and publications between state agencies. |
| • Support and encourage cutting-edge geospatial technology | • Cost of drilling new rock cores greatly exceeds cost to maintain Core Repository. |
| • Continue legislated mission of the Geological Survey. | • Continue legislative duty. |

Table 5.2 Strategic plan applicable to geology: Strategy 1.1, Objective 1.1.2: Produce reliable geologic maps and information in support of economic development, environmental protection, and land-use planning - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.1 Water Resource Management and Earth Science research, as well as review of proposed environmental impacts as published in the regulatory arena to provide reliable, science-based information to decision makers and the public.

Objective 1.1.2 Produce reliable geologic maps and information in support of economic development, environmental protection, and land-use planning.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers (responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers has input into the budget for Objective 1.1.2

Partner(s), by segment: Federal and state government; higher education institutions; and other

	<u>FTE equivalents utilized</u>		<u>Total spent¹⁶ / budgeted¹⁷</u>
2016-17	5.85 FTE	1.00 TG	\$1,343,219 (1.82%)
2017-18	5.85 FTE	1.00 TG	\$1,053,565 (1.49%)

Table 5.3. Performance measures associated with geology.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Promote the extraction and conservation of South Carolina's earth raw materials and their manufacture to the economic improvement of the State by disseminating published geologic information to appropriate governmental agencies and private industry</p> <p><u>Additional Note:</u> Reliable geologic information of the 566 quadrangles covering the State in digital format <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR</p>	Outcome	<u>Target:</u> 410 quadrangles <u>Actual:</u> 156 quadrangles	<u>Target:</u> 403 quadrangles <u>Actual:</u> 163 quadrangles	<u>Target:</u> 397 quadrangles <u>Actual:</u> 169 quadrangles	<u>Target:</u> 391 quadrangles <u>Actual:</u> 175 quadrangles	<u>Target:</u> 386
<p>Map 1:24,000-scale quadrangles in the Coastal Plain region and make information available digitally to public in open-file report form</p> <p><u>Required by:</u> Federal government <u>Best in the Country:</u> Delaware Geological Survey</p>	Output	<u>Target:</u> 4 maps <u>Actual:</u> 7 maps	<u>Target:</u> 4 maps <u>Actual:</u> 6 maps	<u>Target:</u> 4 maps <u>Actual:</u> 6 maps	<u>Target:</u> 5 maps <u>Actual:</u> 5 maps	<u>Target:</u> 4 maps
<p>Field check 1:24,000-scale quadrangles in Inner Piedmont (Spartanburg County) to verify mapped relations</p> <p><u>Additional Note:</u> 2017-18 target is not an optimal target and is limited because of staff shortage. <u>Required by:</u> State government <u>Best in the Country:</u> USGS</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 2 quadrangles <u>Actual:</u> 2 quadrangles	<u>Target:</u> 2 quadrangles <u>Actual:</u> 1 quadrangles	<u>Target:</u> 1 quadrangles
<p>Complete 10 per cent of regional compilation of Carolina terrane and field check relations to verify map reliability</p> <p><u>Required by:</u> State government <u>Best in the Country:</u> USGS</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 10% digitized <u>Actual:</u> 75% digitized	<u>Target:</u> 25% digitized

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Compile available information to produce offshore map of South Carolina waters of Long Bay area (North Island to Little River) <u>Required by:</u> State government <u>Best in the Country:</u> Coastal Carolina University	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Compile map <u>Actual:</u> Map complied	<u>Target:</u> No longer tracked
Finish digitization of 6 sets of coastal aerial photographs from Capers Island to Murrells Inlet and start AMBUR (Analyzing Moving Boundaries Using R) analysis of physical change <u>Required by:</u> Agency selected <u>Best in the Country:</u> Georgia Southern	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 6 sets digitized <u>Actual:</u> 3 sets digitized	<u>Target:</u> 3 sets digitized <u>Actual:</u> 1 set digitized	<u>Target:</u> 2 sets digitized
Finish digitization of pilot project in ACE (Ashepoo-Combahee-Edisto) Basin and do AMBUR program analysis of physical change <u>Required by:</u> Agency selected <u>Best in the Country:</u> Georgia Southern	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5 shorelines <u>Actual:</u> 5 shorelines	<u>Target:</u> 100% analysis <u>Actual:</u> 100% analysis	<u>Target:</u> No longer tracked
Measure Surface Elevation Table network along Coast quarterly to determine occurrence of positive or negative vertical crustal movements <u>Required by:</u> Agency selected <u>Best in the Country:</u> USGS	Output	<u>Target:</u> 4 times <u>Actual:</u> 4 times	<u>Target:</u> 4 times <u>Actual:</u> 4 times	<u>Target:</u> 4 times <u>Actual:</u> 4 times	<u>Target:</u> 4 times <u>Actual:</u> 3 times	<u>Target:</u> 4 times
Conduct multi-year BOEM project to evaluate offshore sand resources <u>Additional Note:</u> This is a two-year project which will be completed this year. <u>Required by:</u> Agency selected <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 30% <u>Actual:</u> 30%	<u>Target:</u> 70%

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Maintain Core Repository by obtaining core samples from private companies and institutions <u>Additional Note:</u> Target level beyond agency control. Depends on acquiring donations. <u>Required by:</u> State government <u>Best in the Country:</u> Texas Geological Survey	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> % of Amount donated accepted <u>Actual:</u> 100% (1616 Feet)	<u>Target:</u> % of Amount donated accepted

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

GIS

Table 6.1 includes deliverables associated with GIS and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 6.2 includes the portion of the agency's strategic plan applicable to GIS and agency resources allocated to achieve that portion of the strategic plan.¹⁸ Table 6.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 6.1. List of deliverables associated with GIS.

<u>Deliverable</u>	See the Hydrology section, Table 4.1, Item 1I, Publish reports, including the results of studies, inquiries, surveys, and analyses. See also the Geology section, Table 5.1, Item 2C, Encourage economic development by disseminating published geologic information as bulletins, maps, economic reports, and open-file reports.
<u>Applicable Law</u>	See above
<u>Other state agencies whose mission it may fit within</u>	See above
<u>Product/Service Components:</u>	See above

Table 6.2 Strategic plan applicable to GIS: Strategy 1.1, Objective 1.1.3: Expand digital capabilities and uses for the dissemination of information - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.1 Water Resource Management and Earth Science research, as well as review of proposed environmental impacts as published in the regulatory arena to provide reliable, science-based information to decision makers and the public.

Objective 1.1.3 Expand digital capabilities and uses for the dissemination of information.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers (responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers has input into the budget for Objective 1.1.3

Partner(s), by segment: Other

	<u>FTE equivalents utilized</u>	<u>Total spent¹⁹ / budgeted²⁰</u>
2016-17	1.25 FTE	\$109,911 (0.15%)
2017-18	1.25 FTE	\$105,154 (0.15%)

Table 6.3. Performance measures associated with GIS.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Expand use of digital-mapping in field work done by LWC Division <u>Required by:</u> Agency selected <u>Best in the Country:</u> Kentucky Geological Survey	Efficiency	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 in use <u>Actual:</u> 1 in use	<u>Target:</u> 2 in use <u>Actual:</u> 2 in use	<u>Target:</u> 3 in use
Improve the preservation and accessibility of spatial data from and for LWC programs with new and existing GIS databases <u>Required by:</u> Agency selected <u>Best in the Country:</u> Florida Geological Survey	Efficiency	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Improve existing or develop a new database for LWC program that benefits program operations. <u>Actual:</u> Database of river access, data used for new GoPaddleSC.com website.	<u>Target:</u> Improve SC Geological Survey databases of geologic map information.
Expand information available from LWC Division webpages with use of story maps to disseminate natural resource information <u>Required by:</u> Agency selected <u>Best in the Country:</u> Delaware Geological Survey	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 page <u>Actual:</u> 2 page	<u>Target:</u> 1 page
Increase use of digitally interactive maps to provide additional information to support aspects of natural resource information <u>Required by:</u> Agency selected <u>Best in the Country:</u> Texas Parks and Wildlife	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map
Evaluate uses of drones to digitally collect natural resource information <u>Required by:</u> Agency selected <u>Best in the Country:</u> College of Charleston	Input/Activity	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 25% evaluated <u>Actual:</u> 25% evaluated	<u>Target:</u> 25% evaluated

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Begin to integrate available onshore maps with offshore information of Long Bay area to produce composite working map <u>Required by:</u> Agency selected <u>Best in the Country:</u> New Jersey Geological Survey	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 20% integration <u>Actual:</u> 15% integration	<u>Target:</u> 20% integration

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Climatology

Table 7.1 includes deliverables associated with climatology and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 7.2 includes the portion of the agency's strategic plan applicable to climatology and agency resources allocated to achieve that portion of the strategic plan.²¹ Table 7.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 7.1. List of deliverables associated with climatology.

<u>Deliverable</u>	The Department must monitor for drought, create a drought plan and inform the public and require compliance with the law. Also, the Department must archive and disseminate climate information.
<u>Applicable Law</u>	S.C. Code Ann. 49-23-20 through 49-23-100; Regulation 121-11.2 through 11.12; S.C. Code Ann. 49-25-30 to 49-25-40
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	<u>CUSTOMERS</u>			<u>COSTS</u>	
			Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
3 ²²	Department must monitor for drought, create a drought plan, inform the public, and require compliance with the law.	Require	No	No	Yes	Yes	Yes
4A	Evaluate the significance of natural, manmade, deliberate and inadvertent changes in the climate and weather affecting the state.	Require	Yes	Yes	Yes	Yes	Yes
4B	State Climatologist may certify copies as being authentic reproductions of weather records held in the state.	Require	Yes	Yes	Yes	Yes	Yes

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.²³ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.²⁴ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- Water shortages, economic loss, detrimental environmental impacts.
- Increased vulnerability to weather and climate disasters.
- There is no other state agency that has the authority to certify weather records for the state or citizens of SC. Customers would have to order certifications from the federal agency, National Centers for Environmental Information. Their minimum charge is \$124 up to \$588. <https://www.ncdc.noaa.gov/customer-support/certification-data>. The SC State Climate Office does not charge to certify data for SC State Agencies. The charge to certify for other customers, especially those related to legal cases, ranges from \$20 to \$100.

How the General Assembly can help avoid the greatest potential harm, other than money

- Strengthen the Drought Response Act.
- Make water resources a high-priority item.
- Support water-planning efforts in the State.
- Continue legislated mission of SC State Climate Office.

Table 7.2 Strategic plan applicable to climatology: Strategy 1.2, Objective 1.2.1: Monitor, conduct and report on studies of climate and weather events of environmental and economic importance to the State - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.2 State Climate Office/Flood Mitigation activities provide reliable information for the protection of lives and property.

Objective 1.2.1 Monitor, conduct and report on studies of climate and weather events of environmental and economic importance to the State.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers and Dr. Hope Mizzell (both responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers and Dr. Mizzell have input into the budget for Objective 1.2.1

Partner(s), by segment: Federal, state, and local government; higher education institutions; private individuals; and other

	<u>FTE equivalents utilized</u>	<u>Total spent²⁵ / budgeted²⁶</u>
2016-17	3.05 FTE	\$305,498 (0.41%)
2017-18	3.05 FTE	\$292,258 (0.40%)

Table 7.3. Performance measures associated with climatology.

<i>Performance Measures</i>	<i>Type of Measure</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Continue soliciting CoCoRaHS volunteer observers: Recruit 3 observers in counties with minimal participation <u>Required by:</u> State government <u>Best in the Country:</u> North Carolina	Outcome	<u>Target:</u> 92 <u>Actual:</u> 71	<u>Target:</u> 92 <u>Actual:</u> 98	<u>Target:</u> 92 <u>Actual:</u> 48	<u>Target:</u> 92 <u>Actual:</u> 55	<u>Target:</u> 92
Retain CoCoRaHS observers <u>Required by:</u> State government <u>Best in the Country:</u> Kansas and Nebraska	Outcome	<u>Target:</u> 20% <u>Actual:</u> 32%	<u>Target:</u> 20% <u>Actual:</u> 40%	<u>Target:</u> 20% <u>Actual:</u> 48%	<u>Target:</u> 20% <u>Actual:</u> 53%	<u>Target:</u> 20%
Conduct drought and water shortage table-top exercise <u>Required by:</u> Agency selected <u>Best in the Country:</u> Washington Metropolitan Drought Exercises organized and conducted by the Interstate Commission on the Potomac River Basin	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 table top exercise (scheduled September 2017)
Give presentations on climate <u>Required by:</u> Agency selected <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> 40	<u>Target:</u> DNE <u>Actual:</u> 40	<u>Target:</u> DNE <u>Actual:</u> 45	<u>Target:</u> As requested <u>Actual:</u> 37	<u>Target:</u> As requested
Conduct pre-season and in-season Tropical, Severe, and Winter Weather Briefings to state and county officials <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> Weather Dependent <u>Actual:</u> DNE	<u>Target:</u> Weather Dependent <u>Actual:</u> 42 conference calls, 8-12 pre-season exercises	<u>Target:</u> Weather Dependent <u>Actual:</u> 34 conference calls, 8-12 pre-season exercises	<u>Target:</u> Weather Dependent <u>Actual:</u> 18 conference calls, 8-12 pre-season exercises	<u>Target:</u> Weather Dependent
Expand the Severe Weather Alert Listserve <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 1,675 <u>Actual:</u> 1,903	<u>Target:</u> 2,200 <u>Actual:</u> 2,092	<u>Target:</u> 2,400 <u>Actual:</u> 2,374	<u>Target:</u> 2,600 <u>Actual:</u> 2,937	<u>Target:</u> 3,137

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Complete weekly and Annual Report on Climatological data <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53
Complete Special Weather Summaries about significant weather events <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> 20-25 <u>Actual:</u> 22	<u>Target:</u> 20-25 <u>Actual:</u> 19	<u>Target:</u> 20-25 <u>Actual:</u> 17	<u>Target:</u> 20-25 <u>Actual:</u> 17	<u>Target:</u> 20-25
Staff assists SCDNR Law Enforcement, SC Highway Patrol, and County Solicitor's Offices with weather and climate information pertaining to watercraft, vehicle and criminal investigations <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> As requested <u>Actual:</u> Approximately 40 requests	<u>Target:</u> As requested <u>Actual:</u> Approximately 30 requests	<u>Target:</u> As requested <u>Actual:</u> Approximately 40 requests	<u>Target:</u> As requested <u>Actual:</u> Approximately 45 requests	<u>Target:</u> As requested
Conduct applied climatological research and produce decision-support products and tools important to the state <u>Required by:</u> State government <u>Best in the Country:</u> Unknown	Output	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 3 reports and products	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 3 reports and products	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 4 reports and products	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 2 reports and products	<u>Target:</u> 2-3 reports and products
Provides weather and climate information as requested <u>Additional Notes:</u> Staff also participates in approximately 5-6 depositions a year, and provides certified weather data. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Not agency dependent, depends on number of requests. <u>Actual:</u> Approximately 360 requests	<u>Target:</u> Not agency dependent, depends on number of requests.

