



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT
1949 INDUSTRIAL PARK ROAD ROOM 140
CONWAY, SOUTH CAROLINA 29526

RECEIVED BY GEORGETOWN COUNTY

MAY 14 2018

DEPARTMENT OF PUBLIC SERVICES

REPLY TO
ATTENTION OF:

MAY - 9 2018

COPY

Regulatory Division

Mr. Ray Funnye
c/o Corey Singleton
The Brigman Company
PO Box 1532
Conway, South Carolina 29528

Dear Mr. Singleton:

This letter is in response to a Pre-Construction Notification (PCN) (SAC-2018-00521) which we received on April 4, 2018, and was considered complete on April 25, 2018. By submittal of the PCN, you requested verification that the proposed project is authorized by a Department of the Army (DA) Nationwide Permit (NWP).

The PCN contains the following identifying information for this project. The work affecting waters of the United States is part of an overall project known as East Coast Greenway Bike Trail. The activities in waters of the United States include the construction of a 10' wide, 3,000' long bike trail that will connect two existing sections of the Waccamaw Neck Bikeway. The project involves impacts to not more than 0.17 acres of waters of the United States. Specifically, this letter authorizes impacts to 0.16 acres of wetlands, and 0.01 acres of tributaries, of other waters. The project is located within an existing transmission right-of-way located between Boyle Drive and Trace Drive, in Pawley's Island, Georgetown County, South Carolina (Latitude: 33.4932 °N, Longitude: -79.0870 °W). The PCN also includes the following supplemental information:

- a. Drawing sheets 1-3 of 3 titled "East Coast Greenway Bike Trial/ SAC-2018-00521/ Pawley's Island, Georgetown, SC" and dated May 1, 2018;
- b. A mitigation plan subtitled "Mitigation" under the document titled "East Coast Greenway Bike Trial/Trace Dr. to Boyle Dr./ Horry County, South Carolina" and dated March 5, 2018;

Based on a review of the PCN, including the supplemental information indicated above, it has been determined that the proposed activity will result in minimal individual and cumulative adverse environmental effects and is not contrary to the public interest. Furthermore, the activity meets the terms and conditions of NWP 14.

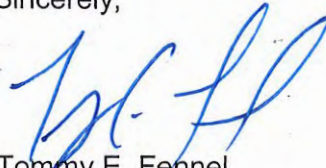
For this authorization to remain valid, the project must comply with the enclosed NWP General Conditions, Charleston District Regional Conditions, and the following special conditions:

1. That prior to beginning the authorized work the permittee must obtain and provide the Corps with a copy of all appropriate state certifications and/or authorizations (i.e. 401 Water Quality Certification, Coastal Zone Management

This NWP is being verified based on the information you have provided. It is your responsibility to read the attached NWP(s) along with the General, Regional, and Special Conditions before you begin work. If you determine that your project will not be able to meet the NWP and the conditions, you must contact the Corps before you proceed.

In all future correspondence concerning this matter, please refer to our file number SAC-2018-00521. A copy of this letter is being forwarded to certain State and/or Federal agencies for their information. If you have any questions concerning this matter, please contact Megan N. Jackson, Project Manager, at (843) 365-1739.

Sincerely,



Tommy E. Fennel
Chief, Northeast Branch

Enclosures

Permit Drawings
Nationwide Permit #14
Nationwide Permit General Conditions
Nationwide Permit Regional Conditions
Compliance Certification Form

Copies Furnished:

Mr. Ray Funnye
Georgetown County Dep. Of Public Service
108 Screven Street
Georgetown, South Carolina 29440

South Carolina Department of
Health and Environmental Control
Bureau of Water
2600 Bull Street
Columbia, South Carolina 29201

South Carolina Department of Health
and Environmental Control
Office of Ocean and Coastal
Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405



July 11, 2018

Ray Funnye
Georgetown County
108 Screven St
Georgetown, SC 29440

RE: North South Bike Link-Boyle Dr to Trace Dr, Georgetown County
NPDES Coverage Number: SCR10Z1GY

Dear Ray Funnye:

The Department of Health and Environmental Control (Department or DHEC) has approved the Stormwater Pollution Prevention Plan (SWPPP) for the referenced project on **July 11, 2018 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 **SCR10Z1GY**. The total disturbed area for this site is **2.2 acres**.

