

REPORT TO CONGRESS: COASTAL BARRIER RESOURCES SYSTEM

Recommendations for Additions to or Deletions from
the Coastal Barrier Resources System



**VOLUME 12
SOUTH CAROLINA**

U.S. Department of the Interior



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VOLUME 12

**Recommendations for Additions to or Deletions from
the Coastal Barrier Resources System**

SOUTH CAROLINA

Mapped, edited, and published by the Coastal Barriers Study Group

United States Department of the Interior
William P. Horn, Assistant Secretary for Fish and Wildlife and Parks

1988

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SOUTH CAROLINA

INTRODUCTION

The Coastal Barrier Resources Act (CBRA) of 1982 (Public Law 97-348) established the Coastal Barrier Resources System (CBRS), a system of undeveloped coastal barriers along the Atlantic and Gulf of Mexico coasts. This atlas of coastal barriers in South Carolina has been prepared in accordance with Section 10 of CBRA (16 U.S.C. 3509), which states:

Sec. 10. Reports to Congress.

(a) In General.--Before the close of the 3-year period beginning on the date of the enactment of this Act, the Secretary shall prepare and submit to the Committees a report regarding the System.

(b) Consultation in Preparing Report.--The Secretary shall prepare the report required under subsection (a) in consultation with the Governors of the States in which System units are located and with the coastal zone management agencies of the States in which System units are located and after providing opportunity for, and considering, public comment.

(c) Report Content.--The report required under subsection (a) shall contain--

(1) recommendations for the conservation of fish, wildlife, and other natural resources of the System based on an evaluation and comparison of all management alternatives, and combinations thereof, such as State and local actions (including management plans approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.)), Federal actions (including acquisition for administration as part of the National Wildlife Refuge System), and initiatives by private organizations and individuals;

(2) recommendations for additions to, or deletions from, the Coastal Barrier Resources System, and for modifications to the boundaries of System units;

(3) a summary of the comments received from the Governors of the States, State coastal zone management agencies, other government officials, and the public regarding the System; and

(4) an analysis of the effects, if any, that general revenue sharing grants made under section 102 of the State and Local Fiscal Assistance Amendments of 1972 (31 U.S.C. 1221) have had on undeveloped coastal barriers.

Under the direction of the Assistant Secretary for Fish and Wildlife and Parks, this report has been prepared by the Coastal Barriers Study Group, a task force of professionals representing the National Park Service, U.S. Fish and Wildlife Service, U.S. Geological Survey, and other Departmental offices.

This volume of the report contains delineations of the existing CBRS units in South Carolina and delineations of additions to and modifications of the CBRS in this State which the Department of the Interior recommends to the Congress for its consideration.

BACKGROUND

The South Carolina shoreline is approximately 153 miles in length. Of that area, 63.5 miles of shoreline have been developed, 50.5 miles are protected, and 39 miles remain undeveloped to some extent. Approximately 59% of the State's coastal barriers are protected by some development constraints.

The northern one-third of the South Carolina shoreline consists of sandy barrier beaches and associated dunes formed on an eroding shoreline. South of the Santee Delta, the shoreline is composed of relatively short, often wide barrier islands with broad sandy beaches and numerous dune ridges. This portion of the coast is characteristic of a tide-dominated sea island physiography and is similar to the sea islands of Georgia.

The major industries on the coast include manufacturing, wood products, chemicals, textiles, seafood, agriculture, and paper products. Charleston is a major port with facilities for handling bulk cargo. Tourism is another important industry in the coastal zone and large-scale resort developments are found there.

The coastal zone has a valuable natural resource base composed of diverse aquatic and terrestrial wildlife resources. This zone of barrier islands and associated salt marsh complexes supports abundant finfish and

shellfish populations. Aquatic resources include clams, oysters, blue crabs, shrimp, sea trout, flounder, sheepshead, and bluefish. Abundant and diverse bird life is also found in this region and includes ibises, terns, skimmers, ospreys, brown pelicans, and gulls.

COASTAL RESOURCE MANAGEMENT

South Carolina Coastal Resource Management

Coastal Zone Management Act (Act 123). This Act established the South Carolina Coastal Council in 1977. During the subsequent 2 years, the Council developed a comprehensive management program for the eight-county coastal zone; this program was approved by the State's General Assembly in February 1979 and by the Federal Office of Coastal Zone Management in September 1979.

The Coastal Management Program in South Carolina seeks to balance the demands of a growing population and subsequent development against the needs for preservation of the coastal environment.

Permits. The Coastal Council has direct authority to issue permits and uses an approach that deals with impacts of an activity on coastal resources rather than the activity itself. This "performance standards" approach is conducted on a case-by-case basis with policies developed for all activities that have direct and significant coastal impacts. A direct permitting system for "critical areas" is managed by the Coastal Council. Critical areas are defined as coastal waters, tidelands, beaches, and primary oceanfront sand dunes. Anyone who wants to fill, remove, dredge, drain, or erect structures that will alter any critical area must obtain a permit from the Coastal Council.

The Coastal Council has limited permitting authority outside the coastal zone critical areas. In those areas outside Coastal Council permitting jurisdiction, any filling of waters or wetlands below mean high water requires a South Carolina Budget and Control permit. South Carolina Department of Health and Environmental Control permits are required for construction of subdivision water supply and waste disposal systems. The Coastal Council reviews and certifies permits and projects of other State agencies to insure compliance with the Coastal Management Program. This review authority is mandated in the South Carolina Coastal Zone Management Act of 1977.

Taxes. There are several tax incentives for conservation of natural resources in South Carolina. A fee simple donation releases property from property taxes. Two easements, conservation and scenic, result in reduced property taxes (S.C. Code (1976) 51-17-10).

EXISTING CBRS UNITS

The present Coastal Barrier Resources System units make up a total of 37 miles of ocean-facing shoreline. Typical environments

found in these units include beach/dune systems, tidal marshlands, creeks, and multiple vegetated beach ridges.

A brief description of the existing CBRS units in South Carolina is provided below. Each unit is identified by its ID code and name (established by Congress in 1982) and the county in which it is located.

M01-Waites Island Complex (Horry). The South Carolina portion of this unit is a low wash-over barrier (Waites Island) with associated tidal marshlands. A jetty has been constructed on Waites Island at Little River Inlet.

M02-Litchfield Beach (Georgetown). This unit is composed of two recurved spits surrounding Midway Inlet. North of the inlet, one spit extends south from Magnolia Beach and is accessible by foot and off-road vehicles. South of the inlet, the other spit extends north from Pawleys Island and is accessible by road.

M03-Pawleys Inlet (Georgetown). Two sections define this unit: a recurved spit on the southern end of Pawleys Island and a beach strand dune system on the northern end of Debidue Beach. Multiple vegetated beach/dune ridges, tidal wetlands, and open water further characterize this unit. Access to the northern end of the unit is by road from developed sections of Pawleys Island. An off-road vehicle trail provides access to the southern end of the unit.

M04-Debidue Beach (Georgetown). This unit is a recurved spit with dune fields and vegetated forest at the northern end and a wash-over barrier with developing dunes at the southern end; extensive tidal marshlands and creeks are also included. Access to the unit is by boat, foot, and a light-duty road from settled areas to the north.

M05-Deweese Island (Charleston). Multiple vegetated beach ridges, tidal marshlands, and beach/dune environments characterize this unit. Access to the island is by boat, but there are sand roads in the wooded upland sections of the island. The southern end of the island, outside of the CBRS unit, has been subdivided into 70 house lots.

M06-Morris Island Complex (Charleston). This unit includes extensive tidal marshlands, vegetated dune ridges, active beach/dune systems, and a recurving spit on the northern end. Maintenance operations in the Charleston Harbor Channel have affected sediment supplies to Morris Island. There is a groin on the northern beach front of the island. The island has five buildings and a rather large area that has been diked for dredge spoil disposal. The Charleston Lighthouse, standing in the water away from the beach, is a silent reminder of the active retreat and erosion of the island's southern end. Access to the island is by boat only.

M07-Bird Key Complex (Charleston). Three subunits characterize this unit: a recurved dune ridge system on the southern tip of

CBRS UNITS IN SOUTH CAROLINA ESTABLISHED BY CONGRESS, 1982

Unit Name	Unit ID Code	County	Shoreline Length (miles)	Total Area (acres)	Fastland Area (acres)
Waites Island Complex	M01	Horry	3.0	2,081.9	396.6
Litchfield Beach	M02	Georgetown	0.9	71.8	26.7
Pawleys Inlet	M03	Georgetown	1.1	130.3	45.4
Debidue Beach	M04	Georgetown	2.2	607.3	232.6
Deweese Island	M05	Charleston	1.5	982.5	101.7
Morris Island Complex	M06	Charleston	3.4	2,696.1	75.0
Bird Key Complex	M07	Charleston	4.1	1,658.6	376.2
Captain Sams Inlet	M08	Charleston	1.9	492.5	155.8
Edisto Complex	M09	Charleston	4.8	1,395.6	192.1
Otter Island	M10	Colleton	3.8	2,725.8	303.2
Harbor Island	M11	Beaufort	0.9	250.0	36.0
St. Phillips Island	M12	Beaufort	7.1	11,437.1	1,408.3
Daufuskie Island	M13	Beaufort	3.7	2,355.6	1,029.3
Totals:			38.4	26,885.1	4,378.9

Folly Island; Bird Key, a sand shoal in the ebb-tidal delta of Stono Inlet; and the Sandy Point section of Kiawah Island, which is composed of multiple vegetated beach/dune ridges, extensive tidal marshlands, and tidal creeks. No structures are present in the unit. Its northern and southern portions are accessible by road; however, Bird Key is accessible by boat only. The unit has an extensive faunal inventory including shorebirds, seabirds, sea turtles, and fishes.

M08-Captain Sams Inlet (Charleston). This unit is essentially an active recurved spit with some vegetated dune ridges. Large expanses of tidal marshlands and open waters are associated with this unit. No structures are present, and access is by foot from developed areas on South Kiawah.

M09-Edisto Complex (Charleston). Three segments characterize this unit: the western half of South Creek Island, an active beach/dune complex with associated tidal marshlands; Botany Bay Island, a low washover barrier feature with extensive tidal marshlands that has undergone significant shoreline retreat; and Edingsville Beach, a low washover feature with tidal marshlands. Access is by boat except for Botany Bay Island, which can be reached by dirt road.

M10-Otter Island (Colleton). The vegetated dune ridges and active dune fields on this island protect extensive marshland. Accessible only by boat, the unit currently contains 11 structures.

M11-Harbor Island (Beaufort). This unit has no structures and is accessible only from the north end by foot and off-road vehicle. Tidal marshlands, beach/dune systems, and active shoals on the beach front are characteristic of this unit. Development is ongoing to the north and west of this unit.

M12-St. Phillips Island (Beaufort). This unit complex contains four island subunits: Pritchards Island--vegetated beach ridges with tidal marshlands surrounding the island; Capers Island--extensive tidal marshlands with a narrow beach strand and recurring spit on the southern end; St. Phillips Island--extensive tidal marshlands and multiple vegetated beach/dune ridges; and Bay Point Island--vegetated beach ridges, extensive tidal marshlands, and a narrow beach/dune system. The unit, accessible only by boat and used principally for hunting and fishing, has six structures. Wildlife habitats are rich and diverse, and many rare or endangered species are documented residents or visitors.

M13-Daufuskie Island (Beaufort). Daufuskie Island consists of extensive vegetated dune ridges of oak, pine, cabbage palm, and other tree species. The beach/dune system varies from very narrow to nonexistent in places. An extensive tidal marsh island south of Daufuskie Island proper also is included in this unit. Access to Daufuskie Island is by ferry from Bull Island and Hilton Head Island. A community of farmers and fishermen on the southwest side of the island, outside of the unit, contains about 100 structures and several sand roads. Development is underway on much of the rest of the island.

RECOMMENDED ADDITIONS AND MODIFICATIONS

The Department of the Interior recommends that all undeveloped, unprotected coastal barriers and associated aquatic habitat identified in South Carolina be added to the CBRS. In South Carolina, the associated aquatic habitat sometimes includes unique features termed Coastal Plain remnants. These emergent, unconsolidated sedimentary deposits, the product of some previous coastal environment, are isolated from the mainland and surrounded by wetlands. The delineations of associated aquatic habitat

include those Coastal Plain remnants that are responding to modern wind, wave, and tidal energies, and not significantly impeding natural processes in the surrounding wetlands because of large size or elevation up to 5 miles landward of the present shoreline. Where Coastal Plain remnants begin to form a more-or-less continuous line within the wetlands, the landward boundary of the associated aquatic habitat is drawn along the seaward margin of the Coastal Plain remnants, excluding them from the unit. A table summarizing the Department's recommendation on each unit or proposed unit identified in South Carolina follows this discussion.

The DOI also recommends that otherwise protected undeveloped coastal barriers be excluded from the CBRS. However, if these otherwise protected coastal barriers are ever made available for development that is inconsistent with the purposes of the CBRA, the DOI recommends that they then be automatically included in the CBRS. A complete discussion of DOI's recommendations concerning otherwise protected coastal barriers, including suggested guidelines for acceptable development, appears in Volume 1. Federal assistance would continue to be available within otherwise protected areas for acceptable development. Maps of all undeveloped, otherwise protected coastal barriers in South Carolina appear in the following section.

The Department of the Interior's recommendations were developed after full consideration of the many public, State and Federal agency, and Congressional comments on the delineations in the Draft Report released in March 1987. The State of South Carolina reviewed the 1987 Draft Report and made recommendations on several South Carolina CBRS units (M02, M03, M10, M13). The State's positions on these individual CBRS units are discussed

in the following section, interspersed with the appropriate maps. The State did not have any comments on DOI's general recommendations.

The Department received 44 other comment letters concerning South Carolina. Most comments of a general nature expressed support for the CBRS expansion in South Carolina, especially the addition of the associated aquatic habitat. However, the South Carolina Rural Electric Cooperative Association expressed concerns that they would not be able to service adequately those customers living on developed coastal barriers because they could not afford to cross the associated aquatic habitat included in the CBRS without Federal assistance. It was not the intent of CBRA to penalize those living on developed coastal barriers, therefore, DOI has added a recommendation for an amendment to Section 6 to allow utilities to use Federal monies for essential lines that must cross the CBRS to service developed coastal barriers (see Volume 1 for further discussion of this issue).

A few commenters suggested adding Hilton Head and Isle of Palms to the CBRS. These barriers are already developed and thus ineligible for inclusion in the CBRS. A few commenters were also concerned that DOI might recommend the deletion of areas included in the original CBRS that have been developed since 1982. The DOI is not recommending this; it would defeat the purposes of the Act.

The majority of the other comment letters concerning South Carolina expressed opinions on individual existing or proposed CBRS units. These comments are discussed and reprinted in the following section, interspersed with the appropriate maps.

SUMMARY OF RECOMMENDATIONS FOR COASTAL BARRIERS IN SOUTH CAROLINA

Unit ID Code ^a	Unit Name ^b	County	Congress. Dist. ^c	Shore-line Length (miles) ^d	Total Area (acres) ^e	Fast-land Area (acres) ^f	Recommendation ^g
M01	Waites Island Complex	Horry	6	3.0	2,885	595	Add wetlands to existing CBRS unit
SC-01	Long Pond	Horry	6	1.2	197	134	Add to CBRS
M02	Litchfield Beach	Georgetown	6	1.1	399	45	Add undeveloped area to the north and wetlands to existing CBRS unit

(continued)

SUMMARY OF RECOMMENDATIONS FOR COASTAL BARRIERS IN SOUTH CAROLINA (CONTINUED)

Unit ID Code ^a	Unit Name ^b	County	Congress. Dist. ^c	Shore-line Length (miles) ^d	Total Area (acres) ^e	Fast-land Area (acres) ^f	Recommendation ^g
M03	Pawleys Inlet	Georgetown	6	1.1	150	45	Add wetlands to existing CBRS unit
M04	Debidue Beach	Georgetown	6	2.2	6,244	233	Add wetlands to existing CBRS unit
M05	Dewees Island	Charleston	1	1.5	6,869	102	Add wetlands to existing CBRS unit
M06	Morris Island Complex	Charleston	1	3.4	7,563	75	Add wetlands to existing CBRS unit
M07	Bird Key Complex	Charleston	1	4.1	6,250	376	Add wetlands, but not Coastal Plain remnants abutting the mainland, to existing CBRS unit
M08	Captain Sams Inlet	Charleston	1	1.9	1,037	156	Add wetlands to existing CBRS unit
M09	Edisto Complex	Charleston	1	5.5	4,026	438	Add undeveloped coastal barrier to the north and wetlands to existing CBRS unit
M10	Otter Island	Colleton	1	5.7	9,415	472	Add wetlands, but not Coastal Plain remnants abutting the mainland, to existing CBRS unit
M11	Harbor Island	Beaufort	1	0.9	2,997	36	Add wetlands to existing CBRS unit
M12	St. Phillips Island	Beaufort	1	7.1	22,203	1,439	Add wetlands to existing CBRS unit

(continued)

SUMMARY OF RECOMMENDATIONS FOR COASTAL BARRIERS IN SOUTH CAROLINA (CONCLUDED)

Unit ID Code ^a	Unit Name ^b	County	Congress. Dist. ^c	Shore-line Length (miles) ^d	Total Area (acres) ^e	Fast-land Area (acres) ^f	Recommendation ^g
M13	Daufuskie Island	Beaufort	1	3.7	5,895	440	Consider deleting portions of the island not subject to wind, wave, and tidal energy; add wetlands in Calibogue Sound
				42.4	76,130	4,586	
Total - CBRS as Recommended							
				38.4	26,885	4,511	
Existing CBRS							
				+4.0	+49,245	+75	
Net Change in CBRS							

^aUNIT ID CODE - State initials (SC) plus a number identify a proposed new unit. An existing unit is identified by the legal code letter (M) and number established by Congress in 1982.

^bUNIT NAME - For proposed new units, this is a provisional name based on a prominent local feature. For existing CBRS units, this is the legal name.

^cCONGRESSIONAL DISTRICT - U.S. Congressional District in which unit is located.

^dSHORELINE LENGTH - For existing units with additions or deletions, this length is for the entire unit, as modified. For M13, this is the shoreline lengths after modifying the unit as suggested.

^eTOTAL AREA - For existing units with additions or deletions, this area is for the entire unit, as modified. For M13, this is the acreage after modifying the unit as suggested.

^fFASTLAND AREA - This acreage is a rough estimate of the portion of the total area that is above the mean high tide line (i.e., the non-wetland area). It is a very general representation of the potentially developable land. For M13, this is the acreage after modifying the unit as suggested.

^gRECOMMENDATION - A brief explanation of the Department's recommendations to Congress. For more detailed explanations, see the following section. Abbreviations: FWS = Fish and Wildlife Service, NPS = National Park Service, CBRS = Coastal Barrier Resources System.

STATE COMMENT LETTER

1484



State of South Carolina

Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

Post Office Box 1369
COLUMBIA 29211

June 22, 1987

The Honorable Donald P. Hodel
Secretary
United States Department of Interior
Interior Building
C Street - 18th and 19th, NW
Washington, D.C. 20240

Re: Comments on Coastal Barrier Resources Act
Section 10 Report to Congress

Dear Secretary Hodel:

Pursuant to the Coastal Barrier Resources Act of 1982 (CBRA), I hereby submit to you my comments and recommendations as Governor of South Carolina to be forwarded to the United States Congress. I appreciate the expertise and guidance the Department of Interior has given to me in making these recommendations.

After intensive review of the Act, its regulations, detailed topographic maps, overflights and various site visits, I propose to you the following comments for boundary modifications to the coastal barrier resource systems.

Unit M02 - Magnolia Beach - This office feels the line set in 1982 establishes the appropriate limits for an undeveloped coastal barrier. The property now proposed to be added to this unit is owned and under development by the same entity which owns and is developing the property immediately adjacent and to the north of this unit. Attached are comments from Scott/Permar/Ravenel on behalf of the owner of the Litchfield property. This office endorses and supports the position set forth in that correspondence regarding the inappropriateness of adding property to the north of the existing unit. However, we decline to take a position with regard to the arguments for moving the current designation further to the south.

Unit M03 - Debordieu - I concur with attached comments prepared on behalf of the property owners. I feel the position set forth in their letter is sound and this office hereby adopts that reasoning as this state's official position with regard to that unit.

Unit M10 - Hutchinson Island - I concur with attached comments offered to the Department of Interior on behalf of the owner of Hutchinson Island.

Unit M13 - Daufuskie Island - I concur with comments submitted by the three principal property owners on Daufuskie Island limited to the areas within their ownership.

That portion of M13, Daufuskie Island, commonly referred to as Bloody Point and Oak Lawn are parcels which are undeveloped and currently in an estate dispute. There are no known plans for the development of these parcels.

Sea level rise and constant wave attack on the southern shore of the island have created tremendously high erosion rates along this southern beach front. Also, there is no clearly defined continuous wetland on this portion of the island. I am therefore recommending this entire property be totally included within the coastal barrier resources system. By adding this acreage, we can protect existing wildlife on the undeveloped portion of Daufuskie Island which is so critically important to the entire landward aquatic habitat. Also, existing use of the property consists of wildlife protection and public recreation. I would encourage this area to be protected as a wildlife sanctuary, research area, or a limited primitive camping area.

As a member of Congress in 1982 when this legislation was enacted, I fully understood the necessity of protecting our coastal environment and striking a balance between economic growth and quality of life particularly along South Carolina's seashore. I feel my recommendations are consistent with provisions of the Act and the legislative intent behind the language developed during consideration of the Bill in the United States Congress. Overall, my recommendations will add hundreds of additional acres to the protected areas under the Act. Hopefully, Congress will enact amendments to the Act consistent with my recommendations in order that we may reasonably manage the natural resources which affect us all.

Sincerely,


Carroll A. Campbell, Jr.
Governor

CACjr:bd

Attachments

OTHER GENERAL COMMENT LETTERS CONCERNING SOUTH CAROLINA

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The South Carolina Wildlife Federation

Arcadian Plaza, Suite B-1, 4949 Two Notch Road
P. O. Box 4186 • Columbia, South Carolina 29240
Phone (803) 786-6419

May 28, 1987

President
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Executive Director
BETTY SPENCE

Coastal Barriers Study Group
U.S. Department of the Interior
National Park Service, Box 37127
Washington, DC 20013

Dear Sirs:

South Carolina Wildlife Federation appreciates the opportunity to comment on your draft Report to Congress on the Coastal Barrier Resources System.

The South Carolina Wildlife Federation applauds the expansion of the system to include within the system all aquatic habitats - wetlands, marshes, estuaries, inlets, fringing mangroves, tidal flats, swamps, lagoons, associated with the existing and newly proposed CBRS units. These habitats are vital to coastal fish and wildlife and for storm protection.

We also applaud the expansion of the "Coastal Barrier" definition which would allow inclusion of several new coastal ecosystems into the system. These systems, such as mangroves, and coral reefs, are integral parts of the coastal ecosystem and are appropriately included.

We believe it is important that Federal funding be prohibited for improving projects which may not be physically located within a barrier island system but which directly serves that barrier island system if the purpose of that improvement is to actually improve or benefit development within the barrier island system. In South Carolina, we have seen this question come up concerning improved water treatment plants in order to directly accommodate large developments on designated undeveloped barrier islands. Such Federal funding would defeat the purpose of the Act.

We urge that there be no reduction of the areas proposed for South Carolina. This includes the area designated for Daufuski. We understand that there are efforts to have some of the shore line mileage deleted. This was minimal mileage in the first place and should be retained in the barrier island system.

AN AFFILIATE OF
NATIONAL WILDLIFE FEDERATION

The South Carolina Wildlife Federation remains committed to strengthening the Coastal Barrier Resources Act as much as possible in order to protect these fragile environments and to spare the use of the public Federal funds to enhance the risk of private development in these high hazard areas.

Kindest regards,

Betty Spence
Betty Spence
Executive Director

EHS/mec

cc: Governor Carroll Campbell
South Carolina Coastal Council
Honorable J. Strom Thurmond
Honorable Ernest F. Hollings
Honorable Butler C. Derrick, Jr.
Honorable Elizabeth Patterson
Honorable Arthur Ravenel
Honorable Floyd D. Spence
Honorable John M. Spratt
Honorable Robin M. Tallon, Jr.
H. R. Lindsey, SCWF President

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NATIONAL WILDLIFE FEDERATION

1412 Sixteenth Street, N.W. Washington, D.C. 20036-2266 (202) 797-6800

Coastal Barriers Study Group
Department of the Interior
National Park Service
P.O. Box 37127
Washington, D.C. 20013-7127

RE: Comments on the Coastal Barrier Resources Act--Section 10 Draft Report to Congress, 52 Federal Register 9618-9619

Dear Sir or Madam:

The National Wildlife Federation, the Natural Resources Defense Council, the Coast Alliance, and the Oceanic Society are writing in response to the Department of the Interior's Federal Register Notice of March 23, 1987 soliciting comments on the Draft Report to Congress: Coastal Barrier Resources System--Executive Summary.

Our organizations have a longtime interest in the conservation of coastal barriers. The Natural Resources Defense Council was the founding organization of the Barrier Islands Coalition in 1978. Likewise, the National Wildlife Federation, the Coast Alliance, and the Oceanic Society became members of that coalition in 1979 to help seek protection of coastal barriers.

Our organizations have led efforts to pass legislation which would conserve the natural resources of coastal barriers--first, the flood insurance prohibition in the Omnibus Reconciliation Act in 1981 and then, the Federal financial prohibition in the Coastal Barrier Resources Act (CBRA) in 1982. We continue to support the goals of CBRA and expansion of the Coastal Barrier Resources System (CBRS) throughout the United States and its territories. The federal government should not be subsidizing development in hazardous areas which destroys productive coastal ecosystems, endangers the lives and properties of shoreline residents, and costs federal taxpayers millions of dollars each year in flood insurance claims and disaster relief.

The need for an expanded Coastal Barrier Resources System in which federal development subsidies are prohibited is becoming increasingly critical in light of the projected rise in sea levels due to global warming. As water levels rise, so will the costs of protecting existing structures, the damages from erosion and flooding, and the risk to human life and property. Unfortunately, however, development in these unstable coastal areas continues to grow at a frightening pace. We feel strongly, therefore, that it is essential that the Department recommend maximum expansion of the System to include the eligible areas on all of America's coasts

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before these sites are irrevocably committed to development. An appendix of specific comments on additions to and deletions from the System follow our general comments.

PROPOSED RECOMMENDATIONS FOR ADDITIONS TO OR DELETIONS FROM THE CBRS

We support the Department's recommendation to expand the definition of a "coastal barrier" to include landforms which function as coastal barriers in protecting the mainland and adjacent aquatic habitats, even if they are not composed of unconsolidated sediments as are barriers in the traditional definition. Use of this expanded definition in delineating CBRS units is consistent with the conservation goals of CBRA and would allow for the inclusion of such new geological formations as undeveloped beach rock, cemented dunes, fringing mangroves and associated coral reefs, cheniers, discontinuous outcrops of bedrock, and coarse glacial deposits. Since these areas serve the same function as coastal barriers and are as vulnerable to development pressure, sea level rise, and storm damage as traditionally-defined coastal barriers, it is appropriate that they also be protected within the System.

