



October 13, 2022

Ray Funnye  
Georgetown County  
2236 Browns Ferry Road  
Georgetown, SC 29442

RE: Plover Drive Paving Improvements, Georgetown County  
NPDES Coverage Number: SCR10ZBKH

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 **October 13, 2022 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 **SCR10ZBKH**. The total disturbed area for this site is **1.1 acres**.

See attached DHEC Office of Ocean and Coastal Resource Management (DHEC-OCRM) certification dated September 16, 2022, 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](mailto: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

S.C. Department of Health and Environmental Control

2600 Bull Street, Columbia, SC 29201 (803) 898-3432 [www.scdhec.gov](http://www.scdhec.gov)

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](mailto: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** Digitally signed by George M. Cox  
Date: 2022.10.13 15:39:36 -04'00'

George M. Cox  
Coastal Stormwater Permitting Section

EC: Tilley Bull, Stantec Consulting  
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 # SCR10ZBKH  
 Date Issued October 13, 2022  
 Reviewer George M. Cox Digitally signed by George M. Cox  
 Date: 2022.10.13 15:39:08 -0400  
 Without Review

Date: 11/02/2021  
 Project/Site Name: Plover Drive Paving Improvements 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 G.T.B. 08/29/2022  
 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: \_\_\_\_\_ G.T.B. 08/29/2022

- A. **Primary Permittee Name:** Georgetown County  
 Mailing Address: 2236 Browns Ferry Road City: Georgetown State: SC Zip: 29442  
 Phone: 843-545-3438 Fax: 843-545-3460 Email Address: rcfunnye@gtcounty.org
- B. **Contact /ODSA Name** (If different from above OR if owner is a company): Kevin Stimpson  
 Mailing Address: 2236 Browns Ferry Road City: Georgetown State: SC Zip: 29440  
 Phone: 843-545-3438 Fax: 843-545-3460 Email Address: kstimpson@gtcounty.org
- 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:** G. Tilley Bull (EC design plans) John Prorock (Drainage Calculations PE 32297) G.T.B. 08/29/2022
- B. **Registered Professional**  Engineer  Landscape Architect  Tier B Land Surveyor **S. C. Registration #:** 20214
- C. **Company/Firm Name:** Stantec Consulting **S. C. COA #:** C02310  
 Mailing Address: 4969 Centre Pointe Drive, Suite 200 City: North Charleston State: SC Zip: 29445  
 Phone: (843) 819-7384 Fax: (843) 740-7707 Email Address: Tilley.Bull@stantec.com

**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.) Plover Drive and Pennyroyal Road  
 City/Town (If in limits): N/A Zip Code: 29440  
 Latitude: 33 ° 21 ' 7 " N Longitude: - 79 ° 26 ' 17 " W (Source):  GPS  Web Site: Google  
**Tax Map Number (s)** (List all): Georgetown County B/W

- C. Is this site located on **Indian Land**?  Yes  No
- D. **Proposed Start Date:** 10/20/2022 **Proposed Completion Date:** 05/15/2023 **G.T.B.** 08/29/2022
- E. **Disturbed Area** (nearest tenth of an acre): 1.1 **Total Area** (acres): 1.7
- 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.**

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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, Identify requested waiver: <input type="checkbox"/> Rainfall Erosivity Waiver <input type="checkbox"/> TMDL Waiver <input type="checkbox"/> Equivalent Analysis Waiver		
2. Detention Waiver (72-302(B))? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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: <u>unnamed tributary</u>	<u>8,000</u>	<u>SB</u>
b. Next Nearest: <u>Sampit River</u>	<u>11,500</u>	<u>SB</u>
c. Coastal Zone ONLY: <b>Coastal Receiving Water (CRW):</b> <u>unnamed tributary</u>	<u>8,000</u> <b>G.T.B.</b> <u>08/29/2022</u>	<u>Not Applicable</u>
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. <b>Jurisdictional wetlands</b>	<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	<u>0.04</u> <u>Ac</u> <u>32</u> <u>LF stream</u>
b. <b>Non-jurisdictional wetlands</b>	<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. <b>Other Water(s):</b> _____	<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. <b>Coastal Zone ONLY: Direct Critical Area</b>	<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:  
NW 14 permit has been applied for. The SAC number is 2022-00144.

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 <b>S. C. Navigable Waters (SCNW)</b> on the site: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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. <b>DHEC General/ Other DHEC Permit</b>	<u>NONE</u>	<u>NONE</u>
b. <b>USACOE 404 Permit or 401 Certification</b>	<u>NONE</u>	<u>NONE</u>
c. <b>SCNW Permit</b> If applied for or issued, identify <b>Date applied for or issued:</b> _____	<u>NONE</u>	<input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe): <u>NONE</u>
d. If a <b>SCNW Permit</b> has <b>NOT</b> 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 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 <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.
Nearest DHEC WQMS(s)	Corresponding Waterbody				
PD-628	Sampit River	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
MD-077	Sampit River @ US 17	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DO, pH	<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	

G.T.B.  
9/06/22

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-628	<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
MD-077	<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

G.T.B.  
9/06/22

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).

