



EMERGENCY ORDER
Returning Sand to the Beach
All Coastal Counties
16-EO-HM5

WHEREAS, the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (SCDHEC OCRM), an agency of the State of South Carolina, organized and existing under the authority of S.C. Code Ann. §48-39-10 *et seq.* (1978 & Supp. 2004), finds that there exist emergency conditions caused by Hurricane Matthew to beaches facing the Atlantic Ocean in the State of South Carolina and therefore located within the “critical area” jurisdiction of SCDHEC OCRM, and

WHEREAS, SCDHEC OCRM finds these emergency conditions 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.

NOW, THEREFORE IT IS ORDERED that SCDHEC OCRM, pursuant to the authority of S.C. Code Ann. §48-39-130(D)(1), hereby issues an emergency order to allow owners of the front beach properties and local municipalities, 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 threatened by erosion due to the aforementioned hurricane, according to 23A S.C. Code Ann. Regs. 30-1 *et seq.* The sand must be clean of debris prior to returning sand to the beach.

IT IS FURTHER ORDERED that nothing herein is to be construed or implied as relieving the affected property owner of any responsibilities, duties or liabilities he may have to other agencies, local, state, or federal, exercising authority and jurisdiction over the affected area. Since 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 insure there are no impacts to this endangered species. Any destruction of adults, juveniles or eggs will result in substantial penalties and is in violation of Federal law.

IT IS FURTHER ORDERED that this emergency order is to cease to have any force and effect after November 14, unless extended by this agency.

IT IS FURTHER ORDERED that a copy of this order shall be published in a newspaper of general circulation in the coastal zone of South Carolina and the original shall be on file at the office of SCDHEC OCRM, 1362 McMillan Avenue, Suite 400, Charleston, South Carolina 29405, (843) 953-0200.

AND IT IS SO ORDERED



Elizabeth B. von Kolnitz
Chief, Ocean and Coastal Resource Management
SC Department of Health and Environmental Control

October 13, 2016

Date