

# Coastal Conservation League



## It's In Our Hands

*South Carolinians take to the beaches in a nationwide Hands Across the Sand demonstration against expanded offshore drilling.*

*Dana Beach*



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## A Matter of Scale

Over the years, the environmental movement has been accused of promoting burdensome, invasive, regulatory schemes that dampen economic growth and individual initiative. The most recent attack comes in an article entitled, "The Greening of Godzilla."

"The Greening..." argues that environmentalists have lost their skepticism of authority and lost their way, by blindly supporting national energy legislation that establishes a cap on carbon emissions – never

mind that this is precisely the method that was successfully employed to curb acid rain.

But, "The Greening..." does raise a point worth considering – the question of scale. At risk of reductionism, let's consider two types of people.

The first group believes in large-scale, "silver bullet" solutions to environmental, economic and social problems. Usually these solutions are delivered by "someone else." If you are a conservative, someone else is a corporation. If you are a liberal, someone else might be government.

The second group believes in smaller scale approaches that tend to be more complex, and less bumper-sticker friendly. This group struggles with the dilemma of doing the right thing personally – recycling or saving energy at home, for example – but realizes that individual actions alone will not produce the reforms we need as a society.

The silver bullet crowd has brought us the Gulf oil spill, under the banner of cheap oil; mercury contamination in every coastal river in the state, under the banner of cheap electricity, and cities where every mode of travel besides an automobile is dangerous and unpleasant. Their guiding philosophy is perfectly expressed in the mantra "drill here, drill now, pay less." Their ideas are, to quote H.L. Mencken, "simple, straightforward, and wrong."

The second group would argue that a better way to reduce our dependence on oil, foreign and domestic, is to change the demand side of the equation, by reducing interstate speed limits, buying more fuel efficient cars, investing in functional mass transit, and building cities where walking and biking is attractive and safe.

All of this brings me to the issues in this newsletter. The Gulf oil spill has inspired protests against offshore oil extraction. Local "Hands Across the Sand" events brought hundreds of people out to South Carolina beaches to express their sorrow over the damage to the Gulf and, less so, to advance policies that will reduce fossil fuel dependency. It remains to be seen whether meaningful steps will be taken in this arena (see page 4).

The I-526 extension is the ultimate dumb, large-scale, silver bullet boondoggle – one half of a billion-dollar roadway that will reduce travel times by 36 seconds for West Ashley and James Island and less than four minutes for John's Island, desecrating the natural and cultural landscape of John's Island in the process, even when less costly, more efficient and smaller scale alternatives exist (see page 8).

So, instead of proposing a dichotomy with government on one side and citizens on the other, a better construction would be to consider the issue of scale – where large corporations and government agencies promising big, expensive and illusory solutions give way to individuals, towns, states and, yes, even Congress, to develop human scale responses that acknowledge the complexity and interconnectedness of communities, and the interaction between collective action and individual responsibility.



*Dana Beach*



COASTAL  
CONSERVATION  
LEAGUE

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## S.C. Supreme Court Rules

*Value of wetlands protection affirmed by the S.C. Supreme Court*

2010 has been a banner year in the courts for the Coastal Conservation League. While working hard to avoid costly judicial proceedings through policy reform on the local level and legislative advocacy at the State House, the Conservation League does not shy away from court action when environmental laws are challenged or broken.

Several rulings and upcoming hearings with the S.C. Supreme Court prove the value of turning to the courts for clarification and resolution of important regulatory and legal questions concerning the environment – for wetlands, in particular.

On August 23rd, in a decision that solidifies South Carolina's ability to protect salt marshes, the state Supreme Court upheld a ruling against a man accused of **illegally filling tidelands in North Myrtle Beach**.

The Supreme Court's ruling will force property owner **C. Wayne Hill** to restore salt marsh that was filled in 2003 and pay a \$1,000 state fine. Amy Armstrong, Chief Counsel and colleague of the late Jimmy Chandler with the S.C. Environmental Law Project (SCELP), represented the Coastal Conservation League in the case.

Hill built a retaining wall in the marsh for his lot at **Cherry Grove**, then backfilled the property to "significantly increase" the size of the land, court records show.

"The Supreme Court arrived at the correct decision," Armstrong said. The highest court also sided with the Conservation League in two other cases involving wetland filling, namely that of the **Carolina Bays Parkway in Horry County** and the **Spectre Case in**

**Murrells Inlet** – argued once again by Amy Armstrong of SCELP.

Based on federal protections under the Clean Water Act, the Conservation League, the S.C. Wildlife Federation, the National Wildlife Federation and the Waccamaw Riverkeeper successfully sued the Army Corps of Engineers (ACOE), the Environmental Protection Agency, and Spectre, LLC – reversing an ACOE go-ahead to fill one of the largest remaining intact wetlands within the Waccamaw River watershed.

This summer, the S.C. Supreme Court also heard oral arguments concerning the proposed **Risher bridge at Fripp Island** and will soon hear arguments against the proposed **Capt. Sams Inlet bulkhead at Kiawah Island**. In both cases, the Conservation League and residents of the Fripp and Kiawah Island communities are represented by SCELP.

"The fact that the highest court in the state has determined that these cases are worthy of review sends a strong message that public trust tidelands are vitally important to South Carolina," says Nancy Vinson, Director of the Conservation League's Water Quality Program. "The Supreme Court will bring much needed clarification and certainty to wetlands and coastal zone law, which will benefit regulatory agencies, private developers, and the public."

*For information on the recent federal court settlement between the S.C. Ports Authority and the Conservation League, please turn to page 9. For information on the S.C. Supreme Court hearings of the Binden annexation and Risher bridge cases, please turn to page 10. For a tribute to the late Jimmy Chandler, please turn to page 16.*

# DRILL BABY DRILL: An Epilogue

*The author, Hamilton Davis, is the Conservation League's Energy and Climate Director and has been appointed to the PURC Energy Advisory Council by the Public Utilities Review Committee of the S.C. Legislature. Davis also serves on the state's Offshore Wind Regulatory Task Force.*



*Hamilton Davis*

## The Spill

I recently attended a screening of the documentary *Crude*, a film chronicling the efforts by 30,000 indigenous rainforest dwellers in Ecuador to hold Chevron accountable for over three decades of systematically poisoning the air, water, and land of an area in the Amazon the size of Rhode Island.

Although troubled by the actions of this U.S. oil company in a foreign land, I was initially comforted by the notion that the kind of corruption and environmental degradation seen in Ecuador could never take place here in America. This notion quickly evaporated as I reflected upon the environmental and economic devastation that has thus far stemmed from the BP Deepwater Horizon catastrophe in the Gulf of Mexico.

