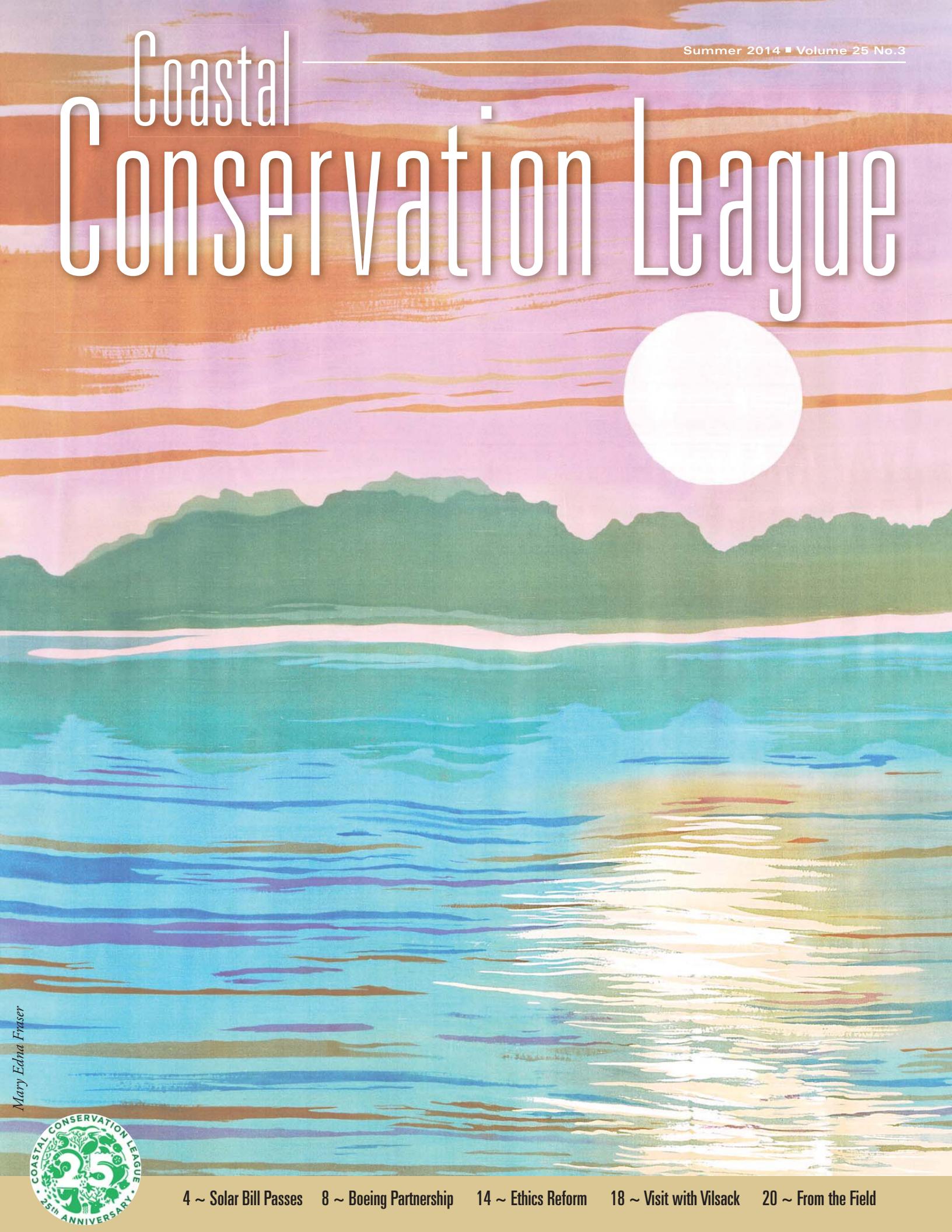


Coastal Conservation League



Mary Edna Fraser



4 ~ Solar Bill Passes 8 ~ Boeing Partnership 14 ~ Ethics Reform 18 ~ Visit with Vilsack 20 ~ From the Field



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From the Director

Legislative Process is a Marathon, Not a Sprint

It is tempting to assess the South Carolina General Assembly year by year. This perspective can be profoundly discouraging, especially in a year like 2014. But the true test of progress requires measurement over years or even decades.

Consider ethics reform: For the second year in a row, the Legislature debated major changes to the state's ethics laws. Eventually the House passed a bill with the components necessary for higher standards of behavior, requiring income disclosure from elected officials, banning anonymous political action committees and establishing an independent body to review potential violations. The Senate, however, refused to accept independent oversight, perhaps the most important provision.

In our decades-long campaign for transportation reform, this year's results were also disappointing. Instead of curbing the power of a few legislators to decide where roads are built in the state, without regard to state priorities and needs, the Legislature chose to maintain the status quo. As a result, the State Transportation Infrastructure Bank will remain, for the time being, a slush fund, delaying important investments to repair and maintain our 41,500-mile road system and raising the ultimate cost to the taxpayer.

In one arena, however, the 2014 session achieved a breakthrough of immense importance. The Legislature passed a bill that radically changes the state's approach to solar energy. Previously, it was illegal for a business to lease a solar facility to a home, office or store. Only utilities could do that. The solar bill not only strikes that prohibition, opening the door

for "third-party solar leasing," but also establishes minimum goals for solar deployment.

This newsletter contains the details of the bill, but the short story is that by 2020, solar power will increase in South Carolina by forty-fold.

South Carolina's new solar law was no one-year accomplishment. Instead, it was the result of three years of negotiation, led by the Conservation League's Energy Program director Hamilton Davis.

This is the real story of the South Carolina Legislature, where progress seems frustratingly elusive — until you consider the past 25 years, which have yielded major breakthroughs, like factory hog legislation in 1996, the passage of the Conservation Bank in 2002 (and the consistent defense to maintain funding, year after year), regulations to curb the extension of thousands of docks to small islands in the marsh, the first step in transportation reform in 2007, or water withdrawal legislation in 2010. These victories, in addition to critical work to block harmful changes like "takings" legislation, or efforts to weaken state water quality standards, are the product of persistence, hard work and stature on the part of the League's lobby team — Merrill McGregor, Anne Hutto, Hamilton Davis and Michael Covington. There are no easy victories. But over time, the arc of law and public policy clearly bends toward conservation.



Dana Beach

Fix 26!

by Myles Maland,
Land Use Project Manager

In May, the Coastal Conservation League launched a multimedia public relations campaign aimed at educating

Charleston area residents about the need for statewide transportation reform. Through print, digital, and outdoor advertisements, the Fix 26 campaign highlights the urgent need for improvements to the Interstate 26 corridor between Charleston and Columbia and the misallocation of hundreds of millions of transportation dollars on low priority projects.

Arguably the most important roadway in South Carolina, I-26 currently serves as the primary transportation artery for hundreds of thousands of people in the Charleston metropolitan area, as well as for some of the state's most important industries, including Boeing and the State Ports Authority. And while I-26 already experiences frequent gridlock and near failing levels of service, the inevitable growth of the region will only make matters worse.

The Charleston area is the third fastest-growing metropolitan area on the Atlantic Seaboard — accounting for nearly one-third of the state's population growth since 2010. Along with Charleston's growing reputation among travelers, the plans for Boeing's expansion and the deepening of Charleston Harbor are only accelerating the already breakneck speeds with which families and businesses are relocating to the area.



Despite its ranking as a statewide priority by the South Carolina Department of Transportation (SCDOT), improvements to I-26 remain unfunded. Instead, hundreds of millions of dollars have been diverted to projects of narrower, even questionable benefit, pushed by officials for political favor or personal gain. The extension of I-526 is a perfect example.

The extension of I-526 to West Ashley and John's and James Islands is not ranked as a priority by the state, or even as one of the top transportation needs of the Charleston region. In fact, when SCDOT analyzed the effects of I-526 on travel times from Charleston, it discovered the benefits to be shockingly minimal: drivers would save less than five minutes to John's Island and less than one minute to James Island and West Ashley.

The South Carolina Transportation Infrastructure Bank (SCTIB), a little known funding agency for new highway projects, has been persuaded to fund this \$558-million, low priority project by allocating all available revenues (\$420 million) and promising an additional \$138 million when bonding capacity returns (no sooner than 2018).

Because of these commitments, the SCTIB cannot finance anything else — including improvements to I-26. Yet, in less than 20 years, daily traffic volume on I-26 is projected to be nine times that which the I-526 extension would carry.

Since I-526 continues to distract our political leaders from the region's real transportation needs, the Conservation League's Fix 26

Visitors to the Fix 26 website — Fix26.com — will find contact information for key officials and a simple automated system to send pre-formatted letters.

campaign calls on residents to take action by contacting their legislators to tell them to stop diverting millions of dollars from truly significant projects like I-26. Visitors to the Fix 26 website — Fix26.com — will find contact information for key officials and a simple automated system to send pre-formatted letters. The website also allows visitors to sign up for e-updates and provides links to follow the campaign on Facebook and Twitter.

