

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**CHAPTER 30**

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

- R.30-1. Statement of Policy.
- R.30-2. Applying for a Permit.
- R.30-4. Decisions on a Permit.
- R.30-6. Appeals of Permit Decisions.
- R.30-8. Enforcement.
- R.30-10. Critical Area Boundaries.
- R.30-11. General Guidelines for all Critical Areas.
- R.30-12. Special Project Standards for Tidelands and Coastal Waters.
- R.30-15. Activities Allowed Seaward of Baseline.
- R.30-17. Application Procedures for General Permits Pursuant to Section 48-39-290(B)(4).

**Preamble:**

On May 19, 2023, Governor McMaster signed 2023 S.C. Act 60 (Act), restructuring the South Carolina Department of Health and Environmental Control (DHEC). Pursuant to that legislation, DHEC and the DHEC Board were abolished, and the South Carolina Department of Environmental Services (SCDES) was created, effective July 1, 2024. Pursuant to S.C. Code Ann. Section 48-6-20(A) and Section 14(B) of the Act, SCDES is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of DHEC including the power and duty to promulgate associated regulations.

SCDES proposes amending R.30-1. Statement of Policy; R.30-2. Applying for a Permit; R.30-4. Decisions on a Permit; R.30-6. Appeals of Permit Decisions; R.30-8. Enforcement; R.30-10. Critical Area Boundaries; R.30-11. General Guidelines for all Critical Areas; R.30-12. Special Project Standards for Tidelands and Coastal Waters; R.30-15. Activities Allowed Seaward of Baseline; and R.30-17. Application Procedures for General Permits Pursuant to Section 48-39-290(B)(4), to reflect the restructuring of DHEC pursuant to the Act, to revise related references, and to make non-substantive, grammatical changes.

These amendments will require legislative review pursuant to S.C. Code Ann. Section 1-23-120(A) (Supp. 2023).

SCDES had a Notice of Drafting published in the August 23, 2024, *South Carolina State Register*.

**Section-by-Section Discussion of Proposed Amendments:**

<b>Section</b>	<b>Type of Change</b>	<b>Purpose</b>
<b>R.30-1</b>		
30-1.A(1)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-1D(16), (38), and (49)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-2</b>		
30-2.B(7)(a) and (b)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.

30-2.C	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-2.D	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-2.F	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-4</b>		
30-4.C	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-4.E	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-4.H	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-6</b>		
30-6.A	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-8</b>		
30-8.F(4)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-10</b>		
30-10.A(2)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-11</b>		
30-11.E(1), (2) (4), and (5)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-12</b>		
30-12.A(4)(f)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-12.O(3)(b)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-15</b>		
30-15.A	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-15.B	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-15.C	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-15.D	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-15.E	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-15.F(6)(b)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
<b>R.30-17</b>		
30-17.A(1)	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.
30-17.A(2), second paragraph	Revision	Updated to reflect the abolishment of DHEC and creation of SCDES.

**Notice of Public Hearing and Opportunity for Public Comment:**

Interested persons may submit comment(s) on the proposed amendments to Mary Peyton Wall of the South Carolina Department of Environmental Services at 2600 Bull Street, Columbia, S.C. 29201; or via email at [marypeyton.wall@des.sc.gov](mailto:marypeyton.wall@des.sc.gov). To be considered, SCDES must receive the comment(s) no later than 5:00 p.m. on November 25, 2024, the close of the comment period.

Should a public hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, the South Carolina Administrative Law Court will conduct a public hearing on Monday, December 9, 2024, beginning at 10:00 a.m. at the South Carolina Administrative Law Court, Edgar Brown Building, Second Floor, 1205 Pendleton Street, Columbia, S.C. 29201. If a qualifying request pursuant to Section 1-23-110(A)(3) is not received by 5:00 p.m. on November 25, 2024, the hearing will be cancelled. Should the public hearing be cancelled, SCDES will post the notice of cancellation at <https://des.sc.gov/permits-regulations/laws-regulations-regulatory-updates/regulation-development-update>.

