



South Carolina Department of Health and Environmental Control
Healthy People. **Healthy Communities.**

SC Beach Preservation Stakeholder Workgroup

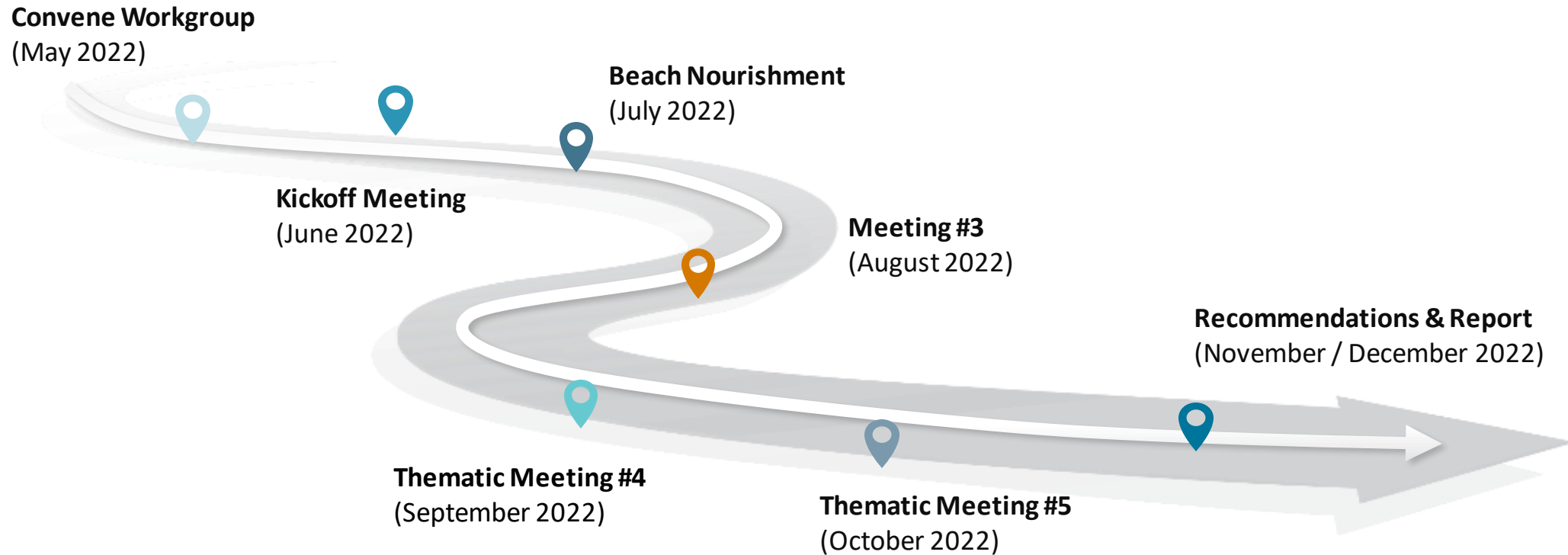
October 25, 2022



Agenda

- Welcome, Introductions and Opening Remarks
- South Carolina Beaches Critical Area
 - BREAK
- New Technology Discussion
 - LUNCH
- Refining Workgroup Recommendations & Definitions
- Wrap-up & Next Steps

