



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

Bureau of Coastal Management

Dock Regulation
Informational Forum

October 13, 2026



Background

Over the past several decades, South Carolina's coast has experienced significant population growth and development, including a **proliferation of private docks**, within the state's **Tidelands and Coastal Waters Critical Areas**.



Background

- The state's Tidelands and Coastal Waters Critical Areas, have been identified in statute and regulation as environmentally, commercially, and recreationally important, while being ecologically fragile and vulnerable to alterations.
- Tidelands, or marshes also provide protection from erosion and storm damage by buffering wave energy.
- They also act as a filtration system, improving water quality by trapping sediments and pollutant run off from upland areas.



Fishbach

Background

- In addition to natural resource impacts, the growing number of docks has led to **navigation** and **public access** challenges.
- Additionally, existing dock regulations, first established in 1978 and amended several times since, currently include:
 - A number of calculation factors for determining dock square footage creating some complexity and limiting certainty.
 - Limited creek width increments creating potential inequities across creek sizes.





Example of migration that is frequently seen on smaller creek. 2007 (left); 2025 (right)

Regulatory Burden Relief & Streamlining

- BCM proposed amending R.30-1.D(50) and R.30-12.A(2) to streamline standards applicable for the construction of private and joint use docks, to improve clarity, equity, and guidance for staff and the regulated community, and to reduce navigational, public access, and resource impacts and conflicts.



Streamlining and Meeting Timeframes

- BCM had proposed amending R.30-2.H to separate the 401 Water Quality Certification administered by the Bureau of Water from the Critical Area Permitting process.
- The goal was to allow for a more streamlined review process, include a more efficient public notice and permit decision, and assist with meeting timeframes for application reviews by both the 401 Water Quality Certification and Critical Area Permitting programs.
- The changes also included corrections for clarity and readability, grammar, punctuation, codification, and other such regulatory text improvements.

**From your experience,
have you identified
concerns with the
current dock
regulations?**



Stakeholder Engagement & Input

- The Workgroup included diverse backgrounds including state and local government representatives, private sector consultants, elected officials, dock and marine contractors, engineers, land surveyors, and conservation organizations.
- The Workgroup was charged with conducting solution-based discussions and developing consensus-based recommendations for possible revisions to the state's private dock regulatory standards and policies.

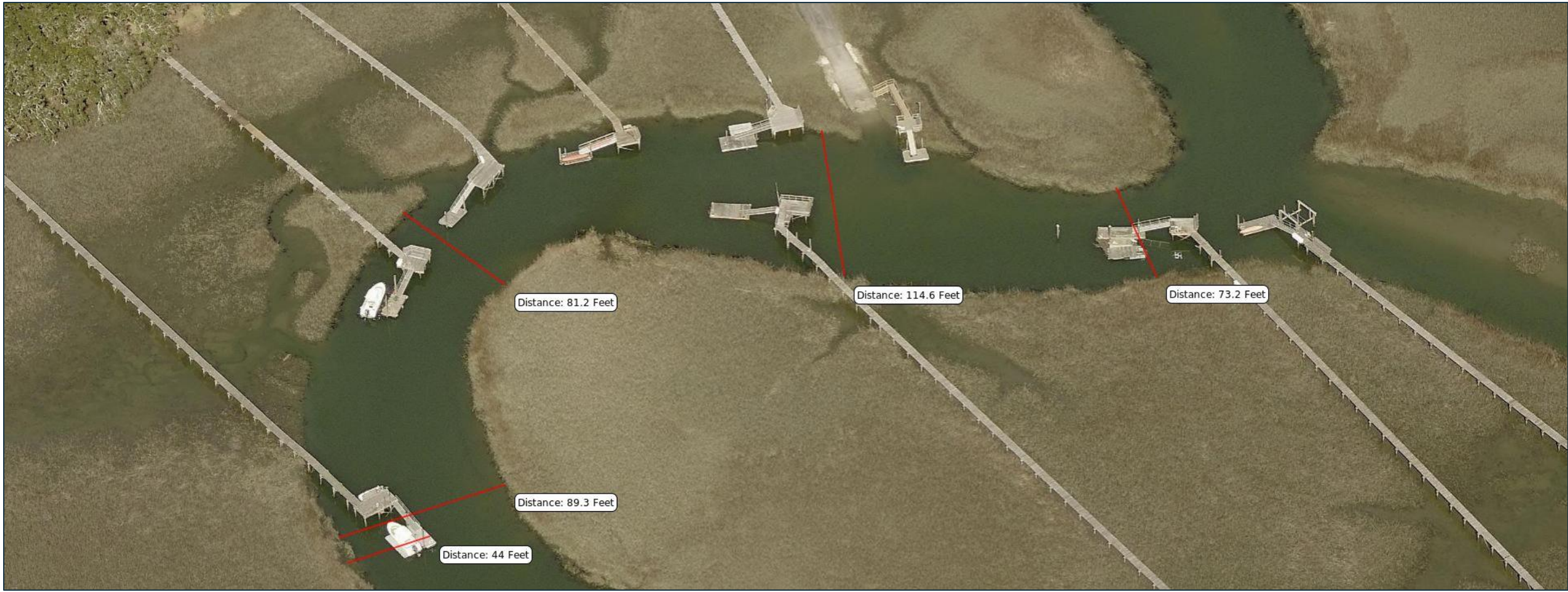


Stakeholder Engagement

- The Workgroup met seven times, with their recommendations outlined in a final report released in early 2026.
- Proposed regulatory amendments are based largely on the recommendations and findings from this Workgroup. Of the 7 recommendations, 6 were moved forward *as is*. The final recommendation was partially modified.