APPENDIX

COMMENTS ON SPECIFIC COASTAL BARRIER AREAS

The National Wildlife Federation, the Natural Resources Defense Council, the Coast Alliance, and the Oceanic Society endorse the inclusion of all undeveloped coastal barriers identified by the Department of Interior in the March 1985 inventory, as well as some additional areas mentioned below. Following are our comments on some of the specific areas.

South Carolina

We approve of the additions to the System proposed in South Carolina and urge the Department to maintain these proposals in its final recommendations to Congress.

June 15, 1987

Coastal Barrier Study Group
U.S. Department of the Interior
National Park Service - 498
Post Office Box 37127
Washington, D.C. 20012-7127

Re: South Carolina Electric Cooperative Association Comments
Concerning the U.S. Department of the Interior's Proposed
Changes to the Coastal Barrier Resources System.

Gentlemen:

The primary loan source for all electric cooperatives in South Carolina is the Rural Electric Administration, a Division of the U. S. Department of Agriculture. Accordingly, when cooperatives operate in the coastal areas of this state, they coordinate their financial planning in accordance with the responsibilities specified in the Coastal Barrier Resources Act of 1982. Six electric cooperatives provide service to the coastal counties of South Carolina. They are Berkeley Electric Cooperative, Inc., Central Electric Power Cooperative, Inc., Coastal Electric Cooperative, Inc., Horry Electric Cooperative, Inc., Palmetto Electric Cooperative, Inc., and Santee Electric Cooperative, Inc.

The comments below are the result of the analysis and review of the February, 1987 recommendations for additions to the Coastal Barrier Resources System, Volume 12, South Carolina and the "Executive Summary" dated March, 1987, prepared by the U.S. Department of the Interior. The Engineering Department of the above-named cooperatives conducted the analysis and review.

I. COMMENTS CONCERNING THE PROPOSED ADDITIONS TO THE CBRA SYSTEM:

1. No transmission facilities are located nor are there any plans for additions in or through the expanded CBRS.
2. In MO-10, no electric distribution lines appear to be located in the expanded CBRS; however, a part of the Ashepoo River appears as "associated aquatic habitats". This river segment affects an individual's request to the Cooperative for a crossing under that river to serve property located outside of the CBRS. (See attached Exhibit "A")
3. In MO-5, no electric distribution lines have been identified as existing in the expanded

Coastal Barrier Study Group
Page 2
June 15, 1987

CBRS; however, Cooperative Engineers reviewing the maps note that the irregular boundary in areas where existing buildings back up to the marsh creates the possibility that facilities crossing some of the inlets or tributaries may fall within the CBRS.

4. In MO-5, the reviewers note that inclusion of inlets and tributaries under the "associated aquatic habitats" definition appears to affect crossings between areas outside the CBRS and can create greater expenses in routing of service to persons lying on the opposite side of these inlets and tributaries.
5. In MO-8, the new addition to the CBRS includes the Kiawah Island Road and Bridge. The Cooperative has existing facilities along the road and crossing the river by underground cable southwest of the bridge. This is a primary power source to Kiawah Island and maintenance, repair, and upgrading will be necessary to supply energy for the non-CBRS properties.
6. In MO-10, additions to the CBRS located on Hutchinson Island, Pine Island, and Fenwick Island are the same areas proposed in 1983 but excluded by Congress because local objections existed to the sites. We understand this opposition still exists and would support exclusion of these areas again if a majority of the comments to the Coastal Barrier Study Group from the citizens of Colleton County reaffirm their objections.

II. COMMENTS CONCERNING CONSERVATION RECOMMENDATIONS:

1. All the affected Cooperatives have concerns about recommendation D. Section 1. of the Executive Summary, pages 17 and 18. This section suggests that the Department of the Interior be given authority to regulate financing for facilities outside the CBRA if it is determined that construction outside the CBRS is to provide service or expand services within the CBRS.

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Page 3
June 15, 1987

The laws of South Carolina, §58-27-1210, require that Electrical Utilities and Electric Cooperatives provide service to all persons making request for such service within 300 feet of existing lines and within all areas assigned to them pursuant to §58-27-640 of the South Carolina Code 1976. This state requirement can therefore mandate construction to persons electing to privately finance homes on their property within the CBRS.

It was clearly stated by representatives of the Interior Department during a public meeting in Charleston, South Carolina on May 6, 1987, that the Coastal Barrier Resources Act does not prevent development of the CBRS, but only assures that persons electing to construct use private sources for the endeavor.

It is our opinion that Public Law 97-384, the Coastal Barrier Resources Act, does not supercede Section 58-27-1210 of the South Carolina Code, and if requested, service must be provided individuals building in the CBRS.

While it may be reasonable to require an Electric Cooperative of this state to finance from other sources structures built to serve an individual having a home within the CBRS, it is untenable to incorporate into this restriction construction of lines outside the CBRA necessary to carry out the mandate of state law.

It appears that the Department of the Interior would prevent use of REA funds to finance facilities (substations, transmission lines, etc.) outside of the CBRS if they serve even one consumer that lies inside a CBRS.

It is obvious that integrated systems such as water systems, sewer systems, and electric systems cannot be constructed so as to separate lines, products, and capacities used only in the CBRS and lines, products, and capacities used outside the CBRS. It is also clear that Congress would not have intended that a supplier of these services having one customer within a

Coastal Barrier Study Group
Page 4
June 15, 1987

CBRS area not be able to use financial assistance programs for their inter-connected equipment. To be usable at all the proposal of D. Section 1 requires that the Department of the Interior adopt some type of pro-rata formula which compares the percentage of use of a structure which is used for "outside the CBRS" and the percentage for "inside the CBRS". This will be a paperwork nightmare for the Cooperatives and the Department of the Interior.

2. The Interior Department has proposed deletion of Section 6(a)(3). The ability to maintain pre-existing facilities is found in Section 6(a)(3) of the Act and Section 6(a)(6)(F). The striking of Section 6(a)(3) makes subject to the Interior Department's interpretation of legislative policy all repairs to lines existing in the CBRS before the land became subject to the act. We believe that maintenance of these lines should not be a discretionary policy of the Interior Department and that Section 6(a)(3) should remain.

III. RECOMMENDATIONS OF THE SOUTH CAROLINA ELECTRIC COOPERATIVE ASSOCIATION, INC.:

1. The Interior Department report to Congress add provisions for crossing of inlets and tributaries where the waterways themselves constitute the only CBRS.
2. That there be excluded from the CBRS strips fifty (50) feet in width for lines crossing additions to the CBRS which would provide adequate corridors through which electric service to non-CBRS areas may continue.
3. That proposed Section D. 1. related to facilities outside the CBRS should be deleted; and for that Section 6(a)(3) of the Coastal Barrier Resources Act codified as Title 16 Section 3505(3) not be changed or modified.
4. That there be excluded from the additions to the CBRS the crossings located southwest of the Kiawah Island Bridge in MO-8 and the Ashepoo River in MO-10.

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June 15, 1987

5. That the Interior Department utilize the comments of citizens in Colleton County to determine inclusion or exclusion of additional land on Hutchinson Island, Pine Island, or Fenwick Island in the CBRS.

The South Carolina Electric Cooperative Association, Inc. appreciates the opportunity to submit comments on the proposed additions to the Coastal Barrier Resources Act. The South Carolina Electric Cooperative Association is hopeful these comments will provide assistance to you as we work to preserve the coastal resources of this country and enhance the quality of life for its citizens.

Respectfully submitted,

John J. Fantry, Jr.
John J. Fantry, Jr.

JJFjr:mf

419

6 Craven Avenue
Charleston, SC 29407
11 May 1987

Coastal Barrier Resources Study Group
US Department of Interior
National Park Service
P.O. Box 37127
Washington, DC 20013-7127

Dear Sir:

Although I was only able to make a quick perusal of the Coastal Barrier Resources Study for SC at the public meeting held on 6 May 1987, I would like to go on record in support of the additions to the system. The US Department of Interior should be commended on its effort in this area, and I hope the department will do everything in its power to include all appropriate land, wetland, and marsh.

Respectfully,

Donna F. Jacobs
Donna F. Jacobs

908

902 Newhall Street
Beeville, Texas 78102
17 June 1987

Coastal Barriers Study Group
National Park Service
U.S. Department of the Interior
P.O. Box 37127
Washington, D.C. 20013-7127

Reference the recent number of items in the local papers concerning viewpoints of CBSG and various local groups and cities of Texas along the Gulf Coast.

I visit the Charleston area of South Carolina every year. After seeing the way the coastal lands and dunes on the Isle of Palms is being destroyed by development, I would like to be assured that this area is ineligible for federal flood insurance or any other subsidies.

The specific area I refer to is to the right of the bridge going from Sullivans Island to Isle of Palms and north up the ocean coastal dunes.

Sincerely,

Wm. C. McLaughlin
Wm. C. McLaughlin

729

COASTAL OBSERVER

P.O. Box 1170, Pawleys Island, SC 29585
(803) 237-8438
(803) 626-9636

4 June 1987

Coastal Barrier Study Group
National Park Service
U.S. Department of the Interior
P.O. Box 37127
Washington, D.C. 20013-7127

Sirs:

After reviewing the proposed modifications to the Coastal Barrier Resources System in this area, I would like to say they seem appropriate to the goals of the act.

However, it would seem that in an area which changes so rapidly, both through natural processes and the activities of man, better maps could be made available. The U.S. Geological Survey maps which are the basis of the CBRS maps were drawn in 1942 and revised in 1973. They are lacking in many details that would help people make informed decisions about this project.

Sincerely yours,

Charles R. Swenson
Charles R. Swenson
Publisher

crs:mps

500 Skyview Dr.
Apartment 5
Clemson, S.C. 29631
June 10, 1987

991

Coastal Barriers Study Group
U.S. Department of the Interior
National Park Service-498
P.O. Box 37127
Washington, D.C. 20013-7127

Dear Sir,

I wish to comment on the new proposals to the Coastal Barriers Resources Act. The proposed expansions to the Coastal Barrier Resources System are an excellent idea, especially since most of the areas recommended for inclusion are under heavy development pressure, and I fully support the inclusion of these areas. However, other aspects of the new draft concern me.

The new draft does not include either the Pacific Coast or the Great Lakes. Barriers in these regions serve the same function as barriers along the Gulf and Atlantic Coasts and are also under development. Therefore, for the Coastal Barriers Resources Act to fulfill its conservation goal, Pacific Coast and Great Lakes barriers must be included in the system.

Deletion of lands from the system is another point of concern. According to the new draft, all military and Coast Guard lands will be deleted. It is understandable that some parcels may be needed to be deleted for national security reasons; however, this should be done on a case by case basis not as a uniform policy.

Another recommendation in the draft of personal concern to me is the proposed deletion of Mobile Point, Al. (unit 0 01). This area is near my home, and I have visited it many times during the past twenty years. I am well aware of how it has been developed since its original designation as a barrier area in 1982. The development is unwise and dangerous on such a fragile and changing coastal area. It is also contrary to the intent of the Act. For if development leads to deletion from the system, the Act becomes a useless paper tiger exposing all barrier areas to development.

Loss of barrier areas to development costs us all money in the end. Dredging and runoff from development sites harm aquatic habitats that produce most of our seafood. Development diminishes the ability of coastal barriers to protect mainland areas from storms and flooding. Also, every American citizen pays directly for development of coastal barriers in the form of insurance claims and government disaster assistance.

Thank you for considering these comments.

Sincerely,
Stuart Reitz
Stuart Reitz

May 5, 1987

1245

U. S. Fish and Wildlife Service
Frank McGilvrey, Coastal Barrier Coordinator
1375 "K" Street, N. W.
Hamilton Building, Room 400
Washington, D. C. 20005

Dear Mr. McGilvrey:

I note in a news article dated May 2nd that thirteen resource system units are recognized in South Carolina does not include Hilton Head Island, S. C.

In my opinion, Hilton Head Island should be included for many reasons such as waste disposal, drinking water, installation of docks which contaminate more and more oyster beds, serious traffic conditions and last but not least beach erosion which in some areas is quite serious.

I have enclosed for your examination eight pages of material to support my request. I draw your attention particularly to page 2 - lower right hand corner, which gives a perfect example of developers complete disregard to the further destruction of our beaches as a result of their actions.

I firmly believe that a 30 and 60 year erosion rate setback line should be put into place at the Federal level and deny National Flood Insurance Program to those who refuse to participate. This may be our only solution to prevent building too close to the beach. Furthermore, I believe it is unfair to expect taxpayers nationwide to subsidize the National Flood Insurance for the sake of a few.

I know your position requires a great deal of your time, however, I believe the situation is serious enough to give it your full attention.

I regret that I was unable to attend the public hearing which was held in May on James Island and in which you participated as I do not drive at night. I would have been very interested in hearing your suggestions and remarks.

May I hear from you? Thank you.

Sincerely yours,
Constance Angeletti
Constance Angeletti
9 Seaside Sparrow
Hilton Head Island, S. C. 29926

Enc. 8 pages

1247

May 13, 1987

U. S. Fish and Wildlife Service
Frank McGilvrey, Coastal Barrier Coordinator
1375 "K" Street, N. W.
Hamilton Building, Room 400

Dear Mr. McGilvrey:

On May 5, 1987 I mailed you material concerning Hilton Head Island, S. C.

Just as I had anticipated, the so called the S. C. Blue Ribbon Beachfront Management Committee's report presented to the S. C. Coastal Committee will be set aside for further consideration. Meanwhile developers can continue to build adjacent to the beach, particularly in Palmetto Dunes Plantation on Hilton Head Island.

Unlike N. C. who did take firm action to prevent further erosion, the Town Council of Hilton Head have been conducting studies for the last four years and still no firm and hard decisions.

I am still of the opinion that a federal moratorium calling a halt to all further building and installation of hardened revetments, groins, jetties etc. should be put into place. To do less would not only cost the taxpayers many millions of dollars but do irreparable damage to our beaches, wetlands and marshes.

Attached is a news article which appeared in the News & Courier of Charleston, S. C.

May I hear from you?

Sincerely yours,

Constance Angeletti
Constance Angeletti
9 Seaside Sparrow
Hilton Head Island, S.C. 29926

Enc. 1

Kiawah Island
RESORT

1633

August 25, 1987

The Honorable J. Strom Thurmond
Senate Office Building
Washington, DC 20510

Dear Senator Thurmond:

We have recently been approached by several lobbyist regarding the pending report to Congress by the Department of Interior concerning the Coastal Barrier Resources Act of 1982. We wish to make clear that the Kiawah Island Company Limited is not represented by any lobbyist in this matter. The Kiawah Island Company Limited is proud of its decade of environmentally sensitive development of Kiawah Island and we do not wish to be associated with organizations and developers who are perhaps less sensitive toward the environment.

We are cognizant of the fact that when a controversial matter comes before Congress for consideration, many lobbyist purporting to represent various interests, which they may or may not in actuality represent, actively solicit support for their particular position regarding the proposed legislation. We wish to make clear that the Kiawah Island Company Limited is represented only by its corporate officers, specifically Mr. Charles F. Daoust, its Senior Vice President, regarding this or any other pending matter.

We have on several occasions over the past couple of years worked directly with your staff and Mr. McGilvrey and others at the Department of Interior and have found them to be most responsive and cooperative.

With kindest regards and best wishes,

Hugh M. Badden
Hugh M. Badden
General Counsel

CC: Frank McGilvrey ✓

HMB:ssh
8/210/99

Kiawah Island Company Limited, P.O. Box 12910, Charleston, South Carolina 29412-0910
Telephone: (803) 768-2121

STROM THURMOND
SOUTH CAROLINA
COMMITTEES
ARMED SERVICES
JUDICIARY
VETERANS' AFFAIRS
LABOR AND HUMAN RESOURCES

United States Senate
WASHINGTON, DC 20510

May 7, 1987

1671



SOUTH
CAROLINA
COASTAL
COUNCIL

Sumner Hall Center
19 Hagood Avenue
Suite 802
Charleston, S.C. 29403
(803) 792-5808
James M. Waddell, Jr.
Chairman
H. Wayne Beam, Ph.D.
Executive Director

April 10, 1987

Honorable William P. Horn
Assistant Secretary for Fish and
Wildlife and Parks
C Street between 18th and 19th Streets
Washington, D.C. 20240

Dear Mr. Horn:

Enclosed please find a copy of correspondence I recently received from Mr. Wayne Beam, Executive Director of the South Carolina Coastal Council.

As this correspondence indicates, the Coastal Council is highly concerned that proposed additions to the Coastal Barrier Resource System (CBRS) of property in "otherwise protected areas" (ie. State parks and reserves) could negatively impact conservation, recreation and educational programs already in existence in these areas. For instance, designating a park area into the CBRS could preclude the South Carolina Department of Parks Recreation and Tourism from utilizing Federal funds to construct educational and recreational facilities in areas where they are needed most and are most beneficial.

While the Coastal Council supports the CBRS program and concept the Council believes that it would be unwise to suspend the type of Federal assistance currently available to "otherwise protected areas."

Because of the important role coastal parks play in my State, I would appreciate your looking into this matter to ensure that necessary Federal funds continue to be allocated to these areas. I would also appreciate a response from your office before June 24, so I can make further comments to the Coastal Barrier Study Group if needed.

Thank you for your kind attention to this matter, and I look forward to hearing from you.

With kindest regards and best wishes,

Sincerely,

Strom Thurmond

ST/hj

The Honorable Strom Thurmond
United States Senate
Room 4241, Senate Office Building
Washington, DC 20510

Re: Coastal Barrier Resources Act

Dear Senator Thurmond:

The Coastal Council has received the Report to Congress and the proposed recommendations concerning additions to the Coastal Barrier Resources System. I would very much appreciate you or your staff's assistance in investigating an issue of concern to the State of South Carolina concerning the otherwise protected areas along our shoreline as indicated in the Report. In the comments the Coastal Council made to the Department of the Interior on the original draft of these proposals, the idea of including otherwise protected areas, such as state or county parks, was opposed primarily because of the belief that any federal assistance for recreational educational activities in those areas would be cut off if they were included in the Coastal Barrier Resources System. This most recent draft recommends that only the privately owned in-holdings within these otherwise protected areas be included in the system. The Coastal Council believes that it would be appropriate to include these otherwise protected areas within this federal system if and only if there was no jeopardy for any federal funds that could renourish the beaches of these parks, provide educational and recreational amenities for the burgeoning tourist population, and would not hamper future recreational or educational activities in these areas.

The Coastal Council appreciates your support for our program and for conservation in general. We would appreciate your help in investigating this issue with the Department of Interior since it is probable that some type of legislative change is necessary in order for these areas to receive the federal protection of the system while not jeopardizing the huge public benefit that these areas provide.

Senator Strom Thurmond
Page 2

The Coastal Council is planning a public hearing the evening of May 6, 1987, at the Fort Johnson Auditorium in Charleston, South Carolina. I invite you or your representative to attend this hearing which will be chaired by a Department of the Interior representative, to see first hand how this federal program will work on South Carolina's coast.

I will look forward to hearing from you soon.

Sincerely,

H. Wayne Beam
H. Wayne Beam
Executive Director

HWB:0223Aba97

cc: Senator James M. Waddell, Chairman
H. Wayne Beam, Executive Director
Christopher L. Brooks, Deputy Director
Newman J. Smith, Staff Attorney
Jeff Cole

ARTHUR RAVENEL, JR.
1st District - South Carolina

COMMITTEE ON
ARMED SERVICES
SUBCOMMITTEE
ON
MILITARY INSTALLATIONS
AND FACILITIES
MILITARY PERSONNEL
AND COMPENSATION



Congress of the United States
House of Representatives
Washington, DC 20515

June 9, 1987

Coastal Barriers Study Group
U. S. Department of the Interior
National Parks Service - 498
P. O. Box 37127
Washington, DC 20013-7127

Dear Sir or Madam:

I would like to express my support for the proposed additions to the Coastal Barriers inventory. We are experiencing an unprecedented rate of growth in South Carolina and much of what has already occurred has been shown to be unwise and without regard for the nature of coastal barrier systems. The encouragement federal subsidies have provided has made a bad matter worse.

Deleting areas previously included, but which have developed since the last set of maps were drawn, would defeat the purpose of the act. I would also urge you to consider including areas of beachfront that have accreted over the past few years, but which currently would not be eligible.

Thanks for your attention to this matter.

With every good wish,

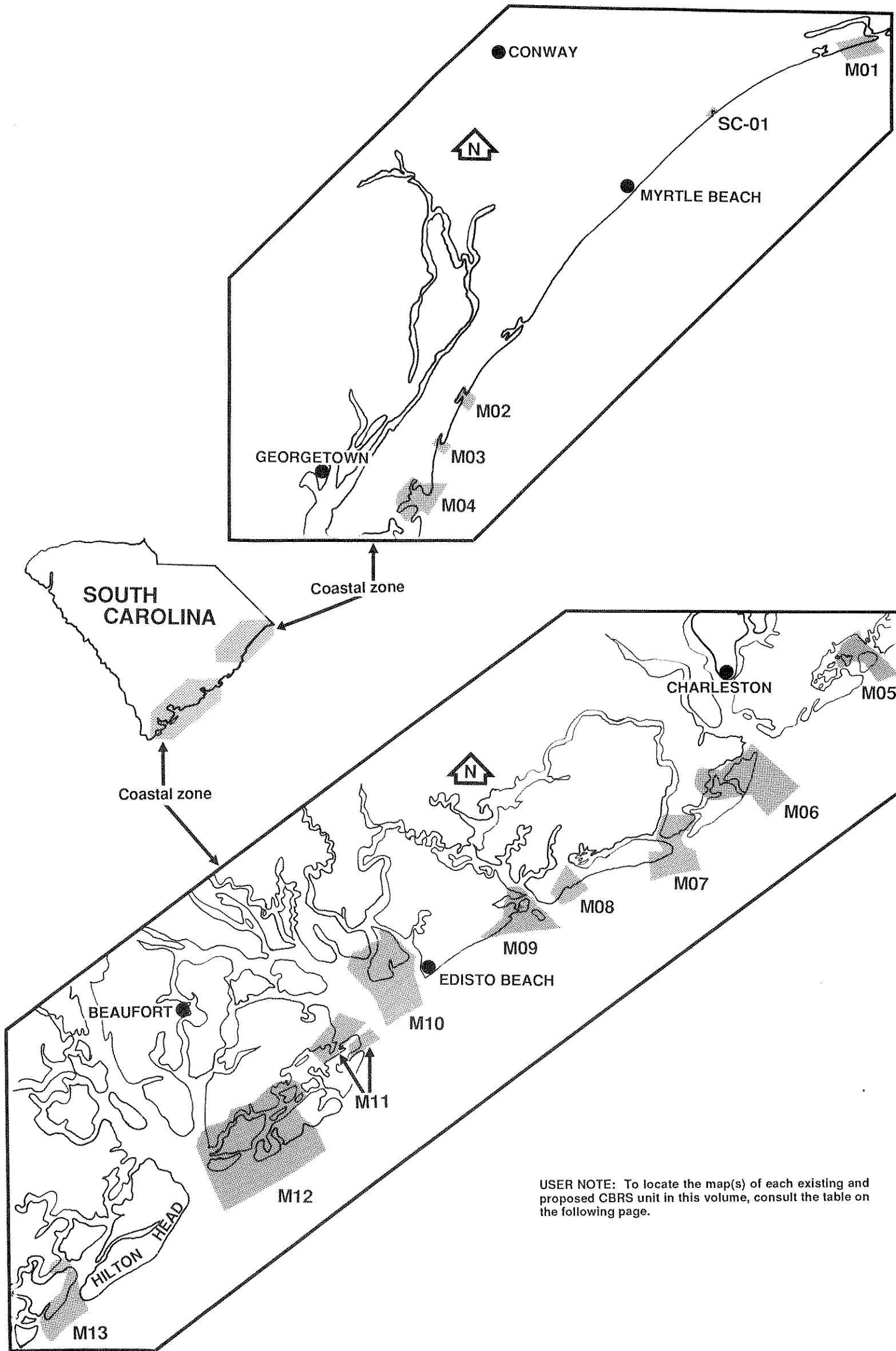
Arthur Ravenel, Jr.
Arthur Ravenel, Jr.

AR/db/ldb

1426

WASHINGTON OFFICE
Room 7130
LONGWORTH BUILDING
205-223-3176
DISTRICT OFFICES
840 FEDERAL BUILDING
CHARLESTON, SC 29403
803-724-4175
803-577-8872
283 HAMPTON STREET
WALTERSDALE, SC 29488
803-546-5395
P.O. Box 1538
RAVENEL, SC 29902
803-524-2166

INDEX TO EXISTING AND PROPOSED CBRS UNITS IN SOUTH CAROLINA



USER NOTE: To locate the map(s) of each existing and proposed CBRS unit in this volume, consult the table on the following page.

MAPS DEPICTING EXISTING AND PROPOSED CBRS UNITS

Unit ID Code	Unit Name	USGS Topographic Map or Map Composite	Page
M01*	Waites Island Complex	Little River	16
M02*	Litchfield Beach	Magnolia Beach	21
M03*	Pawleys Inlet	Waverly Mills	25
M04*	Debidue Beach	North Island	31
M05	Deweese Island	Sewee Bay	40
		Capers Inlet	41
		Fort Moultrie	42
M06	Morris Island Complex	James Island	43
M07*	Bird Key Complex	James Island	43
		Legareville	44
M08	Captain Sams Inlet	Rockville	48
M09*	Edisto Complex	Rockville	48
		Edisto Island	49
M10*	Otter Island	Edisto Island	49
		Bennetts Point	52
		St. Helena Sound	53
M11	Harbor Island	St. Helena Sound	53
M12	St. Phillips Island	St. Phillips Island	58
		Parris Island	59
M13*	Daufuskie Island	Bluffton	60
		Tybee Island North	61
SC-01	Long Pond	Nixonville	18

*Public comment summaries and DOI responses follow unit maps.

