



Works in Progress

Conserving Our Natural Heritage... Investing in Our Children's Future

On the Web at www.sustainablecoast.org

Winter 2003 Issue

Center Fifth Anniversary Celebration a Success!

On November 2, Center board members, members, and guests gathered at the Coastal Heritage Center next to the Saint Simons Island lighthouse to celebrate five years of accomplishments in addressing important coastal issues.

Featured speaker, Susan Shipman, Director of the Coastal Resources Division of the Georgia Department of Natural Resources, gave an engaging talk about a range of conditions, trends, and concerns related to our region's natural resources. She emphasized the challenges that lay ahead in gathering better information and developing more complete analysis of environmental problems and their causes. Issues covered included fisheries, growth trends and related land development, water supply and water quality, and hammock protection.

Shipman advised that sustainable development can be achieved by:

- (1) conserving natural landscapes,
- (2) limiting impervious surfaces (roofs, pavement), and
- (3) concentrating new growth in areas where supporting infrastructure (roads, water, sewer, etc.) is already available.

In keeping with the Center's emphasis, Ms. Shipman declared that "Knowledge is the currency of future decision making." Citing the need for baseline data, as well as new types of information (economic and social as well as biological and environmental), and the powerful potential of computer-based analysis, she concluded, "**With this new knowledge we can accelerate education and outreach, and achieve more frequent exchange of information to improve cross-cutting decision making by all levels of government.**" (*more inside>*)



Susan Shipman, Director of Coastal Resources Division, Georgia Department of Natural Resources



Center members Eileen Hutcheson and Kim Gollin at the welcoming table.

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***Action Alert!!!

Be sure to sign & return enclosed statement to save Georgia's water.

See next page>>>

Anniversary Celebration, continued

As evidence of the audience's rapt interest, numerous questions were asked at the end of Mr. Shipman's 45-minute presentation, which was also followed by an enthusiastic round of applause as our executive director, David Kyler, thanked her for speaking to the Center's board and members.

Following this, participants socialized over drinks and other refreshments until a delicious flounder dinner was served. A number of people commented on how much they enjoyed the evening, and suggested that we host similar events more often. We encourage our members to volunteer in organizing one or more events for 2003.

Please call the Center to express your interest in getting involved!

Note: Our annual meeting is always held the first or second Saturday in November, so please mark you calendars now, and look for further details in the Center's newsletter and on our website (www.sustainablecoast.org).

Special Thanks to:

- **Helen Alexander** for her fine camera work in providing the photos of our annual meeting, and
- **Jeff Hoffman** for his reporting on our annual event.
- **Jack Amason** for his beautiful ice sculpture of our logo.

Water Coalition Calls For Statewide Water Management Plan That Protects Water as a Public Resource

Note: From June through September, Center staff participated in a series of Georgia Water Coalition meetings to discuss a wide range of water policy issues for Georgia. The following is a recent press release issued by the Coalition summarizing the recommendations that resulted from that collaborative effort. This is a topic of the highest priority, and the Center urges all our members and supporters to voice their informed concerns to Georgia legislators. We will provide further information and assistance as needed – please call, or check our website for more details. See sign the statement below to save Georgia's water!

(Atlanta, Ga.) The **Georgia Water Coalition**, an alliance of over 40 environmental, government and citizen groups throughout the state released a report today outlining four key principles and 25 recommendations to guide water policy in Georgia. The group shared a copy of their report with Governor-Elect Perdue's office last week. They will make the report available to Georgia legislators next week as they convene in Athens, Georgia, for the 23rd Biennial Institute for Georgia Legislators December 8-10. On December 10, John Sibley, President of The Georgia Conservancy, represented the Georgia Water Coalition on a panel that discussed state water issues.

The report's four key principles are:

1. That the surface and ground waters of the state continue to be a public resource managed in the public interest and in a sustainable manner by the State to protect natural systems and meet human and economic needs;
2. That water management must be guided by a comprehensive state water management plan, developed by a lead agency with a dedicated planning staff, in coordination with other agencies and with the participation of all interested citizens;
3. That effective water management requires regional water planning, based on watersheds, river basins and aquifers, that is tied to implementation including an adaptive management process;
4. That regulation of interbasin transfers must be strengthened to reflect scientific knowledge, respect natural systems, and protect the basins of origin and receipt.

YOUR ACTION NEEDED NOW!

