

Application for Encroachment Permit

S.C. Department of Transportation
Form 637 (Rev 09/2015)

Contact Information

Applicant: Town of Andrews | Frank M
 Street: 101 N. Morgan Ave | PO Box 378
 City: Andrews
 State: SC Zip Code: 29510
 Phone: (843)545-3325 Fax:
 Email: fmccclary@townofandrews.sc.gov
 Contact: Shaun Cavey, PE (Stantec)

Project Location

Primary County: Georgetown

County	Road Name
Georgetown	Myrtle Rd (S-131)
Georgetown	W Hemlock St (S-201)
Georgetown	Hazel Ave (S-345)
Georgetown	W Cottonwood St (S-135)
Georgetown	W Elmwood St (S-68)

1. Type of DRAINAGE

Encroachment:

The proposed is a stormwater infrastructure encroachment. The proposed project will improve storm drainage within the residential areas of the town of Andrews.

2. Description of Location:

The proposed project will encroach the SCDOT roads (listed above) at various locations (see attached drainage plans). The proposed storm drainage pipes will cross the listed roads to convey stormwater to the downstream outfall.

(Attach sketch indicating roadway features such as: pavement width, shoulder width, sidewalk and curb and gutter location, significant drainage structure, north arrow, right of way width, and location of the proposed encroachment with respect to the roadway centerline and the nearest intersecting road on the State system.)

3. The undersigned applicant hereby requests the SCDOT to permit encroachment on the SCDOT right of way as described herein. It is expressly understood that the encroachment, if and when constructed, shall be installed in accordance with the sketch attached hereto and made a part hereof. The applicant agrees to comply with and be bound by the SCDOT's "A Policy for Accommodating Utilities on Highways Rights of way", "Standard Specifications for Highway Construction", the "General Provisions" and "Special Provisions", attached hereto or made a part hereof by reference, during the installation, operation and maintenance of said encroachment within the SCDOT's Right of Way. **DISCHARGES OF STORM WATER AND NON-STORM WATER:** Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit(s) issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. The encroachment permit will not be issued until the applicant has received an NPDES construction permit from SC Department of Health and Environmental Control.

Applicant's Name: Frank McClary
(Please print or type)

Date: 11-4-2020

Applicant's Sig.

Title: Mayor

For Office Use Only

See Attached Special Provision and/or Permit Requirements

NPDES Permit
Nbr:

(Date received by res. Maint. Engr.)

Timothy W. Britt
Engr.) (SCDOT Approval)

6-8-2022

(Date)

General Provisions

Application for Encroachment Permit
General Provisions

1. **DEFINITIONS:** The word "Permittee" used herein shall mean the name of the person, firm, or corporation to whom this permit is addressed, his, her, its, heirs, personal representatives, successors and assigns. The word "DEPARTMENT" shall mean the South Carolina Department of Transportation.
2. **NOTICE PRIOR TO STARTING WORK:** Before starting the work contemplated herein within the limits of the highway right of way, the Department's Resident Maintenance Engineer in the county in which the proposed work is located shall be notified 24 hours in advance so that he may be present while the work is under way.
3. **PERMIT SUBJECT TO INSPECTION:** This permit shall be kept at the site of the work at all times while said work is under way and must be shown to any representative of the Department or law enforcement officer on demand.
4. **PROTECTION OF HIGHWAY TRAFFIC:** The applicant shall be responsible for the protection of the highway traffic at all times during the construction, maintenance, removing or moving of the encroachment permitted herein. Detours, barricades, warning signs and flagmen, as necessary, shall be provided by and at the expense of the Permittee and shall be in accordance with the "Manual on Uniform Traffic Control Devices" (MUTCD). The work shall be planned and carried out so that there will be the least possible inconvenience to the motoring public. The Permittee agrees to observe all rules and regulations of the Department while carrying on the work contemplated herein and take all other precautions that circumstances warrant.
5. **STANDARDS OF CONSTRUCTION:** All work shall conform to the Department's standards of construction and shall be performed in a workman-like manner. The applicant shall make adequate provisions for maintaining the proper drainage of the highway as it may be affected by the encroachment permitted herein. All work shall be subject to the supervision and satisfaction of the Department.
6. **FUTURE MOVING OF PHYSICAL APPURTENANCES:** If, in the opinion of the State Highway Engineer, it should ever become necessary to move or remove the physical appurtenances, or any part thereof contemplated herein, on account of change in location of the highway, widening of the highway, or for any other sufficient reason, such moving shall be done on demand of the Department at the expense of the Permittee.
7. **RESTORATION OF HIGHWAY FACILITIES UPON MOVING OR REMOVING OF PHYSICAL APPURTENANCES:** If, and when, the physical appurtenances contemplated herein shall be moved or removed, either on the demand of the Department or at the option of the Permittee, the highway and facilities shall immediately be restored to their original condition at the expense of the Permittee.
8. **COSTS:** All work in connection with the construction, maintenance, moving or removing of the physical appurtenances contemplated herein shall be done by and at the expense of the Permittee.
9. **ADDITIONAL PERMISSIONS:**
 - (a) It is distinctly understood that this permit does not in any way grant or release any rights lawfully possessed by the abutting property owners. The Permittee shall secure any such rights, as necessary, from said abutting property owners.
 - (b) The Permittee shall be responsible for obtaining all other approvals or permits necessary for installation of the encroachment from other government entities.

