

Mary D. Shahid

MEMBER, CHARLESTON OFFICE MANAGING PARTNER

t. 843.720.1788

mshahid@nexsenpruet.com



Suite 400
205 King Street
Charleston, South Carolina 29401

Practices

Environmental Law

Education

- University of South Carolina School of Law, J.D., 1984
- Vanderbilt University, 1981

Admissions

- South Carolina
- U.S. Supreme Court
- Federal Courts

Mary Shahid has represented landowners, utilities, real estate developers, local government, industry, manufacturers, and technology firms in all permitting and compliance issues arising from the regulations implemented by the S. C. Department of Health and Environmental Control and the United States Army Corps of Engineers. Her experience in environmental programs began with ten years of service to the coastal division of SCDHEC, where she was Chief Counsel and advised several regulatory programs. Her knowledge and experience in environmental permitting projects include NPDES permitting, coastal permitting, water quality certifications, coastal zone consistency certifications, mining, solid waste, groundwater, surface water, stormwater, and wetland impacts. In addition to environmental permitting, she has had success in multiple land-use matters before governing boards of private communities and public commissions. For three decades, her focus has been environmental and land use permitting. She guides client from conceptual phases through permitting and, if necessary, through administrative or civil challenges to development approvals and permits.

Experience

- In H. Marshall Hoyler v. The State of S. C., Merry Land Properties, LLC, et al., 2019, Mary assisted a land developer (Merry Land) in defending against an action by an individual claiming title to marshland adjacent to the water-front development, where the developer intended to

construct a community marina. Mary defended a low court decision finding that the marshland in question was not privately owned before the South Carolina Court of Appeals.

- In *Patricia Tenney v. SCDHEC and the State of South Carolina*, Mary secured a significant victory for coastal land owners and title companies. The State of South Carolina, through the S. C. Attorney General's office, had asserted an ownership interest in all coastal islands, amounting to a cloud on title and diminishing the value and utility of unique coastal property. Mary persuaded the S. C. Supreme Court to clarify earlier precedent to prevent the State from asserting any title interest in coastal islands.
- In *Bert and Stacey Weiss v. SCDHEC*, Mary successfully overturned DHEC's long-standing practice of unlawfully asserting permitting jurisdiction over active beach areas on Folly Beach. Her efforts before the DHEC Board resulted in affirmation of an important exemption to the Beachfront Management Act known as the Folly Beach exception.
- In *Deerfield Plantation Phase II B v. Deertrack Golf Inc. and the U. S. Army Corps of Engineers* Mary assisted attorneys for the Corps of Engineers in defending the Corps' limited assertion of jurisdiction over drainage features located on Mary's client's property. Plaintiffs sought to have all water features on the property declared as waters and wetlands of the United States, but the Fourth Circuit Court of Appeals was persuaded that the extent of the Corps' permitting jurisdiction on Mary's client's property was limited.
- In *The S. C. Coastal Conservation League v. AOV-AOD, LLC, and SCDHEC* Mary successfully defended against a challenge to permits and certifications issued by DHEC to the developers of Angel Oak Village, a controversial development on Johns Island, S. C. located near the Angel Oak tree.

Recognitions

- Listed in *Charleston Business Magazine Legal Elite*, Charleston, 2021, 2022
- Mary was a presenter at the 2021 S. C. Bar Annual Meeting, on the topic of groundwater withdrawal permits and the potential for "water wars" in S. C.
- Listed in *Best Lawyers in America* for Environmental Law, Litigation - Environmental and Water Law, Since 2009
- Listed in *Best Lawyers "Lawyer of the Year"* in Charleston, S.C. for Environmental Law in 2012, 2014, and 2016 and Litigation- Environmental in 2013, 2015, and 2020
- Recognized by *Chambers USA*, Environmental Law, South Carolina 2015-2022

Community & Professional

- SC Bar Environmental Regulatory Committee and Governing Counsel
- SC Women's Law Association
- SC Administrative and Regulatory Law Association
- Mary was a presenter at the EarthxLaw Symposium 2019 on the "Coastal Issues - 'Surf's Up', Flooding, Building & Rebuilding, Disaster Response" panel.
- Mary authored an article that was published in the ABA Real Property, Trust and Estate Journal titled *The Regulation of Coastal Properties in the Era of King Tides* in August of 2018.

- Mary was a panellist in the 25 year anniversary of the Lucas v. S.C. Coastal Council case on November 2-4, 2017.
- Mary co-authored the cover story for September 2013 edition of *South Carolina Lawyer* magazine - "Climate Change, Beach Erosion and Beachfront Regulation."
- Mary has been published on the topic of wetland regulation in S.C., most recently in the Southeastern Environmental Law Journal – The Specter of Spectre: Impacts of the Coastal Management Plan and the APA.
- She has served as faculty on multiple continuing legal education seminars, speaking frequently on wetland and stormwater regulation.
- Mary is speaking on March 25, 2014 at Lorman Education Services program "Current Issues in Storm Water Regulation in South Carolina" in North Charleston.

News

08.17.2021 | News from Nexsen Pruet

39 Nexsen Pruet Attorneys Listed in 2021 Legal Elite of South Carolina

Insights

06.05.2020

Mary Shahid Discusses How to Proceed in Preparing a Permit Application with State and Federal Agencies