

South Carolina Dock Stakeholder Workgroup Report

February 2026

South Carolina Department of Environmental Services
Bureau of Coastal Management



SC DEPARTMENT *of*
**ENVIRONMENTAL
SERVICES**

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Preface

In 2025, the South Carolina Department of Environmental Services Bureau of Coastal Management (SCDES BCM or Department) convened the South Carolina Dock Stakeholder Workgroup (Workgroup) to gain input and diverse perspectives on South Carolina’s regulatory standards and polices related to private docks. 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, primarily S.C. Code Ann. Regs. 30-12.A. The Workgroup addressed creek width measurement methods, creek width increments, and the distribution of total allowable square footage, as well as navigational, shared use, and resource challenges, and the need for additional transparency and education. The recommendations and findings outlined in this report will assist SCDES BCM with improving internal processes and identifying potential opportunities for state regulatory amendments to provide clarity and guidance for staff and the regulated community.

Introduction

The South Carolina coast is rich in an abundance and diversity of natural resources. The South Carolina General Assembly has identified four critical areas that are particularly valuable natural resources for the people of the State, and which are vulnerable to human impacts. Tidelands and Coastal Waters, two state critical areas, are vital to the environmental and economic health and resilience of the state. Tidelands are defined as “all areas which are at or below mean high tide and coastal wetlands, mudflats, and similar areas that are contiguous or adjacent to coastal waters and are an integral part of the estuarine systems involved. Coastal wetlands include marshes, mudflats, and shallows and means those areas periodically inundated by saline waters whether or not the saline waters reach the area naturally or through artificial water courses and those areas that are normally characterized by the prevalence of saline water vegetation capable of growth and reproduction.”¹ Coastal Waters are defined as “the navigable waters of the United States subject to the ebb and flood of the tide and which are saline waters, shoreward to their mean-high water mark.”² South Carolina’s Tidelands and Coastal Waters Critical Areas are legally defined as public trust resources, held by the state for the benefit of all citizens. Tidelands and Coastal Waters are relevant to the Workgroup’s discussion of docks, as these critical areas are directly impacted by the construction and presence of docks.

Importance of Tidelands and Coastal Waters Critical Areas

In South Carolina, there are nearly 350,000 acres of Tidelands, also known as salt marsh, connected to nearly 5,000 acres of intertidal oyster reefs, creating an expansive habitat that is economically and environmentally valuable to the region.³ South Carolina has about one-third of the one million acres of

¹ S.C. Code Ann. § 48-39-10(G)

² S.C. Code Ann. § 48-39-10(F)

³ <https://www.dnr.sc.gov/marine/habitat/saltmarsh.html>; SCDNR Live Oyster GIS Layer

estuarine salt marsh in the southeast.⁴ Estuarine salt marshes are among the most biologically productive habitats in the world. This habitat offers food, shelter, and breeding grounds for culturally and economically important commercial and recreational species, including shrimp and crabs, supporting a nearly \$25M annual seafood industry. Salt marshes also protect upland areas by buffering impacts from storms and high tides. Marshes improve water quality by acting as filters, removing sediment and pollutants. These areas also provide aesthetic and recreational value, bolstering a strong coastal tourism economy in South Carolina.⁵

Challenges

In the last several decades, South Carolina has experienced significant population growth. According to the South Carolina Revenue and Fiscal Affairs Office, the population in the state's eight-county Coastal Zone increased by 51% between 2000 and 2020. Between 2020 and 2040, the population in the Coastal Zone is projected to increase by an additional 34%. This sustained influx of residents in coastal areas has led to increased development pressure and a proliferation of private docks. In 2015, there were approximately 14,000 docks in coastal South Carolina, a number which has continued to climb in the subsequent decade. The increasing number of docks has resulted in use conflicts, including navigation and shoreline access, as well as resource challenges including impacts to the Tidelands Critical Area. Additionally, the limitations and complexities of dock regulations have the potential to introduce further challenges. Current regulatory standards include limited categories for creek widths, resulting in the potential for issues with distribution of total allowable square footage. Dock regulation amendments over the years, aimed at addressing use challenges and conflicts, have also led to complexities related to dock square footage calculations and exceptions.

Use Conflict: Navigation

Stakeholders have highlighted navigation limitations on smaller and mid-sized creeks with docks as a significant issue, impacting adjacent property owners, contractors, recreational users, tour guides, and many others. Channels on smaller creeks tend to migrate and change more rapidly than on larger creeks, which can limit or block access. (Figures 1 and 2).

⁴ <https://www.fisheries.noaa.gov/feature-story/new-plan-outlines-strategies-conserving-south-atlantic-salt-marsh-habitat#:~:text=About%20Us-,New%20Plan%20Outlines%20Strategies%20for%20Conserving%20South%20Atlantic%20Salt%20Marsh,the%20future%20of%20these%20habitats.>

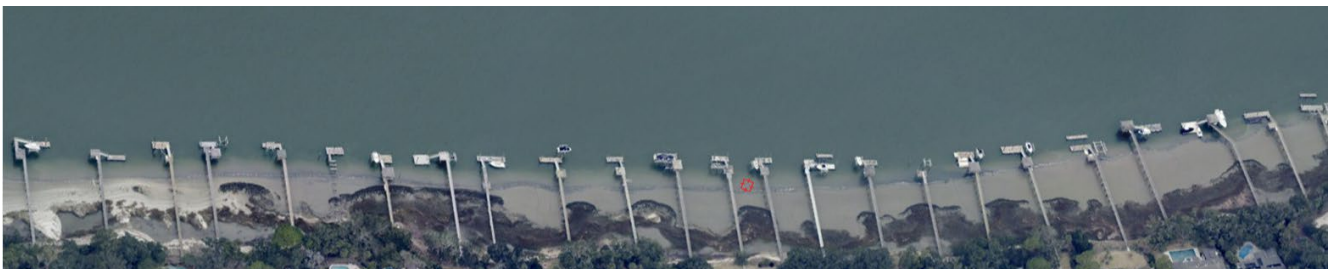
⁵ S.C. Code of Regulations R.30-1(B)



Figures 1 and 2: Examples of navigation and public access limitations with docks on small creeks.