Additional sets of final plans must be provided to the Department so that stamped, final plans are available for use on site, as required by the CGP.

See attached DHEC Office of Ocean and Coastal Resource Management (DHEC-OCRM) certification dated June 26, 2018 for additional conditions related to the Coastal Zone Consistency determination.

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, SC29577
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,



Richard V Geer
Bureau of Water, Coastal Stormwater Permitting Section
1362 McMillan Ave, Suite 400, Charleston SC 29405

CC: Art Baker, Georgetown County Engineering and Capital Projects
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:

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.

SOUTH CAROLINA
DEPT OF HEALTH AND ENVIRONMENTAL CONTROL
ENVIRONMENTAL QUALITY CONTROL
STORMWATER PERMITTING SECTION
APPROVED - FOR CONSTRUCTION ONLY

DHEC PERMIT #: SCR10021GT
FILE #:
DATE ISSUED: 7/11/2018
BY: [Signature]

APPROVED WITHOUT REVIEW

Date: 03/29/2018

Project/Site Name: North South Bike Link-Boyle Dr. to Trace Dr. 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):

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Dam Safety and Stormwater
Permitting Division

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: 57-6000353

A. Primary Permittee Name: Georgetown County
Mailing Address: 108 Screven Street City: Georgetown State: SC Zip: 29440
Phone: 843-545-3270 Fax: Email Address: mmiele@atcounty.org
B. Contact /ODSA Name (If different from above OR if owner is a company):
Mailing Address: 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

A. C-SWPPP Preparer Name: Art Baker
B. Registered Professional Engineer Landscape Architect Tier B Land Surveyor S. C. Registration #: 18699
C. Company/Firm Name: Georgetown County Engineering and Capital Projects S. C. COA #:
Mailing Address: 1918 West Church Street City: Georgetown State: SC Zip: 29440
Phone: 843-545-3255 Fax: Email Address: abaker@atcounty.org

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) Non-motorized trail
B. Site Address/Location (street address, nearest intersection, etc.) (Jason Dr. & N. Boyle Dr.) to (Trace Dr. & Sandlapper Way)
City/Town (If in limits): Zip Code:
Latitude: 33° 29' 36" N Longitude: - 79° 5' 12" W (Source): GPS Web Site: google.com/maps
Tax Map Number (s) (List all): 04-0132-007-93-00, 04-0132-005-01-00, 04-0132-004-00-00, 04-0132-003-00-00, 04-0132-001-0-

- C. Is this site located on Indian Land? Yes No
- D. Proposed Start Date: 07/01/2018 Proposed Completion Date: 1/1/2019
- E. Disturbed Area (nearest tenth of an acre): 2.2 Total Area (acres): 2.2
- 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: _____ 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, SCPRT Grant _____
- 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: Flagg Pond	600	SFH
b. Next Nearest: Osprey Lake	2800	SFH
c. Coastal Zone ONLY: Coastal Receiving Water (CRW): Clubhouse Creek	5600	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	0.17 Ac
b. Non-jurisdictional wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ Ac
c. Other Water(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No	<input type="checkbox"/> Yes <input 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:

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 Informa (Attach additional sheet(s) 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 most current 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.
Nearest DHEC WQMS(s)	Corresponding Waterbody	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
04-09	Clubhouse Creek	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	

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?
04-09	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	FC	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input 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. 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).

Art Baker

Printed Name of C-SWPPP Preparer

Signature of C-SWPPP Preparer

S. C. Registration # 18699

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."

