



Beachfront Jurisdictional Line Process



What are the beachfront jurisdictional lines?

Jurisdictional lines enable DHEC to implement laws and regulations that protect coastal resources and guide development away from dynamic shorelines.

There are two lines of beachfront jurisdiction:

- **Baseline** is the **more seaward line**
- **Setback Line** is the **more landward line**



Landward

Setback
Line

Baseline

Dunes

Seaward

Ocean



Why does DHEC update these lines?

South Carolina law requires DHEC to establish and review the positions of the baseline and setback line every 7 to 10 years.

Reviews were conducted during the following years:

- 1990-1991
- 1999-2001
- 2008-2010
- 2016-2018

The law also requires DHEC to review the **average long-term shoreline change rate** (aka the “long-term erosion rate”) for all oceanfront land that is or potentially could be developed during this time.

What does the **baseline** mean for homes and pools?

- Homes may be repaired to pre-existing square and linear footage.
- New construction and reconstruction of homes damaged beyond repair may be allowed up to 5000 square feet through a special permit if certain criteria are met.
- Pools damaged or destroyed may be reconstructed, upon obtaining a permit, if they are located landward of an existing functional erosion control structure.
- No new pools can be permitted seaward of the baseline.

What does the **setback line** mean for **homes and pools**?

The setback area is **NOT** a “no-build” zone.

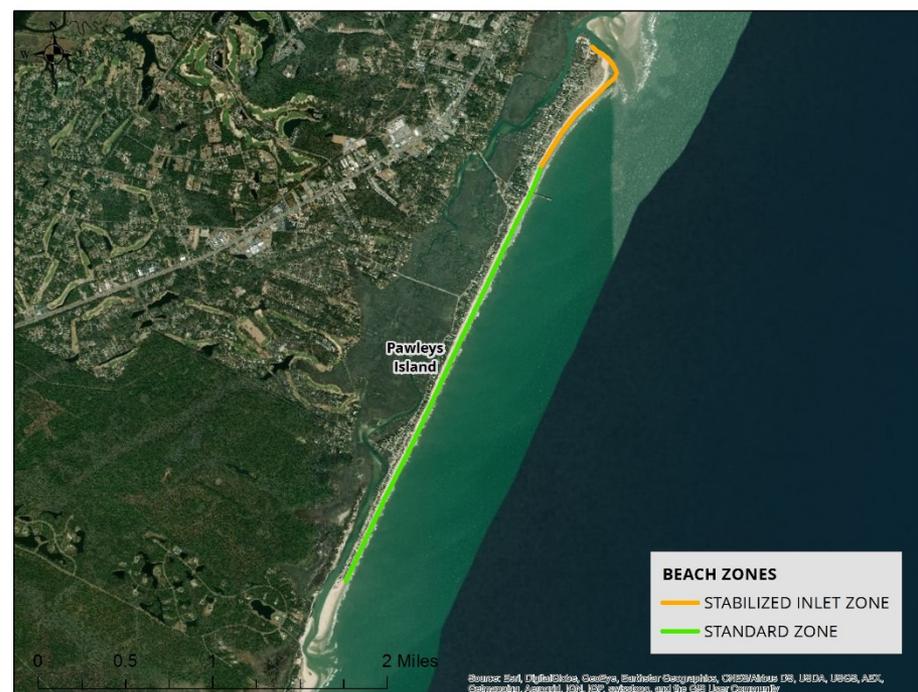
- Homes damaged beyond repair may be reconstructed up to the total square footage of the original structure.
- New homes may be constructed up to 5,000 square feet of heated space within the setback area.
- Construction and repair activities require notification to DHEC.
- Pools damaged or destroyed may be rebuilt to pre-existing dimensions with DHEC authorization.
- New pools are not permitted unless they are located landward of an existing functional erosion control structure, such as a seawall or revetment, and receive prior written approval from DHEC.