(c) There shall be no excavation of soil nearer than two feet to any public utility line or appurtenant facility except with the consent of the owner thereof, or except upon special permission of this Department after an opportunity to be heard is given the owner of such line or appurtenant facility.

10. **ADDITIONAL WORK PERFORMANCE:**

(a) All crossings over the highway shall be constructed in accordance with "Specifications for Overhead Crossings of Light and Power Transmission Lines and Telegraph Lines over each other and over Highway Rights of Way in South Carolina," as approved by the Public Service Commission of South Carolina and effective as of date of this permit.

(b) All tunneling, boring, or jacking shall be done in such a way as not to disturb the highway surfacing.

(c) No pavement shall be cut unless specifically authorized herein.

(d) No excavation shall be nearer than three feet to the edge of pavement unless specifically authorized herein.

(e) Underground facilities will be located at minimum depths as defined in the "Utility Accommodations Manual" for the transmittant, generally as follows: 4 feet minimum for hazardous or dangerous transmittant, 3 feet minimum for other lines. The Department may approve shallower depths if adequate protection is provided. Such approval must be obtained in writing.

(f) Service and other small diameter pipes shall be jacked, driven, or otherwise forced underneath the pavements on any surfaced road without disturbing the pavement. The section under the highway pavement and within a distance of three (3) feet on either side shall be continuous without joints.

11. **ACCESS:**

(a) Permittee is responsible for maintaining reasonable access to private driveways during construction.

(b) It is expressly provided that, with respect to any limited access highway, the Permittee shall not have or gain access from the main traveled way of the highway, or the on or off ramps to such facility, except upon approval by the Department.

12. **DRIVEWAYS:**

(a) The existing crown of the highway shall be continued to the outside shoulder line of the highway.

(b) If the driveway or approach is concrete pavement, the pavement shall be constructed at least 6 inches thick and with a minimum of class 2500 concrete. There shall be a bituminous expansion joint, not less than 3/4 inches in thickness, placed between the highway paving and the paving of the approach for the full width of the approach.

13. **BEAUTIFICATION:**

(a) All trees, plants, flowers, etc. shall be placed in accordance with the provisions specifically stipulated herein.

(b) All trees, plants, flowers, etc. shall be maintained by, and at the expense of, the Permittee and the provisions of this permit shall become null and void, if and when said Permittee ceases to maintain aid trees, plants, flowers, etc.

14. **AS-BUILT PLANS:**

(a) The applicant shall provide the Department with survey-quality as-built plans in accordance with the requirements set forth in the Department's "A Policy for Accommodating Utilities on Highway Rights of Way".



September 23, 2021

Frank McClary
Town of Andrews
101 N Morgan Ave
PO Box 278
Andrews, SC 29510

RE: Town of Andrews Drainage Improvements Phase 2, Georgetown County
NPDES Coverage Number: SCR10Z900

Dear Frank McClary:

The Department of Health and Environmental Control (Department or DHEC) has approved the Stormwater Pollution Prevention Plan (SWPPP) for the referenced project on **September 23, 2021 WITHOUT REVIEW**. Based on your submission of the Notice of Intent (NOI) and in accordance with the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP), this project has been granted coverage under the CGP. This project's general permit coverage number is **SCR10Z900**. The total disturbed area for this site is **13.2 acres**.

See attached DHEC Office of Ocean and Coastal Resource Management (DHEC-OCRM) certification dated September 23, 2021 for additional conditions related to the Coastal Zone Consistency determination.

Because this project is part of a larger common plan for development or sale (LCP), all applications for future land-disturbing activities that are part of this LCP (phases, outparcels, etc.) should include the above-referenced NPDES coverage number SCR10Z900 and project name Town of Andrews Drainage Improvements Phase 2.

The CGP can be downloaded at the following website: <http://www.scdhec.gov/Environment/docs/CGP-permit.pdf> or you may request a copy from us via email (stormwatercgp@dhec.sc.gov). You are responsible for ensuring your contractor(s) complies with the approved SWPPP and the minimum requirements of the CGP. Also, you are responsible for overall compliance with the Storm Water Management and Sediment Reduction Act of 1991 (1991 Act), SC Pollution Control Act, and the Federal Clean Water Act (CWA). Failure to comply with the approved SWPPP or applicable statutes and regulations may result in enforcement actions.