Use Conflict: Shoreline Access

Shoreline access can also become an issue when many docks are spaced closely together or when dock owners seek to restrict public access to Coastal Waters and shorelines around dock structures (Figures 3 and 4). This issue creates a lack of public access for stakeholders including fishermen, recreational users, commercial guides, and contractors.





Figures 3 and 4: Examples of shoreline access limitations along shorelines with high dock density.

Resource Challenge: Impacts to Critical Areas

Stakeholders have also highlighted impacts to the Tidelands Critical Area, particularly impacts to salt marsh vegetation. The Department reviewed more than 20 research studies from 1999 to 2023, which focused on assessing and evaluating dock shading impacts in the southeast, mid-Atlantic, and northeast. These studies highlighted impacts to salt marsh vegetation, which included reduced light, reduced plant density, height, and biomass, as well as secondary and cumulative impacts. Southeast studies showed that elevated docks reduced light between 30-82% depending on height, season, and time of day.⁶ Light was decreased directly under the dock, but also in the dock 'shadow' adjacent to the dock. These studies also showed significant reductions in marsh plants beneath docks. South Carolina, Georgia, and Virginia studies showed reductions of stem density, 71% for SC, 50-56% for GA, and 65% for VA.^{7, 8, 9, 10} Some studies have shown that as stem density decreases, plant height can increase. This often occurs in low light conditions as the plant reaches for sunlight.¹¹ Despite increased individual plant height in these cases, however, the overall reduction in stem density leads to a net decrease in total plant material.¹² Secondary and cumulative impacts from fewer plants can include increased soil erosion and reduced

⁶ Alexander, C. (2012). *Field assessment and simulation of shading from alternative dock construction materials*. Skidaway Institute of Oceanography.

⁷ Sanger, D. M., Holland, A. F., & Gainey, C. (2004). *Cumulative Impacts of Dock Shading on *Spartina alterniflora* in South Carolina Estuaries*. *Environmental Management*, 33(5), 741–748. <https://doi.org/10.1007/s00267-004-0018-9>

⁸ Alexander, C. R., & Robinson, M. H. (2004). *GIS and field-based analysis of the impacts of recreational docks on the saltmarshes of Georgia*. Technical Report prepared for The Georgia Coastal Zone Management Program, Georgia Department of Natural Resources, Coastal Resources Division.

⁹ Alexander, C., & Robinson, M. (2006). *Quantifying the ecological significance of marsh shading: The impact of private recreational docks in Coastal Georgia*. Coastal Resources Division, Georgia Department of Natural Resources.

¹⁰ Sanger, D. M., & Holland, A. F. (2002). *Evaluation of the impacts of dock structures on South Carolina estuarine environments* (Technical Report No. 99). South Carolina Department of Natural Resources, Marine Resources Division, Marine Resource Research Institute.

¹¹ Alexander, C., & Robinson, M. (2006). *Quantifying the ecological significance of marsh shading: The impact of private recreational docks in Coastal Georgia*. Coastal Resources Division, Georgia Department of Natural Resources.

¹² Alexander, C., & Robinson, M. (2006). *Quantifying the ecological significance of marsh shading: The impact of private recreational docks in Coastal Georgia*. Coastal Resources Division, Georgia Department of Natural Resources.

food availability for marsh species.^{13, 14} Docks can also act as baffles, impeding the natural removal of wrack, which can lead to denuded marsh surfaces.^{15, 16}

Dock Regulations: Limitations and Complexity

Since the initial establishment of South Carolina's Coastal Division Regulations in 1978, the state's dock regulations have been amended several times, as highlighted in the Regulatory History section below. Current regulatory standards were designed with limited categories for creek widths and docks. Stakeholders have shared that, over time and in different coastal scenarios, this has led to some inequities in dock development. Existing regulations also include a number of calculation factors for determining allowable dock square footage, including creek width, special geographic circumstances, use type, and boat storage structures. Stakeholders have expressed interest in examining opportunities to provide clarity in the regulations, allowing for a more streamlined and equitable process for dock square footage determinations.

Regulatory History

In 1977, the South Carolina General Assembly enacted the [Coastal Tidelands and Wetlands Act](#), also known as the SC Coastal Zone Management Act, "[t]o protect and, where possible, to restore and enhance the resources of the State's coastal zone for this and succeeding generations." The Act created a new state agency, the South Carolina Coastal Council, and charged it with administering and enforcing the statute. In 1994, the South Carolina Coastal Council was restructured under the Department of Health and Environmental Control (DHEC), which subsequently became the Department of Environmental Services (DES) in 2024.¹⁷

SCDES BCM has direct permitting authority over the four critical areas of the state, which include Tidelands and Coastal Waters. Any utilization or alterations in these critical areas require review by SCDES BCM to determine if authorization is required. In South Carolina, specific project standards for activities (including dock construction and maintenance) within the Tidelands and Coastal Waters Critical Areas are outlined in South Carolina's Coastal Division Regulations. Historically, the Department has addressed dock-related issues within the state's Tidelands and Coastal Waters Critical Areas through stakeholder engagement, targeted workgroups, and regulatory promulgation in an effort to balance coastal development with public access and environmental protection (Figure 5).

