

REVIEWS & REFLECTIONS

ON COMMON GROUND: STORIES OF THE ACE BASIN

By Dana Beach

I'm frequently asked, "How can I see the ACE Basin?" Depending on who is asking, I suggest hiking at the Donnelley Wildlife Management Area or the Hollings ACE Basin National Wildlife Refuge, or canoeing on the Edisto River or on Cuckold's Creek to the Combahee River, or birding on the edge of the ponds at the Bear Island Wildlife Management Area. For the adventurous, I recommend kayaking from Bennett's Point to Otter Island, and for the less energetic, driving down Highway 17 from Jacksonboro to Gardens Corner.

This 350,000-acre Lowcountry landscape of rivers and forests, of swamps and marshes, of history and human settlement defies unified assessment. It has to be appreciated as a collage of impressions, experiences and memories accumulated over time. Everybody who has visited constructs his or her own personal ACE Basin.

So it is with the "story" of the ACE basin. There is no single narrative that objectively or comprehensively captures the last twenty-five years of effort that has permanently protected more than 200,000 acres between Charleston and Beaufort. There are hundreds of stories about the ACE, rife with lessons about how conservation succeeded at a certain time, in a particular place, and with soaring themes about a historical love of land and collaboration among government, non-profits and landowners.

But there are also stories about a county government whose leaders for more than a decade opposed the protection of large properties because they would not be available for industrial and resort development, about local residents convinced that the federal government would trample on private property rights, and about forestry companies fighting conservation in the ACE because they believed it threatened their

livelihoods.

So, with no pretense of objectivity or comprehensiveness, here are some of the ACE stories—focusing especially on the early years—that illuminate a remarkable and ongoing effort to insure that this landscape will endure over time, and with it, the gifts of clean water, productive forests, abundant wildlife, healthy soil, and a natural heritage.

"THE ACE WHAT?"

In the beginning, there was no ACE Basin. If you had looked for a watershed named ACE, you might have found an area called the Ashley/Cooper/Edisto drainage. In 1979, Nora Murdock, a US Fish and Wildlife Service biologist, produced a report for her agency in which she used the term "ACE Basin," identifying the Ashepoo, Combahee, and Edisto river system as a "significant wildlife resource area" worthy of a national wildlife refuge.

The title was subsequently embraced by the initiative's informal governing committee—a task force composed of federal and state wildlife agency representatives, non-profit land trusts, and a private landowner. Over time, "the ACE Basin" became one of the effort's most powerful tools—an evocative identity that provided substance and momentum to a young, fragile initiative.

The protection tool of choice in the ACE was the conservation easement. In 1988, Ted Turner granted the first easement on his five thousand acre Hope plantation on the Edisto, followed by the Lane family with an easement on their one thousand acre Willtown Bluff property.

These early achievements attracted the attention of a few entrepreneurial national funders, including the Mary Flagler Cary Charitable Trust in New York, the Turner Foundation in Atlanta, the Merck Family Fund in Boston, and the Chattanooga-based Lyndhurst Foundation, whose early grants provided the operating resources to carry the project forward. In 1992,

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The Nature Conservancy (TNC) sponsored a stunning book of ACE images by South Carolina photographer, Tom Blagden, Jr., which introduced a large audience to the basin's exotic landscapes and wildlife. The ball was beginning to roll.

"WE'RE FROM WASHINGTON AND WE'RE HERE TO HELP YOU"

My first exposure to the ACE Basin, formally constituted, was while I was working for First District Congressman Arthur Ravenel, Jr. In 1988, LaBruce Alexander, then head of the South Carolina chapter of TNC, drove from Columbia to Charleston to seek Ravenel's support for a National Estuarine Research Reserve (NERRS) in the lower part of the ACE. She explained that the NERRS status would allow the state to apply for funding for research and conservation of the barrier islands and marshes that anchored the ACE along the Atlantic.

Ravenel enthusiastically supported the designation and with Senators Hollings and Thurmond's influence it was easily approved. Funding began flowing, like the three rivers, downstream to the estuary. Like most federal conservation programs, NERRS required matching funds to purchase property. That would be forthcoming.

