

December 20, 2021

Sabine & Waters, Inc. Attn: Mr. Kenneth Smoak P.O. Box 1072 Summerville, SC 29484

Thomas & Hutton Attn: Mr. Tony Woody 682 Johnnie Dodds Blvd., Suite 100 Mt. Pleasant. SC 29464

Via Email:

woody.t@tandh.com williabn@dhec.sc.gov stoutcm@dhec.sc.gov churdabd@dhec.sc.gov hickss@dhec.sc.gov

ksmoak@sabinc.net

abenke@sullivansisland.sc.gov

derk@bradyhair.com

Shawn.A.Boone@usace.army.mil

Re:

Critical Area Line Request (HP7-GE6F-P762A) and Sullivan's Island Accreted Land

Vegetation Proposal

Dear Mr. Smoak and Mr. Woody:

You submitted a DHEC OCRM "Request to Have a Critical Area Line Established" form on March 25, 2021 following a wetland delineation performed by Sabine & Waters, Inc. on the approximately 238-acres of beachfront accreted land associated with Sullivan's Island. You requested a site visit with DHEC OCRM staff to review the wetland delineation to determine if any tidelands critical areas are present on the site. DHEC OCRM staff completed a site visit on April 26, 2021 and did not observe any tidelands critical areas within the accreted land of Sullivan's Island. Therefore, any potential impacts on the accreted land would not include impacts to tidelands critical areas. Your cover letter, Critical Area Line request form, and wetland delineation information are attached to this letter as "Attachment A."

Additionally, Thomas & Hutton developed a work plan for vegetation management within the accreted land and submitted the work plan to DHEC OCRM for review on March 10, 2021. During the DHEC OCRM site visit on April 26, 2021, staff also reviewed representative locations where vegetation trimming or removal would occur according to the proposed work plan. The work plan is attached to this letter as "Attachment B." DHEC OCRM requested additional information about the scope of proposed vegetation removal on August 2, 2021

and a response was received from Thomas & Hutton on October 5, 2021. Concurrently, DHEC Bureau of Water's Coastal Stormwater Permitting Section has been coordinating with Thomas & Hutton to obtain additional information about how changes in vegetation cover could affect changes in stormwater runoff, whether stump removal is proposed, and the construction sequence and scope of work at any one time. This information was requested on October 6, 2021 and a response has not been received as of the date of this letter.

The DHEC OCRM Setback Line marks the landward limit of beachfront direct critical area permitting jurisdiction at this site. However, if any proposed activity landward of the Setback Line requires review and authorization from DHEC Bureau of Water's Coastal Stormwater Permitting Section or any other required State or Federal permit, the review of DHEC OCRM's Coastal Zone Consistency Section could also be triggered. Therefore, for the proposed vegetation management work plan, DHEC OCRM's Critical Area Permitting Section, DHEC Bureau of Water's Coastal Stormwater Permitting Section, and DHEC OCRM's Coastal Zone Consistency Section have coordinated this response.

It is our understanding that tree and shrub removal would be conducted at grade and that existing beach access paths would be used to the maximum extent practicable for work area ingress and egress. No native dune plants including Sea Oats, American Beach Grass, and Bitter Panicum would be disturbed. In Zones 1 and 2 seaward of the Setback Line, Myrtles are proposed to be trimmed to a minimum height of 3 feet, and no tree or shrub removal is proposed. Likewise, in Zone 3 seaward of the "Dune Line" shown in Attachment A, Myrtles are proposed to be trimmed to a minimum height of 3 feet, and no tree or shrub removal is proposed. The Dune Line follows an older dune ridge through the interior of the accreted land. Where the Transition Zone overlaps the area seaward of the Setback Line in Zone 2 and where the Transition Zone overlaps the area seaward of the Dune Line in Zone 3, no tree or shrub removal is proposed. In Zone 3 landward of the Dune Line and seaward of the Setback Line, trimming and removal of certain species and sizes of trees are proposed as described in the attached work plan. In all zones, vines are proposed to be removed as determined by the Town of Sullivan's Island.

The Department is concerned about the scope and methods of the proposed work, especially in Zone 3 landward of the Dune Line and seaward of the Setback Line. This area is within the beach/dune system Critical Area, and therefore within DHEC OCRM's direct critical area permitting jurisdiction. You have proposed to use a skid steer mower mounted to a small rubber tired tractor or similar machinery within this area to cut at ground level and mulch in place trees and shrubs 3" DBH and smaller. It is our opinion that utilizing machinery in the beach/dune system will disturb and alter existing soils and topography, even if the trees and shrubs themselves are cut at ground level. Additionally, Section 3.0 of the work plan describes tree removal that would occur within the Transition Zone landward of the Dune Line and seaward of the Setback Line in Zone 3 and Section 8.0 describes tree removal that would occur outside of the Transition Zone but landward of the Dune Line and seaward of the Setback Line. A tree survey locating 6" DBH and larger trees was performed in 2014. Section 3.0 of the work plan would result in 167 of 174 identified trees being removed (96%). Seven of the trees would remain in place (4%). Section 8.0 of the work plan would result in 63 of 79 identified trees being removed (80%). Sixteen of the trees would remain in place (20%). This level of tree removal is significant; therefore, a Major Critical Area Permit from DHEC OCRM would be required if the Town pursues the activities described in the work plan. The Major Critical Area Permit process includes a completed application, \$250 application fee if the Town is the applicant, completed

Affidavit of Ownership or Control form and supporting documents, professional signed/stamped drawings, 30-day public comment period, and newspaper notice affidavit of publication. The Critical Area Permit application packet is attached to this letter as "Attachment C."

