The Conservation Common Agenda

Your guide to taking action on South Carolina’s most pressing conservation issues in 2014

The Conservation Common Agenda represents a collaborative effort of more than forty organizations across our state to engage policy makers and the public on important issues affecting our shared natural resources. The goal of this guide is to share information, resources and possible solutions to move us forward.

**Water**
Protect South Carolina’s Carolina Bays and End Repeat Pollution.

**Land**
Invest in South Carolina’s special places and rural communities.

**Energy**
Give South Carolinians “the Sun” by removing barriers to solar energy investments.

**Waste**
Say “no” to out of state waste.
Conservation Common Agenda Partners

American Institute of Architects (AIA) SC
American Rivers, Southeast Region
Audubon South Carolina
Beaufort County Open Land Trust
Catawba Riverkeeper Foundation
Charleston Waterkeeper
Chirping Bird Society
Coastal Conservation League
Community Open Land Trust
Conestee Foundation, Inc.
Congaree Land Trust
Congaree Riverkeeper
Conservation Voters of SC Education Fund
Edisto Island Preservation Alliance
Friends of the Edisto (FRED)
Friends of the Reedy River
Horry Environmental Action Team (HEAT)
Katawba Valley Land Trust
Kitchen Table Climate Study Group
League of Women Voters of SC
Lowcountry Open Land Trust
Naturaland Trust
Palmetto Cycling Coalition
Santee Riverkeeper Alliance
SC Assoc. of Community Development Corps
SC Environmental Law Project
SC Native Plant Society
SC Trout Unlimited
SC Wildlife Federation
Sierra Club of South Carolina
Solar Business Alliance
Southern Alliance for Clean Energy
Southern Environmental Law Center
Sustainable Midlands
The Rensing Center
U.S. Green Building Council, SC Chapter
Upstate Forever
Wildlife Action
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For help on any of these issues, contact a Conservation Lobbyist

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The Conservation Common Agenda is a project of the Conservation Voters of SC Education Fund.
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A continually updated list of experts is available on the website.

www.commonagendasc.org
Our iconic Carolina Bays and isolated wetlands are at risk. Natural wetlands filter and store water in times of drought, reduce flooding during storms, and provide wildlife habitat. The Legislature's Isolated Wetlands and Carolina Bay’s Task Force recommends that an inventory of these special places be completed and that an additional portion of the deed stamp be dedicated to the Conservation Bank for their protection by voluntary measures.

While budgets have improved since 2008, more money is needed for DHEC and DNR to monitor water quality, plan for future water supply, and manage the watersheds that enrich and drive our economy. While DHEC has worked recently to address permit backlogs, water quality monitoring program and enforcement staff are inadequately funded. We are concerned that public outreach and stakeholder participation staff have been reduced.

As the recent controversy over the agricultural water withdrawal registrations from the South Fork of the Edisto illustrates, we urgently need a clear statewide water supply plan to balance the need for healthy rivers with economic development. This means (1) finalizing the surface water availability assessments to better quantify our water resources with active stakeholder involvement, (2) approving refined instream minimum flow language in DHEC’s water quality standards (R. 61-68), (3) evaluating the agricultural water withdrawal registration process to assure protection of our valuable rivers and streams.

We urge passage of a Polluter Justice Act to mandate increases in fines for repeat offenders and to treat polluters consistently. A statutorily mandated increase in penalties would insulate DHEC staff from criticism and reduce environmental degradation. The legal clarity of a Polluter Justice Act would deter chronic non-compliance and provide a level playing field for the majority of South Carolina businesses that spend time and money to comply with our environmental laws.

We recommend that DHEC revise its regulations on the spreading of dewatered sludge from human waste (also known as bio-solids) on fields throughout South Carolina. To reduce phosphorus over-loading, run-off pollutants in our streams, and contamination of groundwater wells, DHEC should restrict spreading to less toxic (Class A) waste and monitor and enforce applications more aggressively and consistently.

For more information, visit www.commonagendasc.org

**Water**

Protect South Carolina’s Carolina Bays and End Repeat Pollution.

**Priority Actions**

- Fund the inventory and protection of Carolina Bays and Isolated Wetlands.
- Fund DHEC and DNR to protect and manage our water resources.
- Pass a Polluter Justice Act to protect our clean water and natural resources.
- Strengthen sludge application and treatment regulations.
Contact an Expert on Water

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Natural resources are priceless. According to the Rural Resource Coalition (RRC), farming, forestry, outdoor recreation, and tourism account for over $54 billion of South Carolina’s economy and about one in four jobs (http://ruralrc.org/assets/uploads/Impact-Study.pdf).

