

MAJOR ACTIVITY

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

CRITICAL AREA PERMIT & COASTAL ZONE CONSISTENCY CERTIFICATION

Permittee(s): City of Beaufort
Permit Number(s): 2015-01625-2IY
Date of Issuance: April 26, 2016
Expiration Date: April 26, 2021
Location: On and adjacent to Beaufort River at 1004 Bay Street, City of Beaufort, Beaufort County, South Carolina

SEE SPECIAL
CONDITION(S)

This permit is issued under the provisions of S. C. Code Ann. Section 48-39-10, *et seq.*, and 23A S.C. Code Ann. Regs. 30-1 through 30-18 (Supp. 2005). **Please carefully read the project description and special conditions that appear on this permit/certification as they will affect the work that is allowed and may modify the work from that shown on the submitted plans. All special conditions attached to the permit will take precedent over submitted plans.** The general conditions are also a part of this permit/certification and should be read in their entirety. The S. C. Contractor's Licensing Act of 1999, enacted as S.C. Code Ann. Section 40-11-5 through 430, requires that all construction with a total cost of \$5,000 or more be performed by a licensed contractor with a valid contractor's license for marine class construction, except for construction performed by a private landowner for strictly private purposes. Your signature on and acceptance of this permit denotes your understanding of the stated law regarding use of licensed contractors. **All listed special and general conditions will remain in effect for the life of the permit. This applies to permittee, future property owners, or permit assignees.**

DESCRIPTION OF THE PROJECT, AS AUTHORIZED

The work, as authorized, consists of constructing a transient dock. Specifically, the applicant is approved to build a 6' x 80' ADA compliant gangway from the waterfront park to access a 12' x 200' floating dock. The work, as described, is to increase access to the Waterfront Park and surrounding amenities by providing a safe, aesthetically pleasing and environmentally friendly transient boater facility along the seawall.

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SPECIAL CONDITIONS

1. Signs shall be posted on the transient dock and areas adjacent to the facility stating **"It is against both Federal and State Laws to discharge raw, untreated sewage from any description of watercraft into the waters of South Carolina."** Signs should be at least 14" by 18" in size so they can be read clearly.
2. Litter receptacles shall be located on or near the transient dock.
3. There will be no permanent moorage of vessels at the transient dock nor are live-boards allowed at this facility.
4. No painting, major engine repair or other maintenance which will result in a discharge to the water is performed at the transient dock. Minor maintenance and repairs must be performed in a designated upland area, away from the water.
5. An as-built survey of the structure(s) must be submitted to the Department within 90 days from completion of construction. The survey must be performed by a registered land surveyor, must show all components of the structure(s), and must list the starting and ending coordinates of the structure(s) in the SC State Plane Coordinate System, which can be obtained by survey-grade Global Positioning System equipment.
6. In the event that any historic or cultural resources and/or archaeological materials are found during the course of work, the applicant must notify the State Historic Preservation Office and the South Carolina Institute of Archaeology and Anthropology. Historic or cultural resources consist of those sites listed in the National Register of Historic Places and those sites that are eligible for the National Register. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrowheads), ceramic shards, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials.

WATER QUALITY SPECIAL CONDITIONS

1. Once project is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to the environment.
2. All necessary measures must be taken to prevent oil, tar, trash debris and other pollutants from entering the adjacent waters or wetlands during construction.

SEE SPECIAL
CONDITION(S)

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PERMITTEE'S ATTENTION IS DIRECTED TO GENERAL CONDITIONS NUMBERS FOUR (4) AND FIVE (5). BY ACCEPTANCE OF THIS PERMIT, PERMITTEE IS PLACED ON NOTICE THAT THE STATE OF SOUTH CAROLINA, BY ISSUING THIS PERMIT, DOES NOT WAIVE ITS RIGHTS TO REQUIRE PAYMENT OF A REASONABLE FEE FOR USE OF STATE LANDS AT A FUTURE DATE IF SO DIRECTED BY STATUTE.

THE PERMITTEE, BY ACCEPTANCE OF THIS PERMIT AGREES TO ABIDE BY THE TERMS AND CONDITIONS CONTAINED HEREIN AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ATTACHED HERETO AND MADE A PART HEREOF. ANY DEVIATION FROM THESE CONDITIONS, TERMS, PLANS AND SPECIFICATIONS SHALL BE GROUNDS FOR REVOCATION, SUSPENSION OR MODIFICATION OF THIS PERMIT AND THE INSTITUTION OF SUCH LEGAL PROCEEDINGS AS THE DEPARTMENT MAY CONSIDER APPROPRIATE.

Permit Number: **2015-01625-2IY**

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE(S))

(DATE)

City of Beaufort

This permit becomes effective when the State official, designated to act for the Office of Ocean and Coastal Resource Management, has signed below.

George J. Madlinger, III
(SENIOR WETLAND PROJECT MANAGER)

April 26, 2016
(DATE)

George J. Madlinger, III
Or Other Authorized State Official

**SEE SPECIAL
CONDITION(S)**

MAJOR ACTIVITY

GENERAL CONDITIONS:

This construction and use permit is expressly contingent upon the following conditions which are binding on the permittee:

1. The permittee, in accepting this permit, covenants and agrees to comply with and abide by the provisions and conditions herein and assumes all responsibility and liability and agrees to save OCRM and the State of South Carolina, its employees or representatives, harmless from all claims of damage arising out of operations conducted pursuant to this permit.
2. If the activity authorized herein is not constructed or completed within five years of the date of issuance, this permit shall automatically expire. A request, in writing, for an extension of time shall be made not less than thirty days prior to the expiration date.
3. All authorized work shall be conducted in a manner that minimizes any adverse impact on fish, wildlife and water quality.
4. This permit does not relieve the permittee from the requirements of obtaining a permit from the U. S. Army Corps of Engineers or any other applicable federal agency, nor from the necessity of complying with all applicable local laws, ordinances, and zoning regulations. This permit is granted subject to the rights of the State of South Carolina in the navigable waters and shall be subject, further, to all rights held by the State of South Carolina under the public trust doctrine as well as any other right the State may have in the waters and submerged lands of the coast.
5. This permit does not convey, expressly or impliedly, any property rights in real estate or material nor any exclusive privileges; nor does it authorize the permittee to alienate, diminish, infringe upon or otherwise restrict the property rights of any other person or the public; nor shall this permit be interpreted as appropriating public properties for private use.
6. The permittee shall permit OCRM or its authorized agents or representatives to make periodic inspections at any time deemed necessary in order to ensure that the activity being performed is in accordance with the terms and conditions of this permit.
7. Any abandonment of the permitted activity will require restoration of the area to a satisfactory condition as determined by OCRM.
8. This permit may not be transferred to a third party without prior written notice to OCRM, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit and thereby agreeing to comply.
9. If the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and special signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
10. The permit construction placard or a copy of the placard shall be posted in a conspicuous place at the project site during the entire period of work.
11. The structure or work authorized herein shall be in accordance with the permit, as issued, and shall be maintained in good condition. Failure to build in accordance with the permit, as issued, or failure to maintain the structure in good condition, shall result in the revocation of this permit.
12. The authorization for activities or structures herein constitutes a revocable license. OCRM may require the permittee to modify activities or remove structures authorized herein if it is determined by OCRM that such activity or structures violates the public's health, safety, or

