S.C. Department of Health and Environmental Control

Permit for Construction in Navigable Waters

in Accordance with R. 19-450 et. seq., 1976 S.C. Code of Laws

PERMITTEE: **SC DHEC**
PERMIT NUMBER: **GP 2007-001 (Revised)**
DESCRIPTION OF WORK: **Construction, installation, maintenance and/or repair of piers, floating docks and limited dredging in Navigable Waters in South Carolina.**
DATE PERMIT ISSUED: **June 20, 2022**
CONTRUCTION MUST BE COMPLETED BY: **June 20, 2027**

We have reviewed plans for this project and determined that there is a reasonable assurance that the proposed project will be conducted in a manner consistent with the permitting requirements of R. 19-450 et. seq., 1976 S.C. Code of Laws.

This permit is subject to the special condition on the attached page as well as the general conditions.

The SC Department of Health and Environmental Control reserves the right to impose additional conditions on this Permit to respond to unforeseen, specific problems that might arise and to take any enforcement action necessary to ensure compliance with State standards.

All activities authorized by this permit remain subject to the requirements of all applicable laws, regulations and ordinances of federal, state, and local governments. The permittee may not conduct or maintain any activities authorized by this permit unless such activities also comply with all other applicable laws, regulations and ordinances of federal, state and local governments.

This permit shall not be deemed to be in derogation of any property rights or interests of persons or entities other than the permittee with respect to (a) property upon which the permitted activity is situated, or (b) property affected by the permitted activity. This permit confers upon the permittee no greater rights than the permittee possessed before issuance of the permit with respect to property rights or interests of third persons or entities.

Chuck Hightower, Manager
Water Quality Certification
and Wetlands Section

6/20/22
Date

SPECIAL CONDITIONS

SC DHEC **GP 2007-001 (Revised)**

1. See attached General Permit GP 2007-001 (revised)

Healthy People. Healthy Communities.

General Permit No.: SC GP-2007-001
Name of Applicant: The General Public
Effective Date: 6/20/2022
Expiration Date: 6/20/2027

South Carolina Department of Health and Environmental Control
General Permit

A General Permit to perform work in or affecting the navigable waters of South Carolina, pursuant to regulations and procedures established under R.19-450, *Permits for Construction in Navigable Waters* (et seq., Code of Laws of South Carolina, 1976), as amended, is hereby issued by the South Carolina Department of Health and Environmental Control (the Department) to:

The General Public

To authorize, subject to the general and special conditions contained herein, the construction, installation, maintenance and/or repair of piers, floating docks (including joint use and community docks), boat lifts, mooring piles, dolphins, covered boat sheds and dock covers, and limited dredging for private non-commercial uses within

NAVIGABLE WATERS IDENTIFIED HEREIN

I. **Permit Area**

A. This permit authorizes construction in, on, over, or under all navigable waters of South Carolina, as defined at R.19-450.2.C, except those navigable waters identified in Part I.B. below.

B. This permit does not authorize construction in, on, over, or under the following navigable waters:

1. **Waters for which the Department has issued another general permit to construct.** These waters include Fishing Creek, Gaston Shoals, Great Falls, Lake Greenwood, Lake J. Strom Thurmond, Lake Keowee, Lake Marion, Lake Moultrie, Lake Murray, Lake Robinson, Lake Wateree, Lake Wylie, Ninety Nine Islands, and Rocky Creek.

2. **Waters within the critical area of the coastal zone of South Carolina.** The critical area includes coastal waters and tidelands as defined at Section 48-39-10 of the South Carolina Coastal Zone Management Act (48-39-10 *et. seq.*).

3. **Those Segments of rivers designated as Scenic River Corridors.** These include the following river corridors.

Ashley River Corridor. This 22-mile segment of the river extends from Sland's Bridge (US Highway 17-A) near Summerville to the Mark Clark expressway (I-526) bridge in Charleston.

