

Upstate Update

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

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1. Zoning Efforts Gain Momentum

This summer, three Upstate counties are making progress toward enacting, or allowing citizens to petition for, zoning:

- Spartanburg County Council is studying zoning and land use regulations in advance of adopting a new comprehensive plan. The Council has heard presentations about Berkeley County, which adopted countywide zoning in the early 1990's, and Anderson County, which more recently established zoning by petition on a precinct-by-precinct level. In Anderson, 14 out of 55 eligible voting precincts have so far established zoning. Spartanburg County, which currently has no zoning, plans a series of community meetings on the topic.
- Oconee County has hired a consulting firm to assist with its comprehensive planning process and the adoption of a citizen-initiated zoning program. The County is in the midst of conducting 17 public meetings about the proposed zoning-enabling ordinance, which has passed the first of three readings by County Council. Oconee's plan would enable citizens to petition and vote to establish zoning within each of the county's 17 fire districts.
- And in Greenville County, a County Council committee has unanimously approved a measure to enable citizen-initiated zoning in the currently unzoned northern and southern sections of the county. Based on the Anderson approach, the policy provides that 15 percent of the voters in an area (of any size) can petition for zoning and that after a land use plan and implementing zoning ordinance are drafted, a referendum is held on the ordinance. If the referendum passes, County Council still retains the ultimate authority on whether to establish zoning in the area. The policy is scheduled for second reading by Council on August 19 and if approved, for third and final reading on September 2. One serious weakness in the current draft is that there is no minimum limit on the size of the area for which a petition can be filed. Hopefully the Council will address this problem at second reading by establishing a minimum area, such as a voting precinct or a fire district.

For 10 years *Upstate Forever* has advocated for the establishment of zoning as an essential means of implementing land use plans that protect our economy, natural resources, and quality of life. We are delighted that it finally appears to be becoming a reality in much of our region.

Promoting sensible growth and protecting special places in the Upstate

2. *Upstate Forever and Conservation Partners to Appeal Decision on Cliffs' Golf Course*

The controversy over the proposed golf course at the Cliffs Communities' massive 5,000 acre Mountain Park development in northern Greenville County continues. (See [UU 95](#) and prior issues). The Cliffs wants to construct an 18-hole course along both sides of the North Saluda River for a length of about two and a half miles, with a mind-boggling number of bridges (16) and playovers (9) across the river. No one objects to the Cliffs having a wonderful golf course at its development. Our position is that the river should not be treated like a giant water hazard and that the course can -- and should -- be built at a different location.

The rules of the South Carolina Department of Health and Environmental Control (DHEC) are very clear -- all feasible alternatives to the proposed project have to be carefully studied and the developer has to show that there is no other alternative with less environmental impact. The Cliffs did not even come close to complying with this requirement. In fact, their "analysis" of feasible alternatives consisted of a cursory, one page description of only two other sites on the entire 5,000 acres. To make matters worse, the "analysis" was submitted two months after the permit application was filed.

Regrettably, both DHEC and its governing board refused to require a feasible alternative analysis and approved the Cliffs' design. *Upstate Forever* and six other conservation organizations are appealing the decision to the South Carolina Administrative Law Court, which has the authority to reverse decisions made by DHEC. For more information, see Brad Wyche's op-ed in *The Greenville News*: http://upstateforever.org/newsviews_ufnews/UFN_2008/ufn080802GN_CliffsOpEdWyche.pdf.

Some good news is that the Cliffs recently filed an application with DHEC for a permit for a subsurface drip sewage disposal system outside of the North Saluda River's floodplain. In June of this year, in response to opposition from *Upstate Forever* and many others, the Cliffs withdrew its original application for a permit to discharge sewage effluent directly into the river. We are carefully reviewing the new application and will actively participate in the administrative process.