As indicated above, DHEC Bureau of Water's Coastal Stormwater Permitting Section has been coordinating with Thomas & Hutton regarding any authorizations that may be necessary based upon the work depicted on the workplan for the vegetation management within the accreted land. Following are the outstanding comments in need of being addressed for this evaluation based upon a couple of meetings, and correspondence from April 23, 2021 and October 6, 2021:

- 1. Will the curve number for Zones 1 through 3 change as a result of the proposed tree and shrub removal? Also, address change in land cover and what the change in cover will do to stormwater runoff. It was indicated on the call August, 25, 2021 that Thomas and Hutton will look at contours as well and address the response in a narrative.
- 2. What is the direction of runoff for Zones 1 through 3?
- 3. What is the scope of work? Include a construction sequence that specifies a scope of work at one time. It was indicated on our call on August 25, 2021 that work will progress slowly with selective clearing, roughly estimated 2 blocks at a time and acreage will include wetland work which will slow work progression more. It was also indicated on the call that a scope will be developed that will allow some flexibility.
- 4. What is the total area included in the work plan? This also relates to #3 above regarding the amount of work at any one time.
- 5. It would be helpful to indicate no stump removal is proposed in Sections 5,6, and 8 if that is the case.

DHEC OCRM is required by the South Carolina Coastal Zone Management Act to review all state and federal permit applications for activities within the eight-county coastal zone for consistency with the State's Coastal Zone Management Plan (SCCZMP). For the proposed work areas landward of the DHEC OCRM Setback Line a review by the Department may be necessary pending your response to the items above. A corresponding review by the Department for Coastal Zone Consistency may also be necessary. These reviews would focus on the policies of the SCCZMP for Guidelines for the Evaluation of All Projects, Activities in Areas of Special Resource Significance (Barrier Islands and Dune Areas specifically), Stormwater Management (Runoff), and Beach and Shoreline Access.

Please call me at 843-953-0250 or email me at slagelmi@dhec.sc.gov if you have any questions.

Sincerely,

Matthew J. Slagel

Beachfront Permitting Project Manager

Matthew J. Slagel
DN: cn-Matthew J. Slagel os SC DHEC,
out-OCTM, cmailstagel mighthes sc.gov, c=US
Date: 2021.12.2016.02:33-05500

Critical Area Permitting Section

Cc: Mr. Blair Williams, DHEC OCRM Critical Area Permitting Section Manager

Mr. Chris Stout, DHEC OCRM Coastal Zone Consistency Section Manager

Mr. Bradley Churdar, DHEC OCRM Associate General Counsel

Ms. Shannon Hicks, DHEC Bureau of Water Coastal Stormwater Permitting Manager

Mr. Andy Benke, Town of Sullivan's Island Administrator

Mr. Derk Van Raalte, Hair | Van Raalte Attorneys at Law

Mr. Shawn Boone, U.S. Army Corps of Engineers



March 25, 2021

Ms. Barbara Neale
Director, Regulatory Programs Division
SCDHEC-OCRM
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

SUBJECT: Wetland Delineation on Accreted Lands for portions of TMS# parcels 523-

07-00-119 & 124, parcel 523-12-00-077, parcels 529-09-00-068 & 112, parcel 529-10-00-087 and parcel 529-11-00-109 totaling approximately 238-acres

located on Sullivan's Island, Charleston County, South Carolina.

Dear Ms. Neale:

At the request of the Town of Sullivan's Island, personnel from Sabine & Waters, Inc. conducted a wetland delineation on the approximately 238-acres of accreted land associated with Sullivan's Island. The Town has requested that we coordinate and confirm the delineation results with both SCDHEC-OCRM and the USACE. Mr. Shawn Boone is the project manager for the USACE, and we have submitted a request for wetland verification to him. It is our understanding that you will be/are the project manager for OCRM, so we are providing the results of the wetland delineation to you for your review. As OCRM has direct authority over critical area wetlands we are submitting the delineation to OCRM via form DHEC-3902 "Request to Have a Critical Line Established", along with accompanying and supporting information. We do not believe that any areas delineated would be considered "critical areas" as we did not observe any direct connections to adjacent tidal waters. We are requesting an on-site visit at your earliest convenience so you can review our delineation and hopefully confirm our findings of no critical area wetlands. We are available at a time of your choosing.

It is also our understanding that the Town is proposing to conduct some limited vegetative landscaping in select areas of the accreted lands per a Settlement Agreement to end a decade long lawsuit with certain land owners that have residential property adjacent to these accreted lands. Thomas & Hutton has prepared a work plan outlining the methodology proposed to address the vegetation requirements of the Settlement Agreement. We have attached the Work Plan as a detailed description of the proposed Settlement Agreement activities. This plan will also be submitted to SCDHEC-BOW and the USACE. Based on the methodology outlined in the work plan we do not believe the required vegetation management activity requires a permit

P.O. Box 1072 Summerville, SC 29484 www.sabinc.net (843) 871-5383 Fax 871-2050 Ms. Barbara Neale March 25, 2021 Page 2

from either OCRM or the USACE. We have submitted a no permit required request to the USACE along with the request for a wetland verification. As stated, we are also requesting confirmation from SCDHEC-OCRM that the vegetation management activity will not require an additional/any permit from OCRM. If our "no permit required" request/understanding is contrary to OCRM regulations, please let us know as soon as possible so we may pursue other methods to satisfy the requirements of the Settlement Agreement.

Should you have questions or need additional information do not hesitate to contact me.

Sincerely,

Kenneth Smoak

Director Environmental Services

Sabine & Waters, Inc.