Stakeholder Workgroup - Timeline



South Carolina Beaches Critical Area



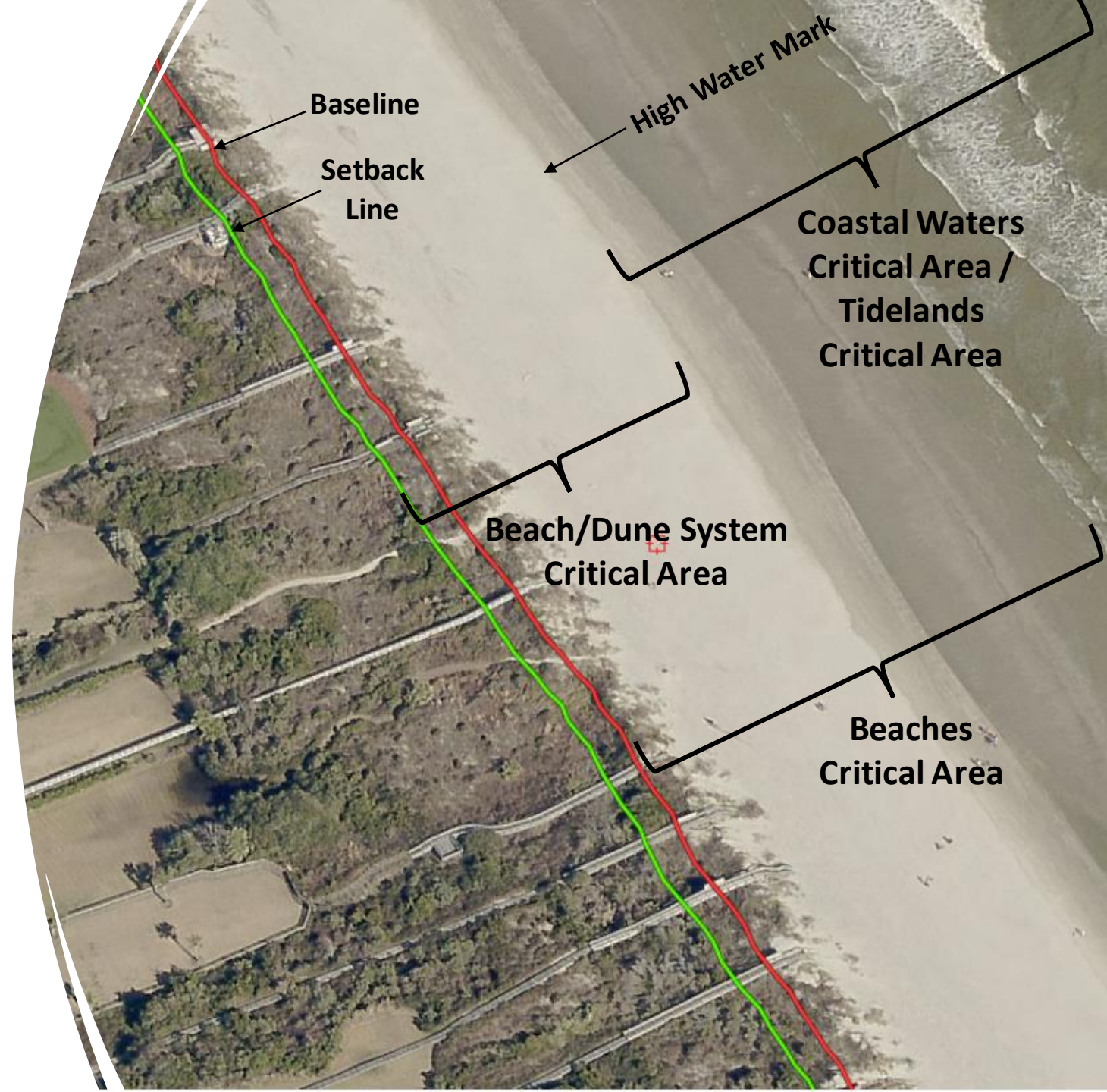
Statute

- **SECTION 48-39-10 Definitions**

- (G) "**Tidelands**" means all areas which are at or below mean high tide and coastal wetlands, mudflats, and similar areas that are contiguous or adjacent to coastal waters and are an integral part of the estuarine systems involved. Coastal wetlands include marshes, mudflats, and shallows and means those areas periodically inundated by saline waters whether or not the saline waters reach the area naturally or through artificial water courses and those areas that are normally characterized by the prevalence of saline water vegetation capable of growth and reproduction. Provided, however, nothing in this definition shall apply to wetland areas that are not an integral part of an estuarine system. Further, until such time as the exact geographic extent of this definition can be scientifically determined, the department shall have the authority to designate its approximate geographic extent.
- (F) "**Coastal waters**" means the navigable waters of the United States subject to the ebb and flood of the tide and which are saline waters, shoreward to their mean high-water mark. Provided, however, that the department may designate boundaries which approximate the mean extent of saline waters until such time as the mean extent of saline waters can be determined scientifically.
- (H): "**Beaches**" means those lands subject to periodic inundation by tidal and wave action so that no nonlittoral vegetation is established.
- (4) **beach/dune system** which is the area from the mean high-water mark to the setback line as determined in Section 48-39-280

