



**SOUTH CAROLINA  
ENVIRONMENTAL LAW PROJECT**

*Lawyers for the Wild Side*

*A Victory for Public Notice on Septic | Leaning into Local Ordinances*

*Holding the Line on Beachfront Management | Case Updates*

SUMMER 2025





P.O. Box 1380, Pawleys Island, SC 29585 | (843) 527-0078 | [www.scelp.org](http://www.scelp.org)  
Offices in Georgetown, Mount Pleasant, Columbia and Greenville

## Mission

We use our legal expertise to protect land, water and communities across South Carolina.

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## Meet Our New Staff & Board Members



**Kenzie Poole**, Staff Attorney, started working at SCELPA in March of 2025 following a fellowship with the U.S. Environmental Protection Agency in Washington, DC.



**Michelle Mapp** is a solo legal practitioner working and consulting primarily in the nonprofit sector. She is a Liberty Fellow and resides in North Charleston.



**Liz Igleheart** lives in Columbia and has returned to the board to lend her decades of experience in nonprofit consulting, fundraising and management.

**Juan Tolley**, our new Environmental Justice Attorney, joined SCELPA in 2024 after decades as a public defender. She is a graduate of the University of South Carolina School of Law.



**Davis Whitfield-Cargile** is an attorney and the owner of Whitfield-Cargile Law, a private practice in Brevard, North Carolina. He was born and raised in Aiken, South Carolina.



**Karen Wells** is our new Staff Attorney in Columbia. She recently completed a research fellowship at the University of South Carolina School of Law after graduating in 2023.



**Keith Williamson** lives in Hartsville and enjoyed a long career in agriculture. He has also served on the boards of the Pee Dee Land Trust and the SC Conservation Bank.



## Director's Note

Communities are at the heart of everything we do here at the South Carolina Environmental Law Project. We work with communities to advocate for and safeguard strong protections for environmental and cultural resources. We work on behalf of communities to fight for more transparency and public participation on issues like septic management and harmful mining operations. And we work alongside brave and tenacious community members who devote their time and energy to defending the places they call home from environmental degradation.

The pages of this newsletter tell the stories of these inspiring people, as well as SCELPLP's work and your impact—I hope you enjoy reading them, and knowing that your generosity is what fuels this action.

On the opposite page, you can see the faces of the new staff and board members we have welcomed over the last six months. Welcoming new people always means saying goodbye to those who have served SCELPLP well, and we want to thank outgoing board members Walt McLeod and Amy Fabri for sharing their time and talents with us.

We also have hired three new attorneys, Kenzie Poole, Juan Tolley and Karen Wells. All three bring valuable experience and fresh ideas and perspective to our growing team.

In early May, we held our annual Giving Days fundraiser, participating in two online giving events across the state over the course of two days. Over 210 day-of donations, combined with over 30 matching donors and many businesses and individuals that helped spread the word all contributed to a very successful effort. Overall, we raised over \$180,000, which is an amazing testament to your commitment to our mission.

Speaking of commitment, I would be remiss to not mention the passing of my dear friend and a steadfast supporter of South Carolina's environment, Dr. John Mark Dean. John was instrumental in hiring SCELPLP's third-ever attorney, served on our Board from 2012 to 2017 and played a key role in our remarkable capacity building. Most of all, he was kind, generous and funny and will be missed by many, especially those of us at SCELPLP and in the conservation community who were able to work alongside him for so many years.

Finally, each of these updates and stories could not be told without another critical piece of the puzzle—you. Your support is the reason SCELPLP continues to take on and win precedent-setting cases, and we consider it a true privilege to work on your behalf to protect land, water and communities in this state we all cherish.

A handwritten signature in black ink, reading "Amy E. Armstrong".

**Amy E. Armstrong**  
Executive Director

***On the cover: Featured in this issue, Charles Blackmon, Courtney Crafton and Casey Jo Cooperman's stories of fighting to protect their communities***





A pair of wood storks rest in the marsh inside Cape Romain National Wildlife Refuge

#### Focus Area

## Protecting Cape Romain

Awendaw, a small rural town of approximately 1,400 residents in Charleston County, is facing the pressures of rapid development due to its proximity to Charleston, one of the fastest growing cities in South Carolina. Nestled between the ecologically sensitive Francis Marion National Forest and Cape Romain National Wildlife Refuge, Awendaw has seen development creep closer year after year. Now, it's

too close for comfort—and the community is fighting back.

