South Carolina Department of
Natural Resources

Robert H. Boyles, Jr.
Director

October 26, 2020

Mr. John P. Danford
Deputy Director, Planning & Zoning
Horry County Government
1302 2nd Avenue
Conway, SC 29526

Re: Development Resource Group, LLC Rezoning Request 2020-10-003
(TMS Parcel 39600000001)

Dear Mr. Danford:

I am writing with respect to the above referenced proposed rezoning which concerns a parcel located on International Drive across from the South Carolina Department of Natural Resource's Lewis Ocean Bay Heritage Preserve (LOBHP). Additionally, the subject parcel is adjacent to the Horry County Mitigation Bank that is proposed for transfer to the SCDNR and incorporation into LOBHP. The subject parcel is currently zoned as General Residential (GR) and is being proposed to be zoned as Inpatient Medical Services (ME1). As explained below, the SCDNR respectfully requests that Horry County deny the rezoning and the associated requested conversion to a future land use of "suburban." Please accept these comments for consideration in the County's deliberation on this rezoning request and consider the SCDNR as an interested party for purposes of any further notices or actions on this rezoning request.

As further background for the SCDNR's interest in this matter, the SCDNR is charged by state law with the management, protection, and enhancement of wildlife, fisheries, and marine resources in South Carolina and has further specific responsibility for LOBHP under the Heritage Trust Act. The SCDNR authorities and responsibilities are described in Titles 48, 49, 50, and 51 South Carolina Code of Laws (1976), as amended.

The LOBHP, including the future addition of the Horry County Mitigation Bank, provides protection for Carolina bays and pine savannas while also providing rich opportunities for public outdoor recreation. As described in the current State Wildlife Action Plan[1] (2015 SWAP), pine savanna is an important ecosystem that includes wet prairie, grass-sedge bog, or pitcher plant bog habitats. Vegetation consist of a thin canopy of pines, almost always longleaf (*Pinus palustris*), although loblolly (*P. taeda*) and pond pine (*P. serotina*) may also be present. The midstory is essentially absent or very scattered. Herbaceous flora is quite rich, consisting of many grasses and sedges.

[1] www.dnr.sc.gov/swap

The Carolina bays and pine savanna provide habitat for a variety of unique and protected species including: Venus Flytrap (*Dionaea muscipula*); Carolina birds-in-a-nest (*Macbridea caroliniana*); and Raven's seedbox (*Ludwigia ravenii*), three species petitioned for federal listing; Red-cockaded Woodpecker (*Picoides borealis*), a federally threatened and state endangered species; Bald Eagle (*Haliaetus leucocephalus*), state threatened and protected under the Bald and Golden Eagle Protections Act; and a suite of conservation priority species under the SWAP including: American Black Bear (*Ursus americanus*); Big Brown Bat (*Eptesicus fuscus*); Eastern Red Bat (*Lasiurus borealis*); Seminole Bat (*Lasiurus seminolus*); Eastern Box Turtle (*Terrapene carolina*); Pinesnake (*Pituophis melanoleucus*); Banded Sunfish (*Enneacanthus obesus*); Awned Meadow-beauty (*Rhexia aristosa*); Elliott's Sedge (*Carex elliottii*); Lace-lip Ladies'-tresses (*Spiranthes laciniata*); Lanceleaf Seedbox (*Ludwigia lanceolata*); Pale Beaksedge (*Rhynchospora pallida*); Pinebarren Gentian (*Gentiana autumnalis*); Savanna Yellow-eyed-grass (*Xyris flabelliformis*); Shortleaf Yellow-eyed-grass (*X. brevifolia*); Spoonflower (*Peltandra sagittifolia*); Viviparous sedge (*Eleocharis vivipara*); and Weatherby's arrowhead (*Sagittaria weatherbiana*).

Based on a long history of naturally occurring fire upon the landscape in this location, the combination of plants and wildlife present at LOBHP and the Horry County Mitigation Bank have adapted to and are dependent on the periodic occurrence of fires for their health and continued existence. Consequently, the species that inhabit these unique habitats depend on the SCDNR's past and continued use of prescribed fire as a safe tool for managing this landscape. In meeting its obligations for the proper stewardship of LOBHP and the plants and wildlife upon it, the SCDNR must regularly conduct prescribed fires and these prescribed fires also reduce the likelihood and severity of uncontrolled wildfires. The importance of prescribed fire in this location is reflected by the fact that International Drive has drop gates that are used to close the road during prescribed fire activities at LOBHP and Horry County's associated obligation to control traffic upon International Drive to support such activities upon LOBHP (see International Drive Easement – Deed Book 3949 – Page 1006). Additionally, the credits that will be generated from the Horry County Mitigation Bank are dependent on and require the establishment of a long-term prescribed fire regime. Therefore, the SCDNR has strong concerns regarding the proposed zoning change to allow the establishment of a medical campus adjacent to the Horry County Mitigation Bank and across International Drive from LOBHP.

The SCDNR asserts that a medical facility, such as a hospital, and the prescribed fire management activities on LOBHP are not compatible. Consistent with best practices, the SCDNR works diligently on smoke management during prescribed fires and minimizing smoke impacts to nearby smoke sensitive areas. Introducing a new smoke sensitive area adjacent to LOBHP, which has a clear history and future need for prescribed fire, would create an undue burden on SCDNR's management of LOBHP.

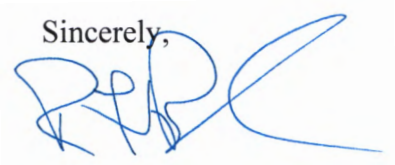
The same applies to the Horry County Mitigation Bank and its future management requirements. Knowing that prescribed fires will be conducted on adjacent property and that smoke will be present in this location, the SCDNR finds siting a medical facility in this location has unavoidable risks for the operation of a medical facility, including the use of emergency medical ambulances and helicopters. Ordinary and emergency visits to such a medical facility are also subject to the temporary closure of International Drive during prescribed fires.

In addition to the specialized concerns discussed above, the proposed rezoning conflicts with Horry County's recently adopted Comprehensive Plan – Imagine 2040 – designation of "Scenic and Conservation." The site appears to be scattered with wetlands that constitute over sixty percent of the parcel's approximately 358 acres. Siting large buildings and associated roads and

parking facilities on such a parcel would have substantial challenges or wetland impacts, likely negatively affecting the aforementioned plant and wildlife species. Finally, the stated intent of ME1 zoning does not appear to be achieved in this location: "Uses in this district are generally concentrated into a single area, such as a downtown or along a major transportation corridor, where location advantages are realized." (Horry County Zoning Ordinance Appendix B – Article VII - Section 740).

While I understand and appreciate the need for medical facilities to meet the needs of a community, such a facility has other options, but there is only one Lewis Ocean Bay Heritage Preserve. Thank you for the opportunity to provide these comments and please do not hesitate to contact me if you have any questions.

Sincerely,



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