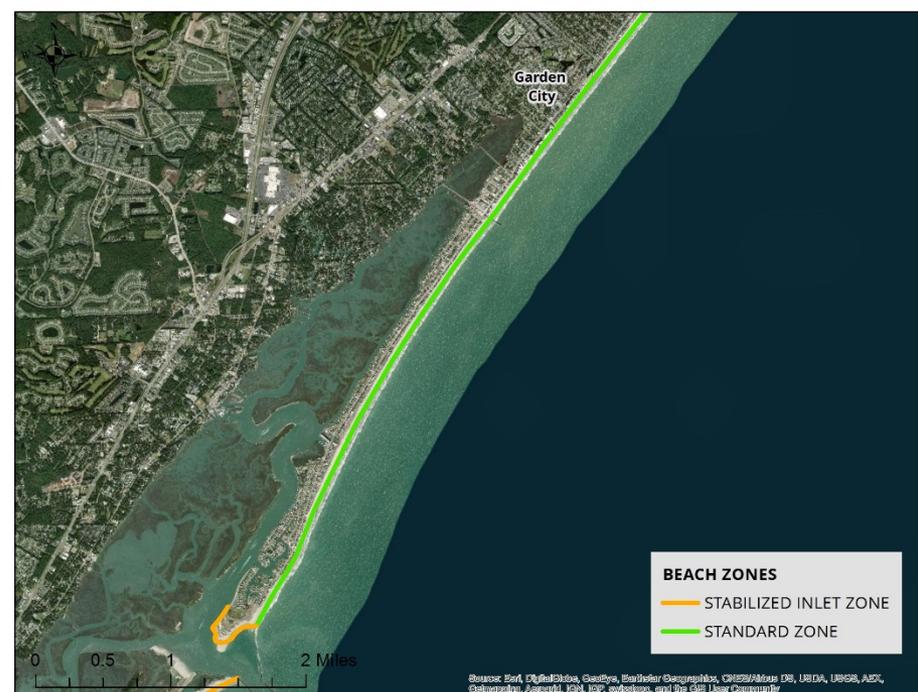
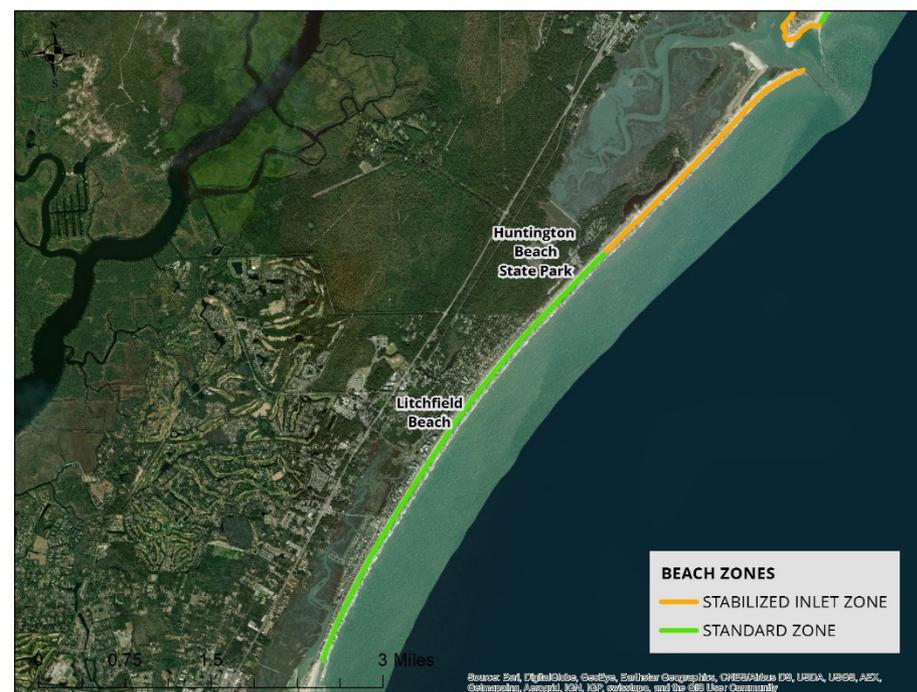
Baselines Set by Beach Zones