"While offshore oil and gas activities have become much safer in recent years, spilled oil and coastal shorelines don't mix. The National Oceanic and Atmospheric Administration ranks the South Atlantic as having the highest relative environmental sensitivity to spilled oil. Given the relatively low amount of potential resources off of our shores and the environmental sensitivity of our coastline there does not seem to be much incentive to drilling off South Carolina at current prices."

— S.C. Board of Economic Advisors

Alongside the gross negligence of BP, the scenario still unfolding in the Gulf has also shed substantial light on the extensive corruption within the federal regulatory agency charged with permitting and overseeing offshore oil and gas activities – the Minerals Management Service or MMS.

## Culture of Corruption

The corrupt activities of MMS were first documented in 2008 by the Inspector General for the Interior Department, who reported that

MMS employees rigged contracts and engaged in illegal moonlighting, drugs, sex and gift-taking from oil company representatives.

The report described a "culture of substance abuse and promiscuity... wholly lacking in acceptance of or adherence to government ethical standards."

These findings were only a precursor of events to come.

After the Deepwater Horizon caught fire and sank, it was discovered that a federal environmental assessment dating back to 2000 had warned of

the potential for a large scale spill from a deepwater blowout and the lack of adequate response preparedness. This was followed up by an MMS document developed alongside industry that concluded no single company was prepared to respond to such a catastrophe. Even so, policies were adopted that allowed for the fast tracking of deep water drilling permits, with virtually no environmental review.

In BP's Deepwater Horizon permit application, BP stated that no adverse impacts to beaches or wetlands were expected in the event of a spill and noted that no site specific planned response for a blowout was required. Instead, they referenced a 582-page spill response document that had been created for the entire Gulf region. Among other deficiencies, this spill response plan erroneously mentioned potential impacts to cold water mammals not found in the Gulf, while never once addressing how a deepwater blowout would be stopped.

Less than a month after the

application was submitted, MMS approved the BP permit without conducting a comprehensive environmental review. The consequences of MMS's institutionalized corruption and BP's negligence have now been playing out before our eyes since April 20th, ironically, the eve of the 40th anniversary of Earth Day.

## The Response

**D**espite the magnitude of this catastrophe, the corruption and incompetence of a key federal regulatory agency, and the overt negligence of the oil industry, many members of the public and many elected officials continue to support expanded offshore drilling. This pro-drilling sentiment is typically couched more in propaganda than substance and often reveals a fundamental inability to speak intelligently about the energy challenges facing our state and our country.

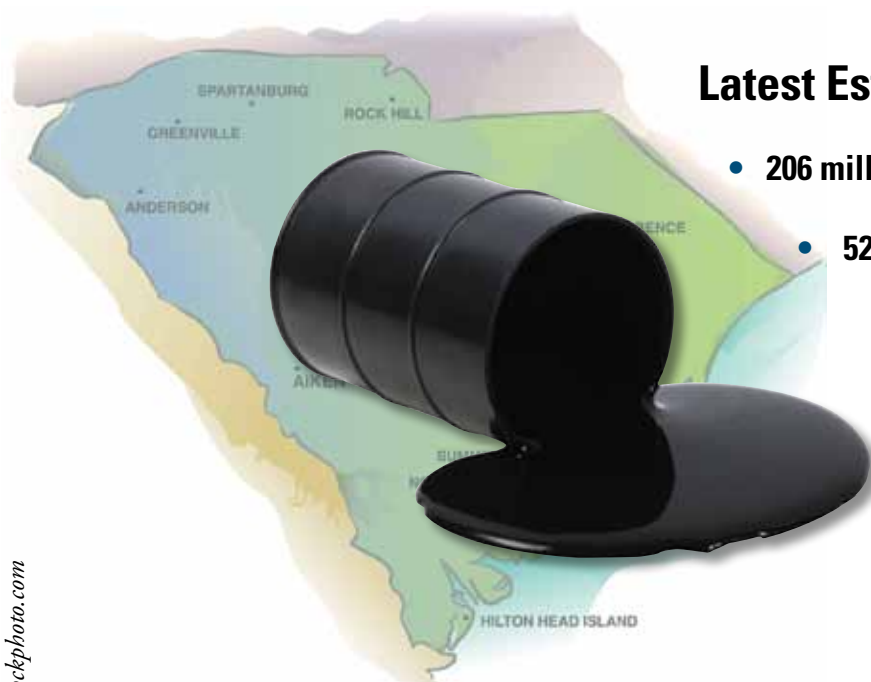
Legitimate concerns about national security, our foreign energy dependencies, and rising consumer costs are consistently used to justify support for expanded offshore drilling, yet the evidence demonstrates these connections to be spurious. Credible studies from the U.S. Department of Energy directly refute these justifications and, instead, conclude current off limit supplies of offshore oil and gas are too meager to significantly impact either consumer costs or foreign dependencies.

Notably, coastal geologists from South Carolina's colleges and universities have repeatedly pointed out that our coast simply does not have the necessary geologic characteristics to make oil and gas formation possible at a significant scale. Thus, it makes sense that our state's primary concern and focus should be ensuring that oil and gas development in other areas of the Atlantic should never impact our coastal environment and tourism based economy.

## WHAT IF THE GULF OIL SPILL HAPPENED HERE?

### Latest Estimates of Spill Impacts:

- 206 million gallons of spilled oil
- 52,395 square miles of federal waters closed to fishing at peak area coverage
- 4,961 marine animals found dead in the spill area
- \$25 billion in near-term tourism and fisheries losses





Dana Beach

Hands Across the Sand – Citizens gather at Folly Beach to demonstrate against expanded offshore drilling.

## The Need for a Comprehensive State Energy Policy

South Carolina is almost completely dependent on other countries and states to supply us with our means of energy production. Whether it's the uranium we import from Canada and Russia, the coal we import from Kentucky and Colombia (South America), or the oil and gas we import from the Gulf of Mexico, we have thus far chosen to export jobs and capital outside of our borders rather than take advantage of in-state resources like solar, offshore wind, and biomass.

