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ADMINISTRATION BUILDING  
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
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COUNTY ATTORNEY

CONNIE L. SCHROYER  
CLERK TO COUNCIL

AGENDA  
NATURAL RESOURCES COMMITTEE

Monday, October 15, 2018

**2:00 p.m.**

Executive Conference Room, Administration Building  
Beaufort County Government Robert Smalls Complex  
100 Ribaut Road, Beaufort

Committee Members:

Brian Flewelling, Chairman  
Roberts "Tabor" Vaux, Vice Chairman  
Rick Caporale  
Gerald Dawson  
Steve Fobes  
York Glover  
Alice Howard

Staff Support:

Eric Greenway, Community Development Director  
Gary James, Assessor  
Eric Larson, Division Director  
Environmental Engineering  
Dan Morgan, Mapping & Applications Director

1. CALL TO ORDER – **2:00 p.m.**
2. UPDATES
  - A. Previous Planning Commission Meeting
  - B. Previous Southern Lowcountry Regional Planning Commission (SOLOCO) Meeting
3. EXECUTIVE SESSION
  - A. Receipt of legal advice relating to pending, threatened or potential claims arising from a development agreement for River Oaks
4. MATTERS ARISING OUT OF EXECUTIVE SESSION
5. DISCUSSION / CONSIDERATION OF A RESOLUTION SUPPORTING THE NATIONAL ASSOCIATION OF COUNTIES' (NACO) INITIATIVES RELATED TO WATER QUALITY AND WATERS OF THE U.S. (WOTUS) ([backup](#))
6. CONSIDERATION OF CONTRACT AWARD TO WLA STUDIO OF ATHENS, GEORGIA FOR \$215,555 TO CREATE A MASTER PLAN FOR THE TWENTY-THREE UPLAND ACRES OF HISTORIC MITCHELVILLE FREEDOM PARK ([backup](#))
7. DISCUSSION / GRAVES – PEPPERHALL DEVELOPMENT AGREEMENT
8. DISCUSSION / ADOPTION OF A RESOLUTION REGARDING THE PROPOSED PASSIVE PARK WORK PLAN ([backup](#))
9. DISCUSSION / PROPOSED PASSIVE PARK ORDINANCE ([backup](#))
10. RELEASE / ABANDONMENT OF EASEMENTS AT OYSTER STREET ([backup](#))
11. CONDEMNATION EASEMENT / TRACTS 0003 AND 048D OFF TRASK PARKWAY ([backup](#))



12. DISCUSSION / APPROVAL, FUNDING AND BUDGET AMENDMENT FOR THE EVERGREEN 319 GRANT PROJECT ([backup](#))
13. UPDATE / BATTERY CREEK 319 GRANT PROJECT FUNDING AND UNPAID INVOICES (INFORMATION ONLY) ([backup](#))
14. DISCUSSION / APPROVAL FOR INCREASED DESIGN BUDGET FOR THE BREWER MEMORIAL PARK STORMWATER DEMONSTRATION PROJECT ([backup](#))
15. DISCUSSION / EXTENSION OF INTERGOVERNMENTAL AGREEMENT FOR THE STORMWATER UTILITY WITH THE CITY OF BEAUFORT ([backup](#))
16. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
  - A. Historic Preservation Review Board / One Vacancy (Historic Beaufort Foundation)
  - B. Rural and Critical Lands Preservation Board / One Vacancy (Council Districts 5)
  - C. Southern Beaufort County Corridor Beautification Board / One Vacancy (Council District 5)
  - D. Stormwater Management Utility Board / One Vacancy (Stormwater District 6)
  - E. Zoning Board of Appeals / One Vacancy (Northern Beaufort County)
17. ADJOURNMENT



***Committee Assignments:***

Finance – Vice Chairman  
Community Services – Member  
Governmental – Member  
Public Facilities – Member  
LCOG – Member

***Liaison:***

Parks and Leisure Services Board  
Liaison  
USC-Beaufort Liaison

Post Office Drawer 1228  
Beaufort, SC 29901-1228  
c/o Clerk to Council Office  
Telephone: 843-986-4772  
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DESK OF THE HONORABLE COUNCILMAN  
MICHAEL E. COVERT  
COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH  
CAROLINA  
District 7

September 21,  
2018

Hon. Brian Flewelling  
Natural Resources Committee, CHAIR  
Beaufort County Council  
RE: WOTUS/ Clean Water Act

Brian-

I write you today as Vice CHAIR for the NACO Environmental, Energy and Land Use Committee on WATER. We are reaching out, and NACo is reaching out to our Counties asking for support of the re-write of the “Waters of the US “ (WOTUS) Rule, as evidenced in Executive Order 13778 by President Trump. We ask for support in advocating for the US Environmental Protection Agency and the US Army Corps of Engineers to rewrite the 2015 “WOTUS” rule in a way that recognizes counties’ role as owners of key public safety and water infrastructure and as intergovernmental partners in implementing federal regulations under the Clean Water Act.

This “action”, could be in the form of a Resolution by County Council or a letter from the Committee and Council, sent to the Committees of Jurisdiction. The US House Transportation & Infrastructure Committee (Chair Bill Shuster R-PA, and Ranking Member Peter DeFazio D-OR) and the US Senate Environment & Public Works Committee (Sen. John Barrassoo Chair, R-WYO & Sen. Thomas Carper, Ranking Member D-DEL).

My Best—

Hon. Michael E Covert  
Beaufort County Council, 7<sup>th</sup> District

# 2018 POLICY BRIEF

## REWRITE OF THE “WATERS OF THE U.S.” RULE

### QUICK FACTS

- EPA and the Corps are working to withdraw and rewrite the 2015 WOTUS rule following a three-step process:
1. Extend implementation date of the rule—Due to lawsuits, implementation of the 2015 rule has been delayed. Once those cases are decided, the stay will be lifted and the rule will move forward, unless the administration can successfully extend the implementation date of the final rule
  2. Withdraw the 2015 Clean Water Rule and recodify the regulation that was in place prior to the issuance of the 2015 rule
  3. Propose a new definition of “Waters of the U.S.” that focuses on a narrower definition of WOTUS
- Counties play an important role as both regulators and regulated entities under the Clean Water Act
  - Counties own public safety infrastructure that may be impacted by a WOTUS designation

### ACTION NEEDED:

Continue to advocate for the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers (Corps) to rewrite the 2015 “Waters of the U.S. (WOTUS)” rule in a way that recognizes counties’ role as owners of key public safety and water infrastructure and as intergovernmental partners in implementing federal regulations under the Clean Water Act.

### BACKGROUND:

In February 2017, President Trump released Executive Order (EO) 13778: Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the “Waters of the U.S.” Rule that instructed the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) to review and rewrite the 2015 WOTUS rule. Subsequently, the agencies immediately laid out a game plan to withdraw and rewrite the WOTUS rule in the next several years. Last fall, the agencies accepted comments on both extending the implementation date and the withdrawal of the 2015 rule, and expect to start writing a new rule in 2018.

WOTUS is a term used in the Clean Water Act (CWA) to determine what waters and their conveyances fall under federal versus state permitting authority. In 2014, the EPA and the Corps undertook an effort to rewrite and expand the current WOTUS definition. In 2015, the Obama Administration finalized a new definition of WOTUS, which was immediately challenged in the courts. Since there was a question about which court—appeals or district—had the authority to initially hear and decide the 2015 rule, implementation of the rule was temporarily delayed until the Supreme Court could rule on court jurisdiction. In January 2018, the Supreme Court ruled unanimously that federal district courts have jurisdiction, rather than the appeals courts, which potentially invalidates the nationwide stay issued by the 6th U.S. Circuit Court of Appeals in October 2015.

As a result, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) have proposed to extend the implementation date of the 2015 WOTUS rule for two years from the date of publication in the Federal Register this February, which would give the agencies more time to work through the rulemaking process to repeal and replace the 2015 rule. This extension is expected to be challenged in the courts once finalized.

Since the rule was originally proposed in 2014, NACo has expressed concerns with the impact a broader interpretation of WOTUS may have on county-owned and maintained roads and roadside ditches, bridges, flood control channels, drainage conveyances and wastewater and storm water systems. NACo had called for the 2015 final WOTUS rule to be withdrawn until further analysis and more in-depth consultation with state and local officials can be completed.

## **KEY TALKING POINTS:**

- As co-regulators under provisions of the Clean Water Act, counties are not just another stakeholder in this discussion. Counties own and maintain roadside ditches and other water infrastructure, and act as both regulators and regulated entities under the Clean Water Act.
- We thank the EPA and the Corps for holding a EO 13132 Federalism consultation meeting on April 19 with state and local governments on the WOTUS rule-making. We encourage the agencies to continue the dialogue with state and local governments throughout the WOTUS rulemaking process, as authorized under EO 13132.

For further information, contact: Julie Ufner at 202.942.4269 or [jufner@naco.org](mailto:jufner@naco.org)



# COMMITTEES OF JURISDICTION

## U.S. House Transportation & Infrastructure Committee

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### MAJORITY:

*Bill Shuster (R-Pa.),  
Chairman*

Don Young (R-Alaska)  
John Duncan Jr. (R-Tenn.)  
Frank LoBiondo (R-N.J.)  
Sam Graves (R-Mo.)  
Duncan Hunter (R-Calif.)  
Rick Crawford (R-Ark.)  
Lou Barletta (R-Pa.)  
Blake Farenthold (R-Texas)  
Bob Gibbs (R-Ohio)  
Daniel Webster (R-Fla.)  
Jeff Denham (R-Calif.)  
Thomas Massie (R-Ky.)  
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Scott Perry (R-Pa.)  
Rodney Davis (R-Ill.)  
Mark Sanford (R-S.C.)  
Rob Woodall (R-Ga.)  
Todd Rokita (R-Ind.)  
John Katko (R-N.Y.)  
Brian Babin (R-Texas)  
Garret Graves (R-La.)  
Barbara Comstock (R-Va.)  
Carlos Curbelo (R-Fla.)  
David Rouzer (R-N.C.)  
Mike Bost (R-Ill.)  
Randy Weber (R-Texas)  
Doug LaMalfa (R-Calif.)  
Bruce Westerman (R-Ark.)  
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John Faso (R-N.Y.)  
Drew Ferguson (R-Ga.)  
Brian Mast (R-Fla.)  
Jason Lewis (R-Minn.)

### MINORITY:

*Peter DeFazio (D-Ore.),  
Ranking Member*

Eleanor Holmes Norton (D-D.C.)  
Jerrold Nadler (D-N.Y.)  
Eddie Bernice Johnson (D-Texas)  
Elijah Cummings (D-Md.)  
Rick Larsen (D-Wash.)  
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Daniel Lipinski (D-Ill.)  
Steve Cohen (D-Tenn.)  
Albio Sires (D-N.J.)  
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Rick Nolan (D-Minn.)  
Dina Titus (D-Nev.)  
Sean Patrick Maloney (D-N.Y.)  
Elizabeth Esty (D-Conn.)  
Lois Frankel (D-Fla.)  
Cheri Bustos (D-Ill.)  
Jared Huffman (D-Calif.)  
Julia Brownley (D-Calif.)  
Frederica Wilson (D-Fla.)  
Donald Payne, Jr. (D-N.J.)  
Alan Lowenthal (D-Calif.)  
Brenda Lawrence (D-Mich.)  
Mark DeSaulnier (D-Calif.)

## U.S. Senate Environment and Public Works Committee

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### MAJORITY:

*John Barrasso (R-Wyo.),  
Chairman*

James Inhofe (R-Okla.)  
Shelley Moore Capito (R-W.Va.)  
John Boozman (R-Ark.)  
Roger Wicker (R-Miss.)  
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Jeff Merkley (D-Ore.)  
Kirsten Gillibrand (D-N.Y.)  
Cory Booker (D-N.J.)  
Edward Markey (D-Mass.)  
Tammy Duckworth (D-Ill.)  
Kamala Harris (D-Calif.)



**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**PURCHASING DEPARTMENT**

106 Industrial Village Road, Bldg. 2, Post Office Drawer 1228  
 Beaufort, South Carolina 29901-1228

David L Thomas, Purchasing Director  
 dthomas@bcgov.net 843.255.2353

**TO:** Councilman Brian Flewelling, Chairman, Natural Resources Committee

**FROM:** David L Thomas. CPPO. Purchasing Director

**SUBJ:** New Contract as a Result of Solicitation  
 Request for Proposals (RFP) 062018, Mitchelville Preservation Project Services

**DATE:** 09/04/2018

**BACKGROUND:**

The Beaufort County Council is soliciting competitive sealed proposals from qualified and creative design teams to create a Master Plan for the 23 upland acres of Historic Mitchelville Freedom Park located on Hilton Head Island, South Carolina. On June 20, 2018, Beaufort County received six proposals for the Mitchelville Preservation Project.

The evaluation committee consisting of Amanda Flake, Beaufort County Natural Resources Planner; Jayme Lopko, Town of Hilton Head Senior Planner; Stefanie Nagid, Beaufort County Passive Parks Manager; Shirley Peterson, Mitchelville Preservation Project Board Chair; and Ahmad Ward, Mitchelville Preservation Project Executive Director evaluated the proposals from the following six firms below and after the initial evaluation invited the top four firms for interviews. WLA Studio was ranked the number one firm by the selection committee and selected for recommendation for the contract award. Please see below the six firms that submitted proposals for this project, and their final ranking.

**VENDOR INFORMATION:**

**COST:**

1. WLA Studio, Athens, GA	\$215,555
2. Lord Cultural Resources, New York, NY	\$249,390
3. Boudreaux Inspired Design, Columbia, SC	\$250,000
4. Brockington & Assoc, Mount Pleasant, SC	\$287,661
5. APD Urban Planning & Mgmt, Atlanta, GA	\$207,000

6. Cranston Eng., Augusta, GA

\$139,097

**FUNDING:**

Beaufort County Community Development Department, Rural and Critical Land Preservation Program, Account #45000011-51160.

Fund 4500, Rural and Critical Lands Preservation Program, \$13 million fund balance as of June 30, 2018.

Funding approved:  By:  Date: **FOR ACTION:**

Natural Resources Committee Meeting on September 17, 2018 at 2:00 pm.

**RECOMMENDATION:**

The Natural Resources Committee approves and recommends to County Council the contract award for Mitchellville Preservation Project Services from the aforementioned vendor for a total cost of \$215,555.

Attachment:

RFP 062018 Eval Sheets.pdf  
534.22 KB

cc: Tom Keaveny, Interim County Administrator

Approved:  Date: Check to override approval: ☐ Overridden by: Override Date: 

Alicia Holland, Assistant County Administrator, Finance

Approved:  Date: Approved:  Date: Check to override approval: ☐ Overridden by: Override Date: ready for admin: ☒Approved:  Date: Check to override approval: ☐ Overridden by: Override Date: ready for admin: ☒**After Initial Submission, Use the Save and Close Buttons**

Mitchelville Preservation Project						
RFP 062018						
Summary Score Sheet						
Evaluators	Name of Company	Name of Company	Name of Company	Name of Company	Name of Company	Name of Company
	APD Urban Planning & Mgmt	Boudreaux Inspired Design	Brockington & Assoc	Cranston Eng.	Lord Cultural Resources	WLA Studio
A. Flake	85	89	88	68	94	82
J. Lopko	55	78	82	85	81	77
S. Nagid	86	80	80	67	86	48
S. Peterson	57	83	63	52	88	78
A. Ward	87	87	94	82	98	97
TOTALS:	370	417	407	354	447	382
1- Lord Cultural Resources	447					
2- Boudreaux Inspired Design	417					
3- Brockington & Assoc	407					
4- WLA Studio	382					
5- APD Urban Planning & Mgmt	370					
6- Cranston Eng.	354					

## Mitchelville Preservation Project

RFP 062018

### Summary Score Sheet

*Interview*

Evaluators	<u>Name of Company</u>	<u>Name of Company</u>	<u>Name of Company</u>	<u>Name of Company</u>
	Boudreaux Inspired Design	Brockington & Assoc	Lord Cultural Resources	WLA Studio
A. Flake	95	86	97	100
J. Lopko	76	76	81	90
S. Nagid	90	69	95	100
S. Peterson	60	42	82	95
A. Ward	92	92	97	98
TOTALS:	413	365	452	483
1- WLA Studio	483			
2- Lord Cultural Resources	452			
3- Boudreaux Inspired Design	413			
4- Brockington & Assoc	365			

# **Beaufort County**

## **Rural and Critical Land Preservation Program**

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### **Passive Parks Public Use**

### **Work Plan**

**2018**

**Prepared by:  
Stefanie M. Nagid  
Passive Parks Manager  
Community Development Department  
Beaufort County**



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## Executive Summary

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Beaufort County has been a frontrunner among local governments in land preservation since 1999 with the creation of the Rural and Critical Land Preservation Program (RCLPP or Program), which is nationally known for preserving the landscape that makes the Lowcountry special.

In 2016, the Beaufort County Open Land Trust produced a report, *Stewardship and Public Use of Rural and Critical Lands*, which outlined how Beaufort County could allow public access and develop the passive parks while properly managing and maintaining all RCLPP lands. This report, *Passive Parks Public Use Comprehensive Plan*, presents a framework for how Beaufort County is going to prioritize and implement management, improvements, and public use on RCLPP fee-simple properties.

Improvements may vary dependent upon the nature of any given property, however basic elements may include parking and restrooms, nature trails, boardwalks, open-air pavilions, camping facilities, water access, land management practices, and revenue generating activities compatible with the RCLPP mission. Natural and cultural resources, development and improvements, operations and maintenance, and fiscal resource needs are all discussed in this report.

The opportunities on RCLPP properties are abundant and varied. Unique opportunities such as regional recreation area(s); private-public partnerships; partnerships with volunteer groups, local municipalities, and State and Federal agencies; eco-tourism concessionaires; and others exist.

In 2018, Beaufort County hired a Passive Parks Manager to oversee and initiate the evolution of the Program through well-informed stewardship goals and a continued focused on the Program's mission. During the implementation process for each property, the Passive Parks Manager will collaborate with Beaufort County stakeholders in order to provide lifetimes of public use and enjoyment of RCLPP properties.

The goals of this report are to:

- Define the roles and responsibilities for County staff, volunteers, and Boards to develop and manage the public use of the parks and management of RCLPP properties,
- Designate appropriate monitoring and security measures needed,
- Describe RCLPP branding and marketing standards needed,
- Outline natural resource management needs, public use opportunities, and revenue generation for RCLPP properties,
- Describe maintenance and operations resources and needs for RCLPP properties; and
- Provide a framework for long-term strategic goals for the Program.

## Introduction

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### Community Profile

Beaufort County has some of the most scenic and ecologically sensitive land in the United States. The ecological treasure that is the Lowcountry features unique habitats, scenic views and recreational destinations, all of which contribute to the quality of life in Beaufort County. Since this lifestyle is a fundamental part of the attraction to Beaufort, protecting this environment is an economic imperative.

The scenic and sensitive resources are varied and numerous. Plant communities bring beauty and definition to the landscape. Lying in the coastal zone, Beaufort County forests include bottomland hardwoods, pine woodlands, oak-hickory forests, cypress-tupelo wetlands, and maritime forests. Beaufort County has eight plant and animal species federally or State listed as threatened or endangered, with an additional forty-seven identified as imperiled on a global or state scale. Loss of habitat is the primary cause of species imperilment.

The almost forty linear miles of beaches are an important mainstay of the tourism economy, with the dune systems forming the first line of defense against astronomical tides and sea level rise, and provide important wildlife habitat. Water, however, is the resource that truly defines Beaufort County. Rivers, estuaries, wetlands, and the Atlantic Ocean forms the scenic backdrop that makes Beaufort County such a special place. The County consists of 468,000 acres and 51 percent are tidally influenced rivers, creeks or marshes. The quality of these waters has been at the forefront of the Beaufort County conservation efforts, and the Rural and Critical Land Preservation Program (RCLPP or Program) has focused much of its efforts on buffering the May, Okatie, Broad and other rivers and their watersheds.

Beaufort County of the 1950's featured rural farming communities and fishing villages. The City of Beaufort was a commercial center, and Hilton Head had not yet become an incorporated town. Today, resort development is predominant on the Sea Islands, large swaths of land have residential development, and Beaufort and Port Royal have grown and attract creative, enviable clienteles. The communities south of the Broad River have experienced even more growth and change. Bluffton has grown into a major presence in the Lowcountry and much of its growth now occurs in and around its city limits. Hilton Head is well recognized for its attractions and its own efforts at resource conservation.

The 1980 census placed Beaufort County's population at 65,364. In 2008, the population had grown to 146,743. By 2015, the population had grown to 179,589. By 2030, the population of Beaufort County is expected to be 261,017. In 2015 the area comprising Beaufort and Jasper counties had the fourth-fastest growing population along the East Coast.

### Program Profile

A sensitive environment coupled with rapid growth presented a delicate balance for the development of Beaufort County. Economic growth is critical to the economic quality of life of residents, but little tolerance exists for environmental degradation by county citizens. Maintaining this balance is a key reason for the establishment of the RCLPP and why it continues to be an essential element in managing Beaufort County's growth, now and into the future. The County was experiencing unprecedented and widespread growth in the 1990's, and the anticipated effect was a sharp decline in the quality of life for the citizens of

Beaufort County. The environmental impact of rapid growth was perceived as a major detriment to the quality of life.

With its genesis rising out of the first County Comprehensive Plan, the RCLPP became a partial answer to the growth pressure, and in 2000 the first bond referendum for \$40 million to fund land purchases was put before the citizens of Beaufort County. It passed with 73% of voter approval. Three additional referenda followed in the next 14 years. These were the 2006 referendum for \$50 million to fund land purchases (76% approval); the 2012 referendum for \$25 million to fund land purchases and park improvements (62% approval); and the 2014 referendum for \$20 million to fund land purchases and park improvements (73% approval). As a result, more than 23,500 acres of land either in fee simple purchase or conservation easements have been protected through the Program. Additionally, the 2016 Public Opinion Survey conducted by Clemson University's Strom Thurmond Institute for the Beaufort County Community Development Department confirmed the public's commitment and support of conservation areas (97%) and the desire for the ability to access those areas (86%).

The benefits of open space and parks are well documented. Research shows that parks overwhelmingly enhance the quality of life of citizens, contribute to community health and vibrancy, and promote economic development, tourism, and education. Property values are generally higher when they are next to or near open space and the typical return for every dollar invested in conservation is between \$1 and \$4. Many of the RCLPP properties have abundant potential for public passive recreation and use. Enhanced land management will continue the voters' environmental mandate to protect the natural resources and quality of life of Beaufort County, and increased improvements for public use furthers the taxpayers return on their investment in the Program.

RCLPP lands have been deemed special by the community and acquired properties have scenic views, water access, or historic significance. Proper stewardship of these natural resources is fundamental to land management and the protection of the conservation values of these properties. Providing more opportunities for the public to enjoy these lands, without harming the intrinsic conservation value, is the natural progressive evolution of the Program.

This report presents a framework for how Beaufort County is going to prioritize and implement improvements and public access opportunities on RCLPP properties. Individual park planning and design is not part of this report. Park specific management and improvement plans will be created inclusively with appropriate stakeholders, and as funding becomes available, in order to include community needs assessments and to better understand the population individual parks will be serving.

## Roles and Responsibilities

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Public ownership of real property is a detailed part of governance. According to Article XII of the South Carolina State Constitution, under Section 1 of the Function of Government, the “health, welfare, and safety of the lives and property of the people of this State and the conservation of its natural resources are matters of public concern”. Properly managed public lands are an asset to the community. Failure to manage them threatens resources, creates problems with the continuity of the landscape, and liabilities become costly issues for the taxpayer. This basic government function is even more important when RCLPP properties are involved. These lands have unique qualities and conservation values, which have been determined to be important to the livability of Beaufort County by its citizens through their votes for the four bond referendums. Taxpayer money has been used to preserve these lands and they require special management to ensure the resources are conserved while still being available for public access.

### Beaufort County

Stewardship is a broader and more comprehensive type of property management than basic maintenance and involves managing property resources with three achievable goals: sustainability, multi-use, and revenue generation. The first stewardship goal is to promote sustainability and safeguard the conservation values and natural resources from being compromised. The second stewardship goal is to promote multi-use of RCLPP properties while protecting conservation values. Public lands develop constituencies across a broad spectrum of users. Each user group will have its own vision for use of the land. An important consideration is to ensure that users have adequate access and the County adequately meets user needs to the extent practicable. The recent opinion survey has been the first step to determine general user needs and vision for RCLPP properties. As funding is available to implement park improvements, additional stakeholder meetings will be conducted to determine the specific user needs for an individual property. The third goal is to generate revenue from the land in an ecologically sustainable manner to assist with the maintenance and operations of the RCLPP properties. As long as a revenue generating activity is consistent with the RCLPP mission, it warrants evaluation for revenue potential. Proceeds from these activities will be placed in a dedicated RCLPP fund for use in operations, maintenance, improvements, to build staff capacity, and/or match grants.

Upon the establishment of the Program, the County Council created the Rural and Critical Lands Preservation Board (RCLPB or Board). The Board is comprised of one member from each of the 11 County Districts, who are nominated by the council member in their district and approved by the full County Council. Each Board member serves a four year term and can seek reappointment. The RCLPB was assigned specific duties, which include:

- 1) Developing and recommending to County Council, for adoption by resolution, a set of Beaufort County Rural and Critical Land Preservation Program Policies and Guidelines to guide the identification, prioritization, and management of parcels to be acquired through the county rural and critical preservation program. The Board may make recommendations to County Council for amendments to the Policies and Guidelines as the need arises;
- 2) Identify, prioritize and recommend to County Council rural and critical lands to be acquired through purchase of development rights, the option to purchase development rights, the fee simple purchase of property, or the exchange and transfer of title to parcels, as provided for in the County Council's adopted Beaufort County Rural and Critical Land Preservation Program Policies and Guidelines;

- 3) Promote, educate and encourage landowners to participate in the County Rural and Critical Land Preservation Program; and
- 4) Perform such other duties as may be assigned by County Council.

Additionally, Resolution 2014/1 allows for the creation of a 5-member Passive Park Advisory Body, which should have specific expertise in park planning, land management, and conservation practices. This body may be established through ordinance and their specific duties and a set of by-laws may be created, which may include providing recommendations for use and management of RCLPP properties, review of park specific management and improvement plans, and promotion and support of the Program within the community.

At the time of this report, the Beaufort County Open Land Trust (BCOLT) is under contractual agreement with the County, and works on behalf of the County, to identify and investigate candidate properties for conservation, negotiate the purchase of the properties, and bring potential acquisitions to the RCLPB for consideration and approval. Additionally, of the properties that are in conservation easements, BCOLT holds most of those and has the legal responsibility to monitor them at least once annually and to ensure the easement terms are being upheld. So long as a County-initiated conservation acquisition program remains in effect, the County will contract with an accredited Land Trust, or a qualified South Carolina real estate licensed agent/broker, to continue these duties.

The Beaufort County Community Development Department has been the housing center for the Program. In 2018, a Passive Parks Manager was hired and will spear-head the Program as it evolves. County staff will continue to coordinate/collaborate with the Land Trust on acquisitions. The Passive Parks Manager will collaborate with partners and stakeholders in creating park specific management, use, and development plans. Other duties of the Passive Parks Manager may include ordinance and policy development, contracting, grant writing and submittal, coordination with local municipalities, state/federal entities, and other County departments, and relationship building with partners. Although the planning process for park development will require input and feedback from advisory boards, partners, and stakeholders, the County will maintain approval rights for any plans and expenditures related to RCLPP properties at the County Council's behest.

The Beaufort County Engineering, Infrastructure, Land Development, and Transportation Division, Facility Management Department has been identified as the best source for immediate and basic maintenance needs on RCLPP properties, such as bush-hogging, fine mowing, building maintenance and repairs, janitorial services, and trash pickup. Some maintenance functions have been assumed by Friends groups, non-profit partners, or local municipalities. This cost effective approach works well on certain properties, but would not be able to be applied County-wide. Maintenance needs for each RCLPP property will be discussed and determined on a case-by-case basis and as assigned by the County Administrator. Long-term goals may include hiring dedicated passive park maintenance staff and/or maintenance contractors. Duties may include janitorial services, trash pickup, parking area and trail cleaning, gate opening and closing (if applicable), and structural maintenance and repairs. Additionally, items of larger maintenance need, or special projects, also fall under the guidance of the Division's Engineering, Public Works, and Stormwater Departments, such as constructing or repairing a road, building stormwater ponds, and oversight of capital improvement projects.

## **Local Municipalities**

Some of the most successful partnerships to maintain County lands have been through local partnerships between the County and a local municipality. Municipalities located in Beaufort County include the Town of Hilton Head, the Town of Bluffton, the City of Beaufort, the Town of Port Royal, and the Town of Yemassee. These partnerships have tremendous benefit to both the municipality and County and will be pursued where needed and appropriate. Through Memorandum of Understanding (MOU) agreements, the County and a local municipality can agree on the terms of responsibility for maintenance and operations on a case-by-case basis.

### **Friends Groups/Volunteers**

Several Friends groups have formed in recent years with a focus on a particular park. These groups “adopt” a property and collaborate with the County by bringing their aptitudes forward and providing input on the adjacent community’s use needs and assisting the County with operations and maintenance, where feasible. Friends groups are particularly helpful with low-impact, but high maintenance, situations such as trail maintenance, litter pickup, and monitoring/reporting. The County and Friends mutually benefit by having more eyes on the park to ensure proper use as well as having a well-maintained and enjoyable park experience for the public. The County will continue to coordinate with citizens, volunteers, and Friends groups as need and opportunity arises during the on-boarding of individual parks. The County will enter into an MOU with each group, which will detail duties and responsibilities, as needed.

### **Public-Private Partnerships**

A resolution was adopted in 2012 outlining Beaufort County’s policy in regards to public-private ventures for use on RCLPP properties which allows for the use of private enterprise to fully utilize parkland. This resolution set the stage for alternative partnership opportunities that restricts uses on sensitive lands and brings awareness to the unique resources of the County. Public-private partnerships also benefit the County through operations and maintenance opportunities as well as revenue generation. Revenue may be generated through rent/lease agreements, ecotourism services, and other possibilities. The County will continue to pursue these partnerships, and establish formal agreements that detail duties and responsibilities of each party, where feasible and so long as the partnership is compatible with the RCLPP mission.

## **Monitoring and Security**

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At a minimum, RCLPP properties require proper monitoring and security measures to ensure properties are not a liability and there is no damage to the conservation values. Monitoring and security measures will be in the form of the following:

Passive Park Ordinance: The first step to ensure proper security and enforcement of unwanted and unlawful activities on RCLPP properties is the adoption of a Passive Parks Ordinance, which will detail hours of operation, allowable and unallowable activities, and more. This ordinance will be drafted by the Passive Parks Manager, with stakeholder review/input, and presented to County Council for codification.

Gates and Keys: The most basic security measure is fencing and/or gating property to control access. Regulating access allows the County a measure of control over inappropriate uses of property. Properties may have gates that restrict vehicular access but not necessarily pedestrian or equestrian access. Proper gating brings the need for a controlled and organized system of keying. The Passive Parks Manager will maintain a master key lockbox for all gates and facilities on RCLPP properties. Any requests for events or use that would require the use of a key will be provided in writing to the Manager for approval and scheduling.

Boundary Posting and Signage: Posting the boundaries and clearly identifying property as belonging to Beaufort County and part of the RCLPP is imperative. There are existing signs on some properties, but many of those signs are large and difficult to maintain. RCLPP property boundaries may be fenced or painted, depending on the nature of the property, and small boundary signs will be placed every 150 feet with painted trees or posts every 50 feet. Standard entrance signs will be installed at the designated public access points to ensure clear and proper ingress and egress for the public. Emergency access locations may be located on a case-by-case basis dependent upon 911 service needs. All signage will comply with County ordinances and RCLPP Marketing and Branding standards, as well as City or Town ordinances if applicable.

Inspections and Enforcement: Proper management requires regular inspection. Dumping, poaching, and trespassing harm conservation values and prevents safe public use. Currently, the Beaufort County Sheriff's office Environmental Crimes Unit inspects RCLPP properties and investigates environmental crimes on a routine basis. In the future, the Passive Park Manager would like to have at least 2 dedicated staff to assist in daily park inspections, trash pickup, basic maintenance, and reporting for all RCLPP properties. However, the Community Development Department will continue to closely coordinate with the Sheriff's office to ensure timely enforcement of rules and regulations, should problems occur. County staff will also coordinate with the state Department of Natural Resources on various properties where hunting or special resources are of State interest. Additionally, conservation easements require annual monitoring. The majority of conservation easements are currently held by BCOLT, which does annual inspections and monitoring on those properties. Some conservation easements are held by the County and staff will continue to inspect and monitor those properties, as listed in the Conservation Easement section of this report.

Record Keeping: When a RCLPP property is purchased, the contracted Land Trust maintains files for the property through the time of closing; and the Attorney-at-Large keeps copies of all the closing documents.

After a property closes, the Beaufort County Community Development Department maintains a master document of the property details and provides an update to the County GIS Department to ensure accurate representation on the RCLPP GIS layer. Additionally, the property will be evaluated by County staff for natural resource and public use components and this report will be a supporting implementation tool of the Natural Resources Element of the County Comprehensive Plan, which will be reviewed and updated on a 5-year basis. Each property will also have its own Management Plan, which will be drafted after the stakeholder vetted conceptual planning phase and approved by County Council. The individual management plans may include items such as natural and cultural resource inventories; current property description; any known legal restrictions; land management goals, objectives, and schedule; maintenance and monitoring needs; a business plan (if appropriate); and identification of any resource threats and potential solutions.