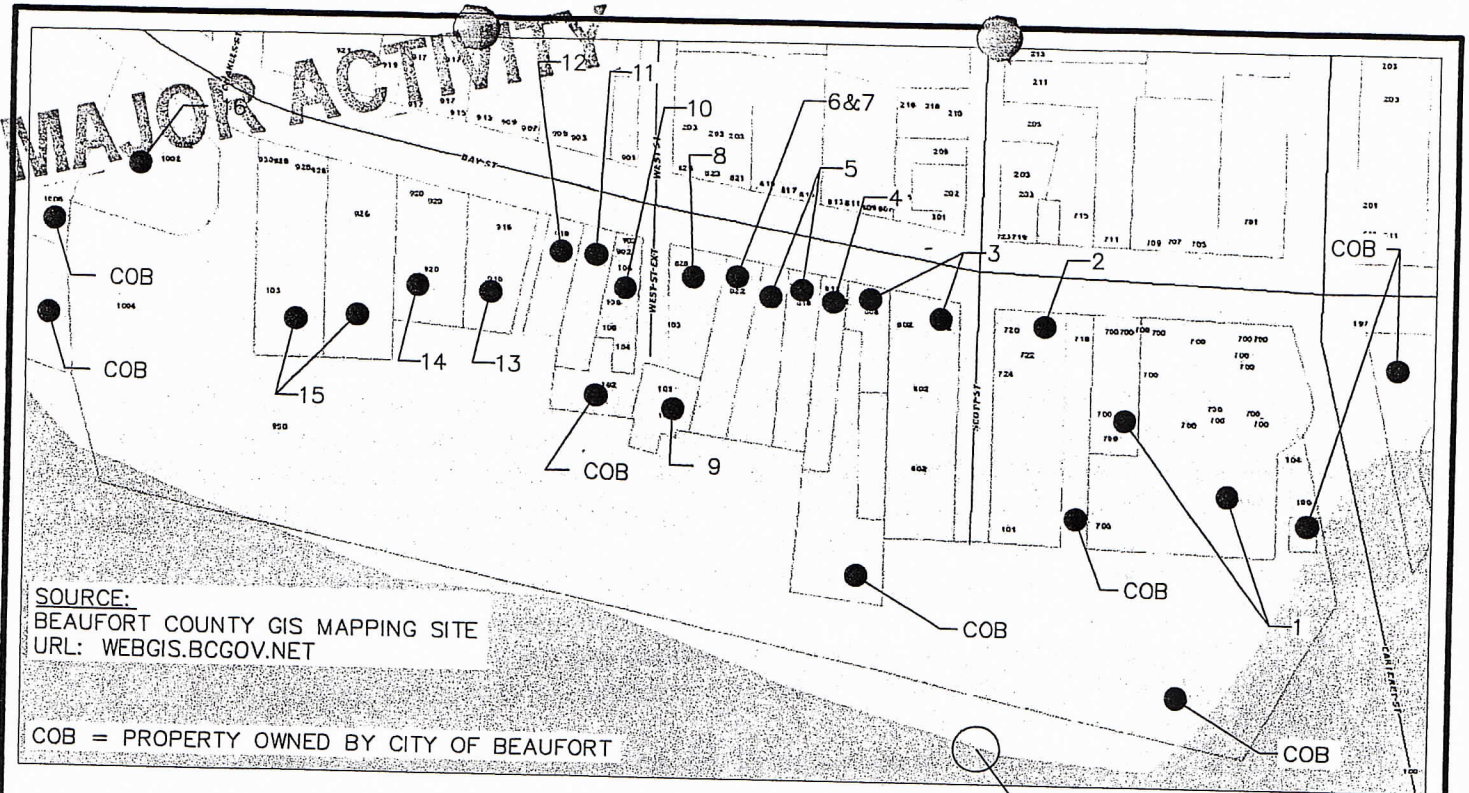
**SPECIAL
CONDITION(S)**

MAJOR ACTIVITY

welfare, or if any activity is inconsistent with the public trust doctrine. Modification or removal under this condition shall be ordered only after reasonable notice stating the reasons therefore and provision to the permittee of the opportunity to respond in writing. When the Permittee is notified that OCRM intends to revoke the permit, Permittee agrees to immediately stop work pending resolution of the revocation.

13. OCRM shall have the right to revoke, suspend, or modify this permit in the event it is determined the permitted structure (1) significantly impacts the public health, safety and welfare, and/or is violation of Section 48-39-150, (2) adversely impacts public rights, (3) that the information and data which the permittee or any other agencies have provided in connection with the permit application is either false, incomplete or inaccurate, or (4) that the activity is in violation of the terms and/or conditions, including any special conditions of the permit. That the permittee, upon receipt of OCRM's written intent to revoke, suspend, or modify the permit has the right to a hearing. Prior to revocation, suspension, or modification of this permit, OCRM shall provide written notification of intent to revoke to the permittee, and permittee can respond with a written explanation to OCRM. (South Carolina Code Section 1-23-370 shall govern the procedure for revocation, suspension or modification herein described).
14. Any modification, suspension or revocation of this permit shall not be the basis of any claim for damages against OCRM or the State of South Carolina or any employee, agent, or representative of OCRM or the State of South Carolina.
15. All activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with all applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to applicable federal, state and local laws.
16. Extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of others. This permit authorizes no invasion of adjacent private property, and OCRM assumes no responsibility or liability from any claims of damage arising out of any operations conducted by the permittee pursuant to this permit.

**SEE SPECIAL
CONDITION(S)**



SOURCE:
 BEAUFORT COUNTY GIS MAPPING SITE
 URL: WEBGIS.BCGOV.NET

COB = PROPERTY OWNED BY CITY OF BEAUFORT

ADJACENT PROPERTY OWNERS

1	TIDAL WAVE 23, LLC	PO BOX 7883 HILTON HEAD, SC 29938
2	GREEN'S DRUG STORE, LLC	1211 BAY STREET BEAUFORT, SC 29902
3	303 ASSOCIATES, LLC	2015 BOUNDARY STREET, STE 300 BEAUFORT, SC 29902
4	CHAKIDES, HARRY JOHN JR	153 SPANISH POINT DR BEAUFORT, SC 29902
5	TRASK, CAROLINE C	PO BOX 1063 BEAUFORT, SC 29901
6	C LEVEL INVESTMENTS, LLC	1030 JENKINS RD CHARLESTON, SC 29407
7	LUCY CREEK CAPITAL, LLC	1030 JENKINS RD CHARLESTON, SC 29407
8	BREEZY VERANDA, LLC	115 VERDIER RD BEAUFORT, SC 29902
9	BEAUFORT YACHT CLUB	PO BOX 90 BEAUFORT SC 29901
10	SCHULZE, GERALD H	9 NORTH POINT TRAIL BEAUFORT, SC 29907
11	JONES, CHRISTINE B	2504 FRIPP ST BEAUFORT, SC 29902
12	JERSILD, LYNN M	3495 MORGAN RIVER DR BEAUFORT, SC 29902
13	BEAUFORT INVESTMENTS, LLC	916 BAY ST BEAUFORT, SC 29902
14	ESTATE OF W THOMAS	PO BOX 20157 CHARLESTON, SC 29413
15	MIX, STEVEN M	PO BOX 2236 BEAUFORT, SC 29901
16	KRESH, CHARLES H	1701 BAY ST BEAUFORT, SC 29902