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Flood Mitigation

Table 8.1 includes deliverables associated with flood mitigation and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 8.2 includes the portion of the agency's strategic plan applicable to flood mitigation and agency resources allocated to achieve that portion of the strategic plan.²⁷ Table 8.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 8.1. List of deliverables associated with flood mitigation.

<u>Deliverable</u>	The Department is the designated state coordinating agency for the National Flood Insurance Program.
<u>Applicable Law</u>	Title 44 Code of Federal Regulations Section 60.25
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

			CUSTOMERS			COSTS	
Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
5A ²⁸	Recommend, whenever necessary, legislation enabling counties and municipalities to regulate development within flood-prone areas.	Allow	Yes	Yes	No	No	No
5B	Encourage and assist communities in qualifying for participation in the Program.	Allow	Yes	Yes	No	No	No
5C	Guide and assist county and municipal public bodies and agencies in developing, implementing, and maintaining local flood plain management regulations.	Allow	Yes	Yes	No	No	No
5D	Provide local governments and the general public with Program information on the coordination of local activities with Federal and State requirements for managing flood-prone areas.	Allow	Yes	Yes	No	No	No
5E	Assist communities in disseminating information on minimum elevation requirements for development within flood-prone areas.	Allow	Yes	Yes	No	No	No
5F	Assist in the delineation of riverine and coastal flood-prone areas, whenever possible, and provide all relevant technical information to the Federal Insurance Administrator.	Allow	Yes	Yes	No	No	No

			CUSTOMERS			COSTS	
Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
5G	Recommend priorities for Federal flood plain management activities in relation to the needs of county and municipal localities within the State.	Allow	Yes	Yes	No	No	No
5H	Provide notification to the Federal Insurance Administrator in the event of apparent irreconcilable differences between a community's local flood plain management program and the minimum requirements of the Program.	Allow	Yes	Yes	No	No	No
5I	Establish minimum State flood plain management regulatory standards consistent with those established in this part and in conformance with other Federal and State environmental and water pollution standards for the prevention of pollution during periods of flooding.	Allow	Yes	Yes	No	No	No
5J	Assure coordination and consistency of flood plain management activities with other State, area wide, and local planning and enforcement agencies.	Allow	Yes	Yes	No	No	No
5K	Assist in the identification and implementation of flood hazard mitigation recommendations which are consistent with the minimum flood plain management criteria for the Program.	Allow	Yes	Yes	No	No	No

			<u>CUSTOMERS</u>			<u>COSTS</u>	
Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
5L	Participate in flood plain management training opportunities and other flood hazard preparedness programs whenever practicable.	Allow	Yes	Yes	No	No	No
5M	Other duties and responsibilities, which may be deemed appropriate by the State and which are to be officially designated as being conducted in the capacity of the State Coordinating Agency for the Program, may be carried out with prior notification of the Federal Insurance Administrator.	Allow	Yes	Yes	No	No	No

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.²⁹ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.³⁰ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- The NFIP participating communities would not be provided technical assistance in regards to protecting life and property from flooding.
- Communities wishing to join the NFIP would not be provided technical assistance in regards to joining the program.
- The state would not be able to provide valuable knowledge in regards to known flooding. Flood prone areas and deficiencies in floodplain mapping resulting in citizens being at higher risk for flooding.
- SC would not be providing priorities that benefit the communities within the state.
- The state would not be able to provide information to FEMA in regards to compliance issues with communities.
- The state would not be receiving guidance pertaining to the federal regulations.
- State agencies would not be provided technical assistance in regards to protecting life and property from flooding.
- Expertise that is provided to the NFIP participating communities would not be able to be obtained.
- State set priorities and duties for floodplain management would not be able to be conducted.

How the General Assembly can help avoid the greatest potential harm, other than money

- Allocate the \$1 per flood insurance policy fee to the SCDNR-Flood Mitigation Program.
- Pass higher standards legislation regarding floodplain management.

Table 8.2 Strategic plan applicable to flood mitigation: Strategy 1.2, Objective 1.2.2: Administer the Federal Emergency Management Agency, Flood Mitigation Assistance, Cooperating Technical Partners, Community Assistance-State Support Services Element Programs - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.2 State Climate Office/Flood Mitigation activities provide reliable information for the protection of lives and property.

Objective 1.2.2 Administer the Federal Emergency Management Agency, Flood Mitigation Assistance, Cooperating Technical Partners, Community Assistance-State Support Services Element Programs.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers and Dr. Hope Mizzell (both responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers and Dr. Mizzell have input into the budget for Objective 1.2.2

Partner(s), by segment: Federal, state, and local government; and other

	<u>FTE equivalents utilized</u>		<u>Total spent³¹ / budgeted³²</u>
2016-17	1.55 FTE	3.00 TG	\$1,747,965 (2.36%)
2017-18	1.55 FTE	3.00 TG	\$2,012,975 (2.72%)

Table 8.3. Performance measures associated with flood mitigation.

<i>Performance Measures</i>	<i>Type of Measure</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Continue to assist communities with Substantial Damage post-disaster for the next 6 months <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Continue to assist communities with Substantial Damage post-disaster for the next 6 months. <u>Actual:</u> Assisting communities with Substantial Damage post-disaster for the next 6 months.	<u>Target:</u> Continue to assist communities with Substantial Damage post-disaster. <u>Actual:</u> Assisting communities with Substantial Damage post-disaster for the next 6 months.	<u>Target:</u> Continue to assist communities with Substantial Damage post-disaster for the next 6 months.
Outreach to 235 communities with selection of projects and preparing Flood Mitigation Assistance (FMA) applications <u>Required by:</u> Federal government (quarterly and annually) <u>Best in the Country:</u> Federal government	Outcome	<u>Target:</u> Outreach to 231 communities <u>Actual:</u> Outreach to 231 communities	<u>Target:</u> Outreach to 231 communities <u>Actual:</u> Outreach to 231 communities	<u>Target:</u> Outreach to 231 communities with selection of projects and preparing Flood Mitigation Assistance (FMA) applications <u>Actual:</u> Provided outreach to 231 communities with selection of projects and preparing Flood Mitigation Assistance (FMA) applications	<u>Target:</u> Outreach to 233 communities with selection of projects and preparing Flood Mitigation Assistance (FMA) applications <u>Actual:</u> Provided outreach to 235 communities with selection of projects and preparing Flood Mitigation Assistance (FMA) applications	<u>Target:</u> Provide outreach to 235 communities with selection of projects and preparing Flood Mitigation Assistance (FMA) applications
Conduct 20 Community Assistance Visits and Community Assistance Contacts <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 20 Community Assistance Visits (CAVs) and Community Assistance Contacts <u>Actual:</u> Renegotiated grant because of the flood event. Only 9 CAVs have to be conducted.	<u>Target:</u> 9 CAVs to be conducted <u>Actual:</u> Renegotiated grant because of the flood event. 9 CAVs have been conducted.	<u>Target:</u> 9 CAVs to be conducted.

<i>Performance Measures</i>	<i>Type of Measure</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Conduct 5 workshops and field deploy 1 L273 Course (Managing Floodplain Development Through the National Flood Insurance Program) <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 5 workshops and field deploy 1 L273 Course (Managing Floodplain Development Through the National Flood Insurance Program) <u>Actual:</u> Renegotiated grant and conducted 10 workshops	<u>Target:</u> Conduct 5 workshops and field deploy 1 L273 Course (Managing Floodplain Development Through the National Flood Insurance Program) <u>Actual:</u> Conducted 14 workshops and field deploy 1 L273 Course (Managing Floodplain Development Through the National Flood Insurance Program)	<u>Target:</u> Conduct 5 workshops and field deploy 1 L273 Course (Managing Floodplain Development Through the National Flood Insurance Program)
Provide ordinance assistance to communities in 7 watersheds and 5 counties where preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps are released <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Provide ordinance assistance to communities in 7 watersheds and 5 counties where preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps are released <u>Actual:</u> Provided ordinance assistance to communities in 7 watersheds and 5 counties where preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps are released	<u>Target:</u> Provide ordinance assistance to communities in 4 watersheds and 3 counties where preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps are released <u>Actual:</u> Provide ordinance assistance to communities in 5 watersheds and 6 counties where preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps are released	<u>Target:</u> Provide ordinance assistance to communities in 3 watersheds and 5 counties where preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps are released
Conduct 2 Discovery Meetings for new Flood Insurance Rate Map mapping projects <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 2 Discovery Meetings for new Flood Insurance Rate Map mapping projects <u>Actual:</u> Conducted 1 Discovery meeting for the Tyger Watershed. Postponed the Black Watershed to evaluate impacts of the flood event.	<u>Target:</u> Conduct 3 Discovery Meetings for new Flood Insurance Rate Map mapping projects <u>Actual:</u> Conducted 2 Discovery meeting for new Flood Insurance Rate Map mapping projects. Delay in funding from FEMA delayed other Discovery Meetings.	<u>Target:</u> Conduct 2 Discovery Meetings for new Flood Insurance Rate Map mapping projects

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Release preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Release 5 preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps <u>Actual:</u> Released 5 preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps	<u>Target:</u> Release 3 preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps <u>Actual:</u> Released 3 preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps	<u>Target:</u> Release 1 preliminary Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps
Conduct 2 Preliminary Digital Flood Insurance Rate Map (DFIRM) Community Coordination meetings, 4 open house meetings and 5 Resilience meetings <u>Required by:</u> Federal government <u>Best in the Country:</u> Federal government	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 8 Preliminary Digital Flood Insurance Rate Map (DFIRM) Community Coordination meetings and 11 open house meetings. <u>Actual:</u> Conduct 8 Preliminary Digital Flood Insurance Rate Map (DFIRM) Community Coordination meetings and 11 open house meetings.	<u>Target:</u> Conduct 6 Preliminary Digital Flood Insurance Rate Map (DFIRM) Community Coordination meetings and 11 open house meetings. <u>Actual:</u> Conduct 5 Preliminary Digital Flood Insurance Rate Map (DFIRM) Community Coordination meetings and 7 open house meetings.	<u>Target:</u> Conduct 2 Preliminary Digital Flood Insurance Rate Map (DFIRM) Community Coordination meetings , 4 open house meetings and 5 Resilience meetings.

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Aquatic Nuisance Species

Table 9.1 includes deliverables associated with aquatic nuisance species and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 9.2 includes the portion of the agency's strategic plan applicable to aquatic nuisance species and agency resources allocated to achieve that portion of the strategic plan.³³ Table 9.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 9.1. List of deliverables associated with aquatic nuisance species.

<u>Deliverable</u>	Department must administer the Aquatic Plant Management program.
<u>Applicable Law</u>	S.C. Code Ann. 49-6-10 through 49-6-40; 58-1-65
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	CUSTOMERS			COSTS	
			Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
6 ³⁴	Identify, prioritize, and treat problem aquatic vegetation in SC public waters. *Cost share is provided to municipal, state, and federal stakeholders.	Require	No	No	No	Yes	Yes*

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.³⁵ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.³⁶ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- Economic and ecological repercussions include blocked water flow for municipal, industrial, agricultural and power-generation purposes; degraded water quality; boat damage; flooding because of restricted water flow; fish population declines; reduced waterfront property values; expanded mosquito breeding grounds; and impaired recreational outlets for swimming, hunting, fishing and boating.

How the General Assembly can help avoid the harm, other than money

- Strengthen laws for possession and spreading invasive or noxious species in SC waters.
- Coordinate legislation with neighboring states.

Table 9.2 Strategic plan applicable to aquatic nuisance species: Strategy 1.3, Objective 1.3.1: Reduce the footprint of invasive species to provide high quality habitat for hunting, fishing, and recreational activities by utilizing prevention, new and existing technologies, biocontrol, and selective herbicides to improve habitat, provide navigability, and keep water supply sources accessible - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.3 Aquatic Nuisance Species Control activities support healthy habitat for recreation, fish, wildlife and citizens.