You must notify the local DHEC EA office prior to starting any land-disturbing activity. The address and telephone number are as follows:

Pee Dee EA Myrtle Beach
927 Shine Avenue
Myrtle Beach, SC 29577
843-238-4378

Inspections of this site must be performed by qualified personnel as described in Section 4.2.E of the CGP.

You should be aware that this approval is only applicable for the SWPPP that was submitted for this project. Any additional construction or land disturbing activity beyond the scope of the approved plans is not authorized. Any future work for this project not shown on the stamped, approved plans will require that you submit another site plan for review and approval. All major modifications require review and approval by the Department. Minor modifications to the approved SWPPP may be made by the SWPPP preparer and do not require review and approval by the Department; these changes should be signed and dated by the SWPPP preparer. If you have a question about whether a modification is major or minor, contact the Coastal Stormwater Permitting Section at (843) 953-0200.

A copy of the stamped, approved SWPPP (including a copy of the CGP, contractor certifications, inspection records, rainfall data, etc.), NOI, and CGP coverage letter from DHEC must be retained and available at the construction site (or accessible within 30 minutes during normal business hours) from the date of commencement of construction activities to the date of final stabilization. If an on-site location is unavailable to store the SWPPP when no personnel are present, notice of the plan's location must be posted near the main entrance at the construction site.

All contractors who will conduct land-disturbing activities at the site must complete a Contractor Certification Form. You are also responsible for listing all contractors in the SWPPP and for holding a pre-construction conference with each contractor before they can conduct land-disturbing activity at the site.

The Department may conduct periodic inspections of your site. Any violations found during these inspections may result in enforcement action.

This NPDES coverage should be terminated by the permittee when the conditions listed in Section 5.1 of the CGP have been met. You must submit a Notice of Termination (NOT) to cancel your NPDES coverage under the CGP. Please see section 5.1 of the CGP for additional information required to be submitted with the NOT.

You are responsible for obtaining any other federal, state, or local permit that may be required for this project. In particular, any permits through the U.S. Army Corps of Engineers for the placement of fill material in Waters of the United States. Please note we have not sent a copy of this letter to any county or city building official. You must send a copy of this letter to these agencies, if necessary.

If material excavated during construction activities leaves the site, a mine operating permit may be needed. You are responsible for contacting the Mining and Reclamation Section to determine if a mining permit is required for the site. The Mining and Reclamation Section can be reached at (803)898-1362 or via e-mail at AskMines@dhec.sc.gov.

Please see the enclosed "Guide to Board Review" document for information about the procedures for appealing this NPDES coverage.

If you have any questions or cannot access the referenced websites, please call me at 843-953-0238.

Sincerely,

George M. Cox
Coastal Stormwater Permitting Section

EC: Marshall Wynne, Stantec Consulting Services Inc.
Shauna Stevens, Pee Dee EA Myrtle Beach



NOTICE OF INTENT (NOI)
For Coverage(s) of Primary Permittees
Under South Carolina NPDES General Permit
For Stormwater Discharges From Construction Activities SCR100000
(Maintain As Part of On-Site SWPPP)

For Official Use Only

File Number: _____
Permit Number: SCR10
Submittal Package Complete: _____



DAM SAFETY AND STORMWATER PERMITTING
DIVISION
CONSTRUCTION STORMWATER PERMITTING
APPROVED - FOR CONSTRUCTION ONLY

Submission of this Notice of Intent constitutes notice that the Applicant identified in Section II intends to be authorized as a Primary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. Fees required for review and NPDES coverage of each application type are as listed on page 2 of the Instructions.

DHEC Permit # SCR10Z900
Date Issued September 23, 2021
Reviewer _____
Without Review

Date: 10/22/2020

Project/Site Name: Town of Andrews Drainage Improvements - Phase 2

County: Georgetown

(Modification or Change of Information Only) Prior Approved NPDES Permit or File Number: _____

Do you want this project to be considered for the Expedited Review Program (ERP)? ☐ Yes or ☒ No (See Instructions)

I. Notice of Intent (NOI) Application Type(s)

A. Project (Application/Review) Type(s) (Select ALL that apply):

- ☒ New Project (Initial Notification) Ongoing Project: ☐ Permitted or ☐ Un-Permitted
☐ Late Notification ☐ Low Impact Development (LID) or Project Design Above Regulatory Requirements
☐ New Owner/Operator or Company Name Change (see instructions, attach Form A (Transfer of Ownership))
☐ Major Modification: (see instructions, attach Form B (Major Modifications))
☐ MS4 Project Review
☒ Ocean and Coastal Resource Management (OCRM) Review
☐ Change of Information/Other (Specify): _____