Governor Signs Solar Bill Into Law

S.1189 expands access to rooftop solar for homes and businesses and will spur additional development of utility-scale solar farms. The new law will also increase solar energy access for churches, schools, and other tax-exempt entities in the state.



Under the leadership of Senator Greg Gregory (R-Lancaster) and passed by unanimous vote in the Senate, South Carolina's groundbreaking new solar bill (the Distributed Energy Resource Program Act) was signed into law by Governor Nikki Haley on June 2nd. In so doing, the governor and the S.C. General Assembly have taken a substantial step towards a clean energy future for the Palmetto State.

The bill opens the way for residents to lease solar panels without paying high up-front installation costs, enables utilities to capture hundreds of megawatts of power from the sun, and will result in special programs

support for local solar power for energy independence. Once it goes into effect, all eyes will be on the S.C. Public Service Commission to see if the bill's promise is delivered," states Blan Holman, of the Southern Environmental Law Center (SELC). "We will continue to work with other solar advocates to ensure that South Carolinians have access to affordable solar power, and that those who choose to invest in solar are treated fairly in light of the myriad benefits they provide to our communities."

Across the South, states like North Carolina and Georgia have already moved to take advantage of local, affordable solar power, and this compromise legislation is

"South Carolinians want the freedom to generate cheap, clean sun power at their homes, churches, businesses, and schools. This new law can clear the path for us to catch up with other states and strengthen our power grid with more distributed generation."

Hamilton Davis, Energy and Climate Director, who played a key role in drafting the new legislation.



to bring solar to schools, churches, and other non-profits.

The bill also increases access to "net metering," a policy that gives South Carolinians fair credit on their utility bills for the solar power they deliver to the grid. As a first step, the bill requires the S.C. Public Service Commission to hold a proceeding to evaluate the rates set for "net metered" solar. This proceeding will assess the net benefits of solar power, such as the reduction of the need for utilities to build expensive traditional power plants and transmission infrastructure.

"S.1189 recognizes the strong public

what South Carolinians have been waiting for, according to Katie Ottenweller, leader of SELC's Solar Initiative. "With smart, forward-looking policies in place, the state's solar market can and will grow rapidly, bringing enormous benefits to the people of South Carolina."

The bill amends a 2013 proposal — S.536 — that aimed to open the door for solar companies to lease solar panels as well as sell the electricity they generate directly to other utility customers. Doing so allows homes, businesses, churches, and others to finance the panels and/or buy solar energy directly,



The Boeing Company

The Boeing 787 Dreamliner plant in North Charleston has the largest rooftop solar array in the Southeast.

while alleviating pricey upfront costs, thus making solar more economical from the start. Other state legislatures have taken up similar proposals. As the utilities did in those states, the South Carolina electric companies stepped in, arguing that private solar companies would be illegally operating as utilities. They argued that companies should not be selling electricity if they are not regulated by the state's Public Service Commission.

As Hamilton Davis reports, "Our key leaders in the Legislature basically said, 'If you guys, the utilities, don't want this, then bring us something you can live with, because we need to move forward with solar in South Carolina.'"

With those marching orders in place, conservation interests, solar businesses, and utilities got to work on a compromise that would make solar successful in South Carolina. Senator Greg Gregory (R-Lancaster) and Representative James Smith (D-Richland) led a bipartisan push to ensure the compromise approach was signed into law.

Ultimately, S.1189 is a testament to the hard work of a diverse group of stakeholders to establish common ground on an issue important to the future of our state. It is also a testament to the legislative leadership that motivated those negotiations.

(This article references Dan McCue's May 29th story in [Renewable Energy Magazine](#) and Kristi Swartz's April 1st report for [Energy Wire](#).)

What Does S.1189 Do?

FIRST, the bill continues "net metering" in South Carolina. Net metering allows consumers to sell power from their solar panels back to the grid.

SECOND, the bill enables new distributed renewable energy programs on the part of utilities that, by 2021, must result in the following:

- ▶ 2% of installed peak capacity must come from distributed resources like solar.
- ▶ 1% must be generated from residential and commercial scale distributed systems (below 1MW).
- ▶ 1% must come from larger (up to 10MW) facilities.
- ▶ Hard cost caps must limit program size and ratepayer impact.
- ▶ Programs must facilitate solar for tax-exempt entities like churches and schools.

THIRD, after the S.C. Public Service Commission (PSC) approves distributed renewable energy programs, the PSC will adopt new net metering rates capturing the benefits and costs of distributed solar. With new net metering rates:

- ▶ The cap for individual commercial net-metered facilities will rise from 100 KW to 1 MW.
- ▶ The cap for aggregated net-metered installations will rise from 0.2% to 2%.
- ▶ Existing net-metered customers will be grandfathered at current rates until December 31, 2020.

FOURTH, once new net metering rates are in effect, the bill allows for solar leasing. Homeowners and businesses will be able to lower their power bills by leasing solar systems, without paying large up-front capital costs.

- ▶ Solar leasing will be capped at 2% of a utility's peak demand.
- ▶ While the bill allows for leasing and net-metering by the customer, it does not allow for direct third-party sales of electricity.

What Solar Power Means for South Carolina



More Jobs

South Carolina imports all the coal it uses to run its power plants, sending \$1.1 billion out of state each year. More solar power generation means that money stays here in our state, creating good jobs that will not be exported, and generating renewable energy right in our communities.

Employment in South Carolina's renewable energy sector increased by 3.6 percent in 2012 over 2011 —

more than twice the overall rate of employment growth in the state during the same period, with approximately 17,913 full-time equivalent employees working in the industry in 2012.

Solar employment across the country is growing ten times faster than the national average employment rate. Policies and new laws such as S.1189 will unleash the state's solar potential, boosting jobs while making the state more economically competitive for international businesses like Boeing and BMW that require renewable energy options.

Farmer Steve Gavel has installed solar panels on the roof of his goat and sheep barn at Brewton Plantation in northern Beaufort County.

percent. On average, solar panels return two to four times their cost in savings on electricity bills. Because of our state's high electricity rates, South Carolina ranks 9th in the country — and first in the South — in terms of return on investment in solar.

Greater Energy Independence and Lower Electricity Costs

Today, South Carolina has the highest residential electricity bills in the South; and unfortunately, customers' energy costs are expected to continue to rise due to increasing and volatile fuel prices and the need to control pollution. At the same time, while other energy prices are rising, the price of solar is decreasing. Since 2011, solar panel prices have decreased by 60



Solar Kids!

Benefits Go To All Power Users

A number of studies have concluded that investments by residents and businesses in solar can save all customers money. The sun shines brightest during the heat of the day when power is most expensive to buy. This saves fuel costs (sunshine is free) and helps avoid expensive new power plants. That's a triple win since the savings from solar power work to keep costs low for all customers.



What Are We Waiting For?

by Kenneth Sercy, Utility Regulation Specialist

There is enough wind blowing off the coast of South Carolina to power our entire state more than three times over. That's what an engineering analysis commissioned by the S.C. General Assembly's Energy Advisory Council concluded in 2012. In addition, the S.C. General Assembly just adopted a resolution touting the advantages and benefits of offshore wind for our state (S.757). So what are we waiting for?

Today, offshore wind energy costs more than conventional power sources, though costs have fallen in recent years and are expected to continue to decline. South Carolina is estimated to be one of the lowest cost construction markets for offshore wind in the country, which could make the Palmetto State's pricing structure substantially lower than programs in other states.

We have other advantages going for us when it comes to deploying offshore wind energy. For example, Clemson University's Strom Thurmond Institute has reported that South Carolina is home to at least 33 firms and more than 1,100 employees working on

wind energy component production or services. Our state's businesses and workforce are positioned to supply a significant portion of the products and services needed to build and operate offshore wind facilities. This means that if we decide to tap some of the vast wind potential off our coast, a significant amount of wind farm construction and operating costs would stay in South Carolina.

Moreover, last fall, SCE&G and Duke Energy joined Clemson University in dedicating a brand new, one-of-a-kind energy systems testing center in North Charleston. The center includes a wind turbine drivetrain testing facility aimed at advancing new wind technology and products to the marketplace. GE Power & Water is the first industrial partner to test innovative wind turbine equipment at the North Charleston campus. This state-of-the-art facility, along with our existing wind supply chain and favorable port access, could help attract additional wind-related investment in South Carolina moving forward. A key next step will be construction of a demonstration-scale offshore wind farm.

Over the last year, I have had the

opportunity to work with Clemson's Strom Thurmond Institute to model the economic, fiscal, and electric rate impacts of a small-scale offshore wind farm. We evaluated a 40-megawatt project that would be jointly owned by South Carolina's major utilities. The total employment impact across the state was estimated to be nearly 1,000 jobs from component manufacturing and construction, and 10 jobs on average over the facility's lifetime for operations and maintenance activities. Taking into account the cost of the wind turbines as well as the cost of savings that would accrue due to reduced coal, natural gas, and other conventional power system expenditures, the net monthly electric bill impact of the project was estimated to be less than half a percent for all customer levels.

