



September 10, 2020

Highway 41 Corridor Improvements
4400 Leeds Avenue, Suite 450
North Charleston, SC 29405

Re: Comments on Highway 41 Corridor Improvements Project- Proposed Alternative

To Whom It May Concern:

Lowcountry Land Trust (LLT) submits this letter regarding the Proposed Alternative for Highway 41 improvements, as noticed on August 13, 2020. LLT submits these comments in full recognition of the challenges inherent in growth and traffic management, and raises its concerns about the impact on irreplaceable community resources with a spirit of respect and sympathy for all community members who may be negatively impacted in the future.

For 35 years, LLT has had the good fortune to work with a wide array of partners to conserve and protect lands with high degrees of historic, cultural, ecological and agricultural value in South Carolina's coastal plain. Effectively carrying out LLT's work and mission requires us to assess not just whether certain conservation values exist at a given location, but also the relative significance of those conservation values. Having applied this assessment and analysis to the Highway 41 Corridor Improvements Project, we believe the Proposed Alternative- Alternative 1- should not be pursued.

LLT offers these comments on the current Proposed Alternative, and expresses its willingness to work with all involved in order to achieve a solution that fully protects Charleston County's most irreplaceable resources. Specifically, LLT's comments focus on the relative significance of three resources that will be impacted by the Proposed Alternative: wetlands, park land, and historic/cultural resources.

Wetlands

LLT generally supports avoiding and minimizing wetland impacts, all things being equal. However, impacting wetlands is an unavoidable consequence of this project, regardless of which alternative is chosen. In comparing the Proposed Alternative to Alternative 7a, the overall wetland difference- three acres- is relatively small. Furthermore, the Proposed Alternative would in fact impact more of the highly sensitive and harder to replace wetland type: tidally influenced wetlands. Compensatory mitigation and storm water control will occur as part of the project, essentially maintaining the freshwater wetland function altered by the project. We know of nothing particularly rare existing as part of the ecological character and

significance of these freshwater wetlands such that avoiding those wetland acres by pursuing the Proposed Alternative should become a matter of overriding importance.

Park Land

LLT supports the creation and management of publicly-accessible land, including the stellar large parks in Charleston County's Parks and Recreation system such as Laurel Hill County Park. LLT does not take lightly the impact of road projects on CCPRC's holdings, and barring differentiating circumstances, will oppose proposals that diminish them. We note here only that while the Proposed Alternative would prevent the loss of 18.7 additional acres of Laurel Hill County Park, the effect of losing those acres to the park can be effectively mitigated with relatively minimal expense and effort (for instance, moving one small part of a trail). Those lost acres would affect only the edge of the park, and the park would retain over 97% of its current 742-acre size. In other words, Laurel Hill County Park will still remain a relatively large block of urban forest, and would continue to meet its function of providing for recreational and nature-based pursuits, regardless of which alternative is chosen.

Historic/Cultural Resources

LLT has a history of protecting places that are the sites of important historic and cultural resources. Most recently, LLT was granted the conservation easement on Boone Hall Plantation. We hold conservation easements on other historic plantations, and on the remnants of Civil War batteries. We purchased the 35-acre forest around the Angel Oak not just for its natural qualities, but because of the cultural importance of maintaining the tree's rural context.

The Phillips Settlement Community is no less significant a cultural and historic resource than the examples cited above. We need not elaborate on the characteristics that make it such; they are stated in this Project's document titled "Phillips Community Cultural Landscape Technical Report" dated June 25, 2018, which reiterates that the Phillips Community is eligible for listing on the National Register of Historic Places. The people of Charleston County have prioritized maintaining the integrity and long-term viability of settlement communities like Phillips—not just as museums of the past, but as proud, thriving communities in the present—by emphasizing this value in foundational documents such as:

- The Comprehensive Plan adopted by Charleston County Council on October 9, 2018 (see the element goal and strategies found in Chapter 3.4: "Cultural Resource Element");
- The 2016 Charleston County Historic Resources Survey Update (see the African American Communities section found in Chapter V); and
- The Mount Pleasant Comprehensive Plan (see recommendations regarding settlement communities contained within Chapter 3 Section 3.4 (pp. 3-10)).

LLT and its fellow land trusts have worked with settlement communities to preserve the land that is deeply connected to a living heritage, and we will continue to do so in the future. The opportunity to meaningfully do so must not be compromised by saddling one of our rarest and

most vulnerable cultural resources with bearing the brunt of the most onerous side effects of growth that began to accelerate in the 1990's after Phillips had already existed as one of our rarest community types for nearly 125 years.

Federal law requires that places merely eligible for listing on the National Register of Historic Places, even if not yet listed, must have project impacts to their integrity fully considered. And similar to the hierarchy associated with wetlands, those impacts must be either avoided, minimized, or mitigated ("Phillips Community Cultural Landscape Technical Report," June 25, 2018, p. 1).

The difference between the historic/cultural resource that is the Phillips Settlement Community and the ecological resource that is the additional 3 acres of wetlands that the Proposed Alternative would avoid, is that these wetlands, and the function they serve in the community—as regrettable as it would be to impact them—are replaceable. The Phillips Community is not. It is a one of a kind. It is not just a repository of historical information, and it is not just the location of a story of inspiration and hope. It is a place that holds a living, breathing, nearly 150-year-old community of today that nurtures a blend of the traditions of the past and the aspirations of the future. It has deep wells of pride and strength, and a fighting chance to become stronger with each passing year.

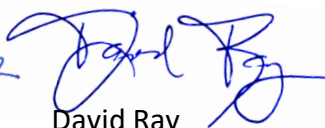
But the Phillips Community is vulnerable. It has less access to resources that would make it resilient to the effects of the Proposed Alternative. The effect of the project on the integrity of Phillips as a community is further compounded by the confounding presence of heirs' property, a phenomenon related in part to historical forces that are well-recognized today and a part of the story of Phillips and other settlement communities.

The Proposed Alternative poses the very real prospect of sending the Phillips Community—an historic settlement community eligible for listing on the National Register of Historic Places—into a downward spiral. Because land trusts like LLT are in the business of protecting singular, irreplaceable places—and because we want to have the opportunity in the future to be a part of accomplishing that with community members—we believe that the Proposed Alternative should not be pursued, and another alternative should be.

Sincerely,



Ashley Demosthenes
President & CEO



David Ray
Chief Conservation Officer