B. If Applicable, identify the entity designated as MS4 Reviewer and MS4 Operator (i.e., Lexington County, City of Greer, etc.): MS4 Reviewer _____ MS4 Operator _____

II. Primary Permittee Information

☒ Person or ☐ Company

If a Company, are you a ☐ Lending Institution or ☒ Government Entity?
Company EIN (if applicable): EIN: _____

☐ Change of Information

A. Primary Permittee Name: Town of Andrews

Mailing Address: 101 N. Morgan Ave | PO Box 378 City: Andrews State: SC Zip: 29510
Phone: 843-545-3325 Fax: _____ Email Address: EMCCLARY@TOWNOFANDREWS.SC.GOV

B. Contact /ODSA Name (If different from above OR if owner is a company): Frank McClary | Mayor

Mailing Address: same as above City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email Address: _____

C. Property Owner Name (If different from above): _____

Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email Address: _____

III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information ☐ Change of Information

A. C-SWPPP Preparer Name: Shaun Cavity, PE Marshall Wynne, P.E.

B. Registered Professional ☒ Engineer ☐ Landscape Architect ☐ Tier B Land Surveyor S. C. Registration #: 21095 35909

C. Company/Firm Name: Stantec Consulting Services Inc. S. C. COA #: C02310

Mailing Address: 4969 Centre Pointe Drive, Suite 200 City: North Charleston State: SC Zip: 29418
Phone: 843-740-7700 Fax: 843-740-7707 Email Address: shaun.cavity@stantec.com
marshall.wynne@stantec.com ☐ Change of Information

IV. Project/Site Information

A. Type of Construction Activity(ies) (Select ALL that apply):

- ☐ Commercial ☐ Industrial ☐ Institutional ☐ Mass Grading ☒ Linear ☐ Utility/Infrastructure
☐ Residential: Single-family ☐ Residential: Multi-family ☐ Multi-use (Commercial & Residential)
☐ Site Preparation (No New Impervious Area) ☐ Other (Specify) _____

B. Site Address/Location (street address, nearest intersection, etc.) Intersection of Myrtle Road and S. Hazel Ave.

City/Town (if in limits): Town of Andrews

Zip Code: 29510

Latitude: 33° 26' 35" N Longitude: - 79° 34' 18" W (Source): ☐ GPS ☒ Web Site: Google Maps

Tax Map Number (s) (List all): See attached property list

- C. Is this site located on **Indian Land**? ☐ Yes ☒ No
- D. **Proposed Start Date:** 06/01/2021 **Proposed Completion Date:** 06-01-2022
- E. **Disturbed Area** (nearest tenth of an acre): 13.2 **Total Area** (acres): 43.2
- F. **Modification Only:** (nearest tenth of an acre): **Disturbed Area: Current (Approved) Area:** **Disturbed Area Change (Increase Only):** **Total Disturbed Area (After Change):**
- G. Is this project part of a **Larger Common Plan for Development or Sale (LCP)**? ☒ Yes ☐ No
LCP/ Overall Development Name: Town of Andrews Drainage Imp Check here if this is the **First Phase.** ☒
- Previous State Permit/File Number:** **Previous NPDES Coverage Number:** SCR10

- H. Any **Flooding Problems** exist downstream of or adjacent to this site? ☒ Yes ☐ No (If yes, provide detailed description of flooding problems and applicable floodway/flood zone information in the C-SWPPP).
- I. Active **S.C. DHEC Warning Notice, Notice to Comply or Notice of Violation** for this site or LCP? ☐ Yes ☒ No
- J. List Relevant **State and Federal Environmental Permits or Approvals** applied for or obtained for this site (e.g., RCRA, USACOE, Nationwide, etc.). If None, list None.
 USACOE JD Pending
- K. **Any Waiver(s)/Variances/Exceptions Requested for this Project?** (If yes, identify below and include **Waiver Request and Justifications** in the C-SWPPP for each proposed request).

1. Small Construction Activity Waiver(s) From NPDES permitting (**Section 1.4 & Appendix B**)? ☐ Yes ☒ No
 If yes, identify requested waiver: ☐ Rainfall Erosivity Waiver ☐ TMDL Waiver ☐ Equivalent Analysis Waiver
2. Detention Waiver (**72-302(B)**)? ☐ Yes ☒ No
3. Other (Specify):

V. Waterbody Information (Attach additional sheet(s) as needed)

☐ **Change of Information**

- A. **Receiving Waterbody(s) (RWB) Information** (List the nearest and next nearest receiving waterbodies to which the sites stormwater discharges will drain. If stormwater discharges drain to multiple waterbodies, list all such waterbodies).

