

Upstate Update

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Upstate Forever's Monthly Bulletin on
Important Issues and Events in the Upstate

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1. *Upstate Forever* Office Earns LEED Platinum Designation

A few weeks ago, *Upstate Forever* received the exciting news that our renovated main office in Greenville has been awarded LEED® Platinum Certification, the highest designation available for sustainable buildings. Established by the [U.S. Green Building Council](#), LEED, which stands for Leadership in Energy and Environmental Design, is the nation's preeminent program for the design, construction and operation of high performance green buildings. Ours is the first project in the Upstate and only the second one in South Carolina (and one of fewer than 250 in the world) to receive Platinum certification.

We had two basic goals for this project, which was completed in October 2008. First, we aimed to provide a comfortable and healthy workplace for our staff, and second, we wanted to demonstrate how to renovate buildings by using green products and features. A big missing piece in the green movement is the poor performance of existing buildings, and we've tried to do our part in filling that void.

We achieved Platinum certification by meeting rigorous standards for minimizing energy and water use, reusing and recycling material from the existing building, ensuring healthy indoor air quality, and incorporating sustainable and locally produced materials, as well as utilizing a variety of other sustainable strategies. Buildings in the United States are responsible for 39% of CO₂ emissions, 40% of energy consumption, 13% of water consumption and 15% of GDP per year, making green renovation a source of significant economic and environmental opportunities. By using less energy and water, LEED certified buildings such as our office save money for families, businesses and taxpayers; reduce greenhouse gas emissions; and contribute to a healthier environment for residents, workers and the larger community. For more details about the office, read the feature [article](#) in the [Winter-Spring 2009 Upstate Advocate](#).

We are honored and humbled to receive this international recognition. We are also mindful that the project would never have happened without the generous support of the donors to our capital campaign and the amazing team of contractors, vendors and designers who worked on the project. Congratulations to everyone involved!

2. *Amid Controversy, Greenville County Passes Comprehensive Plan*

A two-year process came to an end on December 1 when Greenville County Council voted unanimously to pass the Imagine Greenville County Comprehensive Plan. The plan, required by state law to be rewritten every ten years, includes a future land use map and defines three areas in the county as priority investment areas for infrastructure, services, and facilities.

But the most important provisions of the plan had been confined to Appendix F: the consensus goals, objectives, and strategies developed over a year by members of six citizen committees.

Promoting sensible growth and protecting special places in the Upstate

Overwhelmingly, citizen committees (and survey respondents) had expressed support for strong policies to manage growth and protect natural resources. The recommendations from the committees consist of 22 goals and more than 60 objectives and strategies for achieving the goals. For example, one goal in the plan is to “maintain and improve all aspects of the county’s air quality.” One objective for achieving that goal is “maintain attainment with EPA air quality standards.” A strategy for attaining that objective is to “decrease air pollution from the open burning of residential trash, debris and lawn material by enacting a permit system.” After the goals, objectives and strategies were developed, the Council, the Planning Commission and the Planning Department staff ranked them in order of priority.

While nothing in the plan carries the force of law, *Upstate Forever* and other advocates for good planning were concerned that relegating the specific recommended policy changes to Appendix F would reduce the likelihood that they would ever be implemented by County Council. We submitted [comments](#) to Council members urging them to include in the final plan a list of the specific policies recommended by the citizen committees that will be adopted in order to implement the plan and to establish a clear timetable for doing so (not to exceed one year). We then sent an action [alert](#) to all of our members asking them to support our request.

At a public hearing on November 17, *Upstate Forever* Executive Director Brad Wyche and several of our members spoke in favor of the implementation of a strong plan. Unfortunately, large numbers of “property rights” and anti-government activists “booed and jeered the entire premise” of the plan ([The Greenville News, 11/18/09](#)), disrupting the hearing.

Anti-planning groups continued to put pressure on Council members to reject the plan or severely cripple it by deleting Appendix F in its entirety. So we sent another [alert](#) on the morning of December 1 exhorting concerned residents to call their Council members to preserve the citizen recommendations.

