

**STATE OF SOUTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL SERVICES
BUREAU OF COASTAL MANAGEMENT**

STATEWIDE, WITHIN BEACHES OR BEACH/DUNE SYSTEM CRITICAL AREAS

**EMERGENCY ORDER
SAND SCRAPING
24-EO-TSD2**

The South Carolina Department of Environmental Services, Bureau of Coastal Management (SCDES BCM or the Department), an agency of the State of South Carolina, organized and existing under the authority of the South Carolina Coastal Zone Management Act, S.C. Code Ann. §48-39-10 *et seq.*, finds that emergency conditions may occur associated with Tropical Storm Debby beginning on August 5, 2024, statewide within beaches or beach/dune system critical areas in the State of South Carolina and therefore located within the “critical area” jurisdiction of the Department. These conditions may expose and create an imminent threat to the existing habitable structures or critical infrastructure on beachfront properties.

The Department finds that this imminent threat constitutes temporary emergency conditions that may endanger the health, safety, welfare, and resources of residents of the coastal zone as well as the general population of the State of South Carolina. Accordingly, the Department, pursuant to the authority of S.C. Code Ann. §48-39-130(D)(1), hereby issues an Emergency Order to allow the owners of beachfront properties or government authorities statewide, whose lands and buildings abut the Atlantic Ocean, to conduct sand scraping if the habitable structure or critical infrastructure is in imminent danger. A structure is determined to be in imminent danger when the erosion comes within 20 feet of the structure or if the Department determines that extenuating circumstances related to site conditions exist. The local government with jurisdiction over the site must be notified of the activity.

Page Two
24-EO-TSD2
August 5, 2024

This Emergency Order, 24-EO-TSD2, will expire on September 4, 2024 (30 days from the date of this Order). Pursuant to S.C. Code Ann. §48-39-130(D)(1), property owners may request an individual emergency order from the Department if an emergency persists.

Specifically, all work must conform to the following requirements:

1. The Department must be notified in writing of all activities performed under this Emergency Order within 72 hours. This notification should include the property owner's name, the property address, and the date sand scraping was conducted. This information must be submitted in the form of an email to Matt Slagel, Manager of BCM's Beachfront Management Section, at Matt.Slagel@des.sc.gov.
2. Sand may only be scraped from the intertidal beach and only between extended property lines of the structure receiving the sand. The depth of sand scraping may not exceed one foot below the existing beach level.
3. Scraped sand may be placed against an eroded scarp or to replace an eroded dune that is seaward of a threatened structure. The dune shall not exceed six (6) feet above grade or twenty (20) feet in width as measured from dune toe to dune toe.
4. Sand scraping is not allowed seaward of an erosion control structure unless it can be proven that the erosion control structure is itself in danger of collapsing and is within ten feet of the habitable structure. If sand scraping is to be conducted seaward of an erosion control structure that is proven to be in danger of collapsing and is within 10 feet of the habitable structure, the sand may only be pushed up to the erosion control structure and cannot cover or bury any portion of the erosion control structure.
5. Sand scraping may be performed only one time under this Emergency Order.
6. A copy of the issued Emergency Order shall be in possession of anyone performing the sand scraping on the beach.

7. For work conducted during the sea turtle nesting season (May 1st – October 31st), the applicant must monitor daily sea turtle activity each morning prior to work being performed on the beach. The applicant may be able to utilize volunteers from the SCDNR Marine Turtle Conservation Program to fulfill this requirement. If not, they must hire an environmental practitioner/consultant to do so. Regardless, a permit for monitoring for the purposes of avoiding and minimizing impacts to sea turtles associated with the proposed project must be acquired from SCDNR. Please visit the following link and choose Monitoring Permit: <https://www.dnr.sc.gov/seaturtle/permit.htm>. All nesting activity (evidence of successful nesting and false crawls) must be documented daily with GPS coordinates and photos. Any successful nests will need to be marked and all construction activities must avoid impacts to the nest and future hatchlings (e.g., do not place any obstacles, construction equipment, etc. in their pathway to access the ocean upon hatching). Should a nest be built within the construction footprint, please contact the SCDNR Marine Turtle Conservation Program Coordinator, Michelle Pate 843-384-0605 (cell) or 843-953-9052 (office). Construction should start no earlier than 10:00 am daily during the sea turtle nesting and hatching season. In the event a nest is disturbed during construction and/or an adult sea turtle or hatchling is encountered, all work must cease and the SCDNR Marine Turtle Conservation Program Coordinator should be contacted immediately.



Matthew J. Slagel
Manager, Beachfront Management Section
Bureau of Coastal Management
SC Department of Environmental Services

8/5/2024

Date