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Upstate Forever appeals permit for new Liberty High

Group hopes for compromise

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The state Department of Health and Environmental Control is scheduled to decide today whether to hear an appeal of a certification needed in connection with the construction of the new Liberty High School.

However, a spokeswoman for Upstate Forever, a Greenville-based conservation group that has filed the appeal, said the group hopes to reach a compromise with the district.

The district has applied for a water quality certification to place culverts in a tributary to Eighteen Mile Creek, at the intersection of Ruhamah and Piney Trail roads.

According to a notice issued by DHEC, the work would include placing 247 linear feet of culverts in the tributary. The notice also said that, as compensatory mitigation, the district would restore 123 linear feet of stream and enhance 622 linear feet of stream with roughly a half-acre of "upland buffers."

The culvert is necessary to pipe the tributary under a road on the new campus, according to school district spokeswoman Julie Thompson.

Heather Nix, Upstate Forever's co-director of the clean air and water program, said that in reviewing the permit application, she found several concerns, including the scope of the project and the proposed mitigations.

Nix said her initial thoughts about the permit were that the amount of piping needed "seemed a bit excessive."

Further research indicated that the compensatory mitigation proposed by the district "didn't match up with standard operating procedures," Nix said.

Mitigation is required whenever wetlands or bodies of water are disturbed; there are formulas to determine how much compensation is required, with the goal being no net loss of wetlands.

In July, DHEC issued a public notice that it had reached a proposed decision to grant the needed water quality certification, but Upstate Forever's appeal has, at least temporarily, halted that certification.

According to DHEC spokesman Thom Berry, if the agency decides not to hear the appeal, Upstate Forever could appeal directly to the state's administrative law court.

But the appeal might not get that far. Nix said Upstate Forever is negotiating with the district's consultant on the project with the hopes of reaching a compromise.

"Hopefully, we'll be able to withdraw the complaint," she said.

Thompson said the district is trying to comply with the mitigation requirements.

“What we're trying to do there is restore the wetlands that were impacted by the grading,” Thompson said.