Workgroup Recommendations

Recommendation	Implementation
1: Creek Width Measurement Method The Workgroup recommends that the BCM continue to utilize the marsh edge-to-marsh-edge method as the primary approach for determining creek width, with additional clarity on the use of a stable line of vegetation.	As Proposed
2: Multiple Creek Width Measurements The Workgroup recommends that two measurements should be taken at the location of the proposed structure, one on the upstream (i.e., flood) side and one on the downstream (i.e., ebb) side. The Workgroup recommends that the average of these two measurements should be used to represent creek width at the site.	As Proposed
3: Lower Creek Width Threshold To minimize use conflicts and navigation issues on smaller waterways, the Workgroup recommends raising the minimum creek width threshold from 10 feet to 20 feet.	As Proposed
4: Threshold for the Maximum Creek Width Category The Workgroup recommends increasing the maximum creek width category from the current 'greater than 150 feet' to 'greater than 350 feet'.	As Proposed

Workgroup Recommendations

Recommendation	Implementation
5: Creek Width Increments Recognizing the wide variability in creek widths across the South Carolina coast, the Workgroup recommends finer-scale creek width increments to ensure more equitable distribution of total allowable square footage while still maintaining reasonable public and private use.	As Proposed
6: Total Allowable Square Footage The Workgroup recommends streamlining the determination for total allowable dock square footage by creating simplified 'buckets' of square footage based on finer scale creek width increments. These 'buckets' would allow property owners to determine their best use of the total square footage for a pierhead, boat storage structure(s) and/or floating dock(s).	Partial
7: Additional Education and Outreach To ensure homeowners and the public understand the regulatory process and requirements, the Workgroup recommends BCM develop educational resources, such as training materials and other guidance documents.	As Proposed

Initial Promulgation Steps

- After a stakeholder engagement produces recommendations for regulatory promulgation, the Department reviews to ensure that:
 - There is statutory authority to implement recommendation(s)
 - The recommendation(s) do not conflict with existing policies and regulatory provisions
 - The implementation of the recommendation(s) will accomplish the purposes of the Act
- The Department reviews any additional relevant information, such as scientific literature and other states' similar regulations.



**What proposed
recommendations do you
see as most beneficial?**



Clarification

- Would be only effective within the Tidelands and Coastal Waters critical areas of the coastal zone (which are within the state's eight coastal counties).
- Were proposed to continue to allow property owners to keep and maintain existing, previously permitted or grandfathered structures.
- Were proposed to continue to allow docks damaged during a storm event to be reconstructed or repaired to their previously permitted or grandfathered size and configuration.
- Focused on private and joint-use docks

Comment Topics & Response

Topic	# of Comments	Response
Boat Lifts & Davits (boat storage structures) being included in the total square footage	55	By providing a single total allowable square footage, it provides property owners with flexibility to develop the structure as needed. Boat storage structures over 160 sq ft already count towards the total square footage.
Economic impacts	48	Proposed regulations do not prevent waterfront properties from being dock eligible.
Removal of Extenuating Circumstances	40	Special Geographic Circumstances is applied to creeks between 21-30 feet. Removal of SGC for creek increments greater than 30 feet simplifies the process for identifying total allowable square footage.

Comment Topics & Response

Joint use multiplier changing	35	Considering the proliferation of docks and impacts to public use and access and the increase in allowable square footage for private use docks for larger creek increments and impacts of larger structures on smaller creek increments, the proposed multiplier is changed to 1.5 times the allowable
Channelward-extension	31	This proposed regulation is designed to ensure public access to the navigable channel and public trust waters.
Total square footage reductions	28	Proposed regulations reduce the total allowable square footage for creek increments between 21'-90' to address overcrowding of docks, impacts to public use and access, navigation and environmental impacts.
The methodology for measuring creek width is changing.	25	Due to the variability of creeks, especially smaller creeks, two measurements at the ebb side and flood side is proposed to capture the width of the creek at the location of the entire (OR footprint of the) dock structure instead of one measurement

**Are there additional
concerns with what
had been proposed?**



Stakeholder Input: APA Process

- In 2025, BCM convened the South Carolina Dock Stakeholder Workgroup to gain input on South Carolina's regulatory standards and policies related to private and joint-use docks.
- The Notice of Drafting (NOD) was published in the State Register on April 24, 2026.
 - No comments were received on the NOD by the May 26, 2026, comment period deadline.
- The Notice of Proposed Regulation (NPR) was published in the State Register on August 28, 2026.
 - 285 total comments received; 265 requesting a public hearing.

**How could we best
work with the coastal
communities?**



Future Promulgation Steps



- Any recommendations for regulatory promulgation, the Department will need to review to ensure that:
 - There is statutory authority to implement recommendation(s)
 - The recommendation(s) do not conflict with existing policies and regulatory provisions
 - The implementation of the recommendation(s) will accomplish the purposes of the Act
- The Department reviews any additional relevant information, such as scientific literature and other states' similar regulations.

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Questions

coastalregs@des.sc.gov

Office: 843-953-0200

des.sc.gov



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