Enclosures

CC: Andy Benke-Town Sullivan's Island

Derk Van Raalte-Town Sullivan's Island

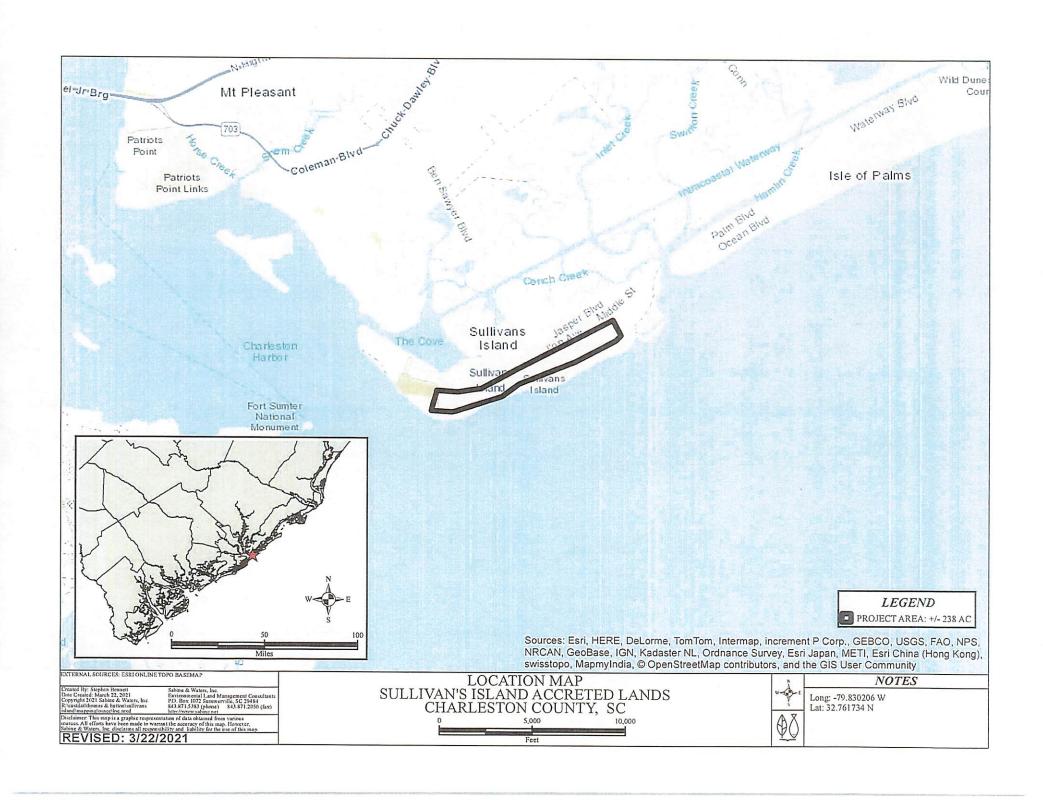
Tony Woody-Thomas & Hutton.

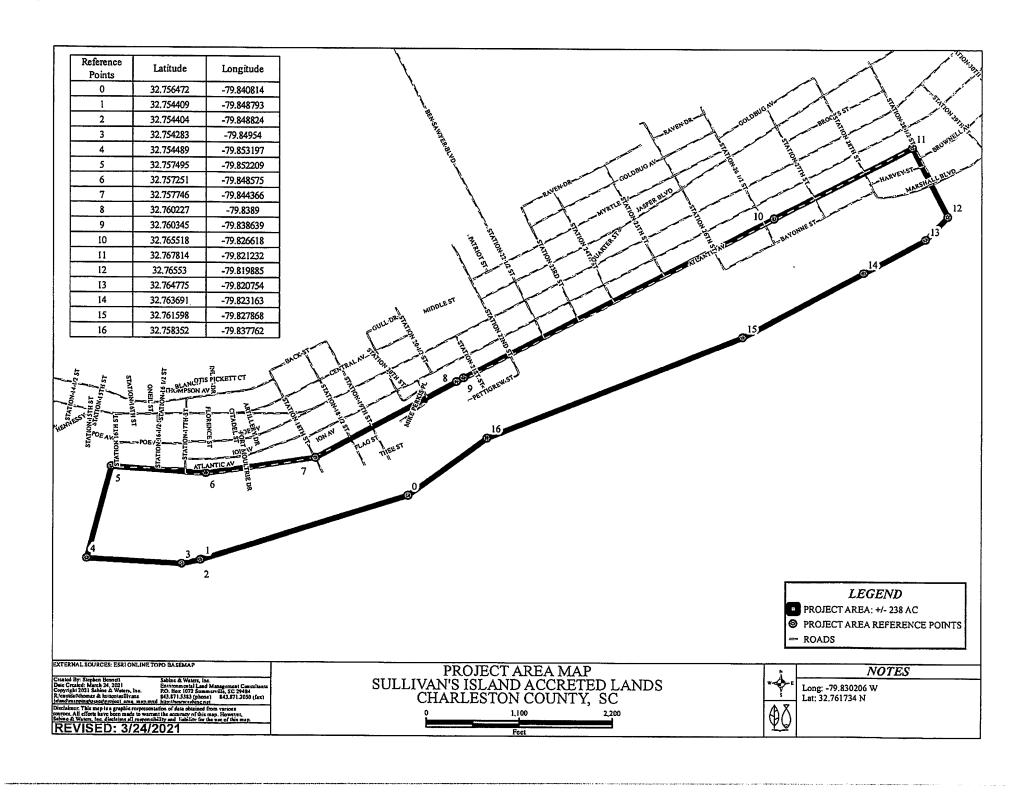
Raid/custdat/Thomas&Hutton/SullivansIslandOCRMCorres



Request to Have a Critical Area Line Established

Property owners:	Name: Town of Sullivan's Island, Mr. Andy Ben	ke c/o Kenneth Smoak, Sabine & Waters			
	Address: P.O. Box 427, Sullivan's Island, SC 29482				
		Phone number: 843-830-9040			
		There hamber.			
Surveyor:	Name: Thomas & Hutton, Inc. c/o Tony Woody	,			
	Email: woody.t@tandh.com	Phone number: 843-725-5229			
This is a request to:	Set a new critical area line				
	Certify a line set by OCRM				
	Certify a line set by another party				
	Resubmittal				
		-			
Site address: Sulliv	an's Island	County: Charleston			
Tax map number: p	ortions of seven TMS#'s Acreage: 238 AC ap	pproximately			
Adjacent waterbody/	marshes of: Atlantic Ocean/Charleston Harbor				
Special instructions	(examples-dog, locked gate, landmarks, marked	property corners).			
•		, TMS#'s 523-12-00-077, TMS#'s 529-10-00-087			
529-11-00-109. This	request is for a review of accreted land at Sulliva	an's Island. We do not believe there are any critical			
areas as no observe	ed connection to tidal waters. Request is submitte	ed for confirmation. Request made to USACE also.			
	•	areas as no observed connection to tidal waters. Request is submitted for confirmation. Request made to USACE also.			
	ravious plate or survove and a site man. This				
	st. Any additional information that will assist staff	form must be completed in full in order for OCRM fulfill this request may be included. Incomplete			
to process the reque requests will be retur	st. Any additional information that will assist staff				
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requests will be retur	st. Any additional information that will assist staff ned.				
Please submit this re DHEC OCRM Attn:Critical Area Pel	st. Any additional information that will assist staff ned. equest to:				
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Please submit this red DHEC OCRM Attn:Critical Area Pet 1362 McMillan Ave., Charleston, SC 2940	st. Any additional information that will assist staff rned. equest to: rmitting Section Suite 400	fulfill this request may be included. Incomplete			