Black River Corridor. This 75-mile segment of the river begins at County Road #40 in Clarendon County and extends southeast through Williamsburg County to Pea House Landing at the end of County Road #38 in Georgetown County.

Broad River Corridor. This segment of the river flows from 99 Islands dam to the confluence with the Pacolet River.

Catawba River Corridor. This segment of the river flows from the Lake Wylie Dam to SC Highway 9 in Chester County.

Great Pee Dee River Corridor. This segment of the river runs from the US 378 Bridge between Florence and Marion Counties to the US 17 Bridge in Georgetown.

Little Pee Dee River Corridor. This 14-mile segment of the river flows from Highway 378 to the confluence with the Great Pee Dee River.

Little Pee Dee River of Dillon County Corridor. This 48-mile segment of the river flows through Dillon County from the Marlboro County line above Parish Mill Bridge on State Road 363 to the confluence with Buck Swamp at the Marion County line.

Lower Saluda River Corridor. This 10-mile segment of the river flows from one mile below Lake Murray Dam to its confluence with the Broad River.

Middle Saluda River Corridor. This approximately 5-mile segment of the river is located completely within Jones Gap State Park and includes its major tributary, Coldspring Branch. The segment extends from U.S. Highway 276 to a point about one mile upstream of the abandoned Cleveland Fish Hatchery.

Lynches River Corridor. This 54-mile segment flows through four counties (Darlington, Florence, Lee and Sumter). The segment flows from US 15 in Lee County to the eastern boundary of Lynches River County Park in Florence County.

4. **Waterbodies with unique physiography.** This includes Lake Jocassee due to limited shoreline and steep slopes.

5. **Waterbodies classified as Outstanding Resource Waters (ORW) Outstanding National Resource Waters (ONRW).** These are waters classified as ORW or ONRW pursuant to South Carolina's Water Classification and Standards Regulation, R.61-69.

II. Authorization to Construct

A. **Duty to Apply.** In order to be authorized to construct under this permit, an applicant must apply as specified below.

1. **All waters except federal channels and those waters excluded under Part I B of this permit.** For construction projects in these waters, the applicant must apply for authorization through the Department's ePermitting Portal here: https://epermweb.dhec.sc.gov/ncore/external/home. The ePermitting Portal

allows applicants to create a user account, enter information about a site where proposed activities are to occur, and apply for authorization for those activities, including uploading documents such as drawings and paying applicable fees. The fee for General Permit authorizations is $50.00. 1f you would like to see tutorials on how to use ePermitting, please visit our ePermitting Training web page here: https://www.scdhec.gov/epermitting-training. Applicants may also find helpful information on the Department's Navigable Waters web page here: https://scdhec. gov/bow/navigable-waters.

2. **Federal channels.** For **ANY** construction projects/work subject to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), the applicant must apply to both the Department using ePermitting as outlined above in Part II.A.1 and the U.S. Army Corps of Engineers (USACE), Charleston District.

   a. The applicant must apply as follows. A *Joint Federal and State Application Form for Activities Affecting Waters of the United States or Critical Areas of South Carolina* (joint application form) must be submitted to the USACE at the address below. The application form may be obtained by going to the USACE's Internet page at: https://www.sac.usace.army.mil/Missions/Regulatory/Permitting-Process/ for information regarding the Federal permitting process; and/or https://www.sac.usace.army.mil/Portals/43/docs/regulatory/Joint_Federal_State_Application_with_APO_List_and_Map_Requirement.pdf?ver=2016-11-21-124200-683 for the actual joint permit application, or a copy may be obtained by calling the USACE at 843-329-8044.