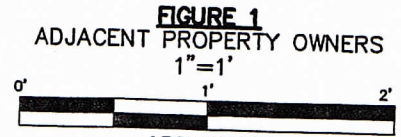
PROJECT LOCATION

SEE SPECIAL
 CONDITIONS



RECEIVED

PURPOSE: COASTAL ACCESS
ADJACENT PROPERTY OWNERS:
 SEE SCHEDULE THIS SHEET

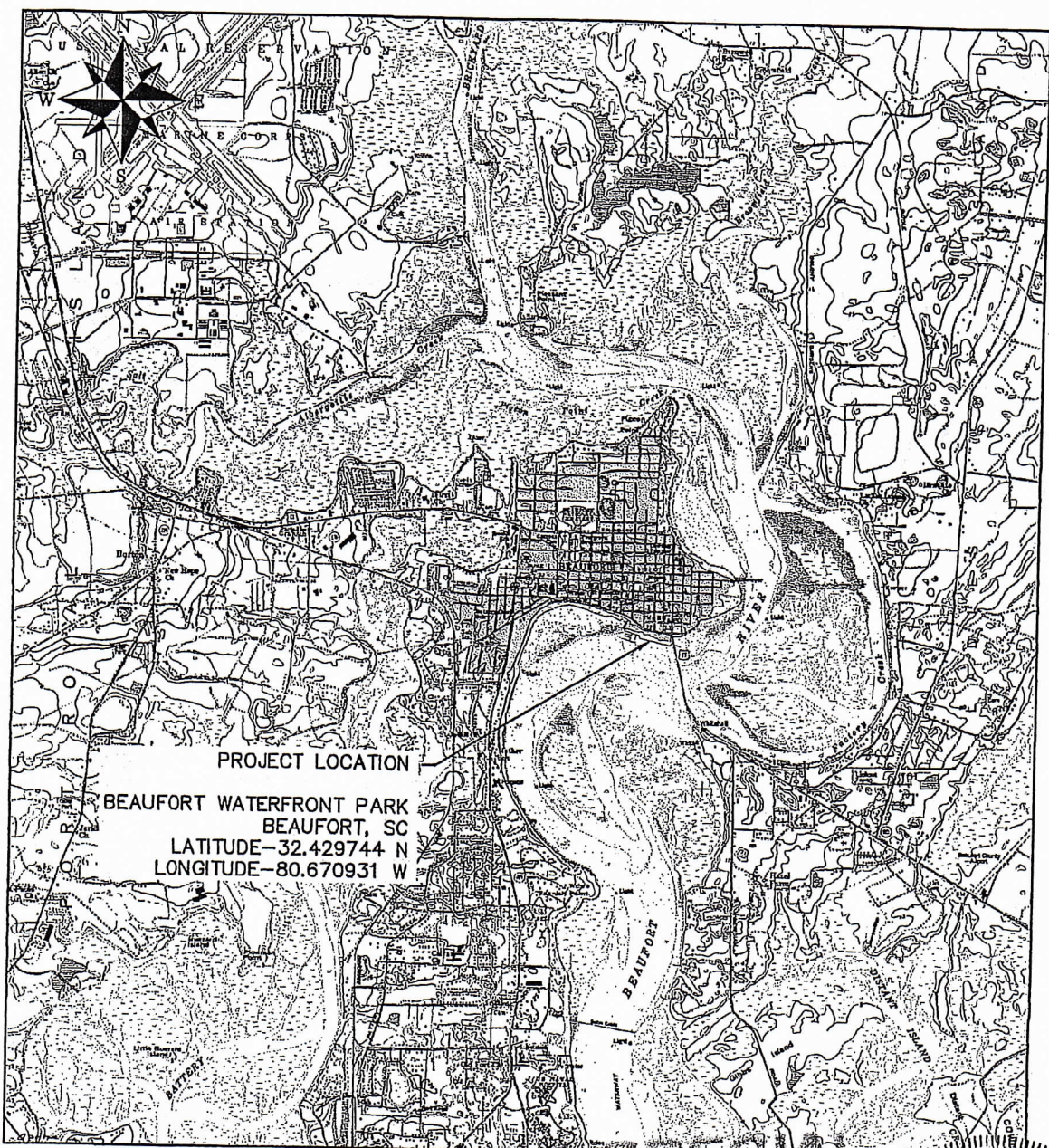


APPLICANT
 CITY OF BEAUFORT
AGENT
 MCSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND GANGWAY
WATERWAY: BEAUFORT RIVER
ON: BEAUFORT CO-OCRM
COUNTY OF: BEAUFORT, SC
APPLICATION NO. TBD
SHEET: 1 OF 1 **DATE:** 12/2/15

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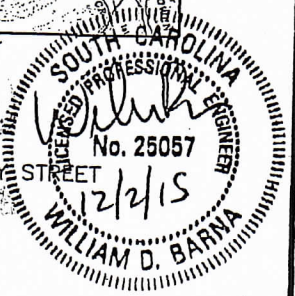
MAJOR ACTIVITY



DIRECTIONS TO SITE FROM CHARLESTON:

- TAKE US 21 TO BEAUFORT, SC
- TURN RIGHT ON BAY STREET IN BEAUFORT
- HENRY C. CHAMBERS WATERFRONT PARK IS LOCATED ON THE LEFT SIDE OF BAY STREET
- PROJECT IS LOCATED ALONG THE EAST END OF THE EXISTING SEAWALL

SEE SPECIAL
CONDITION(S)

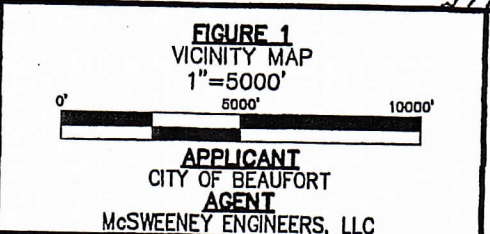


PROJECT VICINITY
SCALE: 1" = 5000'

SAC 2015-01625-2EY

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE ATTACHED SCHEDULES



PROPOSED: FLOATING DAY DOCK AND GANGWAY

WATERWAY: BEAUFORT RIVER
ON: BEAUFORT

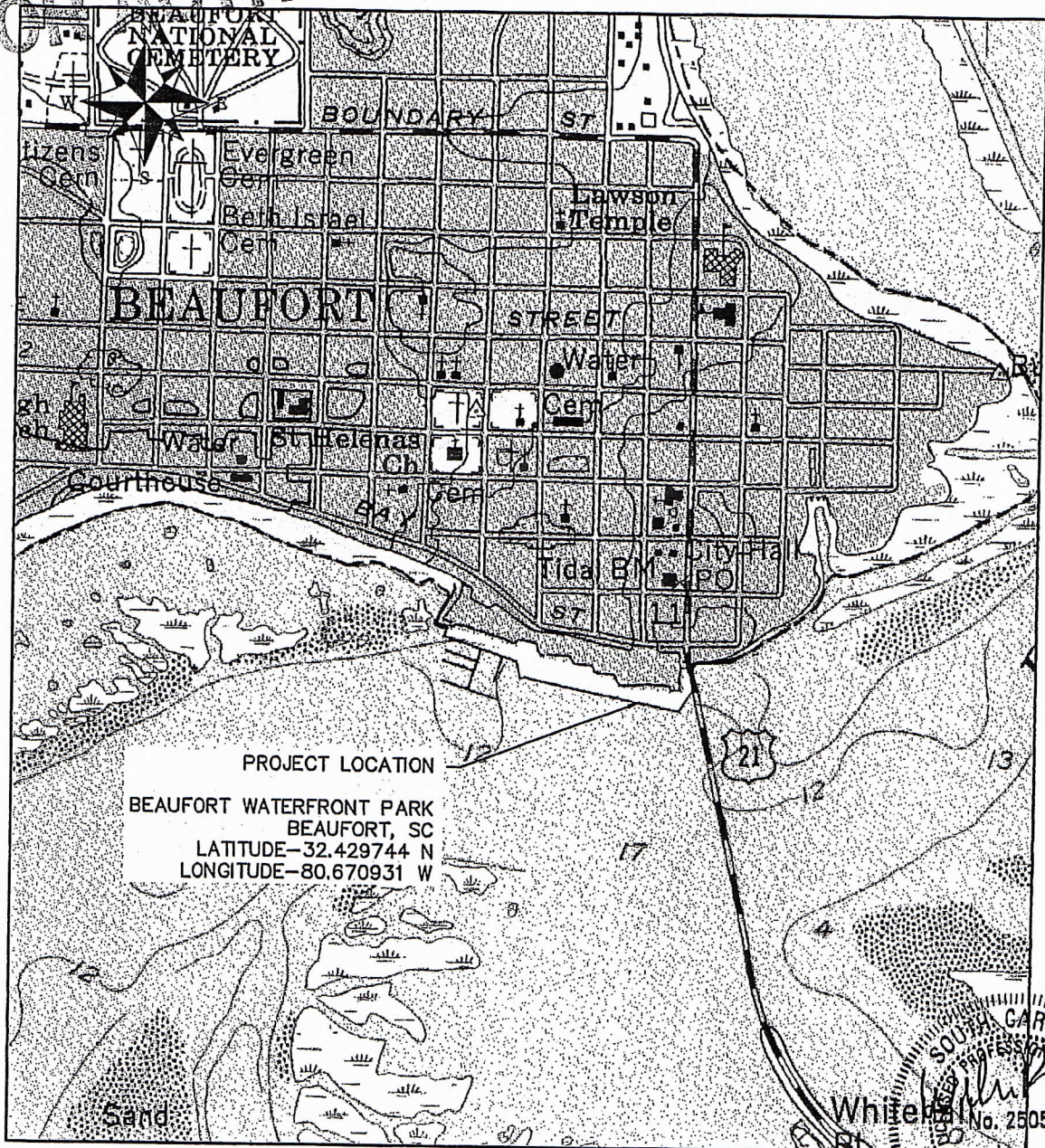
COUNTY OF: BEAUFORT, SC

APPLICATION NO. TBD

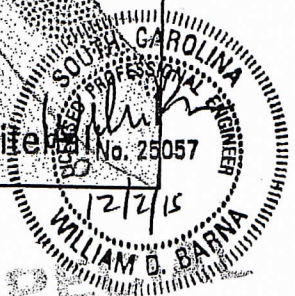
SHEET: 1 OF 9 **DATE:** 12/2/15

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MAJOR ACTIVITY



PROJECT LOCATION
 BEAUFORT WATERFRONT PARK
 BEAUFORT, SC
 LATITUDE - 32.429744 N
 LONGITUDE - 80.670931 W



DIRECTIONS TO SITE FROM CHARLESTON:

- TAKE US 21 TO BEAUFORT, SC
- TURN RIGHT ON BAY STREET IN BEAUFORT
- HENRY C. CHAMBERS WATERFRONT PARK IS LOCATED ON THE LEFT SIDE OF BAY STREET
- PROJECT IS LOCATED ALONG THE EAST END OF THE EXISTING SEAWALL.