THOMAS







ATTACHMENT B

THOMAS & HUTTON

682 JOHNNIE DODDS BOULEVARD, SUITE 100 | POST OFFICE BOX 1522
MT. PLEASANT, SC 29464 | 843.849.0200
WWW.THOMASANDHUTTON.COM

TO: USACOE, OCRM, SCDHEC-BOW

FROM: Tony M. Woody, PE

Thomas & Hutton

DATE: March 10, 2021

SUBJECT: Sullivan's Island Accreted Lands

Work Plan

JOB NO.: 25357.0002

1.0 NARRATIVE

On October 7, 2020 the Town of Sullivan's Island entered into a Settlement Agreement to end a decade long lawsuit and agreed to thin the vegetation on the Accreted Lands to serve the interest of improved mosquito control, improved vegetation management, enhanced public safety, improved public health, and scenic enhancement. The vegetation thinning will be accomplished by utilization of environmentally sensitive means (use of appropriate equipment, thinning techniques, naturalist approved seeding, etc.) and can avoid material problems with erosion, particularly in light of documented natural accretion in the area.

The Accreted Lands are located on the southern portion of Sullivan's Island in TMS #523-12-00-077, 529-09-00-112 (two parcels), 529-10-00-087, and a portion of TMS #529-09-00-068. The total area is approximately 147 acres, and is divided into three Zones... 1, 2, and 3, and a Transition Zone that is part of all three Zones. The Zones were established to identify different thinning approaches to better represent the different environments of each zone.

The attached Work Plan Exhibit identifies the three Zones, and the Transition Zone, the Beach Front Baseline and Setback Line, the Dune Line (in Zone 3), and the delineated Freshwater Wetlands (pending USACOE review). The description below identifies the work to be accomplished along with the means and methods within each zone, inside and outside of the Freshwater Wetlands, landward and seaward of the Beach Front Setback Line, and landward and seaward of the Dune Line.

The goal of this technical paper is to describe the work (thinning and removal of existing vegetation) along with the means and methods of accomplishing the work with enough clarity and in enough detail to allow Federal and State agencies with permitting authority to determine if the proposed activities will require a permit.

2.0 GENERAL

- A. In order to be respectful of habitat during breeding seasons, work to be planned to commence and conclude during the period between November 1st and February 28th. If field or other unexpected conditions delay progress on work commenced during this period then such work will be completed as near as possible to February 28th.
- B. TOSI will retain expertise to determine on a daily basis if conditions are suitable to work during the work period identified above. The determination will include weather patterns and soil moisture condition.
- C. When present, stumps will remain in place and treated with a herbicide approved for use in the associated environment to prevent new growth.
- D. No removal of vegetation that disturbs the soil will occur and no fill including incidental fill will be placed in Freshwater Wetlands.
- E. Unless otherwise specified below, trees and other vegetation removed from the Accredited Lands will be transferred to an inland site on Sullivan's Island outside of the Accreted Lands, chipped, and disposed of in accordance with Local and State regulations.
- F. Existing beach access paths will be used to the maximum extent practicable. Alternate routes and dispersed routes may be utilized where it appears that geographically dispersed activity, rather than concentrated activity, would be more protective of the natural environment.

3.0 TRANSITION ZONE LANDWARD OF SETBACK LINE IN ZONES 1, 2, AND LANDWARD OF DUNE LINE IN ZONE 3

- A. Retain all Live Oaks, Magnolias, and Palm trees 16" DBH or greater. Lesser size species and other species will be cut to the extent reasonably practicable given existing field conditions.
- B. Trees and shrubs 3" DBH and smaller shall be cut at ground level and mulched in place if located outside of wetland or removed if located inside a wetland. Cutting of such material will be by chainsaw or similar device if located inside a wetland.
- C. Trees and shrubs removed greater than 3" DBH shall be cut by chainsaw and carried offsite with small non powered equipment.
- D. Stumps will remain in place.
- E. Vines will be removed as determined by TOSI.

4.0 TRANSITION ZONE SEAWARD OF SETBACK LINE IN ZONES 1, 2, AND SEAWARD OF DUNE LINE IN ZONE 3

- A. No tree or shrub removal proposed.
- B. Vegetation will be pruned or trimmed by TOSI after receipt of an arborist opinion that the proposed trimming or pruning will not likely endanger the long-term survival of the plant material.
- C. Vines will be removed as determined by TOSI.

5.0 ZONE 1 OUTSIDE OF TRANSITION ZONE AND LANDWARD OF THE SETBACK LINE

- A. Myrtles that are inside Freshwater Wetlands All myrtles to be trimmed to a minimum height of 3 feet.
- B. Myrtles that are outside of Freshwater Wetlands 50% of myrtles to be cut at the ground. Remaining 50% to be trimmed to 5 feet. TOSI to identify the areas to be cut and retained based on field conditions, aesthetics, habitat, and natural considerations.
- C. Trees and shrubs 3" DBH and smaller that are specified for removal shall be cut at ground level and mulched in place outside of wetland areas, and shall be cut at ground level and removed from the site inside wetland areas.
- D. Trees specified for removal that are greater than 3" DBH shall be cut at ground level and removed from the site.
- E. Retain all Live Oaks, Magnolias and Palmettos. Retain all non-specified tree species if 6" DBH or larger. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- F. Retain all non-specified tree species if 6" DBH or larger. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- G. Retain all Cedar, Pine, and Hackberry Trees 12" DBH or greater. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- H. Remaining plant material will be trimmed or pruned as determined by TOSI after receipt of an arborist's opinion that the proposed trimming or pruning will not likely endanger the long-term survival of the plant.
- I. Vines will be removed as determined by TOSI.