Rav Funnve

Printed Name of Primary Permittee

Georgetown County Director of Public Services

Title/Position APR 30 2018

Signature of Primary Permittee

Date Signed


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Dam Safety and Stormwater Permitting Division



Coastal Zone Consistency Determination

To: Richard Geer, BOW Coastal Stormwater Permitting Section
From:  Sarah Reed, OCRM Coastal Zone Consistency Section
Applicant: Georgetown County
Project Name: North South Bike Link-Boyle Dr to Trace Dr
Finding: Conditionally Consistent with the SC Coastal Zone Management Program
Site Location: Jason Dr & N Boyle Dr to Trace Dr & Sandlapper Way, Georgetown County
Reference #: HNE-00QF-HR94M
Date: June 26, 2018

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 the construction of a 10' wide and 3,000' long asphalt bike path which will connect two existing sections of the East Coast Greenway Bike Trail. The project has proposed perimeter and sediment control BMPs. The total area of disturbance will be 2.2 acres out of a 2.2 acre reviewed project site. The 0.17 acres of freshwater jurisdictional wetlands associated with this project were authorized under The U.S. Army Corps of Engineers Nationwide Permit SAC-14-2018-00521 which has already been certified by the OCRM CZC section.

We hereby certify that the above referenced project is **Consistent with the Guidelines for Evaluation of All Projects** as well as the Recreation and Tourism (*Parks*) 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. Proof of purchase of the required 1.8 credits from an approved mitigation bank must be submitted to this office prior to beginning work.

This determination shall serve as the final SCDHEC OCRM Coastal Zone Consistency Determination for the work described above. However, this determination **does not** serve as a Agency permitting decision and **does not** alleviate the applicant's responsibility to obtain 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.

Application for Encroachment Permit

S.C. Department of Transportation Form 637 (Rev 11/2003)

Permit Nbr: _____

Applicant: <u>Georgetown County Capital Projec</u>	County: <u>Georgetown</u>
Street: <u>1918 Church Street</u>	Enter <u>Road/Route</u> And then the corresponding <u>Road Name</u> below:
City: <u>Georgetown</u>	1. <u>S-22-98</u> 1. <u>North Boyle Dr</u>
State & Zip: <u>SC 29442</u>	2. _____ 2. _____
Phone: <u>843-545-3270</u>	3. _____ 3. _____
	4. _____ 4. _____
	5. _____ 5. _____

1. The undersigned applicant hereby applies to the South Carolina Department of Transportation (SCDOT) for a permit for encroachment on State Highway Right of Way as shown and described below:

2. Type of Encroachment:

Tie-in proposed bike link to existing bike path running along North Boyle Drive in Pawleys Island.

3. Description of Location:

The proposed link will intersect the existing path along North Boyle Drive +/- 600 LF from intersection N. Boyle Drive & US HWY 17 (Ocean HWY)

(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.)

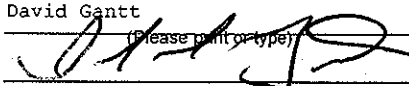
4. The undersigned applicant hereby requests the SCDOT to permit encroachment on the SCDOT right of way as described herein. It is expressly understood that the encroachment, if and when constructed, shall be installed in accordance with the sketch attached hereto and made a part hereof.

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.

The applicant hereby further agrees, and binds his/her/its heirs, personal representatives, successors, assigns, to assume any and all liability for accidents or injuries to persons, or damage to property, including the highway, that may be caused by the construction, maintenance, use, moving or removing of the physical appurtenances contemplated herein, and the applicant agrees to indemnify and hold SCDOT harmless from and against any and all claims for personal injury and/or property damage which may be sustained by any person by reason of the construction, maintenance or existence of said encroachment on the SCDOT's right of way.