Objective 1.3.1 Reduce the footprint of invasive species to provide high quality habitat for hunting, fishing, and recreational activities by utilizing prevention, new and existing technologies, biocontrol, and selective herbicides to improve habitat, provide navigability, and keep water supply sources accessible.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers (responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers has input into the budget for Objective 1.3.1

Partner(s), by segment: Federal, state, and local government; higher education institutions; private individuals; and other

	<u>FTE equivalents utilized</u>	<u>Total spent³⁷ / budgeted³⁸</u>
2016-17	3.25 FTE	\$700,284 (0.95%)
2017-18	3.25 FTE	\$698,380 (0.94%)

Table 9.3. Performance measures associated with aquatic nuisance species.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Create and submit to SCDHEC for approval a plan for nuisance species control on water supply lakes to limit herbicide use and budget by utilizing biocontrol and herbicides approved for use in drinking water supply waters <u>Required by:</u> Required by State: SC Department of Health and Environmental Control requires prior written documentation of herbicides utilized in drinking water supply lakes <u>Best in the Country:</u> SCDNR	Outcome	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year
Control > 80% of nuisance, invasive species that impact public waters across the state <u>Required by:</u> State government <u>Best in the Country:</u> SCNDR	Outcome	<u>Target:</u> 80% <u>Actual:</u> 1,387 acres treated (90 % efficacy)	<u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 2,764 acres (>95% efficacy)	<u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 2,769 acres	<u>Target:</u> 2000 acres (80% efficacy) <u>Actual:</u> 3,656 acres (>90% efficacy)	<u>Target:</u> 2000 acres (80% efficacy)
Web site info is routinely updated with current educational information <u>Required by:</u> Agency selected <u>Best in the Country:</u> USF&WS	Outcome	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance
Attend and distribute educational materials at the 2 largest wildlife oriented events in the state (Palmetto Sportsman's Classic and Southeastern Wildlife Expo) <u>Required by:</u> Agency selected <u>Best in the Country:</u> SCNDR	Outcome	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 2
Attend Gulf & South Atlantic Regional Panel Meetings on Invasive Species and maintain open lines of communication with border states and Santee Cooper staff <u>Required by:</u> Agency selected <u>Best in the Country:</u> SCNDR	Outcome	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Create annual South Carolina Aquatic Plant Management Plan <u>Required by:</u> State government <u>Best in the Country:</u> SCNDR	Outcome	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year
Maintain 100% accuracy of record system for scheduled treatments and surveys utilizing GIS technology <u>Required by:</u> State government <u>Best in the Country:</u> SCNDR	Outcome	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Heritage Trust: Cultural Preserve and Endangered Species

Table 10.1 includes deliverables associated with cultural preserve management and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 10.2 and 10.4 includes the portion of the agency's strategic plan applicable to Heritage Trust and agency resources allocated to achieve that portion of the strategic plan.³⁹ Table 10.3 and 10.5 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 10.1. List of deliverables associated with cultural preserve management.

<u>Deliverable</u>	The Department shall manage Heritage Trust properties and the Heritage Trust Fund in accordance with the statute. Also, the Department shall conduct biological inventories of outstanding or unique natural areas, flora, and fauna.
<u>Applicable Law</u>	S.C. Code Ann. 51-17-40 through 51-17-80; 51-17-90 through 51-17-320
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	<u>CUSTOMERS</u>			<u>COSTS</u>	
			Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
8B ⁴⁰	Inventory, conduct research and asses properties for cultural resources.	Require	No	No	No	No	No
8C	Manage cultural heritage trust properties.	Require	No	No	No	No	No
8A	Conduct biological inventories of outstanding or unique natural areas, flora, and fauna. Deputy Director receives ecological and habitat information concerning public and private parcels of property and recommends to the SC Heritage Trust Advisory Board conservation measures agreeable to all parties. *Data is made available without charge under the SC Freedom of Information Act.	Require	No	No	No	No	No*

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.⁴¹ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.⁴² The agency's responses are on the next page.

Greatest potential harms to the public if deliverables are not provided

- Heritage Trust Properties are acquired to protect significant resources for public benefit. Public knowledge of the significant resource can only be generated through inventory, research and assessments. Not conducting such activities denies the public knowledge of the resources that are acquired for their benefit.
- Once acquired land and resources must be managed in order to provide public access. Without access the public cannot gain knowledge or enjoyment of the property or its resources. The properties also protect important natural communities that require management to properly function.
- Biologically sensitive resources such as marshes, lakes, ponds, Carolina bays and other unique geological formations, indigenous fauna, and flora that are enjoyed by the public as outdoor recreational activities or as studied by scientific community could be lost. Important areas for eco-tourism and outdoor recreation, recharge of groundwater aquifers or surface water resources could diminished.

How the General Assembly can help avoid the greatest potential harm, other than money

- Continue legislated mission of the Heritage Trust Program.
- Consult with Heritage Trust program managers, the academic community, and the general public about unknown or under-appreciated unique or outstanding examples of biological and landscape resources.
- Promote appreciation of South Carolina's longtime historical and current involvement in natural history studies for both the lay public and those with specialized scientific training.
- Encourage both institutions of higher learning and primary to secondary to use Heritage Trust lands as areas of educational and research value.

Table 10.2 Strategic plan applicable to Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.1: Survey, research, outreach, education, and management activities for Cultural Heritage Trust Preserves and Programs as well as meeting with the Heritage Trust Advisory Board for board action as required by statute - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.4 Heritage Trust Cultural Resources/Habitat Protection monitors and protects cultural and other resources throughout the state on Heritage Trust properties, and provides culturally related recreational/educational opportunities.

Objective 1.4.1 Survey, research, outreach, education, and management activities for Cultural Heritage Trust Preserves and Programs as well as meeting with the Heritage Trust Advisory Board for board action as required by statute.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers and Mr. Sean Taylor (both responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers and Mr. Taylor have input into the budget for Objective 1.4.1

Partner(s), by segment: State and local government; higher education institutions; and other

	<u>FTE equivalents utilized</u>	<u>Total spent⁴³ / budgeted⁴⁴</u>
2016-17	8.30 FTE	\$799,733 (1.08%)
2017-18	8.30 FTE	\$798,626 (1.08%)

Table 10.3. Performance measures associated with Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.1.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Conduct archaeological investigation on Heritage Trust Preserves (HTP) and Wild Life Management Areas (WMA). Investigation may be implemented for management purposes (MP), compliance with state or federal regulations (CO) (quantity varies depending on submissions), scientific research (SR) and or public outreach (PO)</p> <p><u>Additional Notes:</u> Measured by acreage, projects and/or by number of properties. <u>Required by:</u> Federal government, state government, and agency selected <u>Best in the Country:</u> SCDNR and private</p>	Outcome	<p><u>Target:</u> 1 HTP, 100% Cultural Resource Management (CRM), 1 SR/PO <u>Actual:</u> 1HTP (Bear Branch HP), 100% CO (<u>Actual</u> number DNE), 1 SR/PO (Johannes Kolb Archaeology and Public Education Project).</p>	<p><u>Target:</u> Same as previous year <u>Actual:</u> 1HTP (Fort Frederick HP), 100% CO (Boating Infrastructure Grants, 1 boat landing), 1 SR/PO (Johannes Kolb Archaeology and Public Education Project).</p>	<p><u>Target:</u> Same as previous year <u>Actual:</u> 0 HTP (Oct 2015 flood), 100% CO (Boating Infrastructure Grants), 1 SR/PO (Johannes Kolb Archaeology and Public Education Project).</p>	<p><u>Target:</u> Same as previous year <u>Actual:</u> 0 HTP, 100% CO (Boating Infrastructure Grant, 2 individual projects & 50 acres of Hail Gold Mine mitigation Tract Wateree River HP/WMA), 0 SR/PO (Acquisition of Archaeological Research Facility consumed year).</p>	<p><u>Target:</u> Same as previous year <u>Actual:</u> 1HTP (planned Fort Lamar HP Dec 2017/Jan 2018), 100% CO (Continuing Hail Gold Mine mitigation Tract Wateree River HP/WMA), 1 SR/PO (Pockoy Island Shell Ring Investigation July 2017).</p>
<p>Conduct Public Outreach Archaeology Program</p> <p><u>Additional Notes:</u> Measured by programs and presentations given and attendance to public archaeological investigations. <u>Required by:</u> Agency selected <u>Best in the Country:</u> SCDNR</p>	Outcome	<p><u>Target:</u> 1 Program (Johannes Kolb Archaeology and Public Education Project). <u>Actual:</u> 1 Program (Johannes Kolb Archaeology and Public Education Project), public attendance approximately 300.</p>	<p><u>Target:</u> 2 Programs (Johannes Kolb Archaeology and Public Education Project and Fort Frederick Archaeology Program). <u>Actual:</u> 2 Programs (Johannes Kolb Archaeology and Public Education Project and Fort Frederick Archaeology Program), attendance approximately 300 per program.</p>	<p><u>Target:</u> 1 Program (Johannes Kolb Archaeology and Public Education Project). <u>Actual:</u> 1 Program (Johannes Kolb Archaeology and Public Education Project), public attendance approximately 300.</p>	<p><u>Target:</u> 0, Planning for new projects <u>Actual:</u> 0</p>	<p><u>Target:</u> Develop new programs with Education interns, Boy Scouts Archaeology Merit Badge, Project Archaeology Teacher Recertification Program. Conduct public archaeological investigation.</p>

<i>Performance Measures</i>	<i>Type of Measure</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Manage Historic Structures and Ruins e.g. Poinsett Bridge (circa 1820), Fort Frederick (circa 1734) <u>Additional Notes:</u> Measured by individual projects and request from other management staff with management responsibilities to other historic structures. <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Outcome	<u>Target:</u> 2 Structures <u>Actual:</u> 2 Structures (Poinsett Bridge and Fort Frederick)	<u>Target:</u> 2 Structures <u>Actual:</u> 2 Structures (Poinsett Bridge and Fort Frederick)	<u>Target:</u> 2 Structures <u>Actual:</u> 2 Structures (Poinsett Bridge and Fort Frederick Tabby Preservation Project Completed, Poinsett Bridge Structural Analysis Report Updated)	<u>Target:</u> 2 Structures <u>Actual:</u> 3 Structures (Poinsett Bridge and Fort Frederick visually inspected for damage, Botany Bay Tabby Preservation Project completed)	<u>Target:</u> 2 (Develop Poinsett Bridge Preservation Plan and inspect Fort Frederick)
Annually monitor 24 properties listed on the National Register of Historic Places and report to SC Department of Archives and History per the programmatic agreement between the SCDNR and the SC Department of Archives and History regarding the management of state owned or leased national register listed properties <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Outcome	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties
Maintain and inspect walking trails, parking lots and, property lines and grassed acres on 17 Cultural Heritage Preserves <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Outcome	<u>Target:</u> 10 miles walking trails, 11 parking lots, 30 miles property lines, 20 acres grass <u>Actual:</u> Same as Target	<u>Target:</u> Same as previous year <u>Actual:</u> Same as previous year	<u>Target:</u> Same as previous year <u>Actual:</u> Same as previous year	<u>Target:</u> Same as previous year <u>Actual:</u> Same as previous year	<u>Target:</u> Same as previous year

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Manage forest resources on 17 Cultural Heritage Preserves to improve wildlife habitat <u>Additional Notes:</u> Dependent upon completion of archaeological inventory of property, future desired condition and cruise and sale of timber <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Harvest 40 acres at Bear Branch HP <u>Actual:</u> 40 acres harvested	<u>Target:</u> Cruise Congaree Creek HP Timber, burn or spray 40 acre harvest at Bear Branch HP, install fire breaks at Bear Branch HP. Eradicate 10 acres of kudzu at Poinsett Bridge HP. Eradicate 5 acres of privet at Fort Lamar HP.
Develop new features on 17 Cultural Heritage Preserves (e.g. trails, interpretive panels, guard rails, etc.) <u>Required by:</u> State government <u>Best in the Country:</u> SCDNR	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Develop interpretive materials for panels at Fort Frederick and Poinsett Bridge HPs. Design new trail markers for Congaree Creek HP <u>Actual:</u> materials 75% developed, Trail markers design and procured for Congaree Creek HP.	<u>Target:</u> Complete approval process for Fort Frederick HP Boat Landing. Install interpretive panels at Fort Frederick & Poinsett Bridge HPs, Construct new trail at Poinsett Bridge HP. Install new trail markers at Congaree Creek HP. Install guard rail on dock at Childsbury Towne HP. Install guardrail at Altamaha Towne HP. Install flag pole and split rail fence at Fort Lamar HP.

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Table 10.4 Strategic plan applicable to Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.2: Update inventory of Rare, Threatened and Endangered Species in SC - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.4 Heritage Trust Cultural Resources/Habitat Protection monitors and protects cultural and other resources throughout the state on Heritage Trust properties, and provides culturally related recreational/educational opportunities.

Objective 1.4.2 Update inventory of rare, threatened and endangered Species in SC.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers (responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers has input into the budget for Objective 1.4.2

Partner(s), by segment: State and local government; higher education institutions; private individuals; and other

	<u>FTE equivalents utilized</u>	<u>Total spent⁴⁵ / budgeted⁴⁶</u>
2016-17	4.30 FTE	\$331,426 (0.45%)
2017-18	4.30 FTE	\$330,318 (0.45%)

Table 10.5. Performance measures associated with Heritage Trust: Cultural Preserve and Endangered Species: Strategy 1.4, Objective 1.4.2.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Inventory significant tracts of SCDNR properties. In addition, inform public agencies, private land trusts, and the general public of the significance of their properties as areas of high or unique biodiversity or special habitats</p> <p><u>Required by:</u> Federal: USFWS tracks plants and animal species data collected by or managed by SCDNR, particularly on state and federal properties.</p> <p><u>Best in the Country:</u> Virginia Natural Heritage Program</p>	Outcome	<p><u>Target:</u> Rare plant and animal records entered into database</p> <p><u>Actual:</u> 17 plants, 1 animal entered into Heritage Database. Data reviews totaled 166 requests filled. Online herbarium voucher specimen queries totaled 917.</p>	<p><u>Target:</u> Plant records were compiled for data entry that are housed at USC and Clemson</p> <p><u>Actual:</u> 3 plants, 6 animals, 2 natural communities entered into Heritage Database. Data reviews totaled 225 data requests filled. Online herbarium specimen queries totaled 1045.</p>	<p><u>Target:</u> Evaluate Peach Tree Rock, Wateree River, and Woodbury Heritage preserves for rare plant species. Enter into database rarest tracked species housed at academic institutions (USC and Clemson)</p> <p><u>Actual:</u> 307 species occurrences for 27 different plant species considered most in need of conservation.</p>	<p><u>Target:</u> Continue evaluation of Heritage Trust Preserves and future acquisitions. Collected 90% of voucher specimen information at Furman University and USC UpState</p> <p><u>Actual:</u> 109 species added to the tracked list; 283 new/updated observations added to the occurrence database; 301 information requests answered.</p>	<p><u>Target:</u> Continue evaluation of Heritage Trust Preserves and future acquisitions. Complete collection of voucher specimen information from Furman University and USC UpState. Begin collection of voucher specimen information from Francis Marion University, Newberry College, USC Salkahatchie, Winthrop University.</p>

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Soil and Water Conservation Districts

Table 11.1 includes deliverables associated with soil and water conservation districts and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 11.2 includes the portion of the agency's strategic plan applicable to soil and water conservation districts and agency resources allocated to achieve that portion of the strategic plan.⁴⁷ Table 11.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 11.1. List of deliverables associated with soil and water conservation districts.