MAPS DEPICTING OTHERWISE PROTECTED, MILITARY, AND COAST GUARD LANDS ON UNDEVELOPED COASTAL BARRIERS*

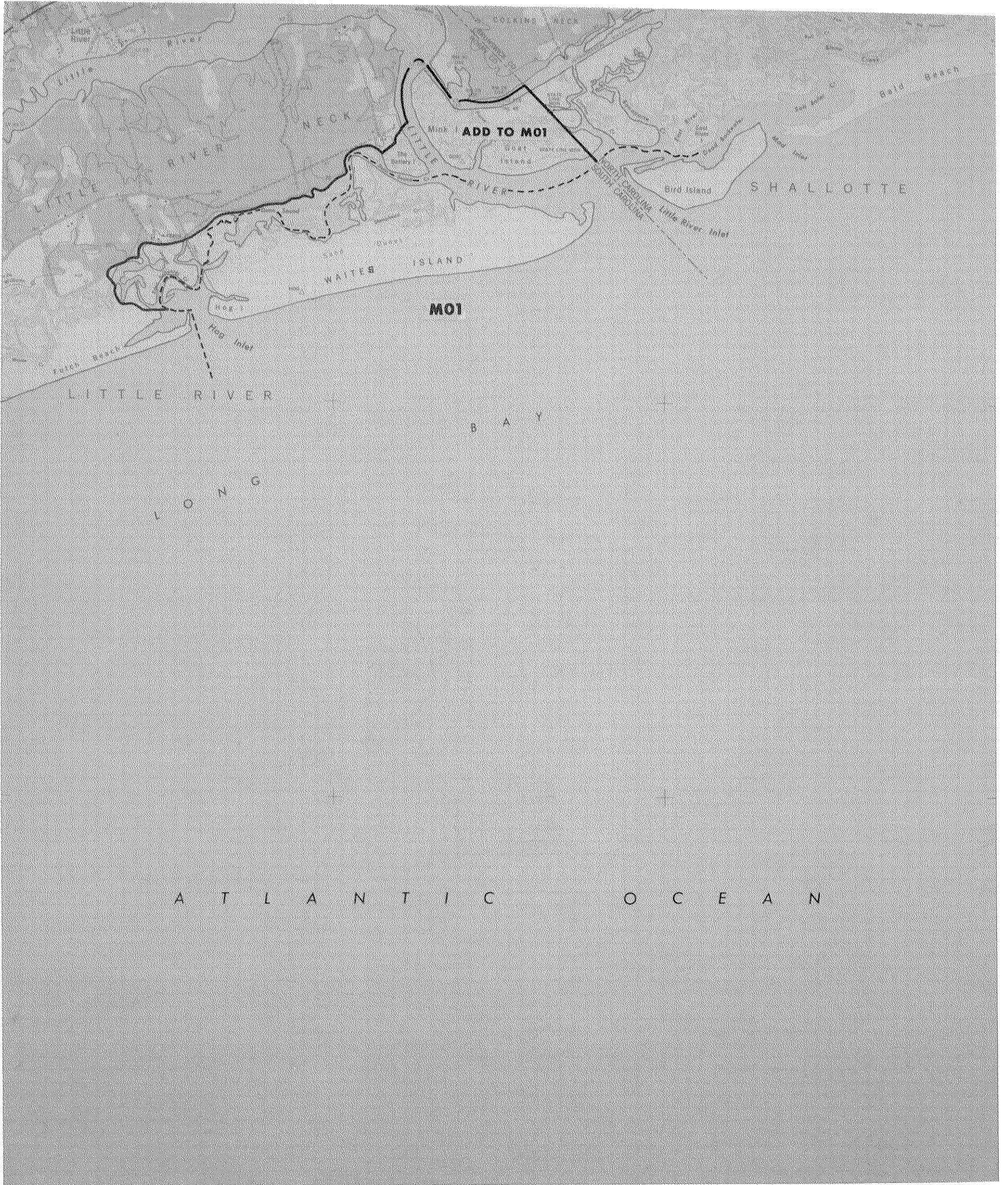
USGS Topographic Map or Map Composite	Coastal Barrier Status	Page
Myrtle Beach	State	19
Brookgreen	Private	20
Magnolia Beach	Private	21
North Island	Private	31
Santee Point	State, Private	33
Minim Island	Federal, State, Private	34
Santee	Federal, State	35
Cape Romain	Federal, State	36
McClellanville	Federal, State	37
Awendaw	Federal	38
Bull Island	Federal	39
Sewee Bay	Federal, State	40
Capers Inlet	State	41
James Island	Local, Coast Guard	43
Edisto Island	State	49
St. Helena Sound	State	53
Fripps Inlet	State	57
Tybee Island North	State	61

*These maps are provided for information purposes only. DOI is not recommending the addition of these areas to the CBRS unless they are made available for development that is inconsistent with the CBRA purposes.

MAP KEY

-----	Existing CBRS units
_____	Proposed additions to or deletions from the CBRS
.....	Military, Coast Guard, or otherwise protected, undeveloped coastal barriers
ADD	Area recommended for addition to the CBRS
DELETE	Area recommended for deletion from the CBRS
EXCLUDED	Area excluded from an existing or proposed CBRS unit because it is developed
RECONSIDER	An existing CBRS unit that Congress may wish to reconsider; suggested boundary modifications are shown
FEDERAL	Federally protected, undeveloped coastal barrier; for information only
STATE	State protected, undeveloped coastal barrier; for information only
LOCAL	Locally protected, undeveloped coastal barrier; for information only
PRIVATE	Privately protected, undeveloped coastal barrier; for information only
MILITARY	Undeveloped coastal barrier owned by the military; for information only
COAST GUARD	Undeveloped coastal barrier owned by the Coast Guard; for information only

Maps are arranged in geographic order from north to south.



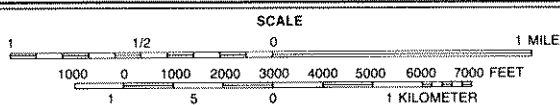
UNITED STATES
DEPARTMENT OF THE INTERIOR



Mapped, edited and published
by the Coastal Barriers Study Group
U.S. Department of the Interior
Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
LITTLE RIVER
SOUTH CAROLINA



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
- - - - Dash lines depict approximate boundaries of existing units in the Coastal Barrier Resources System, for reference purposes only.
- Dotted lines depict approximate boundaries of an undeveloped coastal barrier that is "otherwise protected" or a military or coast guard property.



Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

M01 - WAITES ISLAND COMPLEX

State Position: The State of South Carolina expressed no position on CBRS unit M01.

Other Comments: One letter was received opposing the addition of the associated aquatic habitat to M01 because it may interfere with development on the mainland. The letter is reprinted below.

Response: All of the associated aquatic habitat fully qualifies for addition to the CBRS under DOI criteria.

DOI Recommendation: The DOI recommends adding the associated aquatic habitat to M01.

1285

SINKLER & BOYD

ALBERT SIMONS, JR.
CHARLES W. HAMILTON
L. SIMONS, JR.
D. DANA SIMONS
LINDA M. PELAY, JR.
WILLIAM C. BOYD
FRANCIS P. HODG
J. DONALD BULL, JR.
MAYSON W. OWENS
REGINA S. AMO, JR.
THOMAS R. BOTTENWELL
HAMILTON OSBORNE, JR.
STEPHEN S. DANFORD
JOHN A. LINTON
BARBARA CHRISTIAN MOSE
HAROLD S. TRASK, JR.
GARY W. BAUBRE, JR.
NORTH S. HOPKINS
DARRELL W. HILLMAN, JR.
JOHN C. BRIDGES, JR.
P. MITCHELL JOHNSON, JR.
WALTER W. THOMPSON, JR.
MICHAEL S. JONES
ELIZABETH A. GARDNER
WARR S. SHARPE
THOMAS W. BRADLEY

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OFFICE NUMBER
803 735 1589
COLUMBIA SOUTH CAROLINA 29201
TELEPHONE 803 735 3080
CABLE ADDRESS PALMETTO
TELETYPE 803 735 1589
CHARLESTON OFFICE
100 EAST BAY STREET
CHARLESTON, SOUTH CAROLINA 29401
TELEPHONE 803 735 1589
TELETYPE 803 735 1589
CHARLESTON SOUTH CAROLINA 29401
TELEPHONE AND TELETYPE
803 735 1589
JOHN C. BRIDGES, JR.
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803 735 1589

REYNOLD S. WILLIAMSON
RUE C. GRAY
JOHN S. HARRIS, JR.
DAVID S. BRADLEY
ROBERT S. DALRYMPLE, JR.
COLLEEN M. GILBERT
CLARE W. BOYD
KATE J. COOPER
MARGARET S. SPRING
ROBERT J. HAMILTON
SUSANNE HUBERT CLAYTON
THEODORE S. BRIDGES
MAYSON W. OWENS
THOMAS S. HILDEBRAND, JR.
JOHN W. O. BRIDGES
ROBERT W. HAMILTON
WILLIAM HARRIS
ELIZABETH W. BATTLE
DAVID S. BRADLEY, JR.
LEE HODGE TAYLOR, JR.
MARC C. TILLEY
OF COUNSEL
CHARLES S. OWENS
WALTER FRIEDMAN, JR.

June 18, 1987

SINKLER & BOYD

The Coastal Barriers Study Group
June 18, 1987
Page Two

The only developable land within the Waites Island coastal barrier system is the island itself, which is already included within the Coastal Barrier Resources System. Development of wetlands behind the island is already prohibited by other state and federal environmental legislation.

As a result, the proposed extension of the Coastal Barrier Resources System in the Waites Island area would have no impact on development of properties within the coastal barrier system. It would, however, create unnecessary regulatory burdens for activities on the mainland.

Development of the mainland property may require pipes or outfalls to be placed at the edge of the marsh; it may require diking at the marsh edge; it may require construction of docks or landings at the marsh edge; it may require utility lines or bridges at the marsh edge. Extension of the Coastal Barrier Resources System to the edge of the marsh could interfere with such activities. Such extension could also create difficult administrative and accounting burdens where a small part of a larger utility or road project extends onto the marsh edge. Locating the boundary close to the mainland also makes disputes over the precise boundary of the Coastal Barrier Resources System likely.

In areas where all developable property within the coastal barrier is already part of the System, the intent of Congress would be served better by leaving generous buffer zones between the mainland and the boundary of the System. Alternatively, you might consider exempting from the Act projects built to serve development outside of any coastal barrier, (whether that coastal barrier is within the Coastal Barrier Resources System or not) that incidentally infringe on property within the System.

By copy of this letter I am informing members of the South Carolina Senatorial delegation of the families' objection to the proposed extension of the Coastal Barrier Resources System in the Waites Island area.

Thank you for your attention to this matter. If you have any questions concerning this letter, please feel free to call me.

Sincerely,

Belton T. Zeigler
Belton T. Zeigler

BTZ/w

cc: The Honorable J. Strom Thurmond
The Honorable Ernest F. Hollings
Mr. Mike Ruskman, Senate Commerce Committee Staff
Mrs. Horace Tilghman
Mrs. John S. Boyce
Mrs. Hunter T. McEaddy
Mr. Merrill T. Boyce
Mr. Bachman S. Smith III
Mr. Frank W. Brumley

The Coastal Barriers Study Group
U. S. Department of the Interior
National Park Service - 498
Post Office Box 37127
Washington, D. C. 20013-7127

Re: Proposed Recommendations to Congress Concerning
The Coastal Barrier Resources System

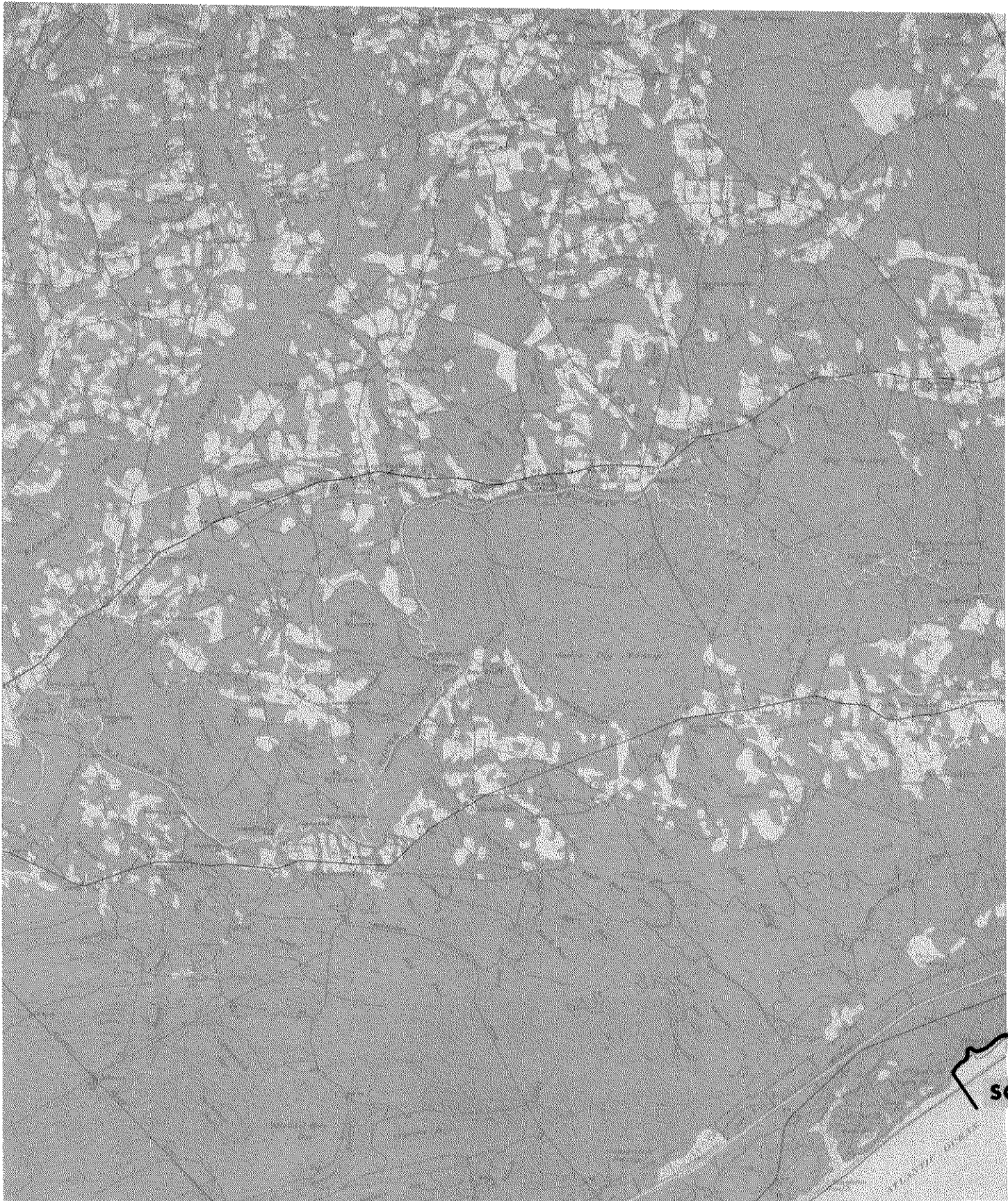
Dear Sirs:

I am writing on behalf of the Tilghman, Boyce and McEaddy families. These families own a tract of land at Little River, South Carolina, which includes a barrier island, Waites Island, adjoining marshland, and land on the mainland. The island and a large part of the marsh behind it are currently included in the Coastal Barrier Resources System as established by the Coastal Barrier Resources Act, 16 U.S.C. § 3501 et seq. The property in question is included in unit M-01.

At present, the boundary of the Coastal Barrier Resources System falls well within the marsh separating Waites Island from the mainland. The Interior Department's draft report to Congress on the Coastal Barrier Resources System, however, recommends extending that boundary to the edge of the high water mark on the mainland side of the marsh.

The families object to the proposed extension and ask that, in the Waites Island area, Congress leave the boundaries of the Coastal Barrier Resources System where they currently lie.

As stated in your Draft Report to Congress: Coastal Barrier Resources System, Executive Summary (March, 1987) at page 6 "[t]he intent of the [Coastal Barrier Resources] Act was to remove from undeveloped coastal barriers Federal incentives for new development . . . There is no prospect for development within undeveloped coastal barriers in the Waites Island area."



SC-01

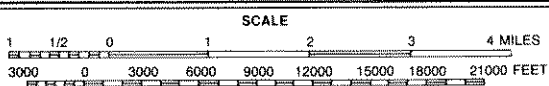
**UNITED STATES
DEPARTMENT OF THE INTERIOR**



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U.S. Department of the Interior
Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

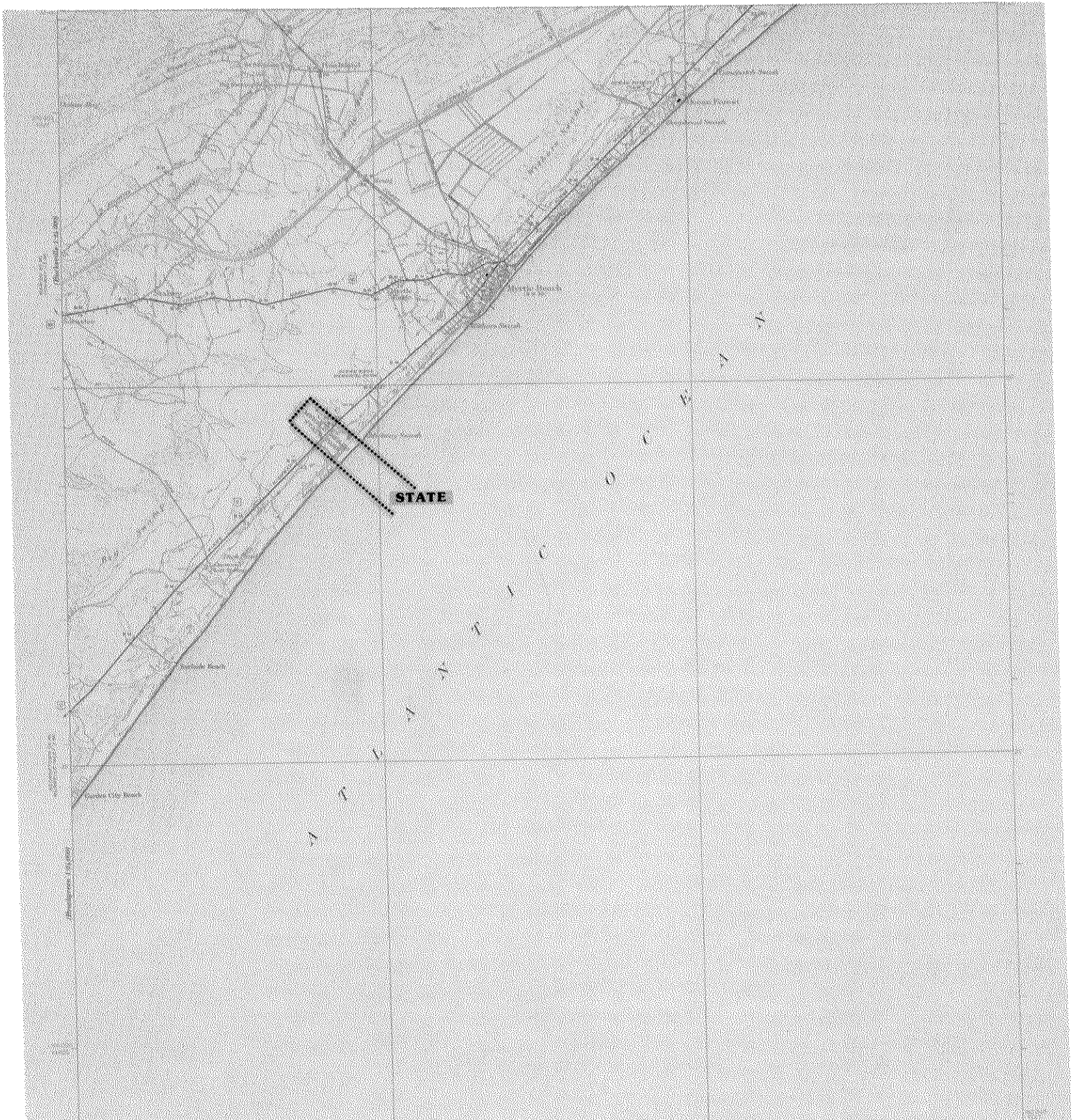
QUADRANGLE
NIXONVILLE
SOUTH CAROLINA



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
- - - - Dash lines depict approximate boundaries of existing units in the Coastal Barrier Resources System, for reference purposes only.
- Dotted lines depict approximate boundaries of an undeveloped coastal barrier that is "otherwise protected" or a military or coast guard property.



Base Map is the U.S. Geological Survey 1:62,500 scale quadrangle.



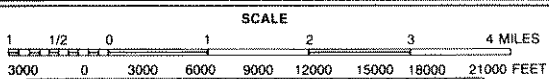
Report to Congress on the Coastal Barrier Resources System

**UNITED STATES
DEPARTMENT OF THE INTERIOR**



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Washington, D.C. 20240

QUADRANGLE
MYRTLE BEACH
SOUTH CAROLINA



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Base Map is the U.S. Geological Survey 1:62,500 scale quadrangle.



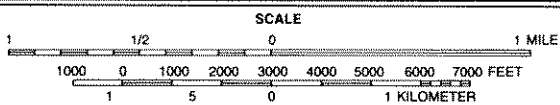
UNITED STATES
DEPARTMENT OF THE INTERIOR



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Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

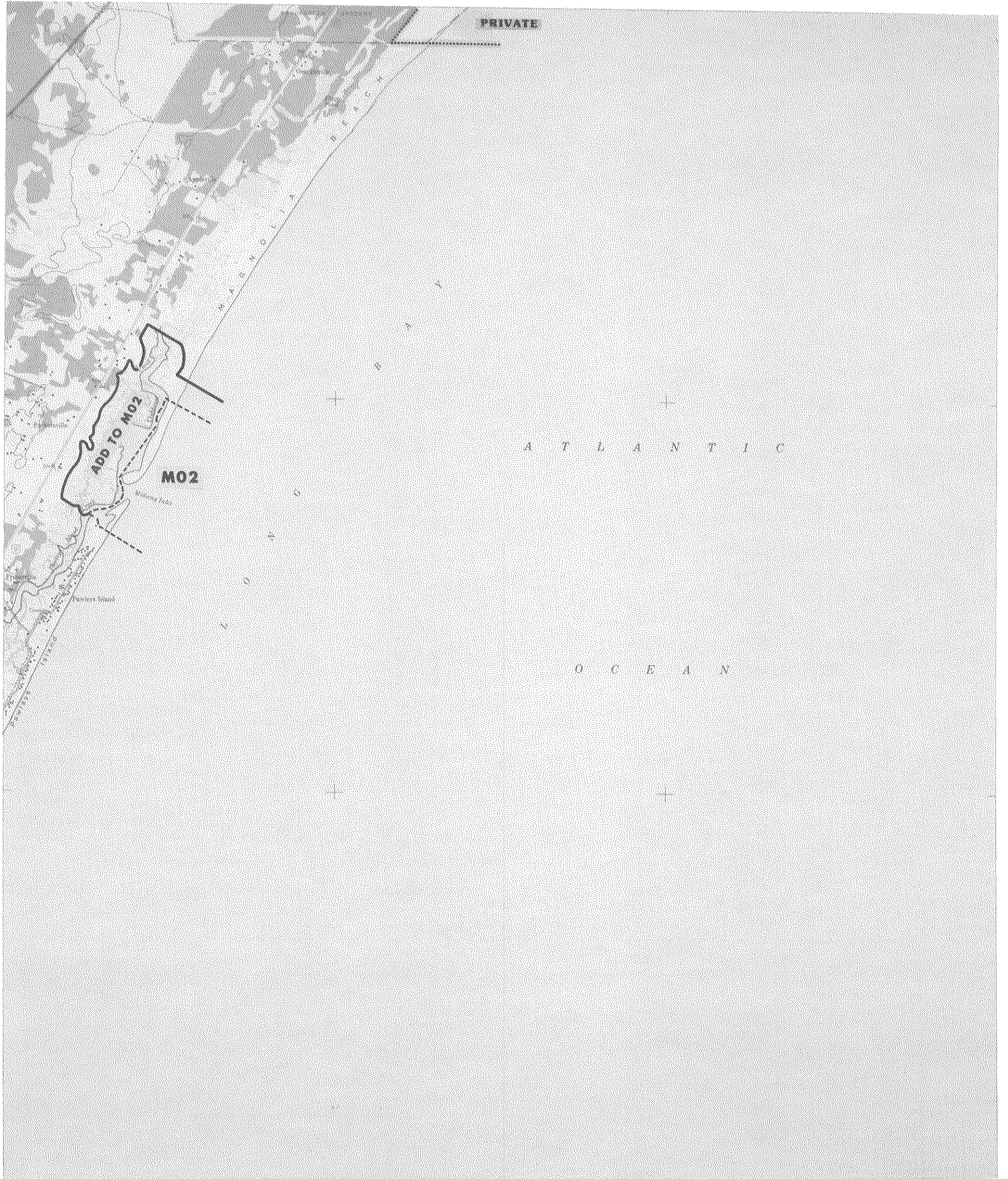
QUADRANGLE
BROOKGREEN
SOUTH CAROLINA



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
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Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.



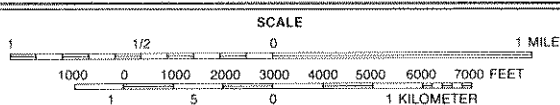
UNITED STATES
DEPARTMENT OF THE INTERIOR



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U.S. Department of the Interior
Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
MAGNOLIA BEACH
SOUTH CAROLINA



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- Dotted lines depict approximate boundaries of an undeveloped coastal barrier that is "otherwise protected" or a military or coast guard property.



Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

M02 - LITCHFIELD BEACH

State Position: The State of South Carolina opposes the addition of the area north of the existing unit to the CBRS, endorsing the opposing comments presented below.

Other Comments: Four letters opposing the addition of the area north of the existing unit were received. Two major arguments were presented: (1) that the area is part of a phased development, and (2) that the unit boundaries were not delineated according to DOI criteria. One letter of support for the M02 additions was also received. All the letters are reprinted below.

Response: In 1982, DOI was of the mistaken opinion that the area north of M02 was part of a phased development; therefore, it did

not include this area in its original recommendations to Congress. In its Section 10 study, DOI did not consider phased developments in making its delineations. Furthermore, the recommended addition is still undeveloped; a site visit by Study Group members revealed only a sand road in the area. The entire existing CBRS unit and the recommended additions fully meet DOI definition and delineation criteria. The recommended northern boundary falls at the interface between the developed and undeveloped portions of the barrier.

DOI Recommendation: The DOI recommends adding the undeveloped area north of the existing CBRS unit and the associated aquatic habitat to M02.

Scott/Permar/Ravenel

1082

June 17, 1987

Mr. Frank McGilvrey
Coastal Barriers Coordinator
U.S. Fish and Wildlife Service
Department of the Interior
Room 400
1375 K Street NW
Washington, DC 20005

Re: Coastal Barrier Unit # M02 - Magnolia Beach.

Dear Frank:

These comments are offered on behalf of the Litchfield Company, the owner of property affected by the existing M02 unit and the proposed addition to M02. We have primarily limited our comments to the Department of the Interior's (DOI's) recent proposal to add property to the north of the existing boundary for the M02 unit.

It is our understand that DOI is proposing this addition since it is reevaluating the development status of the property in 1982 when DOI developed its proposed designations for Congress. Accordingly, we have used DOI's report entitled Undeveloped Coastal Barriers: Definitions and Delineation Criteria (hereafter Definitions and Delineation Criteria) as a basis for our comments.

Specifically, we would like to request that DOI not recommend an extension of the unit to the north. Our reasons for this request can be summarized as follows:

- 1) The property in question is (and was in 1982) part of a phased development which should be exempt from inclusion according to DOI's Definitions and Delineation Criteria;
- 2) A full complement of infrastructure was reasonably available to undeveloped portions of the property;
- 3) A reasonable geologic interpretation of the location of the junction of the barrier spit with the mainland would locate the boundary of the barrier further south than its current location; and

Scott/Permar/Ravenel, Inc.
One Beachwalker Office Park, Kiawah Island, South Carolina 29455 803 768-0082

Mr. Frank McGilvrey
June 17, 1987

Page 2 of 5

- 4) To reevaluate its previous position on this matter would be inequitable, since the Litchfield Company has made considerable expenditures towards the development of the subject property and the planned development may not be possible if designated as an undeveloped coastal barrier.

PHASED DEVELOPMENT

In order to qualify as a phased development, a property must satisfy 4 basic criteria: 1) development by one entity, 2) 100 or more lots or building sites, 3) completion of at least one phase of the project, and 4) future phases are part of the project from its initiation.

We believe the Litchfield Company satisfies these criteria. The Litchfield Company is the entity which completed the 1st phase of the project (Inlet Point) and, in conjunction with its financial partner, will be completing all subsequent phases. (Previous title problems with the property have been resolved and the Litchfield Company has clear title to the property south of Inlet Point.)