In the spring of 2022, the Charleston County Planning Commission approved a 204-house residential subdivision on a parcel known as the White Tract, which is adjacent to Bulls Bay and within the congressionally authorized boundaries of Cape Romain.

This proposed project is particularly concerning not just because of the extensive construction, land clearing and road building it will require, but because of the long-term consequences of environmental impacts on this unique area. If development proceeds according to the original plans, more than 200 septic tanks will be installed, and combined with other projects in progress the new homes could increase the population of Awendaw exponentially.

SCELP has been involved in the battle to protect Cape Romain National Wildlife Refuge, as well as the rural way of life in Awendaw, since 2022. We have worked with our partners at the Coastal Conservation League, Charleston Waterkeeper and Friends of Coastal South Carolina to fight these developments on multiple fronts—both by challenging the individual septic permits (in addition to our septic declaratory judgment case, which you'll read about later in this newsletter), and a stormwater permit and Coastal Zone Consistency Certification that the Department of Environmental Services granted to Pulte Homes in December of 2024.

Our appeal of the first batch of 44 septic tank permits has now made its way to the Court of Appeals, and we are in the process of drafting our legal briefs. Meanwhile, in January, on behalf of Friends of Coastal South Carolina, SCELP filed a challenge to the latest permits, which greenlight plans to fill in almost two acres of wetlands and disturb 17.6 acres to facilitate construction of 27 single family homes in the first phase of these much larger developments. The challenge is centered around 1) the fact that the project's stormwater would discharge directly on the refuge, which conflicts with state and federal protections for such vital areas, and 2) the filling of wetlands to create buildable high ground, which conflicts with state regulations.

***“Cape Romain National Wildlife Refuge protects Bulls Bay in its entirety. The ecological value of this region is indisputable. In addition to ecological value, the region is also a critical economic resource as the heart of our area’s finfish and shellfish industry. Many people in our community depend on the pristine waters of the refuge to make their living.”***

*Grace Gasper, Executive Director  
Friends of Coastal South Carolina*

In addition to fish and shellfish, over 293 diverse species of birds call the refuge home. The refuge is also the most important nesting ground for threatened loggerhead sea turtles on the East Coast north of Florida, often with over 3,000 loggerhead nests per season. Leatherback and green sea turtles also occasionally nest on the refuge. Cape Romain’s designations as a Class I National Wilderness Area and Outstanding Resource Waters highlights its importance for biodiversity and habitat preservation.

South Carolina’s Coastal Management Program policies require that residential development projects avoid filling or permanently altering wetlands unless no feasible alternatives exist or an overriding public interest can be demonstrated. It also mandates a comprehensive evaluation of cumulative and long-range environmental impacts, especially in the context of preserving coastal resources. Neither of these policies are being followed here.

Heightened protections for areas like the Cape Romain National Wildlife Refuge exist for a reason, and SCELP will continue to work with our partners and the community to oppose development on the White Tract. We’ll keep you posted as these cases progress in the Administrative Law Court and Court of Appeals! ♦



Awendaw's shellfish industry depends on clean, safe water



## Leaning into Local Government

Did you know that, according to the U.S. Fish & Wildlife Service, South Carolina has lost an estimated 27%, or 2.3 million acres, of its wetlands over time? As federal protections under the Clean Water Act have been continually chipped away or lost, it is more important than ever to safeguard our state's wetlands, which provide critical benefits to the economy and the health, safety and welfare of the public. Some of these benefits include buffering against floodwaters, removing harmful pollutants and providing wildlife habitat.

***But wetlands across the state are at a critical turning point. Population growth and development pressures have dramatically increased at the same time legal protections under the Clean Water Act are being stripped away.***

The Supreme Court's *Sackett v. EPA* decision shifted much of the responsibility to safeguard sensitive wetlands to state and local governments.

While we believe that the State of South Carolina should step up and legislate statewide wetland protections before it is too late, local governments from the Upstate to the coast are increasingly opting in to address protections for wetlands themselves. This year, SCELPA has worked collaboratively with several local governments to advance these protections by sharing a model wetlands ordinance and offering feedback and input on proposed elements of drafted legislation.

In Georgetown County, we worked on the natural resources and resiliency elements of the comprehensive plan, which direct the county to adopt a wetlands ordinance. This would protect some of the county's most vulnerable natural resources, which 96% of residents identified as a key priority.