PROJECT LOCATION
 SCALE: 1" = 1000'

SEE SPECIAL CONDITIONS
 SAC 2015-01625-2 IV

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
 SEE ATTACHED SCHEDULES

FIGURE 2
 LOCATION MAP
 1" = 1000'

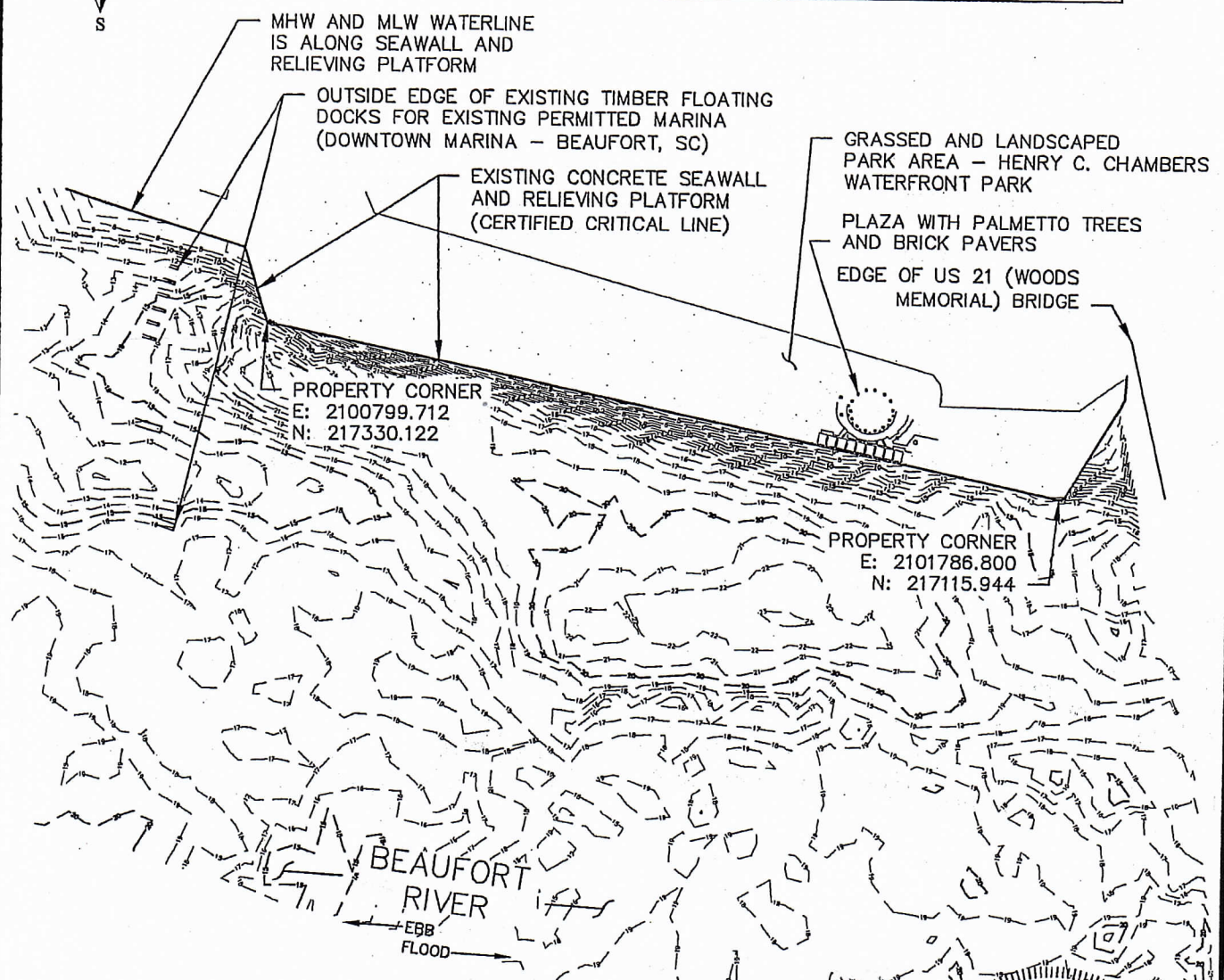
APPLICANT
 CITY OF BEAUFORT
AGENT
 McSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND GANGWAY
WATERWAY: BEAUFORT RIVER
ON: BEAUFORT
COUNTY OF: BEAUFORT, SC
APPLICATION NO. TBD
SHEET: 2 OF 9 **DATE:** 12/2/15

MAJOR ACTIVITY

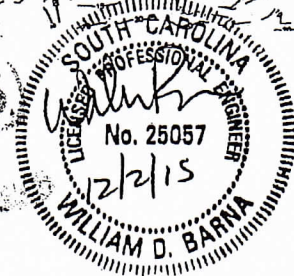


CRITICAL LINE WAS CERTIFIED BY GEORDIE MADLINGER OF OCRM ON 11/2/15 AS SHOWN ON THE ATTACHED PLAT PERFORMED BY BEAUFORT SURVEYING, INC.



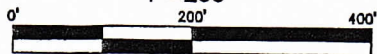
NOTES:
 BATHYMETRIC INFORMATION IS FROM A HYDROGRAPHIC SURVEY PERFORMED JULY 2, 2015.
 CONTOURS ARE REFERENCED TO MEAN LOW WATER.

SEE SPECIAL
 CONDITION(S)



EXISTING SITE PLAN 1
 SCALE: 1" = 200'

SAC 2015-01625-2.EV

<p>PURPOSE: COASTAL ACCESS</p>	<p>FIGURE 3 EXISTING SITE PLAN 1 1"=200'</p>  <p>APPLICANT CITY OF BEAUFORT AGENT McSWEENEY ENGINEERS, LLC</p>	<p>PROPOSED: FLOATING DAY DOCK AND GANGWAY</p> <p>WATERWAY: BEAUFORT RIVER</p> <p>ON: BEAUFORT</p> <p>COUNTY OF: BEAUFORT, SC</p> <p>APPLICATION NO. TBD</p> <p>SHEET: 3 OF 9 DATE: 12/2/15</p>
<p>ADJACENT PROPERTY OWNERS: SEE ATTACHED SCHEDULES</p>		

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MAJOR ACTIVITY



MHW AND MLW WATERLINE IS ALONG SEAWALL AND RELIEVING PLATFORM

OUTSIDE EDGE OF EXISTING TIMBER FLOATING DOCKS FOR EXISTING PERMITTED MARINA (DOWNTOWN MARINA - BEAUFORT, SC)