Sign Below to Save Georgia's Water

The Georgia House and Senate will be formulating guidelines in the first few months of 2003 to plan how the state of Georgia will manage water in the future. It is important that your senator and representative know that their constituents want clean water that is available to everyone – for our farms, businesses, and homes. Georgia's water should be managed for all the people of the state, not just special interests.

Accordingly, the Georgia Water Coalition (see cover article) is circulating a petition, and as a coalition member we ask you to **join more than a thousand other Georgia citizens by copying and signing the following statement and returning it to the Center as soon as possible.** (Return envelope provided in this issue.)

“We, the undersigned, believe that the surface and ground waters of the state should continue to be a public resource and should be managed in the public interest and in a sustainable manner by the state to protect natural systems and meet human and economic needs. Legislation that is passed in the 2003 General Assembly should reflect these ideas.”

Signed _____
 Address _____
 City/Zip _____

Environmental Values

Center Surveys Members and Concerned Citizens

To substantiate our positions on current issues and to improve our understanding of the opinions and priorities of the coastal public and Center members, we occasionally ask questions using formal surveys. From August through November of this year, as opportunities arose, we solicited responses to a one-page questionnaire asking eight questions. Following is a summary of these responses.

It must be noted that the individuals who completed the survey were already concerned about environmental issues due to their participation in a variety of meetings and

events where the forms were provided. Thus, the survey is not necessarily representative of the general public. Even so, we believe it reveals some important insights about the perceptions and priorities held by a significant segment of the coastal Georgia citizenry. This is particularly noteworthy in that other surveys indicate that such environmentally aware respondents are more politically active than average, therefore more likely to express their concerns about public issues by voting and in communicating with elected officials.

1. What is the single most important environmental issue that our (coastal) region faces?

- o Water quality & supply
- o Land development
- o Toxic waste sites
- o Air quality
- o Decline in fish & wildlife

Water quality and water supply was by far the issue of greatest concern – nearly half of those surveyed thought this was the greatest challenge to the region. Second place was given to land development, which about one-fifth of the respondents felt was most important.

2. Do you think current air and water standards should be strengthened, left the same or weakened?

By an overwhelming majority (nearly 83%) people thought that regulations need to be strengthened. Several commented that existing standards must be better enforced. This is in sharp contrast with several recent actions taken at the federal level that have reversed the trend toward stronger safeguards.

3. Do you think, compared with other states, Georgia's environmental record is about average, better than average, or below average?

Only 13% of survey respondents said that Georgia's environmental record is better than average. Some 45% thought the state was about average, and over 30% said Georgia was below average or unacceptable.

4. Do you think, compared with other areas of Georgia, the coast's environmental record is about average, better than average, or below average?

This region's environment fared better than the state's according to the opinions of those surveyed, but the **majority thought the coast's environmental record was no better than average** (30% about average, almost 25% below average, some 21% above average). This result may seem to contradict appearances, when comparing Georgia's coastline with those of other states. But keep in mind, those responding are more familiar with environmental quality and enforcement issues than many members of the

general public. And further, historically Georgia's coast has been less exposed to the pressures of urbanization than many other coastal states, such as Florida, New Jersey, and California. Finally, environmental quality is a mix of many factors, some of which are not obvious to the casual observer. For instance, rapid decline of the blue crab in Georgia (associated with numerous factors, including water quality) belies the apparently pristine condition of our coast suggested by serene marsh vistas.

5. Do you think more state funding should go towards developing energy and water conservation, acquiring greenspace, and supporting conservation technologies?

Almost two thirds of survey respondents strongly agreed with this proposal (around 64%), and another 25% agreed with it. Combined, **over 88% of people surveyed thought that more state funds should be allocated to the above environmental programs.** This contrasts greatly with current state budgeted trends – which have brought a reduction in funding for such items, except for greenspace, which is supported by special funding sources not affected by state tax revenues. To get needed funds appropriated, a significant educational effort must be made to convince elected officials that it is in the public interest.

Continued next page>

Environmental Survey, continued

6. Do you think that polluters should pay for cleaning up their contamination and other harm, like related public health problems?

There was no more strident response than the strong agreement with this principle (71%). And adding those who simply agreed with it accounts for over 90% of the survey population. While concurrence with this proposition may seem obvious, there is an active proposal in Washington (with a good chance to pass in Congress)

that would eliminate the “polluter pays” requirement from the EPA “Superfund” program (under which most toxically contaminated sites are cleaned up). Here again, to succeed in getting policy that reflects our views, we must aggressively collaborate with like-minded organizations throughout the country to win support of elected officials.