## Branding and Marketing

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Marketing and branding of the RCLPP is a key part of the overall recognition of these properties. Recognizable branding with a compelling vision, and marketing of that vision, will be a concept that needs to be fully developed.

The RCLPP has done a notable job of branding and using recognizable themes. This includes common phrases like “Protecting Working Farms”, “Keeping Jets in the Air”, and “Maintaining Clean Water”. These are relatable catch phrases and the public understands the message. Specific branding will be developed for the RCLPP properties as a whole, including standards in signage and building design, as well as the language used to discuss the Program.

Marketing promotes visibility and ultimately usability, thereby integrating economics into the Program. Land management and park development is an important part of increasing real estate values, promoting tourism, creating a healthier community, attracting businesses and creating a better labor pool, promoting and growing the aquaculture industry, and other types of economic development. It also is a critical way to address some of the needs of the community and leverage the monetary contribution of the taxpayers through the referendums beyond natural resource conservation.

The development of a branding and marketing strategy may be completed by County staff or through the contracting of a media firm. However, any strategy will maintain flexibility for compliance with County and local municipality ordinances, rules, and regulations. Additionally, a branding and marketing strategy will also incorporate standards on how co-owner, partner, and other contributing third-party logos may or may not be used on County property. For instance, parties that hold title to a piece of land may have their logos displayed on entrance signs and access points, however, in-kind partnerships may have their logos displayed in areas and on items that were contributed to the park or facility.

## **Management and Public Use**

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### **Public Opinion Survey**

To obtain community input on the potential uses of RCLPP properties, in 2016 the Community Development Department contracted Clemson University's Department of Parks, Recreation, and Tourism Management and Strom Thurmond Institute to conduct a community survey of Beaufort County residents, non-resident property owners, and workers, regarding their views. Of the survey participants, 96.14% were residents, 3.40% were non-resident property owners, and 0.46% were non-resident workers.

Some of the most significant results were:

- 97% identified a positive impact on their overall quality of life from conserved lands, confirming the public's commitment to the preservation of important natural and conservation areas.
- 86% believe conservation lands should be more publically accessible and 93% believe continued protection of those lands is important if they are made accessible.
- 65% believe that conservation lands contribute a great deal to the County's economic prosperity.
- Top passive use activities include nature-based activities, with a focus on enjoying view sheds, wildlife, and hiking. Activities such as fishing, running, kayaking, and biking were also preferred.
- Over 83% of respondents are willing to travel over 3 miles to visit a passive park and over 57% would travel 6 miles or more to visit one of the County's passive parks.
- The survey showed the desire to emphasize the basic needs of users, including access to bathroom facilities, hiking trails, and trash cans.
- Over 50% of respondents said they would pay between \$1 and \$4 in user fees per passive park visit.

This survey provided key information about relationships between the community and preferred activities and amenities on the RCLPP lands. The survey also indicated a strong directive to uphold the natural and/or cultural values of conservation lands, while still leaving ample opportunity for complimentary activities that do not diminish the property's conservation values or the mission and purpose of the Program. This opinion survey is an important tool for outreach and engagement with County residents. Ongoing citizen engagement, education, and transparency as projects come on-line will be implemented through the planning, design, and construction phases of each passive park.

### **Development and Permitting**

As RCLPP properties come on-line for providing public access opportunities, the County must work through the development and permitting process. Development, for the purposes of the passive park properties, is defined as any public access and use improvements which may include, but are not limited to, pedestrian or equestrian earthen trails, paved trails, boardwalks, pervious parking, paved parking, signage, gates, fencing, kiosks, kayak launches, piers, docks, playgrounds, restrooms, wildlife viewing blinds, observation decks, interpretive centers, event buildings, and other associated infrastructure to support such.

Once an initial vision has been formed, the first step in the development phase is to create a Conceptual Master Plan. This plan will bring the vision to life and will be able to be shared with stakeholders and partners for feedback and input. When a concept is finalized, the next step is to draft the detailed Architectural and Engineering Plans, which will be used throughout the permitting process. Due to the

expertise and time required to create these plans and work through the permitting process, but dependent upon funding and the type of improvements needed, a lead engineering firm may be hired to be the point contact for coordination with the Passive Parks Manager.

If an RCLPP property is solely within unincorporated County limits, the permitting and construction contracting steps that will need to be followed include:

- 1) Submit a conceptual plan application (and stormwater application if needed) to the Staff Review Team (SRT) for approval.
- 2) If a variance is needed, then submit a Zoning Board of Appeals application for approval.
- 3) Submit a Design Review Board application, if required, for approval.
- 4) Submit the final plan application (including stormwater, if needed) to SRT for approval.
- 5) Submit the building permit application to Building and Codes for approval.
- 6) Coordinate with the Purchasing Department on creating and advertising a Request for Proposals.
- 7) Review and select a successful bidder.
- 8) Submit the successful bidder to the Natural Resources Committee for approval and recommendation to the County Council for approval.
- 9) Coordinate with the Purchasing Department on the contracting phase and enter into a contract with the successful bidder.
- 10) Once a contract is signed, enter into the construction phase with the successful bidder.

If county owned property is located within a local municipality's jurisdiction, then the first five steps are done through the local municipality's permitting process instead of the County's. However, the County will apply either the County's or the local municipality's stormwater standards, whichever is the higher standard, to all projects.

### **RCLPP Property Classifications**

Each RCLPP property the County owns has unique ecological, historical, and/or cultural values important to the County. By 2016, the Program protected more than 23,500 acres, with more than 11,000 acres protected through fee-simple purchase, and 12,400 acres protected via conservation easements. A resource inventory to gather information about the properties was also completed and provided a starting point for management decisions and opportunities for public use. The RCLPP properties were inspected on the ground and then evaluated using GIS data layers, existing baseline documentation, and surveys to better assess location, physical characteristics, existing restrictions, security issues, resources, and possible opportunities.

The RCLPP properties are highly variable in size and character and include vistas, islands, maritime forests, planted/naturally regenerated pine, freshwater wetlands, river buffers, agricultural fields, and hardwood forests. Most fee-simple properties are solely owned by the County, but several are jointly owned with another entity, such as a local municipality, BCOLT, the South Carolina Department of Natural Resources (DNR), or with a restrictive easement overlay with the Department of the Navy-Marine Corps Air Station. Joint ownership is an asset to the County, often bringing resources to bear to manage and maintain the property. In some cases, the partnership agreement or MOU dictates how and when the property can be utilized.

One of the first steps to any land management program is having a firm understanding of the property owned, its assets, and resource definitions. In 2011, County staff and the RCLP Board produced a land

classification system for this purpose. The classification system listed below is a snapshot of the fee-simple RCLPP properties, categorizing property into four types. This system is not intended to be a recommendation for a specific property use or intensity of use, but rather provides an initial indicator of what the property could accommodate as far as use.

**Table 1. RCLPP Fee-Simple Property Classifications**

<b>Classification</b>	<b>Association</b>	<b>Intended Use</b>	<b>Extent of Development</b>
<i>Passive Park</i> (E.g.: Crystal Lake)	Passive outdoor recreation, parkland	Conserve the natural resources while providing passive outdoor experiences. Conservation values shape the type and intensity of use.	Properties can accept a moderate level of park development for public use. These may not all be developed into parks, but the opportunity exists if conservation values are protected.
<i>Recreational/ Special Use</i> (E.g.: Green Shell Park)	Active park	Opportunities for more frequent and varied use including daily public access to the water, group use, bike trails, agriculture, forestry, etc.	Property can withstand frequent use and more intense forms of infrastructure including boat docks and buildings.
<i>Special Resource Site</i> (E.g.: Altamaha)	Archaeological sites, rare habitats or species, forestry/agriculture	Resources of high significance. Low tolerance for development. Visitor traffic on these properties limited or available to be managed for a specific natural resource.	Natural and/or cultural resources are the primary focus of management activities with a high level of sustainability and sensitivity to the fragile environments.
<i>Open Space</i> (E.g.: The Green)	Green space, vista, islands, buffers, forestry agriculture	Protect scenic character. Most too small for infrastructure or not properly located to be developed into a park.	Low intensity or no management required on these sites. Many of these properties have limited or no access.

Additionally, the Beaufort County Community Development Code defines the following:

- **Passive Recreation:** Recreation requiring little or no physical exertion focusing on the enjoyment of one's natural surroundings. In determining appropriate recreational uses of passive parks, the promotion and development of resource-based activities such as fishing, camping, hunting, boating, gardening, bicycling, nature studies, horse-back riding, visiting historic sites, hiking, etc., shall be the predominate measure for passive park utilization.

- Regional Park: An open space of at least 75 acres available for structured and unstructured recreation.
- Pocket Park: A small open space available for informal activities in close proximity to neighborhood residences.

### **RCLPP Properties**

The following property narratives will generally describe each fee-simple RCLPP property, its classification and code type, its natural and/or cultural significance, any known deed restrictions, land management needs, public use potential, and potential revenue generating activities. The properties are listed in alphabetical order, however a priorities table, as well as relative location maps, can be found at the end of this report.

#### Adams

Acreage: 57.17

Classifications: Special Resource Site, Passive Recreation

Status: Closed to the Public

The Adams property is upland forest with planted pines and is adjacent to several other protected conservation easement properties. Two wetland drains traverse the property. The planted pines are substantial in size and are currently harvestable. Access to the property is along an unimproved dirt road and there is no existing infrastructure on the property. Additionally, Beaufort County granted a restrictive easement to the Department of Defense on this property. These conditions make it an ideal property for managing timber to retain the ecological health of the property while also generating revenue for the Program to assist improvements on other RCLPP properties.

Land management activities will focus on long-term forestry operations. A silviculture plan will be created and implemented for the long-term management of the Adams property, which will be a consistent source of revenue to the County for maintenance of RCLPP properties.

#### Altamaha Town Heritage Preserve

Acreage: 100.07

Classifications: Special Resource Site, Passive Recreation

Status: Open to the Public

Altamaha is a site of significant archeological and historical Native American artifacts dating back to the early 16th Century. Listed on the National Register of Historic Places, this site was the home of the Yemassee tribe chief and contains two burial mounds and other artifacts, as well as a Civil War gravesite.

The property can be accessed from Old Bailey's Road and the current improvements include an interpretive sign, picnic tables, and a small dirt parking lot. A single road, open only to hikers on foot, traverses the property emerging from an oak hickory forest to a scenic vista overlooking the Okatie and Colleton Rivers. Along with Fort Fremont, this is probably the best representation of historic preservation by the Program and could be the highlight of a Native American Heritage Trail in Beaufort County.

Altamaha is jointly owned by the County and DNR. A document associated with the deed restricts the activities and uses of the property and a management plan has been completed by DNR. Due to the

importance of the artifacts, public access to the property will be restricted to passive use only and land management activities will be restricted to those that cause no soil disturbance, but may include prescribed burning, invasive exotic plant control, and mechanical and/or hand control of vegetation. Improvements to the existing boundary fence and parking area, an earthen trail, and picnic tables at the vista point are possibilities. Revenue generation is not anticipated at this site.

#### Amber Karr

Acreage: 12.55

Classifications: Open Space, Passive Recreation

Status: Closed to the Public

This property was acquired to preserve wildlife habitat and is located off of Broad River Drive in Shell Point. Access to the property is between two driveways, which makes this property unlikely for public access and recreation. There are currently some neighborhood owners with fence encroachments onto the County owned property. Due to the size, location, and nature of the property, land management activities will be minimal and limited to invasive exotic plant control. Immediate management needs include improved County staff access, signage, and enforcement of illegal activities. Revenue generation is not anticipated at this site.

#### Amgray

Acreage: 20.78

Classifications: Open Space, Passive Recreation

Status: Closed to the Public

This property was donated to Beaufort County and consists of a combination of timbered forest and wetlands, with an elevated rail bed transecting a portion of the property. Access is directly off of Highway 17. The property will need to be evaluated to determine the best land management practices, however there is a possibility for a timber thinning depending on the extent and configuration of wetlands on the site. Prescribed burning and invasive exotic plant control are also possibilities. Due to the size and location of this property, public use will be limited, but could consist of a small parking area, trail head with picnic tables, and pedestrian trail that may be able to connect to the existing rail trail. Revenue generation is not anticipated at this site.

#### Barrell Landing

Acreage: 49.08

Classifications: Passive Park, Passive Recreation

Status: Closed to the Public

Barrell Landing was purchased as part of a larger effort to prevent the Okatie River from further decline. There currently is no adequate access or parking and water access is limited. The property is primarily comprised of planted pine and wetlands; and a recently constructed stormwater pond is also located on the property.

Some potential public use opportunities for this property may include pedestrian trails and an open-air pavilion with picnic tables. Until such time as a conceptual park plan can be developed, land management will be needed in the form of timber thinning, mechanical/hand vegetation control, prescribed burning,

and invasive exotic plant control. Continued timber management on the property can be conducted to provide consistent revenue to the Program for future maintenance of RCLPP properties.

#### Batthey-Wilson

Acreage: 63.46

Classifications: Passive Park, Passive Recreation

Status: Closed to the Public

The Batthey-Wilson property is located on northern Lady's Island and contains mixed pine-hardwood, mostly naturally regenerated, that grades into maritime forest and eventually the marshes of Broomfield Creek. Access is from Eugene Drive, but currently there are no improved roads or trails onto the property. The property is in close proximity to Jack Island where bald eagle nests have been identified. Beaufort County granted a restrictive easement to the Department of Defense, but it does allow for management and some public access.

Due to the size, location, and accessibility of this property, there are a variety of public uses that could be provided, including a kayak launch near the road/bridge connection, equestrian and pedestrian trails, and an open-air pavilion with picnic tables. Until such time as a conceptual park plan can be developed, land management will be needed in the form of timber thinning and mechanical/hand vegetation control, so long as those activities coincide with the terms of the restrictive easement. Long-term timber management is a revenue generation possibility at this site.

#### Baxter

Acreage: 25.29

Classifications: Passive Park, Passive Recreation

Status: Closed to the Public

The Baxter parcel, located along John Baxter Lane off of Okatie Highway, was purchased as part of the larger effort to prevent the Okatie River from further decline. There is currently no adequate access or parking to this parcel. It is comprised of mostly wetlands with some mix pine/hardwoods, with salt marsh and creek breaking up the uplands and wetlands along the linear parcel.

Due to the inaccessibility and nature of this property, land management is limited to hand control of vegetation and invasive exotic plant control. The public use possibilities of this parcel are limited, however there may be potential for future land acquisitions of adjacent properties which could increase access and passive public use. Revenue generation is not anticipated at this site.

#### Beach City Road

Acreage: 7.29

Classifications: Recreational/Special Use, Passive Recreation

Status: Initial Planning

The Beach City Road parcels were purchased jointly by the County and the Town of Hilton Head to provide a buffer for and protect the Town park. The combined property is located within the historic footprint of Mitchelville, the first Freedman village in the post-Civil War South. Adjacent to this property is the Mitchelville Freedom Park, which is solely owned and maintained by the Town of Hilton Head.

In 2018, the Mitchelville Preservation Project, a non-profit organization dedicated to the preservation and education of the freedmen of Mitchelville, approached the County to partner with them and the Town of Hilton Head to complete a Master Plan for the park and adjacent County co-owned property. The County Council approved funding for the Master Plan, which would include, but not be limited to, the recreation of cabins, interpretive signage, and nature trails.

Beaufort County, the Town of Hilton Head, and the Mitchelville Preservation Project are currently collaborating on the timeline and deliverables for the Master Plan. Any land management activities, property maintenance needs, public use, and revenue opportunities will be discussed and included in the Master Plan. Eventually, an MOU between all parties will be executed that will outline specific duties and responsibilities as park improvements continue to be developed and implemented.

#### Bluffton Park

Acreage: 9.65

Classifications: Open Space, Passive Recreation

Status: Closed to the Public

Bluffton Park is co-owned by the County and the Town of Bluffton. The property is almost entirely composed of wetlands and was purchased to address drainage issues that would have been created through development. The Town of Bluffton inspects the property and maintains the drainage flowing through the property to the north.

The property is adjacent to Red Cedar Elementary School and the Town has expressed a strong desire for boardwalks through the property. However, due to the extensive wetlands and expense of boardwalk construction, no plans have yet to be conceived. Further discussions about public access and use for this property are needed. Due to the size and nature of this property, land management activities are not needed or will be limited to invasive exotic plant control and hand vegetation control as necessary. Revenue generation is not anticipated at this site.

#### Boundary Street

Acreage: 1.70

Classifications: Open Space, Pocket Park

Status: Closed to the Public

Three parcels contribute to the Boundary Street property, located along the south side of Boundary Street in the City of Beaufort. These parcels have beautiful scenic views of salt marsh along a narrow corridor, which also connects to a boardwalk and sidewalk system connecting to the Spanish Moss Trail. Although County owned, the County and City are working together on additional acquisitions for the creation of a pocket park. Continued coordination between the County and City is necessary to ensure adequate stakeholder involvement in any future public use and improvements. Due to the size and nature of this property, land management activities are not needed or will be limited to invasive exotic plant control as necessary. Revenue generation is not anticipated at this site.

#### Brewer Memorial Park

Acreage: 1.00

Classifications: Open Space, Pocket Park

Status: Open to the Public

Brewer Memorial Park is a small pocket park located at the base of the Woods Memorial Bridge on Lady's Island adjacent to a County-owned boat ramp along Factory Creek. The site offers a beautiful vista and green space in an urban area. Brewer Memorial Park contains a dock maintained by the County, a small parking area, and green space for dog walking, observing the water, and birdwatching.

Brewer Memorial Park is jointly owned by the County and BCOLT, who assumes responsibility for the maintenance of the property, with the exception of the fishing dock. A JOA is in place that defines the roles and responsibilities of each party.

Due to the size and location of this park, as well as the terms and conditions of the JOA, land management activities are not necessary. However, the park does exhibit shoreline erosion that will need to be addressed in the near future to prevent any further loss of land and to protect the adjacent roadway. The County will coordinate with BCOLT and the State Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management to discuss possible erosion abatement options. Revenue generation is not anticipated at this site.

#### Charlotte Island

Acreage: 34.69

Classifications: Open Space, Passive Recreation

Status: Closed to the Public

Charlotte Island is located in the middle of the City of Beaufort, near Mink Point Boulevard. It was purchased prior to the first RCLPP referendum. This property is accessible only by boat and is currently used by locals to hunt and camp, even though the County has not opened these up for official public use. The location and uniqueness of this property provides the possibility for an ecotourism opportunity and revenue generator as fish camps, or a similar type of use.

Land management of this property would be minimal and limited to vegetation and invasive exotic plant control. Immediate management needs include improved access for County staff, signage, and enforcement of any illegal activities. Any future public use opportunities will need to be fully vetted through stakeholder engagement and the creation of a conceptual master plan. Revenue generation at this property may be possible depending on the type of public use.

#### Crystal Lake

Acreage: 24.79

Classifications: Passive Park, Passive Recreation

Status: Open to the Public/Late Stage Planning

Located on Lady's Island, Crystal Lake provides a natural retreat from its urban surroundings with a forested trail, salt marsh, and scenic view of Crystal Lake. The property includes valuable wildlife habitat, especially bird foraging and roosting habitat in a highly urbanized area. Beaufort County is in partnership with volunteers, many of whom are master gardeners and master naturalists, who will maintain the on-site pollinator garden.

The initial phase of park improvements has been completed with the installation of a parking area, covered walkway, boardwalk, and the "green" renovation of the Butler marine building, which provides office space for local conservation groups, including the Soil and Water Conservation District and BCOLT. As of early 2018, the final phase of park improvements is in the planning stages and upon completion will provide a pollinator garden and a trail around the lake.

Due to the proximity to adjacent neighborhoods and roadways, land management activities will consist mainly of invasive exotic plant removal and mechanical and/or hand vegetation control, as needed. Office space rental agreements provide revenue to the County and will be used for continued maintenance of the park.

#### Duncan Farms

Acreage: 79.00

Classifications: Recreational/Special Use, Regional Park

Status: Closed to the Public

This property in northern Beaufort County has an agricultural history and is in an area of the County with abundant rural land, much of which is privately owned and is increasingly under the threat of sprawl. The property is mostly large open, fallow fields with a treed perimeter and low ditches traversing the grounds. Native ground cover is beginning to regrow.

Land management on this property is minimal and includes mowing and/or prescribed burning to maintain the open fields, at this time. There is a possibility for natural resource restoration efforts on the property, depending on the future use and access decisions, but those efforts would be at a great expense to the County and would provide little or no revenue.

Throughout the country, the local food movement has been increasing and Beaufort County has many active farms. Duncan Farms presents an opportunity to create an agricultural node in Beaufort County due to its long agricultural history. Development of this property into working farmland could be an excellent partnership with the USDA, NRCS, Clemson Extension, and local colleges; and provide a revenue generation that could be used elsewhere in the Program. In the recent past, Nemours Wildlife Foundation offered to be a partner in this effort and to form a local task force to explore opportunities. They have a keen interest in teaching local school children about the outdoors, forestry, and farming. The working farmland potential will be considered further with potential partners to maintain the open space of this property. Additionally, in spring 2018, the Dafuskie Marsh Tacky Society contacted the county to engage in a public/private partnership for increasing their capacity as a non-profit organization by utilizing a portion of the property. Any public/private partnership will be vetted through the County purchasing process.

### Ford Shell Ring

Acreage: 6.89

Classifications: Special Resource Site, Pocket Park

Status: Closed to the Public

The Ford Shell Ring property is jointly owned by Beaufort County and the Town of Hilton Head. There is currently no parking and limited access to the property off of Squire Pope Road. The property consists of mostly upland forests with some frontage on Skull Creek. A shell midden occurs on the property and therefore makes this a unique and sensitive site for land management and public use.

Land management would be minimal at this site and would focus on hand control of invasive exotic vegetation as needed. The immediate need is for improved access for County staff, boundary posting, and signage. There is a possibility for cultural interpretation of the shell midden and a pedestrian trail through the property to a platform overlooking the creek, however any future public access plan would need to be vetted through the State archaeological process to ensure proper preservation of potential artifacts. Additionally, the Hilton Head Archaeological Society is interested in providing assistance and guidance in future public access planning. Revenue generation is not anticipated at this site.

### Fort Fremont

Acreage: 16.98

Classifications: Special Resource Site, Passive Recreation

Status: Open to the Public/Late Stage Planning

Located on Penn Center Road on the southwestern end of St. Helena Island, Fort Fremont is perhaps the best example of use for historic tourism. In a 2013 tourism study conducted by Regional Transactions Concepts LLC that estimated the impact of tourism spending in Beaufort County, it was determined there were 174,535 visitors to Beaufort, Port Royal, and St. Helena, which does not include visits to Hunting Island. Therefore, there is an incredible opportunity for Fort Fremont to attract visitors.

The Fort was built in 1898 to defend the Port Royal Sound, during the outbreak of the Spanish-American War. The property was acquired by the Program with plans to restore the overgrown and rapidly deteriorating property. The County works in partnership with the Friends of Fort Fremont (FFF) to maintain the site, and together, have developed plans for the park that include a historic interpretive center and pavilion. The FFF currently lead historic tours at the park and have built a diorama of the Fort as it looked in the early 1900's, which is currently located at the St. Helena Branch County Library. To facilitate the historic tours and visiting public, the FFF will be housed at the interpretive center upon its completion, and an MOU detailing duties and responsibilities will be executed. Additional improvements to complete the park renovations include an improved entrance, parking and fencing, shoreline stabilization, and safety/security measures on the fort structure.

Due to the historic nature of the site, land management activities will consist mainly of invasive exotic plant removal and hand-control of vegetation, as needed. There is a possibility of generating revenue through a voluntary donation box within the interpretive center, user fees for large tour groups, or a general recreational user fee. These opportunities require continued discussion and coordination between the County and the FFF.

The Green

Acreage: 1.06

Classifications: Open Space, Pocket Park

Status: Open to the Public

A portion of this property was originally conserved in 2007 as open space and restricted from any improvements. In 2010, the property was jointly purchased by the County and BCOLT and a Tenancy in Common Agreement was executed, which outlines responsibilities and permitted uses. Additionally, the City of Beaufort helps to maintain the property.

Currently, the property is an open lawn with a mature oak canopy along the edges and is bordered on all four sides by residential roads and homes. Observed uses include canine activities, picnicking, Frisbee tossing, and other low-impact yard activities. There are a few benches scattered on the property. Other possible improvements that could be done and yet still retain the open space nature of the park include a couple of trash cans, dog waste stations, and picnic tables.

Due to the size and nature of the property, no land management activities are needed. Revenue generation through events coordinated by BCOLT is addressed in the Tenancy in Common Agreement and funds generated are used for the continued maintenance of the property.

Greens Shell Park

Acreage: 3.30

Classifications: Recreational/Special Use, Pocket Park

Status: Open to the Public

Located on Squire Pope Road, this property was jointly purchased by the Town of Hilton Head Island and Beaufort County. Amenities currently on the property include an observation deck, playground, picnic pavilion with grills, restrooms, and small basketball court. It is one of the more intensely developed sites in the RCLPP inventory and was purchased with funds prior to the first referendum. The park is currently maintained by the Town of Hilton Head.

Due to the size and nature of this park, no land management activities are necessary. Revenue generation is not anticipated at this site.

Ihly

Acreage: 63.07

Classifications: Passive Park, Passive Recreation

Status: Closed to the Public

The Ihly property is located in northern Beaufort County on deep water with 700 feet of frontage on McCalley's Creek. Maritime forest and salt marsh comprise the northern property boundary. The property also contains approximately 30 acres of open fields and a pecan grove centrally located within the interior of the tract. There are 8-acres of wetlands with two isolated freshwater wetland ponds. Forest types include both mesic and upland mixed hardwood-pine. Beaufort County granted a restrictive easement to the Department of Defense, but it does allow for management and some public access.

Land management and public use activities will need to be fully vetted through a stakeholder process to ensure appropriateness as it pertains to the restrictive easement. Possibilities to consider include mechanical and hand vegetation control, shoreline stabilization, boat/kayak dock, primitive camping, and pedestrian trails.

#### Jenkins Creek/Jenkins Islands

Acreage: 1.78 / 24.24

Classifications: Recreational/Special Use, Pocket Park / Special Resource Site, Passive Recreation

Status: Closed to the Public / Closed to the Public

Located on St. Helena Island, the Jenkins Creek property is adjacent to a widely used boat ramp, Eddings Point Boat Landing, along the Morgan River and Jenkins Creek. The property is a small linear strip of scrubby/sandy land under large pines and cedar trees. It is currently used by boaters as an overflow parking area, although it has not yet been improved for that purpose, nor is it officially open to the public. Due to the size and nature of the property, no land management activities are needed beyond mowing to maintain the open understory. Public use opportunities are very limited given the size and shape of the property. Overflow parking on this property would not be ideal, however a single modular restroom, a few picnic tables and grill, and signage would be well suited and likely highly used by the boat ramp visitors. Revenue generation is not anticipated at this site.

The Jenkins Islands consist of three islands (Palm, Murdaugh, and Legare) located directly across the road from the Jenkins Creek property and the Eddings Point Boat Landing. These islands remain as a natural undeveloped landscape and are inaccessible at this time. Land management of the larger island could include prescribed burning, invasive exotic plant control, and hand vegetation control as needed. There is potential to provide public access to the larger island by connecting it via a boardwalk/pedestrian crossing to the Jenkins Creek property and Eddings Point Boat Landing and providing a pedestrian loop trail around the island. The smaller islands are too far from the road to feasibly construct a boardwalk through the high marsh and will remain as naturally occurring green space. Revenue generation is not anticipated on these islands.

#### Keyserling/Fort Frederick

Acreage: 2.58

Classifications: Special Resource Site, Passive Recreation

Status: Closed to the Public

The Beaufort County owned parcels about the DNR Heritage Preserve parcels at Fort Frederick on the Beaufort River in the Town of Port Royal. The Fort property is owned and managed by the DNR. The Fort is of historical importance and believed to be the oldest tabby structure in South Carolina and DNR arranges tours of the property upon request. The Program purchased land adjacent to Fort Frederick to help provide access to the heritage preserve.

Due to the size and historical significance of the County owned parcels, no land management activities are needed. Immediate management needs are to coordinate with DNR on public access and park development, as well as develop an MOU between DNR, the County, and the Town of Port Royal for maintenance needs. Revenue generation is not anticipated at this site.

Lucky

Acreage: 70.41

Classifications: Recreational/Special Use, Passive Recreation

Status: Closed to the Public

The Lucky property is adjacent to the Ihly property and contains open fields and grand live oak trees. A 1.5 acre pond is also found in the interior. Some of the property is comprised of mesic forest associated with a wetland drain. Several stands of loblolly pine exist, which have been planted or naturally regenerated.

A significant management concern is the tenant living on the property. There has been a history of dumping and trash piled up around the house that created a nuisance. The tenant is paying rent to the County and should be adhering to specific maintenance guidelines as outlined in the lease agreement. County staff will continue to collaborate with the Sheriff's Office on enforcement of the lease terms.

Beaufort County granted a restrictive easement to the Department of Defense on this property, but the easement allows for a passive park with some limitations. Land management and public use activities will need to be fully vetted through a stakeholder process to ensure appropriateness as it pertains to the restrictive easement and limitations of the property due to the on-site tenant. Possibilities to consider include mechanical and hand vegetation control, pedestrian trails and boardwalks, connectivity to the Ihly property, and U-Pick berry fields, which could generate some revenue for the continued maintenance of the property.

Manigault Neck Corridor

Acreage: 351.70

Classifications: Passive Park, Passive Recreation/Regional Park

Status: Closed to the Public

This assemblage of properties includes the Manigault Neck, Chechessee, Cool Heart Springs, Jeter, and Okatie Highway Island acquisitions located along Hwy 170/Callawassie Drive and Chechessee Creek. All of the RCLPP properties from Widgeon Point to Okatie Regional Preserve form a significant rural greenbelt between northern and southern Beaufort County, creating connectivity and wildlife habitat corridors as well as enabling the big picture approach to ecotourism. The Manigault Neck Corridor is a forested assemblage of properties that offers numerous land management and recreational possibilities. There is also a small church located on the property, which is paying rent to the County.

Due to the size, location, and accessibility of these properties, there are a variety of public uses that could be provided, including trails, open-air pavilion with picnic tables, boardwalks and overlooks along the marsh front, and water access to Chechessee Creek. Until such time as a conceptual park plan can be developed, land management will be needed in the form of timber thinning, mechanical/hand vegetation control, invasive exotic plant control, and prescribed burning. Long-term timber management is a revenue generation possibility at this site.

McDowell Hummocks

Acreage: 3.96

Classifications: Open Space, Passive Recreation

Status: Closed to the Public

These very small hummocks are located off of Sea Island Parkway and Harbor Island Bridge. They are difficult to access, but are occasionally used as a fish camp, even though the County has not opened them for official public use. Due to the remoteness of these small islands, land management will be minimal and limited to invasive exotic plant control, as needed. At this time, public access and use will be minimal as well. In the future, these hummocks may be able to be incorporated into a future private-public ecotourism partnership opportunity. Immediate management needs include improved County staff access, signage, and enforcement of any illegal activities.

#### McLeod

Acreage: 98.12

Classifications: Passive Park, Passive Recreation

Status: Closed to the Public

The McLeod property in northern Beaufort County contains maritime forests and salt marsh associated with the Whale Branch River. Although the property is currently unmanaged, views of the waterfront are picturesque. There is also a large open pasture in the middle of the property and two underground natural gas pipelines running through portions of the property. A portion of the property also connects to the Spanish Moss Trail, which begins in the Town of Port Royal and parallels Highway 21 through the northern part of Beaufort County. Access is currently through a gate along Detour Road, which is controlled by Santee Cooper. Additionally, Beaufort County granted a restrictive easement to the Department of Defense on this property, but the easement allows for a passive park with some limitations.

Land management and public use activities will need to be fully vetted through a stakeholder process to ensure appropriateness as it pertains to the restrictive easement. Possibilities to consider include mechanical and hand vegetation control, prescribed burning, a parking area, restroom facilities, pedestrian trails and boardwalks, picnic pavilions, grills, scenic vista overlooks, and a kayak launch.

#### Mitchelville Beach

Acreage: 20.00

Classifications: Special Resource Site, Passive Recreation

Status: Closed to the Public

The Mitchelville Beach property is co-owned by the County and Town of Hilton Head. It consists of undeveloped beach front and unique habitat types ascending from the beach to the maritime forest uplands. It is also a refuge for wildlife species that have limited space in this highly urban environment. The property is subject to dumping and has had trash and litter scattered throughout. There is a small ungated pull-off along the road frontage and a bike path occurs throughout the adjacent neighborhood.

Land management of this property is minimal and would consist of hand control of invasive exotic plants. The immediate management need is security, signage, and monitoring to curb continued dumping and vehicular traffic. The adjacent bike path and nearby Fish Haul Beach and Mitchelville Freedom parks make this a unique opportunity to connect the parks through pedestrian/bicycle paths and increase visitor usage, which would allow more “eyes” on the property for reporting issues. Other improvements that could be done include boundary fencing and posting, a small parking area with trailhead and bike racks, providing

beach access via a trail and boardwalk, and a small loop trail through the section of property opposite the beach front. Due to the size and nature of the property, revenue generation is not anticipated at this site.

#### Mobley/4P Hummock

Acreage: 99.75

Classifications: Passive Park/Open Space, Passive Recreation

Status: Closed to the Public

These properties consist of one large tract and several nearby hummocks. These lands are located along Hwy 170 on the south of the Chechessee River Bridge adjacent to a boat ramp and other conservation lands. The Mobley property is co-owned by the County and the Port Royal Sound Foundation (PRSF), who helps maintain the property and conducts environmental education programs as per a JOA. The PRSF also owns a 10-acre parcel within the Mobley property, which will be developed into an environmental education center. Various natural features include mixed pine uplands, freshwater wetlands, salt flats and marsh, and maritime forest. Land management activities could consist of longleaf pine restoration, prescribed burning, mechanical and/or hand vegetation control, and invasive exotic plant control. There are also a few small wooden structures built as Eagle Scout projects in coordination with the PRSF that allow the PRSF to implement their educational programs. Those structures include an outdoor classroom with a podium and seating, benches, and bird houses.

