

Agency Name: Coastal Council - Department of Environmental Services

Statutory Authority: 48-6-10 et seq., 48-39-10 et seq., 2023 Act No. 60, effective July 1, 2024, and 2026 Act No. 146, effective May 15, 2026

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Subject: Statement of Policy; Applying for a Permit; and Special Project Standards for Tidelands and Coastal Waters

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Document No. 5468
DEPARTMENT OF ENVIRONMENTAL SERVICES
CHAPTER 30

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., 2023 Act No. 60, effective July 1, 2024, and 2026 Act No. 146, effective May 15, 2026

- 30-1. Statement of Policy.
- 30-2. Applying for a Permit.
- 30-12. Special Project Standards for Tidelands and Coastal Waters.

Preamble:

Pursuant to S.C. Code Section 48-39-50, the South Carolina Department of Environmental Services (Department) is charged with promulgation of rules and regulations in order to carry out the provisions of the chapter, including reviewing applications to alter and/or utilize the critical areas of the State. The Department implements the policies of the S.C. Coastal Zone Management Act (S.C. Code Sections 48-39-10 et seq.) and the Coastal Division Regulations to promote the economic and social welfare of the citizens of this state while protecting the sensitive and fragile areas in the coastal counties and promoting sound development of coastal resources.

Over the past several decades, South Carolina's coast has experienced significant population growth and development, including a proliferation of private docks, leading to navigation, access, and natural resource impacts and challenges. Additionally, existing dock regulations, first established in 1978 and amended several times since, currently include a number of calculation factors for determining allowable dock square footage. In 2025, the Department convened the South Carolina Dock Stakeholder Workgroup to gain input and diverse perspectives on these challenges and the existing regulatory standards and policies related to private docks. Based in part on recommendations and key findings of the Workgroup, the Department proposes to amend 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 and guidance for staff and the regulated community, and to reduce navigational, access, and resource impacts and conflicts.

The Department also proposes amending R.30-2.H to separate the 401 Water Quality Certification administered by the Department's Bureau of Water from the Critical Area Permitting process. Currently, if an activity requires both a Section 401 Water Quality Certification and Critical Area Permit from the Department, the Critical Area Permit serves as the 401 Water Quality Certification for an associated federal permit. Removing this requirement will 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 proposed amendments may also include corrections for clarity and readability, grammar, punctuation, codification, and other such regulatory text improvements.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

The Department had a Notice of Drafting published in the April 24, 2026, South Carolina State Register.

Section-by-Section Discussion:

Section	Type of Change	Purpose
R.30-1	Revision	Amend to add statutory authority.

R.30-1.D(50)	Revision, Technical Correction	Amend definition of Special Geographic Circumstances to clarify the creek widths the circumstances may be applied to, removal of reference to tidal ranges. Amend for stylistic clarity.
R.30-2	Revision	Amend to add statutory authority.
R.30-2.H	Revision	Amend to separate the 401 Water Quality Certification administered by the Department's Bureau of Water from the Critical Area Permitting process.
R.30-12	Revision	Amend to add statutory authority.
R.30-12.A	Technical Correction	Amend to remove incorrect definition number reference and for stylistic clarity.
R.30-12.A(1)(a)	Technical Correction	Amend to remove incorrect definition number reference. Amend for stylistic clarity. Amend to correct grammatical error.
R.30-12.A(2)(a-b)	Technical Correction, Revision	Amend for stylistic clarity and to correct wording.
R.30-12.A(2)(c)	Revision, Deletion	Amend to clarify the areas included in total allowable dock square footage, method for measuring creek width to determine allowable square footage, and indicators the Department may use when marsh vegetation does not exist. Removed reference to DMPs as it is no longer relevant.
R.30-12.A(2)(c)(i-iv)	Revision, Technical Correction	Revise creek widths where docks will not be permitted, creek width ranges where docks may be permitted, and associated allowable square footages. Amend for stylistic clarity.
R.30-12.A(2)(c)(v-xi)	Addition	Add additional creek width ranges where docks may be permitted and associated allowable square footages.
New R.30-12.A(2)(c)(xii)	Revision, Technical Correction	Revise largest creek width category and associated total allowable square footage. Renumber and amend for stylistic clarity.
New R.30-12.A(2)(c)(xiii)	Revision, Technical Correction	Revise square footage multiplier that may be applied to joint use docks and amend to improve sentence structure. Renumber item.
New R.30-12.A(2)(c)(xiv)	Revision, Technical Correction	For grandfathered or previously permitted private and joint use docks, clarify that any modifications must be in compliance with current regulations and clarify these structures may not be enlarged if they are already larger than allowances in revised R.30-12.A.(2)(c). Renumber item and

