

The Union Daily Times

NEWS

Lake's future contested

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Published:
Wednesday, January 23, 2008 1:11 PM CST

Early release of report draws

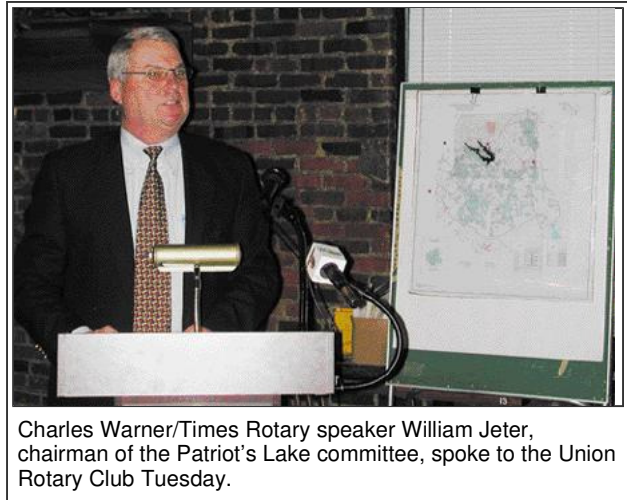
fire from project chairman

By CHARLES L. WARNER

Staff Writer

Is the Patriot's Lake project dead?

Not according to lake committee chairman William Jeter, who refuted a statement issued earlier this month by a coalition of environmental groups opposed to the project.



Charles Warner/Times Rotary speaker William Jeter, chairman of the Patriot's Lake committee, spoke to the Union Rotary Club Tuesday.

"This isn't the end, it's the beginning of Patriot's Lake," he told the Union Rotary Club Tuesday.

The proposed 6,500-acre lake would be formed by damming Tyger River and Fairforest Creek. The lake is the subject of a three-year study by the U.S. Army Corps of Engineers. In July 2007, the Corps sent Union County a copy of a draft version of its "Concept Study of a Regional Water Supply Reservoir." The draft features a printed version over an inch thick and a CD containing additional information about the study's findings. The county and the lake committee have been reviewing the draft and the Corps is expected to release a final version soon.

On Jan. 4, opponents claimed a study by the Corps of Engineers found that the lake is not justified economically and the dam creating it would sit atop two earthquake faults. The release says that Dennis Chamberlain, an attorney for the Sierra Club, was allowed to review a copy of the report by a "confidential source."

Jeter said Tuesday that Chamberlain's source was Wayne Roper, Inglis' chief of staff. Jeter said that a "confidential source" told him that Inglis pressured the Corps to provide his office with a copy of the draft which Roper then allowed Chamberlain to review in Inglis' Greenville office.

"He (Inglis) demanded it from the Corps of Engineers because, according to his office, he was threatened with a lawsuit from Dennis Chamberlain," Jeter said. "He requested a copy from the Corps, the Corps objected to the release of the document until Union County approved it. We did not want it released and it was released to him and then he shared it with this lawyer that represents these environmental groups."

Price Atkinson, communications manager for Inglis, said Inglis' office requested a copy of the draft, which the Corps provided. The Corps, however, advised that "it was a working draft and was not to be released because it wasn't finished and final yet," Atkinson said. "We worked with Union County to speed up the process, trying to put them in touch with the Strom Thurmond Institute to provide them with some of the numbers they were looking for."

Inglis said this morning that his office provided Chamberlain with an opportunity to review the draft of the report because the Corps had said it would be released soon.

"The Corps told us that it was printing the document and it was going to be released immediately," he said. "We've been waiting for the release of the report and been told as recently as this morning that the release is imminent. This is what the Corps has told us three times.

"We didn't release a copy of the report to him because it was still a draft, but we were happy to allow him to look at it," he said. "The reason for that is this: government should operate transparently and if public funds are used to produce a report the public has a right to see that report. Presumably, Donnie (Betenbaugh, county supervisor) has been sharing the report with the lake study group and it only seems fair that those who do not support the lake should also be allowed to see the report."

Inglis said that his office did not obtain a copy of the report or allow Chamberlain to review it under threat of legal action. He said that his office has worked to prevent any litigation and worked to give the county time to complete its part of the process.

"We didn't want Union County to be sued because that's expensive and with the report ready to be released and being told by the Corps it's ready to go to the printer we were doing everything to prevent a lawsuit and save the county the expense," he said. "What we heard from Donnie was that the county wanted to present some additional information and appendices to the report and so we got in touch with the Strom Thurmond Institute at Clemson in providing Donnie with the information he was seeking on population growth figures."

The environmentalists' press release states that the study has been complete since May 2007, but the Corps refused to release it. On Sept. 25, 2007, the Sierra Club made a Freedom of Information Act request to the Corps for release of the document. The Corps' Office of Legal Counsel denied the request, claiming that as "working papers and attorney work product/privileged documents" the report was exempt under the FOIA.

Chamberlain, however, stated that in a phone conversation a representative of Corps' Office of Legal Counsel admitted the report had been released to some congressional offices. The release states that both the Sierra Club and Upstate Forever had contacted the offices of Inglis and Rep. John Spratt for a copy of the report, but as of Jan. 4 neither office had complied with the request.

Chamberlain also claims that the document's release has been held up because the county is not happy with its findings.

"I feel that the report is not protected or exempt in that it is merely a 'conception' analysis awaiting comment from an unhappy Union County," he said. "Both the project manager and district engineer have reported that the document was completed, except for comments by Union County. It is certainly not entitled to attorney-client exemptions which are intended to protect work product and preparation for a trial. We have two public entities holding back data to which the public is entitled. We hope that Union County is not asking for changes in the fact-finding analysis and using political pressure to do so."

Jeter, however, said that the release of the information was not only premature but part of a continuing effort by the environmental groups to kill the project.

"All he (Chamberlain) did was prematurely release a draft document before the county had a chance to have a final review of the process," he said. "We're going through a process and they've tried to circumvent the process at every turn. The environmental groups that he represents - every one of them - has condemned this project from the beginning before it had a chance to see the light of day."

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