The PRSF has begun the master planning process, which the County is an active participant. Dumping and litter have been an ongoing problem on the Mobley property and will need to be addressed during the planning process. Although public access will be limited on the smaller hummocks, which will remain as open space, there is great potential for public environmental interpretation on the Mobley property. Park improvements may include pedestrian trails/boardwalks, picnic tables, benches, and wetland overlooks or wildlife viewing platforms. Revenue generation is not anticipated at this site.

#### New Riverside Regional Park

Acreage: 846.48

Classifications: Passive Park, Regional Park

Status: Initial Discussions

In 2017, the County initiated the conceptual master planning process to envision how to incorporate the County-owned New River and Garvey Hall properties with other adjacent conservation and public use lands. The County Community Development Department has engaged in preliminary conversations about the park and the neighboring Palmetto Bluff residents have offered to play an active role in park development.

Most of the New River property is wet and consists of impounded rice fields and scattered hummock islands, making terrestrial access difficult. The Garvey Hall property is close to the New River property and, although not directly connected, the properties are close enough that they will be planned together as one Regional Park and explore options for connectivity through additional acquisitions or access/trail easements. Garvey Hall is an easily accessible property and could be the better location for public access to both properties. Land management activities will be evaluated during the Master Plan process.

The properties offer a variety of prospective uses including an interpretive/visitor's center, trails, kayaking, rental cabins, and camping. A comparable property that could be used as a reference is the CawCaw Interpretive Center in Ravenel, which is owned and operated by Charleston County PRC. The potential for revenue generation through an ecotourism-based recreational opportunity is great for these properties.

#### North Williman Island/Buzzard Island

Acreage: 5,000.00/120.00

Classifications: Open Space, Passive Recreation

Status: Closed to the Public

North Williman Island and Buzzard Island, located in Bull River, were some of the first properties purchased shortly after the passing of the first RCLPP referendum. Beaufort County is a ¼ co-owner with DNR on both of these properties. The sheer size of North Williman Island presents a wonderful opportunity to manage this property as a Wildlife Management Area. The Passive Parks Manager will coordinate with DNR staff to determine the process of providing this type of opportunity to the public.

Land management on these properties will be determined in collaboration with DNR and be compatible with current activities being conducted in the ACE Basin National Estuarine Research Reserve. Additionally, other public use and access to these properties will be vetted through a stakeholder engagement process and a Management Plan will be created. Close coordination with DNR will be necessary to ensure appropriate land management and resource sharing opportunities, and an MOU will be developed between the County and DNR to outline duties, responsibilities, and any revenue generation allocations towards the continued maintenance and operations of the properties.

#### Okatie Marsh/Olsen

Acreage: 197.80

Classifications: Passive Park, Passive Recreation

Status: Closed to the Public

Okatie Marsh borders the Okatie River, contributing to the County's decade long efforts to protect the Okatie River from further degradation. The property is the northernmost tract of a series of three tracts that were designated to become Planned Unit Developments (PUD). The Program purchased this tract and its anticipated development on the property was stopped. A new animal control facility is being constructed between the acquired property and Highway 170. There is a PUD adjacent to the property, which owns a portion of the existing access road and is in initial stages of development. Several structures occur on the property, including a dilapidated house, an aluminum storage unit, a shed, and a modern house. There is also an out-parcel on the Olsen property.

The property includes maritime forest, which grades into planted loblolly pine as the property nears the river. An interesting and unusual feature is an eastern red cedar allée along Pritchard's Point Road and the large live oaks scattered throughout the property. Land management activities that could occur on the property would focus mainly around timber management and restoration, including prescribed burning and invasive exotic control. Restoration would benefit the ecological health of the property, improve aesthetics, reduce wildfire hazards, create an excellent environmental education opportunity, allow more efficient trail construction, and the timber could be a source of future revenue. Grant and cost-sharing opportunities exist for longleaf pine restoration and could be pursued prior to establishing public access.

Although a conceptual development idea for the property was considered upon its acquisition, there are numerous issues that need to be considered and planned for prior to opening the property to the public. Immediate needs include constructing a permanent access road or obtaining an easement on the road owned by the PUD, securing the modern house on the Olsen property, removing the dilapidated structures, and conducting a timber harvest. Following those activities, next steps could include creating public access points, a trail network, picnic areas, and land management activities. Any future public use and access plans will be vetted through stakeholder engagement and the creation of a conceptual master plan. Additionally, there is the potential for long-term revenue generation with proper timber management and the rental of the modern house.

#### Okatie Regional Preserve

Acreage: 186.62

Classifications: Recreational/Special Use, Regional Park

Status: Late Stage Planning

This property consists of maritime forest, wetlands, salt marsh, and mixed hardwood pine forests. It is located in the Town of Bluffton, off of Highway 278, and has extensive frontage along the Okatie River and encompasses much of the wetland headwaters. Passive recreation potential is great on this property and may include pedestrian and biking trails, boardwalks, overlooks, water access, and connectivity to other RCLP properties.

Two additional properties, Evergreen and New Leaf, are located off of Highway 170 and Davis Road to the southwest of the main Okatie Preserve property. These two properties were acquired jointly with County RCLPP and stormwater funding. Stormwater ponds will be constructed on each of these properties, however the potential to connect a system of trails north to south throughout the entire regional preserve of RCLPP properties is great, and dependent upon additional key acquisitions. County staff continue to coordinate with BCOLT on those acquisitions.

Due to the wetland nature of this property, land management activities will consist mainly of invasive exotic plant removal and mechanical or hand control of vegetation, as needed. There is a possibility of generating revenue through a recreational user fee, depending on the type of recreational activity.

#### Okatie River Park

Acreage: 18.00

Classifications: Passive Park, Passive Recreation

Status: Initial Discussions

The Okatie River Park property is a linear buffer of open pasture and tree-lined swales along the Okatie River north of Hwy 278. There are also a house, barn, and small pavilion located on the southern end of the property.

In 2018, the adjacent property owner approached the County with a private-public partnership proposal in which the landowner would build and maintain a passive park in exchange for use of a portion of the property towards future development greenspace requirements. In March 2018, the County Council sent the proposal to a subcommittee for further discussions. If the proposal should move forward, an MOU

will be executed between the County and the landowner that would outline duties and responsibilities of each party, land management and property maintenance needs, and public use opportunities, among others. Revenue generation is not anticipated at this site.

#### Oyster Factory Park

Acreage: 9.06

Classifications: Recreational/Special Use, Pocket Park

Status: Open to the Public

Because of its convenient location in the heart of Bluffton on the May River, Oyster Factory Park is well used by visitors and the local community to access the river and is a site for special events and functions. The park connects the community to Bluffton's historic oystering past and preserves a beautiful bluff providing a buffer from the residential and commercial development occurring in the surrounding community. The Town of Bluffton and Beaufort County have an agreement in place and the Town took over management of the park in 2004.

Existing improvements include a boat ramp, signage, wooden fences, a short nature trail through the wooded area, two designated parking lots, the Garvin House, an open air pavilion, restrooms, an oyster roast area with tables, and benches. BCOLT holds a conservation easement on two of the Oyster Factory Park parcels, which identifies the uses and permitted structures of those parts of the property. Due to the size and nature of this park, no land management activities are necessary. Revenue generation is not anticipated at this site.

#### Pinckney Colony Park

Acreage: 38.21

Classifications: Open Space, Passive Recreation

Status: Open to the Public

Pinckney Colony Park is at the corner of Pinckney Colony Road and Highway 278. Most of the property is freshwater wetlands and conserved for water quality purposes. The small upland area has a picnic space with tables and trash cans. A storm water pond has also been constructed on the property to accommodate stormwater runoff from Highway 278. The Beaufort County Parks and Leisure Services Department (PALS) is responsible for property maintenance.

Due to the wetland nature of the property, no land management activities are necessary. Additionally, any future trail development on this site would require extensive boardwalks. As of the production of this report, no additional public access on the property is being planned due to the extensive presence of wetlands and sensitivity of the habitat to development. Revenue generation is not anticipated at this site.

#### Pinckney Point

Acreage: 232.60

Classifications: Recreational/Special Use, Regional Park

Status: Closed to the Public

Two properties are included in this listing due to their proximity and connection to each other, Pinckney Point and the Gnann property, which are located between the Colleton and Okatie Rivers. The combined

property consists of open, fallow fields with some naturally regenerating pine, a semi-connected island, and an open vista overlooking high marsh. A house, barn, and tabby ruins occurs on the bluffs of the main property, however the house has been recently vacant and is in need of repairs and/or renovations. The barn and tabby ruins need to be evaluated for potential historic significance and, if so, secured for posterity.

Land management activities that could occur on the property would focus mainly around forestry and longleaf pine restoration efforts, including prescribed burning and invasive exotic plant control. Restoration would benefit the ecological health of the property, create an excellent environmental education opportunity, and the timber could be a source of future revenue. Grant and cost-sharing opportunities exist for longleaf pine restoration and could be pursued prior to establishing public access.

A conceptual park plan was drafted several years ago and could be revisited as a starting point in the creation of any new development plan. Additionally, the concept of a native species arboretum was brought forward as a way to balance the natural and cultivated landscapes and create a potential tourist destination, which could also be a revenue generating activity. This property lends itself to many public use and revenue generating possibilities, including picnic pavilions, trails, historic/environmental education, silviculture, eco-tourism, and event rentals. Any future public use and access plans will be vetted through stakeholder engagement and the creation of a conceptual master plan.

#### Shell Point

Acreage: 11.92

Classification: Open Space, Passive Recreation

Status: Closed to the Public

Shell Point was purchased to stop additional residential development in a highly developed area. The property contains both jurisdictional and non-jurisdictional wetlands and preservation prevents the exacerbation of stormwater issues. At this time, this property will remain open space for stormwater retention. Due to the size, location, and nature of the property, land management will be minimal and limited to invasive exotic plant control. Public access and revenue generation are not anticipated at this site.

#### Station Creek

Acreage: 4.56

Classifications: Recreational/Special Use, Pocket Park

Status: Closed to the Public

Located on St. Helena Island, this property is adjacent to a widely used boat ramp, Buddy and Zoo Boat Landing, along Station Creek. The property has an open field under large mature live oaks, and also has a modern house, which has been used by the County Sheriff's Office as a satellite location. The property is currently used by boaters as an overflow parking area, although it has not yet been improved for that purpose, nor is it officially open to the public.

Due to the size and nature of the property, no land management activities are needed beyond mowing to maintain the open field. Public use opportunities need to be discussed further, but may include improvements such as a modular restroom, pervious parking, picnic tables, grills, and signage. Additionally,

the fate of the existing house needs to be determined by the County. Revenue generation is not anticipated at this site.

### Stoney Preserve

Acreage: 8.11

Classifications: Open Space, Pocket Park

Status: Closed to the Public

Stoney Preserve is jointly owned by Beaufort County and the Town of Hilton Head, who maintains the property. This property is located off of Spanish Wells Road just south of the bridge over Jarvis Creek. Spanish Wells Road has a bike lane as well as a parallel walking path, which is also maintained by the Town of Hilton Head. The property has a picturesque view of Jarvis Creek with an open area used occasionally for picnicking and fishing. There is a small trail, an existing driveway entrance, and some dumping/littering occurs on the property.

Land management of this property is minimal and will consist of mechanical and hand vegetation control and invasive exotic plant control. The immediate management need is security, signage, and monitoring to curb continued littering, as well as regular mowing of the open area to maintain the open space and view. The recent hurricanes have left large downed trees, which need to be cleared from the existing trail. Other improvements that could be done include a small open-air pavilion with picnic tables, a grill, and trash cans; a fishing/crabbing platform; a small earthen parking area; and split rail fencing. There may be a need to implement shoreline stabilization, however that will need to be further assessed and would be incorporated into the fishing/crabbing platform plans. Revenue generation is not anticipated at this site.

### Widgeon Point Preserve

Acreage: 162.24

Classifications: Recreational/Special Use, Passive Recreation

Status: Late Stage Planning

Located on Lemon Island, Widgeon Point Preserve is ideally located, equidistant from southern and northern Beaufort County. The BCOLT are a 1/8<sup>th</sup> owner and active partner, and through a Joint Ownership Agreement (JOA) with the County, takes the lead for maintenance and operations of the property.

The property was once a family horse farm. BCOLT worked with volunteers to remove debris and old barbed wire fencing and, with a group of master naturalists, designed and built rudimentary trails and conducted a prescribed fire in 2016. BCOLT works with community groups such as the Port Royal Sound Foundation, Master Naturalists, and The Center for Birds of Prey to conduct bird and nature walks on the property. BCOLT also renovated the existing barn on the property, which can be used for the rental of events and weddings to offset the cost of property maintenance.

The County has a draft conceptual park improvement plan, which includes the construction of a parking area, restrooms, and other amenities. Permits for the conceptual plan have been obtained and final engineered plans will be completed in preparation to begin construction. The County will coordinate with BCOLT to determine if they wish to continue event and property maintenance. If they chose not to, the

County will conduct a Request for Proposals for an event concessionaire to manage events and property maintenance.

There is a possibility for generating revenue from the event rentals and reservations for use on this and other RCLPP properties. An agreement will be executed between the County, BCOLT, and any other private partner (if applicable) that will outline duties and responsibilities as well as the distribution of any funds generated from the property. Land management needs on this property are minimal and include prescribed burning and invasive exotic plant control as needed.

#### Wright Family Park

Acreage: 1.29

Classifications: Recreational/Special Use, Pocket Park

Status: Late Stage Planning

Located in the Town of Bluffton adjacent to the Calhoun Street Public Dock, this property contains an open understory beneath oaks with frontage on the May River. The Squire Pope Carriage House was built on the property around 1850 and was the village cottage of one of Bluffton's founders, Squire William Pope. The main dwelling was burned in 1863 and the two remaining buildings were joined after the family returned to Bluffton following the Civil War. The Squire Pope Carriage House is one of the most significant historic buildings in the Town of Bluffton's Historic District and on the National Register of Historic Places. The County and Town co-purchased the property in May 2017 to protect the historic building and provide passive public park/open space on the May River.

No land management is needed on this property. The Town of Bluffton has taken the lead on park planning and development and will maintain the site upon completion. Park improvements being considered include a bulkhead on the May River shoreline, walkways, parking, seating areas, restrooms, a catering kitchen, crabbing dock, a large open lawn area, benches and tables, and lighting. Additionally, the cottage will be restored. No revenue generation is anticipated at this site.

## Conservation Easements

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The RCLPP also protects land through the purchase of development rights via a conservation easement. Conservation easements are proactive tools used to protect rural land, thereby preserving natural resources and reducing incompatible development. The RCLPP goals are compatible with local, state, and federal partners and frequently those partners, including the Marine Corps Air Station, U.S. Department of Agriculture Natural Resource Conservation Service, and local municipalities participated in the purchase of conservation easements.

Many of these properties continue to be active farms or working lands contributing to the local economy and remain privately owned. Most of the conservation easements are held by BCOLT, which annually monitors these easements, however some easements are held by Beaufort County itself.

Annual monitoring is a very important part of an easement program. Landowners receive payment or accept tax benefits in exchange for the easement donation. The organization that holds the easement has a duty to ensure no abuses are occurring, and the landowners should be held to the agreements they have signed. Monitoring should be completed by a trained individual who understands the conservation easement document terms. The IRS guidelines for conservation easement compliance include:

- The organization must have the commitment to protect the conservation purposes of the donation and resources to enforce the restrictions of the conservation easement. Treas. Reg. § 1.170A-14(c)(1).
- Organizations that accept easement contributions and are committed to conservation will generally have an established monitoring program such as annual property inspections to ensure compliance with the conservation easement terms and to protect the easement in perpetuity.
- The organization must also have the resources to enforce the restrictions of the conservation easement. Resources do not necessarily mean cash. Resources may be in the form of volunteer services such as lawyers who provide legal services or people who inspect and prepare monitoring reports.

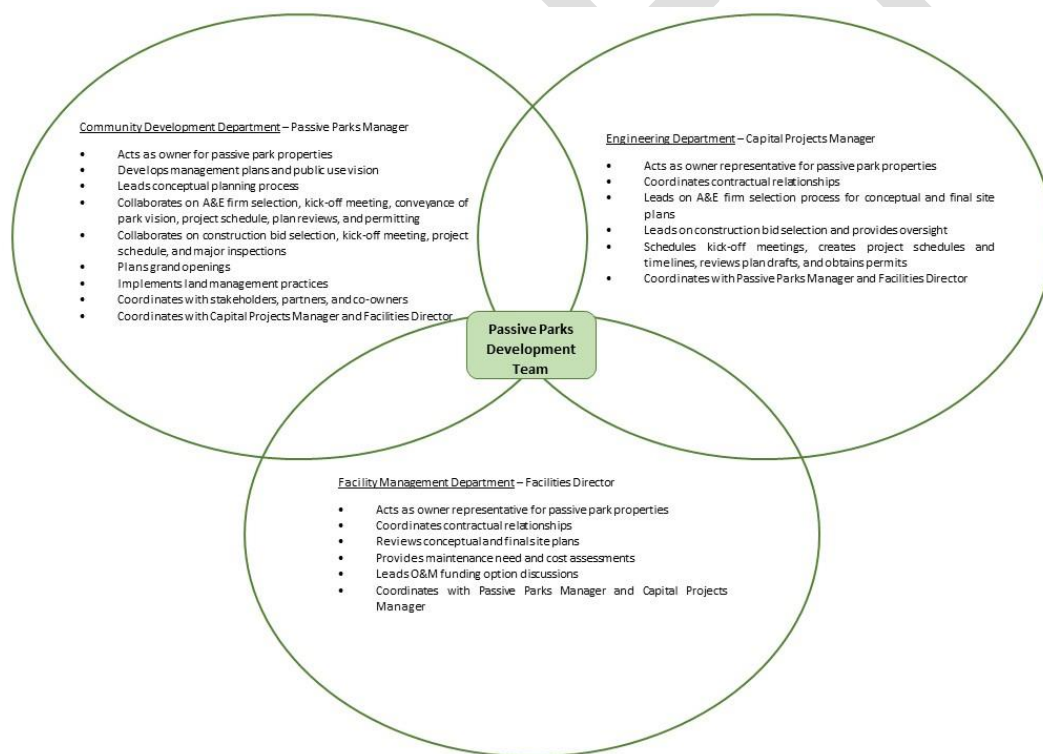
County staff currently monitor the properties listed below on an annual basis to ensure compliance with easement terms and conditions:

Property Name	Acreage	Grantee	Additional Grantee/Co-holder
Winn Tract	68.91	Beaufort County	USDOD
Penn Center (Tree Farm)	195.41	Beaufort County	USDA-NRCS
Rathbun	27.50	Beaufort County	USDOD
Seabrook Road Donation	14.88	Beaufort County	N/A

## Maintenance and Operations

As with any land acquisition and passive park program, it is important to have designated responsibility for natural resource management and park amenity maintenance. At the time of this report, public use of RCLPP lands is infrequent to nonexistent, therefore maintenance needs are minimal. Once properties become improved for public access and use, maintenance needs are going to increase and coordination between the county departments will be crucial.

Various county departments were identified in the Roles and Responsibilities section. Those departments and the coordination between them for planning, development, and maintenance is shown in the figure below. Unless otherwise determined through agreements with Friends groups, volunteers, or other entities, the process illustrated below will be followed by county staff until such time as an integrated Parks and Recreation Division may be created.



## Strategic Goals

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The following strategic goals closely align with the Beaufort County Comprehensive Plan Land Use and Natural Resources chapters and will be reviewed and updated, as needed, every five (5) years coinciding with the Beaufort County Comprehensive Plan review period.

### Develop Management and Regulatory Standards

The foundation for any public use program requires regulations and standards upon which to build an appropriate management system for sustainable long-term public enjoyment.

- Review and assess existing code and ordinances and, where needed, develop such that will ensure perpetual protection of passive park properties and public use thereof.
- Collaborate with the Finance Department on revenue income from passive park properties and the appropriate distribution of such funds towards long-term management of those properties.
- Collaborate with various County Departments on planning and mapping updates, purchasing and construction processes and standards, and maintenance and security requirements.
- Develop marketing and branding standards for the Beaufort County system of passive parks.

### Implement Planning and Infrastructure Development

Implementing the appropriate planning processes will ensure proper infrastructure development on the passive park properties while maintaining the conservation value of the acquired lands.

- Assess each passive park property for fencing, gating, access, and boundary posting needs.
- Develop a priority list of passive park improvement possibilities.
- Develop individual management plans, which will incorporate land management resource needs, public use opportunities, and revenue generation possibilities.

### Collaborate with Stakeholders

Collaboration with various stakeholder groups is crucial in the successful planning of public use projects in order to optimize needs of the community and protection of the natural resources.

- Continue to coordinate with the Rural and Critical Lands Preservation Program Board on acquisition of properties that enhance the existing system of lands and are consistent with the Beaufort County Comprehensive Plan and Greenprint.
- Engage co-owners, funding partners, adjacent landowners, neighboring communities, and other stakeholders during the conceptual master planning process for passive park properties.

### Create an integrated Parks and Recreation Division

The long-term success of a Passive Park Program will depend on the eventual creation of a Division dedicated to the continued development, maintenance, and operations of the system of county parks.

- Create a need assessment for a Parks and Recreation Division, which will include an organizational structure, park maintenance needs and costs, staffing and/or contractual requirements, and funding possibilities.
- Collaborate with County administrators and County Council towards the creation of the Division.

## **Passive Park Location Maps**

The following maps illustrate the locations of the identified Rural and Critical Land Preservation Program Passive Park properties in the north and south parts of Beaufort County.

DRAFT

\*Need to include updated map of RCLP North properties

DRAFT

\*Need to include updated map of RCLP South properties

DRAFT

## **Passive Park Priorities Table**

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The following table provides a list of passive park properties and their public use and revenue generation possibilities. Properties are prioritized by Tiers according to existing plans, contracts, and funding availability in Tier 1; partners and available funding in Tier 2; and future intent based on location, accessibility, and revenue possibilities in Tier 3. Properties listed in Tier 4 have access limitations to be addressed, or are already developed and fully accessible to the public.

Definitions of the public use and revenue generation potential categories is as follows:

- Parking/Restrooms means there is either a hard or softscaped parking area and/or a restroom facility.
- Paved Trails means trails or pathways that are either paved, sidewalked, or otherwise hardscaped.
- Unpaved Trails means trails or pathways that are earthen, boardwalked, or otherwise softscaped.
- Picnic Areas means picnic tables or open-air roofed structures with picnic tables, benches, or seating and may or may not include grills.
- Camping means primitive, platform, or other types of camping and may or may not include fire rings.
- Canoe/Kayak means the possibility of providing water access to or from a creek, river, sound, or marsh system for non-motorized boats.
- Special Resource means there may be a historical or culturally significant feature (“H/C”) and/or some other specialty public use feature (“PUF”) such as, but not limited to, a wildlife viewing platform, fishing dock/pier, or interpretive facility.
- Beach Access means the possibility of providing access to the beach, a sandbar, or other sandy landscape feature.
- Timber means the possibility of short or long-term silviculture management of the forested ecosystem.
- User Fees means the potential to charge a mandatory or voluntary fee to visitors of the site either individually or as a group.
- Events means the potential to charge a fee for private events such as, but not limited to, weddings, family reunions, or other social functions.
- Concessions means the potential for a private company to run a concession which the County will monetarily benefit from, this category also includes leases and other facility rentals that may occur.

\*Site is unsuitable for public use until such time as future land acquisitions improve public access.

^Site is already developed, open to the public, and being maintained.

Property Name	Location (N or S)	Public Use Potential								Revenue Generation Potential			
		Parking/ Restrooms	Paved Trails	Unpaved Trails	Picnic Areas	Camping	Canoe/ Kayak	Special Resource	Beach Access	Timber	User Fees	Events	Concessions
Tier 1 Priorities													
Fort Fremont	N	P/R	X	X	X			H/C	X		X	X	X
Crystal Lake	N	P/R	X	X				PUF				X	X
Widgeon Point	S	P/R	X	X	X			PUF				X	X
New Riverside Regional Park	S	P/R	X	X	X	X	X	PUF		X	X	X	X
Beach City Road	S	P/R		X	X			H/C	X			X	X
Mobley/4P Hummock	S	P/R		X	X			PUF		X			
Tier 2 Priorities													
Keyserling/Fort Frederick	N	P		X	X		X	H/C, PUF					
Duncan Farms	N	P/R											X
North Williman/Buzzard Island	N			X							X		
Altamaha Town Heritage Preserve	S	P		X	X			H/C					
Okatie Marsh/Olsen	S	P/R		X	X	X	X	PUF		X		X	X
Wright Family Park	S	P/R	X		X		X	H/C, PUF				X	X
Tier 3 Priorities													
Batley-Wilson	N	P/R		X	X		X	PUF		X			
Okatie Regional Preserve	S	P/R		X	X		X	PUF		X	X		
McLeod	N	P/R	X	X	X	X	X	PUF		X			X
Ford Shell Ring	S	P		X	X			H/C, PUF					
Ihly	N			X	X	X	X	PUF			X		X
Mitchelville Beach	S	P		X	X			PUF	X				
Station Creek	N	P/R	X		X		X	PUF					
Pinckney Point	S	P/R	X	X	X	X	X	H/C, PUF		X		X	X
Amgray	N	P		X	X					X			
Stoney Preserve	S	P		X	X		X	PUF					
Jenkins Creek/Jenkins Islands	N	P		X	X		X	PUF					
Okatie River Park	S	P/R	X	X	X		X	PUF				X	X
Lucky	N	P		X							X		X
Manigault Neck Corridor	S	P/R	X	X	X	X		PUF		X			X
Barrell Landing	S	P		X	X					X			
Adams	N									X			
Tier 4 Priorities													
Charlotte Island	N			X	X	X					X		X
McDowell Hummocks	N			X	X						X		X
Bluffton Park	S			X									
Baxter*	S	P		X	X								
Amber Karr*	N	P		X	X								
Shell Point*	N	P		X	X								
Boundary Street*	N	P/R	X	X	X							X	
Brewer Memorial Park^	N	P	X	X	X		X	PUF				X	
The Green^	N				X							X	
Green's Shell Park^	S	P/R	X	X	X			PUF					
Oyster Factory Park^	S	P/R	X	X	X		X	H/C, PUF				X	X
Pinckney Colony Park^	S	P		X	X								

**AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, WHICH SHALL BE REFERRED TO AS  
THE PASSIVE PARKS ORDINANCE**

**Chapter 90 – PARKS AND RECREATION**

**ARTICLE VI. – PASSIVE PARKS**

**SECTION 90-200: TITLE**

This ordinance shall be known as the Passive Parks Ordinance.

**SECTION 90-201: PURPOSE**

It is the purpose of this ordinance to:

1. Define “passive park” and the inclusion and restrictions of fee-simple County-owned properties therein.
2. Provide secure, quiet, orderly, and suitable use and enjoyment of Rural and Critical Lands Preservation Program passive parks established or managed by Beaufort County, and to further the safety, health, comfort, and welfare of all persons using them.
3. Provide a means by which federal, state, and county laws and regulations will be enforced on Beaufort County passive parks.

**SECTION 90-202: DEFINITIONS**

The following words and terms shall have the meaning respectively ascribed to them in this section:

1. *Archaeological or cultural resources* means any associated physical artifacts and features below the ground surface indicating the past use of a location by people which may yield information on the county’s history or prehistory, including but not limited to artifacts, fossils, bones, shell mounds, middens, or primitive culture facilities or items.
2. *Concessions* means an approved lease or memorandum of understanding between the county and a private entity for the right to undertake a specific activity in return for services and/or financial gain.
3. *Daylight hours* means those hours between dawn and dusk.
4. *Motorized vehicles* means any self-propelled vehicle, commonly wheeled, that does not operate on rails, such as trains or trams and used for the transportation of passengers, or passengers and property, such as golf carts/cars, cars, trucks, all terrain or utility vehicles, motorcycles, and motorized bicycles.

5. *Passive Park* means any fee-simple county owned or co-owned property purchased with Rural and Critical Lands Preservation Program (RCLPP) designated funding. A list of passive parks is available with the Passive Parks Manager upon request and/or on the Beaufort County website.
6. *Weapon* means any firearm or gun from which shot or a projectile is discharged by means of an explosive gas, or compressed air. This definition includes bows and arrows, slingshots, and switch-blade knives.
7. *Wildlife* means all living creatures, not human, wild by nature, endowed with sensation and power of voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.

**SECTION 90-203: IN GENERAL**

1. The County Administrator or his/her designee shall have the authority to employ a Passive Parks Manager who shall be trained and properly qualified for the work and who shall conduct and supervise planning and management activities on any of the passive park properties and facilities owned or controlled by Beaufort County.
2. The County Administrator or his/her designee is authorized to promulgate rules and regulations for the purpose of regulating the use of passive parks, including structures and facilities on such, limiting the hours during which the same shall be open to the public, and providing standards of conduct for persons while using such properties, structures, and facilities.
3. The County Administrator or his/her designee may establish fees for the use of passive park properties, structures, and facilities, subject to approval by County Council.
4. The Passive Parks Manager shall make reports to the County Administrator or his/her designee as may be requested from time to time.
5. The County Council may designate by Resolution any property as a passive park, and may request and receive recommendations from the Rural and Critical Lands Preservation Board. When a property is designated by County Council as a passive park, this ordinance will apply to that property. Any property designated by Council as a passive park that was not purchased with RCLPP funding is not eligible for RCLPP improvement funds.
6. The County Council may request for sale or lease any property designated as a passive park, and shall apply the Rural and Critical Lands Preservation Program Policies and Guidelines for such action.
7. The Beaufort County Sheriff's Office will have enforcement authority over all provisions set forth in Section 90-204 through Section 90-208, unless otherwise deemed appropriate by the jurisdictional authority of a local municipality.

**SECTION 90-204: PENALTIES**

Any person violating any section of this article shall be guilty of a misdemeanor and upon conviction thereof shall pay such penalties as the court may decide, not to exceed \$500.00 and/or not to exceed 30 days' imprisonment for each violation. Each day during which such conduct shall continue shall constitute a separate violation which shall subject the offender to liability prescribed in this section. This ordinance is supplementary to, and does not supplant, any other federal, state, county, or local law, rule, regulation, or ordinance.

**SECTION 90-205: PASSIVE PARK HOURS**

1. Unless otherwise specifically provided or posted at a passive park property or facility, any designated passive park that is open to the public shall be open for public use during daylight hours only and shall be closed to public use from dusk until dawn.
2. Such closing hours shall not apply to activities being held pursuant to an approved agreement or contract for use signed by the County Administrator or his/her designee. In these cases, the fully executed agreement or contract for use shall state the waiver of operating hours.
3. It shall be unlawful for any person to remain in any of the passive parks and/or facilities during the hours the park and/or facility is closed to public use except with prior written approval from the County Administrator or his/her designee. Unauthorized presence may be grounds for immediate arrest.

**SECTION 90-206: PROHIBITED ACTIVITIES**

It shall be unlawful for any person to do any of the following in any passive park unless specifically permitted by the appropriate authorization received from the County Administrator or his/her designee and issued pursuant to this ordinance, except for activities of Beaufort County which are undertaken within the scope of its governmental authority:

**ALCOHOL and WEAPONS**

- Carry any weapons, explosive, or destructive device either openly or concealed onto any park property, except as otherwise permitted by South Carolina state law and/or for law enforcement personnel.
- Purchase, sell, offer for sale, possess, or consume any alcoholic beverages, illegal drugs, or illegal intoxicating substances, unless specifically authorized in writing by the County Administrator or his/her designee.

**CONCESSIONS**

- Engage in the sale of any item on park property for any non-county sponsored function(s), except as allowed by an agreement issued by the County Administrator or his/her designee.
- Use of any park property for non-county sponsored fundraising activities, except as authorized by the County Administrator or his/her designee.

**COOKING and FIRES**

- Cook foodstuff on personal grills brought into the park area. Persons may utilize only grills provided or permitted by the county for cooking in the park area.

- Set or stoke a fire, except for those fires set or stoked in designated county grills or fire rings where they are provided, and said fire shall not be allowed if it poses a hazard to public property or the general public. An exception is made in the instance of a federal, state, and/or county sanctioned and authorized prescribed burn for the purposes of land/debris management or restoration.
- Cut down, remove, or otherwise damage live or dead standing plant material to set or stoke a fire. Gathering dead and downed debris is allowed in areas where camping is permitted and a county fire ring is provided.

#### FACILITIES

- Erect signs or affix signs to any tree, post, pole, fence or park facility or grounds except as provided by county ordinance, or through an approved park use agreement or contract with the County Administrator or his/her designee.
- Write on, draw on, paint on or otherwise deface, damage, remove, or destroy any park facility or any part of the park grounds.
- Construct or erect any hut, shanty or other shelter.
- Engage in the destruction, removal or alteration of any county owned facility or equipment from any park property, unless authorized by the County Administrator or his/her designee.
- Install any gate providing access to any park, or build any trail except as authorized by an approved park development plan or the County Administrator or his/her designee.
- Use public restrooms to shave and/or shower, unless shower facilities are specifically provided for public use at that park.
- Bathe or otherwise be or remain in a water or drinking fountain and/or its reservoir or to allow any privately owned animal to do so.