With the support of business leaders, elected officials, and communities on the coast and across South Carolina, we can build on our unique position in the wind industry and open up an abundant, non-polluting resource that will help transform energy production in the Palmetto State.

The Boeing Company: A Partner in Conservation

Mitigation Agreement Saves Keystone and Fairlawn



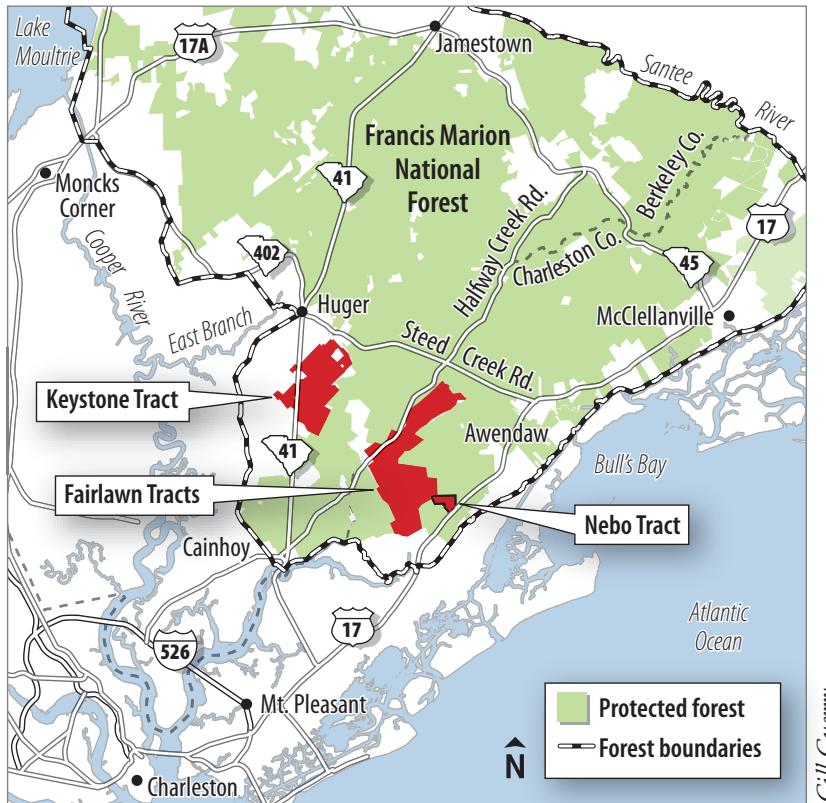
by Michelle Sinkler,
Special Projects
Director

National Historic District and Forest at Risk

Near the heart of the Francis Marion National Forest, two of the largest developable swaths of open land in the Lowcountry lay vulnerable to suburban development. On the 4,500-acre Keystone Tract,

more than 6,000 homes could have been permitted under Berkeley County's "by right" zoning. Likewise, developers proposed more than 360 homes and 170,000 square feet of commercial space — roughly the size of a Super Walmart — on a 300-acre tract of Fairlawn Plantation known as Nebo. Suburban development of this scale in a rural area is damaging enough; extending this development pattern to all of Fairlawn would have been environmentally devastating.

Keystone lies within the East Cooper National Historic District that encompasses the historic East Branch of the Cooper River, Highways 41 and 402, and the communities of Cainhoy and Huger. The area contains some 212 archaeological sites and 150



Instead of proposing a small project simply to meet the minimum state and federal mitigation requirements, Boeing committed to protecting three highly sensitive and vulnerable inholdings in the Francis Marion National Forest — the Keystone Tract, and two at-risk tracts within Fairlawn Plantation, including the Nebo Tract, which was slated for suburban development. All told, the properties comprised more than 3,600 acres and were valued at \$12 million.



Dana Beach

historic sites, including a colonial chapel known as St. Thomas and St. Denis, the chapel of ease called Pompion Hill, and an abundance of natural resources and wildlife.

Fairlawn is situated along the southeastern boundary of the Francis Marion Forest and consists of more than 8,000 acres, nearly half of which are forested wetlands. Fairlawn encompasses much of the headwaters of the Wando River and is the largest private inholding in the national forest. The property has been classified by the U.S. Forest Service as the highest priority for acquisition in the Southeast.

CCL: The First Line of Defense

If not for the Coastal Conservation League's careful monitoring, tenacious negotiations and strong legal challenges, Keystone and Fairlawn could have gone the way of residential development, imperiling the management of the national forest and the integrity of

the national historic district. For years, Hamilton Davis, then a land use project manager for the Conservation League, worked with Berkeley County officials and residents to develop land use policies to protect Keystone.

After extensive negotiations between county officials, the developers, the Conservation League, and other interested parties, Berkeley County Council approved a development agreement that dramatically reduced the number of homes that could be built and required much lower densities and extensive buffers on lots adjacent to French Quarter Creek, the national forest, and neighboring plantation lands.

Perhaps the most important concession was the agreement that sewer and water would not be extended to the property, thus further limiting the amount and type of development that could occur. In spite of the agreement on limits to development, the developer sued the Conservation League, and Executive Director Dana Beach personally, alleging a variety of unsubstantiated claims. Eventually the court dismissed the charges against Beach and the League.

In 2010, the Conservation League, in partnership with local residents and the Southern Environmental Law Center, legally challenged the Town of Awendaw's annexation of the Fairlawn Tract and the development proposal. In response to the lawsuit, the landowners' attorney, Thomas Tisdale, filed a counter claim against the individual plaintiffs and the Conservation League. Although the League is largely protected from these types of lawsuits by directors' and officers' insurance, the plaintiffs were not, bravely remaining in the case to ensure the League had standing to challenge the annexation.

Sending a strong message to the Town of Awendaw, the court ruled in favor of the League, denying the defendants' motion for partial summary judgment, stating that there was evidence that the Town had "manufactured" the annexation and acted "nefariously" and outside of the law. The



Dana Beach

If not for the Coastal Conservation League's careful monitoring, tenacious negotiations and strong legal challenges, Keystone and Fairlawn could have gone the way of residential development, imperiling the management of the national forest and the integrity of the national historic district.

Conservation League's litigation and the favorable ruling pressured the landowners to seek alternate plans for Fairlawn. A comprehensive conservation package for protection via donated and purchased easements with The Nature Conservancy was presented to Charleston County Council in 2012. Unfortunately, the land deal was put on hold indefinitely in light of internal disagreements among the landowners.

Boeing Partnership Provides Solution

In 2013, when Boeing learned that its plans to expand near the Charleston airport would require filling 154 acres of wetlands, its leaders agreed to mitigate the wetlands fill by protecting land elsewhere. The company sought out the advice of the Conservation League, the Lowcountry Open Land Trust, The Nature Conservancy, and the Open Space Institute, among others, to identify wetlands mitigation properties that would offer the most impact.

Instead of proposing a small project simply to meet the minimum state and federal mitigation requirements, Boeing committed to protecting three highly sensitive and vulnerable inholdings in the Francis Marion National Forest — the Keystone Tract, and two at-risk tracts within Fairlawn Plantation, one of which was the subject of the League lawsuit. All told, the properties comprised more

than 3,600 acres and were valued at \$12 million.

In February, with mitigation funds from Boeing, 1,677 acres of the Keystone Tract were purchased by the Lowcountry Open Land Trust. Currently the Land Trust is working with the S.C. Department of Natural Resources (DNR) on a long-term protection and management plan for the property and will eventually transfer Keystone to DNR as a Heritage Trust Preservation Site.

Then in April, the Open Space Institute and The Nature Conservancy acquired 2,241 acres of nearby Fairlawn Plantation, also with mitigation funds from Boeing. The two national conservation groups share ownership of the Fairlawn tracts and will ultimately turn them over to the Forest Service to incorporate them into the Francis Marion National Forest.

The long and arduous tale of the Keystone and Fairlawn tracts, underscores the importance of two vital elements in the Lowcountry land preservation movement: committed long-term partnerships, such as that of The Boeing Company and the conservation community; and staying power and strength, such as that demonstrated by the Conservation League. Time and time again, the League demonstrates the institutional capacity, influence, and longevity to persevere for years, even decades, in the struggle to safeguard our precious land legacy.

Wetlands Mitigation Preserves Lowcountry Landscape



by Natalie Olson,
Land Use Project
Manager

Wetlands are fundamentally important features of our landscape. They provide a number of valuable functions, including feeding rivers and streams, detaining floodwaters, recharging groundwater, filtering pollution, and providing fish and wildlife habitat. Wetlands are also essential to the economy because of their key role in fishing, hunting, agriculture, and recreation. The Federal Water Pollution Control Act of 1948 was the first major U.S. law to address water pollution. Growing public awareness and concern for controlling water pollution led to sweeping amendments in 1972, when the law became commonly known as the Clean Water Act (CWA).