Applicant's Name: David Gantt
(Please print or type)

Date: 09-04-13

Applicant's Sig: 

Title: Engineer

In accordance with your request and subject to all the provisions, terms, conditions and restrictions stated in the application and the general and special provisions attached hereto, the SCDOT hereby approves your application for an encroachment permit. This permit shall become null and void unless the work contemplated herein shall have been completed prior to: _____

(Date received by Res. Maint. Engr.)

(SCDOT Approval)

(Date)

Resident Maintenance Engineer

State Highway Engineer

District Engineering Administrator

District Maint./Constr. Engineer

TIME RECEIVED
August 8, 2013 3:08:01 PM EDT

REMOTE CSID
843 520 0600

DURATION
64

PAGES
3

STATUS
Received

Aug. 8. 2013 2:42PM GEORGETOWN MAINTENANCE

No. 2896 P. 1

South Carolina Department of Transportation Encroachment Permit Checklist

(The Submitting Engineer must Review and Complete the following items below)

SCDOT Permit No: _____ Road Name: North Boyle Dr
Submittal Date: 09-04-13 Road Number: S-22-98
Project Date: 11-01-13 City/Town/County: PAWLEYS ISLAND, SC

Type of Encroachment: (Check Appropriate Line)

Driveway _____ Utility Connection _____ New Street/Road Connection _____
Drainage _____ Landscaping _____ Turn Lane/Road Widening _____
Other, Specify Bike Link Connection

Type of Development: (Check Appropriate Line)

Commercial _____
Residential/Subdivisions (Linear Project)

Driveway (s): (Comment on all items below)

Total footage of property frontage 356

Total number of driveways applicant is applying for 1

Posted speed limit and sight distance at area of encroachment 25 MPH

Type of driveway (one-way or two-way) one-way "8' wide"

Width of drive (s) 8

Size of radius 5

Distance from nearest intersection 600 LF to US HWY 17

Spacing of driveways (if more than one) N/A

Property that is adjacent to intersection must meet 75' offset from the proposed drive.
Yes or No _____

Distance from the driveway to the nearest intersection 170 LF to CAYMAN LOOP

Pavement section/profile included: Yes _____ or No

Traffic control plan submitted: Yes _____ or No

If the driveway (s) is located on a divided earth median roadway, provide distance to the nearest crossover. If crossover is desired, new crossover must meet spacing requirements of the Access Roadside Management Standards. _____

Drainage:

SCDOT drainage statement included. Yes _____ or No

County/DHEC approval letter included: Yes _____ or No *Applied for awaiting approval*

All drainage in this Encroachment Permit application has been constructed to meet all requirements as specified in the Access Roadside Management Standards (chapter 5, Pages 34 & 35): Yes or No _____

Erosion control plan included: Yes _____ or No

Drainage calculations and storm water design included: Yes _____ or No

Reviewed & Certified correct by the submitting Engineer or Associate:

Hal L Moon HAL L MOON
(Signature)

Reviewed & Certified Correct by SCDOT Maintenance Engineer:

(Signature)

For SCDOT Personnel Use Only

Sent for Review to:

District Traffic Engineer

District Maintenance Engineer

Other _____

Resident Maintenance Engineer Comments:

District Traffic Engineer Comments: Approved Denied

District Maintenance Engineer Comments: Approved Denied

Other Comments:

EDGE PAVEMENT
 Posted Speedlimit 25MPH
 NORTH BOYLE DRIVE 66' RW
 * ← 138LF to JASON Drive →

GRASS MEDIAN

EXISTING BIKE PATH

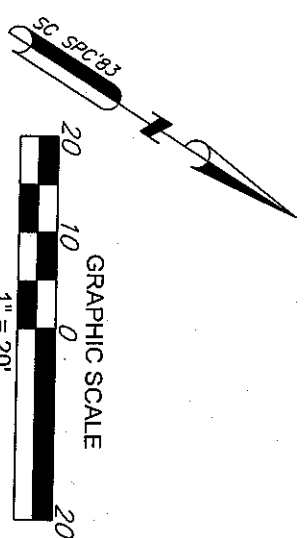
+/- 600LF TO US HWY 17
 0+00

35LF DRIVE-WAY APRON
 VACANT LOT

PROPERTY OF
 CECIL EDWARD FLOYD
 TMS 04-0132-007-00-00
 DEED BOOK 1641, PAGE 155
 PLAT SLIDE 489, PAGE 6
 APPROX PARCEL AREA: 302,031sq.ft (6.41Ac)

