INTRODUCED

April 19, 2018

**H. 5283**

Introduced by Regulations and Administrative Procedures Committee

S. Printed 4/19/18--H.

Read the first time April 19, 2018.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ADMINISTRATIVE PROCEDURES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4810, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Administrative Procedures, designated as Regulation Document Number 4810, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The Department of Health and Environmental Control (“Department”) amends R.30‑14, Administrative Procedures, with respect to the review process for revising jurisdictional lines and erosion rates affecting beachfront properties. 1976 Code Section 48‑39‑280 requires the Department to establish and review the position of beachfront jurisdictional setback lines, baselines, and erosion rates once every seven (7) to ten (10) years. Existing Coastal Division R.30‑14.F provides that a landowner may request a review of the jurisdictional lines or erosion rate affecting his or her property within one (1) year of adoption. However, statutory changes under Act No. 387 of 2006 limit the review of a Department decision to fifteen (15) calendar days. This regulatory amendment clarifies the review process to allow sufficient time for affected landowners to understand the Department’s methodology in setting jurisdictional lines and erosion rates, and bring any substantiating evidence to the attention of the Department’s Office of Ocean and Coastal Resource Management for a staff determination. The amendment provides landowners a timely review and complies with Act No. 387 of 2006.

The Department published proposed revisions to the state’s beachfront jurisdictional setback lines, baselines, and erosion rates on October 6, 2017. Based on comments received from landowners, community leaders, the conservation community, and others during the initial thirty (30)‑day public comment period, the Department extended the public comment period to April 6, 2018. In March 2018, the public comment period was further extended for most beachfront locations until July 15, 2018. Existing jurisdictional lines will remain in place until final revised lines are adopted.

The Department had a Notice of Drafting for the proposed amendment published in the November 24, 2017, *State Register*.

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