The Town of Bluffton has passed first reading of an amendment to its Unified Development Ordinance which creates emergency wetlands protections as a stopgap measure while a more comprehensive wetlands ordinance is being developed. These amendments would establish crucial 50-foot wetland buffers and integrate wetland conservation into its stormwater, water quality and resilience plans.

While we hope for statewide protections, local wetlands ordinances can be excellent tools to steer infrastructure away from low-lying areas subject to repeat flooding, minimize polluted runoff, provide essential wildlife habitat and ensure that development does not occur in sensitive areas. We look forward to continuing our work in this area; made possible by you! ♦



Cypress trees at a Lowcountry swamp



Vaughn Creek meanders through northern Greenville County

## Case Update

# Defending an Upstate Creek

The rolling foothills of northern Greenville County are among the most stunning scenery found in South Carolina and provide a beloved respite for residents and visitors who enjoy hiking, fishing, kayaking and the solitude found in nature. Folks in this area recognize the value of protecting their land from development, especially given the explosive growth of Greenville and nearby Greer and Travelers Rest.

Several years ago, a landowner near Landrum constructed an illegal dam, two ponds and multiple piping systems in Vaughn Creek and its tributary in an effort to farm trout. Despite altering the flow of the tributary and discharging wastewater from the ponds back into the creek, the landowner did not seek or obtain any permits.

In this case, the illegal dam and trout ponds were carrying pollution downstream through a conservation easement owned and managed by Upstate Forever which, as a nationally accredited land trust, has a responsibility to protect the land it has been entrusted with, and sometimes that includes taking legal action.

In addition to the potential negative impacts on the easement, pollution from the pond was impacting the creek itself, which originates near Tryon, North Carolina, as

a tributary of the North Pacolet River. The creek is an Outstanding Resource Water, a designation given by the Department of Environmental Services that is meant to protect wildlife, fish and shellfish, as well as the quality of South Carolina's watersheds—several of which originate in the Upstate. Regulations prohibit discharge from domestic, industrial, aquacultural or agricultural activities into Outstanding Resource Waters.

Even after multiple notice letters, the property owner failed to address the violations and in December of 2023, we filed a formal Clean Water Act citizen suit.

SCELP attorneys Lauren Megill Milton, Ben Cunningham and Emily Poole worked tirelessly over the course of a year and a half as this case progressed, and we are pleased to announce a significant step forward—a settlement that will protect the creek and the conservation easement from future pollution. As part of the agreement, the landowner was required to quickly remove the dam and all infrastructure from the tributary. Any future unauthorized alterations to the creek, including discharges, will result in hefty fines. Upstate Forever also has the right to periodically inspect the property.

We are disappointed to share that the landowner has not yet fulfilled his restoration obligations, highlighting the need for SCELP's continued involvement to ensure the settlement terms are met.

We're proud to represent organizations and citizen groups to protect our state's creeks, rivers and lakes from pollution. These efforts are critical for safeguarding water quality throughout South Carolina, made possible by your generosity! ♦

***“The landscapes and waterways of this area are critical to health and quality of life, not just for Upstate residents, but for everyone living downstream. It is essential to conserve and defend those assets as the region grows. SCELP is a strong advocate for South Carolina's natural resources, and we truly appreciate their partnership in this case.”***

*Lauren Ulich, Assistant Director  
of Stewardship & Land Management  
Upstate Forever*





## Against the Current: *Community Voices Fighting Environmental Harm*

### Protecting the Little River Watershed

If you ask any South Carolinian what their favorite place in the state is and what it means to them, be prepared for an earful. For some it's an island with a wide, sandy beach they grew up visiting as a child—perhaps Edisto or Pawleys. For others it's a stunning mountain vista, like the overlook at Caesars Head State Park, or a creek running alongside a favorite hiking trail.

For Charles Blackmon, that sacred place is the Little River—a quiet, dark stream meandering through banks lined with golden wildflowers and mature hardwood trees. The land surrounding parts of the river have been in his family since the 1760s, and it holds a special place in his heart. It's also a safe haven for a wide range of species, including fish like brim and bass, hawks, owls and woodpeckers and dogwood and willow trees.

But the river where Blackmon spent hours wading and fishing as a young boy is under threat from concentrated animal feeding operations, or CAFOs. Fifty-seven industrial poultry barns, packing in hundreds of thousands of chickens, already overburden a four-mile stretch in his

small community of Mountville in Laurens County. And now, the Department of Environmental Services has greenlighted sixteen new barns in the area, which would hold 528,000 broiler chickens and result in an additional annual litter production of 3,220 tons of manure.