#### LITTER and WASTE

- Littering, including cigarette butts. Any park property that does not have trash disposal receptacles will be treated as “pack in, pack out” and any and all items brought onto the park property will be required to be removed from the park property.
- Disposal of oil, gasoline or other hazardous substances.
- Discharge or deposit human wastes, except in toilet facilities provided by the county.
- Dump or deposit yard waste, cuttings, or clippings.
- Allow privately owned animals to discharge or deposit waste on park property without disposing said waste. All owners or others in charge of privately owned animals shall remove their animal’s waste from the park grounds, and may deposit animal waste in park trash receptacles.

#### NATURAL AND CULTURAL RESOURCES

- Disturb the natural surface of the ground in any manner unless authorized in writing by the County Administrator or his/her designee and/or done in accordance with a county-initiated land management activity.
- In any way disturb, molest, or remove any wildlife, animal, bird, or egg located above, upon or below the surface of the park grounds or to allow any privately owned animal to do so unless

specifically authorized in writing by the County Administrator or his/her designee, or unless a park is posted for such an activity.

- Feed any wildlife.
- Engage in the removal, destruction or harassment of animals and plants from or on parks, except for authorized research efforts as authorized by the County Administrator or his/her designee.
- Engage in the introduction of plants or animals onto parks, unless authorized by the County Administrator or his/her designee or as part of a county sanctioned restoration activity.
- Pick flowers, nuts, berries, or fruit, or to damage or remove plants, trees, or shrubs, from any part of the park grounds unless specifically authorized in writing by the County Administrator or his/her designee or done in accordance with a county-initiated land management activity.
- Swim, canoe, kayak, or boat in any body of water within the designated park boundaries, unless otherwise posted as a public swimming and/or boating area.
- Engage in the removal, alteration or destruction of archaeological or cultural resources from any park property and/or water body except as authorized by the County Administrator or his/her designee.

#### **RECREATION and VEHICLES**

- Drive, putt or otherwise hit a golf ball.
- Use roller skates, roller blades or skateboards, except on park facilities specifically designated for that purpose.
- Operate or park any motorized vehicle on park grounds except in areas designated by the county as public parking areas, driveways, or roadways. Motorists shall obey all posted speed limit and other directional signs posted within the park. Authorized county personnel or contract personnel shall be allowed to drive vehicles onto park areas during facility or grounds maintenance or other land management activities.
- The unauthorized use of metal detectors.

#### **SECTION 90-207:      ADDITIONAL PROVISIONS**

Unless otherwise specified herein and in addition to the restrictions stated in Section 90-206, the following additional provisions shall be applicable to all passive parks:

1. Allowable public use activities for each park shall be compatible with the protection of the natural and/or cultural resources for each individual park and shall be posted at each park.
2. Parks shall be closed to the public when, due to emergency conditions or activities undertaken by the federal, state, or county government for emergency response and recovery or maintenance of such areas, closure is necessary to protect such lands or to protect the health, safety and welfare of the public.
3. Hiking is permitted only on designated trails, established roads and firebreaks, and shall not occur in other areas.

4. Bicycling is permitted in parks that are specifically posted for that activity. Within a park permitted for bicycling, bicycling shall only be permitted on trails, established roads and firebreaks, and shall not occur in other areas.
5. Horseback riding is permitted in parks that are specifically posted for that activity. Within a park permitted for horseback riding, horseback riding shall only be permitted on trails, established roads and firebreaks, and shall not occur in other areas.
6. Hunting, trapping, or fishing is permitted in parks that are specifically posted for that activity. Within a park permitted for hunting, trapping or fishing, hunting, trapping and fishing activities will comply with South Carolina state law.
7. Dogs are permitted in parks, except where otherwise posted, provided that such animals are leashed and under control at all times. The owner or person responsible for the animal shall clean up and properly dispose of the animal's waste as stated in Section 90-206.
8. Concessions may be allowed in certain parks if they are determined to be appropriate to that property and are approved in writing by the County Administrator or his/her designee. Appropriateness is described as:
  - a. The concession is necessary to fulfill a need in the interest of the public and will assist the county in providing public use of passive parks.
  - b. The concession will be open to the public.
  - c. The concession will be economically feasible for the county.
  - d. The concession will be compatible with the protection of the natural and/or cultural resources and the management goals for that park.
  - e. The concession will not result in an unfair advantage over existing businesses that provide similar services in the area.
9. Research may be permitted in parks if said research is compatible with the protection of the natural and/or cultural resources and the management goals for that park and when approved in writing by the County Administrator or his/her designee.

**SECTION 90-208:       ARCHAEOLOGICAL DISCOVERY**

Archaeological excavating is prohibited on all properties. Any person discovering archaeological or cultural resources on any park shall immediately notify the Passive Parks Manager and the Beaufort County Sherriff's Office of such discovery.

**SECTION 90-209:       PASSIVE PARK USER FEES**

Fees for admission to passive parks, for use of park land and/or facilities, and for participation in events may be established by the County Administrator or his/her designee, subject to approval by County Council.

**Secs. 90-210 – 90-250. - Reserved.**



**BEAUFORT COUNTY STORMWATER UTILITY**  
**120 Shanklin Road**  
**Beaufort, South Carolina 29906**  
**Voice (843) 255-2805 Facsimile (843) 255-9436**  
**wstormwater@bcgov.net**



**M E M O R A N D U M**

**TO:** Natural Resources Committee  
Stormwater Utility Board

**FROM:** Eric W. Larson, PE, AICP, CPSWQ, CFM

**DATE:** September 4, 2018

**SUBJECT:** Release/Abandonment of Stiles Harper, Jr. recorded Drainage Easement recorded in  
Deed Book 2830 pages 1939-1941

---

On or about April 7, 2009, Stiles Harper, Jr. agreed to deed Beaufort County a thirty-foot (30') drainage easement located across the middle of real property identified as TMS No. R600 039 00C 153A 0000 in connection with the construction of a drainage ditch. The drainage easement was recorded with the Beaufort County Register of Deeds on April 13, 2009 at Book 2831 / Pages 1939-1941. Beaufort County Stormwater was unable to construct or maintain the ditch due to the obstructions in the easement area.

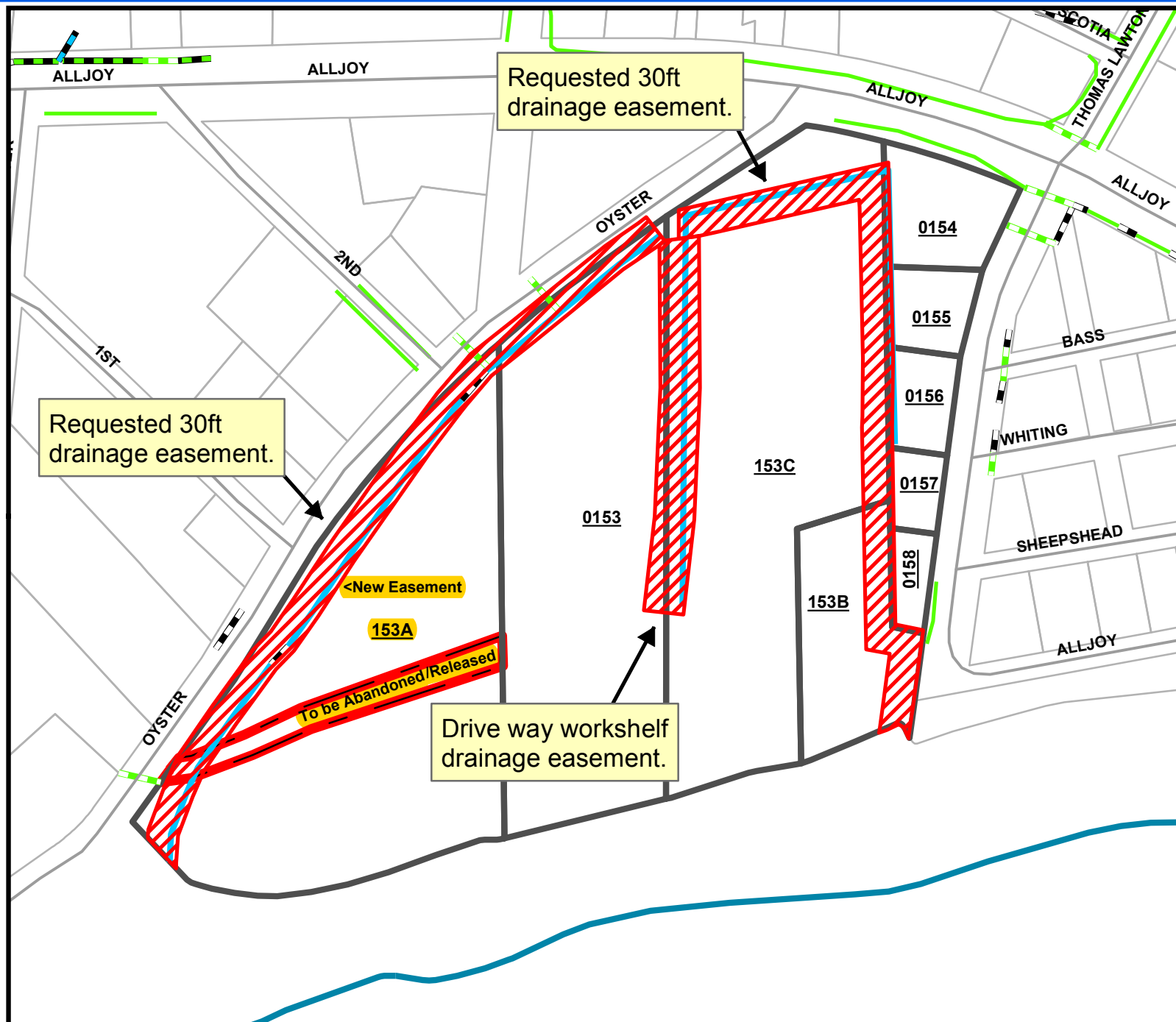
The Stormwater Department has determined that a newly requested easement recorded on August 23, 2018 with the Beaufort County Register of Deeds at Book 3694 / Pages 1939-1941 shall replace the previously recorded easement on the property identified as TMS No. R600 039 00C 153A 0000. Staff recommends the Abandonment/Release of the easement recorded on April 13, 2009 at Book 2831 / Pages 1939-1941. See attached Map for the location of the newly recorded easement and the easement to be abandoned.

Also attached is a draft ordinance with attachments for County Council's Approval.

(Exhibit "A")  
R600-039-00C  
Oyster Street.

Activity: Drainage  
Easement Request

Township:  
Bluffton



Legend

- River
- Creek/Stream
- River/Creek/Marsh BANK
- Channel Pipe
- Roadside
- Roadside Pipe
- Road Pipe
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- Access Pipe
- Bleeder Pipe
- Channel (fka Outfall)
- Easements
- Ditch to be Constructed
- Requested Esmt
- Affected Parcels
- Parcels



1 inch = 142 feet

Prepared By: Beaufort Co, Stormwater Management Utility  
Print Date: 06/12/2018  
File - C:\stormwater\drainage\R360-039-00A\_OysterStreet

**ORDINANCE NO. 2018 / \_\_**

**AN ORDINANCE AUTHORIZING THE RELINQUISHMENT OF AN EASEMENT  
ENCUMBERING PROPERTY IDENTIFIED AS TMS NO. R600 039 00C 153A 0000**

**WHEREAS**, on or about April 7, 2009, Stiles Harper, Jr, agreed to deed Beaufort County a thirty-foot (30') drainage easement located across the middle of real property identified as TMS No. R600 039 00C 153A 0000 in connection with the construction of a ditch; and

**WHEREAS**, a thirty-foot (30') drainage easement was recorded with the Beaufort County Register of Deeds on April 13, 2009 at Book 2831 / Pages 1939-1941; and

**WHEREAS**, the easement referred to above is located in the middle of the property owner's parcel and is obstructed by structures and an asphalt driveway; and

**WHEREAS**, Beaufort County was unable to construct or maintain the ditch due to the obstructions; and

**WHEREAS**, Beaufort County has determined that a newly requested easement recorded on August 23, 2018 with the Beaufort County Register of Deeds at Book 3694 / Pages 1939-1941 shall replace the previously recorded easement on the property identified as TMS No. R600 039 00C 153A 0000; and

**WHEREAS**, The property owner has granted to Beaufort County a thirty-foot (30') drainage easement on the West border of the property identified as TMS No. R600 039 00C 153A 0000 recorded on August 23, 2018 with the Beaufort County Register of Deeds at Book 3694 / Pages 1939-1941 in exchange for relinquishment of the previous thirty-foot (30') drainage easement recorded on April 13, 2009 with the Beaufort County Register of Deeds at Book 2831 / Pages 1939-1941; and

**WHEREAS**, Beaufort County Council has determined it is in the County's best interest to relinquish the thirty-foot (30') easement which is attached hereto as Exhibit "A"; and

**WHEREAS**, S.C. Code Ann. §4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by the adoption of an ordinance by Beaufort County Council.

**NOW, THEREFORE, BE IT ORDAINED, BY BEAUFORT COUNTY COUNCIL**, that the County Administrator is hereby authorized to take all actions as may be necessary to relinquish the easement herein described and, with particularity, identified on Exhibit "A".

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2018.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, Interim County Administrator

ATTEST:

\_\_\_\_\_  
Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Chronology

3/27/09  
NC  
Stormwater  
Public Work

## Exhibit A

STATE OF SOUTH CAROLINA  
COUNTY OF BEAUFORT

BEAUFORT COUNTY SC- ROD

BK 02831 PGS 1939-1941

DATE: 04/13/2009 11:43:23 AM

INST # 2009020610 RCPT# 581282

### DRAINAGE EASEMENT

For and in consideration of One Dollar (\$1.00) and improvement of drainage on grantor's land, the receipt whereof is hereby acknowledged, Stiles Harper Jr of Palmetto Point Oyster Street Bluffton, SC 29910. Grantor, does hereby grant and convey unto Beaufort County, Grantee, its successors and assigns, a non-exclusive easement, as shown on attached drawing, in, over, and upon the following land situated in the County of Beaufort, State of South Carolina. The approximate location of the ditch(es) involved on *R600 039 00C 153A 0000* to the non-exclusive easement herein conveyed is shown on the attached drawing.

For or in connection with the construction of a ditch and berm to improve the drainage on the above described lands, such construction to include excavation, widening, deepening, or straightening, for or in connection with the operation, maintenance, and inspection of such a ditch and berm.

1. This easement includes the right of ingress and egress at any time over and upon the above described land, for the purpose of construction, inspection, and maintenance of ditches as referred to above.
2. There is reserved to the Grantee, Beaufort County, the right and privilege to use the above described land of the Grantor for the purposes of maintaining the drainage ditch system.
3. The Grantee is responsible for operating and maintaining the work of improvement herein described.
4. Special Provisions
  - a. The Grantee shall have the right to clear and remove all brush and trees to a width necessary to excavate and/or improve the above drainage ditches. Provided, however, if the Grantor desires to salvage merchantable timber from the area to be cleared, he will do so prior to the time the contractor begins work. It is understood that the Grantee will advise the Grantor at least 10 days in advance of construction.
  - b. Proposed drainage ditches will follow natural draws or present drainage ways as near as practical.
  - c. If the Grantor desires to salvage levees, fences, culverts, or bridges that interfere with the construction or maintenance of drainage ditches, he will have the opportunity to do so prior to construction and maintenance work.

It is agreed that buildings, fences, signs or other obstructions will not be erected by me (or us), my heirs, assigns, or administrators within the limits of the easement herein conveyed.

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the above described land of the Grantor, with all the rights, privileges and appurtenances thereto belonging or in any wise appertaining, unto the Grantee, its successors and assigns, forever.

**\*Please fill all blanks.**

IN WITNESS WHEREOF, the Grantor has executed this instrument on the 7<sup>th</sup> day of April, 2009.

[Signature]  
(Witness #1)

[Signature]  
(Witness #2)

[Signature]  
Signature of Grantor

[Signature]  
Signature of Grantor

(L.S.)

(L.S.)

STATE OF SOUTH CAROLINA )

COUNTY OF BEAUFORT COUNTY ) ACKNOWLEDGEMENT

I, the undersigned Notary Public do certify that Stiles M. Harper Jr.  
(Grantor, Print Name)

personally appeared before me, and having satisfactorily proven to be the person or persons whose names are subscribed above, have acknowledged the due execution of the within Drainage Easement.

Witness my official seal this the 7<sup>th</sup> day of April of 2009

[Signature]  
Public Notary for

LORI SEXTON  
NOTARY PUBLIC  
SOUTH CAROLINA  
My Commission Expires March 17, 2018

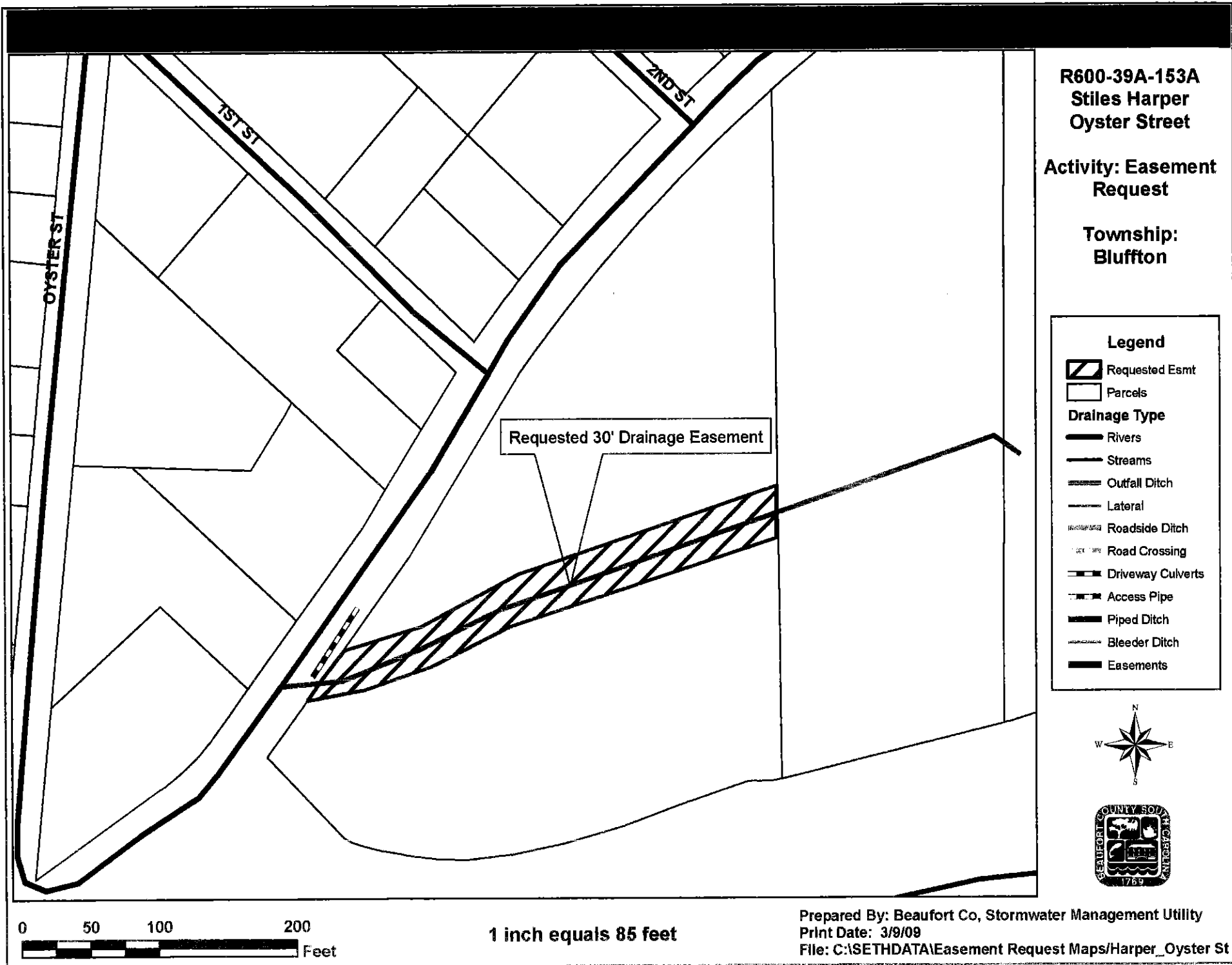
My Commission Expires: March 17, 2018

County Use Only:

Location: Beaufort County \_\_\_\_\_

Township: Bluffton \_\_\_\_\_

Tax Map No. 39C \_\_\_\_\_ Parcel No. 153A \_\_\_\_\_



3  
Camp  
Public  
works

BEAUFORT COUNTY SC - ROD  
BK 3694 Pgs 2240-2242  
FILE NUM 2018046319  
08/23/2018 03:49:28 PM  
REC'D BY kposton RCPT# 903124  
RECORDING FEES \$0.00

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )

**DRAINAGE EASEMENT**

For and in consideration of One Dollar (\$1.00) and improvement of drainage on Grantor's land, the receipt whereof is hereby acknowledged, **STILES M HARPER JR, 36 OYSTER ST, BLUFFTON, SC 29910** (Grantor"). Grantor, does hereby grant and convey unto **Beaufort County** ("Grantee"), its successors and assigns, a non-exclusive easement, as shown on the drawing attached hereto as **Exhibit "A"**, in, over, and upon the property owned by Grantor known as R600 039 00C 153A 0000 and situated in Bluffton, County of Beaufort, State of South Carolina.

For or in connection with the construction, operations, maintenance, and/or reconstruction, collectively known as "work" of a "stormwater drainage system", including but not limited to a ditch, berm, pipe, basin, and other best management practices, to improve the drainage on the above described lands as necessary for Beaufort County to comply with its the federally required MS4 permit, such activity to include excavation, widening, deepening, straightening, laying pipe, installing best management practices, etc. for or in connection with the work of such a stormwater drainage system.

1. This easement includes the right of ingress and egress at any time over and upon the above described land, for the purpose of work of the **stormwater drainage system** as referred to above.
2. There is reserved to the Grantee, Beaufort County, the right and privilege to use the above described land of the Grantor for the purposes of the work on the stormwater drainage system.
3. The Grantee is responsible for the work of the stormwater drainage system improvements herein described.
4. Special Provisions
  - a. The Grantee shall have the right to clear and remove all brush and trees to a width necessary to perform work on the above mentioned stormwater drainage system. Provided, however, if the Grantor desires to salvage merchantable timber from the area to be cleared, he will do so prior to the time the contractor begins work. It is understood that the Grantee will advise the Grantor at least 10 days in advance of construction.
  - b. Stormwater drainage systems will follow natural draws or present drainage ways as near as practical.
  - c. If the Grantor desires to salvage levees, fences, culverts, or bridges that interfere with the work of the stormwater drainage system, he will have the opportunity to do so prior to the Grantee commencing work.

It is agreed that buildings, fences, signs or other obstructions will not be erected by Grantee, its successors, assigns, or administrators within the limits of the easement herein conveyed.

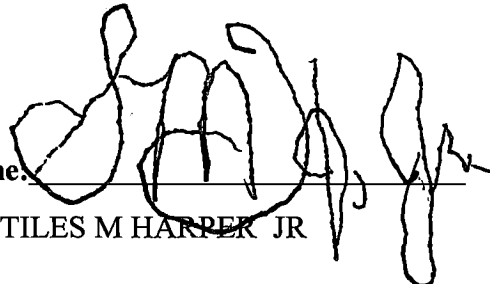
8/23/18

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the above described land of the Grantor, with all the rights, privileges and appurtenances thereto belonging or in any wise appertaining, unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has executed this instrument on the 23<sup>rd</sup> day of August, 2018.

Witnesses:

(2) Carolyn Wallace  
(Witness #1)

(1) Name:   
STILES M HARPER JR

(1) Name: \_\_\_\_\_

(3) Patricia 2 Wilson  
(Witness #2) (Notary Public May Sign)

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )

ACKNOWLEDGEMENT

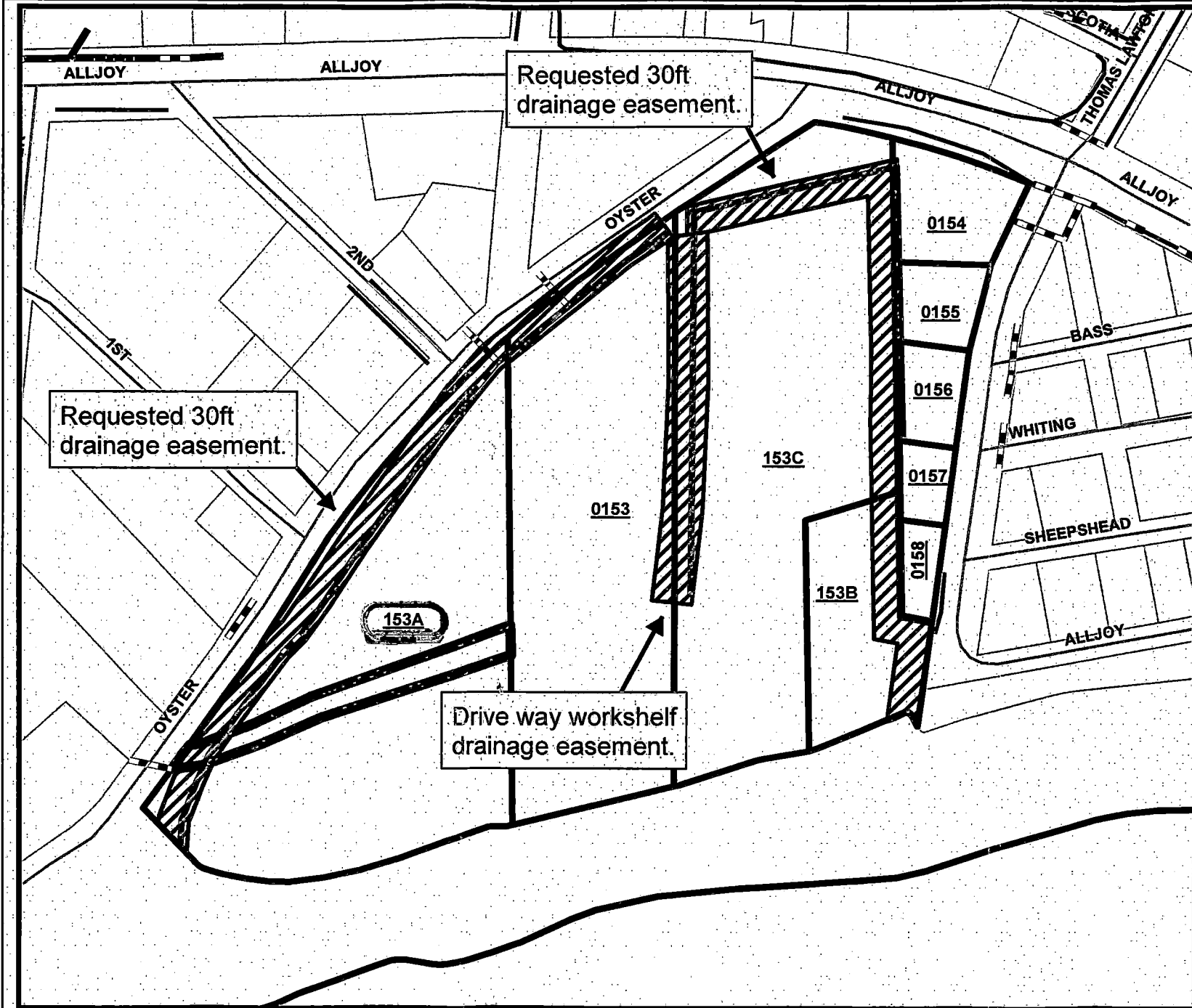
I, the undersigned, a Notary Public for South Carolina, do hereby certify that **STILES M HARPER JR** personally appeared before me this day and, in the presence of the two witnesses above named, acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 23<sup>rd</sup> day of August, 2018.

(4) Patricia 2 Wilson  
Notary Public for South Carolina  
My Commission Expires: April 9, 2021

County Use Only:

Location: Beaufort County  
Township: Bluffton  
Tax Map No. 39 Parcel No. 153A



(Exhibit "A")  
R600-039-00C  
Oyster Street.

Activity: Drainage  
Easement Request

Township:  
Bluffton

**Legend**

- River
- Creek/Stream
- River/Creek/Marsh BANK
- Channel Pipe
- Roadside
- Roadside Pipe
- Road Pipe
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- Access Pipe
- Bleeder Pipe
- Channel (fka Outfall)
- Easements
- Ditch to be Constructed
- Requested Esmt
- Affected Parcels
- Parcels



0 50 100 200 300 400  
Feet

1 inch = 142 feet

Prepared By: Beaufort Co, Stormwater Management Utility  
Print Date: 06/12/2018  
File - C:\stormwater\drainage\R360-039-00A\_OysterStreet



**BEAUFORT COUNTY STORMWATER UTILITY**  
**120 Shanklin Road**  
**Beaufort, South Carolina 29906**  
**Voice (843) 255-2805 Facsimile (843) 255-9436**  
**wstormwater@bcgov.net**



**M E M O R A N D U M**

TO: Natural Resources Committee  
Stormwater Utility Board

FROM: Eric W. Larson, PE, AICP, CPSWQ, CFM

DATE: August 15, 2018

SUBJECT: Condemnation for Easement – Tracts 0003 and 048D off Trask Parkway

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The attached easement exhibit is being proposed by staff at the request of adjacent property owners and Councilman Dawson to begin formal condemnation procedures to acquire the easements. Multiple written, verbal and personal communications have resulted in unsuccessful voluntary easement acquisitions. Councilman Dawson has been involved with the acquisition process and supports further action.

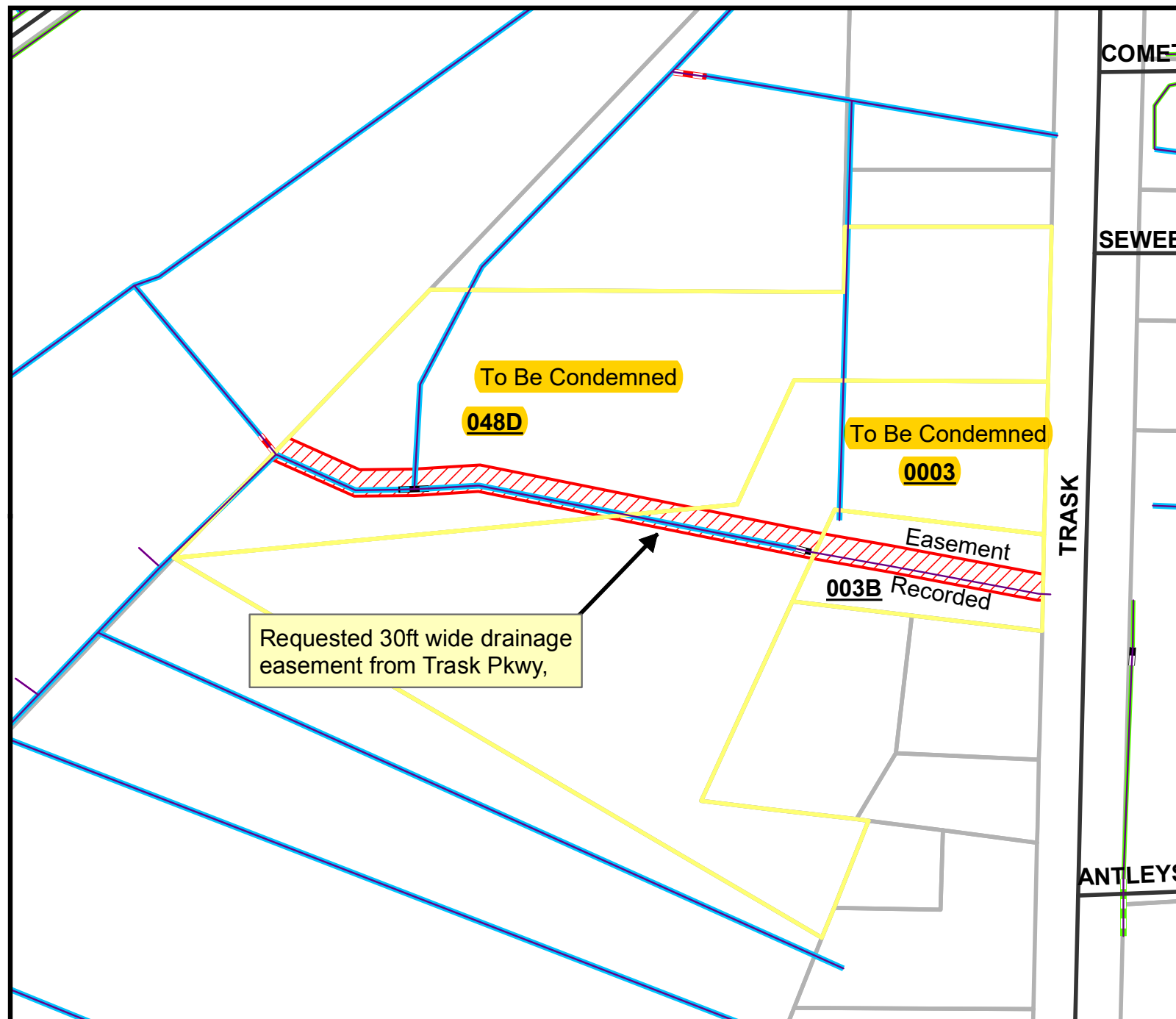
**Tracts 0003 and 048D off Trask Parkway**

The Stormwater Department often receives requests to maintain this regionally significant system due to flooding issues along Trask Parkway. The process to obtain easements needed for this ditch system formally began in August 2016. The County has a recorded easement from tract 003B but the property owner for both tracts 0003 and 048D has denied granting easement. Councilman Dawson has been instrumental in the efforts to acquire the drainage easements and recommends condemnation of the remaining tracts.

