



**SOUTH CAROLINA
ENVIRONMENTAL
LAW PROJECT**

Lawyers for the Wild Side

Winter 2026



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ENVIRONMENTAL
LAW PROJECT**

Lawyers for the Wild Side

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

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Welcome, Jessie & Shelby!



Jessie White returns to SCELPA after 5 years with the Coastal Conservation League. Jessie previously worked for SCELPA as a staff attorney from 2013-2020, and we are excited to welcome her back as a senior attorney. Jessie has gained extensive coastal policy experience during her time away from SCELPA and has anchored several major environmental initiatives, including successful opposition to the Pine Island development in Beaufort County.



While we're sad to say goodbye to Elizabeth Testa, our communications manager for the past 3.5 years, we're excited to welcome **Shelby Cohen** to the team. Shelby comes to us with extensive experience directing nonprofit communications, graphic design and storytelling. With a background in environmental education and a Master's in Global Sustainability, Shelby brings creativity and subject matter expertise to the role.



Director's Note

Fifteen years. Both a very long time, and not much time at all. When I was fifteen, I was convinced I knew everything. Now, having just passed my fifteenth anniversary as SCELPA's Executive Director, I'm sure of only one thing: there's always more to learn.

Over the years, I've come to deeply appreciate the incredible mix of people who make up the SCELPA community. Some of you are reading your very first newsletter, getting to know us for the first time. Others have stood beside us through hurricanes, fires and the many challenges that shaped our organization's story.

For much of SCELPA's history, our staff numbered just one to three people. When I joined as a staff attorney, I was only the second in our history. In 2010, as a new Executive Director, one of my first actions was to hire our third attorney — a small but meaningful milestone on the path that led us here. Many of you have been part of that journey, and your steadfast support has been key to our growth and success.

As I reflect on these fifteen years, I'm filled with profound gratitude. So many of my closest relationships, my perspective on the world and my sense of purpose have been shaped by this work. Most of all, I'm thankful for the platform SCELPA has given me — and all of us — to do good.

It's easy to feel overwhelmed by the scale of the challenges before us. But together, we continue to meet them head-on. With your support, SCELPA continues to fight back in the name of our forests, wildlife, rivers and wetlands, at a time when protecting those resources feels more perilous than ever. Your support is not just appreciated, it's indispensable.

Thank you — for the past fifteen years, for your trust and for the future we're building together. This newsletter offers a glimpse into the incredible work our team carries out every day, thanks to you.

Here's to the road ahead, and to continuing this journey together.



Amy E. Armstrong
EXECUTIVE DIRECTOR

A handwritten signature in black ink, which appears to read "Amy E. Armstrong". The signature is fluid and cursive.



Isle of Palms home with a seawall extending well onto the public beach.

CASE VICTORY

Court Orders Removal of Illegal Isle of Palms Seawall

SCELP attorneys Lauren Megill Milton and Leslie Lenhardt spent five grueling days in trial on behalf of the Coastal Conservation League, urging the Administrative Law Court to uphold a Department of Environmental Services (DES) Enforcement Order. Their persistence paid off. On October 23, 2025, the Administrative Law Judge ordered a plan for the removal of the illegal seawall.

This case began when Isle of Palms property owner Rom Reddy constructed two unauthorized concrete seawalls reinforced with rebar, foam and other materials between September 2023 and February 2024, despite three cease and desist orders from DES and without obtaining a permit.

Seawalls have been banned on South Carolina beaches since the 1988 Beachfront Management Act, after the legislature found that such structures fail to prevent erosion and instead accelerate the loss of dry sand beaches. Because

of this long-standing prohibition, DES initiated an enforcement action and SCELPA intervened to defend the public's interest on behalf of the Coastal Conservation League.

Judge Ralph King Anderson III presided over the trial this spring. In his late-October ruling, the Judge recognized that Reddy's illegal seawall has had a deleterious effect on the public beach and will continue to negatively impact the public interest if not removed. Anderson recognized that erosion control structures "have increased the vulnerability of beachfront property to damage from wind and waves while contributing to the deterioration and loss of the dry sand beach which is so important to the tourism industry." He concluded that "it is evident that hard erosion control devices are generally regarded in this State as harmful to the coastal environment, particularly when placed in close proximity and/or adjacent to the beach and the beach/dune system."