1. Name of Receiving Waterbodies (RWB)	2. Distance to RWB (feet)	3. Classification of RWB
a. Nearest: Unnamed Trib to Johnson Swamp	2100	N/A
b. Next Nearest: Johnson Swamp	9504	FWsp
c. Coastal Zone ONLY: Coastal Receiving Water (CRW): Black River	38,500	Not Applicable
d. Other Waterbodies:		

- B. **Waters of the U.S. / State Information** (Attach additional sheet(s) as needed)

Waters of the U.S. / State	1. On the site?	2. Delineated/ Identified?	3. Impacts?	4. Amount of impacts
a. Jurisdictional wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.49 Ac
b. Non-jurisdictional wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.28 Ac
c. Other Water(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Ac Feet
d. Coastal Zone ONLY: Direct Critical Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Ac Feet

5. If yes for impacts in B.3, describe each impact and activity, and list all permits (e.g., USACOE Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact: Nationwide Permit #14.

SAC-2020-01235 (0.29 acres fill + 0.20 acres excavation impacts); 0.28 acres non jurisdictional impacts

- C. **S.C. Navigable Waters (SCNW) Information (Section 2.6.5)** The Department will address any issues related to State Navigable Waters' Program under SC Regulation 19-450 during the review of the C-SWPPP for activities that will **NOT** require a 404 permit or a 401 certification. (Attach additional sheet(s) as needed).

1. Are **S.C. Navigable Waters (SCNW)** on the site? ☐ Yes ☒ No

a. If no, do not complete this question. Proceed to Section D (Impaired Waterbodies).

b. If yes, provide the name of S.C. Navigable Waters (SCNW) on the site:

2. If yes for C.1, will construction activities cross over or occur in, under, or thru the SCNW? ☐ Yes ☐ No
 If yes, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.) and proceed to Section C.3:

3. Identify permits providing coverage of SCNW activities proposed for your site. If NONE, list none.

Permits/Certifications	Permit or Certification No.	Corresponding Covered SCNW Activity(ies)
a. DHEC General/ Other DHEC Permit		
b. USACOE 404 Permit or 401 Certification		
c. SCNW Permit If applied for or issued, identify Date applied for or issued:		<input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe):
d. If a SCNW Permit has NOT been applied for provide an additional plan sheet that shows plan and profile views (drawn to scale) of the SCNW and associated activities. Include a description of all proposed activities on this plan.		

D. Impaired Waterbodies Information (Attach additional sheets as needed)

1. 303(d) Listed Impaired Waterbodies

a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4 and the Name of the Corresponding Waterbody?		b. Is this WQMS(s) listed on the <u>most current</u> 303(d) list? If No, proceed to Section 2 of this table. If Yes, complete items c thru f.	c. List the pollutant(s) identified as "CAUSES" of the impairment	d. Will any pollutants causing the impairment be present in your site's construction stormwater discharges?	e. If yes for d, list the "USE SUPPORT" impairment(s) affected by the pollutant(s) identified in c.
PD-694-626	Black River	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	HG BASH	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FISH
PD-046	Black River	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	HG BASH	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FISH -
PD-325	Black River	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	EVERO BASH	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	REC

f. If yes for d above, will use of the BMPs proposed for your project ensure the site's discharges will **NOT** contribute to or cause further WQS violations for the impairment(s) listed in c? ☒ Yes ☐ No
 (NOTE: If no for f, this site is NOT eligible for coverage under the CGP. See Instructions.)

2. TMDL Impaired Waterbodies

a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4?	b. Has a TMDL(s) been developed for this WQMS(s)? If No, identify as such below and proceed to Section VI. If Yes, complete items c thru f of this table.	c. If yes for b, what pollutants are listed as "CAUSES" or causing the impairment?	d. If yes for b, has the standard been "ATTAINED" or "Fully Supported" for the impairment(s)?	e. If no for d (Not Attained), will any pollutants causing the impairment be present in your site's construction stormwater discharges?
PD-694-626	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PD-046	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PD-325	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

f. If yes for e above, are your discharges consistent with the assumptions and requirements of the TMDL(s)? ☒ Yes ☐ No
 (NOTE: If no for f, this site is NOT eligible for coverage under the CGP. See Instructions.)

VI.
RMM

Signatures and Certifications. DO NOT SIGN IN BLACK INK! Read the Certifications below (in entirety). Provide date, printed name, and signatures below. If you are a New Owner/Operator, as Primary Permittee you must also sign and date the applicable Comprehensive SWPPP Acceptance & Compliance Agreement below.

C-SWPPP PREPARER: "One copy of the C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III).

Marshall Wynne, P.E.
Shaun Cawey, PE

Signature of C-SWPPP Preparer

S. C. Registration #

35909

PRIMARY PERMITTEE: "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I or I (on behalf of my company and its contractors and agents), as the case may be, also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the to S. C. Department of Health and Environmental Control (DHEC) and/or the local implementing agency the right of access to the site at all times for the purpose of on site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity." (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.) Having understood the above information, I am signing this certification as Primary Permittee to the aforementioned NPDES general permit."