6.0 ZONE 2 OUTSIDE OF TRANSITION ZONE AND LANDWARD OF SETBACK LINE

- A. Myrtles that are inside Freshwater Wetlands All myrtles shall be trimmed to a minimum height of 3 feet.
- B. Myrtles that are outside of Freshwater Wetlands 50% of myrtles shall be cut at the ground. Remaining 50% shall be trimmed to 5 feet. TOSI to identify the areas to be cut and retained based on field conditions, aesthetics, habitat, and natural considerations.
- C. Trees and shrubs 3" DBH and smaller that are specified for removal shall be cut at ground level and mulched in place outside of wetland areas, and shall be cut at ground level and removed from the site inside wetland areas.
- D. Trees and shrubs specified for removal that are greater than 3" DBH shall be cut at ground level and removed from the site.
- E. Retain all Live Oaks, Magnolias and Palmettos 6" DBH or greater. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- F. Retain all non-specified tree species if 8" DBH or larger. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- G. Retain all Cedar, Pine, and Hackberry Trees 16" DBH or greater. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- H. Remaining plant material will be trimmed or pruned as determined by TOSI after receipt of an arborist's opinion that the proposed trimming or pruning will not likely endanger the long-term survival of the plant.
- I. Vines will be removed as determined by TOSI.

7.0 ZONES 1 AND 2 SEWARD OF SETBACK LINE

- A. Myrtles shall be trimmed to a minimum height of 3'.
- B. No tree or shrub removal proposed.
- C. Vines will be removed as determined by TOSI.
- D. Vegetation other than myrtles will be pruned or trimmed by TOSI after receipt of an arborist's opinion that the proposed trimming or pruning will not likely endanger the long-term survival of the plant material.

8.0 ZONE 3 OUTSIDE OF TRANSITION ZONE AND LANDWARD OF DUNE LINE

- A. Myrtles that are inside Freshwater Wetlands All myrtles shall be trimmed to a minimum height of 3 feet.
- B. Myrtles that are outside of Freshwater Wetlands 50% of myrtles shall be cut at the ground. Remaining 50% shall be trimmed to 5 feet. TOSI to identify the areas to be cut and retained based on field conditions, aesthetics, habitat, and natural considerations.
- C. Retain all Live Oaks, Magnolias and Palmettos 6" DBH or greater. Lesser size specimens will be removed to the extent reasonably practicable given existing field conditions.
- D. Non-specified species 10" DBH or greater shall be retained. Lesser size specimens may be cut at ground level to the extent reasonably practicable given existing field conditions.
- E. Retain all Cedar, Pine, and Hackberry Trees 18" DBH or greater. Lesser size specimens may be cut at ground level to the extent reasonably practicable given existing field conditions.
- F. Trees and shrubs 3" DBH and smaller shall be cut at ground level and mulched in place outside of freshwater wetland areas, and shall be cut at ground level and removed from the site inside freshwater wetland areas.
- G. Remaining plant material will be trimmed or pruned as determined by TOSI after receipt of an arborist's opinion that the proposed trimming or pruning will not likely endanger the long-term survival of the plant.
- H. Vines will be removed as determined by TOSI.

9.0 ZONE 3 SEAWARD OF THE DUNE LINE

- A. Myrtles shall be trimmed to a minimum height of 3'.
- B. No trees or shrubs to be removed.
- C. Vegetation other than myrtles will be trimmed or pruned as determined by TOSI after receipt of an arborist's opinion that the proposed trimming or pruning will not likely endanger the long-term survival of the plant.

ATTACHMENT C

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT



PERMIT APPLICATION PACKET FOR ACTIVITIES IN THE SOUTH CAROLINA CRITICAL AREA

APRIL 2019, REVISED



PERMIT APPLICATION PACKET

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S. C. Department of Health and Environmental Control Office of Ocean and Coastal Resource Management

<u>Charleston</u> 953-0200 953-0201 (fax) Beaufort 846-9400 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

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NOTE: All applications for beachfront projects must include a certified copy of a plat which delineates the location of the baseline, and setback line on the subject property. Contact one of the OCRM offices to find out how to locate these lines.

Processing times as listed in R61-30(H)(3)(Critical Area Permits):

Minor Activities 30 days; major Activities 90 days; extensions or transfers of minor activities 15 days; extensions of major activities, 30 days; amendments of minor activities 30 days; amendments of major activities 90 days. Major activities requiring other State actions (i.e. 401 Water Quality Certification) will require longer processing times. Incomplete applications, illegible drawings, or incorrect fees will delay processing.



PERMIT APPLICATION PACKET

Administrative Fee Schedule

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston Beaufort Myrtle Beach

Charleston 953-0200 953-0201 (fax)

846-9400 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

ADMINISTRATIVE FEE SCHEDULE FOR PERMIT APPLICATIONS ***Please note that SCDHEC – OCRM can not accept Cash for Fees***

MINOR ACTIVITITY FEES: (any erosion control & private docks)

All defined minor activities including private docks with walkways 101' and longer, additions not covered or applicable under the dock general permit (including any type of boat storage dock, floating jet dock, etc) and erosion control devices= \$250.00

Private docks with walkways 100' or less = \$150.00 Amendments for minor activities requiring public notice = \$100.00 Transfers and Extensions for minor activities = \$25.00

MAJOR ACTIVITY FEES: (ANY structures/activity that is not defined as a 'minor activity', but are for example bridges (vehicular and nonvehicular), boat ramps, marinas, residential or commercial dredging, community docks, community facilities etc...)

All major activities = \$1000.00

Amendments for major activities requiring public notice = \$1000.00

Transfers and Extensions for major activities = \$100.00

NOTE: Permit fees for blanket dock applications: Each individual dock will be assessed using the fee schedule listed above. If a community dock or boat ramp (or other defined major activity) is bundled with a private dock application, then the fee for the community dock and/or a community boat ramp will apply **IN ADDITION** to the fees for all of the private docks. For example, the fee for an application that includes 10 private docks over 100' in length, a community dock, and a community boat ramp will be \$4500.