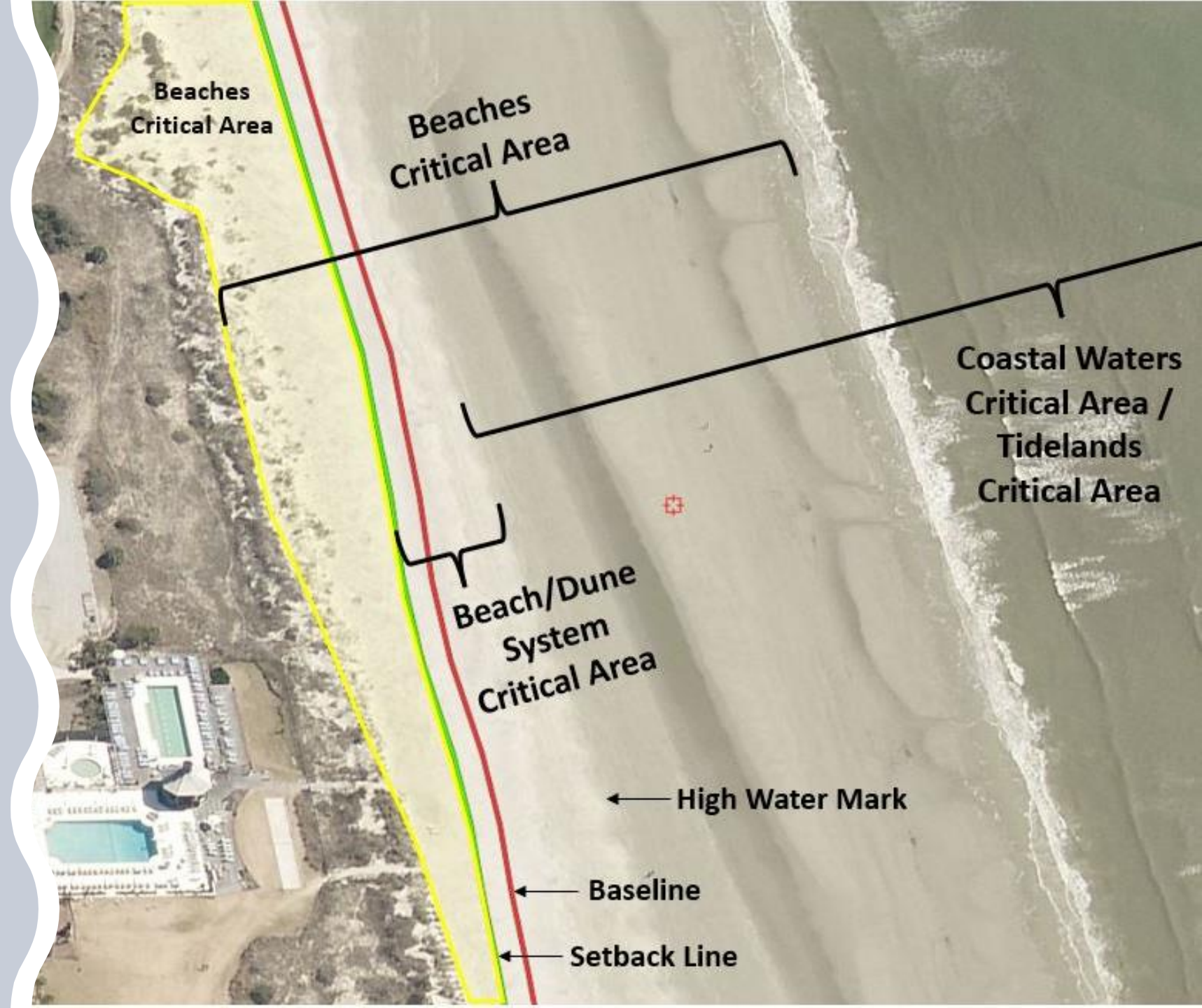
Beachfront Critical Areas

- Coastal Waters/Tidelands
- Beach/Dune System
- Beaches
- Beaches and Beach/Dune System Critical Areas can overlap.