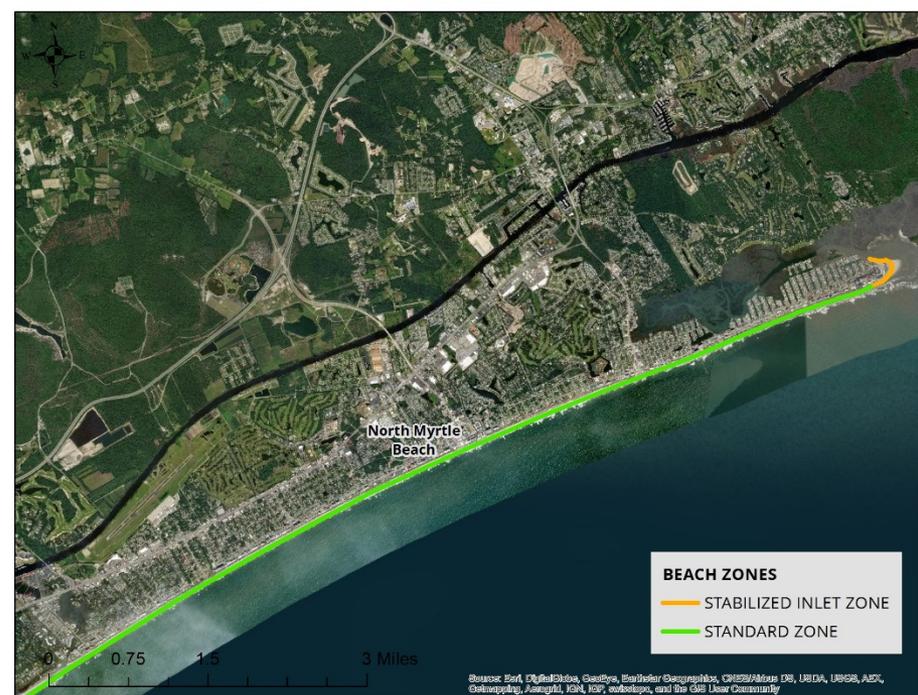
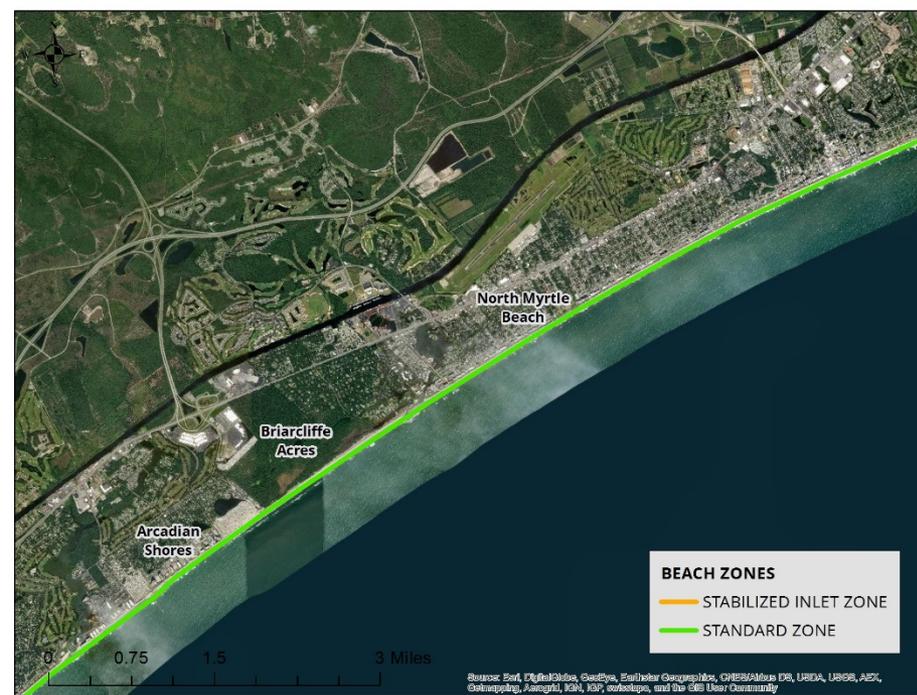
At a glance:

- There are three beach zones
 - **Stabilized Inlet Zone**
 - **Standard Zone**
 - **Unstabilized Inlet Zone**











Beaches with Standard and Stabilized Inlet Zones

- Hilton Head
- Pritchards Island
- Fripp Island
- Hunting Island
- Edisto Beach
- Seabrook Island
- Kiawah Island
- Folly Beach
- Sullivan's Island
- Isle of Palms
- Debidue Island
- Pawleys Island
- Litchfield Beach
- Huntington Beach State Park
- Garden City
- Surfside Beach
- Myrtle Beach State Park
- Myrtle Beach
- Briarcliffe Acres
- Atlantic Beach
- North Myrtle Beach
- Waties Island

An aerial photograph showing a stretch of coastline. On the left, there is a dense forest of green trees. A road runs parallel to the beach, with several parking lots containing cars. The beach is a wide, light-colored strip of sand. To the right of the beach is the ocean, with a long, dark pier extending into the water. The text "STANDARD ZONE" and "Myrtle Beach State Park" is overlaid on the left side of the image.