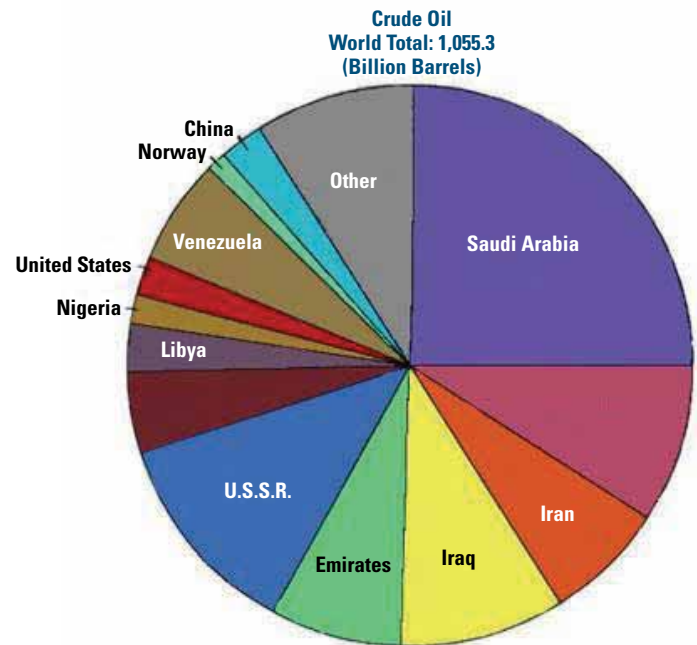
Add to this the fact that we are one of the least energy efficient states in the country, and it is difficult to explain why the public and the business community are not clamoring for elected officials to develop a comprehensive energy policy for South Carolina.

Fortunately, progress is being made in a variety of areas: the Electric Cooperatives of S.C. have proposed an energy efficiency initiative that would negate the need for a new coal plant while creating over 5,000 local jobs; Clemson University has embarked on a \$100-million project to construct a one-of-a-kind wind turbine test facility in North Charleston that could prove to be a magnet for other renewable energy manufacturers, and Santee Cooper's Palmetto Wind study is producing positive results regarding South Carolina's offshore wind potential, while providing an avenue for the near term development of an offshore wind farm.

In addition, General Electric is currently manufacturing wind turbines in the Upstate, our solar industry is growing, and we have 28 biomass facilities already operating in S.C. Our universities and colleges are funding research on an array of renewable energy projects, and dialogue on renewable energy and energy efficiency has certainly been elevated over the past few years among elected officials.

"Offshore natural gas drilling will not likely have a significant, direct economic impact in terms of new jobs and capital investment in South Carolina, and it is undetermined whether potential royalty payments would foster economic growth."

– S.C. Department of Commerce



Global Oil Reserves – The U.S. controls less than 3% of the world's crude oil reserves.

## Moving Forward

But at present, we are still losing out on the majority of economic and environmental benefits accompanying aggressive clean energy incentives and policies that have been implemented in other states and other countries.

It is time for South Carolina to take the next step forward on energy.

If there arises a silver lining from the catastrophe still threatening the long term economic prosperity and environmental well-being of the Gulf Coast states, it will be the general recognition that our country's addiction to fossil fuels has reached a point of diminishing returns. It will be the insistence by South Carolinians that we develop state and federal energy policies that make sense for our health, economy and environment. And it will be an intolerance of those that undermine the security of our energy future by chaining us to the status quo.

## Q & A with Randall E. Goldman

### Tell us about your background and business.

I am currently Managing Partner of Patrick Properties. Before that, I had done a variety of things, including a stint in the U.S. Coast Guard and running a kitchen in a federal prison.

In the 1990s, Celeste and Charles Patrick decided to invest in the revitalization of upper King Street with the purchase of the American Theater, the William Aiken House, and what is now Fish Restaurant. They brought me on as Managing Partner to embark on an ambitious preservation and restoration of these historic properties in order to bring them back to productivity.

More recently, we have purchased and restored historic Lowndes Grove in the Wagener Terrace neighborhood for the same purpose. As a fiscally conservative business owner, I have a passion for what we call “legacy investments” – investments in historic properties that can be profitably revived and that will contribute to the revitalization and well-being of the Charleston community over the long term.

### What are your concerns regarding the cruise ship industry in Charleston?

Let me just say that I have enormous respect for SPA Chief Executive Jim Newsome; however, I have yet to see a study or statistics that demonstrate a rate of return on



cruise ship passengers that will be profitable to my businesses in downtown Charleston. I am adamant about protecting the integrity of my product and my market, which is why I believe in codified standards and rules to support the kind of community revitalization and restoration that we are about.

### Why do you support written rules and standards for cruise ships?

Currently, these floating hotels (i.e. cruise ships), that are not based in Charleston nor even incorporated in the U.S., are carrying 1/3 of the total hotel capacity of the lower peninsula and docking in Charleston every week. And they are given unimpeded access to our historic city with few rules and regulations.

Meanwhile, as a business owner in downtown Charleston, I have regulations like you wouldn't believe. Just to repaint the William Aiken House the exact same color, I have to submit a permit application and go through significant expense and trouble with the city to secure permission. But I don't resent or begrudge these exacting standards because I know they help raise the bar and protect my investment, and ultimately safeguard the community where I live and work and upon which my livelihood depends.

So I'm for written rules for cruise ships, just like any other business operating in the city. Without them, we lower our expectations as a community and we settle for much less than we deserve.



## Citizens Reject Mark Clark Extension and "Greenway" Link

*simulation created by Urban Advantage*



What Half-A-Billion Dollars Will Buy – Existing (left): *Folly Road on James Island looking north, with entrance to James Island Connector on right.* Proposed (right): *What this same stretch of Folly Road will look like after the extension of I-526 is built.*

### A Waste of a Half-Billion Dollars

The Chairman of South Carolina's Department of Transportation says there's no money. Traffic consultants report that commuting time saved averages less than two minutes. And more than 1,000 citizens have demonstrated their opposition at recent public hearings on the sea islands and in West Ashley.

Whether depicted on colorful drawing boards as a parkway one day or a greenway the next, the proposed expansion of the Mark Clark Expressway to James and John's Islands is plainly understood for what it is: an outdated, wasteful use of one half of a billion tax dollars that will provide minimal to no traffic relief and destroy the very islands they are intended to help.

### Alternatives Exist

In June 2006, the State Infrastructure Bank voted to fund the I-526 extension from the Savannah Highway terminus to the James Island Connector (SC-30). Rather than just saying "No" to this destructive project, the Coastal Conservation League hired Glatting, Jackson, Kercher, Anglin, a transportation planning firm, to come

up with alternatives to this massive highway project.

Their study, submitted to DOT engineers, demonstrated that for far less money, specific safety and mobility improvements could be made to already existing roads and intersections that would produce significantly greater improvement in traffic flow and public safety. But DOT's Draft Environmental Impact Study (DEIS), released this summer, eliminated the Conservation League's alternative proposals.