		amend for stylistic clarity.
New R.30-12.A(2)(c)(xv-xvi)	Technical Correction	Renumber items.
R.30-12.A(2)(c)(x)	Deletion	Delete item to maintain consistency with revision to R.30-12.A(2)(c) clarifying the areas included in total allowable dock square footage.
R.30-12.A(2)(d)(ii)	Technical Correction	Amend for stylistic clarity.
R.30-12.A(2)(e)(i)	Revision, Technical Correction	Revise to clarify eligibility for boat storage structures for single family docking facilities according to creek width. Amend for stylistic clarity.
R.30-12.A(2)(e)(ii)	Deletion, Addition	Remove reference to activities prohibited on lifts and davits. Add language to clarify eligibility for boat storage structures on joint use docking facilities according to creek width.
R.30-12.A(2)(e)(iii)	Revision, Technical Correction	Clarify that boat storage structures must be open sided with no enclosures. Amend for stylistic clarity.
R.30-12.A(2)(f)	Addition	Add boat maintenance activities prohibited on boat storage structures or any component of dock structure.
R.30-12.A(2)(g)	Addition	Add standards for channelward extension of dock structures into waterbody.

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may submit written comments on the proposed amendments to Liz Hartje of the Bureau of Coastal Management; South Carolina Department of Environmental Services, 1362 McMillan Avenue, Suite 400, Charleston, SC 29405; Liz.Hartje@des.sc.gov. To be considered, the Department must receive comments no later than 5:00 p.m. on Monday, September 28, 2026, the close of the comment period.

Should a public hearing on the proposed regulations be requested by qualifying entities or the requisite number of persons pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, the South Carolina Administrative Law Court will conduct a public hearing on Tuesday, October 27, 2026, beginning at 10:00 a.m. at the South Carolina Administrative Law Court, Edgar Brown Building, Second Floor, 1205 Pendleton Street, Columbia, S.C. 29201. If a qualifying request pursuant to Section 1-23-110(A)(3) is not received by 5:00 p.m. on Monday, September 28, 2026, the hearing will be cancelled.

Preliminary Fiscal Impact Statement:

The Department estimates no additional cost incurred by the state or its political subdivisions as a result of the promulgation, approval, and implementation of these proposed amendments. The Department will use existing staff and resources to implement these amendments.

Statement of Need and Reasonableness:

The following presents an analysis of the factors listed in 1976 Code Sections 1-23-115(C)(1)-(3) and (9)-(11):

DESCRIPTION OF REGULATION: R.30-1, Statement of Policy, R.30-2, Applying for a Permit, and R.30-12, Special Project Standards for Tidelands and Coastal Waters.

Purpose: Over the past several decades, South Carolina's coast has experienced significant population growth and development, including a proliferation of private docks, leading to navigation, access, and natural resource impacts and challenges. Additionally, existing dock regulations, first established in 1978 and amended several times since, currently include a number of calculation factors for determining allowable dock square footage. In 2025, the Department convened the South Carolina Dock Stakeholder Workgroup to gain input and diverse perspectives on these challenges and the existing regulatory standards and policies related to private docks. Based in part on recommendations and key findings of the Workgroup, the Department proposes to amend 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 and guidance for staff and the regulated community, and reduce navigational, access, and resource impacts and conflicts.

The Department also proposes amending R.30-2.H to separate the 401 Water Quality Certification administered by the Department's Bureau of Water from the Critical Area Permitting process. Currently, if an activity requires both a Section 401 Water Quality Certification and Critical Area Permit from the Department, the Critical Area Permit serves as the 401 Water Quality Certification for an associated federal permit. Both of these processes are governed by review timeframes which are independent from one another. Removing this requirement will allow for a more streamlined review process, including 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.

Legal Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., 2023 Act No. 60, effective July 1, 2024, and 2026 Act No. 146, effective May 15, 2026.

