

Public Notice
South Carolina Department of Environmental Services
Bureau of Coastal Management
Issuance of two new General Permits identified as:

- 1) GP-25-DR allows for the reconstruction of previously permitted private recreational use docks
- 2) GP-25-ECS allows for the reconstruction of previously permitted private erosion control structures

These General Permits are 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) and the South Carolina Coastal Zone Management Program (CMP). As required by Section 48-39-10, R.30-1 through R.30-18, and the CMP, Department staff have reviewed the description of work that would be allowed under these General Permits and determined there is a reasonable assurance projects obtaining individual coverage under these General Permits will be conducted in a manner consistent with the statutory requirements of the Coastal Tidelands and Wetlands Act, certification requirements of the CMP, and the regulatory requirements of the Coastal Division Regulations. Applicants will be required to obtain individual coverage under these General Permits pursuant to the application process found in the Coastal Division Regulations and adhere to all conditions set forth under the General Permits. Any person adversely affected by this decision has the right to appeal pursuant to S.C. Code Ann. § 48-6-30(D)(2) which provides, "Within thirty calendar days after the mailing of a decision [pursuant to S.C. Code Ann. § 48-6-30(D)(1)], an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the department decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act."

Description of General Permits:

- 1) GP-25-DR: Authorization allows for the re-construction of previously permitted private, recreational use docks (including joint and community use docks not defined as a marina) that are generally intact and functional within the tidelands and coastal waters critical areas. Attached.
- 2) GP-25-ECS: Authorization allows for the re-construction of previously permitted bulkheads or rip-rap revetments (non-oceanfront erosion control structures) that are generally intact and functional within the tidelands and coastal waters critical areas. Attached.

The Department has modified these two General Permits from what was originally placed on public notice, May 2, 2025, in response to public and State resource agency concerns. Notable modifications include the following:

- Removed grandfathered structures
- Removed professional drawing requirements
- Added requirement to document the structure is previously permitted and provide previous State permit and associated drawings.

These General Permits do 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. Activities covered under this State General Permit must be coordinated with the U.S. Army Corps of Engineers.



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

South Carolina Department of Environmental Services
Bureau of Coastal Management (SCDES BCM)

Critical Area General Permit – Reconstruction of Private Recreational Use Docks

Permittee:	Available to Citizens of South Carolina
Permit Number:	GP-25-DR
Date of Issuance	August 8, 2025
Expiration Date:	August 8, 2030
Location:	Within the tidelands and coastal waters critical areas in the eight Coastal Counties of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper.

This permit is issued under the provisions of the Coastal Tidelands and Wetlands Act (S.C. Code Sections 48-39-10 et seq.) and the Coastal Division Regulations (S.C. Code of Regulations R.30-1 et seq.). Please Carefully Read the project description and any conditions which appear on this permit because they will affect the work that is allowed.

Description of Project as Authorized: Authorization allows for the re-construction of previously permitted private, recreational use docks (including joint and community use docks not defined as a marina) that are generally intact and functional provided the following conditions are adhered to:

- 1) Individuals/entities seeking authorization under this General Permit (GP) must submit a GP application to SCDES BCM as described in Section I. below entitled "General Permit Application Procedures and Required Information."
- 2) Individual coverage under this GP will be valid for 18 months from the date of issuance.
- 3) A dock may only be re-constructed to its previously permitted size, configuration and location. No additions or enlargements are allowed.
- 4) Reconstruction of the dock length (inclusive of the most channelward extent of the dock structure) must not exceed 1/4 width of the creek width if the tributary is dockable from both sides to preserve public use and navigation access of public trust property. The dock length must not exceed 1/3 of the creek width if the tributary is not dockable from both sides.
- 5) This GP does not allow the re-construction of marinas.
- 6) All remnants of the existing dock must be removed from the critical area in conjunction with construction of the permitted dock.

- 7) 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 conducted 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.
- 8) The permittee must implement best management practices during construction to minimize erosion and migration of sediments off site. These practices may include use of mulches, hay bales, silt fences, or other devices capable of preventing erosion and migration of sediments. All disturbed land surfaces must be stabilized upon project completion.
- 9) An individual authorization is limited to the scope of work described in the "Description" of the permit. Any deviation from the specifications or other terms or conditions of the General Permit will constitute a violation of the 1977 Coastal Tidelands and Wetlands Act and may result in having to stop work and restore the area(s) to the former conditions and/or imposition of penalties as provided by law.
- 10) The permittee must restore all disturbed Critical Area(s) to their original contours and conditions, no longer than 15 days of completion of work.
- 11) SCDES BCM reserves the right to require an individual permit if, in its determination, conditions warrant.
- 12) The work must comply with all local zoning and building codes and all necessary permits must be obtained from any other local, state, or federal governmental entities that may have jurisdiction over the area. This General Permit does not relieve the permittee of the responsibility of acquiring any other federal or local permits that may be required.