Tilley Bull

Printed Name of C-SWPPP Preparer

Signature of C-SWPPP Preparer

20214

S. C. Registration #

**PRIMARY PERMITEE:** "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 C. Funnve

Printed Name of Primary Permittee

Signature of Primary Permittee

Public Services Director

Title/Position

Date Signed

MAR 03 2022



## Coastal Zone Consistency Determination

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

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

Applicant: Ray Funnye, Georgetown County

Project Name: Plover Drive Paving Improvements

Finding: Conditionally Consistent with the SC Coastal Zone Management Program

Site Location: Plover Drive and Pennyroyal Road, Georgetown County, South Carolina  
(TMS#: Georgetown County-ROW)

Reference #: HPJ-KK0W-DA5NX

Date: September 16, 2022

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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 improvements to existing road. Construction activities include paving and widening roadway. Stormwater Management includes BMP's. This project will impact 0.045 acres of non-tidal freshwater jurisdictional wetlands. The total area of disturbance will be 1.1 acres of a 1.7 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 0.045 acres, applicant must fully comply with all general, special and regional terms and conditions of the US Army Corps of Engineers Permit (SAC-2022-00144) as well as SCDHEC requirements for Water Quality and Coastal Zone Certifications.

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.**



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

March 14, 2022

Regulatory Division

Mr. Ray Funnye  
Georgetown County Public Works  
2236 Browns Ferry Road  
Georgetown, South Carolina 29442  
rcfunnye@gtcounty.org

Dear Mr. Funnye:

This is in response to a Pre-Construction Notification (PCN) (SAC-2022-00144) received on January 20, 2022, and considered complete on January 20, 2022. In submitting the PCN, you requested verification the proposed project is authorized by a Department of the Army (DA) Nationwide Permit (NWP).

The work affecting waters of the United States is part of an overall project known as Plover Drive Road Improvements. The activities in waters of the United States include improvements to an existing two-lane public-use gravel road. The improvements include widening, paving and the replacement of the existing 24" reinforced concrete pipe (RCP) with a new 24" RCP. In addition, the improvement work will include the placement of rip rap in the tributary adjacent to the RCP outfalls. The project involves impacts to not more than 0.04 acre of wetlands, 32 linear feet and 0.005 acre of tributaries. The project is located along Plover Drive, in Georgetown, Georgetown County, South Carolina (Latitude: 33.3497°, Longitude: -79.4385°).

The PCN also includes the following supplemental information:

- a. Drawing sheets 1 – 7 of 7 titled "SAC-2022-00144 / Plover Drive Road Improvements" and dated January 7, 2022.

Based on a review of the PCN, including the supplemental information indicated above, the Corps has determined 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 -Linear Transportation Projects.

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:

- a. 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 (e.g., Coastal Zone Management Act concurrence). This **PROVISIONAL NWP is NOT VALID** until the permittee obtains and provides the requisite state certification(s) and/or authorization(s) in accordance with this special condition.
- b. That impacts to aquatic areas do not exceed those specified in the above mentioned PCN, including any supplemental information or revised permit drawings that were submitted to the Corps by the permittee.
- c. That the construction, use, and maintenance of the authorized activity is in accordance with the information given in the PCN, including the supplemental information listed above, and is subject to any conditions or restrictions imposed by this letter.
- d. That the permittee shall submit the attached signed compliance certification to the Corps within 30 days following completion of the authorized work.
- e. That the permittee shall use only clean fill material obtained from an upland source.
- f. That the permittee shall incorporate **Best Management Practices (BMPs)** during construction to protect adjacent wetlands and Waters of the United States from sediment and erosion during construction. **BMPs to be utilized, independently or in combination, may include but are not limited to: erosion control matting, mulch, silt fences, sediment tubes, and other devices. BMPs shall be maintained until the fill material is stabilized.**

This verification is valid until March 14, 2026, unless the district engineer modifies, suspends, or revokes the NWP authorization in accordance with 33 CFR 330.5(d). If prior to this date, the NWP authorization is reissued without modification or the activity complies with any subsequent modification of the NWP authorization, the verification continues to remain valid until March 14, 2026. If you commence, or are under contract to commence this activity before the NWP expires, or the NWP is modified, suspended, or revoked by the Chief of Engineers or division engineer in accordance with 33 CFR 330.5(b) or (c), respectively, in such a way that the activity would no longer comply with the terms and conditions of the NWP, you will have 12 months after the date the NWP expires or is modified, suspended, or revoked, to complete the activity under the present terms and conditions of this NWP.

