

Upstate Update

NUMBER 81

JANUARY
2007

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

In this Upstate Update:

Top Ten Achievements in 2006
Upcoming Events
Quote of the Month

Don't miss our **First Annual Art and Conservation Celebration** on **January 27** from **6:00 to 10:00 p.m.** at Saffron's Sidewalk Café in Greenville. More than 30 renowned artists will be showcasing their nature-based works, with 50% of all sales benefiting **Upstate Forever**. Food and drink will be provided by Whole Foods. Cost: \$25 per person. Call (864) 250-0500 to register. See you there!

TOP TEN ACHIEVEMENTS IN 2006

Here's our annual Top Ten List of the most notable achievements in land use, conservation, and sustainable development issues in the Upstate (not necessarily in order of importance).

1. TRAC Plan Approved

Over a year of hard work and advocacy for more parks in Greenville County came to a successful conclusion on December 12 when County Council, by a vote of 10 to 2, gave final approval to the "TRAC" (Tourism, Recreation and Athletics Coalition) plan.

The plan, which will be funded by a 2% hospitality tax on restaurants in the unincorporated areas of the county, includes upgrading and expanding existing parks and building new parks throughout the county. The plan includes the Swamp Rabbit Rail-Trail, Lake Conestee Nature Park, and Camp Spearhead, all of which have been priority projects for **Upstate Forever**. (For more information about the TRAC plan, visit www.greenvilleforward.com/Main%20Pages/TRAC.htm.) The hospitality tax is expected to generate about \$6.5 million per year -- enough to support \$50 million worth of bonds to implement the TRAC plan.

The "C" in TRAC is the reason for its success - "coalition." The plan was supported by one of the most diverse groups of partners that has ever come together in the history of Greenville County to advocate for a particular initiative. The coalition included business leaders, homebuilders, realtors, swim teams, soccer clubs, Little League baseball, museum supporters, tourism officials, Furman University, municipalities, and conservation groups. Major kudos go to Gene Smith, Executive Director of the Greenville County Recreation District, and his amazing staff, who created the plan and met individually with each Council member to explain it. And of course, the ten members of County Council who voted for the plan deserve our profound gratitude.

No organization more actively supported and is more excited about the TRAC plan than **Upstate Forever**. But this plan, as wonderful as it is, still falls far short in meeting Greenville County's long-term recreational needs. The comprehensive study that was done in 2002 showed that the County actually needs over \$100 million in new and expanded parks by 2015. The TRAC plan will fund only half of that. Moreover, the plan is woefully deficient in its funding for conservation. Greenville County urgently needs a local "conservation bank" to protect important lands and resources (natural and historic).

So after the well-deserved celebration is over, we hope the coalition stays together. We have more work to do.

Promoting sensible growth and protecting special places in the Upstate

EDUCATION • ADVOCACY • LAND TRUST

2. Spartanburg Landfill Defeated

On March 16, 2006, Spartanburg County Council announced that it had rejected the offer from Waste Management to build a new mega-landfill in the southern part of the county. This marked the end of a four-year uphill battle against a project that would have had a hugely negative impact on the quality of life in Spartanburg County.

It was a great victory for a determined team of landfill opponents, including *Upstate Forever*, the Spartanburg League of Women Voters, RESCUE (the group representing residents near the proposed site), and *Upstate Forever* Board member Joe Lesesne, who courageously led the countywide campaign to stop it.

Because of *Upstate Forever's* support, we were able to set up a website, send out over 50,000 mailings, facilitate the delivery of over 3,300 "no landfill" post cards from citizens throughout the county to their Council representatives, and operate a phone bank. Many thanks to all of the *Upstate Forever* members who spoke out—your voices were heard! And we also deeply appreciate the financial contributions that several of our members made to support the effort.

For a review of the entire history of this dispute, see ["Dumping the Landfill: A Case Study in Grassroots Activism"](#) in the July, 2006 *Upstate Advocate*.

3. Furman University a National Leader in Sustainability

Last year, Furman University adopted a commitment to environmental sustainability as one of its foremost strategic goals. Furman has already accomplished a great deal in this area, including constructing South Carolina's first LEED certified building, establishing the Eco-Cottage student housing, and manufacturing biodiesel fuel from dining hall waste. Among Furman's exciting plans for the future are the construction of a new science center, the restoration of Furman Lake, and an expansion of their trail system.