SCDES publishes a Regulation Development Update tracking the status of its proposed new regulations, amendments, and repeals and providing links to associated State Register documents at <https://des.sc.gov/permits-regulations/laws-regulations-regulatory-updates/regulation-development-update>.

### **Preliminary Fiscal Impact Statement**

There is no anticipated increase in costs to the state or its political subdivisions resulting from these proposed revisions. The proposed amendments comply with and implement 2023 Act No. 60. These amendments will benefit the regulated community by clarifying and updating the preexisting DHEC regulations now implemented by SCDES and improving their ease of use.

### **Statement of Need and Reasonableness**

The following presents an analysis of the factors listed in 1976 Code Sections 1-23-115(C)(1)-(3) and (9)-(11):

DESCRIPTION OF REGULATION: R.30-1. Statement of Policy; R.30-2. Applying for a Permit; R.30-4. Decisions on a Permit; R.30-6. Appeals of Permit Decisions; R.30-8. Enforcement; R.30-10. Critical Area Boundaries; R.30-11. General Guidelines for all Critical Areas; R.30-12. Special Project Standards for Tidelands and Coastal Waters; R.30-15. Activities Allowed Seaward of Baseline; and R.30-17. Application Procedures for General Permits Pursuant to Section 48-39-290(B)(4).

Purpose: On May 19, 2023, Governor McMaster signed 2023 S.C. Act 60 (Act), restructuring the South Carolina Department of Health and Environmental Control (DHEC). Pursuant to that legislation, DHEC and the DHEC Board were abolished, and South Carolina Department of Environmental Services (SCDES) was created, effective July 1, 2024. Pursuant to S.C. Code Ann. Section 48-6-20(A) and Section 14(B) of the Act, SCDES is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of DHEC including the power and duty to promulgate associated regulations. SCDES proposes amending the above-referenced regulations, to reflect the restructuring of DHEC pursuant to the Act, to revise related references, and to make non-substantive, grammatical changes.

Legal Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

Plan for Implementation: Upon taking legal effect, SCDES personnel will take appropriate steps to inform the regulated community of the amendments and any associated information. The SCDES Regulation

Development Update (accessible at <https://des.sc.gov/permits-regulations/laws-regulations-regulatory-updates/regulation-development-update>) provides a summary of and link to these proposed amendments. Additionally, printed copies are available for a fee from the Freedom of Information Office within SCDES.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

On May 19, 2023, Governor McMaster signed the Act, restructuring DHEC. Pursuant to that legislation, DHEC and the DHEC Board were abolished, and SCDES was created, effective July 1, 2024. Pursuant to S.C. Code Ann. Section 48-6-20(A) and Section 14(B) of the Act, SCDES is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of DHEC including the power and duty to promulgate associated regulations. SCDES proposes these amendments to reflect the restructuring of DHEC pursuant to the Act, to revise related references, and to make non-substantive, grammatical changes. These amendments are necessary and reasonable to implement the agency restructuring.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no anticipated increase in costs to the state or its political subdivisions resulting from these proposed revisions. The proposed amendments are consistent with the Act, and these amendments will benefit the regulated community by clarifying and updating the regulations and improving their ease of use.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates relative to the costs to the state or its political subdivisions.

**EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:**

Adoption of the proposed amendments will provide continued protection of the environment and public health.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

The state's regulations must be amended to reflect the restructuring of DHEC and the creation of SCDES. These regulations are beneficial to the public health and environment, and their clarity would be compromised if these amendments were not adopted in South Carolina.

**Statement of Rationale:**

On May 19, 2023, Governor McMaster signed 2023 S.C. Act 60 (Act), restructuring the South Carolina Department of Health and Environmental Control (DHEC). Pursuant to that legislation, DHEC and the DHEC Board were abolished, and South Carolina Department of Environmental Services (SCDES) was created, effective July 1, 2024. Pursuant to S.C. Code Ann. Section 48-6-20(A) and Section 14(B) of the Act, SCDES is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of DHEC including the power and duty to promulgate associated regulations. SCDES proposes these amendments to reflect the restructuring of DHEC pursuant to the Act, to revise related references, and to make non-substantive, grammatical changes.