This NWP is verified based on information you 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 your project will not be able to meet the NWP and the conditions, you must contact the Corps before you proceed. Enclosed you will also find a copy of the Section 401 Water Quality Certification, which are conditions of your authorization under Nationwide Permit. If you have questions concerning compliance with the conditions of the 401 certification or Coastal Zone Management concurrence, you should contact the South Carolina Department of Health and Environmental Control (SCDHEC).

In all future correspondence, please refer to file number SAC-2022-00144. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact me, at (843) 365-4239, or by email at [Robert.C.Huff@usace.army.mil](mailto:Robert.C.Huff@usace.army.mil).

Sincerely,



Rob Huff  
Team Lead

#### Attachments

Permit Drawings  
Nationwide Permit 14 -Linear Transportation Projects  
Nationwide Permit General Conditions  
Nationwide Permit Regional Conditions  
401 Water Quality Certification  
Compliance Certification Form

#### Copies Furnished:

Mr. Marcus Sizemore  
Stantec Consulting Services  
4969 Centre Pointe Drive Suite 200  
North Charleston, South Carolina 29418  
[marcus.sizemore@stantec.com](mailto:marcus.sizemore@stantec.com)

SC DHEC - Bureau of Water  
2600 Bull Street  
Columbia, South Carolina 29201  
[WQCWetlands@dhec.sc.gov](mailto:WQCWetlands@dhec.sc.gov)

SC DHEC - OCRM  
1362 McMillan Avenue, Suite 400  
North Charleston, South Carolina 29405  
[OCRMPermitting@dhec.sc.gov](mailto:OCRMPermitting@dhec.sc.gov)




Prepared by:

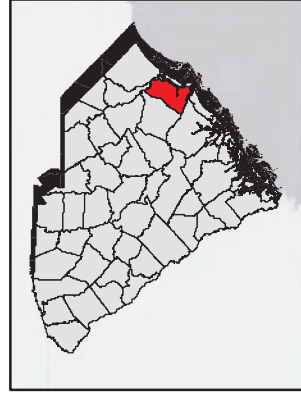
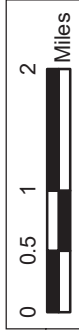


Prepared for:



### Legend

 Project Study Area  
(~2.83 Acres)



Project Location:

Georgetown County, South Carolina

Client/Project: Georgetown County  
Stantec No: 171002426

Date: 1/7/2022

Figure No. 1

Title

## Plover Drive Rural Road Improvements Vicinity Map



**PERMITTED  
PLANS**

Project Study Area

**SAC-2022-00144**  
**Plover Drive Road Improvements**  
**Georgetown County, South Carolina**  
**Sheet 1 of 7**  
**Date: January 7, 2022**

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Prepared by:



Prepared for:



### Legend

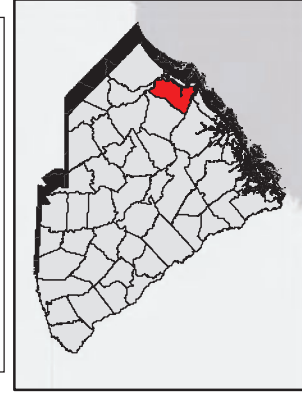
 Project Study Area  
(~2.83 Acres)

SAC-2022-00144

## Plover Drive Road Improvements Georgetown County, South Carolina

Sheet 2 of 7

Date: January 7, 2022



Project Location:

Georgetown County, South Carolina

Client/Project:

Georgetown County

Date: 1/7/2022

Stantec No: 171002426

Figure No.

2

Title

Plover Drive

Rural Road Improvements  
Location Map



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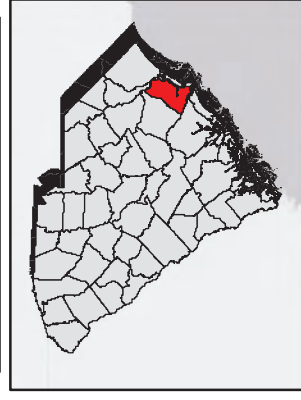
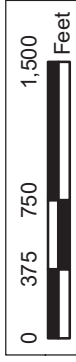


Prepared for:



### Legend

 Project Study Area  
(~2.83 Acres)



Project Location:

Georgetown County, South Carolina

Client/Project:

Georgetown County      Date: 1/7/2022

Stantec No: 171002426

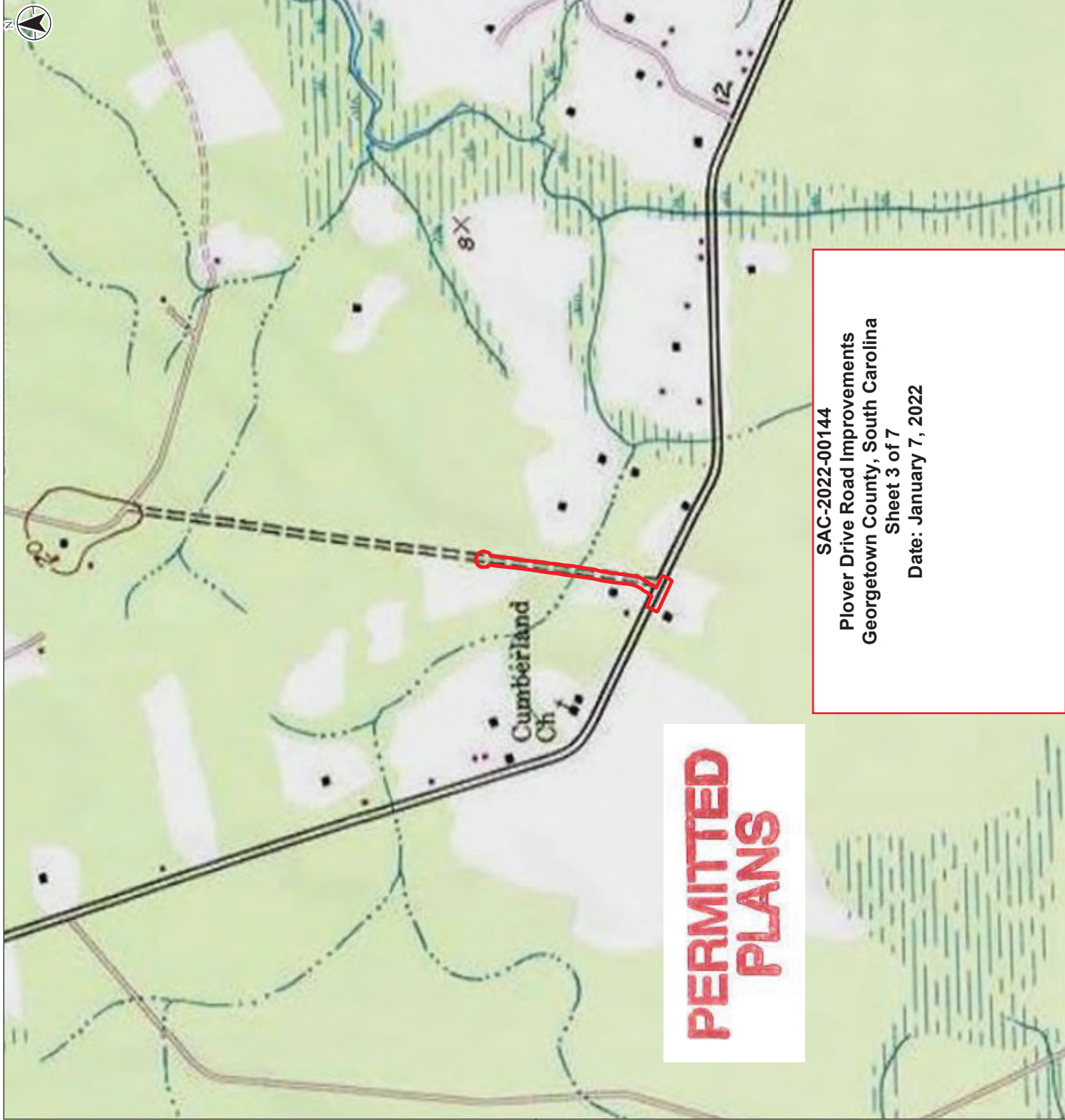
Figure No.