      U.S. Army Corps of Engineers
      Charleston District, Regulatory Div.
      69A Hagood Avenue
      Charleston, S.C. 29403-5107
      SAC.RD.Charleston@usace.army.mil

   b. For purposes of this part, federal channels include all or portions of the following waterways:

      Adams Creek
      Atlantic Intracoastal Waterway (AIWW)
      Ashley River
      Brookgreen Garden Canal
      Calabash Creek
      Charleston Harbor (including the Cooper River, Wando River and Town Creek)
      Folly River
      Georgetown Harbor (Winyah Bay, Sampit River, and Bypass Channel)
      Jeremy Creek
      Little River Inlet
      Murrells Inlet (Main Creek)
      Port Royal Harbor
      Savannah River
      Shem Creek (including Hog Island Channel and Mount Pleasant Channel)
      Shipyard Creek

Village Creek

3. **Complete Application.** The Department may request additional information to complete the application requirements of Part II.A.1 or 2 of this permit.

B. **Authorization.**

1. **Authorization.** An applicant is authorized to construct under this permit on the date of the Department's letter to the applicant, or the applicant's agent, giving notice of authorization.

2. **Period of Authorization.** An applicant is authorized to construct under this permit for three years after the date of the Department's letter giving notice that the applicant has been authorized to construct under the permit. Construction must be completed within three years of the date of the letter, unless the authorization time is extended as set forth in Part II.B.3 of this permit.

3. **Extension of Authorization Time.** A permittee may extend the authorization time to construct under this permit for up to three years, provided the request is submitted to the Department in writing prior to the expiration of the last authorization period. The letter must state whether there has been any change in the circumstances since the last authorization was granted and the reason for the extension of time.

III. **Minor Dredging:** All dredging must follow the requirements of the Army Corp of Engineers General Pemit (SAC-RGP-09). Dredging will only e permitted in federally jurisdictional Section 10 waters that are not excluded in Part I.B. above.

A. Minor dredging [of] up to 1,500 cubic yards of material for purposes of navigation:

1. Minor dredging must be associated with navigation and must be located adjacent to an existing or proposed docking structure.

2. The minor dredging must be a single and complete project and shall be limited to the removal of no more than 1,500 cubic yards of material.

3. The depth of the minor dredging must not exceed the controlling navigational depth of the adjacent waters.

4. This permit does not authorize dredging or the placement of dredge spoil material within wetlands or areas with natural shellfish beds.

5. This permit does not authorize dredging or the placement of dredge spoil material within the Sturgeon Aggregation Area of the Cooper River (RM 22.5-31).

6. This permit does not authorize dredging or the placement of dredge spoil material within the following waterbodies during the months of June, July, August, or September:

Ashepoo River
Bull Creek/Big Bull Creek – RM 0-62 (Confluence with Waccamaw River to
Confluence with Great Pee Dee River)

Combahee-Salkehatchie River – RM 8.2-60 (I-95 Bridge)
Rediversion Canal – RM 0-5 (Confluence with Santee Mainstem to Base of St.
Stephen Powerhouse)

7. The dredged material shall be placed in an appropriate upland area and properly contained to prevent any material re-entering the waterbody or entering any other waters of the State, including wetlands. Treated return water discharging from approved upland CDFs or disposal sites is authorized. Alternatively, dredged material may be placed in an area specifically authorized by a separate Department of the Army permit.

8. For activities that include mechanical dredging methods, the applicant must submit spoil disposal design plans that will adequately contain and treat the dredged spoil material.

9. For activities that include hydraulic dredging methods, the applicant must submit spoil disposal design plans that will adequately contain the large volumes of water produced by this type of method and will adequately de-water and treat the dredged spoil material.

10. If the Corps determines that dredging activities may occur in a potentially contaminated area, a Tier I evaluation, to be completed in accordance with the Inland Testing Manual, may be required to inform the review of the proposed project.

IV. **General Conditions**:

A. Structures authorized by this General Permit shall be private, noncommercial, simple piers, docks, boat lifts, and moorings conforming to the standards contained herein.

B. All activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and any variance or activity not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension, or revocation of this permit, and in the institution of such legal proceedings as the Department may consider appropriate.