(Exibit "A")  
R700 028-  
Trask Pkwy

Activity: Drainage  
Easement Request

Township:  
Sheldon



**Legend**

- Ditch to be Constructed
- River
- Creek/Stream
- River/Creek/Marsh BANK
- Channel Pipe
- Roadside
- Roadside Pipe
- Road Pipe
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- Access Pipe
- Bleeder Pipe
- Channel (fka Outfall)
- To be Piped
- Requested Esmt
- Project Parcels



0 50 100 200 300 400  
Feet

1 inch = 160 feet

Prepared By: Beaufort Co, Stormwater Management Utility  
Print Date: 04/19/2018  
File - C:\stormwater\drainage\R700-28traskParkway

South Carolina Nonpoint Source Program - \$319 Grant Application  
Watershed-Based Plan **IMPLEMENTATION** Projects

(Due by 3:00 PM Wednesday, May 16, 2018)



**1. PROJECT INFORMATION:**

Project Title: Evergreen Tract Stormwater BMP  
Length (months): 36

Watershed Name(s): Salkehatchie  
12 Digit HUC(s): 030502080606  
County(ies): Beaufort  
Water Quality Parameter(s): Fecal Coliform Bacteria (Shellfish)  
SCDHEC Monitoring Site(s) 18-08  
in the Watershed(s): \_\_\_\_\_

This watershed: (check all that apply)

TMDL: <u>X</u>	Has an approved TMDL	_____	Is impaired (no TMDL)
Watershed-Based Plan (WBP): <u>X</u>	Has a completed WBP	_____	Does not have a completed WBP
MS4: <u>X</u>	Includes an MS4	_____	Does not include an MS4

**2. FUNDING REQUEST:**

Federal Request: \$414229,000124  
Non-Federal Match: \$276152,000750  
Total Amount: \$690,000381,874

Additional Federal Funding, if applicable: \$ \_\_\_\_\_  
Source: \_\_\_\_\_

**3. LEAD ORGANIZATION INFORMATION:**

Lead Organization: Beaufort County  
Federal ID Number: 57-6000311

Project Manager: Eric Larson  
Mailing address: 120 Shanklin Road Beaufort, SC 29906  
Telephone: 843-255-2805  
Fax: 843-255-9436  
Email: elarson@bcgov.net

Alternate Contact: Paul Moore – Ward Edwards Inc.  
Telephone: 843-384-5266  
Email: [pmoore@wardedwards.com](mailto:pmoore@wardedwards.com)

**South Carolina Nonpoint Source Program - \$319 Grant Application**  
Watershed-Based Plan **IMPLEMENTATION** Projects

(Due by 3:00 PM Wednesday, May 16, 2018)

Financial Officer: Chanel Lewis  
Telephone: 843-255-2290  
Email: [clewis@bcgov.net](mailto:clewis@bcgov.net)

Official project paperwork (e.g. contract) Eric Larson  
should be sent to the attention of: \_\_\_\_\_

**4. COOPERATING ORGANIZATIONS:**

Beaufort County will be the only organization contributing financially to the project. The County's Stormwater Utility has led the efforts to restore the Okatie River watershed but has support from the other local municipalities through the County's Stormwater Implementation Committee (SWIC) and Stormwater Utility Board. The County will fund the non-federal match through the capital improvements funds collected and reserved by the County's Stormwater Utility Fee. The County will lead the design, permitting, procurement, construction, public outreach, and education components. The stormwater system that the proposed BMP will primarily serve is owned by SCDOT; however SCDOT will not be contributing to the project funding. Beaufort County and SCDOT have an ongoing, mutually beneficial working relationship on roads throughout the County, so the County is willing to solely fund the project in the interest of water quality improvements and public benefit.

**5. GENERAL PROJECT OVERVIEW (ABSTRACT):**

Beaufort County has recognized the growing water quality problems within the Okatie River watershed since the early 1990s when shellfish harvesting restrictions within the waters first began. The County has led preservation and restoration efforts through a series of studies, task forces, management plans, development code revisions, and retrofit projects. The County has a number of ongoing and planned projects and strategies that are summarized in the latest *Okatie River Watershed Management Plan* dated April 2015.

Beaufort County's *Stormwater Master Plan* developed in 2006 identified the Okatie Headwaters as a priority basin within the County. Additional refined studies of the sub-watershed since 2006 have included the 2011 *Regional Retrofit Study*, the 2014 *SC170 Highway Retrofit Study*, and the 2015 *Okatie River Watershed Based Plan*. Past projects within the Okatie River watershed arising from these studies include the Okatie East wetland enhancement constructed in 2013 and the Okatie West pond currently under construction. To supplement the treatment provided by these projects, Beaufort County plans to construct one of the ponds proposed in the 2014 *SC170 Highway Retrofit Study*, which is also a strategy identified in the Watershed Based Plan. The pond will be located on land recently purchased by Beaufort County for the express intent of constructing water quality retrofits; a parcel known as the Lowcountry Evergreen Tract. The Evergreen Retrofit Project plan calls for the flow from the 21+ acre upstream sub-watershed to be diverted to a pond that will be constructed in an upland area located on the property the County purchased. The majority of the sub-watershed is impervious surfaces related to Okatie Highway. The highway drainage system serving 2,500 LF of the four-lane highway will be diverted into the pond for treatment prior to discharge into a nearby wetland channel. The 1.5 acre pond will detain the collected runoff from the sub-watershed and provide bacteria treatment via ultraviolet radiation penetration of the permanent pool water column. An outfall structure will be constructed in the pond to provide the necessary attenuation of the upstream runoff, and release the stored stormwater at rates less than current conditions. It is expected, based on local monitoring data of existing ponds, that the pond will provide effective removal of bacteria from the runoff. Beaufort County has documented success implementing BMP projects such as this and is systematically implementing the strategies of the Okatie River Watershed Based Plan. The 319 Grant funds will be used for the design and construction of the proposed BMP by supplementing capital improvement funds dedicated to water quality improvements.

Water quality modeling prepared as part of the 2006 SWMP showed that implementation of a BMP within the headwaters sub-basin would reduce the bacteria load at station 18-08. A water quality model of the Okatie River 3 water quality sub-basin updated as part of the Okatie WMP analyzed the Okatie West and Okatie East Regional Retrofit projects and their respective benefits. The model showed that the two regional BMPs would reduce the bacteria load in the headwaters (near Station 18-08) by a combined 1.75E+14 #/yr. The Evergreen BMP Project will provide upstream supplemental treatment in the amount of a 8.84E+12 #/yr reduction, bringing the total combined reduction to 1.84E14 #/yr. While the Evergreen BMP

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Watershed-Based Plan **IMPLEMENTATION** Projects

(Due by 3:00 PM Wednesday, May 16, 2018)

reduction appears to be small when considering the whole watershed, the proposed BMP will be very effective for the BMP service area, reducing bacteria loads by 80% or more.

There were two previous 319 Grants in the Okatie River Watershed. The initial Grant from the 2008 cycle was completed in 2014, and was comprised of many small regional and non-regional strategies that were implemented with mixed results. The project did not result in correction of the bacteria contamination problem and reopening of the shellfish beds. The current *Okatie River Watershed Management Plan* completed in April 2015 is building on previous successes and is learning from the failures in order to implement larger strategies intended to address the contaminant sources. Based on that WBP, the 2015 Okatie West Project was funded by a 319 Grant and is currently under construction, with completion expected by July 2018. The large regional pond is expected to reduce bacteria reaching the Okatie River by 7%. The Evergreen Project will build upon the previous projects and is expected to provide additional bacteria load reduction. The ultimate goal is of the overall watershed based plan is to improve water quality such that the shellfish beds within the watershed are reopened for harvesting.

**6. PROJECT DESCRIPTION:**

**A. General Background**

Located in the South Carolina lowcountry, the Okatie River watershed (HUC 030502080606) is approximately 16,321 acres in size and spans Beaufort County and Jasper County. The majority of the watershed (12,325 acres) is in Beaufort County while the remaining portion (3,995 acres) is in Jasper County. Within Beaufort County, the majority is in unincorporated Beaufort County and the rest is in the Town of Bluffton. The Okatie River is a euhaline river, with no freshwater inputs other than stormwater runoff, and the River drains to the Colleton River, which in turn drains to Port Royal Sound and the Atlantic Ocean. The River is classified as an Outstanding Resource Water (ORW) and as shellfish harvesting waters, although the upper reaches of the river are restricted for shellfish harvesting due to fecal coliform bacteria contamination. The restrictions first began in 1995, and Beaufort County has been working ever since to protect and restore the River to pre-restriction conditions. SCDHEC initiated a fecal coliform TMDL for the watershed in 2010 which mandates reductions in bacteria loads as high as 51% in the Headwaters portion of the watershed. Portions of the watershed are part of a MS4 area, as Beaufort County received its MS4 permit in 2015. Exhibit 1 shows the watershed boundaries, the shellfish classifications, the SCDHEC monitoring stations, the watershed sub-basins, and the MS4 boundary.

The original Okatie River Watershed Management Plan was prepared and enacted in 2002. The plan was amended in 2008 as part of a 319 Grant administered by the Lowcountry Council of Governments (LOCOG). The 319 grant funded a number of small regional and non-regional projects such as a septic tank inspection program, a pet waste education program, and an irrigation reuse program. The project was completed in 2014 and a summary report was published by LOCOG. The project's goal was to address the bacteria contamination problem in the River and reopen the shellfish beds to harvesting; however, the results fell short of that goal. The 2008 Grant failures were primarily programmatic and management failures that lessened the potential benefits. The goals were perhaps too ambitious for a single project. Examples of some of the failures and lessons learned include:

- The 2008 project included a large number of partners from a variety of public and private organizations. Many of the public organizations failed to fulfill their project responsibilities due to staff changes and budget cuts. Beaufort County's response to this lesson for future Grant projects was to seek supporting partners, but to implement the critical components unilaterally. Beaufort County is still working with other public and private agencies for long-term water quality pursuits, such as unifying water quality standards, preserving critical lands, and ongoing public education initiatives; but for short-term projects and strategies with critical deadlines, the County plans to solely control the strategies.
- The 2008 grant's septic tank inspection and repair program didn't achieve the project goals due to tentative response and lack of participation from residents. It was learned that private citizen advocates in the project neighborhood helped to gain support from the reluctant home-owners. However given the long-term maintenance responsibilities for septic tanks and the numerous challenges working with private homeowners, it was decided that a more effective strategy to deal with failing septic tanks is to extend public sewer into to neighborhoods served by septic tanks. LOCOG and BJWSA are attempting to utilize Community Development

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**South Carolina Nonpoint Source Program - §319 Grant Application**  
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Block Grants to fund these sewer extensions. As a result, public sewer extensions were included as a strategy in the Okatie River Watershed Based Plan. Beaufort County supports the sewer extension projects by participating in homeowner information meetings led by BJWSA.

- Another strategy from the original grant was the construction of a manure management system in a gated community that includes equine amenities. Regular follow-up by Beaufort County has found that the operation and maintenance practices put in place after construction weren't effectively being passed on during staff turnover. The lesson learned is that diligent and regular communication to management professionals is needed to produce enduring BMPs. Manure management is beyond the scope of the physical improvements proposed by this grant, but could be included as part of the public education component; as staff and supporters conduct workshops in nearby communities within the watershed.

The new *Okatie River Watershed Management Plan* completed in April 2015 is building on the previous successes and is learning from the failures in order to implement larger strategies intended to address the contaminant sources. The ultimate goal of the overall watershed based plan is to improve water quality such that the shellfish beds within the watershed are reopened for harvesting.

Non-point source pollution from growth and development are generally to blame for bacteria contamination throughout the County, and the Okatie River watershed has faced among the highest development pressure within the County over the past 25 years. Beaufort County responded to the shellfish bed closures in the Okatie and other rivers by implementing a number of strategies. Among the strategies were improvements to the County's stormwater standards for new development, implementation of a Stormwater Utility in cooperation with the local municipalities, and the completion of a baseline study for the Okatie River. To address the County's stormwater standards for new development, Beaufort County's first version of the *Manual for Stormwater Best Management Practices* was implemented in 1998. SCDHEC aided in the recommendation for a baseline water quality by completing a combined baseline study of the Okatie River and Broad Creek in 2000. Most importantly, the County's Stormwater Utility was created in 2001. The Stormwater Utility included the participation of all the local municipalities and all subsequent water quality studies and initiatives in the County were implemented by or supported by the Stormwater Utility. The first Okatie River Watershed Management Plan was completed in 2002 and contained a number of specific strategies, some of which have been implemented. Additional studies such as the *Beaufort County Stormwater Master Plan*, completed in 2006, recommended regional retrofit projects intended to offset the increasing bacterial contamination from stormwater runoff. A new Okatie River Watershed Management Plan was recently completed in April 2015 and was updated to include the most recent information and studies related to the River, including the Okatie River TMDL. Section 1.0 of the WMP describes in greater detail, the history of the studies and reports for the River. Section 2.0 describes the watershed's existing land-use, future land-use, political boundaries, and the baseline water quality.

Water Quality within the watershed is generally good, with the exception of the previously mentioned fecal coliform bacteria impairment. Bacteria levels generally meet recreational contact standards at all stations except the headwaters station (18-08); however, the four upstream most stations (18-08, 18-16, 18-17 & 18-07) generally exceed the shellfish harvesting standards that apply to the River. The "restricted" portions of the river have fluctuated over the years, but are generally located between stations 18-08 and 18-07; with 18-07 being the downstream station at which the classification transitions to "approved". However, the section between 18-07 and 18-01 has recently been downgraded to "restricted". The bacteria concentrations are believed to be improvable based on water quality modeling prepared as part of the County's 2006 *Stormwater Master Plan*, and modeling prepared as part of the 2015 *Watershed Management Plan*. The modeling demonstrates that implementation of regional retrofit BMPs combined with non-regional management strategies such as reducing septic tank usage, will reduce the predicted future bacteria loadings in assumed future land-use conditions. Sections 2.4 and 5.5 contain information about the predictive water quality modeling prepared for the watershed. Addendum 1 of the Watershed Management Plan contains the updated model for the Okatie River 3 water quality sub-basin. The model demonstrates that the proposed pond BMP will provide significant bacteria pollutant removal from the runoff treated by the BMP and make a difference in the bacteria load reaching monitoring station 18-08. Based on field research conducted by Beaufort County, appropriately sized wet detention ponds provide bacteria removal of at least 80%. The proposed Evergreen Tract pond will be suitably sized to handle the service area, so it is expected to be highly effective for treatment of that service area. The

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Watershed-Based Plan **IMPLEMENTATION** Projects

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pond will remove 8.84E+12 counts per year of bacteria, which will be effective supplemental treatment to the Okatie West Regional BMP. Beaufort County has many other management strategies that are being implemented along with the Okatie Wet project, including:

- The Okatie East Wetland Enhancement – This project was recently constructed and is undergoing refinement. It is expected to provide an 8.82% (9.74E+13 #/yr) reduction in bacteria load reaching station 18-08.
- The Okatie West Regional Water Quality Retrofit – This regional wet detention pond is currently under construction and will provide retrofit treatment for 1,170 acres of land within the headwaters. This project is being constructed with help from a previously approved 319 Grant from the 2015 cycle. It is predicted to provide a 7.04% (7.78E+13 #/yr) reduction in bacteria load reaching station 18-08.
- Highway 278 non-regional retrofits – This project involves construction of four smaller ponds along the recently widened highway directly adjacent to the Okatie River headwaters. They are expected to provide bacteria treatment and runoff volume control for runoff leaving the road.
- Highway 170 widening retrofits – This project is similar to the Highway 278 project in its goals, but is located directly upstream of the Okatie West project. The construction of these pond will enhance the function of the Okatie West pond by pre-treating runoff that will drain through the Okatie West pond.
- Land preservation – Beaufort County has been and continues to preserve land within impaired watersheds such as the Okatie River watershed. The Beaufort County Rural and Critical Land program purchases property or preservation easements to prevent development in areas that could further degrade water quality. The program has preserved 845 acres in the Okatie River watershed and 21,000 acres County-wide. The County is actively pursuing property preservation in the Okatie River including some large parcels directly adjacent to the Okatie River headwaters.
- Educational Programs – Beaufort County's stormwater educational program is handled by Lowcountry Stormwater Partners, via Carolina Clear. The County has partnered with the Town of Bluffton and BCSWD to host a pond maintenance conference in the County. The conference generally occurs every two years and teaches designers, land developers, and homeowner associations proper design and maintenance strategies that will keep ponds in good working conditions that maximize water quality treatment. The next conference will be held in the fall of 2019.
- Illicit discharge ordinance. The County has implemented an illicit discharge ordinance throughout the County, including a smartphone app that allows residents to report incidents to the County and to provide photos of the observed problems.
- The County has partnered with the Town of Bluffton, the Town of Hilton Head Island, the City of Beaufort, and the Town of Port Royal to fund a \$475,000 update to the County-wide Stormwater Master Plan. SWMP update will include new water quality modeling of critical basins such as the Okatie River and is expected to reveal the most effective management strategies for improving water quality.

The management strategies and projects listed above are all part of the latest Okatie River WMP and were chosen to improve water quality in the watershed. They are being funded by Beaufort County and other local partners. 319 Grant funding for the Evergreen project will allow quicker progression through the planned strategies and will better leverage the County Stormwater fee to implement similar strategies.

*(Due by 3:00 PM Wednesday, May 16, 2018)*



**South Carolina Nonpoint Source Program - \$319 Grant Application**  
Watershed-Based Plan **IMPLEMENTATION** Projects

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**B. Specific Objectives and Goals of the Project:**

The objective of the project is to construct a water quality retrofit pond that will treat runoff from the 21 acre upstream sub-watershed that consists primarily of impervious surfaces related to Okatie Highway. The highway impervious surfaces currently discharge directly to the Okatie West tributary without any detention or pre-treatment. The proposed pond will provide attenuation and treatment to aid in removal of bacteria. The Okatie West tributary is part of the Headwaters sub-basin, located upstream of SCDHEC monitoring station 18-08. This tributary represents roughly half of the headwaters sub-basin in which the TMDL requires a 51% reduction in bacteria loads. It is not expected that this project, even combined with the Okatie West Regional Retrofit, will result in reclamation of the headwaters as an approved shellfish harvesting area, but instead would be a step toward this ultimate goal. The proposed pond is expected to reduce the FC load from the 21 acre service area by 80% (8.84E+12 #/yr) and result in a reduction in load reaching monitoring station 18-08. The Evergreen project is but a single project among many projects and strategies outlined in the watershed based plan and will continue the County's ongoing efforts to restore the Okatie River. Section 4.0 (Page 31) of the WMP identifies the overall watershed objectives and goals. The objectives and goals specific to this project include:

- Treat stormwater runoff from the existing highway and adjacent developed area that currently have no stormwater BMPs.
- Reduce the peak runoff rate and runoff volume discharged from the Okatie West tributary. A reduction in the runoff volume to the receiving waters directly results in a reduction to the contaminant loads reaching the River.
- Reduce the amount of bacteria reaching SCDHEC Station 18-08

**C. Detailed Project Description:**

The primary management strategy that will be implemented as part of this project is one of the non-regional Highway 170 Widening Retrofits identified in Section 5.2.2 (page 54) of the 2015 *Okatie River Watershed Management Plan*. A 3.2 mile long stretch of Hwy 170 (between Hwy 278 and Hwy 46) was widened from 2-lanes to 4-lanes without permanent water quality BMPs included in the design. The widening plans were designed to SCDOT water quantity and water quality standards, which are less stringent than Beaufort County's water quality and volume control standards. Given that this portion of the highway is located in the Okatie West branch of the headwaters, Beaufort County believes it is important to treat runoff from this area to higher standards. Beaufort County plans to design and construct up to nine small water quality ponds at the existing outfall pipes for the stormwater collection systems draining the highway; to treat the runoff to the maximum extent technically feasible. Site 8, as identified in the WMP, is located just to the north of the Okatie West branch on property recently acquired by Beaufort County. The Evergreen Tract was purchased by Beaufort County as part of the County's Rural and Critical Land program for the express purpose of stormwater quality improvements in the Okatie River. The property, previously planned for multi-family development, would instead be preserved and provide a location for the proposed BMP.

The service area for the proposed Evergreen BMP would be approximately 21 acres and would contain primarily the highway pavement and greenspace, but also a mixture of land-uses including a small section of golf course, and wooded buffers. Given that the highway's impervious surfaces are currently un-treated, it is believed that the proposed stormwater pond would benefit water quality within the western branch. Exhibit 2 shows the Okatie West and Okatie East branches within the Okatie River 3 water quality sub-basin.

The site for the proposed BMP was originally part of the Kent Estates Planned Unit Development, which was a mixed-use development proposed for two adjacent parcels. The northern parcel (Evergreen Parcel) was intended to be developed into multifamily residential units and the southern parcel (New Leaf Parcel) was intended to be single family residential. The County purchased the properties in 2015 as part of the Rural and Critical Land program for two purposes. The first purpose is to limit development of the property due to its location in the sensitive headwaters of the Okatie River watershed. The second purpose was to allow for the construction of the Okatie West regional BMP on the southern parcel, and two smaller non-regional BMPs detailed in the watershed management plan (one on each parcel). The acquired property borders Hwy 170 to the west and partially developed parcels to the north, east, and south. A large jurisdictional wetland containing the main flow path for the western tributary separates the two parcels. The project will require a new wetland determination to delineate the upland areas from the wetlands so that the exact location of the proposed pond can be determined.

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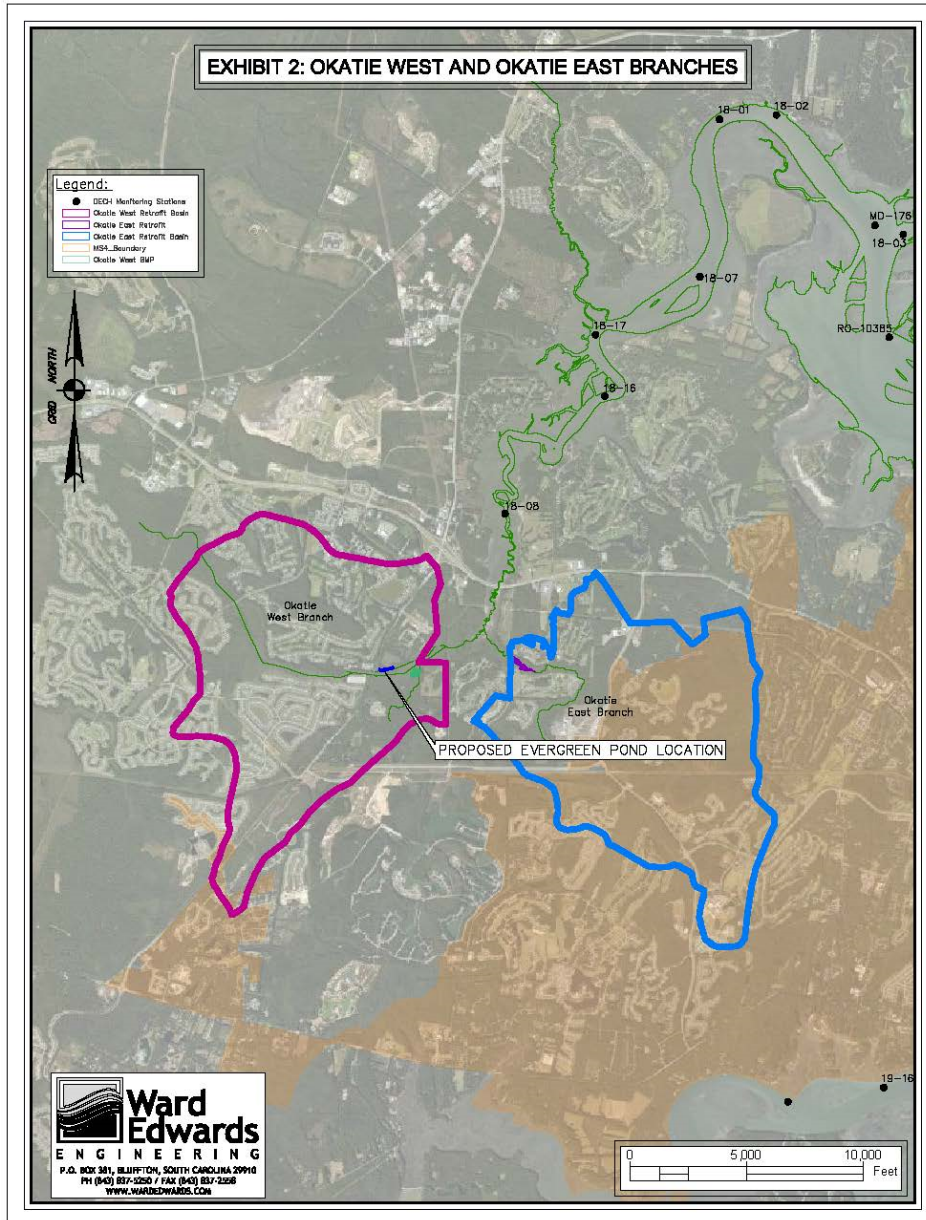
*(Due by 3:00 PM Wednesday, May 16, 2018)*

Ponds have been found to be effective in treating stormwater for bacteria removal in Beaufort County. Modeling done as part of the Watershed Management Plan update indicates that the proposed pond will remove 80% ( $8.84 \times 10^{12}$  #/yr) of the bacteria load from the 21 acre watershed. Wet detention ponds typically provide an 80% removal efficiency, and the pond is well sized to handle all runoff from the service area.

The Evergreen pond is located upstream of the Okatie West Regional Stormwater BMP currently under construction. Flow from the pond will discharge to the nearby wetland, which will be diverted downstream into the Okatie West pond; meaning the ponds will work in series and provide a treatment train approach to bacteria removal. The Okatie West pond size was maximized to fit within the available land, but is generally undersized to handle the full 1,200 acre sub-basin. The treatment train approach will increase the effectiveness of both BMPs by treating the stormwater runoff in multiple BMPs. The other non-regional BMPs proposed along the highway will gradually improve water quality treatment as they are implemented. This method was part of the overall strategy of the Watershed Based Plan, combining large regional and smaller non-regional BMPs to improve the overall effectiveness.

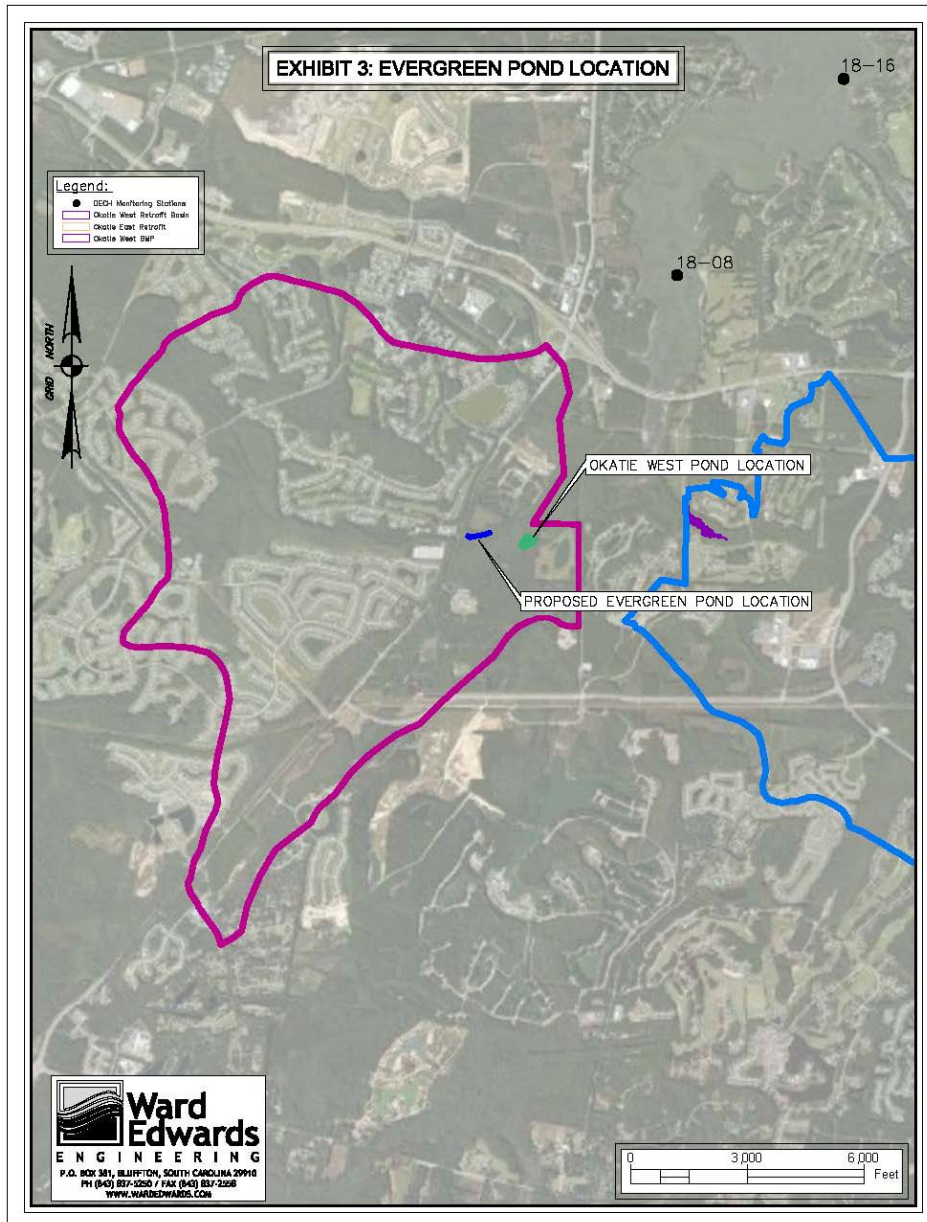
South Carolina Nonpoint Source Program - \$319 Grant Application  
Watershed-Based Plan **IMPLEMENTATION** Projects

(Due by 3:00 PM Wednesday, May 16, 2018)



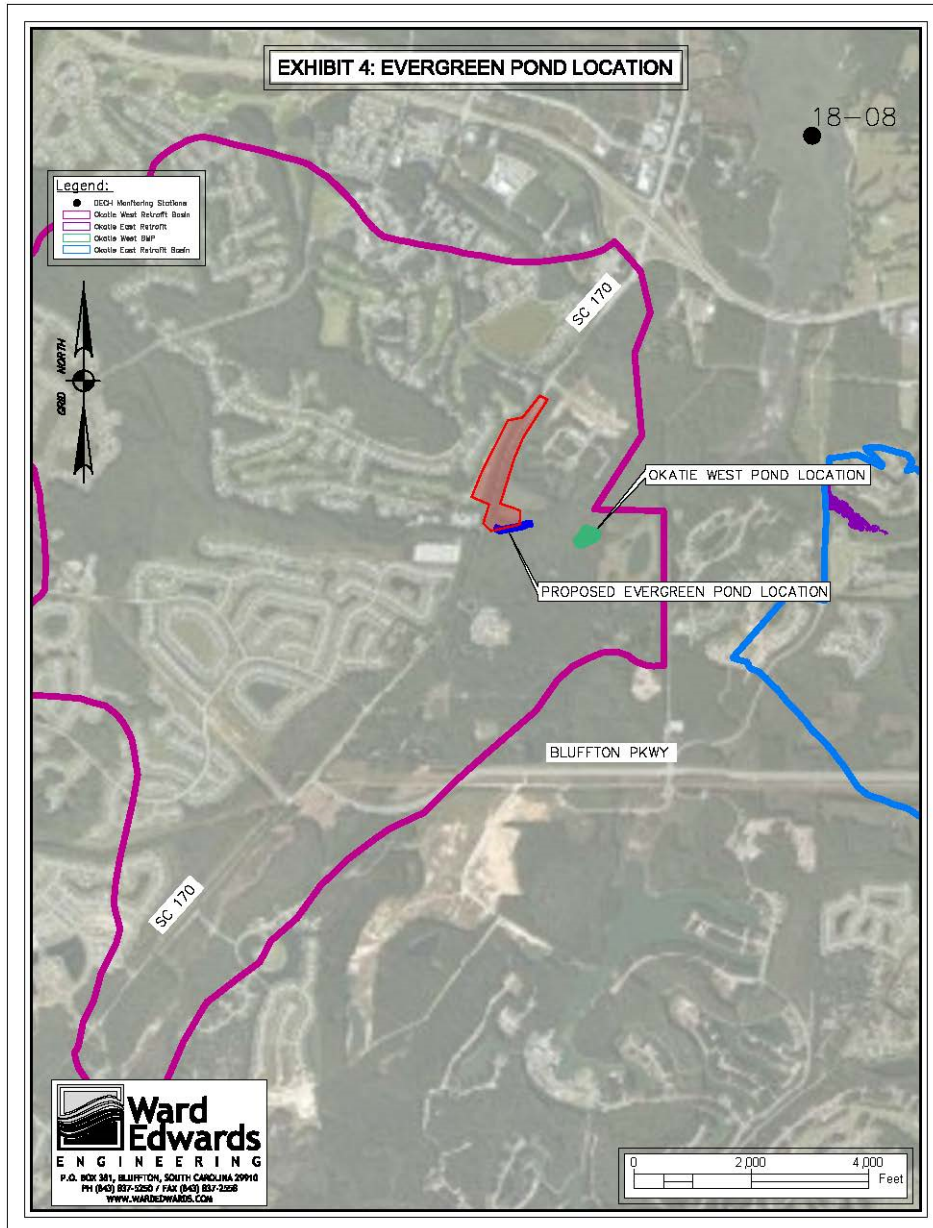
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The proposed BMP concept involves constructing a new 1.5 acre pond within the upland area that is downstream of an existing Highway 170 drainage system outfall. The pond will collect the currently untreated runoff and detain it by means out an outlet control weir structure. The outlet structure will control the small, more frequent storms, and will bypass the larger, less frequent storms. The proposed project will require topographic surveying, wetland delineation, possible wetland impact permitting, engineering design, and regulatory permitting prior to construction. Exhibit 5 shows the proposed pond size and configuration.