7. Do you think that the coastal economy depends on a clean and healthy environment?

Again, over 90% agreed with the statement linking the economy to our environment (55% strongly so). Yet, public policy, as demonstrated by permitting decisions and environmental conditions, is in troubling contradiction to this overwhelming opinion. We continue to witness the use of water, release of pollutants (in air and water alike), and development of land that is being permitted by state and local government in the name of economic development without adequate assessment of

consequences. And too few permitting decisions include any serious analysis of the impacts on existing nature-based business – such as tourism, commercial and recreational fishing, and seafood processing. As a result, not only are officials taking unjustifiable risks with our environment, but they are imposing unexamined threats on existing jobs while trying to create new employment through development projects.

8. Do you think that some coastal businesses are being hurt by environmental problems?

Consistent with their other opinions, people responding to the survey were overwhelmingly concerned about harm being imposed on our existing businesses by declining environmental quality. Some 90% expressed agreement, over half having strong agreement, with the premise. Analysis outlined in the previous paragraph suggests that

the challenge ahead will require more compelling documentation of these threats to win support for stronger environmental safeguards having economic benefits as well.

Conclusions

(1) We need to continue measuring and interpreting public opinion, and providing documentation of their implications. Whenever possible, we should expand the numbers and demographic groups being sampled to compile increasingly compelling and convincing data to support responsible positions on environmental policy.

(2) When opinions differ sharply with current trends, conditions, and practices, these contradictions must be given priority treatment. Consistent with these priorities, we should build strong, well-substantiated arguments for reforming policies, and present them to the public, local, state, and federal elected officials, and develop media campaigns in collaboration with other groups.

(3) Survey methods should be refined and targeted to measure and improve our ability to educate the public and to learn more about how opinions are formed and their influence over behavior. For instance, studies show that some individuals who express strong concern about the environment do not make decisions as consumers, workers, and voters that are consistent with these priorities.



What Do You Think?

- Would you like to share your opinions about any of the questions raised in our survey? If so, we encourage you to call, e-mail, or write us.
- If you would like to assist in administering this survey to your group or in your community, please let us know.
- We also welcome your remarks suggesting how we might improve or expand the survey or our analysis of it.
- The Center is always interested in the public’s ideas and opinions – about the issues as well as our work on them. With your help, we can bring positive change to coastal Georgia!

Judge Invalidates State Marshlands Permit

Case Sent Back for Further Review

Center Helps Win an Environmental Victory, Assisted by Southern Environmental Law Center!

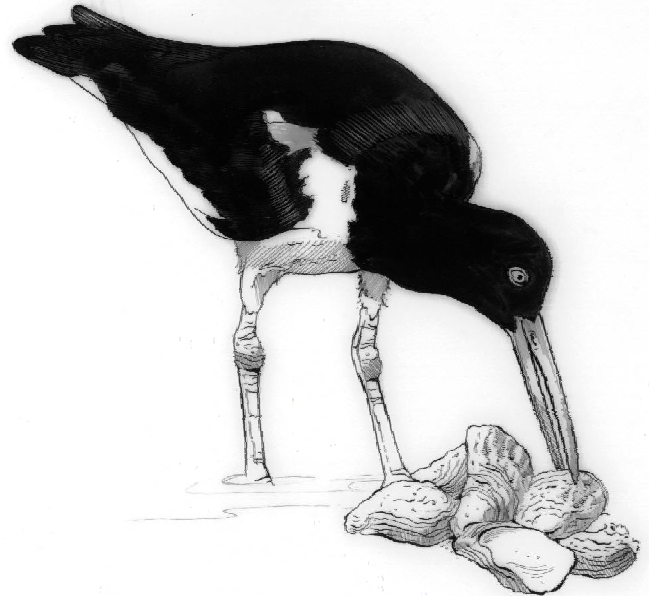
Atlanta — A judge ruled late yesterday that the state violated the Coastal Marshlands Protection Act when it failed to consider the full environmental impact on publicly owned marshes from the proposed Emerald Pointe development near Savannah. Fulton County Superior Court Judge Constance Russell, saying the state conducted an “artificially truncated inquiry,” reversed the March decision of an administrative law judge upholding the Emerald Pointe permit and sent the case back for further review.