While Reddy disputed the seawall's harm, Judge Anderson made clear: "I respectfully disagree."

Agreeing with the Coastal Conservation League and DES, the Judge determined that the seawall accelerates erosion and worsens beach deterioration. He wrote that "in cases such as here, where a beach continues to erode, structures like Respondent's [Reddy] cause a loss of dry sand in adjacent areas – a consequence which will result in further loss of public access laterally along the beach past the structure...It is the fundamental responsibility of the Department, and therefore this Court, to protect the public's interest in the coastal zone."

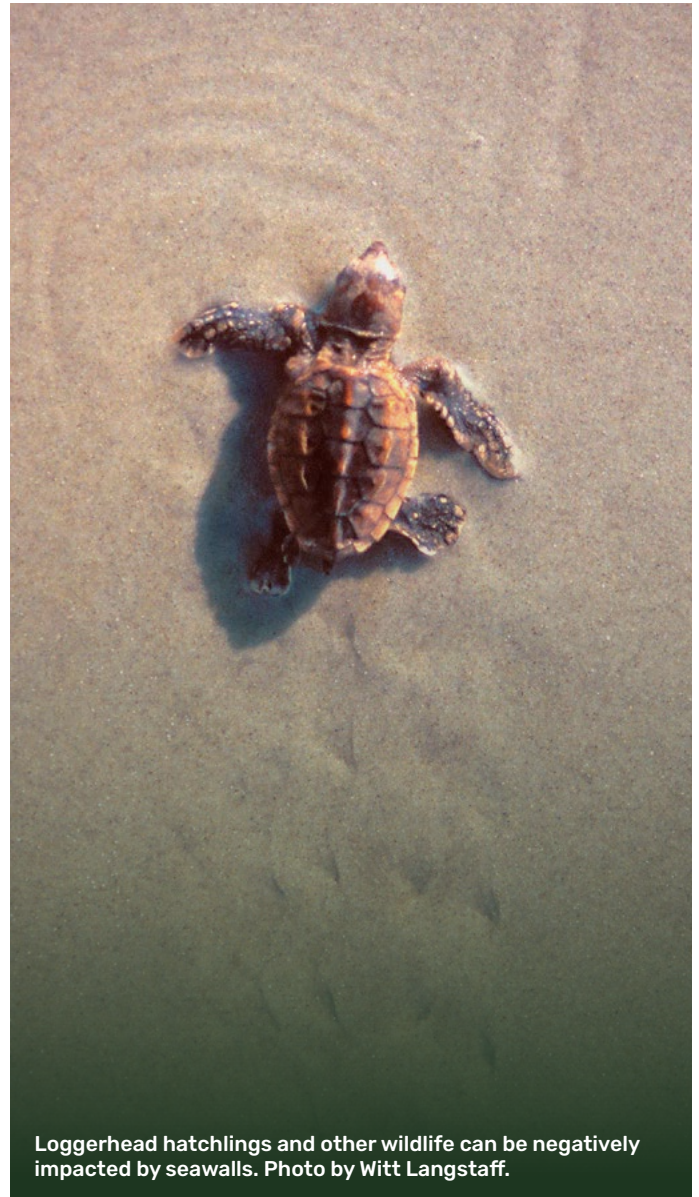
The law is clear: erosion is a natural process that becomes a significant problem only when man-made structures are built too close to the beach and dune system. SCELPA is extremely pleased that the Court reaffirmed the long-standing prohibition on seawalls, protecting a policy that has safeguarded our beaches for more than 30 years.

Still, the ruling leaves important issues unresolved. Judge Anderson struck down the \$289,000 fine imposed by DES, a decision that could embolden others to construct illegal seawalls. He also made misguided findings about the definition of "critical area," overlooked Reddy's willful disregard of multiple cease and desist orders, and failed to impose a clear timeline for removing the seawall.

SCELPA attorneys are evaluating next steps to ensure that enforcement actions remain strong and that the wall is removed swiftly.