I. General Permit Application Procedures and Required Information

The following items (1-9) must be submitted to SCDES BCM to request *individual coverage* under this General Permit. Individual authorization must be received prior to conducting work under this General Permit.

- 1) Completed "BCM Critical Activities form." Applicants may create an account and complete the BCM General Permit Application on the Department's online permitting system, ePermitting, at <https://epermweb.dhec.sc.gov/ncore/external/home>. For more information about ePermitting including how to create an account, training or troubleshooting, please visit <https://des.sc.gov/permits-regulations/permit-central/epermitting>.
- 2) Proof that the adjacent property owners and the local governmental body having jurisdiction over the site have been notified of the proposed activity by certified mail through the use of the following notification:

- a. (Applicant) has applied to the Department for a General Permit to (description of activity) at (address or legal description of property) in (city and county). Comments on this application should be mailed to the Department at the following address: (insert local BCM office address), by (insert date, fifteen days after date of certified mailing).
- 3) The applicant must furnish the certified mail stubs to the Department at the time of mailing. Individual coverage under the General Permit cannot be issued until the fifteen-day comment period has expired.
- 4) Proof of publication that the above public notice was placed in a newspaper published in the county where the proposed activity is taking place must be provided to the Department. General Permits cannot be issued until the fifteen-day comment period as advertised in the newspaper has expired.
- 5) A detailed description of the proposed work to include the dimensions of the previously permitted structure including the different components of the dock structure (e.g. walkway, pierhead, floating dock, boatlift), method of construction and implementation of best management practices (BMP), its purpose and intended use.
- 6) A location map of overall property, with the project title, project boundaries, and road names shown. (A county road map and the USGS Topographic Quadrangle map may be used).
- 7) A plat produced by a professional land surveyor showing the certified critical area line for docks exceeding 900 feet in length.
- 8) Documentation and Drawing requirement: The applicant must provide documentation the dock structure was previously permitted by the Department. Applicants must provide a copy of the previously approved critical area permit with associated drawings and any subsequent critical area permit(s).
- 9) Photographs of the generally intact and functional dock structure must be submitted with the application. Photographs must be representative of the site and show all components of the dock structure.

NOTE: The above required information, items 1-9 must be uploaded to the ePermitting site at the time the application is submitted.

This General Permit is effective when the State official, designated to act for the SCDES Bureau of Coastal Management, has signed below.

Blair N. Williams

August 8, 2025

Manager, Critical Area Permitting Program

Date

GENERAL CONDITIONS:

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

1. That 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 SCDES BCM 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. That if the activity authorized herein is not constructed or completed within **18 months** of the date of issuance, this permit shall automatically expire. Individual authorizations under this general permit may not be extended unless significant work in progress can be demonstrated prior to the expiration pursuant to § 48-39-150(F).
3. That all authorized work shall be conducted in a manner that minimizes any adverse impact on fish, wildlife and water quality.
4. That 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. That 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. That the permittee shall permit the SCDES BCM 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. That any abandonment of the permitted activity will require restoration of the area to a satisfactory condition as determined by the SCDES BCM.
8. That individual authorizations under this general permit may not be transferred.
9. That 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. That the permit 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. That the structure or work authorized herein shall be in accordance with the issued permit and shall be maintained in good condition. Failure to build in accordance with the issued permit or failure to maintain the structure in good condition shall result in the revocation of this permit.
12. That the SCDES BCM 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 not in compliance with the special conditions and/or drawings submitted by the applicant. That the permittee, upon receipt of the SCDES BCM'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, the SCDES BCM shall provide written notification

of intent to revoke to the permittee, and permittee can respond with a written explanation to the SCDES BCM.