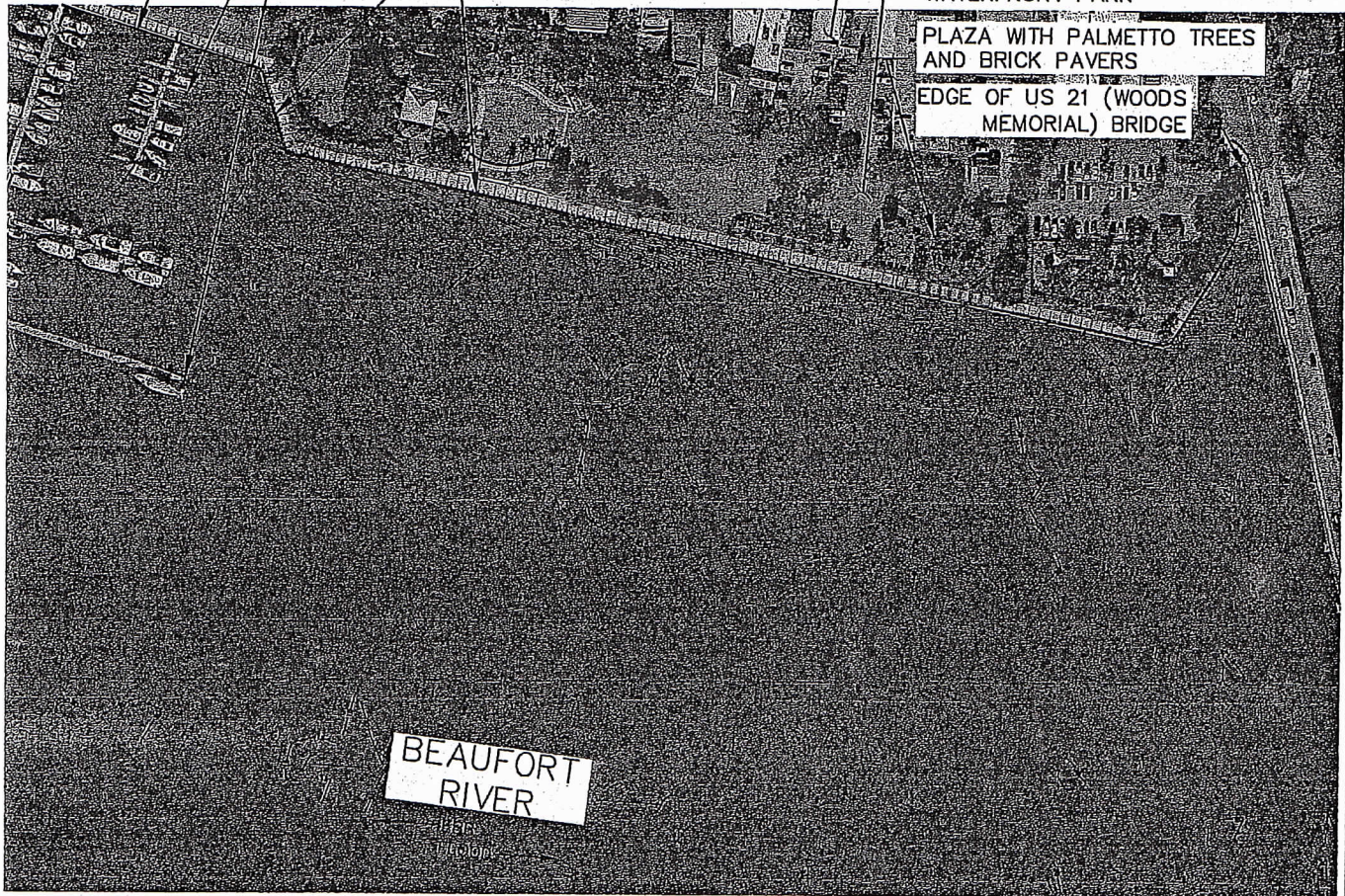
EXISTING CONCRETE SEAWALL AND RELIEVING PLATFORM (CERTIFIED CRITICAL LINE)

ADJACENT PROPERTY OWNERS LISTED ON SHEET 7.

GRASSED AND LANDSCAPED PARK AREA - HENRY C. CHAMBERS WATERFRONT PARK

PLAZA WITH PALMETTO TREES AND BRICK PAVERS

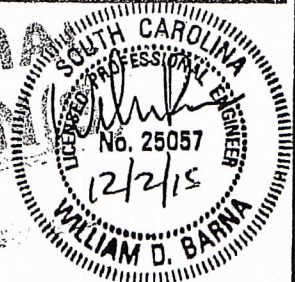
EDGE OF US 21 (WOODS MEMORIAL) BRIDGE



NOTES:
BATHYMETRIC INFORMATION IS FROM A HYDROGRAPHIC SURVEY PERFORMED JULY 2, 2015.

CONTOURS ARE REFERENCED TO MEAN LOW WATER.

SEE SPECIAL CONDITION



EXISTING SITE PLAN 2

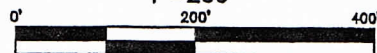
SCALE: 1" = 200'

SAC 2015-01625-27Y

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE ATTACHED SCHEDULES

FIGURE 4
EXISTING SITE PLAN 2
1"=200'



APPLICANT
CITY OF BEAUFORT
AGENT
McSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND GANGWAY

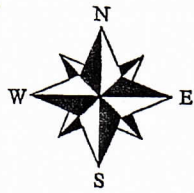
WATERWAY: BEAUFORT RIVER
ON: BEAUFORT

COUNTY OF: BEAUFORT, SC

APPLICATION NO. TBD

SHEET: 4 OF 9 **DATE:** 12/2/15

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MAJOR ACTIVITY

MHW AND MLW WATERLINE IS ALONG SEAWALL AND RELIEVING PLATFORM

OUTSIDE EDGE OF SEAWALL AND RELIEVING PLATFORM (CERTIFIED CRITICAL LINE)

NEW 12' WIDE BY 200' LONG ALUMINUM FLOATING DOCK

NEW 6' WIDE BY 80 FT LONG ALUMINUM GANGWAY

PROPERTY CORNER
E: 2100799.712
N: 217330.122

DASHED LINE INDICATES PROJECT EXTENTS

OUTER EDGE OF DOCK OF EXISTING PERMITTED MARINA

DOCK CORNER PROJECT EXTENT
E: 2101417.564
N: 217096.907

DOCK CORNER PROJECT EXTENT
E: 2101613.011
N: 217054.476

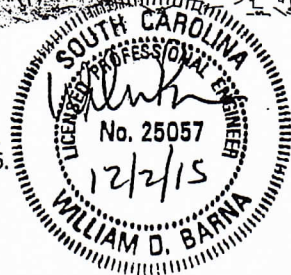
OVER 700' TO EDGE OF NAVIGATION CHANNEL

PROPERTY CORNER
E: 2101786.800
N: 217115.944

BEAUFORT RIVER

EBB FLOOD

SEE SPECIAL CONDITIONS



NOTES:

- ADJACENT PROPERTY OWNERS LISTED ON SHEET 7
- DRAWING FOR PERMIT ONLY. NOT FOR CONSTRUCTION
- LAND SURVEY WAS PERFORMED BY BEAUFORT SURVEYING, INC ON OCT. 2, 2015
- CRITICAL LINE CERTIFIED BY GEORDIE MADLINGER OF SCDHEC-OCRM ON NOV. 2, 2015.
- HYDROGRAPHIC SURVEY PERFORMED BY McSWEENEY ENGINEERS, LLC ON JULY 2, 2015.
- CONTOURS ARE REFERENCED TO MEAN LOW WATER.