¹³ Kearney, V. F., Segal, Y., & Lefor, M. W. (1983). *The effects of docks on salt marsh vegetation*. Connecticut State Department of Environmental Protection. Hartford, CT.

¹⁴ Alber, M., & Flory, J. (2005). *Environmental Effects of Docks and Marinas*, Prepared for Stakeholder Workgroup. Georgia Coastal Research Council.

¹⁵ Alexander, C. (2008). *Wrack assessment using aerial photography in coastal Georgia*. Skidaway Institute of Oceanography.

¹⁶ Alexander, C. R., & Robinson, M. H. (2004). *GIS and field-based analysis of the impacts of recreational docks on the saltmarshes of Georgia*. Technical Report prepared for The Georgia Coastal Zone Management Program, Georgia Department of Natural Resources, Coastal Resources Division.

¹⁷ All iterations of agency referred to as the Department.

Timeline of Regulatory Amendments & Workgroups Addressing SC Dock Issues

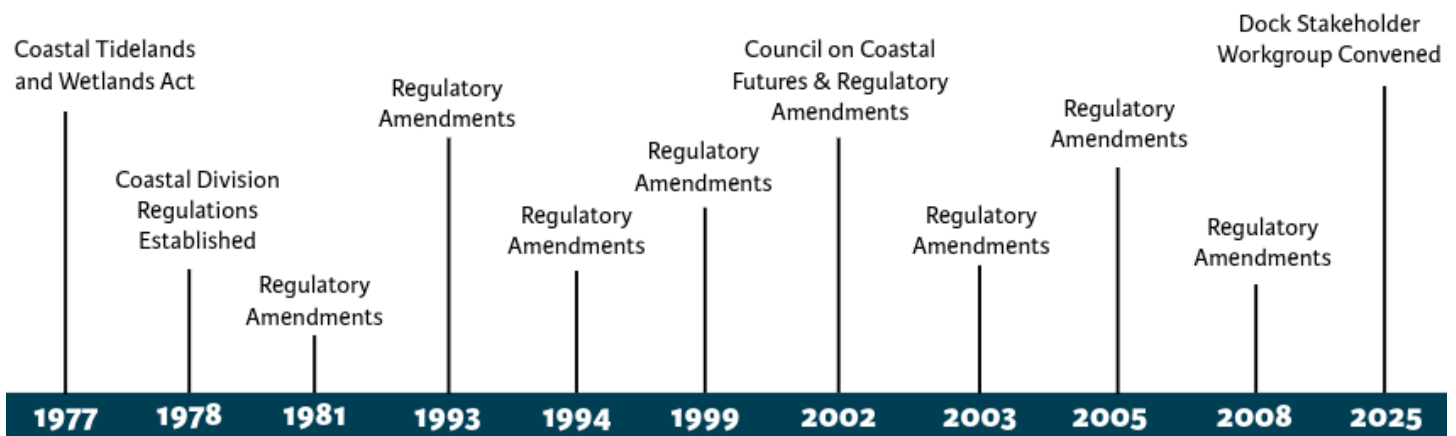


Figure 5: The Coastal Tidelands and Wetlands Act directs the Department to promulgate regulations. The timeline shares key regulatory amendments & workgroups related to docks.

Below is a summary of changes to the Coastal Division Regulations related to docks by year. These summaries are not inclusive of all changes, but rather primarily focus on topics identified and discussed by this Workgroup.

Summary of 1978 Regulations

The 1978 Rules and Regulations defined docks and piers and recognized that these structures can potentially pose navigational problems, restrict public use of the waters, and under certain circumstances create environmental problems. The regulations outlined provisions and standards for constructing docks and piers, including protections for navigation and reasonable public use of waters, walkway width and elevation requirements, encouraging upland dry storage over moorings in crowded areas, encouraging joint-use facilities and protections for shellfish and other mariculture lease activities.

Summary of 1981 Amendments

These amendments added two additional standards for docks and piers, requiring that structures should use the least environmentally damaging alignment, and all applications for docks and piers should accurately illustrate the alignment of property boundaries with adjacent owners.

Summary of 1993 Amendments

These amendments added a requirement that all applications for docks and piers should show not only the alignment of property boundaries with adjacent owners, but also the distance of the proposed dock from extended property boundaries, which will be an extension of the high ground property line. These amendments also included the addition of regulatory standards for dock storage structures, maximum dock length, handrails, the extension of structures into the creek, minimum water frontage requirements, minimum offsets from extended property lines, establishment of creek width increments and associated square footage allowances, and roofs on private docks.

Summary of 1994 Amendments

These amendments provided clarification related to minimum water frontage requirements for lots. Specifically, lots with less than the required frontage, but with at least 50 feet of frontage, both on the marsh edge and along the water between the waterfront extended property lines may be eligible for a common dock with the adjacent property. The amendments also addressed application requirements and the permitting process for applications involving adjoining landowners claiming ownership of the critical area.

Summary of 1999 Amendments

These amendments provided clarification for existing language and further refined project standards for private docks. Specifically, these amendments added a definition for Special Geographic Circumstances, clarified the limitation of dock and pier structures to one structure per parcel, provided clarification that the Department may allow construction closer than 20 feet or over extended property lines where there is no material harm to the policies of the Act, allowed boat lifts or davit systems with specific criteria and standards, and specified that grandfathered or previously permitted fixed and floating docks which are larger than allowed may not be enlarged. In addition, these amendments clarified the prohibition of enclosed boat houses, prohibited attics or enclosed ceiling storage on roofed docks, and prohibited gabled and flat roofs.