With their alternatives and many others rejected early in the environmental review process, the League believes the final EIS is a misleading document that exaggerates marginal levels of improvement. Modeling techniques were applied inconsistently and affected the results such that the public cannot be confident that the final product – the DOT preferred alternative – is really the best for the area.

"We've all seen the benefits of a strong network of streets when driving in downtown Charleston," says League Project Manager Kate Parks. "A good street network provides more choices for the driver, disperses traffic more effectively than a highway, and helps create great places."

### Back to the Drawing Board

At a price tag of \$489 million, construction of the Mark Clark extension would be one of the region's largest infrastructure investments in history. It also would deplete the State Infrastructure Bank's bonding capacity.

At a time when gridlock brings I-26 to a halt every rush hour, and as thousands of new commuters are slated to arrive with the completion of the Boeing plant and the new North Charleston port terminal, surely there are more prudent and productive uses of the state's scarce transportation dollars.

### Update

Just last month, the EPA strongly recommended that the U.S. Army Corps of Engineers deny environmental permits for the I-526 extension. Without these permits, the project cannot be completed as planned. In addition, the S.C. Department of Natural Resources (DNR) has recommended that no action on the proposed project be taken at this time. DNR will provide more detailed comments following review of an adequate EIS. This is further evidence that our state and federal agencies have taken notice of this unnecessary and environmentally harmful project.

# HISTORIC SETTLEMENT REACHED ON PORT

*“This agreement and the forward looking measures it contains are in the best interests of the citizens, economy, and the environment of South Carolina.”*

*- S.C. Ports Authority CEO Jim Newsome and Coastal Conservation League Director Dana Beach in a joint statement*

### The 4-Year Battle

The long legal battle waged by the Coastal Conservation League and the Southern Environmental Law Center (SELC) to improve air quality and implement rail service at the Port of Charleston is over. On August 6th, the State Ports Authority (SPA) and the Conservation League reached a settlement that is a win-win for both the environment and the port.

The agreement calls for SPA to monitor and reduce air emissions from existing port operations and the planned terminal at the former Navy base. The agency also must launch by 2014 a program to replace 85% of port trucks that predate 1994, and it must consider rail proposals for the new terminal.

### A Cleaner, More Efficient Operation

These measures will result in a cleaner, more efficient port and ultimately save the State of South Carolina millions of dollars in health care costs due to chronic diseases related to poor air quality in the vicinity of port operations. In addition, future reductions in truck

traffic on Interstate 26 due to rail availability will ease the gridlock that has already caused I-26 to achieve failing status.

Specifically, the truck provision of the settlement, according to League Water Quality Director Nancy Vinson, should reduce air pollution from port-serving trucks by 33%. Furthermore, the introduction of rail service to Charleston – a standard feature of all modern port operations today – “is an important step toward moving freight more efficiently,” says Vinson.

### The Issue with Trucks

The Conservation League, represented by attorney Blan Holman of SELC, filed suit in 2006, after repeated attempts to work with previous SPA leadership had failed. Until the League filed suit, SPA planned to rely solely on diesel cargo trucks to haul freight from the new North Charleston terminal, a strategy that would have increased already

dangerous levels of fine particle pollution in the air and clogged traffic even further on I-26.

Diesel trucks are a concern because the fuel they burn emits far greater air pollution than standard cars. Trucks built before 1994, especially, are more polluting, which is why the Conservation League fought so hard to force SPA to install new air pollution monitors and switch to cleaner burning freight trucks. Even though the trucks to be replaced comprise only about 15% of the terminal traffic, their older engines contribute about one-third of the air pollution from port operations.



# Conservation League Argues Before the S.C. Supreme Court

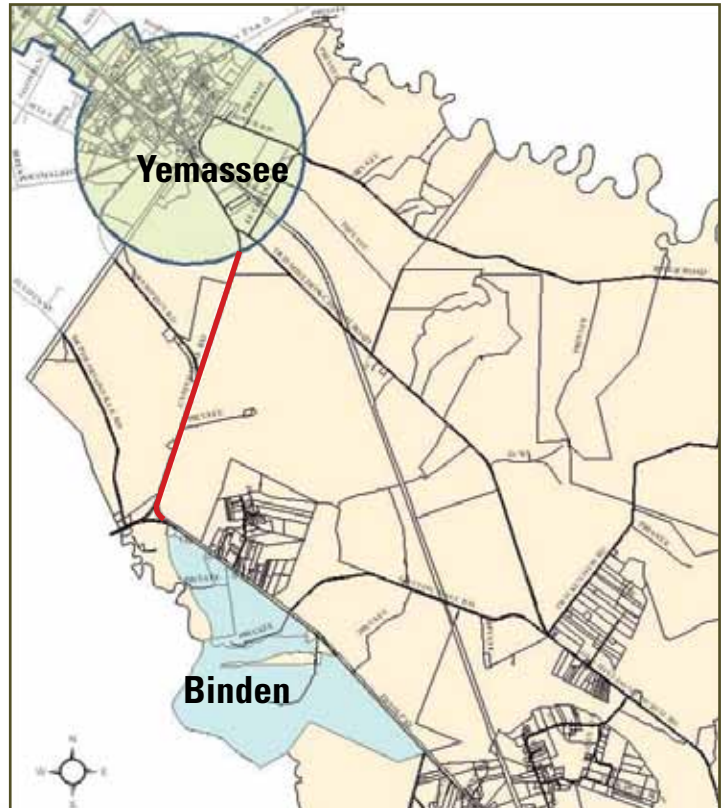
## Binden Plantation Annexation

South Carolina’s highest court has deemed the Coastal Conservation League’s challenge of a highly controversial annexation by the Town of Yemassee worthy of their deliberation. On Wednesday, September 22nd at 10am, attorney Trenholm Walker, representing the Conservation League, presented oral arguments to the S. C. Supreme Court appealing the annexation of Binden Plantation. Due to the importance of this case, S.C. Attorney General Henry McMaster joined the Conservation League in its appeal.

The Supreme Court’s determination on the Binden annexation will have enormous impact on future state and local annexation law. At issue is the question of whether adjoining landowners, town and county taxpayers, the Conservation League, or the public through the Attorney General has the legal right, or “standing,” to appeal the annexation of Binden into the Town of Yemassee.

In 2006, the town annexed the 1,300-acre Binden Plantation in rural, northern Beaufort County and approved a development plan for 1,300 homes plus commercial uses. To meet state requirements for contiguity, the annexation included a two-mile-long, 20-foot-wide “corridor” and attempted to annex public marshes and roadways.