C. The structure owner must make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife, and natural environmental values or historic or prehistoric values.

D. The structure owner must prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

E. The structure owner shall permit State law enforcement personnel, representatives of the Department, or other authorized State permit inspectors to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

F. This General Permit may be either modified, suspended, or revoked in whole or in part if the Department determines that such action would serve the public interest, and such modification, suspension or revocation shall not be an act entitling the permittee to compensation for any claimed loss as a consequence of such regulatory action, under any circumstances, this permit being issued solely as an accommodation to the permittee, and being revocable as conditions may warrant.

G. A structure owner upon receipt of a notice from the Department of failure to comply with the terms, conditions, or standards of this General Permit shall, within sixty (60) days (unless circumstances require more expeditious action to protect public health, safety, or environment) without expense to the State of South Carolina and in such manner as the agency may direct, effect compliance with terms, conditions, and standards or remove the structure.

H. This General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or Local laws or regulations, nor does it obviate the requirement to comply with any applicable standards required by ordinance for the construction of structures authorized herein.

I. Structure owners are advised of the possibility that piers, docks, boat lifts, and moorings may be subject to damage by wave wash from passing vessels. The issuance of this General Permit does not relieve structure owners from taking all proper steps to insure the integrity of their structures permitted hereby and the safety of boats moored thereto from damage by wave wash, and the structure owners shall not hold the Department liable for any such damage.

J. The structure owner shall maintain structures authorized herein in good condition. If and when the structure owner desires to abandon an authorized structure, unless such abandonment is part of a transfer procedure by which the individual is transferring ownership of the structure, the structure owner may be required to remove the structure.

K. No attempt shall be made by the structure owner to prevent reasonable use by the public of all navigable waters adjacent to the activity authorized by this permit.

L. Activities shall not block or obstruct navigation or the flow of any waters. No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the work authorized by the permit.

M. If the display of lights and signals on any structure authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the structure owner.

N. Any activity that may affect any federally or state listed threatened or endangered species, a species proposed for listing, or designated critical habitat is not authorized by this General Permit. Any proposed activity that may affect federally listed species or designated critical habitat, will require consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service. Take of a state endangered species is prohibited under S.C. Code of Laws §50-15-30. If a state endangered species is found during project activities, the permittee must notify the SCDNR.

O. The 8 coastal counties (Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper) must observe the following rule. In order to ensure protection and reduce potential construction-related impacts to West Indian manatees that may enter the project area during construction activities, the permittee will comply with the following USFWS Standard Manatee Construction Conditions:

    1. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction

personnel must monitor water-related activities for the presence of manatee(s) during May 1 - November 15. Construction personnel are requested to monitor outside of that timeframe as manatees may be in the area before or after the above dates.

2. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973.

3. Any siltation barriers used during the project shall be made of material in which manatees cannot become entangled and must be properly secured, and regularly monitored to avoid manatee entrapment.

4. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

5. If manatee(s) are seen within 100 yards of the active construction area all appropriate precautions shall be implemented to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet to a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

6. The permittee understands and agrees that all in-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water. Where appropriate in water 3 wires, cables, should be fitted with PVC sleeve from the surface to the bottom to prevent any potential scraping of the passing manatees.

7. Any collision with and/or injury to a manatee shall be reported immediately to the U.S. Fish and Wildlife Service contacts at South Carolina Manatee Lead, Charleston Field Office, at 843-727-4707; or Manatee Recovery Coordinator, North Florida Field Office, at 904-731-3286. Reports regarding injured manatees may also be reported to the SCDNR at (800) 922-5431.