While this kind of flagrant violation should never have occurred, your support allows SCELPA to step in and use one of our most valuable legal tools for protecting public beaches. 🌱

***The Court reaffirmed
the long-standing
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Loggerhead hatchlings and other wildlife can be negatively impacted by seawalls. Photo by Witt Langstaff.



Photo by Perytsky.

CASE UPDATE

The Rabbit Hill Loophole

To build a new landfill in South Carolina, a developer must prove that it's needed. State law is clear: "No permit to construct a new solid waste management facility or to expand an existing one may be issued until a demonstration of need is approved." It's a sensible requirement, and one SCELPA has fought hard to defend.

Over the years, developers have repeatedly tried to sidestep environmental protections by exploiting legal loopholes. In this case, a narrow exemption to the Demonstration of Need (DON) rule was created to let very old landfills – those predating state landfill laws – be "replaced" once without a DON. It was meant as a reasonable grandfather provision, easing the transition for long-established operations.

But at Rabbit Hill, this small exemption has been stretched beyond recognition. The proposed 293-acre landfill, located in an abandoned clay mine riddled with deep pits, would hold an almost unthinkable volume of waste. And it's not needed.

Instead of proving need, the developers bought an old, nearly full 2.3-acre private landfill – used only by a single company – and claimed the mas-

sive Rabbit Hill project would "replace" it. Using this loophole, they sought to bypass the state's DON requirement entirely.

Astonishingly, our state environmental agency and the Administrative Law Court have allowed this to move forward. In October, we received word that our challenge to the permit had been denied, meaning a landfill that fails the basic test of necessity is poised to break ground near Aiken.

But the fight is far from over. SCELPA and our partners have filed an appeal to defend the integrity of the DON rule – a cornerstone protection that prevents communities and natural areas from being buried under unnecessary landfills. This legal challenge is our beacon of hope, a sign that the system can still work for the people and the environment.

Sadly, it's no coincidence that this new mega-landfill is planned for Horse Creek Valley – an area long treated as Aiken County's dumping ground. Local journalist Laura Lance has powerfully chronicled this history in *The Aiken Chronicles*, an exceptional example of community-based reporting that we highly recommend reading. 📖

CASE VICTORY

Plutonium Pit Case Gains Global Recognition

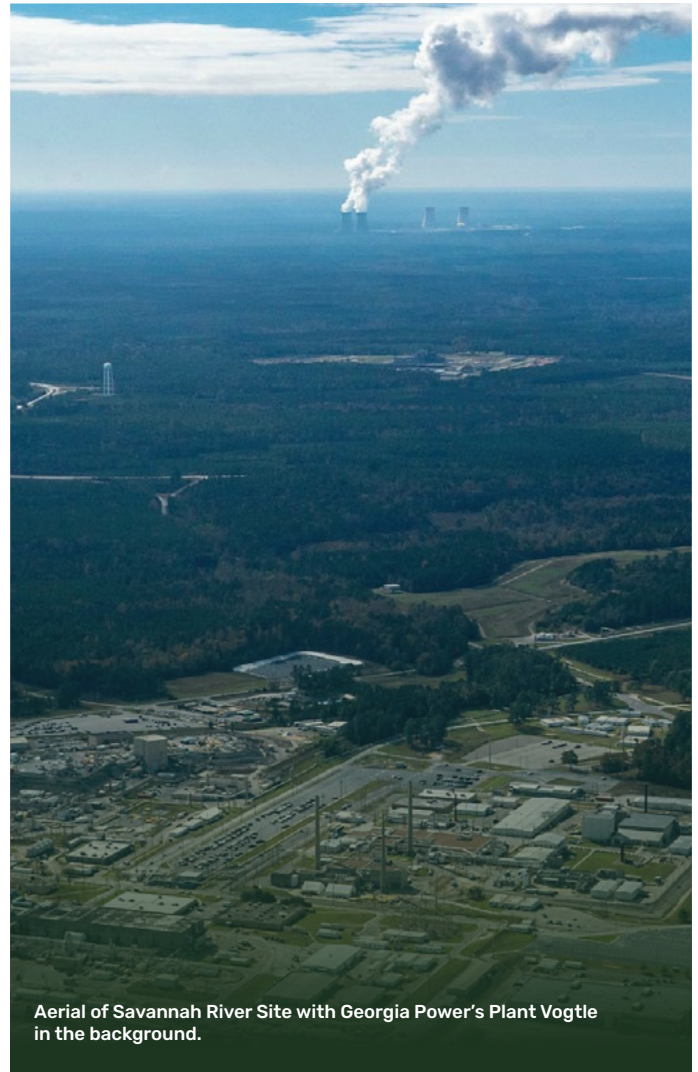
Last fall, Judge Mary Geiger Lewis ruled that the Department of Energy and the National Nuclear Security Administration violated the National Environmental Policy Act (NEPA) in our case challenging the agencies' plan to produce plutonium pits for nuclear cores at the Savannah River Site.

