



1,003 MEMBERS!!!

(As of 7-24-02)

**WOW! UPSTATE FOREVER NOW
HAS MORE THAN 1,000 MEMBERS!
WE ARE PROUD TO HAVE REACHED THIS
MILESTONE IN LESS THAN FOUR YEARS!
THANK YOU FOR YOUR SUPPORT!**

UPSTATE UPDATE 35

*Upstate Forever's Monthly Bulletin on
Important Issues and Events*

July 24, 2002

**1. *State Is Finally Ready To Spend Colonial Pipeline Settlement
Funds To Benefit Reedy River.***

On June 1, 1996, almost one million gallons of oil poured into the Reedy River in southern Greenville County when Colonial Pipeline Company's major line ruptured. The impact on the river was brutal. Water quality was severely degraded, oil saturated the river's sediments, and over 30,000 fish were killed.

In February, 1998, the State's claims against Colonial were settled for \$6.5 million, but then disputes over legal fees and whether the funds should be placed in a separate account for the benefit of the river led to long delays in spending any of the money. The legislature eventually passed a law directing that the funds be spent on restoring and protecting the river in the

area of the spill, and the dispute about the legal fees was finally resolved. Now, at long last, the State is ready to proceed.

The State's natural resource trustees (the South Carolina Department of Natural Resources, the South Carolina Department of Health and Environmental Control and the Governor) have approved a "Reedy River Restoration Plan" that consists of the following eight elements:

- \$3 million for the protection, and where appropriate, restoration of the stream channel, riparian corridors and significant associated wetlands of the Reedy River by conservation easement, fee simple acquisition or other measures.
- \$600,000 for a comprehensive Reedy River basin water quality model.
- \$400,000 for the design and implementation of site specific solutions to water quality problems.
- \$300,000 for the long-term monitoring of the water quality and biological health of the river's aquatic resources.
- \$400,000 for the improvement of public access to the Reedy River for bank fishing, boating and other recreational use.
- \$500,000 for the establishment of an environmental education program for local governments, landowners and the general public.
- \$110,000 for installing and maintaining 400 nesting structures for waterfowl and other wetland birds.
- \$200,000 for the acquisition of Lake Conestee.

On July 16, the State hosted a public meeting at the Laurens County Public Library to explain in more detail the first element of the plan—the expenditure of \$3 million to preserve and protect land along the Reedy River. *Upstate Forever* Executive Director Brad Wyche was one of the speakers, presenting basic information about conservation easements. Over

75 persons attended, including many landowners along the river. The State's natural resource trustees have asked for specific proposals from landowners by the end of next month. For more information, please contact Brad Wyche at *Upstate Forever* or Barry Beasley at the South Carolina Department of Natural Resources, beasley@water.dnr.state.sc.us or at 803-734-9095.

2. *And Speaking Of The Reedy: Come Celebrate The River On August 18 And Hear Edwin McCain!*

Please come celebrate the Reedy River on Sunday, August 18 and support efforts to beautify Reedy River Falls Park! Sponsored by Friends of the Reedy River and the City of Greenville, the evening features a concert by Edwin McCain in the Dow Amphitheater behind Greenville's Peace Center beginning at 7:00 p.m. A \$100 donation will entitle you to attend a private reception with Edwin at 6:00 p.m. at nearby Rene's Steak House. General admission is \$20.00. For more information, call Friends of the Reedy River at (864) 255-8946.

3. *Citizens Speak Out On Loss Of Dorman High School!*

One good way to understand what "smart growth" means is to consider an example of "dumb growth." One outstanding example is the closing of Dorman High School in Spartanburg. For 38 years the school was not only a place of learning for thousands of students but also an integral part of the surrounding community. Then, the Spartanburg School District 6 trustees made the very unwise decision to close the school and build a new one many miles from town. The trustees argued that they needed a larger school for the growing population, but they overlooked the obvious fact that there was plenty of room at the current site for expanding the school.

Closing the school was bad and shocking enough, but there's more. The new school is located in a rural area of the county (at the Highway 221 and Interstate 26 intersection) that has woefully inadequate infrastructure to accommodate the explosive growth that will inevitably follow the school. Second, all of the buildings and trees at the old school have been obliterated to make way for—are you ready for this?—a Wal-Mart Super Store, Home Depot, Michael's, Wendy's, Chick-Fil-A, and a gas station, surrounded by large expanses of asphalt! The final insult is that Wal-Mart and Home

Depot are abandoning their existing nearby stores to move to the “Dorman Centre Complex.”