Printed Name of Primary Permittee
Signature of Primary Permittee

Mayer, Town of Andrews

Title/Position

Date Signed

11-4-2020

Coastal Zone Consistency Determination

To: George M. Cox, BOW Coastal Stormwater Permitting Section

From: Benjamin Thépaut, OCRM Coastal Zone Consistency Section *BT*

Applicant: Frank McClary, Town of Andrews

Project Name: Town of Andrews Drainage Improvements Phase 2

Finding: Conditionally Consistent with the SC Coastal Zone Management Program

Site Location: Intersection of Myrtle Road and S Hazel Ave., Town of Andrews, Georgetown County, South Carolina
(TMS#: SCDOT-ROW; TMS-ID: 01-44 Affected Property Owners Summary)

Reference #: HP4-DEFX-PPN90

Date: September 22, 2021

The staff of the Office of Ocean and Coastal Resource Management (OCRM) reviewed the above referenced Coastal Zone Consistency project request for land disturbance associated with construction of new public drainage project. Construction activities include stormwater and flooding mitigation activities. Stormwater Management includes open channel ditch widening and road access, as well as underground stormwater pipe. **This project will permanently impact 0.49 acres of jurisdictional wetlands and 0.28 acres of non-jurisdictional (excluded) isolated wetlands.** Previous wetland impacts were reviewed under Town of Andrews Drainage Improvements Phase 2 (HPB-F3BJ-DBT68). The total area of disturbance will be 13.2 acres of a 13.2 acre project site.

We hereby certify that the above referenced project is **Conditionally Consistent** with the ***Guidelines for Evaluation of All Projects*** as well as the Transportation Facilities (*Roads*), Activities in Areas of Special Resource Significance (*Wetlands*), and Stormwater Management (*Runoff*) policies contained in the S.C. Coastal Zone Management Program provided the following conditions are included in the permits and adhered to by the applicant.

1. In the event that any historic or cultural resources and/or archaeological materials are found during the course of work, the applicant must notify the State Historic Preservation Office and the South Carolina Institute of Archaeology and Anthropology. Historic or cultural resources consist of those sites listed in the National Register of Historic Places and those sites that are eligible for the National Register. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone

projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials.

2. The project must be consistent with State Stormwater Permitting requirements during and post construction for protection of water quality.
3. All construction BMPs must be installed, inspected and maintained to hold sediment onsite and to protect any adjacent or downstream critical area, wetlands and waters through the life of the project. Upon completion of construction activities, all disturbed (includes undeveloped) areas, including those impacted for access, must be immediately stabilized.
4. The project must be fully consistent with local zoning and comprehensive plans prior to work being conducted.
5. Prior to land disturbance and impacts to jurisdictional wetlands of 0.49 acres, applicant must fully comply with all general, special and regional terms and conditions of the US Army Corps of Engineers Permit (SAC-2020-01235) as well as SCDHEC requirements for Water Quality and Coastal Zone Certifications.
6. Mitigation for the 0.28 acres of isolated non-jurisdictional freshwater wetland impacts will be provided through the purchase of 6.2 credits from an approved mitigation bank. Proof of purchase of the required mitigation credits must be submitted to this office prior to beginning work on the project.

This determination shall serve as the SCDHEC OCRM Coastal Zone Consistency Determination for the work described above. However, this determination **does not** serve as a Department permitting decision and **does not** alleviate the applicant's responsibility to obtain any applicable State or Federal permit(s) for the work. Local government authorizations **may also** be required.

South Carolina Board of Health and Environmental Control
Guide to Board Review
Pursuant to S.C. Code Ann. § 44-1-60

The decision of the South Carolina Department of Health and Environmental Control (Department) becomes the final agency decision fifteen (15) calendar days after notice of the decision has been mailed to the applicant, permittee, licensee and affected persons who have requested in writing to be notified, unless a written request for final review accompanied by a filing fee in the amount of \$100 is filed with Department by the applicant, permittee, licensee or affected person.

Applicants, permittees, licensees, and affected parties are encouraged to engage in mediation or settlement discussions during the final review process.

If the Board declines in writing to schedule a final review conference, the Department's decision becomes the final agency decision and an applicant, permittee, licensee, or affected person may request a contested case hearing before the Administrative Law Court within thirty (30) calendar days after notice is mailed that the Board declined to hold a final review conference. In matters pertaining to decisions under the South Carolina Mining Act, appeals should be made to the South Carolina Mining Council.