Gaylord and Dorothy Donnelley, Chicagoans who had purchased Ashepoo Plantation in the 1960s as a hunting property, were concerned about the future of the ACE, as the first generation of absentee

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owners turned increasingly valuable lands over to a second, geographically-dispersed generation with varying levels of interest in the South Carolina Lowcountry. In 1987, the Donnelleys donated Sampson Island to TNC, who then transferred the property to the S.C. Department of Natural Resources (DNR) as an addition to the Bear Island Wildlife Management Area. Then, in 1988, the Donnelleys gave Warren and Big Islands to TNC, who, in turn gave them to DNR. DNR used the properties as the match that allowed the department, collaborating with the National Oceanic and Atmospheric Administration (NOAA), to purchase Ashe and Beet Islands in 1989. These four islands formed the core of the NERRS reserve.

NERRS designation required a series of public hearings to gather public input. The first hearing was in the Colleton County Court House in Walterboro. The NOAA representative from Washington, DC stiffly outlined the process of designation and the benefits. The assembled crowd was generally polite, but not impressed. Many voiced concerns about hunting and fishing restrictions and logging bans. The public debut of the ACE was, essentially, a flop.

"PROTECTING A WAY OF LIFE BY MAINTAINING TRADITIONAL VALUES AND USES"

The task force grappled with this perception problem and developed a slogan that was to be repeated incessantly for the next decade: protecting a way of life by maintaining traditional uses and values (including logging, hunting and fishing). Mike Prevost, with TNC, was one of the most effective and relentless ambassadors for this characterization of the ACE initiative and spent years cajoling, persuading and comforting landowners and residents that the ACE was, in truth, a realization of everything they believed in.

Coy Johnston, with Ducks Unlimited (DU), best expressed the message the task force wanted to convey at a subsequent public hearing. He told the audience that he had taken his grandsons fishing the weekend

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before and that they had marveled at the beauty and solitude of the place. He ended with a statement that left few people in the audience unmoved: “I just don’t want to see this lost to my grandsons and their generation.”

Still, Colleton County officials argued that the ACE was removing land from the tax roles (even though the federal properties paid a fee in lieu of taxes), reducing tax revenues (in spite of the fact that land values were climbing as a result of the popularity of the area, and that conservation easements had no impact on assessments), and hindering economic development (though never specifying which companies had declined to locate in the ACE).

Loggers aggressively opposed the conservation project, accusing the task force of threatening timber jobs. Intent on blocking the initiative, they hired a consultant from Florida to prove that the damage to the industry would be severe. By the time the report was complete, however, the ACE had gained momentum. The conclusion of the report was, in effect, that the project was a *fait accomplis*.

In the early 1990s, Westvaco (now MeadWestvaco) joined the task force and signed land management agreements on their extensive holdings in the project area. This dampened objections from independent timber operators, but did little to quell opposition from the county. Fortunately, there was virtually nothing the county could do about the ACE initiative, since much of the land protection was accomplished with voluntary conservation easements on private parcels. To objections raised by “property rights” advocates, Charles Lane responded that protecting property in perpetuity was the ultimate expression of a property right.

“FLEXANIMIS IMPUDENTUR”

The task force’s goal for the ACE seemed precise—to permanently protect 90,000 of the project area’s 350,000 acres. But when 90,000 acres had been pro-

tected, almost instantaneously, by 1992, the goal was raised to 150,000 acres. And when that goal was passed in 1997, the task force raised the bar to 250,000.

The project boundaries were similarly protean. Originally, most of Edisto Island lay outside of the project area. But as interest grew on the island and more property was protected, the task force simply redrew the boundaries to include all of Edisto. Today, more than 200,000 acres have been protected, more than double the original target. The “hidden agenda” became clear – protect as much as possible now and, eventually, protect it all.

This operating strategy was memorialized in the task force’s unofficial motto, “flexanimus impudentur,” which, very loosely translated, means “shamelessly manipulative.” A better description, I think, is “visionary opportunism.” The task force has never been hobbled by ideological arguments. The vision is ecological and its implementation practical. Whatever works is fine.

The 9,500-acre Mary’s Island plantation is in the center of the project area and a case in point. When the owners decided to sell for \$9.5 million, the task force scrambled to identify a larger amount of money than had ever been deployed for conservation in the state. Coy Johnston working with Ducks Unlimited had negotiated the sale and borrowed \$3 million for the first payment from the Nature Conservancy’s national land fund. He then combined funds from the Wild Turkey Federation with grants from the North American Wetland Conservation Act fund (NAWCA) and the National Fish and Wildlife Foundation.