PROPERTY OF TREE DIVISION II
 THE ROWMAN LAKES 93-00 72
 WACCAMAW 007-93-00 72
 TMS 04-0132-1646, PAGE 9
 RECORD SLIDE: 311, 058 sq.ft. (0.94 Ac)
 PARCEL B
 APPROX PARCEL AREA: 41,058 sq.ft.
 SC-RW-BOUNDARY

PROPOSED 8' WIDE BIKE PATH
 36" RCP
 SC-RW-BOUNDARY



REVISIONS		
MARK	DATE	DESCRIPTION

SHEET TITLE
Encroachment Permit (SCDOT)

PROJECT
**Waccamaw Neck Bikeway
 North - South Link**

DRAWING
 1 of 1

SCALE: 1" = 20'
 DATE: September 04, 2013
 CAD DWG FILE: P3 N-S Bike Path
 DRAWN BY: HLM
 CHK'D BY: DCG

SCDOT Encroachment permit application checklist

Permit Form: The completed form is required.

Drawing: Give details of the proposed work and existing conditions and including, but not limited to, the following:


- Roadway on which the encroachment is located
- Direction and distance to the nearest intersecting State and county roadways, if applicable
- North arrow
- Drawing to be to scale. For example, 1in = 20ft (1:240), 1in = 50ft (1:600), etc
- Existing and proposed roadway geometry including pavement widths, curves, driveways, etc.
- Existing and proposed pavement design, if applicable *N/A*
- Existing and proposed drainage features with flow direction *N/A*
- Existing right-of-way and associated property lines
- Existing sight distance, if applicable *N/A*
- Existing and proposed structures, if applicable
- Proposed utility work *N/A*
- Traffic Control Plan, if applicable *N/A*
- Sediment and Erosion control devices *N/A*
- Water quality control devices *N/A*

Note: If submitting a hardcopy application, drawing should be submitted on 8 1/2in x 11in [or 11in x 17in] size paper. A 36in x 22in site plan showing the relationship of the driveways to the circulation plan and the site development may be required. When readily available, a 36in x 22in site plan should be submitted initially to facilitate review of the application.



Coastal Zone Consistency Determination

To: Richard Geer, BOW Coastal Stormwater Permitting Section

From:  Sarah Reed, OCRM Coastal Zone Consistency Section

Applicant: Georgetown County

Project Name: North South Bike Link-Boyle Dr to Trace Dr

Finding: Conditionally Consistent with the SC Coastal Zone Management Program

Site Location: Jason Dr & N Boyle Dr to Trace Dr & Sandlapper Way, Georgetown County

Reference #: HNE-00QF-HR94M

Date: June 26, 2018

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 the construction of a 10' wide and 3,000' long asphalt bike path which will connect two existing sections of the East Coast Greenway Bike Trail. The project has proposed perimeter and sediment control BMPs. The total area of disturbance will be 2.2 acres out of a 2.2 acre reviewed project site. The 0.17 acres of freshwater jurisdictional wetlands associated with this project were authorized under The U.S. Army Corps of Engineers Nationwide Permit SAC-14-2018-00521 which has already been certified by the OCRM CZC section.

We hereby certify that the above referenced project is **Consistent with the Guidelines for Evaluation of All Projects** as well as the Recreation and Tourism (*Parks*) 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. Proof of purchase of the required 1.8 credits from an approved mitigation bank must be submitted to this office prior to beginning work.

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