STANDARD ZONE
Myrtle Beach State Park

A segment of shoreline which is subject to essentially the same set of coastal processes, has a fairly constant range of profiles and sediment characteristics, and is not directly influenced by tidal inlets or associated inlet shoals

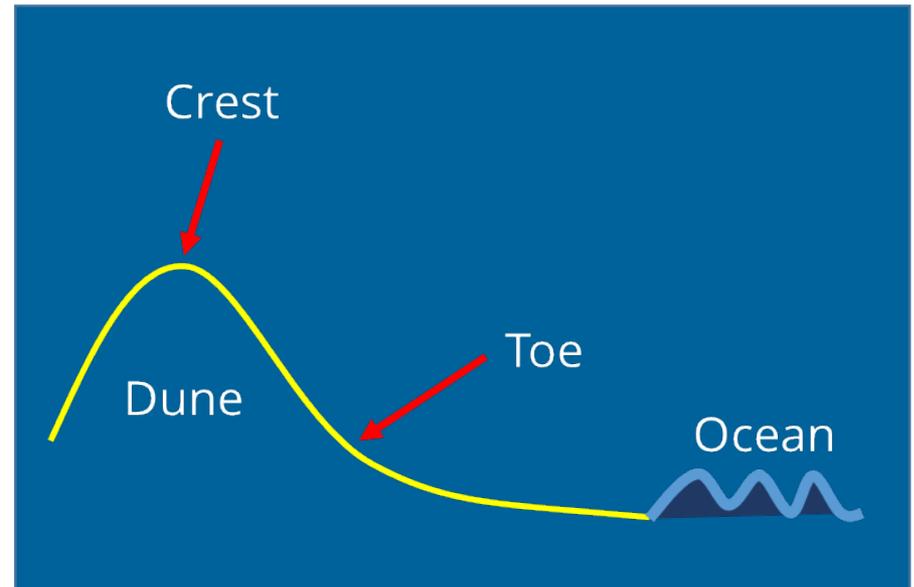
An aerial photograph of Sullivan's Island, South Carolina, showing a residential area with numerous houses and a marina. The island is surrounded by dark water, and a long, narrow inlet is visible on the left side. The text "STABILIZED INLET ZONE" is overlaid on the left side of the image, and "Inlets which have been stabilized by jetties, terminal groins, or other structures" is overlaid at the bottom center.

STABILIZED INLET ZONE
*Charleston Harbor side
of Sullivan's Island*

**Inlets which have
been stabilized by
jetties, terminal
groins, or other
structures**

How is the **baseline** set in **Standard and Stabilized Inlet Zones**?

- The baseline is set at the crest of the primary oceanfront sand dune.
- The primary dune is defined as a dune with a minimum height of 3 feet (measured from the crest to toe) and 500 feet of continuous length.

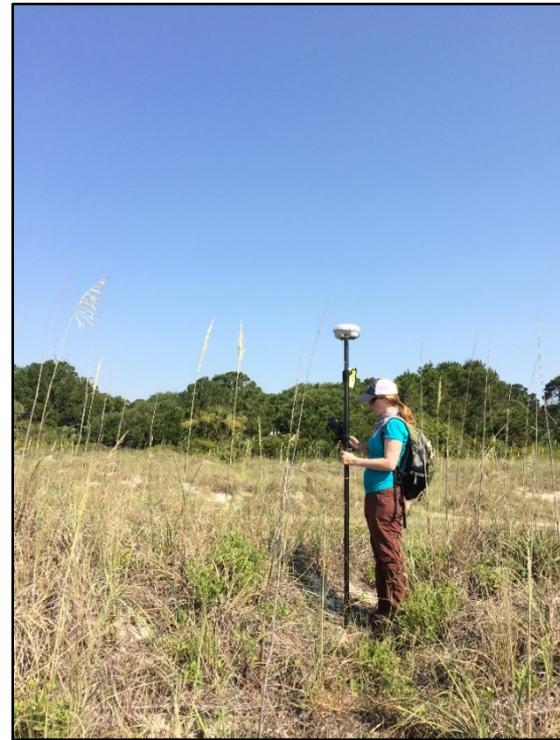


How is the **baseline** set in **Standard and Stabilized Inlet Zones**?

