

SCANNED FILE COVER SHEET

TYPE OF FILE (CHECK ONE):

- ☒ CRITICAL AREA PERMIT (SCANNED AS "PERMITTING")
☐ STORMWATER PERMIT (SCANNED AS "CERTIFICATION")
☐ CERTIFICATION

FILE NAME: SEABROOK LANDING PARTNERSHIP

PERMIT NUMBER: 94-1E-381-P

PERMIT TYPE: PIER/DOCK

COAST COMPUTER DATABASE ID: 18708

LOCATION/PROJECT KEYWORDS: SKULL CREEK, HILTON HEAD IS.,
BEAUFORT CO.

NOTES:

ADDITIONAL INFORMATION IN THE FILE BUT NOT SCANNED:

- ☒ SLIDES/PHOTOGRAPHS
☒ BLUEPRINTS PLATS (2)
☒ OTHER (DESCRIBE): CHICORA RESEARCH MANUAL ON FILE

FILE PREPPED FOR SCANNING BY a/kh/pl ON 7-26-00

FILE SCANNED BY Don m. Riser ON 12/13/00

SC Department of Health
and Environmental Control

Office of Ocean and Coastal
Resource Management

CONSTRUCTION AUTHORIZATION

Expiration Date: December 15, 1995

Permittee: Seabrook Landing Partnership

Permit Number: 94-1E-381-P

Address of Permittee: Post Office Box 22953
Hilton Head Island, SC 29925

Date Issued: February 3, 1995

Authorized Work: construct a timber pier

Waterway: Skull Creek

City: Hilton Head Island

County: Beaufort


Permit Administrator

September 15, 1995

Date

⇒ THIS NOTICE MUST BE CONSPICUOUSLY DISPLAYED AT THE WORK SITE. ⇒

912- 355-7562

P.7
FEB 6 1995**South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management****CRITICAL AREA PERMIT/WATER QUALITY CERTIFICATION**

Permittee: Seabrook Landing Partnership

Permit Number: 94-1E-381-P

Date of Issuance: February 3, 1995

Expiration Date: February 3, 2000

Location: On and adjacent to Skull Creek at Seabrook Landing, Hilton Head Plantation, Hilton Head Island, Beaufort County, South Carolina.

**SEE SPECIAL
CONDITIONS**

This permit/certification is issued under the provisions of S. C. Code Ann. Section 48-39-10, *et. seq.*, and R.30-1 through R.30-20. Additionally, as required by R.61-101, Department staff have reviewed plans for this project and determined there is a reasonable assurance the project will be conducted in a manner consistent with Certification requirements of Section 401 of the Clean Water Act. We also certify that this project, subject to the indicated conditions, is consistent with applicable provisions of Section 303 of the Federal Clean Water Act, as amended, that there are no applicable effluent limitations under Sections 301(b) and 302, and that there are no applicable standards under Sections 306 and 307.

Please carefully read the project description and any Special Conditions which may appear on this permit/certification as they will affect the work which is allowed. If there are no Special Conditions, then the work is authorized as described in the project description. The general conditions are also a part of this permit/certification and should be read in their entirety.

DESCRIPTION OF THE PROJECT

The proposed work consists of constructing a timber pier with an 18' by 18' pierhead attached to highland by a 6' by 85' walkway. In addition, a 5' by 48' floating dock is to be installed in front of the pierhead and attached to the pierhead by a 4' by 32' aluminum ramp. The purpose of this work is for the private, recreational use of the residents of Seabrook Landing.

SPECIAL CONDITIONS

1. Provided this community dock is the only dock permitted at Seabrook Landing.
2. Provided litter receptacles are placed on or near the dock.
3. Final treatment of the potential National Register Site referenced in the 12/28/94 letter from the South Carolina Department of Archives and History must be coordinated with and approved by the S. C. Department of Archives and History. Proof of this coordination and approval must be forwarded to OCRM staff.

DEPARTMENT OF THE ARMY PERMIT

RECEIVED

JUN 12 1995

Permittee: SEABROOK LANDING PARTNERSHIP

P. O. BOX 22953

HILTON HEAD ISLAND, SOUTH CAROLINA 29925

DHEC-OCRM
CHARLESTON OFFICE

Permit No. 94-2E-381

Issuing Office CHARLESTON DISTRICT

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To construct a pier and floating dock for the private recreational use of the residents of Seabrook Landing in accordance with the attached drawings entitled: Community Dock for Seabrook Landing, Beaufort County, South Carolina. Sheets 1, 2, & 5 of 5 Revised 31 October 1994, Sheets 3 & 4 of 5 Revised 9 March 1995.

Project Location:

This project is located in Skull Creek at Seabrook Landing, Hilton Head Plantation, Hilton Head Island, Beaufort County, South Carolina.

Permit Conditions:**General Conditions:**

1. The time limit for completing the work authorized ends on 30 June 1998. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

SEE PAGE 4.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

() Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

Damage claims associated with any future modification, suspension, or revocation of this permit.

Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

SEABROOK LANDING PARTNERSHIP

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)
GEORGE H. HAZEL, LTC
or his Designee
Clarence A. Ham

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)

(DATE)

CONDITIONS FOR P/N #94-2E-381:

a. That the permittee agrees to provide all contractors associated with construction of the authorized activity a copy of the permit and drawings. A copy of the permit will be available at the construction site at all times.



Department of Health and Environmental Control

4130 Faber Place, Suite 300
Charleston, SC 29405

Commissioner: Douglas E. Bryant

Board: Richard E. Jabbour, DDS, Chairman
Robert J. Stripling, Jr., Vice Chairman
Sandra J. Molander, Secretary

Promoting Health, Protecting the Environment

John H. Burriss
William M. Hull, Jr., MD
Roger Leaks, Jr.
Burnet R. Maybank, III

Office of Ocean and Coastal Resource Management

H. Wayne Beam, Ph. D., Deputy Commissioner Christopher L. Brooks, Assistant Deputy Commissioner

(803) 744-5838

(803) 744-5847 (fax)

**TO ALL INTERESTED PARTIES
Notification of Public Notice**

Enclosed are public notices issued by the U. S. Army Corps of Engineers and the SCDHEC Office of Ocean and Coastal Resource Management. All interested parties are allowed 30 days for major developments and 15 days for minor developments after receipt of the public notices to file written comments to the OCRM pertaining to the applications. Only those comments received within this period must be reviewed by the OCRM in processing the permit application. Any person wishing notification of the initial OCRM decision on any specific public notice must make written request within the designated review period for that public notice.

APPLICANT	PUBLIC NOTICE NUMBER	SUSPENSE DATE
S.C.E. & G. Co.	94-1D-407-P	December 23, 1994
Seabrook Landing Partnership	94-1E-381-P	December 23, 1994
Anthony Harper	94-1E-289-P	December 8, 1994
Belfair Plantation Ltd. Liability Co.	94-1D-379-P	December 23, 1994

November 23, 1994

mm\Pubnotic.doc\2

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
334 MEETING STREET - ROOM 621
P.O. BOX 919

CHARLESTON, SOUTH CAROLINA 29402

and the
S. C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
4130 FABER PLACE, SUITE 300
CHARLESTON, SOUTH CAROLINA 29405

CESAC-CO-P

Refer to: P/N #94-1E-381-P

21 November 1994

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.), an application has been submitted to the Department of the Army and the S. C. Department of Health and Environmental Control by

SEABROOK LANDING PARTNERSHIP
P. O. BOX 22953
HILTON HEAD ISLAND, SOUTH CAROLINA 29925

for a permit to construct a pier and floating dock in

SKULL CREEK

at Seabrook Landing, Hilton Head Plantation, Hilton Head Island,
Beaufort County, South Carolina.
(Latitude - 32.261197, Longitude - 80.740562)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 19 DECEMBER 1994

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a timber pier with an 18' x 18' pierhead attached to highland by a 6 x 85' walkway. In addition, a 5' x 48' floating dock is to be installed in front of the pierhead and attached to the pierhead by a 4' x 32' aluminum ramp. The purpose of this work is for the private recreational use of the residents of Seabrook Landing.

