



April 13, 2021

Chairman Harvey Peeler
Senate Medical Affairs S.2 Select Subcommittee
412 Gressette Bldg.
Columbia, SC 29201

Re: Feedback on S.2 amendment on DHEC Reform

Dear Chairman Peeler and members of the Subcommittee,

The Conservation Coalition supports prudent, thoughtful reform of DHEC to make the agency more efficient, successful, and accountable in its effort to protect South Carolinians and our environment from pollution. We are pleased to see that the environmental permitting functions of DHEC remain within a single Environmental Services agency in the subcommittee amendment to S.2.

In reviewing S.2, we would like to raise some issues that would be a welcome improvement to the permitting and review process as outlined in the subcommittee amendment. **Specifically, the Coalition would like to work with the Subcommittee on amendments that address the following items:**

1. Preserving the current automatic stay of permit decisions prior to and following any appeal to the Administrative Law Court;
2. Establishing a formal internal agency review process prior to issuing draft agency decisions in place of the current Board review;
3. Addressing the loss of jurisdiction for “classification of waters” and regulation over impoundments; and
4. Enhancing public engagement and participation in the permitting process to enhance citizen access and inclusion into the environmental permitting process.

With regard to these proposed changes, we would like to offer amendment language for your consideration and plan to provide that to you soon.

The Coalition believes that a key goal of agency reform should be to improve the effectiveness of environmental permitting by providing that agency decisions are based on both the best science and information and robust public engagement in order to ensure the protection of

South Carolina's communities and natural environment. We believe that improved public participation at the earliest stage of agency permit reviews coupled with an effective internal agency review process for proposed staff permit decisions not only improves the quality of information upon which agency decisions are based; but facilitates the earliest and most efficient resolution of disputes between permit applicants and the affected public and communities affected.

In addition, in order to ensure that the agency represents and addresses the full range of environmental issues facing communities throughout the state, we believe that diversity and equity should be considered in leadership of the Department(s) and internal Divisions and that the Department(s) should prioritize addressing environmental injustice in the public engagement and permitting processes.

In the very least, we hope that we can exit this process with an improved environmental quality and permitting agency that not only protects South Carolinians, but also addresses improved stakeholder engagement processes that give voice to every community and every South Carolinian that wants to engage in the permitting process. We can do better to address community concerns on the front-end of the permitting and siting process; and we should strive to do so.

We look forward to discussing these proposals with you.

Sincerely,

The South Carolina Conservation Coalition