



January 31, 2020



ADDENDUM NO. 1

To All Bidders:

Contractors submitting proposals for the above named project shall take note of the following changes, additions, deletions, clarifications, etc., in the Contract Documents, which shall become a part of and have precedence over anything contrarily shown or described in the Contract Documents, and as such shall be taken into consideration and be included in the Contractor's Bid Proposal.

Refer to the attached sheets.

The return receipt requested with this communication will be deemed evidence that the bidder has received this Addendum and has followed the instructions outlined herein. Please sign, date, clearly print company name, and email to jhartwig@hazenandsawyer.com immediately upon receipt. Contractor shall also indicate receipt, where appropriate, on the Bid Form.

Ruby-Collins, Inc.

Company Name

David A. Westrick

Acknowledgement of Receipt

HAZEN AND SAWYER, P.C.

735 Johnnie Dodds Blvd.

Suite 102

Mt. Pleasant, SC 29464

Tel. (843) 744-6467

February 3, 2020

Date



Jared Hartwig, P.E.

HAZEN AND SAWYER, P.C.

DRAWINGS:

Sheet C001	Modify WETLANDS REQUIREMENTS Note 1 to read as follows: There shall be no disturbance to the wetlands area outside of the area delineated within the United States Army Corps of Engineers Nationwide 12 Permit.
Sheet C103	Where it refers to "GALV STEEL" conduit, replace with " SCHED 40 PVC ".
Sheet C201	Where it refers to "GALV STEEL" conduit, replace with " SCHED 40 PVC ".
Sheet M101	Discharge piping for future pump (P-103) shall be provided and installed through the discharge 90 as specified in revised Specification 11130.
Sheet E102	Replace 50A/MCP to each 20 hp pump with a 70A/MCP. Motor horsepower shall be changed from 20 hp to 25 hp.

SPECIFICATIONS:

INVITATION TO BID

Page ITB-1	Change bid date from "February 6, 2020" to " March 12, 2020 ". Change location from "3 rd Floor" to " 1st Floor ".
Page ITB-2	All questions must be brought to the Commissioners of Public Works' attention at least seven (7) days prior to the bid date which is " March 5, 2020 ".

SECTION 3 – BID FORM

Page B-4	Line Item B.18 – Replace "Galvanized Steel" with " Schedule 40 PVC. "
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SECTION SC – SUPPLEMENTAL CONDITIONS

Page SC-2	Line Item 1.7 – Replace this section as follows:
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1.7 PERMITS AND LICENSES

A copy of the permits obtained by the CPW for this project will be provided to the Contractor for his information. Any additional permits or licenses required for the project shall be the sole responsibility of the Contractor. Contractor shall secure such permits and licenses and pay any associated fees and at no additional costs to the CPW. All construction shall adhere to the requirements of these permits and licenses.

The following permits have been obtained by the CPW:

1. SCDOT and Berkeley County Encroachment
2. USACE Nationwide Permit

The following permits have not been obtained by CPW and are pending approval:

1. SCDHEC Notice of Intent (NOI)
2. SCDHEC Construction Permit

3. SCDHEC Coastal Zone Certification (CZC)
4. Berkeley County Stormwater Management Program – Construction Activity
5. Dominion Gas and Electrical Service

SECTION 01025 – MEASUREMENT AND PAYMENT

- Page 8 On Item I., where it calls for “Galvanized Steel,” replace with “**Schedule 40 PVC.**”
- On Item 1., where it calls for “Galvanized Steel,” replace with “**Schedule 40 PVC.**”
 Include fittings (galvanized steel) in the unit price on the pipe.

SECTION 11130 – SUBMERSIBLE NON-CLOG PUMPS

- Section 1.01 Add the following paragraph to the referenced section:
- B. Manufacturer shall provide the base discharge 90 bend and dual guide rail system for the future pump (103) as shown on the drawings.
- Section 1.02 Modify Minimum Size of Solids (Spherical Diameter, Inches) from 3.5 to 3.0.
- Section 2.01-A Replace paragraph with the following:
- A. Each influent pump shall be a submersible, non-clog, centrifugal pump, as manufactured by ABS or Flygt.
- Section 2.03-I Remove paragraph in its entirety.
- Section 2.03-K Replace paragraph 7 with the following:
7. The slide mounting system for the influent pumps shall meet or exceed Underwriters Laboratory requirements for operation in a Class I, Division 1, Group D hazardous location.
- Section 2.04-C Replace table with the following:

Motors	Influent
Rating	460V, 3 ph, 60 Hz
Horsepower	25
Speed, rpm	1800
Insulation	Class F
Explosion Proof	Yes
Inverter Duty	No
Service Factor	1.15
Motor Winding Temperature Switches	Yes
RTDs	No
Cooling Jacket	No

QUESTIONS AND CLARIFICATIONS

The following questions have been submitted by prospective bidders and responses or clarifications have been provided by the Engineer for bidders' consideration.

Q1: Will the contractor be responsible for the Charleston Building Permit?

A1: *No. A Charleston Building Permit is not required.*

Q2: The 10' (scaled) LOD through the wetlands to the existing PS does not allow enough room for the equipment to install the 12" gravity line. Can we disturb and reinstate the width required?

A2: *Yes, temporary impacts to wetlands can extend beyond the LOD depicted in the Bid Documents but must be in accordance with the Nationwide Permit 12 included as an attachment in this addendum.*

Q3: Wetlands Requirements Note 1 on Sheet C001 references disturbing the wetlands and references the Army Corps Permit. When will we receive this permit?

A3: *The Nationwide Permit 12 is included as an attachment in this addendum.*

Q4: Please confirm that the SCDOT permit does not reference the Scope in Div. I and does not apply to the work in Div. I.

A4: *The revised provisions from SCDOT is attached to include the work (i.e., force main tie-in, removal of asphalt drive & force main piping) on Division I.*

Q5: In regards to Note #6 of sheet E102 (Generator Sizing Report), does the generator sizing report need to include the future pump No. 3? Can you also please confirm the starting sequence of operation for the pumps when on emergency power?

A5: *Generator sizing report shall include operate of future pump No. 3. The starting sequence shall be as specified in Specification 11130, Section 2.05.*

Q6: Sections A and C of the platform on Sheet S201 appear to have some material shown inside the footer. What is the intent for this area under the platform?

A6: *The intent of the platform is to protect the generator and all electrical components above the 100-yr flood elevation. The area under the elevated platform is open with the exception of beams, columns and stairs as shown on the structural drawings.*

Q7: A precast wetwell option was discussed at the pre-bid and that it could be considered after the bid date with the low bidder. Would you entertain an Add/Deduct alternative for a precast wetwell at bid time, understanding acceptance would be pending review of the structural design?

A7: *A precast wetwell is not being considered as an add/deduct alternative at bid time. The project shall be bid as cast-in place; however, a precast wetwell may be considered during construction.*

MISCELLANEOUS ATTACHMENTS

Attachment No 1 – Pre-Bid Meeting Minutes and Sign-In Sheet

Attachment No 2 – Revised Special Provisions from SCDOT

Attachment No 3 – Nationwide Permit 12 from US Army Corps of Engineers

Attachment No 1 – Pre-Bid Meeting Minutes and Sign-In Sheet

Mandatory Pre-Bid Meeting Minutes

I. Preliminary Introductions and Project Description

CWS stated that all contractors that prequalified for the Division I project were automatically qualified for the Division II project. CWS also stated that they would also allow additional contractors to pre-qualify for additional contractors since Division II does not include any pump station work that may have excluded some contractors from Division I qualification.

II. Bid Document Information

1. Bid Form Review and Clarification

2. Bid Opening

- a. Bids will only be accepted from prequalified contractors present at the mandatory Pre-Bid Meeting.
- b. Bids will be opened at 2:00 pm, on February 6th, 2020 at 103 St. Philip Street, Charleston, SC 29403 (CWS Administration Bldg., 3rd Floor Commissioner Room).

III. Project Schedule

1. Anticipated Schedule

- a. Division I - Anticipated Notice to Proceed (NTP) – Late March 2020
- b. Division II - Anticipated releasing of Bids Documents – May/June 2020

2. Maintenance of Existing Shellring Pump Station

Existing Shellring Pump Station (PS 168) shall remain in service during entire construction period. No removal of service or demolition to take place prior to receiving SCDHEC Permit to Operate and direction by the Owner.

3. Separation Between Division I and Division II as different bid projects was discussed. Projects are divided at manhole MH 168-69. The Division I project will include 20-foot of gravity sewer for both the 10-inch and 12-inch piping out of the manhole. Division II work will commence at the end of these 20-foot pipe extensions.

Additional information related to the delineation of Division I and Division II are shown on sheets C200 & C201.

IV. Permits, Electrical Service, & Gas Service

1. Lists all permits, and their status are shown on Supplemental Conditions Part 1.7.
2. Electrical Service – Scope of Work by Dominion, conduit by selected contractor and coordination activities with Dominion are shown on Section 16000 Part 1.03. CWS asked if galvanized steel was a requirement or if PVC would be acceptable. Hazen to research and will address in Addendum if different from what is currently in the Contract Documents.
3. Gas Service – Scope of Work by Dominion and coordination activities

Hazen stated that it has been typical on past projects that Dominion will provide the gas service up to and including the gas meter and that the contractor will be responsible for the gas service from the meter to the equipment.