The conservation community has joined hands with farming, forestry, tourism, affordable housing, and community development advocates in support of a new rural economic development approach anchored by investments in both human and natural resources. The RRC supports programs that encourage residential energy efficiency, rural and outdoor tourism, the production, processing, and marketing of local food, and forest landowner outreach and education. We are proud to be a part of this effort to strengthen our rural communities and promote the economic benefits that come from better use of our inherent wealth. Since 2004, the Conservation Bank has spent roughly $108 million to protect over 200,000 acres of South Carolina land including farm land, urban parks, wetlands, and historical lands. Funding the Conservation Bank is a top priority for the conservation community.

DHEC’s Blue Ribbon Committee on Shoreline Management (BRC) was charged with reviewing SC’s landmark Beachfront Management Act and recommending regulations to help guide the stewardship of beachfront and estuarine shorelines. The diverse stakeholders serving on the BRC struggled with how to apply the Act’s ambitious “retreat” policy. A majority concluded that preservation of beach/dune systems should be the focus, but cautioned that regulations should not “implicitly endorse hard erosion control structures or suggest that renourishment continue indefinitely.” The BRC also recommended that the jurisdictional baseline established on June 14, 2011, should not be moved seaward. We will monitor DHEC’s recommendations to the General Assembly, particularly with regard to the baseline benchmark, which sets the seaward limit for most construction.

We need to take the recommendations in DNR’s 2013 Climate Report seriously and convene local discussions in all of our coastal communities to consider how to mitigate impacts of extreme weather and avoid the worst consequences. As sea levels accelerate to or beyond the 2 foot rise that the Report projects, how do we prepare and protect our coastal businesses and tourism?

For more information, visit www.commonagendasc.org

Land

Invest in South Carolina’s special places and rural communities.

PRIORITY

ACTIONS

Increase investments in land conservation through the Conservation Bank.

Support rural South Carolina through the Rural Resource Coalition.

Monitor recommendations of the Blue Ribbon Committee on Shoreline Management.
Contact an Expert on Land

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Give South Carolinians “the Sun” by removing barriers to solar energy investment.

As the cost of solar drops and utility rates rise, South Carolinians are demanding more access to solar energy. Legalizing free market options like solar leasing can help homeowners, businesses, churches, schools, military installations, and hospitals realize immediate monthly savings with less upfront capital investment. Solar leasing has become the predominant method of financing solar in many states around the country. Over a dozen states have explicitly made solar leasing legal. As noted in the awaited SC Energy Advisory Council report on solar, “How state policymakers structure the legal, regulatory, and economic environment will be critical in setting the stage for successful development and promotion of distributed generation in South Carolina.”

In the absence of a statewide energy policy, we look to the General Assembly to set a high standard for its appointed Public Service Commission. Regulators in Georgia and North Carolina are leading those states towards wind and solar and our PSC has the authority to ensure that our investor owned utilities (Duke and SCE&G) are adequately evaluating how new and varied energy sources can meet future energy demand. The Governor, through her appointed Santee Cooper Board, can also ensure that opportunities for increased investment in solar, wind, and landfill gas power are properly assessed. PSC seats for the 2nd, 4th and 6th Congressional Districts will be selected in 2014 and we urge legislators to carefully consider the qualifications of the PSC candidates. More information about how the PSC functions can be found at www.upowersc.com.

Energy efficiency should remain SC’s first fuel. Bipartisan legislation was adopted in 2007 requiring new state buildings to meet LEED standards, which reduce energy usage and operating costs. New state buildings have only recently been required to meet LEED standards. We oppose efforts (H.3592) to weaken these basic efficiency standards. We also support residential and commercial energy programs that offer building assessments, technical assistance, education, and incentives for upgrading the performance of existing buildings.

We urge legislators to join the Green Schools Caucus headed by Senators Ray Cleary and Katrina Shealy and by Representatives Anne Thayer and Mandy Powers Norrell. Increasing efficiency in public school buildings improves the health and performance of students and saves precious taxpayer dollars.

For more information, visit www.commonagendasc.org

PRIORITY ACTIONS

Pass third party leasing of solar energy legislation (H.3425/S.536).
Carefully consider the qualifications of Public Service Commission candidates.
Uphold LEED standards for public buildings and support “win-win” energy efficiency benefits: reduced costs and a healthier environment.
Support recommendations of the Green Schools Caucus.
Contact an Expert on Energy

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Say “no” to out of state waste.