This “shoestring” annexation is a violation of state law and the development plans are contrary to Beaufort County’s Comprehensive Plan. As a result, the Conservation League filed suit in Circuit Court against the Town of Yemassee’s actions. Later, the Attorney General joined in the lawsuit, but the Circuit Court ruled against the adjoining landowners, a Yemassee resident, and the Conservation League on grounds that only the person being annexed has standing to challenge



Patrick Moore

*No More “Shoestring” Annexations – To meet state requirements for contiguity, the Binden annexation includes a two-mile-long, 20-foot-wide “corridor” (outlined in red) and attempts to annex public marshes and roadways.*

this type of annexation. The League appealed to the S.C. Court of Appeals and was gratified when the S.C. Supreme Court chose to hear its arguments.

## Risher Bridge at Fripp Island

The state Supreme Court heard oral arguments for another Conservation League appeal over the summer challenging the issuance of a bridge permit to a small (0.27-acre) marsh island, or “hummock,” next door to Fripp Island. The Conservation League, together with the Concerned Citizens of Fripp Island, were represented by the late Jimmy Chandler of the S.C. Environmental Law Project (*see tribute on page 16*).

In 2008, the Office of Ocean and Coastal Resource

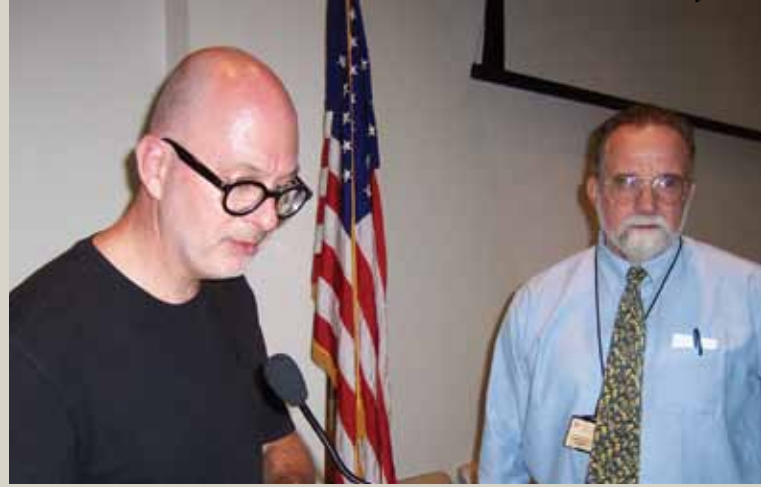
## League Brings Founder of New Urban Guild to Beaufort

Andrea Malloy

Steve Mouzon, author of "The Original Green," spoke to a large forum gathered on September 15th at the Technical College of the Lowcountry in Beaufort. Mouzon – an architect, urbanist, author and photographer from Miami, who also is the founder of the New Urban Guild – talked about how people can support the environment through the way they build and plan their neighborhoods and communities.

The event was free and open to the public and was sponsored by Beaufort County, the Coastal Conservation League, the Beaufort County Open Land Trust, the Beaufort Regional Chamber of Commerce, Brown Design Studio, the City of Beaufort, the Congress for New Urbanism's Carolinas Chapter, the Town of Bluffton, Historic Beaufort Foundation, Moser Design Group and Main Street Beaufort, USA.

Earlier in the day, Mouzon led special seminars for elected officials, planning staff, and planning and design board members from Beaufort County.



(l-r) Steve Mouzon with Tony Criscitello, Director of Planning for Beaufort County.

## Lands End Dock Denied

St. Helena Island residents, together with the Conservation League, recently fought and defeated a proposed dock at the Lands End community. Applicant Lee Cope sought to construct a dock that would have bisected and prevented access to ½ mile of public beach there.

The Office of Coastal Resource Management (OCRM) denied the dock permit based on overwhelming public opposition. According to Reed Armstrong, longtime Project Manager for the Conservation League's Beaufort Office, "This was a great victory for the people of St. Helena Island and a great victory for the public trust."

Management (OCRM) denied a permit to build the Risher bridge. (The out-of-state applicant's last name – Risher – has been used to identify the sought after bridge.) The applicant appealed the denial to the Administrative Law Court (ALC) and the Conservation League intervened through the S.C. Environmental Law Project.

The ALC ruled in favor of Mr. Risher, who maintains that the parcel in question is not an island. The League and OCRM appealed the ALC decision and the case was taken up by the S.C. Supreme Court.

Chief Justice Jean Toal and her fellow justices got to the heart of the matter, focusing their line of questioning on the definition of an island and whether this property can legally be bridged. A decision is expected this fall.



Supreme Court Examines Bridge to Marsh Island  
*The Conservation League and Concerned Citizens of Fripp Island have appealed an 85-foot bridge to this 0.27-acre island, pictured above.*

## Johnson Controls Signs Binding Agreement with Conservation League



Protecting the Pee Dee  
*Monitoring standards and air quality  
controls must be met before a recycling  
plant can go into full production  
along the Pee Dee River.*

*Hamilton Davis*

### A Win for Florence County

**T**he Coastal Conservation League and the League of Women Voters of South Carolina (LWVSC) have secured a binding agreement with the S.C. Department of Health and Environmental Control (DHEC) and Johnson Controls to increase the number of monitors and utilize more lead emission controls at Johnson Controls' proposed battery recycling plant on the Pee Dee River in Florence County.

The agreement is the result of the Conservation League's and LWVSC's appeal of an air permit that DHEC granted last February to Johnson Controls for the facility. The appeal

focused specifically on modeling methodology and control of emissions.

The final outcome is a win-win for all – the impacts of the plant will be mitigated and the Pee Dee community further protected, while Johnson Controls can move forward with plans to build the facility, to be completed in 2012.

### New Monitors & Controls

**R**epresented by environmental attorney Bob Guild, the Conservation League and LWVSC fought to ensure that toxic lead emissions from the proposed plant would be properly monitored and controlled. The plant – which is

the first new, fully integrated battery recycling facility to be permitted in the U.S. in nearly 20 years – will be located on Paper Mill Road along the Pee Dee River, two miles north of where Santee Cooper had planned to locate their cancelled coal plant.

The Johnson Controls plant will take apart car and boat batteries and smelt the lead – an extremely hazardous and toxic process that current DHEC regulations were ill equipped to deal with. The Conservation League and LWVSC began negotiating with Johnson Controls before the permitting process began and the resulting agreement establishes three air monitors around the perimeter of the site (the original plan had only one).

## Three-Month Trial Period

**D**uring a three-month trial period, the facility will run at half-capacity. Data from the three monitors will be uploaded to a public Web site and can be independently analyzed. If the agreed upon standards and air quality levels are not met, the plant cannot go into full production. This will ensure compliance from the start.