3. *Upstate Forever Opposes Tyger River Dam and Advocates for Regional Water Supply Study*

Back in 2004, local officials and business leaders in Union County launched a campaign to dam the Tyger River and create a 5,300-acre lake within the Sumter National Forest (SNF). The plan also involves transferring about 1,400 acres of Forest Service lands to private interests for lakeside development. The lake has been touted as a solution to the economic difficulties facing Union County, the only Upstate county that is losing population (according to recently-released Census estimates), and as a means to ensure the County's future water supply.

While several conservation groups immediately expressed opposition to the plan, *Upstate Forever*, in the spirit of seeking solutions that balance both environmental and economic needs, advocated for a comprehensive, objective and independent study of the costs and benefits--both economic and environmental--of the project. A feasibility study was completed by the US Army Corps of Engineers in 2007 but was not released for several months. Among the study's conclusions are: Union County has an adequate water supply to the year 2030; the proposed dam would sit on an active earthquake fault; and the economic benefits of the project are unlikely to outweigh its costs.

The *Upstate Forever* Board of Directors has carefully reviewed the Corps' study and the arguments for and against the project and has concluded that no further work on the project should proceed until a comprehensive study of the long-term water supply needs of the Upstate through the year 2100 is conducted. We will actively seek funding to make this study a reality. If the study shows that the proposed lake is needed for water supply, the Board will reconsider its position.

We continue to be deeply concerned about the economic difficulties facing Union County. We agree with local officials that SNF can and should provide greater economic benefits to the County. We also

believe that there is significant potential for increasing nature-based tourism in and near SNF. *Upstate Forever* will actively support efforts to realize this potential in the County. To read our position statement in its entirety, go to www.upstateforever.org/index_doc/0808UFPositionTygerRiverDam.pdf

4. *Upstate Forever Launches Interactive LID Mapping System*

Upstate Forever's Clean Air and Water Program (CAW) strives to encourage Low Impact Development (LID) in the Upstate. LID is an alternative approach to stormwater management that focuses on practices such as bio-retention systems, rain gardens, and pervious pavement. The benefits of LID design include increased water quality, improved aesthetics, and, in many cases, lower costs for developers.

To educate developers, builders, local officials, and the general public on LID projects already implemented in our local area, the CAW Program is proud to announce the launch of our new online interactive LID mapping system. This site, located at www.imrivers.com/upstateforever showcases demonstration sites around the Upstate that provide real examples of how stormwater can be successfully managed. In the future, we hope to expand the map site to include data from community-driven stream advocacy groups, pollution problem sites, stream access points, and other environmental points of interest.

If you have any questions about the mapping system, please contact Lisa Hallo at lhallo@upstateforever.org. If you would like to nominate a project to be represented on the interactive LID mapping system, please submit a Project Nomination Form to lhallo@upstateforever.org. The form can be accessed online at upstateforever.org/index_doc/0808LIDProjectNominationForm.pdf.

5. *Legislative Wrap-up*

Conservation issues were hot topics in the SC General Assembly in 2008, which closed out its session earlier this summer. Despite a dire budget shortfall, funding for the [SC Conservation Bank](#) was continued. A bill that would have allowed 80% of rivers' annual flow to be withdrawn was stopped. Several bills promoting energy independence and efficiency were passed, while other worthwhile energy bills did not. And in the closing days of the session, two attempts to undermine environmental protections were defeated, preserving the "automatic stay" provision, which temporarily halts a project until a judicial decision is made. The Conservation Voters of South Carolina has compiled a summary of the year's significant legislative actions: www.conservationvotersofsc.org/cvsc/htdocs/HotList/hotlist.html.

A coalition of 26 conservation organizations, including *Upstate Forever*, is already formulating legislative priorities for 2009. To keep our members informed of what is happening in the legislature and of actions they can take to move conservation priorities forward, *Upstate Forever* emails a *Legislative Alert* each week while the General Assembly is in session (January through June). If you do not already subscribe to this newsletter, you can sign up by emailing Nancy Fitzer at nfitzer@upstateforever.org.