13. That any modification, suspension or revocation of this permit shall not be the basis of any claim for damages against the SCDES BCM or the State of South Carolina or any employee, agent, or representative of the SCDES BCM or the State of South Carolina.
14. That 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.
15. That extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of other. This permit authorizes no invasion of adjacent of private property, and SCDES BCM assumes no responsibility or liability from any claims of damage arising out of any operations conducted by the permittee pursuant to this permit.

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.

AN APPLICANT UTILIZING THIS GENERAL PERMIT HEREBY AGREES TO ABIDE BY THE TERMS AND CONDITIONS OF THE GENERAL PERMIT AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AS APPROVED BY THE AGENCY PERMITTING AUTHORITY. ANY DEVIATION FROM THESE CONDITIONS AND TERMS OF THIS GENERAL PERMIT OR THE PLANS AND SPECIFICATIONS OF THE PERMIT AS ISSUED SHALL BE GROUNDS FOR REVOCATION, SUSPENSION, OR MODIFICATION OF THIS GENERAL PERMIT AND THE INITIATION OF SUCH LEGAL PROCEEDINGS AS THE SCDES BCM MAY CONSIDER APPROPRIATE.



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

South Carolina Department of Environmental Services
Bureau of Coastal Management (SCDES BCM)

Critical Area General Permit – Erosion Control Structures
(non-oceanfront erosion control structures)

Permittee: Available to Citizens of South Carolina

Permit Number: GP-25-ECS

Date of Issuance: August 8, 2025

Expiration Date: August 8, 2030

Location: Within the tidelands and coastal waters critical areas in the eight Coastal Counties of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper.

This permit is issued under the provisions of the Coastal Tidelands and Wetlands Act (S.C. Code Sections 48-39-10 et seq.) and the Coastal Division Regulations (S.C. Code of Regulations R.30-1 et seq.). Please Carefully Read the project description and any conditions which appear on this permit because they will affect the work that is allowed.

Description of Project as Authorized: Authorization allows for the re-construction of previously permitted bulkheads or rip-rap revetments (non-oceanfront erosion control structures) that are generally intact and functional within the tidelands and coastal waters critical areas provided the following special conditions are adhered to:

1. The bulkhead or rip-rap revetment must be designed to conform to the certified critical area line and constructed so that reflective wave energy does not destroy stable marine bottoms or constitute a safety hazard. If the proposed bulkhead or rip-rap revetment does not conform to the certified critical area line, then an individual critical area permit will be required.
2. All scrap treated wood and other debris must be removed from the area prior to filling, and only clean fill dirt or sand used as backfill. The earthen banks adjacent to the bulkhead or rip-rap revetment must be stabilized with a vegetative cover as soon as possible after construction to minimize erosion and runoff.
3. The bulkhead or rip-rap revetment must be constructed landward of any vegetated wetlands. This General Permit does not authorize the filling of vegetated wetlands.
4. Rip-rap material must be free of any debris and must be comparable in size to one-man granite stone.

5. The permittee must implement best management practices during construction to minimize erosion and migration of sediments off site. These practices may include use of mulches, hay bales, silt fences, or other devices capable of preventing erosion and migration of sediments. All disturbed land surfaces must be stabilized upon project completion.
6. An individual authorization is limited to the scope of work described in the "Description" of the permit. Any deviation from the specifications or other terms or conditions of the General Permit will constitute a violation of the 1977 Coastal Tidelands and Wetlands Act and may result in having to stop work and restore the area(s) to the former conditions and/or imposition of penalties as provided by law.
7. An as-built survey 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.
8. The permittee must restore all disturbed Critical Area(s) to their original contours and conditions, no longer than 15 days of completion of work.
9. SCDES BCM reserves the right to require an individual permit if, in its determination, conditions warrant.
10. The work must comply with all local zoning and building codes, and all necessary permits must be obtained from any other local, state, or federal governmental entities that may have jurisdiction over the area. This General Permit does not relieve the permittee of the responsibility of acquiring any other federal or local permits that may be required.

I. General Permit Application Procedures and Required Information

The following items (1- 9) must be submitted to SCDES BCM to request *individual coverage* under this General Permit. Individual authorization must be received prior to conducting work under this General Permit.