The Clean Water Act

The objective of the Clean Water Act is to “restore and maintain the chemical, physical, and biological integrity of the nation’s waters.” Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. The U.S. Army Corps of Engineers administers Section 404 through a permitting program that governs all activities that would alter wetlands. The basic premise of the program is that no discharge of dredged or fill material may be permitted if: 1) a practicable alternative exists that is less damaging to the aquatic environment, or 2) the nation’s waters would be significantly degraded.

Avoid, Minimize, Mitigate

In 1990, the EPA and the Army Corps devised the “Mitigation Sequence” in order to lessen potential damage to the aquatic environment, guide decisions, and determine the type and level of mitigation required under Section 404 regulations. In other words, when a permit application is submitted, it must be demonstrated first that steps have been taken to avoid impacts to wetlands, streams, and other aquatic resources; second, that potential impacts have been minimized, and third, that mitigation or compensation will be provided for all remaining unavoidable impacts.

Mitigation Mechanisms

After avoidance and minimization have been shown, mitigation may be accomplished through three distinct mechanisms: permittee-responsible mitigation, in-lieu fee mitigation, and mitigation banking.

Permittee-responsible mitigation allows the entity applying for the permit to perform the mitigation. Historically, permittee-responsible mitigation was the primary mechanism for mitigation, but often resulted in small, on-site “retention pond” type wetlands. This form of mitigation has lost favor in recent years because small on-site mitigation does not provide much ecological value and traditionally the permittee does not have the expertise to provide successful compensatory mitigation.

In-lieu fee mitigation occurs when the permittee provides funds to a sponsor, who pools the financial resources necessary to build and maintain a mitigation site. This type of program has also lost favor in recent years because the mitigation is performed after the fact.

The third mitigation option is a wetland mitigation bank, which is a wetland area that has been restored, established, enhanced, or preserved, and then set aside under a protective land covenant, such as a conservation easement, to compensate for future conversions of wetlands for development activities. Permittees, upon approval

from regulatory agencies, can purchase “credits” from a mitigation bank to meet their requirements for compensatory mitigation. The ecological value of credits is determined by quantifying the wetland structure and functions gained by restoring, enhancing, or preserving the bank’s acres.

Four Options

Compensatory mitigation may be accomplished in the form of restoration, enhancement, establishment, or preservation. Restoration is defined as the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural and historic functions to a former or degraded aquatic resource. This is generally the first option considered because the likelihood of success is greater compared to establishment, and the potential gains in terms of aquatic resource functions are greater, compared to enhancement and preservation.

Establishment, also known as creation, involves developing an aquatic resource that did not previously exist on an upland site. Although this results in a net gain in wetland area and function, it is extremely difficult and expensive to do, and the success rate is not as high as other forms of mitigation.

Enhancement is heightening, intensifying, or improving an aquatic resource function. Finally, preservation involves the removal of a threat to, or preventing the decline of, aquatic resources by protection and maintenance of aquatic resources through the implementation of legal or physical mechanisms.

Preservation does not result in a gain of aquatic functions or area and therefore generally cannot be used as the sole form of mitigation. However, regulations provide an exception when certain criteria are met: 1) the resources to be preserved provide important physical, chemical, or biological functions for the watershed; 2) the resources to be preserved contribute significantly to the ecological sustainability of the watershed; 3) preservation is determined

to be appropriate and practicable; 4) the resources are under threat of destruction or adverse modifications, and 5) the preserved site will be permanently protected through an appropriate real estate or other legal instrument.

Wetland Preservation in South Carolina

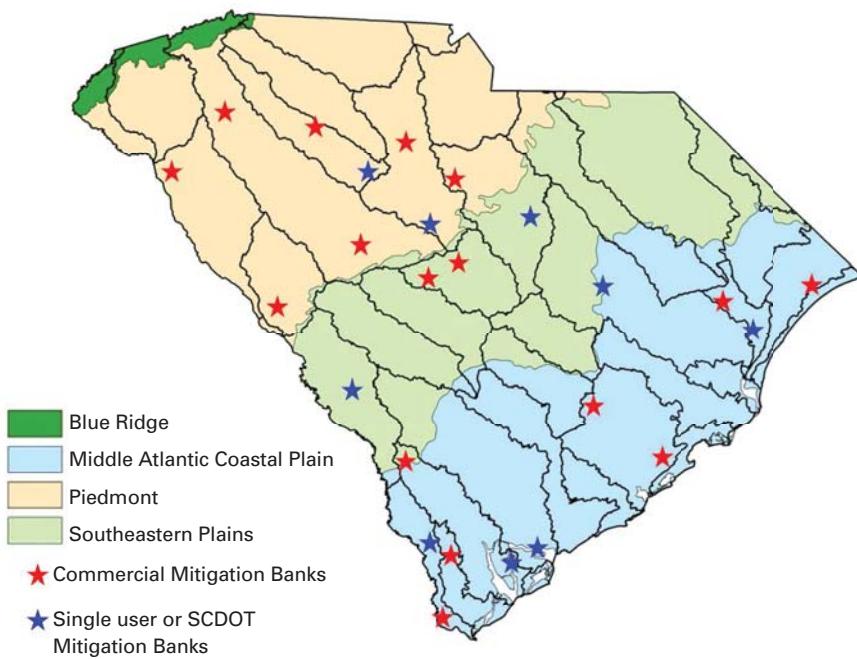
When these criteria are met, it is often more beneficial to use preservation as mitigation for large-scale projects because the mitigation funds are used to protect landscape-size, ecologically important properties without depleting the available mitigation credits in the impact area. Examples where large-scale preservation has resulted in successful mitigation of impacts in South Carolina include the protection of 13,000 acres in the Ashley River Historic District, the preservation of Sandy Island, and the conservation easement on the Hagan Plantation lands at the Nucor Steel plant site.

Most recently, the Boeing mitigation plan involved preservation as the sole form of mitigation for the wetland fill project. This plan resulted in the preservation of more than 3,600 acres

of land, including 2,000 acres of wetlands within the Francis Marion National Forest, which was exponentially more acreage protected than had other mitigation mechanisms been applied. (See previous story entitled, “Boeing Corporation: A Partner in Conservation.”)

By working with mitigation bankers, the Conservation League can provide advice based on a number of ecological considerations concerning site selection and the mitigation plan, as well as lend support throughout the permitting and approval process, thereby alleviating some of the obstructions associated with starting a mitigation bank. It is our hope that through successful mitigation banking, in conjunction with strategic land preservation, we are able to achieve an increase in both the quantity and the quality of South Carolina’s water resources in the years to come.

South Carolina Ecoregions & Mitigation Sites



Special Interests Push Seawalls

Group of DeBordieu property owners tries unsuccessfully to circumvent coastal management law

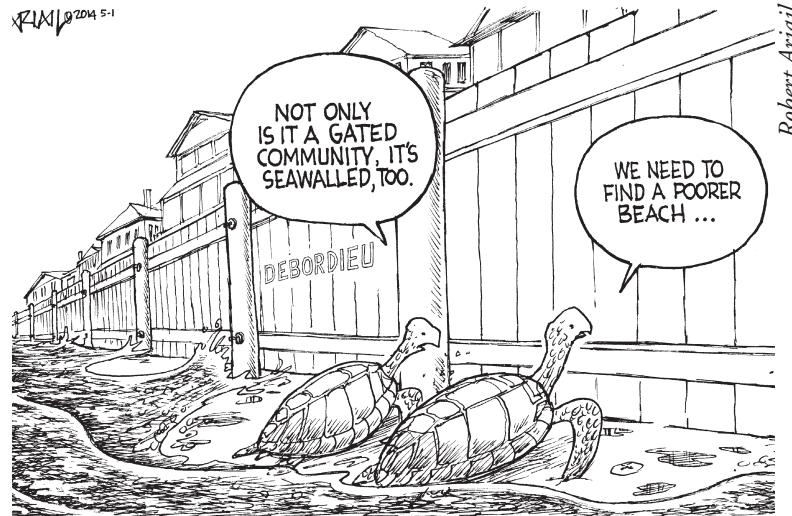
DeBordieu is a 2,700-acre gated beachside community just north of Georgetown, South Carolina and Hobcaw Barony, site of the Belle Baruch Marine Lab and corpus of the Winyah Bay National Estuarine Research Reserve. DeBordieu's 6.5 miles of beach, creek and marshfront were once part of Arcadia Plantation, owned by Bromo-Seltzer inventor Isaac Emerson, and later by the family of his grandson George Vanderbilt.

A vacation destination since before the Civil War, DeBordieu Colony today consists of 1,250 home sites, a golf club, beach club and tennis center. The value of DeBordieu's multi-million-dollar homes and amenities depends in part on their proximity to the beach. This poses a dilemma for property owners, because the beach at DeBordieu is highly erosional and migratory, due to changes in downdrift sediment transport, strong wave action and currents, and frequent storms.