I. Filing of Request for Final Review

1. A written Request for Final Review (RFR) and the required filing fee of one hundred dollars (\$100) must be received by Clerk of the Board within fifteen (15) calendar days after notice of the staff decision has been mailed to the applicant, permittee, licensee, or affected persons. If the 15th day occurs on a weekend or State holiday, the RFR must be received by the Clerk on the next working day. RFRs will not be accepted after 5:00 p.m.
2. RFRs shall be in writing and should include, at a minimum, the following information:
 - The grounds for amending, modifying, or rescinding the staff decision;
 - a statement of any significant issues or factors the Board should consider in deciding how to handle the matter;
 - the relief requested;
 - a copy of the decision for which review is requested; and
 - mailing address, email address, if applicable, and phone number(s) at which the requestor can be contacted.
3. RFRs should be filed in person or by mail at the following address:

South Carolina Board of Health and Environmental Control
Attention: Clerk of the Board
2600 Bull Street
Columbia, South Carolina 29201

Alternatively, RFR's may be filed with the Clerk by facsimile (803-898-3393) or by electronic mail (boardclerk@dhec.sc.gov).
4. The filing fee may be paid by cash, check or credit card and must be received by the 15th day.
5. If there is any perceived discrepancy in compliance with this RFR filing procedure, the Clerk should consult with the Chairman or, if the Chairman is unavailable, the Vice-Chairman. The Chairman or the Vice-Chairman will determine whether the RFR is timely and properly filed and direct the Clerk to (1) process the RFR for consideration by the Board or (2) return the RFR and filing fee to the requestor with a cover letter explaining why the RFR was not timely or properly filed. Processing an RFR for consideration by the Board shall not be interpreted as a waiver of any claim or defense by the agency in subsequent proceedings concerning the RFR.
6. If the RFR will be processed for Board consideration, the Clerk will send an Acknowledgement of RFR to the Requestor and the applicant, permittee, or licensee, if other than the Requestor. All personal and financial identifying information will be redacted from the RFR and accompanying documentation before the RFR is released to the Board, Department staff or the public.
7. If an RFR pertains to an emergency order, the Clerk will, upon receipt, immediately provide a copy of the RFR to all Board members. The Chairman, or in his or her absence, the Vice-Chairman shall based on the circumstances, decide whether to refer the RFR to the RFR Committee for expedited review or to decline in writing to schedule a Final Review Conference. If the Chairman or Vice-Chairman determines review by the RFR Committee is appropriate, the Clerk will forward a copy of the RFR to Department staff and Office of General Counsel. A Department response and RFR Committee review will be provided on an expedited schedule defined by the Chairman or Vice-Chairman.
8. The Clerk will email the RFR to staff and Office of General Counsel and request a Department Response within eight (8) working days. Upon receipt of the Department Response, the Clerk will forward the RFR and Department Response to all Board members for review, and all Board members will confirm receipt of the RFR to the Clerk by email. If a Board member does not confirm receipt of the RFR within a twenty-four (24) hour period, the Clerk will contact the Board member and confirm receipt. If a Board member believes the RFR should be considered by the RFR Committee, he or she will respond to the Clerk's email within forty-eight (48) hours and will request further review. If no Board member requests further review of the RFR within the forty-eight (48) hour period, the Clerk will send a letter by certified mail to the Requestor, with copy by

regular mail to the applicant, permittee, or licensee, if not the Requestor, stating the Board will not hold a Final Review Conference. Contested case guidance will be included within the letter.

NOTE: If the time periods described above end on a weekend or State holiday, the time is automatically extended to 5:00 p.m. on the next business day.

9. If the RFR is to be considered by the RFR Committee, the Clerk will notify the Presiding Member of the RFR Committee and the Chairman that further review is requested by the Board. RFR Committee meetings are open to the public and will be public noticed at least 24 hours in advance.
10. Following RFR Committee or Board consideration of the RFR, if it is determined no Conference will be held, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, stating the Board will not hold a Conference. Contested case guidance will be included within the letter.

II. Final Review Conference Scheduling

1. If a Conference will be held, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, informing the Requestor of the determination.
2. The Clerk will request Department staff provide the Administrative Record.
3. The Clerk will send Notice of Final Review Conference to the parties at least ten (10) days before the Conference. The Conference will be publicly noticed and should:
 - include the place, date and time of the Conference;
 - state the presentation times allowed in the Conference;
 - state evidence may be presented at the Conference;
 - if the conference will be held by committee, include a copy of the Chairman's order appointing the committee; and
 - inform the Requestor of his or her right to request a transcript of the proceedings of the Conference prepared at Requestor's expense.
4. If a party requests a transcript of the proceedings of the Conference and agrees to pay all related costs in writing, including costs for the transcript, the Clerk will schedule a court reporter for the Conference.

