COMMITTEE REPORT

April 26, 2018

**H. 4875**

Introduced by Reps. Ott and Clary

S. Printed 4/26/18--S.

Read the first time March 21, 2018.

**THE COMMITTEE ON**

**AGRICULTURE AND NATURAL RESOURCES**

To whom was referred a Bill (H. 4875) to amend the Code of Laws of South Carolina, 1976, by adding Chapter 4 to Title 50 so as to enact the “South Carolina Solar Habitat Act” to establish, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 2, by striking lines 2 through 19 and inserting:

/ Section 50-4-30. (A) The department, working in conjunction with Clemson Public Service and Agriculture, other state agencies, and nonprofit conservation organizations, shall establish a native plant habitat and pollinator management plan to be used as technical guidance for the purposes of this section.

(B) The owner of a solar energy generation site implementing solar site management practices under this section may claim that the site increases habitat value by providing benefits to gamebirds, songbirds, pollinators, small mammals, and other wildlife only if the site adheres to guidance set forth by the native plant habitat and pollinator management plan provided by the department or any other gamebird, songbird, or pollinator foraging friendly vegetation standard established by the department or its designee. An owner wishing to claim that his site increases habitat value must make the site’s native plant habitat and pollinator management plan available to the public.

(C) The department or its designee may issue a certificate of compliance to the owner of a solar energy generation site meeting the plan guidelines, which the owner may use to promote his compliance with the plan.” /

Renumber sections to conform.

Amend title to conform.

DANIEL B. VERDIN III for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 50 SO AS TO ENACT THE “SOUTH CAROLINA SOLAR HABITAT ACT” TO ESTABLISH VOLUNTARY SOLAR BEST‑MANAGEMENT PRACTICES FOR COMMERCIAL SOLAR ENERGY GENERATION SITES, TO ESTABLISH A NATIVE VEGETATION HABITAT AND POLLINATOR MANAGEMENT PLAN TO BE USED AS TECHNICAL GUIDANCE FOR THE PURPOSES OF THIS ACT, AND TO PROVIDE THAT CERTIFICATES OF COMPLIANCE MAY BE ISSUED TO ENTITIES THAT MEET SOLAR SITE GUIDELINES ESTABLISHED PURSUANT TO THIS ACT.

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

SECTION 1. Title 50 of the 1976 Code is amended by adding:

“CHAPTER 4

South Carolina Solar Habitat Act

Section 50‑4‑10. This chapter may be cited as the ‘South Carolina Solar Habitat Act’.

Section 50‑4‑20. An owner of a ground‑mounted commercial solar energy generation site is encouraged to follow voluntary site management practices that:

(1) provide native perennial vegetation and foraging habitats beneficial to gamebirds, songbirds, and pollinators; and

(2) reduce storm water runoff and erosion at the solar generation site.

Section 50‑4‑30. The South Carolina Department of Natural Resources, working in conjunction with other state agencies and nonprofit conservation organizations, shall establish a native vegetation habitat and pollinator management plan to be used as technical guidance for the purposes of this act.

An owner of a solar energy generation site implementing solar site management practices under this section may claim that the site increases the habitat value by providing benefits to gamebirds, songbirds, pollinators, and small mammals only if the site adheres to guidance set forth by the wildlife habitat and pollinator plan provided by the department or any other gamebird, songbird, or pollinator foraging‑friendly vegetation standard established by the department. An owner wishing to make a beneficial habitat claim must make the site’s vegetation management plan available to the public and provide a copy of the plan to the department for review.

The department or another entity may issue a certificate of compliance to the owner of a solar site meeting the plan guidelines that the owner may use to promote its participation in the program.”

SECTION 2. This act takes effect upon the approval of the Governor.

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