3

Title

Plover Drive

Rural Road Improvements  
USGS Topographic Map



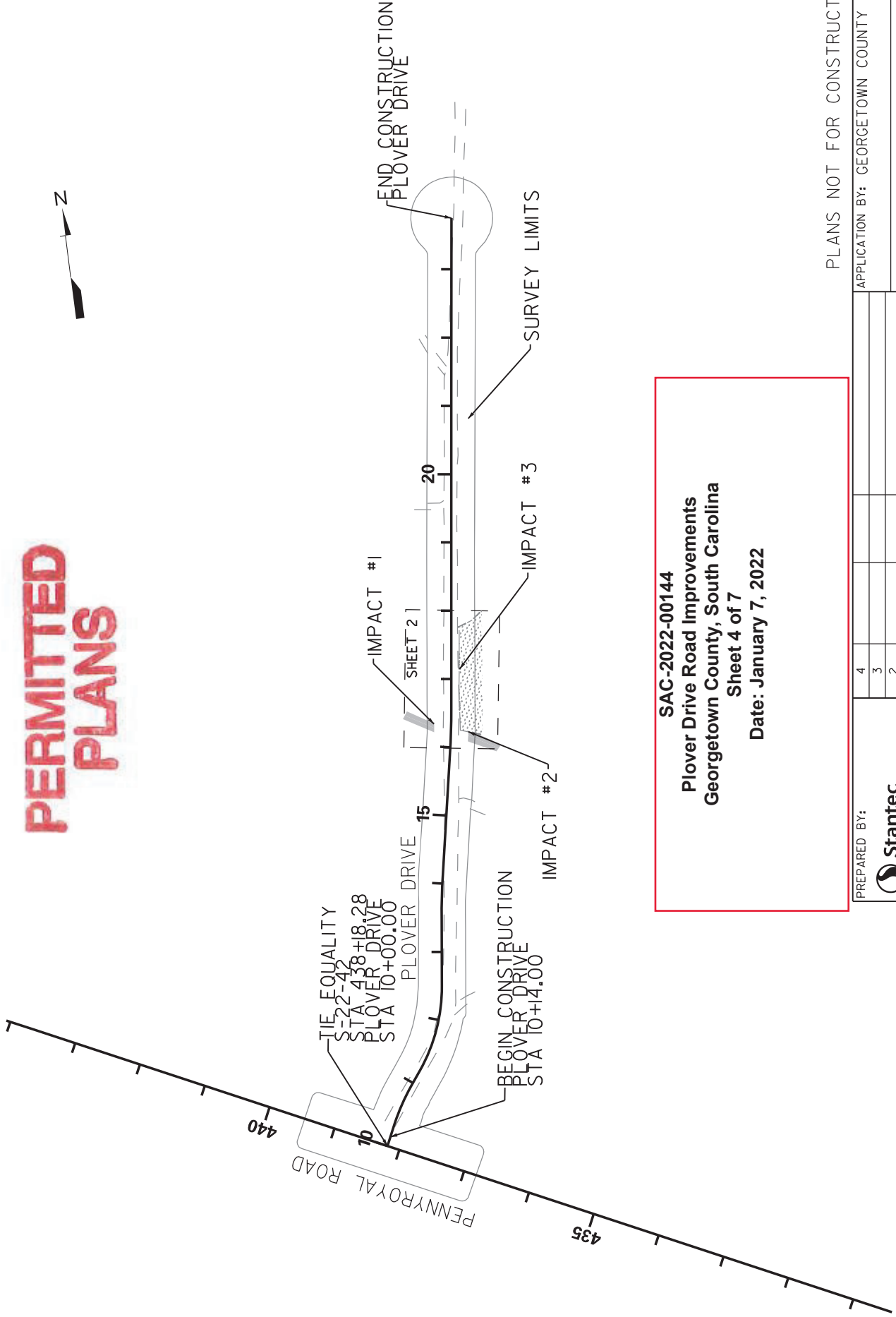
**PERMITTED  
PLANS**

**SAC-2022-00144**  
**Plover Drive Road Improvements**  
**Georgetown County, South Carolina**  
**Sheet 3 of 7**  
**Date: January 7, 2022**

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COUNTY	ROUTE NAME	SHEET NO.
GEORGETOWN	PLOVER DRIVE	1

# PERMITTED PLANS



**SAC-2022-00144**  
**Plover Drive Road Improvements**  
**Georgetown County, South Carolina**  
**Sheet 4 of 7**  
**Date: January 7, 2022**

PLANS NOT FOR CONSTRUCTION

PREPARED BY: Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com		APPLICATION BY: GEORGETOWN COUNTY GEORGETOWN COUNTY PLOVER DRIVE PAVING IMPROVEMENTS WETLAND PERMIT DRAWINGS	
4			
3			
2			
1			
REV. NO.	BY	DATE	DESCRIPTION OF REVISION
STANTEC PROJECT NUMBER: 171002426 DATE: 11/30/2021 SCOOT PIN:		SCALE IN FEET 	
		SCALE: 1"=200' SHEET 1 OF 4	

# PERMITTED PLANS

COUNTY	ROUTE NAME	SHEET NO.
GEORGETOWN	PLOVER DRIVE	2



SURVEY LIMIT



SEE SHEET 3

IMPACT #1  
STREAM PERM. FILL  
16 LF (4 CY RIPRAP)

PROPOSED 24" RCP

PLOVER DRIVE

EXISTING 24" RCP  
IMPACT #2  
STREAM PERM. FILL  
16 LF (4 CY RIPRAP)

IMPACT #3  
WETLAND PERM  
CUT/FILL IMPACT  
0.04 AC (180 CY)

PREPARED BY:

**Stantec**  
Stantec Consulting Services  
4969 Centre Pointe Drive, Suite 200  
North Charleston, SC 29418  
Tel: 843.740.7700  
Fax: 843.740.7707  
www.stantec.com