Following the ruling, the Defendants agreed to conduct a new Programmatic Environmental Impact Statement (PEIS) to properly review the environmental and public health consequences of their pit production program – and to pause certain activities at the Savannah River Site during that process. This was a significant legal victory, affirming the importance of transparency, accountability and public participation in federal decision-making.

Since then, we have shifted our focus to the new PEIS review, submitting formal comments during the scoping phase this spring and remaining in close contact with our clients and allies as we await the draft PEIS, expected as early as next year.

In June, SCLP was honored to receive an award from the Alliance for Nuclear Accountability in Washington, D.C. for our work on this groundbreaking NEPA case. Then, an even more surprising invitation arrived: the Nobel Peace Center in Oslo, Norway, asked SCLP and our clients to prepare a presentation for the Nobel Peace Conference on August 6 – the 60th anniversary of the atomic bombing of Hiroshima. Conference organizers saw our NEPA case as a powerful example of how a small but determined legal team can use the courts to advance the cause of a nuclear-free world.

We quickly accepted the opportunity, collaborating with our clients across the country and working with our team to produce a video presentation that was shown at the Conference. According to our contact at the Nobel Peace Center, the presentation was “exactly what they were hoping for” and was warmly received by attendees.



Aerial of Savannah River Site with Georgia Power's Plant Vogtle in the background.

While SCLP doesn't pursue cases for accolades, it is deeply gratifying to see our work recognized both nationally and internationally for its broader impact. Your continued support makes this possible, allowing our small South Carolina-based team to influence local environmental justice and the global conversation on peace and nuclear disarmament. 🌍



Scan the QR code to watch our video about the case

Thank You for Supporting Environmental Protection and Justice!

