

EXHIBIT B

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

Claudius E. Watts, IV; CLT-Buck, LLC;)
Melesa E. Watts; PG Preservation, LLC,)
Plaintiffs,)

CASE NO. 2022-CP-_____

AFFIDAVIT OF FRANCIS
JOSEPH WAY, P.E.

vs.)

Town of Pawleys Island; Coastal Science &)
Engineering, Inc.; Marinex Construction)
Company Inc.; South Carolina Department of)
Health & Environmental Control; and South)
Carolina Department of Parks, Recreation and)
Tourism,)
Defendants.)

NOW COMES Francis Joseph Way, after being duly sworn, who deposes and says:

1. I am of sound mind and am over the age of twenty-one years.
2. I am a professional coastal engineer employed by Applied Technology and Management ("ATM"), which is a design, engineering and consulting firm serving public and private clients worldwide. I am licensed as professional engineer in South Carolina and North Carolina.
3. I have worked as a professional coastal engineer for approximately twenty-two (22) years, including for the past five (5) years immediately preceding my execution of this affidavit. I have worked in various states in the Southeastern United States, including South Carolina, on erosion management and control matters, both structural and non-structural, such as beach renourishment projects, inlet stabilization projects, erosion control projects involving bulkheads, revetments and other structures, and other related projects that are within my field of expertise.
4. I am familiar with the Pawleys Island, South Carolina area, including the recent Pawleys Island beach renourishment project permitted under SAC-2017-00179. This beach

renourishment permit authorized the placement of approximately 1.1 million cubic yards of sand along almost three miles of Pawleys Island beach. This work began in the fall of 2019 and was completed in early 2020. This renourishment project used a dredge and offshore sand borrow area but note that 1.1 million cubic yards is roughly equivalent to 73,000 dump truck loads (an immense amount of material introduced into the littoral system).

5. I am familiar with the inlet dynamics of Pawleys Creek as it enters the Atlantic Ocean at Pawleys Island Inlet (the "Inlet"). The Inlet has a history of migrating as the spit at the southern tip of Pawleys Island grows or changes due to the southeastern littoral net transport of sand and the effects of storm and other erosional events.

6. I have reviewed the various reports prepared by Defendant Coastal Science & Engineering, Inc. ("CSE") regarding the 2020 beach renourishment project, along with photography and other information available concerning the lengthening and widening of the spit at the southern tip of Pawleys Island due to the renourishment sand spreading and being carried by the net southerly littoral drift. As the spit at the end of the island lengthens, the inlet creek is pushed southward.

7. As discussed in detail in my initial expert report attached to the Complaint in this matter, since completion of the Pawleys Island beach renourishment project in 2020, erosion of the beach and littoral drift have moved massive amounts of sand toward the southern spit, causing the Inlet to rapidly migrate south, which in turn is causing extreme erosion and dune loss and scarping along the Prince George shoreline.

8. The rate of inlet migration has rapidly accelerated over the past year. Between April 2021 and early 2022, less than a year, the Inlet moved nearly 300 feet south, which is much faster than the normal migration rates of approximately 40-75 feet per year, and the Inlet is now well south of the historic inlet corridor.

9. The southern migration of the Inlet has already eroded much of the northern tip of Prince George. Over just the past year, Prince George lost more than 5 acres of dry beach and vegetated dune. This erosion has resulted in the loss of a significant amount of property on the northern end of Prince George, washing away huge, decades-old dunes, destroying decades-old live oak trees landward of the dunes, and washing away previously high ground behind the dunes. This severe erosion continues at an unprecedented rate.

10. This effect was predicted by CSE in a 2010 report, wherein CSE stated that a planned nourishment project on Pawleys Island “would produce a large influx of sand along Pawleys spit which would tend to feed the longshore transport system and shift the inlet further south (via the process of spit growth). While positive for updrift areas, further southerly migration of the inlet would cause encroachment on Debidue Beach and Prince George.” *TECHNICAL REPORT: Historical Changes at Pawleys Inlet and a Conceptual Plan for an Inlet Management Zone Pawleys Island South Carolina*, Coastal Science & Engineering (CSE), August 2010. (Exhibit “A”).

11. The Report further concluded that “[a] plan to control the position of the inlet, such as the [inlet management zone] outlined herein, would mitigate this problem.” I agree with this technical report’s conclusion an inlet management plan is necessary in connection with any significant beach renourishment project on Pawleys Island.

12. I have reviewed the files delivered from the Office of Coastal Resource Management and the Army Corps of Engineers for the Pawleys Island beach renourishment project. I found no evidence or mention of any consideration of any inlet management alternatives or of any potential effects on the Prince George Community from the renourishment project in those documents.

13. Although CSE was aware that a beach renourishment project of this scale would accelerate southerly migration of Pawleys Island Inlet, the Defendants implemented no plan to manage the location of the inlet or mitigate erosion impacts from the project on Prince George.

14. Based on my experience, education, training, and knowledge of the standard of care for coastal engineers, and on my review of the above-listed materials, it is my professional opinion that CSE's conduct in failing to develop and implement a plan to manage the location of the inlet or to mitigate erosion impacts from the project on Prince George, or failing to advise the Town that such a plan was necessary, fell below the degree of skill, knowledge and judgment usually possessed and exercised by professional coastal engineers, and that CSE breached duties owed to the Plaintiffs.

15. The opinions in this affidavit are given to a reasonable degree of certainty and are specifically based on the evidence listed above. I reserve the right to alter, amend, modify, reduce, or expand these opinions if and when additional information is presented.

FURTHER AFFIANT SAYETH NOT.


Francis Joseph Way

Sworn to and subscribed before me
this 26th day of May, 2022.



Notary Public for South Carolina

My commission expires: 9/15/2026