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

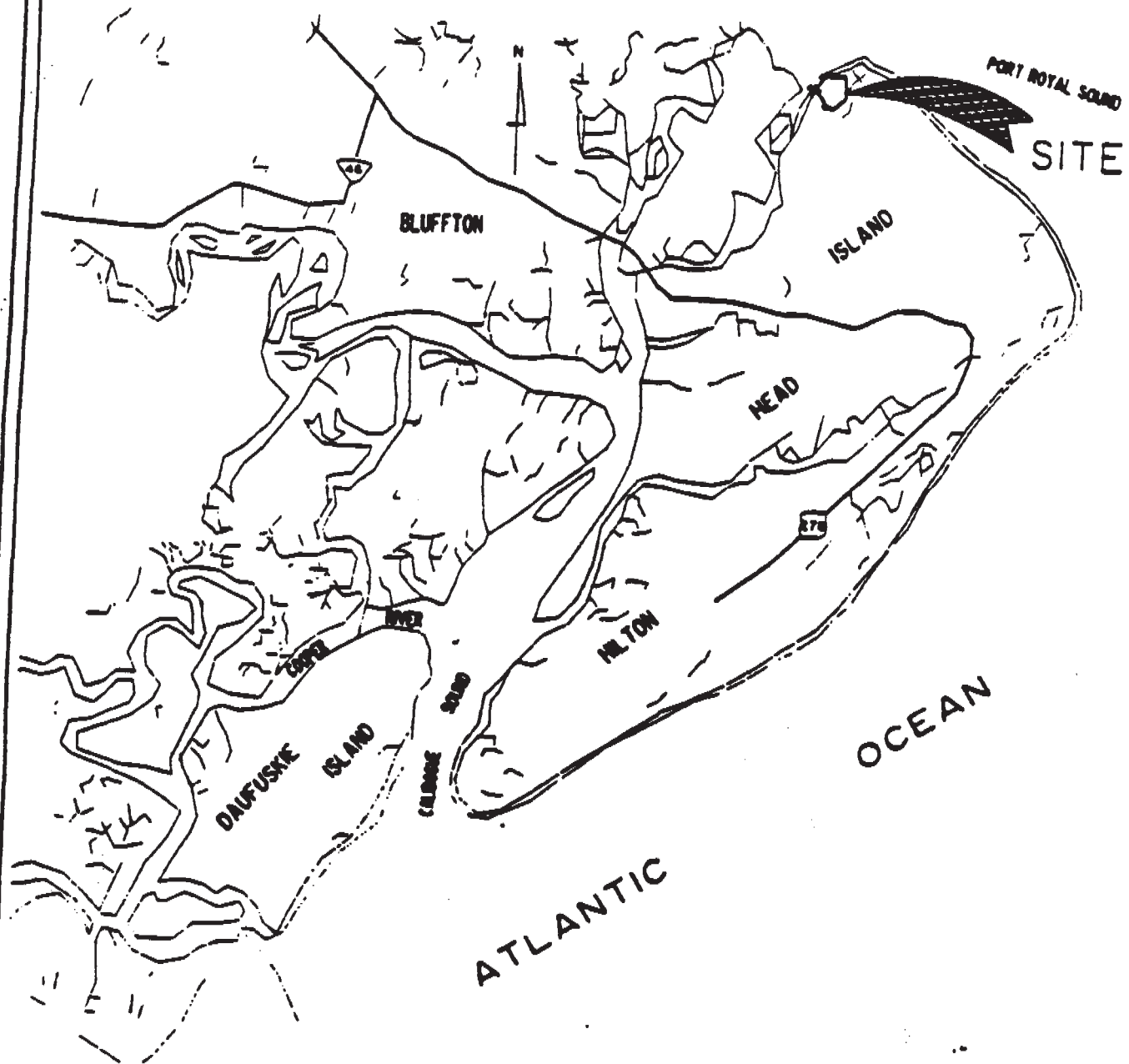
RECEIVED

NOV 21 1994

DIRECTOR
CHARLESTON OFFICE

SEABROOK LANDING PARTNERSHIP

SEABROOK LANDING PARTNERSHIP



VICINITY MAP

DATE: SEPTEMBER 22, 1994
 REVISED: OCTOBER 31, 1994

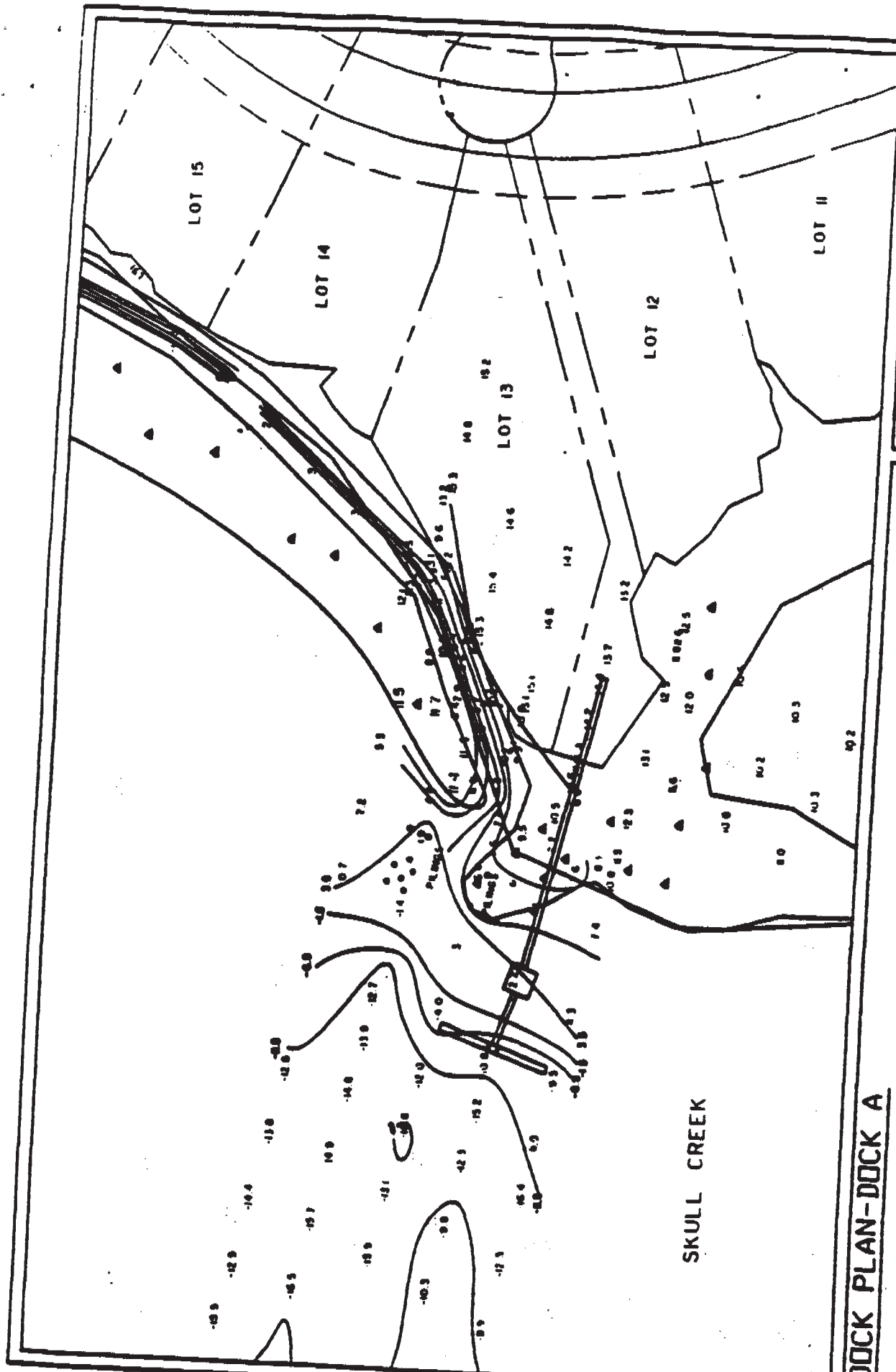
SCALE: NOT TO SCALE

SHEET 1 OF 5

PROPOSED ACTIVITY:
 COMMUNITY DOCK FOR
 SEABROOK LANDING

COUNTY:
 BEAUFORT COUNTY, S.C.