6. *SC Guide to Climate Change Released*

A new publication provides a thorough yet easy-to-read overview of the issue of climate change in our state. "Climate Change in South Carolina" describes the impact of climate change on South Carolina's environment, public health, and economy. It goes on to detail solutions both individual and collective: efficiency and conservation, renewable energy innovation, and political leadership. The 24-page booklet is the product of former *Upstate Forever* intern Colin Hagan's yearlong Compton Mentor Fellowship and was co-sponsored by *Upstate Forever*, the Southern Alliance for Clean Energy, and Abell Multimedia. View it on the web at www.scclimatechange.org.

7. 63 Acres Added to Jocassee Gorges

The Jocassee Gorges, a 33,000-acre tract of undeveloped mountain lands around Lake Jocassee that features dozens of waterfalls, 3,000-foot peaks and lush forests inhabited by rare species of plants and animals, got a little bigger last month when Crescent Resources sold 63 acres of pristine land on Lake Jocassee to the South Carolina Department of Natural Resources for a small fraction of its fair market value. The property, which sits on a peninsula on the lake and is entirely surrounded by the Jocassee Gorges, features a mile of shoreline and excellent views of the lake and mountains. For more information about Jocassee Gorges, visit www.dnr.sc.gov/managed/wild/jocassee/indexfull.htm.

8. A Win-Win for Art and the Environment

A new initiative by the Metropolitan Arts Council will install ten recycling receptacles in downtown Greenville decorated with artwork by local artists, creating both a recycling opportunity and an outdoor gallery. Sponsors who cover the cost of the recycling bins will have their logos featured on them as well. The competition for artists, "Flat Out Under Pressure," will take place in May 2009. For more information, visit www.greenvillearts.com/programs/flatout.aspx

9. Upcoming Upstate Forever Events

Thursday, August 21

Flicks for Thought: A Film Series about Sustainable Solutions
"Southbound"

Upcountry History Museum, Greenville, SC, 7:30 p.m.

In the final film in the series presented by *Upstate Forever*, Greenville Organic Foods Organization, and the Upcountry History Museum, the subject is logging. This documentary focuses on the controversial, high-capacity chip mills which quickly convert biologically-rich Southeastern hardwood forests into raw wood fiber for export. Snacks and drinks are generously provided by Whole Foods Market. Admission to the film is included in the museum entrance fee (adults: \$5, students and seniors: \$4, children 4-12: \$3). For more information, contact Kirbie Crowe at kcrowe@upstateforever.org or (864) 250-0500x21.

Saturday, August 23 - Sunday, August 24

10th Anniversary Field Trip

Chattooga River Trail Overnight Camping Trip

For more information, contact Ned Barrett at (864) 327-0090 or nbarrett@upstateforever.org.

Thursday, August 28

Saving More than Money: Energy Efficiency in the Home

Barrett Room, Spartanburg County Public Library, Spartanburg, SC, 1:00 p.m. - 6:00 p.m.

This free workshop -- designed for architects, real estate professionals, builders, homeowners, and home renovators -- will address the range of green residential options currently available. Hear testimonials from Upstate residents who have built various green homes, greening options for renovators, and no cost/low cost energy conservation options for anyone. The workshop qualifies attendees for four hours of professional development for architects and engineers. Sponsored by *Upstate Forever*, the South Carolina Energy Office, The Sustainability Institute, and the South Carolina Chapter of the U.S. Green Building Council, and supported by Eco-Realty International and Neely's Building Supplies. For more information, contact Ned Barrett at nbarrett@upstateforever.org or (864) 327-0090.

Thursday, August 28

Low Impact Development Breakfast Series: Using Rain as a Resource

Speaker: Cullen Pitts, AIA, McMillan Smith & Partners Architects

Innovate Building, 148 River Street, Greenville, SC 7:45 a.m. - 9:00 a.m.

