Agency Name: Department of Natural Resources

Statutory Authority: 50-5-30 and 50-5-500

Document Number: 5097

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: Gill Nets

History: 5097

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

- 05/11/2022 Approved by: Expiration Date

- 05/27/2022 Effective Date unless otherwise

 provided for in the Regulation

Document No. 5097

**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Sections 50‑5‑30 and 50‑5‑500

123‑22. Gill Nets.

**Synopsis:**

The South Carolina Department of Natural Resources proposes to promulgate Regulation 123‑22 to delineate the area where gill nets may be used in inshore salt waters, pursuant to Section 50‑5‑500(A)(10). 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:**

123‑22. Gill Nets.

Gill 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 11534 (Myrtle Grove Sound and Cape Fear River to Casino Creek), 40th Edition., September 2019; and also referencing USGS Little River, South Carolina – North Carolina 7.5‑minute series Quadrangle, 1:24,000 scale, 2020.

Starting from a point on the western shoreline of Bird Island facing Little River, with latitude 33.85366° N, longitude 078.54396° W; thence following a straight line northwesterly to a point on Goat Island with latitude 33.85971° N, longitude 078.55082° W; thence following the shoreline (“shoreline” herein defined as the line of Mean High Water excluding the shorelines of un‑named tributaries) west and southwesterly to a point at the mouth of Horse Ford Creek with latitude 33.85834° N, longitude 078.56444° W; thence following a straight line across the mouth Horse Ford Creek to a point on Mink Island with latitude 33.85846° N, longitude 078.56541° W; thence following the shoreline west then northwesterly to a point with latitude 33.86017° N, longitude 078.56966° W; thence following a straight line to a point with latitude 33.86034° N, longitude 078.56989° W; thence following the shoreline in a northerly direction to a point at the northern tip of Mink Island on the Intracoastal Waterway with latitude 33.86765° N, longitude 078.57158° W; thence following a straight line across Little River to a point on the eastern tip of Little River Neck with latitude 33.86999° N, longitude 078.57405° W; thence following the shoreline in a south‑southwesterly direction to point with latitude 33.86498° N, longitude 078.57583° W; thence following the shoreline in a south‑southeasterly direction to a point with latitude 33.86186° N, longitude 078.57464° W; thence following a straight line to a point on the northern tip of The Battery Island with latitude 33.86140° N, longitude 078.57469° W; thence following the shoreline to a point on the southeastern tip of The Battery Island with latitude 33.85757° N, longitude 078.57225° W; thence following a straight line across the mouth of Dunn Sound Creek to a point with latitude 33.85634° N, longitude 078.57031° W; thence following the shoreline in a southeasterly direction to a point on the mouth of Sheephead Creek with latitude 33.85522° N, longitude 078.56852° W; thence following a straight line across the mouth of Sheephead Creek to a point with latitude 33.85492° N, longitude 078.56809° W; thence following the shoreline in a westerly direction to point with latitude 33.85484° N, longitude 078.55635° W; thence following the shoreline in a southeasterly direction to a point with latitude 33.85142° N, longitude 078.55311° W; thence following a straight line across Little River to the starting point on Bird Island with latitude 33.85366° N, longitude 078.54396° 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 123‑22.

**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 50‑5‑500(A)(10) provides that the Department may designate areas of inshore salt waters where gill nets, not more than one hundred yards in length with a mesh size no smaller than three inches stretched mesh and up to five and one‑half inches stretched mesh, may be used.