The big problem? Polluted runoff from the massive amounts of waste generated from chicken farms is contaminating the river, which empties into the Saluda River and eventually flows into Lake Murray west of Columbia. The new barns would be perched on a slope above the river banks—dangerous siting that would seem an obvious recipe for disaster.

Levels of fecal coliform bacteria in the river are high enough to prompt an active Department of Environmental Services cleanup plan—yet, the same agency still approved the new barns. The river is no longer safe for new generations of children to wade, fish or catch frogs in—a loss of natural resources that Blackmon has been fighting to recover for over nine years.





Charles Blackmon and SCELP Staff Attorney Emily Poole

Alongside neighbors in Mountville with similar worries and experiences, Blackmon formed an organization called South Carolinians for Responsible Agricultural Practices, or SCRAP.

SCELP has been helping SCRAP fight the new barns in court. Last July, we filed a challenge to the permits in the Administrative Law Court. Unfortunately, the Court granted the broiler companies' request to dismiss our case at the end of 2024. But SCELP and our partners at SCRAP aren't giving up. In February, we appealed the decision to the Court of Appeals and are currently researching and drafting our legal arguments to submit to the Court. ♦

***"I am continually impressed by the expertise and dedication of the attorneys that I have worked with within SCELP. The dedication in the face of sometimes overwhelming opposition is inspiring to the members of our group who are contesting the threat to the Little River watershed."***

*Charles Blackmon, Founder  
South Carolinians for Responsible Agricultural Practices*

## A Community Overburdened by Pollution Fights Back

Courtney Crafton and her family have strong ties to Horse Creek Valley—a string of small communities in Aiken County with a rich history of industrialization tracing back to the mid-1800s, when the promise of jobs at cotton mills and finishing plants brought settlers to the area. She joined her husband and his family, who have been long-time residents, six years ago and is now raising her children in Burnettown.

Unfortunately, Horse Creek Valley has also been a hotbed for legacy pollution, not only from the long-shuttered mills, but from landfills and other hazardous sites. In fact, an astounding nine EPA-designated contaminated sites are located within the four-mile stretch encompassing these communities, including an old finishing plant on the EPA's national priority list, which includes some of the nation's most polluted places with the greatest potential risk to public health.

Crafton and other community members sought help in the summer of 2024, after the Department of Environmental Services approved a new 293-acre landfill called Rabbit Hill to be sited in their community, adjacent to an old, closed landfill and Jefferson Elementary School. They initially connected with the Southern Coalition for Social Justice, which referred them to SCELP.



Courtney Crafton

“When we first started this journey of protecting our homes, families and this century-old community, we knew that it would be a long, hard battle,” said Crafton. “We did everything we could to stop the mega landfill, but we quickly realized that we were up against something much bigger than us, something we could not fight against unless we had help—a lot of help.”

The legal issue? The permit was approved as a “replacement” for an existing 6.5-acre landfill, despite the new one being hundreds of acres larger. The loophole “replacement” designation significantly eased the permitting process and requirements for the landfill operator, Hilltop C&D, LLC. Without this loophole, the new landfill could not and would not have been approved.

SCELP teamed up with the community and the Southern Coalition for Social Justice, filing a challenge to the permit in the Administrative Law Court in August. We filed a motion for summary judgment asking the court to rule that DES erroneously applied the “replacement” loophole in granting this new, exponentially larger landfill next to a school. The ALC will hold a hearing on our motion this summer. A successful outcome to this permit challenge would set a valuable legal precedent, not just for the surrounding community, but for communities across the state that are at risk of having their health, environment and quality of life diminished by permit loopholes like this one.

For residents of Horse Creek Valley, a reversal of DES’s decision would have far-reaching positive consequences. Residents have been desperate for relief from the excessive, cumulative burdens of decades of pollution in the communities where they live, work and play. ♦

***“With so many in our community living below the poverty line, we simply did not have the financial means to be able to even file a motion. I cannot thank SCELP enough for the work they’ve done. I have not once felt intimidated by our opponents, which was not the case before SCELP stepped in.”***

*Courtney Crafton, Member  
Friends of Horse Creek Valley*



Casey Jo Cooperman

## Organizing to Protect a Beloved Landmark in Greenville

Earlier this year, a developer announced plans to construct the Inn at Altamont, a 150-room hotel, close to the western face of Paris Mountain, a fixture of the northern Greenville County skyline. The mountain and Paris Mountain State Park provides an easy escape for mountain bikers, hikers and families looking to beat the summer heat by swimming or boating in the lake.

