



Discussion and Selection of Policy, Legislative, and Regulatory Recommendations

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Agenda Item 7

Policy, Legislative, or Regulatory Recommendations

Policy, legislative, or regulatory recommendations may include, but are not limited to:

- Modifications to existing state or local laws, regulations, or ordinances
- New state or local laws, regulations, or ordinances
- Ideas for recurring funding for water planning work
- Restructuring existing groups or agencies

Green, Yellow, Red Bucket Approach

- Recommendation needing only minor revision(s)
- Clear RBC consensus



- Not full RBC support
- May revisit to see if consensus can be achieved with revisions
- May move to green if RBC majority approve and there is desire to a keep



- Minimal RBC support
- No clear path to consensus or majority
- Drop





Summary of Common RBC Policy, Regulatory and Legislative Recommendations

Topic	Recommendation <i>(Note that some RBCs have slightly different language but similar intent)</i>	Strength of Consensus (See Legend Below)					
		Edisto	Broad	Pee Dee	Saluda	Upper Sav.	Lower Sav-Salk
Reasonable Use Criteria	The South Carolina Surface Water Withdrawal, Permitting, Use, and Reporting Act should allow for reasonable use criteria to be applied to all (new ¹) surface water withdrawals, like those that currently exist for groundwater withdrawals						
Improve Effectiveness of Water Laws	Improve the current laws that allow for regulation of water use so that they are enforceable and effective ² . The current water law, which grandfathers most water users, needs to be improved to support effective management of the state's water resources.						
Planning, Implementation, and Funding	The South Carolina Legislature authorize recurring funding for state water planning activities, including river basin planning. Currently, nearly all the funding for the river basin planning process has come from the legislature.						
	The South Carolina Legislature should establish a grant program to help support the implementation of the actions and strategies identified each RBC's River Basin Plan. One example is Georgia's Regional Water Plan Seed Grant Program which supports and incentivizes local governments and other water users as they undertake their Regional Water Plan implementation responsibilities.						
Permits and Registrations	Water law and implementing regulations should not distinguish between registrations and permits. All water users that withdraw above the identified threshold should be required to apply for a water withdrawal permit. Current law allows for agricultural surface water users and all groundwater users withdrawing water outside of CUAs to register their water use rather than apply for permits.						
Regulatory Alignment with State Water Plan	The water withdrawal permitting process should specifically assess the permit application's alignment with the River Basin Plan (Broad RBC rec) or the legislatively approved State Water Plan (Lower Sav-Salk RBC rec)						
Water Education	The State should support and fund RBC-led and statewide water education programs that include all sectors of water use and promote the types of water management strategies recommended in River Basin Plans.						

1. The Upper Savannah RBC added the word “new” to its recommendation.
2. The Lower Savannah / Salkehatchie RBC recommends “effective and enforceable.”

RBC Consensus	RBC Majority Approval	Not Discussed
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RBCs Most Common/Similar Recommendations

- The South Carolina Surface Water Withdrawal, Permitting, Use, and Reporting Act should allow for reasonable use criteria to be applied to all surface water withdrawals, like those that currently exist for groundwater withdrawals.



APPROVED BY RBC

* An alternate version approved by the Upper Savannah RBC was specific to only “new surface water withdrawals”



RBCs Most Common/Similar Recommendations

- **Improve the current laws that allow for regulation of water use so that they are enforceable and effective.** The current water law, which grandfathers most water users, needs to be improved to support effective management of the state's water resources.



APPROVED BY RBC



RBCs Most Common/Similar Recommendations

- **The South Carolina Legislature authorize recurring funding as requested by SCDES for annual, ongoing water planning activities, including river basin planning.** Currently, nearly all the funding for the river basin planning process has come from the legislature. Funding should allow for RBCs to meet annually, at a minimum, and to work on implementation actions and Plan updates.



APPROVED BY RBC



RBCs Most Common/Similar Recommendations

- The South Carolina Legislature should establish a grant program to help support the implementation of the actions and strategies identified each RBC's River Basin Plan. One example is Georgia's Regional Water Plan Seed Grant Program which supports and incentivizes local governments and other water users as they undertake their Regional Water Plan implementation responsibilities.



APPROVED BY RBC



RBCs Most Common/Similar Recommendations

- **Water law and implementing regulations should not distinguish between registrations and permits.** All water users that withdraw above the identified threshold should be required to apply for a water withdrawal permit. Current law allows for agricultural surface water users and all groundwater users withdrawing water outside of Capacity Use Areas to register their water use rather than apply for permits.



REQUIRES FURTHER DISCUSSION BY RBC



RBCs Most Common/Similar Recommendations

- The water withdrawal permitting process should specifically assess the permit application's alignment with the current River Basin Plan.

OR...

- The water withdrawal permitting process should specifically assess the permit application's alignment with the legislatively approved State Water Plan.



NO CONSENSUS ON THIS TOPIC BUT MAY INCLUDE FOR FURTHER DISCUSSION