APPLICANT:
 SEABROOK LANDING PARTNERSHIP
 P.O. BOX 22983
 MILTON HEAD ISLAND, SC 29925



DOCK PLAN-DOCK A

DATE: SEPTEMBER 22, 1994
 REVISED: OCTOBER 31, 1994

SHEET 3 OF 5

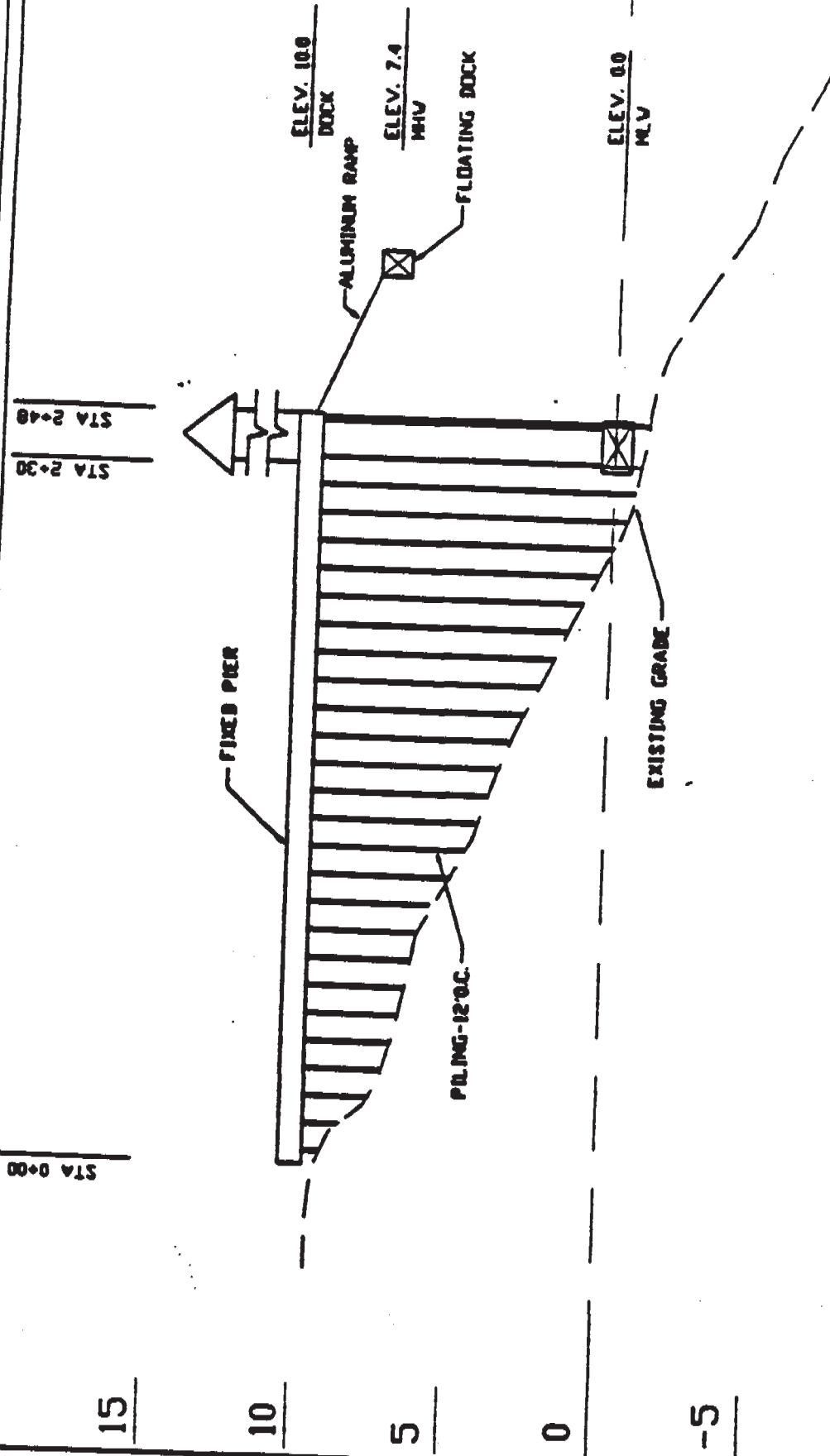
SCALE: 1"=100'

DATUM: MEAN LOW WATER

PROPOSED ACTIVITY:
 COMMUNITY DOCK FOR
 SEABROOK LANDING
 COUNTY,

BEAUFORT COUNTY, S.C.
 APPLICANT:

SEABROOK LANDING PARTNERSHIP
 P.O. BOX 22953
 HILTON HEAD ISLAND, SC 29925



DOCK ELEVATION

DATE: SEPTEMBER 22, 1994
 REVISED: OCTOBER 31, 1994

SHEET 5 OF 5

SCALE: 1"=50'

DATUM: MEAN LOW WATER

PROPOSED ACTIVITY:
 COMMUNITY DOCK FOR
 SEABROOK LANDING
 COUNTY:
 BEAUFORT COUNTY, S.C.
 APPLICANT:
 SEABROOK LANDING PARTNERSHIP
 P.O. BOX 22953
 HILTON HEAD ISLAND, SC 29925

DATABASE INFORMATION

SECTION P

PERMIT ID: 18708 PERMIT #: 94-1E-381-P
DATE OF NOTICE: 11-23-94
MAJOR/MINOR/MSP: major
PROJECT NAME: Seabrook Landing Partnership
SITE ADDRESS: Seabrook Landing
SITE CITY: NNJ SITE COUNTY: Beaufort

SITE CHARACTERISTICS:

PERMIT TYPE: Swamp WATERBODY: Skull Creek
ST. PL. X: _____ ST. PL. Y: _____
QUAD SHEET: _____
ACTIVITY: Pier & floating
ACTIVITY: clock
ACTIVITY: _____

ACTION TAKEN:

ACTION BY--STAFF: _____ COMMITTEE: _____
ACTION TAKEN: _____ DATE: _____
ACTION TAKEN: _____ DATE: _____
SPECIAL CONDITIONS: _____
PLACARD ISSUED: _____ PLACARD EXPIRES: _____

AMENDMENTS:

AMENDMENT ISSUED: _____ EXTENSIONS:

EXTENSIONS:

EXTENDED TO DATE: _____

EXTENDED TO DATE: _____

EXTENDED TO DATE: _____

OTHER ACTIONS:

PERMIT TRANSFERRED TO: _____ DATE: _____

PUBLIC HEARING DATE: _____

APPEALED(DATE): _____

ENFORCEMENT ACTION(DATE): _____

MICROFILM CASSETTE # _____ PAGE # _____

SUMMARY OF REVIEW

Commenting Agencies

DHEC Intent to Issue

DHEC - 401

SCDNR

Others:

SPA-NOR

SCA-PW

FW-NOR

SCA-PW

Adjacent Property Owners

Shoreward Corp.

Pro

Pro

Agent

Thomas Hutton

Attn: Joseph White

355-5300

See list of interested persons on reverse

APO's NOTIFIED? PLEASE INITIAL AND DATE.