P. The Permittee must notify the South Carolina Institute of Archaeology and Anthropology in accordance with South Carolina Underwater Antiquities Act of 1991 (Article 5, Chapter 7, Title 54 Code of Laws of South Carolina, 1976) in the event archaeological or paleontological remains are found during the course of work. Archaeological remains consist of any materials made or altered by humans which remain from past historic or prehistoric times (i.e., older than 50 years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or nonrecent (i.e., older than 100 years) vessel ruins. Paleontological remains consist of old animal remains, original or fossilized, such as teeth, tusks, bone, or entire skeletons.

Q. The permittee must notify the South Carolina Department of Archives and History (803 896-6181, State Historic Preservation Office, 8301 Parklane Road, Columbia, South Carolina 29223) if any

archaeological materials are encountered during the course of the work. Archaeological materials consist of any items, fifty years or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrowheads), ceramic shards, bricks, worked wood, bone and stone, metal and glass objects, and human skeleton remains. These materials may be present on or underneath the surface of the ground.

R. This General Permit relates only to activities authorized herein and does not convey the right to place structure for any non-water-related commercial use on or adjacent to any piers, floating docks, mooring piles, dolphins, covered boat sheds and/or dock covers without prior approval.

S. There shall be no unreasonable interference with navigation by the existence or use of structures authorized herein.

T. Once the project is initiated, it must be carried to completion in an expeditious manner in order minimize the period of disturbance to the environment.

U. This General Permit relates only to simple, noncommercial piers, docks, boat lifts, and moorings and does not convey the right to place any closed structure or structures for any nonwater related use on or adjacent to the pier, dock, boat lifts, or moorings without prior authorization by the Department.

V. This General Permit authorizes the construction and continued use of certain structures in the navigable waters of South Carolina by landowners adjacent to these navigable waters. This authorization is a revocable privilege and if changed circumstances warrant, the Department may revoke such privilege and require removal of a structure at the expense of the owner.

W. Prior to beginning any land disturbing activity, appropriate erosion control measures, such as silt fences, silt barriers, or other devices must be placed around the construction area and maintained in a functioning capacity until the area is permanently stabilized.

X. Docks, Piers, and moorings should be constructed in open water areas not requiring the clearing or dredging of aquatic or emergent vegetation, as much as practicable.

Y. Construction activities must avoid and minimize, to the greatest extent practicable, disturbance of woody shoreline/streambank vegetation within the project area. Removal of vegetation should be limited to only what is necessary and where stabilization is needed, disturbed areas should be restored with the use of bioengineering stabilization techniques that incorporate and promote shoreline/streambank revegetation with native plant species. Plantings should consist of appropriate native species for the ecoregion and should exclude plant species found on the exotic pest plant council list: https://www.seeppc.org/southcarolina/SCEPPC_LIST2014finalOct.pdf.

Z. Construction must be sound enough to withstand windloads of at least 25 pounds per square foot and floating encroachments must be securely fastened.

AA. The Permittee is responsible for ensuring that all construction is safe, meets applicable building codes, and is suitable for the intended use including full consideration of occupancies, loads, and wave and wake actions that will occur over the lifetime of the project.

V. **Special Conditions:** The following conditions set forth minimum criteria and do not preclude the establishment of more stringent criteria by appropriate authority or agreement.

A. Docks, Piers and Boat Lifts

1. Docks and piers may not extend beyond the lesser of: 1) seventy-five (75) feet in length from the normal lake shoreline or 2) one third (1/3) the distance across the affected waterway. Docks and piers shall not interfere with navigation, ingress or egress to adjoining property or be in any manner hazardous. In some locations, such as narrow coves, the maximum size may not be permitted, or structures may not be permitted at all, if conditions are deemed unsuitable by the Department.

2. The maximum width for the dock approach (fixed walkway) shall be restricted to four (4) feet unless the Department determines in writing that a greater width is necessary for safe use or to support a water dependent use that cannot otherwise occur. The dock approach shall also be elevated at least three (3) feet above mean high water.