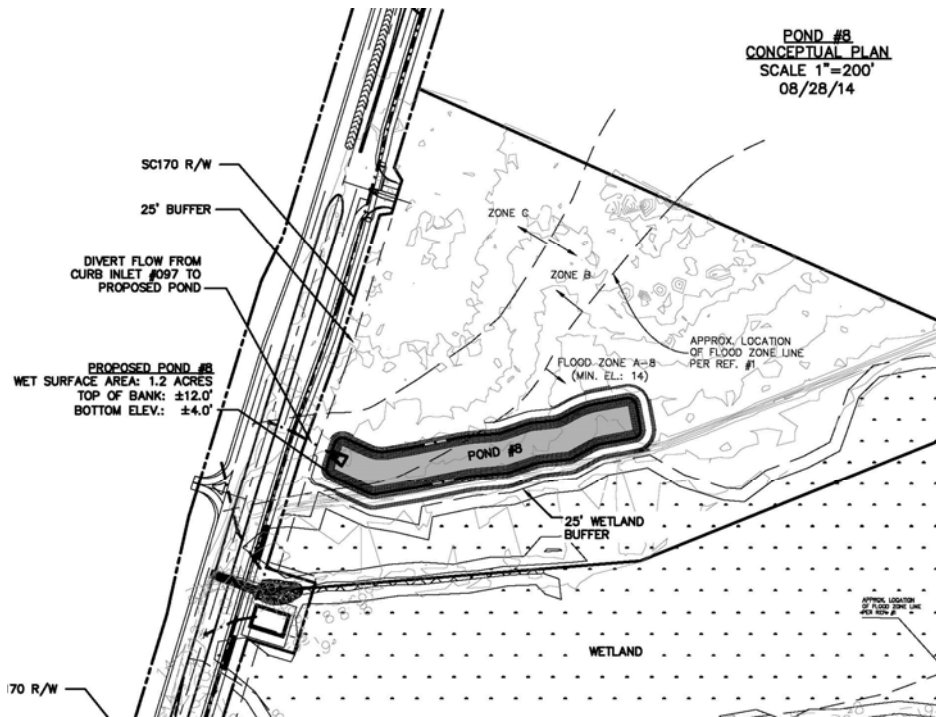


Exhibit 5 – Proposed Evergreen Tract Pond Concept

Beaufort County recently acquired the property that would contain the proposed pond, with the express intent of implementing this project. Obtaining the property was the biggest challenge to overcome in the implementation, and the other design and permitting steps needed to construct the project are fairly straight forward. The wetland impact can likely be permitted as Nationwide permits. The State level permits required include the Coastal Zone Consistency (CZC) review and the SCDOT encroachment permits. Although lengthy, the CZC is not expected to be difficult to acquire. SCDOT has issued a letter of support for the project, so it is expected the stormwater and access encroachment permits will be straightforward to acquire. The only local permit required will be the Town of Bluffton MS4 and Development permits. The Town has also provided a letter of support for the project and has a streamlined public projects approval procedure. The Town is committed to improving water quality in the local rivers and has been a longtime supporter and partner with Beaufort County on many water quality initiatives.

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**Beaufort County is seeking funds to help with the construction of the proposed BMP.** The County will directly fund the following items related to the design, permitting, and construction of the project:

- Boundary, tree and topographic survey of the site, the proposed pond location, and the area that will provide access to the site from Hwy 170
- Renewal of the expired wetland verification
- Engineering design of the proposed pond and channel re-routing
- Wetland impact permitting to discharge treated stormwater to the existing canal.
- State and local level regulatory permitting

The above services will be contracted by the County through their standard procurement procedures or through their current on-call stormwater engineering consultant. Construction services will also be contracted by the County through their standard procurement rules. The County will provide the non-federal match through the Stormwater Utility Capital Reserve Fund. The Stormwater Utility will also be responsible for the long-term maintenance of the BMP and the post-construction monitoring.

**D. Information/Education Component:**

The primary target audience for the public education component will be the residents living in the Okatie River headwaters. This primarily includes the retirement community of Sun City Hilton Head, but there are also a few conventional residential neighborhoods such as Island West, Seagrass Station, and Baynard Park. During the design and permitting process, the County plans to make the residents aware of the project and aware of the benefits by means of a couple public information meetings. The County may host a meeting at a nearby public location such as a school or library, inviting the residents of the nearby communities and general public throughout the County. To better target the nearby community, the County may also conduct a meeting within one or more of the communities themselves. Working with the respective Property Owner's Associations, the County will notify the residents of the project and conduct the meeting to address questions from the residents. The County employed this strategy with the recent Okatie West project by publishing an article in the Sun City community magazine, filming a short advertisement on the Sun City television station, and conducting the meeting at the Sun City Community Center.

Beaufort County's portion of the meetings will focus on the specifics of the proposed project, the project schedule and how the project will benefit the residents. The meetings will also educate the residents about the joint efforts of the County Stormwater Utility and the County's Rural & Critical Land Program. The Rural & Critical Land Program (RCL) has been in place since the year 2000 and involves property tax increases dedicated to funding the purchase of properties or preservation easements in environmentally sensitive areas. Overall, the program has preserved more than 22,000 acres county-wide and 845 acres of land within the Okatie River watershed. Additional land preservation is an important anti-degradation component of the Okatie River Watershed Management Program, but retrofit projects are needed to address existing water quality problems. However, the past RCL program focused simply on preservation and prevented the County from using the acquired property for stormwater treatment projects. The continuation of the program approved by voters in 2014 was amended to allow stormwater projects, and the Evergreen project will be one of the first retrofit projects to be implemented by the County on land acquired by the RCL program. The Evergreen project could serve as an example project to educate the community on both the RCL program and the Stormwater Utility, uniting the outreach programs for each.

Signage is typically placed at all land preserved by the RCL, and may be done at the site of the Evergreen pond project as well; however, the signage in this case will include information related to the Stormwater Utility's work in restoring the Okatie River. The target audience for the education program will be the residents and homeowners within the watershed. For example, the Sun City development just across the highway from the project site has many retired homeowners, most of who are recently moved to the County from other parts of the country. They may be unaware of the impairments in the river; one of the many natural resources that drew them to the area. The County ~~may will~~ conduct a workshop prior to construction to inform the general public (focusing on the nearby residents of Sun City) of the water quality impairments, the needed improvements, and how they can help contribute. The County's public education

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partner, Lowcountry Stormwater Partners (LSP), will participate in one or more of the workshops; giving their presentation titled "Healthy Ponds - Healthy Communities". The hour-long presentation is focused on individual homeowners and how they can affect the health and function of their community ponds. LSP recently spoke to residents in the Oldfield community, which is within the Okatie River headwaters. Beaufort County will facilitate presentation to the Sun City community; a neighborhood in which LSP is seeking opportunities to speak, but one in which they've had trouble gaining access. Beaufort County's successful engagement with Sun City from the previous Okatie West project will afford the opportunity for LSP to reach Sun City residents.

The workshop will be capped by a tour of the proposed BMP site. This workshop offers the chance to inform residents of other important practices they can personally participate in, such as pet waste disposal, irrigation reuse, or septic system maintenance. Educating the nearby homeowners in this manner will help with some of the watershed management plan strategies such as the community wide irrigation reuse and pet waste programs. Lowcountry Stormwater Partners maintains a Facebook page (<https://www.facebook.com/LowcountryStormwaterPartners>) on which they inform followers of local water quality initiatives, ongoing projects, and share opportunities for residents to contribute. Beaufort County plans to provide LSP with regular updates and photos on the Evergreen project to post on their page. The snippets will keep those interested informed of the project's progress, and will be a notification-resources for the notification of the planned workshops. The Evergreen public workshops will also be a reciprocal way to increase the number of followers for the LSP social media presence; increasing their reach and impact.

A secondary outreach strategy will be the education of developers and engineers on proper maintenance of ponds. Proper pond and stormwater BMP maintenance is a growing concern in Beaufort County as the BMPs constructed 15 to 20 years ago are reaching the point where they need significant maintenance in order to continue functioning as intended. This pond will be maintained by the Beaufort County Stormwater Utility and may be an opportunity for the County to demonstrate maintenance practices to commercial and institutional landowners on proper maintenance. The proposed outreach will come in the form of a workshop near the completion of the project construction, including a field visit to the site for physical demonstration of proper pond design and construction related bank stabilization, vegetation removal and pipe cleaning. The proposed BMP will also serve as a good demonstration of an effective bacteria treatment BMP, so the County intends to continue offering site tours after completion of the Grant project.

Beaufort County also plans to present the project at the 2019 Beaufort Area Pond Conference; a biennial gathering of design professionals, pond managers, regulators, and private citizens, focused on effective pond design, construction, and maintenance. The County will present the project, which should be in the final stages of design and permitting at that time. The presentation will focus on the permitting grant processes and the lessons learned. The project will be presented in context with the recently completed Okatie Regional Stormwater BMP, which is a similar project in the same watershed. The post-construction effectiveness of the Okatie West project will be presented and projected to the expectations of the Evergreen pond.

**E. Anticipated Environmental Results:**

The primary intended and expected environmental benefit will be treating the stormwater runoff to remove bacteria contamination. The *Beaufort County Stormwater Manual for Stormwater Best Management Practices* estimates that wet detention ponds provide an average bacteria removal rate of 80% based on historical research of ponds in similar environments. Field research by Beaufort County of actual installed and functioning ponds within the Okatie River Watershed has demonstrated removal efficiencies as high as 99% (*Eagles Point PUD Water Quality Monitoring & Testing Report*).

The only previous stormwater quality modeling done for the Okatie River was performed as part of the 2006 *Stormwater Master Plan*. The assumed future conditions such as land use, septic coverage, and proposed BMPs used in that modeling are far out of date and inaccurate to the current and proposed conditions. The 2006 model was based on a BMP concepts identified at that time. In the 10-years since, new BMP concepts have been developed and implemented, including the Okatie East Wetland Enhancement and the Okatie Regional Stormwater Pond. The Addendum to the *Okatie River Watershed Management Plan* included a simple water quality model update of the BMP service area that demonstrates

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an estimated load reduction of  $7.78\text{E}+13$  #/yr, which equates to a 16% reduction in load from the BMP service area and a 7% load reduction at Station 18-08. Combined with the other structural BMPs the County is currently implementing, the model is predicting a 16% reduction in bacteria load at Station 18-08.

The Evergreen Tract project will provide supplemental treatment for runoff draining through the Okatie West BMP, and thus will provide some additional pollutant removal. To quantify the amount, the water quality model was revised to include the Evergreen project. The following tables show the expected pollutant load removal of  $8.84\text{E}+12$  #/year. This is a significant removal, however given the relative size of the BMP service area compared to the Okatie Headwaters watershed, it is likely too small of a reduction to be noticed in monitoring trends at SCDHEC Monitoring Station 18-18. Beaufort County plans to conduct its own pre-development and post-development bacteria monitoring at the BMP site to evaluate the ponds effectiveness. The scope and cost of this monitoring is not part of the proposed Grant, but will be done for the County's benefit and knowledge for future planning.

Okatie Headwaters Watershed Data	
<b>Annual Baseflow Rate</b>	7 inches/yr/acre
<b>Annual Baseflow</b>	3368.75 ac/ft
<b>Annual Runoff</b>	4943.42 ac/ft
<b>Calculated FC Load</b>	$1.10\text{E}+15$ #/yr

BMP Pollutant Removal Calculations						
<b>BMP</b>	<b>BMP % Removal Efficiency</b>	<b>BMP Size Factor</b>	<b>BMP Service Area Load Removal</b>	<b>% Service Area Load Reduction</b>	<b>% of Okatie 3 Sub-Basin Served</b>	<b>Predicted Load Removal</b>
Okatie East	70%	30%	$9.74\text{E}+13$	21.00%	42%	$9.74\text{E}+13$
Okatie West	80%	20%	$7.78\text{E}+13$	16.00%	44%	$7.78\text{E}+13$
Evergreen Tract	80%	100%	$8.84\text{E}+12$	80.00%	1%	$8.84\text{E}+12$
					<b>Total Load Removed</b>	$1.84\text{E}+14$

The secondary environmental benefit for the proposed BMP is that stormwater runoff from the highway that is currently untreated, will be detained and treated to current Beaufort County water quantity and quality standards. The pond is expected to reduce the peak discharge runoff rate for multiple storms by as much as 85%, depending on the design storm. The *SC170 Highway Retrofit Study* includes an analysis of the peak runoff rates, first flush analysis, and Beaufort County pollutant removal estimates. The following results are taken from that report, in which the Evergreen project was identified as Site 8. The first chart shows the expected peak runoff attenuation and the subsequent calculations show the first flush analysis; demonstrating the capture and treatment of the smaller runoff events.

Storm	Peak Runoff (CFS)	
	Pre-Development	Post-Development
<b>95<sup>th</sup> Percentile</b>	0.98	0.15
<b>2 Year</b>	6.28	1.78
<b>10 Year</b>	12.38	9.07
<b>25 Year</b>	16.39	11.94

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100 Year	23.45	17.01
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**First Flush Analysis – Site 8**

- A.  $(0.5 \text{ in}) \times (\text{Total area of basin})$   
 $(0.5 \text{ in}) \times (21 \text{ Ac} \times 43,560 \text{ ft}^2/\text{Ac}) \times (1 \text{ ft} / 12 \text{ in}) = 38,115 \text{ ft}^3$
- B.  $(1.0 \text{ in}) \times (\text{Built-upon portion of basin})$   
 $(1.0 \text{ in}) \times (4.2 \text{ Ac} \times 43,560 \text{ ft}^2/\text{Ac}) \times (1 \text{ ft} / 12 \text{ in}) = 15,246 \text{ ft}^3$   
Condition A controls, so **First Flush Volume = 38,115 ft<sup>3</sup>**

Volume provided below Primary Weir = **54,995 ft<sup>3</sup>**

The first flush calculations above demonstrate that the proposed pond will detain the first half inch of runoff from the entire service area or the first inch from the impervious surfaces and treat the runoff. This calculations demonstrates that the pond is sufficiently sized to provide the water quality benefits typically expected by wet detention ponds in the region.

**F. Technical and Financial Assistance Needed:**

The only technical support needed beyond the Beaufort County Stormwater Utility will be the survey, engineering, and natural resources expertise needed to implement the project. The County plans to acquire the technical support through contracting with private engineering, surveying, and natural resources consultants. Permits that may be needed include a Town of Bluffton MS4-NPDES permit, a wetland impact permit, a SCDOT encroachment permits, and a Town of Bluffton Public Projects permit. No additional financial assistance is needed to implement the Evergreen Project, because the Beaufort County Stormwater Utility has been saving money for this and other projects by means of a Capital Improvements Fund.

**G. Completion of Watershed-Based Plan Implementation:**

The initial Watershed Based Plan implementation was completed via a 319 Grant with LOCOG as the primary applicant, along with matching activities funded by Beaufort County. The implementation continued with the more recent 319 Grant funded Okatie West Regional Stormwater BMP. The Okatie West project is one of the central structural improvements in the WBP and will be completed by July 2018. The County has also completed a couple of the Highway 278 non-regional ponds described in the WBP; which are providing treatment of runoff from sections of a major highway that was previously untreated. Beyond these projects, the County is already in the process of implementing other components of the *Okatie River Watershed Management Plan*. The following projects and strategies are already being implemented and are described in greater detail in the WMP:

- Okatie East Wetland Restoration – This is a regional retrofit in the eastern branch of the Okatie River headwaters designed to reduce the runoff volume reaching the river. The project was constructed and is being maintained and refined to optimize the stormwater detention and treatment.
- Highway 170 Widening Retrofits – The Evergreen project is part of this overall strategy of installing small detention BMPs to treat runoff from a public road that is currently being widened. The County is pursuing the property needed to construct the other BMPs and plans to design, permit, and construct the BMPs as the property is acquired.
- Land Preservation: Through its Rural and Critical Land Program, Beaufort County is actively pursuing property within the Okatie River to preserve. The program allows the County to preserve properties through fee simple

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purchases or through establishment of conservation easements. The County is actively pursuing options on many properties in the Okatie River watershed.

- Education & Outreach: The Beaufort County Stormwater Utility has an active public education and outreach program that focuses on a variety of water quality topics applicable to homeowners, developers, and professional services.
- Illicit Discharge Ordinance: The County has implemented an illicit discharge ordinance and inspection/enforcement plan, including a smart-phone app that allows residents to report illicit discharges and water quality concerns to the County staff as they are found.

The above strategies and projects are the highest priority strategies, but others mentioned in the Watershed Management Plan are also being pursued; as the County's Stormwater Utility is actively preparing short-term and long-term plans. Beaufort County Stormwater Utility has been implementing projects through their Capital Improvements Fund, but will need additional funding sources to leverage the shrinking fund. It is anticipated that other projects in the watershed based plan can be funded through future 319 grants and by State Revolving Fund loans. The County is refining their capital improvement project list based on the updated Stormwater Master Plan and will continue to make the Okatie River a priority watershed for potential improvements.

**H. Measurable Milestones:**

#	Month	Milestone
1	Quarterly	Submit progress reports, invoices, MBE/WBE forms and BMP information per schedule outlined in grant agreement.
2	30 days after project completion	Submit final invoice and final technical closeout report to DHEC. Submit Final Budget Report within 45 days of project close.
3	Months 1 – 4	Design/Permitting Service Procurement
4	Months 4 – 6	Project Survey & Wetland Delineation Fieldwork
5	Months 6 – 8	Preliminary Engineering & Geotechnical Testing
6	Months 9 – 12	Final Design
<del>7</del>	<del>Month 14</del>	<del>Present Project at Beaufort Area Pond Conference</del>
<del>78</del>	Months <del>12-10</del> – <del>2419</del>	Regulatory Permitting & Wetland Verification
<del>89</del>	Months 12 – 15	Public Education Workshops and Site Visits for Nearby Residents
<del>910</del>	Months <del>2419</del> - <del>2422</del>	Construction Procurement
<del>110</del>	Months <del>2523</del> - <del>3331</del>	Construction
<del>124</del>	Months <del>3331</del> -36	Post-Construction Public Education Workshop & Site Visit
<del>132</del>	30 days after project completion	Submit final invoice and final technical closeout report to SCDHEC. Submit Final Budget Report within 45 days of project close

**A. Measures of Project Success:**

1. Installation and proper function of the regional BMP as proposed in the conceptual design
2. Gradual decrease and stabilization in fecal coliform bacteria at SCDHEC station 18-08

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3. ~~Participation Attendance at the Pond Conference and project workshops. and feedback from workshops and site visits~~
4. ~~Surveys and feedback from attendees at the Pond Conference and project workshops.~~
5. ~~Facebook "likes", "shares", and increase in the number of followers for Lowcountry Stormwater Partners.~~
46. ~~Pre-construction and Post-construction upstream and downstream bacteria monitoring by Beaufort County~~

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**B. Watershed-Based Plan Required 9-Key Elements Table**

Submitted with the Initial Proposal Application

**7. PROPOSED BUDGET**

**A. Overall Project Budget**

	Federal	Non-Federal	Total
Personnel - Salary			\$0.00
Personnel - Fringe			\$0.00
Travel			\$0.00
Equipment			\$0.00
Supplies			\$0.00
Contractual		<del>\$100,000.00</del>	<del>\$100,000.00</del>
Construction	<del>\$414,229,124,000.00</del>	<del>\$176,152,000,750.00</del>	<del>\$590,381,874,000.00</del>
Other			\$0.00
Indirect (Requires additional documentation)			\$0.00
<b>TOTAL</b>	<b>\$ <del>414,229,000,124.00</del></b>	<b>\$ <del>276,152,000,750.00</del></b>	<b><del>\$690,381,000,874.00</del></b>

**B. Budget Narrative:**

Personnel - Salary: None: All services will be contracted

Personnel – Fringe: None: All services will be contracted

Travel: None: All services will be contracted

Equipment: None: Contracted professionals will provide their own equipment

Supplies: None: Contracted professionals will provide their own supplies

Contractual: Beaufort County will contract the surveying, natural resources consulting, geotechnical testing, and engineering design services. The contractual costs were estimated from the conceptual Budget presented in the 2015 *Okatie River Watershed Management Plan*, which updated the conceptual costs from the *SC170 Highway Retrofit Study*.

Construction: Construction services will be procured by the County through their established procurement rules. The construction costs were estimated from the conceptual Budget presented in the 2015 *Okatie River Watershed Management Plan*, which updated the conceptual costs from the *SC170 Highway Retrofit Study*. The amounts for individual construction items are presented below in the "Evergreen Tract BMP Cost Estimate" table.

Other: None

Indirect : None

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The following cost estimate was originally prepared as part of the *SC170 Highway Retrofit Study* and later revised as part of the *2015 Okatie River Watershed Management Plan*. The actual construction costs will be highly dependent on the offsite use and/or disposal of the soil excavated from the proposed pond. ***Beaufort County hopes to be awarded the full amount of the Federal Request but is prepared to fund the difference from the Stormwater Utility Capital Improvement Reserve Fund and possibly from debt services. However a full Federal Match would help better leverage the County's Capital Reserve Fund for the other projects planned within the Watershed; projects necessary to achieve the goal of fully restoring the Okatie River shellfish harvesting.***

Evergreen Tract BMP Cost Estimate					
CLEARING AND DEMOLITION					
Item	Description	Quantity	Unit	Unit Price	Total
1	Mobilization	1	LS	\$10,000.00	\$10,000.00
2	Remove Curbing	100	LF	\$10.00	\$1,000.00
3	Remove Existing Asphalt Pavement	100	SY	\$12.00	\$1,200.00
4	Tree Protection	800	LF	\$3.00	\$2,400.00
5	Clearing and Grubbing	4	AC	\$7,000.00	\$28,000.00
CLEARING AND DEMOLITION, TOTAL					\$42,600.00
EROSION CONTROL					
Item	Description	Quantity	Unit	Unit Price	Total
1	Silt Fence	1800	LF	\$5.00	\$9,000.00
2	Temporary / Permanent Seeding	12,000	SY	\$0.50	\$6,000.00
3	Construction Entrance	1	EA	\$3,500.00	\$3,500.00
4	Concrete Washout	1	EA	\$1,000.00	\$1,000.00
EROSION CONTROL, TOTAL					\$19,500.00
EARTHWORK					
Item	Description	Quantity	Unit	Unit Price	Total
1	Stripping & Stockpiling of Topsoil (8" Over Cleared Area)	3,200	CY	\$14.00	\$44,800.00
2	Site Excavation, On-site Placement	2,000	CY	\$6.00	\$12,000.00
3	Site Excavation, Offsite disposal	12,500	CY	\$20.00	\$250,000.00
4	Fine grading (Dirt Road, Gravel Road, Pond Banks)	1000	SY	\$2.00	\$2,000.00
EARTHWORK, TOTAL					\$308,800.00
STORM DRAINAGE					
Item	Description	Quantity	Unit	Unit Price	Total
1	Connect to Existing Storm Drainage	1	EA	\$2,500.00	\$2,500.00
2	Stormdrain Junction Box	1	EA	\$3,500.00	\$3,500.00
3	30" RCP Pipe, complete with bedding	200	LF	\$75.00	\$15,000.00
4	30" Flared End Section	1	EA	\$1,500.00	\$1,500.00
5	Outlet Control Structure	1	EA	\$10,000.00	\$10,000.00

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6	Rip Rap Overflow Weir & Outlet Protection	250	SY	\$130.00	\$32,500.00
<b>STORM DRAINAGE, TOTAL</b>					<b>\$65,000.00</b>
<b>PAVING</b>					
Item	Description	Quantity	Unit	Unit Price	Total
1	6" (650 lb/sy) Type A Asphalt Aggregate Base Course	100	SY	\$68.00	\$6,800.00
2	2" (200 lb/sy) Type B Asphalt Paving (Intermediate Course)	100	SY	\$49.00	\$ 4,900.00
3	2" (200 lb/sy) Type B Asphalt Paving (Final Course)	100	SY	\$49.00	\$4,900.00
4	6" Header Curb	70	LF	\$65.00	\$4,550.00
5	Gravel Paving	1,000	SY	\$25.00	\$25,000.00
6	Striping, Signage, & Marking	1	LS	\$1,600.00	\$1,600.00
7	Concrete Pedestrian Ramps with Detectable warnings	2	EA	\$4,000.00	\$8,000.00
<b>PAVING, TOTAL</b>					<b>\$55,750.00</b>
<b>SUB-TOTAL</b>					<b>\$491,700.00</b>
<b>20% CONTINGENCY</b>					<b>\$98,300.00</b>
<b>SUB-TOTAL CONSTRUCTION</b>					<b>\$590,000.00</b>
<b>SURVEY, ENGINEERING, &amp; PERMITTING (CONTRACTUAL)</b>					<b>\$100,000.00</b>
<b>TOTAL</b>					<b>\$690,000.00</b>

**Required Attachments:**

1. Completed watershed-based plan
2. Commitment letters from all cooperating organizations (not support letters)
3. Attachment 1 - Budget Chart (Excel document)
4. Required map
5. Additional Information for Indirect Billing – N/A

**References**

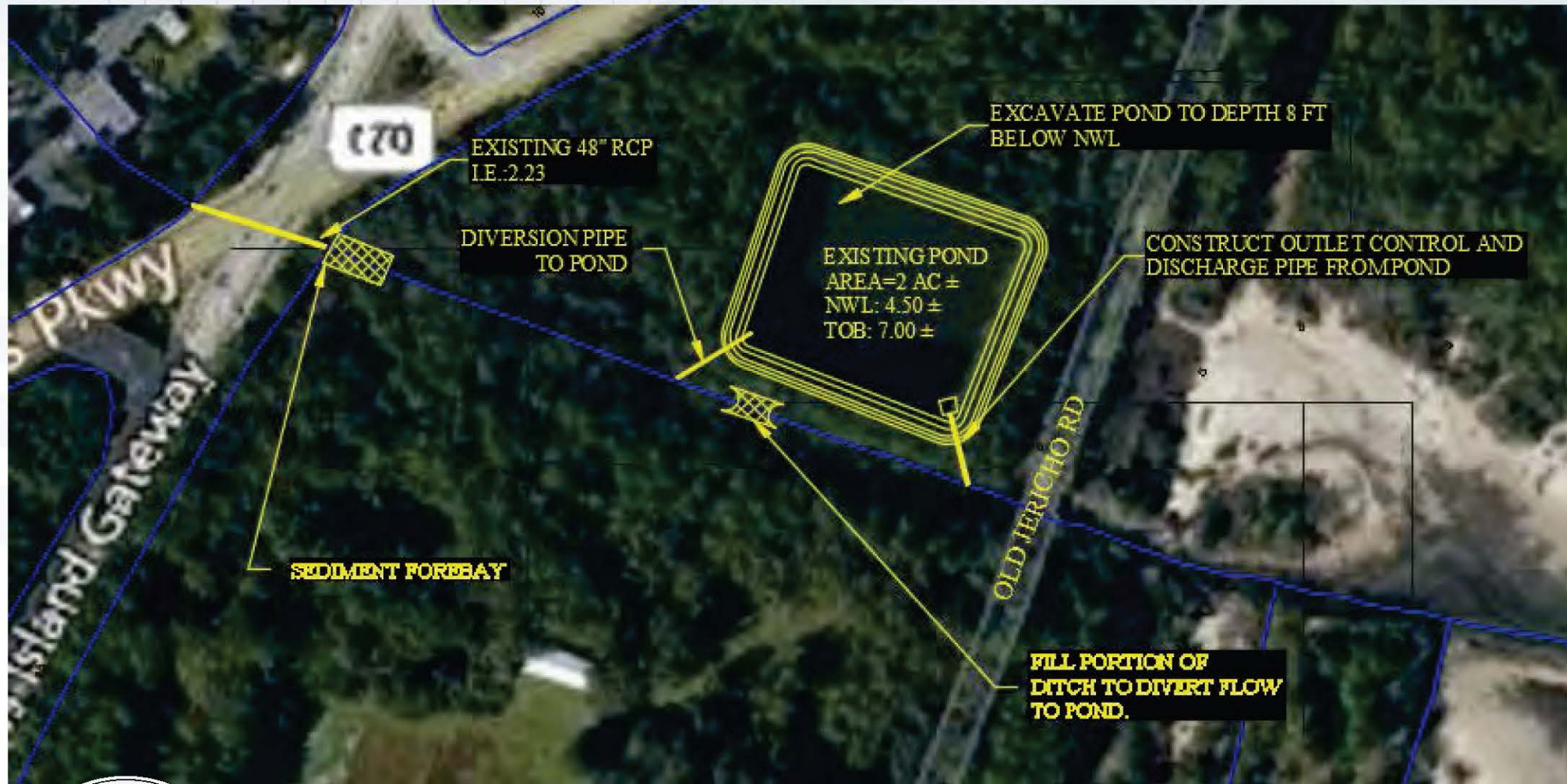
- SC170 Highway Retrofit Study
- Beaufort County Manual for Stormwater Best Management Practices - 2012
- Okatie River Watershed Management Plan - April 2015
- Beaufort County Stormwater Master Plan - 2006
- Water Quality Retrofit Study - 2009

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- *Okatie River Watershed Management Plan Addendum 1 – June 2015*