Casey Jo Cooperman—who has lived within ten miles of Paris Mountain for most of her life—heard the news and had a strong gut reaction. The press release made it sound like a done deal, so she turned to social media to see if others were talking about it. She quickly realized that she wasn’t the only one worried about the project’s environmental impacts.

Someone mentioned a petition, and even though she had never created one before and had no idea how to start, she agreed to start one. The next day, it was live, and quickly exploded to thousands of signatures. From there, the grassroots movement Save Paris Mountain was born.

“Paris Mountain has always been a part of my life: hiking as a kid, weekend picnics, getting married there. It’s personal,” said Cooperman. “And when something you love is at risk, you speak up.”



Paris Mountain has been recognized as an environmentally sensitive area by Greenville County, with strict development limits to protect it. To bypass these decades-long zoning protections, the developer sought annexation into the City of Travelers Rest.

SCELP joined forces with this energized coalition of environmental and citizen groups in opposing the project, which would have had grave impacts on the precious ecological haven found on the mountain, including loss of crucial habitat for wildlife and other species, environmental degradation and increased erosion and sediment runoff. The project also raised a number of public safety concerns, including more traffic and more people using already overburdened infrastructure.

As the group grew, so did their initiatives. “We made the now-famous red shirts, handed out bumper stickers and got a booth at the farmers market,” said Cooperman. “We went door to door to collect petition signatures. The more I talked, the more it grew.”

The coalition showed up to public meetings in large numbers, and representatives of multiple environmental groups spoke out, including SCELP’s Upstate staff attorney, Emily Poole.

“The coalition of nonprofits brought depth, credibility and resources we didn’t have on our own,” said Cooperman. “They helped us understand the legal process, the zoning implications and the environmental risks in ways we couldn’t have done alone.”

***“Having Emily Poole from SCELP was a turning point in our advocacy. She brought more than just legal expertise; she brought calm, clarity and an understanding of how to navigate complicated land-use battles like ours.”***

*Casey Jo Cooperman, Founder  
Save Paris Mountain*

And the city listened! Despite the initial support by some City Council members and the mayor, the Travelers Rest Planning Commission voted 5-1 in late April to recommend that the City Council deny the annexation request, showing strong support for protecting this Greenville landmark. On May 5, the Planning and Development Committee voted to deny the annexation request, effectively killing the Inn at Altamont project. The swift denial of this project shows what can happen when a community comes together to preserve a beloved landmark and to protect the environment from destruction.

The threat isn’t over yet, as the developer has stated intentions to develop the property with housing, but we will continue to stay engaged and fight to protect this Upstate treasure. ♦



Paris Mountain | Photo by Mac Stone of Naturaland Trust



High-density developments relying on septic systems are dangerous to coastal waters

## Court Ruling

# Septic Declaratory Judgment

South Carolina's coast is experiencing increasing development pressures, particularly in rural areas without existing sewer. In these areas, dense clusters of conventional septic systems are often installed by developers for household wastewater treatment due to low initial development costs and the ease of obtaining septic permits.

But septic systems can pose dangers to the environment and human health, particularly when densely or inappropriately placed near coastal waters. Even well-maintained tanks can leak untreated human waste and other harmful pollutants into nearby waterbodies if geological and hydrological conditions are unsuitable for onsite wastewater treatment. When septic tanks are not properly maintained or installed in high-density developments, these risks are even greater.

In 2022, on behalf of Charleston Waterkeeper and the Coastal Conservation League, we filed a declaratory judgment action against the Department of Environmental Services (DES, formerly DHEC). This lawsuit asked the court to rule as a matter of law that DES is required to fulfill its statutory obligation to review all state and federal permits for consistency with the state's coastal management program, and to order that permits for individual septic systems are no exception. We also asked the court to order DES to publicly notice all septic system applications and permits in order to promote transparency and ensure that agency decisions with broad, long-term impacts are not being made behind closed doors.

In May, the Circuit Court Judge issued a preliminary ruling holding the agency accountable to the public, ensuring that decisions about large, dense subdivisions relying on septic systems are no longer made without community input.

