



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL  
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Office of the  
Secretary

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**Secretary's Order No.: 2019-CCE-0038**

**RE: FINAL EXEMPT ORDER: 7 DE Admin. Code 101:  
*Regulations Governing Delaware's Coastal Zone***

**Date of Issuance: September 12, 2019**

**Effective Date of the Amendment: October 11, 2019**

Under the authority vested in the Secretary of the Department of Natural Resources and Environmental Control ("Department" or "DNREC"), pursuant to 7 *Del.C.* §6010 and 29 *Del.C.* §10113(b)(4), DNREC hereby revises Section 101 of Title 7 of the Delaware Administrative Code to correct clerical errors found subsequent to the final adoption of this regulation (as set forth previously in Secretary's Order No. 2019-CCE-0035, August 14, 2019).

**Findings of Fact**

Based on Delaware law and the record as reflected in the prior Secretary's Order referenced above, I make the following findings of fact:

1. The proposed regulation is not in conflict with Delaware law; and
2. The proposed regulation is an appropriate exercise of the Department's responsibilities and authority.

### Decision and Order Concerning the Regulation

**NOW THEREFORE**, under the above-described statutory authority, and for the reasons set forth above, I hereby ORDER that the revisions to 7 DE Admin. Code 101: *Regulations Governing Delaware's Coastal Zone*, be adopted and promulgated as follows, to wit:

1. Section 3.0 shall be modified by removing the phrase, “as shown in Appendix E and F” from the first sentence within the existing regulatory language (as those Appendices no longer exist);
2. Subsection 7.2.4 shall be modified by changing “subsection 6.3” to “subsection 6.1.3” within the existing regulatory language;
3. Subsection 8.4.2.4 shall be modified by removing the word “the” from the following phrase within the existing regulatory language: “...including capital costs, that will be taken to ensure that the any facilities or infrastructures within the zone...;”
4. Subsection 8.4.4 shall be modified by adding a hyphen to the existing regulatory language as follows: “A Department-approved...;”
5. Subsection 8.5.5 shall be modified by capitalizing the word “act” in the following phrase within the existing regulatory language: “...the Secretary shall reply to the request for a Coastal Zone Act permit...;”
6. Subsection 19.1 shall be modified by changing “Section 15.0” to “Section 14.0” within the existing regulatory language;
7. Subsection 2.1 in Appendix C shall be modified by replacing the word “an” with “and” in the following phrase within the existing regulatory language: “Conversion permits are subject to special requirements as provided for in the statute ~~an~~ and as described in...;” and

8. Subsection 5.1 in Appendix C shall be modified by replacing the word “we” with “as” in the following phrase within the existing regulatory language: “As a result, a permit applicant must attempt to identify offset projects that are as geographically close as possible to the impact, ~~we~~ as well as projects that are in the same....”

The effective date of this Order is ten (10) days from the date of its publication in the *Delaware Register of Regulations*, in accordance with 29 *Del.C.* §10118(g).

A handwritten signature in blue ink, appearing to read 'S.M. Garvin', is written over a horizontal line.

Shawn M. Garvin  
Secretary