PUBLIC NOTICE DC 11/23/94 PERMIT ISSUED _____

PERMIT APPEAL _____ PERMIT AMENDED _____

LOCAL GOVERNMENT NOTIFIED DC 11/23/94

COMPLETE

Letters to Applicant

O & M Manual

Ownership Received

1-13-95

1. 11-29-94

O & M Manual: yes no

1st Ad Received

1-13-95

2. 12-13-94

O & M Received _____

Date Published

12-16-94

3. 1-3-95

O & M Reveiwed: yes no

Where Published

P&C

4. _____

Approval yes no

2nd Ad Received

1-13-95

Initial _____

Date Published

12-11-94

Where Published

The Is. Packet

Action

Type of permit pier + floating dock

☒ Permit Administrator

____ Permitting Committee

Issue (no provision)

Date _____

Issue with provisions) ☒

Date 1-25-95

Deny _____

Date _____

Provisions:

① Provided this consent only is the only work permitted @ Seaboard Lagoon

② ~~Provide~~ EPC Guidelines

③ Provided the 12-29-1994 letter from the SCAH is up to a part of the permit on Abstract 'A'. Final treatment of the potential ~~potential~~ National Designated Site must be ~~approved~~ coordinated with + approved by the SCAH. ~~for the permit~~ Part of this coordination + approval must be referenced to OCA staff

Certificate of Mailing

Re: P/N# 94-1E-381-P

Permittee: Seabrook Landing Partnership

I, Tamela Smith as an employee of DHEC-OCRM certify that I have, this day, mailed the following Issue Memo dated 2-14-95 with postage affixed thereto, to the following:

Name: Thomas + Hutton Engineering	Name: The Shorewood Corp.
Post office Box 14609 co.	100 Clarendon Drive
Name: Savannah, GA 31416	Name: Noblesville, IN 46060
Name: Attn: Joseph White	Name:
Name: Hilton Head Plantation	Name:
Name: Property Owners Assoc., Inc.	Name:
PO Box 21940	
7 Surrey Lane	
Hilton Head Island, SC 29925	

Date: 2-14-95

Tamela Smith
Tamela Smith
DHEC-OCRM Employee
Charleston, South Carolina

TS:certmail:1



RECEIVED

OCT 05 1998

DHEC-OCRM
CHARLESTON OFFICE

September 24, 1998

Mr. Steve Moore
South Carolina Department of
Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, SC 29405

RE: P/N 94-1E-381-P Seabrook Landing Partnership
Hilton Head Island, South Carolina

Dear Mr. Moore:

Enclosed please find the final report on the Seabrook Landing tract which was prepared by The Chicora Foundation.

This report should satisfy all conditions of the above-mentioned permit. If you find that this report does not satisfy the stated conditions, would you please notify me immediately.

Thank you for your attention to this matter.

Sincerely yours,

SEABROOK LANDING PARTNERSHIP

Ann M. Schau
Project Coordinator

Enclosure

ams/
sbl\ocrm.ltr



Department of Health and Environmental Control
1362 McMillan Avenue, Suite 400
Charleston, SC 29405
(803)744-5838 Fax (803)744-5847

Commissioner: Douglas E. Bryant

Board: John H. Burris, Chairman
William M. Hult, Jr., MD, Vice Chairman
Roger Leaks, Jr., Secretary

Promoting Health, Protecting the Environment

Richard E. Jabbour, DDS
Cyndi C. Mosteller
Brian K. Smith
Rodney L. Grandy

Bureau of Ocean and Coastal Resource Management
Christopher L. Brooks, Bureau Chief

December 2, 1996

Mr. William J. White
Thomas & Hutton Engineering Co.
Post Office Box 14609
Savannah, Georgia 31416-1609

Re: P/N # 94-1E-381

Dear Mr. White:

According to a site inspection by Mike Hudson of our Beaufort office, the dock constructed under the above referenced permit is in compliance with the issued permit. If you have additional questions, please contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rich Chinnis".

Richard Chinnis
Permit Coordinator

cc: Mr. Christopher L. Brooks
Mr. Mike Hudson
Ms. Jackie Easterling, USACOE

THOMAS & HUTTON ENGINEERING CO.

3 OGLETHORPE PROFESSIONAL BOULEVARD
POST OFFICE BOX 14609
SAVANNAH, GEORGIA 31416-1609
TELEPHONE (912) 355-5300
FAX (912) 355-7562

November 21, 1996

RECEIVED

DEC 9 1996

DHEC-OCRM
CHARLESTON OFFICE

Mr. Richard Chinnis
South Carolina Department of Health
and Environmental Control
Office of Ocean and Coastal Resource
Management
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

RE: Seabrook Landing
Hilton Head Plantation
Dock Permit No. 94-1E-381-P

Dear Richard:

We are writing this letter to clarify some dimensions on the above referenced dock permit. The dimension on Sheet 4 were taken as the total dock length and included in the approved permit. It should have read 230 feet. Please note on sheet four (4) of five (5) shows the fixed pier to be 85 feet long with a total of 230 feet. On sheet five (5) of five (5) the plans show a fixed pier distance of 230 feet.

We are trying to obtain a certificate of completion from the Town of Hilton Head Island.

Please contact us so we can clear up this matter.

Sincerely,

THOMAS & HUTTON ENGINEERING CO.



William J. White

WJW/mjd

cc: Jackie Easterling
Ann Schau

SC Department of Health
and Environmental Control

Office of Ocean and Coastal
Resource Management

CONSTRUCTION AUTHORIZATION

Expiration Date: December 15, 1995

Permittee: Seabrook Landing Partnership

Permit Number: 94-1E-381-P

Address of Permittee: Post Office Box 22953
Hilton Head Island, SC 29925

Date Issued: February 3, 1995

Authorized Work: construct a timber pier

Waterway: Skull Creek

City: Hilton Head Island

County: Beaufort


Permit Administrator

September 15, 1995

BE
To: Permitting Department

TH

Please return this card ~~when~~ placard expires. This will ensure the
renewal of your placard.

Permittee's Name: SEABROOK LANDING PARTNERSHIP

Permittee's Mailing Address: PO BOX 22953

HILTON HEAD ISLAND, SC 29925

Permit Number: 94-1E-381-P

Waterway: SKULL CREEK

City: HILTON HEAD ISLAND

County: BEAUFORT

D-K

APPLICANT: Sesbrook Landing Partnerships
PERMIT NUMBER: 94-1E-381-P COUNTY: Beaufort

Please indicate below the date on which you begin actual work on your project as authorized by the enclosed permit. Then simply drop this self-addressed, stamped card in the mail to our office.

Thank you very much for your cooperation.

DATE CONSTRUCTION TO BEGIN: AUG. 21, 1995

APPLICANT'S SIGNATURE: Ann M. Chan

DEPARTMENT OF THE ARMY PERMIT

RECEIVED

JUN 12 1995

Permittee: SEABROOK LANDING PARTNERSHIP

P. O. BOX 22953

HILTON HEAD ISLAND

DHEC-OCRM
CHARLESTON OFFICE
CHARLESTON, SOUTH CAROLINA

29925

Permit No. 94-2E-381

Issuing Office CHARLESTON DISTRICT

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To construct a pier and floating dock for the private recreational use of the residents of Seabrook Landing in accordance with the attached drawings entitled: Community Dock for Seabrook Landing, Beaufort County, South Carolina. Sheets 1, 2, & 5 of 5 Revised 31 October 1994, Sheets 3 & 4 of 5 Revised 9 March 1995.

Project Location:

This project is located in Skull Creek at Seabrook Landing, Hilton Head Plantation, Hilton Head Island, Beaufort County, South Carolina.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on 30 June 1998. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

SEE PAGE 4.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

() Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)
SEABROOK LANDING PARTNERSHIP

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)
GEORGE H. HAZEL, LTC
or his Designee
Clarence A. Ham

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)

(DATE)

CONDITIONS FOR P/N #94-2E-381:

a. That the permittee agrees to provide all contractors associated with construction of the authorized activity a copy of the permit and drawings. A copy of the permit will be available at the construction site at all times.

FEB 06 1995

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management

CRITICAL AREA PERMIT/WATER QUALITY CERTIFICATION

Permittee: Seabrook Landing Partnership

Permit Number: 94-1E-381-P

Date of Issuance: February 3, 1995

Expiration Date: February 3, 2000

Location: On and adjacent to Skull Creek at Seabrook Landing, Hilton Head Plantation,
Hilton Head Island, Beaufort County, South Carolina.

