

Decision Paper

9/13/2016

Written by: Micki Fellner

1. **SUBJECT:** Stormwater Improvements at Myrtle Swash
2. **FOR:** To authorize an unbudgeted, emergency expenditure for the engineering contract to include an engineered design, regulatory permitting, specifications, contract administration, construction observation, and an as-built survey, of stormwater improvements to the Myrtle Swash northern bulkhead and culvert under Ocean Boulevard extending slightly beyond the west side of the road. In addition, to authorize the immediate restoration of the northern bulkhead of the Myrtle Swash. Estimated expenditure for all work and engineering \$155,000.
3. **PURPOSE:** To begin emergency repair of stormwater infrastructure damaged by Hermine.
4. **ASSUMPTIONS:**
 - a. Town Council wishes to protect the safety of all town residents and visitors.
 - b. Town Council wishes to keep the stormwater infrastructure throughout the town in good repair.
5. **FACTS:**
 - a. The timber support structure under Ocean Boulevard at the Myrtle Swash is over 50 years old and is in poor condition.
 - b. The Myrtle Swash northern bulkhead is approximately 40 years old and was compromised during Hermine.
 - c. The town owns the current infrastructure.
 - d. The Myrtle Swash infrastructure is the next stormwater improvement on the town's priority list.
 - e. Sea Cloisters has requested the repair of the bulkhead on the north side of the swash.
 - f. The project was not budgeted this year due to the increased financial burden of early beach renourishment. The Army Corps of Engineers, however, overestimated the cost of the project and because the state has agreed to a 50% reimbursement, funds for the project should be available.
 - g. Both the ACOE and OCRM have declared this an emergency and have authorized the work to proceed.
 - h. The engineering, oversight and project would need to move forward now for the emergency work to be scheduled and completed in the off-season of this fiscal year.
 - i. The administrator would waive the procurement process in accordance with Section 2-210 (c) Bidding exceptions – Emergency situations.
6. **IMPACT OF SUCCESS OR FAILURE:** Not proceeding with the project could result in infrastructure failure and upstream flooding within the town. Proceeding with the project would result in the successful repair of one of the weakest areas of stormwater infrastructure within the town and would help safeguard against property losses.
7. **RECOMMENDATION:** Motion to authorize an unbudgeted expenditure for the engineering of stormwater improvements to the Myrtle Swash bulkheads and culvert infrastructure under Ocean Boulevard and extending slightly beyond the west side of the road and to proceed with the emergency repair of the northern Myrtle Swash bulkhead. In addition to the emergency work we would like to bid the nonemergency portion of this project in October to also be completed in the off-season.
8. **RATIONALE FOR RECOMMENDATION:** Proceeding with the project would result in the successful repair of one of the weakest areas of stormwater infrastructure within the town and help to safeguard property and citizens against flooding and loss.



Healthy People. Healthy Communities.

September 9, 2016

Ms. Micki Fellner
Town of Surfside Beach
115 US Highway 17 North
Surfside Beach, SC 29575

Re: Emergency Repair to Swash Between 4th and 5th Avenue North

Dear Ms. Fellner:

This is in response to your recent request to perform Emergency Repair to an existing bulkhead along the swash between 4th and 5th Avenues North. Specifically, you requested to rebuild the approximately 160 linear foot bulkhead on either side of the swash utilizing a Redi-rock wall system. The face of the newly constructed Redi-rock system will be in the same location as the existing timber bulkhead to maintain the cross-sectional width of the drainage swash. The change in material is requested because of the inability to properly anchor a new timber bulkhead with dead-men and tiebacks because of the close proximity of the surrounding buildings.

An emergency is defined as any unusual incident resulting from natural or unnatural causes which endanger the health, safety or resources of the residents of the State, including damages or erosion to any beach or shore resulting from a hurricane, storm or other such violent disturbance (Coastal Tidelands and Wetlands Act 48-39-10(V)). The collapsed bulkhead has impacted the drainage ability of the swash and could lead to further storm-water impacts upstream. Additionally, the collapse of the bulkhead has affected the adjoining properties. As such, this work conforms to our Emergency Repair criteria as set forth in Regulation 30-5(A)(6).

A construction placard identifying this activity under the maintenance and repair notification is enclosed. The placard should be posted conspicuously on site during maintenance and repair activities.

Acknowledgement of this maintenance and repair request does not relieve you of your responsibility to obtain any local government permits that may be required for this work nor does it permit any activity that is not previously authorized by this agency. Please note that OCRM reserves the right to require a full permit if deemed necessary. If you have any further questions concerning this matter, please do not hesitate to contact me.

Please call me at 843-238-4528 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Stout", is written over a horizontal line.