“We appreciate the cooperative efforts of Johnson Controls and DHEC in reaching this binding agreement,” states Nancy Cave, the Conservation League’s North Coast Office Director. “Together, we have secured greater protection for the surrounding community and demonstrated that when corporations come to South Carolina to do business, they must employ the best technology available to ensure the safety and well-being of our citizens and the environment.”

“Together, we have secured greater protection for the surrounding community and demonstrated that when corporations come to South Carolina to do business, they must employ the best technology available to ensure the safety and well-being of our citizens and the environment.”

*istockphoto.com*



*A Hazardous Process – The Conservation League, together with the S.C. League of Women Voters, fought to ensure that lead emissions from a proposed battery recycling plant would be properly monitored and controlled.*

*Nancy Cave*



*(l-r) Summer interns Brian Fox and Jarrett Rabe*

## Thank You, Interns!

**Jarrett Rabe**, a graduate student at Duke University, worked out of the League’s North Coast Office this summer, evaluating the potential for energy efficiency in Georgetown County. Jarrett worked with both Nancy Cave, North Coast Office Director, and Hamilton Davis, Director of the League’s Climate and Energy Program.

Jarrett looked at the number of manufactured homes in Georgetown County and the capability for implementing energy efficiency upgrades among local contractors. That data, coupled with anticipated funding from municipalities and the federal government for energy efficiency financing, could result in significant energy and cost savings for county residents in the future.

Duke senior **Bryan Fox** also worked with the North Coast Office this summer as a liaison in the Conservation League’s new Local Food Local Use program. Bryan traveled all around Georgetown and Williamsburg Counties, connecting local growers with the area’s restaurants and chefs.

Bryan facilitated commerce between growers, such as Millgrove Farms in Rose Hill and C-Breeze Farms in Nesmith, and a variety of area restaurants – including Morsels, the Rice Paddy, Coffee Break Café and Goat Island Grill in Georgetown, and the High Hammock and Bistro 17 in Pawleys Island. Also participating was the Carriage House in Litchfield Plantation.

“I hope the program will continue to grow,” says Bryan. “It provides tremendous benefit to the community in terms of promoting local, fresh produce and keeping farming viable and farmland in tact.”

## Putting Belief into Action

*Kiawah activists and Conservation League members Paula Feldman and Peter Mugglestone apply decades of study to their environmentalism.*

“What is it in me that would not, even now, could not, leave a bird to die undisturbed by the sea?” asks Paula Feldman, in a recent short story she wrote for ISLE, published by the Association for the Study of Literature and Environment. Her story, entitled, *Duck Out of Water*, explores the dilemma of a beachgoer and her husband, who “rescue” an injured sea duck, only to have it die three weeks later.

The story is set on Kiawah Island and the protagonists are Paula and her husband, Peter, an engineer, innovator and native of Leicester, England. In real life, they do indeed reside along the banks of the Kiawah River and are ardent observers and appreciators of the natural world.

On the surface, Paula’s question might seem a bit naïve. But as the author or editor of some eight or nine books (she has lost count), this is a person who has thought and written about the intersection of humans and

nature for decades. She has taught “nearly everything” as a professor at the University of South Carolina since 1974 (she commutes back and forth each week), and is as comfortable researching forgotten female poets as she is exploring the relationship of people to the environment.

Peter also investigates relationships. But his explorations tend to focus on how people interact with technology. Over his long career, he has consulted with a wide range of businesses on creating new products that are easy to use. Some of these products have included software for the very first personal computers; contact lenses for a major manufacturer; a road sweeper developed in Sweden, and an automatic sheep sheering machine for Australian farmers.



Virginia Beach

*Paula Feldman and Peter Mugglestone*

Since their move to Kiawah in 2006, Paula and Peter have become tireless advocates for the island’s wildlife and habitat. From their porch, they monitor a pair of eagles that has established a nest in a tall pine tree nearby. They also delight in the dolphin pods that frequent the Kiawah River.

Paula and Peter had been members of the Conservation League for many years when in 2009, they took their environmental activism a step further and helped to found “Friends of the Kiawah River,” for which Peter now serves as vice president.

Inspired by their lifelong study of how humans relate to the physical world, Paula and Peter are determined to demonstrate that wildlife and people can live in harmony.

## New Bike Lanes for St. Andrews Boulevard

Charleston Mayor Joe Riley (speaking) is joined by (l-r) Jim Armstrong, Teddie Pryor, Sr., Dudley Gregory, Colleen Condon, Ken Willingham and Hernan Pena to announce the creation of a new bike lane for St. Andrews Boulevard in the West Ashley neighborhood of Charleston.

Adrienne Levy



What inspired them to rally their neighbors at Kiawah was the proposed development by Kiawah Development Partners (KDP) of Capt. Sams Spit, a highly mobile sand bank at the very southern tip of the island on which KDP desires to construct a ½-mile-long bulkhead with 2 ½ acres of concrete revetment to make possible the building of up to 50 houses. As Paula and Peter will tell you, part of Capt. Sams has been designated as Critical Habitat by the U.S. Fish and Wildlife Service because it provides habitat for the endangered piping plover.

Not only did the Friends initiate the first public hearing that began the challenge to this ill-conceived project, they have also raised tens of thousands of dollars for legal fees to help finance the appeals argued by the S.C. Environmental Law Project on behalf of the Friends and the Conservation League.

Inspired by their lifelong study of how humans relate to the physical world, Paula and Peter are determined to demonstrate that wildlife and people can live in harmony. Together with the Conservation League and Friends of the Kiawah River, there's every reason to believe they will succeed.

## Businesses and Consumers Flock to Green Expo



Charleston's very own Lowcountry Local First (LLF) was a featured presenter at the 2010 Green Expo. LLF has developed a "Directory of Local Independent Businesses" and together with the Conservation League, launched the Sustainable Agriculture Initiative.



Experts in bio industries and green technologies were featured speakers and panelists at the 2010 B.I.G. and Local Expo, otherwise known as the Green Expo, held on August 6th.



photos by Nancy Gregg



Green business practices were a B.I.G. (Best in Green) feature of this summer's Green Expo, co-sponsored by the Conservation League and held at the Gaillard Auditorium in Charleston.

## Rebel With a Cause

*James Stuart Chandler, Jr.,  
1950 – 2010*

South Carolina lost a true warrior this summer with the death of the founder and chief counsel of the S.C. Environmental Law Project – Jimmy Chandler. Born James Stuart Chandler, Jr. in Georgetown, S.C. sixty years ago, Jimmy returned to his hometown in the 1980s, having practiced law in Columbia upon earning business and law degrees from the University of South Carolina.