Dominion Energy – Natural Gas

Contact: Lucas Kinard

6099 Fain Street

Charleston, SC 29406

Office: (843) 576-8023

Mobile: (843) 834-4377

lucas.kinard@dominionenergy.com

V. Miscellaneous

1. Submittals need to be submitted to Hazen. Contractor shall be aware of review times specified within 01300 and ensure adequate review periods for equipment that have long lead time (i.e., pumps and generator.).
2. Access Drive to Laydown Area: CWS will verify if the Daniel Island Wastewater Treatment Plant site can be used as a laydown yard. Contractor can use the project site as a laydown only within the limits of disturbance shown on plans
3. Equipment and materials retained by Owner (see Section 01540 Part 3.05.A).
4. Contractor shall coordinate with CWS Operational staff for all connections and tie-ins a minimum 48-hours in advance.

VI. Site Access, Safety, and Security

1. Site Ingress / Egress: CWS will reach out to the neighborhood HOA.
2. Hours of Operation are mentioned in Supplemental Conditions Part 1.9.
3. Site Safety must be observed during working hours at the construction site.

VII. Addendum

1. Minutes from the pre-bid meeting will be included in the addendum.

VIII. Contractor Questions

1. All additional questions must be received on or before Thursday, January 30, 2020 for inclusion in the final addendum. All questions should be submitted in writing to Jared Hartwig in the Charleston office of Hazen and Sawyer (jhartwig@hazenandsawyer.com).

IX. Questions

1. Can precast wetwell be used in lieu of cast-in place? *The project shall be bid as cast-in-place; however, a precast wetwell may be considered during construction. Contractor shall provide submittals of the design substitution and must be signed and sealed by a Licensed Professional Engineer in SC. Modification of the design to precast will require Owner and Engineer approval.*

2. Should we bid on a precast wetwell or cast-in place? *Contractor to bid based on the plans and specifications.*
3. There are 365 construction days as noted on Contract for Construction section.
4. Any approved permits received during bidding phase will be sent to all the prequalified contractors that were present at the pre-bid meeting.
5. All PMs and Superintendent from the prequalification package must be used for the project. If different, Contractor shall submit the revised team member qualifications to Hazen for review.
6. For any site visits at the project site and Shelling Pump Station, contractor to notify Hazen and Hazen will coordinate a date and time with CWS.
7. CWS will verify the availability of the Daniel Island WWTP for laydown area before construction. The project site can be used as a laydown area only within the limits of disturbance.



Thomas Island Regional Pump Station and Interceptor Project – Division I
Mandatory Pre-Bid Meeting



January 16th, 2020 at 10:00 am
CWS Administration Building – 3rd Floor Commissioner Room

Mandatory Pre-Bid Meeting Sign-in Sheet

Name	Company	Phone	Email
JOHN CECIL	CHANDLER	(864) 227-3221 x206	jcecil@chandlerconstruction.com
Kyle Moorhead	Moorhead Const. Inc.	864 338-0888	kylem@moorheadconstruction.com
Chris Moody	R. H. Moore Co.	843-650-2155	SET13@rhmoorecompany.com
DAVID SELF	MJL, INC	843 761-2007	diself@mjlmcsc.com
Ronnie Freitas	CWS	843-308-8203	Freitasr@charlestoncpw.com
Chris Troutman	CWS	843-518-3776	Troutmance@charlcpw.com
Eric LeDoux	Ruby-Collins, Inc.	678-977-6556	eledoux@ruby-collins.com
LEON FANNING	HAZEN	843-414-1406	lfanning@hazenandsawyer.com
CARL RAGOS	HAZEN	843-414-1408	cragos@HAZENANDSAWYER.COM
Chad Atwater	CWS	843-727-6899	atwatercf@charlcpw.com
Bob Freeman	CWS	843-727-6880	bfreemanr@charlestoncpw.com

Attachment No 2 – Revised Special Provisions from SCDOT

9999 SPECIAL PROVISIONS
Sewer

REVISION added 1-24-2020

The existing driveway on Victoria Road (plan sheet C101 dated 1-8-2020) is to be removed completely. This shall include the removal of the existing asphalt surface to the road edge and the base material. Edge of existing pavement is to be saw-cut as required to form straight and even edge before the final grading. Shoulder and ditch shall be re-established to promote positive drainage flow with erosion control measures put in place to promote a good stand of grass.

Any damage to SCDOT assets within the right-of-way as a result of this operation shall immediately be repaired by the permittee in accordance with SCDOT requirements

The South Carolina Department of Transportation reserves the right to impose additional conditions, provisions, and/or requirements on this permit to respond to any unforeseen, specific problems that might arise during the life of this permit, and to take any enforcement action necessary to ensure compliance with SCDOT specifications, standards, or policies.

If in the future the proposed utility work to be performed under this permit is requested to be removed by the SCDOT because of roadway improvements and the facilities are left in place by the permittee, and the improvements are made and the facilities are then located under new pavement or construction, any future access, taps, ties, or maintenance on the covered facilities may be denied by SCDOT.

All of the following provisions may not apply to work being performed under this permit. Any provision listed below along with those stated on the application form, and any other provision added to and made part of this permit, will be required to be executed to the extent expressed in these provisions.

The permittee fully understands and agrees with all conditions, requirements, provisions, and specifications associated with or listed on this permit with the start of any construction described or shown on this permit.

This permit has been approved with one year life duration; all work shown or detailed on this permit must be completed and accepted in that time frame. If all of the work is not finished the permit will be considered in noncompliance and the permittee will be legally responsible for any actions which may result from the construction deficiencies.

Approval of this permit is for the installation of a 12" PVC sewer main within the right-of-way of Clements Ferry Road (S-8-33 & S-8-913) and St. Thomas Island Drive (S-8-33). Project will include the installation of a 45' of 24" steel casing, 100' of 24" steel casing, 715' of 12" PVC sewer main, 190' of 8" PVC sewer main, and (6) SSMH. Installation method will be jack and bore and trenching. All shown fully on the plans.

The contractor is to confirm all existing utilities' location and depth prior to construction. Contractor shall notify CWS and SCDOT Berkeley Maintenance of any location and elevation discrepancies that differ from the plans.

No lane closures or traffic disruptions will be allowed without prior permission. Any work requiring a traffic disruption or lane closure will be done at night between the hours of 9:00 PM and 5:00 AM with all traffic control removed from the roadway at that time. Any closure will require notifying SCDOT and all required media outlets and all emergency agencies a minimum of one week prior to the implementation of the closure.

Any SCDOT assets damaged during the installation of this sewer line must be repaired/replaced by the permittee to SCDOT standards and specifications immediately.

- Let it be known that this utility company will need to coordinate with other utilities that may be in the vicinity. This concurrence does not relieve them of conflicts with other utilities. They will also need to make sure that they will be underneath our storm drain and all minimum vertical and horizontal clearances are met per standard. In addition, they need to ensure that the proposed driveway elevations align with all the improvements which includes but limited to sidewalk, roadway, curb and gutter.

All driveways cut during installation of utility lines will be restored and completely patched immediately to ensure property owner's access, and shall meet all South Carolina Department of Transportation specifications that apply. Each driveway will be patched with the same material used in the construction of the driveway. Concrete driveways will be cut at an existing joint or at a location that will not leave small areas of less than 4'-0" between patch edge and existing joint or edge of pavement.

- If any settlement occurs within the open cut driveways, the permittee shall repair the settled area and provide an overlay of asphalt covering the entire driveway.

- Backfilling of trenches is to be accomplished immediately after placement of pipe.

OPEN CUT(S) AND POTHOLING (If required)

1. This office must be contacted a minimum of 48 hours before project is to begin to schedule an SCDOT Inspector (if available) to be on site when open cut is performed
2. The open cut repairs to any portion of the roadway shall include the following: milling 2" deep on each side of open cut to **extend 5' beyond each side of open cut the entire width of all travel lanes affected.** Entire depth of open cut(s) shall be flowable filled and steel plated with steel plate secured to the road surface. Once setup then top four inches of flowable fill removed and patched with a minimum of 4" hot asphalt surface course and/or the thickness and type of existing asphalt, whichever is greater. Milled area shall be replaced with 220 lbs/sy asphalt surface course Type B.
3. Steel plate ahead signs shall be placed approx. 500' before the excavation in both directions
4. If any settlement occurs within the open cut(s), the permittee shall repair the settled area and provide an overlay of asphalt covering the entire repair and any additional area to be determined by SCDOT at that time.
5. ***The open cut(s), potholing, repairs to the road structure, and the final mill and overlay of the travel lanes will be performed at night between the hours of 9:00 pm and 5:00 am with all traffic control removed from the roadway at that time. Any closure will require notifying all required media outlets, SCDOT, and emergency agencies a minimum of one week prior to the implementation of the closure.***

This office must be contacted a minimum of 48 hours before project is to begin to schedule an SCDOT Inspector (if available) to be on site when any open cut is performed.