PROPOSED SITE PLAN

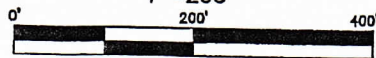
SCALE: 1" = 200'

SAC 2015-01625-2TV

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS: SEE ATTACHED SCHEDULES

FIGURE 5
PROPOSED SITE PLAN
1"=200'



APPLICANT
CITY OF BEAUFORT
AGENT
McSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND GANGWAY

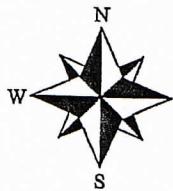
WATERWAY: BEAUFORT RIVER
ON: BEAUFORT

COUNTY OF: BEAUFORT, SC

APPLICATION NO. TBD

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BRICK PAVER PROMENADE
EXTENDS ALONG SEAWALL, TYP

MAJOR ACTIVITY

CONCRETE HANDRAIL
POST, TYP

EXISTING CONCRETE
SEAWALL AND RELIEVING PLATFORM
(CERTIFIED CRITICAL LINE)

PAVED PLAZA
WITH PALMETTO
TREES

NEW 6' WIDE
BY 80 FT LONG
ALUMINUM GANGWAY
(480 SF - 0.011 AC)

MHW AND MLW WATERLINE
IS ALONG SEAWALL AND
RELIEVING PLATFORM

10' X 10' ADDITIONAL
FLOTATION FOR GANGWAY
(100 SF - 0.0023 AC)

DASHED LINE INDICATES
PROJECT EXTENTS

12' x 200' ALUMINUM FLOATING DOCK (2400 SF
.0551 AC)

BEAUFORT
RIVER

EBB
FLOOD

STEEL OR CONCRETE
PILES, TYP

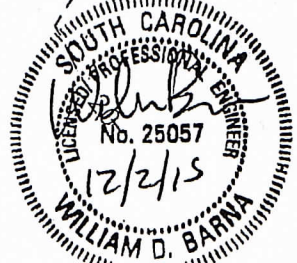
**SEE SPECIAL
CONDITION(S)**

IMPACTS:

FLOATING DOCK = 0.0551 AC
GANGWAY = 0.011 AC
ADDITIONAL FLOAT FOR GANGWAY = 0.0023 AC
TOTAL IMPACT AREA 0.0684 AC, 2980 SF

NOTES:

- ADJACENT PROPERTY OWNERS LISTED ON SHEET 7
- DRAWING FOR PERMIT ONLY. NOT FOR CONSTRUCTION
- LAND SURVEY WAS PERFORMED BY BEAUFORT SURVEYING, INC ON OCT. 2, 2015
- CRITICAL LINE CERTIFIED BY GEORDIE MADLINGER OF SCDHEC-OCRM ON NOV. 2, 2015.
- HYDROGRAPHIC SURVEY PERFORMED BY McSWEENEY ENGINEERS, LLC ON JULY 2, 2015.
- CONTOURS ARE REFERENCED TO MEAN LOW WATER.



ENLARGED SITE PLAN AND IMPACTS

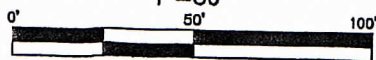
SCALE: 1" = 50'

SAC 2015-01625-2TY

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE ATTACHED SCHEDULES

FIGURE 6
PROPOSED SITE PLAN 2
1"=50'



APPLICANT
CITY OF BEAUFORT
AGENT
McSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND
GANGWAY

WATERWAY: BEAUFORT RIVER
ON: BEAUFORT

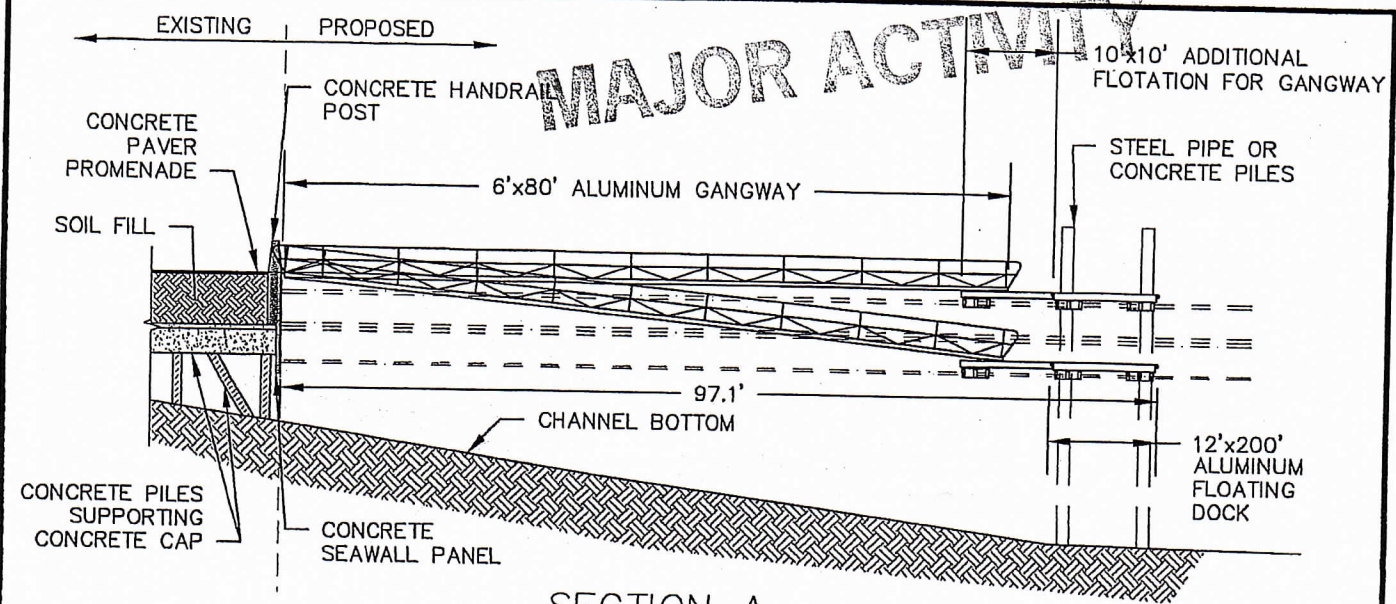
COUNTY OF: BEAUFORT, SC

APPLICATION NO. TBD

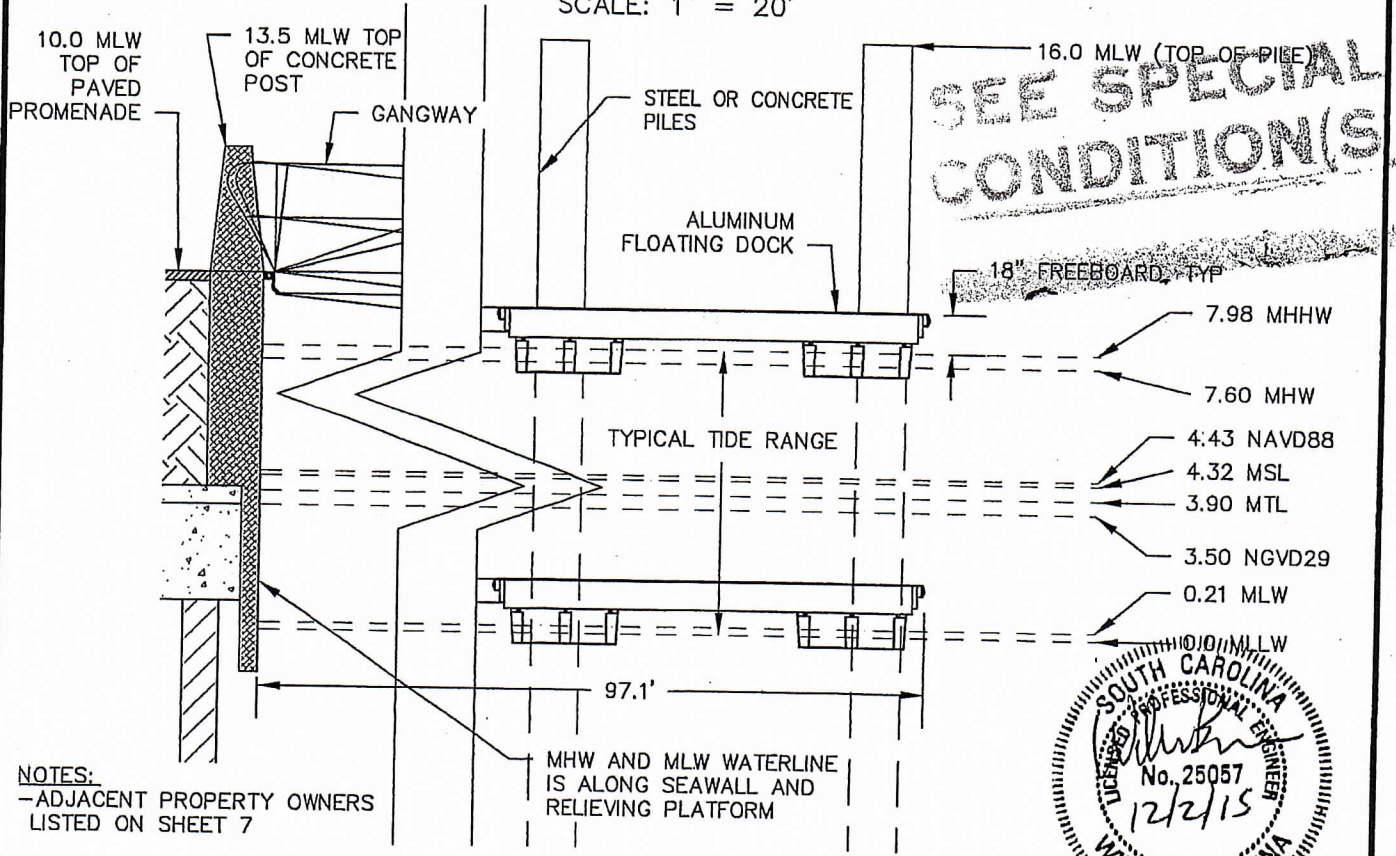
SHEET: 6 OF 9 **DATE:** 12/2/15

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MAJOR ACTIVITY



SECTION A
SCALE: 1" = 20'