Beachfront Critical Areas

- Sometimes there is Beaches Critical Area landward of the Beach/Dune System Critical Area (in yellow).
- How to address Beaches Critical Area in this situation?



Statute

- SECTION 48-39-80 Development of coastal management program
 - The department shall develop a comprehensive coastal management program, and thereafter have the responsibility for enforcing and administering the program in accordance with the provisions of this chapter and any rules and regulations promulgated under this chapter. In developing the program the department shall:
 - (A) Provide a regulatory system which the department shall use in providing for the orderly and beneficial use of the critical areas.

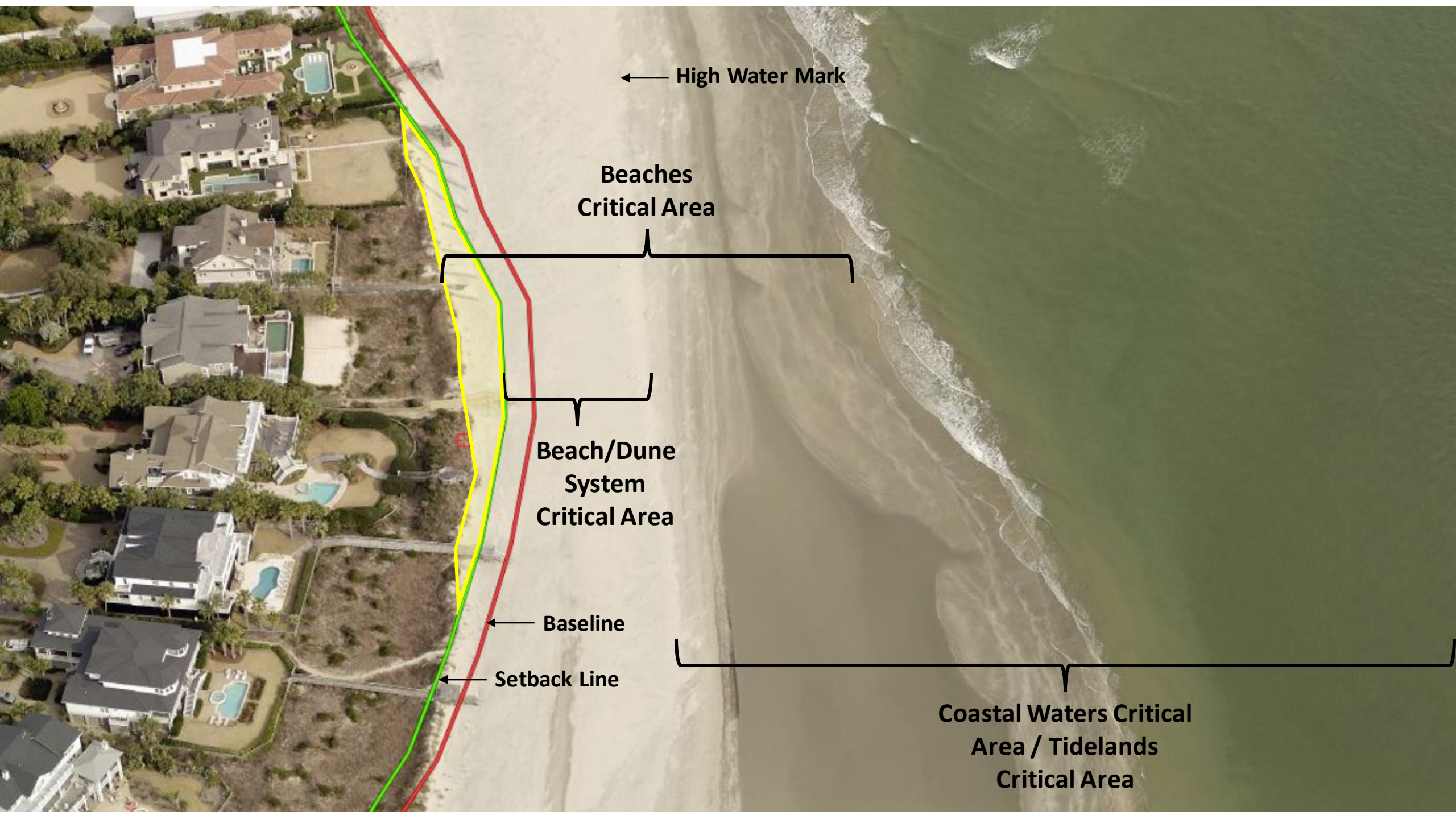
Regulations

- R.30-10 Critical Area Boundaries
 - B. Beaches and Beach/Dune System: The Department has permitting authority over beaches and the beach/dune system. In determining the boundaries of this critical area, the Department will be guided by Section 48–39–270, Section 48–39–280 and Section 48–39–360*.

*48-39-270 references Definitions. 48-39-280 references the policy of beach preservation and the setting of the baseline and setback line. 48-39-360 references the inland limit from an inlet for jurisdictional lines.

Regulations

- **R.30-13 Specific Project Standards for Beaches and the Beach/Dune System**
 - Language in this section addresses habitable structures, pools, erosion control structures, and other activities.
 - Only refers to areas seaward of the setback line (the beach/dune system critical area).
 - No specific indications for 'Beaches' Critical Area.