Jimmy was a rebel with a cause – a worthy cause. He waged his first environmental battle in 1981 against a proposed oil refinery in Georgetown. Although Jimmy lost in court, his arguments resonated with state leaders such as U.S. Senator Fritz Hollings, who pushed for more environmental studies until ultimately the refinery idea was abandoned.

Later in 1987, with the support of Frances Close and her family foundation, Jimmy founded the S.C.

Environmental Law Project (SCELP). Since then, SCELP has represented citizens groups and conservation organizations (including the Coastal Conservation League) up and down the South Carolina coast in protecting the precious wetlands, waterways and beaches that Jimmy had grown to love as a young boy.

In a 2007 interview with Sammy Fretwell of *The State* newspaper in Columbia, Jimmy described the many days he spent growing up in the tidal creeks and on the beaches of Georgetown County. “His mother used to row her children through the marshes of Pawleys Island to catch crabs,” wrote Fretwell. “His uncle gave Chandler his first boat when he was eight.”

“Jimmy was the first person I knew who dedicated his life to coastal protection in South Carolina,” states Dana Beach, Director of the Conservation League. “He made people believe that the environment could be protected using legal means.”

And Jimmy was proven right in a number of landmark cases – blocking salt marsh dredging in Georgetown, defeating a toxic waste landfill near Lake Marion, strengthening the state’s



*The late Jimmy Chandler with his daughter, Leigh.*

beachfront protections, and preventing Florida-style canals on Bohicket Creek near Kiawah Island. He was representing the Conservation League in at least four different cases at the time of his death.

Jimmy never hesitated to defend his home state and fellow citizens, no matter the cost. A humble man, supported by a loving wife and daughter, he used his great intellect and gifts of tenacity and persuasion for the betterment of his beloved South Carolina. His colleague, attorney Amy Armstrong, will continue his legacy as chief counsel for SCELP.



*Dana Beach*

## Edwin Gardner Memorial Bike Ride

More than 500 cyclists rode through downtown Charleston’s streets one Saturday morning this summer as a tribute and memorial to the late Edwin Gardner. Edwin was a community activist and planner, who was struck and killed by an SUV while bicycling 3 blocks from his downtown home.

## Staff View

### WHY JOHN'S ISLAND IS SO WORTH SAVING

by Kate Parks, Conservation League Project Manager

Looking for a way to enjoy a relaxing afternoon? I encourage you to take a chance to really explore John's Island. If you are a birder, you may find the woodstorks and Mississippi kites catching your eye. A historian may find shelter in restored churches like Hebron Zion Church, or among the old walls of the Progressive Club. A farmer may appreciate the rich and water logged soil, just waiting for the next crop of tomatoes.



A cyclist or passerby on horseback could wander through trails and along roadsides for hours, becoming a part of the beautiful vistas and waterfront views.

But for me, to know John's Island is to know the people first. While I enjoy the birds, the history, the beautiful views, and eating those ripe tomatoes, I find that it's the people of John's Island that make the place so intriguing, so captivating, and so worth caring about. Each day that I can meet with a John's Islander, I learn something new about the place and the people's connection to the land.

This elevates the discussion beyond preserving beautiful landscapes – to preserving a way and quality of life unparalleled on neighboring sea islands. The John's Island Vision project undertaken by the community with help from the Conservation League seeks to identify the needs of the people. This presents a rewarding and difficult challenge, a challenge that doesn't end when the work day comes to a close. The balance of people and nature is a hard balance to strike, but many on John's Island do it very well.

Moving into the future, I fear that losing sight of the vision of the island's residents, and giving way to demands of neighboring municipalities, would mean losing sight of our most important resource – the people. They are what sustain the environment, the rural land, the local agriculture, the storied history, and the largest sea island in South Carolina.

This valuable combination – of nature, history, beauty, and the stories of people – is rare and we are lucky to have it right in our backyard. I find that a Sunday drive along Bohicket Road is a solid reminder of this rare beauty and reinforces the good fortune I have in working with the people of John's Island. Not only does it remind me of how lucky I am to know them, but also of how much more I have to learn.



## League Establishes Jane Lareau Environmental Stewardship Award

Former Conservation League board chair Carol Ervin (left) presents Jane Lareau with the newly established Jane Elizabeth Lareau Environmental Stewardship Award, in recognition of Jane's 20 years of work with the Conservation League and her lifetime of achievement in the field of conservation.



At the award celebration on September 18th, Jane Lareau also received an official commendation from the S.C. House of Representatives, presented by Representative Robert Brown of Hollywood, S.C. On hand for the presentation were (l-r) Megan Desrosiers, Rep. Brown, Jane Lareau and Dana Beach.

## Welcome New Board Members!

**Katharine Hastie** was born and raised in Montgomery, Alabama and graduated with a degree in physics from University of the South at Sewanee and an M.S. in Environmental Systems Engineering from Clemson. She worked for the Environmental Protection Agency before joining Booz Allen Hamilton, supporting various federal clients around the country on environmental issues.

Katherine serves on the board of YesCarolina and assisted with fundraising for Lowcountry Local First's new farmer incubation program. Katharine enjoys running, yoga, cooking and photography. She lives with her husband and two children in the Wagener Terrace neighborhood of Charleston.



*Katharine Hastie*

**Tee Miller** is a native of Greenville, S.C. and holds both an undergraduate degree and an MBA from the Moore School of Business at the University of South Carolina, as well as a M.S. in Advertising Communications from the University of Tennessee. He previously served as the State Director for the U.S. Department of Agriculture's Rural Development Program for South Carolina.

Tee is a certified Master Naturalist by the Clemson University Extension Service, a Certified Interpretative Guide (C.I.G.) from the National Association for Interpretation, and a licensed Captain by the U.S. Coast Guard. After spending seven years living in the Washington, DC area, Tee and his wife now reside in Georgetown, S.C.



*Tee Miller*

Since graduating from The University of Georgia's Terry College of Business, **Bill Turner** has worked in insurance and more recently in commercial banking at the National Bank of S.C. With a family background in the manufacturing business, Bill had long been interested in acquiring a manufacturing company of his own.

A few years ago, Bill became a partner with Folbot, an innovative kayak manufacturer based in Charleston that constructs foldable, portable kayaks. When not at Folbot, you can usually find Bill enjoying one of his many outdoor passions, such as boating, golfing, hunting and most recently, kayaking! He is still deciding which Folbot is his favorite.