<u>Deliverable</u>	Department must assist Soil and Water Conservation Districts.
<u>Applicable Law</u>	S.C. Code Ann. 48-9-290 through 48-9-1850; 48-11-10 through 48-11-210
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

What are soil and water conservation districts?

Conservation Districts are subdivisions of State Government and are responsible for directing millions of federal cost-share dollars in conservation efforts for specific programs and projects within their boundaries. The 230 Conservation District Commissioners are public officials, who serve without pay, and are charged by State law to appraise conservation needs, develop plans and implement programs to solve environmental problems.

			CUSTOMERS			COSTS	
Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
7A ⁴⁸	Offer such assistance as may be appropriate to the commissioners of soil and water conservation districts in the carrying out of any of their powers and programs and to coordinate the programs of districts organized under this chapter so far as this may be done by advice and consultation.	Require	Yes	Yes	Yes	No	No
7B	Keep the commissioners of each of the several districts organized under the provisions of this chapter informed of the activities and experience of all other districts; facilitate an interchange of advice and experience between such districts and cooperation between them; and disseminate information throughout the State concerning the activities and programs of districts.	Require	Yes	Yes	Yes	No	No
7C	Receive gifts, appropriations, materials, equipment, lands and facilities and manage, operate and disburse them for the benefit of the soil and water conservation districts; secure the cooperation and assistance of the United States and any of its agencies and of agencies and counties of this State, in the work of such districts.	Require	Yes	Yes	Yes	No	No
7D	Assist commissioners of conservation districts and directors of watershed districts with the organization and function of watershed conservation districts.	Require	Yes	Yes	No	Yes	No

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.⁴⁹ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.⁵⁰ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- If this assistance is not provided, there will be no state agency coordination, support and guidance to the commissioners of the conservation districts, resulting in diminished, and in some cases terminated service in the local district office. Through the conservation districts, landowners and managers receive the technical and financial assistance needed to help apply complex conservation treatments to control erosion and improve the quality of our soil resources, improve water quality, enhance fish and wildlife habitat, and manage woodlands and pasturelands.
- If this deliverable is not provided, the 46 Conservation Districts will be without a coordinating state agency. Conservation Districts are subdivisions of State Government and are responsible for directing millions of federal cost-share dollars in conservation efforts for specific programs and projects within their boundaries. The 230 Conservation District Commissioners are public officials, who serve without pay, and are charged by State law to appraise conservation needs, develop plans and implement programs to solve environmental problems.
- If the State appropriations to conservation districts for operating costs of the 46 district offices are not provided, the conservation districts' ability to meet their obligations to the public and landowners/managers would be greatly diminished in many counties and quite possibly terminated in others. The same is true if there is not cooperation and assistance from the USDA Natural Resources Conservation Service, which annually provides over \$25 million of assistance which goes directly to landowners who install conservation practices. A Districts' inability to meet their obligations increases the risks to the public in regard to soil erosion, water quality and habitat destruction.
- By not providing this assistance, the public could be impacted by flooding hazards in the watershed area, due to the inactivity of the watershed district directors.

How the General Assembly can help avoid the greatest potential harm, other than money

- Continue to support the Conservation Program budget line item in the DNR-Land, Water and Conservation Division.

Table 11.2 Strategic plan applicable to the soil and water conservation districts: Strategy 1.5, Objective 1.5.1: Provide increased technical assistance and administrative support to Conservation District Commissioners, District staff and partner agencies - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.5 Conservation Districts Program assists farmers, ranchers and landowners with Conservation planning and facilitates access to Farm Bill programs through a partnership with the United State Department of Agriculture (USDA).

Objective 1.5.1 Provide increased technical assistance and administrative support to Conservation District Commissioners, District staff and partner agencies.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers and Mr. Marc Cribb (both responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers and Mr. Cribb have input into the budget for Objective 1.5.1

Partner(s), by segment: Federal, state, and local government; higher education institutions; private individuals; and other

	<u>FTE equivalents utilized</u>		<u>Total spent⁵¹ / budgeted⁵²</u>
2016-17	4.30 FTE	4.00 TG	\$1,481,250 (2.00%)
2017-18	4.30 FTE	4.00 TG	\$1,566,392 (2.12%)

Table 11.3. Performance measures associated with soil and water conservation districts.

<i>Performance Measures</i>	<i>Type of Measure</i>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Hire 3 new state-funded staff positions to assist conservation districts and watershed district boards <u>Required by:</u> State <u>Best in the Country:</u> Missouri DNR - Soil and Water Program	Outcome	<u>Target:</u> Create 1 new state-funded staff position to assist conservation districts and watershed boards <u>Actual:</u> Funds appropriated by Legislature; vetoed by the governor.	<u>Target:</u> Same as previous year <u>Actual:</u> Funds appropriated by Legislature, hired in August 2014.	<u>Target:</u> Create 3 new state-funded staff positions to assist conservation districts and watershed boards <u>Actual:</u> No funds appropriated for these positions	<u>Target:</u> Same as previous year <u>Actual:</u> No funds appropriated for these positions	<u>Target:</u> Same as previous year
Seek additional \$150,000 of federal grant funds to hire 2 new grant-funded positions to provide increased technical assistance <u>Required by:</u> State <u>Best in the Country:</u> Missouri DNR - Soil and Water Program	Outcome	<u>Target:</u> Obtain \$150,000 in federal grant agreements <u>Actual:</u> Received \$215,000	<u>Target:</u> Obtain \$150,000 in federal grant agreements <u>Actual:</u> Received \$173,540	<u>Target:</u> Obtain \$150,000 in federal grant agreements <u>Actual:</u> Received \$223,540	<u>Target:</u> \$200,000 <u>Actual:</u> Received \$276,082	<u>Target:</u> \$200,000
Seek increase in state funding for Aid to Conservation Districts to \$1 million <u>Required by:</u> State <u>Best in the Country:</u> Missouri DNR - Soil and Water Program <u>Additional Notes:</u> Currently, Aid to Districts is funded at \$690,000 with each of the 46 Districts receiving \$15,000. With the increase requested, each District would receive \$21,739.13 annually, which is for operating costs of the district offices.	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> \$1,000,000 <u>Actual:</u> No increase	<u>Target:</u> \$1,000,000 <u>Actual:</u> No increase	<u>Target:</u> \$1,000,000
Increase participation by 20% by promoting Envirothon at schools and at statewide educational events <u>Required by:</u> Agency selected <u>Best in the Country:</u> Pennsylvania Envirothon.org	Outcome	<u>Target:</u> 144 <u>Actual:</u> 144 in attendance	<u>Target:</u> 160 in attendance <u>Actual:</u> 156 in attendance	<u>Target:</u> 192 in attendance <u>Actual:</u> 126 in attendance	<u>Target:</u> 144 in attendance <u>Actual:</u> 126 in attendance	<u>Target:</u> 144 in attendance

<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Increase Conservation plans serviced by 50 <u>Required by:</u> State <u>Best in the Country:</u> Missouri DNR - Soil and Water Program	Output	<u>Target:</u> 300 <u>Actual:</u> 400 plans	<u>Target:</u> 450 <u>Actual:</u> 600	<u>Target:</u> 600 <u>Actual:</u> 600	<u>Target:</u> 600 <u>Actual:</u> 876	<u>Target:</u> 850
Conduct 5 demonstration workshops using the rainfall simulator <u>Required by:</u> State <u>Best in the Country:</u> Iowa Learning Farms - Iowa State University <u>Additional Notes:</u> The grant that supports this program will expire in December 2017.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5 demonstration workshops <u>Actual:</u> 14 demonstration workshops	<u>Target:</u> 10 demonstration workshops <u>Actual:</u> 14 demonstration workshops	<u>Target:</u> 8 demonstration workshops

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Scenic Rivers/Federal Energy Regulatory Commission (FERC) License

Table 12.1 includes deliverables associated with scenic rivers/Federal Energy Regulatory Commission (FERC) license and a list of more specific components of the deliverable, including whether each is required or allowed by law and whether the agency knows the annual number of potential customers, annual number of customers served, customer satisfaction, and cost per unit. Table 12.2 includes the portion of the agency's strategic plan applicable to scenic rivers/Federal Energy Regulatory Commission (FERC) license hydrology and agency resources allocated to achieve that portion of the strategic plan.⁵³ Table 12.3 has information about related performance measures utilized by the agency along with actual and target performance for the last five years.

Table 12.1. List of deliverables associated with scenic rivers/Federal Energy Regulatory Commission (FERC) license.

<u>Deliverable</u>	The Department must designate and administer the Scenic Rivers Program.
<u>Applicable Law</u>	S.C. Code Ann. 49-29-50 through 49-29-190
<u>Other state agencies whose mission it may fit within</u>	None
<u>Product/Service Components:</u>	See next page

Item #	<u>Product/Service Components</u>	Does law require, allow, or not address it?	<u>CUSTOMERS</u>			<u>COSTS</u>	
			Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
9 ⁸	Inventory rivers and administer the program. *No charge for services and thus no customers.	Require	No*	No*	No	No	No

In the Program Evaluation Report the agency was asked to state the greatest potential harms to the public if the products or services were not provided.⁵⁴ The agency was also asked to provide recommendations, other than money, for how the General Assembly could help avoid the greatest potential harm.⁵⁵ The agency's responses are below.

Greatest potential harms to the public if deliverables are not provided

- Loss of unique or outstanding river resources of the State to development projects or resource extraction.

How the General Assembly can help avoid the greatest potential harm, other than money

- Provide greater incentives for landowners to put conservation easements on river-bordering lands
- Strengthen water-use laws to be more protective of instream flows needed to sustain fish and wildlife resources
- Strengthen pollution-control laws to be more protective of rivers and aquatic wildlife resources.

⁸ Item numbers are the ones utilized in agency's program evaluation report.

Table 12.2 Strategic plan applicable to the scenic rivers/Federal Energy Regulatory Commission (FERC) license: Strategy 1.6, Objective 1.6.1: Conservation of SC's river heritage and protection of the unique or outstanding scenic, recreational, geologic, botanical, fish, wildlife, historic and cultural values of selected rivers and river segments of the state - resource (human and financial) allocations.

GOAL 1 Develop and Implement programs that study, manage and conserve the State's Land and Water Resources through planning, research, technical assistance, public education and the development of a comprehensive natural resources database.

Strategy 1.6 Conservation of SC's river heritage and protection of the unique or outstanding scenic, recreational, geologic, botanical, fish, wildlife, historic and cultural values of selected rivers and river segments of the state.

Objective 1.6.1 Conservation of SC's river heritage and protection of the unique or outstanding scenic, recreational, geologic, botanical, fish, wildlife, historic and cultural values of selected rivers and river segments of the state.

Associated Organization Unit: Land, Water, and Conservation
Responsible Employee(s): Mr. Ken Rentiers (responsible for more than three years)
Employee have input in budget? Yes, Mr. Rentiers has input into the budget for Objectives 1.6.1

Partner(s), by segment: State government and other

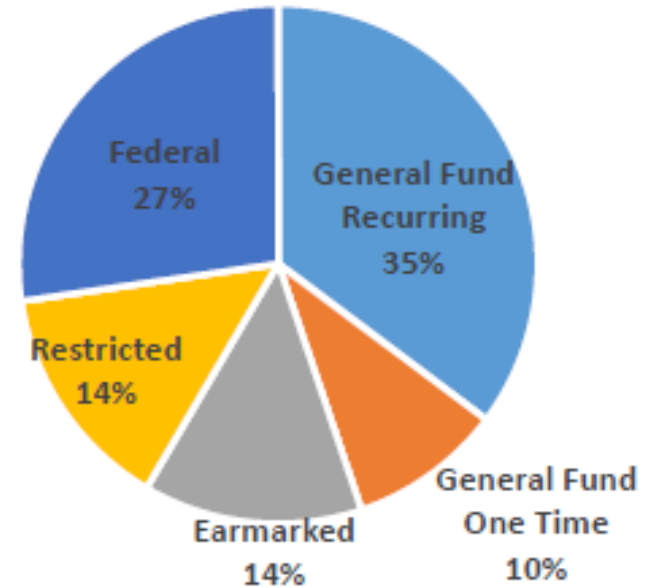
	<u>FTE equivalents utilized</u>	<u>Total spent⁵⁶ / budgeted⁵⁷</u>
2016-17	1.25 FTE	\$64,498 (0.09%)
2017-18	1.25 FTE	\$56,132 (0.08%)

Table 12.3. Performance measures associated with scenic rivers/Federal Energy Regulatory Commission (FERC) license.