During the 2014 Legislative Session, the Coastal Conservation League worked to strengthen the state's beachfront management act by closing loopholes that threaten the survival of South Carolina's developed beaches, such as at DeBordieu. The result was S.890, the product of a five-year review of coastal policy by a diverse group of industry and development interests, conservationists and scientists.

The Conservation League supported S.890 when it was originally introduced by Senator Ray Cleary; however, the bill was amended in committee, largely due to the influence of consultant and lobbyist Wayne Beam, former director of the state's Office of Ocean and Coastal Resource Management (OCRM). Beam represents a group of DeBordieu oceanfront homeowners whose houses sit behind a 4,000-foot seawall — a structure no longer allowed by law. The amendment exempts DeBordieu from portions of the law and allows the homeowners to rebuild their seawalls closer to the ocean without the requirement to secure a permit from DHEC/OCRM.

The bill, originally intended to reflect the recommendations of the Blue Ribbon Committee on Shoreline Change, was amended in the Senate to include the DeBordieu exemption language. The bill also included positive language which would prohibit the seaward movement of the baseline after July 2014, ensuring that no new construction take place closer to the ocean than the current baseline after this date (OCRM redraws the

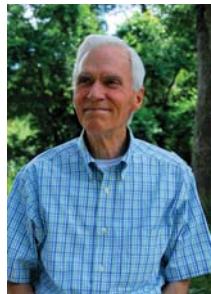


baseline every 8 to 10 years, so this would prevent the development line being moved forward when natural accretion occurs, such as what happened at Capt. Sams Spit).

However, S.890 was amended again in the House Agriculture and Natural Resources Committee, allowing for a seven-year (instead of three-year) exemption for DeBordieu to build their seawall. Furthermore, the baseline-setting language extended the date of the DHEC/OCRM-approved baseline from July 2014 to July 2021. Due to the combined efforts of our conservation lobbying team and legislative champions, the Conservation League successfully blocked a floor vote on S.890 preventing passage of this harmful legislation. We extend our thanks to Rep. Mandy Powers-Norrell, Rep. Bill Herbkersman, Rep. Kirkman Finlay and Rep. James Smith for their leadership on this issue.

Unfortunately, during the Senate budget debate on the floor, Senator Cleary was successful in inserting a special proviso into the budget exempting DeBordieu from the "destroyed beyond repair" rule for one year. In short, this proviso allows residents to rebuild/reconstruct their seawall, but requires a special permit from OCRM/DHEC before they can proceed. In conjunction with our legislative champions and conservation partners, we will work to remove this proviso in the next legislative session and continue to fight for sound coastal policy.

Jellyfish Harvesting Threatens Water Quality



*by Reed Armstrong,
South Coast Office*

Early this year, residents in northern Beaufort County organized to oppose a project for the commercial harvesting and processing of cannonball jellyfish. Carolina Jelly Balls LLC and Millenarian Trading Co. propose to harvest and offload up to 250,000 pounds of jellyfish per week at an existing seafood dock on Jenkins Creek on St. Helena Island and truck the catch to a facility at Lobeco in the Sheldon area. There, the jellyfish would be processed by dehydrating the fish in a brine solution, then dried and shipped to Asian markets.

At the processing facility in Lobeco, the proposed operation calls for 250,000 gallons of the brine solution to be discharged daily into Campbell Creek and the Whale Branch River. The wastewater would be characterized by high salinity and low pH, and would contain chemical pollutants and toxic jellyfish byproduct.

The company plans to dump the untreated effluent into a narrow, tidal salt marsh creek by way of a large diffuser pipe. Furthermore, the processing would be performed at the site of a former chemical plant, where soils and marsh sediments are contaminated with PCBs, or polychlorinated biphenyl — a class of toxic aromatic compounds, often formed as waste in industrial processes.

Discharges from both the Lobeco facility and the St. Helena site could introduce poisonous substances into the areas' creeks and rivers. In addition, the magnitude of the discharge at Lobeco likely would disturb existing



Dana Beach

The processing would be performed at the site of a former chemical plant, where soils and marsh sediments are contaminated with PCBs.

PCBs in the marsh sediments. Waterways at both locations are classified as approved for shellfish harvesting, risking the value of another natural resource. Moreover, the odors that come from a similar jellyfish processing facility in Georgia have created problems for nearby residents.

Currently, DHEC is reviewing permit applications for the operations. The Conservation League — together with the S.C. Environmental Law Project, residents and concerned citizens — has been tracking and opposing the permit applications for the proposed project, commenting at public hearings and writing letters to the permitting agencies. We will continue to closely monitor the project and permit process.

Conservation Partners Aim High

by Merrill McGregor & Anne Peterson Hutto, Government Relations

Restoring Integrity to South Carolina Politics

The Conservation League continues to press for comprehensive ethics reform, in collaboration with its conservation partners and other interested stakeholders.

The ability of the Coastal Conservation League and the citizenry to work effectively on environmental issues depends on successfully navigating the political process, predicated on the belief and trust in a fair, representative and transparent system of government.

Effective representation of the public interest when it comes to the health of South Carolina's lands and waters is severely compromised when legislators and lobbyists engage in unethical behavior. Increasingly, ethics violations have become commonplace in Columbia and elsewhere, and are disregarded by many as simply "business as usual" in South Carolina. This situation demands meaningful ethics reform.

Unfortunately, the fate of ethics reform hung in limbo as we entered the final week of the 2014 legislative session. The original committee members appointed to tackle this issue identified several specific areas in which ethics could be strengthened in the South Carolina legislature — namely independent oversight, disclosure of conflicts of interest, and fuller disclosure of the sources of legislators' income.

The original House bill, H.3945, included some measure of each of these provisions, though it lacked the level of reform hoped for by groups such as the Conservation League, Conservation Voters of S.C., League of Women Voters, Common Cause, and the S.C. Policy Council, among others. The bill passed the House with little fanfare and was sent to the Senate, where certain campaign reporting loopholes were closed and disclosure and conflict of interest requirements were strengthened. Unfortunately, in an effort to

reach a compromise to win the support of Senate Democrats, the Senate eviscerated the independent oversight provision of H.3945 and actually weakened existing law.

The bill returned to the House for concurrence with the Senate amendments, or non-concurrence; however, the House Judiciary committee established a special ad hoc committee to further amend the bill. The committee suggested a significant increase in independent oversight provisions, bringing the executive branch, the judicial branch and state employees into the purview of the Ethics Commission and establishing a quasi-judicial or prosecutorial enforcement division. The same committee also suggested the removal of certain disclosure and conflict provisions from the stronger language provided by the Senate.

The resulting House version lacked certain important provisions of the Senate reform bill. The Senate bill would have required that legislators file their bank statements with their campaign finance report. The Senate law would have also toughened the penalties for violation of campaign finance laws. Both of these provisions, removed by the House committee, stood to be eliminated in conference committee.

In the final minutes of the legislative session, H.3945 was filibustered to its demise. What started as a quest for comprehensive reform died in the Senate. Yet, the bill that died was a far cry from the meaningful comprehensive ethics reform that the General Assembly promised at the outset of 2013. Nevertheless, the Conservation League and its partners will continue to press for comprehensive ethics reform as we look ahead to 2015.



GrowFood Carolina Commendation

On Thursday, May 22nd, Representative Kirkman Finlay read a resolution of commendation for GrowFood Carolina on the floor of the S.C. House of Representatives.

To recognize and commend GrowFood Carolina for its outstanding work in supporting and promoting South Carolina's local food economy and to wish the organization well in all its future endeavors.

Whereas, a project of the Coastal Conservation League, GrowFood Carolina is the first local food hub in South Carolina, serving local farmers within one hundred twenty miles of Charleston; and

Whereas, GrowFood Carolina provides essential planning, warehousing, marketing, and distribution services to help small-scale local farmers become more profitable; and

Whereas, beginning work with five growers in 2011, GrowFood Carolina serves more than fifty growers today; and

Whereas, in addition, GrowFood Carolina began with just twenty customers and now has more than one hundred twenty local customers, including major retailers and restaurants; and

Whereas, the organization has sold more than \$900,000 in local produce and returned more than \$750,000 to the farmers of this great State; and

Whereas, GrowFood's work bestows numerous benefits on the people of the Palmetto State. First, the organization's support of the local food economy ensures a more resilient and secure food supply in South Carolina; and

Whereas, further, local fresh foods such as those that GrowFood supplies are integral components of promoting healthy eating and public health; and

Whereas, GrowFood Carolina also supports rural job creation and economic growth, revitalizes rural and urban communities, and boosts our state's agricultural economy; and



(l-r) Dana Beach, Sara Clow, Lisa Turansky, and Representative Kirkman Finlay on the portico of the S.C. State House.