***The preliminary ruling signaled that public notice is needed to comply with due process so that those impacted have the right to review and comment on septic tank permit applications before they're put in the ground.***

The court's preliminary ruling unfortunately did not find that coastal policy review is necessary. The court has requested proposed orders from both parties and will ultimately issue a formal order containing the legal rationale for its decision. At that point, we will assess our next steps to ensuring that our coastal protection laws are applied to all state and federal permits, including septic, in order to protect our coastal waters and the communities that depend on them.

Even as we await a final ruling, this is a big win for clean water and the public's right to know—one that could not have happened without your continued support. ♦



## Case Update

## Isle of Palms Seawall

When Isle of Palms residents Rom and Renee Reddy saw the beach in front of their house at Breach Inlet eroding, they took it upon themselves to construct a seawall with no state authorization. Despite the Department of Environmental Service's issuance of multiple warnings and cease and desist orders, the Reddys built a concrete, rock and steel structure entirely armoring the public beach, and preventing any recreational use during high tide.

Reddy challenged the Department of Environmental Services' enforcement order imposing a \$289,000 fine and requiring removal of the illegal seawall. Last year, the Administrative Law Court granted SCELPA's motion to intervene on behalf of the Coastal Conservation League, giving us the ability to advocate for preserving the state's seawall prohibition, which has been in existence since 1988.

SCELPA attorneys Leslie Lenhardt and Lauren Megill Milton undertook extensive preparation for trial, taking dozens of depositions, reviewing thousands of documents and swiftly responding to numerous motions.

At the end of April, we were delighted that Judge Anderson denied Reddy's motion for summary judgment, signaling support for the state's 37-year-old Beachfront Management Act and its ban on seawalls. In particular, Judge Anderson ruled that the state has authority over all areas of the sandy beach, setting the stage for trial in May. On the heels of this initial ruling, and on the eve of trial, the

Reddys fired their attorneys and asked Judge Anderson to postpone the trial. SCELPA and CCL opposed the request, which was also denied. The trial—which was highly publicized—wrapped up in late May and we remain hopeful that Judge Anderson will rule to uphold the state's authority to enforce the Act's seawall ban.

As we await a decision, which will take a few months, we continue to press forward on advocating for more robust legal protections for our state's beaches, which are public trust property, particularly as sea levels keep rising. Our overarching goal remains ensuring that the public's access, use and enjoyment of these public resources are prioritized over harmful private uses.

***This public property should not be sacrificed at the altar of beachfront development for the benefit of very few, at a great cost to everyone else—both now and in the future. ♦***

## New Case

## Williamsburg Recycling

Williamsburg Recycling, a human waste processing facility in the small Williamsburg County town of Andrews, has a long history of noncompliance. In fact, the Department of Environmental Services (DES) found the business in violation of its original permit 16 times over the course of 27 site visits.

Despite its abysmal track record, DES granted the company a new composting permit in late December, outraging neighbors who have been dealing with repeat nuisances and harmful runoff from the facility for years.

At the beginning of 2025, SCELPA challenged this permit

on behalf of the Coastal Conservation League, highlighting legal and environmental concerns, including permitting the facility to operate without proper financial assurance, without adequate stormwater and wastewater management and without resolving its history of noncompliance.

According to the state's Solid Waste Policy and Management Act, if an applicant has a documented history of violations such that its ability to operate within the law is questionable, the department can deny a permit—something that could and should be done much more often, and certainly here. Stay tuned for more as this case heads to Administrative Law Court! ♦

## Tri-County Cases

### **Cooks Crossroads | Dorchester County**

In 2019, Dorchester County Council adopted specialized design guidelines for development at Cooks Crossroads, a historic intersection near the town of Summer-ville, in recognition of the importance of the Ashley River and to further its goals of creating a “gateway” to the Historic District. Initially, gasoline stations and quick stop or convenience stores were specifically excluded as permissible or conditional uses within the Conservation Zoning District.

However, a company called Parker’s Kitchen pursued purchasing property at Cooks Crossroads and developing it as a gas station and convenience store. In 2021, County Council voted to amend its zoning ordinance to permit gas stations, quick stop or convenience stores as a “conditional use” solely in the Conservation Zoning District where Cooks Crossroads is located.