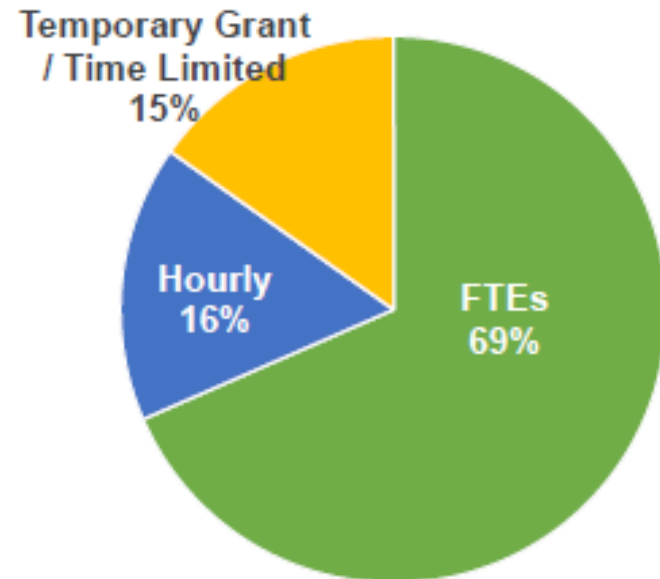
<i>Performance Measures</i>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Manage the State Scenic Rivers Program, and provide related technical assistance and support to project partners and the public statewide. <u>Required by:</u> Agency selected <u>Best in the Country:</u> Virginia Scenic Rivers Program	Outcome	<u>Target:</u> Provide 3 active river projects, 1 information product, 100 consultations, and 3,000 Beach Sweep River Sweep (BSRS) participants per year. Note, this is not an optimal Target and is limited because of staff shortage. <u>Actual:</u> 3 active projects; 5,253 participants in Beach Sweep River Sweep statewide.	<u>Target:</u> Same as previous year <u>Actual:</u> 3 active projects; 3,910 participants in Beech Sweep River Sweep statewide.	<u>Target:</u> Same as previous year <u>Actual:</u> 3 active projects; 4,500 participants in Beach Sweep River Sweep statewide.	<u>Target:</u> Same as previous year <u>Actual:</u> 3 active projects; 4,750 participants in Beach Sweep River Sweep statewide.	<u>Target:</u> Same as previous year. **Note, this is not an optimal Target and is limited because of staff shortage.

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Expenses		Amount
General Fund Recurring		\$3,032,598
General Fund One Time		\$823,881
Earmarked		\$1,176,328
Restricted		\$1,224,829
Federal		2,351,793
Total Expenses		\$8,609,429



Employees	
FTEs	45
Temporary Grant/Time Limited	10.75
Hourly	10
Total	65.75



*In addition, LWC averages approximately 10 hourly employees at any given time. This number varies throughout the year based on seasonal employment needs.

Figure 3. Land, Water, and Conservation Division employees and expenses.

Agency Recommendations related to LWC

In the Program Evaluation Report, the Committee asks the agency to provide a list of recommendations related to internal changes and changes in laws, which may improve the agency's efficiency and effectiveness, or update antiquated laws. Below are the agency recommendations applicable to its Land, Water, and Conservation Division.

- Internal Agency Recommendation
 - #3: Facility to house a Cultural Resource Center which will include an Archaeology Laboratory and staff offices
- Law Recommendations
 - #3: S.C. Code Ann. 10-9-320
 - #4: S.C. Code Ann. 11-37-200
 - #11: SC Code Ann. 48-11-10 through 48-11-15
 - #12: S.C. Code Ann. 48-9-30
 - #13: S.C. Code Ann. 48-9-40
 - #14: S.C. Code Ann. 48-9-45
 - #15: S.C. Code Ann. 48-9-50
 - #16: S.C. Code Ann. 48-9-220
 - #17: S.C. Code Ann. 48-9-230
 - #18: S.C. Code Ann. 48-9-310
 - #19: S.C. Code Ann. 48-9-1220
 - #20: S.C. Code Ann. 48-9-1250
 - #21: S.C. Code Ann. 48-9-1320
 - #22: S.C. Code Ann. 48-9-1510 through 1870
 - #23: S.C. Code Ann. 48-22-10
 - #24: S.C. Code Ann. 48-22-20
 - #25: S.C. Code Ann. 48-22-30
 - #26: S.C. Code Ann. 48-22-40
 - #27: SC Code Ann. 49-3-30
 - #28: S.C. Code 49-3-40 through 50
 - #57: S.C. Code Ann. 50-13-1415
 - #80: S.C. Code Ann. 51-17-40 and 70
 - #81: S.C. Code Ann. 51-17-140
 - #82: S.C. Code Ann. 51-17-150
 - #83: S. C. Code Ann. 51-17-310 through 51-17-360

Internal Change #3: Facility to house a Cultural Resource Center which will include an Archaeology Laboratory and staff offices

To provide a facility to house a Cultural Resource Center which will include an Archaeology Laboratory and staff offices. This facility will allow for the collection, cataloging, preservation, storage and display of artifacts from the Heritage Trust properties and other SCDNR properties. The facility will also be a center for educational outreach on these important Heritage Trust artifacts.

- a. Stage of analysis: Analysis complete.
- b. Presented to and approved by Board/Commission: Yes, both HTAB and SCDNR Board.
- c. Performance measures impacted and predicted impact: Predicted impact is improved care of important artifacts and greatly increased ability to educate the public and school groups on the archeological and historical resources of the State.
- d. Cost of Objective(s) that will be impacted and the anticipated impact: Non-recurring expenditures for office furniture, laboratory equipment, artifact and curation storage units, classroom and conference room furniture and equipment, Total \$196,000; Recurring costs: Building rent, security system, water, utilities, janitorial and maintenance, Internet/phones, Insurance, Total \$216,000 annually.
- e. Anticipated implementation date: This has already been implemented and the facility is in use, and is almost complete.

Law Recommendation # 3: S.C. Code Ann. 10-9-320

Recommendation and rationale for recommendation: Amend. DHEC is the regulatory agency, therefore would be the more appropriate agency to administer the geothermal leases.

SECTION 10-9-320. Lease of development rights to geothermal resources underlying surface lands owned by State.

The Department of Health and Environmental Control may lease development rights to geothermal resources underlying surface lands owned by the State. The department must promulgate regulations regarding the method of lease acquisition, lease terms, and conditions due the State under lease operations. The South Carolina Department of ~~Natural Resources~~ Health and Environmental Control is designated as the exclusive agent for the department in selecting lands to be leased, administering the competitive bidding for leases, administering the leases, receiving and compiling comments from other state agencies concerning the desirability of leasing the state lands proposed for leasing and such other activities that pertain to geothermal resource leases as may be included herein as responsibilities of the department.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: SCDHEC

Law Recommendation # 4: S.C. Code Ann. 11-37-200

Recommendation and rationale for recommendation: Repeal. This Council does not currently exist.

SECTION 11-37-200. Water Resources Coordinating Council established.

~~(A) There is established by this section the Water Resources Coordinating Council which shall establish the priorities for all sewer, wastewater treatment, and water supply facility projects addressed in this chapter, except as otherwise established by Section 48-6-40. The council shall consist of a representative of the Governor, the Director of the Department of Health and Environmental Control, the Director of the South Carolina Department of Natural Resources, the Director of the Rural Infrastructure Authority, the Secretary of Commerce, the Chairman of the Jobs Economic Development Authority, and the Chairman of the Joint Bond Review Committee. These representatives may designate a person to serve in their place on the council, and the Governor shall appoint the chairman from among the membership of the council for a one-year term. The council shall establish criteria for the review of applications for projects. Not less often than annually, the council shall determine its priorities for projects. The council after evaluating applications shall notify the authority of the priority projects. The South Carolina Jobs Economic Development Authority shall provide the staff to receive, research, investigate, and process applications for projects made to the coordinating council and assist in the formulating of priorities. Upon notification by the council, the authority shall proceed under the provisions of this chapter. The authority may consider applications for projects based upon the existence of a documented emergency consistent with regulations that may be promulgated by the authority. In determining which local governments are to receive grants, the local governments shall provide not less than a fifty~~

percent match for any project. The authority may provide financing for the local matching funds on terms and conditions determined by the authority.

(B) The duties of the Water Resources Coordinating Council are:

(1) establish procedures for receipt of applications;

(2) in cooperation with the authority, establish criteria for funding priorities. These criteria, in compliance with the provisions of Chapter 23, Title 1, must include, but are not limited to, the following factors:

(a) regional development—the need for multijurisdictional projects and the cooperation and coordination for regional economic development projects;

(b) development potential—the degree to which economic development activity can be stimulated in any given area and infrastructure used as a proactive economic development tool;

(c) economic impact—the degree to which jobs and income can be generated if the infrastructure improvements were made;

(d) local commitment and initiative—the availability of the local fifty percent match and local recognition of complimentary infrastructure needs including, but not limited to, such needs as transportation;

(e) infrastructure need—the degree to which specific infrastructure problems can be addressed and solved;

(f) area economic need—the degree of local "distress" and need for economic assistance, particularly in less developed or rural areas of the State;

(g) creditworthiness—the financial soundness of the infrastructure project, including the availability or lack of other funds to finance the infrastructure project;

(h) public health and welfare—to meet public health and welfare requirements within the local area;

(3) provide to the authority, on an as-needed basis, technical assistance from their respective agencies for purposes of screening funding applications;

(4) establish the funding priorities. The authority may not deviate from the priorities established by the council except for emergency projects as previously described. When setting its priorities, the council shall establish a set-aside of not less than ten percent of available funds approved in that year to meet unforeseen needs. After having set its priorities, the council shall review the priorities as necessary but not less than once during the year, and the council may adjust the priorities as they consider necessary.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: Governor's Office, SCDHEC, Rural Infrastructure Authority, Commerce Department, Jobs Economic Development Authority, and the Joint Bond Review Committee

Law Recommendation # 11: SC Code Ann. 48-11-10 through 48-11-15

Recommendation and rationale for recommendation: Amend. The Division name is corrected to reflect the current name of the Division.

SECTION 48-11-10. Definitions.

(13) "Division" means Land, Water and ~~Resources and Conservation Districts~~ Division.

SECTION 48-9-15. Definitions.

As used in this chapter:

(2) "Division" means Land, ~~Water Resources~~ and Conservation ~~Districts~~ Division of the Department of Natural Resources.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 12: S.C. Code Ann. 48-9-30

Recommendation and rationale for recommendation: Amend. Clarifies the SCDNR Board is the governing body from the Soil and Water Conservation Boards. Also updates the name of the conservation service.

SECTION 48-9-30. Definitions.

Whenever used or referred to in this chapter, unless a different meaning clearly appears from the context:

.....

(3) "Board" means the governing body of the Department of Natural Resources;

.....

(8) "United States" or "agencies of the United States" includes the United States of America, the Natural Resources Conservation Service, ~~soil and water conservation service~~ of the United States Department of Agriculture, and its successors, and any other agency or instrumentality, corporate or otherwise, of the United States of America;

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: U.S. Department of Agriculture

Law Recommendation # 13: S.C. Code Ann. 48-9-40

Recommendation and rationale for recommendation: Repeal. This has already occurred during restructuring and is no longer necessary.

~~SECTION 48-9-40. Department of Natural Resources; change of name~~

~~The name of the State Land Resources Conservation Commission is hereby changed to the Department of Natural Resources.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 14: S.C. Code Ann. 48-9-45

Recommendation and rationale for recommendation: Amend. This change would update the name of the Division.

SECTION 48-9-45. Land, ~~Resources and Conservation Districts~~ Water and Conservation Division accountable to director of department.

The Land, ~~Resources and Conservation Districts~~ Water and Conservation Division, shall be directly accountable to and subject to the director of the department.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 15: S.C. Code Ann. 48-9-50

Recommendation and rationale for recommendation: Amend. This section is an antiquated statute and is no longer used by the Department.

SECTION 48-9-50. Agencies operating public lands shall cooperate and observe regulations. Agencies of this State which shall have jurisdiction over or be charged with the administration of any State-owned lands and agencies of any county or other governmental subdivision of the State which shall have jurisdiction over or be charged with the administration of any county owned or other publicly owned lands, lying within the boundaries of any district organized under this chapter, shall cooperate to the fullest extent with the commissioners of such districts in the effectuation of programs and operations undertaken by the commissioners under the provisions of this chapter. The commissioners of such districts shall be given free access to enter and perform work upon such publicly owned lands. The provisions of land-use regulations adopted pursuant to Article 13 of this chapter shall be in all respects observed by the agencies administering such publicly owned lands.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 16: S.C. Code Ann. 48-9-220

Recommendation and rationale for recommendation: Amend. This would update the name of the Division and the title of the Advisory Committee.

SECTION 48-9-220. Geographic areas for selection of members of ~~Commission~~ Advisory Committee.

For the purpose of selecting the five soil and water conservation district commissioners to serve as members of the ~~State Land Resources Conservation Commission~~ Land, Water and Conservation Division Advisory Committee, the State is divided into five areas, to wit:

(1) Area 1, the counties of Abbeville, Anderson, Cherokee, Greenville, Laurens, Oconee,

Pickens, Spartanburg and Union;

(2) Area 2, the counties of Aiken, Calhoun, Edgefield, Greenwood, Lexington, McCormick, Newberry, Richland and Saluda;

(3) Area 3, the counties of Chester, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Marlboro and York;

(4) Area 4, the counties of Berkeley, Clarendon, Dillon, Florence, Georgetown, Horry, Marion, Sumter and Williamsburg; and

(5) Area 5, the counties of Allendale, Bamberg, Barnwell, Beaufort, Charleston, Colleton, Dorchester, Hampton, Jasper and Orangeburg.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 17: S.C. Code Ann. 48-9-230

Recommendation and rationale for recommendation: Repeal. This Advisory Board has never functioned, and the SCDNR Board voted to request the General Assembly to repeal the statute in November 2013.