**Text:**

~~Indicates Matter Stricken~~

Indicates New Matter

**Regulation 30-1. Statement of Policy.**

Statutory Authority: 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-1.A. South Carolina Coastal Zone Management Act.**

Regulation 30-1.A(1), shall be revised as follows:

(1) The South Carolina Coastal Zone Management Act was passed by the 1977 General Assembly of South Carolina to provide for the protection and enhancement of the State's coastal resources. This legislation creates the South Carolina Coastal Council which is given the task of promoting the economic and social welfare of the citizens of this State while protecting the sensitive and fragile areas in the coastal counties and promoting sound development of coastal resources. The South Carolina Coastal Zone Management Act was amended by Act 181 of 1993 which merged South Carolina Coastal Council with the South Carolina Department of Health and Environmental Control. South Carolina Coastal Council became the Office of Ocean and Coastal Resource Management (OCRM). In 2024, state government restructuring associated with Act 60 of 2023 established the South Carolina Department of Environmental Services (SCDES). The Office of Ocean and Coastal Resource Management became the Bureau of Coastal Management (BCM).

**Regulation 30-1.D. Definitions:**

Regulation 30-1.D(16), (38) and (49), shall be revised as follows:

(16) Department - the South Carolina Department of ~~Health and Environmental Control~~ Services (also referred to as ~~SCDHEC~~ SCDES).

(38) ~~OCRM~~ BCM - the Bureau of Coastal Management of the South Carolina Department of Health and Environmental Control Services's Office of Ocean and Coastal Resource Management.

(49) Special Geographic Circumstances - physical characteristics and land uses of surrounding uplands and waters may warrant additional consideration toward dock sizes. Special Geographic Circumstances identified by ~~OCRM~~ BCM include: tidal ranges of greater than 6 feet; lots with greater than 500 feet of water frontage; and no potential access via dockage from the opposite side of the creek. At the discretion of Department staff, one or more of these circumstances may be applied to dock applications, which may allow up to an additional fifty percent (50%) to what is allowed in 30-12.A(2)(c).

**Regulation 30-2. Applying for a Permit.**

Statutory Authority: 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-2.B. Permit Application:**

Regulation 30-2.B(7)(a) and (b), shall be revised as follows:

(a) Minor developments (see R.30-1(D)): In the case of applications for minor development permits, the applicant shall publish notice at least once in a newspaper of local circulation in the county of the

proposed activity. The newspaper notice should be published within 15 days of the date of Public Notice (see R.30-2(C)). No permit shall be issued by the Department until at least 10 days following the date of newspaper publication. The following form shall be used for newspaper publication:

PUBLIC NOTICE

SC DEPARTMENT OF ~~HEALTH AND ENVIRONMENTAL CONTROL~~SERVICES

~~OFFICE BUREAU OF OCEAN AND COASTAL RESOURCE~~ MANAGEMENT

(Name of applicant) will apply (has applied) to ~~SCDHEC-OCRM~~SCDES BCM for a permit to (description of work) for (public/private) use, at/in (location and name of waterway). Comments will be received by (insert local ~~OCRM~~BCM office address) until (insert date, 10 days after date of this newspaper notice).

(b) Other activities: In the case of applications for other than minor development permits, the applicant shall publish notice at least once in both a newspaper of general statewide circulation (*The State, Post and Courier*, or *The Greenville News*) and a newspaper of local circulation in the county of the proposed activity. The newspaper notices should be published within 15 days of the date of Public Notice (see R.30-2(C)). No permit shall be issued by the Department until at least 15 days following the date of the last published newspaper publication. The following form shall be used for newspaper publication:

PUBLIC NOTICE

SC DEPARTMENT OF ~~HEALTH AND ENVIRONMENTAL CONTROL~~SERVICES

~~OFFICE BUREAU OF OCEAN AND COASTAL RESOURCE~~ MANAGEMENT

(Name of applicant) will apply (has applied) to ~~SCDHEC-OCRM~~SCDES BCM for a permit to (description of work) for (public/private) use, at/in (location and name of waterway). Comments will be received by ~~SCDHEC-OCRM~~SCDES BCM, (insert Charleston ~~OCRM~~BCM office address) until (insert date, 15 days after date of this newspaper notice).