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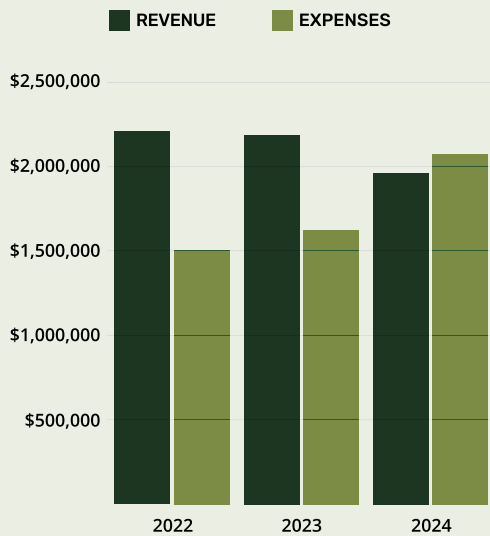
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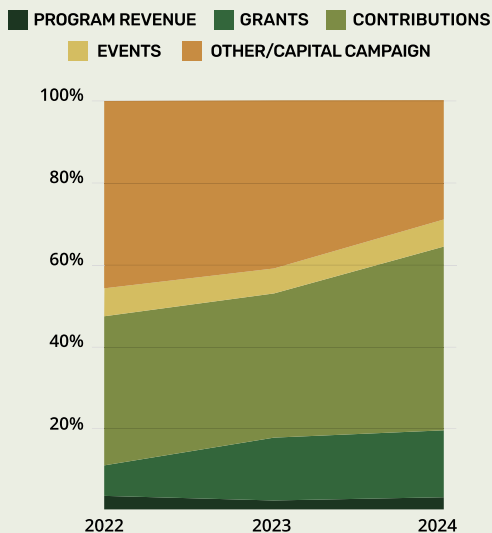
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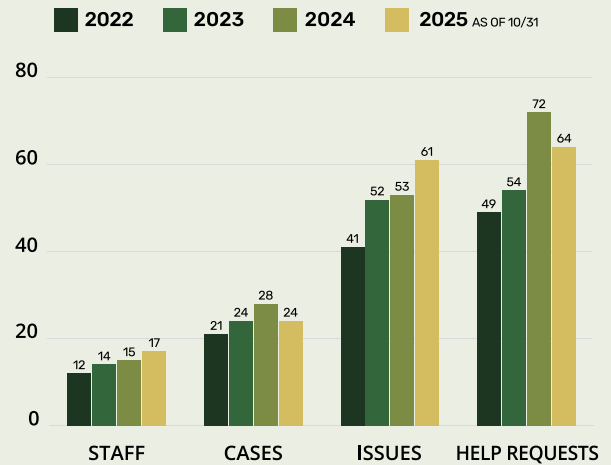
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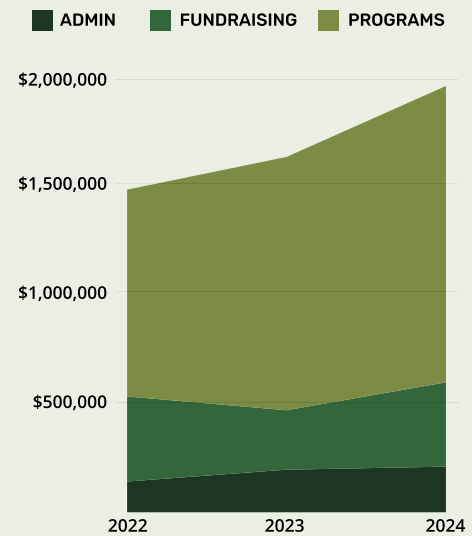
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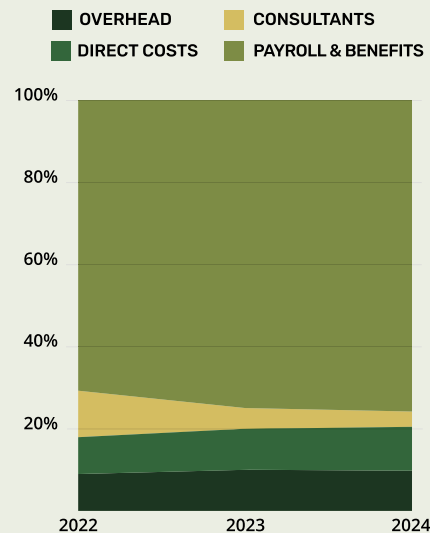
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FUNCTIONAL EXPENSES



EXPENSES COMPOSITION





Communities Rule: The Power of Local Land Use Advocacy

With federal protections eroding and state safeguards under constant threat, SCELPA is turning its focus to local action. Many municipalities have the authority to strengthen protections for their natural resources, and over the past year, we've seen meaningful success in this work. As communities feel the impacts of unchecked growth and stronger storms – from habitat loss to flooding to reduced quality of life – more residents are speaking up and demanding change.

Here, our efforts can yield immediate results. While litigation remains our superpower, it can take years to stop a harmful project. At the local level, early engagement and legal advocacy, especially on land use issues, often prevent harmful projects from gaining momentum.

St. Helena Pushes Back

Since 1999, the Cultural Protection Overlay (CPO) District has safeguarded the Gullah/Geechee people, culture and land on St. Helena Island by prohibiting gated golf course and resort developments. Thanks to these protections, St. Helena remains both a cultural stronghold and an ecological sanctuary.

Yet one developer has persistently tried to undermine these protections, most recently with a re-packaged proposal seeking exemption from the CPO's clear prohibitions.

In September, after hours of impassioned testimony that stretched past 2 a.m. before a crowd of more than 500 residents, the Beaufort County Council once again stood with the community and rejected the developer's latest attempt. We are deeply grateful to the Council for honoring the will of the people: no golf courses, no gated communities, no resorts on St. Helena.