Points were collected at the seaward toe and crest of each dune.



How is the **baseline** set in **Standard** and **Stabilized Inlet Zones**?



Field data were collected by agency experts using a Trimble R6 RTK GPS unit and the South Carolina Real Time Network.



South Carolina Department of Health and Environmental Control
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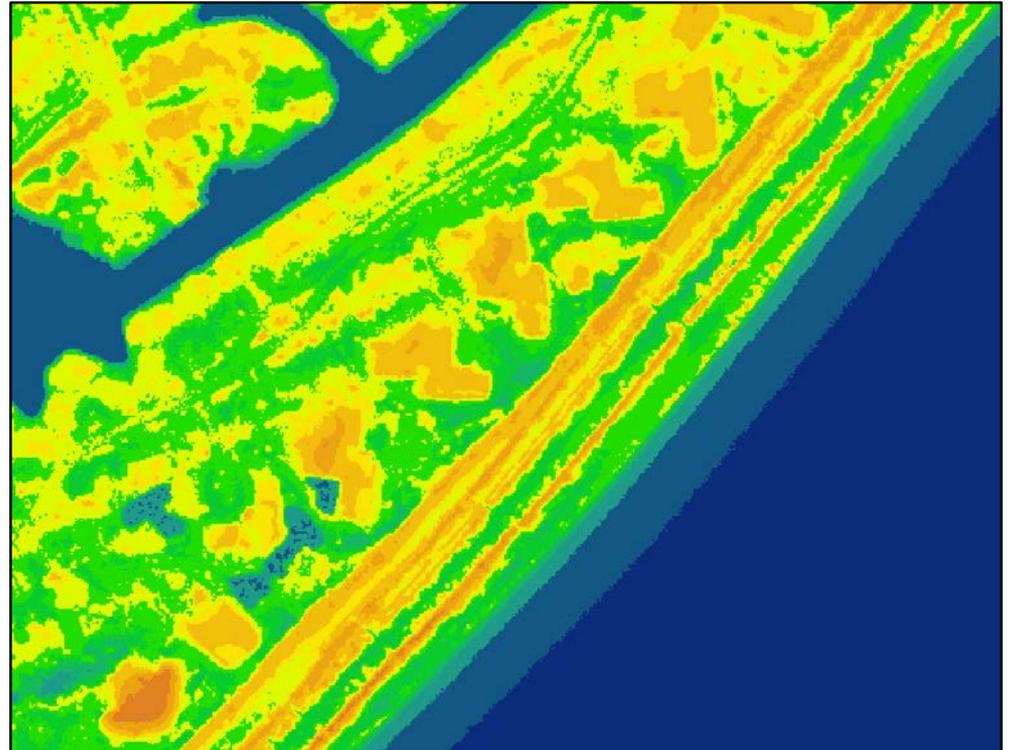


- Field data were collected every 300 - 400 feet along the oceanfront dune and every 600 - 1,000 feet along more landward dunes.

How is the **baseline** set in **Standard and Stabilized Inlet Zones**?

LiDAR is a remote sensing data collection method that uses an airborne system to generate high-resolution elevation data.

This elevation data was used in conjunction with field data to determine the location of the primary dune.



Summary

Key facts:

- There are two lines of jurisdiction: **Baseline and Setback Line**
- The baseline is set based on beach zone.
- This workgroup is focused on the standard and stabilized inlet zones.
- In standard and stabilized inlet zones, the baseline is set on the crest of the primary oceanfront sand dune.

Present

2018 Beachfront Management Reform Act (Act 173)

- 2008-2010 beach lines vs proposed 2017 lines:
 - Most-seaward baseline and most-seaward setback line must be used.
 - Lines will be re-evaluated no earlier than January 1, 2024.
- Replaced “retreat policy” with “beach preservation policy”.
- Restricts seaward movement of baseline.
- Administrative timelines and public input requirements.
- Define “Primary Oceanfront Sand Dune” for setting the baseline.
- Data from within 18 months following “extraordinary erosion” can’t be used to set the baseline.