NOTES:
-ADJACENT PROPERTY OWNERS LISTED ON SHEET 7
-DRAWING FOR PERMIT ONLY. NOT FOR CONSTRUCTION

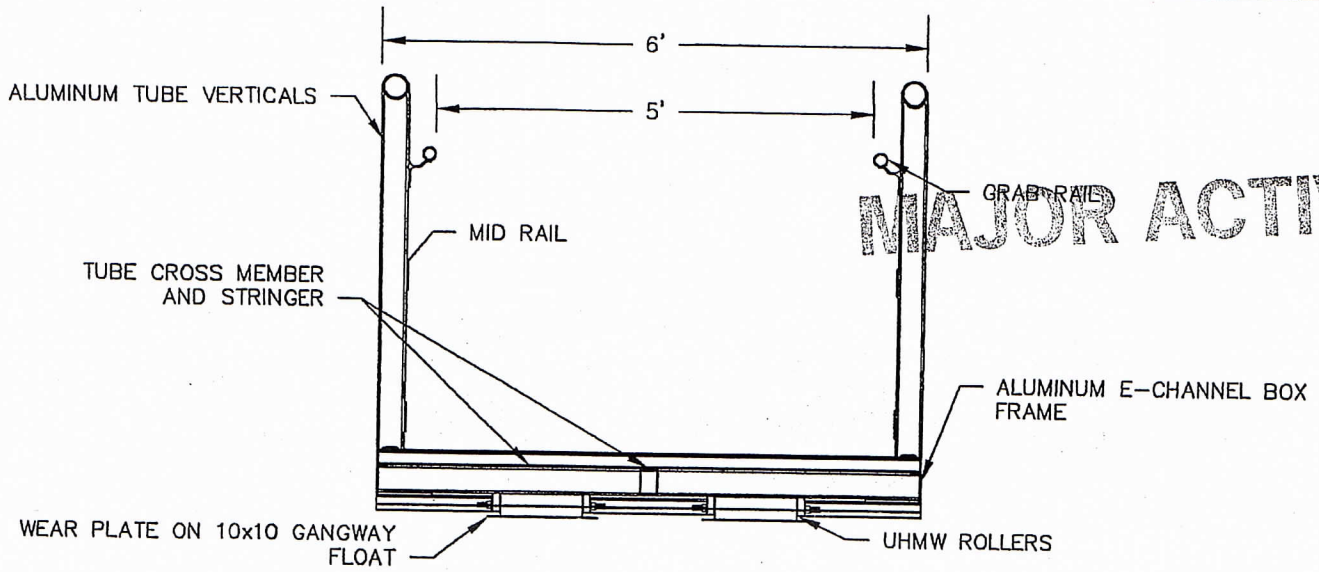
ELEVATIONS
SCALE: 1" = 10'

PURPOSE: COASTAL ACCESS
ADJACENT PROPERTY OWNERS: SEE ATTACHED SCHEDULES

FIGURE 7
CROSS SECTIONS
1"=1'
0' 1' 2'
APPLICANT
CITY OF BEAUFORT
AGENT
McSWEENEY ENGINEERS, LLC

SAC 2015-01625-2 IV
PROPOSED: FLOATING DAY DOCK AND GANGWAY
WATERWAY: BEAUFORT RIVER
ON: BEAUFORT
COUNTY OF: BEAUFORT, SC
APPLICATION NO. TBD
SHEET: 7 OF 9 **DATE:** 12/2/15

13 of 17

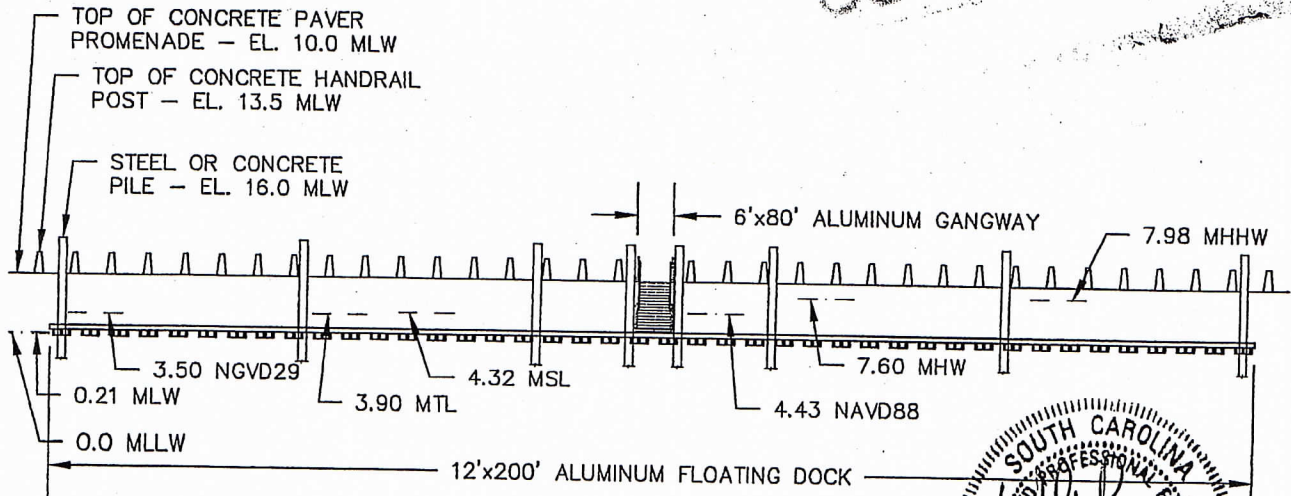


SECTION B
SCALE: 1" = 2'

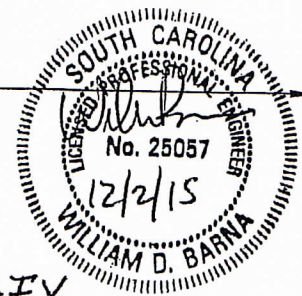
- NOTES:**
- ADJACENT PROPERTY OWNERS LISTED ON SHEET 7
 - DRAWING FOR PERMIT ONLY. NOT FOR CONSTRUCTION

MAJOR ACTIVITY

SEE SPECIAL CONDITIONS



SECTION C
SCALE: 1" = 30'



SAC 2015-01625-214

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS: SEE ATTACHED SCHEDULES

FIGURE 8
CROSS SECTIONS 2
1" = 30'

APPLICANT
CITY OF BEAUFORT
AGENT
McSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND GANGWAY

WATERWAY: BEAUFORT RIVER

ON: BEAUFORT

COUNTY OF: BEAUFORT, SC

APPLICATION NO. TBD

SHEET: 8 OF 9 **DATE:** 12/2/15

14 of 17

MHHW = 7.98 FT

MHW = 7.60 FT

MAJOR ACTIVITY



NAVD88 = 4.43 FT

MSL = 4.32 FT

MTL = 3.90 FT

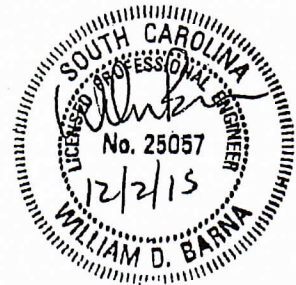
NGVD29 = 3.50 FT

SEE SPECIAL
CONDITION(S)