### LEGEND

STREAM PERMANENT FILL IMPACT	
FRESHWATER WETLAND	
WETLAND PERMANENT FILL IMPACT	
STREAM	

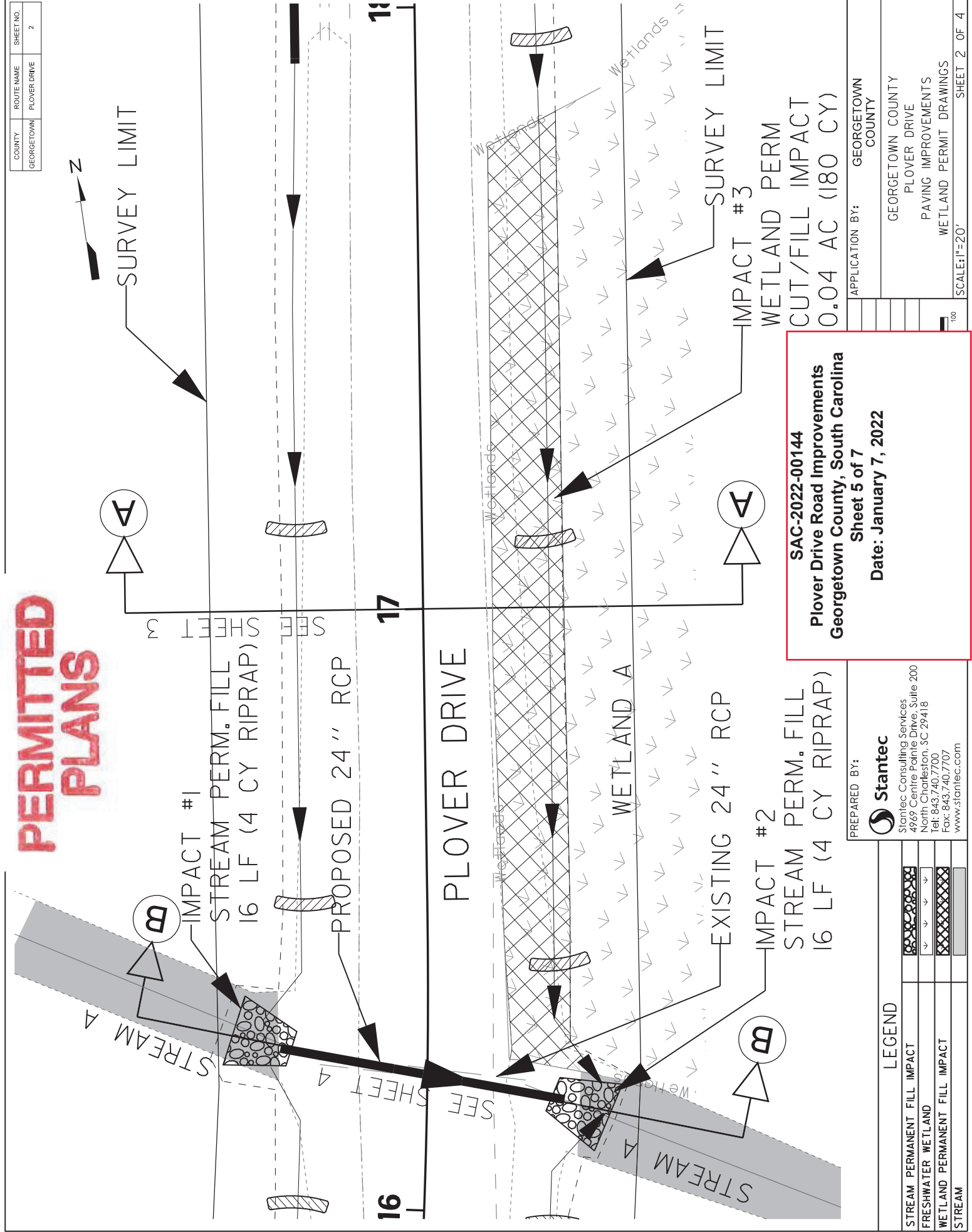
APPLICATION BY:

GEORGETOWN COUNTY  
GEORGETOWN COUNTY  
PLOVER DRIVE  
PAVING IMPROVEMENTS  
WETLAND PERMIT DRAWINGS

**SAC-2022-00144**  
**Plover Drive Road Improvements**  
**Georgetown County, South Carolina**  
**Sheet 5 of 7**  
**Date: January 7, 2022**

SCALE: 1"=20'