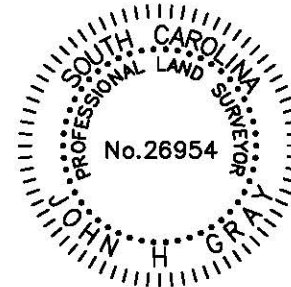
# Battery Creek Water Quality Retrofit



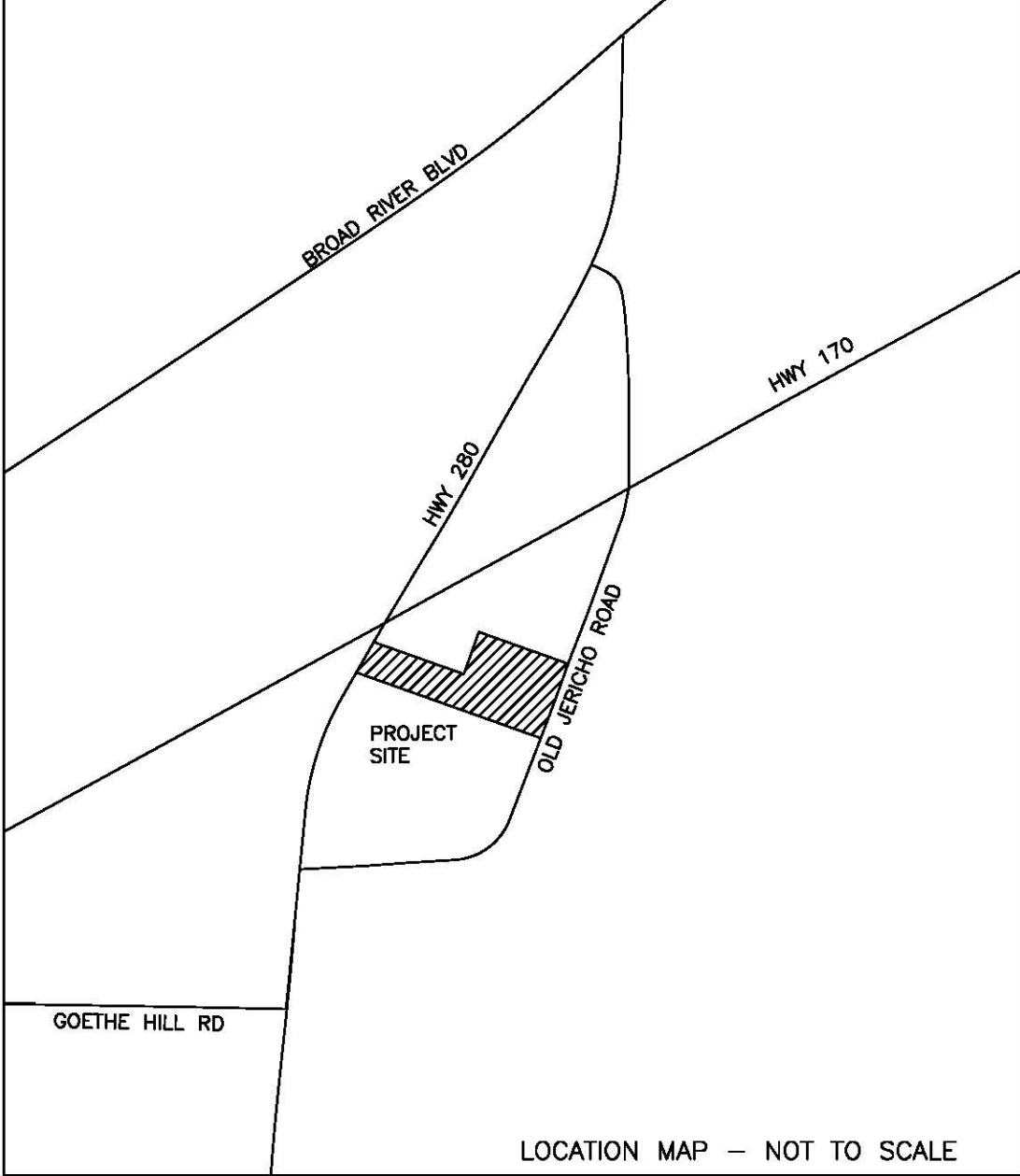
BMP Concept



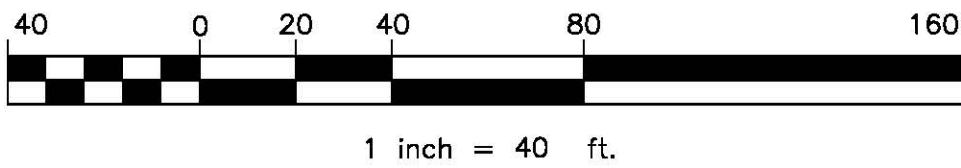
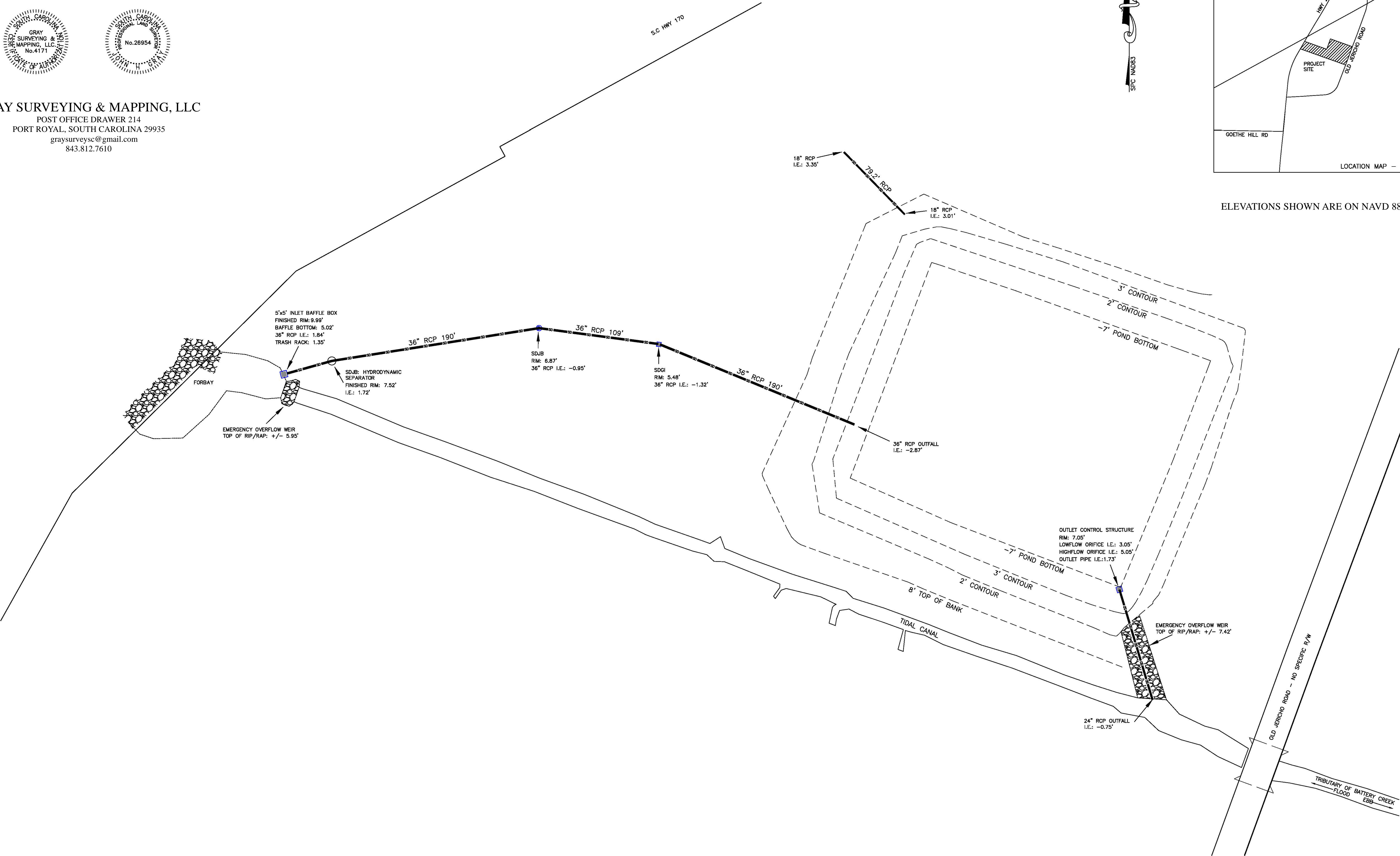
DRAWING SHOWING  
A DRAINAGE ASBUILT  
ON A PORTION OF  
PIN: R120 028 000 0138 0000  
BEAUFORT, SOUTH CAROLINA  
FEBRUARY 14, 2017



GRAY SURVEYING & MAPPING, LLC  
POST OFFICE DRAWER 214  
PORT ROYAL, SOUTH CAROLINA 29935  
graysurveyse@gmail.com  
843.812.7610



ELEVATIONS SHOWN ARE ON NAVD 88 DATUM





September 13, 2018

Mr. Eric Larson  
Beaufort County  
120 Shanklin Road  
Beaufort, SC 29906

**Brewer Memorial Park**

Sea Island Parkway - Lady's Island, South Carolina  
Civil Engineering Proposal – Service Authorization No. 2  
Ward Edwards Project #: 170400A

Mr. Larson:

We appreciate the opportunity to continue our relationship with Beaufort County. We offer the following professional services proposal for your review and consideration. If you have any questions or comments, do not hesitate to contact me at 843-384-5266, or [pmoore@wardedwards.com](mailto:pmoore@wardedwards.com)

**PROJECT UNDERSTANDING**

Beaufort County would like to expand the scope of the Brewer Memorial Park design scope to include the existing County-owned parcel to the west of the original subject parcel. The scope will now include multiple BMPs extending across the two parcels and stabilization of the old bait pond banks. The following service authorization includes additional survey, design, and permitting services required for the second parcel

**SCOPE OF SERVICES**

**TASK 1: Additional Site Surveying**

Ward Edwards will provide the following Surveying services through a sub-consultant, Atlas Land Surveying:

1. Prepare tree, topographic, boundary and wetland survey of the second parcel (R200 015 000 143C 0000). The survey will be on the South Carolina State Plane coordinate system and the NAVD88 datum, to match horizontally and vertically with the Beaufort County LiDAR. Matching the LiDAR will allow for easy comparison of surveyed locations to un-surveyed onsite and offsite areas.
2. Survey highway features in front of the project site and locate the SCDOT outfall pipe, including the hydrodynamic separator.

## **TASK 2: Revised Geotechnical Investigation**

The geotechnical testing scope was revised based on the additional parcel and additional scope needed for the revised concept plan. The below scope is the new entirety of the services to be provided. The fee quoted below is the increase in fee needed to provide the entire scope. Ward Edwards will provide the following Geotechnical consulting services through a sub-consultant, F&ME Consultants.:

1. F&ME will advance five soil test borings as directed by Ward Edwards. Each boring will be extended to a depth of five feet below the ground surface, auger refusal, or hole collapse; whichever is shallower. Borings will be hand auger borings with Dynamic Cone Penetrometer. Soil samples will be classified in the field at the time of boring according to the USCS by the ASTM Visual-Manual method.
2. One bulk samples will be obtained from the auger cuttings from the soil boring in the existing gravel parking area. The bulk samples will be subjected to Standard Proctor Compaction test.
3. Three double ring infiltration tests will be performed to determine the infiltration rate of the soils. Infiltration tests will be performed at locations and depths specified by Ward Edwards.
4. One relatively undisturbed (Shelby Tube) sample will be obtained from the sediment at the existing pond. The samples will be observed for layering by an environmental professional and selected layers will be tested for hydrocarbon pollutants (BTEX).
5. Boring and bulk sample locations and elevations will be estimated from drawings provided by Ward Edwards and will be measured in the field with Trimble R6 GPS equipment. Northing and easting coordinates and ground surface elevation will be recorded on the log for each boring.
6. F&ME will evaluate recovered test boring soil samples and bulk samples. They will perform at classification tests (natural moisture content and grain size analysis with hydrometers), Atterberg Limits tests, Standard Proctor tests, and Organic Content tests at each site. The results of the laboratory testing will be utilized to help classify recovered soil samples and to prepare grading recommendations.
7. Groundwater measurements will be obtained at the time of drilling and again about 24-hours after drilling in complete. Bore holes will be filled with auger cuttings. Excavations for double ring infiltrometer testing will be filled with excavated soil. Soil backfill for the double ring excavations will not be compacted.
8. F&ME will provide a report that includes a summary of the field exploration, laboratory test results, measured groundwater levels, boring logs, site plan, and boring/bulk sample location plan. The report will also include recommendations for the following:
  - a. Seasonal high-water approximations
  - b. Groundwater mitigation if F&ME believes groundwater mitigation will be needed during construction
  - c. Recommendation for site preparation for mass grading.
  - d. Porous concrete paving thickness recommendations
  - e. Stabilization recommendations for pond bank
9. Assumptions/Limitations:

- a. Clearing will be needed to access some or all of the test locations. F&ME will attempt to locate borings to minimize clearing, however, some trees and underbrush will be cut. Beaufort County will be responsible for providing access and clearing permissions to Ward Edwards and F&ME.
- b. F&ME has proposed sampling and testing for hydrocarbon based pollutants in the sediments at Brewers Memorial Park. F&ME's environmental testing is limited to sediments the Park site. F&ME's environmental exploration at the Park is limited to hydrocarbon based pollutants that can be detected by BTEX laboratory tests. No other sampling and testing for pollutants are included.

### **TASK 3: Additional Civil-Site Engineering**

Ward Edwards will prepare the civil-site engineering design based on the conceptual plan developed with County input, the determined wetland delineation, the geotechnical investigation, and the site surveying. The scope of the design will include:

1. Compile base plan using the survey file provided in AutoCAD format and using the previous Conceptual Engineering Design plan.
2. Design the proposed bioretention, bioswales, permeable paving, and other BMPs as selected.
3. Design with assistance from a marine structural sub-consultant, the proposed wooden bulkhead along the pond bank.
4. Locate site improvements based on preservation of significant trees and limits to wetland impacts.
5. Prepare a stormwater hydrologic & hydraulic model to match the new proposed conditions. The model output will help estimate the expected runoff volume and rate reductions. It is assumed that the County will provide revised sub-basin information from the newly updated SWMP.
6. Prepare a basic water quality model to estimate the expected pollutant removal from the designed regional BMP. The revised water quality model will demonstrate that the proposed design will meet the County's water quality goals.
7. Prepare design plans detailing the civil construction associated with this project. Plans are prepared using AutoCAD software and paper copies are printed on 24" x 36" sheets. Design drawings will show:
  - a. Tree removal and preservation plans
  - b. Demolition plans
  - c. Staking plans
  - d. Sedimentation and soil erosion control plans
  - e. Drainage and grading plans
  - f. Civil Construction details and specifications

The proposed boardwalk and landscape improvement were excluded from the project design and permitting scope, assuming that the scope of this project is limited to the BMP improvements.

#### TASK 4: Post-Construction Asbuilt Surveying

Ward Edwards will provide the following Surveying services through a sub-consultant, Atlas Land Surveying:

1. Prepare a post-construction asbuilt survey of the constructed BMP suitable for NPDES permit closeout. The survey will be on the South Carolina State Plane coordinate system and the NAVD88 datum, to match horizontally and vertically with the Beaufort County LiDAR.

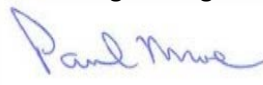
#### FEES:

The below fees are based on prompt payment of invoices and on the orderly and continuous progress of the Project.

Service Description	Fee Type	Fee Amount
<b>Task 1: Additional Site Surveying</b>	Hourly Not To Exceed	<b>\$4,500.00</b>
<b>Task 2: Revised Geotechnical Investigation</b>	Hourly Not To Exceed	<b>\$4,800.00 increase over previous contract amount (\$8,300)</b>
<b>Task 3: Additional Civil Site Engineering</b>	Hourly Not To Exceed	<b>\$17,000.00</b>
<b>Task 4: Additional Post Construction Asbuilt Surveying</b>	Hourly Not To Exceed	<b>\$1,500.00</b>
<b>Total</b>		<b>\$27,800.00</b>

#### SERVICE AUTHORIZATION:

Additional contract terms appear in the attached Terms and Conditions (T&C) dated April 6, 2016. **Beaufort County** is the CLIENT in this Agreement. When signed below, this proposal and the referenced T&C represent the entire understanding and agreement of this Project between you and Ward Edwards and serve as the authorization for Ward Edwards to proceed with professional services. Modification must be made in writing and signed by both Ward Edwards and CLIENT.

By:   
 Paul Moore, PE  
 Ward Edwards, Inc.

Approved By: \_\_\_\_\_  
 Eric Laron, PE  
 Beaufort County

Date: August 15, 2017

Date: \_\_\_\_\_

THIS DOCUMENT AND ALL REPRODUCIBLE COPIES OF THIS DOCUMENT ARE THE PROPERTY OF WARD EDWARDS, INC. REPRODUCTION OR ALTERATIONS OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF WARD EDWARDS, INC. IS NOT PERMITTED.



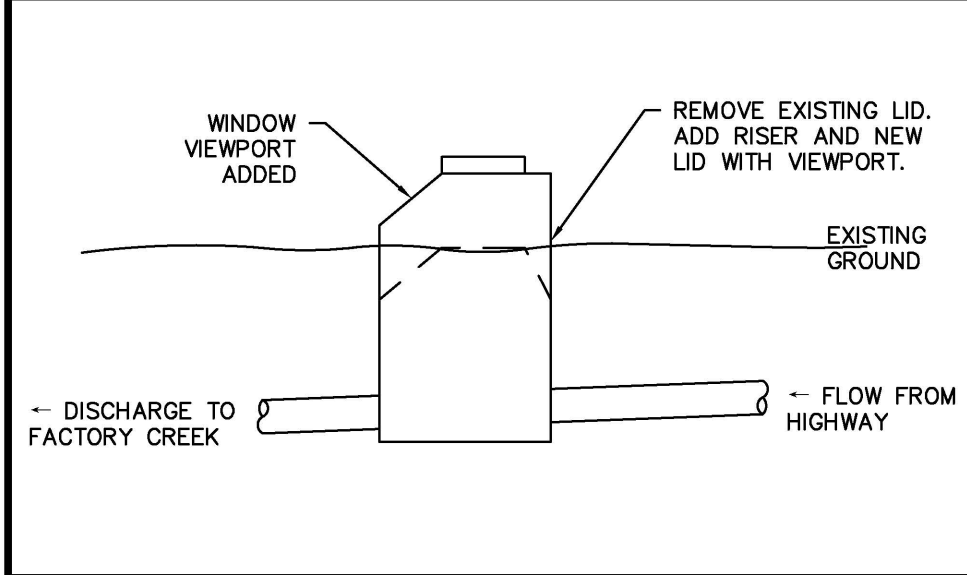
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PERMEABLE CONCRETE

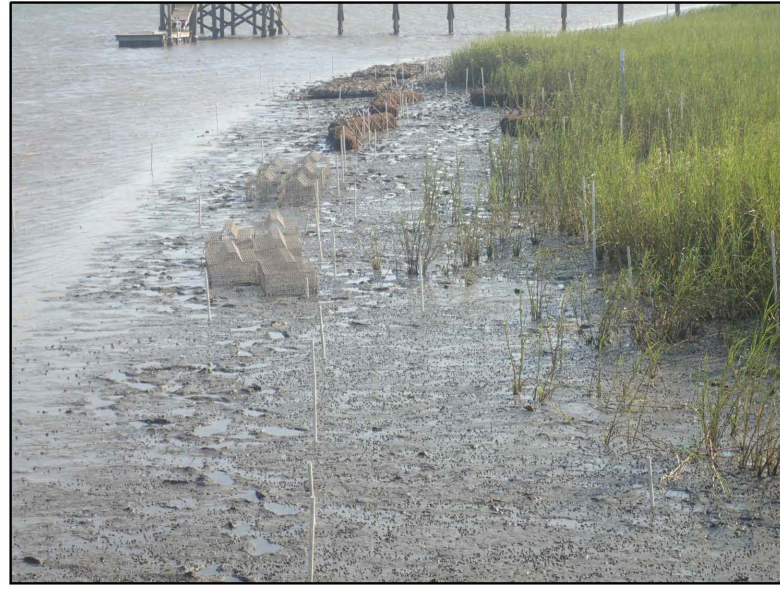


POROUS PAVERS



HYDRODYNAMIC SEPARATOR DEMONSTRATION LID

NOTE: EDUCATIONAL SIGNAGE TO BE INSTALLED AT EACH BMP



LIVING SHORELINE



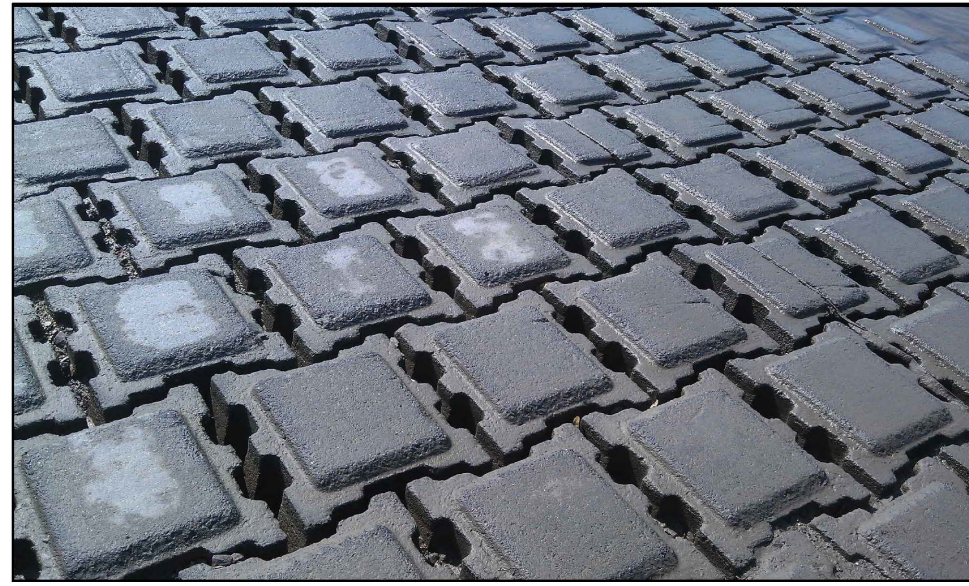
FILTERRA BIORETENTION



GRAVEL DRIVE



WOODEN BULKHEAD



ARTICULATED BLOCK



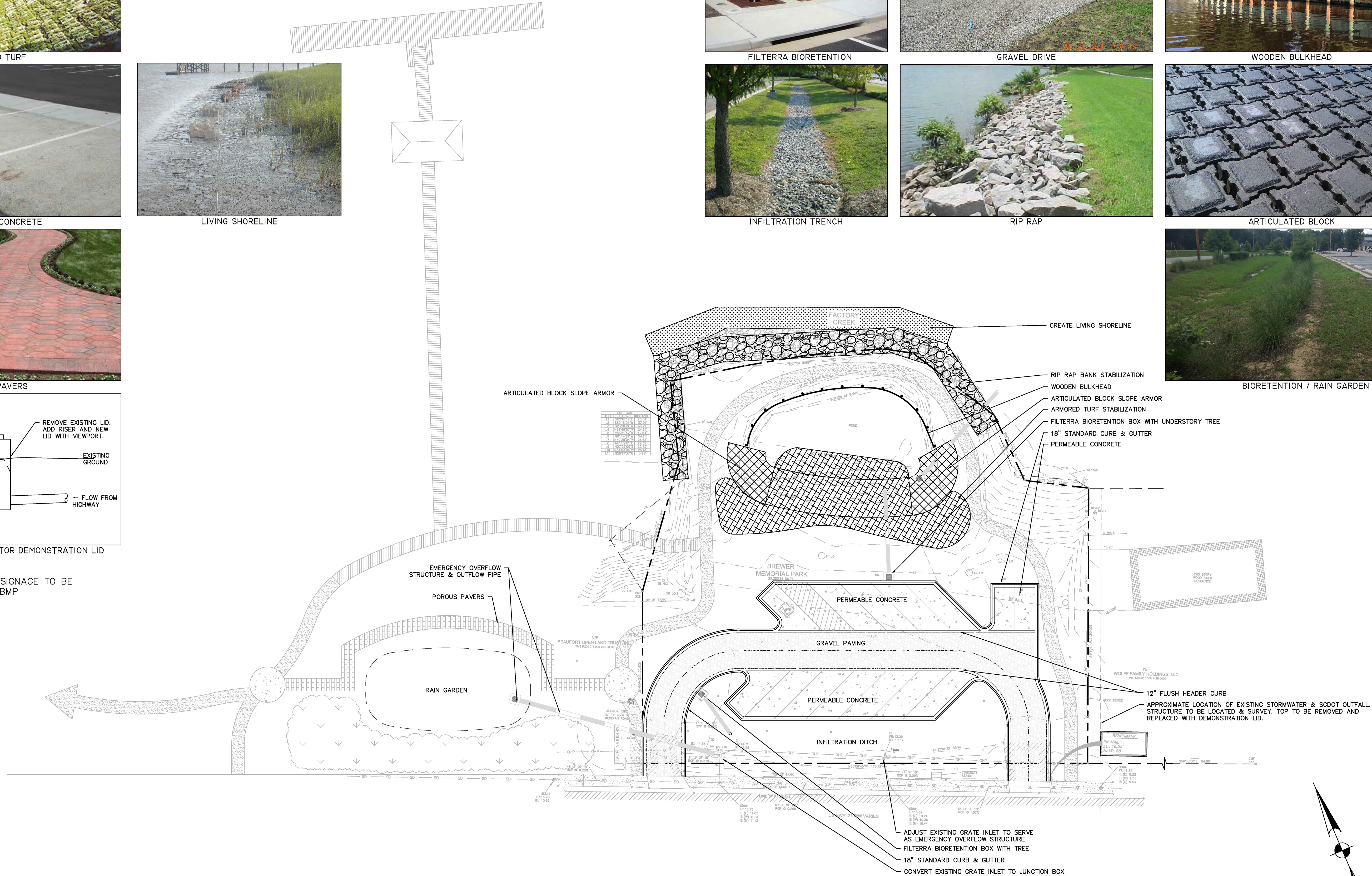
BIORETENTION / RAIN GARDEN



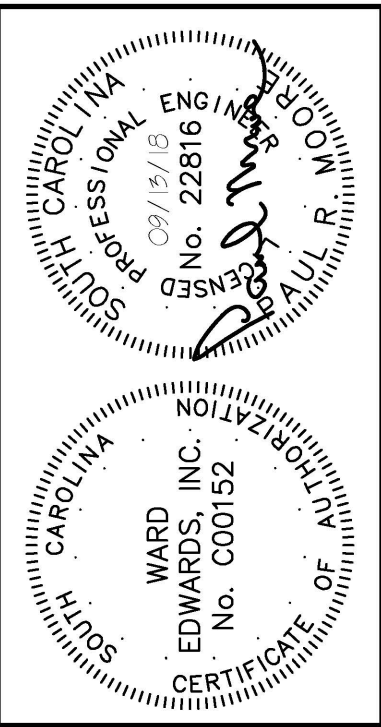
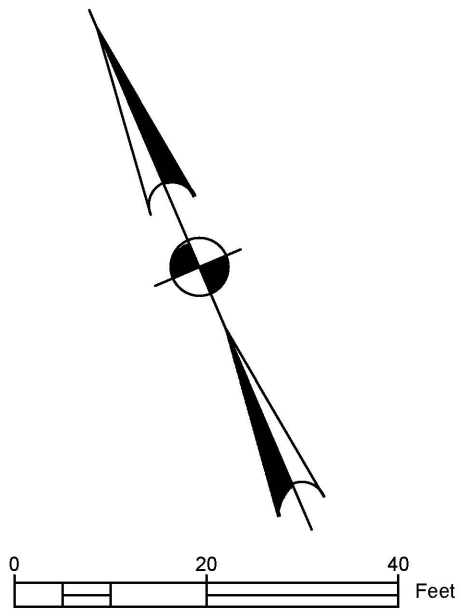
INFILTRATION TRENCH



RIP RAP



# BREWER MEMORIAL PARK STORMWATER BMP IMPROVEMENTS



NO.	DESCRIPTION	DATE
7		
6		
5		
4		
3		
2		
1		

**Ward Edwards**  
ENGINEERING  
P.O. BOX 381, BLUFFTON, SOUTH CAROLINA 29910  
PH (803) 827-5355 FAX (803) 827-2356  
WWW.WARDEDWARDS.COM

**BREWER MEMORIAL PARK**  
BEAUFORT COUNTY, SOUTH CAROLINA  
**CONCEPT PLAN**

<input checked="" type="checkbox"/> NOT FOR CONSTRUCTION	
<input type="checkbox"/> RELEASED FOR CONSTRUCTION	
PROJECT #:	170430A
DATE:	09/13/18
DESIGNED BY:	O.J.N.
CHECKED BY:	PRM
SCALE:	1"=20'

SHEET  
**EX.01**

IF THIS SHEET IS LESS THAN 22" X 34" IT IS A REDUCED PRINT. SCALE ACCORDINGLY



August 15, 2017

Mr. Eric Larson  
Beaufort County  
120 Shanklin Road  
Beaufort, SC 29906

**Brewer Memorial Park**

Sea Island Parkway - Lady's Island, South Carolina  
Civil Engineering Proposal – Service Authorization No. 1  
Ward Edwards Project #: 170400A

Mr. Larson:

We appreciate the opportunity to continue our relationship with Beaufort County. We offer the following professional services proposal for your review and consideration. If you have any questions or comments, do not hesitate to contact me at 843-384-5266, or [pmoore@wardedwards.com](mailto:pmoore@wardedwards.com)

**PROJECT UNDERSTANDING**

Our project understanding is described in the Work Plan section of the Response to Request for Qualifications for the Engineering and Consulting Services for Capital Improvement Plan – FY18. The scope of services and the associated fees match those listed in the Work Plan, but also include services for water quality monitoring collections services requested by the County after the short-list interview.

**SCOPE OF SERVICES**

**TASK 1: Conceptual Engineering**

Ward Edwards will provide the following Engineering Consulting Services:

1. Review background information provided by Beaufort County or gathered by Ward Edwards.
2. Conduct a review of the gathered information and perform exploratory field investigations of the project site and contributing watershed.
3. Attend meeting with Beaufort County and SCDHEC-OCRM to determine the project feasibility, identify permitting roadblocks, and decide upon the best course of action for design and permitting.
4. Prepare conceptual site plan showing the proposed BMP and site improvements.
5. Meet with Beaufort County to review the conceptual design and gain approval prior to final design and permitting.

## **TASK 2: Wetland Delineation & Verification**

Ward Edwards will provide the following Natural Resources consulting services through a sub-consultant, Newkirk Environmental Inc.:

1. Complete a comprehensive delineation of freshwater and saltwater wetlands within the referenced tract. This task will include flagging of wetland boundaries and coordination with survey crews to complete a field survey of the identified wetlands.
2. Upon completion and receipt of a survey plat of the wetlands, Newkirk Environmental will prepare and submit the required information to the US Army Corps of Engineers (USACE) and SCDHEC OCRM to obtain verification of the wetland delineation.
3. Newkirk will prepare and submit a request for jurisdictional determination which will include aerial photography depicting approximate wetland locations, USGS topographic maps, soil maps and data sheets representing typical site conditions to USACE.
4. Newkirk will coordinate the jurisdictional determination with the USACE throughout the review process to an initial conclusion. This will include site visits with USACE that are necessary to complete their review. Should revisions to the delineation be required including any additional fieldwork and/or documentation that's not normally required, this time will be billed as a time and expense fee.

## **TASK 3: Site Surveying**

Ward Edwards will provide the following Surveying services through a sub-consultant, Atlas Land Surveying:

1. Prepare tree, topographic, boundary and wetland survey of the park site including the existing bait pond and the adjacent marsh. The survey will be on the South Carolina State Plane coordinate system and the NAVD88 datum, to match horizontally and vertically with the Beaufort County LiDAR. Matching the LiDAR will allow for easy comparison of surveyed locations to un-surveyed onsite and offsite areas.

## **TASK 4: Geotechnical Investigation**

Ward Edwards will provide the following Natural Resources consulting services through a sub-consultant, F&ME Consultants.:

1. F&ME will advance two soil test borings within the proposed basin foot print at each site, as determined by Ward Edwards. Each boring will be extended to a depth of fifteen feet below the ground surface, auger refusal, or hole collapse; whichever is shallower. Borings may be Standard Penetration Test (SPT) soil borings, hand auger borings with Dynamic Cone Penetrometer, or some combination of each. Soil samples will be classified in the field at the time of boring according to the USCS by the ASTM Visual-Manual method.

2. Two bulk samples will be obtained from the top five feet within each boring. These bulk samples will be subjected to Standard Proctor Compaction testing to help evaluate the soil suitability for use in an earthen berm.
3. Boring and bulk sample locations and elevations will be estimated from drawings provided by Ward Edwards and will be measured in the field with Trimble R6 GPS equipment. Northing and easting coordinates and ground surface elevation will be recorded on the log for each boring.
4. F&ME will evaluate recovered test boring soil samples and bulk samples. They will perform at least ten classification tests (natural moisture content and grain size analysis with hydrometers), 4 Atterberg Limits tests, two Standard Proctor tests, and two Organic Content tests at each site. The results of the laboratory testing will be utilized to help classify recovered soil samples and to prepare grading recommendations.
5. F&ME will provide a report that includes a summary of the field exploration, laboratory test results, measured groundwater levels, boring logs, site plan, and boring/bulk sample location plan. The report will also include recommendations for the following:
  - a. Groundwater mitigation if F&ME believes groundwater mitigation will be needed during construction
  - b. Recommendation for site preparation for mass grading.
6. Assumptions/Limitations:
  - a. Clearing will be needed to access some or all of the test locations. F&ME will attempt to locate borings to minimize clearing, however, some trees and underbrush will be cut. Beaufort County will be responsible for providing access and clearing permissions to Ward Edwards and F&ME.
  - b. F&ME has proposed sampling and testing for hydrocarbon based pollutants in the sediments at Brewers Memorial Park. F&ME's environmental testing is limited to sediments the Park site. F&ME's environmental exploration at the Park is limited to hydrocarbon based pollutants that can be detected by BTEX laboratory tests. No other sampling and testing for pollutants are included.
  - c. Due to past history of site usage, hydrocarbon testing of the soils in the pond may be needed. Testing for hydrocarbon (BTEX) contamination may be needed of the on-site soils to determine proper disposal. It was assumed that if needed, the testing will be required of the selection contractor prior to construction.

## **TASK 5: Civil-Site Engineering**

Ward Edwards will prepare the civil-site engineering design based on the conceptual plan developed with County input, the determined wetland delineation, the geotechnical investigation, and the site surveying. The scope of the design will include:

1. Compile base plan using the survey file provided in AutoCAD format and using the previous Conceptual Engineering Design plan.
2. Design the pond outfall modifications.
3. Locate other site improvements based on preservation of significant trees and limits to wetland impacts.
4. Prepare a stormwater hydrologic & hydraulic model to match the new proposed conditions. The model output will help estimate the expected runoff volume and rate reductions. It is assumed that the County will provide revised sub-basin information from the newly updated SWMP.
5. Prepare a basic water quality model to estimate the expected pollutant removal from the designed regional BMP. The revised water quality model will demonstrate that the proposed design will meet the County's water quality goals.
6. Prepare design plans detailing the civil construction associated with this project. Plans are prepared using AutoCAD software and paper copies are printed on 24" x 36" sheets. Design drawings will show:
  - a. Tree removal and preservation plans
  - b. Demolition plans
  - c. Staking plans
  - d. Sedimentation and soil erosion control plans
  - e. Drainage and grading plans
  - f. Civil Construction details and specifications

The proposed boardwalk and landscape improvement were excluded from the project design and permitting scope, assuming that the scope of this project is limited to the BMP improvements. It is understood that the County may want to construct additional BMPs at the site for use as a public education a demonstration site, in conjunction with Clemson Extension. The design and permitting of any additional site BMPs beyond the pond improvements are also excluded from the current civil engineering design and permitting scope.

### **TASK 6: Wetland Permitting**

Ward Edwards will provide the following Natural Resources consulting services through a sub-consultant, Newkirk Environmental Inc.:

1. NEC will coordinate with Ward Edwards to create permit drawings suitable for submittal to USACE and OCRM. Coordination will include attendance at team meetings and review of draft plans and permitting drawings. Upon receipt of suitable permit drawings, NEC will prepare and submit a Nationwide Permit along with a Critical Area Permit application package to USACE and SCDHEC-OCRM.
2. NEC will serve as a liaison between the applicant and the various state and federal regulatory agencies throughout the permit review and decision process to an initial conclusion by USACE and applicable certification by OCRM. This will include attendance at agency meetings, response to comment or questions, and coordination of additional information as needed.

The tasks and associated fees were estimated based on several assumptions based on prior experience. These assumptions, however, can be affected by sudden policy changes and discretions by regulatory agencies. In some instances, these sudden changes and discretions result in unanticipated actions and requests by the regulatory agencies. Unanticipated actions could include but are not limited to additional field work required by coordination with agencies, additional maps and/or additional research. Upon knowledge of such requests, and prior to undertaking work outside of the scope of the proposed tasks, WEE and NEC will notify Beaufort County. .

### **TASK 7: Regulatory Permitting**

Ward Edwards will apply for the following regulatory permits needed to construct the proposed pond and associated infrastructure:

- Beaufort County MS4 NPDES Permit
- SCDHEC OCRM Coastal Zone Consistency.
- SCDOT Encroachment Permit for utility improvements (if needed) within highway right-of-way.
- SCDOT Stormwater Permit for SCDOT drainage system outfall modification.
- Beaufort County Zoning Department for coordination on tree removal and site impacts.

