

Acronyms and Definitions

US ACE: U.S. Army Corps of Engineers - Passage of the Clean Water Act in 1972 greatly broadened this role by giving the Corps authority over dredging and filling in the 'waters of the United States,' including many wetlands. A major aspect of the US ACE regulatory program is determining which areas qualify for protection as wetlands. Only the Corps can delineate a wetland. In reaching these decisions, the Corps uses its 1987 Wetland Delineation Manual.

DHEC BOW: Department of Health and Environmental Control, Bureau of Water – This division of DHEC is in charge of permitting contiguous and isolated wetlands.

DHEC OCRM: Department of Health and Environmental Control, Ocean and Coastal Resources Management – This division of DHEC is in charge of permitting tidal wetlands. OCRM also oversees activities requiring permits in the coastal counties and the critical zone (which includes coastal waters, tidelands, and beach/dune systems).

Critical area boundary: The critical area is defined as tidelands, coastal waters and the beach/sand dunes system. OCRM staff determines this jurisdictional boundary and is referred to as the 'critical line'. A permit is required from OCRM prior to any alteration to the critical areas of South Carolina. These activities can include docks, bulkheads, boat ramps or other alterations such as filling or dredging.

USFWS: US Fish and Wildlife Service - The USFWS produces information on the characteristics, extent, and status of the Nation's wetlands and deepwater habitats. Regarding permitting wetlands, their comments combine input from agency experts on issue of endangered species or other resources and seeks to minimize and reduce the impacts to both upland and wetland habitats.

SCDNR: SC Department of Natural Resources – Regarding permitting wetlands, SC DNR's role is to provide comment from the beginning stages of the public review process to both US ACE and DHEC as the steward of the natural resources of the state. Sometimes several different comment letters will be submitted on different aspects of the plans. Comments are a combination of input from experts in the agency. Issues regarding biological, hydrological and access/recreation impacts are all considered.

SHPO: State Historic Preservation Office – The purpose of SHPO is to encourage and facilitate the responsible stewardship of South Carolina's irreplaceable historic and prehistoric places. The South Carolina Department of Archives and History is the leader in the state for preserving and advocating the state's documentary and cultural heritage. Regarding comments to wetland permits, SHPO may comment on both known sites and the potential for historic sites in the area. Buildings, structures, and archeological sites are all considered part of historic preservation.

NWP: Nationwide Permit – These types of permits are issued to the general public for specific types of activities that the Corps has determined will not result in more than minor impact to the nation's waters, when designed and constructed to meet the numerous national, regional and even specific conditions which may apply. Types of activities for which a NWP is required may include placing culvert for road crossings to placing rip rap for shoreline protection, as well as placement of minor amounts of fill for commercial or residential construction.

ESA: The Endangered Species Act - established in 1973 to protect and recover imperiled species and the ecosystems upon which they depend. When evaluating a species for listing, the FWS considers five

factors: 1) damage to, or destruction of, a species' habitat; 2) overutilization of the species for commercial, recreational, scientific, or educational purposes; 3) disease or predation; 4) inadequacy of existing protection; and 5) other natural or manmade factors that affect the continued existence of the species.

EFH: Essential Fish Habitat - EFH is defined as 'those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.' Waters include aquatic areas and their associated physical, chemical and biological properties. Spawning, breeding, feeding, or growth to maturity covers all habitat types utilized by a species throughout its life cycle. The Magnuson-Stevens Act requires all Federal agencies to consult with National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect EFH.

NHPA: National Historic Preservation Act of 1966. Section 106 of this Act requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 also requires federal agencies to consult with a wide variety of interested parties, including the SHPO, Native American tribes, local governments, local historical societies, and the public. Agencies are required to avoid, minimize, or mitigate any adverse effects of their undertakings on historic properties.

401: Refers to the Clean Water Act, anyone who wishes to obtain a federal permit for any activity that may result in a discharge to navigable waters of the U.S. must first obtain a state Section 401 water quality certification to ensure the project will comply with state water quality standards.

404(b)(1): Pertains to the Clean Water Act and this section specifically refers to permits for dredged or fill material. Subsection (b)(1) refers to the specifications for disposal sites to be based upon select criteria applicable to the territorial seas, the contiguous zone and the ocean. The goal of action related to this section is to "avoid and minimize" wetland alteration, using practical alternatives to the intended project when appropriate.

404q: Pertains to a Memorandum of Agreement (MOA) as identified in the Clean Water Act. This agreement is between the Department of the Interior and the Department of the Army. Department of the Interior can request higher level of review of projects that the US FWS or US EPA believes will have significant and unacceptable impacts on an aquatic resource of national importance. This can hold the US ACE from issuing permits until federal agencies have more time to comment.

NEPA: National Environmental Policy Act - an environmental statute established in 1969. Set up procedural requirements for all federal agencies to prepare Environmental Impact Statements (EIS) and Environmental Assessments (EA). Actions requiring an EIS include 'major federal actions significantly affecting the human environment' and impacts must be identified and made available to the public. The purpose of this act is to identify alternatives and disclose all information to the public. It does not have authority to require to the applicant or federal agencies to change projects as a result of findings.

EA (FONSI): Environmental Assessment (Finding of No Significant Impact) - In addition to EIS requirements as mandated in NEPA, Environmental Assessment documents must also be prepared to determine whether or not the proposed action fits within the definition of actions that require an EIS. An EA considers the impacts of the proposed action and alternatives. It may conclude with a recommendation to prepare an EIS or it may conclude with a recommendation to prepare a FONSI. An EA must generally include the same contents, but may be briefer. The specific content of an EA is dictated by the specific

section of the Code of Federal Regulations relating to the involved federal agency. If more than one federal agency is involved in a particular project, multiple EAs may be required.

CZM: Coastal Zone Management – The CZMA, as amended, directs DHEC-OCRM to develop, implement, and enforce a comprehensive coastal management program. The program includes: a regulatory system to manage development in the critical areas. "Critical areas" include coastal waters, tidelands, and beach/dune systems. CZC refers to coastal zone consistency. In these areas DHEC-OCRM has direct jurisdiction for permits; a system for reviewing state permitted projects, direct federal activities, and any federally permitted, licensed, or funded project in the coastal zone (8 coastal counties in S.C.). The purpose of the review and certification process is to determine if the project is consistent with the policies and procedures of the South Carolina coastal management program.

303(d): This refers to a list of the impaired waters of the state. DHEC is required under their 404 permit to not further degrade the water quality in these waters.