← High Water Mark

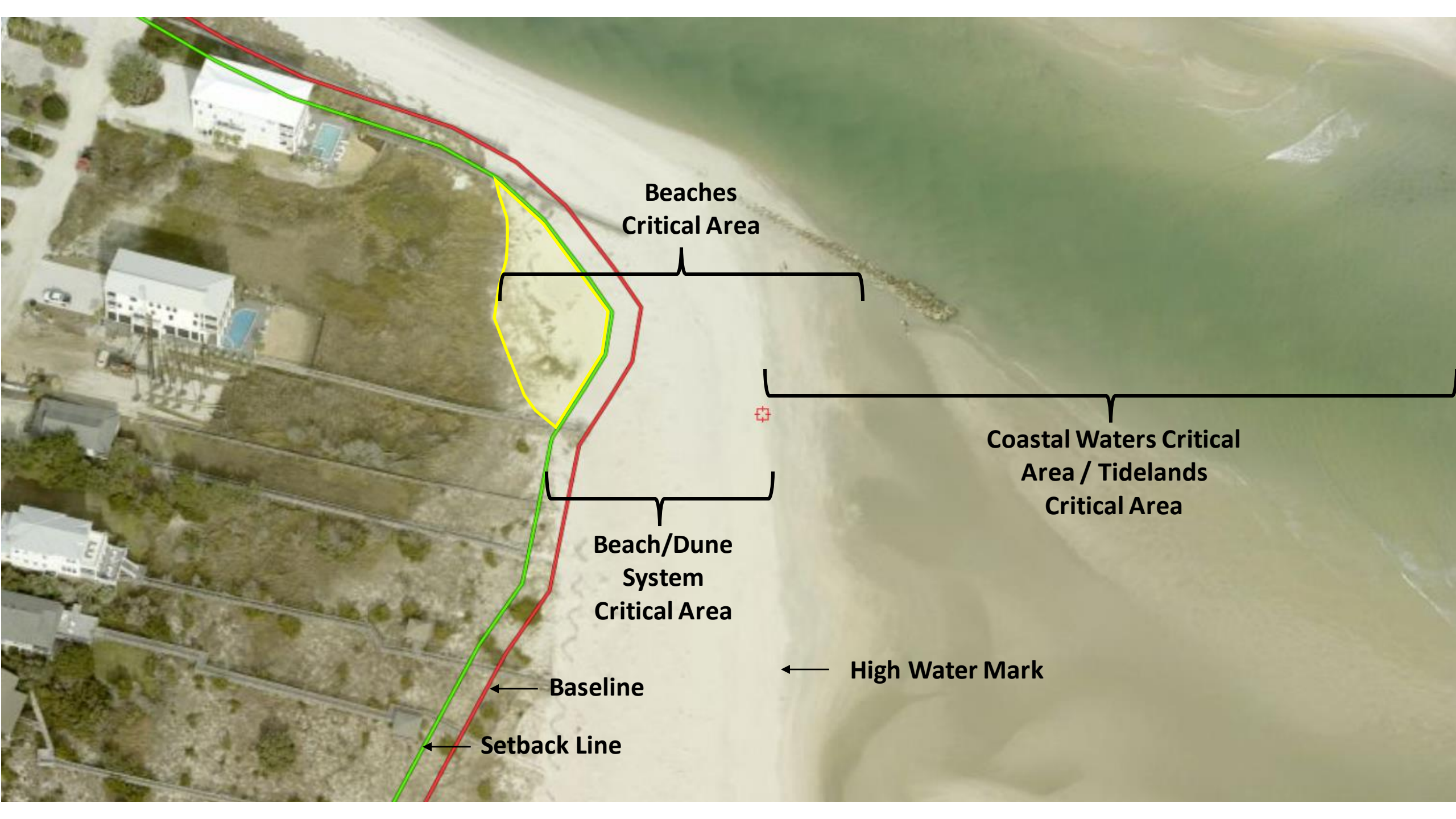
**Beaches
Critical Area**

**Beach/Dune
System
Critical Area**

← Baseline

← Setback Line

**Coastal Waters Critical
Area / Tidelands
Critical Area**