Conservation groups heralded the judge’s ruling as a crucial step toward protecting Georgia’s increasingly threatened marsh ecosystem. “The ruling sends a strong signal to the Coastal Marshlands Protection Committee that it must vigorously exercise its responsibility to protect Georgia’s invaluable marsh lands,” said Stephen O’Day, of Smith, Gambrell & Russell in Atlanta. O’Day is Senior Litigation Counsel with the Southern Environmental Law Center, which is representing the Center for a Sustainable Coast, the Altamaha Riverkeeper and the Sierra Club in challenging the permit.

The committee issued a permit to Emerald Pointe last year to build three bridges connecting three marsh hammocks, small upland areas that dot the coastal marsh. The developer plans to build high-end residences on the hammocks. The conservation groups challenged the permit, saying the committee failed to consider environmental impacts from the residential development and instead looked only at the impacts from the bridges. They also argued that, if approved, the permit would open a floodgate of other development permits for the 1,000 or so hammocks in Georgia. In recent years, pressure has increased tremendously to build on the hammocks, which were designated one of America’s “most endangered landscapes” by Scenic America earlier this year.

In her order, Judge Russell said that “bridges are not roads to nowhere” and that “analyzing the propriety of issuing permits for bridges and activities in the marshes in isolation from the larger purpose of the activity or structure does violence to the intent of the Act.” Judge Russell also held that the administrative law judge erred in saying the state was prohibited from considering the cumulative environmental impacts from future development permits.

The case now goes back to the administrative law judge for review of the evidence in light of Judge Russell’s ruling, and possibly a new evidentiary hearing.



Oystercatcher
Artist: Jennifer Smith
Saint Simons Island



Founded in 1986, Southern Environmental Law Center (SELC) is the only non-profit, regional organization dedicated solely to protecting the South’s environment and outstanding natural areas. SELC’s conservation projects include native forests, wetlands, the coast, clean air, rivers and streams, wildlife habitat, rural landscapes and livable communities. SELC works through legal advocacy and policy reform in partnership with more than 100 other groups in Alabama, Georgia, North Carolina, South Carolina, Tennessee and Virginia.

The Economic Benefits of Nature

Note: The following summary is based on a recent article in the journal, Science. Although the authors used agriculture and aquaculture ("shrimp farming") as the basis of comparison, the implications for other land uses should be obvious. All too often, the economic benefits of natural systems and nature-based business are discounted or ignored in decisions that affect these critical functions. Note that only half as much area is in reserves as what is needed.

Special thanks to Center member Rundle Cook of McIntosh County for bringing this article to our attention.

Bulldozing nature to create farms has short-term financial benefits, but it extracts an unprofitable long-term cost. Economically, it's often better to keep nature as is: forests, swamps and reefs control flooding, absorb carbon dioxide and attract tourists, who spend billions supporting local businesses with relatively low environmental impact.

Andrew Balmford and his colleagues at the University of Cambridge have quantified some of the advantages in a new analysis, as displayed below.*

Total economic value per hectare

[A hectare is a metric unit equivalent to about 2.5 acres.]

Forests	\$2,570
Farms on former forests	\$2,110
Marginal benefit of nature ...	+ 21.8%

Mangroves	\$60,400
Shrimp farms on former mangroves	\$16,700
Marginal benefit of nature ...	+ 261.7%

Wetlands	\$8,800
Farms on former wetlands	\$3,700
Marginal benefit of nature ...	+ 137.8%

Average marginal benefit of nature compared with development (based on the above 3 examples) = + **140.4%**

Reserves Needed

Percent of world's land that is reserves..... 7.9%
compared with

Percent needed to ensure future of wild nature...15.0%

Return on Investment

Estimated annual cost to maintain world's reserves...
\$20 billion to \$28 billion
Estimated annual value of their goods and services...
\$4.4 trillion to 5.2 trillion

>**NOTE:** This means nature requires only about 0.5% of its annual value for proper maintenance!

*Source : Science, August 9, 2002

Compiled, formatted, and analyzed by Center for a Sustainable Coast



Kingfisher
Artist: Jennifer Smith
Saint Simons Island

Membership Application & Renewal

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Address _____

City/Zip Code _____

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I would like to join the Center (please choose type)

Family (\$40) Individual (\$30) Student (\$10)

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In the memory of _____

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For a specific issue or activity (please describe)

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Please complete this form and return it with your tax-deductible check for an annual membership or donation, made payable to the CENTER FOR A SUSTAINABLE COAST.

I would prefer receiving the newsletter by e-mail.

Please enroll me in the Center's Internet Coastal Action Advisory Network

(Note: You must provide your e-mail address.)