Plan for Implementation: The amendments will take legal effect upon General Assembly approval and publication in the State Register. Department personnel will then take appropriate steps to inform the regulated community of the amendments, apply the amendments to their permit reviews and follow the new procedures outlined for the 401 Water Quality Certification process.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The Department proposes to amend R.30-1.D(50) and R.30-12.A(2), to streamline standards applicable for the construction of private and joint use docks and to improve clarity and guidance for staff and the regulated community. South Carolina's coast has experienced significant population growth and development, including a proliferation of private docks, leading to navigation, access, and natural resource impacts and challenges. Additionally, existing dock regulations, first established in 1978 and amended several times since, currently include a number of calculation factors for determining allowable dock square footage. The proposed amendments are designed to streamline standards applicable for the construction of private and joint use docks, to improve clarity and guidance for staff and the regulated community, and reduce navigational, access, and resource impacts and conflicts. The Department also proposes amending R.30-2.H to separate the 401 Water Quality Certification administered by the Department's Bureau of Water from the Critical Area Permitting process. Both of these processes are governed by review timeframes which are independent from one another. Removing this requirement will allow for a more streamlined review process and assist with meeting timeframes for application reviews.

DETERMINATION OF COSTS AND BENEFITS:

The Department does not anticipate additional costs to the state resulting from administration of these proposed amendments. Benefits to the state would include improved management of coastal resources by streamlining regulatory standards and reviews, providing clarity to the regulated community, allowing for a more efficient public notice and permit decision, and assisting with meeting timeframes for application reviews by both the 401 Water Quality Certification and Critical Area Permitting programs. The Department does not anticipate additional costs to the regulated community as a result of these proposed new regulations.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:

Implementation of the proposed amendments seeks to benefit the environment by providing more clarity and efficiency to the Department's statutory directives to manage the State's Tidelands and Coastal Waters Critical Areas, which have been identified by the state as environmentally, commercially, and recreationally important, while being ecologically fragile and vulnerable to alterations. The amendments are also designed to address navigational, access, and natural resource impacts and use conflicts, particularly on smaller creeks. The proposed amendments will further streamline the Department's decision processes for 401 Water Quality Certification and Critical Area Permits. Separating the two decisions will allow for more flexibility in meeting each decision's respective regulatory timeframe.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

Not implementing these amendments will result in continuing challenges for the Department's implementation of statutory directives for managing the State's Tidelands and Coastal Waters Critical Areas. These challenges include the continued use of numerous calculations to determine the total allowed square footage for docks, less efficient review processes, and continued navigational, access, and natural resource impacts and use conflicts, particularly on smaller creeks. The proposed amendments will streamline the dock application process for the regulated community and allow for a clearer, more efficient review process for staff, while reducing impacts and use conflicts.

For the 401 water quality certification, there are no anticipated detrimental effects on the environment and public health if the proposed amendments to the regulation are not implemented. The purpose of the proposed amendments is to streamline the Department's decision processes for 401 Water Quality Certification and Critical Area Permits.

Statement of Rationale:

Here below is the Statement of Rationale pursuant to S.C. Code Section 1-23-110(A)(3)(h):

Over the past several decades, South Carolina's coast has experienced significant population growth and development, including a proliferation of private docks, leading to navigation, access, and natural resource impacts and challenges. Additionally, existing dock regulations, first established in 1978 and amended several times since, currently include a number of calculation factors for determining allowable dock square footage. In 2025, the Department convened the South Carolina Dock Stakeholder Workgroup to gain input and perspectives on these challenges and the existing regulatory standards and policies

related to private docks. The Workgroup represented diverse backgrounds and constituencies, including dock and marine contractors and engineers, private sector consultants, elected officials, state and local government representatives, and conservation organizations. The Workgroup's recommendations and findings were outlined in a final report released in early 2026 and can be accessed through the Department's website at: <https://des.sc.gov/programs/bureau-coastal-management/south-carolina-dock-stakeholder-workgroup>. The proposed amendments were based in part on the recommendations and key findings of the Dock Stakeholder Workgroup. The proposed amendments will further streamline the Department's decision processes for 401 Water Quality Certification and Critical Area Permits. Separating the two decisions will allow for more flexibility in meeting each decision's respective regulatory timeframe.

~~Indicates Matter Stricken~~

Indicates New Matter

Text:

30-1. Statement of Policy.

