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Statutory Authority: 50-5-30 and 50-5-515

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Subject: Channel Nets

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- 01/11/2022 Received by Lt. Gov & Speaker 05/11/2022

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- 05/11/2022 Approved by: Expiration Date

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 provided for in the Regulation

Document No. 5095

**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Sections 50‑5‑30 and 50‑5‑515

123‑27. Channel Nets.

**Synopsis:**

The South Carolina Department of Natural Resources proposes to promulgate Regulation 123‑27 to delineate the area where channel nets may be used in the salt waters of the state, pursuant to Section 50‑5‑515(A). This proposal was approved by the Natural Resources Board on September 16, 2021.

A Notice of Drafting for the proposed regulation was published in the *State Register* on September 24, 2021.

The proposed regulation will require legislative review.

**Instructions:**

Print the regulation as shown below. All other items remain unchanged.

**Text:**

123‑27. Channel Nets.

Winyah Bay Channel Net Area:

Channel nets are lawful in the following zone established within an enclosed polygon with a linear boundary defined as follows, and with all named features referencing NOAA Navigational Chart 11532 (Winyah Bay); 23rd Edition., September 2019.

Starting from a point on the shoreline of Cat Island on the western shore of Winyah Bay, with latitude 33.22926° N, longitude 079.20231° W; thence following a straight line northeasterly to the No. 15 green channel marking buoy located at latitude 33.23178° N, longitude 079.19453° W; thence following a straight line northwesterly along the western border of the federally maintained shipping channel to a point with latitude 33.25181° N, longitude 079.21301° W; thence following a straight line southwesterly to a point on the mouth of Mosquito Creek at latitude 33.24678° N, longitude 079.21651° W; thence following the shoreline (“shoreline” herein defined as the line of Mean High Water excluding the shorelines of un‑named tributaries) of Cat Island in a southeasterly to the starting point at latitude 33.22926° N, longitude 079.20231° W.

Winyah Bay Channel Net Area (TED not required pursuant to S.C. Code Section 50‑5‑515(B)(4)):

Channel nets are lawful in the following zone established within an enclosed polygon with a linear boundary defined as follows, and with all named features referencing NOAA Navigational Chart 11532 (Winyah Bay); 23rd Edition., September 2019.

Starting from a point on the shoreline of North Island on the eastern shore of Winyah Bay, with latitude 33.23396° N, longitude 079.18904° W; thence following the shoreline (“shoreline” herein defined as the line of Mean High Water excluding the shorelines of un‑named tributaries) of North Island in a northerly direction to a point at the mouth of Cottonpatch Creek with latitude 33.25916° N, longitude 079.19692° W; thence following a straight line southwesterly to the No. 18 red channel marking buoy located at latitude 33.25268° N, longitude 079.21109° W; thence following a straight line southeasterly along the eastern boundary of the federally maintained shipping channel to the No. 16 red channel marking buoy located at latitude 33.23233° N, longitude 079.19310° W; thence following a straight line northeasterly to the starting point at latitude 33.23396° N, longitude 079.18904° W.

North Santee Channel Net Area

Channel nets are lawful in the following zone established within an enclosed polygon with a linear boundary defined as follows, and with all named features referencing NOAA Navigational Chart 11532 (Winyah Bay); 23rd Edition., September 2019.

Starting from a point near the southeastern tip of Crow Island on North Santee Bay, with latitude 33.16705° N, longitude 079.25538° W; thence following a straight line northeasterly across North Santee Bay to a point at the mouth of Beach Creek on South Island with latitude 33.17396° N, longitude 079.24563° W; thence following the shoreline (“shoreline” herein defined as the line of Mean High Water excluding the shorelines of un‑named tributaries) of South Island in a northwesterly direction to a point on the mouth of Mosquito Creek with latitude 33.18270° N, longitude 079.25924° W; thence following a straight line across Mosquito Creek to a point with latitude 33.18363 ° N, longitude 079.26006° W; thence following the shoreline in a northwesterly direction to a point with latitude 33.18680° N, longitude 079.26923° W; thence following a straight line to a point with latitude 33.18617° N, longitude 079.27241° W; thence following the shoreline in a westerly direction to a point on the shoreline of the Intracoastal Waterway with latitude 33.18516° N, longitude 079.27888° W; thence following a straight line in a southwesterly direction to a point on the shoreline of Little Crow Island with latitude 33.18362° N, longitude 079.27959° W; thence following the shoreline of Little Crow Island in an easterly direction to a point with latitude 33.18404° N, longitude 079.27087° W; thence following the shoreline of Little Crow Island in a southwesterly direction to a point on the shoreline of the Intracoastal Waterway with latitude 33.17678° N, longitude 079.28433° W; thence following a straight line across Big Duck Creek to a point on the shoreline of Crow Island with latitude 33.17503° N, longitude 079.28553° W; thence following the shoreline of Crow Island in a northeasterly direction to a point with latitude 33.18393° N, longitude 079.26945° W; thence following the shoreline of Crow Island in a southeasterly direction to the starting point at the southeastern tip of Crow Island with latitude 33.16705° N, longitude 079.25538° W.

**Fiscal Impact Statement:**

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the promulgation of Regulation 123‑27.

**Statement of Rationale:**

Section 50‑5‑30 allows the Department to promulgate regulations necessary for the implementation of the South Carolina Marine Resources Act. Section 50‑5‑515(A) provides that the Department may designate areas of the salt waters of the state where channel nets may be used.