

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

STATEWIDE, WITHIN BEACHES OR BEACH/DUNE SYSTEM CRITICAL AREAS

**EMERGENCY ORDER
RETURNING SAND TO THE BEACH
24-EO-TSD4**

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 return sand that has washed onto highland back onto the beach, in those areas of the beach impacted by Tropical Storm Debby. The local government with jurisdiction over the site must be notified of the activity.

This Emergency Order, 24-EO-TSD4, 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. Sand returned to the beach cannot cover or bury any portion of an erosion control structure.
2. Sea turtle nesting season officially extends from May 15 to October 31. Anyone working on the beach under this order is advised to exercise extreme care to ensure there are no impacts to this endangered species.
3. 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
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Bureau of Coastal Management
SC Department of Environmental Services

Date