Christopher Stout
Wetland Section Project Manager

cc: Mr. Blair Williams, Wetland Section Project Manager
Mr. John Ryder, DDC Engineers

Micki Fellner

From: John Ryder <jpr@ddcinc.com>
Sent: Tuesday, September 06, 2016 9:54 AM
To: Eric Sanford; John Adair (jadair@surfsidebeach.org); Micki Fellner (micfellner@surfsidebeach.org)
Subject: FW: SAC Emergency Procedures- Hurricane Hermine

FYI...JR

-----Original Message-----

From: owner-ls-sc-publicnotice@lst.usace.army.mil [mailto:owner-ls-sc-publicnotice@lst.usace.army.mil] On Behalf Of Sanders, Tracy D SAC
Sent: Tuesday, September 06, 2016 9:37 AM
To: ls-sc-publicnotice@lst.usace.army.mil
Subject: USACE-Notice SAC Emergency Procedures- Hurricane Hermine

PLEASE DO NOT REPLY TO THIS EMAIL.

IF YOU HAVE QUESTIONS REGARDING THE PUBLIC NOTICE, PLEASE CONTACT THE CHARLESTON DISTRICT REGULATORY OFFICE AT 843-329-8044

U.S. Army Corps of Engineers
Charleston District Public Notice

The purpose of this notice is to advise the public that the U.S. Army Corps of Engineers, Charleston District will initiate the following alternative permitting procedures in response to conditions resulting from Hurricane Hermine. These alternate procedures will be utilized for a period of 6 months from the date of this Notice, or March 6, 2017.

Please either click on the following link or copy and paste it into your web browser to access the public notice:
<http://www.sac.usace.army.mil/Missions/Regulatory/Public-Notices/Article/934889/sac-emergency-procedures-hurricane-hermine/>

If you have comments regarding the permit application described above, please do not reply to this email. Your response should be provided to the project manager as described in the text of the notice.

If you wish to be added or removed from receiving these notices, please visit our website:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices>

Micki Fellner

Subject: FW: Aerials and Pictures of Bulkhead Between 4th and 5th Avenue North in the Town of Surfside Beach, SC

From: Stout, Christopher [mailto:stoutcm@dhec.sc.gov]

Sent: Friday, September 09, 2016 12:31 PM

To: John Ryder <jpr@ddcinc.com>; Micki Fellner (micfellner@surfsidebeach.org) <micfellner@surfsidebeach.org>

Cc: Eric Sanford <eks@ddcinc.com>; jadair@surfsidebeach.org; Williams, Blair N. <WILLIABN@dhec.sc.gov>

Subject: Re: Aerials and Pictures of Bulkhead Between 4th and 5th Avenue North in the Town of Surfside Beach, SC

Micki and John,

I wanted to let you know that we have reviewed the requested work and as proposed feel that it meets the emergency repair exception within the OCRM Critical Area Permitting Regulations. Attached is a copy of the acknowledgement letter that will be mailed to the Town today with a construction placard to be posted on the site while work is taking place.

Please feel free to contact me if there are any questions or concerns.

Regards,
Chris

Christopher M. Stout

Wetland Section Project Manager

S.C. Dept. of Health & Environmental Control

Office: (843) 238-4528

Fax: (843) 238-4526

Connect: www.scdhec.gov [Facebook](#) [LinkedIn](#)



From: John Ryder <jpr@ddcinc.com>

Sent: Tuesday, September 6, 2016 1:48:27 PM

To: Stout, Christopher

Cc: Eric Sanford; jadair@surfsidebeach.org; Micki Fellner (micfellner@surfsidebeach.org)

Subject: Aerials and Pictures of Bulkhead Between 4th and 5th Avenue North in the Town of Surfside Beach, SC

Chris,

The attached files (series of three emails) are aerials and pictures of the beachfront outfall bulkheads between 4th and 5th Avenue North. We have shown an aerial with the proposed location of the replacement area of the Redi-Rock. We are proposing this solution due to the successful use of this product at 3rd Avenue South and the fact that this product does not require tiebacks. We are limited in the use of tiebacks due to the locations of the existing buildings and other structures. Please note that the tiebacks associated with the original wood bulkheads failed as a result of age and water pressure due to the heavy rains of TS Hermine.

Micki Fellner

From: John Ryder <jpr@ddcinc.com>
Sent: Friday, September 09, 2016 4:48 PM
To: Fennel, Tommy E SAC
Cc: Eric Sanford; Mike Wooten; Micki Fellner (micfellner@surfsidebeach.org); John Adair (jadair@surfsidebeach.org)
Subject: RE: Buklkhead Email Three

Mr. Fennel,

Thanks, Tommy. I will check the conditions and keep you abreast of our progress. Have a great weekend.

John Ryder
DDC Engineers, Inc.

-----Original Message-----

From: Fennel, Tommy E SAC [mailto:Tommy.E.Fennel@usace.army.mil]
Sent: Friday, September 09, 2016 3:58 PM
To: John Ryder
Cc: Mike Wooten
Subject: RE: Buklkhead Email Three

John,

Based on the location (not on or adjacent to a Federal Project) and OCRM's letter citing maintenance and repair, the work appears to fall under NWP#3 for repair, maintenance and rehabilitation of existing structures and is non-reporting provided all regional and general conditions are met.