There are many citizens in Spartanburg who are deeply troubled about all of this, and they have been speaking out. Here are just some of the recent letters that have been published in the Spartanburg Herald-Journal:

Allen Buie (June 14): “I read with disappointment in the Herald-Journal on June 5 that the game of hopscotch in West Spartanburg has picked up a few more players. Even as the downtown area slowly becomes reborn into a more livable community, the sprawl of the West-Gate area continues to expand. Already plagued by a glut of empty commercial property, this area soon will be home to even more empty retail boxes and islands of asphalt. Sadly enough, the City Council itself is fostering this type of growth, eschewing smaller-scale, mixed-use development that many communities have realized with it. Spartanburg must leave behind the outdated notion that all business must be in one area, retail in another huge area and all residential located separately, all connected by six-lane highways lined with gasoline stations and strip malls. This subdivided ‘city of tomorrow’ was first theorized by the architect Le Corbusier in the 1930s and implemented wholeheartedly by the federal government and auto makers in the 1950s. What is the result 50 years later? Declining tax base, oceans of asphalt, utter dependence on the automobile, subdivisions instead of neighborhoods, and mega-schools that foster a sense of isolation are reality now that the city of tomorrow has become the city of today. The problems that plague city planning, architecture and education are attributable to one thing: The human scale has been neglected in favor of ‘bigger is better and cheaper.’ Le Corbusier’s utopian ‘towers in the park’ have come to fruition, except that the towers are really Wal-Marts, and the parks are really asphalt lots lined with crape myrtles. I challenge the city of Spartanburg to rethink its development policies and maintain its unique sense of community in the face of short-term revenue that will never match the long-term costs.”

Diane Emkjer (June 23): “I agree completely with Allen Buie’s letter to the editor on June 14. When the old Dorman High School’s property became open for bidding, proposals were offered that would have made this prime real estate available for mixed use and in keeping with a more human scale. Instead, greed won out, and we are to have another super-duper store. Wal-Mart is a 1,000 pound gorilla and can do anything it wants. When

small towns tried to stop Wal-Mart from coming in, the result was the loss of small businesses in their communities. Now Wal-Mart moves from large buildings to huge, new stores, leaving behind a space almost impossible to fill by any major retailer and hurting all other small shops in the complex. It's too late to change anything now about the old Dorman High School site. Perhaps when we are sitting in traffic on Highway 29, wondering what is happening to the tax base or regretting the loss of community, we will remember not to ever let this happen to our town again."

Judie and John Hamilton (June 24): "A drive down W.O. Ezell Boulevard past the former Dorman High School site is enough to turn your stomach. The destruction of countless, old hardwood trees to make way for the mere relocation of businesses within the city, with no new jobs and no increase in the tax base, is simply foolish. And to know that a handful of narrow-minded shortsighted individuals allowed this to occur is even more disheartening. City Council, city employees and school board trustees allowed themselves to be manipulated and duped by outsiders with no more interest in Spartanburg than how much profit they can rip out of the land. Empty promises of 'new' businesses are pretty cheap ways to make fools of people. It's this kind of tunnel vision mentality that will keep Spartanburg failing when it comes to progress and quality of life for its citizens. You should always remember to dance with the one who brought you—and bought you. Spartanburg has gained nothing—only more empty buildings to add to a city with more than its share of eyesores. The developer is the only winner in this fiasco, and it has moved on to its next unsuspecting victim. Until its citizens elect individuals with some intelligence, capable of thinking for themselves and having an original thought or two, to replace our present City Council and school board trustees, Spartanburg is doomed to be always grasping for but never attaining greatness, her legacy thus far."

Beth Boone-Mittendorf (June 24): "Ever wonder why you can breathe much better as you approach the mountains? Trees are everywhere, that's why—lots of oxygen from trees! It is dismaying to see the overdevelopment going on in our county, particularly on Spartanburg's west side. It didn't take long for the bulldozers and pollution-makers to make it to the site of the now ghost-like Dorman High School building. Take a ride by the side—I mean, 'sight,'—and see the piles of beautiful, old trees and azaleas in big, dead heaps, and see the dust flying everywhere. Bring a face mask, though. See for yourself why it's hard to breathe in the city. The

trees are disappearing, more asphalt is being poured, and the big developers just keep on and on. It's pathetic."

