



CAPTAIN SAM'S SPIT

Captain Sams Spit, one of the last three publicly accessible undeveloped barrier island spits in South Carolina.

CASE BRIEF

Captain Sams Spit is an iconic sandy inlet on Kiawah Island, as well as a highly dynamic system of erosion and accretion. On behalf of the Coastal Conservation League, SCELP is challenging four separate permits associated with proposed development on the spit.

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Captain Sams Spit is a pristine and sensitive 150-acre barrier island spit on the southern end of Kiawah Island. It is used by the public and endangered and threatened species such as the piping plover, diamondback terrapin and bottlenose dolphins.

And yet, despite its natural and cultural importance, the spit is under constant threat of development.

For 10 years and counting, SCELP and our partners have relentlessly—and successfully—fought back against a developer's efforts to build 50 houses on the spit's shifting sands.

The senselessness of this proposal is compounded by the rising toll of climate change to South Carolina's shoreline.

"If we learn one thing from the natural disasters currently threatening our state, it is that we should not place people and structures directly in harm's way, particularly in the era of sea level rise, regular hurricanes, and major flooding," SCELP Executive Director **Amy Armstrong** said.

During this grueling saga, we've brought four separate legal challenges

to permits associated with proposed development on the spit.

These challenges include:

- (1) a 2,783-foot revetment and bulkhead system;
- (2) a community dock;
- (3) a 340-foot steel sheet pile wall;
- (4) a 2,380-foot steel sheet pile wall.

To date, we have secured three out of four favorable rulings by the South Carolina Supreme Court, with a fifth hearing scheduled in 2020. We are confident we will again prevail.

In the most recent ruling in April 2018, the state's highest court concluded that the public benefits to preserving the spit outweighed any benefits to developing it.

We are committed to using all available legal tools to advocate against this ill-conceived project so Captain Sams Spit remains undeveloped and protected for generations to come.



Learn more: www.scelp.org

SHORELINE ISSUES: PAST, PRESENT AND FUTURE

BY AMY ARMSTRONG

South Carolina's coastline has attracted people from near and far. The sandy beaches and the ocean draw people in, but our desire to be close to the beach has, over time, led us to make decisions that put the very things that make our shoreline valuable – wide stretches of clean sandy beaches – at risk, as well as people, structures and wildlife.

This wasn't always the case in South Carolina. Historically, the beach was a place that you visited for recreation and reprieve, but not a place where you built houses. Beachfront property, and barrier islands in particular, had a relatively low value because their dynamic nature made them

unsuitable for building. But over time, small beach cottages without heat or air were built for families from the Upstate and Midlands to enjoy during the summer months. Hurricane Hugo in 1989 marked a

turning point, where many small beach cottages were destroyed, and new, large and expensive beach houses were constructed in their place. The trend toward large, expensive houses on or near the beach has continued since then, and management and maintenance of the shoreline with such structures has similarly become larger and more expensive.

Management of our shoreline is governed by the South Carolina Coastal Zone Management Act. In passing the Act, the General Assembly found that "increasing and competing demands upon the lands and waters of our coastal zone

occasioned by...residential development,...have resulted in the decline or loss of living marine resources, wildlife, nutrient-rich areas, permanent and adverse changes to ecological systems, decreasing open space for public use and shoreline erosion." As a result, the Act directs the South Carolina Department of Health and Environmental Control to "protect and, where possible, to restore or enhance the resources of the State's coastal zone for this and succeeding generations."

Yet balancing the desire to have a house on the beach with protecting the shoreline system has been exceedingly challenging and is further

complicated by rising sea levels and eroding beaches.

The state has responded to these threats primarily through beach renourishment, which is considered a "soft solution," however, hard structures such as

groins and seawalls are being sought with increasing frequency as erosion and sea level rise increase. Technology new to South Carolina and experimental devices are also being considered. But ultimately, protection of structures on the shoreline will become a financial and physical impossibility.

For that reason, the management decisions we make today regarding shoreline management will have a major impact on the health of our shoreline and the coastal ecosystem for this and future generations.

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