This victory reflects the tireless advocacy of our partners – the Gullah/Geechee Sea Island Coalition, the Coastal Conservation League, the Penn Center and the Open Land Trust. Now, this fight returns back to where it belongs: the courthouse. SCELPA will continue to represent the Gullah/Geechee Sea Island Coalition in state and federal court to uphold the County's decision and defend St. Helena.



Community-led victory at September's Beaufort County Council Meeting. Photo provided by Coastal Conservation League.

Header Photo: Pine Island in Beaufort County.
Source: Protect St. Helena



Residents and SCEL attorney Emily Poole at a Greenville County Council meeting. Photo provided by Save Paris Mountain.

Protecting Paris Mountain

Earlier this year, SCEL joined residents and environmental partners to stop the Inn at Altamont, a luxury hotel proposed on the slopes of Paris Mountain. The victory protected the mountain's fragile ecosystem, water quality and scenic beauty, and it also served as a wake-up call for future threats.

Working with the same dedicated citizens, we launched an effort to strengthen the Environmentally Sensitive District – Paris Mountain (ESD-PM) zoning that covers much of the area. The new amendments increase minimum lot sizes, enhance tree preservation standards and limit light pollution – tangible safeguards for the mountain's diverse ecosystems, steep slopes and clean waterways.

After months of collaboration with county staff and officials, Greenville County Council passed the amendments unanimously. This new framework ensures stronger, lasting protections for Paris Mountain. We're now working to expand these same safeguards to other vulnerable parts of the mountain still at risk.

As communities feel the impacts of unchecked growth and stronger storms – from habitat loss to flooding to reduced quality of life – more residents are speaking up and demanding change.

Standing Strong in Clinton

Cambridge Farms was a proposed 520-home subdivision along a narrow highway outside Clinton in Laurens County. The project far exceeded allowable density, but the developer sought a work-around – rebranding it as an “open space development.”

While that designation can be a useful planning tool, this project was, as one staff member put it, “not even close to an open space development.” Emails obtained through a Freedom of Information Act request revealed staff concerns about its impacts, yet the proposal still advanced to the Planning Commission.

At that meeting, SCEL joined residents in strong opposition, and after hours of public testimony, the Commission unanimously denied the project. This case shows how community vigilance and early legal advocacy can make a real difference. SCEL will continue monitoring the situation to ensure the denial stands and the community's voice is respected.

Rezoning Rejected in Ravenel

The 112-acre Lucas Tract in the Town of Ravenel is near the Dungannon Heritage Preserve and the Caw Caw Interpretive Center, areas valued for their rural character and ecological importance. The property's owners sought to rezone from Agricultural Residential to Planned Development to build a mixed-use project with about 70 homes on individual septic systems.

Working with the Coastal Conservation League, SCEL submitted comments urging denial, citing the proposal's conflicts with Ravenel's Comprehensive Plan, threats to wetlands and water quality and incompatibility with surrounding land use patterns. On September 4, the Planning and Zoning Commission unanimously recommended denial.

Later that month, the Town Council considered the rezoning request and a draft development agreement. SCEL again cautioned that moving forward would undermine existing zoning protections. Council denied the rezoning and halted the draft agreement, ending yet another threat for now. 🌱



Case Briefs

Septic White Tract

AWENDAW

Progress continues in our two cases challenging a proposed development on the White Tract, which relies on septic systems next to Cape Romain National Wildlife Refuge. We've filed briefs with the Court of Appeals to challenge the septic tank permits and have requested that the S.C. Supreme Court pause construction while it considers our challenge to other development permits.

In June, the Administrative Law Court lifted the automatic stay that normally prevents construction during an appeal, allowing work to move forward despite our ongoing case. This stay serves as a vital safeguard, ensuring citizens have the opportunity to challenge environmental permits before irreversible harm occurs. Senator Chip Campsen and S.C. Department of Natural Resources Director Tom Mullikin both submitted affidavits in support of our petition. We remain hopeful the Supreme Court will uphold the public's right to meaningful judicial review.