Summary of 2002 Amendments

These amendments modified language to clarify that docks must generally extend to the first navigable creek within property line extensions. This includes channels with an established history of navigational access or use. Further, language was modified to prohibit docks on creeks less than 20 feet wide unless special geographic circumstances apply and to clarify that docks will not be permitted in any creeks under 10 feet wide nor will any boat lift be permitted on docks allowed in creeks less than 20 feet wide. Language was also modified to restrict docks to 600 square feet on creeks larger than 150 feet wide unless special geographic circumstances and land uses warrant a larger structure. The amendments also provided language regarding boat storage docks and clarification for roofs on private docks.

Summary of 2003 Amendments

These amendments included a definition of waterfront property, specified the maximum handrail height of 36 inches, clarified that the marsh and water body frontage requirements for single and multiple use docks at 75 and 50 feet respectively, amended language to specify which dock related structures are included in the calculation of total allowable dock square footage, and amended language for consistency in describing and specifying total allowable dock square footage for various size creeks.

Summary of 2005 Amendments

These amendments included a significant reorganization of R.30-12.A. with modifications to standards for private and joint use docks. Language was added to discourage structures that lift vessels in the air

creating visual impacts by specifying that the area of boat storage docks larger than 8 feet by 20 feet, as well as areas bounded by unroofed boat lifts and davits, are included in the total allowable dock square footage determination. Language was also added to explain how the square footage impacts of boat lifts and davits will be calculated and to explain how creek width will be measured in the absence of marsh vegetation. The amendments also clarified that in creeks less than 20 feet wide, total allowable dock square footage is restricted to 50 square feet, and boat lifts, davits and boat storage docks will not be permitted. Language was included to allow the area of boat storage docks less than 8 feet by 20 feet in size to not be counted in the total allowable dock square footage.

Summary of 2008 Amendments

These amendments added a definition for 'boat storage structure' and amended the definition of 'special geographic circumstances'. Under the amended definition of special geographic circumstances, Department staff have discretion to apply one or more circumstances to dock applications, which may allow up to an additional fifty percent (50%) to what was allowed in R.30-12(A)(2)(c). The amendments also added language pertaining to allowable square footage for joint use docks. The Department was guided to allow additional square footage for joint use docks above and beyond the size allowed for individual docks but not to exceed 2 times that allowed. The amendments further replaced terms describing the types of boat storage structures allowed on docking facilities and specified the number of boat storage structures allowed based on creek size. Single family docking facilities were limited to one boat storage structure per docking facility on creeks between 20 feet and 50 feet and a maximum of two boat storage structures on creeks wider than 50 feet. The amendments added language clarifying that parcels or lots must be waterfront to be eligible for docks and piers.

As highlighted above, the Department has engaged stakeholders and pursued regulatory amendments over the years to address changing needs related to docks. However, given the significant population growth in coastal South Carolina and the associated increase in docks, as well as feedback from stakeholders, the Department is revisiting this topic. The Workgroup's review and recommendations related to the state's current regulatory standards and policies for private docks provides an opportunity to improve clarity, streamline processes, and establish more equitable standards to ensure resource preservation and proportional access for private, recreational, and commercial users of our shared resources.

Dock Stakeholder Workgroup

In February 2025, SCDES BCM convened the South Carolina Dock Stakeholder Workgroup (Workgroup) to gain input and diverse perspective on South Carolina's regulatory standards, policies, and challenges related to private docks.

The Workgroup was charged with conducting solution-based discussions and developing consensus-based recommendations for revisions to the state's private dock regulatory standards and policies, primarily within S.C. Code Ann. Regs. 30-12.A. Workgroup members were encouraged to maintain a coast-wide perspective and ensure that recommendations were guided by two foundational regulatory

requirements: docks should be “reasonable for the intended use” and “shall not restrict the reasonable navigation or public use of State lands and waters.”

Workgroup Members

Sixteen members participated in the Workgroup representing diverse backgrounds and constituencies, including dock and marine contractors and engineers, private sector consultants, state and local government representatives, and conservation organizations. Workgroup participants and affiliations are provided below.

- Amy Armstrong, Executive Director and General Counsel, South Carolina Environmental Law Project
- Cameron Baker, Principal, C Baker Engineering
- Bill Barna, Professional Engineer, McSweeney Engineers
- Sean Barnes, President, Docks Unlimited
- Kevin Blayton, Director of Public Works, City of North Myrtle Beach (retired)
- Stacie Crowe, Coastal Environmental Project Manager, South Carolina Department of Natural Resources
- Riley Egger, Land, Water and Wildlife Program Director, Coastal Conservation League (former)
- Stephen L. Goldfinch, Senator, South Carolina District 34
- Curtis Joyner, Owner, Bridgeview Coastal Consulting, LLC
- Mike Kirby, Professional Engineer
- Erich Murray, President, American Dock and Marine
- Duncan O’Quinn, President and Owner, O’Quinn Marine Construction
- Hunter Oriani, Professional Engineer, McSweeney Engineers
- Nicole Pehl, Marine Program Manager, The Nature Conservancy
- Lorianne Riggin, Director of Environmental Program, South Carolina Department of Natural Resources
- April Turner, Coastal Communities Program Specialist, South Carolina Sea Grant Consortium

Summary of Workgroup Activities

A series of seven Workgroup meetings were held between February and December 2025. All meetings were held at the SCDES BCM Charleston office, except for the final two meetings, which were held virtually via Microsoft Teams. Meetings were facilitated by SCDES BCM staff.