**Regulation 30-2.C. Notification:**

Regulation 30-2.C, shall be revised as follows:

C. Notification: The Department shall within thirty days of receiving either a Joint Public Notice or ~~SCDHEC-OCRM~~SCDES BCM permit application, notify in writing interested agencies, all adjoining landowners, local government units in which the land is located and other interested persons. This notice shall indicate the nature and extent of the applicant's proposal.

**Regulation 30-2.D. Permit Processing:**

Regulation 30-2.D, shall be revised as follows:

D. Permit Processing: Permit processing shall commence immediately upon receipt of either a Joint Public Notice or a ~~SCDHEC-OCRM~~SCDES BCM permit application and shall proceed concurrently but separately from any Federal authorization.

**Regulation 30-2.F. Public Information:**

Regulation 30-2.F, shall be revised as follows:

F. Public Information: The complete file on each permit application, including all comments received, will be made available, upon request, for inspection by any member of the general public during regular business hours at the principal office for ~~SCDHEC-OCRM~~SCDES BCM.

**Regulation 30-4. Decisions on a Permit.**

Statutory Authority: 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-4.C. Action Upon a Permit:**

Regulation 30-4.C., shall be revised as follows:

C. Action Upon a Permit: The Department according to Section 48-39-150.C shall act upon an application for a permit within ninety days. This ninety-day period shall begin when the application is administratively complete and filed in approved form. The file is administratively complete when all required information, including fees, newspaper notices, proof of ownership and certifications have been received. Exceptions of the 90-day deadline are applications for minor development activities on which action must be taken in thirty days. Permits are deemed issued after signature by applicant and appropriate ~~OCRM~~Department staff. See R.61-30 for further descriptions of the administrative processes governing action on a permit.

**Regulation 30-4.E. Property Rights Not Affected; No State Liability; Other Permit Requirements:**

Regulation 30-4.E, shall be revised as follows:

E. Property Rights Not Affected; No State Liability; Other Permit Requirements: No permit shall convey, nor be interpreted to convey, a property right in the land or water in which the permitted activity is located. No permit shall be construed as alienating public property for private use or as alienating private property for public use. In no way shall the State be liable for any damage as a result of the erection of permitted works. A ~~SCDHEC-OCRM~~Department permit in no way relieves the holder from responsibility for compliance with other applicable Federal, State, or local permit requirements.

**Regulation 30-4.H. Amendment to a Permit:**

Regulation 30-4.H, shall be revised as follows:

H. Amendment to a Permit: An amendment to a permit can be made without the requirements of a new permit if the proposed change on the amendment does not significantly increase the size or change the use of the permitted project. Otherwise, the amendment proposal will require a fee, a newspaper notice and will be placed on public notice by ~~DHEC-OCRM~~the Department.

**Regulation 30-6. Appeals of Permit Decisions.**

Statutory Authority: 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-6.A.**

Regulation 30-6.A, shall be revised as follows:

A. A Department decision involving the issuance, denial, suspension, or revocation of a permit or certification may be appealed by an affected person with standing pursuant to applicable law, including S.C. Code Title 4448, Chapter 46; Title 1, Chapter 23; and Title 48, Chapter 39.

**Regulation 30-8. Enforcement.**

Statutory Authority: 1976 Code Section(s) 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-8.F. Enforcement Orders and Enforcement Process:**

Regulation 30-8.F(4), shall be revised as follows:

(4) Any persons to whom an order is issued may appeal it pursuant to applicable law, including S.C. Code Title 4448, Chapter 46; Title 1, Chapter 23; and Title 48, Chapter 39.