- 1) Completed "BCM Critical Area Activities form." Applicants may create an account and complete the BCM General Permit Application on the Department's online permitting system, ePermitting, at <https://epermweb.dhec.sc.gov/ncore/external/home>. For more information about ePermitting including how to create an account, training or troubleshooting, please visit <https://des.sc.gov/permits-regulations/permit-central/epermitting>.
- 2) Proof that the adjacent property owners and the local governmental body having jurisdiction over the site have been notified of the proposed activity by certified mail through the use of the following notification:
 - a. (Applicant) has applied to the Department for a General Permit to (description of activity) at (address or legal description of property) in (city and county). Comments on this application should be mailed to the Department at the following address: (insert local BCM office address), by (insert date, fifteen days after date of certified mailing).

- 3) The applicant must furnish the certified mail stubs to the Department at the time of mailing. Individual coverage under the General Permit cannot be issued until the fifteen-day comment period has expired.
- 4) Proof of publication that the above public notice was placed in a newspaper published in the county where the proposed activity is taking place must be provided to the Department. General Permits cannot be issued until the fifteen-day comment period as advertised in the newspaper has expired.
- 5) A detailed description of the proposed work to include the dimensions of the previously permitted erosion control structure, type of material of the ECS to be installed, method of construction and implementation of best management practices (BMP), its purpose and intended use.
- 6) A location map of overall property, with the project title, project boundaries, and road names shown. (A county road map and the USGS Topographic Quadrangle map may be used).
- 7) Photographic documentation of the generally intact and functional erosion control structure to be replaced. The photographs should represent the entire structure, be numbered or otherwise identified and the photo location marked on a drawing or depiction.
- 8) A plat produced by a professional land surveyor licensed in the state of South Carolina showing the certified critical area line.
- 9) Documentation and Drawing requirement: The applicant must provide documentation the erosion control structure was previously permitted by the Department. Applicants must provide a copy of the previously approved critical area permit with associated drawings and any subsequent critical area permit(s).

NOTE: The above required information, items 1-9, must be uploaded to the ePermitting site at the time the application is submitted. This General Permit is only applicable to *non-oceanfront* erosion control structures.

This General Permit is effective when the State official, designated to act for the SCDES Bureau of Coastal Management, has signed below.

Blair N. Williams

August 8, 2025

Manager, Critical Area Permitting Program

Date

GENERAL CONDITIONS:

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

1. That 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 SCDES BCM 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. That if the activity authorized herein is not constructed or completed within **18 months** of the date of issuance, this permit shall automatically expire. Individual authorizations under this general permit may not be extended unless significant work in progress can be demonstrated prior to the expiration pursuant to § 48-39-150(F).
3. That all authorized work shall be conducted in a manner that minimizes any adverse impact on fish, wildlife and water quality.
4. That 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. That 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. That the permittee shall permit the SCDES BCM 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. That any abandonment of the permitted activity will require restoration of the area to a satisfactory condition as determined by the SCDES BCM.
8. That individual authorizations under this general permit may not be transferred.
9. That 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. That the permit 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. That the structure or work authorized herein shall be in accordance with the issued permit and shall be maintained in good condition. Failure to build in accordance with the issued permit or failure to maintain the structure in good condition shall result in the revocation of this permit.
12. That the SCDES BCM 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 not in compliance with the special conditions and/or drawings submitted by the applicant. That the permittee, upon receipt of the SCDES BCM'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, the SCDES BCM shall provide written notification

of intent to revoke to the permittee, and permittee can respond with a written explanation to the SCDES BCM.

13. That any modification, suspension or revocation of this permit shall not be the basis of any claim for damages against the SCDES BCM or the State of South Carolina or any employee, agent, or representative of the SCDES BCM or the State of South Carolina.
14. That 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.
15. That extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of other. This permit authorizes no invasion of adjacent of private property, and SCDES BCM assumes no responsibility or liability from any claims of damage arising out of any operations conducted by the permittee pursuant to this permit.

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.

AN APPLICANT UTILIZING THIS GENERAL PERMIT HEREBY AGREES TO ABIDE BY THE TERMS AND CONDITIONS OF THE GENERAL PERMIT AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AS APPROVED BY THE AGENCY PERMITTING AUTHORITY. ANY DEVIATION FROM THESE CONDITIONS AND TERMS OF THIS GENERAL PERMIT OR THE PLANS AND SPECIFICATIONS OF THE PERMIT AS ISSUED SHALL BE GROUNDS FOR REVOCATION, SUSPENSION, OR MODIFICATION OF THIS GENERAL PERMIT AND THE INITIATION OF SUCH LEGAL PROCEEDINGS AS THE SCDES BCM MAY CONSIDER APPROPRIATE.