**Beaches
Critical Area**

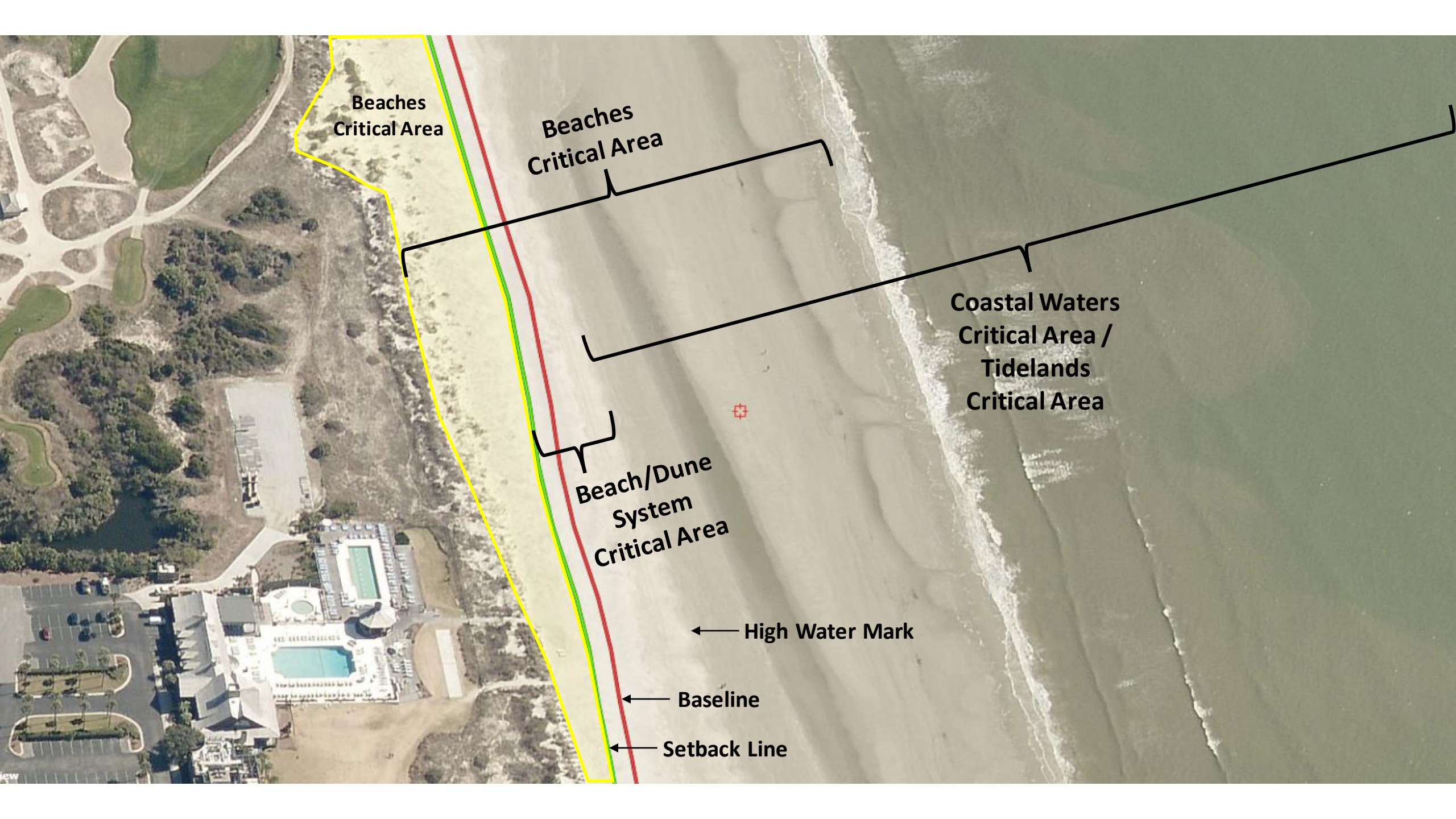
**Coastal Waters Critical
Area / Tidelands
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**Beach/Dune
System
Critical Area**

