



Spring 2007

## Tall Timbers and allies win major pipeline battle

Georgia Senate Bill 173 was defeated on April 16, 2007 by a vote of 7-4 in the House Judiciary Committee. Senate Bill 173, which was fast tracked through the Senate in late February, would have dramatically enhanced Colonial Pipeline Company's ability to use the power of eminent domain to take private property for construction of new pipelines near existing pipeline corridors. Not only would this amendment have allowed for a significant erosion of private property rights, it would have also eliminated the current requirement that a pipeline company must show a public need and perform an evaluation of environmental impacts before the unrestricted power of eminent domain is granted to a pipeline company.

While Colonial felt that Senate Bill 173 was necessary to speed the construction of a 500-mile petroleum pipeline from Louisiana to Cobb County, the bill would have eased restrictions placed on the company in 1995 after several major spills and what some Georgia landowners said was Colonial's abuse of eminent domain. A Colonial spokesman said that they will have to try to move forward with the project under the current law.

Obviously, there is a critical need for a constant fuel supply to keep our economy strong. Colonial, however, never demonstrated that there was a need to change existing legislation that already provides a streamlined process to consider a pipeline company's need for the power of eminent domain. The House vote marked a distinct win for the private property rights of landowners throughout Georgia. A diverse group of organizations including Tall Timbers, The Georgia Conservancy, The Georgia Wildlife Federation, The Georgia Forestry Association, Landowners for Environmental and Economic Development, and many private landowners joined together to defeat SB 173.

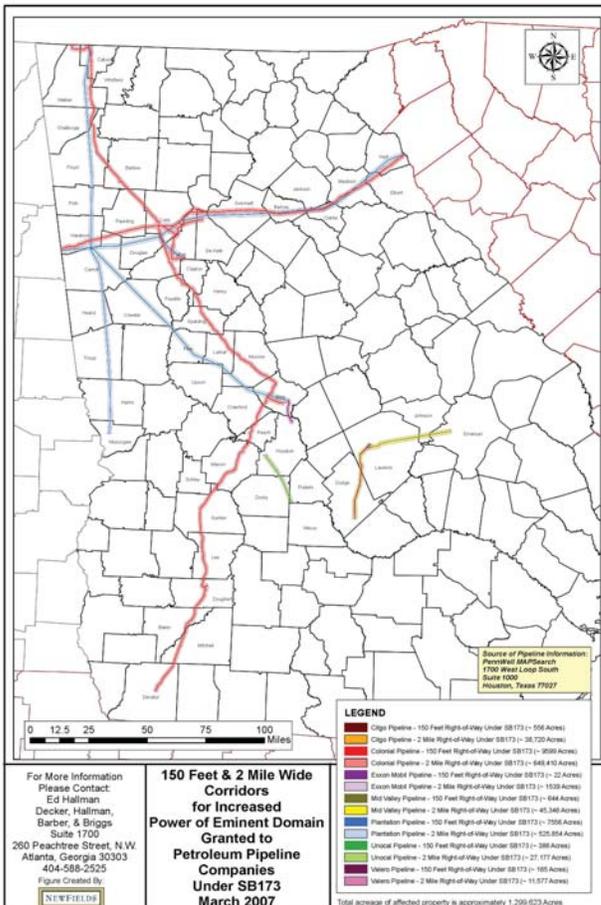
Special thanks are owed to the many donors who generously contributed to our legal defense fund in support of the fight against SB 173. Thanks are also owed to: Tall Timbers Board members Rozzie Davis and Philip Watt, who worked long hours and provided great leadership on this issue; lobbyists John and Joyce Stevens, who were tremendously out-manned but never out-manuevered by Colonial's large team of lobbyists; hard-working attorney Ed Hallman; and our own Tall Timbers staff.

## Planning Goal

Provide community planning services to conserve the distinct Red Hills Region of southwest Georgia and north Florida by working cooperatively with landowners, business representatives, and local government officials to promote quality growth, discourage urban sprawl, conserve natural and cultural resources, and protect rural land use traditions.