We appreciate your support!

America's Wetlands in Danger

Legal Loophole Leaves "Isolated" Wetlands in Peril,
Says New Report

Editor's Note on Isolated Wetlands: *In January 2001, the U.S. Supreme Court ruled that federal officials cannot protect landlocked ponds, wetlands, or mud flats when their only connection to navigable waters is by way of migratory birds. However, in many districts, the Corps of Engineers is allowing the draining and filling of these areas without evaluating the benefits they may provide by being connected to nearby navigable waters, most notably in our region through groundwater. It is well known that water below the ground surface provides an important source of supply that supplements surface water and replenishes aquifers. Especially during droughts, groundwater dispersed from isolated wetlands can help support the wildlife habitat of larger wetland areas that remain protected under the Clean Water Act. The following article explains more about the importance of these areas and why protecting them is critical.*

It is estimated that thousands of acres of isolated wetlands have been unjustifiably lost due to incorrect application of the court ruling. We urge you to voice your concerns about protecting isolated wetlands by contacting elected and appointed officials in Atlanta, Savannah, and Washington. Please call the Center for further information.

A new report from two of the nation's leading environmental groups warns of serious threats to people and wildlife stemming from a 2001 Supreme Court decision narrowing the scope of federal environmental protection for the nation's wetlands.

The National Wildlife Federation (NWF) and the Natural Resources Defense Council (NRDC) say the ruling invites the destruction of millions of acres of so-called isolated wetlands, eliminating their important role in providing flood control, natural water purification and essential wildlife habitat.

The report, *Wetlands at Risk: Imperiled Treasures*, details the vital role played by isolated wetlands across all regions of the country, highlighting the important functions at risk.

The report calls for federal legislation to clarify Congress' view that the protection of isolated wetlands is critical to water quality, public safety, wildlife and other public interests, including hunting and fishing and that the Clean Water Act protects isolated wetlands and other waters.

The clarification is essential because tens of thousands acres of wetlands of all types continue to be lost each year in spite of Clean Water Act protections.

"America can't afford to squander all the benefits these wetlands provide," said Julie Sibbing NWF's wetlands legislative representative. "The court may have opened the door to misguided wetlands destruction, but Congress can shut it again."

Isolated wetlands get their designation from their lack of a direct surface connection to other water bodies, though they are critically necessary to the healthy functioning of the overall ecosystem.

Because isolated wetlands are often small or may exist only for a short period each year, their importance is often not appreciated by policy makers and the public. The lack of awareness of their environmental importance makes isolated wetlands especially vulnerable to loss through development.

Congress included protections for wetlands in the 1972 Clean Water Act. However, in January 2001 a divided Supreme Court held that a federal agency had exceeded its regulatory authority under the law when it tried to block construction of a landfill site that would destroy some 17 acres of seasonal ponds that provide habitat for hundreds of migratory birds. (*Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*) The court held that habitat protection for the birds was not enough to warrant government jurisdiction over the ponds and raised the question whether the Clean Water Act protects "non-navigable, isolated, intrastate" waters.

The court's ruling has created confusion by leaving open to interpretation the question of which wetlands are in fact "isolated."

Some have read the decision to mean that isolated wetlands - possibly comprising as much as 30 percent of America's wetlands are, in fact, excluded from protection under the Clean Water Act. [*This includes many in Georgia, thanks to the Savannah District Corps of Engineers.*]

Under the Clean Water Act, the Environmental Protection Agency has the primary responsibility for protecting the nation's waters. In the absence of clear guidance from EPA interpreting this ruling, U.S. Army Corps of Engineers district offices across the country are taking widely varying approaches to jurisdictional questions, in some instances declining to protect waters that are still covered by the Clean Water Act. In addition to supporting new legislation, NWF and NRDC are urging the Bush administration to act quickly and definitively to ensure that federal agencies fully understand the limits of the court's ruling and their inherent responsibility to safeguard the nation's water resources.

"The Supreme Court's ruling makes the future uncertain for millions of acres of wetlands, but the Bush administration can clear up the confusion," said Daniel Rosenberg, and attorney with NRDC's Clean Water Project. "It all depends on how the administration views wetlands, either as natural treasures worthy of protection or as places best suited for landfills, strip malls, parking lots, and subdivisions."