To underscore its commitment to sustainability, Furman declared the 2006-2007 school year to be "The Year of the Environment." Throughout this year, Furman is sponsoring a series of programs, lectures and events to emphasize environmental citizenship and develop greater environmental consciousness, both on campus and off. The school officially kicked off the year on September 13 with an opening convocation, which featured a keynote address by *Upstate Forever* Executive Director Brad Wyche entitled "Natural Capitalism: The Path to a Sustainable World" (available on our website at www.upstateforever.org/index_doc/naturalCapitalismFurman2006.pdf). This was soon followed by a wonderful three-day conference entitled "The Environment: Critical Issues in the 21st Century," featuring an address by former U.S. Sen. John Glenn, the first American to orbit the Earth.

To learn more about Furman's sustainability efforts, visit www.furman.edu/sustain.

4. Reedy River Greenway Moves Forward

The development of a greenway along the Reedy River from Lake Conestee to Travelers Rest has long been a vision of *Upstate Forever* and many others in Greenville County. The past year saw great progress toward realizing this dream. First, the proposed redevelopment of the Swamp Rabbit rail line into a rail-trail become a reality in April, when the Surface Transportation Board (STB) in Washington rejected the efforts of a private railroad company to take over the rail line and restore commercial freight service. *Upstate Forever* actively participated in the STB hearings, strongly opposing the private company's efforts.

Next, the Greenville County Economic Development Corporation, owner of the rail line, which runs from Travelers Rest to the City of Greenville, entered into an operating agreement with the Greenville County Recreation District and the Greenville Transit Authority. They are now planning the next phase of the project: removal of the tracks and ties.

Then in October, the City of Greenville opened a 1.5-mile trail section extending along the Reedy River from Linky Stone Park to the city limits. The 12-foot-wide trail includes a rubberized section for runners and is already attracting great numbers of users. The county's section will pick up where the city's path leaves off. The greenway will provide a fantastic resource for commuters and recreational users alike.

5. Expanded Tax Incentives for Conservation

On the federal level, 2006 saw the passage by the U.S. Congress of a substantial expansion of the federal tax incentives for conservation. This new law:

- Raises the deduction a landowner can take from 30% of his or her adjusted gross income to 50%;
- Allows qualifying farmers and ranchers to deduct up to 100% of their adjusted gross income; and
- Increases the number of years over which a donor can take those deductions from six years to 16 years.

And while the new incentives apply only to donations in 2006 and 2007, conservation organizations are advocating for these changes to become permanent.

Limited tax benefits have often been the reason that many conservation agreements do not happen. With passage of the new law, this is now changing. For more information on the expanded tax incentives, visit the Land Trust Alliance website at www.lta.org. To find out more about donating a conservation easement on your land, contact *Upstate Forever's* Land Trust Director Dana Leavitt at 250-0500x23, or visit www.upstateforever.org/programs_landtrust.html.

6. Record Year for Land Trust

Upstate Forever's land trust program had a record year, protecting almost as much land in 2006 as we did during the previous six years. We signed 15 land protection agreements covering over 3,000 acres during the year, bringing our total to 39 agreements protecting almost 8,000 acres in the Upstate. Our land trust program is expanding geographically as well: the past year saw the recording of our first agreements in Anderson, Laurens, and Oconee Counties!

In addition to the expanded tax incentives now available, there are several reasons why this was such a good year for us: more property owners understanding that protecting their land can be a huge "win-win"; the great support of the South Carolina Conservation Bank; and additional staff for our land trust program.

We are excited about the possibilities to achieve even more in 2007, as we have just received a grant from the Graham Foundation for a major outreach campaign to landowners and the attorneys, accountants, and financial planners who advise them. We are eager to spread the word about how we can work with property owners to preserve special places in the Upstate.