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., 2023 Act No. 60, effective July 1, 2024, and 2026 Act No. 146, effective May 15, 2026

R.30-1.D(50) shall be revised as follows:

(50) Special Geographic Circumstances - physical characteristics and land uses of surrounding uplands and waters may warrant additional consideration toward dock sizes. Special Geographic Circumstances identified by BCM include: ~~tidal ranges of greater than 6 feet;~~ lots with greater than five hundred (500) feet of water frontage; and no potential access via dockage from the opposite side of the creek. At the discretion of Department staff, one or ~~more~~ both of these circumstances may be applied to allow docks on creeks with widths between twenty-one (21) and thirty (30) feet with total allowable dock square footage as indicated in R.30-12.A(2)(c). ~~applications, which may allow up to an additional fifty percent (50%) to what is allowed in 30-12.A(2)(c).~~

30-2. Applying for a Permit.

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., 2023 Act No. 60, effective July 1, 2024, and 2026 Act No. 146, effective May 15, 2026

R.30-2.H shall be revised as follows:

H. Water Quality ~~Certificate~~ Analysis: ~~If a water quality certificate is not~~ Whether or not a water quality certification is required by a Federal permitting agency under Section 401 of P.L. 92-500, the Department may evaluate whether there is a reasonable assurance the project will not contravene State Water Quality Standards. The Department will ~~not~~ issue a separate 401 water quality certification pursuant to R.61-101. ~~for an activity which requires a direct permit for alteration of the critical area of the coastal zone pursuant to applicable regulations governing issuance of permits for alteration of the critical area of the coastal zone.~~ The Department will process permit applications pursuant to applicable regulations governing issuance of permits for alteration of the critical areas of the coastal zone with coordination and input from appropriate staff regarding water quality impacts. ~~The direct permit will serve as the 401 water quality~~

~~certification for an associated Federal permit. Nothing in this regulation relieves parties of ensuring that they have all other required permits, including, but not limited to State permits.~~

30-12. Special Project Standards for Tidelands and Coastal Waters.

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., 2023 Act No. 60, effective July 1, 2024, and 2026 Act No. 146, effective May 15, 2026

R.30-12.A shall be revised as follows:

A. Docks and Piers: A dock or pier is a structure built over and/or floating on water and is used to provide access to water and for the mooring of boats. Docks and piers are the most popular method of gaining access to deep water. Docks and piers sometimes pose navigational problems, restrict public use of the water and, under certain circumstances, possess potential for creating environmental problems. This section is divided in five parts providing standards for 1) all, 2) private and joint use, 3) master planned, 4) commercial and (5) community docks. Docks are defined in R.30-1.D(16) Docks. Community docks have less environmental impact than multiple private or joint use docks. One or more community dock(s) in a development will be permitted when sufficient numbers of private or joint use docks are eliminated and other applicable Department regulations are met. This section does not include standards for marinas, which are addressed in R.30-12.E. Marinas by definition include docks with more than two hundred fifty (250) linear feet of effective docking space.

R.30-12.A(1) shall be revised as follows:

(1) The following standards are applicable for construction of all docks and piers:

(a) Docks and piers shall be limited to one (1) structure per parcel or lot and in all instances, parcels or lots must be waterfront as defined by R.30-1.D(53), and shall not restrict the reasonable navigation or public use of State lands and waters;

R.30-12.A(2) shall be revised as follows:

(2) The following standards in addition to those in R.30-12.A(1) are applicable for the construction of private and joint use docks:

(a) Storage on docks will be limited to a bench-like locker no larger than three (3) feet high, by three (3) feet deep, by eight (8) feet long.

(b) Walkways leading to a dock or pier shall not exceed four (4) feet in width. For ~~handicapped~~ disability access, the Department may utilize The Americans with Disabilities Act (ADA) recommendations for walkway width and other structural configurations. Reference 28 CFR Part 36.