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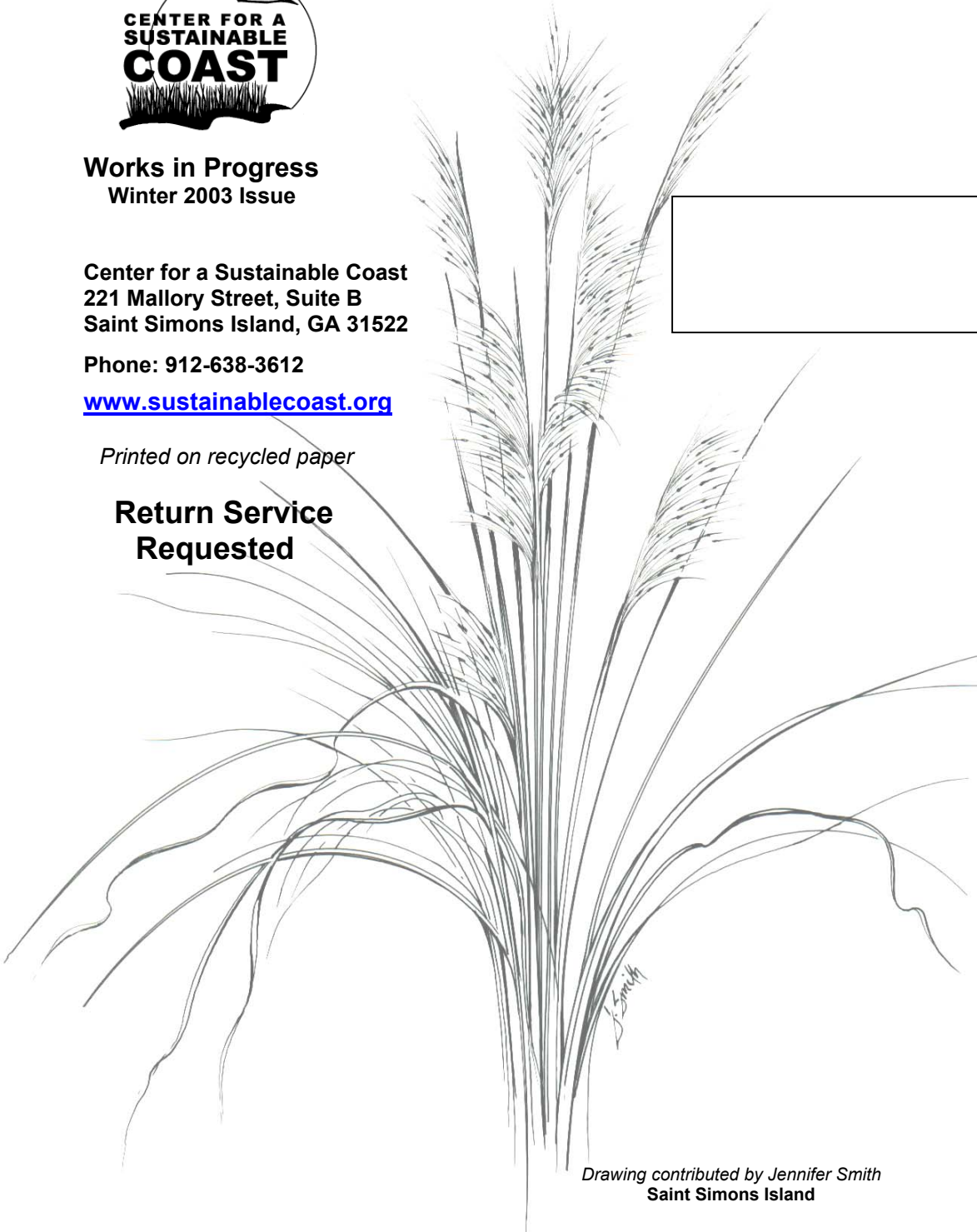
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*Drawing contributed by Jennifer Smith
Saint Simons Island*

ATTENTION!

- **Unless you are a current Center member, this may be your last issue of *Works in Progress*.** Beginning with our next issue, we will limit distribution of our newsletter to current members, volunteers, selected public officials, and collaborating organizations.
- **If you are in doubt about your membership status, please check your mailing label above.** If it indicates that you are a non-member, an expired member, or says nothing about your membership, according to our records, you are not a current Center member.
- **Please call the Center if you have any questions about your membership** or you believe our records are incorrect. If you are not a current member, please complete the enclosed membership form and return it with your **tax-deductible membership contribution** using the enclosed envelope. ***Your support is important!***