Whereas, GrowFood Carolina serves as the inspiration for a statewide network to support local agriculture, as presented in the South Carolina Department of Agriculture's Making Small Farms Big Business report; and

Whereas, an integral part of improving the quality of life in South Carolina, GrowFood Carolina connects land conservation to food and agriculture, as well as to health and wellness. Now, therefore,

Be it resolved by the House of Representatives:
That the members of the South Carolina House of Representatives, by this resolution, recognize and commend GrowFood Carolina for its outstanding work in supporting and promoting South Carolina's local food economy and wish the organization well in all its future endeavors.

League Requests Federal Review

by Natalie Olson, Land Use Project Manager

The Coastal Conservation League's spring newsletter visited the "Grave Threat" of the proposed development for Cainhoe Plantation and the valuable historic, cultural, and ecological resources that are at risk. With the Charleston City Council's approval of rezoning on the property and recent submissions of wetland fill permits to the U.S. Army Corps of Engineers, it is clear that a full-scale study of the property and further public involvement are essential in order to prevent irreparable harm to the area. As a result, the Conservation League has submitted a formal request for a National Environmental Policy Act and Endangered Species Act review of the Cainhoe Plantation proposed development.

The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of proposed actions and reasonable alternatives to those actions. The federal agency permitting applicable to the proposed development of Cainhoe Plantation requires a full-scale study of impacts pursuant to NEPA.

Further, the Cainhoe Plantation property owners are in the process of developing a Habitat Conservation Plan with the U.S. Fish and Wildlife Service (USFWS) that would attempt to mitigate impacts to the endangered red-cockaded woodpeckers (RCWs) and their habitat on the northern portion of Cainhoe Plantation. This plan would be used to support the issuance of an "incidental take" permit for RCWs, thereby allowing the property owners to



Cainhoe Plantation is home to 16 colonies of rare and endangered red-cockaded woodpeckers.

avoid future liability under Section 9 of the Endangered Species Act for "take" — i.e. elimination — of a listed species.

With more than ten linear miles of marsh and wetland frontage on the Cooper and Wando Rivers and Beresford and Flagg Creeks, Cainhoe Plantation is rich with environmental, historic, and cultural treasures. Cainhoe shares a two-mile border with the 250,000-acre Francis Marion National Forest (FMNF), and is home to nine endangered and threatened animal species, eight endangered and threatened plant species, 15 sensitive animal species, and 43 sensitive plant species. A broad plateau of old-growth longleaf pine forest, rising nearly 40 feet in elevation, stretches from the FMNF across the northern portion of Cainhoe, providing habitat for 16 endangered RCW colonies, populations of gopher frogs and flatwoods salamanders, and countless other endangered, threatened, and at-risk species.

When factoring in future development plans for waterfront villages and docks, marine species will

likely be impacted. Without a full-scale environmental study in the form of an Environmental Impact Statement (EIS), the presence of these species on Cainhoe Plantation, as well as the impacts that will result from the proposed development, remain largely ignored and unmitigated.

Allowing the development to move forward by approving permits in a piecemeal fashion is untenable, and will result in an underestimation of the project's significant adverse impacts on species and habitat. Preparation of an EIS pursuant to NEPA and a Biological Opinion pursuant to the Endangered Species Act will be essential to fully understanding and analyzing the short and long-term impacts of the proposed project on species and habitat. The Conservation League looks forward to working with the USFWS, the U.S. Army Corps of Engineers, and other federal and state agencies to implement these environmental laws and regulations.

Oakridge Landfill Expansion in Beidler Forest

by Katie Zimmerman, Air, Water & Public Health Director

Waste Management's Oakridge Landfill in rural Dorchester County is South Carolina's third largest landfill, consisting of more than 83 acres of property. It is located at the edge of Four Holes Swamp—home to the Francis Beidler Forest, in the headwaters of the ACE Basin. The landfill has requested permits from DHEC's Office of Ocean and Coastal Resource Management (OCRM) and the Army Corps of Engineers to expand into 14 acres of wetlands. This landfill expansion is unnecessary and the affected wetlands are an integral part of the Four Holes Swamp ecosystem.



photos by Dana Beach



Francis Beidler Forest, one of two old-growth swamp forests remaining in South Carolina, is a conserved sanctuary belonging to the Audubon Society and located in Four Holes Swamp. It contains within its 16,000 acres some of the largest remaining stands of virgin bald cypress and tupelo gum in the world, 50 species of reptiles, 40 species of amphibians, and 140 species of birds (including rare and endangered). Beidler Forest is designated a National Natural Landmark, a Wetland of International Significance, and an Important Bird Area.

In response to Oakridge Landfill's permit request, a public hearing was held by OCRM. The hearing was well attended and all speakers expressed opposition to the project. Speakers included members of the adjacent Delee community, Friends of the Edisto, Audubon Society, NAACP, Minority People of Dorchester County, and state and local Sierra Club chapters.

Oakridge does not need to expand. The region has plenty of landfill capacity,

and DHEC's Solid Waste Management Reports identify that there is already sufficient state landfill capacity. The existing landfill itself is only at half of its permitted capacity, and Oakridge has not performed a sufficient alternative site analysis in its permitting request.

In February, DHEC-OCRM approved and awarded both 401 water quality and coastal zone consistency certifications, essentially giving a green light for the landfill to expand. In response, a joint request from the Southern Environmental Law Center and the South Carolina Environmental Law Project on behalf of the Coastal Conservation League, Audubon S.C., and the S.C. Wildlife Federation was submitted to the DHEC board for a final review conference. In late March, that request was denied. The S.C. Environmental Law Project is appealing the decision on behalf of the Conservation League.

A Visit with Vilsack

From Charleston to the nation's capital, news about South Carolina's first local food hub, GrowFood Carolina, is spreading. Thanks to the support of Peter Roy, former President at Whole Foods Market, Inc. and a GrowFood Carolina Advisory Board member, Dana Beach, Lisa Turansky, and Sara Clow met in April in Washington, D.C. with the U.S. Secretary of Agriculture, Tom Vilsack, to discuss federal support of local food systems.

After a detailed conversation about the Coastal Conservation League's role in developing an innovative solution to local food distribution, our team presented to Secretary Vilsack the challenges and opportunities associated with building a new food economy, and suggested that Department of Agriculture (USDA) focus support on local and specialty crop producers, especially with regards to food safety, funding and research. As a result of the visit, the Conservation League now has a direct line to the USDA for advice on federal funding, local food system program development, and technical assistance.



(l-r) GrowFood Manager Sara Clow, Food and Agriculture Director Lisa Turansky, and Executive Director Dana Beach in Washington, D.C., on their way to meet with U.S. Secretary of Agriculture, Tom Vilsack.

Wild Mushrooms

Q: *What did the flower say to the mushroom?*

A: *You look like a “fun-gi”.*

You'll want to commit that joke to memory now that local mushrooms are the buzz around town. Until recently, it was illegal to sell wild foraged mushrooms from South Carolina, prompting chefs and retailers to seek wild mushrooms from other states. In an effort to promote more local agricultural activity, the Coastal Conservation League worked closely with DHEC to develop a program for the local harvest and sale of wild mushrooms, outlined in the R. 61-25 Retail Food Establishments revision that passed through the South Carolina Legislature in May.

The Conservation League assembled a team of mycological experts and regulators, and was effective in laying the foundation of what promises to be a lucrative future for South Carolina's wild mushroom industry. Look for the Chanterelle Mushroom Party announcement later this summer, to be held at the GrowFood Carolina warehouse. It's time to celebrate—fungi style.

Allendale Farm Program

Warden John Pate at the Allendale Correctional Institution is challenging inmates "to be the change they wish to see" by taking part in a program called the Character Housing Unit (CHU). This character-based program involves classroom hours and hands-on participation in programs that range from addiction recovery to acquiring skills that will facilitate positive community involvement on the "outside." As part of the program, the institution has a garden which produces food that is consumed at the facility.

Under the umbrella of CHU, the Jumpstart program aims to not only expand successful programs at Allendale to nearby institutions in Barnwell, Hampton and Colleton, but also to provide a model farm and character housing for former convicts as they transition successfully back into the community. They have been granted a 16-acre farm site near the facility to begin the project. GrowFood Carolina and the Coastal Conservation League are providing input for the farm's development and advice about how to move products from farm to market.

Lift the Lowcountry!

In its inaugural year, an online fundraising event called Lowcountry Giving Day raised nearly \$2.5 million in donations for local nonprofits on Tuesday, May 6th. This is in addition to a \$1.5-million pool of incentive funds raised before the event, meaning the event raised nearly \$4 million in all when combined with matching gifts.

Nearly 100 local nonprofits competed to see which could raise the most in online donations in 24 hours. The incentive pool was used to match funds raised at a rate based on how much each nonprofit collected. In all, supporters made 6,677 individual online donations to nonprofits in one day.

GrowFood Carolina received 117 donations and raised \$22,519. \$10,000 of that was matched by the Pearlstine Foundation, elevating GrowFood's total to \$32,519. Special thanks go to the Coastal Community Foundation, coordinator of the event.