Two plantation-sized parcels were subdivided, eased and sold to private buyers. Even so, the funding fell short of the price tag by roughly \$3 million. John Frampton at DNR and Johnston—whose daughter Holly, worked in Senator Thurmond’s Washington office—discovered that mitigation funds from the U.S. Army Corps of Engineers for the construction of the Russell dam at Lake Hartwell in the Upstate were

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available. With Senator Thurmond's help, this became the final piece of the financial puzzle. Flexanimus impudentur.

Protecting the 12,500-acre Cheeha-Combahee plantation raised innovation, opportunism, and good luck, to yet another level. This property, which contains more extensive waterfront than any other place in the basin, had been bought in the early 1990s by a developer who had subsequently experienced financial problems. Both Ducks Unlimited and a private buyer had options to purchase the property, but neither had been able to assemble the approximately \$10 million needed. Johnston contacted Charles Lane and his brother-in-law, Weldon Schenck, to arrange a visit. Charles's father, Hugh Lane, Sr., happened to be available and went along for the tour.

When the four arrived at the plantation house, Richard Emmett, a former owner who held one of the options on the property, was moving furniture out. Emmett told his visitors that he had only three months left on his option and was not able to find investors to allow him to exercise it. Schenck and the Lanes began contacting hunting friends and within a few weeks found six partners to purchase the property. Ducks Unlimited holds the easement, which allows no more than ten parcels to be subdivided, with no parcel smaller than six hundred acres.

The ACE has been consistently threatened by development over the past twenty years, especially on its boundaries. In the late 1990s, the town of Hollywood revealed plans to extend a sewer line five miles down highway 174 toward Edisto Island in order to serve a proposed mobile home park built on low land along the highway. This was not the first proposal to use public sewer and water lines to stimulate development in the basin. Earlier, a local lawyer had attempted to have the Charleston Commissioners of Public Works build a twenty-mile long water line to Edisto Beach, supporting development on this rural island along the way. As he told the *Charleston Post and Courier*, "Ed-

isto is the last unpicked apple on the East Coast and we need water to develop it."

The task force met to address the threat from Hollywood and decided that the best way to stop the line was to expand the ACE Basin National Wildlife Refuge to the highway and block the path. Within months, the proclamation boundaries of the refuge were extended, a large parcel owned by Westvaco called the Barrelville tract was purchased and added to the refuge, and the line was quashed. As testimony to the transformation at work in the ACE, the lawyer who had promoted the water line to the beach eventually embraced the project and placed an easement on his family's property on Edisto.

One of the earliest and most acute threats to the ACE was the potential development of Prospect Hill plantation, on Edisto Island. This 1,200-acre former cotton plantation, directly across the Edisto from DNR's Bear Island Wildlife Management Area, had been purchased in the mid-1980s by a Chicago businessman who intended to develop a Hilton Head-style golf course resort. The South Carolina Department of Health and Environmental Control issued a permit in 1987 for a 120-slip marina. The permit was appealed and overturned, but the property remained at risk, zoned for three thousand units.

Over the succeed-

ing ten years, the task force, Mike Prevost with TNC, Charles Lane, and the Donnelley Foundation (because the foundation was based in Chicago), attempted to contact the owner and convince him to sell the proper-

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ty. Eventually, he consented to sell for roughly \$6 million. Ducks Unlimited contacted the adjoining property owners at Old Dominion plantation, on which it held an easement, and suggested that they purchase part of Prospect Hill to add to their holdings. Two additional parcels were subdivided, eased, and sold to private owners, including a piece with the ante-bellum house. That left a sizable part of the property to protect.

Meanwhile, the Coastal Conservation League (CCL) had challenged the Charleston County Parks and Recreation Commission's (PRC) spending of a \$37-million park bond issue, arguing that they had allocated less than their promotional materials promised for land acquisition. CCL threatened to sue over the breach and the debate had reached an impasse.

When the Prospect Hill opportunity emerged, CCL approached the Parks and Recreation Commission to suggest that it contribute some of the bond funds. If so, that would end the bond challenge. There were no county parks on Edisto, and the commission agreed to what would be the final piece of the funding needed.