~~SECTION 48-9-230. Advisors to the division.~~

~~The following shall serve ex officio in an advisory capacity to the Land Resources and Conservation Districts Division of the Department of Natural Resources: The Director of the State Agricultural Extension Service, the Director of the South Carolina Agricultural Experiment Station, the president of Clemson University, the State Forester, the State Supervisor of the State Department of Vocational Agriculture, the Secretary of Commerce, the Commissioner of Agriculture and, with the concurrence of the Secretary of the United States Department of Agriculture, the State Conservationist of the Soil and Water Conservation Service, the chairman of the Purchasing and Marketing Administration State Committee and the Director of the Farmers' Home Administration.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: SC Department of Agriculture, Clemson University, SC Forestry Commission, SC Department of Commerce, U.S. Department of Agriculture, SC Soil and Water District Commissioners, Farmers' Home Administration, Purchasing and Marketing Administration State Committee

Law Recommendation # 18: S.C. Code Ann. 48-9-310

Recommendation and rationale for recommendation: Amend. This is an antiquated statute and instead is accomplished through the regular budgetary process.

SECTION 48-9-310. Estimates of financial needs.

~~On or before the first day of November, annually, the department shall transmit to the Governor, on official blanks to be furnished by him, an estimate, in itemized form, showing~~

~~the amount of expenditure requirements for the ensuing fiscal year. The estimates submitted shall state, in addition to the requirements of existing law, the following information:~~

~~(1) The number and acreage of districts in existence or in process of organization, together with an estimate of the number and probable acreages of the districts which may be organized during the ensuing fiscal year;~~

~~(2) A statement of the balance of funds, if any, available to the department and to the districts; and~~

~~(3) The estimates of the department as to the sums needed for its administrative and other expenses and for allocation among the several districts during the ensuing fiscal year.~~

The department may require the commissioners of the respective soil and water conservation districts to submit to it such statements, estimates, budgets and other information as it may deem necessary ~~for the purposes of this section~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: Governor's Office, Soil and Water Conservation District Commissioners

Law Recommendation# 19: S.C. Code Ann. 48-9-1220

Recommendation and rationale for recommendation: Amend. The electors are now determined by the State Election Commission. July 15 is the requirement for the state election commission for ballots to be submitted.

SECTION 48-9-1220. Nomination and election of commissioners.

Effective November, 1982, and in November of the appropriate years thereafter, three commissioners from each district must be elected. The election must be nonpartisan and must be conducted by the county election commission at the same time as other county officers are elected in the general election.

To be placed on the ballot for county offices, each candidate shall submit to the county election commission a nominating petition with the signatures of one hundred qualified registered electors or one percent of the qualified registered electors of the district, whichever is lesser.

~~The official number of qualified registered electors of the geographical area of any office is the number of registered electors of the area registered one hundred twenty days before the date of the election for which the nomination petition is being submitted.~~

The nominees in the petition must be placed on the appropriate official ballot for the election if the petition is submitted to the county election commission not later than twelve noon on August first or, if August first falls on Sunday, July 15, if July 15 falls on Sunday, not later than twelve noon on the following Monday. The form of the petition must comply with the requirements in Section 7-11-80 pertaining to the conduct of general elections not conflicting with this section. Candidates must be qualified registered electors and residents of the district in which elected.

The three candidates who receive the largest number of votes cast in the election are elected and shall assume office the following February first.

This election must be conducted pursuant to Title 7, mutatis mutandi, except as otherwise provided for in this section.

Effective with the 1990 election, the two candidates who receive the highest number of votes shall serve for terms of four years each and the other candidate who receives the next highest number of votes shall serve for a term of two years. Thereafter, their successors must be elected in a nonpartisan election to be held at the same time as the general election for terms of four years each.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: State Election Commission, Soil and Water Conservation District Commissioners.

Law Recommendation # 20: S.C. Code Ann. 48-9-1250

Recommendation and rationale for recommendation: Amend. The Commission does not use the agricultural agent as their secretary, nor do they utilize their offices. This is an antiquated statute.

SECTION 48-9-1250. ~~Use of county agricultural agents; o~~Other agents and employees; legal services.

~~Each county agricultural agent may be the secretary to the board of commissioners of each district within his county. The commissioners may also utilize in other respects the services of the agricultural agents and the facilities of the county agricultural agent's officers insofar as practicable and feasible and~~ employ such additional employees and agents, permanent and temporary, as they may require and shall determine their qualifications, duties and compensation. The commissioners may delegate to their chairman or to one or more agents, or employees such powers and duties as they may deem proper. The commissioners may call upon the Attorney General of the State for such legal services as they may require or may employ their own counsel and legal staff.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: State Election Commission, Department of Agriculture, Attorney General, Soil and Water Conservation District Commissioners.

Law Recommendation # 21: S.C. Code Ann. 48-9-1320

Recommendation and rationale for recommendation: Amend. Corrects the name of the Department.

SECTION 48-9-1320. Information to be furnished to ~~State Land Resources Conservation Commission.~~
Department of Natural Resources

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 22: S.C. Code Ann. 48-9-1510 through 1870

Recommendation and rationale for recommendation: Repeal. These are antiquated statutes and the Commissions do not perform this function.

~~SECTION 48-9-1510. Formulation of land-use regulations~~

~~The commissioners of any district may formulate regulations governing the use of lands within the district in the interest of conserving soil and soil resources and preventing and controlling soil erosion. The commissioners may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work.~~

~~HISTORY: 1962 Code Section 63-141; 1952 Code Section 63-141; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1520. Referendum before adoption of regulations.~~

~~The commissioners shall not have authority to enact such land-use regulations into law until after they shall have caused due notice to be given of their intention to conduct a referendum for submission of such regulations to the owners of lands lying within the boundaries of the district for their indication of approval or disapproval of such proposed regulations and until after the commissioners have considered the result of such referendum. The proposed regulations shall be embodied in a proposed ordinance. Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum. The notice of the referendum shall recite the contents of such proposed ordinance or shall state where copies of such proposed ordinance may be examined.~~

~~HISTORY: 1962 Code Section 63-142; 1952 Code Section 63-142; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1530. Conduct of referendum on regulations.~~

~~The question shall be submitted by ballots upon which the words, "For approval of proposed ordinance no. ____ prescribing land-use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance no. ____ prescribing land-use regulations for conservation of soil and prevention of erosion" shall appear, with a square before each proposition and a direction to insert an X mark in the square before one or the other of such propositions as the voter may favor or oppose approval of such proposed ordinance. The commissioners shall supervise such referendum, shall prescribe appropriate regulations governing the conduct thereof and shall publish the result thereof. All owners of lands within the district shall be eligible to vote in such referendum. Only such landowners shall be eligible to vote. No informalities in the conduct of such referendum or in any matter relating thereto shall invalidate the referendum or the result thereof if notice thereof shall have been given substantially as provided in Section 48-9-1520 and the referendum shall have been fairly conducted.~~

~~HISTORY: 1962 Code Section 63-143; 1952 Code Section 63-143; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1540. Two-thirds vote prerequisite to adoption of regulations.~~

~~The commissioners shall not have authority to enact such proposed ordinance into law unless~~

at least two thirds of the votes cast in such referendum shall have been cast for approval of the proposed ordinance. The approval of the proposed ordinance by two thirds of the votes cast in such referendum shall not require the commissioners to enact such proposed ordinance into law.

HISTORY: 1962 Code Section 63-144; 1952 Code Section 63-144; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.

~~SECTION 48-9-1550. Regulations shall have force and effect of law.~~

~~Land use regulations prescribed in ordinances enacted pursuant to the provisions of this article by the commissioners of any district shall have the force and effect of law in the district and shall be binding and obligatory upon all owners and occupiers of land within such district, including the agencies administering publicly owned lands.~~

~~HISTORY: 1962 Code Section 63-145; 1952 Code Section 63-145; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1560. Amendment, supplementation, or repeal of regulations.~~

~~Any owner or occupier of land within such district may at any time file a petition with the commissioners asking that any or all of the land use regulations prescribed in any ordinance adopted by the commissioners under the provisions of this article shall be amended, supplemented or repealed. Land use regulations adopted pursuant to the provisions of this article shall not be amended, supplemented or repealed except in accordance with the procedure prescribed in this article for adoption of land use regulations. Referenda on adoption, amendment, supplementation or repeal of land use regulations shall not be held more often than once in six months.~~

~~HISTORY: 1962 Code Section 63-146; 1952 Code Section 63-146; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1570. Subjects which regulations may include.~~

~~The regulations to be adopted by the commissioners under the provisions of this article may include:~~

- ~~(1) Provisions requiring the carrying out of necessary engineering operations, including the construction of terraces, terrace outlets, check dams, dikes, ponds, ditches and other necessary structures;~~
- ~~(2) Provisions requiring observance of particular methods of cultivation, including contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip cropping, changes in cropping systems, seeding and planting of lands with water conserving and erosion preventing plants, trees and grasses, forestation and reforestation;~~
- ~~(3) Specifications of cropping programs and tillage practices to be observed;~~
- ~~(4) Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on; and~~
- ~~(5) Provisions for such other means, measures, operations and programs as may assist conservation of soil resources and prevent or control soil erosion in the district, having due regard to the legislative findings set forth in Section 48-9-20.~~

~~HISTORY: 1962 Code Section 63-147; 1952 Code Section 63-147; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1580. Uniformity of regulations; exceptions.~~

~~The regulations shall be uniform throughout the territory comprised within the district except~~

that the commissioners may classify the lands within the district with reference to such factors as soil type, degree of slope, degree of erosion threatened or existing, cropping and tillage practices in use and other relevant factors and may provide regulations varying with the type or class of land affected, but uniform as to all lands within each class or type.

HISTORY: 1962 Code Section 63-148; 1952 Code Section 63-148; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.

~~SECTION 48-9-1590. Printing of copies of regulations.~~

~~Copies of land-use regulations adopted under the provisions of this article shall be printed and made available to all owners and occupiers of lands lying within the district.~~

~~HISTORY: 1962 Code Section 63-149; 1952 Code Section 63-149; 1942 Code Section 5806-109; 1937 (40) 242.~~

~~SECTION 48-9-1600. Entry on lands to check observance.~~

~~The commissioners may go upon any lands within the district to determine whether land-use regulations adopted under the provisions of this article are being observed.~~

~~HISTORY: 1962 Code Section 63-150; 1952 Code Section 63-150; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1610. Petition to court for enforcement.~~

~~When the commissioners of any district shall find that any of the provisions of land-use regulations adopted in accordance with the provisions of this article are not being observed on particular lands, and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district, the commissioners may present to the court of common pleas for the county or any county within which the lands of the defendant may lie a petition, duly verified, setting forth the adoption of the ordinance prescribing land-use regulations, the failure of the defendant landowner or occupier to observe such regulations and to perform particular work, operations or avoidances as required thereby and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district and praying the court to require the defendant to perform the work, operations or avoidances within a reasonable time and to order that if the defendant shall fail so to perform the commissioners may go on the land, perform the work or other operations or otherwise bring the condition of such lands into conformity with the requirements of such regulations and recover the costs and expenses thereof, with interest, from the owner of such land.~~

~~HISTORY: 1962 Code Section 63-151; 1952 Code Section 63-151; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1620. Hearing and order of court on petition for enforcement.~~

~~Upon the presentation of such petition the court shall cause process to be issued against the defendant and shall hear the case. If it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report it to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may dismiss the petition or it may require the defendant to perform the work, operations or avoidances and may provide that, upon the failure of the defendant to initiate such performance within the time specified in~~

the order of the court and to prosecute it to completion with reasonable diligence, the commissioners may enter upon the lands involved and perform the work or operations or otherwise bring the condition of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof, with interest at the rate of five percent per annum, from the owner of such lands.

HISTORY: 1962 Code Section 63-152; 1952 Code Section 63-152; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.

~~SECTION 48-9-1630. Judgment for commission's expenses after completion of work; costs and attorney fees.~~

The court shall retain jurisdiction of the case until after the work has been completed. Upon completion of such work pursuant to such order of the court the commissioners may file a petition with the court, a copy of which shall be served upon the defendant in the case, stating the costs and expenses sustained by them in the performance of the work and praying judgment therefor with interest. The court shall have jurisdiction to enter judgment for the amount of such costs and expenses, with interest at the rate of five percent per annum until paid, together with the costs of suit, including a reasonable attorney's fee to be fixed by the court.

HISTORY: 1962 Code Section 63-153; 1952 Code Section 63-153; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.

ARTICLE 15

Boards of Adjustment

~~SECTION 48-9-1810. Establishment and appointment of members of board of adjustment. When the commissioners of any district organized under the provisions of this chapter shall adopt an ordinance prescribing land use regulations in accordance with the provisions of Article 13 of this chapter they shall further provide by ordinance for the establishment of a board of adjustment. Such board of adjustment shall consist of three members, each to be appointed for a term of three years, except that the members first appointed shall be appointed for terms of one, two and three years, respectively. The members of each such board shall be appointed by the department, with the advice and approval of the commissioners of the district for which such board has been established, and shall be removable, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason, such hearing to be conducted jointly by the department and the commissioners of the district. Vacancies in the board shall be filled in the same manner as original appointments, and shall be for the unexpired term of the member whose term becomes vacant.~~

HISTORY: 1962 Code Section 63-161; 1952 Code Section 63-161; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1194.

~~SECTION 48-9-1820. Eligibility and compensation of members; expenses.~~

Members of the board and the commissioners of the district shall be ineligible to appointment as members of the board during their tenure of such other office. The members of the board shall receive compensation for their services at a per diem rate to be determined by the department for time spent on the work of the board, in addition to expenses, including traveling expenses, necessarily incurred in the discharge of their duties.

