

and a response was received from Thomas & Hutton on October 5, 2021. Concurrently, DHEC Bureau of Water's Coastal Stormwater Permitting Section has been coordinating with Thomas & Hutton to obtain additional information about how changes in vegetation cover could affect changes in stormwater runoff, whether stump removal is proposed, and the construction sequence and scope of work at any one time. This information was requested on October 6, 2021 and a response has not been received as of the date of this letter.

The DHEC OCRM Setback Line marks the landward limit of beachfront direct critical area permitting jurisdiction at this site. However, if any proposed activity landward of the Setback Line requires review and authorization from DHEC Bureau of Water's Coastal Stormwater Permitting Section or any other required State or Federal permit, the review of DHEC OCRM's Coastal Zone Consistency Section could also be triggered. Therefore, for the proposed vegetation management work plan, DHEC OCRM's Critical Area Permitting Section, DHEC Bureau of Water's Coastal Stormwater Permitting Section, and DHEC OCRM's Coastal Zone Consistency Section have coordinated this response.

It is our understanding that tree and shrub removal would be conducted at grade and that existing beach access paths would be used to the maximum extent practicable for work area ingress and egress. No native dune plants including Sea Oats, American Beach Grass, and Bitter Panicum would be disturbed. In Zones 1 and 2 seaward of the Setback Line, Myrtles are proposed to be trimmed to a minimum height of 3 feet, and no tree or shrub removal is proposed. Likewise, in Zone 3 seaward of the "Dune Line" shown in Attachment A, Myrtles are proposed to be trimmed to a minimum height of 3 feet, and no tree or shrub removal is proposed. The Dune Line follows an older dune ridge through the interior of the accreted land. Where the Transition Zone overlaps the area seaward of the Setback Line in Zone 2 and where the Transition Zone overlaps the area seaward of the Dune Line in Zone 3, no tree or shrub removal is proposed. In Zone 3 landward of the Dune Line and seaward of the Setback Line, trimming and removal of certain species and sizes of trees are proposed as described in the attached work plan. In all zones, vines are proposed to be removed as determined by the Town of Sullivan's Island.

The Department is concerned about the scope and methods of the proposed work, especially in Zone 3 landward of the Dune Line and seaward of the Setback Line. This area is within the beach/dune system Critical Area, and therefore within DHEC OCRM's direct critical area permitting jurisdiction. You have proposed to use a skid steer mower mounted to a small rubber tired tractor or similar machinery within this area to cut at ground level and mulch in place trees and shrubs 3" DBH and smaller. It is our opinion that utilizing machinery in the beach/dune system will disturb and alter existing soils and topography, even if the trees and shrubs themselves are cut at ground level. Additionally, Section 3.0 of the work plan describes tree removal that would occur within the Transition Zone landward of the Dune Line and seaward of the Setback Line in Zone 3 and Section 8.0 describes tree removal that would occur outside of the Transition Zone but landward of the Dune Line and seaward of the Setback Line. A tree survey locating 6" DBH and larger trees was performed in 2014. Section 3.0 of the work plan would result in 167 of 174 identified trees being removed (96%). Seven of the trees would remain in place (4%). Section 8.0 of the work plan would result in 63 of 79 identified trees being removed (80%). Sixteen of the trees would remain in place (20%). This level of tree removal is significant; therefore, a Major Critical Area Permit from DHEC OCRM would be required if the Town pursues the activities described in the work plan. The Major Critical Area Permit process includes a completed application, \$250 application fee if the Town is the applicant, completed

Affidavit of Ownership or Control form and supporting documents, professional signed/stamped drawings, 30-day public comment period, and newspaper notice affidavit of publication. The Critical Area Permit application packet is attached to this letter as "Attachment C."

As indicated above, DHEC Bureau of Water's Coastal Stormwater Permitting Section has been coordinating with Thomas & Hutton regarding any authorizations that may be necessary based upon the work depicted on the workplan for the vegetation management within the accreted land. Following are the outstanding comments in need of being addressed for this evaluation based upon a couple of meetings, and correspondence from April 23, 2021 and October 6, 2021:

1. Will the curve number for Zones 1 through 3 change as a result of the proposed tree and shrub removal? Also, address change in land cover and what the change in cover will do to stormwater runoff. It was indicated on the call August, 25, 2021 that Thomas and Hutton will look at contours as well and address the response in a narrative.
2. What is the direction of runoff for Zones 1 through 3?
3. What is the scope of work? Include a construction sequence that specifies a scope of work at one time. It was indicated on our call on August 25, 2021 that work will progress slowly with selective clearing, roughly estimated 2 blocks at a time and acreage will include wetland work which will slow work progression more. It was also indicated on the call that a scope will be developed that will allow some flexibility.
4. What is the total area included in the work plan? This also relates to #3 above regarding the amount of work at any one time.
5. It would be helpful to indicate no stump removal is proposed in Sections 5,6, and 8 if that is the case.

DHEC OCRM is required by the South Carolina Coastal Zone Management Act to review all state and federal permit applications for activities within the eight-county coastal zone for consistency with the State's Coastal Zone Management Plan (SCCZMP). For the proposed work areas landward of the DHEC OCRM Setback Line a review by the Department may be necessary pending your response to the items above. A corresponding review by the Department for Coastal Zone Consistency may also be necessary. These reviews would focus on the policies of the SCCZMP for Guidelines for the Evaluation of All Projects, Activities in Areas of Special Resource Significance (Barrier Islands and Dune Areas specifically), Stormwater Management (Runoff), and Beach and Shoreline Access.

Please call me at 843-953-0250 or email me at slagelmj@dhec.sc.gov if you have any questions.

Sincerely,

Matthew J. Slagel
Beachfront Permitting Project Manager
Critical Area Permitting Section

Cc: Mr. Blair Williams, DHEC OCRM Critical Area Permitting Section Manager
Mr. Chris Stout, DHEC OCRM Coastal Zone Consistency Section Manager
Mr. Bradley Churdar, DHEC OCRM Associate General Counsel
Ms. Shannon Hicks, DHEC Bureau of Water Coastal Stormwater Permitting Manager
Mr. Andy Benke, Town of Sullivan's Island Administrator
Mr. Derk Van Raalte, Hair | Van Raalte Attorneys at Law
Mr. Shawn Boone, U.S. Army Corps of Engineers