Below for your reference are links for the NWP's and the checklist.

http://www.sac.usace.army.mil/Portals/43/docs/regulatory/2012_Nationwide_Permits.pdf

http://www.sac.usace.army.mil/Portals/43/docs/regulatory/Checklists_NWPs/NWP_03_2012_Checklist.pdf

Please do not hesitate to contact me with any questions.

Tommy Fennel
Chief, Northeast Branch
Charleston District Regulatory Division
843-365-4239

-----Original Message-----

From: John Ryder [mailto:jpr@ddcinc.com]
Sent: Friday, September 09, 2016 3:35 PM
To: Fennel, Tommy E SAC <Tommy.E.Fennel@usace.army.mil>
Subject: [EXTERNAL] FW: Buklkhead Email Three



It's A Beach Thing!

April 21, 2016

The Town of Surfside Beach Administration
115 Highway 17 North
Surfside Beach, SC 29575-6034

RE: Sea Cloisters at Surfside HOA – Failing Bulkhead

Dear Town Council Member and Administrators,

The members of the Sea Cloisters at Surfside Homeowners Association are very interested in having the bulkhead repaired that abuts the south end of their property at 515 North Ocean Blvd.. The Board of Directors has been noticing over the years that the bulkhead was failing. At that time, the Town of Surfside Beach stated the swash was owned by Sea Cloisters. This past summer our property became a hazard as the wood pilings that hold back the dirt along the swash at Sea Cloisters at Surfside, were severely deteriorating and not holding the dirt back. We were losing much of our property into the swash and large sink holes were developing.

Sea Cloisters at Surfside Board of Directors hired a contractor to install a new bulkhead. When they went for the permit, the town provided the Association with the deed showing the property was in the name of the Town of Surfside Beach. Therefore, the Town of Surfside would have to do those repairs.

The Association installed a fence along the swash to help prevent any casualties but with the rental season quickly approaching they are very concerned that a renter may get hurt. This is a liability that is shared by the Town of Surfside and our Association. We are documenting our request for closure on this issue.

Your office was asked when this new swash would be installed and to date nothing has been reported back to us. Our property is eroding into the swash and we need to stop this before damage to our building occurs. If we continue to lose property and if damage to our buildings or grounds occurs then we will have no other option than to hold you liable.

Please let me know if the township can expedite all necessary repairs to the swash and when the repair work will be done. I can be reached at 238-4900 if you have any questions or need further information.

On Behalf of the Sea Cloisters at Surfside
Board of Directors,

Dianne L. Corkum
Community Manager, CMCA, AMS

Mayor
Robert F. "Bob" Childs

Administrator
Micki Fellner

Town Clerk
Debra E. Herrmann, CMC



Town of Surfsid
"The Family Be"

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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®

OFFICIAL USE

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Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.465	

Sent To Dianne Corkum
 Street & Apt. No.,
 or PO Box No. 213 South Ocean Blvd.
 City, State, Zip+4
Surfside Beach, SC 29575

PS Form 3800, July 2014 See Reverse for Instructions

May 19, 2016

Dianne Corkum
Community Manager, Sea Cloisters at Surfside HOA
213 South Ocean Blvd.
Surfside Beach, SC 29575

Re: Failing Bulkhead

Dear Ms. Corkum:

I am writing to you after receiving a call from Nancy Gardner at Surfside Realty. She indicated that the HOA Board at Sea Cloisters had requested a written status from the Town concerning the bulkhead.

I will simply state that the Town is aware of the swash infrastructure issue and is currently seeking a funding source. The need for the project was presented to Town Council at both Visioning meetings this past fall and winter and again during the budget workshop in April. While it remains a high priority stormwater concern for the Town, it is also a sizeable project as both the bridge and a portion of the swash on the west side of Ocean Boulevard are also in need of restoration. This project would also have to be engineered and bid and these costs have not been included in the Fiscal Year 2016-2017 Budget as early beach renourishment has taken almost all of our discretionary funds.

I cannot tell you at this time with any degree of certainty when this project will be scheduled. My best guess would be sometime during Fiscal Year 2017-2018. Once a funding source is designated, the Town will move forward. I hope this answers your questions.

Sincerely,

Micki Fellner
Town Administrator

cc: John Adair

Dedicated people providing quality and responsive service to our community.
 115 US Highway 17 North – Surfside Beach, SC 29575-6034
www.surfsidebeach.org – town@surfsidebeach.org
 843.913.6111 phone – 843.238-5432 fax

Town of Surfside Beach Code of Ordinance

Sec. 2-210. - Bidding exceptions.

The administrator may waive *procurement* requirements under the condition that prior to the next council meeting the administrator has informed council in writing of the terms of such waiver.

(c) *Emergency* situations. In the case of *emergency* purchases when the interruption of a project due to need of an item or service will directly affect the efficient and orderly completion of the project, when the use of normal purchasing *procedures* will cause an excessive delay in obtaining the needed part of service, and when the use of normal purchasing *procedures* will jeopardize the health or safety of Surfside Beach residents. The administrator shall review and authorize the use of *emergency* purchases and award the contract.