7. Upstate House Completed

Last spring, *Upstate Forever* Board member Carlton Owen and his wife, Brenda, moved into their newly constructed dream home, “Upstate House.” A partnership of *Upstate Forever* and the Home Builders Association of Greenville, Upstate House is a single-family live/work residence in Greenville’s Pettigru Historic District that meets all EarthCraft and Energy Star standards. Designed by local green architect Scott Johnston, the 2,400 square foot house features large windows, a welcoming front porch, historic charm, and a spacious interior. But a closer look reveals that the house is also chock-full of green features, including solar hot water, recycled-pallet flooring, soy-based insulation, paperless wallboard, and compact-fluorescent lighting.

Built with sustainably produced and recycled materials wherever possible, the environmental impact of construction was minimized. The home also reduces future depletion of natural resources with its state-of-the-art insulation, passive solar heating and natural daylighting. Nearly fifty building products manufacturers and professional service providers contributed free or discounted materials and services toward the home’s construction.

The house is now open periodically to groups of architects, builders, officials, community groups and educators who want to learn how to lessen the impact of daily living on the environment while reducing energy and maintenance costs. To learn more about Upstate House and to see a complete list of partners, or to schedule a visit, go to www.upstatehouse.org.

8. Lake Conestee Nature Park Opens to Public

After six years of effort by the Conestee Foundation, the Phase 1 trail system of Lake Conestee Nature Park opened to the public in late October. The trails were constructed with a generous grant from the SC Department of Parks, Recreation and Tourism, helping to transform what was once a polluted eyesore into a major educational and ecological asset for our region.

Although it will be several years before the full vision of the park’s planners is realized, for now visitors can enjoy a rustic nature experience only a short distance from downtown Greenville. Meanwhile, work continues on acquiring additional lands and establishing what one day will hopefully be the crown jewel in a countywide, interconnected system of parks and greenways. To learn more about Lake Conestee, visit www.upstateforever.org/programs_conestee.html.

9. US Forest Service Land Sale Abandoned

Last February, the Bush Administration proposed to sell off more than 300,000 acres of national forest land, including 4,665 acres in South Carolina, to provide short-term funding for rural schools. *Upstate Forever*, along with many other conservation groups, vigorously opposed this sale as ecologically unwise and fiscally unsustainable (see [UU 73](#)). Many of you responded with letters and calls of your own to the Forest Service and our representatives in Washington. These were among more than 130,000 citizen comments, the overwhelming majority of them negative, received by the Forest Service on this issue. As USDA official Mark Rey admitted to *The (Charleston) Post and Courier* in June, “Maybe it’s not the best idea we ever came up with.”

Thanks in large part to the public outcry against it, the proposal did not pass in Congress in 2006. Unfortunately, the bill will probably be repackaged and presented again this year, so stay tuned!

10. No Regulatory Takings Legislation—For Now

In 2006, the SC House of Representatives considered a bill, H.4503, which stated that “a private owner of real property is entitled to just compensation if a land use law reduces the fair market value of the land.” In practice, this “regulatory takings” bill would have ground to a halt all local planning and zoning efforts in our state. The results of a similarly-worded measure passed in Oregon in 2004 have been catastrophic for planning efforts. State and municipal governments there are already faced with thousands of claims and have only two options: (1) pay landowners millions of dollars in compensation for perceived “reduced land value” (which they cannot afford to do) or (2) grant waivers to the complaining landowners and allow them to ignore reasonable land use protections, despite negative impacts on their neighbors’ properties. As a result, a mining company is now permitted to mine in a national monument, and a gravel pit has been allowed to operate in a residential neighborhood, among other examples.

While regulatory takings did not become law here in 2006, the Legislature did appoint a takings study committee that begins meeting this month, and a regulatory takings bill is almost certain to be reintroduced in 2007. *Upstate Forever* supports the efforts of a newly-formed statewide organization, Citizens for Community Protection, which is forming a coalition of local governments, chambers of commerce, homeowners’ associations, historic preservation societies and conservation groups to oppose regulatory takings legislation and fight for the right of South Carolinians to determine the fates of their communities.

For more information on the coalition and the effort to defeat takings legislation in the 2007 session, contact their grassroots coordinator, Alison Floyd, at (803) 771-6468 or alison@citizens4cp.org.