SEE SPECIAL
CONDITIONS

This permit/certification is issued under the provisions of S. C. Code Ann. Section 48-39-10, *et. seq.*, and R.30-1 through R.30-20. Additionally, as required by R.61-101, Department staff have reviewed plans for this project and determined there is a reasonable assurance the project will be conducted in a manner consistent with Certification requirements of Section 401 of the Clean Water Act. We also certify that this project, subject to the indicated conditions, is consistent with applicable provisions of Section 303 of the Federal Clean Water Act, as amended, that there are no applicable effluent limitations under Sections 301(b) and 302, and that there are no applicable standards under Sections 306 and 307.

Please carefully read the project description and any Special Conditions which may appear on this permit/certification as they will affect the work which is allowed. If there are no Special Conditions, then the work is authorized as described in the project description. The general conditions are also a part of this permit/certification and should be read in their entirety.

DESCRIPTION OF THE PROJECT

The proposed work consists of constructing a timber pier with an 18' by 18' pierhead attached to highland by a 6' by 85' walkway. In addition, a 5' by 48' floating dock is to be installed in front of the pierhead and attached to the pierhead by a 4' by 32' aluminum ramp. The purpose of this work is for the private, recreational use of the residents of Seabrook Landing.

SPECIAL CONDITIONS


1. Provided this community dock is the only dock permitted at Seabrook Landing.
2. Provided litter receptacles are placed on or near the dock.
3. Final treatment of the potential National Register Site referenced in the 12/28/94 letter from the South Carolina Department of Archives and History must be coordinated with and approved by the S. C. Department of Archives and History. Proof of this coordination and approval must be forwarded to OCRM staff.

THE PERMITTEE'S ATTENTION IS DIRECTED TO GENERAL CONDITIONS NUMBERS FOUR (4) AND (5), BY ACCEPTANCE OF THIS PERMIT, PERMITTEE IS PLACED ON NOTICE THAT THE STATE OF SOUTH CAROLINA, BY ISSUING THIS PERMIT, DOES NOT WAIVE ITS RIGHTS TO REQUIRE PAYMENT OF A REASONABLE FEE FOR USE OF STATE LANDS AT A FUTURE DATE IF SO DIRECTED BY STATUTE.

CAUTION: Section 48-39-150(D) allows any person adversely affected by the issuance of this permit to appeal the decision by filing a written Notice of Intent to Appeal within 15 days after notification of the permit's issuance. In the event of an appeal, the Department reserves the right to order a stay of any use or activity authorized herein pending a final decision, when, in the judgment of the Department, the interests of the public would be best served.

94-1E-381-P Issued this 3RD day of FEBRUARY, 1995

By:


Steve Moore
Director of Permitting

THE PERMITTEE, BY ACCEPTANCE OF THIS PERMIT AGREES TO ABIDE BY THE TERMS AND CONDITIONS CONTAINED HEREIN AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ATTACHED HERETO AND MADE A PART HEREOF. ANY DEVIATION FROM THESE CONDITIONS, TERMS, PLANS AND SPECIFICATIONS SHALL BE GROUNDS FOR REVOCATION, SUSPENSION OR MODIFICATION OF THIS PERMIT AND THE INSTITUTION OF SUCH LEGAL PROCEEDINGS AS THE DEPARTMENT MAY CONSIDER APPROPRIATE,

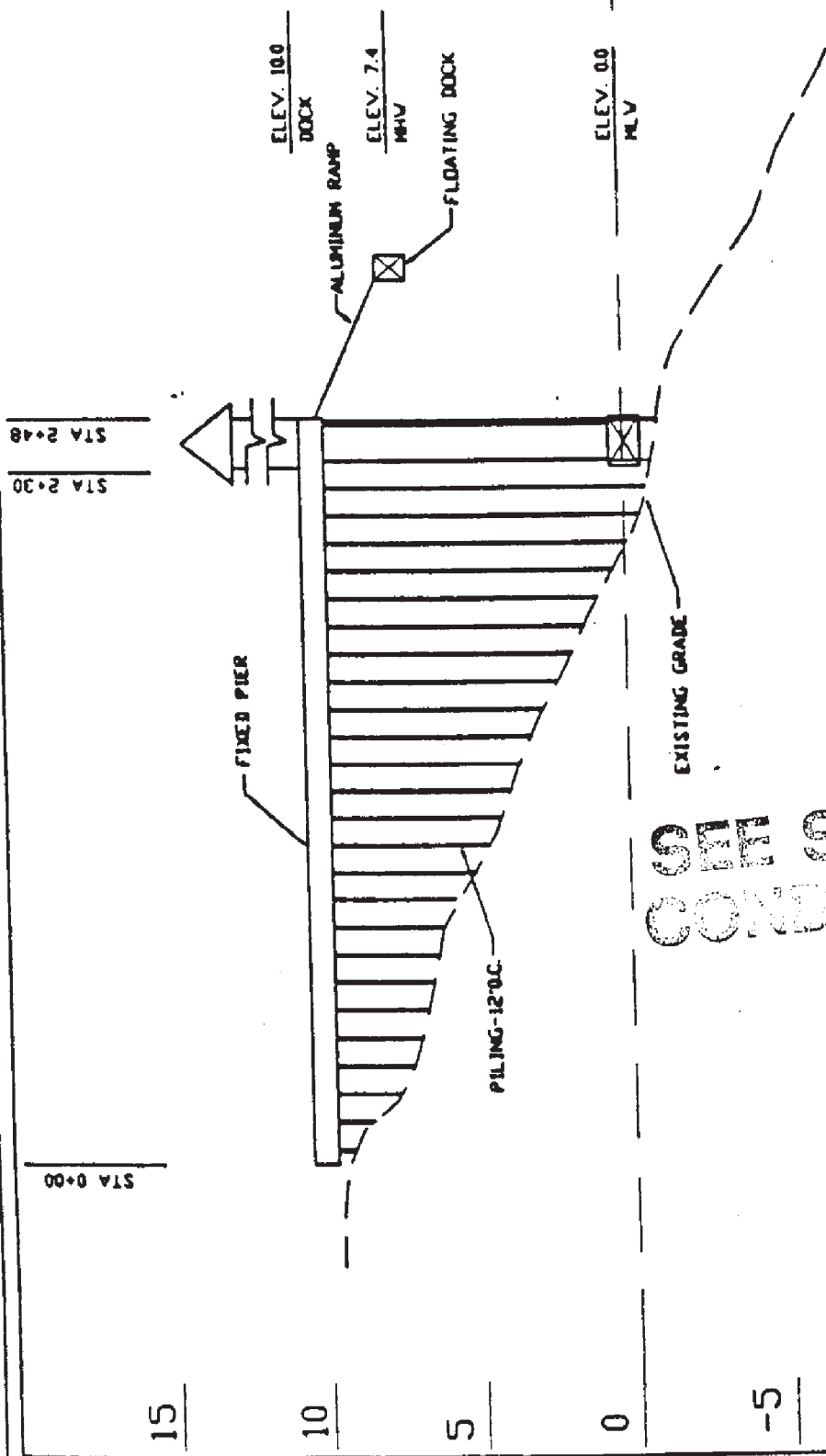
PERMITTEE

DATE

GENERAL CONDITIONS

The permit is expressly contingent upon the following conditions which are binding on the permittee:

1. That the permittee, in accepting this permit, covenants and agrees to comply with and abide by the provisions and conditions herein and assumes all responsibility and liability and agrees to save the South Carolina Department of Health and Environmental Control and the State of South Carolina, its employees or representatives, harmless from all claims of damage arising out of operations conducted pursuant to this permit.
2. That if the activity authorized herein is not constructed or completed within five years of the date of issuance, this permit shall automatically expire. A request for an extension of time must be made in writing.
3. That all authorized work shall be conducted in a manner that minimizes any adverse impact on fish, wildlife and water quality.
4. That this permit does not relieve the permittee from the requirements of obtaining a permit from the U. S. Army Corps of Engineers or any other applicable federal agency, nor from the necessity of complying with all applicable federal, state and/or local laws, ordinances, and zoning regulations. This permit is granted subject to the rights of the State of South Carolina in the navigable waters and shall be subject, further to all rights held by the State of South Carolina under the public trust doctrine as well as any other right the State may have in the waters and submerged lands of the coast.
5. That this permit does not convey, expressly or impliedly, any property rights in real estate or material nor any exclusive privileges; nor does it authorize the permittee to alienate, diminish, infringe upon or otherwise restrict the property rights of any other person or the public; nor shall this permit be interpreted as appropriating public properties for private use.
6. That the permittee shall permit the Department or its authorized agents or representatives to make periodic inspections at any reasonable time deemed necessary in order to ensure that the activity being performed is in accordance with the terms and conditions of this permit. Acceptance of this permit constitutes prior consent to such inspection.
7. That any abandonment of the permitted activity will require restoration of the area to a satisfactory condition as determined by the Department.
8. That this permit may not be transferred to a third party without prior written notice to the Department.
9. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and special signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
10. That the SCDHEC-OCRM shall be notified in writing upon commencement of work and that the permit placard or a copy of the placard shall be posted in a conspicuous place at the project site during the entire period of work.
11. That the structure or work authorized herein shall be in accordance with the plans and drawings attached hereto, and shall be maintained in good condition. Failure to build in accordance with the plans and drawings attached hereto, or failure to maintain the structure in good condition shall result in the revocation of this permit and possible removal of the offending structure.
12. That the authorization for activities or construction of structures herein constitutes a revocable license. The Department may require the permittee to modify any permitted activity or to remove structures authorized herein, if and when it is determined by the Department that such activity or structure violates the public's health, safety, or welfare, or the activity is inconsistent with the public trust doctrine. Modification of an activity or removal of a structure shall be ordered only after reasonable notice stating the reasons therefore and the opportunity for the permittee to respond in writing. When the permittee is notified that SCDHEC intends to revoke or modify the permit, permittee agrees to immediately stop work pending resolution of the revocation.
13. That the Department shall have the right to revoke, suspend, or modify this permit in the event it is determined the permitted structure (1) significantly impacts the public health, safety, welfare, and/or is violative of Section 48-39-150, (2) that the information and data which the permittee or any other agencies have provided in connection with the permit application is either false, incomplete or inaccurate, or (3) that the activity is not in compliance with the drawings submitted by the applicant. That the permittee, upon receipt of the Department's written intent to revoke, suspend, or modify the permit has the right to a hearing. Prior to revocation, suspension, or modification of this permit, the Department shall provide written notification of intent to revoke to the Permittee, and Permittee can respond with a written explanation to the Department. (South Carolina Code Section 1-023-370 shall govern the procedure for revocation, suspension or modification herein described).
14. That any modification, suspension or revocation of this permit shall not be the basis of any claim for damages against the Department or the State of South Carolina or any employee, agent, or representative of the Department or the State of South Carolina.
15. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with all applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to applicable federal, state and local laws.
16. That extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of others. This permit authorizes no invasion of adjacent private property, and SCDHEC assumes no responsibility or liability from any claims of damage arising out of any operations conducted by the permittee pursuant to the permit.



PROPOSED ACTIVITY:
COMMUNITY DOCK FOR
SEABROOK LANDING
COUNTY:
BEAUFORT COUNTY, S.C.
APPLICANT:
SEABROOK LANDING PARTNERSHIP
P.O. BOX 22953
HILTON HEAD ISLAND, SC 29925

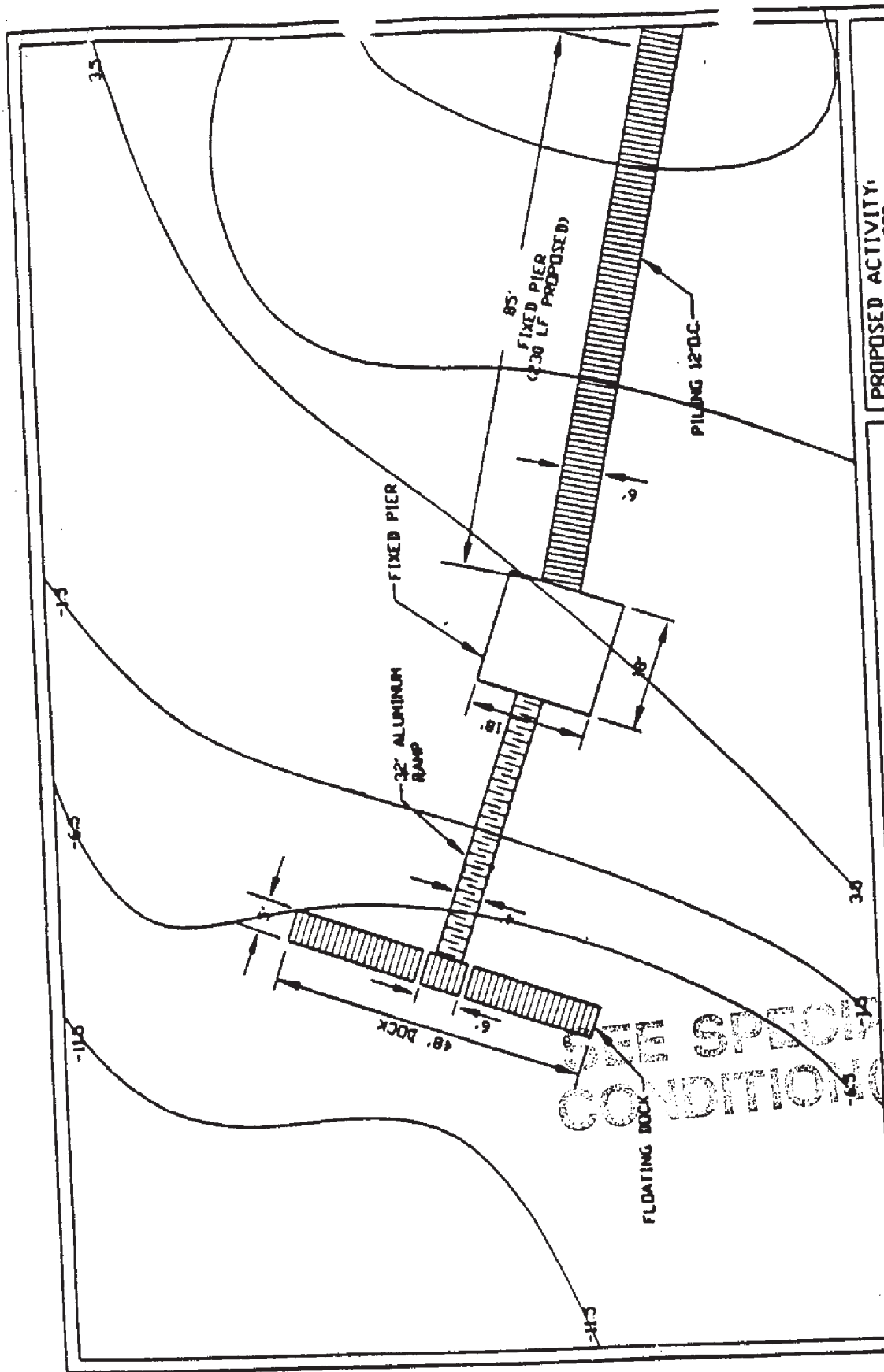
DOCK ELEVATION

DATE: SEPTEMBER 22, 1994
REVISED: OCTOBER 31, 1994

SCALE: 1"=50'

DATUM: MEAN LOW WATER

SHEET 5 OF 5



PROPOSED ACTIVITY:
COMMUNITY DOCK FOR
SEABROOK LANDING
COUNTY:
BEAUFORT COUNTY, S.C.
APPLICANT:
SEABROOK LANDING PARTNERSHIP
P.O. BOX 22953
MILTON HEAD ISLAND, SC 29925