Harvesting rainfall not only reduces runoff from development sites but also provides developers and owners an opportunity to make use of this natural resource by capturing it for later non-potable uses such as irrigation. Rain harvesting also reduces the need for public potable water supply and thus reduces costs. Cullen Pitts will discuss the rain harvesting system at QS/1 Data Systems in Spartanburg. Mr. Pitts's discussion will be complemented by a local landscape architect who will discuss the use of native plants and how using native plants can reduce the need for permanent irrigation. Coffee and breakfast will be provided free of charge. To register, contact Lisa Hallo at lhhallo@upstateforever.org or (864) 250-0500x33.

Friday, September 5

Stormwater Management in Anderson County: Where It's Going and Why It Matters

Anderson Civic Center, Anderson, SC, 9:00 a.m. - 4:15 p.m.

Anderson County is in the process of getting its new stormwater permitting program underway. This one-day event will teach attendees how to work effectively within the new requirements for both new development and redevelopment. Cost: \$20. Sponsored by *Upstate Forever* and the Anderson County Division of Environmental Services. For more information or to register, contact Lisa Hallo at lhhallo@upstateforever.org or (864) 250-0500x33.

Thursday, September 11 - Friday, September 12

Creating Partnerships for Healthy Communities:

The Priority Investment Act and School Facility Planning

Barrett Room, Spartanburg County Public Library, Spartanburg, SC

This two-day conference is designed for school administrators, county and city administrators, and planners throughout the Upstate. With the passage of the Priority Investment Act (PIA) in 2007, school siting and building will require coordination between various sectors of government. This conference is intended to facilitate that process. The first day will focus on analysis of the PIA and barriers to and strategies for collaboration. The second day will spotlight neighborhood schools, historic preservation, and the Leadership in Energy and Environmental Design (LEED) Green Building Rating System for Schools. For more information, contact Shelly Robbins at srobbins@upstateforever.org or (864) 327-0090.

Tuesday, September 16

Dinner of the Decade: 10 Years, 10 Courses

Home of Anne and Bill Masters, Greenville, SC, 6:00 p.m.

Join us at the beautiful home of Anne and Bill Masters for a 10-course meal featuring fresh, organic, and green cuisine from local farms and Whole Foods Market! 33 Liberty's John and Amy Malik are creating the menu with help from Alex Castro of Larkin's on the River, renowned caterer Don Rizer, and other top-notch Upstate chefs. Tickets are \$125 per person. Space is limited. For information or to purchase tickets, call LinningSmoakCrawford Public Relations at (864) 235-8330 or email kerry@linningsmoakcrawford.com.

Tuesday, September 30

Conservation Agreements: The Voluntary Protection of Land

Carolina First Center, Greenville, SC, 8:30 a.m. - 4:00 p.m.

Conservation agreements are one of the most popular and widely-used means of protecting natural, scenic, agricultural, and historic lands in the United States. These voluntary agreements may enable a landowner to realize significant income, estate, and property tax benefits. The terms are flexible and can be tailored to meet the needs and desires of the property owner, while protecting the land's conservation values. Professional development credits will be available; cost is \$50. For a conference brochure, go to www.upstateforever.org/events/ConservationAgreementsConfBrochure2008.pdf. For more information, contact Erin Knight at (864) 250-0500x26 or eknight@upstateforever.org.

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Saturday, November 1
10K/5K Swamp Rabbit Dash
Upstate Forever's Greengrass Festival
Save the date for these exciting 10th Anniversary events!

10. Quote of the Month

"Now I'm hearing more and more people that said in the past, 'We don't want anybody telling us what we can do with our land,' saying, 'We're going to have to have some kind of control over what goes into our communities because my property values stand to be lowered.'"

--Joe Dill, Greenville County Council Member, on the changing attitudes in his primarily rural district, quoted in *The Greenville News*, 7-16-08

Upstate  **Forever**
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**Upstate Forever's 2007
Annual Report is online!**

Check it out at:
[www.upstateforever.org/about
reports.html](http://www.upstateforever.org/about/reports.html).

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Upstate Forever

---Promoting sensible growth and the protection of special places in the Upstate since 1998---

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