If any settlement occurs within the open cut(s), the permittee shall repair the settled area and provide an overlay of asphalt covering the entire repair and any additional area to be determined by SCDOT at that time.

- The South Carolina Department of Transportation reserves the right to impose additional conditions, provisions, and/or requirements on this permit to respond to any unforeseen, specific problems that might arise during the life of this permit, and to take any enforcement action necessary to ensure compliance with SCDOT specifications, standards, or policies.

- If in the future the facilities left in place by the permittee and the facilities are located under new pavement or construction, any future access, taps, ties, or maintenance on the covered facilities may be denied by SCDOT.
- All of the following provisions may not apply to work being performed under this permit. Any provision listed below along with those stated on the application form, and any other provision added to and made part of this permit, will be required to be executed to the extent expressed in these provisions.
- The permittee fully understands and agrees with all conditions, requirements, provisions, and specifications associated with or listed on this permit with the start of any construction described or shown on this permit.
- **Prior to the start of any work shown on this permit the permittee, the contractor, and SCDOT will meet on site to discuss proposed work, these provisions, and all required safety requirements and signage pertaining to this permit.**
- All construction signage is to be placed and maintained during the construction of this project until SCDOT final approval of work is given for all work shown on this permit. All signage is the responsibility of the permittee.
- Any boring operation being made on this project shall be made by method shown in permit and in such a manner as not to disturb the existing pavement. Notice will be given to the South Carolina Department of Transportation a minimum of 48 hours prior to the start of the boring operation, and immediately if the bore turns and damages the existing roadway pavement or shoulders in any way.
- At all locations of jack and bore crossings, casing will extend from right-of-way line to right-of-way line.
- All ingress and egress from and to the work area must be made from a safe location providing adequate and safe sight distance for the workers and motorists.
- Traffic Control to follow SCDOT Standard Drawing 610-005-00 for a Flagging Operation.
- Traffic Control to follow SCDOT Standard Drawing 610-205-00 for a Shoulder Closure.
- This office is to be notified a minimum of 24 hours prior to any work inside SCDOT rights-of-way being started by calling, faxing or emailing the Permit Construction Notification form or by immediately calling if an accident should occur during this construction. (843) 761-8481
- Any installation of this water/sewer main between the ditch line and edge of pavement must have a cover depth of 42 inches below the top of pavement.
- Any installation of this water/sewer main between the ditch line and right-of-way line must have a minimum cover depth of 36 inches.
- The utility company to the extent required by law shall hold harmless the Department, its employees, contractors and agents, from any damages caused to the utility installations by routine maintenance operations. The utility company shall be responsible for any damages it causes to other utility installations on the Department right-of-way.
- All work shown on attached drawings to be done by Chas. Water Systems.

- All pavement markings (edge line and/or center line) shall be restored to SCDOT standards and specifications.
- Any existing pavement markings or traffic signage altered during the installation of this permitted construction will be replaced by the permittee to their original condition as soon as possible. All existing and required construction signage will be maintained at all times during this permit.
- **No trenches or open excavations are to be left open overnight.**
- All areas disturbed inside SCDOT rights-of-way are to be compacted, graded and grassed as soon as possible to prevent any erosion or sedimentation in the drainage system.
- The open cut repairs to any portion of the roadway shall include the following: milling 2" deep on each side of open cut to extend 5' beyond each side of open cut. Entire depth of open cut shall be flowable filled and steel plated then secured to allow setup then top four inches of flowable fill removed and patched with a minimum of 4" hot asphalt surface course and/or the thickness and type of existing asphalt, whichever is greater. Milled area shall be replaced with 220 lbs/sy asphalt surface course Type B.
- The open cut(s) in the roadway is/are to be patched by backfilling with SCDOT approved flowable fill, plated and when setup
- **Any sidewalk or curbing damaged or removed during construction must be replaced by the permittee to SCDOT standards and specifications.**
- All construction signage is to be placed and maintained during the construction of this project until SCDOT final approval of work is given for all work shown on this permit. All signage is the responsibility of the permittee.
- No excavated material is to be placed or let accumulate on roadway surface during the construction of this project. All material is to be removed from roadway as soon as possible.
- **Any excavation within 5' of the edge of pavement will be backfilled entirely with flowable fill. The excavated area will be backfilled entirely with flowable fill.**
- Any boring operation being made on this project shall be made by method shown in permit and in such a manner as not to disturb the existing pavement. The bore pit must not be any closer than five to six feet from the edge of pavement and constructed as shown. **The cover over the casing shall not be less than 48 inches at any point in the casing length from the lowest point of the roadway cross sections to the top of the casing.** Notice will be given to the South Carolina Department of Transportation a minimum of 24 hours prior to the start of the boring operation, and immediately if the bore turns and damages the existing roadway pavement or shoulders in any way.
- Bore pits shall be closed immediately after installation. Disturbed area will be backfilled in 6" lifts, compacted as required, graded to provide positive drainage, raked, and cleared of all debris, then grassed as required.
- This office is to be notified 24 hours prior to the start of any boring or open roadway cut operation is to begin. All necessary equipment and materials needed to accomplish these tasks are to be on site, and inspected by SCDOT inspector prior to the start of each operation. This also includes all traffic control devices and signage. Call (843) 761-8481

UTILITY LINE CONSTRUCTION PROVISIONS

- 1.) All work to be performed under this permit will be in accordance with South Carolina Department of Transportation manual "A Policy for Accommodating Utilities on Highway Right-of-way", latest edition.
- 2.) All underground utility lines are to be placed as indicated on attached drawings or detailed in the permit. The line is to be placed in a uniform distance either off edge of roadway or right-of-way lines with the least amount of deflective changes as possible. All lines are to be buried with a minimum cover as shown on drawings or indicated in the permit.
- 3.) Contractor will maintain access to all property owners at all times during construction, and until final inspection, and approval is obtained. If in the course of construction driveways are to be cut and access impaired the contractor will be responsible to inform each resident of the inconvenience and the time, date and length of the work to be done.
- 4.) All utility valves, meters, vaults, air release valves, manholes, and others utility structures are to be installed outside existing or proposed roadway surface, flush with the existing ground, and behind ditches if at all possible, and/or 3'-0" inside the right-of-way lines.
- 5.) Any existing pavement markings or traffic signage altered during the installation of this permitted construction will be replaced by the permittee to their original condition as soon as possible. All existing and required construction signage will be maintained at all times during this permit. Some new construction will require new pavement markings and permanent signage, see permit for details.
- 6.) Any request for a final inspection of a utility project will be made by either sending this office a letter or email requesting final inspection or by calling and requesting the inspection.

UTILITY LINE BORING PROVISIONS

- 7.) Any boring operation being made on this project shall be made by method shown in permit and in such a manner as not to disturb the existing pavement. The bore pit must not be any closer than five to six feet from the edge of pavement and constructed as detailed in provision number 8. The cover over the casing shall not be less than 48 inches at any point in the casing length from the lowest point of the roadway structure to the top of the casing. Notice will be given to the South Carolina Department of Transportation a minimum of 24 hours prior to the start of the boring operation, and immediately if the bore turns and damages the existing roadway pavement or shoulders in any way.
- 8.) At all locations of jack and bore crossings, casing will extend from right-of-way line to right-of-way line. Boring pit location will be determined by the depth of boring, i.e. the distance from edge of pavement to the front edge of the pit will be the same or greater than the depth of line crossing, minimum of five or six feet.
- 9.) Bore pits shall be closed immediately after installation. Disturbed area will be backfilled in 6" lifts, compacted as required, graded to provide positive drainage, raked, and cleared of all debris, then grassed as required.
- 10.) This office is to be notified 24 hours prior to the start of any boring or open roadway cut operation is to begin. All necessary equipment and materials needed to accomplish these tasks are to be on site, and inspected by SCDOT inspector prior to the start of each operation. This also includes all traffic control devices and signage. Call (843) 761-8481

PAVEMENT PROVISIONS

- 11.) Any pavement to be used in the construction shown on this permit is to be placed as specified and in accordance with the South Carolina Department of Transportation standard specifications for highway construction (latest edition), whichever is greater. The

pavement structure listed or shown will be used in all areas where asphalt is to be placed inside SCDOT right-of-way unless indicated differently on the permit.

- 12.) Any existing roadway pavement damaged or removed in connection with this work will be replaced, using the same thickness and type of material destroyed, or according to specifications called for in the South Carolina Department of Transportation construction manual (latest edition), whichever is greater.
- 13.) Where pavement is cut and replaced, the contractor shall cut the edges to a straight and even line before removing the pavement. No ragged edges will be allowed or accepted. All patches and repairs will have squared corners. Prior to placing new asphalt all existing edges are to be tacked as per current SCDOT specifications. In some cases an asphalt surface overlay may be required to smooth riding surface of roadway at patch, see permit for details.
- 14.) Where roadway pavement is cut and is to be replaced, the trench is to be backfilled with SCDOT approved flowable fill from top of pipe to riding surface, and steel plating is to be placed over cut and secured as required. Then maintained until backfill has setup and then surface treatment can to be placed. The top two inches (minimum) of flowable fill is to be removed and the equivalent amount and type of existing roadway asphalt (minimum two inches) is to be placed in patch.