Workgroup Findings

The Workgroup was convened to identify recommendations that would inform potential changes to dock regulations to ensure protection of and access to the public trust resource, while improving the clarity, equity, and flexibility of the permitting process. The Workgroup discussed creek width measurement methods, creek width increments, the distribution of total allowable square footage, navigational and public access challenges, and the need for outreach and educational guidance related to regulatory

requirements and processes. Potential recommendations related to these topics were discussed in depth, and seven consensus recommendations were identified by the Workgroup. These recommendations, outlined below, will assist SCDES BCM with proposing potential regulatory amendments, identifying opportunities for internal process improvement, and implementing actions to enhance stakeholder education and engagement to provide a more effective and efficient permitting process.

In discussing the topics outlined in this report, the Workgroup identified groups of stakeholders, or entities, and resources that may be impacted by docks (Figure 6), which were considered during the discussion and the development of the final recommendations.

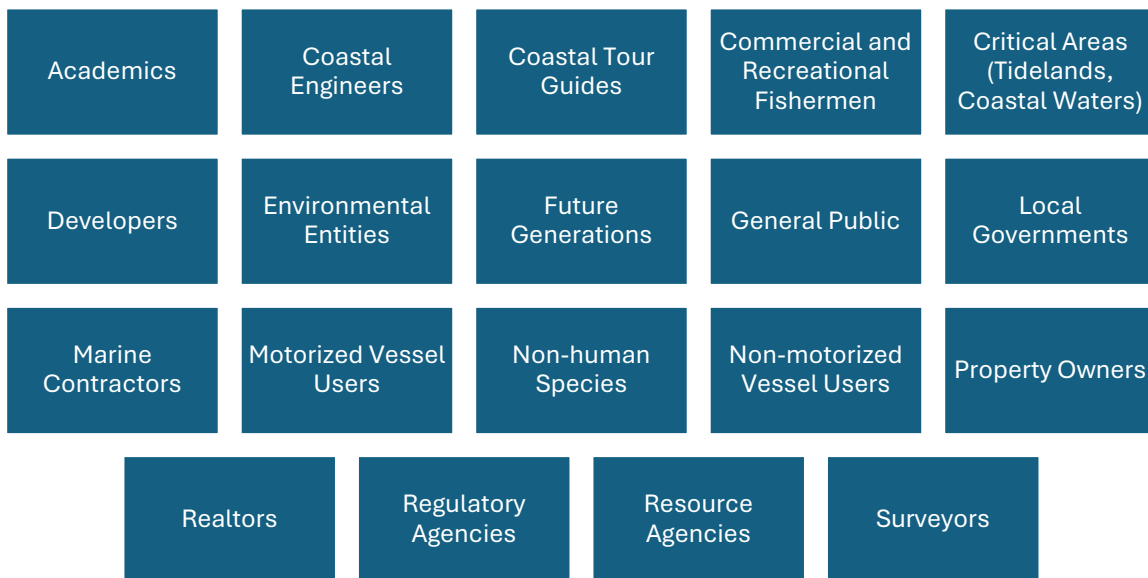


Figure 6: Stakeholders, or entities, and resources that may be affected by docks.

Creek Widths

Currently, the base square footage size and positioning of a dock pierhead is primarily determined by the width of the creek on which the dock is located. Therefore, how and where the creek is measured is key to that determination. The Workgroup discussed both the measurement method and the measurement location.

Measurement Method

Given the dynamic and variable nature of tidal creeks, the Workgroup discussed how to accurately and consistently measure creek width to inform permitting decisions. Various options were considered, including marsh edge-to-marsh edge, mean low water (MLW), the channel, or a combination of these. The Department's current primary approach to determining creek width relies on identifying the distance

from marsh edge-to-marsh edge, as specified in regulation.¹⁸ The Workgroup confirmed that this method for determining creek width is the preferred method, with additional clarity needed on the use of the stable line of vegetation, rather than single stalks of vegetation.

The Workgroup acknowledged that secondary indicators are necessary where marsh grass is absent and noted that seasonal differences in marsh grass locations should be considered. Department staff currently utilize secondary indicators to determine creek width when marsh grass is absent, as guided in regulation.¹⁹ In addition to the indicators listed in regulation, other indicators include defined oyster shellfish beds, mean low water (MLW), line of sandbars, the confluence of multiple creeks/braided systems, the top/face of bulkheads, the mean high water (MHW) mark on rip rap revetments, and the erosional scarp of the upland bank. There was Workgroup consensus that these secondary indicators should be used for determining creek width in situations where marsh grass is absent. However, since not all of these secondary indicators are listed in regulation, the Workgroup suggested SCDES BCM include this information in the educational materials suggested in recommendation 7.

Recommendation 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.

Measurement Locations

In addition to the measurement method, the Workgroup also discussed the measurement location. Currently, a single creek width measurement is collected at the proposed dock location. Workgroup members discussed the challenge of utilizing a single measurement to determine the creek width for permitting decisions, given the dynamic nature of creeks, marsh migration, and the variability of creek width within a parcel, as well as between adjacent properties and along the waterbody itself. The Workgroup determined that a single, static measurement was inadequate to capture the useable width of a creek to determine an appropriate allocation of total allowable square footage. The Workgroup agreed that multiple measurements are necessary to account for the variability of creek width on a parcel and discussed using measurements at the parcel boundary (measured at each end of the parcel), at the location of 20-foot offsets (measured 20 feet inside the parcel boundary), and at the centerline of the proposed structure.