High Water Mark

Baseline

Setback Line



**Beaches
Critical Area**

**Beaches
Critical Area**

**Coastal Waters
Critical Area /
Tidelands
Critical Area**

**Beach/Dune
System
Critical Area**

← High Water Mark

← Baseline

← Setback Line

Discussion

- Location (where)
- Scope (what)
- Project Standards (how)





Short Break



New Technology Discussion



Statutes: Pilot projects

- **SECTION 48-39-130(D)(2)**

- It shall not be necessary to apply for a permit for the following activities:
- (2) Hunting, erecting duckblinds, fishing, shellfishing and trapping when and where otherwise permitted by law; the conservation, [replenishment] and research activities of state agencies and educational institutions or boating or other recreation provided that such activities cause no material harm to the flora, fauna, physical or aesthetic resources of the area.

- **SECTION 48-39-320(C)**

- Notwithstanding any other provision of law contained in this chapter, the board, or the Office of Ocean and Coastal Resource Management, may allow the use in a pilot project of any technology, methodology, or structure, whether or not referenced in this chapter, if it is reasonably anticipated that the use will be successful in addressing an erosional issue in a beach or dune area. If success is demonstrated, the board, or the Office of Ocean and Coastal Resource Management, may allow the continued use of the technology, methodology, or structure used in the pilot project location and additional locations.

Process

Process	How is this currently handled?	How should it be handled?
Submittal of Study Proposal	Internal review	Internal and Ad hoc technical committee review (previous recommendation)
Public Notice	No public notice	
Resource Agency Coordination	Discretionary	
Authorization	OCRM written acknowledgment	
Appeal	RFR to DHEC Board	

Project Specifics

Project Specifics	How is this currently handled?	How should it be handled?
Sponsor	State agency or university	
Study Design Specifics	Undefined	
Bonding	Required if considered a Pilot Project under 48-39-320(C); Cost of removal	
Project Standards	No material harm to flora, fauna, physical or aesthetic resources; Reasonably anticipated that the use will be successful in addressing an erosional issue	
Success Criteria	Undefined	
Reporting / Determination of meeting success criteria	OCRM; resource agency input	
Public comment on final results and Department determination	Undefined	

Lunch





Refining Recommendations & Definitions

- Beach Nourishment Definition
- **Beach Nourishment Project Specifications**
- **Beach Preservation Fund**
- Beach Preservation Definition
- Beach Preservation Policy Statement



Beach Nourishment Project Specifications

- Establish a technical advisory committee to further investigate beach nourishment project specifications, including:
 - Sand quality
 - Timing windows
 - Placement and borrow area refinements and flexibility
 - Dredge type
 - Long-term monitoring (including potential downdrift impacts)
 - Impacts to flora/fauna (beach, benthic, threatened & endangered species)