3. The following standards for the size of piers and floating docks will be followed unless the Department determines in writing that a larger structure is authorized:

    a. Waterways smaller than 20 feet wide, as measured from the mean high water line on both sides shall be restricted to a walkway with a fixed or floating structure no greater than 50 square feet.

    b. Waterways between 21 and 50 feet wide, as measured from the mean high water line on both sides, shall be restricted to a fixed pier and floating dock combination up to 120 square feet.

    c. Waterways between 51 feet and 150 feet wide, as measured from the mean high water line on both sides, shall be restricted to a fixed pier and floating dock combination up to 160 square feet.

    d. Waterways larger than 151 feet wide, as measured from the mean high water line on both sides, shall be restricted to a fixed pier and floating dock combination up to 600 square feet. Additional square footage will be allowed for joint use docks above and beyond the size allowed for individual docks, not to exceed two times that allowed in subsections IV.A(3)(a-c), contingent upon the sharing of the walkway and pierhead. However, the structure may not provide temporary or permanent docking space for more than ten (10) boats or have more than 250 linear feet of effective docking space.

    e. The configuration may not enclose a section of water on all four sides.

4. A variance in the dimensions related to the length of piers and docks or the distance from the adjoining property lines may be granted where shoreline or lake characteristics or conformity with existing structures makes conformance to those requirements impractical and all other requirements of this permit are met. This variance will be considered approved for the purposes of the General Permit upon approval by the Department on a case by case basis. This variance will not include blocking navigation.

5. Handrailing is permissible provided that the sides are not enclosed. Obstruction of cross vision (ability of boater to see objects/persons on the other side of the structure) is prohibited.

6. All permanent docks must be built horizontally whereby the top of the treadways must be between 0 and 1.5 feet above the mean high water line. Exception to the horizontal requirement is permitted only for the necessary slope required for reasonable approach purposes from the shore.

7. Enclosed docks are not permitted. No sinks, toilets, showers, fueling systems/ pumps or any other type of equipment or construction which will create or cause any liquid or solid waste to be discharged into the waters are permitted.

8. White reflective tape or white reflectors are required and must be maintained on each outermost waterward corner of the dock or pier and every ten (10) feet on both sides of the length of the pier.

9. Flotation for all facilities and boat mooring buoys shall be of materials manufactured for marine use. Materials will resist puncture and penetration and will not be subject to damage by animals. The uncoated, beaded polystyrene will not be permitted for any new construction or as replacement for existing facilities. Reuse of plastic, metal or other previously used drums or containers for encasement or flotation purposes is prohibited. Floatation units of floating structures shall be constructed of materials which will not become waterlogged or sink when punctured. Styrofoam billets or equivalent must be encapsulated. Existing approved flotation is authorized until it has severely deteriorated and is no longer serviceable, at which time it must be replaced with approved flotation.

10. Docks must be single-story structures.

11. Private docks used to moor houseboats for habitation are not allowed by this General Permit. An individual Construction in Navigable Waters Permit is required to authorize these structures. Habitation conditions include, but are not limited to, sleeping overnight or staying on, around or within the moored boat for more than three consecutive days, hardwiring electric power or hardpiping plumbing to the boat, or establishing a mailing address for the boat.

12. Common use docks between adjoining property owners are encouraged. A copy of a written agreement between participating property owners must be furnished to the Department.

13. Boat sheds, dock covers, and boat lifts connected to piers are allowable provided they do not block cross-vision. Lifts for personal watercraft such as jet skis will also be allowed. Not more than two (2) jet ski lifts per waterfront lot will be allowed. Storage compartments are permissible but will not exceed 14 inches in width, 30 inches in height, and 8 feet in length.

14. One pier is allowable for each parcel of water frontage.

15. The structure shall be constructed of uniform materials and be structurally adequate and aesthetically compatible with other existing structures.

