COMMITTEE REPORT

March 2, 2011

**H. 3587**

Introduced by Reps. Edge, Viers, Hardwick, Hearn, Clemmons, Barfield and Hayes

S. Printed 3/2/11--H.

Read the first time February 3, 2011.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3587) to amend Section 48‑39‑130, Code of Laws of South Carolina, 1976, relating to exemptions from permits required to utilize critical areas, so as to add, 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 1 of the bill and inserting:

/Section 1. 48-39-130(D) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) maintenance dredging in existing navigational canal community developments by counties or municipalities of manmade, predominately armored, recreational use canals and essential access canals conveyed to the State or dedicated to the public for that purpose between 1965 and the effective date of this Act if the maintenance dredging is authorized by a permit from the United States Army Corps of Engineers pursuant to the Federal Clean Water Act, as amended, or the Rivers and Harbors Act of 1899. All other department administered certifications for such dredging are deemed waived.”/

Renumber sections to conform.

Amend title to conform.

NELSON L. HARDWICK for Committee.

**A** **BILL**

TO AMEND SECTION 48‑39‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PERMITS REQUIRED TO UTILIZE CRITICAL AREAS, SO AS TO ADD AN EXEMPTION FOR MAINTENANCE DREDGING BY COUNTIES OR MUNICIPALITIES OF CERTAIN CANALS IF THE DREDGING IS AUTHORIZED BY THE UNITED STATES ARMY CORPS OF ENGINEERS AND TO PROVIDE THAT ALL OTHER DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CERTIFICATIONS FOR SUCH DREDGING ARE WAIVED.

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

SECTION 1. Section 48‑39‑130 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) Maintenance dredging by counties or municipalities of manmade recreational use canals conveyed before 1970 to the State for that purpose if the maintenance dredging is authorized by a permit from the United States Army Corps of Engineers pursuant to the Federal Clean Water Act, as amended, or the Rivers and Harbors Act of 1899. All other department administered certifications for such dredging are deemed waived.”

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

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