The total number of lots and units in the project is well in excess of the 100 lots or building sites required for the phased development exemption.

The 1st phase of the project was completed at the time of DOI's review in 1982.

Future phases of the project have been part of the project plans from its initiation. This fact is apparent from the increased costs incurred by the Litchfield Company when it sized infrastructure (i.e., water and sewer lines) to meet the needs of subsequent phases. Also, the company planned for access for subsequent phases by placing covenants on the Inlet Point property which provided for access to the phases planned to the south of Inlet Point (see correspondence being forwarded under a separate from Steve Goggins with attached information of infrastructure sizing and covenants).

FULL COMPLEMENT OF INFRASTRUCTURE

In addition to qualification for exemption under the phased development criteria outlined above, DOI's Definitions and Delineation Criteria provide for consideration of infrastructure availability.

As you know from your recent site visit, a existing road runs through the entire length of the property which DOI proposes to add to the current unit. This road, which was in-place at the time DOI considered its proposed coastal barrier designations (1982), provides reasonable access to building sites on the subject property. Also, the roads and buildings in the Inlet Point phase were specifically designed to provide for an easy extension of roads to subsequent phases to the south.

As mentioned above, water and sewer lines in-place at the time of DOI's previous consideration (1982) provided availability of water and sewage treatment to all subsequent planned phases.

Electrical service was also in-place at the Inlet Point phase and was available to subsequent phases.

For all of the above-mentioned reasons, we feel that a full complement of infrastructure was reasonably available to the undeveloped portions of the subject property.

JUNCTION WITH THE MAINLAND

DOI's Definitions and Delineation Criteria indicate that barrier spits are located at a point which "... is usually recognized fairly readily on maps and aerial photographs as well as on the ground as a physical change in topography or the nature of the land surface."

As you may recall from your site visit, there is a marked change in the nature of the land surface as one moves south from the Inlet Point phase. The upland portion of the property narrows substantially and forms a much more narrow landform when compared to the area to the north. Indeed, this narrowing occurs at the approximate location of the existing northern boundary of the unit (see Exhibit A). This obvious topographic feature marks a reasonable location for the junction of the barrier spit with the mainland. No other such feature, change in land surface or topography exists anywhere in the area which could indicate this junction.

The Litchfield Company has considered the geomorphic setting of the area in its plans. Studies have been conducted for the area by the South Carolina Coastal

Council which indicate the 50 year erosion line and the company has not planned any development seaward of this line (The Coastal Council's contractor, Applied Technology and Management, Inc., is forwarding copies of the analysis conducted for the Litchfield Beach area under a separate cover). (Development plans for the property north of the existing northern boundary will be forwarded under a separate cover by Steve Goggins).

ONGOING DEVELOPMENT IMPACTS OF DOI'S REEVALUATION

Although nothing in the Coastal Barrier Resources Act (CBRA) prohibits development of affected property, the inability to procure flood insurance in the private sector remains a difficult, if not impossible, task for the type of development planned in subsequent phases on the subject property.

The Litchfield Company plans a low density (approximately 3 units/acre), single family home development for the area between the existing northern boundary and the southern end of the Inlet Point phase. A comparable project in Alabama was recently repossessed by the lender when the developer (who had developed lots on a designated undeveloped coastal barrier) could not procure private sector flood insurance for homes to be built on the lots. While lenders may be able to lend on designated undeveloped coastal barriers, they did not appear willing to provide mortgages in this case.

When DOI proposed the current northern boundary in 1982 and Congress adopted the current map, the Litchfield Company relied on this designation boundary and has since committed substantial funds towards the planning and development of property south of the Inlet Point phase. The company reasonably felt that issues relating to phased development and coastal barrier boundaries were resolved in 1982. Final plans will be submitted locally within two weeks for approval (see plans attached to correspondence from Steve Goggins being forwarded under separate cover). Indeed, in the absence of the uncertainty created by this pending DOI recommendation to Congress, development may be completed by the time Congress acts on DOI's request.

We feel that the possibility of development between the time of DOI's Final Report to Congress and action by Congress should be addressed in the Final Report to Congress. If a property which DOI has recommended for addition to the Coastal Barrier Resources System (CBRS) is developed by the time Congress takes action, we feel it would be inappropriate for Congress to include a developed area in the CBRS. We hope that you will point out that the status of areas recommended for inclusion by DOI in its Final Report to Congress may have changed by the time Congress takes action and that they should take the current development status into account prior to adopting changes to CBRA.

We hope that you have found these comments useful in your ongoing review of the CBRS. If anything outlined above requires further clarification or if any additional information would be useful, please let me know.

We appreciate your consideration and hope that your recent site visit in connection with the public hearing held in Charleston was informative.

We will look forward to your Final Report to Congress.

Sincerely,


James M. Scott

cc: John McMillan,
Director of South Carolina Division of Energy,
Agriculture, and Natural Resources

61:168.4
enclosures

1494

INLET POINT

A CONDOMINIUM

Mr. Frank McGilvrey
Coastal Barriers Coordinator
U.S. Fish and Wildlife Service
Washington, DC 20240

Dear Mr. McGilvrey:

The Directors of the Inlet Point Homeowners Association share your concern about the exclusion of a parcel of undeveloped land at Magnolia Beach from the Coastal Barrier System. This land was purchased in the fall of 1986 from the Bultman family, along with the property south of it, which is already included in the Coastal Barrier System. Inlet Point adjoins the property in question on its north side.

There are several reasons why we believe the land should be in the Coastal Barrier System as was the intent of the law.

Dr. Orrin Pilkey, the respected Duke University geologist, rates the land in question as "high risk" for development because of the low elevation of the Litchfield Spit and the probability of flooding.

Several of our Directors were at Inlet Point on January 1, 1987 and saw firsthand how devastating the ocean can be when the conditions are right and especially where low-lying areas on a spit are involved. A good deal of the dunes were destroyed and much of the land was under water, not only from the ocean side but from Midway Creek as the high tide backed up the water completely inundating the marsh.

We understand that the long range development plans for Magnolia Beach include beach access and use by the property owners at nearby Willbrook Plantation which will eventually include 3900 units. We understand that there may be as many as 150 units built at Magnolia Beach in several phases with the first phase on land not presently in the Coastal Barrier System. The developer retains the right of access to Magnolia Beach through Inlet Point per the Master Deed for Inlet Point that was drawn up a number of years ago, even though the entire Magnolia Beach was not acquired until 1986. Inlet Point includes 69 units at present. We understand that a drawbridge may be built across Midway Creek to provide an alternate access to Magnolia Beach from the mainland. We are concerned about the passage of may transients through Inlet Point property and the adequacy of escape routes from the spit in case of an emergency such as we encountered January 1, 1987.

Magnolia Beach and the marsh behind it comprise one of the last unspoiled, natural habitats for 50 miles between New River and Debordieu. Residents and visitors both can marvel at its beauty and enjoy its teeming wildlife. As more developments encroach upon us, this particular very fragile area should be preserved for future generations to enjoy and appreciate. Since it is also a high risk area, if there is development, it should not be done with federal funds at the taxpayers' expense.

Respectfully submitted,

William E. Latture
William E. Latture
President
Inlet Point Homeowners Association

June 17, 1987

cc: Mr. Frank E. Dunn, Vice President
Mrs. Richard G. Newell, Director
Mr. Jack Sessoms, Director
Mr. Robert C. Vaughn, Director

1308

5917 TaJo Avenue
Virginia Beach, Virginia 23455
June 22, 1987

Coastal Barrier Study Group
National Park Service
U.S. Department of the Interior
P.O. Box 37127
Washington, D.C. 20013-7127

Re: Naomi M. Holmes
(Heir of Walter Manigault)

Gentlemen:

I have received a letter from Senator Strom Thurmond in reference to proposed recommendations by the Coastal Barrier Study Group. This matter is of concern to me since I am the owner of property located in the area designated as the Magnolia Beach Quadrangle in Georgetown County, South Carolina. A portion of my property is included in the area cited for inclusion in the Coastal Barrier Resource System.

I am opposed to any changes in the status of my property which would prohibit Federal expenditures and financial assistance for development. As an owner of property in the proposed area for inclusion in the CBRS, I feel that I should have been appropriately notified in a timely matter concerning such proposals in order that the full impact of those changes might be fully examined. Had it not been for the concern of Senator Strom Thurmond, I would not have been informed of your recommendations.

Please send me a complete copy of the recommendations of the Coastal Barrier Study Group regarding the Magnolia Beach, Meverly Mills and North Island Quadrangles in South Carolina. Please include a more detailed map of the Magnolia Beach Quadrangle that would be affected. Also, I would like to know if the current proposals allow for Federal expenditures for developments which would promote conservation of fish, wildlife and other natural resources.

Again, please note my opposition to any changes in status of my property as proposed by the Coastal Barrier Study Group.

Respectfully,

Naomi Manigault Holmes
Naomi Manigault Holmes

1313

MANIGAULT & SON
MORTICIANS, INC.
FOUNDED 1927

WALTER WM. MANIGAULT, L.F.D., L.E.
PRESIDENT
P. O. BOX 888
GEORGETOWN, S. C. 29440
TELEPHONE (803) 546-0335



June 20, 1987

Coastal Barrier Study Group
National Park Service
United States Department of the Interior
Post Office Box 37127
Washington, D.C. 20013-7127

Dear Sirs:

I have reviewed the letter from Senator Thurmond dated June 3, 1987 in reference to the additional acreage included into the CBRS for South Carolina as proposed by the U.S. Department of the Interior.

I am coowner of the McKenzie Beach with Mrs. Gladys M. Watkins of Washington, D.C., Mrs. Naomi M. Holmes of Virginia Beach, Va. and Alex Sanders of Columbia, S.C. According to Senator Thurmond's letter, our property lies within the proposed additional acreage shown on Map #12 (Magnolia Beach) M02, ADD TO M02 as enclosed.

To place our property into the CBRS would reduce the current property value, restrict our present use of our property for recreation and severely limit our development of the remaining portion of land. Consequently, the income potential of the property would be considerably reduced. Therefore, I ask that you please reconsider your plans to make this a part of the new CBRS proposal for South Carolina.

I would greatly appreciate your sending me copies of the areas that you have also proposed to include in your plans that adjoin our property, if any. Additionally, I would appreciate all correspondence on this proposal and your decisions to be mailed directly to me at the above address.

Sincerely yours,

Walter W. Manigault
Walter W. Manigault

cc: Senator Strom Thurmond
Congressman Robin Tallon
Mr. Frank B. McGilvrey
Mr. Jack Brown
Mr. Craig L. Rieben

1385

1785 Redwood Terrace, N.W.
Washington, D.C. 20012

June 20, 1987

Coastal Barrier Study Group
National Park Service
United States Department of the Interior
Post Office Box 37127
Washington, D.C. 20013-7127

Dear Sirs:

This letter is in response to your communication to property owners regarding a proposal by the Department of Interior to include additional acres for the Coastal Barrier Resource System (CBRS) in South Carolina.

I am a property owner of the McKenzie Beach (Magnolia Beach) area and am opposed to having it included in the proposed new extension of the CBRS plan. My opposition is based on uncertainty of the specific details of the plan and its extension to affected people and community, vague map representation to owners, future implications, and concern that individual situations should warrant individual study and consideration.

Instead of blanket closure to federal involvement, I would like to know that at least some degree of concern and financial assistance would be possible when property owners attempt to protect and enhance natural settings of marine life for whatever time of its natural existence.

Hopefully, you will reconsider parts of this plan (specifically the geographical area referred to in South Carolina) and make recommendations for positive alternative options. Thank you for the opportunity to respond to this proposal, however, I would have appreciated receiving this information at least three/four weeks ago.

Kindly forward any further details regarding this issue and all reports, studies, and official documents applicable to the McKenzie Beach (Magnolia Beach) property to my address above.

Thank you for your consideration.

Sincerely,

Gladys Manigault Watkins
Gladys Manigault Watkins
(Heir of Walter W. Manigault)

cc: Senator Strom Thurmond
Honorable Robin Tallon
Mr. Craig L. Rieben
Mr. Frank B. McGilvrey
Mr. Jack Brown



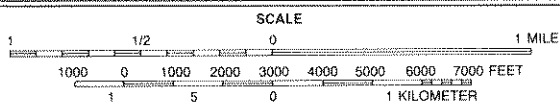
Report to Congress on the Coastal Barrier Resources System

**UNITED STATES
DEPARTMENT OF THE INTERIOR**



Mapped, edited and published
by the Coastal Barriers Study Group
U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
WAVERLY MILLS
SOUTH CAROLINA



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Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

MO3 - PAWLEYS INLET

State Position: The State of South Carolina supports a redelineation of MO3 to exclude some of the southern portions of the unit, endorsing the comments presented below.

Other Comments: The landowners (or their agents) in the MO3 area presented several arguments for redelineating the boundaries of the unit. First, they suggested that the associated aquatic habitat is not continuous and the landward boundary includes portions of the mainland maritime forest. Second, they suggested that the associated aquatic habitat behind Pawleys Island does not meet DOI criteria for addition to the CBRS. Finally, they suggested that DOI should not consider a recommendation to add the area south of the existing unit to the CBRS because it was part of a phased development in 1982 and thus deliberately excluded by Congress from the System. The landowners letters are reprinted below.

Response: In May, 1987, Study Group members visited MO3 and determined that the wetlands behind MO3 are continuous. This site visit and a review of the aerial photographs of the unit have confirmed that the recommended landward boundary of MO3 follows the interface between the aquatic habitat and the mainland and is fully consistent with DOI's Section 10 criteria. The associated aquatic habitat behind Pawleys Island includes highly

dynamic sand bodies subject to wind, wave, and tidal energies through Pawleys Inlet. This aquatic habitat also fully meets DOI criteria for addition to the CBRS.

The southern boundary of MO3 was the subject of considerable debate in the 1982 Congressional deliberations and has continued to arouse controversy. Congress adjusted DOI's recommended boundary northward in 1982 to exclude a phased development. This property has since changed ownership, it remains undeveloped, and DOI is of the opinion that it fully qualifies for addition to the CBRS under DOI criteria.

DOI Recommendation: The DOI recommends adding the aquatic habitat associated with the existing unit to the CBRS. The delineations do not include the mainland maritime forest but do include the sand bodies behind Pawleys Inlet.

Although the area south of the existing CBRS unit appears to qualify as an undeveloped coastal barrier under DOI criteria, it is not recommended for addition to the CBRS because DOI recommended it in 1982 and Congress considered and rejected it during its deliberations on the CBRA. If the Congress wishes additional information regarding this area, the DOI will provide it upon request.

1390

HUNTON & WILLIAMS
2000 PENNSYLVANIA AVENUE, N.W.
P. O. Box 19230
WASHINGTON, D.C. 20006
TELEPHONE 202 955 1500

June 26, 1987

101 EAST MAIN STREET P. O. BOX 1335
RICHMOND VIRGINIA 23268
TELEPHONE 804 788 8200
TELEX 888620

FIRST VIRGINIA BANK TOWER
P. O. BOX 3888
NORFOLK VIRGINIA 23514
TELEPHONE 804 628 5501
TELEX 788628

3030 CHAIN BRIDGE ROAD
FAIRFAX VIRGINIA 22030
TELEPHONE 703 352 6200

Coastal Barriers Study Group
U.S. Department of the Interior
National Park Service - 498
P.O. Box 37127
Washington, D.C. 20013-7127

Comment of Mr. and Mrs. Wallace Pate
Concerning Proposed Recommendations for
Additions to and Deletions from the
Coastal Barrier Resources System

Ladies and Gentlemen:

On behalf of Mr. and Mrs. Wallace Pate, I write to comment on the Department of the Interior's proposed recommendations for additions to and deletions from the Coastal Barrier Resources System ("CBRS") published on March 25, 1987 (52 Fed. Reg. 9618-9619). Mr. and Mrs. Pate are the owners of several parcels of land in Georgetown County, South Carolina. Among the parcels owned by the Pates are tracts which border on the Atlantic Ocean (in and around Debidue Beach) and have been designated as "developed" under the Coastal Barrier Resources Act. Much of the balance of the Pates' property is located behind areas designated as both "developed" and "undeveloped."

In 1985, the Department of the Interior proposed to expand substantially the areas included in the CBRS. Included in the proposed expansion of the CBRS lands in and around Georgetown County, South Carolina were two areas of concern to the Pates. Those areas, depicted on maps MO3 and MO4, include lands owned by, or bordering upon lands owned by, the Pates. Because the proposed recommendations which the Department of the Interior plans to transmit to Congress correspond closely to at least some of the 1985 recommendations regarding additions to units MO3 and MO4, the Pates adhere to the position they took in comments dated September 30, 1985 on these proposed additions. (A copy of these comments is attached for the Department's convenience.) The Pates respectfully request that the Department include these

HUNTON & WILLIAMS

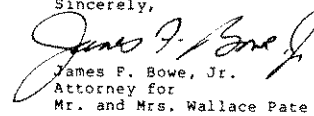
Coastal Barriers Study Group
June 23, 1987
Page 2

comments in the package the Secretary submits to Congress pursuant to Section 10 of the Coastal Barrier Resources Act.

The Pates wish in particular to emphasize their view that the proposed addition to unit MO3 is not justified. The Pates commend to the attention of the Department and Congress the discussion of this addition which is included in the report prepared by the Scott Company on September 10, 1985 and referenced in the September 30, 1985 comments submitted to the Department by Edens & Avant, Inc. For the reasons stated in particular at pages 2 and 3 of those comments, the proposed additions to unit MO3 do not satisfy the Department's criteria for additions to the CBRS.

Mr. and Mrs. Pate appreciate the opportunity to comment once again on the proposed additions to the CBRS. If the Pates may provide further information, please contact me.

Sincerely,


James P. Bowe, Jr.
Attorney for
Mr. and Mrs. Wallace Pate

JFB:cd

Enclosure

cc: Mr. and Mrs. Wallace Pate
Harry J. Warthen, III, Esq.

1668

October 6, 1987

AIRBORNE
Airbill #404822552

Mr. William P. Horn
Assistant Secretary for
Fish, Wildlife & Parks
Department of Interior
18th and C Streets, N.W.
Room 3156
Washington, D.C. 20240

Re: DeBordieu Beach - M03 Unit

Dear Mr. Horn:

We greatly appreciate your taking time out of your obviously busy schedule to meet with us last Wednesday relative to the above matter. You accurately focussed on the issues before you as follows:

- 1) The exemption granted with respect to locating the southern boundary of the M03 Unit in 1982 was not done on the basis of a phased development.
- 2) Based on the technical criteria to be applied with respect to this particular unit, certain of the land area included in 1982 should not have actually been included (i.e. the M03 Unit should have been smaller with the boundary moved further north.)
- 3) Before purchasing the subject property in late 1985 (which included the entire M03 Unit, together with significant additional beachfront properties to the south of the M03 Unit at a cost in excess of \$17,000,000 which has now gone well over \$20,000,000), our client was very painstaking in investigating the limits of the coastal barrier to assure itself that the property purchased to the south was not in the coastal barrier

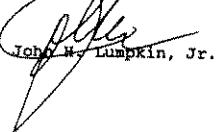
Mr. William P. Horn
October 6, 1987
Page 2

system and that there was no prospect for it to be included in the coastal barrier system. Specifically, our client, through Mr. Jim Scott (who attended the meeting in Washington), met with members of your staff in 1985 to review the proposed additions to the M03 Unit (these were and are areas of associated aquatic habitat behind the existing M03 Unit). It was during these discussions that technical points were made to your staff relative to the southern boundary of the existing M03 Unit and that, based on the technical criteria of the existing M03 Unit and that, based on the technical criteria (see point 2 above), a certain portion of the property should never have been included in the barrier. There was nothing stated in any of the conversations nor in any of the written materials promulgated by DOI with regard to its consideration of the barrier system in 1985 from which even the most prudent and careful purchaser could glean that there could be a subsequent change to consider moving the boundary to the south. To the contrary, we even had the actual southern boundary line surveyed and submitted to DOI staff for their review and approval (which they did). Even had the existing M03 Unit been established as a result of a phased exemption (and there were some technical problems with regard to losing the phased exemption if properties simply changed hands), it was disclosed both verbally and in writing to DOI staff during 1985 that Edens & Avant was purchasing the M03 Unit, together with the properties to the south which are not part of the M03 Unit.

It is critically important to our client (and, we respectfully submit, only fair), that it receive clarification at the earliest possible time to the effect that there will be no consideration of including any additional properties beyond the current southern boundary of the M03 Unit for whatever reason.

Again, we greatly appreciate your taking your time to understand and focus on the issues as summarized above. Once again, we urge and respectfully request that it be confirmed to us and our client that there will be no effort to include property beyond the southern boundary of the M03 Unit. Our client stands to lose millions of dollars it invested in reliance upon the existing location of the M03 Unit, not to mention violating a number of legal obligations it has incurred relative to the development of the properties to the south of the M03 Unit.

Sincerely,


John W. Lumpkin, Jr.

JHLjr/pc

Scott/Permar/Ravenel

1232

June 3, 1987

Mr. Frank McGilvrey
Coastal Barrier Coordinator
U.S. Fish & Wildlife
Room 3245
18 & C Street NW
Washington, DC 20240

Re: M03 unit.

Dear Frank:

John McMillan, the Director of the Division of Energy, Agriculture, and Natural Resources for the state of South Carolina, has asked that I forward you this preliminary draft of a proposed boundary modification for the above-mentioned unit.

The area outlined in red represents the proposed boundary modification which we discussed during your recent site visit. I believe the revised boundary modification will result in an increase in overall acreage when compared to the existing unit size.

I believe John intends to talk with you and or Juergen Reinhardt regarding this boundary and he wanted to ensure that you had a copy of this draft boundary modification prior to your discussion of this unit.

I have enclosed two copies of the draft map and would appreciate your forwarding a copy to Juergen.

Prior to your discussions with John McMillan, if you or Juergen have any questions regarding the draft map, please don't hesitate to contact me.

I want to thank you and Juergen for taking the time to visit the site and appreciate your consideration of this matter.

Sincerely,


James M. Scott

60:154.4
ea:doi

Scott/Permar/Ravenel, Inc.
One Beachwalker Office Park - Kiawah Island, South Carolina 29455 803-798-0002

Scott/Permar/Ravenel

1394

June 17, 1987

Mr. Frank McGilvrey
Coastal Barrier Study Group
Department of the Interior
National Park Service-498
P.O. Box 37127
Washington, DC 20013-7127

Re: Proposed boundary modification to Coastal Barrier Resource System Unit M03.

Dear Frank:

These comments are being submitted on behalf of Edens & Avant, Inc., the property owner affected by the existing M03 Coastal Barrier designation and the proposed additions to M03. They are offered in response to your recent request for comments which appeared in the Federal Register (Vol. 52, No. 57, March 25, 1987).

As you know, we previously submitted comments to DOI on the existing and proposed boundaries for M03 on September 13, 1985 (See Exhibit A attached hereto). The proposed boundary modification suggested in those comments was based on a strict interpretation of the Interior Department's (DOI's) report entitled Draft Undeveloped Coastal Barriers: Definitions and Delineation Criteria (January 15, 1982) (hereafter Definitions and Delineation Criteria).

Since our comments in September of 1985, DOI has revised its Draft Report to Congress: Coastal Barrier Resources System (hereafter Draft Report to Congress). DOI has also conducted a site inspection of the subject property in conjunction with public hearings held recently in Charleston, South Carolina, and other site visits in the area.

Based on our review of the Executive Summary of the Draft Report to Congress, meetings with Juergen Reinhardt, yourself, and Tim Kana (the coastal geologist involved with previous comments to DOI on this matter), and DOI's Definitions and Delineations Criteria, we recommend the boundary modification illustrated on the Exhibit B attached hereto.

Scott/Permar/Ravenel, Inc.
One Beachwalker Office Park - Kiawah Island, South Carolina 29455 803-798-0002

Mr. Frank McGilvrey
June 17, 1987

Page 2

We feel that the proposed boundary modification is appropriate since:

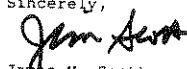
- 1) the boundary is consistent with DOI's Definitions and Delineation Criteria and its Draft Report to Congress;
- 2) the boundaries are sensitive to an extensive shoreline and environmental assessment of the property which has been conducted by Coastal Science and Engineering, Inc. (this report was submitted to DOI in September of 1985 along with previous comments);
- 3) the proposed boundary adds significant aquatic habitat to the Coastal Barrier Resource System (CBRS); and
- 4) the inclusion of additional aquatic habitat and adjacent property is consistent with DOI's Draft Report to Congress.

In sum, the Coastal Barrier Unit resulting from the proposed boundary modifications results in a unit with substantially greater acreage than that currently in the system and its boundary locations are consistent with DOI's Definitions and Delineation Criteria and its Draft Report to Congress, as well as a site specific shoreline and environmental assessment conducted for the subject property.

We appreciate the opportunity to make these comments and DOI's recent site visit.

If anything on this matter requires any further clarification or if any additional information would be helpful in your review, please let me know.

Sincerely,


James M. Scott

61:168.2
ea:doi

June 22, 1987

Mr. Frank McGilvrey
Coastal Barrier Coordinator
U.S. Fish and Wildlife Service
1375 K Street NW, Suite 400
Washington, DC 20005

Re: MO3 Coastal Barrier unit.

Dear Frank:

In addition to our June 17, 1987, comments on the above-mentioned unit, I would like to offer the following additional comments on the Department of the Interior's (DOI's) consideration of boundary modifications to the MO3 unit.

Previous comments submitted by the South Carolina Wildlife and Marine Resources Department (correspondence from James A. Timmerman, Jr. to Ms. Patricia Jerman of July 3, 1985) suggested that the southernmost boundary for the MO3 unit "...be relocated to the south to include additional undeveloped areas." While no supporting technical or other information supporting the proposed relocation to the south were provided, I believe that DOI took this correspondence from the Wildlife Department to be the official state position with respect to this unit. However, Ms. Jerman (the Director of the Division of Natural Resources) has previously informed me that Wildlife Department's comments were not intended to be the official state position on this matter and that she was simply forwarding them to DOI for their consideration along with other comments which the Division had received on this matter.

It is our understanding that the state's position on this matter will be forwarded to DOI by Governor Campbell through John McMillan, Sr. (Division of Energy, Agriculture, and Natural Resources). We hope that these comments will clear up any confusion regarding the state's position on this matter.

On a related matter, I learned today that DOI may be reevaluating its position regarding its previous exclusion of property south of the existing coastal barrier boundary as a result of the phased development exemption. If DOI has received any additional information regarding the phased development exemption for this area, we would appreciate receiving a copy of such information.

Scott/Permar/Ravenel, Inc.
One Beachwalker Office Park - Kiawah Island, South Carolina 29455 - 803 768-0002

Mr. Frank McGilvrey
June 22, 1987

Page 2

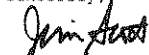
Our client, Edens & Avant, Inc., purchased property north of the existing development in the DeBordieu area in 1985, relying on the fact that the property had been exempt by DOI from designation as an undeveloped coastal barrier as part of DOI's phased development exemption. While it may not be reasonable for a property owner to assume that subsequent federal regulation of its property will not change over time, we do not feel it is reasonable that DOI reevaluate its previous decision regarding the phased development exemption for the property at this time, particularly if no new facts have been entered into the file on this unit.