16. All wood piles and wooden exterior pile-supported structures must be pressure-treated with wood preservatives in strict compliance with the Registration Documents issued by the U.S. Environmental Protection Agency under the Federal Insecticide, Fungicide and Rodenticide Act for use in or above fresh water or marine environments, and in accordance with standards established by the American Wood Protection or evaluation reports issued by the International Code Council Evaluation Service.

17. Dock cover roofs may be gabled or monosloped. Gabled roofs will not exceed 15 feet in height from the top of the gable to the pier flooring. Monosloped roofs will not exceed 12 feet in height from the top of the slope to the pier flooring.

18. Enclosed or screened buildings or other structures are not authorized.

19. This General Permit does not authorize the construction of docks on individual lots for the purposes of selling parcels in newly constructed or proposed subdivisions or developments.

20. This General Permit does not authorize more than two (2) personal watercraft lifts.

21. Pile driving activities must be limited to 12 hours per day with a 12-hour rest period between pile driving activities to avoid potential cumulative noise impacts to Federally-listed Threatened and Endangered (T&E) species.

22. Pilings will be installed using a water jet or vibratory hammer. In the event standard pile driving (impact hammer) is utilized, the permittee understands and agrees that a soft-strike procedure (three strikes at 40%-60% energy level once a minute for 3 minutes) must be conducted prior to beginning pile driving activities and after any pile driving interruptions of more than 30 minutes.

B. <u>Mooring Structures</u>

1. Mooring structures, i.e., dolphins, pilings or buoys, must be placed in association with piers and docks and shall not be located beyond 75 feet from the normal lake shoreline nor extend more than one third (1/3) the distance across the affected waterway, whichever is less, as provided for docks under paragraph IV.A.(1), above. Mooring structures shall not be located in front of the associated pier or dock nor shall they be located greater than 30' laterally from the pier or dock. All mooring structures must be well marked with white reflectors or white reflective tape. Mooring structures shall not be located closer than 20 feet to the extended property lines of the permittee.

2. All vessels secured to mooring structures must be moored in a manner which will not create any hazards to navigation.

3. Mooring piles or dolphins must be a minimum of twenty (20) feet from the waterward extension of the adjacent property lines. In addition, any vessels moored to these structures shall not swing or otherwise encroach into the riparian limits of the adjacent property unless the adjacent property owner agrees, in writing, to a variance in this dimension.

4. Mooring piles or dolphins may not be included if the entire docking facility (including piles, dolphins, and/or floats) will provide docking space for more than ten (10) boats.

5. Wood treated with CCA may not be used in the construction.

VI. **<u>Consistency with the South Carolina Coastal Zone Management Program</u>.** Work authorized under this permit is consistent with the SC Coastal Zone Management Program (48-39-10 *et. seq.*, and 15 CFR 93), provided the permittee adheres to this and all parts of this permit.

VII. **Penalties for Violation.** Authorization obtained under this General Permit limits the size, length and use of structures. Any deviation from the specifications or other terms or conditions of the General Permit would constitute a violation of regulations and could result in removal of the structures or work and restoration of the waterway to its former condition and/or imposition of penalties as provided by law.

VIII. **Revocation of General Permit**. This General Permit may be withdrawn or removed by issuance of a public notice at any time the SCDHEC determines that the singular or cumulative effects of the activities authorized herein have an adverse effect on the public interest. Following such revocation any future activities in areas covered by this General Permit will be processed as individual permits.

IX. **Duration of the General Permit**. This General Permit authorizes construction started within five (5) years and completed within eight (8) years of the date of issuance of this General Permit unless this General Permit is revoked in the interim. Revocation of this General permit will not affect work authorized when the General Permit was in effect. If the expiration date of this General Permit is reached prior to the Department's issuance of a replacement General Permit, then this General Permit will remain in effect until a new General Permit is issued and/ or this General Permit is revoked.

This General Permit shall become effective on the date signed by the Department.

By Authority of the South Carolina Department of Health and Environmental Control

Signature

Date 10/12/20

Title Manager