Summary

South Carolina's Current Primary Dune Definitions

- **Statute Definition [S.C. Code Ann. §48-39-10(I)]**
 - "Primary ocean front sand dunes" means those dunes which constitute the front row of dunes adjacent to the Atlantic Ocean.
- **Regulation Definition [S.C. Code Ann. Regs. 30-1(D)(43)]**
 - Primary Oceanfront Sand Dunes - those dunes which constitute the front row of dunes adjacent to the Atlantic Ocean, are partially or wholly seaward of the setback line, are not landward of an existing functional erosional control device, and have a minimum height of thirty-six (36) inches, as measured vertically from the crest to the toe of the dune. For purposes of establishing the baseline, this dune must also form a continuous line for 500 shore parallel feet.

How do others define a primary dune?

Federal Dune Definition (44 CFR 59.1 – Definitions)

- Primary frontal dune means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

How do other states define a primary dune?

State Dune Definitions:

North Carolina (15A NCAC 07H.0305(a)(3))

- Primary Dunes. Primary dunes are the first mounds of sand located landward of the ocean beaches having an elevation equal to the mean flood level (in a storm having a one percent chance of being equaled or exceeded in any given year) for the area plus six feet. Primary dunes extend landward to the lowest elevation in the depression behind that same mound of sand (commonly referred to as the "dune trough.")

Georgia (O.C.G.A. 12-5-232 (2010))

- (15) "Sand dunes" means mounds of sand deposited along a coastline by wind action, which mounds are often covered with sparse, pioneer vegetation and are located landward of the ordinary high-water mark and may extend into the tree line.
- (18) "Stable sand dune" means a sand dune that is maintained in a steady state of neither erosion nor accretion by indigenous vegetative cover.

How do other states define a primary dune?

State Dune Definitions:

Florida (FL Admin Code 62b-33)

- (b) “Primary dune” is a significant dune which has sufficient alongshore continuity to offer protective value to upland property. The primary dune may be separated from the frontal dune by an interdunal trough; however, the primary dune may be considered the frontal dune if located immediately landward of the beach.
- (a) “Significant dune” is a dune which has sufficient height and configuration or vegetation to offer protective value.
- (16) “Dune” is a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation and is subject to fluctuations in configuration and location.

How do other states define a primary dune?

State Dune Definitions:

Virginia (Code of Virginia § 28.2-1400(A))

- "Coastal primary sand dune" or "dune" means a mound of unconsolidated sandy soil which is contiguous to mean high water, whose landward and lateral limits are marked by a change in grade from ten percent or greater to less than ten percent, and upon which is growing any of the following species: American beach grass (*Ammophila breviligulata*); beach heather (*Hudsonia tomentosa*); dune bean (*Strophostyles* spp.); dusty miller (*Artemisia stelleriana*); saltmeadow hay (*Spartina patens*); seabeach sandwort (*Honckenya peploides*); sea oats (*Uniola paniculata*); sea rocket (*Cakile edentula*); seaside goldenrod (*Solidago sempervirens*); Japanese sedge or Asiatic sand sedge (*Carex kobomugi*); Virginia pine (*Pinus virginiana*); broom sedge (*Andropogon virginicus*); and short dune grass (*Panicum amarum*). For purposes of this chapter, "coastal primary sand dune" or "dune" shall not include any mound of sand, sandy soil, or dredge spoil deposited by any person for the purpose of temporary storage, beach replenishment or beach nourishment, nor shall the slopes of any such mound be used to determine the landward or lateral limits of a coastal primary sand dune.

How do other states define a primary dune?

State Dune Definitions:

Alabama (ADEM Admin. Code R 335-8-1-.02(zz))

- "Primary Dune System" means a ridge or series of ridges of unconsolidated and usually mobile sands lying landward of the upper limit of Gulf beaches which serves as the principal defense against storm wave attack. Vegetatively, this primary protective dune can be characterized by *Uniola paniculata* (sea oats), *Spartina patens* (saltmeadow cordgrass), *Panicum amarulum* (dune panicgrass), *Distichlis spicata* (saltgrass), *Solidago pauciflosculosa* (seaside goldenrod), *Hydrocotyle bonariensis* (pennywort), and *Ipomoea stolonifera* (seaside morning glory).

Delaware (Delaware Regulations - Title 7, 5102)

- "Primary Dune" means that dune which roughly parallels the shoreline in a more or less continuous fashion and is generally the first and largest dune encountered moving landward from the shoreline.



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