**South Carolina General Assembly**

120th Session, 2013-2014

**H. 4794**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. J.E. Smith and Taylor

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Introduced in the House on February 26, 2014

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Surface water

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/26/2014 House Introduced and read first time ([House Journal‑page 60](file:///H:\HJ%20Archive\2014\02-26-14.docx))

2/26/2014 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 60](file:///H:\HJ%20Archive\2014\02-26-14.docx))

**VERSIONS OF THIS BILL**

[2/26/2014](file:///p:\pprever\2013-14\4794_20140226.docx)

**A** **JOINT RESOLUTION**

TO IMPOSE A MORATORIUM ON DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AUTHORIZATION OF REGISTRATIONS AND EXPANSION OF EXISTING REGISTRATIONS FOR WITHDRAWAL OF SURFACE WATER FOR AGRICULTURAL USES, AND TO REQUIRE SUBMISSION OF REPORTS.

Whereas, agriculture has been a cornerstone of South Carolina’s economy since the nation’s founding and requires the availability of adequate water sources; and

Whereas rivers, streams, and other waterways are some of the State’s most valuable natural resources and belong to the public to enjoy; and

Whereas, these waterways require proper stewardship to ensure the availability of quantities sufficient to maintain their biological, chemical, and physical integrity, taking into account fish and wildlife habitat protection, recreational and navigational needs, and uses of surface water for agricultural, industrial, and domestic water supply purposes; and

Whereas, the Surface Water Withdrawal, Permitting, Use, and Reporting Act requires permits for certain uses of surface water; and

Whereas, while the act requires a person who withdraws surface water for agricultural uses to register the use of water above a certain threshold, this method of regulation does not adequately protect the State’s water resources or the rights of existing and future water users; and

Whereas, there is currently a need and demand for more public debate and consideration of appropriate regulation of withdrawal of surface water for agricultural uses. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) There is imposed a moratorium in effect through December 31, 2015, on Department of Health and Environmental Control authorization of registrations and expansion of existing registrations for withdrawal of surface water for agricultural uses pursuant to Section 49‑4‑35 of the 1976 Code.

(B) The department quarterly shall submit to the Senate Agriculture and Natural Resources Committee and the House of Representatives Agriculture, Natural Resources, and Environmental Affairs Committee a list of the requests for registration and expansion of existing registrations for withdrawal of surface water for agricultural uses received during the moratorium, beginning January 2, 2015.

(C) Nothing in this joint resolution prohibits a proposed or existing withdrawer of surface water for agricultural uses from obtaining a permit to withdraw surface water pursuant to Section 49‑4‑35(F) of the 1976 Code.

SECTION 2. This joint resolution takes effect upon the approval by the Governor and applies to new and pending requests to register or expand a withdrawal of surface water for agricultural uses on and after that date.

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