

# Coastal CURRENTS

News from the South Carolina Coastal Management Program

Summer 2012

## A Note from the Deputy Commissioner



As summer approaches, we're reminded of the natural beauty and vast opportunities for enjoyment that our coastal environment offers. However, we must also remember how dynamic our coast really is and how quickly a day at the beach can be interrupted by the powerful wind, waves and rain of a tropical storm. The early arrival of Alberto and Beryl before the official start of hurricane season underscores the need for property owners, municipal officials

and resource managers to work together to identify vulnerabilities and develop strategies to mitigate potential impacts from storms before chronic conditions becomes an emergency.

Among its coordinated program efforts, DHEC is actively engaging coastal municipal governments in long-term beach planning efforts to localize solutions to management challenges and leverage opportunities to enhance public access while protecting valuable habitat and other resources. We're also providing staff support to the Blue Ribbon Committee on Shoreline Management and an Ocean Planning Work Group to develop new regulatory and policy recommendations to help ensure that the coast remains a vibrant place to live, work and play now and for future generations.

Please feel free to share this newsletter with colleagues and friends, and let us know if you have any suggestions for future newsletters. If you would like to have your name added or removed from the email list, please email your request to [pagemm@dhec.sc.gov](mailto:pagemm@dhec.sc.gov). Additional coastal program information can also be found on our website: <http://www.scdhec.gov/environment/ocrm>

Sincerely,

A handwritten signature in black ink that reads "Carolyn".

Carolyn Boltin-Kelly  
Deputy Commissioner

## Adopt A Beach

With the summer season comes more visitors to our beaches – and trash! Already this year over 1686 pounds of debris have been collected by Adopt-A-Beach partner organizations. We sincerely thank all of our partners for their efforts to keep our beaches clean and healthy! We are also rolling out a facelift to the Adopt-A-Beach program. See the new logo and learn more about the program on our website: <http://www.scdhec.gov/environment/ocrm/adopt-a-beach.htm>



## Beach Access and Sand Dune Preservation

DHEC has implemented a beach access and sand dune preservation cost-share program with beachfront municipalities. In exchange for bi-annual reports of local efforts to improve/enhance beach access and the beach-dune system, DHEC provides the community with "Please Keep Off The Dunes" signs at a discounted cost. The signs are highway grade, UV treated aluminum and incorporate the municipality's logo to publicize the joint effort in promoting and protecting our shared coastal resources.

Current local partners include the City of North Myrtle Beach, Towns of Edisto Beach, Kiawah Island, Pawleys Island, Seabrook Island, Surfside Beach, Sullivan's Island and Horry County.

For more information, please contact Will Salters, Coastal Planner, at 843-953-0258 or [william.salters@dhec.sc.gov](mailto:william.salters@dhec.sc.gov)





## Local Comprehensive Beachfront Management Planning

As a part of its on-going responsibilities under the Beachfront Management Act, DHEC's Coastal Management Program continues to provide technical assistance to local beachfront communities with developing and updating their Local Comprehensive Beach Management Plans.

DHEC is currently utilizing improved guidelines for the development and update of the local plans with local beachfront communities. The guidelines provide a new, standardized format that eliminates redundancy and organizes information to improve readability. DHEC provides technical assistance to local governments throughout the revision process. The guidance document also identifies opportunities by which the local plans can bolster a beachfront community's other planning efforts, such as comprehensive planning and FEMA Community Rating System improvements.

The local plan for the Town of Edisto Beach was approved by DHEC in February 2012 and the Local Plan for the Town of Pawleys Island was approved in April. DHEC staff is currently assisting Myrtle Beach, North Myrtle Beach, Horry County and Kiawah Island with plan updates.

## Governors' South Atlantic Alliance

Florida, Georgia, North Carolina and South Carolina, in conjunction with the Governors' South Atlantic Alliance, will be hosting a Long-term Recovery Planning Summit in Jacksonville, FL on July 10-11, 2012. The Summit will focus on state and local long-term recovery and planning efforts and is intended for emergency managers, planners, resource managers and elected officials. For more information, please visit this website <http://www.southatlanticalliance.org/documents.htm>

The Alliance will also host its annual meeting in Charleston, SC on September 6-7. Details are available online: <http://www.southatlanticalliance.org/documents.htm>

## Regulatory Update

### **Separation of the State Coastal Zone Consistency and Stormwater Land Disturbance Permitting Processes**

Effective April 16, 2012, DHEC separated the State Coastal Zone Consistency (CZC) Certification from Stormwater Land Disturbance Permitting in an effort to bring simplicity and clarity to both programs by taking advantage of existing efficiencies within each program area. From an organizational standpoint, DHEC's Office of Ocean and Coastal Resource Management (OCRM) will retain the State CZC Certification process and resources, and DHEC's Bureau of Water (BOW) will handle all requests for State Stormwater/Land Disturbance permits in the entire state, including the Coastal Zone. Additional details on this organizational and procedural change can be found on the DHEC website at: [http://www.scdhec.gov/environment/ocrm/docs/PN031612/PN031612\\_CZC\\_Process.pdf](http://www.scdhec.gov/environment/ocrm/docs/PN031612/PN031612_CZC_Process.pdf)

