



2023-2024 General Assembly

HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 10: Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund Changes

Committee:
Introduced by:
Analysis of: Sec. 10 of S.L. 2023-137

Date: December 11, 2023
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Staff Attorney

OVERVIEW: Section 10 of S.L. 2023-137 makes changes to the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund to prohibit the use of funds being used for siting and acquisition of dredged disposal easement sites, require that invoices submitted to the Secretary of Environmental Quality (Secretary) be signed by the sponsoring local government's representative, and clarifies the term "shallow draft navigation channel."

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

BACKGROUND LAW & BILL ANALYSIS:

The Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund is a special fund in the Department of Environmental Quality (DEQ) to provide the State's share of costs associated with any dredging project designed to keep shallow draft navigation channels located in State waters or waters of the State located within lakes navigable and safe and for aquatic weed control projects. Prior to the enactment of S.L. 2023-137, the Fund could also be used to provide funding for siting and acquisition of dredged disposal easement sites associated with the maintenance of the Atlantic Intracoastal Waterway between the border with the state of South Carolina and the border with the Commonwealth of Virginia, under a Memorandum of Agreement between the State and the federal government.

Section 10:

- Repeals the authorization for funds in the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund to be used to provide funding for siting and acquisition of dredged disposal easement sites associated with the maintenance of the Atlantic Intracoastal Waterway between the border with the state of South Carolina and the border with the Commonwealth of Virginia, and instead allows funds to be used for the siting and acquisition of dredged disposal sites.
- Requires that any invoices submitted to the Secretary for reimbursement or payment from the Fund for eligible dredging projects be signed by the representative of the unit of local government sponsoring the project.
- Clarifies that the term "shallow draft navigation channel" means a waterway connection with a maximum depth of 18 feet, including the depth of overdepth for navigational depth compliance, and includes Mason Inlet, Rich Inlet, Tubbs Inlet, and the Southport Small Boat Harbors.

EFFECTIVE DATE: This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

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