

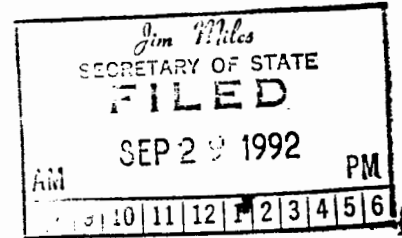
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Executive Department

STATE DOCUMENTS



State of South Carolina

EXECUTIVE ORDER NO. 92-19

WHEREAS, the federal Flood Disaster Protection Act of 1973 (P.L. 93-234), hereinafter "Act", exempts State governments from the requirement to purchase federally sponsored flood insurance on State-owned properties if the Administrator of the Federal Emergency Management Agency determines that such properties are adequately covered under existing state insurance funds; and

WHEREAS, the exemption requires the State to provide flood insurance on State-owned structures and their contents located or to be located in identified flood prone areas and implement flood plain management standards in accordance with the criteria established pursuant to 44 C.F.R. § 60.12; and

WHEREAS, Executive Order 82-19 established a Board consisting of the State Engineer, Deputy Highway Engineer, State Insurance Manager of the Division of General Services, Water Resources Commissioner and the Governor's Office on the Board to consider the issuance of variances under 44 C.F.R. § 60.6; and

WHEREAS, the Board has issued a variance to the South Carolina Ports Authority for the Columbus Street Engine House; and

WHEREAS, the marine terminal operation meets requirements of the federal exemption; and

WHEREAS, the South Carolina Ports Authority also desires an exemption from the Flood Plain Regulations for its marine terminal operations since its facilities are necessary for the loading and unloading of cargo; and

WHEREAS, the failure to grant the Ports Authority an exemption would result in an exceptional hardship to this State; and

WHEREAS, an exemption of the South Carolina Ports Authority from the requirements of the Flood Plains Regulations would not result in increased flood heights, extraordinary public expense, or create additional threats to public safety and would not conflict with local laws or ordinances; and

WHEREAS, the Ports Authority is a state agency unique in its requirements for property and delivery of services including the loading and unloading of cargo and passengers at or near sea level.

NOW, THEREFORE, pursuant to the powers conferred upon me by the Constitution and Laws of South Carolina, as Governor of this State, I hereby grant the necessary exemption and/or variance to the South Carolina Ports Authority marine terminal operations from those requirements and regulations of the Act and subsequent regulations adopted pursuant to the Act.

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This order in no way alters the authority of the Board created under Executive Order 82-19 from issuing additional variances to other state agencies consistent with state procedures and federal rules.

This Order shall take effect immediately upon signature.


GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, AT COLUMBIA, SOUTH CAROLINA, THIS

28th DAY OF September 1992.



CARROLL A. CAMPBELL, JR.
GOVERNOR

ATTEST:



JAMES M. MILES
SECRETARY OF STATE