



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment.*

## MEMORANDUM

**TO:** All Interested Parties

**FROM:** *WCE* William C Eiser, Wetland Section Project Manager

**RE:** Kiawah Development Partners II, Inc.  
**P/N#** 2011-00908-2IY

**DATE:** December 14, 2011

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This is to inform you that the above-referenced permit to construct a community dock in the proposed Cape Charles Subdivision at the southwest end of Kiawah Island, SC was issued on December 14, 2011. The permit authorized the following activities:

The work consists of constructing a community dock. A 73' walkway at an authorized width of 6' (reduced from the requested 9' width) will lead to a 20' x 20' pierhead. Attached to the pierhead with two 6' x 30' gangways will be two 10' x 50' floating docks. The purpose of the proposed activity is for private community use.

The following two project-specific Special Conditions were placed on the permit:

1. Provided that the walkway is reduced in width from 9' to 6'.
2. Provided that the construction placard authorizing work to begin will not be issued by the Department until the proposed subdivision has been recorded with Charleston County, the seven waterfront lots shown on the development plans have been deed-restricted to prohibit private residential docks, and copies of the recorded plats and deed restrictions have been provided to the Department.

Any person adversely affected by this decision has the right to appeal as outlined in the enclosed "Notice of Appeal Procedure."



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**Notice of Appeal Procedure**  
Pursuant to S.C. Code Section 44-1-60

1. This decision of the S.C. Department of Health and Environmental Control (Department) becomes the final agency decision 15 calendar days after notice of the decision has been mailed to the applicant or respondent, unless a written request for final review accompanied by a filing fee in the amount of \$100 is filed with the Department by the applicant, permittee, licensee, or affected person.
2. An applicant, permittee, licensee, or affected person who wishes to appeal this decision must file a timely written request for final review with the Clerk of the Board at the following address or by facsimile at 803-898-3393. A filing fee in the amount of \$100 made payable to SC DHEC must also be received by the Clerk within the time allowed for filing a request for final review. However, if a request for final review is filed by facsimile, the filing fee may be mailed to the Clerk of the Board if the envelope is postmarked within the time allowed for filing a request for final review.

Clerk of the Board  
SC DHEC  
2600 Bull Street  
Columbia, SC 29201

3. In order to be timely, a request for final review must be received by the Clerk of the Board within 15 calendar days after notice of the decision has been mailed to the applicant or respondent. If the 15th day occurs on a weekend or State holiday, the request is due to be received by the Clerk of the Board on the next working day. The request for final review must be received by the Clerk of the Board by 5:00 p.m. on the date it is due. A request for final review will be returned to the requestor if the filing fee is not received on time as described above.
4. The request for final review should include the following:
  - a. the grounds on which the Department's decision is challenged and the specific changes sought in the decision
  - b. a statement of any significant issues or factors the Board should consider in deciding whether to conduct a final review conference
  - c. a copy of the Department's decision for which review is requested
5. If a timely request for final review is filed with the Clerk of the Board, the Clerk will provide additional information regarding procedures. If the Board declines in writing to schedule a final review conference, the Department's decision becomes the final agency decision and an applicant, permittee, licensee, or affected person may request a contested case hearing before the Administrative Law Court within 30 calendar days after notice is mailed that the Board declined to hold a final review conference.

**The above information is provided as a courtesy; parties are responsible for complying with all applicable legal requirements.**

July 1, 2010