EXCAVATION PROVISIONS

- 15.) Any required excavation or mucking in connection with this work, will be backfilled in six inch layers, and thoroughly compacted in a manner satisfactory to the South Carolina Department of Transportation specifications. Density tests may be required with the results to be furnished to the departments utility inspector on a weekly basis during construction, see permit for details.
- 16.) Compaction requirements in these provisions apply to crosscuts and longitudinal trench cuts from shoulder break to shoulder break. If compaction tests are required the maximum distance between tests shall be 500 feet. In some cases additional tests may be required, see permit for details.
- 17.) If unsuitable material is excavated, it will not be put back in the excavation, and will be removed from the right-of-way as soon as possible. The material will be replaced with suitable approved backfill, and be in compliance with the South Carolina Department of Transportation specifications for backfill.
- 18.) There shall be no excavation of soil nearer than two feet from any public utility pole or appurtenant facility without the written consent of the owner thereof. Special permission of the South Carolina Department of Transportation after an opportunity to be heard is given the owner of such pole or appurtenant facility may be given.
- 19.) If the side of the trench, pit, or any excavation is less than 3'-0" from the existing edge of pavement, the excavated area will be backfilled entirely with flowable fill to an elevation 6 inches from the existing ground elevation. Then brought to grade with suitable topsoil, compacted, graded, and grassed as required to eliminate any erosion.
- 20.) Existing ditch slopes, if excavated, shall be backfilled in six inch layers and well tamped with a mechanical tamp to 95% density (standard proctor). These lifts will be benched into the existing embankment as required. The new slopes will then be graded to match existing typical roadway cross section.
- 21.) No excavated material or spoil is to be placed on the pavement without the permission of the South Carolina Department of Transportation, and if permission is granted, this material must be removed daily, as soon as possible. The roadway is to be

cleaned of all material in a manner as to protect the existing pavement. Any pavement destroyed, or marked by this operation will be removed and replaced as required.

- 22.) When shoulders and ditch slopes are reshaped and graded to a typical section, the section will match existing road section. Where the existing section is less than state standards (6' wide shoulder @ 12:1, front slope of ditch @ 4:1, ditch bottom as required to accommodate existing runoff, and back slope of ditch min. 3:1 or to right-of-way line) the section will be upgraded to the standard. In either case positive drainage must be established and approved by SCDOT.
- 23.) Contractor will maintain positive drainage at all times during construction and until final inspection and approval from South Carolina Department of Transportation is obtained.
- 24.) No excavation located between the edge of roadway pavement and the center of sideline ditch or 15'0" where no ditch is present is to be left open overnight. The excavation is to be either temporarily backfilled or a steel plate is to be secured over hole. In either case reflective traffic cones are to be placed around the area of the excavation until the excavation has been permanently backfilled as required and graded.

CONSTRUCTION CLEANUP PROVISIONS

- 25.) All areas in SCDOT right-of-way disturbed during construction are to be restored to original condition as soon as possible and maintained during entire length of project,
- 26.) All disturbed areas inside SCDOT rights-of-way will be seeded with a mixture of grass seed as specified in the South Carolina Department of Transportation standard specifications for highway construction, section 109b2, or latest edition. No rye grass will be allowed inside SCDOT rights-of-way. A satisfactory stand of grass will be required, prior to any acceptance or final approval is granted on this permit.
- 27.) All rocks, pebbles, boards, other debris along with any spoil material will be kept clear of roadway at all times as the work progresses.

TRAFFIC CONTROL PROVISIONS

- 28.) The permittee, owner, and/or contractor will be responsible for all required traffic control for this construction. SCDOT will be available for any questions concerning the required signage, types, size and placement.
- 29.) Any time personnel or equipment is required to be inside right-of-way. Signs are to be covered or removed each night or if no activity is present inside right-of-way.
- 30.) All men working in the SCDOT right-of-way will wear approved safety vests as required.
- 31.) **Traffic control, lights, signs, and flagmen will be furnished by the permittee and/or contractor and will conform to "Manual on Uniform Traffic Control Devices", latest edition. All devices and signs will be maintained during all phases of construction. Signs not in use will be removed or covered as required.**

GENERAL PROVISIONS

- 32.) All work to be performed under this permit will be in accordance with South Carolina Department of Transportation specifications, latest edition.
- 33.) All work indicated on this permit is to be completed within one (1) year of the approval date of the permit. All utility line construction is to include the surface treatment and all shoulder and ditch stabilization required.
- 34.) All roadway and work performed in the SCDOT right-of-way under this permit including any utility installations will be the responsibility of the owner for the life of the utility placed. If for any reason the utility line fails, this office is to be notified immediately. If in the construction of the project detailed on the permit, the roadway or right-of-way construction or any part of that construction is performed in a manner not specified in the permit or according to SCDOT standards or specifications shall be corrected immediately.
- 35.) Appropriate South Carolina Department of Transportation officials will be notified as of the start of any construction on this project, 24 hours prior to the start, and be kept informed of the progress during construction, and when a final inspection is wanted at the completion of the project.
- 36.) A reliable, properly insured, and licensed contractor will perform this construction.
- 37.) Any construction materials or equipment to be stored or parked alongside of roadway or in the right-of-way will be placed a minimum of 30' from the edge of pavement, or have warning devices as required and approved by this office.
- 38.) Field changes, if necessary must be submitted in writing and approved prior to the start of any actual construction on proposed change. An as-built set of plans will be required upon completion of the project reflecting any and all changes to the original plans.
- 39.) If a time extension or a revision to an approved permit is required, a written request along with any drawings required is to be submitted to this department for review and approval. No work is to be performed on any item not indicated on the permit, either shown in a sketch or indicated in a description, prior to an amended permit being issued.
- 40.) The permittee shall be responsible for any and all damages that occur as a direct result of this installation.
- 41.) A copy of this approved permit will be made available to the South Carolina Department of Transportation at the work site at all times.



Permit Construction Notification

Submit To: Encroachment Permit Manager
SCDOT Berkeley Encroachment Permit Office
Email: Carswelljs@scdot.org Fax: 843-761-5100

This notification is to inform the Department of the upcoming construction commencement of the following permitted work:

Permit Number:

Road Name/Number:

Project Name:

Name of Permittee:

Contractor Name & Contact:

Contractor Office & Mobile Phone No:

Proposed Preconstruction Date:

Estimated Project Completion Time:

Notes:

- ❖ Upon completion of all work you must contact the SCDOT-Berkeley Maintenance Permit Office at (843) 761-8481 to schedule a final inspection.
- ❖ Once work has been satisfactorily completed SCDOT will issue a Letter of Compliance.

Attachment No 3 – Nationwide Permit 12 from US Army Corps of Engineers



DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69 A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

January 30, 2020

Regulatory Division

Mr. Russell Huggins Jr.
Charleston Water System
103 St. Phillip Street
Charleston, South Carolina 29403

Dear Mr. Huggins Jr.:

This is in response to a Pre-Construction Notification (PCN) (SAC-2019-01909) received on November 19, 2019, and considered complete on January 22, 2020. 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 Thomas Island Regional Pump Station, to construct a new wastewater line. The activities in waters of the United States include constructing 6,300 linear feet of new wastewater line via trench and backfill method. The project involves impacts to not more than 1.8 acres of Waters of the United States. Specifically, this letter authorizes the permanent clearing to not more than 0.886 acre and temporary discharge of dredged material via trench and backfill into 1.8 acres of Waters of the United States. The project is located in freshwater wetlands on Thomas Island, Berkeley County, South Carolina at the following segments:

Along Clements Ferry Road from a point near the southern terminus of the road to a point near the intersection of Clements Ferry Road and Interstate 526 (Start: Latitude: 32.8663°, Longitude: -79.9355 °; End: Latitude: 32.8784°, Longitude: -79.9320°).

Along Sportsman Island Drive from Clements Ferry Road to a point west of the existing bridge on Sportsman Island Drive (Start: Latitude: 32.8757°, Longitude: -79.9323°; End: Latitude: 32.8753°, Longitude: -79.9299°).

Along Harvest Time Road to the existing Pump Station 172 located near Harvest Time Road (Start: Latitude: 32.8734°, Longitude: -79.9293°; End: Latitude: 32.8739°, Longitude: -79.9289°).

Along Clouter Creek Drive from Clements Ferry Road to the existing Pump Station located at the intersection of Clouter Creek Drive and Victoria Road (Start: Latitude: 32.8713°, Longitude: -79.9338°; End: Latitude: 32.8706°, Longitude: -79.9312°).