~~The commissioners shall pay the necessary administrative and other expenses of operation incurred by the board upon the certificate of the chairman of the board.~~

~~HISTORY: 1962 Code Section 63-162; 1952 Code Section 63-162; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1195.~~

~~SECTION 48-9-1830. Chairman; rules; quorum; meetings; records.~~

~~The board shall adopt rules to govern its procedures, which rules shall be in accordance with the provisions of this chapter and with the provisions of any ordinance adopted pursuant to Article 13 of this chapter. The board shall designate a chairman from among its members and may, from time to time, change such designation. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Any two members of the board shall constitute a quorum. The chairman, or in his absence such other member of the board as he may designate to serve as acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep a full and accurate record of all proceedings, of all documents filed with it and of all orders entered, which shall be filed in the office of the board and shall be a public record.~~

~~HISTORY: 1962 Code Section 63-163; 1952 Code Section 63-163; 1942 Code Section 5806-111; 1937 (40) 242.~~

~~SECTION 48-9-1840. Hardship petitions.~~

~~A land occupier may file a petition with the board alleging that there are great practical difficulties or unnecessary hardships in the way of his carrying out upon his lands the strict letter of the land-use regulations prescribed by ordinance approved by the commissioners and praying the board to authorize a variance from the terms of the land-use regulations in the application of such regulations to the lands occupied by the petitioner. Copies of such petition shall be served by the petitioner upon the chairman of the commissioners of the district within which his lands are located and upon the director of the department.~~

~~HISTORY: 1962 Code Section 63-164; 1952 Code Section 63-164; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1196.~~

~~SECTION 48-9-1850. Hearing and action on hardship petition.~~

~~The board shall fix a time for the hearing of the petition and cause due notice of such hearing to be given. The commissioners of the district and the department may appear and be heard at such hearing. Any occupier of lands lying within the district who shall object to the authorizing of the variance prayed for may intervene and become a party to the proceedings. Any party to the hearing before the board may appear in person, by agent or by attorney. If, upon the facts presented at such hearing, the board shall determine that there are great practical difficulties or unnecessary hardships in the way of applying the strict letter of any of the land-use regulations upon the lands of the petitioner, it shall make and record such determination and shall make and record findings of fact as to the specific conditions which establish such great practical difficulties or unnecessary hardships. Upon the basis of such findings and determination the board may by order authorize such variance from the terms of the land-use regulations, in their application to the lands of the petitioner, as will relieve such great practical difficulties or unnecessary hardships and will not be contrary to the public interest and such that the spirit of the land-use regulations shall be observed, the~~

public health, safety and welfare secured and substantial justice done.

HISTORY: 1962 Code Section 63-165; 1952 Code Section 63-165; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1197.

~~SECTION 48-9-1860. Petition for court review.~~

~~Any petitioner, the commissioners of the district or any intervening party, aggrieved by an order of the board granting or denying, in whole or in part, the relief sought, may obtain a review of such order in the court of common pleas for the county or any county in which the lands of the petitioner may lie, by filing in such court a petition praying that the order of the board be modified or set aside. A copy of such petition shall forthwith be served upon the parties to the hearing before the board and thereupon the party seeking review shall file in the court a transcript of the entire record in the proceedings, certified by the board, including the documents and testimony upon which the order complained of was entered and the findings, determination and order of the board.~~

~~HISTORY: 1962 Code Section 63-166; 1952 Code Section 63-166; 1942 Code Section 5806-111; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1870. Hearing and order of court on petition for review.~~

~~Upon such filing the court shall cause notice thereof to be served upon the parties and shall have jurisdiction of the proceedings and of the questions determined or to be determined therein and may grant such temporary relief as it deems just and proper and make and enter a decree enforcing, modifying and enforcing as so modified or setting aside, in whole or in part, the order of the board. No contention that has not been urged before the board shall be considered by the court unless the failure or neglect to urge such contention shall be excused because of extraordinary circumstances. The findings of the board as to the facts, if supported by evidence, shall be conclusive. If any party shall apply to the court for leave to produce additional evidence and shall show to the satisfaction of the court that such evidence is material and that there were reasonable grounds for the failure to produce such evidence in the hearing before the board, the court may order such additional evidence to be taken before the board and made a part of the transcript. The board may modify its findings as to the facts or make new findings, taking into consideration the additional evidence so taken and filed, and it shall file such modified or new findings which, if supported by evidence, shall be conclusive and shall file with the court its recommendation, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that it shall be subject to review in the same manner as are other judgments or decrees of the court.~~

~~HISTORY: 1962 Code Section 63-167; 1952 Code Section 63-167; 1942 Code Section 5806-111; 1937 (40) 242.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: Soil and Water Conservation District Commissioners

Law Recommendation #23: S.C. Code Ann. 48-22-10

Recommendation and rationale for recommendation: Amend. SCDNR requests more years of experience be required for the State Geologist, and clarification that he/she is hired, not appointed, by the Director.

SECTION 48-22-10. Creation of State Geological Survey Unit; appointment of State Geologist; qualifications.

The South Carolina Geological Survey Unit is established under the Department of Natural Resources. The State Geologist must be hired ~~appointed~~ by the Director of the Department of Natural Resources. He must have graduated from an accredited college or university with a full curriculum in geology and had at least five-eight years of practical work experience, academic, governmental, or industrial, in geology.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation #24: S.C. Code Ann. 48-22-20

Recommendation and rationale for recommendation: Repeal. This change occurred in 1993 and is no longer required in statute.

~~SECTION 48-22-20. Powers, duties, property, devolved upon Department of Natural Resources.~~

~~The powers and duties provided for the South Carolina Geological Survey of the Division of Research and Statistical Services of the Budget and Control Board are devolved upon the Department of Natural Resources. All equipment and personal services monies, including all employee contributions and other fringe benefits used by the Geological Survey within the Division of Research and Statistical Services of the Budget and Control Board before this section takes effect are transferred to the Department of Natural Resources. The South Carolina Geodetic Survey must remain with the Division of Research and Statistical Services as the South Carolina Geodetic Survey. All property, equipment, and personal services monies, including all employee contributions and other fringe benefits used by the Geodetic Survey, must remain with the Division of Research and Statistical Services.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: Department of Administration/SFAA

Law Recommendation #25: S.C. Code Ann. 48-22-30

Recommendation and rationale for recommendation: Amend. SCDNR requests the changes to more accurately reflect the current duties of the State Geologist.

SECTION 48-22-30. Powers and duties of State Geologist.

(A) The State Geologist shall:

- (1) travel throughout the State so as to make himself familiar with the geology, geologic hazards, and mineral resources of each section;
- (2) undertake field and laboratory work his time permits;
- (3) perform other duties that properly pertain to his office.

(B) The department may employ geologists, technicians, and other personnel necessary to conduct the objectives of the unit.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation #26: S.C. Code Ann. 48-22-40

Recommendation and rationale for recommendation: Amend. SCDNR requests changes to more accurately reflect the current duties of the Geology unit.

SECTION 48-22-40. Duties of unit.

In addition to other duties assigned to it, the unit:

- (1) shall conduct field and laboratory studies in geologic reconnaissance, mapping, evaluating ~~prospecting for~~ mineral resources, and related gathering of surface and subsurface data. Investigative areas include offshore and onshore lands in this State;

(2) must make surface and subsurface data available to governmental agencies, private industry, and the public by disseminating published geologic information as bulletins, maps, economic reports, and related series and open file reports;

~~(23)~~ shall provide geologic advice and assistance to other state and local governmental agencies engaged in environmental protection or in industrial or economic development projects. In addition, the unit must be involved actively in geologic aspects of regional planning and effective land use in the State;

~~(43)~~ shall encourage economic development in the State by disseminating published geologic information as bulletins, maps, economic reports, and related series and open-file reports to appropriate governmental agencies and private industry. The unit is encouraged further to initiate and maintain appropriate industrial contacts to promote the extraction and conservation of South Carolina's earth raw materials and their manufacture to the economic improvement of the State;

~~(54)~~ shall provide unsolicited advice, when appropriate, to the Mining Council and its associated state regulatory agency, on geologic and related mining matters in keeping with the intent of the South Carolina Mining Act;

~~(65)~~ shall operate and maintain a central, statewide repository for rock cores, well cuttings and related subsurface samples, and all associated supplemental data. Private firms and public agencies are encouraged to notify the unit before exploratory or developmental drilling and coring;

~~(76) must be the state's official cooperator on topographic mapping. The federal expenditure for this purpose at least must equal that of the State. The unit may conduct cooperative work with appropriate agencies of the United States Government in its geologic activities and investigations;~~

(87) shall provide a minerals research laboratory related to the identification, extraction, and processing of industrial minerals and minerals of economic potential wherever found throughout the onshore and offshore areas of the State. The minerals research laboratory is encouraged to accept mineral research projects from South Carolina businesses or citizens on a per cost, per unit basis and to encourage expended use of the raw materials of the State. The minerals research laboratory may accept public and private gifts or funds and may enter into cooperative agreements for the purpose of applied research in the metallic and nonmetallic minerals of this State.

(9) shall provide unsolicited advice, when appropriate, to other state and governmental agencies concerning geologic hazards which includes, but is not limited to, earthquakes, ground liquefaction, sinkhole development and collapse, landslide development, and coastal vulnerability.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None.

Law Recommendation # 27: SC Code Ann. 49-3-30

Recommendation and rationale for recommendation: Repeal. This transfer to SCDHEC and SCDNR already occurred, so the statute is no longer necessary.

~~SECTION 49-3-30. Transfer of former Water Resources Commission to Water Resources Division of Department of Natural Resources; transfer of regulatory powers to Department of Health and Environmental Control.~~

~~The former Water Resources Commission without its regulatory functions is hereby transferred to the Water Resources Division of the Department of Natural Resources and is directly accountable to and subject to the board of the Department of Natural Resources. The Water Resources Division shall be directly accountable to and subject to the Department of Natural Resources. The regulatory functions of the former Water Resources Commission are transferred to the Department of Health and Environmental Control.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: SCDHEC

Law Recommendation # 28: S.C. Code 49-3-40 through 50

Recommendation and Reason for Recommendation: Amend. The SCDNR requests that the statute be clarified to reflect the current duties of the department.

SECTION 49-3-40. Powers and duties of department.

(a) The department shall advise and assist the Governor and the General Assembly in:
(1) formulating and establishing a comprehensive water resources policy for the State, such as a State Water Plan, including coordination of policies and activities among the state departments and agencies;

- (2) developing and establishing policies and ~~programs proposals~~ designed to meet and resolve special problems of water resource use and control within or affecting the State, including consideration of the requirements and problems of urban and rural areas;
- (3) reviewing the actions and policies of state agencies with water resource responsibilities to determine the consistency of such actions and policies with the comprehensive water policy of the State and to recommend appropriate action where deemed necessary;
- (4) reviewing any project, plan or program of federal aid affecting the use or control of any waters within the State and to recommend appropriate action where deemed necessary;
- (5) developing policies and recommendations to assure that the long range interests of all groups, urban, suburban, and rural, are provided for in the state's representation on interstate water ~~agencies~~ issues;
- (6) recommending to the General Assembly any changes of law, or regulation, required to implement the policy declared in this chapter; and

...

(d) The department shall encourage, assist and advise regional, metropolitan, and local governmental agencies, officials or bodies responsible for planning in relation to water aspects of their programs, and shall assist in coordinating local and regional water resources activities, programs, and plans.

...

(f) The department may receive and expend grants, gifts, and monies donated or given by any state, federal, or private agency, person, corporation, water or sewer authority, or political subdivision in connection with water resource investigations in which the results of such investigations will be made publicly available.

SECTION 49-3-50. Matters to be considered by department in exercising responsibilities. In exercising its responsibilities under this chapter, the department shall take into consideration the need for:

- (a) Adequate supplies of surface and groundwaters of suitable quality for ~~domestic, municipal, agricultural, and industrial~~ all uses.
- (b) Water ~~quality facilities and controls to assure water~~ of suitable quality for all purposes.
- (c) Water availability navigation for recreational and commercial needs.
- (d) Hydroelectric power.
- (e) Flood damage control or prevention measures including zoning to protect people, property, and productive lands from flood losses.
- (f) Land stabilization measures.
- (g) Drainage measures, including salinity control.
- (h) Watershed protection and management measures.
- (i) Outdoor recreational and fish and wildlife opportunities.
- (j) Measures to prevent saltwater intrusion of groundwater and surface water.
- (k) Measures to protect the State's fisheries and other aquatic resources.
- (l) Any other means by which development of water and related land resources can contribute to economic growth and development, the long-term preservation of water resources, and the general well-being of all the people of the State.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None.

Law Recommendation # 57: S.C. Code Ann. 50-13-1415

Recommendation and rationale for recommendation: Amend. Clemson has a regulation that is a current list of invasive species that SCNDR would like to utilize.

SECTION 50-13-1415. Importation, possession, or placing water hyacinth and hydrilla in waters of State.

No person shall possess, sell, offer for sale, import, bring, or cause to be brought or imported into this State, or release or place into any waters of this State any of the following plants:

...

(3) the aquatic plant pests listed in Regulation 17-135, or successor regulation

...

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: Clemson

Law Recommendation # 80: S.C. Code Ann. 51-17-40 and 70

Recommendation and rationale for recommendation: Amend. Former department name is listed in the title provisions.

SECTION 51-17-40. Powers and duties of Department of Natural Resources ~~Wildlife and Marine Resources Commission.~~

SECTION 51-17-70. Powers and duties of ~~Wildlife and Marine Resources Department.~~ Department of Natural Resources

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 81: S.C. Code Ann. 51-17-140

Recommendation and rationale for recommendation: Amend. The department is requesting that the maximum acreage be eliminated from the statute. There are already local approvals required for Heritage Trust property, as well as state-level approvals.

