Agency Name: Department of Natural Resources

Statutory Authority: 50-5-30 and 50-5-900

Document Number: 5096

Proposed in State Register Volume and Issue: 45/11

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Fish, Game and Forestry Committee

120 Day Review Expiration Date for Automatic Approval: 05/11/2022

Final in State Register Volume and Issue: 46/5

Status: Final

Subject: Commercial Permit Duration

History: 5096

By Date Action Description Jt. Res. No. Expiration Date

- 11/26/2021 Proposed Reg Published in SR

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

H 01/11/2022 Referred to Committee

S 01/11/2022 Referred to Committee

S 02/17/2022 Resolution Introduced to Approve 1082

- 05/11/2022 Approved by: Expiration Date

- 05/27/2022 Effective Date unless otherwise

provided for in the Regulation

Document No. 5096

**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Sections 50‑5‑30 and 50‑5‑900

123‑36. Duration of Commercial Shellfish Culture and Mariculture Permits.

**Synopsis:**

The South Carolina Department of Natural Resources proposes to promulgate Regulation 123‑36 to clarify the duration of commercial shellfish culture and mariculture permits. S.C. Code Section 50‑5‑900 establishes five‑year permits. This regulation will specify that for purposes of five‑year shellfish culture and mariculture permits issued pursuant to S.C. Code Section 50‑5‑900, the first year of the five‑year period shall end on December 31, regardless of the month and day of permit issuance. 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:**

123‑36. Duration of Commercial Shellfish Culture and Mariculture Permits.

For purposes of five year shellfish culture and mariculture permits issued pursuant to S.C. Code Section 50‑5‑900, the first year of the five year period shall end on December 31, regardless of the month and day of permit issuance.

**Fiscal Impact Statement:**

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the promulgation of Regulation 123‑36.

**Statement of Rationale:**

Section 50‑5‑30 allows the Department to promulgate regulations necessary for the implementation of the South Carolina Marine Resources Act.