### **General Permit-Critical Area Stormwater Management Ponds (GP-11-SW)**

GP-11-SW applies to the construction of pedestrian bridges and road crossings, erosion control measures, and docks, as conditioned, within existing Critical Area stormwater management ponds in the eight-county coastal zone. A copy of the general permit can be found online at: [http://www.scdhec.gov/environment/ocrm/docs/PN101411/PN101411\\_GP-11-SW.pdf](http://www.scdhec.gov/environment/ocrm/docs/PN101411/PN101411_GP-11-SW.pdf)

### **2012 Re-issuance of Nationwide Permits by the U.S. Army Corps of Engineers**

The U.S. Army Corps of Engineers (USACE) has announced the revision and renewal of nationwide permits necessary for work in streams, wetlands and other waters of the United States under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. A copy of the public notice can be found online at: [http://www.scdhec.gov/environment/ocrm/docs/PN021712/PN021712\\_ANN\\_NWP.pdf](http://www.scdhec.gov/environment/ocrm/docs/PN021712/PN021712_ANN_NWP.pdf)



## Blue Ribbon Committee on Shoreline Management

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The Blue Ribbon Committee on Shoreline Management continued to meet through the fall of 2011 and spring of 2012 to discuss the policies and regulations governing South Carolina's beachfront and estuarine shorelines and to make recommendations for improving long-term shoreline management. The Committee is considering a range of issues including the state's retreat policy, DHEC's beachfront jurisdictional area, the role of local governments in beachfront management, beach renourishment, emergency orders and sandbags, and estuarine shoreline management. The Blue Ribbon Committee is scheduled to meet through July 2012 with additional meeting dates to be determined as necessary. For information on the Committee, including member biographies, meeting agendas and meeting notes, please visit the DHEC website: [http://www.scdhec.gov/environment/ocrm/blue\\_ribbon.htm](http://www.scdhec.gov/environment/ocrm/blue_ribbon.htm)

## Ocean Planning

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DHEC's Ocean Planning Work Group finalized the draft South Carolina Ocean Report, which contains an overview of ocean management issues in South Carolina and provides priority recommendations for consideration. The report provides an overview of ocean authorities in South Carolina and contains issue-oriented chapters related to the following topic areas: Living Marine Resources and Habitats, Ocean Energy Development, Sand Resources, Ocean Aquaculture, Ocean Mapping, Ocean Monitoring, and Emerging Ocean Management Frameworks. The recommendations in the report were based on a series of public meetings and workshops that covered these priority topic areas.

A copy of the draft report, along with Ocean Planning Work Group meeting information, can be found on our website: [http://www.scdhec.gov/environment/ocrm/ocean\\_planning.htm](http://www.scdhec.gov/environment/ocrm/ocean_planning.htm)



## Legal Update – Cases before the S.C. Supreme Court

### **Kiawah Development Partners II v. DHEC and S.C. Coastal Conservation League**

*(Docket No. 09-ALJ-07-0029-CC)*—  
After granting a Petition for Rehearing, the Supreme Court of South Carolina heard oral argument on April 17, 2012. This matter concerns an application by Kiawah Development Partners II to place a 2,783' by 40' bulkhead and revetment on the Kiawah River at Captain Sam's Spit. The parties are awaiting a ruling from the Supreme Court.

### **SCDHEC v. Philip Pryzborowski**

*(Docket No. 07-ALJ-07-0254-CC)*—  
This action challenges the Department's issuance of an Administrative Enforcement Order. Parties are awaiting a final hearing date to be set.

### **Too Tacky Partnership v. SCDHEC and Mayo Read, Jr.**

*(Docket No. 2007-CP-10-1520)*—  
This action challenges the Department's issuance of a dock permit. Parties are awaiting a hearing date to be set.

## Legislative Update

The 2011-2012 Session of the South Carolina General Assembly has adjourned sine die. Two significant pieces of legislation affecting the coastal management were passed by the General Assembly and have become law.

H4627 is a joint resolution regarding DHEC's authority over the Savannah River. The legislation was vetoed by the Governor and then subsequently overridden by the General Assembly:

[http://www.scstatehouse.gov/sess119\\_2011-2012/bills/1115.htm](http://www.scstatehouse.gov/sess119_2011-2012/bills/1115.htm)

H4654 amends the Pollution Control Act, specifically in regard to private causes of action. This legislation was signed by the Governor on June 6, 2012:

[http://www.scstatehouse.gov/sess119\\_2011-2012/bills/4654.htm](http://www.scstatehouse.gov/sess119_2011-2012/bills/4654.htm)



South Carolina Department of Health  
and Environmental Control