At the Council meeting on December 1, Council member Willis Meadows introduced an amendment to completely delete Appendix F from the plan. His motion, however, required that the goals, objectives and strategies be brought before Council in their ranked priority order beginning in early 2010. After a break during which Council went into executive session to receive legal advice, Council member Liz Seman moved to amend Mr. Meadows’s motion by retaining the 22 goals in Appendix F. Ms. Seman’s amendment passed unanimously (Council member Lottie Gibson was absent during these two votes), and then Council voted quickly to adopt the amended plan. The end result is that Appendix F to the final plan retains the 22 goals of the citizen committees and that early next year the Council will begin considering these goals as well as the objectives and strategies in their ranked order of priority (presumably based on the average of the rankings by the Council, Planning Commission and staff).

We are disappointed that the final plan does not include a list of the specific policies that will be adopted in order to ensure that the plan is effectively implemented. But at least the goals—which include “stimulate sustainable residential development,” “improve the transportation options to better serve our communities,” “identify and protect rural places of historical, natural, or aesthetic significance,” and “promote regional planning”—remain in the plan, albeit in an appendix. Even better, the Council made a commitment to consider early next year some of the goals, objectives and strategies recommended by the citizen committees. Hopefully, the Council will follow through with this commitment—otherwise, this plan, like so many others before it, will simply gather dust on a shelf.

To read the plan, appendices, and other Greenville County comprehensive plan documents, go to www.imaginegreenville.com/apps/directorylisting/default.aspx.

3. Federal Court Recommends \$3 Million for Removing Third Dam

As we have reported in previous *Upstate Updates* ([UU102](#) and [UU103](#)), *Upstate Forever* is actively involved in the federal court case relating to the PCB contamination of Twelve Mile River and Lake Hartwell.

One of the issues in the case is how the funds in the “restoration account” (almost \$9 million) should be spent. *Upstate Forever*, the Lake Hartwell Association, and the Pickens Soil and Water Conservation District strongly support using the funds to remove the third dam on Twelve Mile River and to provide an alternative water supply system for the Easley-Central Water District, which now uses the dam for its water supply. Removal of the dam would restore the natural, free-flowing character of over 100 miles of this beautiful river system and address the PCB contamination in both the river and the lake.

U. S. District Judge G. Ross Anderson, Jr. held a hearing on October 13, 2009 to consider the issue of how the restoration account funds should be spent. Proposed projects include removing the third dam and providing an alternative water system; building a water education center in Anderson County; enhancing fish habitat in Lake Hartwell; establishing inland fishing ponds; and improving fish access opportunities in Anderson County.

The hearing lasted five hours and included compelling testimony from Dr. Larry Dyck on why the third dam should be removed. The power point presentation used by Dr. Dyck at the hearing is posted on our website: www.upstateforever.org/FreeFlowing12MileRiver_LarryDyck10-13-09.pdf.

On October 27, 2009, Judge Anderson issued an order strongly recommending that the funds be spent as follows: \$3 million for removing the third dam and providing an alternative water supply system; \$3 million for the education center; and \$3 million for the other projects. This is a huge boost to our efforts to remove the dam.

In the meantime, the S.C. Department of Natural Resources posted an online survey to obtain public input on how to spend the funds. *Upstate Forever* issued an action alert about the survey with recommendations on how to respond to the questions. The deadline for responses was December 6—DNR should be releasing the results shortly.

4. *Upstate Forever Protects Important Properties in Abbeville, Oconee, and Spartanburg Counties*

We are thrilled to announce that significant properties in Abbeville, Oconee, and Spartanburg Counties are now under permanent protection by *Upstate Forever*. The three tracts remain privately owned, but future development is strictly limited under permanent conservation agreements with the property owners.

High Meadows: *Upstate Forever's* first conservation agreement in Abbeville County protects the incredible 1,018-acre High Meadows. This expansive agricultural property, owned by Dr. Michael Fry, primarily consists of rolling Piedmont pasture currently used for grazing cattle. High Meadows is currently the largest property with a single owner protected in partnership with *Upstate Forever*. The picturesque farm adjoins a pre-Civil War historic home, thus ensuring the home remains surrounded by the same landscape in which it was constructed. The property also contains substantial frontage along Shanklin Creek, mature hardwood forests, prime soils, and important wildlife habitat.

