

tate development in a pristine dune area that is currently undeveloped and adjacent to federally designated critical habitat for the piping plover, a threatened species and as such is designated a Geographic Area of Particular Concern (GAPC). This area is also federally designated as a Coastal Barrier Resource Act (COBRA) unit.”

KRA/KDP appealed the decision on December 30, 2008 saying, “The fundamental grounds for appeal are that (a) the proposed revetment complies with the controlling statutes (sic) and regulations and (b) there are no significant negative impacts anywhere from the revetment, much less any significant negative impacts to the “critical areas” under OCRM’s jurisdiction. OCRM staff’s ground for denying the permit for the majority of the revetment is its contention that potential residential development of a part of the highland of Captain Sam’s Spit (i.e., behind the state’s beachfront setback line) as allowed under the Town’s zoning ordinance would have a negative effect on rare and endangered species as well as the protected dune area. This unsupported assertion is inaccurate and speculative.”

The Coastal Conservation League (CCL) also appealed the decision, citing their reasons in part, as:

- Site of proposed revetment/bulkhead site of a pristine undeveloped spit at the tip of the Island which supports a thriving wildlife community, including endangered Loggerhead turtle and Diamondback terrapin whose habitat could be negatively impacted
- Violation of Coastal Zone Management Act, OCRM Regulations and Coastal Management Program.
- Impact on a fragile and sensitive area, resources of the coastal zone and environment.
- Impact on marine and wildlife and other natural re-

sources; potential erosion; consideration of economic benefits vis-à-vis benefits of preserving a pristine area

- Violation of DHEC Regulation that bulkheads and revetments “will be prohibited where marshlands are adequately serving as an erosion buffer, where adjacent property could be detrimentally affected by erosion, sedimentation or denial of public access because of induced erosion.

- No consideration given to up or downdrift damage because it is not part of a comprehensive erosion control program; and it fails to promote the use of natural features of the system, rather than artificial protections.

- League members and area residents will suffer injury because of degradation of natural resources.

No Decision

Request for a permit from DHEC-OCRM to install a 340 foot long interlocking, steel sheet pile system entirely on high ground adjacent to the Kiawah River in the vicinity of Beachwalker Park was filed in March, 2009 by KRA/KDP (see article p. 11 July/Aug. 2009 TALK and <http://www.kiawah.org>). to protect its highland in the narrowest part of Captain Sam’s Spit.

In the three Notices of Intent (NOI) filed by KRA/KDP’s engineering representatives Thomas & Hutton, because of project name changes, it indicated the project was part of a Larger Common Plan for Development or Sale (LCP).

The LCP was initially designated Kiawah River Bend Revetment on April 10, 2009, then Kiawah Island Beach-



Captain Sam’s Inlet