SHEET 2 OF 4

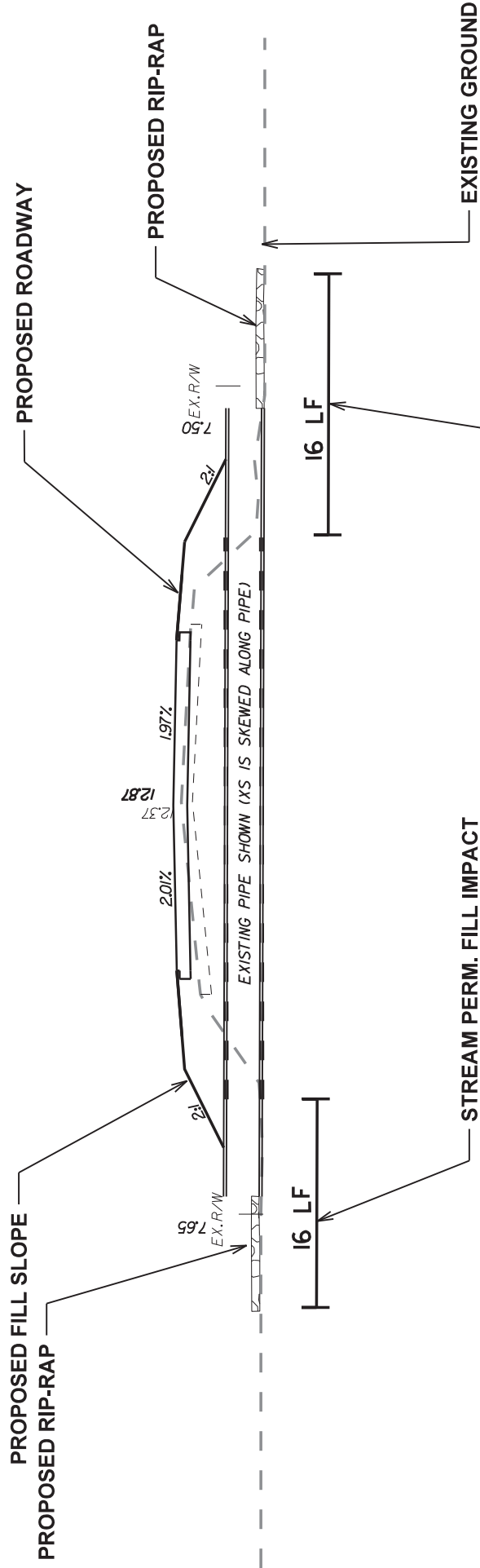






**PLOVER DRIVE  
STATION 16+22.87  
SECTION B-B**

**PERMITTED  
PLANS**



**SAC-2022-00144  
Plover Drive Road Improvements  
Georgetown County, South Carolina  
Sheet 7 of 7  
Date: January 7, 2022**

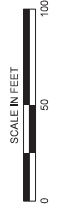
**STREAM PERM. FILL IMPACT**

APPLICATION BY:	GEORGETOWN COUNTY
	GEORGETOWN COUNTY
	PLOVER DRIVE
	PAVING IMPROVEMENTS
	WETLAND PERMIT DRAWINGS

REV. NO.	BY	DATE	DESCRIPTION OF REVISION
4			
3			
2			
1			

PREPARED BY:  
**Stantec**  
Stantec Consulting Services  
4969 Centre Pointe Drive, Suite 200  
North Charleston, SC 29418  
Tel: 843.740.7700  
Fax: 843.740.7707  
www.stantec.com

STANTEC PROJECT NUMBER: 171002426  
DATE: 11/29/2021



# Application for Encroachment Permit

S.C. Department of Transportation

Form 637 (Rev 09/2015)

## Contact Information

**Applicant:** Georgetown County  
**Street:** 2236 Browns Ferry Road  
  
**City:** Georgetown  
**State:** SC                    **Zip Code:** 29442  
**Phone:** (843)545-3438       **Fax:** (843)545-3460  
**Email:** kstimpson@gtcounty.org  
**Contact:** Kevin Stimpson

## Project Location

**Primary County:** Georgetown                    

County	Road Name
Georgetown	Pennyroyal Rd (S-42)

**1. Type of Encroachment:** DRIVEWAY - MULTIPLE RESIDENTIAL / SUBDIVISION

Paving of Plover Drive an existing gravel road.  
 As part of this project, at the intersection, Plover will be widened approximately 20' further south and 30' radius returns installed.  
 (CONTINUED ON ADDENDUM)

**2. Description of Location:**

Plover Drive is an existing gravel roadway that intersection Pennyroyal Road approximately 1.65 miles south of the intersection of Pennyroyal Road and US 17A (Saints Delight Road)

(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.

The applicant agrees to comply with all current SCDOT Standards Specifications for Highway Construction including all Supplemental Technical Specifications. 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.

