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COMMITTEE REPORT

March 27, 2019

**H. 4011**

Introduced by Reps. Hixon, Tallon and Johnson

S. Printed 3/27/19--H.

Read the first time February 19, 2019.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 4011) to amend Section 49‑3‑40, Code of Laws of South Carolina, 1976, relating to the Department of Natural Resources’ duties in regards to water resource planning and, 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, by deleting Section 49-3-40(a)(2), as contained in SECTION 1, page 1, and inserting:

/ “(2) developing and establishing policies and 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;” /

Amend the bill further, by deleting Section 49-3-50(a), as contained in SECTION 2, page 2, and inserting:

/ “(a) Adequate supplies of surface and groundwaters of suitable quality for ~~domestic, municipal, agricultural, and industrial~~ all uses, including domestic, municipal, agricultural, and industrial.” /

Amend the bill further, by deleting Section 49-3-(50)(j), as contained in SECTION 2, page 3, and inserting:

/ “(j) Studies on saltwater intrusion into groundwater and surface water.” /

Renumber sections to conform.

Amend title to conform.

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND SECTION 49‑3‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49‑3‑50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE’S AQUATIC RESOURCES.

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

SECTION 1. Section 49‑3‑40(a), (d) and (f) of the 1976 Code is amended to read:

“(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 ~~proposals~~ programs 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

(7) such other water resources planning, policy formulation and coordinating functions as the Governor and the General Assembly may designate.

(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 2. Section 49‑3‑50 of the 1976 Code is amended to read:

“Section 49‑3‑50. 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 ~~navigation~~ availability 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 into 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.”

SECTION 3. This act takes effect upon approval by the Governor.

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