The PCN also includes the following supplemental information:

- a. Drawing sheets 1-16 of 16 titled "THOMAS ISLAND REGIONAL PUMP STATION" and dated January 22, 2020.
- b. A delineation of wetlands, other special aquatic sites, and other waters.

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 12 Utility Line Activities.

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 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.**
- b. **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.**
- c. **That the permittee shall submit the attached signed compliance certification to the Corps within 30 days following completion of the authorized work.**
- d. **The permittee recognizes that their commitment to perform and implement the following conditions was a deciding factor in the favorable and timely decision on this permit and recognizes that a failure on their part to both actively pursue and implement these conditions may be grounds for modification, suspension or revocation of this Department of the Army authorization:**
 1. **That as compensatory mitigation for impacts to aquatic resources, the permittee agrees to purchase or debit a total of 4.8 credits from a Corps approved mitigation bank. At least one half of the required credits [2.4] must be restoration/non-buffer enhancement credits. In addition, no more than one half of the required mitigation credits [2.4] may be preservation credits and;**
 2. **That the permittee must submit evidence of the purchase or debit of the required mitigation credits to both the Corps of Engineers and SCDHEC prior to commencement of the authorized work. Your responsibility to complete the required compensatory mitigation as set forth in Special Condition [d.1] will not be considered fulfilled until you have received written verification from the U.S. Army Corps of Engineers.**

This verification is valid until March 18, 2022, 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 18, 2022. 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.

In all future correspondence, please refer to file number SAC-2019-01909. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact Jeremy M. Kinney, Project Manager, at (843) 329-8033, or by email at Jeremy.M.Kinney@usace.army.mil.

Sincerely,

2020.01.30

Chelsea Fannin 07:58:29

-05'00'

Chelsea B. Fannin
Team Lead

Attachments

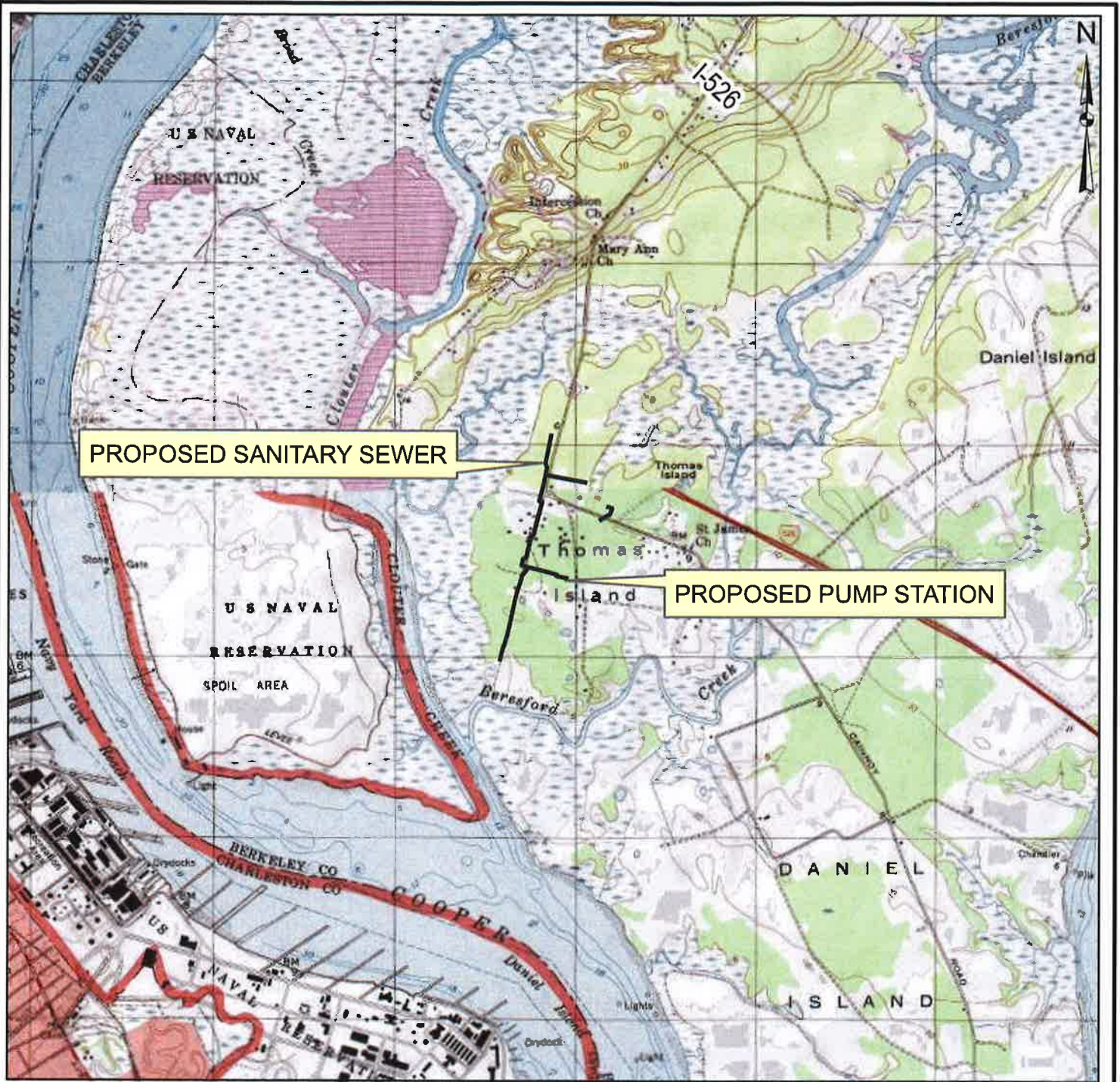
- Permit Drawings
- NWP 12 Utility Line Activities
- Nationwide Permit General Conditions
- Nationwide Permit Regional Conditions
- Compliance Certification Form

Copies Furnished:

Ms. Linda Diebolt
Hazen and Sawyer
4011 West Chase Boulevard, Suite 500
Raleigh, North Carolina 27607
ldiebolt@hazenandsawyer.com

SC DHEC - Bureau of Water
2600 Bull Street
Columbia, South Carolina 29201
WQCWetlands@dhec.sc.gov

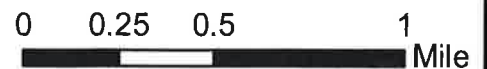
SC DHEC - OCRM
1362 McMillan Avenue, Suite 400
North Charleston, South Carolina 29405
OCRMPermitting@dhec.sc.gov



LOCATION MAP

(SOURCE: USGS TOPOGRAPHIC MAP)