(c) The Department sets forth the following standards for size and use of pierheads and floating docks based on creek widths. Total allowable dock square footage as used in this section includes the areas of any fixed pierheads, floating docks, ~~the area of boat storage docks~~ structures, additional areas covered by a roof, and similar structures that provide access to the water or for mooring boats ~~and areas bounded by an unroofed boatlift, davit or similar structure~~; and excludes walkways, catwalks, ramps, mooring buoys, and mooring piles. For purposes of determining creek width, a measurement must be taken from the edge of marsh vegetation on each side of the creek at the flood side and ebb side of the proposed dock structure. The average of these measurements will be utilized to determine allowable square footage. ~~If~~ marsh vegetation does not exist, the Department will utilize other indicators of

~~channel/creek width such as, but not limited to, changes in grade, and the critical area boundary defined creek channel, defined oyster shell beds, mean low water, mean high water, escarpments and creek shoreline uniformity. Lots in subdivisions with approved DMPs as of May 24, 2002, are exempt from R.30-12.A(2)(c)(i) and (ii) as amended on May 24, 2002. R.30-12.A(2)(c)(i) and (ii) as amended on May 24, 2002, does not apply to lots of record that existed as of May 24, 2002, until the later of July 1, 2007, or the expiration of any permit issued prior to that date.~~

(i) Docks will not be permitted on creeks less than ~~40~~twenty-one (21) feet wide ~~as measured from marsh vegetation on each side.~~

(ii) Docks will not be permitted on creeks ~~less than~~between twenty-one (21) and 20~~thirty (30)~~ feet wide ~~as measured from marsh vegetation on each side unless one of the following two special geographic circumstances exists as defined in R.30-1.D: a lot has greater than 500 feet of water frontage or no potential access via dockage from the opposite side of the creek. If special geographic circumstances exist, the Department may qualify the property for total allowable dock square footage will be restricted up to but not to exceed 50~~eighty (80) square feet. ~~Boat lifts, davits, and boat storage docks will not be permitted on any dock allowed in creeks less than 20 feet wide.~~

(iii) On creeks between ~~20~~thirty-one (31) and ~~50~~forty (40) feet wide, ~~as measured from marsh vegetation on each side, total allowable dock square footage shall be restricted~~may be allowed up to but not to exceed 120~~one hundred fifty (150) square feet unless special geographic circumstances and land uses warrant a larger structure.~~

(iv) On creeks between ~~54~~forty-one (41) and ~~150~~fifty (50) feet wide, ~~as measured from marsh vegetation on each side, total allowable dock square footage shall be restricted~~may be allowed up to but not to exceed 160~~two hundred fifty (250) square feet unless special geographic circumstances and land uses warrant a larger structure.~~

(v) On creeks between fifty-one (51) and seventy (70) feet wide, total allowable dock square footage may be allowed up to but not to exceed three hundred fifty (350) square feet.

(vi) On creeks between seventy-one (71) and ninety (90) feet wide, total allowable dock square footage may be allowed up to but not to exceed four hundred fifty (450) square feet.

(vii) On creeks between ninety-one (91) and one hundred twenty (120) feet wide, total allowable dock square footage may be allowed up to but not to exceed five hundred fifty (550) square feet.

(viii) On creeks between one hundred twenty-one (121) and one hundred fifty (150) feet wide, total allowable dock square footage may be allowed up to but not to exceed six hundred fifty (650) square feet.

(ix) On creeks between one hundred fifty-one (151) and two hundred (200) feet wide, total allowable dock square footage may be allowed up to but not to exceed nine hundred fifty (950) square feet.

(x) On creeks between two hundred one (201) and two hundred fifty (250) feet wide, total allowable dock square footage may be allowed up to but not to exceed one thousand (1,000) square feet.

(xi) On creeks between two hundred fifty-one (251) and three hundred fifty (350) feet wide, total allowable dock square footage may be allowed up to but not to exceed one thousand fifty (1,050) square feet.

~~(vixii)~~ On creeks larger than ~~150~~three hundred fifty (350) feet ~~wide, as measured from marsh vegetation on each side,~~ total allowable dock square footage ~~shall be restricted~~may be allowed up to but not to exceed 600~~one thousand one hundred (1,100)~~ square feet ~~unless special geographic circumstances and land uses warrant a larger structure;~~

~~(vixiii)~~ Contingent upon the sharing of the walkway and pierhead, ~~The Department will~~may allow additional square footage for joint use docks above and beyond the size allowed for individual docks, up to but not to exceed 21.5 times that allowed in subsections R.30-12.A(2)(c)(iii) through ~~(vixii);~~ ~~contingent upon the sharing of the walkway and pierhead.~~

~~(vixiv)~~ Any modifications to grandfathered or previously permitted private and joint use docks must be in compliance with current regulations. Grandfathered or previously permitted ~~fixed and floating~~private and joint use docks which are larger than allowed in R.30-12.A(2)(c)(ii-~~vixii~~) may not be enlarged.

