



UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for
Oceans and Atmosphere
Washington, D.C. 20230

AUG 13 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Claude M. Epps, Jr., Esquire
Bellamy, Rutenberg, Copeland,
Epps, Gravely & Bowers, P.A.
P.O. Box 357
Myrtle Beach, South Carolina 29578

Dear Mr. Epps:

You filed with the Secretary of Commerce a notice of appeal on behalf of Margaret C. Bryan (Appellant). This appeal was filed pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act of 1972 (CZMA), as amended, 16 U.S.C. §§ 1451 et seq., and the Department of Commerce's implementing regulations, 15 C.F.R. Part 930, Subpart H. The appeal is taken from an objection by the South Carolina Office of Ocean and Coastal Resource Management (State) to the Appellant's project which involves placing fill material in approximately 2.21 acres of freshwater wetlands for the purpose of residential development.

Since the filing of this appeal, the Appellant and the State have resolved the issues in dispute. Accordingly, the Appellant has requested that the appeal be dismissed. The State concurs with that request.

The appeal is hereby dismissed. The Appellant is barred from filing another appeal from the State's objection to her original consistency certification. This is a final agency action for purposes of judicial review.

Sincerely,

D. James Baker

cc: John Kassebaum, Esquire
Frank Jordan, Esquire
U.S. Army Corps of Engineers



THE ADMINISTRATOR



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John Kassebaum, Esquire
Office of Ocean and Coastal
Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

Dear Mr. Kassebaum:

Margaret C. Bryan (Appellant) filed with the Secretary of Commerce a notice of appeal pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act of 1972 (CZMA), as amended, 16 U.S.C. §§ 1451 et seq., and the Department of Commerce's implementing regulations, 15 C.F.R. Part 930, Subpart H. The appeal is taken from an objection by the South Carolina Office of Ocean and Coastal Resource Management (State) to the Appellant's project which involves placing fill material in approximately 2.21 acres of freshwater wetlands for the purpose of residential development.

Since the filing of this appeal, the Appellant and the State have resolved the issues in dispute. Accordingly, the Appellant has requested that the appeal be dismissed. The State concurs with that request.

The appeal is hereby dismissed. The Appellant is barred from filing another appeal from the State's objection to her original consistency certification. This is a final agency action for purposes of judicial review.

Sincerely,

D. James Baker

cc: Claude M. Epps, Jr., Esquire
Frank Jordan, Esquire
U.S. Army Corps of Engineers

THE ADMINISTRATOR