ALL OTHER FEES:

Local Agency = \$250.00 State Agency = No fee Dock General Permit = \$100.00 **

** Activities authorized under dock general permit GP-03-001 can be found at www.scdhec.gov/ocrm. However, the Agency reserves the right to require a full critical area permit application at its discretion.

Applications will not be processed until the appropriate administrative fee is received. This fee is non-refundable and has no bearing on the outcome of the application.

This fee schedule is subject to change by the SCDHEC OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT.

All checks should be made payable to SCDHEC – OCRM.



PERMIT APPLICATION **PACKET**

Instructions

S. C. Department of Health and Environmental Control Office of Ocean and Coastal Resource Management

Charleston Beaufort 953-0200 846-9400 953-0201 (fax) 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

IMPORTANT: Read this page before attempting to complete this application.

All activities which result in the alteration of the coastal waters, tidal wetlands and beach/dune system require authorization from the SCDHEC Office of Ocean and Coastal Resource Management.

Permit Application Checklist	
<u> </u>	Two page application form (pages 4 and 5) filled out completely, signed by the applicant and the agent (if there is an agent). Print clearly and use black ink. (See examples on pages 9 and 10)
2.	The non-refundable administrative application fee (see fee schedule on page 2). Make checks payable to SCDHEC-OCRM.
3.	Affidavit of Ownership or Control form (page 6) completed, signed and notarized, including one of the following: 1) Legal description and/or copy of the certified plat of the property 2) A certified copy of the deed, lease, easement, or other instrument under which the applicant claims title, or permission from the owner of the property to carry out the proposed activity. Please note that professional dock drawings do not satisfy the proof of ownership requirement.
4.	As of JULY 24, 2006, all drawings submitted as required by any application/amendment request must be produced, stamped and signed by one of the following professional groups: registered land surveyors, registered professional engineers, registered landscape architects. These individuals must be licensed in the state of South Carolina. OCRM will not accept hand drawings or other drawings not meeting these criteria. Applications with drawings judged to be inexact and unprofessional will not be placed on public notice and will be returned to the applicant.
5. 	A location map(s) showing the location of the proposed activity. (See requirements and instructions on page 5.)
6.	Submit 1-5 above to SCDHEC-OCRM. An OCRM project manager may require additional information.
7 .	Run newspaper public notice (see page 7) and when available submit the affidavit of publication to OCRM. **The newspaper notice must run within fifteen days of the OCRM public notice. Affidavits of Publication outside of this window will be returned and a new ad will need to be placed in the appropriate newspaper.
	South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management 1362 McMillan Ave., Suite 400 Charleston, South Carolina 29405



PERMIT APPLICATION PACKET

Newspaper Notice Publication

S. C. Department of Health and Environmental Control Office of Ocean and Coastal Resource Management

<u>Charleston</u> 953-0200 953-0201 (fax)

Beaufort 846-9400 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

NOTIFICATION OF NEWSPAPER NOTICE

As required in Section 14(C) of Act 123 of 1977, applicants for Office of Ocean and Coastal Resource Management permits must publish a notice in an appropriate newspaper. For a minor activity, this notice must run in a newspaper published in the county where the activity is taking place. A minor activity is defined as a private, recreational dock or erosion control such as a bulkhead or revetment. Any activity which does not meet the definition of a minor activity is classified as a major activity. Applications for a major activity must be advertised both in a newspaper published in the county where the activity is taking place and a newspaper of statewide circulation (The State, The Greenville News, or The Post and Courier). If the county newspaper is the Post and Courier, then only one (1) advertisement is required. The newspaper notice need only run one time, but applications should be submitted to the Office of Ocean and Coastal Resource Management prior to the ad placement. After the ad(s) have been run, the newspaper will send the applicant an affidavit of publication, which must be forwarded to the Office of Ocean and Coastal Resource Management. A permit cannot be issued until the proof of publication is received. The following form shall be used for newspaper publication: (NOTE – this ad must run in the paper for ONE DAY with the appropriate comment time inserted)

PUBLIC NOTICE

(Applicant) will apply (has applied) to the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management for a permit to (specific description of work) for (public/private) use, at/in (street address or lot/block number and name of waterway). Comments will be received by the Office of Ocean and Coastal Resource Management, (insert appropriate address - see below) by (insert date, 10 days after date of publication for minor activity and 15 days after publication date for a major activity).

All major permits and minor permits in Charleston, Berkeley and Dorchester Counties and the Edisto Island and Edisto Beach areas of Colleton County:

1362 McMillan Avenue, Suite 400 Charleston, South Carolina 29405

Minor permits in Georgetown and Horry Counties:

927 Shine Ave.

Myrtle Beach, South Carolina 29577

Minor permits in Beaufort, Jasper and Colleton Counties except Edisto Island and Edisto Beach areas: 104 Parker Drive Beaufort, South Carolina 29906



PERMIT APPLICATION PACKET

Drawing/Location Map Requirements S. C. Department of Health and Environmental Control Office of Ocean and Coastal Resource Management

<u>Charleston</u> <u>Beaufort</u> 953-0200 846-9400 953-0201 (fax) 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

DRAWING / LOCATION MAP REQUIREMENTS

GENERAL

- 1. Submit one original copy of all drawings, surveys, and maps on the blank sheets provided or on 8 ½ by 11-inch plain white paper (unruled) with a one-inch margin left at the top edge of each sheet for binding purposes and a 1/2-inch margin on the other three sides. Submit the fewest number of sheets necessary to adequately show the proposed activity and its location. Show scale or indicate that drawing is not to scale.
- 2. Registered surveys, drawings and maps should include a label indicating applicant, location, county, activity and date. The P/N # will be added by OCRM.
- 3. Since drawings and maps must be reproduced photographically, color shading cannot be used. Drawings may show work as dot shading, hatching, cross-hatching or similar graphic symbols. Do not use pencil or blue ink. Use black ink only.
- 4. Clearly show and label any existing or previously permitted structures or activity.
- 5. Clearly and completely label all components of drawings and maps.
- 6. For beachfront activities the drawing must show the location of baseline and setback lines.

