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Upscale resort on pristine Bay Point Island won't move forward after developer's appeal denied

Today, Circuit Court judge Marvin Dukes upheld the Beaufort County Zoning Board of Appeals' decision to deny a special permit to Bay Point Island, LLC for the construction of a luxury resort on Bay Point Island. In the fall of 2020, after thousands of citizens and several elected officials made their objections heard, the Zoning Board said no to a proposal to build the resort and the developer appealed. Today's decision makes it less likely that a resort will ever be built on the island.

The reasons for not building on Bay Point Island are clear. The island is highly erosional and its shoreline changes from day to day or even hour to hour. There are no services available on the island—no roads, sewer lines, or power—and it can take emergency medical services more than an hour just to get to the island's sandy shores.

Bay Point Island is also a significant site for the Gullah/Geechee Nation and the Gullah/Geechee Fishing Association, who have relied on fishing in the waters around the island to sustain their families, their livelihood, and their unique cultural heritage, which has been rooted in the area for over three centuries.

“The decision to uphold the Beaufort Board of Zoning Appeals' original decision to deny the building of an exclusive luxury resort on Bay Point is an outstanding way to conclude not only Oceans Month, but to also conclude a month that has been filled with celebrations of freedom for us in the Gullah/Geechee Nation,” said Queen Quet, Chieftess of the Gullah/Geechee Nation. “We have continued to fight for our sacred ancestral lands and the waters that surround us because these are the places that have allowed our families to be self-sufficient for generations and we want these places to remain safe and healthy for future generations to do the same.”

The island is an extremely valuable environmental resource, as well. It is a haven for some of our most charismatic wildlife, including shore birds and endangered sea turtles. Bay Point is a nationally-designated Audubon “Important Bird Area”—a critical habitat for the conservation of birds—and hosts up to 8,000 migratory species on any given day in the winter months.

“Bay Point Island is an ecologically and culturally significant coastal treasure,” said Jessie White, South Coast Office Director at Coastal Conservation League. “Beaufort County clearly recognized this in denying the destructive resort proposal for the island, which would have undermined its rural character and value to the community and wildlife resources that depend on it. Given its extensive natural value, the Conservation League believes the island deserves permanent protection with a long-term steward to allow it to continue to thrive for future generations.”

While the decision is great news, Bay Point is still at risk. In 2021, the same developer was granted a permit to construct a 4,000-square-foot villa on the island, complete with state-issued a septic permit that put our local water quality at risk. Environmental groups will continue to fight for Bay Point Island until it is permanently protected.

“We are so pleased that the Court affirmed the decision of the Zoning Board to deny approval for this development,” said Leslie Lenhardt, staff attorney at South Carolina Environmental Law Project. “Our client, the Gullah/Geechee Fishing Association, has been involved from the beginning in fighting this terrible project and their hard work has paid off yet again with the Court's order. We celebrate today along with our partner the Coastal Conservation League that we have cleared another hurdle to protecting Bay Point Island.”

“South Carolina is known as the place of ‘Smiling Faces and Beautiful Places’ and many more people will be able to smile as they get to see the beauty of Bay Point the way that native Gullah/Geechees have for decades,” said Queen Quet. “Tenk GAWD fa disya!”

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*The **South Carolina Environmental Law Project** is a nonprofit public interest law firm. We use our legal expertise to protect land, water and communities across South Carolina. Learn more at www.scelp.org.*

*Since 1989, the **Coastal Conservation League** has worked to protect the health of the natural resources of the South Carolina coastal plain and ensure a high quality of life for all of the people who live in and love this special place. The Coastal Conservation League is a 501(c)3 charitable organization. Learn more and get involved at www.coastalconservationleague.org.*