Chestnut Return: Dr. Joe and Sandra James have signed a conservation agreement to permanently protect their 244-acre property Chestnut Return in Oconee County. This beautiful farm contains rolling Piedmont hardwood forests and fields and offers views of the Blue Ridge Mountains as well as extensive frontage on Coneross Creek. The property is also home to Dr. James' orchards of experimental blight-resistant American chestnut hybrids. Dr. James, who was recently featured in the September-October issue of *South Carolina Wildlife* magazine and has received national acclaim for his research, hopes that his work at Chestnut Return will one day restore to prominence this beloved native tree species, which has been devastated by the blight.

Dr. James is now the second board member of *Upstate Forever* to protect his property with a conservation agreement. He is also a member of Oconee Forever (see the following article).

Cleveland Preserve: Sisters Prudence Scott and Jennifer Haas have donated a 300-acre parcel of land to the Spartanburg Area Conservancy (SPACE) to honor their great grandfather, John B. Cleveland. The parcel, which will be known as the Cleveland Preserve, is located just 10 minutes from downtown Spartanburg. The land includes substantial frontage along Peters Creek, is in close proximity to the Peters Creek Heritage Preserve, and includes mature hardwood forests, prime soils, scenic vistas, a variety of flora, a large pond, and important wildlife habitat. SPACE has entered into a conservation agreement with *Upstate Forever* to protect the property.

Home to whitetail deer, wild turkey, hawks, otters, upland game birds, songbirds, and many other wildlife species, the property will host agricultural and environmental education and demonstrations and provide passive recreational opportunities for the public. Much of the property is a working farm under long-term lease to a local family.

Upstate Forever now holds conservation agreements protecting 68 properties totaling 12,670 acres. For more information about protecting land with conservation agreements, visit www.upstateforever.org/programs_landPres.html.

5. Oconee County Citizens Advocate for Local Conservation Bank

Oconee Forever is a grassroots group of Oconee citizens working to protect important lands within their home county. Currently, members are rallying support for the establishment of a local conservation bank, which would allocate funding to the protection of important lands exclusively within Oconee County. Similar dedicated funding mechanisms for land conservation have met with great success in Beaufort and Charleston Counties.

On December 1, Oconee Forever members Bubba Land, Rex Ramsey, and J. Harold Thomas formally presented the idea to Oconee County Council for consideration. The presenters did a wonderful job, and the idea was well-received. Hopefully, in the coming months Council will approve a local conservation bank for protecting special places in the County. For more information about the effort, visit www.oconeecountyconservationbank.org.

6. Clinton Envisions Its Future

Upstate Forever hosted a “Hometown 2030” public visioning workshop for the City of Clinton in November. The two-day event drew more than fifty participants to develop strategies for meeting the retail needs of the growing Laurens County community.

The evening of November 12 featured a presentation by small-town community planning expert Chris Plein, chair of the Division of Public Administration at West Virginia University and founder of the West Virginia Community Design Team. “Every community is distinct,” Plein said, “but none is unique.” Taking lessons from other communities while building on a locality’s distinctions should be central to the process. Plein also warned against falling into the “utopia trap” of unattainable ideas, as well as the “inevitability trap” of believing that nothing will ever change. Either mindset will hamstring efforts to implement plans.

On November 13, a team of consultants from the FA Johnson Consulting Group and Hybrid Engineering led a day-long workshop focused on both the retention of existing retail and the expansion of the retail base. One message of the presentations was that retail recruiting and development should not consist of merely filling spaces, but of creating just the right mix of retail and services. Lunch panelists, including representatives from the City of Clinton and Laurens County and a local business owner, agreed that the greatest need for Clinton’s orderly growth is cooperation from Laurens County and the City of Laurens, the other significant municipality in the county.