LOCATION MAP (Must be sufficient for field personnel to locate site. This may require more than one map and should include written directions. Include gate codes if in a gated community).

- 1. Show location of activity with a clearly seen site arrow and label and show name of waterway. Include, when possible, written directions on map with landmarks noted.
- 2. Include a plat map or more specific map of the area or subdivision if available.
- 3. Identify map or chart from which vicinity map(s) was taken, if applicable.
- 4. Show north arrow.

REGISTERED DRAWINGS FOR PLAN VIEW

- 1. Show critical area line (shoreline) in relation to the proposed activity and any adjacent existing structures. Show all upland property boundaries and width of property at critical area line (shoreline).
- 2. Show north arrow and direction of flood and ebb tide.
- 3. Show name of waterway and mean high and mean low water lines.
- 4. Show edge of marshgrass and distance of structure from edge of marshgrass.
- 5. Show distance from marshgrass to marshgrass or distance across channel or to navigation channel where applicable. Show all water bodies within the extended property lines.
- 6. Show dimensions of structures and distance from property lines, extended property lines or dock corridor lines.
- 7. Show and label adjacent property owners.
- 8. For applications involving beachfront activity, a certified plat must be submitted which clearly shows the location of the baseline, and setback lines.
- 9. For beachfront applications involving rebuilding, a certified plat must be submitted which show the previous improvements.

REGISTERED DRAWINGS FOR SIDE VIEW

- 1. Show high and low water and distance above high water.
- 2. Show critical area line (shoreline) in relation to structure.
- 3. Show edge of marshgrass and distance of structure from edge of marshgrass.
- 4. See 8 and 9 under Plan View.

Note: Additional information may be required depending on the nature of the project.



PERMIT APPLICATION PACKET

Drawing/Location Map Requirements S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston Beaufort Myrtle Beach

953-0200 846-9400 953-0201 (fax) 846-9810 (fax) 238-4528 238-4526 (fax)

DRAWING / LOCATION MAP REQUIREMENTS Continued

Additional Submittal Requirements For Projects Involving Coastal Islands

Pursuant to an opinion from Attorney General Henry McMaster, DHEC-OCRM will require additional information. This additional information will be required for those applications proposing work on all coastal islands:

- A copy of the document upon which you rely for the original grant of the marsh island from the State or predecessor sovereign (e.g. a King's grant or Lord Proprietors' grant)
- An attorney's title opinion
- The accompanying abstract of title

DHEC-OCRM will forward this submitted information to the South Carolina Attorney General's office for their appropriate review of title claim. DHEC-OCRM will place your application on public notice, but will not process your application to a conclusion until we have received the title opinion from the Attorney General.

Coastal Island as defined in Regulation 30-01-D(10) - an area of high ground above the critical area delineation that is separated from other high ground areas by coastal tidelands or waters. An island connected to the mainland or other island only by a causeway is also considered a coastal island. The purpose of this definition is to include all islands except those that are essentially mainland, i.e., those that already have publicly accessible bridges and/or causeways. The following islands shall not be deemed a coastal island subject to this section due to their large size and developed nature: Waites Island in Horry County; Pawleys Island in Georgetown County; Isle of Palms, Sullivans Island, Folly Island, Kiawah Island, Seabrook Island, Edisto Island, Johns Island, James Island, Woodville Island, Slann Island and Wadmalaw Island in Charleston County; Daniel Island in Berkeley County; Edisto Beach in Colleton County; Harbor Island, Hunting Island, Fripp Island, Hilton Head Island, St. Helena Island, Port Royal Island, Ladies Island, Spring Island and Parris Island in Beaufort County.

AS-BUILT REQUIREMENTS

Any applications marked July 1, 2005 and after will require as-built surveys on every issued dock permit. Surveys must include all components of the constructed structure with appropriate offsets and water body criteria, and also must include the walkway start and end point located with a Global Positioning System (GPS) and shown in State Plane Coordinate datum. This survey must be submitted no later than three months after the expiration date of the most recently issued construction placard.



PERMIT APPLICATION

S. C. Department of Health and Environmental Control Office of Ocean and Coastal Resource Management

Charleston 953-0200 953-0201 (fax) Beaufort 846-9400 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

NAME & MAILING ADDRESS OF APPLICANT	NAME AND MAILING ADDRESS OF AUTHORIZED AGENT: (If an agent is listed, all correspondence will be sent to the agent.)
PHONE #: (Bus.)	PHONE #: (Bus.)
(Home)	(Home)
(Fax)	(Fax)
EMAIL:	EMAIL:
NAMES AND COMPLETE MAILING ADDRESSES Cowns adjoining property, give name, email address and a	OF ADJOINING PROPERTY OWNERS: (If the applicant address for nearest property not owned by applicant.)
(Attach additional sheet of paper if necessary.) LOCATION OF THE PROJECT (address & directions to	o the site):
	COUNTY:
TAX MAP NUMBER (Required on all applications):	
LOCAL GOVERNING BODY WITH JURISDICTION	OVER SITE:
NAME OF WATERWAY:	
DHEC 3898 (4/2019)	



PERMIT APPLICATION

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston Regulort Myrtle Reach

<u>Charleston</u> 953-0200 953-0201 (fax) Beaufort 846-9400 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

IS ANY PORTION OF ACTIVITY FOR WHICH AT YES NO NO	UTHORIZATION IS SOUGHT NOW COMPLETE?
IF "YES", GIVE REASONS, INCLUDING THE MOINDICATE EXISTING WORK ON DRAWINGS.	ONTH AND YEAR ACTIVITY WAS COMPLETED.
ADDITIONAL REMARKS:	
DESCRIBED HEREIN. I CERTIFY THAT I AM FAIN THIS APPLICATION, AND THAT TO THE BES	CURATE. I FURTHER CERTIFY THAT I POSSESS OSED ACTIVITIES OR I AM ACTING AS THE
Signature of Applicant	Date
Signature of Agent (if agent has been listed)	Date
IMPORTANT!! THE APPLICATION MUST BE STAUTHORIZED AGENT (IF AN AGENT HAS BEE APPLICATION).	
Engineer, the State Law Enforcement Division, Sout State permit inspection agencies, or their representat	cean and Coastal Resource Management, the District th Carolina Department of Natural Resources, and other cive(s) to make periodic inspection at any time deemed erformed is in accordance with the terms and conditions
DHEC 3898 (4/2019)	