Ward Edwards will prepare permit application packages according to each agency's application instructions. This task includes a single round of minor modifications associated with each agency's comments. A single iteration of comment/modification is typically sufficient for approval. In the event that there are additional comments that are "agency-specific" and not design-related, additional Permitting Consulting budget will be needed. Beaufort County is responsible for permit-related fees.

Note: The proposed boardwalk and landscape improvements were excluded from the project design and permitting scope, assuming that the scope of this project is limited to the BMP improvements.

### **TASK 8: Bidding and Construction Support**

Ward Edwards will provide the following services to support the bidding and construction Phase:

1. Prepare construction quantity takeoff
2. Update the Engineer's Estimate of Probable Construction Costs based on the final construction documents
3. Review front-end bidding and contract documents provided by County staff
4. Attend pre-bid conference
5. Support reviewing bids with County staff
6. Assist in contract negotiations between County and selected Contractor, if requested
7. Support in contract document coordination for execution
8. Attend a pre-construction conference with the Beaufort County and contractor(s).
9. Attend a weekly team coordination meeting with the County and contractor(s).
10. Provide a single review iteration of the supplied shop drawings associated with the construction documents and provide response to the contractor.
11. Visit the project at appropriate intervals during construction to become generally familiar with the progress and quality of the contractors' work and to determine if the work is proceeding in general accordance with the contract documents. It was assumed that Ward Edwards will not make detailed inspections to provide exhaustive, continuous project review or observation services; however these levels of service can be provided if the project budget allows. The effort assumes 4 hours per week during construction for a 10 month construction schedule.
12. Provide services associated with construction observation on as as-needed basis in order to resolve questions or conflicts during the construction process. (RFI's Field Requests)
13. Perform a final Site Tour for general design compliance.
14. Prepare a punch list of identified site design deficiencies that need to be corrected prior to processing the final pay application for the project.
15. Schedule and attend final inspection with the County.
16. A record drawing survey of the infrastructure will be prepared by Atlas Surveying as part of the project surveying scope as required by regulatory agencies with jurisdiction over the project.
17. Manage construction documentation needed to comply with the EPA 319 Grant closeout requirements.

### **TASK 9: Post-Construction Asbuilt Surveying**

Ward Edwards will provide the following Surveying services through a sub-consultant, Atlas Land Surveying:

1. Prepare a post-construction asbuilt survey of the constructed BMP suitable for NPDES permit closeout. The survey will be on the South Carolina State Plane coordinate system and the NAVD88 datum, to match horizontally and vertically with the Beaufort County LiDAR.

## **TASK 10: Water Quality Monitoring Collection**

Ward Edwards will provide the following services to support the pre and post construction water quality monitoring:

1. Determine location of field water collection sample at the proposed post-construction BMP outfall location. The location will be determined based on site visits of the property in current conditions on a couple of occasions to determine existing flow paths and areas that are most likely to contain water during routine visits throughout the year. The location will be reviewed with the County and the USCB Water Quality Lab for final approval. GPS coordinates will be provided to USCB and Beaufort County for use in mapping.
2. Field collect water samples at the determined location, every other week for one year before construction and for one year after construction, regardless of rainfall conditions. This will result in 26 pre-construction samples and 26 post-construction samples.
3. It is assumed that the USCB lab will provide gloves and sample bottles for use by Ward Edwards. USCB will also purchase the collection pole and will be reimbursed by Ward Edwards. Ward Edwards will provide the cooler used to store the sample.
4. Ward Edwards will record weather and tidal conditions at the time of sampling per the Beaufort County monitoring SOPs.
5. It was assumed that samples will be collected on Wednesdays and delivered to the USCB lab no later than 2:00.
6. It was assumed that Ward Edwards will collect one sample for use by the County and USCB to test for their pollutant of choice.
7. The fee assumed 5 hours of "Principal" time and 30 hours of "Project Manager" time to manage the two-year effort.
8. The fee assumed 3 hours per week of a field technician time to drive to the site, collect the sample, deliver it to the downtown Beaufort campus, and return to the Ward Edwards office. All mileage expenses are included in this fee. This results in a \$330 charge for each sample collection and delivery.
9. If the technician arrives at the site and is unable to collect a sample that week due to dry conditions, the effort is assumed to be only 2 hour of time and the County will be billed \$220 for that bi-weekly period.

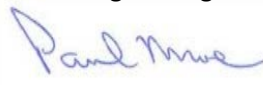
**FEES:**

The below fees are based on prompt payment of invoices and on the orderly and continuous progress of the Project.

Service Description	Fee Type	Fee Amount
<b>Task 1: Conceptual Engineering</b>	Hourly Not To Exceed	<b>\$12,000.00</b>
<b>Task 2: Wetland Delineation &amp; Verification</b>	Hourly Not To Exceed	<b>\$2,500.00</b>
<b>Task 3: Site Surveying</b>	Hourly Not To Exceed	<b>\$3,000.00</b>
<b>Task 4: Geotechnical Investigation</b>	Hourly Not To Exceed	<b>\$8,300.00</b>
<b>Task 5: Civil Site Engineering</b>	Hourly Not To Exceed	<b>\$11,000.00</b>
<b>Task 6: Wetland Permitting</b>	Hourly Not To Exceed	<b>\$8,500.00</b>
<b>Task 7: Regulatory Permitting</b>	Hourly Not To Exceed	<b>\$10,000.00</b>
<b>Task 8: Bidding and Construction Support</b>	Hourly Not To Exceed	<b>\$8,000.00</b>
<b>Task 9: Post Construction Asbuilt Surveying</b>	Hourly Not To Exceed	<b>\$1,500.00</b>
<b>Task 10: Water Quality Monitoring Collection</b>	Hourly Not To Exceed	<b>\$24,000.00</b>
<b>Reimbursable Expenses</b>	As Incurred	<b>\$1,200.00</b>
<b>Total</b>		<b>\$90,000.00</b>

**SERVICE AUTHORIZATION:**

Additional contract terms appear in the attached Terms and Conditions (T&C) dated April 6, 2016. **Beaufort County** is the CLIENT in this Agreement. When signed below, this proposal and the referenced T&C represent the entire understanding and agreement of this Project between you and Ward Edwards and serve as the authorization for Ward Edwards to proceed with professional services. Modification must be made in writing and signed by both Ward Edwards and CLIENT.

By:   
 Paul Moore, PE  
 Ward Edwards, Inc.

Approved By: \_\_\_\_\_  
 Eric Laron, PE  
 Beaufort County

Date: August 15, 2017

Date: \_\_\_\_\_

A STORMWATER MANAGEMENT AND UTILITY

INTERGOVERNMENTAL AGREEMENT

BETWEEN BEAUFORT COUNTY, SOUTH CAROLINA, AND

THE CITY OF BEAUFORT, SOUTH CAROLINA

DATED: 11/16/2016

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WHEREAS, this Agreement is made on this 11<sup>th</sup> day of November, 2016, by and between Beaufort County, South Carolina, and the City of Beaufort, South Carolina, for the purpose of establishing the terms and conditions of the participation by the City in a county-wide Stormwater utility, which utility shall be operated by the County.

#### **ARTICLE 1 - TITLE AND PURPOSE**

1.00 *Title:* This intergovernmental agreement between Beaufort County, South Carolina, and the City of Beaufort, South Carolina, shall be known as the “Stormwater Management and Utility Agreement Between Beaufort County, South Carolina, and the City of Beaufort, South Carolina.”

1.01 *Purpose:* This Agreement is made for the purpose of defining the roles, responsibilities and financial relationship between the County and the City with respect to the establishment, administration and operation of the Beaufort County Stormwater Utility, which includes the following:

- (a) Establishment of rates;
- (b) Use of revenue;
- (c) Acquisition of existing Stormwater infrastructure;
- (d) Construction of new Stormwater infrastructure;
- (e) Maintenance of Stormwater infrastructure;
- (f) Operation of Stormwater infrastructure;
- (g) Regulation and use of Stormwater infrastructure; and,
- (h) Enhancement of water quality.

1.02 *References to County Ordinances:* This Agreement hereby incorporates by reference Beaufort County, South Carolina, Ordinance 2015-24 regarding the establishment of a Stormwater Utility. The Beaufort County Stormwater Implementation Committee (SWIC) will review this Agreement for any needed revisions upon future amendments to *Chapter 99* of the County Ordinance. Amendments to *Chapter 99* shall become binding to this Agreement upon SWIC review and revisions to this Agreement, if deemed necessary. In the case of any conflict between the provisions of the Ordinances and this Agreement, the provisions of this Agreement shall control.

## **ARTICLE 2 - DEFINITIONS**

2.00 *Definitions:* When used in this “Stormwater Management and Utility Agreement between Beaufort County, South Carolina, and the City of Beaufort, South Carolina,” the following words shall have the meanings set forth in this Article 2:

2.01 *Agreement:* This Stormwater Management and Utility Agreement between Beaufort County, South Carolina, and the City of Beaufort, South Carolina.

2.02 *County:* Beaufort County, South Carolina.

2.03 *County Wide Stormwater Management Study (and Implementation Guide):* The study conducted by the County to determine the drainage infrastructure and maintenance needs within the various watersheds within the County. This became the Beaufort County Stormwater Master Plan dated February 20, 2006. In 2016, the County and City of Beaufort entered into agreement to update the Master Plan, said document being referred to as the “Beaufort County Stormwater Management Implementation Guide”. Future amendments of the Plan/Guide shall be incorporated by reference once agreed upon by the Beaufort County Stormwater Implementation Committee (SWIC).

2.04 *Cost of Service Analysis and Rate Study:* The study was conducted by the County and City which was adopted by County Council on August 24, 2015 and submitted by the Study consultant to the City of Beaufort on April 20, 2016 to determine an equitable and appropriate rate structure for Stormwater Utility User Fees within all areas of the County, so that fees charged by the Stormwater Utility will be in compliance with provisions of S. C. Code Ann. 48-14-120(C)(Supp. 2010), and S. C. Regs. 72-310 (Supp. 2010).

2.05 *Stormwater Utility User Fees:* Stormwater Utility User Fees shall mean the service fee imposed pursuant to this article for the purpose of funding costs related to Stormwater programs, services, systems, and facilities. These fees will be calculated based upon the residential category for a parcel and/or the nonresidential parcel's impervious area and/or a parcel's gross area and an administrative fee, depending on the applicable Utility Rate Structure, as pursuant to the provisions of the Beaufort County Ordinance listed in Section 1.02.

2.06 *Stormwater Utility User Fee; Single Family Unit Rate (SFU).* Per "Option A" of the 2015 Utility Rate Study, the single-family unit fee rate shall be defined as the impervious area measurements obtained from a statistically representative sample of all detached single-family structures within Beaufort County. The representative value will be 4,906 square feet

2.07 *Stormwater Utility User Fee; Administrative fee.* For "Option A" rate structures, the Administrative fee is a portion of the SFU and determined per Section 4.01 of this Agreement. Per "Option C or E" of the 2015 Utility Rate Study, the Administrative fee is a fixed cost per billable account and includes costs to the Utility not directly applicable to the improvements of the property, such as administrative costs, public education and outreach, and water quality monitoring. For "Option C or E" rate structures, the Administrative fee is determined per Section 4.01 of this Agreement.

2.08 *Stormwater Utility User Fee; Countywide Infrastructure Fee (CWI).* Per the 2015 Utility Rate Study, the countywide infrastructure fee is based on GIS data obtained per Article 8 herein. It is a fee applicable to each City for the operation and maintenance cost of the county owned infrastructure defined in Section 5.07, collected and paid directly to the County.

2.09 *Stormwater Utility User Fee; Gross Area fee (GA).* Per “Option C or E” of the 2015 Utility Rate Study, the Gross Area fee is calculated from the area in acres of a parcel of land as measured from GIS data obtained per Article 8 herein.

2.10 *Stormwater Utility User Fee; Impervious Area fee (IA).* Per “Option C or E” of the 2015 Utility Rate Study, the Impervious Area fee is based on impervious area measurements calculated in the same manner as the SFU.

2.11 *NPDES:* The National Pollutant Discharge Elimination System Stormwater regulatory program established by the United States Environmental Protection Agency to address pollutants in Stormwater discharged to waters of the United States. Phase II of this regulatory program impacts communities under 100,000 in population, small construction sites between one acre and five acres, and industrial sites owned and operated within communities under 100,000 population.

2.12 *Public Stormwater:* Stormwater runoff which is conveyed through a public drainage easement or public road right of way, and/or which some portion is generated from a public road right of way.

2.13 *Stormwater Infrastructure:* Real property, interests in real property, improvements to real property such as ditches, drains, pipes, culverts, catch basins, pumps, post-construction best management practices (BMPs), or the like, or any combination of them, used or useful in the collection and disbursement of storm and surface water, or the control of flooding. As used

herein, Stormwater Infrastructure does not include drainage systems or facilities that are not publicly owned, and which do not carry public Stormwater.

2.14 *Stormwater Management:* Control of storm and surface water, erosion, Stormwater quality protection and flooding through the use of Stormwater Infrastructure, and the creation and enforcement of development standards related to storm and surface water.

2.15 *Stormwater Management Plan:* The plan(s) developed by the County and City that addresses planning, design and construction of capital improvements to the Stormwater Infrastructure; acquisition of real property or interests in real property for the purposes of Stormwater Management; maintenance and repair of Stormwater Infrastructure; regulation of the use of Stormwater Infrastructure; acquisition of equipment and other assets; regulation of impacts including any that may be mandated under the NPDES Phase II regulations, contracting with engineering, financial, legal, construction and other professionals for services in support of the Stormwater Utility, emergency preparedness related to storms and hurricanes, acquisition or construction of Stormwater Infrastructure, or any other functions required, useful or prudent for a program of Stormwater Management.

2.16 *Stormwater Utility:* The administrative section of the County's Stormwater Department created for the purposes of planning, designing, overseeing, funding, building, and maintaining Stormwater Infrastructure, either directly or through cooperative arrangements with other governmental bodies; and for administering and managing Stormwater Management throughout Beaufort County.

2.17 *City:* City of Beaufort, South Carolina.

### **ARTICLE 3 - TERM OF THIS AGREEMENT**

3.00 *Term of This Agreement:* The term and duration of this Agreement shall be as follows in this Article 3.

3.01 *Initial Term of this Agreement:* The Initial Term of this Agreement shall be for a period of ten (10) years, commencing on the date the Agreement is signed by both the City and the County, whichever comes last.

3.02 *Periodic Review of this Agreement:* The Beaufort County Stormwater Implementation Committee (SWIC) shall conduct periodic review of this Agreement to insure that it remains current with the state of the art Stormwater management and practices applicable to coastal areas and shall provide recommendations for updates to the agreement if necessary.

3.03 *Extension of this Agreement:* The term of this Agreement may be extended at any time by the mutual agreement of the parties hereto, or upon the expiration of the initial ten (10) year term set forth in Article 3.01 above.

3.04 *Termination of this Agreement:* This Agreement may be terminated by either party hereto, by delivering written notice of the termination to the other party. Termination under this Article shall only be effective on the final day of any given County fiscal year. The written notice of termination shall be provided by the party terminating the Agreement no less than one hundred eighty (180) days prior to the date the termination will be effective.

3.05 *Effect of Termination:* Upon termination of this Agreement under any provision of this Article 3, or otherwise, all rights and obligations of any party hereto, specifically including but not limited to the right of the County to charge Stormwater Utility User Fees to property owners in the City, shall immediately end.

3.06 *Conveyance of Assets:* Upon termination of this Agreement under any provision of this Article 3, the County shall convey to the City all of its rights, title and interest in any Stormwater Infrastructure, including any Stormwater easements, within the municipal limits of the City. However, this shall not include Stormwater Infrastructure on County owned parcels or County road rights of way (otherwise known as Countywide Infrastructure, CWI, as defined in Section 5.07) within the limits of the City.

3.07 *Rebate of User Fees:* Upon termination of this Agreement under any provision of this Article 3, the County shall return to the City any collected but unspent or unobligated Stormwater Utility User Fees collected from within the City Limits.

#### **ARTICLE 4 – FINANCE AND FUNDING**

4.00 *Financial and Funding Relationship:* The City shall provide the County with its Stormwater Utility User Fee Rate for its upcoming fiscal year prior to June 30 each year of this Agreement. This will be in the form of a letter to the County Administrator from the City Manager.

In the event the City fails to submit this letter in accordance with Article 4 of this Agreement, the previous year's rate shall apply. The City shall also provide to the County an annual report of its Stormwater fee expenditures from the previous fiscal year. This report shall be delivered by September 30, or as soon as the previous fiscal year's financial records are complete, each year this Agreement is in effect.

4.01 *Use of Revenue:* In accordance with the provisions of S. C. Code Ann. 48-14-120(C) (Supp. 2010), and S. C. Regs. 72-310 (Supp. 2010), all Stormwater Utility User Fees collected within the City, less an administrative fee, shall be returned to the City. The

administrative fee is to be calculated as a fixed dollar amount for each unit billed and collected by the Stormwater Utility. The billable unit shall be either a Per Account charge or a charge per SFU, depending on the applicable Utility Rate Structure. The Utility shall define its administrative costs each year during the annual budget process. The Beaufort County Stormwater Implementation Committee (SWIC) shall conduct annual reviews of the Utility's administrative budget and recommend to the municipalities and County any changes to the amount billed per Account or SFU and the SWIC and Utility shall provide the City an itemized proposal and a written explanation for adjustments for the administrative services and deliverables to be provided in the coming fiscal year. This proposal shall be submitted to the City by February 15 of each calendar year. The City shall provide a written recommendation of acceptance to the Utility by April 1 of the same year. Once agreed upon, this shall serve as the basis for the annual administrative fee to be calculated per City Account or SFU, and included in each entity's annual budget.

(a) The administrative fee shall be used by the County to defray the County's administrative costs in managing the Stormwater Utility.

(b) The City shall use Stormwater Utility User Fees to provide Stormwater Management within the City, including, but not limited to:

(i) The acquisition, design, construction, and maintenance of Stormwater Infrastructure, or repayment of bonded indebtedness issued to fund construction of Stormwater Infrastructure, in so far as the law and covenants of the bonds allow, or for repayment to the City for general fund or other funds spent by the City to fund Stormwater Management activities;

- (ii) Acquisition of Stormwater Infrastructure, including any easements or other interests in real property which shall be held in the name of the City;
- (iii) Maintenance of Stormwater Infrastructure by the City and its contractor(s,) or by direct services of the Stormwater Utility. Charges for services by the Stormwater Utility; shall be negotiated and approved by the County and the City, as is provided in Articles 4.03, 4.05(a), 5.05, and 5.07 below; The City shall have the right of non-exclusive use of direct maintenance services, and there shall be no minimum dollar amount required to be spent annually by the City on any services provided by the Stormwater Utility;
- (iv) Plan review and site inspections related to compliance with Stormwater ordinances and standards for development within the City as set forth in Articles 4.05, 4.06 and 4.07 below;
- (v) NPDES Phase II permit compliance;
- (vi) Payment of bond indebtedness or repayment of funds borrowed from the general fund or any other fund for the purpose of funding Stormwater Management projects or activities; and,
- (vii) Any other services related to Stormwater Management.

4.02 *Further Agreements Authorized:* The City and the County may negotiate and enter into agreements to share costs and responsibilities related to NPDES permit compliance. Such agreements and cost allocations shall be reflected in each entities annual budget and must be authorized by the City Council and County Council.

4.03 *Cost of Services:* If the City chooses to utilize the direct services of the Stormwater Utility, however described, they shall be accounted for at the County's actual cost of the equipment, materials, and personnel utilized in the delivery of the services.

4.04 *Setting of Stormwater Utility User Fee Rate (Per Account, IA, GA, and SFU's):* The City shall be responsible each year for setting the Stormwater Utility User Fee Rate to be assessed on parcels within the City. The Stormwater Utility User Fee rate shall be set in accordance with S. C. Code Ann. 48-14-120(C) (Supp. 2010), and S. C. Regs. 72-310(G) (Supp. 2010), or any other applicable law or regulation.

4.05 *Plan Review and Site Inspection:* For all activities that constitute development within City limits, the City will provide review of plans and site inspections to ensure compliance with applicable laws, ordinances and regulations related to storm and surface water, erosion control and flooding.

4.06 *Coordination of Services:* The City shall identify a representative of its staff to serve as the contact person and coordinator for Stormwater Management Services, including services provided by the County within the City, long range planning and water quality initiatives such as the NPDES Phase II requirements compliance, notification of problems, facilitating access within any planned or future Planned Unit Developments within the City, and advising the County on site-specific conditions within the City.

## **ARTICLE 5 – ADMINISTRATION OF STORMWATER UTILITY**

5.00 *Stormwater Utility:* The County has established a Stormwater Utility that administers funds and conducts a Stormwater Management program throughout the County.

5.01 *Stormwater Management Plan:* The County and City shall have the responsibility to develop and maintain a Stormwater Management Plan to be administered by the Beaufort

County Stormwater Implementation Committee (SWIC).

5.02 *Relationship of Plan to Agreement:* The Stormwater Management Plan developed and maintained by the Beaufort County Stormwater Implementation Committee (SWIC) shall incorporate the obligations of the County and City under this Agreement. In the case of any conflict between the provisions of the Stormwater Management Plan and this Agreement, the provisions of this Agreement shall control.

5.03 *Stormwater Utility User Fees:* The Stormwater Utility shall bill and collect parcel based Stormwater Utility User Fees from property owners, tenants, or other appropriate parties, pursuant to its authority and subject to any intergovernmental agreements, including this Agreement, and may also apply for, acquire and use any other funding from any public or private source in support of the Stormwater Management Plan as allowed by law.

5.04 *County Responsibilities:* The County, through the Stormwater Utility, shall have the following responsibilities:

(a) *Collection and Distribution of Fees:* Stormwater Utility User Fees within the City limits shall be charged and collected by the County in accordance with the provisions of Article 4.0 of this Agreement; the Stormwater Utility User Fees shall be collected in accordance with S. C. Code Ann. 48-14-120(C) (Supp. 2010), and S. C. Regs. 72-310(G) (Supp. 2010), or any other applicable law or regulation, and shall not include provisions for relief from the payment of the Stormwater Utility User Fees; the County shall distribute the City's Stormwater Utility User Fees less the County administrative costs as defined in Article 4.01, in the same manner as ad valorem taxes are distributed for each year this Agreement is in effect;

- (b) *Provision of Services:* Provision of the services required under this Agreement.
- (c) *Budgeting and Expenditure:* Setting the budget for the Stormwater Utility, and spending the revenues in accordance with any applicable ordinances or agreements, including this Agreement;
- (d) *Administrative Activities:* Managing all administrative activities of the Stormwater Utility, including but not limited to, fee assessment, collection and distribution, maintenance of accounting records, maintenance of Stormwater data, implementation of the master plan, acquisition of easements, coordination with other agencies, reporting to the Stormwater Utility Board;
- (e) *Accounting:* Maintaining an accounting of revenues and expenditures on a jurisdictional or geographic basis, as may be set or described under any applicable ordinance or agreement, including this Agreement, the County shall provide the City with an itemized annual accounting of all Stormwater Utility User Fees within the City limits in the form of a budget report, including but not limited to: how parcel fees were determined, calculated, and assessed; total fees collected; total Administrative costs retained by the County; total fees in arrears, on which parcels and the status of the collection attempt(s) on such parcels; fee credits applied for; fee credits paid; and fees that required adjustment since the last billing. This budget report shall be parcel based and provided to the City annually prior to February 1<sup>st</sup> throughout the term of this agreement as an electronic document compatible with the most current version of Microsoft Office. The County shall also maintain an annual accounting of all administrative

costs associated with operating the Utility. Either the City or County, at the sole expense of the requesting jurisdiction, may request a professional audit of any of the budget reports;

(f) *Operation and Maintenance:* At the direction and approval of the City, provide for the operation and maintenance of Stormwater Infrastructure within the City; and,

5.05 *Delivery of Services:* The County shall coordinate the delivery of services hereunder through the City Manager or his designee, via a Job Order Process as agreed to by the City and County. All delivery of County services upon parcels within the City limits shall be approved in writing by the City before any work is performed or any funds may be returned to the County, and all delivery of Stormwater infrastructure services within County Rights of Ways shall be coordinated with the City.

5.06 *Coordination with Other Jurisdictions:* From time to time a need for coordination between all incorporated jurisdictions within the County and the County may occur, and it shall be the responsibility of the County to facilitate such coordination. The County will work with designated representatives from all jurisdictions within the County to ensure effective communication regarding issues impacting the Stormwater Infrastructure and the Stormwater Management Plan.

5.07 *Qualifications and Extents of Service:* Stormwater infrastructure in public road Rights of Ways, whether State, County or Municipal, shall be maintained by the road owner, as these areas are exempt from Stormwater Utility User Fees per Section 99-109 (b) of the County Ordinance. The City shall retain the right to determine the qualifications for, extent of, and level of service required to maintain the Stormwater Infrastructure within the limits of the City, with the

exception of County and State road Rights of Way, which shall be designed and maintained in accordance with their current standards.

5.08 *Fee Credits:* The City shall have the authority to review and comment on all County Stormwater fee credit applications requested upon parcels within the City limits prior to such adjustments being made.

5.09 *Easements:* The City and County will allow mutual blanket encroachments upon each other's existing easements, but only to enable the City and/or County to perform Stormwater utility related work within the limits of the City.

#### **ARTICLE 6: STORMWATER ORDINANCES AND DEVELOPMENT STANDARDS**

6.00 *Applicable Standards:* The current hydrologic and hydraulic engineering and design standards of the County and City shall prevail in the design, construction, operation and maintenance of any portion of the Stormwater Infrastructure within the County and City, respectively, unless superseded by the hydrologic and hydraulic engineering and design standards of the State, as may be required for specific work performed in State rights of way. In all cases, the County or City standards shall prevail within the applicable jurisdiction unless determined to be less stringent than State standards.

6.01 *State or Federal Laws or Regulations:* The City and the County shall at all times comply with any applicable State or Federal Laws or regulations relating to Stormwater Management, Stormwater Infrastructure, erosion control or pollution.

6.02 *Regulatory Obligations of the County and City:*

The County and City shall adopt and enforce ordinances and development standards as necessary to comply with State and Federal standards regarding Stormwater management, erosion and

sedimentation, pollution control, and flooding. Minimum water quality controls in jurisdictions shall be protective enough to reach and maintain state designated water uses.

6.03 *Plan Review and Site Inspection:* The City and County shall be responsible for the review and approval of all development plans within their respective jurisdictions, to ensure that all applicable regulations pertaining to construction site erosion, sedimentation, and pollution control as well to post-construction Stormwater quantity and quality control are met.

The County and City shall be responsible for providing inspections during construction of all County and City owned Stormwater systems, respectively. The County and City will continue its practice of inspection and review of privately owned Stormwater systems during construction and upon completion to ensure that construction conforms with the approved development Stormwater plan.

#### **ARTICLE 7 – NPDES MS4 PHASE II PERMIT COMPLIANCE**

7.00 *NPDES Compliance:* In 2015, Beaufort County, the Town of Bluffton, and the Town of Hilton Head Island were designated by the State of South Carolina for compliance with the NPDES Program. The County and Towns shall be responsible for the development of the NPDES MS4 Phase II permit application, the development of Best Management Practices required by the permit, and the implementation of the program of Best Management Practices set forth in the permit. Should the City of Beaufort or the Town of Port Royal be designated by the State of South Carolina for compliance with the NPDES program, the provisions of this section shall also apply to the City.

7.01 *Roles and Responsibilities:* The City and County shall hold separate NPDES MS4 Phase II permits and shall each be responsible for maintaining compliance with their respective

permit requirements. The City may request to “co-permit” or share MS4 Phase II permitting with the County or another Town, as allowed by Article 9 of this Agreement, as allowed by State law, and as encouraged in the State of South Carolina General Permit for MS4 Phase II communities.

*7.02 Coordination of Activities:* It is expected that some aspects of NPDES MS4 Phase II requirements will lend themselves to coordination and cooperation between the City and the County. In such instances, coordination between the City and the County shall be on the basis of a specific Minimum Control Measure (MCM) and shall be established by a separate written agreement that specifies the objectives, product deliverables, schedules, funding distribution, and the roles and responsibilities of each party in addressing these measures.

*7.03 Annual Reporting:* The City and County will each be responsible for preparing an annual report documenting the activities undertaken in support of NPDES MS4 Phase II permit requirements during the previous year and submitting the report to the South Carolina Department of Health and Environmental Control.

*7.04 Permit Related Costs:* All costs related to the NPDES MS4 Phase II permit shall be borne by the permit holder. In instances where the City and County coordinate to meet permit requirements, costs may be shared on a basis that is detailed in a separate written agreement.

## **ARTICLE 8 – DATA ACQUISITION AND MANAGEMENT**

*8.00 Roles and Responsibilities:* The City and County shall each be responsible for acquiring and maintaining data sets that are relevant to Stormwater Management in their respective jurisdictions.

*8.01 Cost Sharing:* Cost sharing agreements for data acquisition may be made between the

City and County on a project-specific basis. The terms and details of any cost sharing agreement shall be detailed in a separate written agreement between the City and County.

8.02 *Data Sharing:* The City and County shall share acquired data at the request of the other. In such instances the City and County will agree to abide by each entity's current data distribution policy.

8.03 *Data Types:* Types of data that the City and County will acquire, maintain, and may share include but are not limited to, GIS data, aerial photography, LIDAR data, water quality monitoring data, stream gage data, financial and accounting data.

## **ARTICLE 9 – OTHER AGREEMENTS**

9.00 *Scope and cost sharing:* From time to time various projects may be shared in scope and/or cost between the County and the City, or the County and multiple Municipalities within the County via Memos of Agreement, Memos of Understanding, Contracts, and/or Joint Resolutions.

9.01 *Agreement Recommendations:* The Beaufort County Stormwater Implementation Committee (SWIC) shall be the vehicle whereby agreements of project scope and cost sharing between the County and multiple Municipalities within the County are reviewed and recommended to the Municipalities and County. It is understood that the Beaufort County Stormwater Implementation Committee shall have no authority to financially commit the City or County to any project of any type and only will provide technical recommendations for such projects. For agreements solely between the City and the County, the Beaufort County Stormwater Implementation Committee (SWIC) review is not required.

9.02 *Agreement approvals:* Other agreements between the County and the City must be

approved by the City Council and the County Council or their designees.

9.03 **Funds Distribution:** These Agreements will define how funds are distributed, either by invoice or as part of the Per Account Administrative fee collected by the County.

## **ARTICLE 10 - MISCELLANEOUS**

10.00 *Provisions Applicable to This Agreement:* The following general provisions are applicable to this Agreement:

10.01 *Binding Effect:* This Agreement shall inure to the benefit of and shall be binding upon the City and County and their respective successors and assigns, if any are permitted hereunder.

10.02 *Amendment, Changes and Modifications:* Except as otherwise provided herein, this Agreement may not be effectively amended, changed, modified or altered without the written consent of the City and the County.

10.03 *Severability:* In the event that any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

10.04 *Execution in Counterparts:* This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

10.05 *Applicable Law:* This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.

10.06 *Captions:* The captions or headings herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

10.07 *Plural/Singular:* Where appropriate, the use of the singular herein shall include and be deemed to be the plural, and the use of the plural herein shall be deemed to include the singular.

10.08 *No Third Party Beneficiaries:* The City and the County hereto affirmatively represent that this Agreement is made solely for the benefit of the parties hereto and their respective successors and assigns and not for the benefit of any third party who is not a signature party hereto. No party other than the signature parties and their respective successors and assigns hereto shall have any enforceable rights hereunder, or have any right to the enforcement hereof, or any claim for damages as a result of any alleged breach hereof.

10.09 *Notices:* All notices, applications, requests, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered in person, via electronic mail, or mailed by regular first class mail, postage prepaid (in such case, delivery shall be deemed complete upon mailing), addressed as follows, or to such other place as may be designated in writing by the parties.

To the City: THE CITY OF BEAUFORT

William Prokop, Manager

1911 Boundary Street

Beaufort, SC 29902

To the County: BEAUFORT COUNTY, SOUTH CAROLINA

Gary Kubic, Manager

Post Office Box 1128

Beaufort, SC, 29902

10.10 *No Waiver:* No failure of either party hereto to exercise any power or right given to such party hereunder, or to insist on strict compliance by any other party to its obligations hereunder, and no custom or practice of the parties at variance with the terms hereof shall constitute a waiver of any party's right to thereafter demand strict compliance with the terms of this Agreement.

10.11 *Further Assurances and Corrective Documents:* The City and the County agree to do, execute, acknowledge, deliver or cause to be done all such further acts as may be reasonably determined to be necessary to carry out this Agreement and give effect to the provisions hereof. The City and the County agree that each shall, upon request, execute and deliver such other or corrective documents as may be reasonably determined to be necessary to carry out this Agreement and each of the provisions hereof.

In Witness Whereof, The City of Beaufort, South Carolina, and Beaufort County, South Carolina, by and through their duly authorized officers, have set their hands and seals on this 16<sup>th</sup> day of November, 2016.

WITNESSES:

H. Cunn

J. Burgess

THE CITY OF BEAUFORT,  
SOUTH CAROLINA

By: Bill Kopf  
Beaufort, Mayor

Attest: W. Hef  
Beaufort, City Manager

WITNESSES:

Paul M. Somerville

Cheryl Huns

BEAUFORT COUNTY, SOUTH CAROLINA

By: Paul Somerville  
Paul Somerville, Chairman

Attest: Gary Kubic  
Gary Kubic, County Administrator