We believe that the property qualified as phased development in 1982 and DOI ruled on this question when it proposed the current coastal barrier boundary. Although property within the phased development has changed hands since then, we do not believe that DOI should recommend inclusion of previously exempt property simply because the property has changed hands since the previous exemption.

If DOI requires any additional information regarding this matter, please let me know.

We appreciate the opportunity to make these comments and will look forward to your response.

Sincerely,


James M. Scott

cc: John McMillan, Director, South Carolina Division of Energy, Agriculture, and Natural Resources

62:173.4

September 29, 1987

Mr. William Horn
Assistant Secretary
US Department of the Interior
18th and C Streets NW
Washington, DC

Re: Pending DOI recommendations to Congress on Coastal Barriers Resources Act (CBRA).

Dear Mr. Horn:

Our firm represents Edens and Avant, the owners of coastal property affected by the CBRA. We felt that it may be useful to summarize recent developments regarding DOI's consideration of the property owned by Edens and Avant.

During each of the public comment periods on this matter, we have submitted technical comments to DOI suggesting boundary changes to the Mo3 unit. The changes would result in an increase in the overall size of the unit, but, in our opinion, would be more technically consistent with the Definitions and Delineation Criteria developed by DOI in 1982. (copies of these comments should be on file at DOI).

In order to review these comments with appropriate DOI officials, we arranged for a site visit to the property. During meetings with DOI staff, we inspected the subject property and reviewed our comments which I believe were considered reasonable by DOI's technical representatives.

However, during the visit, DOI staff learned that the property had changed hands since 1982 and that the original masterplan for the property was now being developed by a new owner. In follow up conversations, it was learned that DOI was now considering the addition of thousands of feet of oceanfront property simply because the property had changed hands.

Scott/Permar/Ravenel, Inc.
One Beachwalker Office Park - Kiawah Island, South Carolina 29455 - 803 768-0002

Mr. William Horn
September 29, 1987

Page 2

DOI's position was apparently based on the assumption that the current Mo3 boundary was located at the northern limit of a phased development. However, DOI itself determined that the property did not qualify as a phased development (see July 27 and August 4, 1982 DOI memoranda attached hereto). Therefore, the ownership issue should not be relevant.

Congress determined that the great majority of the subject property did not qualify as a coastal barrier and specifically exempted the property from inclusion in the Coastal Barrier Resources System (CBRS) in 1982. The subject property is a classic mainland beach and should not have been considered for inclusion during the original designation process.

It should also be noted that this current proposal of adding substantial additional acreage to the unit has not been reflected in any public notices associated with DOI's regulatory process and we still do not know the proposed boundary locations of such an addition. We have not seen any reference in previous DOI public notices or draft Reports to Congress which indicate consideration of a policy which would re-include property in the CBRS simply because property has changed hands. We are also unaware of any DOI attempts to date to determine the current ownership status of other property previously exempt from inclusion in the CBRS. Indeed, it is difficult to imagine how such a policy would be enforced over time: Would only those properties which have changed hands prior to DOI's Report to Congress be re-included? Would property that changes hands in future years be automatically re-included? If so, how would ownership be tracked? How much property would need to change hands before an area would be re-included? 10 Acres? 10 lots? 5 lots?

In sum, we do not feel that the re-inclusion of the subject property based on a change of ownership is relevant to the Mo3 unit, since DOI determined that it was not part of a phased development in 1982. Even if it were part of a phased development, the re-inclusion of property simply because it changes hands would be highly inequitable and extremely difficult to enforce. Indeed, it is hard to imagine such property ever changing hands if potential purchasers were aware that such property would be re-included in the CBRS if purchased.

1727

Scott/Permar/Ravenel

VIA FEDERAL EXPRESS

March 16, 1988

Ms. Audrey Dixon
Coastal Barrier Study Group
National Park Service
1100 L Street N.W.
Washington, DC 20005

Re: Comments on Draft Supplemental Legislative Environmental Impact Statement on Proposed Changes to the Coastal Barrier Resource System (Federal Register Notice February 1, 1988).

Dear Ms. Dixon:

These comments are related to proposed additions to Coastal Barrier Unit MO3 (adjacent to Pawleys Island Inlet, South Carolina).

"The Draft Supplemental Legislative Environmental Impact Statement on Proposed Changes to the Coastal Barrier Resource System" (January, 1988) defines the geographic scope for defining and delineating proposed additions to the Coastal Barrier Resource System (CBRS): "... the geographic scope of the Proposed Action [contained in the Draft Supplemental Legislative Environmental Impact Statement] includes the aquatic habitats associated with undeveloped, unprotected coastal barriers, large embayments with secondary barriers (e.g., Chesapeake Bay, Delaware Bay, Narragansett Bay), the Florida Keys, the Chenier Region along the coast of southwestern Louisiana, and Puerto Rico and U. S. Virgin Islands.

The definition of "associated aquatic habitats" is also contained in the Draft Supplemental Legislative Environmental Impact Statement: "Associated aquatic habitats include all wetlands (e.g., title flats, swamps, mangroves, and marshes), lagoons, estuaries, coves between the barrier and the mainland, inlets, the near shore waters seaward of the coastal barrier including the sand sharing system, and in some tropical, areas, the coral reefs associated with coastal mangroves."

Maps indicating additions to the MO3 Unit which were consistent with the geographic scope and associated aquatic habitat definitions outlined above were published in April of 1985. At that time, and during each public comment period subsequent to that time, we have provided the U. S. Department of the Interior (DOI) with comments recommending minor boundary modifications to the proposed delineations of the MO3 Unit. These comments generally agreed with the proposed addition of associated aquatic habitat, but pointed out minor boundary modifications associated with the landward boundary and southern boundary of the MO3 Unit.

Scott/Permar/Ravenel, Inc.
One Beachwalker Office Park Kiawah Island, South Carolina 29455 803 768-0002

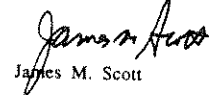
Mr. William Horn
September 29, 1987

Page 3

We urge your consideration of our previously submitted comments which add important aquatic habitat to the CBRS and which are based on sound technical criteria developed by DOI.

We appreciate your consideration and will look forward to hearing from you.

Sincerely,


James M. Scott

cc: Senator Thurmond
Senator Hollins
Representative Tallon

Ms. Audrey Dixon
March 16, 1988

Page 2

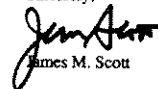
Since that time, representatives of DOI have visited the subject site and have verbally communicated an intention to extend the southern boundary of the MO3 Unit some unknown distance to the south. This proposed extension to the south is inconsistent with the limits of the geographic scope outlined above since it includes substantial upland acreage which does not qualify as "associated aquatic habitat" as defined in the Draft Supplemental Legislative Environmental Impact Statement and in the April, 1985 "Draft Report to Congress." Moreover, we have not had an opportunity to comment on this proposed expansion to the unit since no maps have been made available for comment.

The April, 1985 "Draft Report to Congress" clearly states that "... these criteria [the new criteria being presented in the Report and the criteria subsequently published in the Draft Supplemental Legislative Environmental Impact Statement] have not [emphasis added] been applied to the CBRS as enacted in 1982." This fact was also underscored by DOI officials in a public hearing held in Charleston, South Carolina subsequent to the release of the April, 1985 "Draft Report to Congress." DOI officials indicated that any comments recommending boundary modifications to the existing CBRS should be based on the January, 1982 DOI designation criteria. Upland modifications to the existing CBRS were not to be based on the new designation criteria contained in the Draft Report and in the subsequent Draft Supplemental Legislative Environmental Impact Statement. Accordingly, previous comments submitted on behalf of the property owner affected by the designation plainly show that: 1) The landward boundary of the existing MO3 Unit had not been drawn in accordance with the January, 1982 criteria, 2) portions of the existing MO3 Unit do not meet the technical definition of "coastal barrier," and 3) the southern boundary of the existing MO3 Unit had not been drawn in accordance with the technical criteria established for barriers spits. Thus, we respectfully request that the proposed minor boundary modifications requested in earlier comments be included in DOI's final report to Congress.

If DOI proposes boundary modifications to the MO3 Unit other than those reflected in the maps associated with the April, 1985 "Draft Report to Congress," we feel it would be appropriate to publish such maps along with associated delineation criteria so that the public may be given adequate opportunity to review the maps and delineation criteria and to provide comment.

In any case, we appreciate the opportunity to make these comments and will look forward to discussing this matter with DOI representatives further. In the meantime, if any of the above requires any further clarification, or if any additional information would be useful, please let me know.

Sincerely,


James M. Scott

CC: Senator Strom Thurmond
Senator Fritz Hollings
Representative Tallon
Mr. Dick Rockefeller
Mr. John Lumpkin, Jr.
Mr. Chris Holmes

STROM THURMOND
SOUTH CAROLINA
COMMITTEES
ARMED SERVICES
JUDICIARY
VETERANS AFFAIRS
LABOR AND HUMAN RESOURCES

1701

United States Senate
WASHINGTON, DC 20510

November 6, 1987

Honorable William P. Horn
Assistant Secretary for Wildlife
and Parks
Department of the Interior
C Street between 18th & 19th Streets
Washington, D. C. 20240

Dear Bill:

This letter is a follow up to our phone conversation of yesterday's date concerning map M-0-3, Pawley's Island, South Carolina, of the Coastal Barrier Resource System (CBRS).

As I mentioned to you on the telephone, I would greatly appreciate your assistance in limiting the amount of property at this site which will be added to the CBRS. The developers have already invested a substantial amount of money to purchase the land and get it ready for construction. Furthermore, it seems to me that the property in question would not be appropriate for inclusion because it does not even meet the criteria for designation.

I would also appreciate your letting me know what your recommendation to the Secretary is likely to be. If you feel that you need more information, I know the developers will be glad to come to Washington again to meet with you. This is a very important matter, so I look forward to your response.

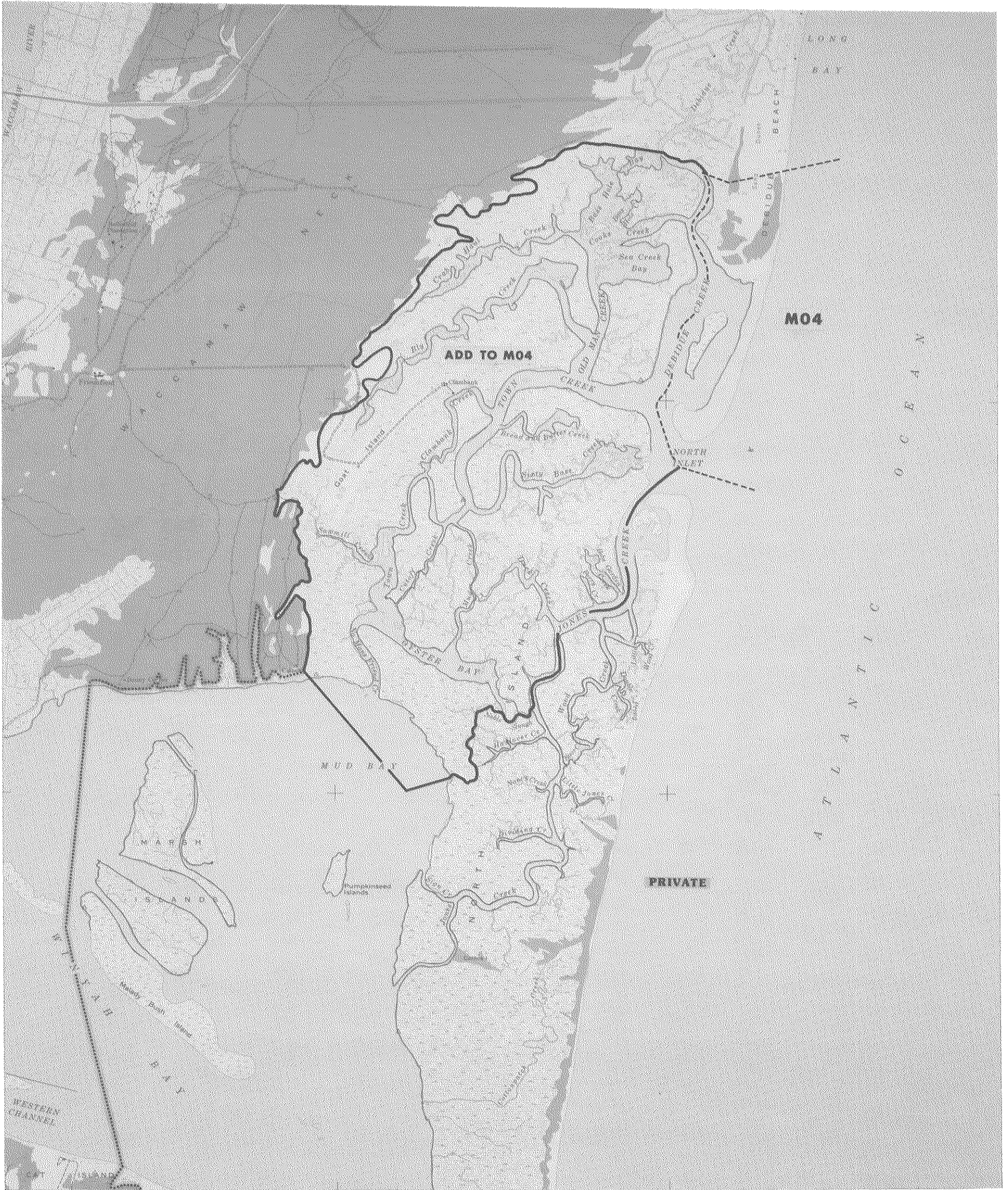
Thank you for your kind attention to this matter,
With kindest regards and best wishes,

Sincerely,

Strom Thurmond

Strom Thurmond

ST:hj



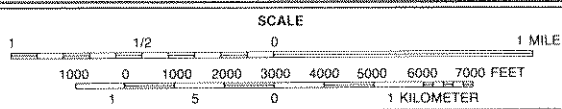
Report to Congress on the Coastal Barrier Resources System

**UNITED STATES
DEPARTMENT OF THE INTERIOR**



Mapped, edited and published
by the Coastal Barriers Study Group
U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
NORTH ISLAND
SOUTH CAROLINA



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
- - - - Dash lines depict approximate boundaries of existing units in the Coastal Barrier Resources System, for reference purposes only.
- Dotted lines depict approximate boundaries of an undeveloped coastal barrier that is "otherwise protected" or a military or coast guard property.



Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

M04 - DEBIDUE BEACH

State Position: The State of South Carolina expressed no position on CBRS unit M04.

Other Comments: One letter was received requesting a minor modification of the recommended north boundary of M04 to exclude the DeBordieu Colony Club development. The letter is reprinted under M03 (letter number 1394).

Response: The DeBordieu Colony Club development was removed from DOI's proposed

additions to M04 in the 1987 draft delineations in response to information received during the 1985 comment period. DOI's recommendation to Congress is consistent with the commenter's request.

DOI Recommendation: The DOI recommends adding the associated aquatic habitat landward of North Inlet to M04.



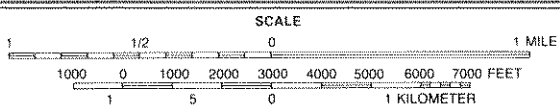
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Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
SANTEE POINT
SOUTH CAROLINA



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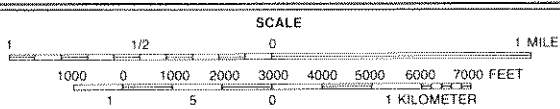
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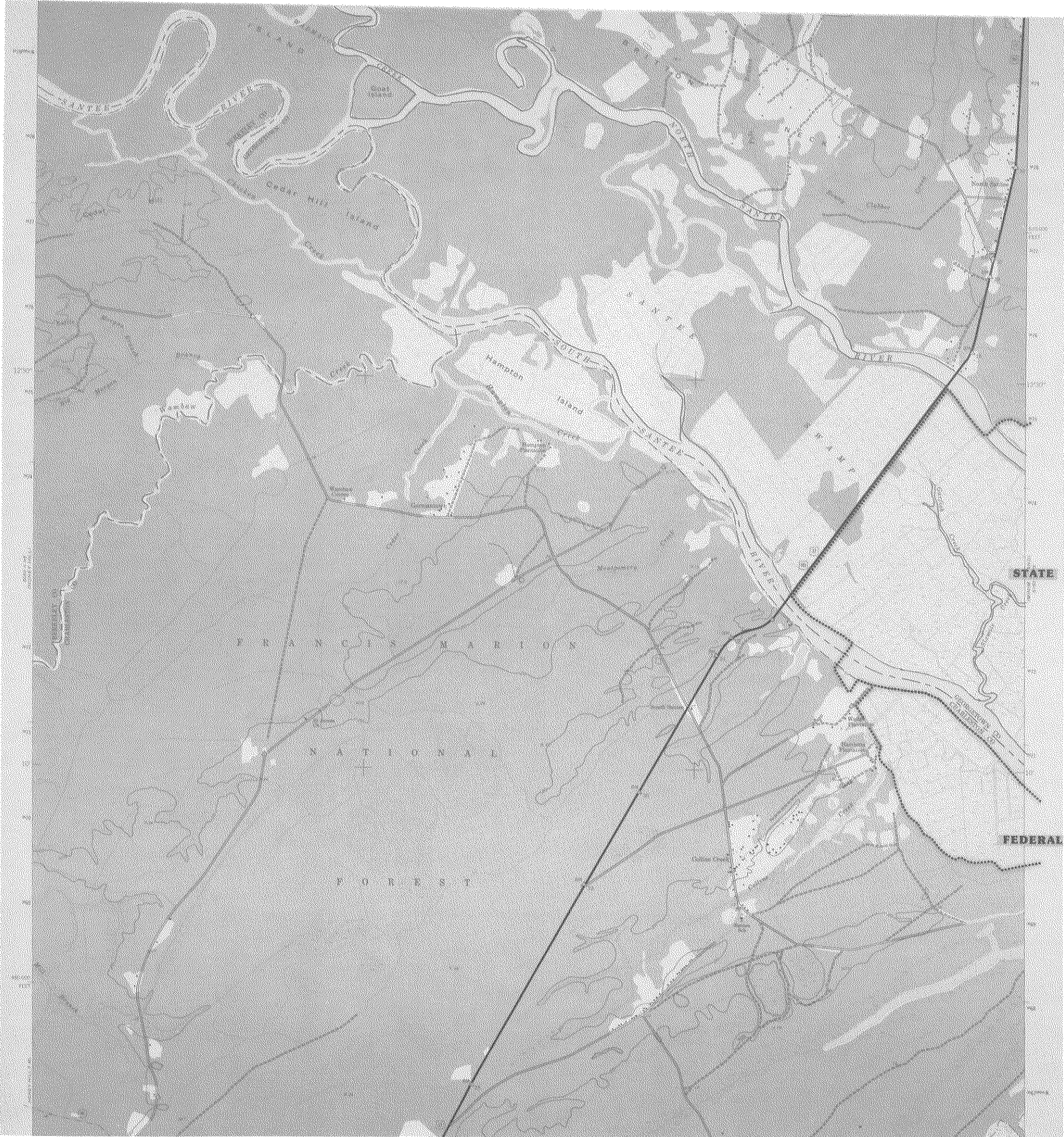
QUADRANGLE
MINIM ISLAND
SOUTH CAROLINA



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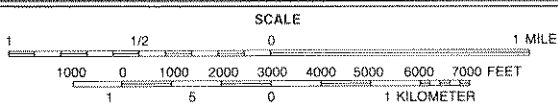
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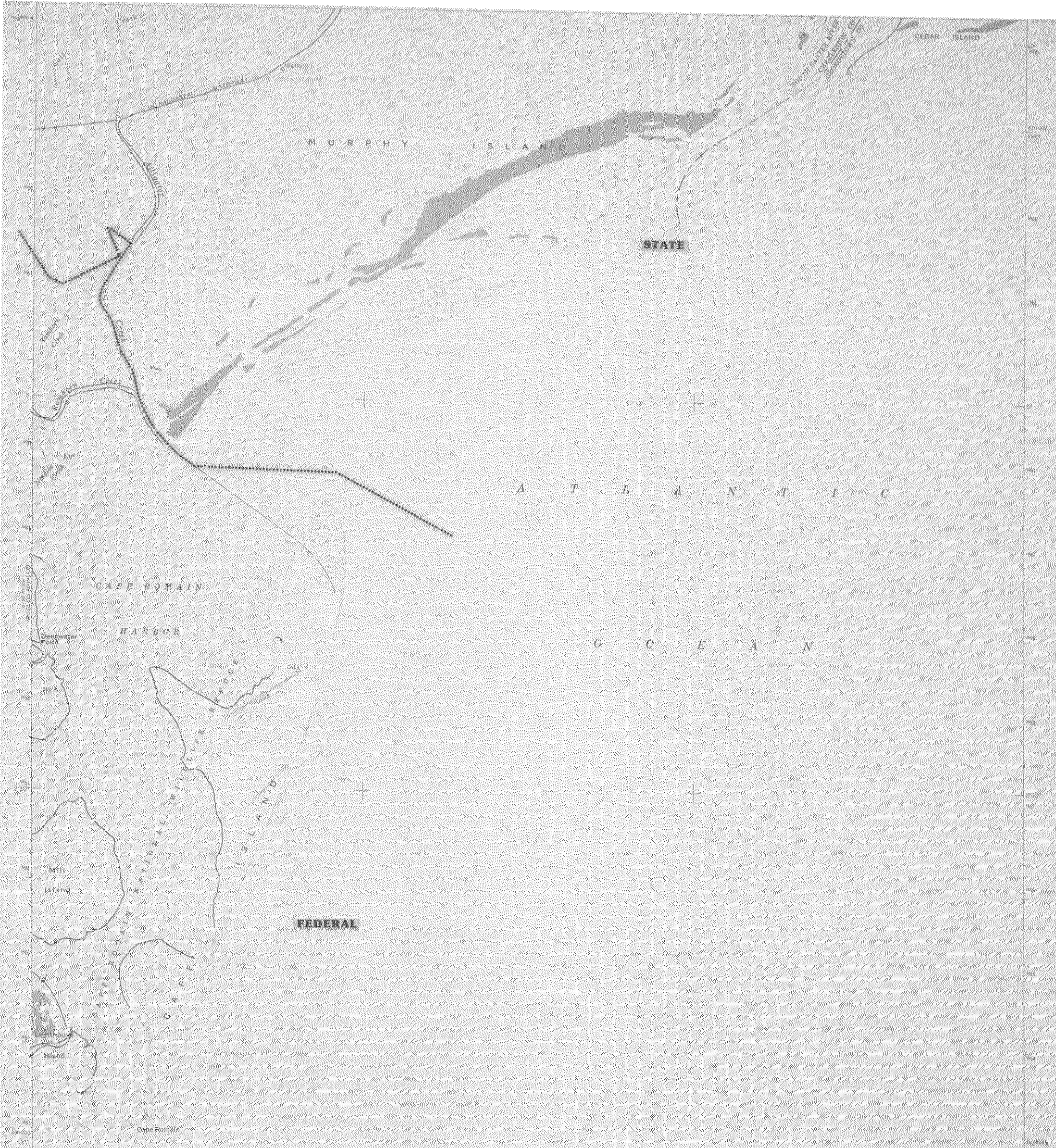
QUADRANGLE
SANTEE
SOUTH CAROLINA



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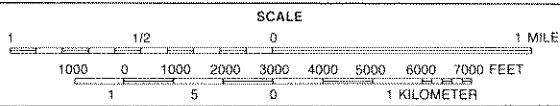
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QUADRANGLE
CAPE ROMAIN
SOUTH CAROLINA



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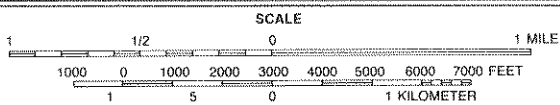
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Report to Congress on the Coastal Barrier Resources System

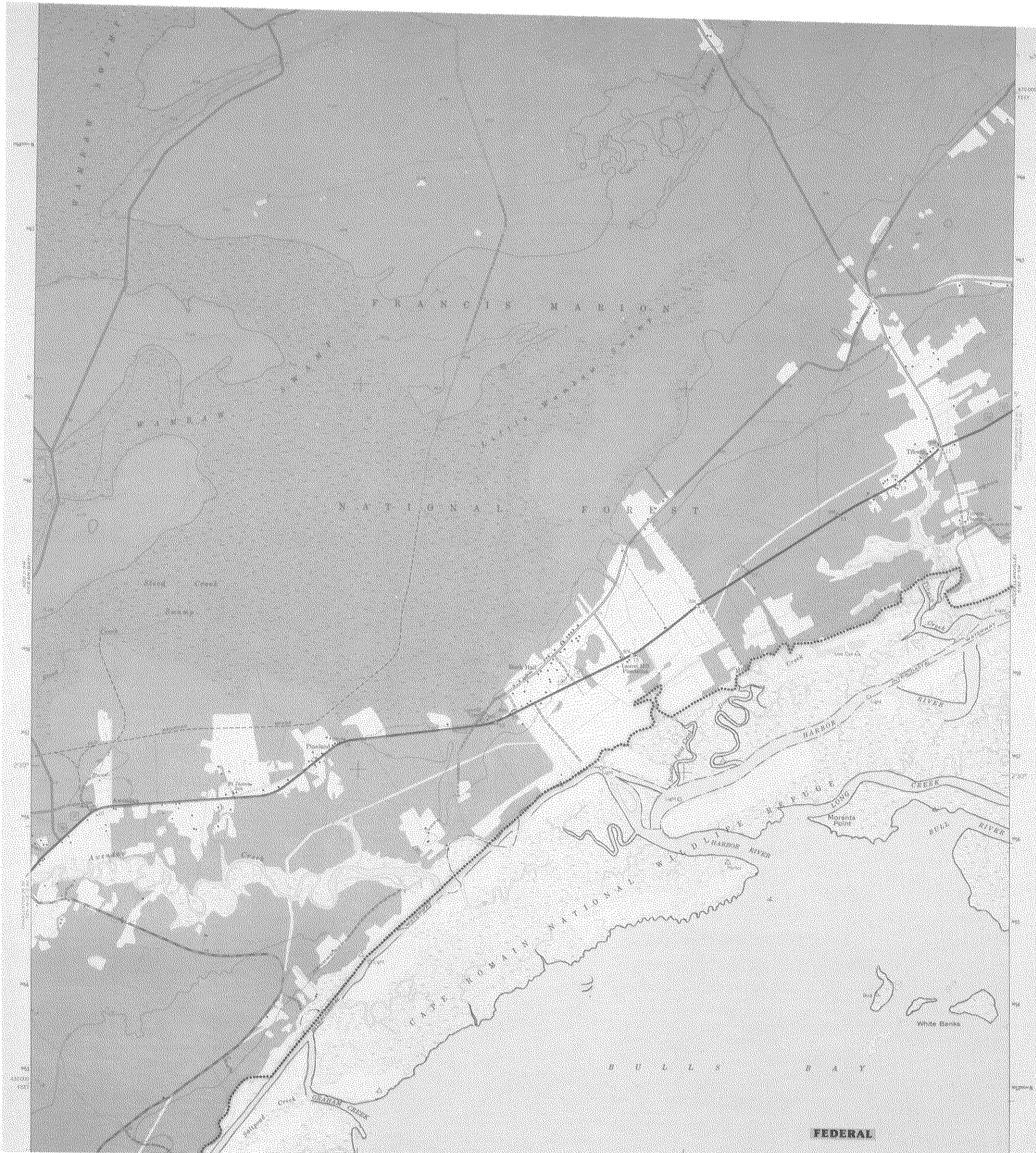
QUADRANGLE
McCLELLANVILLE
SOUTH CAROLINA



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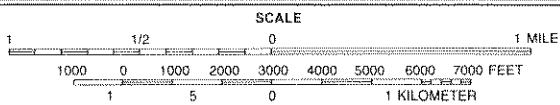
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Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
AWENDAW
SOUTH CAROLINA



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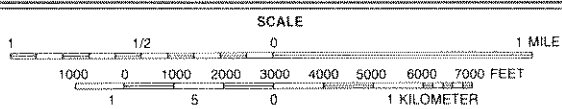
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U.S. Department of the Interior
Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
BULL ISLAND
SOUTH CAROLINA



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
- - - - Dash lines depict approximate boundaries of existing units in the Coastal Barrier Resources System, for reference purposes only.
- Dotted lines depict approximate boundaries of an undeveloped coastal barrier that is "otherwise protected" or a military or coast guard property.



Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.



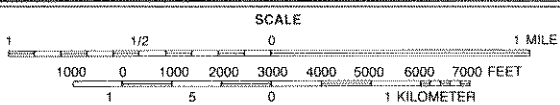
UNITED STATES
DEPARTMENT OF THE INTERIOR



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Report to Congress on the Coastal Barrier Resources System

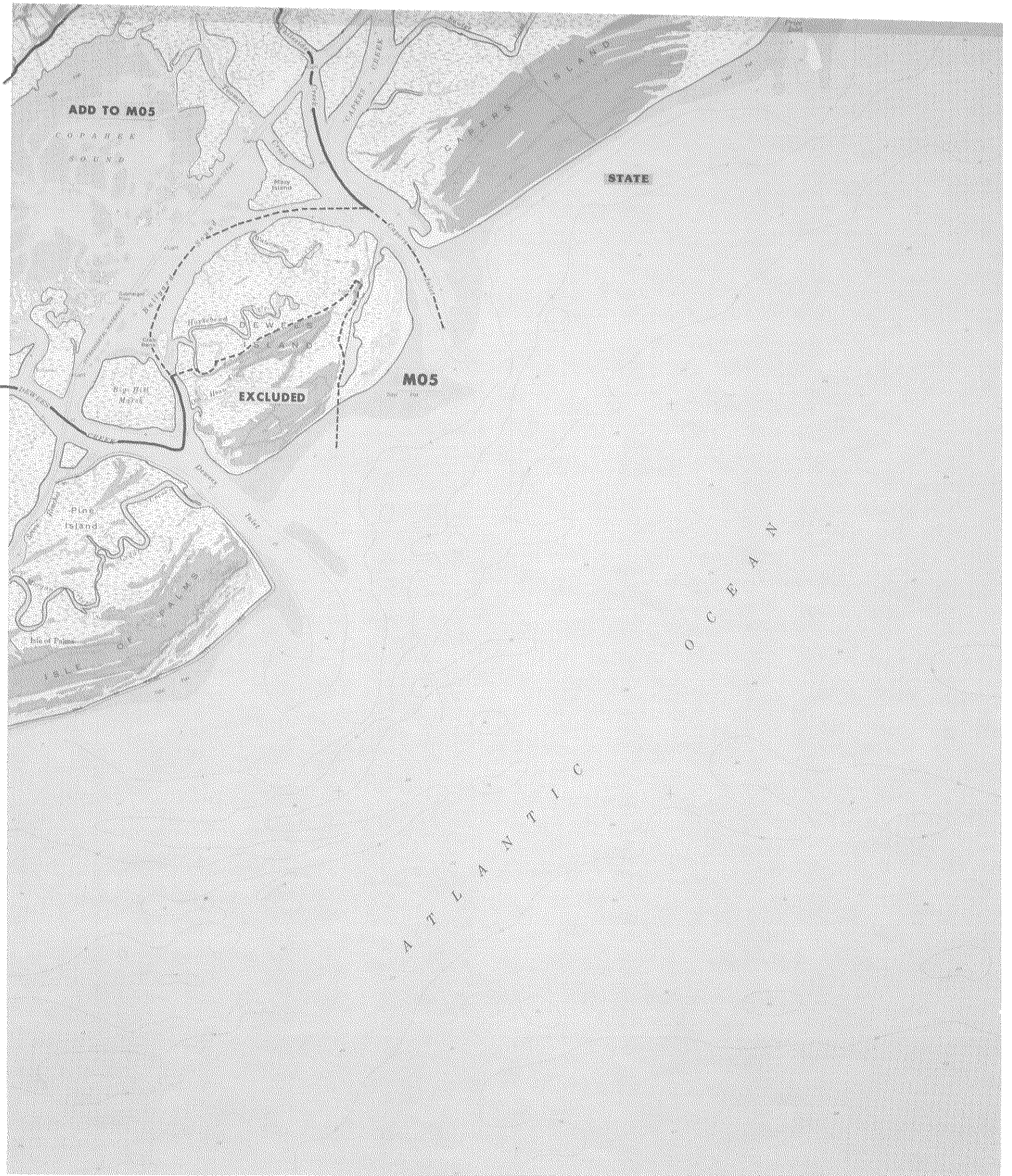
QUADRANGLE
SEWEE BAY
SOUTH CAROLINA



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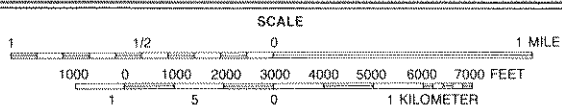
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Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
CAPERS INLET
SOUTH CAROLINA



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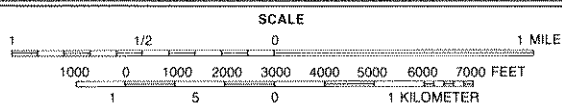
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Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
FORT MOULTRIE
SOUTH CAROLINA



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Report to Congress on the Coastal Barrier Resources System

UNITED STATES DEPARTMENT OF THE INTERIOR

QUADRANGLE
JAMES ISLAND
SOUTH CAROLINA

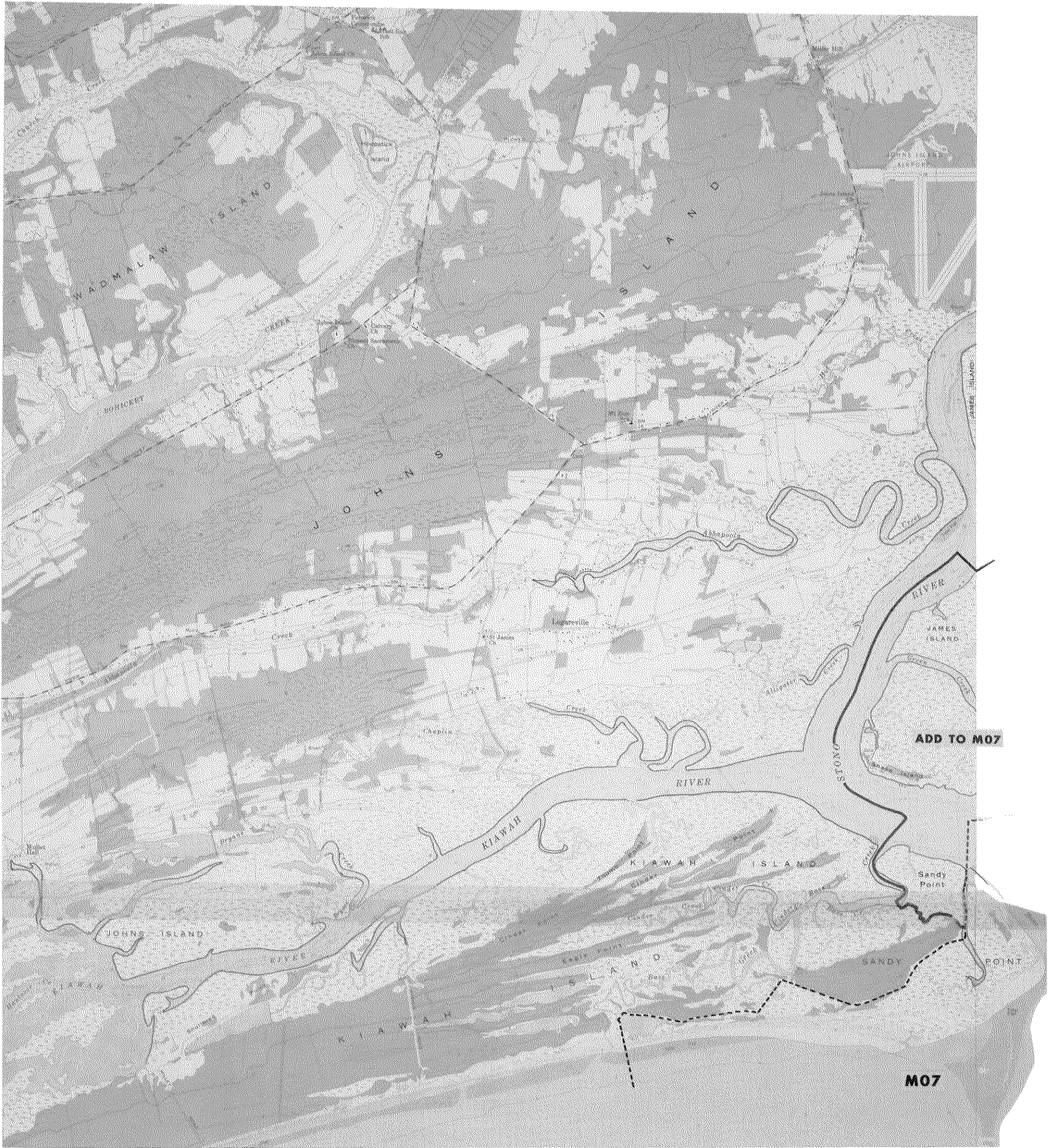
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SCALE
1 1/2 0 1 MILE
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1 5 0 1 KILOMETER

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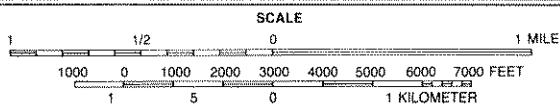
UNITED STATES
DEPARTMENT OF THE INTERIOR



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Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
LEGAREVILLE
SOUTH CAROLINA



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Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

M07 - BIRD KEY COMPLEX

State Position: The State of South Carolina expressed no position on CBRS unit M07.

Other Comments: Two letters were received concerning M07, both requesting deletion of Honey, Green, Goat, and Horse Islands from DOI's recommendations. The commenters suggested these islands do not meet DOI criteria for addition to the CBRS. The letters are reprinted below.

Response: DOI's revised delineations of the boundaries of M07 are based upon its criteria concerning associated aquatic habitat and Coastal Plain remnants (see Volume 1). Horse

Island is a Coastal Plain remnant that abuts the mainland, and thus is not included in the delineations. Honey, Green, and Goat Islands are well seaward of the mainland and subject to wind, wave, and tidal energies; therefore, they are included in the unit.

DOI Recommendation: The DOI recommends adding the associated aquatic habitat, including those Coastal Plain remnants seaward of the mainland, to M07. DOI's revised delineations include Honey Island, Green Island, and Goat Island in the unit, but exclude Horse Island, which abuts the mainland.

JAEGER & TERAS
ATTORNEYS AT LAW
SUITE 550
1667 N STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE (202) 328-1000

1267

PHILIP W. JAEGER

June 23, 1987

VIRGINIA ADDRESS
1114 THERESA ANN STREET
MCLEAN, VIRGINIA 22101
MARYLAND ADDRESS
880 CLOPPER ROAD, SUITE A2
GAITHERSBURG, MARYLAND 20878

Mr. Frank B. McGilvrey
Coastal Barriers Coordinator
U.S. Fish and Wildlife Service
Department of the Interior
Room 400
1375 K Street, N.W.
Washington, D.C. 20240

VIA HAND DELIVERY

Re: Proposed Addition of Island Highland to Unit M7 of the Coastal Barrier Resources System in Charleston County, South Carolina

Dear Mr. McGilvrey:

This letter is written on behalf of Frank E. Barron, Jr., Frank E. Barron, III, and David H. Barron, (hereinafter "Barrons") and Long Island Associates, a general partnership consisting of Frank E. Barron, III and David H. Barron and eight other individuals, to protest the inclusion of the inland island highland property they own in South Carolina within the proposed addition to Unit M7 of the Coastal Barrier Resources System in Charleston County, South Carolina.

The location and ownership of the property in question is described as follows: The Barrons presently own or control the tract of land known as Horse and Goat Island Tract situated south of James Island and east of Stono River, in Charleston County, South Carolina. This tract consists of four islands covering approximately 25 acres of island highland and 385 acres of marshland. The island highland is known as Horse and Goat Islands. See Exhibits 1 and 2.

Long Island Associates presently owns the tract of land known as Long Island Tract situated south of James Island on Folly River, Robbins Creek and Green Creek in Charleston County, South Carolina. See Exhibits 1 and 3. This tract of land consists of two islands covering approximately 133 acres of island highland and 300 acres of marshland. The island highland is known as Long Islands, although it has been commercially marketed under the name of Honey Islands. See Exhibit 4. The Long Island Tract and the Horse and Goat Island Tract are immediately adjacent to each other.

Mr. Frank B. McGilvrey
June 23, 1987
Page 2

Since 1978, The Barrons and Long Island Associates have invested more than \$600,000 in cash purchase money, principal and interest payments to a lender, real estate taxes and a remaining mortgage balance. The investment of time and energy, of course, over the past nine years is incalculable. The present fair market value is undeterminable, although one market assessment in 1986 indicated a total value for both tracts combined as high as \$7,000,000.

The island highland, consisting of the two islands forming Long Islands and the four Horse and Goat Islands are bounded on the south by Stono River and to the north by Folly River, which is landward of the barrier island known as Folly Beach, South Carolina. These islands are completely surrounded by a vegetated Spartina marsh and tidal creek system which evidences the absence of tidal or wave energy acting on the island highland. These tracts of land are both located within the 5,125 acres of land that are proposed to be added to Unit M7 of the Bird Key Complex in Charleston, South Carolina as recommended in February, 1987 in the "Report to Congress: Coastal Barrier Resources System," Volume 12 for the state of South Carolina.

Our clients firmly and unequivocally oppose the Department of Interior's recommendation to include the island highland portion of their properties within the proposed additions to unit M7. Our clients do not oppose the Department's recommendation to include the marshland portion of their properties within the proposed addition to M7. The Department's recommendation to include the island highlands within the proposed addition to Unit M7 is not only totally inconsistent with the purpose and legislative language of the Coastal Barrier Resources Act of 1982 (hereinafter "CBRA"), but would also work an extreme hardship on our clients.

The CBRA was enacted in 1982 to preserve the Atlantic and Gulf coasts of the United States by protecting "coastal barriers" because of their ability to serve as natural storm protective buffers between the wetland and the oceans. The coastal barriers serve the important function of protecting the fish and wildlife in the adjacent wetlands, marshes, estuaries, inlet and nearshore waters. The CBRA was not enacted to preserve or protect inland islands or highlands which serve no such protective function in preserving or conserving the shoreline fish, wildlife and other natural resources. The only purported authority upon which the Department could include the island highland within M7 would be if these islands were deemed "coastal barriers," "secondary coastal barriers," or "associated aquatic habitats." Clearly, the island highlands are not coastal barriers, secondary coastal barriers or associated aquatic habitats.

The Coastal Barrier Resources Act of 1982 (16 USC 3502) defines coastal barriers and associated aquatic habitat as follows:

- (1) The term "undeveloped coastal barrier" means:
 - (A) a depositional geologic feature (such as a bay barrier, tombolo, barrier spit, or barrier island) that --
 - (i) consists of unconsolidated sedimentary material,
 - (ii) is subject to wave, tidal and wind energies, and
 - (iii) protects landward aquatic habitats from direct wave attack; and,
 - (B) all associated aquatic habitats, including the adjacent wetlands, marshes, estuaries, inlets, and nearshore waters; but only if such feature and associated habitats
 - (i) contain few manmade structures and these structures, and man's activities on such feature and within such habitats, do not significantly impede geomorphic and ecological processes, and
 - (ii) are not included within the boundaries of an area established under Federal, State, or local law, or held by a qualified organization as defined in section 170(h)(3) of the Internal Revenue Code of 1954, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes.

The Island Highland Is Not "Undeveloped Coastal Barrier"

These islands do not fall within the statutory definition of "undeveloped coastal barrier" because these islands are permanent land masses that are not subject directly to wave, tidal and wind energies, and do not serve the purpose of protecting landward aquatic habitats from direct wave attack. Furthermore, coastal barriers are generally considered to be unconsolidated, dynamic land forms which experience seasonal and/or continual onshore/offshore sediment movement, including erosion and/or accretion. This is in contrast to a non-coastal land mass which is mostly static and only sometimes may experience erosional trends.

A secondary barrier is discussed in the "Executive Summary of the Report to Congress," supra, at page 9 as follows:

Secondary barriers are located in large, well-defined embayments (e.g., Narragansett Bay, Chesapeake Bay). They are maintained primarily by internally generated wind, waves and tidal currents rather than open ocean waves. Consequently, they are generally smaller and more ephemeral than barriers along the coast of the Atlantic Ocean or Gulf of Mexico. Nonetheless, these secondary barriers are formed of unconsolidated sediments just like oceanic coastal barriers, and more importantly, they also protect important fish and wildlife habitat and provide substantial protection for the mainland during major storms.

The Long Islands and Horse and Goat Islands lack the most significant physical characteristic to be considered a secondary coastal barrier. That is, the barrier must be adjacent to a large embayment and subject to internally generated wave and tidal energy. The Long Islands and Horse and Goat Islands, of course, do not have these characteristics.

The Island Highland Is Not "Associated Aquatic Habitat"

The Long Islands and the Horse and Goat Islands clearly do not fall within the statutory definition of "associated aquatic habitats" because with respect to coastal barriers they are not adjacent wetlands, marshes, estuaries, inlets, or nearshore waters. Any interpretation of the statutory definition which would include these large island land masses (i.e., over 158 acres) as a part of the associated aquatic habitat would be an unwarranted expansion of the statutory definition without any legal or ecological foundation.

Conclusion

The Long Islands and Horse and Goat Islands should not be added to Unit M7 of the Coastal Barrier Resources System for the following reasons:

- 1) The islands are not coastal barriers or secondary coastal barriers because they do not abut the open ocean or any other body of water which would impart the wind, wave and tidal energy necessary to a coastal barrier. Therefore, these islands are not shaped or controlled by these physical forces.
- 2) The islands do not serve the functions of a coastal barrier with respect to wave and/or surge attenuation, and the associated biological protection.

The term "coastal barrier" is further discussed in the "Report to Congress, Coastal Barrier Resources System-Executive Summary," submitted to Congress in March, 1987, at page 4, as follows:

... These barriers, formed of sand, shell, and gravel, endlessly shift into a variety of shapes and sizes as they absorb ocean energies, buffering associated wetlands and the mainland from daily waves and tides and occasional hurricanes and northeasters. . . . Coastal barriers in their natural state exist in a state of dynamic equilibrium as they constantly respond to the varying assaults of wind and water. Sand is shared between offshore sand bars, the barrier beach, the dunes, and, over the longer term, the entire land mass of the barrier. As sand is eroded from one part of the barrier, it is deposited somewhere else. During storms, the barrier retreats from direct attack of the ocean through the overwash process. Large storm waves push through the dunes and sometimes across entire islands, depositing fans of sediment behind dunes or in the soundside marshes. The overwash process also permits barriers to survive the worldwide rise in sea level by somersaulting backwards up the coastal plain.

The Long Islands and the Horse and Goat Islands cannot possibly be considered coastal barriers because their shorelines are not exposed to the surf zone created by the wave, tidal and wind energy of the ocean. Consequently, the dynamic landform changes, which is the most important characteristic of a coastal barrier, is absent from these islands. These islands were formed in the riverine network which includes the Folly River and Stono River. They were not created by the landshore migration of unconsolidated sediment. The static nature of these island landforms can be easily substantiated, if necessary.

The Island Highlands Are Not "Secondary Coastal Barriers"

The Long Islands and Horse and Goat Islands are not "secondary coastal barriers" for many of the same reasons they are not "coastal barriers." Secondary coastal barriers have the same characteristics of a coastal barrier except that the secondary coastal barrier is located near a large, well-defined embayment and is maintained primarily by internally generated wind, waves and tidal currents rather than open ocean waves.

3) The islands do not have the physical characteristics of coastal barriers. They do not have an active dune system, nor show any evidence of seasonal or continuous erosion or accretion of sediments. The presence of salt marsh vegetation virtually around the entire island system is substantial biological evidence of the absence of the physical forces necessary for such seasonal or continuous sediment processes.

4) The islands were not originated by the natural mechanisms that created coastal barriers.

5) The islands are not located near a large embayment. Therefore, they do not meet the physical criteria of a secondary coastal barrier.

6) The Barrons and their partners in Long Island Associates would be unfairly prejudiced by the inclusion of the islands within M7. The land was acquired for development purposes in the late 1970's without any advance warning that legislation such as the CBRA would be possible. Substantial expenditure of time and money has been made.

Thus, not only do the island highlands clearly fall outside the reach of the CBRA, but fairness and equity mandate that the island highlands should be excluded from inclusion within Unit M7.

Submitted,

JAEGER & TERAS

By: Philip W. Jaeger
Philip W. Jaeger, Esq.
1667 K Street, N.W., #550
Washington, D.C. 20006
(202) 328-1000

PWJ/lsc/JJ3



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June 23, 1987

Honorable Donald P. Hodel
Secretary of the Interior
Office of the Secretary
United States Department of the Interior
C Street between 18th and 19th Streets, Northwest
Washington, District of Columbia 20240

BY HAND

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Senator David Durenberger
Senator Mike Gravel
Senator Charles E. Grassley
Senator Strom Thurmond

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Carla Paves
Linda Wilson Reed
T.S.K. Reeves, V.
Robert R. Rolly
Dixon Rhee
Timothy R. Rupp
Helenetta B. Scott
Maj. Gen. John K. Singlaub
Lt. Gen. Gordon Sumner, Jr.

Dear Mr. Secretary,

Thank you again for your personal attention to my concerns for our island properties in South Carolina. Frankly, I have been angry that we may become victims of liberal protectionist and expansionistic bureaucrats and scared that we may virtually lose real possession of islands that I love and to which I have personally attended for years.

While I have been slow to impose upon you, sir, I now believe that it is possibly within your power alone to see that our highland is not wrongly included in the proposed legislation in question.

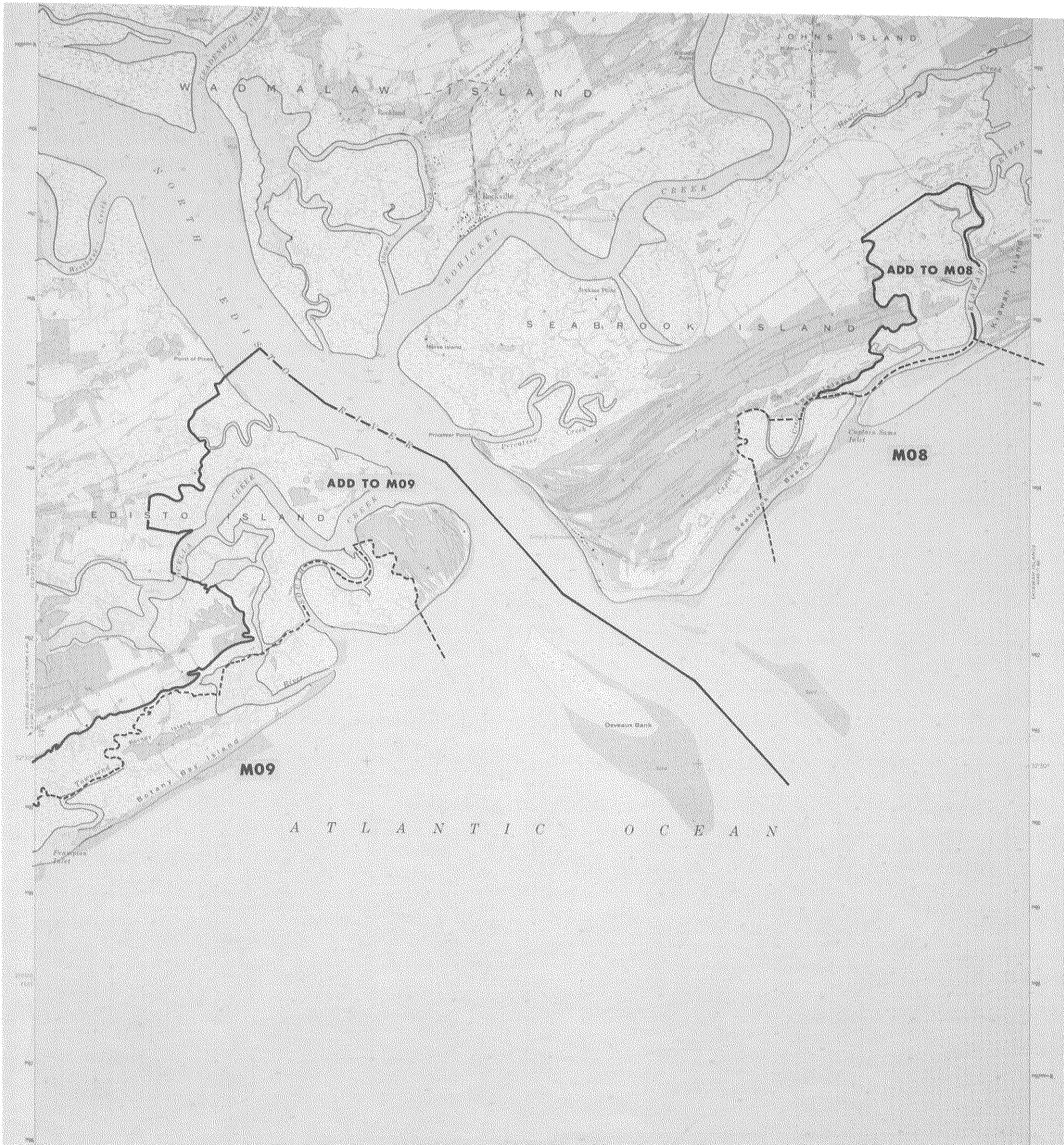
In anticipation of the response deadline, we have this day filed copies of the enclosed letter and exhibits with the office of the Coastal Barriers Coordinator. I hope this same information will further clarify our situation for your personal understanding.