III. Final Review Conference and Decision

1. The order of presentation in the Conference will, subject to the presiding officer's discretion, be as follows:
 - Department staff will provide an overview of the staff decision and the applicable law to include [10 minutes]:
 - Type of decision (permit, enforcement, etc.) and description of the program.
 - Parties
 - Description of facility/site
 - Applicable statutes and regulations
 - Decision and materials relied upon in the administrative record to support the staff decision.
 - Requestor(s) will state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. [15 minutes] *NOTE: The burden of proof is on the Requestor(s)*
 - Rebuttal by Department staff [15 minutes]
 - Rebuttal by Requestor(s) [10 minutes]

Note: Times noted in brackets are for information only and are superseded by times stated in the Notice of Final Review Conference or by the presiding officer.
2. Parties may present evidence during the conference; however, the rules of evidence do not apply.
3. At any time during the conference, the officers conducting the Conference may request additional information and may question the Requestor, the staff, and anyone else providing information at the Conference.
4. The presiding officer, in his or her sole discretion, may allow additional time for presentations and may impose time limits on the Conference.
5. All Conferences are open to the public.
6. The officers may deliberate in closed session.
7. The officers may announce the decision at the conclusion of the Conference or it may be reserved for consideration.
8. The Clerk will mail the written final agency decision (FAD) to parties within 30 days after the Conference. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court or in matters pertaining to decisions under the South Carolina Mining Act, to request a hearing before the South Carolina Mining Council. The FAD will be sent by certified mail, return receipt requested.
9. Communications may also be sent by electronic mail, in addition to the forms stated herein, when electronic mail addresses are provided to the Clerk.

The above information is provided as a courtesy; parties are responsible for complying with all applicable legal requirements.



August 27, 2021

Mr. Ray Funnye
Georgetown County
PO Box 421270
Georgetown, SC 29442
Rcfunnye@gtcounty.org

Re: 401 Certification for Authorization To Impact Not More Than 0.49 acre of Waters of The US, Including Wetlands Pursuant to Nationwide Permit 14 (Linear Transportation Projects)

Applicant Permit ID No.: SAC 2020-01235

Applicant: Georgetown County

County: Georgetown

Project: Town of Andrews Drainage Improvement

Dear Mr. Funnye:

The US Army Corps of Engineers (Corps) issued a final notice in the Federal Register on January 6, 2017 reissuing the Corps' Nationwide Permits (NWP). NWP authorize activities that have minimal individual and cumulative adverse effects on the aquatic environment. On March 7, 2017, the South Carolina Department of Health and Environmental Control (Department) certified the NWP in accordance with Section 401 of the Clean Water Act and the S.C. Coastal Zone Management Act (48-39-10 et seq.).

The Department has reviewed the above-reference project in accordance with the March 7, 2017 certification and, provided the applicant adheres to the certification conditions outlined in the attached document, the Department has determined that there is a reasonable assurance that the work authorized will be conducted in a manner consistent with the certification requirements of Section 401 of the Clean Water Act. Please be advised that, since this project is located in the coastal zone, you should check with the Department's Office of Ocean and Coastal Resource Management (OCRM) to ensure that the project is consistent with the SC Coastal Zone management Act. If you have any questions, please call or email me at (803) 898-4179 or amedeemd@dhec.sc.gov.

Sincerely,

Morgan Amedee

Morgan D. Amedee
Water Quality Certification and Wetlands Section

cc: USACOE Conway Field Office

Paul Stephens
OCRM

Nationwide Permit Number 14: Linear Transportation Projects

Proposed Conditions of the 401 Water Quality Certification:

1. A compensatory mitigation plan must be submitted and approved by the SCDHEC for projects with permanent impacts exceeding 0.10 acres or 300 linear feet.
2. Linear transportation projects must cross perpendicular (to the extent practicable) to the aquatic site area. Impacts certified under this NWP must be limited to three crossings per single and complete project and must be in non-tidal wetlands only.
3. This NWP is not certified for activities located in or adjacent to (as determined by SCDHEC) waters defined (as per Regulation 61-68) as Outstanding National Resource Waters (ONRW), Outstanding Resource Waters (ORW), or Trout Waters.
4. This NWP is not certified for activities that cause the loss of more than 300 linear feet of stream bed.



Coastal Zone Consistency Determination

To: George M. Cox, BOW Coastal Stormwater Permitting Section

From: Benjamin Thépaut, OCRM Coastal Zone Consistency Section *BT*

Applicant: Frank McClary, Town of Andrews

Project Name: Town of Andrews Drainage Improvements Phase 2

Finding: Conditionally Consistent with the SC Coastal Zone Management Program

Site Location: Intersection of Myrtle Road and S Hazel Ave., Town of Andrews, Georgetown County, South Carolina
(TMS#: SCDOT-ROW; TMS-ID: 01-44 Affected Property Owners Summary)

Reference #: HP4-DEFX-PPN90

Date: September 22, 2021

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