After lunch, participants divided into three groups for roundtable discussions led by the workshop

team. The topics included a discussion of the strengths, weaknesses, opportunities and threats to the planning process and to the development and retention of a strong retail base; the position of senior citizens and their relationship to the housing and retail options in the city; and infrastructure strengths and needs related to the annexation of properties into the city and the redevelopment of existing but vacant sites around town.

Throughout the day, participants maintained a lively and informed discussion of important and sometimes controversial viewpoints. A real feeling of accomplishment and energy, despite the long day, filled the room as the workshop wrapped up with comments regarding the next steps of the process. The FA Johnson Consulting Group team will write and present the report of the event to the City Council and other concerned groups.

But as Chris Plein pointed out, the real work—implementation—lies with the participants themselves. “We are a culture of announcement,” Plein said Thursday evening, “not achievement.” To achieve the plan, the community must buy into the underlying goals and principles. The City of Clinton seems well poised to meet the demands of the demographic changes in store for all of the Upstate. Envisioning those demands, planning for the long range development of the infrastructure necessary to meet them, and obtaining the funds for implementing the plans require full community involvement and commitment.

7. Greenville is Bike-Friendly

The City of Greenville has been designated a Bicycle Friendly Community (BFC) at the bronze level by the League of American Bicyclists. This achievement is the culmination of a year-long effort by “Bikeville,” a dedicated group of cycling club members, business owners, city staff members, safety advocates, nonprofit representatives (including from *Upstate Forever*) and concerned citizens. The city was judged on its cycling facilities, including dedicated and shared lanes, trails, and parking facilities, as well as its planning and educational efforts. Spartanburg, the only other BFC in the Upstate, received silver level designation in 2007. Learn more about Bikeville’s efforts at www.bikeville.org.

8. Conservation Groups Agree on 2010 Legislative Priorities

Although the General Assembly closed its regular session in June, in the months since then, conservation organizations have continued working to define and advance our priorities for the next legislative session. More than two dozen South Carolina organizations, including *Upstate Forever*, participate in a consensus-based process called the “Common Agenda” that enables the conservation community to speak in a unified voice.

Coordinated by Conservation Voters of South Carolina Education Fund (CVSCEF), the Common Agenda represents a combined, statewide membership of over 45,000. “Over the past few years conservation issues have risen to the forefront of the public consciousness and have become some of the most talked about subjects in the lobby of the State House,” said Ann Timberlake, CVSCEF Executive Director. “Policy makers are paying attention to our Common Agenda.”

Common Agenda participants have chosen the following six major issues to focus on next year:

- **The Conservation Bank:** Increased land protection funding and begin discussions to remove 2013 Sunset Provision
- **Funding our Natural Resource Agencies:** Protect funding for DNR, PRT and Departments of Forestry and Agriculture
- **Fair Share Water Bill:** Water withdrawal permitting legislation
- **Stop Swimming in Sewage:** Water utility notification and a 3-strikes spill bill
- **Re-energizing South Carolina:** Renewable Portfolio Standard and Energy Efficiency Resource Standard
- **Reducing Mercury Pollution**

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The priorities will be officially presented to legislators at a January briefing at the State House. The groups' efforts will continue once the House and Senate reconvene in January, including volunteering their time at the State House, testifying in committee hearings, and participating in conversations with legislators. For more information about the South Carolina Conservation Common Agenda, visit www.conservationvotersofsc.org. To stay informed about the progress of the Common Agenda next year, [subscribe](#) to *Upstate Forever's* weekly *Legislative Alert* email bulletin.

9. Quote of the Month

"One day in the not-so-distant future we'll all look back and wonder why we threw so much money away for so long. Compared to what is possible, such as *Upstate Forever's* office, it's a little bit like we try to heat our homes in the dead of winter with the doors open."

--Jeanne Brooks, columnist, in her piece "[Soon, We'll All Build Like This](#)," in *The Greenville News*,
11/17/09

MARK YOUR CALENDAR:

- "Flicks for Thought" Film Series -- every Tuesday in February @ 5:30 p.m.
 - Fourth Annual Art and Conservation Celebration -- Tuesday, March 23 @ 6:00 p.m.
- ...more details available at www.upstateforever.org...