1 inch = 0.5 mile

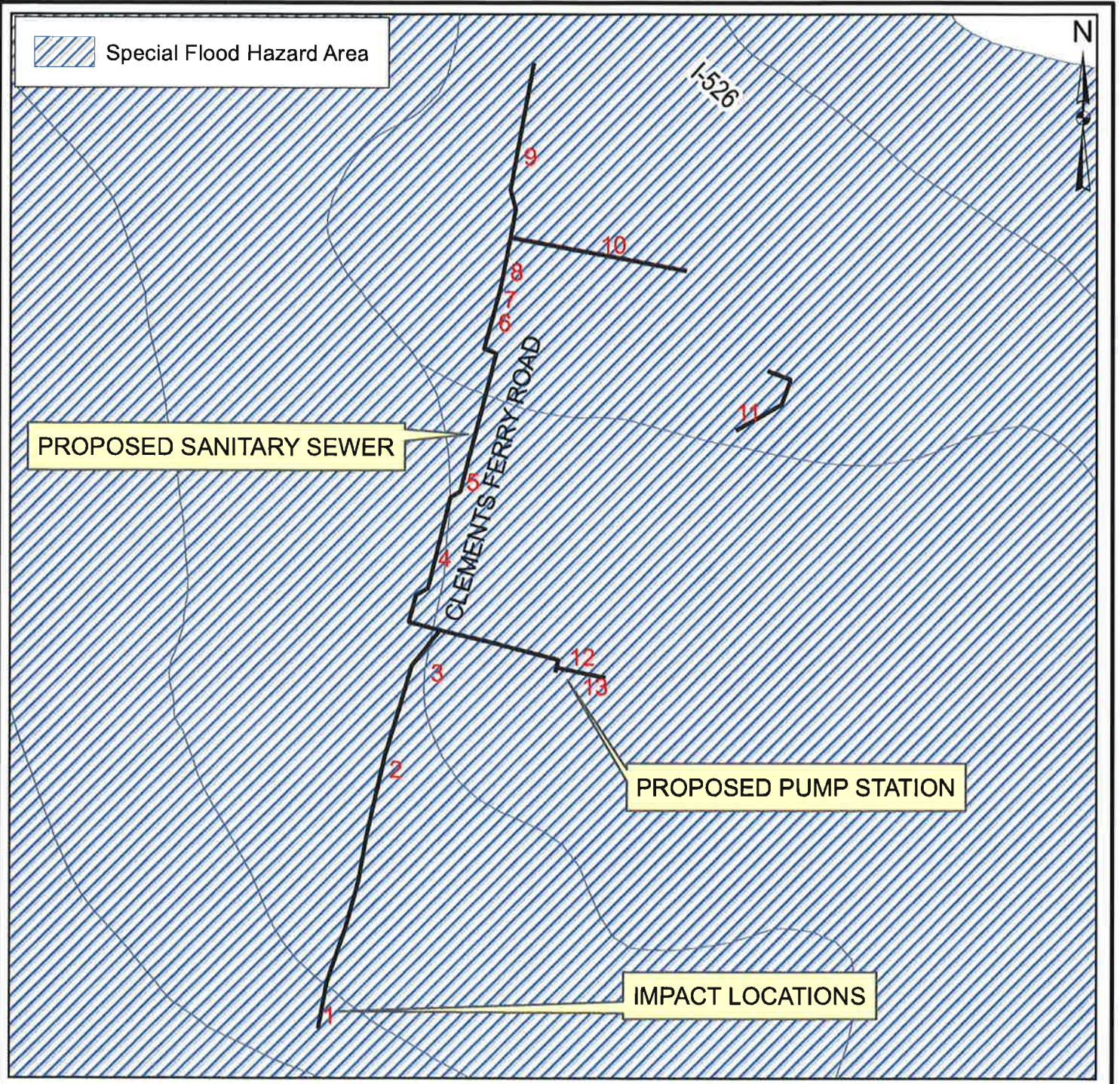


**Permitted
Plans**

Date: 1/22/2020



CHARLESTON WATER SYSTEM
CHARLESTON, SOUTH CAROLINA
THOMAS ISLAND REGIONAL PUMP STATION
SITE LOCATION MAP



SPECIAL FLOOD HAZARD AREA
(SOURCE: FEMA)

1 inch = 0.12 mile Mile

**Permitted
Plans**

Date: 1/22/2020

CHARLESTON WATER SYSTEM
CHARLESTON, SOUTH CAROLINA
THOMAS ISLAND REGIONAL PUMP STATION
SPECIAL FLOOD HAZARD AREA MAP





STREAMS IN THE PROJECT AREA

(SOURCE: NHD STREAMS)

**Permitted
Plans**

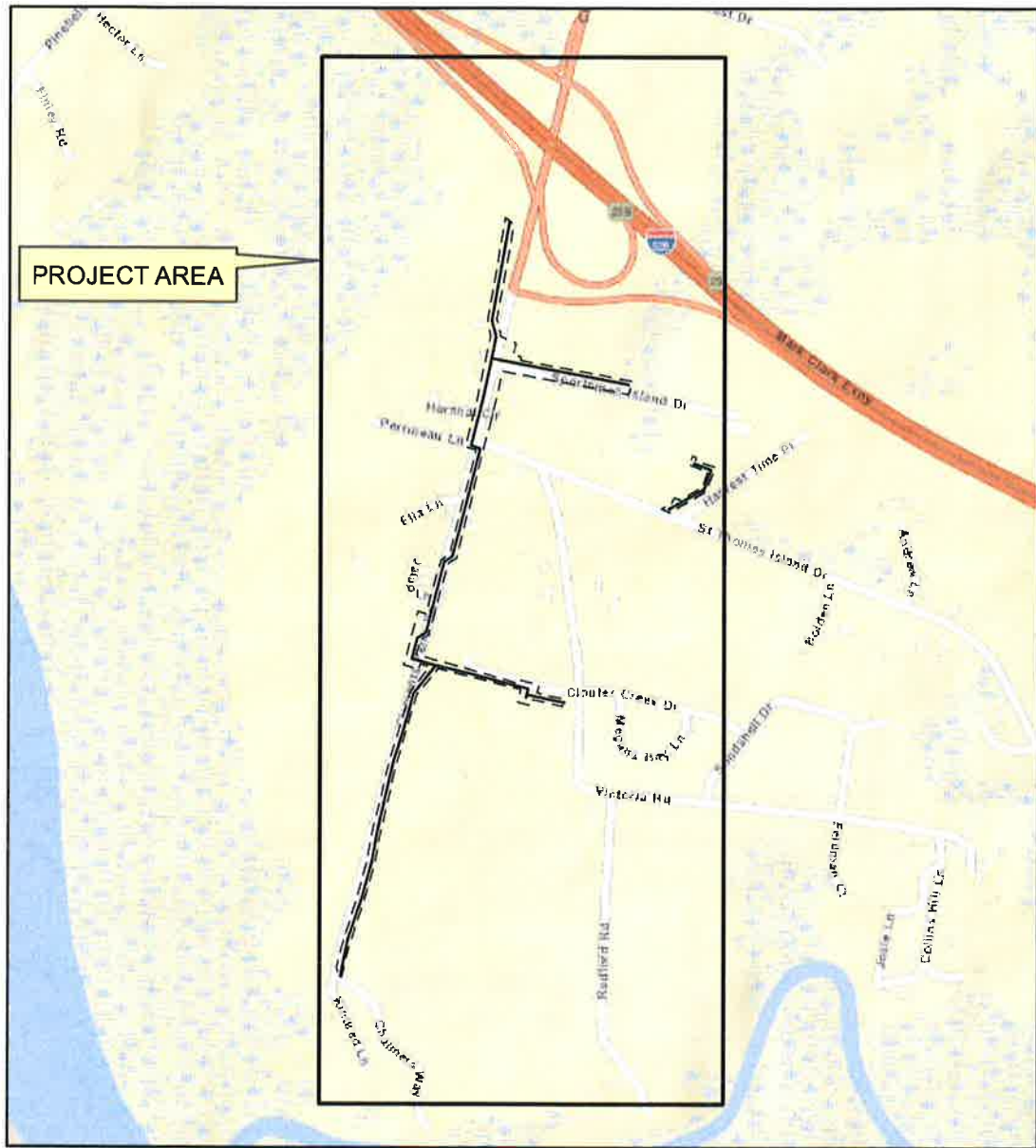
1 inch = 0.2 mile



Date: 1/22/2020

Hazen

CHARLESTON WATER SYSTEM CHARLESTON, SOUTH CAROLINA
THOMAS ISLAND REGIONAL PUMP STATION STREAMS IN THE PROJECT AREA



THOMAS ISLAND REGIONAL PUMP STATION LOCATION MAP

SCALE: 1 inch = 1,000 feet

LIST OF EXHIBITS













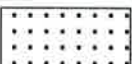

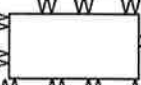
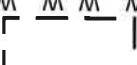
- EXHIBIT 1: LOCATION AND IMPACT MAPS INDEX
- EXHIBIT 2: LEGEND
- EXHIBIT 3: IMPACT LOCATION MAP
- EXHIBIT 3A THROUGH 3J: IMPACT MAPS

**Permitted
Plans**

Date: 1/22/2020



CHARLESTON WATER SYSTEM CHARLESTON, SOUTH CAROLINA
THOMAS ISLAND REGIONAL PUMP STATION LOCATION AND IMPACT MAPS INDEX

-  EXISTING ROAD
-  EXISTING FORCE MAIN
-  PROPOSED WASTEWATER LINE
-  PROPERTY EASEMENT OR BOUNDARY
-  EXISTING BUILDING
-  EXISTING CONCRETE PAD OR DRIVEWAY
-  OVERHEAD UTILITIES
-  TELEPHONE POLE
-  PROPERTY RIGHT-OF-WAY
-  EXISTING DITCH
-  TREE
-  TREELINE
-  TEMPORARY CONSTRUCTION IMPACT
-  CONVERSION FOR MAINTAINED CORRIDOR
-  JURISDICTIONAL WETLANDS
-  LIMITS OF CONSTRUCTION