There was Workgroup consensus 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 (Figure 7), and the averaged creek width on the ebb and flood sides of the proposed structure should be used to represent creek width at the site.

¹⁸ S.C. Code of Regulations R.30-12(A)(2)

¹⁹ S.C. Code of Regulations R.30-12(A)(2) indicates that if marsh vegetation does not exist, the Department will utilize other indicators of channel width such as changes in grade and the critical area boundary.

Recommendation 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.

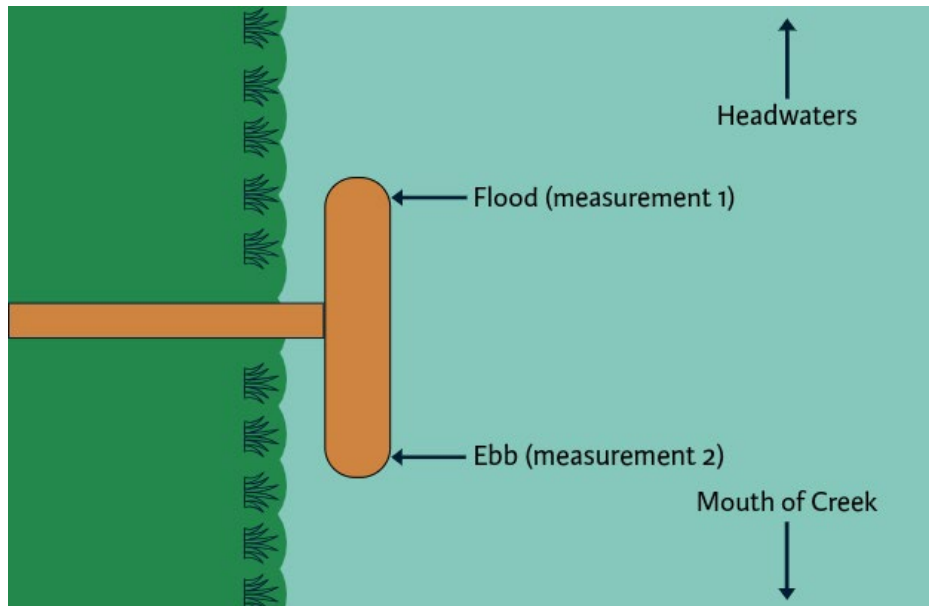


Figure 7: Graphic shows the proposed two measurements to be taken and averaged to determine creek width.

Lower Creek Width Threshold

Under current regulations, docks are not permitted on creeks less than 10 feet wide. Workgroup members discussed factors such as navigation, maintenance, public access, impacts to critical areas, what is reasonable use, as well as creek migration and variability when discussing the lower creek width threshold. For smaller creeks, concerns were expressed regarding docks blocking safe navigation and



Figure 8: An example map used by Workgroup members to examine creek width and potential use conflicts, including navigation and public access.

impeding access for recreational and commercial use (e.g., guides), as well as impeding equipment needs for existing dock maintenance. The Workgroup examined maps (example Figure 8) showing smaller creeks with varying widths to identify what constitutes a smaller creek and what creek size(s) may create use conflicts with docks. During breakout groups, members discussed what challenges they saw on the maps, what width constitutes a small waterbody and what width should be used for the lower threshold. There was also discussion about the tendency of smaller creeks to migrate and change, sometimes resulting in docks blocking access. Workgroup members explored a number of increased thresholds, ranging from 20 to 30 feet to determine what threshold would be ideal to address challenges, while still allowing reasonable use by property owners.

Considering the increased potential for use conflicts and navigation issues on smaller creeks, and the nature of smaller creeks to migrate, there was Workgroup consensus that 20 feet should be the lower creek width threshold and docks should not be permitted on creeks 20 feet wide or less.

Recommendation 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.

Threshold for the Maximum Creek Width Category

Under current regulations, the maximum creek width category begins with creeks greater than 150 feet. As with the smaller creeks, the Workgroup examined maps (example Figures 9, 10, and 11) showing a variety of larger waterbodies to identify what constitutes a larger waterbody. As the maps demonstrate, the largest waterbodies can vary considerably, from just over 150 feet to thousands of feet; however, these waterbodies are currently all eligible for the same allowable dock square footage. Workgroup members considered factors such as navigation, public access, impacts to critical areas, and what is considered reasonable use. Differing sizes, even within larger waterbodies, can affect navigation and access. The Workgroup discussed various options, with proposed maximum creek thresholds ranging from 150 feet (excluding United States Army Corps of Engineers-maintained channels) to 400 feet, noting





Figures 9, 10, and 11: Example maps showing larger waterbody widths.

the importance of maintaining navigational safety. There was Workgroup consensus that the maximum creek width category should be increased to capture creeks greater than 350 feet.

Recommendation 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'.

Creek Width Increments

Following the determination of recommended thresholds for smallest and largest creek width categories, the Workgroup discussed the intermediate categories. Currently, regulations provide for a total of four creek width increment categories (Table 1). Workgroup members indicated that these increment categories are fairly broad and may create inequities when determining total allowable square footage. For example, a 21-foot creek differs substantially from a 50-foot creek; however, they are in the same category and qualify for the same total square footage. Similarly, a 51-foot creek is grouped with a 150-foot creek, and a 151-foot creek is in the same category as a 400-foot creek, despite sizeable differences.

