STATE OF SOUTH CAROLINA
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

ALL COASTAL COUNTIES
(Jasper, Beaufort, Colleton, Charleston, Dorchester, Berkeley, Georgetown and Horry)

EMERGENCY ORDER
PLACEMENT OF SANDBAGS
18-EO-HF4

The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (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 are imminent in anticipation of the passing of Hurricane Florence beginning on September 12, 2018, on beaches facing the Atlantic Ocean 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 and critical infrastructure on front beach properties.

The Department finds that this imminent threat constitutes temporary emergency conditions that are likely to 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 front beach properties, whose lands and buildings abut the Atlantic Ocean, to place sandbags immediately adjacent to the erosional escarpment. The local government with jurisdiction over the site must be notified of the activity.

This Emergency Order, 18-EO-HF4, will expire on November 12, 2018 (60 days from the date of this Order). At that time, the sandbags shall be removed at the property owner's expense. Pursuant to S.C. Code Ann. §48-39-130(D)(1), property owners may request an individual emergency order to maintain sandbags immediately adjacent to the erosional escarpment 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, the date sandbags were placed adjacent to the property, and the number of sandbags placed. This information must be submitted in the form of an email to Blair N. Williams, Critical Area Permitting Section Manager at williabn@dhec.sc.gov.

2. A bond must be posted as provided for in S.C. Code Ann. §48-39-130(D)(1)(a) to reasonably estimate and cover the cost of sandbag removal. Bonding requirements under this emergency order will be addressed prior to the expiration date of this order. The bond must be structured so that the Department may direct funds for the removal of sandbags in the event the property owner abandons the sandbags or does not remove the sandbags at the expiration of this Emergency Order.

3. The bags shall be commercially manufactured for the purpose of holding sand. Biodegradable bags may be required if deemed appropriate by the Department.

4. The bags, when filled, shall be a maximum size of one cubic yard.

5. Sandbag fill material must be from an upland source and compatible in grain size and color with the native beach sand and should contain no more than a minimal amount of organic material. Only clean sand may be placed in the bags.

6. Sandbags may be placed no farther seaward than is necessary to protect the existing habitable structure, critical infrastructure or golf course. In no case may sandbags be used to protect a dune.

7. All sandbags are to be placed parallel to the shoreline. Excavation shall not be allowed below existing beach grade. The toe of the sandbags shall not be buried. At no time shall the sandbags be buried or covered with sand.

8. Sandbags shall generally be limited to a maximum height of six feet above the beach. The sandbags shall be stacked at an angle no steeper than 45 degrees.

9. The property owner is responsible for the day-to-day maintenance of the sandbags to ensure that they remain in the location authorized by the Emergency Order, above grade and in good repair. Any sandbags which are in disrepair and/or not serving their intended purpose must be removed from the beaches critical area.

10. All sandbags placed on the beach shall be counted and recorded. Documentation of such must be maintained and provided to the Department in writing within two days of placement. Weekly reports outlining efforts to monitor and maintain the bags at the location are required. These reports should include date, time and general outline of actions taken to maintain the bags. All the information must be submitted in the form of an email to Sean Briggs, OCRM Compliance and Enforcement Section Manager, at briggssm@dhec.sc.gov.

11. 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.

12. The contractors performing work under this Emergency Order shall be in direct contact with the S.C. Department of Natural Resources (DNR) Marine Turtle Conservation Program (MTCP) representative. Daily, early surveys of the beach are performed to document turtle nesting activity and MTCPC representative shall be consulted each morning prior to any work being performed on the beach. In the event a nest is disturbed during construction and/or sea turtle adult is encountered, all work should cease and the DNR MTCP should be contacted immediately. The MTCP contact is Michelle Pate who can be reached at 843-953-9052 (office) or PateS@dnr.sc.gov.

13. A copy of the issued Emergency Order shall be in possession of anyone performing the placement of sandbags on the beach.

14. This authorization does not relieve the property owner from the requirements of obtaining a permit from the U.S. Army Corps of Engineers or any other applicable federal agency, nor from the necessity of complying with all applicable local laws, ordinances, and zoning regulations.

Blair N. Williams

Blair N. Williams, Manager, Critical Area Permitting
Office of Ocean and Coastal Resource Management
SC Department of Health and Environmental Control

September 11, 2018
Date