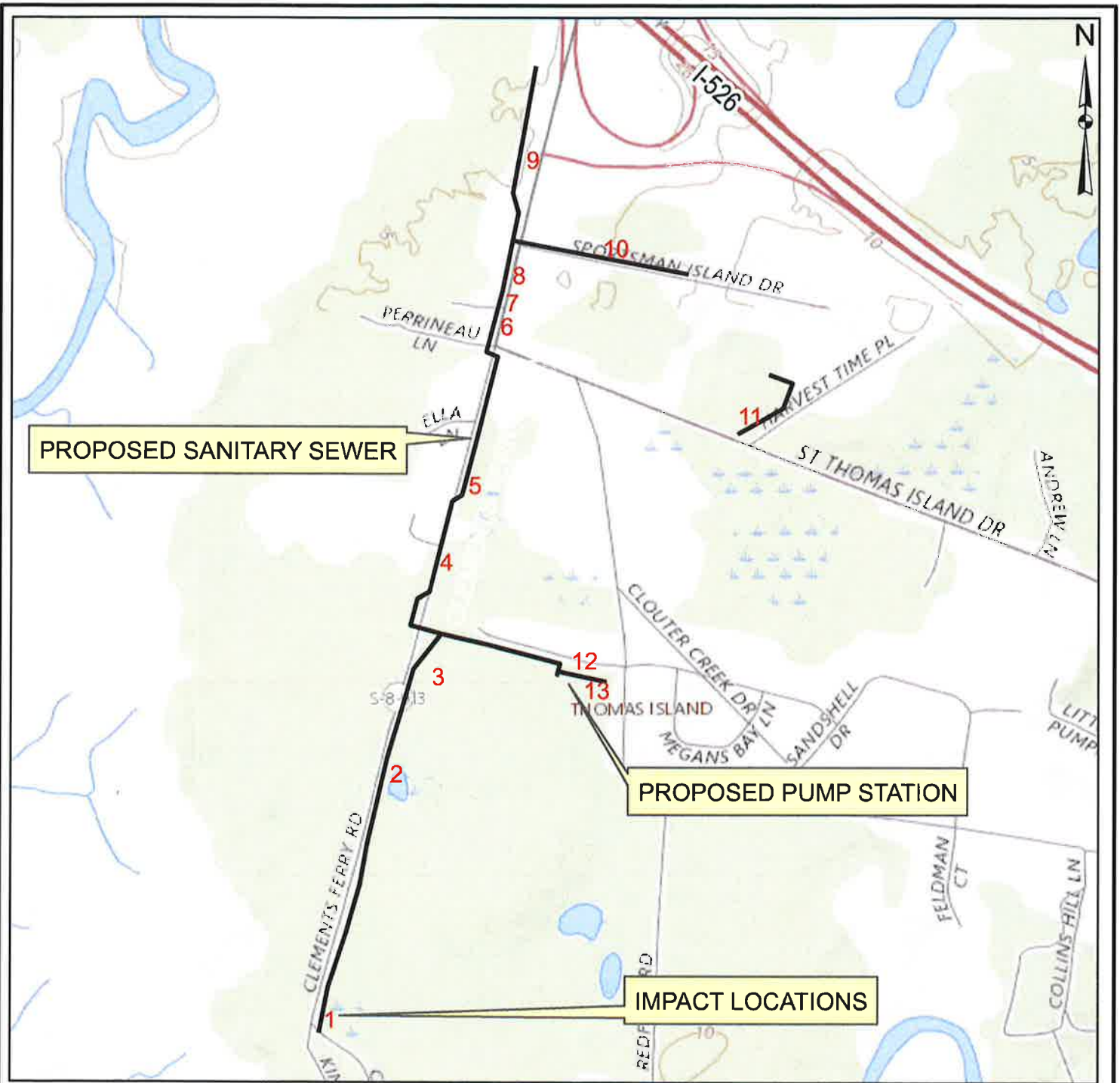
**Permitted
Plans**

Date: 1/22/2020

CHARLESTON WATER SYSTEM
CHARLESTON, SOUTH CAROLINA

THOMAS ISLAND REGIONAL PUMP STATION
LOCATION MAP AND INDEX





IMPACTS IN THE PROJECT AREA
 (SOURCE: USGS NATIONAL MAP)