Valerie Hare (June 27): "I have to add my voice to those raised in protest about the former Dorman High School site. When will the powers that be of this city and county raise their heads out of the sand and realize that this is not progress? We are witnessing an economic regression. Our area is littered with vacant eyesores left by companies that have moved on to bigger and better things, as they see it. They have been aided and abetted by ignorant people in positions of power who seem to be unaware of the consequences of unbridled development and no regulations. Four years ago, I fled Atlanta, having witnessed so-called progress in that city. I no longer was willing to tolerate the congestion and pollution, and that is in an area that has emissions testing on all vehicles. I watched as vast stands of mature hardwood trees were razed just like we witness at Dorman now. I do not consider myself a 'tree hugger,' but I do care about the legacy we are building in our lovely town and county. Let's elect people of integrity who can fight for standards that will safeguard our quality of life instead of the crowd, mired in this provincial mind-set, who seem only interested in chasing the dollar. Applause is owed to the progressive few who are renovating and recycling our downtown. As we stand now, only the developers win, and we lose. Few new jobs will come, if any, and forget about an expanded tax base."

Julie Trail Settle (July 7): "Driving down W.O. Ezell has never been so hard. And it's not even the traffic that's bothering me these days. I will actually sort of miss the mad rush of teenagers that used to overrun the highway every day at 3 p.m. No, it's the tearing down of Dorman High School that's got me craning my neck and holding back tears every time I pass by. I never thought that walls and glass and concrete could affect me so dramatically until I drove by a few days ago and really almost cried. Seeing a bulldozer slowly turn my old high school into dust and debris is heart breaking...But even though the building will soon be completely gone, my memories will live on. From now on, instead of recalling my high school days by a quick glance in the rear view mirror at my old school, my priceless memories will be housed between the electronics and sporting good sections of a super-duper Wal-Mart. It's not the same, but it'll have to do. Price check, please?"

4. Senate Finance Committee Approves Major New Tax Incentives For Land Conservation!

The Finance Committee of the United States Senate recently approved an increase in the amount of the income tax deduction for the donation of land for conservation or for protecting land through conservation easements.

Conservation easements are voluntary agreements between a landowner and a land trust, such as *Upstate Forever*, or a government agency in which uses and activities on the property are restricted in order to protect the land's conservation or historic values. For more information on how easements work, please visit our web site, www.upstateforever.org.

Land trusts have long solicited donations of conservation easements by landowners, but the existing incentives have been undermined by the increase in land values over time. Current law allows the landowner to deduct the value of a qualifying easement (the amount by which the easement reduces the fair market value of the land) only up to 30 per cent of his or her adjusted gross income, and unused deductions can be carried forward for only five additional years. Consequently, "land rich, cash poor" owners often can deduct only a small fraction of the value of the donation. The bill approved by the Finance Committee allows deductions of up to 50 per cent of adjusted gross income and a carry forward of 15 years. For taxpayers whose income comes primarily from farming and ranching, it is 100 per cent of adjusted gross income with an unlimited carry forward.

The bill contains two more important new incentives: (1) an exclusion from taxation of 25 per cent of the gain on the sale of land to a conservation organization or a government conservation agency; and (2) approval of the use of tax-exempt bonds for the purchase of lands where the bonds are repaid from timber revenues from the land.

The bill is expected to be considered by the full Senate later this year. If it passes, it will be sent to a conference committee with the House, which already passed a large charities bill but without the conservation tax incentives. ***You can help*** by contacting Representative Jim DeMint, 504 Cannon House Building, Washington, D.C. 20515 (202-225-6030) and Representative Lindsey Graham, 1429 Longworth Office Building, Washington, D.C. 20515 (202-225-5301) and asking them to co-sponsor the House versions of the bill (H.R. 1309 and H.R. 2290). Also, please ask

them to write Representative Bill Thomas, Chairman of the House Ways and Means Committee, to urge him to include the conservation tax incentives in the final version of the charities bill.

Thank you for your support!

5. *Conservation Bank Board Members Named.*

Governor Jim Hodges, House Speaker David Wilkins and Senate President Glenn McConnell have completed their appointments to the board that will administer the new Conservation Bank Act. They are: Weston Adams, Camden; Chip Campsen, Charleston; Elliott Close, Lancaster; Tom DeLoche, Columbia; Ben Geer Keys, Greenville; Charles Lane, Charleston; Tommy Miller, Anderson; Henry Tisdale, Orangeburg; and Hugh Weathers, Bowman.

The Conservation Bank will not be funded until 2004, but we are pleased that the appointments have already been made. This will enable the Board to be ready to go when the funding arrives!