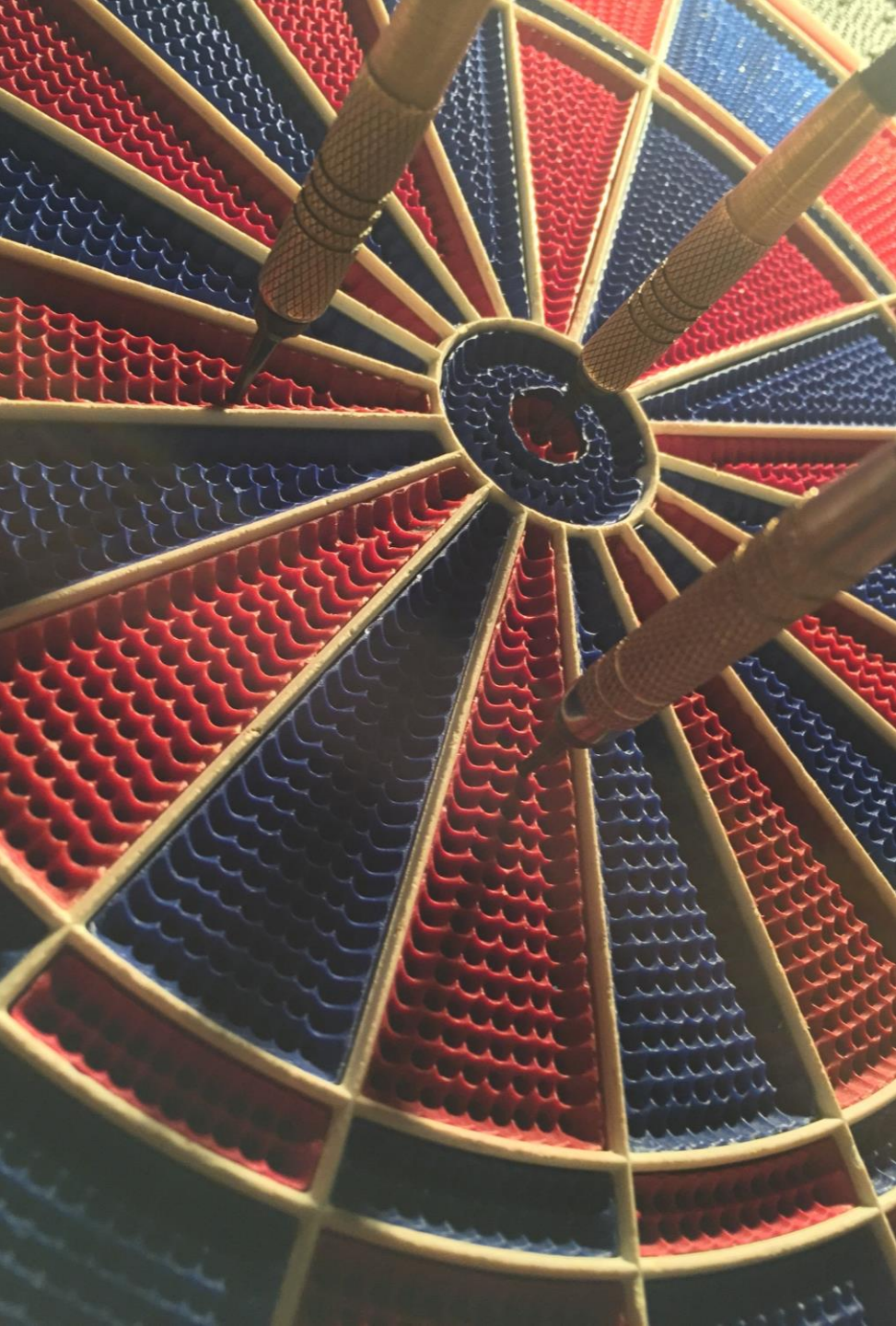


Beach Preservation Fund

- Recommend that Parks, Recreation & Tourism Department codify formal criteria or requirements for state nourishment grants. Minimal requirements should include:
 - Approved LCBMP
 - Approved comprehensive plan with a section on beachfront management and resilience
 - Full and Complete Public access
 - Requirement for local oceanfront residents contribute a percentage of match, in addition and outside of accommodations taxes
 - Approved Project Permits (ie, shovel-ready project)



New Recommendations



Next Steps

- **Meeting Summary**
 - A high-level summary of the meeting (presentation slides, decision points and takeaways) will be provided within the next 2 weeks
- **Next Meetings**
 - November 17th
- **Outreach**
 - Interested stakeholders
- **Final Report**



Thank You