SECTION 51-17-140. Maximum acreage to be acquired; prior approval by county delegation. ~~Not more than one hundred fifty thousand acres total of real property shall be acquired in fee under the provisions of this chapter.~~ No acquisition may be made under this chapter in any county without written approval of a majority of the county delegation in the county where Heritage Trust properties are to be acquired.

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 82: S.C. Code Ann. 51-17-150

Recommendation and rationale for recommendation: Amend. Department requests that the planned five year acquisition notification be eliminated as generally these are not known, and sometimes, due to contract negotiations, would like to keep those from being public knowledge.

SECTION 51-17-150. Annual report detailing acquisitions in previous year and planned acquisitions for next five years.

The South Carolina Department of Natural Resources, as trustee for the Heritage Land Trust Fund, shall report annually to the Committee on Ways and Means of the House of Representatives and the Senate Finance Committee detailing acquisitions in the previous year by the Heritage Land Trust Fund ~~and planned acquisitions for the next five years.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: None

Law Recommendation # 83: S. C. Code Ann. 51-17-310 through 51-17-360

Recommendation and rationale for recommendation: Repeal. The Heritage Trust Revenue Bond has been retired, and the statute has expired.

~~SECTION 51-17-310. Definitions~~

~~As used in this article:~~

~~(1) "Board" means the governing board of the Department of Natural Resources which serves as the trustees of the South Carolina Heritage Trust.~~

~~(2) "Bond" or "bonds" means a note, bond, installment contract, or other evidence of indebtedness issued pursuant to this article.~~

~~(3) "Bond Reserve Fund" means the special fund that may be established by the board pursuant to this article, which must be in the custody of the State Treasurer or a corporate trust department of a financial institution selected by the State Treasurer and which is established primarily for the purpose of providing a reserve with which to meet the payment of the principal of and interest on bonds if payments otherwise required from the debt service fund are insufficient to meet the payment of the principal and interest as and when they are due and payable.~~

~~(4) "Department" means the South Carolina Department of Natural Resources.~~

~~(5) "Heritage Land Trust Fund" means the fund established and administered pursuant to Section 51-17-115 of the 1976 Code.~~

~~(6) "Heritage Land Trust portion of the state deed recording fee" means that portion of the state deed recording fee credited to the Heritage Land Trust Fund pursuant to Section 12-24-90(B)(1) of the 1976 Code.~~

~~(7) "Heritage Preserve" has the meaning provided in Section 51-17-10(7) of the 1976 Code.~~

~~(8) "The Heritage Trust Program" has the meaning provided in Section 51-17-10(12) of the~~

1976 Code.

(9) "State" or "this State" means the State of South Carolina.

(10) "State deed recording fee" means that portion of the deed recording fee imposed by Chapter 24 of Title 12 of the 1976 Code designated as the "state fee" in Section 12-24-90 of the 1976 Code.

(11) "State Treasurer" means the State Treasurer of South Carolina.

(12) "Trustees" means the trustee of the South Carolina Heritage Trust which is the board of the Department of Natural Resources.

HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.

SECTION 51-17-320. Power to issue bonds; purpose.

(A) The board may issue bonds in the name of the trustees for the purposes and in the manner provided in this section. The title of the bonds shall be designated by the board acting as the trustees.

(B) All bonds must be secured by and payable from only the Heritage Land Trust portion of the state deed recording fee, or that portion as the board determines to pledge for payment.

(C) The trustees or a person executing the bonds or notes are not liable personally on the bonds or notes and are not subject to personal liability or accountability by reason of the issuance of the bonds.

(D) The board acting as the trustees may not pledge the faith, credit, or taxing power of this State or its political subdivisions in connection with the issuance of the bonds, and each bond must recite on its face that it is a special source bond of the trustees issued pursuant to and in accordance with this article and Article X, Section 13(9) of the Constitution of this State, that it is secured by and payable from only the Heritage Land Trust portion of the state deed recording fee, that it is neither a general, legal, nor moral obligation of the State or its political subdivisions, and that it is not backed by the full faith, credit, or taxing power of this State or any of its political subdivisions. Failure to include this language on the face of a bond does not cause the bond to become a general, legal, or moral obligation of the State or its political subdivisions or a pledge of the full faith, credit, or taxing power of this State or its political subdivisions.

(E) A pledge of the Heritage Land Trust portion of the state deed recording fee made by the board acting as the trustees is valid and binding from the time the pledge is made. The trust portion of the state deed recording fee received by the Heritage Land Trust Fund is immediately subject to the lien of the pledge without physical delivery of the receipt or further act. The lien of the pledge is valid and binding against all parties having claims of any kind in tort, contract, or otherwise against the trustees, whether or not the parties have notice of them. The resolution of the board or other instrument by which a pledge is created must not be recorded or filed to perfect the pledge. In the resolution of the board authorizing the issuance of a bond pursuant to this article, the board shall provide for the priority of payment of the bond from all monies received by the Heritage Land Trust Fund as its portion of the state deed recording fee.

(F) The trustees may not issue a bond with a scheduled maturity later than thirty years after the date of issuance.

(G) When issuing bonds for the purpose described in this article, the trustees may sell bonds either in a negotiated transaction with one or more lead underwriters selected by the board acting as the trustees on the basis of criteria established by the board acting as the trustees, or through a competitive bidding process in accordance with procedures established by the board. The determination of whether to sell bonds through negotiation or through

competitive bidding must be made by the board.

(H) The trustees may not issue a bond unless the board has first adopted its resolution authorizing the issuance, finding that the issuance and the proposed use of the bond proceeds is in accordance with this chapter, and setting out the terms and conditions of the bond and the covenants of the trustees with respect to the bond. These terms must include the issuance date or dates, the maturity date or dates, the principal amount, the interest rate or the means of determining it, whether fixed or variable, the time, manner, and currency for paying interest and principal, the negotiability of the bond, and restrictions relating to the registration of the bond. The covenants may include, without limitation, the establishment and maintenance of dedicated reserve funds for the payment of debt service on a bond if the Heritage Land Trust portion of the state deed recording fee is inadequate in any year, restrictions on the later issuance of additional bonds or making the later issuance subject to certain conditions relating to available debt service coverage or otherwise, or other matter that the board considers appropriate, subject to subsection (I) of this section. A bond of the trustees must be approved also by the State Fiscal Accountability Authority, after review by the Joint Bond Review Committee pursuant to Section 2-47-30 of the 1976 Code, before it is delivered.

(I) The board may not authorize or cause the trustees to enter into a covenant that purports to create a general, legal, or moral obligation of this State or its political subdivisions or to pledge the full faith, credit, or taxing power of the State or its political subdivisions. A covenant in violation of this subsection is void and of no effect.

(J) Subject to the requirements of this section, the board acting as the trustees may authorize the issuance of bonds of the trustees for the purpose of:

(1) refunding, on a current or advance-refunding basis, outstanding bonds of the trustees; or
(2) obtaining funds for delivery to the Heritage Land Trust Fund. Proceeds of bonds issued for this purpose must be delivered promptly to the Heritage Land Trust Fund and used only for the purposes provided in Section 51-17-115 of the 1976 Code, except as needed to defray the costs of issuance of the bonds or to establish a reserve fund for the bonds.

(K) The bonds and the issuance of the bonds pursuant to this article are subject to the provisions of Sections 11-15-20 and 11-15-30 of the 1976 Code and any successor provisions.
HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

SECTION 51-17-330. Income from bonds exempt from state taxes; investment by fiduciaries.

(A) A bond provided for in this article and the income from a bond is exempt from all taxation in the State except for inheritance, estate, or transfer taxes, regardless of the federal income tax treatment of the interest from the bond.

(B) The exercise of the powers granted by this chapter is in all respects for the benefit of the citizens of the State and for the promotion of their welfare, convenience, and prosperity. Property, whether real or personal, tangible or intangible, of the department or the trustees and the income and operations of the department and the Heritage Trust Program are exempt from taxation or assessment by the State or its political subdivisions.

(C) It is lawful for executors, administrators, guardians, committees, and other fiduciaries to

invest monies in their hands in a bond provided for in this article. This section does not relieve a person from the duty of exercising reasonable care in selecting investments.
HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.

~~SECTION 51-17-340. State pledge relating to alteration of rights of trustees and holders of bonds.~~

~~The State pledges and agrees with the trustees, and the holders of the bonds in which the trustees have included the pledge and agreement, that the State may not limit or alter the rights of the trustees to fulfill the terms of its agreements with the holders, and may not impair the rights and remedies of the holders or the security for the bonds until the bonds, together with the interest on them and all costs and expenses in connection with any action or proceeding by or on behalf of the holders, are fully paid and discharged. While bonds issued pursuant to the authorizations contained in this article are outstanding, the State shall impose and maintain the state deed recording fee and the Heritage Land Trust portion of the state deed recording fee at a rate sufficient to produce all revenues to discharge all covenants, agreements, and obligations of the department and the trustees with respect to the bonds.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

~~SECTION 51-17-350. Annual reports.~~

~~In each year that bonds issued pursuant to this article are outstanding, the trustees, not later than December 1 of such year, shall submit a written report to the State Fiscal Accountability Authority as to whether, based on revenues of the Heritage Land Trust portion of the state deed recording fee received by the Heritage Land Trust Fund as of July 1 of that year, the revenues are projected to be sufficient to discharge all covenants, agreements, and obligations of the department and the trustees with respect to all outstanding bonds in the calendar year immediately following.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

~~Code Commissioner's Note~~

~~At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.~~

~~SECTION 51-17-360. Expiration of authority to issue Heritage Trust Revenue Bonds.~~

~~The authority to issue Heritage Trust Revenue Bonds under this article shall expire two years after the effective date of this article; provided, however, this two-year limitation does not apply to bonds issued to retire bond anticipation notes, bonds issued to refund any bonds issued hereunder, and any bonds issued before this two-year limitation takes effect shall continue in full force and effect as provided in this article.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

Presented and Approved by Board/Commission: Y

Other Agencies Impacted: Department of Administration, Governor's Office, State Fiscal Accountability Authority, State Treasurer

COMMITTEE CONTACT INFORMATION



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - HCommLegOv@schouse.gov
- Location - Blatt Building, Room 228

¹ DNR Land, Water and Conservation Division FY 2017 White Paper included in DNR's PER.

² DNR Land, Water and Conservation Division FY 2017 White Paper included in DNR's PER.

³ Agency's PER, Comprehensive Strategic Finances Chart

⁴ Agency's PER, Comprehensive Strategic Finances Chart

⁵ Department of Administration, Executive Budget Office, "2016-17 Accountability Report Technical Assistance Guide," under Agency Accountability Reports <http://www.admin.sc.gov/files/FY%202016-17%20Accountability%20Report%20Technical%20Assistance.pdf> (accessed July 21, 2017). See also, Agency PER.

⁶ Program Evaluation Report, Comprehensive Strategic Finances Chart

⁷ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

⁸ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

⁹ Program Evaluation Report, Deliverables Chart.

¹⁰ Program Evaluation Report, Deliverables Chart.

¹¹ Percentage of total amount appropriated and authorized to spend

¹² Percentage of total amount appropriated and authorized to spend

¹³ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

¹⁴ Program Evaluation Report, Deliverables Chart.

¹⁵ Program Evaluation Report, Deliverables Chart.

¹⁶ and Percentage of total amount appropriated and authorized to spend

¹⁷ and Percentage of total amount appropriated and authorized to spend

¹⁸ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time

spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

¹⁹ and Percentage of total amount appropriated and authorized to spend

²⁰ and Percentage of total amount appropriated and authorized to spend

²¹ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

²² Item numbers are the ones utilized in agency's program evaluation report.

²³ Program Evaluation Report, Deliverables Chart.

²⁴ Program Evaluation Report, Deliverables Chart.

²⁵ and Percentage of total amount appropriated and authorized to spend

²⁶ and Percentage of total amount appropriated and authorized to spend

²⁷ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

²⁸ Item numbers are the ones utilized in agency's program evaluation report.

²⁹ Program Evaluation Report, Deliverables Chart.

³⁰ Program Evaluation Report, Deliverables Chart.

³¹ and Percentage of total amount appropriated and authorized to spend

³² and Percentage of total amount appropriated and authorized to spend

³³ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

³⁴ Item numbers are the ones utilized in agency's program evaluation report.

³⁵ Program Evaluation Report, Deliverables Chart.

³⁶ Program Evaluation Report, Deliverables Chart.

³⁷ and Percentage of total amount appropriated and authorized to spend

³⁸ and Percentage of total amount appropriated and authorized to spend

³⁹ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time

spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

⁴⁰ Item numbers are the ones utilized in agency's program evaluation report.

⁴¹ Program Evaluation Report, Deliverables Chart.

⁴² Program Evaluation Report, Deliverables Chart.

⁴³ and Percentage of total amount appropriated and authorized to spend

⁴⁴ and Percentage of total amount appropriated and authorized to spend

⁴⁵ and Percentage of total amount appropriated and authorized to spend

⁴⁶ and Percentage of total amount appropriated and authorized to spend

⁴⁷ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

⁴⁸ Item numbers are the ones utilized in agency's program evaluation report.

⁴⁹ Program Evaluation Report, Deliverables Chart.

⁵⁰ Program Evaluation Report, Deliverables Chart.

⁵¹ and Percentage of total amount appropriated and authorized to spend

⁵² and Percentage of total amount appropriated and authorized to spend

⁵³ SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission (May 9, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "The State Election Commission," and under "House Legislative Oversight Committee,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

⁵⁴ Program Evaluation Report, Deliverables Chart.

⁵⁵ Program Evaluation Report, Deliverables Chart.

⁵⁶ and Percentage of total amount appropriated and authorized to spend

⁵⁷ and Percentage of total amount appropriated and authorized to spend