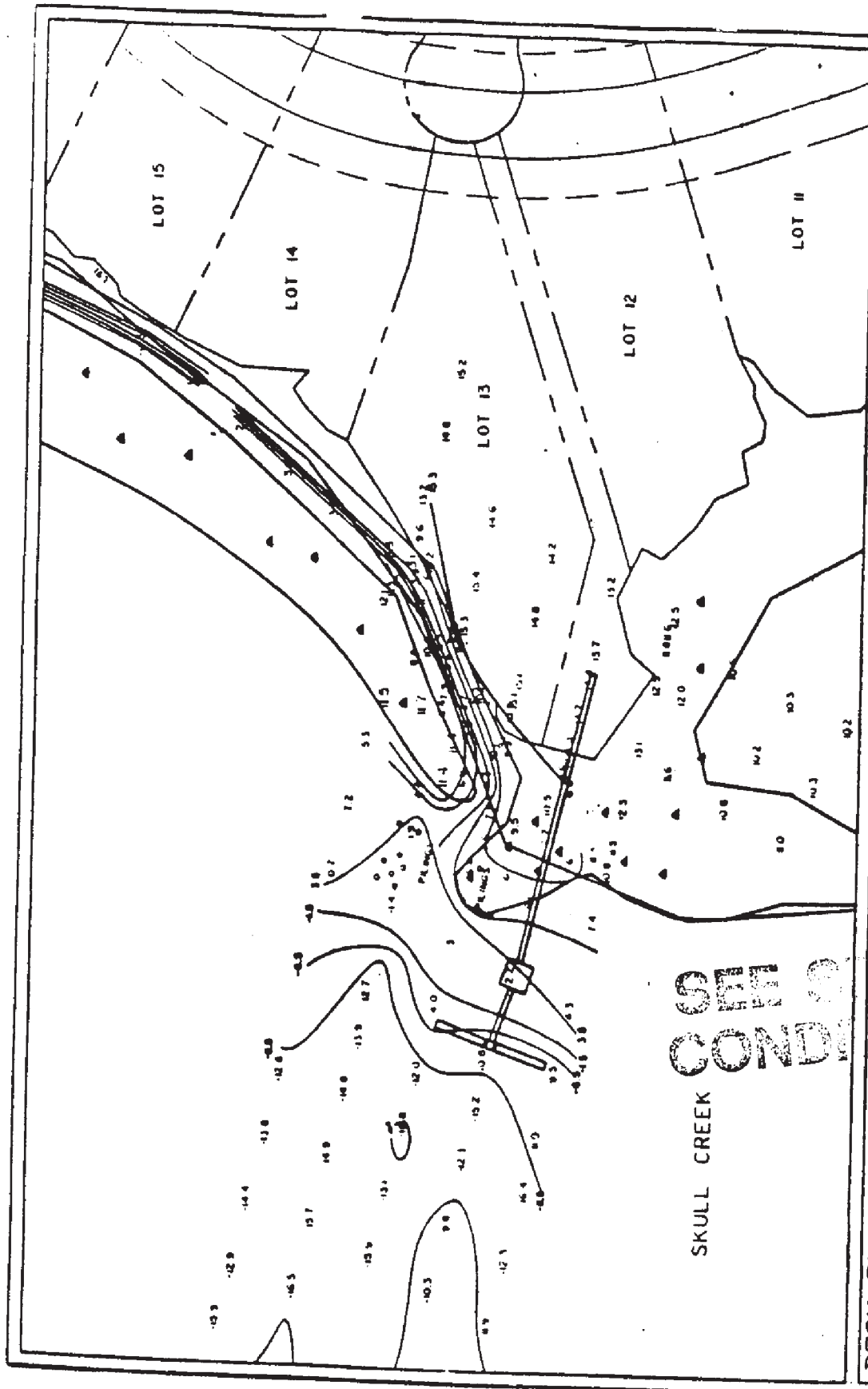
PIER & FLOATING DOCK LAYOUT - DOCK A

SCALE: 1"=20'

DATUM: MEAN LOW WATER

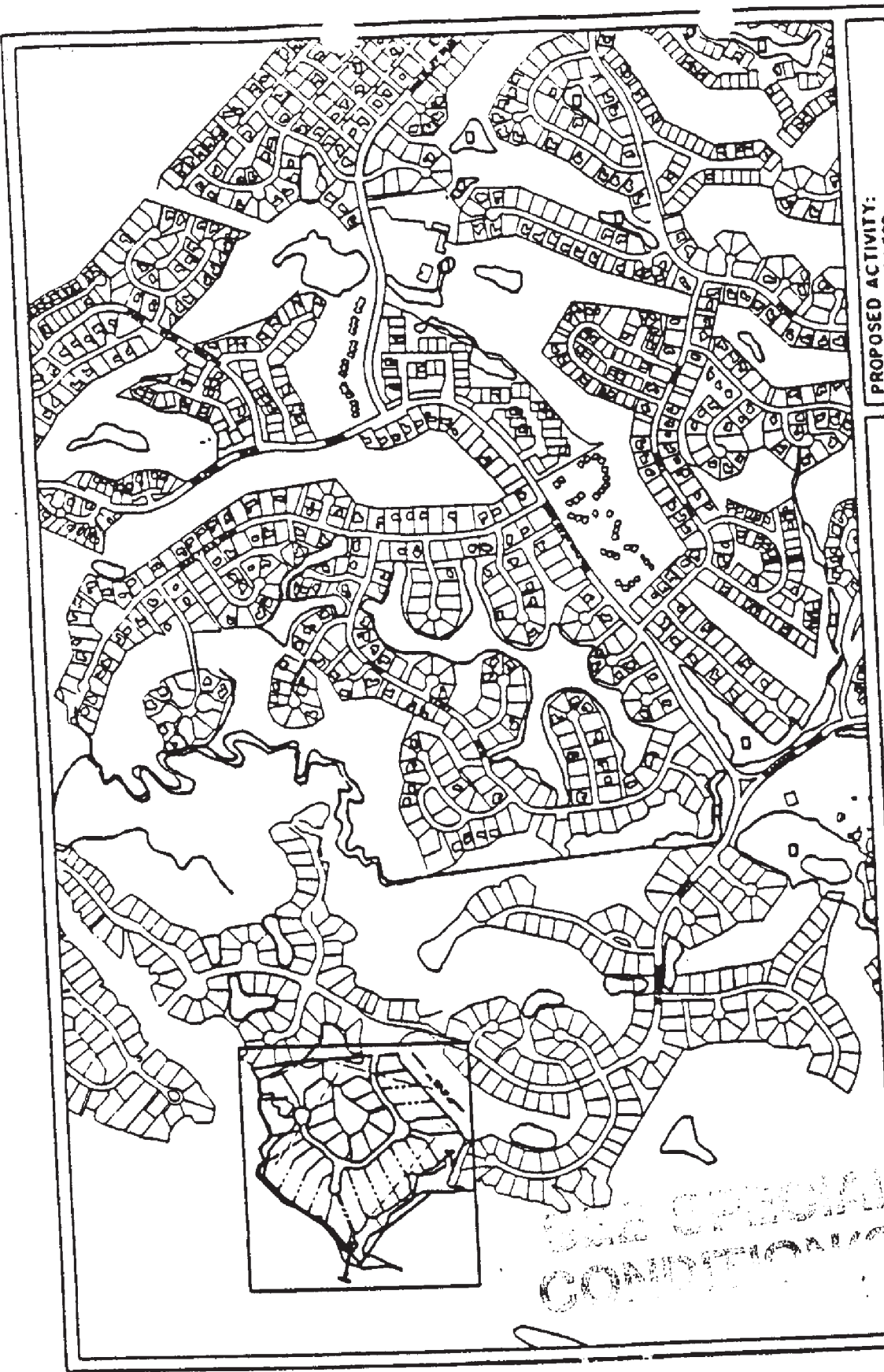
DATE: SEPTEMBER 22, 1994
REVISED: OCTOBER 31, 1994

PROJECT NO. 94-01



PROPOSED ACTIVITY:
COMMUNITY DOCK FOR
SEABROOK LANDING
COUNTY,
BEAUFORT COUNTY, SC
APPLICANT:
SEABROOK LANDING PARTNERSHIP
P.O. BOX 22953

DOCK PLAN-DOCK A
DATE: SEPTEMBER 22, 1994
REVISED: OCTOBER 31, 1994
SHEET 3 OF 5
SCALE: 1"=100'
DATUM: MEAN LOW WATER



PROPOSED ACTIVITY:
COMMUNITY DOCK FOR
SEABROOK LANDING

COUNTY:
BEAUFORT COUNTY, S.C.