**Don’t Dump on South Carolina.** H.3290 would prohibit any county ordinance that directs the flow of waste – whether that ordinance is a simple hauling franchise or a contract to dispose of local waste in a regional landfill. 38 out of 46 counties are on record opposing the “Business Freedom to Choose Act” because their current authority over trash management guarantees reasonable bond terms for public investments in solid waste infrastructure and keeps trash disposal affordable trash for taxpayers.

National waste corporations already control 75% of the waste stream in South Carolina and they imported more than 600,000 tons of garbage from out-of-state in 2012. If public landfills were bankrupted and sold to private corporations, the millions of tons of permitted capacity now reserved for local garbage could be filled with more lucrative, “northern” trash.

Opponents of the bill are bi-partisan and include the SC Association of Counties, the SC Solid Waste and Recycling Professionals Association, and the SC Association of Community Development Corporations, in addition to the conservation community. Understanding the long-term dangers of the bill to South Carolina’s taxpayers, businesses, and the environment, these groups have banded together to form the Don’t Dump on South Carolina Coalition. A statewide media campaign was recently launched to give citizens access to more information.

**Electronic waste recycling (e-waste) enjoys widespread support** from all stakeholders and would provide funding for counties and municipalities to successfully recycle e-waste.

**For too long South Carolina has shouldered a disproportionate share of the nation’s nuclear waste.** The more than 36 million gallons of highly radioactive liquid nuclear waste at the Savannah River Site (SRS) - a byproduct of production of materials for nuclear weapons - remains a grave threat. This waste is being processed into a safer, solid form but federal funding to address the problem has been reduced and will continue to be endangered. With no permanent repository designated by Congress, we support efforts by state officials to secure adequate funding for high-level waste management at SRS. South Carolina leaders should guard against any appearance of concuring with the designation of SRS for “consolidated interim storage” of the nation’s commercial nuclear reactor spent fuel. As Governor Riley aptly said “nuclear waste stays where it is put.”

For more information, visit www.commonagendasc.org

**PRIORITY ACTIONS**

Defeat the Business Freedom to Choose Act (Flow Control/H.3290) to stop “Big Trash” from taking over South Carolina and to guard against more out of state waste.

Pass a clean version of electronic waste recycling out of the House (H.3847 without flow control language attached).

Oppose additional storage of high-level nuclear waste from other locations or of commercial spent nuclear fuel at SRS.
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As stewards of our air, land, and water, we care about how government functions. Our economy prospers when politicians are transparent, regulations are fairly enforced and dollars wisely spent.

**Full disclosure of the sources of income and independent investigation of complaints ensure a level playing field for the conduct of the public’s business.** Currently, ethics complaints are handled by committees made up of fellow legislators who can dismiss charges in secret without any other input. While not perfect, Senator Campsen’s amendment to H. 3945 makes significant strides in improving both ethical standards for our public officials and the enforcement system for members of the General Assembly. Restoring confidence in governance should help attract more qualified candidates to run for office.

**The draft recommendations of the Governor’s Regulatory Review Task Force include roll-backs of protections for clean water and clear air.** We urge lawmakers to focus on improving regulatory efficiencies without risking the health of the public or the environment. South Carolinians benefit most when business and conservation goals are complimentary.

**We oppose efforts to undo the “automatic stay” compromise of 2008. A stay protects citizens’ rights and prevents irreversible damage by halting work on a contested project while the permit for that project is legally reviewed.** For the thousands of permits issued by DHEC in a given year, only a limited number are impacted by the automatic stay, but in those instances the stay is central in upholding citizen’s rights and ensuring a fair outcome for all parties. The 2008 compromise is working: it temporarily halts disputed activity but requires timely decisions from the courts.

**Prioritization of DOT road projects must go hand in hand with increased spending to repair crumbling infrastructure.** To paraphrase Senator Harvey Peeler, priorities not politics should determine our road projects. Act 114 was passed to require SCDOT to prioritize projects based on objective criteria – but the State Infrastructure Bank (SIB) has no such prioritization. The SIB bonds money for major road projects, creating a scenario where political expediency too often drives its bonding decisions. We support legislation requiring the SIB to implement “Act 114-like” prioritization for project selection and we will insist that transportation funding proposals, such as H.3412, include Act 114 prioritization.

**PRIORITY ACTIONS**

- Pass substantive ethics reform through H.3945 (and Sen. Campsen’s amendment).
- Uphold environmental protections.
- Protect citizens’ right to an “automatic stay.”
- Support DOT project prioritization.