**Regulation 30-10. Critical Area Boundaries.**

Statutory Authority: 1976 Code Section(s) 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-10.A. Coastal Waters and Tidelands:**

Regulation 30-10.A(2), shall be revised as follows:

(2) Using biological field surveys and aerial photography, the Department has found the point on the upper reaches of the estuarine systems where tideland vegetation changes from predominately brackish to predominately fresh and has established a boundary using the nearest recognizable physical features within this area. This boundary has been posted on an official map in ~~SCDHEC OCRM~~ SSCDES BCM's principal offices of business and is available for public review. An approximate description of this boundary is as follows: On the south at the intersection of the South Carolina-Georgia border and the old track bed of the Seaboard Coastline (SCL), approximately 1.75 miles above the U.S. Highway 17-A bridge across the Savannah River; thence, northeastward along the track bed until its intersection with S. C. 462 near Euhaw Creek; thence, northward along S. C. 462 until its intersection with U.S. Highway 17/U.S. Interstate 95 near Coosawhatchie; thence, northeastward along U.S. 17/U.S. Interstate 95 until U.S. Highway 17 and U.S. Interstate 95 intersect at Point South, thence, northeastward along U.S. 17 until its intersection with S-15-26, approximately two miles east of Green Pond; thence, southward along S-15-26 (Bennetts Point Road) until its intersection with the old SCL track bed near Airy Hall; thence, east-northeastward along the track bed on its intersection with S. C. 174; thence, northward along S. C. 174 for approximately 1.5 miles until its intersection with S. C. 164; thence, east-northeastward approximately three miles along S. C. 164 until its intersection with S. C. 165; thence, northward along S. C. 165 (Bacons Bridge Road) until its intersection with S. C. 642 (Dorchester Road); thence, southeastward along S. C. 642 until its intersection with U.S. Interstate 26; thence, southward along I-26 until its intersection with S. C. 7 (Cosgrove Avenue); thence, northeastward on S. C. 7 until its intersection with the SCL track bed adjacent to S-10-32 (Spruill Avenue); thence, northward along this track bed until its intersection with the Charleston County/Berkeley County line, approximately one-fifth mile north of S-10-13 (Remount Road); thence, east-northeastward along the county line until its intersection with the Cooper River at Goose Creek; thence, eastward by a straight line across the Cooper River and mouth of Yellow House Creek to Jessen Road at the Cainhoy Industrial Park, thence southeastward until its intersection with (Clements Ferry Road); thence,



northeastward along S-8-33 until its intersection with S-8-100 (Resurrection Road) until its intersection with S. C. 41, thence northeastward on S-8-100 (Halfway Creek Road); thence, northeastward along S-8-100 until its intersection with S-10-98 (Guerins Creek Bridge Road); thence, southward along S-10-98 until its intersection with U.S. Highway 17; thence, northeastward along U.S. Highway 17 until its intersection with S-27-30 north of the North Santee River; thence, eastward along S-27-30 for approximately five miles; thence, northward along S-27-30 until its intersection with S-27-18; thence, northwestward along S-27-18 until its intersection with U.S. Highway 17 south of Georgetown, thence northeastward along U.S. Highway 17 (Fraser Street) through Georgetown, thence northeastward along U. S. Highway 17 until the intersection of U.S. Highway 17 Business and U.S. Highway 17 Bypass south of Murrells Inlet; thence, northeastward along U.S. Highway 17 Business (Kings Highway) through Murrells Inlet, Garden City, Surfside Beach, and Myrtle Beach until its intersection U.S. Highway 17 north of Myrtle Beach; thence northeastward along U.S. Highway 17 until its intersection with the South Carolina-North Carolina border. In determining the exact location of this boundary, only those lands seaward of the right-of-way line located on the upstream side of road beds and track beds described shall be included in the tidelands and coastal waters critical areas.

**Regulation 30-11. General Guidelines for all Critical Areas.**

Statutory Authority: 1976 Code Section(s) 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-11.E. Abandoned Vessels and Structures:**

Regulation 30-11.E(1), (2) (4), and (5), shall be revised as follows:

(1) Vessels or structures determined to be abandoned by ~~OCRM~~the Department may be required to be removed from the critical area.

(2) Upon notification by ~~OCRM~~the Department, the owner of the abandoned vessel or structure will have 30 days from date of notification to remove it from the critical area at his or her expense.

(4) Structures, other than watercraft, whose ownership cannot be established may be removed by any person, at their expense, provided notification is provided to ~~OCRM~~the Department prior to removal. Such notification shall include date and method of removal.