TIDAL DATUM RELATIONSHIPS
BENCHMARK 8667999
PID: CK2243
VM: 4433

MLW = 0.21 FT

MLLW = 0.00 FT



ADDITIONAL INFORMATION

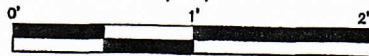
SCALE: 1" = 1'

SAC 2015-01625-2 IV

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE ATTACHED SCHEDULES

FIGURE 10
ADDITIONAL INFORMATION
1"=1'



APPLICANT
CITY OF BEAUFORT
AGENT
McSWEENEY ENGINEERS, LLC

PROPOSED: FLOATING DAY DOCK AND
GANGWAY

WATERWAY: BEAUFORT RIVER
ON: BEAUFORT

COUNTY OF: BEAUFORT, SC

APPLICATION NO. TBD

SHEET: 9 OF 9 DATE: 12/2/15

150817

South Carolina Board of Health and Environmental Control

Guide to Board Review

Pursuant to S.C. Code Ann. § 44-1-60

The decision of the South Carolina Department of Health and Environmental Control (Department) becomes the final agency decision fifteen (15) calendar days after notice of the decision has been mailed to the applicant, permittee, licensee and affected persons who have requested in writing to be notified, unless a written request for final review accompanied by a filing fee in the amount of \$100 is filed with Department by the applicant, permittee, licensee or affected person.

Applicants, permittees, licensees, and affected parties are encouraged to engage in mediation or settlement discussions during the final review process.

If the Board declines in writing to schedule a final review conference, the Department's decision becomes the final agency decision and an applicant, permittee, licensee, or affected person may request a contested case hearing before the Administrative Law Court within thirty (30) calendar days after notice is mailed that the Board declined to hold a final review conference. In matters pertaining to decisions under the South Carolina Mining Act, appeals should be made to the South Carolina Mining Council.

I. Filing of Request for Final Review

1. A written Request for Final Review (RFR) and the required filing fee of one hundred dollars (\$100) must be received by Clerk of the Board within fifteen (15) calendar days after notice of the staff decision has been mailed to the applicant, permittee, licensee, or affected persons. If the 15th day occurs on a weekend or State holiday, the RFR must be received by the Clerk on the next working day. RFRs will not be accepted after 5:00 p.m.
2. RFRs shall be in writing and should include, at a minimum, the following information:
 - The grounds for amending, modifying, or rescinding the staff decision;
 - a statement of any significant issues or factors the Board should consider in deciding how to handle the matter;
 - the relief requested;
 - a copy of the decision for which review is requested; and
 - mailing address, email address, if applicable, and phone number(s) at which the requestor can be contacted.
3. RFRs should be filed in person or by mail at the following address:
South Carolina Board of Health and Environmental Control
Attention: Clerk of the Board
2600 Bull Street
Columbia, South Carolina 29201

Alternatively, RFR's may be filed with the Clerk by facsimile (803-898-3393) or by electronic mail (boardclerk@dhec.sc.gov).

4. The filing fee may be paid by cash, check or credit card and must be received by the 15th day.
5. If there is any perceived discrepancy in compliance with this RFR filing procedure, the Clerk should consult with the Chairman or, if the Chairman is unavailable, the Vice-Chairman. The Chairman or the Vice-Chairman will determine whether the RFR is timely and properly filed and direct the Clerk to (1) process the RFR for consideration by the Board or (2) return the RFR and filing fee to the requestor with a cover letter explaining why the RFR was not timely or properly filed. Processing an RFR for consideration by the Board shall not be interpreted as a waiver of any claim or defense by the agency in subsequent proceedings concerning the RFR.
6. If the RFR will be processed for Board consideration, the Clerk will send an Acknowledgement of RFR to the Requestor and the applicant, permittee, or licensee, if other than the Requestor. All personal and financial identifying information will be redacted from the RFR and accompanying documentation before the RFR is released to the Board, Department staff or the public.
7. If an RFR pertains to an emergency order, the Clerk will, upon receipt, immediately provide a copy of the RFR to all Board members. The Chairman, or in his or her absence, the Vice-Chairman shall based on the circumstances, decide whether to refer the RFR to the RFR Committee for expedited review or to decline in writing to schedule a Final Review Conference. If the Chairman or Vice-Chairman determines review by the RFR Committee is appropriate, the Clerk will forward a copy of the RFR to Department staff and Office of General Counsel. A Department response and RFR Committee review will be provided on an expedited schedule defined by the Chairman or Vice-Chairman.
8. The Clerk will email the RFR to staff and Office of General Counsel and request a Department Response within eight (8) working days. Upon receipt of the Department Response, the Clerk will forward the RFR and Department Response to all Board members for review, and all Board members will confirm receipt of the RFR to the Clerk by email. If a Board member does not confirm receipt of the RFR within a twenty-four (24) hour period, the Clerk will contact the Board member and confirm receipt. If a Board member believes the RFR should be considered by the RFR Committee, he or she will

respond to the Clerk's email within forty-eight (48) hours and will request further review. If no Board member requests further review of the RFR within the forty-eight (48) hour period, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, stating the Board will not hold a Final Review Conference. Contested case guidance will be included within the letter.

NOTE: If the time periods described above end on a weekend or State holiday, the time is automatically extended to 5:00 p.m. on the next business day.

9. If the RFR is to be considered by the RFR Committee, the Clerk will notify the Presiding Member of the RFR Committee and the Chairman that further review is requested by the Board. RFR Committee meetings are open to the public and will be public noticed at least 24 hours in advance.
10. Following RFR Committee or Board consideration of the RFR, if it is determined no Conference will be held, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, stating the Board will not hold a Conference. Contested case guidance will be included within the letter.

II. Final Review Conference Scheduling

1. If a Conference will be held, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, informing the Requestor of the determination.
2. The Clerk will request Department staff provide the Administrative Record.
3. The Clerk will send Notice of Final Review Conference to the parties at least ten (10) days before the Conference. The Conference will be publically noticed and should:
 - include the place, date and time of the Conference;
 - state the presentation times allowed in the Conference;
 - state evidence may be presented at the Conference;
 - if the conference will be held by committee, include a copy of the Chairman's order appointing the committee; and
 - inform the Requestor of his or her right to request a transcript of the proceedings of the Conference prepared at Requestor's expense.
4. If a party requests a transcript of the proceedings of the Conference and agrees to pay all related costs in writing, including costs for the transcript, the Clerk will schedule a court reporter for the Conference.

III. Final Review Conference and Decision

1. The order of presentation in the Conference will, subject to the presiding officer's discretion, be as follows:
 - Department staff will provide an overview of the staff decision and the applicable law to include [10 minutes]:
 - Type of decision (permit, enforcement, etc.) and description of the program.
 - Parties.
 - Description of facility/site
 - Applicable statutes and regulations
 - Decision and materials relied upon in the administrative record to support the staff decision.
 - Requestor(s) will state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. [15 minutes] *NOTE: The burden of proof is on the Requestor(s)*
 - Rebuttal by Department staff [15 minutes]
 - Rebuttal by Requestor(s) [10 minutes]

Note: Times noted in brackets are for information only and are superseded by times stated in the Notice of Final Review Conference or by the presiding officer.
2. Parties may present evidence during the conference; however, the rules of evidence do not apply.
3. At any time during the conference, the officers conducting the Conference may request additional information and may question the Requestor, the staff, and anyone else providing information at the Conference.
4. The presiding officer, in his or her sole discretion, may allow additional time for presentations and may impose time limits on the Conference.
5. All Conferences are open to the public.
6. The officers may deliberate in closed session.
7. The officers may announce the decision at the conclusion of the Conference or it may be reserved for consideration.
8. The Clerk will mail the written final agency decision (FAD) to parties within 30 days after the Conference. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court or in matters pertaining to decisions under the South Carolina Mining Act, to request a hearing before the South Carolina Mining Council. The FAD will be sent by certified mail, return receipt requested.
9. Communications may also be sent by electronic mail, in addition to the forms stated herein, when electronic mail addresses are provided to the Clerk.

The above information is provided as a courtesy; parties are responsible for complying with all applicable legal requirements.

