



C. Earl Hunter, Commissioner

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

## **TO ALL INTERESTED PARTIES PUBLIC NOTICE**

As has always been required by SC Code of Laws Section 48-39-140(B)(4), proof of ownership must be submitted as part of the application for a critical area permit. Pursuant to a revised opinion from the SC Attorney General's office, DHEC-OCRM will now require the following additional information in order to process all permit applications for **docks proposed on any undeveloped island** within the critical areas of the state, and all permit applications for **bridges proposed to any developed or undeveloped island** within the critical areas of the state:

1. A copy of the document upon which the applicant relies for the original grant of the marsh island from the State or predecessor sovereign (e.g. a King's grant or Lord Proprietor's grant);
2. An attorney's title opinion;
3. The accompanying abstract of title.

Upon receipt of an application for either of these two activities, DHEC-OCRM will place the application on public notice but will also require the three items listed above to be submitted within 90 days. Upon receipt of these items DHEC-OCRM will forward them along with the application to the SC Attorney General's office. The Attorney General's office will determine if adequate proof of ownership has been provided and notify DHEC-OCRM of that determination. DHEC-OCRM will proceed with permit processing after receipt of notification from the Attorney General's office that adequate proof of ownership has been provided. If the applicant does not submit the required information to DHEC-OCRM within 90 days then the application will be considered administratively incomplete and will be cancelled and returned to the applicant.

This new requirement will be effective immediately. Questions regarding the Attorney General's procedure for determining an adequate proof of ownership for a marsh island should be directed to that office. All other questions related to critical area permitting should be directed to DHEC-OCRM staff.

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**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**Ocean and Coastal Resource Management**

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