Development pressure in the basin has always been most severe on Edisto. The Charleston-based Lowcountry Open Land Trust (LOLT) negotiated early and critical easements on Oak Island Plantation and, in 2000, on Seabrook Plantation. In the early 1990s, LOLT joined the task force. Today their easements protect more than 33,000 acres of the ACE.

The Edisto Island Open Land Trust, founded in 1994, has spearheaded the conservation effort on Edisto during the past decade, often drawing on Charleston County's Greenbelt Bank to fund bargain purchases of easements. The conservation of Prospect Hill and Oak Island set the stage for a collaborative effort that would eventually secure more than half of the island.

THE BEAT GOES ON

Over the succeeding twenty years, one property after another has been eased, purchased with local, state

or federal funds, or given to one of the partner land trusts. All told, private easements on 155 parcels perpetually protect 134,000 acres and federal and state agencies own an additional 74,000 acres. Every parcel has its own story.

Today, the protected ACE, at 208,000 acres, is almost as large as the Francis Marion National Forest on the northern edge of Charleston. The glass is two-thirds full. But about 150,000 acres—an area roughly the size of metropolitan Charleston's urban area—remain unprotected. Most of this land is owned by forestry companies, primarily MeadWestvaco, or by private landowners whose livelihood is timber production. On the Charleston side of the Edisto River, MeadWestvaco's 78,000-acre "East Edisto" project is designed to permanently protect almost 60,000 acres. Progress has been frustratingly slow, but it is possible that easements will be signed within the year.

Beyond that, the task force will continue to meet monthly, grinding out practical strategies for conservation, in an economic climate where public funding for land conservation has virtually dried up, just as the over-heated real estate market has collapsed. This is a different world than it was in 1988, when easements fell like ripe fruit from the trees along the rivers and Senators Hollings and Thurmond provided a steady stream for federal funds that protected tens of thousands of acres every year, at prices that today seem surreally low. What has not changed is the visionary opportunism and persistence that drove this group of biologists, hunters, farmers, landowners, birders, and nature lovers to work year after year for a quarter of a century to realize a dream called the ACE Basin.

ON COMMON GROUND

There have been modest efforts to depict the ACE basin effort. The videos have been primarily promotional, with compelling landscape and wildlife images but little substantive information about the effort. *On Common Ground*, sponsored by the Center for Hu-

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mans and Nature and capably produced and written by Bill Bailey, is the first attempt to relate some of the chronology of the ACE. It does an admirable job compressing twenty-five years into fifty-six minutes. Perhaps the most compelling story is the affection the landowners feel for the ACE. The film beautifully expresses that sentiment, as the easement donors and advocates tell their ACE Basin stories.

On Common Ground provides an inspiring perspective on the ACE initiative from many of the people who launched it, kept it on course, and will maintain it into the future. It is an important message in a world that badly needs to hear that there are things worth working for—over ten, twenty, thirty years or longer. As Charles Lane said, the ACE is a project that had a beginning, but it really has no end.

Dana Beach is Executive Director of the Coastal Conservation League in Charlestown, SC.

CHN BOOKSHELF

A regular feature calling attention to important books and articles that CHN staff, board, and collaborating scholars are reading and recommend. *Quot libros, quam breve tempus.*

R. J. Bernstein, *The Pragmatic Turn*. (Polity Press, 2010).

W. Berry, *What matters? Economics for a Renewed Commonwealth*. (Counterpoint, 2010).

L. Ferry, *The New Ecological Order*. (University of Chicago Press, 1995).

J. Goodall, *Hope for Animals and Their World*. (Grand Central Publishing, 2009).

W. Jackson, *Consulting the Genius of the Place: An Ecological Approach to a New Agriculture*. (Counterpoint, 2010).

S. D. Mitchell, *Unsimple Truths: Science, Complexity and Policy*. (University of Chicago, 2009).

S. Parkin, *The Positive Deviant: Sustainability Leadership in a Perverse World*. (Earthscan, 2010).

T. Princen, *Treading Softly: Paths to Ecological Order*. (MIT Press, 2010).

S. R. Sanders, *A Conservationist Manifesto*. (Indiana University Press, 2009).

J. Stout, *Blessed Are the Organized: Grassroots Democracy in America*. (Princeton University Press, 2010).

R. Westbrook, *Democratic Hope: Pragmatism and the Politics of Truth*. (Cornell University Press, 2005).