Applicant's Name: Kevin Stimpson

Date: 06/09/2022

(Please print or type)

Applicant's Sig: 

Title: Sr. Construction Project Manager

For Office Use Only

**For Office Use Only**

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:

See Attached Special Provision and/or Permit Requirements

NPDES Permit

Nbr:

APPROVED  
By Angela W. Hicks at 10:24 am, Nov 15, 2022

(Date received by res. Maint. Engr.)

(SCDOT Approval)

(Date)

**SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION  
Encroachment Permit**

Permit No : 260946

Permit Decision Date :  
11/15/2022

Expiration Date : 11/15/2023

Type

Permit : DRIVEWAY -  
MULTIPLE  
RESIDENTIAL /  
SUBDIVISION

Location:

<u>District</u>	<u>Work County</u>	<u>Type</u>	<u>Route</u>	<u>Aux</u>	<u>Begin MP</u>	<u>End MP</u>
5	Georgetown, SC	S-	42	None	0.254	0.254

Contact

Information

Applicant: GeorgetownCounty

Phone:

Contact: Kevin Stimpson

Address: 2236 Browns Ferry Road,

City: Georgetown

State: SC

Zip: 29442

Comments

Plover Drive is an existing gravel roadway that intersects Pennyroyal Road approximately 1.65 miles south of the intersection of Pennyroyal Road and US 17A (Saints Delight Road)

Special

Provisions:

0001 - THE ENTIRE WIDTH OF ROAD SHALL BE RESURFACED AS SHOWN ON ATTACHED DOCUMENTATION.

0002 - ALL REPAVING IS TO CONFORM TO STANDARD DEPARTMENT SPECIFICATIONS. THE ROAD, AT DROP INLETS, SHALL BE MILLED TO MAKE A SMOOTH TRANSITION WHEN PAVED. PAVEMENT WITH CURB AND/OR SIDEWALK WILL BE PAVED FULL DEPTH FROM OUTER EDGE TO GUTTER EDGE.

0005 - APPLICANT SHALL PROVIDE TO THE DEPARTMENT THE OPPORTUNITY OF ATTENDING ANY PRE-CONSTRUCTION MEETING PRIOR TO THE BEGINNING OF WORK.

0201 - DRIVEWAYS ARE TO CONSIST OF A MINIMUM OF 6" STABILIZED AGGREGATE BASE, 4" ASPHALTIC BASE COURSE AND 2" OF ASPHALT CONCRETE SURFACE COURSE.

0204 - SIDEWALK OR CURB AND GUTTER REMOVAL SHALL BE REPLACED FROM JOINT TO JOINT.



0207 - PIPE USED IN THIS INSTALLATION SHALL BE IN ACCORDANCE WITH SCDOT SPECIFICATION SC-M-714 AND COMPLY WITH CURRENT SCDOT POLICY.

0301 - THE DITCHES AND/OR SHOULDERS DISTURBED DURING THE INSTALLATION SHALL BE RE-ESTABLISHED TO PROPER GRADE, ORIGINAL CROSS SECTION, STABILIZED, AND ALL DRAIN PIPES CLEARED.

0302 - NO EXCAVATION SHALL BE LEFT OPEN ALONG HIGHWAY.

0306 - TRAFFIC CONTROL, LIGHTS, SIGNS AND FLAG-MEN WILL BE FURNISHED BY APPLICANT AND WILL CONFORM TO PART VI OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

0310 - FIELD CHANGES, IF NECESSARY, MUST BE APPROVED IN WRITING BEFORE ACTUAL CONSTRUCTION OF PROPOSED CHANGES.

0312 - THE PERMITTEE SHALL HOLD THE DEPARTMENT HARMLESS FOR DAMAGES TO BOTH UPSTREAM AND DOWNSTREAM PROPERTIES.

0312 - THE PERMITTEE SHALL HOLD THE DEPARTMENT HARMLESS FOR DAMAGES TO BOTH UPSTREAM AND DOWNSTREAM PROPERTIES.

0318 - THE APPLICANT SHALL BE RESPONSIBLE FOR IMMEDIATE REMOVAL OF SUCH TRAFFIC HAZARDS AS MUD, DEBRIS, LOOSE STONE, AND TRASH AS MAY BE WASHED OR SPILLED ON THE TRAVELED ROADWAY AS A RESULT OF THE PROPOSED WORK.

**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".
15. **COMPLETE STREETS:**
- Reference Departmental Directive 28, "Complete Streets". For encroachment permit types that require a Traffic Impact Study (TIS), the applicant shall consider the inclusion of walking, bicycling, and transit accommodations within the scope of the encroachment. The applicant shall review walking, bicycling, and transit plans from Metropolitan Planning Organizations (MPOs), Councils of Government (COGs), and regional transit providers to determine the scope of accommodations for complete streets. Coordination with the District Permit Engineer is required to determine if the inclusion of walking, bicycling, and transit accommodations are conducive for implementation based on the scope of the encroachment.