Workgroup members were provided maps (example Figures 12, 13, and 14) of intermediate creek widths to consider, along with factors such as navigation, maintenance, public access, impacts to critical areas, what is reasonable use, and creek migration and variability. The Workgroup agreed that finer-scale increments would reduce inequities and allow property owners to maximize total square footage on larger waterbodies, while minimizing impacts on smaller creeks. The Workgroup reviewed a number of possibilities for creek width increments and concluded that the increments proposed in Table 1 are reasonable.



Figures 12, 13, and 14: Example maps of intermediate creek widths.

Recommendation 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. The Workgroup agrees that the proposed increments in Table 1 are reasonable.²⁰

²⁰ Under current regulations, private docks are not allowed on creeks less than 10' in width. The Workgroup proposed increasing this threshold to creeks less than 20' in width.

Current Creek Width Increments	Proposed Creek Width Increments
10-20'	N/A
20-50'	21-30'
20-50'	31-40'
20-50'	41-50'
51-150'	51-70'
51-150'	71-90'
51-150'	91-120'
51-150'	121-150'
Greater than 150'	151-200'
Greater than 150'	201-250'
Greater than 150'	251-350
Greater than 150'	Greater than 350'

Table 1: Current (left column) and Proposed (right column) Creek Width Increments. The proposed increments provide more gradual, equitable groupings.

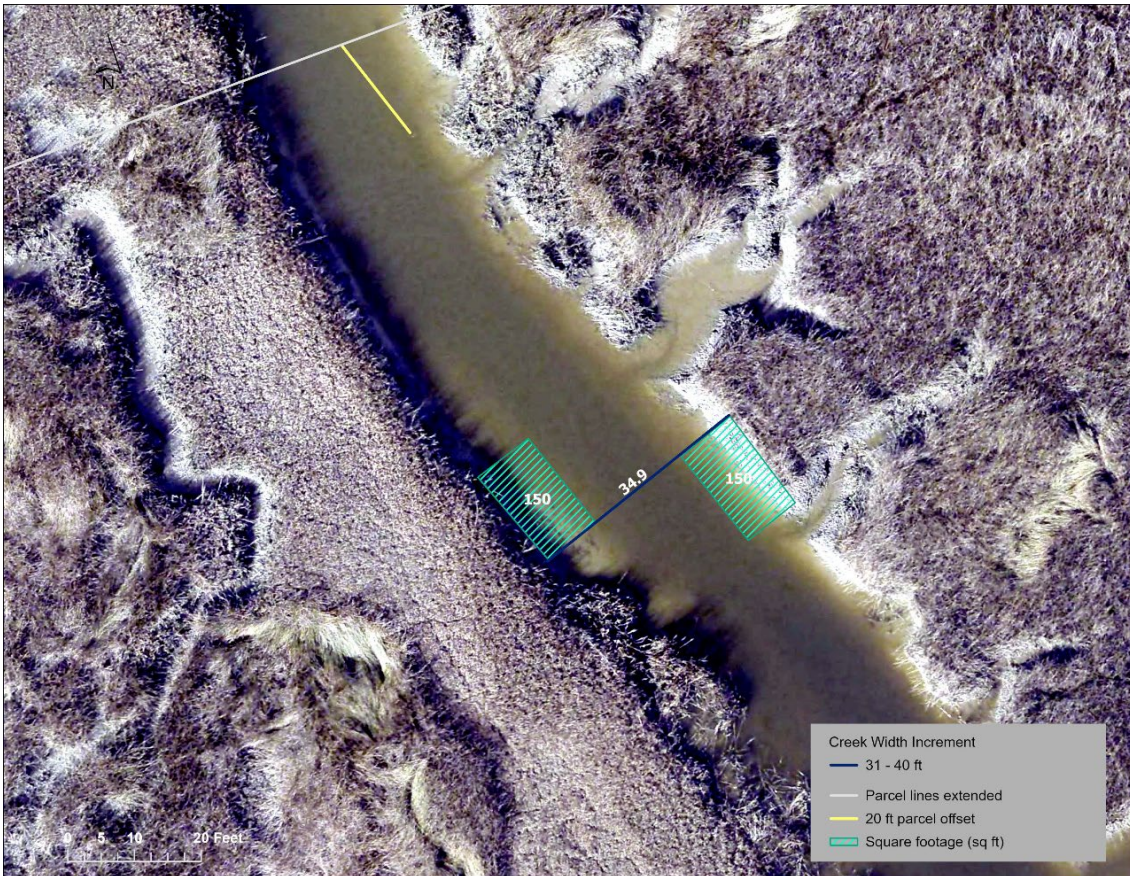
Total Allowable Square Footage

Under current regulations, total allowable square footage for private and joint-use docks is determined based on multiple factors, including: 1.) Creek width, 2.) Boat Storage Structures (BSS), and 3.) Special Geographic Circumstances (SGC's). Property owners begin with a base allowable square footage, dependent on creek width. There are only four (4) creek width categories, and as discussed above, there are large variations within each category (Table 2). The next factor is boat storage structures, which may or may not count against the total dock square footage, depending on the size of the BSS and if they are covered with a roof. Boat storage structures currently do not count against the total dock square footage if the size is 8 ft x 20 ft or less (160 sq ft). The area of any larger structure greater than 160 square feet counts against the total allowable dock square footage. The complete area of a BSS with a roof, regardless of size, will count towards the total allowable square footage. The roof footprint is used to calculate the area of the covered BSS. Lastly are SGC's, which are defined in regulation as physical characteristics and land uses of surrounding uplands and waters that may warrant additional consideration towards dock sizes. Special geographic circumstances include tidal ranges of greater than 6 feet, lots with greater than 500 feet of water frontage, and no potential access via dockage from the opposite side of the creek. On lots that meet at least one (1) SGC, the Department may allow up to an additional 50% of square footage above the base allowable square footage.