Williamsburg Recycling

ANDREWS

We filed a permit challenge earlier this year over a composting facility repeatedly cited for violating the state's Pollution Control Act and other regulations for years. Over the summer, we successfully opposed the Department of Environmental Services' motion to limit discovery, and completed depositions of all witnesses. With discovery now complete, we expect a hearing early in the new year.

Bramlett Site

GREENVILLE

More than 30 years after contamination was discovered and nearly nine years after SCEL P first became involved, there is finally a plan to clean up the Bramlett site in Greenville! The site, which includes around 35 acres of polluted land in a historically Black community, is now one significant step closer to becoming a clean environment that provides opportunities rather than hazards to the Newtown neighborhood.

Earlier this year, state environmental regulators published their final cleanup decision, selecting a remediation plan for the property. That final decision was the culmination of many years of on-site testing and a detailed technical consideration of various remediation alternatives. SCEL P, alongside our client Mountain View Baptist Church, participated extensively in the alternatives analysis process, advocating for a comprehensive cleanup.

We are pleased with the chosen remediation alternative, which incorporates many added components to the cleanup that we advocated for. This favorable outcome is a testament to the power of community collaboration and the public making its voice heard. While there will undoubtedly be hurdles to clear going forward, we are excited for this major positive milestone at a site where cleanup has been delayed for far too long. 🌱

NEW PARTNERSHIP

Fripp Island: A New Model for Human-Wildlife Coexistence

For many of us who proudly wear the moniker of environmentalist, our spark began with wildlife – perhaps the birds at a backyard feeder, a nature documentary’s charismatic star or, as in this case, a friendly deer encountered on a family trip to Fripp Island.

Anyone who’s been to Fripp knows its deer. Their closeness to humans is unlike any other population in South Carolina. Over time, this relationship has tamed them, offering residents and visitors rare, up-close encounters with these hooved neighbors.

But that intimacy comes with challenges. Fripp’s dense deer population spreads illness quickly, and injuries are more common due to constant human interaction. Much of this suffering happens in plain sight – on lawns, golf courses and common spaces across the island.

That’s why SCEL P has partnered with the Fripp Island Deer Preservation and Wildlife Foundation, a group of residents who’ve recognized the moral



Photo Credit: Fripp Island Deer Preservation and Wildlife Foundation

imperative to care for the very deer whose trust has brought such joy. Together, we’re working to secure a Department of Natural Resources (DNR) permit that will allow limited medical intervention for sick or injured deer.

Under this program, qualified veterinarians will assess and treat imperiled deer in the field – managing infection, illness and injury – while tracking their recovery. It’s a new kind of case for SCEL P, one rooted not in litigation but in compassion and stewardship. We’re proud to lend our legal expertise to help heal the herd and strengthen this unique bond between people and wildlife. 🌿

SCEL P Joins Gov. McMaster’s 10 Million-Acre Initiative



Black bear lumbering across the road. Photo by: RCK

With wildlife habitats in South Carolina under increasing pressure, SCEL P is proud to join the 10 Million-Acre Initiative launched by Governor McMaster.

The initiative challenges state agencies and conservation partners to protect an additional 7 million acres of land and water across South Carolina, building on existing protections to reach a total of 10 million acres. SCEL P is collaborating with a broad coalition, leveraging our legal and advocacy expertise to help bring this ambitious vision to life. 🌿

Thank you to all of our Wild Side 2025 sponsors & supporters!

The 16th annual Wild Side was our most successful yet, with 250 supporters joining us on the Kaminski House lawn for an evening of music, food and community. Highlights included appetizers with our attorneys, lively tunes from Prettier than Matt and a fantastic auction that raised over \$25,000. Dr. Pam Martin, political science professor and Executive Director of CCU's RISE Center, shared insights on global environmental policy and the rights of nature, and SCELPA's Executive Director Amy Armstrong announced a one-year fellowship for Dr. Martin to help build a legal framework that accounts for nature in decision-making.

Altogether, the event raised a record-breaking \$190,000! This was made possible thanks to the generosity of our supporters and sponsors fueling our small but mighty team to continue protecting South Carolina's wild places.

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