AFFIDAVIT OF OWNERSHIP OR CONTROL

S. C. Department of Health and Environmental Control Office of Ocean and Coastal Resource Management Beaufort 846-9400

Charleston 953-0200 953-0201 (fax) 846-9810 (fax) Myrtle Beach 238-4528 238-4526 (fax)

I hereby certify that I am the (check one):		
Record Owner Lessee Record Easement Holder Applicant To Record Owner For Ease Contract To Purchase Property of the below described property situated in said property is all of that said property that proposed in the permit application is to be corecord easement holder, I have, or will have	County, South Carolina; and that is contiguous to and landward of the area in which the work conducted. Furthermore, I certify that as record owner, lessee, or prior to undertaking the work, necessary approvals or gal interest in said property to conduct the work proposed in the	
WRITE LEGAL DESCRIPTION OF HIGH "SEE ATTACHED" (in large bold letters) All OR MOST RECENT CERTIFIED PLAT OF ER, LESSEE OR EASEMENT HOLDER, Y THE OWNER OF THE PROPERTY TO CAU I also certify that the project as proposed downich is in the ownership of other private per claim to the wetlands or areas below mean h	ILAND (as described in deed, lease, etc.) BELOW OR WRITE ND ATTACH A COPY OF THE DEED, LEASE, EASEMENT, F THE PROPERTY. IF YOU ARE NOT THE RECORD OWN-YOU MUST ALSO SUBMIT WRITTEN PERMISSION FROM ARRY OUT THE PROPOSED ACTIVITY. The ses not cross any wetlands or areas below mean high water ersons or public or private entities and that there is no disputed high water by private person or other entities due to a Kings or other legal document evidencing ownership of these areas.	
Sworn to and subscribed before me at day of	Signature of Record Holder or Lessee,County,, 20	
Notary Public		
My commission expires:		
DHEC 3898 (4/2019)		



PERMIT APPLICATION Sample Application

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston
953-0200
846-9400
238-4528
953-0201 (fax)
846-9810(fax)
238-4526(fax)

NAME AND MAILING ADDRESS OF APPLICAN	T: NAME AND MAILING ADDRESS OF AUTHORIZED AGENT (If an agent is listed, all correspondence will be sent to the agent.)		
Ms. Jane Doe	Dock Builders, Inc. attn: Ted Builder 4444 Ocean Street		
1000 Water Street			
Charleston, S. C. 29414			
	Charleston, S. C. 29414		
PHONE #: (Bus.) <u>555-0000</u>	PHONE #: (Bus.) <u>555-0002</u>		
(Home) <u>555-0001</u>	(Home) 555-0003		
(Fax) 555-0202	(Fax) 555-1010		
DESCRIBE THE DIMENSIONS, GENERAL, SPE	ECIFICATIONS, AND PURPOSE OF THE PROJECT:		
	a 4' x 100' walkway leading to a 10' x10' fixed pierhead.		
	the downstream side of the pierhead. The dock will be for		
private recreational use.	7 1		
p.v.a.e recreational ace.			
NAMES AND COMPLETE MAILING ADDRES	SES OF ADJOINING PROPERTY OWNERS:		
Mr. Bob Smith Mr. Jac	ck Jones		
1002 Water Street. 998 Wa	ater Street		
Charleston, S. C. 29414 Charles	ston, S. C. 29414		
(Attach additional sheet of paper if necessary.)			
LOCATION OF THE PROJECT (Address and dire	ections to the site):		
At 1000 Water Street in Ocella Subdivision of	off Hwy. 174, 1 mile past Joe's Seafood near Edisto Beach.		
One mile past Joe's Seafood take dirt road (Ocella Subdivision Road) to the left. Take left at stop sign		
onto Water Street to 5th house on the left.			
	COUNTY: Charleston		
TAX MAP NUMBER (Required on all application	ns): <i>TMS 219-00-08-014</i>		
LOCAL GOVERNING BODY WITH JURISDIC	CTION OVER SITE: Charleston County		
NAME OF WATERWAY: Oceanview Cree	<u>k</u>		



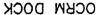
PERMIT APPLICATION Sample Application

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston Beaufort Myrtle Beach

953-0200 846-9400 953-0201 (fax) 846-9810(fax)

Myrtle Beach 238-4528 238-4526(fax)

IS ANY PORTION OF ACTIVITY FOR WHICH AUTHORIZATION IS SOUGHT NOW COMPLETE? NO X YES IF "YES", GIVE REASONS, INCLUDING THE MONTH AND YEAR ACTIVITY WAS COMPLETED. INDICATE EXISTING WORK ON DRAWINGS. ADDITIONAL REMARKS: I LIVE IN A GATED COMMUNITY; THE CODE IS 12345. I HAVE A DOG; PLEASE CALL TO SET UP THE APPOINTMENT FOR YOUR SITE VISIT. APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES OR I AM ACTING AS THE DULY AUTHORIZED AGENT OF THE APPLICANT. Jane Doe 4-7-06 Signature of Applicant Ted Builder Signature of Agent (if agent has been listed) IMPORTANT!! THE APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AUTHORIZED AGENT (IF AN AGENT HAS BEEN LISTED ON PAGE ONE OF THIS APPLICATION). The applicant shall permit the SCDHEC Office of Ocean and Coastal Resource Management, the District Engineer, the State Law Enforcement Division, South Carolina Department of Natural Resources, and other State permit inspection agencies, or their representative(s) to make periodic inspection at any time deemed necessary in order to assure that the activity being performed is in accordance with the terms and conditions prescribed herein.



APPLICANT: ANY BODY STREET ADDRESS SUBDIVISION COUNTY TAS#

NOT TO SCALE

DATE: ANYDAY

BECKEATIONAL DOCK