*Bill Turner*

## Jarrett Ransom Joins Development Team

**Jarrett Ransom** joins the League as a Senior Development Officer, and will be managing a diverse portfolio of projects, including general membership development and stewardship, new outreach initiatives, event planning, foundation relations and a new planned giving campaign.

Jarrett is originally from Chapin, S.C., and relocated to Charleston after having resided in Phoenix, Arizona since 2003. Most recently, Jarrett worked as Grants Administrator/Annual Campaign Manager for Free Arts of Arizona, prior to which, she founded her own fundraising/development consulting firm. Jarrett holds an MBA from the University of Phoenix, and a B.A. in Mass Communications from Lander University in Greenwood, S.C.



*Tanner Ransom*

Jarrett has dedicated her professional career to the nonprofit industry because of her passion for making a positive difference in the world. Jarrett is also the mother of **Tanner William Ransom**, born August 3rd at 4:06 am. Tanner weighed in at 8 pounds, 13 ounces and measured 21.75 inches long. Welcome to Jarrett and Tanner!



*Jarrett Ransom with school children in Uganda.*

## Adrienne Levy Named Director of Communications



**Adrienne Levy** grew up in Columbia, S.C. and graduated from the University of South Carolina with a B.A. in Journalism and Mass Communications. She serves as the Conservation League's new Director of Communications. You can always find her on the Web, exploring new ways to effectively reach and broaden the audience of the Conservation League.

Adrienne's most recent post was as New Media Director and Project Manager with Jump New Media, Interactive Campaigns, of Columbia. There, she managed media, marketing and promotions for various political clients.

Her previous job was with Post No Bills, Inc., Creativity in Motion, also of Columbia. Adrienne served as Production Coordinator for the CEO, as Intern Coordinator, and as Event Planner for the company. In her spare time, Adrienne is a competitive swimmer and enjoys the great outdoors. Welcome, Adrienne!

## Lisa Turansky and Michelle Sinkler Return to the League

The Conservation League is pleased to announce the return of **Lisa Turansky** and **Michelle Sinkler** as staff members. Lisa worked on the League's land use team from 2007 – 2009 and is coming back to direct the League's successful Sustainable Agriculture Program. A former agro-forestry Peace Corps volunteer in Cameroon, Central Africa, Lisa later worked for the Environmental Protection Agency in Washington, D.C. She now lives in Mount Pleasant with her husband and two daughters, where she spends time gardening, running, and reading about sustainable agriculture.



*Lisa Turansky*

Michelle Sinkler returns to the League as a Program Director with a focus on working with the League offices in Beaufort, Georgetown and Columbia to enhance communications, grassroots and member-relations initiatives, as well as assist Communications Director Adrienne Levy in Charleston. Michelle was a former Land Use Director for the Conservation League and worked for six years helping communities advocate for improved land use and transportation policies. She lives with her husband and two children on Wadmalaw Island.



*Michelle Sinkler*

# Thank You!



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The Coastal Legacy Society honors those who have provided for the Coastal Conservation League through their wills or estate plans. By making a gift to the Coastal Legacy Society, you will join this group of extraordinary individuals in their commitment to protect the Lowcountry for generations. If you are interested in finding out more about naming the Coastal Conservation League in your will or estate plans, please contact Development Director Courtenay Speir at (843) 723-9895.

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## Smart Growth Conference, Feb. 3rd-5th, 2011

Charlotte, N.C. will host the **10th Annual New Partners for Smart Growth Conference** on February 3rd-5th, 2011. The Coastal Conservation League is a co-sponsor of the national conference, the theme of which is "Building Safe, Healthy and Livable Communities." League staffers Josh Martin, Hamilton Davis and Lisa Turansky will be presenting programs on land use, energy and sustainable agriculture. For more information, go to [www.NewPartners.org](http://www.NewPartners.org).

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# Thank You!

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May 1, 2010 – August 31, 2010

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## Columbia Office has Moved!

The Conservation League's Columbia office – the headquarters for the League legislative team – has moved to 1001 Washington Street downtown, Suite 300 on the third floor (two floors above Kelly's Pub). It is located at the corner of Park and Washington Streets, four blocks from the State House.

League staffers Patrick Moore, Merrill McGregor, Dennis Glaves and Catherine Warner will be sharing space with American Rivers, also located there. Telephone numbers are as follows: 803-771-7102 or 803-758-5800. Email addresses remain the same.



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*In celebration of David Wyanski and Andrea Smith*  
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# Mark Your CALENDAR

## Wednesday, November 3

Steve Mouzon, author of "The Original Green" and founder of the New Urban Guild, lectures in Charleston.

## Sunday, November 14

Documentary film screening of "Deep Down," followed by Q&A with Hamilton Davis - Charleston Library Society on King Street.

## Saturday, December 18

Photography exhibit tour with photographer J. Henry Fair and CCL's Dana Beach at the Gibbes Museum of Art.



COASTAL  
CONSERVATION  
LEAGUE

P.O. Box 1765 Charleston, SC 29402-1765

*For more information about the Coastal Conservation League, check out our Web site at [www.CoastalConservationLeague.org](http://www.CoastalConservationLeague.org)*

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**THE MISSION OF THE COASTAL CONSERVATION LEAGUE is to protect the natural environment of the South Carolina coastal plain and to enhance the quality of life of our communities by working with individuals, businesses and government to ensure balanced solutions.**



Enrich. Educate. Activate.

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Questions? Please email Eugenia Payne at [EugeniaP@sccl.org](mailto:EugeniaP@sccl.org).

## Looking to enhance your Quality of Life?

Not your typical young patrons group . . .

### OYSTERS Á LA CLEAN WATER ROAST

Join us at this QOL event to crack open steamed lowcountry oysters and craft beer at a private home overlooking the water.  
Sunday, January 30, 2011 • 5:30 pm-7:30 pm  
Sullivan's Island

#### Adult / Activate Series

Want to know how South Carolina's coastline can avoid ever facing a ruinous oil spill like the Gulf Coast? You won't want to miss the opportunity to meet CCL's Hamilton Davis to find out. Expert on state energy policy and an avid kiteboarder, Davis will be on hand to discuss the exciting new developments in South Carolina's wind power industry.

### 1920s TRANSIT PARTY

Wear your favorite 1920s garb and celebrate Charleston's streetcar past and future!

Thursday, March 24, 2011 • 7:00pm-9:00 pm

American Theater 446 King Street, Charleston, SC

#### Adult / Activate Series

Charleston's renowned planning and transit expert, Josh Martin of CCL, will release cutting edge simulations of the Tri-County area, illustrating effective streetcar and light rail systems. Sip cocktails, dance to swing music and picture a Charleston with seamless mobility!