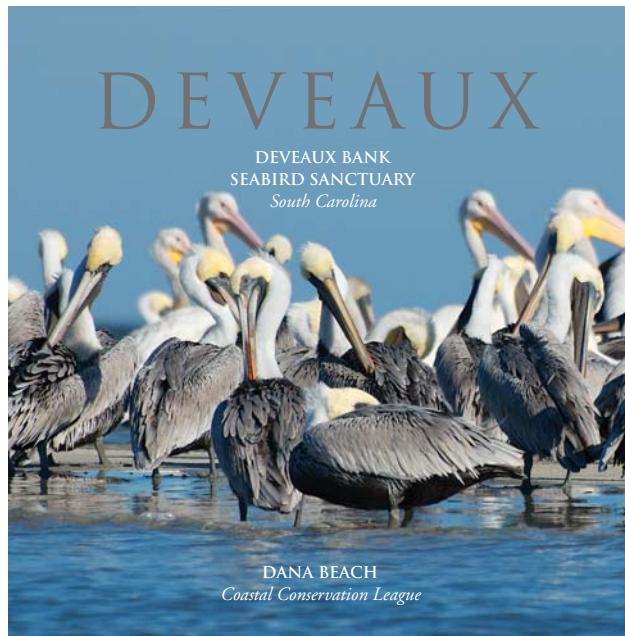
Bela Fleck & Abigail Washburn Donate to CCL

Spoletto headliners and renowned string players Bela Fleck and Abigail Washburn chose the Coastal Conservation League this spring to be the recipient of a portion of the proceeds from the sale of merchandise at their June 1st Spoleto performance. Thanks to Bela and Abigail for their support of conservation in the Lowcountry!

Deveaux Book Launch at Library Society

A new book about the Deveaux Bank seabird colony has been released by the Coastal Conservation League in partnership with the University of South Carolina Press and in celebration of the League's 25th Anniversary.

All proceeds of the book sales go directly towards the conservation programs of the Coastal Conservation League. To order your copy visit: <http://coastalconservationleague.org/deveaux-deveaux-bank-seabird-sanctuary-south-carolina-by-dana-beach/>



Nearly 150 Conservation League supporters and seabird enthusiasts attended the Deveaux book launch held on June 26th at the Charleston Library Society.

In the News



DANA BEACH

ENVIRONMENTAL CRUSADER

<http://readcharlie.com/>

Pepper, CCL Office Mascot



Who's in charge here?

FROM THE FIELD



Edward Crawford



Dana Beach



Dana Beach



Dana Beach

Members' Corner

CRAB BANK MEMBERSHIP PADDLE



photos by Dana Beach



Board of Directors of the Coastal Conservation League: (standing l-r) John Thompson, Stan Stevens, Dick Schmaltz, Berry Edwards, Ceara Donnelley, David Westerlund, Margot Rose, Roy Richards, Jeff Leath, Alex Marsh, Jeffrey Schutz, Andrea Cooper and Pierre Manigault; (seated l-r) Katharine Hastie, Steve Zoukis, Jim McNab and Executive Director Dana Beach. (not pictured: Andy Berly and William Cogswell)

Margot Rose & Pierre Manigault Appointed to CCL Board

The trustees of the Coastal Conservation League are pleased to announce the appointment of **Margot Rose** to the board of directors. Margot is a graduate of Duke University and worked for seven years in marketing for the food service industry. Later, she

studied horticulture at Temple University and in 1995 settled in Charleston, S.C. She served on the Board of The Ethel Walker School in Simsbury Connecticut for twelve years; spending five years as its president, fund raising for her alma mater across the country.

In South Carolina, Margot has served on the board of Historic Charleston Foundation, the School of the Building Arts, and the Charlestowne Neighborhood Association, where she continues to serve on the Cruise Ship Task Force and as the organization's secretary. Margot is also a charter member of the Charleston Horticulture Society and served on the S.C. State Museum Board commission as an appointee of Governor Jim Hodges.

She and her husband, Boykin, divide their time between Charleston and the coast of Maine, where they enjoy hiking in Acadia National Park, boating, and whale watching. Margot is also an avid golfer, gardener, cook and photographer.



The CCL board also welcomes **Pierre Manigault** as a new trustee. Pierre began working in media/communications in 1987 as a photographer and editor of television news at KOAA (NBC) in Colorado Springs, Co. In 1989 he moved to Washington, D.C. and joined the National Geographic Society as a film editor in the television division. He next went to work for *The Washington Post*, where he wrote on the business desk and served as a copyeditor for the editorial page.

In 1994, Pierre returned home to Charleston to join the family business at Evening Post Publishing Co. He spent five years as an editorial writer for *The Post and Courier* under Barbara Williams before moving into business operations and heading the company's subsidiary newspaper division. In 2004, upon the death of his father, Peter Manigault, Pierre was named Chairman of the Board of Evening Post Publishing Co. He is actively involved in the management of White Oak Forestry Co., a subsidiary of Evening Post that owns 17,000 acres of timberland in Charleston and Georgetown Counties. He is also a founder and co-owner of *Garden & Gun* magazine.

Pierre is a member of the College of Charleston's School of Business Board of Governors, a trustee of the Middleton Place Foundation and a trustee of Magnolia Cemetery. He has previously served on the boards of the Historic Charleston Foundation, the Lowcountry Open Land Trust, the Gibbes Museum, the Preservation Society of Charleston, the Historic Rice Fields Association, the Palmetto Conservation Foundation, the International Crane Foundation and the National Steeplechase Foundation. He lives in Charleston and has two daughters, India and Gigi.



Charlotte Caldwell & Bill Saunders Join CCL's Chairman's Council

Long-time conservation activists and Conservation League supporters, Charlotte Caldwell and Bill Saunders, have joined the League's Chairman's Council — an advisory group to the board of directors. (New members Dottie Frank and Fred Lincoln will be profiled in the fall.)

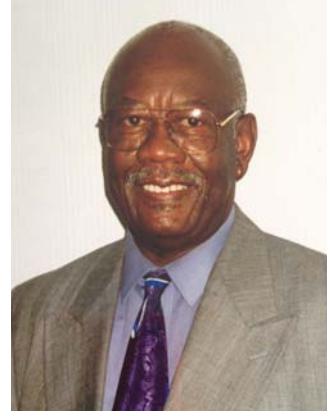
Baised on Lookout Mountain, Tennessee, **Charlotte Caldwell** has served on non-profit boards over the past twenty years with primary interests in conservation and education. She served two terms as Chairman of the Board of the Coastal Conservation League and chaired our first capital campaign. Currently she serves on the The Nature Conservancy-Montana and the Montana Preservation Alliance boards.



Charlotte is an author and photographer. Her book, *Visions and Voices: Montana's One-Room Schoolhouses* is in its second printing. She is also the photographer for *The Cottages and Architects of Yeamans Hall*, written by Charlton deSaussure. Currently Charlotte is working on a book about farmers and the local food movement, called *The Face of Our Food*.

Charlotte and her husband, Jeffrey Schutz, enjoy spending time with their four sons and four granddaughters. They divide their time between their ranch outside Clyde Park, Montana, and their home in historic downtown Charleston.

Bill Saunders was born in New York and was raised by his grandparents on John's Island along River Road among a large extended family. At age 16, Bill left South Carolina to join the U.S. Army. He was wounded fighting in the Korean War and in 1954 received an Honorable Discharge as a Staff Sergeant. It was not until 50 years later that he was awarded the Purple Heart for his service. Following his military service, Bill earned a diploma from Laing High School and from there went on to a lifetime of serving.



In 1970, Bill bought part of WPAL radio station and helped transform it into a voice for the black community. He has also served as Chairman of the S.C. Public Service Commission, Chairman of the Charleston County Democratic Party, and as a Commissioner for the Gullah-Geechee Cultural Heritage Corridor.

He serves as the founder and CEO of the Committee on Better Racial Assurance Human Services Agency (COBRA) in Charleston. Today, he remains an active resident of John's Island, and a leader in his church, Wesley United Methodist.

Chairman's Council

Bill Agnew, *Council Chair*

Charlotte Caldwell
Anne and William Cleveland
Marcia and Jamie Constance
Jennifer Davis
Carol Ervin
Dorothea Benton Frank
Larry Fuller
Laura and Steve Gates
Angela Halfacre

Charles Lane
Fred Lincoln
John Rashford
Bill Saunders
Bob Schofield
Libby Smith
James Vardell
Joe Williams
Pete Wywick

Thank You, Summer Interns!

A special "Thank You" to our summer interns, who have volunteered their time and talent to various tasks at the Coastal Conservation League offices this summer.



(l-r) Marina Yakhnis, James Vardell, Sarah Berndt, Jake Harris, and Shivani Kuckreja. (not pictured: Chris Green and Abby Tennenbaum)

RUSS AND JUDY BURNS, LAURENS, S.C.