Creek Width Increments	Base Allowable Sq Ft	Boat Storage Structures (BSS)	Allowable Sq Ft w/BSS	Allowable Sq Ft w/SGC + BSS
10-20'	0	0	0	50
21-50'	120	1	280	340
51-150'	160	2	480	560
Greater than 150'	600	2	920	1220

Table 2: Current Creek Width Increments and Associated Square Footage.

The Workgroup discussed the complexity of these calculations and expressed concern with the challenges they present, including uncertainty of square footage and less flexibility. They indicated interest in working toward a clearer, more streamlined process. In examining options for determining total allowable square footage, the Workgroup reviewed a theoretical buildable formula calculation, 'bucket' square footages, the use of special geographic circumstances, and incremental square footages. While acknowledging that a formula calculation option could reduce ambiguity, the Workgroup indicated a need for ground truthing the results. To get a more real-world understanding of various total square footages, the Workgroup reviewed maps showing creek width increments with varying total square footages to visualize how different sized docks would fit into small, intermediate, and larger waterbodies (example maps in Figures 15, 16, and 17). The Workgroup recognized the need to limit dock sizes on smaller creeks, while also wanting to provide more flexibility and larger dock options on larger waterbodies. Looking for opportunities to simplify the process, the Workgroup considered removing some of the current calculation components, specifically SGC and BSS. Removing these components from the total square footage calculation could provide for more clarity and certainty on what square footages are allowed. However, considering the increased potential for use conflicts and navigation issues on the smallest creeks, there was Workgroup consensus to retain SGCs on the smallest creek width increment (20- to 30-foot). For larger waterbodies, the Workgroup reviewed information about the standards for marinas in terms of linear space and moorage and acknowledged the need to avoid conflating private dock standards with marinas.





Figures 15, 16, and 17: Example maps showing square footages on different creek width increments. The green boxes represent the total square footage, not the actual configuration of dock layout.

The Workgroup suggested that creating square footages ‘buckets’ and removing calculation components like SGC and BSS (for nearly all creek widths), would increase both clarity of the standard, as well as flexibility. For each ‘bucket’, there would be a total allowable square footage, and each property may use it in different ways. Property owners would be able to determine the best use of the total square footage for their use, whether it is a pierhead, boat storage structure(s), floating dock(s) or some combination. For example, some owners may prefer a larger pierhead over boat storage structures. Others may want to balance pierhead size with a floating dock and/or boat lift. The finer-scale creek width increments, the modified total square footages, and the streamlined square footage calculation aim to reduce challenges for smaller creeks, expand options for larger waterbodies, and reduce the complexity of the calculation process.

Recommendation 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). The Workgroup agrees that total allowable square footage allocations presented in Table 3 are equitable and appropriate.

Creek Width Increments	Boat Storage Structures	Current Total Allowable Square Footage (Including BSS)	Proposed Total Allowable Square Footage (Including BSS)	Change Type
0-10'	0	0	0	N/A
10-20'	0	50*	No new docks	▼
21-30'	1	280	80^	▼
31-40'	1	280	150	▼
41-50'	1	280	250	▼
51-70'	2	480	350	▼
71-90'	2	480	450	▼
91-120'	2	480	650	▲
121-150'	2	480	800	▲
151-200'	2	920	1,000	▲
201-250'	2	920	1,200	▲
251-350'	2	920	1,300	▲
Greater than 350'	2	920	1,400	▲

Table 3: Recommended Creek Width Increments, Boat Storage Structures, and Total Allowable Square Footage Inclusive of Boat Storage Structures. *With Special Geographic Circumstances (SGC), a property may qualify for a 50 square foot dock on creeks between 10-20 feet in width. ^ With Special Geographic Circumstances (SGC), a property may qualify for an 80 square foot dock on creeks between 21-30 feet in width.

Education

Workgroup members highlighted the importance of clearly communicating regulatory information on process and requirements to stakeholders, including the general public, property owners, prospective buyers, contractors, and realtors. The Workgroup suggested educational materials be developed on the overall process and specific regulatory standards and requirements. Visual aids like tables or graphics were also suggested.

Recommendation 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.

Additional Discussion Topics

Over the course of the Workgroup meetings, several other topics were discussed. These topics covered limitation on encroachment into the creek, allowance for the dock to encroach over the marsh, potential need to increase the minimum height of walkways and pierheads, potential for an increased number of allowable boat storage structures on larger creeks and not including hook/hangar storage for kayaks and

paddleboards as a boat storage structure. While these topics were included in the conversations, there were no clear recommendations or consensus at this time.

Summary and Next Steps

The Workgroup evaluated the State's dock regulations, standards and policies, discussed use and resource challenges, and addressed topics including creek width measurement methods, creek width increments, the distribution of total allowable square footage, navigational challenges on narrow creeks, and the need for enhanced transparency and education. The Workgroup worked toward consensus recommendations to ensure the protection of and access to the public trust resource while streamlining and improving the clarity, equity, and flexibility of the permitting process. The resulting seven recommendations, outlined in this report, will assist SCDES BCM with improving internal processes and identifying opportunities to provide improvements through potential changes in state regulation.

Acknowledgements

The SC Dock Stakeholder Workgroup process would not have been possible without the dedication of time and energy from the Workgroup members and SCDES staff. SCDES recognizes and appreciates the effort required to organize, attend, and document all the meetings.

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