Tall Timbers Research Station  
& Land Conservancy  
13093 Henry Beadel Drive  
Tallahassee, FL 32312-0918  
(850) 893-4153 x 335  
(850) 893-7954 FAX  
EMAIL: [nfleckenstein@ttrs.org](mailto:nfleckenstein@ttrs.org)  
[www.talltimbers.org](http://www.talltimbers.org)



*Petroleum pipelines are found throughout Georgia.*

## Growing pains in Thomas County

When Thomas County's blueprint for growth, the comprehensive plan, was developed in the early 1990s, the authors likely did not envision the growth pains the county is experiencing. Just one measure of this growth is that in a little more than two years, more than 2,400 residential lots have been approved in unincorporated Thomas County. This is a stunning increase when compared to the *yearly* average of approximately 100 approved lots from 1996 through 2004. While recent population figures show the county is growing faster than previous decades, speculative real estate activity is also a major influence.

While the pace of growth in Thomas County is changing, so too is the county's comprehensive plan. For more than a year, a citizen's advisory committee has been working with Roberts and Company, an Atlanta-based planning firm, to completely revise the Thomas County comprehensive plan. The plan, which will be completed and adopted in 2008, provides a much more detailed vision than its predecessor of how residents would like to see Thomas County grow over the next 20 years. Tall Timbers' planning coordinator Neil Fleckenstein is a member of the citizen's advisory committee and has encouraged the committee to consider issues related to quality infill development, protecting farming and other rural land uses, and conserving the special natural features that make Thomas County unique.

In addition to working on the development of the new comprehensive plan, Thomas County's planning and building department staff are responding to the wave of new development proposals by updating the county's zoning ordinance and are working with a consultant to evaluate the use of impact fees to offset the costs associated with growth. The recent upturn in development in Thomas County has also caught the attention of many longtime residents who have recently created a group called "Concerned Citizen's for Smart Growth." This group is stressing the importance of smart growth that benefits the economy and the community while also protecting the environment. Given the growth pressure in rural Thomas County, land conservation alone will not protect the distinctive character of this community. Rather, it will take a combination of conservation along with progressive land use planning and the continued interest and cooperation of many different actors to ensure that the Thomas County of 2025 remains the jewel of Southwest Georgia.

## Is the Red Hills Coastal Parkway "dead on arrival"?

"Dead on arrival" is how Leon County Commissioner Ed DePuy described the proposed Red Hills Coastal Parkway in a recent article in the *Tallahassee Democrat*. The controversial proposed four-lane toll road would link US 98, near St. Marks with Interstate 10 in Leon County by traversing through rural Wakulla County and rural and suburban portions of eastern Leon County, eventually connecting with Thomasville Road, north of Chiles High School in the Red Hills.

The proposed toll road was quietly included in the Capital Region Transportation Planning Agency's (CRTPA) 2030 Plan in early 2006. A number of organizations including Tall Timbers, The Florida Wildlife Federation, 1000 Friends of Florida, and many private land owners raised serious concerns regarding the toll road at a public meeting of the CRTPA in March, 2007. A federal agency's review of the project has identified numerous problems including potentially adverse impacts to: two designated "Outstanding Florida Waters" (the Wakulla and St. Marks Rivers), groundwater, springs, sinkholes, wetlands, forests, and wildlife. Other controversial aspects of the project include its proximity to rural communities such as Chaires; concerns about the potential for the roadway to lead to urban sprawl in rural Wakulla and Leon Counties; concerns over the projects

\$500 million price tag; and how the project even found its way into the CRTPA's 2030 Plan in the first place.

Tallahassee City Commissioner Debbie Lightsey recently reported to her fellow commissioners that the project was no longer part of a larger regional plan proposed by the Northwest Florida Transportation Corridor Authority and as such should be removed from the local CRTPA's 2030 Plan. Commissioners Cliff Thaeil and Bob Rackleff concurred and DePuy made his statement that the project would be DOA when it was raised at the May 21<sup>st</sup> meeting of the CRTPA. In fact, this project was not removed at the May CRTPA meeting. However, commissioners did request that it be placed on the agenda for the agency's next meeting in June at which time the Red Hills Coastal Parkway may find its life support removed.



*The U.S. Fish and Wildlife Service noted that the proposed toll road could directly affect easement protected landscapes.*