We went to court on behalf of the Dorchester Trust Foundation to protect the area’s special rural character and uphold the County’s Comprehensive Plan. On July 11, 2024, a Special Referee held an evidentiary hearing and on January 3 he issued a final order, ruling in favor of the opposing parties. Despite the negative outcome of this case, SCEL P remains committed to holding counties accountable for not following their own commitments. Comprehensive planning is the ultimate collaborative approach to local government, and opportunity to expand public participation and accountability for all community interests abounds. Thank you for staying the course with us!

### **Ten Mile | Charleston County**

The Ten Mile community is a historic African American settlement community with a rich history. Its location offers stunning wide open views of the saltmarsh from Seafood Road, making it a target for developers as the greater Charleston area expands northward. SCEL P has been working with the Ten Mile Neighborhood Association for several years to fight overdevelopment that detracts from the community’s character, quality of life and sense of pride in its past.

In 2018, Charleston County adopted a Historic Preservation Ordinance specifically designed to protect settlement communities like Ten Mile by ensuring that future developments are compatible with their unique historic resources. And, in 2022, the Ten Mile community’s cultural significance led to its designation as a Historic District.

Despite this designation, developers have proposed and built multiple subdivisions in the Ten Mile Historic District that do not meet the compatibility criteria and were recommended for denial by the Historic Preservation Commission. Yet Charleston County ultimately approved these subdivisions.

SCEL P has fought these developments in court, but so far we have not been able to prevail against the systematic disregard of the community’s rights. We believe that the entire intent and purpose of the Historic Preservation Ordinance is to protect Ten Mile and other settlement communities from incompatible developments that forever change their nature and character.

***We will continue to fight alongside communities that want to protect the valuable resources that help tell the story of their past, and hopefully, their future.***

### **Donmar | Berkeley County**

In the spring of 2017, Donmar, a sand mining company, received state and local permits authorizing two 5-acre mines in the small community of Huger, South Carolina. By the fall, Donmar applied for a permit to establish an even larger, 30-acre mine. Despite residents speaking out about the harmful impacts mining would have on their small, quiet community, the larger project was approved by both the Department of Health and Environmental Control and the county.

SCEL P appealed the expansion on behalf of Coastal Conservation League. In 2021, after years of community activism and months of negotiations, we reached an agreement with Donmar providing concessions to the Huger community to offset some of the burden from the mining operations. Now, four years later, Donmar has not held up their end of the agreement.

Two key pieces of the settlement—a transfer of over 10 acres of land adjacent to Charity Church Road to the Huger Residents Group, and funding for the revitalization efforts to restore and expand a community park along Cainhoy Road—have not been fulfilled. SCEL P attorneys filed a breach of contract action asking the court to order Donmar to follow through on its obligations, and have been working diligently to try to resolve the situation. ♦





Growing our footprint across the state, thanks to your support!

## Capital Campaign Update

# Built Up Right On Time!

**Building Up Our Defense** was SCEL P's \$2.6 million capital campaign, launched in 2022 and successfully completed within a year. As of this spring we have collected 93% of the capital campaign funds pledged, with the balance scheduled through 2026.

The SCEL P team could not be more grateful and appreciative for the leadership and philanthropic commitment of the Steering Committee and lead donors. As planned, approximately 60% of the proceeds have been funding SCEL P's strategic expansion, and the balance is being allocated to our endowment and long-term reserves.

As we move closer to the final stretch of the 2022-2026 strategic plan, we have had a few setbacks and many wins, including a few major ones! But most importantly, we have diligently advanced your priorities and significantly built up our capacity, growing the team and improving SCEL P's sustainability.

Our special power is our lawyers. They are leading legal experts. They are relentless, passionate advocates, willing to forego much higher salaries to work in the public interest and protect what they love. And it is *you* who fuel that power, having enabled a doubling of SCEL P attorneys!

**Building Up Our Defense** has taken us all a step closer to SCEL P's vision, where land, water and communities are protected and South Carolina's laws and policies prioritize natural systems that sustain life. A big, heartfelt thank you to *all* donors who made it happen.

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“To love a place is not enough.  
We must find ways to heal it.”

ROBIN WALL KIMMERER



**16th Annual Wild Side, presented by Biohabitats**  
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Mark your calendars now and join us for a sparkling evening of good food, good music and great company. Our featured speaker will be Pamela Martin, Ph.D., Executive Director of the RISE Center at Coastal Carolina University. Tickets go on sale soon!  
Learn more at [scelp.org/wildside](https://scelp.org/wildside).