Lifelong educators, farmers and conservationists



Interview by Shannyn Smith, Senior Development Officer

When Russ and Judy began their estate planning — a process thrust upon them by Russ' diagnosis and prognosis of terminal cancer — they decided to create a charitable remainder trust using the value of a farm they owned. The Coastal Conservation League, the South Carolina Chapter of The Nature Conservancy and other conservation organizations were named as beneficiaries. It turned out that Russ was able to beat the cancer, prompting the couple to re-double their efforts in support of conservation in South Carolina.

■ Q Tell us a little about yourselves.

■ A Russ is a native South Carolinian and Judy hails from New York, though she claims to be a southerner by birthright since her father was from Florence, S.C. We met as students at the University of South Carolina and later were married in the Rutledge Chapel on campus.

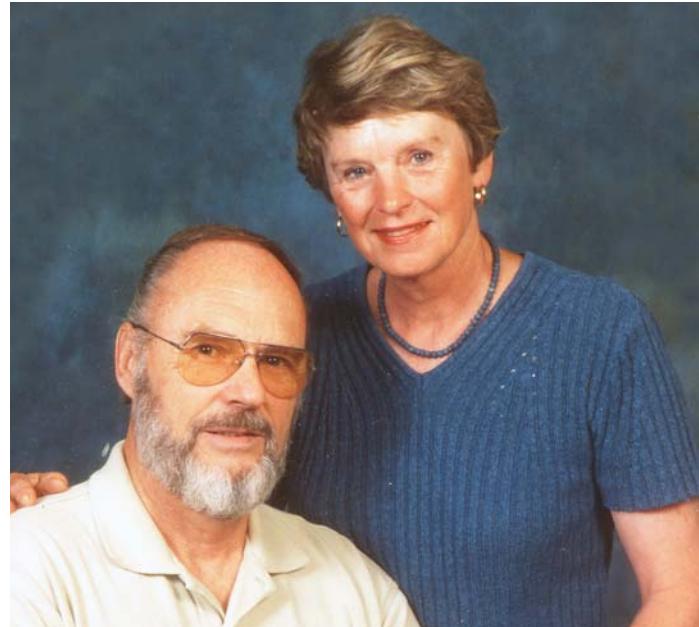
We lived in Columbia for several years while Russ was employed as Supervisor of the Columbia Science Museum and Planetarium Director. Judy taught at A. C. Flora High School during this time. As the Vietnam War escalated, Russ was called to active duty since he had an Air Force ROTC commission. He spent most of his time as the commander of an intelligence flight in Japan and later became the base planning officer. Judy taught in the dependents school on the base during this time.

Returning from service, we settled on a farm in Laurens County, and began our careers in education. We both retired from the public school system in Laurens County. Russ served

both as a classroom teacher and administrator, and as a Director of Technology and Public Information Officer. Judy taught biology and later taught in the gifted program. After ten years as a biology instructor at Presbyterian College, she returned to the district as Coordinator of Testing.

From a modest start, Russ and his father were able to expand their farm to the nearly 1,000-acre Foxbrier Farm of today. After the death of Russ'

parents, and with industrial and housing developments inching closer and closer to our land, we decided to place a conservation easement on the property to protect it against development. The easement is held by the Upper Savannah Land Trust, an organization that we, along with a few other citizens, formed



around 15 years ago.

Today, Foxbrier Farm is a multi-use facility. The heart of it is still used for cattle ranching and hay production, but the farm is also used by the Carolina Carriage Club for driving outings. Foxbrier provides teacher training in outdoor skills and hosts nature walks for other groups. A large portion of the farm that lies adjacent to and across the Little River watershed is set aside as a wildlife refuge. We have two daughters who live on the farm and help as time permits. Judy enjoys horseback riding and Russ loves gardening. Together, we both like to sail and scuba dive when we have the opportunity.

■ Q What first inspired you to support the Coastal Conservation League?

■ A We were invited to a special presentation at the home of Brad Wyche in Greenville. Brad and his father Tommy had recently formed Upstate Forever, a conservation organization



To learn more about Russ and Judy's farm, visit www.foxbrierfarm.com

Coastal Legacy Society

that promotes sensible growth and protects special places in the Upstate. We went expecting the presentation to be about the conservation of foothills and mountain properties; but, instead, Dana Beach gave a presentation about the newly forming Coastal Conservation League.

Since we owned a beach house on Sullivan's Island at the time, we were very interested to learn about conservation efforts on the coast. Russ was so impressed with the Conservation League's initiatives that he invited Dana to speak at the Laurens Rotary Club later that year. It was through these contacts that we became friends with Dana and became supporters of the League. A few years later, we began our estate planning and created the charitable remainder trust naming the League and other conservation organizations as beneficiaries. Our future estate planning will also include the League.

■ Q What is your connection to the Lowcountry?

■ A For many years we owned a beach house on Sullivan's, but, unfortunately, the high taxation on out-of-county residents eventually forced us to sell. We nevertheless have a bit of salt air in our blood and love the coastal region. Russ has many childhood memories of his family spending weeks at Folly Beach, and Judy remembers delightful days at Pawleys Island, when her family would journey down from Long Island each summer.

■ Q What do you hope for the future of the Lowcountry and South Carolina?

■ A With the inevitable growth of population in the Sunbelt, we all have to work toward thoughtful, sustainable growth in housing, business, and industry, all the while conserving the best of our natural heritage for future generations. And we must recognize that as rich as our coast may be, all the resources are finite. We must be prepared to make the hard decisions that draw the line on development.

Coastal Legacy Society

The Coastal Legacy Society honors those who have provided for the Coastal Conservation League through their wills or estate plans. By making a gift to the Coastal Legacy Society, you will join this group of extraordinary individuals in their commitment to protect the Lowcountry for generations.

Ethel-Jane Westfeldt Bunting*

Russell and Judith Burns

Charlotte Caldwell

Chip and Betty Coffee

Marcia Curtis*

Carol B. Ervin

Mary C. Everts*

Robert W. Foster, Sr.

Dr. Annette G. Godow

Florence E. Goodwin*

Janis Hammett

Ms. Teri Lynn Herbert

Katherine M. Huger

Katherine Cheshire Knott*

Dr. Thomas R. Mather

Miles F. McSweeney

Mr. and Mrs. Michael B. Prevost

Ellen and Mayo Read

Mr. Jason A. Schall

Ms. Dorothy D. Smith*

Gus and Cameron Speth

Mr. and Mrs. John J. Tecklenburg

Mr. and Mrs. Thad Timmons

Sarah W. Toomer*

George W. Williams

*deceased

■ Q What would you tell other Coastal Conservation League members to inspire them to think about making a legacy gift?

■ A Even though we live in the Upstate, we still watch the conservation efforts all across the state. Over time, it becomes apparent that some organizations really "get the job done." Organizations like the Coastal Conservation League and The Nature Conservancy, along with many land trusts in the state, are leaders in conserving the best of South Carolina. And when they work together on

projects, as the Conservation League and The Nature Conservancy often do, great things happen. There is power in joint efforts.

South Carolina is a special gift to all who live in it. How can we not give back to efforts that seek to keep our state the special place that it is? When you support an organization like the Coastal Conservation League, whether through direct donation or by bequest, you really are giving to yourself and your family for generations to come.

We appreciate your membership support. To additionally consider making a long-term gift, as Russ and Judy Burns have done, shows commitment beyond measure. We'd love to welcome you to the Coastal Legacy Society. If you wish to learn more, or wish to make a legacy gift to the Conservation League, please contact Shannyn Smith at 843-725-2058 or shannyns@scccl.org for more information.

Live Oak Society

LIVE OAK SOCIETY

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The Coastal Conservation League works very hard to ensure that all donor names are listed correctly; however, occasional mistakes do occur. Please contact Database Manager Nora Kravec at (843) 725-2057 with any questions or corrections.

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New Format for Donor Lists

As we have for 25 years, the Coastal Conservation League development team makes every effort to acknowledge our donors' gifts promptly and to recognize all donors accurately in our quarterly newsletters. Beginning with this issue you will see a different format for our donor listings throughout the year.

Since 1999 we have listed members of our Live Oak Society, those who make gifts of \$500 or more, in every issue for a full twelve months after the date of their gift, and we will continue to do so. We are grateful for those who make an annual commitment at this level and who in doing so, enable our staff to achieve critical victories in land protection, air and water quality, climate and energy, and food and agriculture.

Throughout the history of the Conservation League, our grassroots leadership has been vital not only in providing financial resources, but in communicating our issues to public officials. Going forward, our donors who give at levels below \$500 will be listed annually in an expanded newsletter early in the year, allowing us to provide a complete list of all donors immediately after the close of each calendar year. We will also include other information in an annual report format in addition to the timely news you receive in each quarterly newsletter. We hope this new format will honor all of you who make our work possible.

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The mission of the Coastal Conservation League is to protect the threatened resources of the South Carolina coastal plain — its natural landscapes, abundant wildlife, clean water, and quality of life — by working with citizens and government on proactive, comprehensive solutions to environmental challenges.



GrowFood Spring Party



Photographs courtesy of Jonathan Boncek of Boncek Images