6. *Harold Mitchell Wins National Award For Work On Arkwright Project.*

Harold Mitchell recently received the Citizen's Excellence in Community Involvement Award from the United States Environmental Protection Agency for his vision and leadership in cleaning up and revitalizing the Arkwright community in Spartanburg. Harold grew up at Arkwright and saw first hand the abuse, neglect and pollution that dragged his community down to the brink of extinction—the city landfill, a large fertilizer manufacturing plant, and crumbling roads, just to name a few. Harold's mission is to bring the community back to life by providing sound infrastructure, eliminating the health and environmental risks, and restoring respect for the neighborhood. He could not have chosen a better name for the organization he created to spearhead these efforts: Regensis.

Through Harold's efforts, Spartanburg County has received more than \$2 million in federal grants to clean up the community. Last May the Ford Foundation awarded a \$100,000 grant to the residents for the revitalization efforts. Plans are being developed to construct a health center at Arkwright, to improve housing and to repair the roads.

Arkwright is proving to be a model for community revitalization efforts throughout the country, and none of it would have happened without Harold Mitchell's hard work and leadership. Congratulations!

7. *Please Attend Press Conference On Southern Appalachian Region Report In Greenville On July 26, Featuring Rudy Mancke.*

Upstate Forever and 11 other conservation organizations will host a press conference in Greenville on Friday, July 26 to announce and affirm their endorsement of the report, Return of the Great Forest: A Conservation Vision for the Southern Appalachian Region. The report sets forth a comprehensive vision for protecting the magnificent natural resources of the Southern Appalachian region, including the Blue Ridge Escarpment in the Upstate. There will also be an announcement of the acquisition and protection of an important tract along the Reedy River in the City of Greenville. The press conference will be held at Pavilion Number 5 in Cleveland Park near the Zoo beginning at 11 a.m. Famed naturalist Rudy Mancke will be the keynote speaker. Please join us. Admission is free! For more information, please contact Chanda Morrison at 864-647-0068 or at chanda@safc.org.

8. *Welcome Erin Jordan As Our New Director of Natural Resource Protection!*

We are delighted to announce that Erin Jordan will be joining us on August 6 as our new Director of Natural Resource Protection. Erin graduated *summa cum laude* from Clemson University with a degree in landscape architecture. She was awarded the 2002 American Society of Landscape Architects Certificate of Honor, the highest award given by Clemson University's Landscape Architecture program. For her honors thesis, Erin wrote a book entitled Children and Landscapes: Environmental Education and Childhood Development, which will be published later this year. Erin has studied urban form and design in Turkey, Switzerland and Greece and was most recently employed as a landscape and graphic designer with Earth Design in Pickens.

Erin replaces Katie Chamberlain, who will be enrolling this fall in the graduate program in urban planning at McGill University in Montreal. Katie

has done a terrific job for us, and we will miss her. Good luck, Katie! We hope you return to the Upstate soon!

9. *Lots o' Links!*

This Upstate Update debuts our newest feature which provides links to a sampling of important articles and editorials about land use, growth and environmental protection issues across the United States. We hope you find these interesting and useful.

Getting Out of Gridlock

One-third of the average city's land is devoted to the car. Is there a way out?
http://enn.com/news/enn-stories/2002/07/07052002/s_47124.asp

Smart Growth Advocated at NAACP Convention

Atlanta's Robert Bullard discusses the impact of sprawl on African-Americans.
<http://www.chron.com/cs/CDA/printstory.hts/metropolitan/1487355>

Greener Growth with Cleaner Coal

Cleaning up the burning of coal would be the best way to make growth greener.
http://www.economist.com/opinion/displayStory.cfm?story_id=1213432

A French Lesson on Rail Transit

The French have a high speed rail network that is the envy of the world.
http://www.boston.com/dailyglobe2/186/oped/A_French_lesson_on_rail_transit+.shtml

Have Housing Prices Risen More In Portland Than Elsewhere?

Report examines some factors that have influenced home prices in the Portland region and elsewhere.
<http://www.fanniemaefoundation.org/programs/hpd/v13i1-downs.shtml>

10. *Quote Of The Month.*

“Wal-Mart and Home Depot will move from their current west side locations into new and larger buildings at the site of the former Dorman High School. Michael’s also will move to the development. Spartanburg consumers will not gain many additional shopping choices from the new development. There will not be significant numbers of new jobs. The city will gain only the vacant buildings these businesses leave behind. And the shopping centers they currently anchor will struggle to survive.... This is empty growth. Land is developed, and buildings are constructed, but the community gains nothing. The overall tax base is not enlarged. Consumers don’t gain choices. The quality of life in the community is not improved.”

Editorial, Spartanburg Herald-Journal
June 6, 2002