I do look forward to hearing from you soon. With admiration and appreciation, I remain,

Sincerely,

DHB
David H. Barron

DHB:jmb
Enclosures



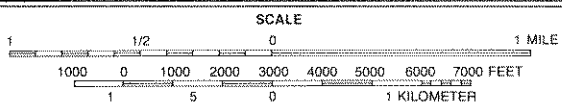
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**UNITED STATES
DEPARTMENT OF THE INTERIOR**



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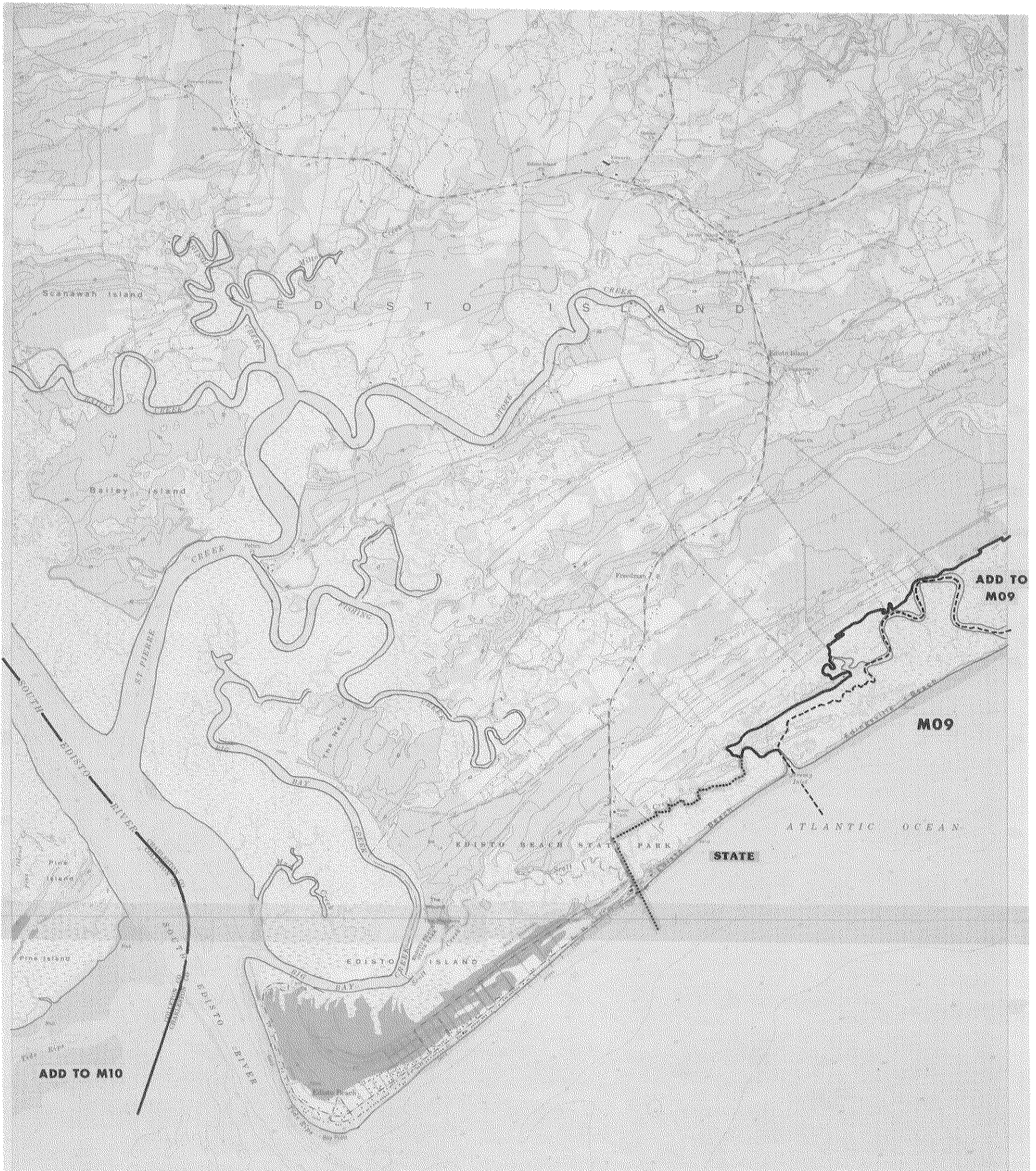
QUADRANGLE
ROCKVILLE
SOUTH CAROLINA



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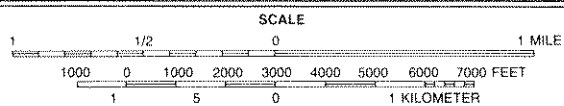
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**UNITED STATES
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QUADRANGLE
EDISTO ISLAND
SOUTH CAROLINA



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M09 - EDISTO COMPLEX

State Position: The State of South Carolina expressed no position on CBRS unit M09.

Other Comments: Two letters were received with comments about M09; both expressed concerns about development in and around the unit. One asked for deletions from the unit because of development. The letters are reprinted below.

Response: Development after a barrier has been placed in the CBRS is not justification for deletion from the CBRS. This would defeat the purposes of the Act.

An individual at the South Carolina public meeting on the proposed CBRS expansion in May 1987 provided information suggesting that the portion of North Botany Bay Island northeast of the existing CBRS unit might qualify for addition to the CBRS. A flight over the area by DOI Study Group members after the

public meeting revealed that the area is undeveloped according to DOI criteria. The property was purchased from Allegheny International Realty in 1987 by the South Carolina Nature Conservancy (as indicated in the letter reprinted below), but it was subsequently sold back to private individuals by the Conservancy. The sale was subject to conservation restrictions; however, limited development of the property is allowed. Because the property is no longer in Conservancy ownership and it can be developed, it cannot be considered otherwise protected.

DOI Recommendation: The DOI recommends adding the northeastern portion of North Botany Bay Island and the associated aquatic habitat to M09. The northeastern portion of North Botany Bay Island was not delineated in the 1987 Draft Report; however, it is undeveloped and unprotected, and fully qualifies for addition to the CBRS under DOI criteria.

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COASTAL BARRIERS STUDY GROUP-NYL PARK SVC
UNITED STATES DEPT OF THE INTERIOR
BOX 32127
WASHINGTON DC 20013

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PDNE 2023438116 AND MAIL COPY
UNITED STATES DEPARTMENT OF THE INTERIOR
BOX 32127
WASHINGTON DC 20013

THIS IS A CONFIRMATION COPY OF A MESSAGE ADDRESSED TO YOU

DEAR SIR:
I HAVE A DEVELOPEMENT UNDER CONSTRUCTION IN THE MAP 20 (EDISTO ISLAND) AREA SINCE 1982. ROADS HAVE BEEN CUT, ZONING ACCOMPLISHED AND WATER AND SEWER PLANS UNDERWAY.

THE INCLUSION OF THIS AREA INTO THE COBS WILL DAMAGE MY DEVELOPEMENT BY NOT ALLOWING FEDERAL FLOOD INSURANCE.

I ALSO THINK THAT THIS WILL VIOLATE THE LATEST SUPREME COURT RULING AGAINST REGULATIONS THAT DOWNGRADE A PERSON'S USE OF THEIR PROPERTY.

JOE W. MILLER
MILLER AND MILLER ARCHITECTS
ROUTE 18-ALYAMONT RD
GREENVILLE, S.C. 29609

FROM: GREENVILLE, S.C. 6-24-87 950A EDT

0654 EBY

09106 EBY

MBNCOMP

TO REPLY BY MAILGRAM MESSAGE, SEE REVERSE SIDE FOR WESTERN UNION'S TOLL - FREE PHONE NUMBERS

FOR YOUR INFORMATION
AND HELP, IF POSS. JLE.

1553

606 JUNGLE SHORES DRIVE
EDISTO BEACH, S.C. 29438
JULY 22, 1987

COASTAL BARRIERS STUDY GROUP
NATIONAL PARK SERVICE
U.S. DEPARTMENT OF THE INTERIOR
P.O. BOX 37127
WASHINGTON, D.C. 20013-7127

DEAR GENTLEMEN:

ENCLOSED IS INFORMATION THAT I HOPE YOU WILL GIVE CONSIDERABLE CONSIDERATION TO BEFORE ANY PERMITS OR EXCEPTIONS TO THE MINIMAL COUNTY STANDARDS ARE GRANTED.

COLLETON COUNTY WAS TWICE BLESSED BY BEING GRANTED OUTLETS TO THE ATLANTIC OCEAN. EDISTO BEACH HAS SUFFICIENT BUILDING CODES, ORDINANCE AND STANDARDS IN PLACE AND UNLESS EXCEPTIONS ARE GRANTED, SHOULD HAVE AN ORDERLY DEVELOPEMENT. THE NECK WAS DEVELOPED UNDER CHARLESTON COUNTY CODES AND AS SUCH HAS BEEN AN ORDERLY DEVELOPEMENT, BUT NOT SO SEASIDE PLANTATION AND EDINGSVILLE BEACH. THESE AREAS HAVE, SO FAR, BEEN STARTED WITHOUT A PERMIT OR CONTROLS OF ANY KIND, IN VIOLATION OF CHARLESTON COUNTY ORDINANCES. THE DEVELOPER HAS THUMBED HIS NOSE AT CHARLESTON COUNTY.

I REALIZE THAT A LARGER TAX BASE IS ALWAYS DESIRABLE, BUT NOT AT THE DISTRUCTION OF SUCH A GREAT ASSET TO THE COUNTY AS A TOURIST ATTRACTION AND RECREATIONAL FACILITY FOR THE PEOPLE OF THIS COUNTY.

THE INK IS HARDLY DRY ON THE MINIMAL STANDARDS THAT WERE SO HARD WON BY THE PEOPLE OF THIS COUNTY, BEFORE THE DEVELOPER IS REQUESTING EXCEPTIONS THAT WOULD PRACTICALLY RELEASE HIM TO, MORE OR LESS, DO AS HE PLEASES, WITHOUT REGARD FOR THE ECOSYSTEM,

THE PUBLIC WELFARE AND ESPECIALLY FOR FUTURE GENERATIONS.

IT COULD BE MORE EXPENSIVE TO HAVE EIGHT SIX STORY DERELICTS REMOVED THAN THE TAX MONIES RECEIVED.

I AM SIXTY-SIX YEARS OLD, A RETIRED ARCHITECT AND MAY NOT LIVE TO SEE THE TOTAL DESTRUCTION OF THE ECOLOGY OF THIS BEAUTIFUL AREA, BUT ONCE A PRECEDENT IS ESTABLISHED TO DESTROY CRITICAL TIDAL MARSH THERE IS NO TURNING BACK. AS YOU ARE AWARE, THE TIDAL MARSH IS THE NURSERY FOR NEARLY ALL ANIMAL LIFE ALONG THE COASTAL PLANE, BARRIER ISLANDS. MY ONLY CONCERN IS FOR THE PRESERVATION OF THIS AREA FOR FUTURE GENERATIONS TO ENJOY. IT CAN ONLY BE DONE BY ORDERLY DEVELOPMENT.

I AM FOR ORDERLY DEVELOPMENT BUT THE PROPOSAL TO CONSTRUCT EIGHT, SIX STORY (SIXTY FOOT HIGH) CONDOS IN THE MIDDLE OF A CRITICAL TIDAL MARSH IS UNBELIEVABLE.

ENCLOSED ARE LETTERS AND NEWSPAPER ARTICLES THAT I HOPE WILL GIVE YOU A BETTER UNDERSTANDING OF THE SITUATION ALONG THE DANGEROUS AND CRITICAL OCEAN BEACHS AND TIDAL MARSHES.

PLEASE BEFORE IT IS TOO LATE, PLEASE TAKE A LITTLE TIME AND REVIEW THIS INFORMATION.

THANK YOU SO VERY MUCH FOR YOUR KIND ATTENTION TO THIS CRUCIAL MATTER.

RESPECTFULLY,

O.D. Marvin

O.D. MARVIN
COLLETON COUNTY COUNCIL
COLLETON COUNTY SUPERVISOR
PLEASE REFER TO EDISTO ISLAND
QUADRANGLE OF SOUTH CAROLINA,
JEREMY INLET AREA.
BLDG STDS. PLANNING COMMITTEE
LANDSCAPE ARCHITECT
PRES. - PROPERTY OWNERS ASSOC. OF EDISTO BEACH

c/c
HARRIS L. BEACH JR.
LONNIE BEACH
FLOYD BUCKNER
L.D. CRAVEN
ANNIE MAE KINSEY
DAVID CARTER
CALVERT W. HUFFINES
ROBERT MARVIN
PAUL NELSON

1785

The South Carolina Nature Conservancy

P.O. Box 5475 • Columbia, South Carolina 29250 • (803) 254-9049

June 3, 1988

Mr. Frank McGilvrey
Coastal Barrier Island Coordinator
US Fish & Wildlife Service
Washington, D.C. 20240

Re: Coastal Barrier Resource Act
Botany Bay Island, SC

Dear Mr. McGilvrey:

Thank you for taking time to discuss the Fish and Wildlife Service's proposal to include Botany Bay Island under the Coastal Barrier Resource Act. As we discussed by telephone, The Nature Conservancy became involved with the property in 1987, when we acquired it from Allegheny International Realty of South Carolina. The Conservancy now holds a conservation easement on this barrier island. I have enclosed a packet of information for your review. We also have good color aerial photographs, shot to scale, from March, 1988.

At the time of The Nature Conservancy's involvement to protect the island, which supports nesting loggerhead sea turtles, Botany Bay was excluded from the Act and had received approval from Charleston County Council to develop a 300 unit PUD. Under terms of the current conservation easement a total of no more than 13 single family homes can be built on the island.

Please feel free to contact me if you have any additional questions.

Sincerely,

Roger L. Jones, Jr.
Roger L. Jones, Jr.
Assistant Director
for Site Planning

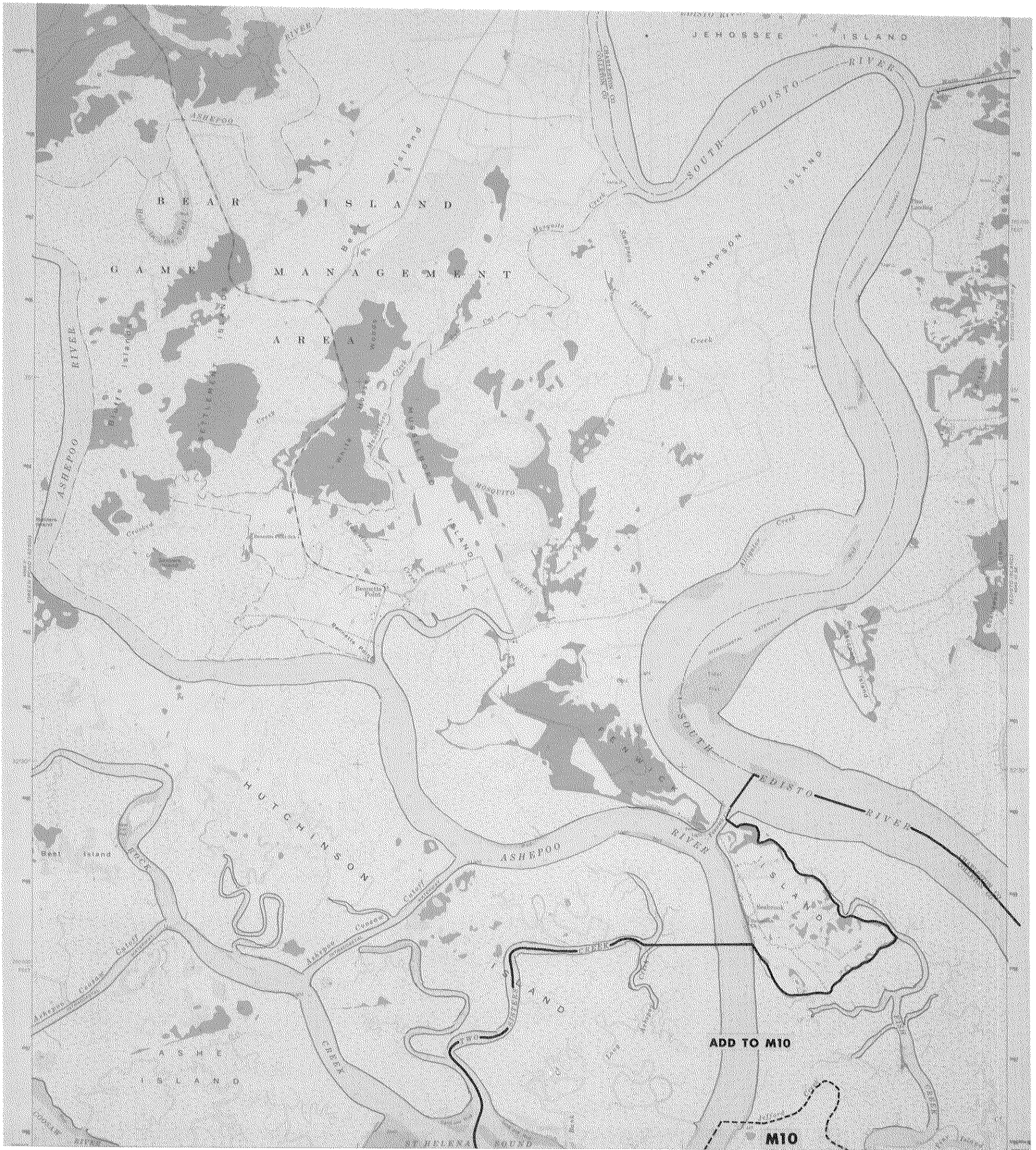
RLJ/th

c: Dr. James Lassetter
Dr. James Meriwether

enclosures

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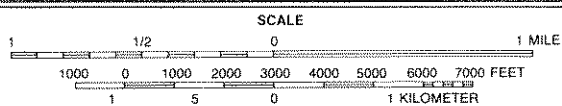
Report to Congress on the Coastal Barrier Resources System

UNITED STATES
DEPARTMENT OF THE INTERIOR



Mapped, edited and published
by the Coastal Barriers Study Group
U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
BENNETTS POINT
SOUTH CAROLINA



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
- - - - Dash lines depict approximate boundaries of existing units in the Coastal Barrier Resources System, for reference purposes only.
- Dotted lines depict approximate boundaries of an undeveloped coastal barrier that is "otherwise protected" or a military or coast guard property.



Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.



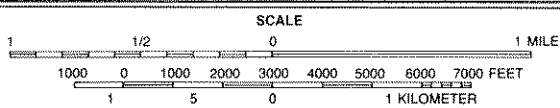
Report to Congress on the Coastal Barrier Resources System

UNITED STATES
DEPARTMENT OF THE INTERIOR



Mapped, edited and published
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U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
ST. HELENA SOUND
SOUTH CAROLINA



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M10 - OTTER ISLAND

State Position: The State of South Carolina requested the deletion of that portion of Hutchinson Island north of Sisters Creek.

Other Comments: Five other letters were received concerning M10, one requesting deletion of the northern portion of Hutchinson Island from DOI's recommendations, and the other four requesting deletion of Fenwick, Hutchinson, and Pine Islands based upon concerns about future needs for electrical service to the islands in the event they are developed. The letters concerning M10 are reprinted below.

Response: DOI's revised delineations of the boundaries of M10 are based upon its criteria concerning associated aquatic habitat and Coastal Plain remnants (see Volume 1).

Fenwick Island and north Hutchinson Island are Coastal Plain remnants that abut the mainland, and thus are not included in the proposed additions to the CBRS. Pine Island is well seaward of the mainland and subject to wind, wave, and tidal energies; therefore, it is included. Nothing in the CBRA prevents utilities from servicing lands in the CBRS; however, Federal monies cannot be used to provide that service.

DOI Recommendation: The DOI recommends adding the associated aquatic habitat, including those Coastal Plain remnants seaward of the mainland, to M10. DOI's revised delineations include Pine Island in the unit, but exclude Fenwick Island and Hutchinson Island north of Sisters Creek.

950

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GREENVILLE OFFICE
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NORTH LAURENS STREET
GREENVILLE, S.C. 29602
803-271-4840

June 18, 1987

WILSON HEADLAND OFFICE
PO BOX 100
POPE AVENUE
WILSON HEADLAND, S.C. 29388
803-535-1111

WASHINGTON OFFICE
SUITE 400
184 B STREET, N.W.
WASHINGTON, D.C. 20005
202-638-3900

Mr. Frank McGilvrey
June 18, 1987
Page 2

As you know, the existing landward boundary for the unit is drawn in accordance with DOI's criteria established in the 1982 Definitions and Delineation Criteria. As your Draft Report points out, these original landward boundaries were intended to "include only minimum aquatic habitat because the 1982 Congressional designations were based on Departmental delineations for a prohibition on just the sale of federal flood insurance as required by OBRA." In keeping with this delineation criteria, DOI established the landward boundary down the middle of the Ashepoo River and Jefford Creek. While DOI's current recommendations to Congress in its Draft Report suggest the inclusion of more extensive "associated aquatic habitat," this associated aquatic habitat is defined in the Draft Report as including "all wetlands (e.g., tidal flats, swamps, mangroves, and marshes), lagoons, estuaries, coves between the barrier and the mainland, inlets, the nearshore waters seaward of the coastal barrier including the sandsharing system and, in some tropical areas, the coral reef associated with nearshore mangroves."

We realize that, in the absence of more specific delineation criteria relating to boundary delineation of "associated aquatic habitat," DOI must exercise judgement as to boundary locations for such habitat. We feel that, at the most, the landward boundary of arguably associated aquatic habitat at Hutchinson Island should be aligned at Two Sisters Creek rather than the currently proposed boundary of the Intracoastal Waterway. This landward boundary would include additional aquatic habitat extending approximately 1 1/2 miles behind the existing barrier unit.

It is our understanding that DOI intends to include only aquatic habitat (as defined above) and does not intend to include additional upland areas behind current barrier units. The suggested revised boundary would exclude upland property adjacent to the Intracoastal Waterway (see Exhibit A). (We assume that neighboring Fenwick Island was excluded because it was an upland property and not considered associated aquatic habitat.) The proposed delineation would exclude the upland areas mentioned above while including all aquatic habitat that is arguably associated with the current unit.

In any event, we appreciate the opportunity to make these comments and will look forward to your response.

Mr. Frank McGilvrey
Coastal Barriers Coordinator
U.S. Fish and Wildlife Service
Department of the Interior
National Park Service - 498
P.O. Box 37127
Washington, DC 20013 - 7127

Re: M10 - Hutchinson Island
Dear Mr. McGilvrey:

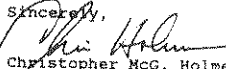
These comments are offered on behalf of Mr. George Dean Johnson Jr., the owner of Hutchinson Island.

We have reviewed the Department of the Interior's (DOI) proposed addition to the M10 unit and DOI's Draft Report to Congress: Coastal Barrier Resources System, Executive Summary (hereafter Draft Report) and would like to suggest revised delineations of the landward boundary of the proposed addition.

As an initial point, we feel the designation of any portion of Hutchinson Island as "associated aquatic habitat" to the existing M10 unit is inappropriate. Otter Island, which comprises the current M10, is a coastal barrier island with a sandy beach, dune ridge and maritime forest with a marsh system (or aquatic habitat) along its inland reaches. Thus, it would appear that it currently comprises a complete coastal barrier with associated aquatic habitat in consonance with both the 1982 report entitled Undeveloped Coastal Barriers: Definitions and Delineation Criteria and the more recent Draft Report to Congress. Adding any portion of Hutchinson Island, therefore, would appear unwarranted and inappropriate.

Mr. Frank McGilvrey
June 18, 1987
Page 3

If anything on this matter requires further clarification, please contact me or Jim Scott (803-768-0002).

Sincerely,

Christopher MCG. Holmes

CMH: kef
Enclosure

cc: George Dean Johnson
John McMillan
James Scott

H. WAYNE UNGER, JR.
ATTORNEY AT LAW
111A EAST WASHINGTON STREET
WALTERBORO, SOUTH CAROLINA 29488

1041

RICHARD M. JEFFERIES
11800-10000
H. WAYNE UNGER, JR.
1013-10000

REPLY TO
POST OFFICE DRAWER 1042
TELEPHONE
(803) 549-9400

June 19, 1987

Coastal Barriers Study Group
National Park Service
U.S. Department of the Interior
P. O. Box 37127
Washington, D.C. 20013-7127

Re: Coastal Electric Cooperative
1987 Expansion of Barrier Island System
Our File No. 22443

Gentlemen:

Be advised that I am an attorney representing Coastal Electric Cooperative which is a member owned utility servicing areas in Colleton County, South Carolina. Part of our service area is affected by recommendations made by the Coastal Barrier Study Group and I have been requested to respond to you on behalf of Coastal Electric Cooperative.

From our review of this map, based upon what was furnished to us by our engineers, it would appear that your group is proposing to include the area shown as Area No. 2 which includes part of Hutchison Island, the low-land of Fenwick Island, and Pine Island. Of course, Otter Island was included in the first piece of legislation. Also, I understand the present proposal excludes the highland of Fenwick Island. A copy of the drawing is enclosed for your easy reference.

If we might refresh your memory in reviewing my file, the original proposal was to include all of Hutchison Island, Fenwick Island, Pine Island and Otter Island. We were successful initially in having Pine Island, Fenwick Island, and Hutchison Island excluded. We, quite frankly, can see no reason to come back and pick them up again two or three years later. None of these are barrier islands (the Atlantic Ocean is buffered from them by Saint Helena Sound and Otter Island). Additionally, Edisto Beach is between Pine Island and the Atlantic Ocean.

We are presently serving part of Hutchison Island and could very well see expansion down the line. This island is used primarily by sportsmen and is owned by a group which includes the former Governor Edwards. The area that we serve presently is not

Coastal Barrier Study Group
June 19, 1987
Page Two

within the proposed area to be included in the system. Additionally, we serve down to Fenwick Island and I have put an "x" where our line now ends. Mr. Dewey Wise owns South Fenwick Island which is to the south of the Fenwick Cut and Intracoastal Waterway. We have been working with him rather extensively about furnishing electricity to his island. He, however, does not own the entire strip in that there are two or three out parcels. With his assistance and the assistance of McCall-Thomas we have secured permits to authorize a cable under the Inter-Coastal Waterway crossing Ashepoo River and Fenwick Cut to South Fenwick Island from the South Carolina Coastal Council and the Corps of Engineers. This has been designed as an underground crossing at the request of Mr. Donnelly who owns North Fenwick Island, and at the request of Mr. Wise, who owns South Fenwick Island. They are particularly concerned about the unsightliness of the overhead poles. Additionally, because of the requirements for dredging of Fenwick Cut, it is necessary to go out into the Ashepoo River to cross. I am enclosing a copy of the permit as issued by the South Carolina Coastal Council and it has a map to show you the area proposed. At a minimum we think that the Association should strongly request that this part of the Ashepoo River be excluded so that we can both construct and repair.

Also, I would like to advise you that Pine Island, save and excepting a ten-acre strip owned by my family which I have marked with two "x"s, I understand has been deeded to a private organization for preservation. This is not a governmental agency. It could well be that electricity will be needed to service this island for the preservation and conservation of wildlife and marine resources. I certainly think it would be ridiculous to close any doors since we will probably have electricity on Fenwick Island and the two are adjacent to each other and are not separated by any major waterway.

Coastal Electric Cooperative's position is as follows:


1. We would prefer that the proposed inclusion of part of Hutchison Island, Pine Island and Fenwick Island be strongly opposed and that it not be included in the barrier island system. I think there is sufficient justification in that it was removed last time. Also, these islands are not barrier islands and have no exposure to the Atlantic Ocean.

Coastal Mr. John J. Pantry, Jr.
June 19, 1987
Page Three

2. As an alternative, if they insist on including any more property, we would specifically request that part of the Ashepoo River proposed now pursuant to the permit be excluded.