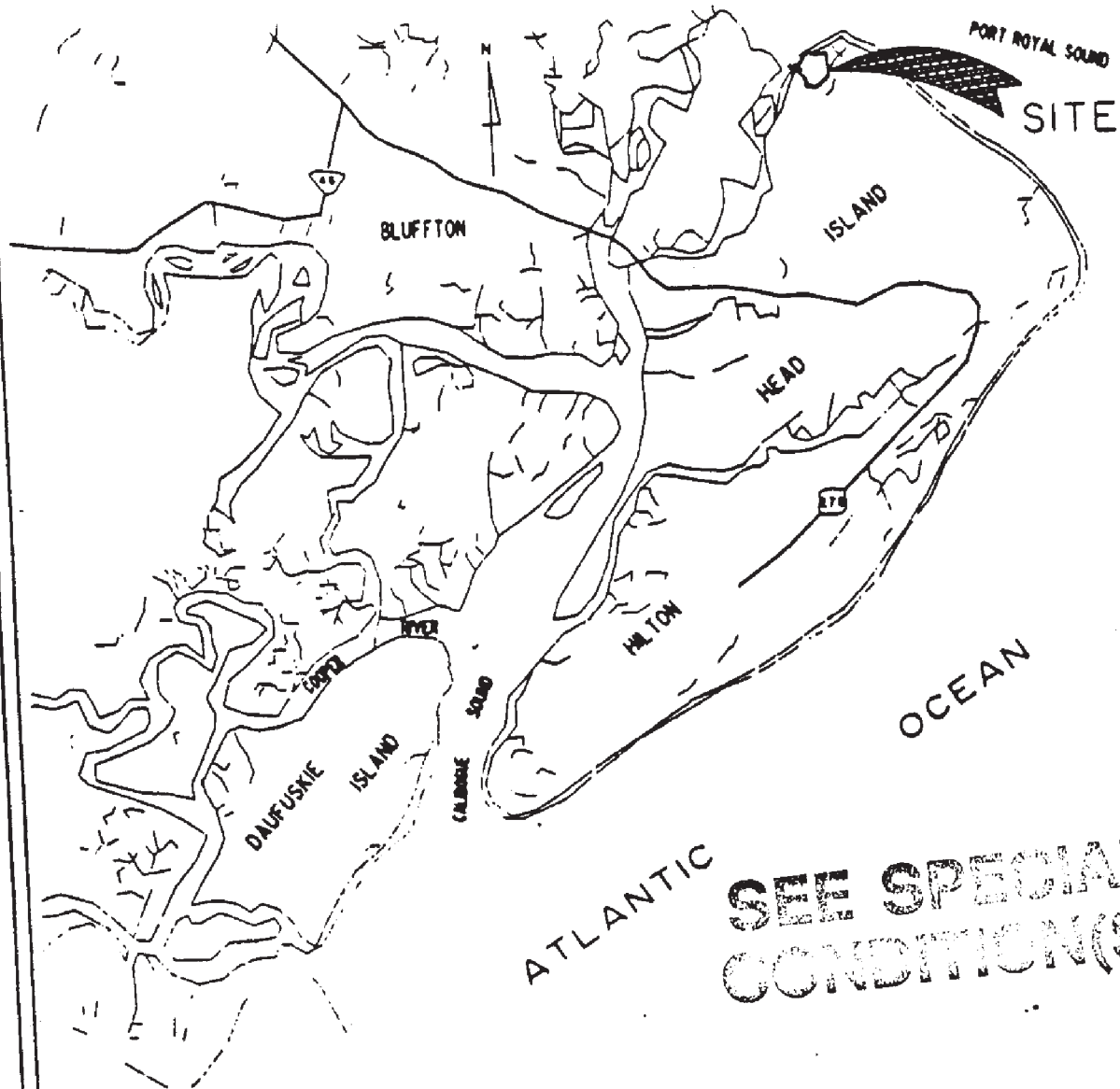
APPLICANT:
SEABROOK LANDING PARTNERSHIP
P.O. BOX 22953
MILTON HEAD ISLAND, SC 29923

SCALE: 1"=1000'

PROJECT MAP

DATE: SEPTEMBER 22, 1994
REVISED: OCTOBER 31, 1994

SHEET 2 OF 3



**SEE SPECIAL
CONDITION(S)**

VICINITY MAP

DATE: SEPTEMBER 22, 1994
REVISED: OCTOBER 31, 1994

SCALE: NOT TO SCALE

SHEET 1 OF 5

PROPOSED ACTIVITY:
COMMUNITY DOCK FOR
SEABROOK LANDING

COUNTY:
BEAUFORT COUNTY, S.C.

APPLICANT:
SEABROOK LANDING PARTNERSHIP
P.O. BOX 22953
HILTON HEAD ISLAND, SC 29925

THOMAS & HUTTON ENGINEERING CO.

3 OGLETHORPE PROFESSIONAL BOULEVARD
POST OFFICE BOX 14609
SAVANNAH, GEORGIA 31416-1609
TELEPHONE (912) 355-5300
FAX (912) 355-7562

RECEIVED
MAR 13 1995
DHEC-OCRM
CHARLESTON OFFICE

March 10, 1995

Mr. Steve Moore
South Carolina Department of
Health and Environmental Control
Office of Ocean and Coastal Resource Management
4130 Faber Place, Suite 300
Charleston, SC 29405

Dear Steve:

Attached are five (5) copies of Sheets 3 and 4 of 5 revised to accurately show the locations of the existing piles as verified by field survey.

If you require any additional information please contact us.

Yours very truly,

THOMAS & HUTTON ENGINEERING CO.



William J. White

WJW/jad

cc: Mr. Pete Coquillette
Ms. Jackie Easterling

THOMAS & HUTTON ENGINEERING CO.

3 OGLETHORPE PROFESSIONAL BOULEVARD
POST OFFICE BOX 14609
SAVANNAH, GEORGIA 31416-1609
TELEPHONE (912) 355-5300
FAX (912) 355-7562

March 10, 1995

Ms. Jackie Easterling
U.S. Army Corps of Engineers
Post Office Box 919
Charleston, SC 29402

Dear Jackie:

Attached are five (5) copies of Sheets 3 and 4 of 5 revised to accurately show the locations of the existing piles as verified by field survey.

If you require any additional information please contact us.

Yours very truly,

THOMAS & HUTTON ENGINEERING CO.

William J. White

WJW/jad

cc: Mr. Pete Coquillette
Mr. Steve Moore

and Environmental Con
Office of Ocean and Coastal
Resource Management

Notice of Authorization

Expiration Date: May 22, 1995

Permittee: Seabrook Landing Partnership

Permit Number: 94-1E-381-P

Address of Permittee: Post Office Box 22953
Hilton Head Island, SC 29925

Date Issued: February 22, 1995

Authorized Work: Timber Pier

Waterway: Skull Creek

City: Hilton Head Island

County: Beaufort




Permit Administrator

February 22, 1995
Date

⇒ THIS NOTICE MUST BE CONSPICUOUSLY DISPLAYED AT THE WORK SITE. ⇐

MEMORANDUM

TO: All Interested Parties

FROM: Richard A. Chinnis, Permit Coordinator 

SUBJECT: Seabrook Landing Partnership, P/N# 94-1E-381-P

DATE: February 14, 1995

This is to inform you that the above-referenced permit was issued on February 3, 1995 according to the enclosed attachment.

You have the right to appeal by filing a written Notice of Intent to Appeal within 15 days of this notice.

Enclosure

RAC:ts:issmem2