~~(vixv)~~ Enclosed boathouses are prohibited.

~~(ixxvi)~~ Boats moored at docks cannot restrict the reasonable navigation or public use of State lands and waters. Under no circumstance are live-aboards allowed at private docks. Commercial activities are prohibited at private docks unless they are water-dependent and approved by the Department. Illegal use of a private dock is grounds for permit revocation.

~~(x)~~ ~~Boat storage structures will not count against the total dock square footage as outlined in 30-12.A(2)(c)(ii-vi) if the size of the structure is 8 feet by 20 feet or less. The area of any larger structure greater than 160 square feet will count against the total allowable dock square footage.~~

(d) Roofs on private docks will be permitted on a case-by-case basis, with consideration given to the individual merits of each application. Precedent in the vicinity for similar structures will be considered as well as the potential for impacting the view of others. Roofs that have the potential to seriously impact views will not be allowed, while those that have minimal impact may be allowed. The following standards will be used in evaluating applications for roofs.

(i) Roofs shall be clearly shown on the public notice application drawings; and described in the written description of the project. Attics or enclosed ceiling storage on roofed docks are prohibited.

(ii) Flat roofs are prohibited. Where a roof is otherwise permissible, maximum allowable roof height shall be twelve (12) feet² as measured from the floor decking of the dock to the highest point of the roof including any ornamental structures.

(iii) Rails on decks are not to be incorporated into roofs and no steps, ladders or other means of accessing the roof on a permanent basis are allowed.

(e) Boat storage structures are allowed, provided the entire docking system is limited to the minimum structure size needed to accomplish the intended use. The following standards will be used in evaluating applications for boat storage structures:

(i) Single family docking facilities will be limited to one (1) boat storage structure per docking facility on creeks between ~~20~~twenty-one (21) feet and fifty (50) feet in width; and a maximum of two (2) boat storage structures will be allowed on creeks fifty-one (51) feet or wider ~~than 50 feet~~.

~~(ii) Hull scraping, sandblasting, painting, paint removal, and major engine repair are prohibited on lifts and davits.~~ Joint use docking facilities will be limited to one (1) boat storage structure on creeks between twenty-one (21) feet and thirty (30) feet in width, up to two (2) boat storage structures on creeks between thirty-one (31) and fifty (50) feet in width, up to three (3) boat storage structures on creeks between fifty-one (51) and one hundred twenty (120) feet in width, and a maximum of four (4) boat storage structures on creeks one hundred twenty-one (121) feet or wider.

(iii) ~~Boatlifts~~ Boat storage structures must be open sided with no enclosures. Catwalks are allowed to provide access on one side and shall be a maximum of three (3) feet wide.

(f) Boat maintenance, including, but not limited to hull scraping, sandblasting, painting, paint removal, and major engine repair, is prohibited on boat storage structures or any other component of the dock structure.

(g) The Department will determine the allowable channelward extension of the dock based on conditions at the site. The channelward extension of the entire dock structure shall not extend farther channelward than adjacent docks, unless extraordinary geographic conditions can be shown. However, in no case may the dock structure exceed the channelward extension limitations found in R.30-12.A(2)(g)(i) and (ii).

(i) If the creek is dockable from the opposite side, the channelward extension of the entire dock structure shall not exceed one-fourth (1/4) of the width of the creek as measured from the edge of marsh vegetation on each side of the creek. Subject to this limitation, in situations where the deepest portion of the navigable channel is not located in the center of the creek and is located nearer to the property of the proposed dock structure, the entire dock structure shall not extend farther channelward than one-fourth (1/4) of the width of the navigable channel if the creek is dockable from the opposite side.

(ii) If the creek is not dockable from the opposite side, the channelward extension of the entire dock structure shall not exceed one-third (1/3) of the width of the creek as measured from the edge of marsh vegetation on each side of the creek. Subject to this limitation, in situations where the deepest portion of the navigable channel is not located in the center of the creek and is located nearer to the property of the proposed dock structure, the entire dock structure shall not extend farther channelward than one-third (1/3) of the width of the navigable channel if the creek is not dockable from the opposite side.