Thanking you for your assistance in this matter, I am

Sincerely,


H. Wayne Unger, Jr.

HWUjr/ddd

Enclosure

1303

WISE & COLE
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
151 MEETING STREET - SUITE 200
CHARLESTON, SOUTH CAROLINA 29402

P.O. DRAWER D
TELEPHONE
803 577 7033

THOMAS DEWEY WISE
MICHAEL T. COLE
E. DOUGLAS PRATT THOMAS
W. GREGORY PEACE
ANDREW K. EPTING, JR.
D. TRINICK WALKER
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BORUM S. WILSON III
AUBREY R. ALVEY
W. ANDREW SONDER, JR.
D. CHARLIE ROBERT, JR.
JOHN L. AUSTIN

June 22 1987

Coastal Barrier Study Group
National Park Service
U. S. Department of the Interior
Post Office Box 37127
Washington, D.C. 20013-7127

Re: Coastal Barrier Resources System / South Fenwick Island

Gentlemen:

I own most of the property on South Fenwick Island near the Coastal Barrier Resources System labeled M-10 located in the State of South Carolina.

The highland portion of South Fenwick Island is currently excluded from the proposals for expanding the Coastal Barrier Resources System. I had earlier voiced my opposition to including South Fenwick Island in the Coastal Barrier System in view of the fact that it was all highland, and was not associated with aquatic habitat, nor was it a coastal barrier island. I appreciate your recommendations to exclude it and I would urge that that recommendation continue in place to exclude South Fenwick Island.

Nevertheless, the recommendation to expand M-10 has drastically impacted on the use of my property on South Fenwick Island. For instance, working with the Coastal Electric Cooperative, we have secured from the United States Army Corps of Engineers and the South Carolina Coastal Council the necessary permits to run power and telephone lines under water over to the island. The route followed by these proposed utilities will encroach into the portions of the proposed expansion of the CBRIS in the Ashepoo River. You have recommended that the line for the expanded CBRIS be the high water mark on South Fenwick Island. The proposed utility services would cross into the CBRIS in order to get to South Fenwick Island.

Furthermore, I had offered to pay the difference between overhead power lines and underwater cable because I wanted to avoid the visual unsightliness of overhead power lines. Your proposal would, therefore, block use of submarine cable which I think would directly detract from the environmental situation.

In order to correct this matter, I would suggest moving the proposed expansion line from the highland side of South Fenwick Island to the high water mark on Hutchinson Island. That would allow placement of the submarine cable in the Ashepoo River and, therefore, keep it out of the CBRIS proposals. I have drawn that proposed recommendation on the attached map for your consideration. Another way to avoid this would be to allow the placement of utilities through a CBRIS unit to serve a piece of property not in the CBRIS.

Page Two - June 22, 1987

Finally, I can see no logical reason to include all of the extensive marsh area around South Fenwick Island in the CBRIS. Most of this marsh is located a couple of miles past the first row of barrier islands, those being Pine Island and Otter Island. This marsh is undevelopable anyway and I contend it is not associated aquatic habitat with the barrier islands of Pine and Otter Islands. I have outlined on the attached map where I would recommend you placing the line for the new system.

Thank you for your attention to this matter.

Very sincerely,
WISE & COLE, P.A.

Thomas Dewey Wise
Thomas Dewey Wise
TDW:sea

Enc. Map

1676

STROM THURMOND
SOUTH CAROLINA
COMMITTEES
ARMED SERVICES
JUDICIARY
VETERANS' AFFAIRS
LABOR AND HUMAN RESOURCES

United States Senate
WASHINGTON, DC 20510

November 16, 1987

Ms. Barbara Wyman
Special Assistant
Office of the Assistant Secretary
for Fish, Wildlife and Parks
Washington, D.C. 20013

Dear Ms. Wyman:

Enclosed please find a copy of correspondence which was sent to the Coastal Barrier Study Group by my constituent, Mr. H. Wayne Unger, Jr., an attorney representing the Coastal Electric Cooperative.

I would appreciate receiving some indication from you on how the Department of the Interior will react to the position of the Coastal Electric Cooperative. I hope you concur with Mr. Unger's position. It seems clear to me that there is broad justification for excluding the specific areas of Hutchinson Island, Pine Island and Fenwick Island identified by Mr. Unger.

Thank you for your kind attention to this matter, and I look forward to hearing from you soon.

With kindest regards and best wishes,

Sincerely,

Strom Thurmond

Strom Thurmond

ST:hj
Enclosure

1777

STROM THURMOND
SOUTH CAROLINA
COMMITTEES
ARMED SERVICES
JUDICIARY
VETERANS' AFFAIRS
LABOR AND HUMAN RESOURCES

United States Senate
WASHINGTON, DC 20510

October 26, 1987

Honorable William P. Horn
Assistant Secretary for Fish,
Wildlife & Parks
Department of the Interior
18th and C Streets, N. W.
Room 3156
Washington, D. C. 20240

Re: Coastal Barrier Resources Act; Proposed
Addition to M10 Unit

Dear Mr. Horn:

I have been informed that the Department of the Interior is proposing to add a substantial portion of Hutchinson Island to the coastal barrier Resource System as an "associated aquatic habitat."

After reviewing the maps of the current system unit and aerial photographs of St. Helena Sound and Hutchinson Island, I believe that this proposed addition is inappropriate. The current M10 unit is comprised of a coastal barrier island (Otter Island) which contains all of the components of a coastal barrier (i.e., a sandy beach, dune ridge, maritime forest and marsh on the backside). I believe the current system adequately reflects the appropriate coastal barrier designation as identified in the original Definition and Delineation Criteria as well as the more recent Draft Report.

It is my understanding that a final Report to Congress is being prepared by your office, and I would appreciate your careful consideration of my views relating to Hutchinson Island. I look forward to hearing from you.

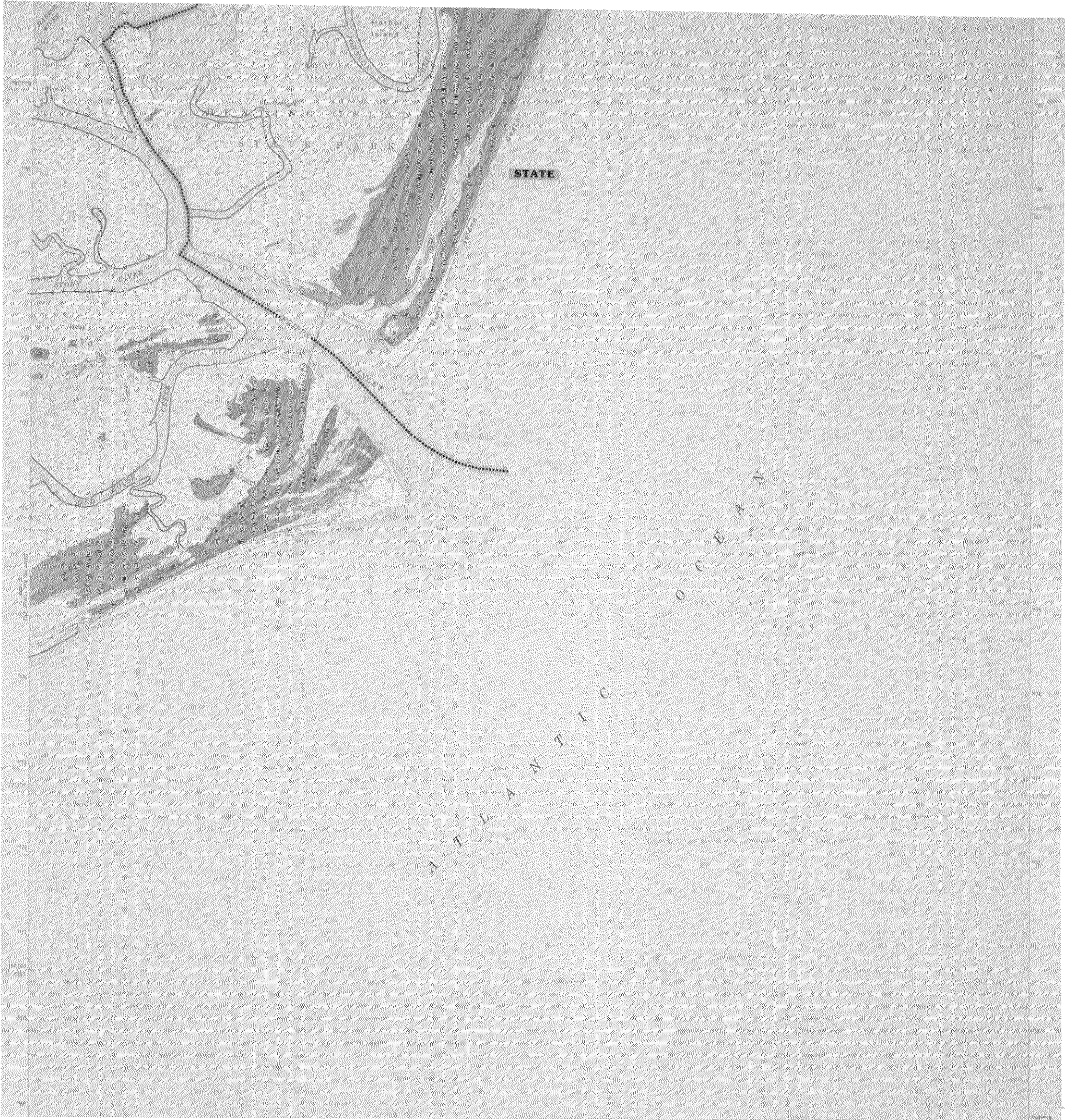
With kindest regards and best wishes,

Sincerely,

Strom Thurmond

Strom Thurmond

St:hj



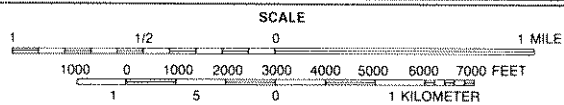
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Report to Congress on the Coastal Barrier Resources System

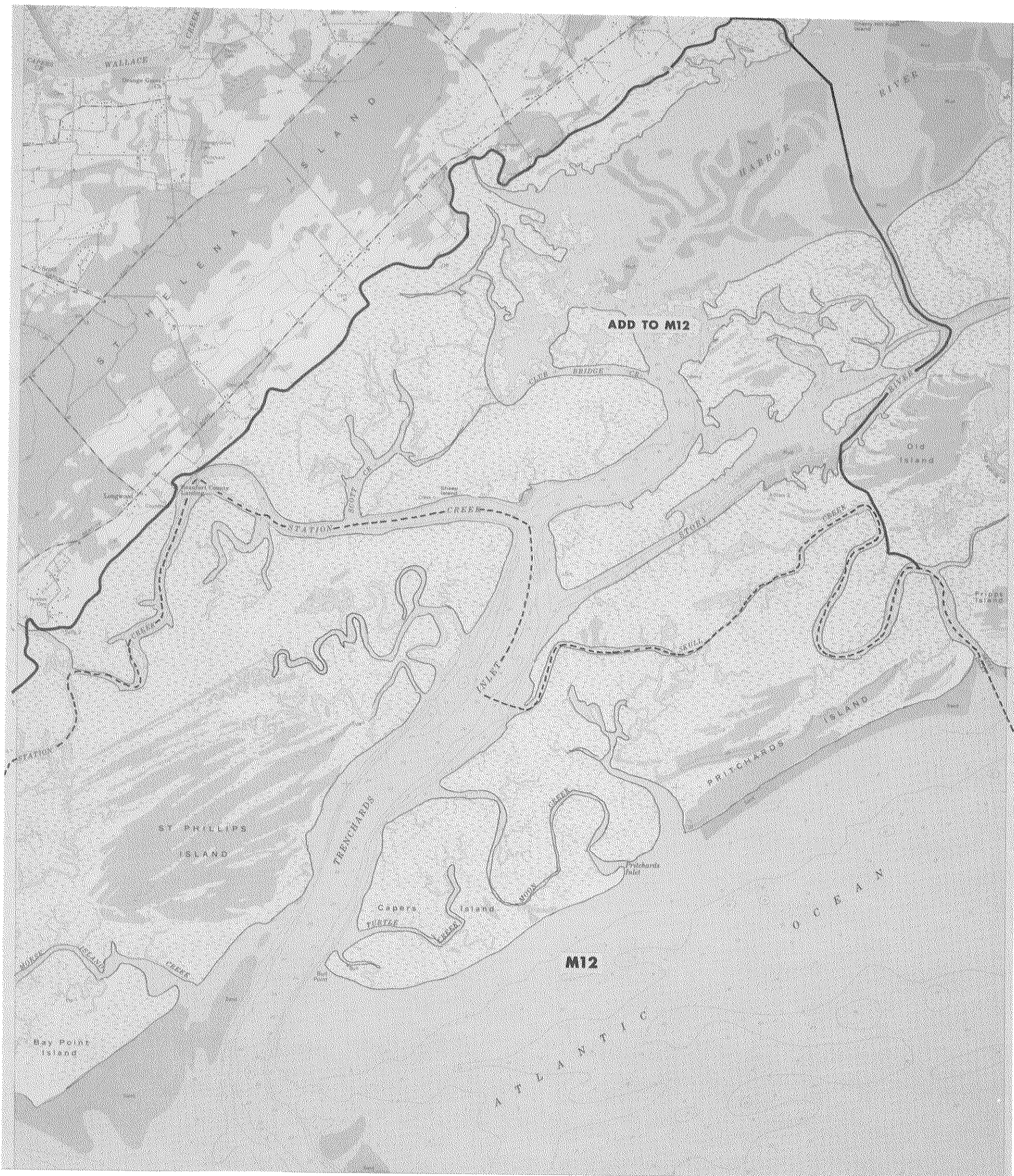
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FRIPPS INLET
SOUTH CAROLINA



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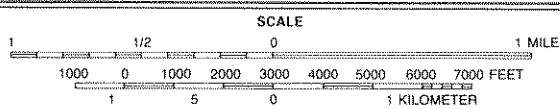
Report to Congress on the Coastal Barrier Resources System

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DEPARTMENT OF THE INTERIOR**



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U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
ST. PHILLIPS ISLAND
SOUTH CAROLINA



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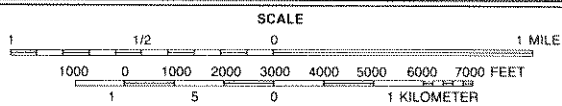
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Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
PARRIS ISLAND
SOUTH CAROLINA



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ADD TO M13

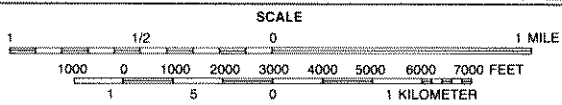
**UNITED STATES
DEPARTMENT OF THE INTERIOR**



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U.S. Department of the Interior
Washington, D.C. 20240

Report to Congress on the Coastal Barrier Resources System

QUADRANGLE
BLUFFTON
SOUTH CAROLINA



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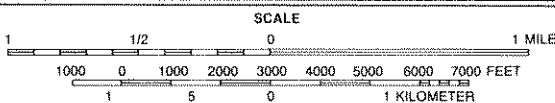
Report to Congress on the Coastal Barrier Resources System

UNITED STATES
DEPARTMENT OF THE INTERIOR



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U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
TYBEE ISLAND NORTH
SOUTH CAROLINA



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- North
- Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

M13 - DAUFUSKIE ISLAND

State Position: The State of South Carolina endorsed the position of the Daufuskie property owners and developers requesting boundary modifications of M13 as described below.

Other Comments: The DOI received four letters from the property owners and developers of Daufuskie, all requesting boundary modifications of M13 because the existing boundary fits none of DOI's delineation criteria. One letter requesting no deletions from M13 was also received. The four property owner's letters are reprinted below; the other letter appears in the General Comment Letters section (letter number 675).

Response: The boundary of M13 that was established by Congress in 1982 is not consistent with any of DOI's geologic delineation criteria. In May 1987, Study Group members visited Daufuskie Island and met with the property owners to discuss more appropriate boundaries.

Daufuskie Island is a large Coastal Plain remnant with substantial interior elevations. The DOI suggests a revised boundary of M13 that includes only those portions of the formation that are subject to wind, wave, and tidal energies. The landward boundary follows the interface between the aquatic habitat and the upland. This suggested delineation is consistent with DOI criteria, is substantially in line with the requests of all interested parties, and follows the 1982 Congressional intent to include the low-lying portions of the island directly fronting the ocean or sound.

DOI Recommendation: Congress may wish to reconsider M13 and revise the boundary of M13 to include only those portions of the island subject to wind, wave, and tidal energies. The revised boundary would delete portions of the interior upland from the CBRS and add associated aquatic habitat in Calibogue Sound to the CBRS.

1077

June 16, 1987

Mr. Frank McGilvrey
Coastal Barriers Coordinator
U.S. Fish and Wildlife Service
Department of the Interior
National Park Service - 498
P.O. Box 37127
Washington, DC 20013-7127

Re: Comments relating to Federal Register Notice Vol. 52, No. 57 (March 25, 1987) and Coastal Barrier Unit # M13 (Daufuskie Island).

Dear Mr. McGilvrey:

These comments are being submitted by the three principal property owners on Daufuskie Island, International Paper Realty Corporation of South Carolina, the Melrose Company, and Plantation Land Company, Inc. Our comments have been limited to areas of the island within our ownership.

We propose a revised boundary modification to the Daufuskie coastal barrier unit. The modification suggested herein (see Exhibit A) includes the addition of approximately 1 1/2 miles of Calibogue Sound frontage and wetlands to the existing shoreline frontage included in the current coastal barrier unit. We feel that this proposed addition more clearly reflects the intent of Congress and the purposes of the Coastal Barrier Resources Act (CBRA).

Given the background of the development of the current unit boundaries, we feel that technical modifications such as the one suggested herein are appropriate and consistent with the requirements of CBRA.

As you know, the Omnibus Budget Reconciliation Act of 1981 (OBRA) required DOI to develop definitions and delineation criteria for the purpose of designating "undeveloped coastal barriers." These definitions and delineation criteria were used by DOI in preparing "proposed" maps which Congress, in turn, used as the basis for CBRA. However, since CBRA was enacted prior to DOI's completion of "final" designations, Congress did not have the benefit of DOI's final technical evaluation when it passed the legislation.

Mr. Frank McGilvrey
June 16, 1987
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Indeed, DOI's Coastal Barrier Task Force recommended to the Secretary of Interior in its August 4, 1982 memorandum that "the unit be deleted...and not be submitted to Congress as a proposed undeveloped coastal barrier" (see DOI memoranda of July 26, 1982 and August 4, 1982 attached as Exhibit B).

This DOI recommendation supports comments submitted at the time on behalf of the Daufuskie Island Land Trust. (The summary section of these previously submitted comments (see Exhibit C, correspondence to Ric Davidge from Neil Robinson, dated March 16, 1982) is attached hereto. In addition, a section of the previous comments entitled Review of the Geomorphic Setting of Daufuskie Island, South Carolina, prepared by Research Planning Institute is also attached at Exhibit D.) We have included these previous comments to assist you in your ongoing evaluation of the Daufuskie unit.

However, a portion of Daufuskie was included in CBRA as a result of an agreement between Senator Chafee (Senate author of CBRA) and Senator Thurmond. They agreed, and it is clear that Congress intended the boundary on Daufuskie include "the low-lying portion of the island directly fronting the ocean" (see Exhibit E - Congressional Record, September 23, 1982, pages S12066-12067). However, the boundary line on the actual maps prepared by Congress for the M13 unit included substantial interior acreage with elevations of up to 18 feet, while not including property fronting the Sound on Haig Point. The maps used in 1982 were of poor quality and the topography was difficult to distinguish.

Given the previous (1982) DOI evaluation of the M13 unit, apparent inconsistencies between Congressional intent and maps delineating the unit, and DOI's current efforts to refine boundary locations and add aquatic habitat to the Coastal Barrier Resources System (CBRS), we feel that a reconsideration of the boundary on Daufuskie is appropriate.

Based on your site visits, conducted in conjunction with public hearings in South Carolina, and DOI's delineation criteria contained both in its January, 1982 Undeveloped Coastal Barriers: Definitions and Delineation Criteria and March, 1987 Draft Report to Congress: Coastal Barrier Resources System, we feel that the proposed boundary shown on the map attached hereto as Exhibit A is appropriate and we request that DOI incorporate this suggested boundary modification in its final Report to Congress.

Mr. Frank McGilvrey
June 16, 1987
Page Three

This delineation incorporates additional coastal barrier spits and substantial associated aquatic habitat on Daufuskie. The aquatic habitat boundary also encompasses all of the habitat associated with the spits (this is consistent with DOI's recommendations in its Draft Report to Congress wherein it is suggested that the landward boundary criteria be revised to include all of this habitat rather than the more narrow criteria contained in the January, 1982 criteria which includes only a portion of this important habitat).

Moreover, the revised delineation incorporates approximately 8,000 additional feet of frontage on Calibogue Sound when compared to the existing M13 boundary. We feel that the geomorphic characteristics of the resulting unit are more consistent with the original purposes of CBRA, Congressional intent, and DOI's delineation criteria.

The proposed modification has also been reviewed by Tim Kana of Coastal Science, Inc., (see Exhibit F). Mr. Kana also prepared the previously mentioned Review of the Geomorphic Setting of Daufuskie Island South Carolina. He concluded that the boundary modification proposed at Exhibit A is consistent with his previous comments, DOI's delineation criteria, and the purposes of CBRA.

We hope you find these comments useful and we appreciate your consideration.

If any additional information or clarification regarding a specific area on Daufuskie would be useful, please contact the appropriate signator of this correspondence.

Mr. Frank McGilvrey
June 16, 1987
Page Four

We look forward to your final Report to Congress.

Sincerely,

Len Marrella
Len Marrella, President
International Paper Realty
Corporation of South Carolina
P. O. Drawer 7319
Hilton Head Island, S.C.
29938

Stephen B. Kiser
Stephen B. Kiser
General Partner
The Melrose Company
P. O. Box 6779
Hilton Head Island, S.C.
29938

Neil C. Robinson, Jr.
Neil C. Robinson, Jr.,
Trustee
Plantation Land Company, Inc.
P. O. Box 1860
Charleston, S. C.
29402

CSE
COASTAL SCIENCE & ENGINEERING INC.
P.O. Box 8036 Columbia, South Carolina 29202 • 803-799-8949 • Tele• 858649 CSE CLD UD

June 12, 1987

Mr. Frank McGilvrey
Coastal Barrier Coordinator
U.S. Fish and Wildlife Service
18th and C Street NW, Room 3245
Washington, DC 20240

RE: Daufuskie Island, South Carolina

Dear Mr. McGilvrey:

I am writing today in regard to Daufuskie Island, which is under review by your office. In 1982, Dr. Miles Hayes and I prepared a report on the geomorphic history of the island (for a consortium of property owners) which was submitted with other comments to your office. Since 1982, we have obtained more detailed information on portions of Daufuskie's shoreline. Nevertheless, our 1982 findings still reflect a major distinction between Daufuskie and true coastal barriers. Specifically, most of the island is not subject to present-day coastal processes. Clearly, the areas that are subject to modification by waves, tides, and winds are the zones along the shoreline. Therefore, I believe it is within the spirit as well as the letter of the present coastal barriers resources act and DOI's delineation criteria to modify Daufuskie's CBRA boundaries and include only those areas subject to long-term erosion or those which protect aquatic habitat.

I have reviewed the proposed boundary modifications which are being submitted to DOI by way of International Paper Realty Corporation, the Melrose Company, and the Daufuskie Island Land Trust and believe that they reflect reasonably well the present working definition and intent of the regulations (to protect vulnerable coastal areas from imprudent development). Since I do not have complete information on Daufuskie Island's shoreline history at this time, I cannot provide quantitative data to help in your delineation process. However, should portions of the island remain in question, I would be happy to take a closer look at specific sites and provide your office with additional shoreline data.

Once again, thank you for your attention to this matter.

Sincerely yours,

Timothy W. Kana
Timothy W. Kana, Ph.D.
Senior Principal

/drs
Enclosure
cc: Jim Scott

MANATT, PHELPS, ROTHENBERG & EVANS
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ATTORNEYS AT LAW

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TELEPHONE (202) 483-3300

May 22, 1987

1241

LOS ANGELES
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LOS ANGELES, CALIFORNIA 90004
213-384-0000

Mr. Frank McGilvrey
Coastal Barrier Resources Coordinator
U.S. Fish and Wildlife Service
Department of Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Dear Frank:

It was good to be with you when you were in South Carolina for the visit to Daufuskie. I appreciate your taking time to tour the area and for your assistance with this matter.

I believe the approach all of us agree on for Daufuskie is appropriate from a technical point of view. It protects the important wetland areas and increases the length of the coastline to be included in the Coastal Barrier Resources System, while reducing the less environmentally significant interior portions of Daufuskie which should not have been included in the System in the first place.

If we can be of any assistance to you in this area or any other, please call on me. We will provide you with a map and a complete justification for the change when we submit our comments in June.

Many thanks again and best regards.

Sincerely,

Thomas B. Evans, Jr.
Thomas B. Evans, Jr.



1493

8th April 1987

Coastal Barriers Study Group
National Park Service
US Dept. of the Interior
P.O. Box 37127
Washington, DC 20013-7127

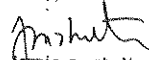
To Whom It May Concern :

This is in response to the US Dept. of Interior "Coastal Barrier Resources System : Proposed Additions or Deletions ", Volume 12 .
Comments are as follows :

- 1) Please note , on page three, a description is given of Harbor Island (M 11) and Daufuskie Island (M 13). These need to be updated. Both Islands are in the process of being developed. Access to Daufuskie still is only by boat, and plans call for it to remain so, but boats leave from more debarkation points : Bluffton, Palmetto Bay Marina & Broad Creek Marina , both on Hilton Head Island. I've enclosed development plans/maps for Daufuskie, and Harbor Island .
- 2) I will forward your information to the SC Coastal Council for additional commentary, as they have permitting jurisdiction over any development in the "critical zones" . If you wish to contact them directly , their address is : S.C. Coastal Council , Dr. Wayne Beam Executive Director , 1116 Bankers Trust Tower , Columbia - S.C. 29201 803:758-8442

Thankyou for your consideration in permitting local commentary. Please advise as to the results .

Sincerely,


ms. Jamie M. Shelton,
Planning II
JPC

JMS : jms
enclosures

Beaufort County Joint Planning Commission / P.O. Drawer 1228 / Beaufort, S.C. 29902 / 803-525-7138

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ROBERT T. LYLES, JR.

March 18, 1988

Mr. Frank McGilvrey, Coordinator
Coastal Barriers Study Group
U.S. Department of the Interior
National Park Service - 498
P.O. Box 37127
Washington, D.C. 20013

RE: Draft Supplemental LEIS (LEIS) on Proposed Changes to the Coastal Barrier Resources System (CBRS)/Recommended Deletions from System

Dear Mr. McGilvrey:

On behalf of our clients, International Paper Realty Corporation of South Carolina, and Plantation Land Company, Inc. (collectively owners of approximately 40% of the high ground acreage on Daufuskie Island) I would request that the Report to Congress on the Coastal Barrier Resources System, as required by Section 10 of the Coastal Barrier Resources Act, reflect their full support for the position endorsed by Governor Carroll A. Campbell, Jr. previously submitted, a copy of which is attached.

As referred to in the Governor's letter, comments by our clients and the Melrose Company (owner of a separate parcel on Daufuskie Island) were submitted jointly in June of 1987, and were limited to the areas within the parties collective ownership at that time.

I appreciate the opportunity to comment on the LEIS, and would greatly appreciate receiving a copy of the final DOI Report to Congress.

Very truly yours,


Neil C. Robinson, Jr.

NCR/tan
Enc.