(5) ~~OCRM may require a Department~~The Department may require a permit for removal of any vessel or structure if it is deemed that the removal process will significantly impact the surrounding marsh environment.

**Regulation 30-12. Special Project Standards for Tidelands and Coastal Waters.**

Statutory Authority: 1976 Code Section(s) 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-12.A. Docks and Piers:**

Regulation 30-12.A(4)(f), shall be revised as follows:

(f) Project proposals shall include facilities for the proper handling of litter, waste and other refuse in accordance with ~~DHEC~~Department regulations.

**Regulation 30-12.O. Mariculture:**

Regulation 30-12.O(3)(b), shall be revised as follows:

(b) Each mariculture activity must file an operations plan as an addendum to its permit application. This plan must be complete and in the approved format before the application will be placed on public notice. Written confirmation of this by the Department is required. The applicant is advised this list is not all inclusive and other sections of ~~SCDHEC~~the Department, as well as other agencies, may have additional requirements. The plan must address:

**Regulation 30-15. Activities Allowed Seaward of Baseline.**

Statutory Authority: 1976 Code Section(s) 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-15.A. Wooden Walkways:**

Regulation 30-15.A, shall be revised as follows:

A. Wooden Walkways: Wooden walkways no larger in width than six feet are the only structures allowed seaward of the baseline that do not require a ~~SCDHEC-OCRM~~Department permit. See R.30-13(O)(1).

**Regulation 30-15.B. Small Wooden Decks:**

Regulation 30-15.B, shall be revised as follows:

B. Small Wooden Decks: Wooden decks seaward of the baseline require a ~~SCDHEC-OCRM~~Department permit. These decks should be no larger than one hundred and forty-four square feet. See R.30-13(H)(2).

**Regulation 30-15.C. Fishing Piers:**

Regulation 30-15.C, shall be revised as follows:

C. Fishing Piers:

(1) New fishing piers require a ~~SCDHEC-OCRM~~Department permit and must be open to the public. See R.30-13(R).

(2) Those fishing piers with their associated structures including, but not limited to, bait shops, restrooms, restaurants, and arcades which existed September 21, 1989, may be rebuilt if they are constructed to the same dimensions and utilized for the same purposes and remain open to the public. In addition, those fishing piers with their associated structures which existed on September 21, 1989, that were privately owned, privately maintained, and not open to the public on this date may be rebuilt and used for the same purposes if they are constructed to the same dimensions. A ~~SCDHEC-OCRM~~Department permit is required.

**Regulation 30-15.D. Golf Courses:**

Regulation 30-15.D, shall be revised as follows:

D. Golf Courses: Golf Courses require a ~~SCDHEC-OCRM~~Department permit pursuant to the criteria set forth in R.30-13(Q).

**Regulation 30-15.E. Normal Landscaping:**

Regulation 30-15.E, shall be revised as follows:

E. Normal Landscaping: Normal landscaping requires a ~~SCDHEC-OCRM~~Department permit pursuant to the criteria set forth in R.30-13(F).

**Regulation 30-15.F. Special Permits:**

Regulation 30-15.F(6)(b), shall be revised as follows:

(b) Pools: No new pools shall be constructed seaward of the baseline. Pools may be reconstructed, upon obtaining an ~~OCRM~~Department permit, if they are landward of an existing functional erosion control structure or device. The Department may grant a special permit to reconstruct a pool seaward of a habitable structure where such permit meets the conditions of R.30-15(F)(1)-(6) and;

**Regulation 30-17. Application Procedures for General Permits Pursuant to Section 48-39-290(B)(4).**

Statutory Authority: 1976 Code Section(s) 1976 Code Section(s) 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Regulation 30-17.A. General Guidelines:**

Regulation 30-17.A(1), shall be revised as follows:

- (1) Completed ~~SCDHEC-OCRM~~SCDES BCM general permit application form.

Regulation 30-17.A(2), second paragraph shall be revised as follows:

(Applicant) has applied to the Department for a General Permit to (description of activity) at (address or legal description of property) in (city and county). Comments on this application should be mailed to the Department at the following address: (insert local ~~OCRM~~BCM office address), by (insert date, fifteen days after date of certified mailing).