Upcoming Events

Upstate Forever Events

February 13, Upstate Forever Lobby Day 2007, South Carolina Statehouse, Columbia, SC, 11:00 a.m. - 3:30 p.m. Join us at the State House to speak to your legislators about conservation issues. Staff from *Upstate Forever* and the Conservation voters of South Carolina will be on hand to brief you on the issues and to explain the lobbying process. **You’re not expected to be an expert** -- all you need is a willingness to learn, and a desire to bring about change. We will even provide transportation, with vans leaving from both Greenville and Spartanburg at 9:00 a.m. and returning by 5:30 p.m. Contact Nancy Fitzer at nfitzer@upstateforever.org or (864) 250-0500x30 if you are interested in participating.

February 24, Winter Waterfall Hike. We’ll visit a pristine stream and waterfall in the Upstate and discuss a variety of issues facing our waters. For more information or to register, contact Gretchen Wilson at (864) 250-0500 or gwilson@upstateforever.org.

February 24, Lake Conestee Operation Clean Sweep, Mauldin, SC, 8:30 a.m. - 1:00 p.m. Lake Conestee Nature Park supports a lush bottomland forest and rich diversity of wildlife and contains over 2 miles of trails and boardwalks. Unfortunately, Lake Conestee serves as a major repository for the debris entering the Reedy River. To help restore this area, meet at the former Municipal Stadium on Mauldin Road; refreshments will be provided. For more information, contact John Tynan at jtynan@upstateforever.org or (864) 250-0500x31.

Upstate Update

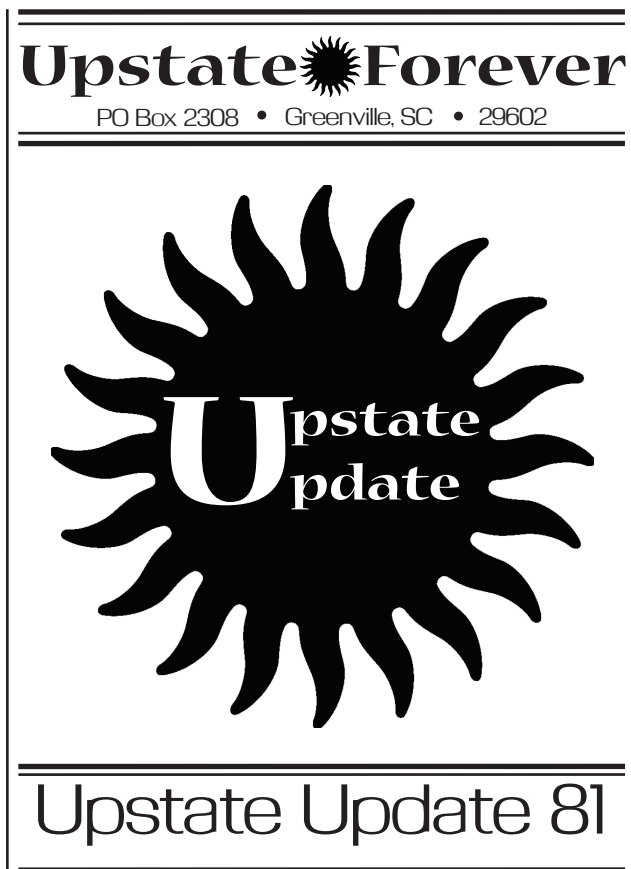
NUMBER 81
JANUARY
2007

March 14, Climate Change and Other 21st Century Catastrophes that will Impact Society, Watkins Room, Furman University, Greenville, SC, 7:00 - 8:30 p.m. Noted author and engaging speaker James Howard Kunstler will speak about climate change and its relation to the U.S. and world economies and our dependence on oil. Kunstler's acclaimed books include *The Long Emergency* and *The Geography of Nowhere*. For information contact John Tynan at jtynan@upstateforever.org or (864) 250-0500x31.

Quote of the Month

"The demographic change that is an engine of growth brings with it the seeds to destroy a sizable portion of the open space that many of us consider important in our choice to make South Carolina home."

-Gov. Mark Sanford, describing his request for an additional \$20 million in this year's budget for the SC Conservation Bank, "2007 State of the State" address, 1/17/07.



EDUCATION • ADVOCACY • LAND TRUST