**Permitted
Plans**



Date: 1/22/2020

<p>CHARLESTON WATER SYSTEM CHARLESTON, SOUTH CAROLINA</p>
<p>THOMAS ISLAND REGIONAL PUMP STATION IMPACT LOCATION MAP</p>

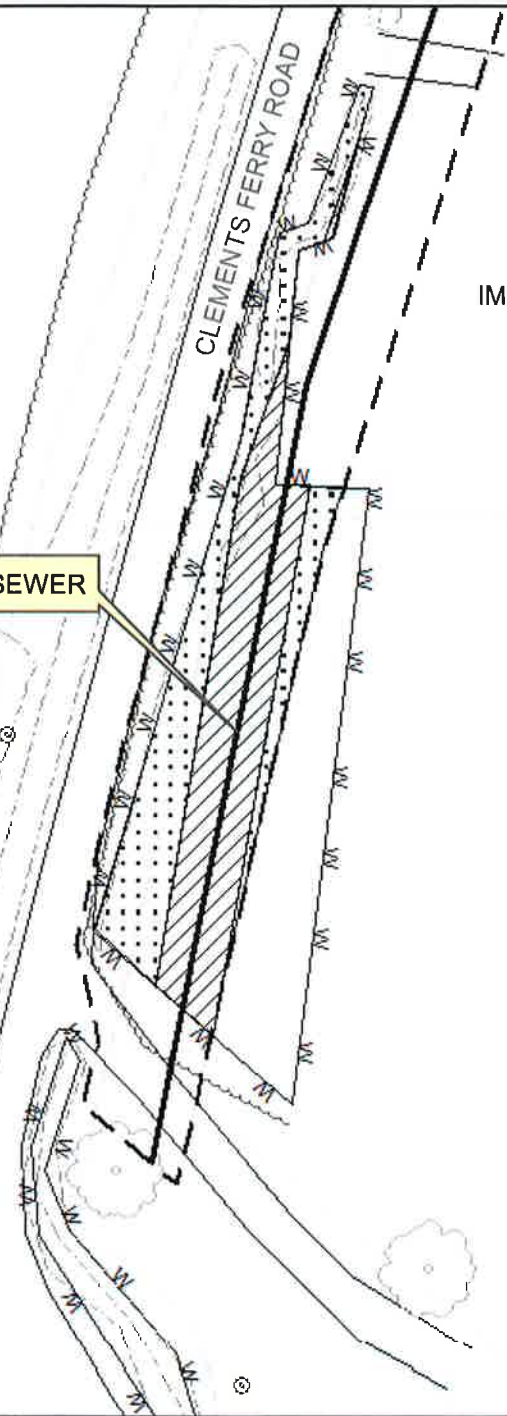


**Permitted
Plans**



IMPACT NO. 1

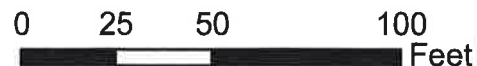
PROPOSED SANITARY SEWER



IMPACT NO.	CONVERISON FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

1 inch = 50 feet

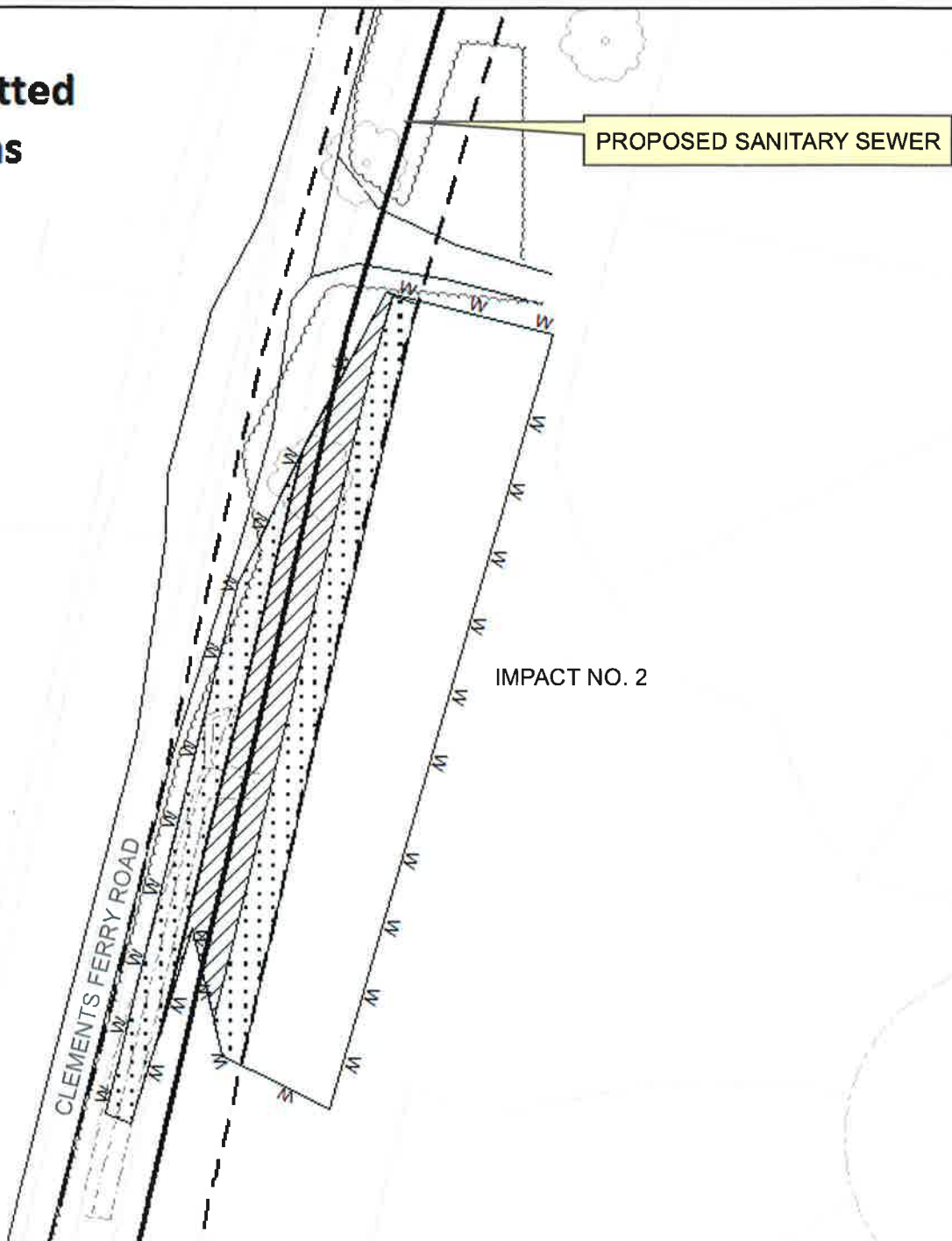


Date: 1/22/2020

CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3A



**Permitted
Plans**



IMPACT NO.	CONVERISON FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

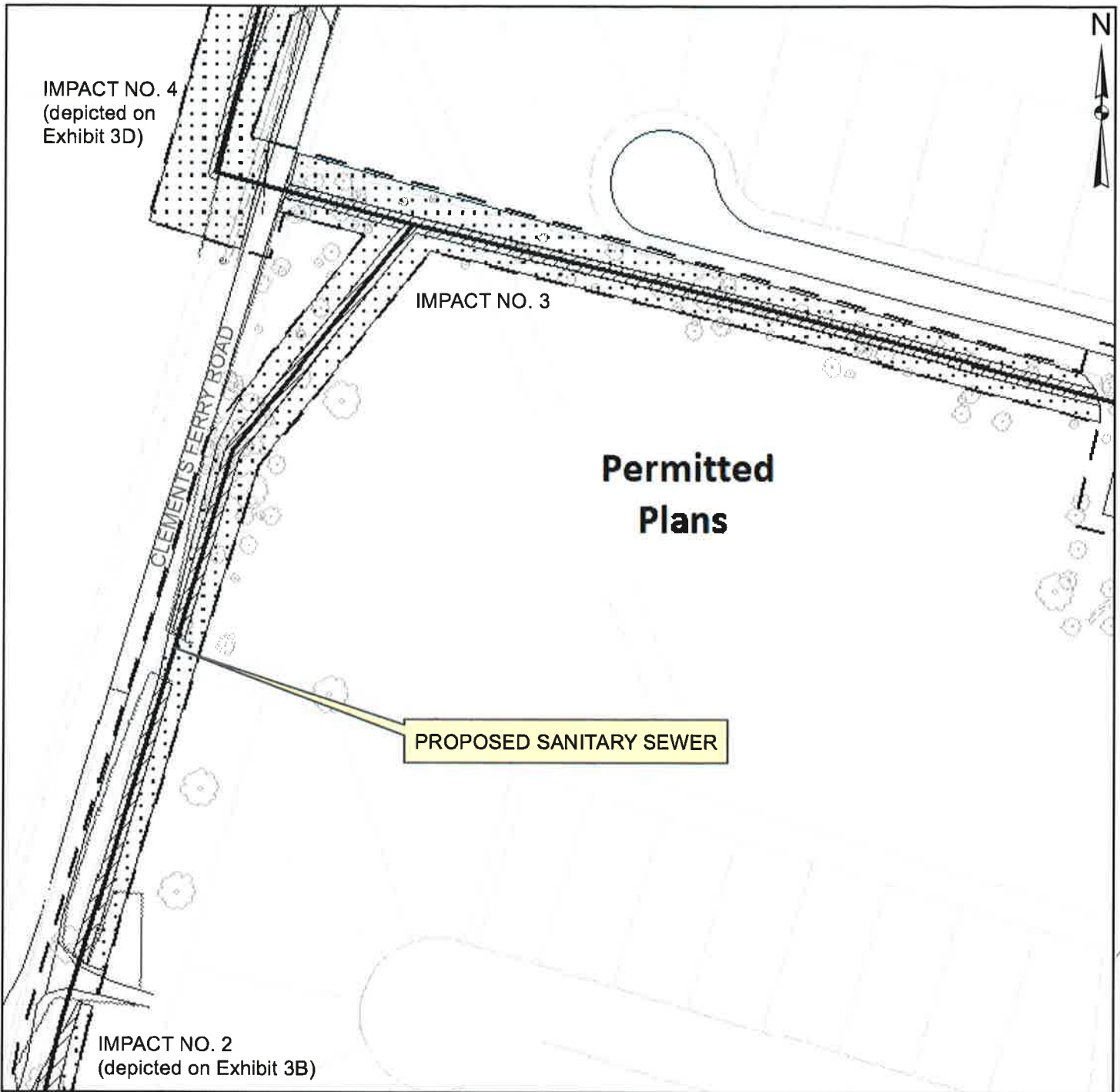
Hazen

1 inch = 50 feet



Date: 1/22/2020

CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3B



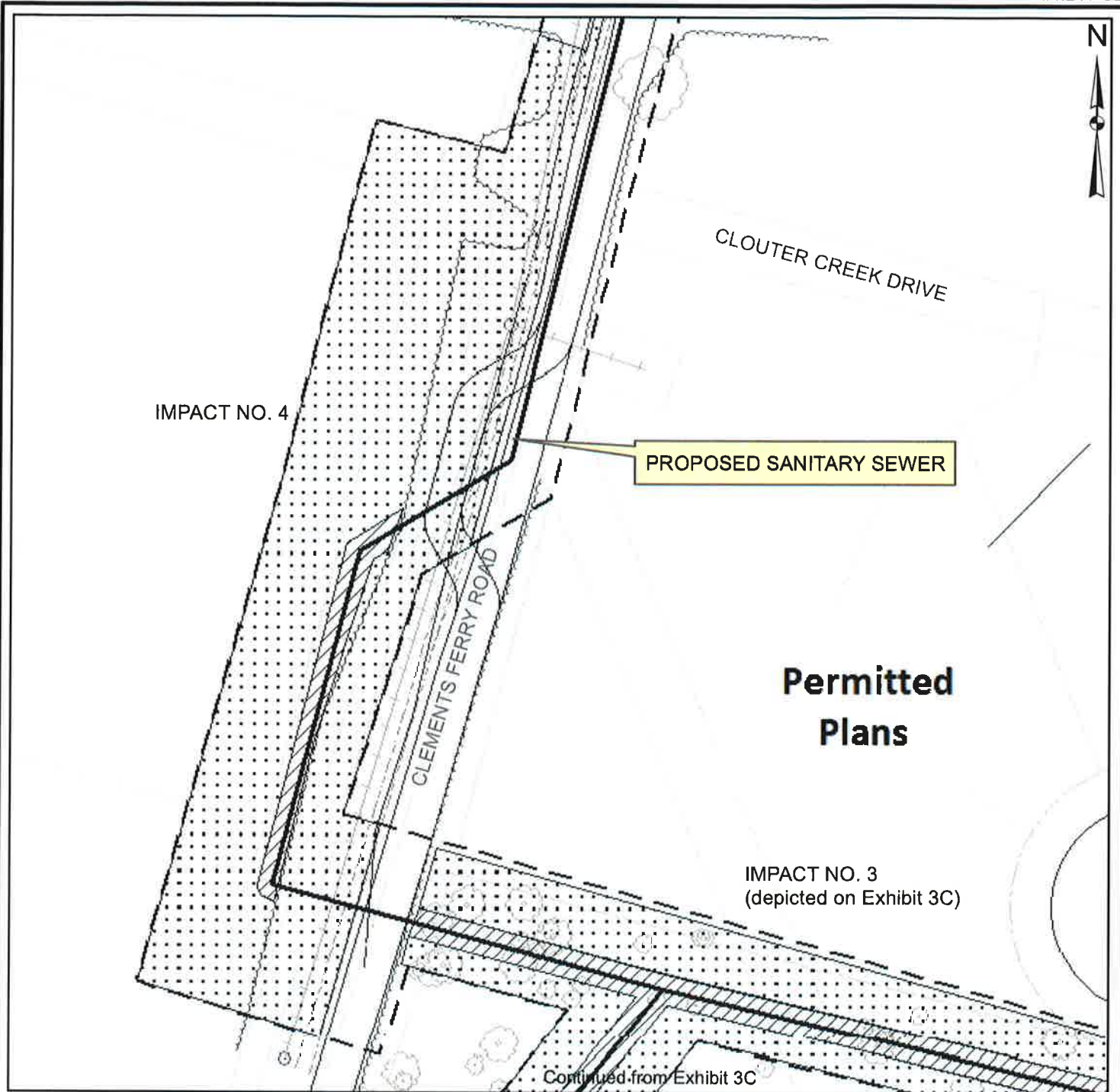
IMPACT NO.	CONVERSION FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

1 inch = 100 feet Feet

Date: 1/22/2020

**CHARLESTON WATER SYSTEM
CHARLESTON, SOUTH CAROLINA
THOMAS ISLAND REGIONAL PUMP STATION
IMPACT MAP - EXHIBIT 3C**



IMPACT NO.	CONVERSION FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

1 inch = 50 feet



Date: 1/22/2020

CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3D

**Permitted
Plans**

CLEMENTS FERRY ROAD

IMPACT NO. 5

PROPOSED SANITARY SEWER



IMPACT NO.	CONVERISON FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

1 inch = 50 feet

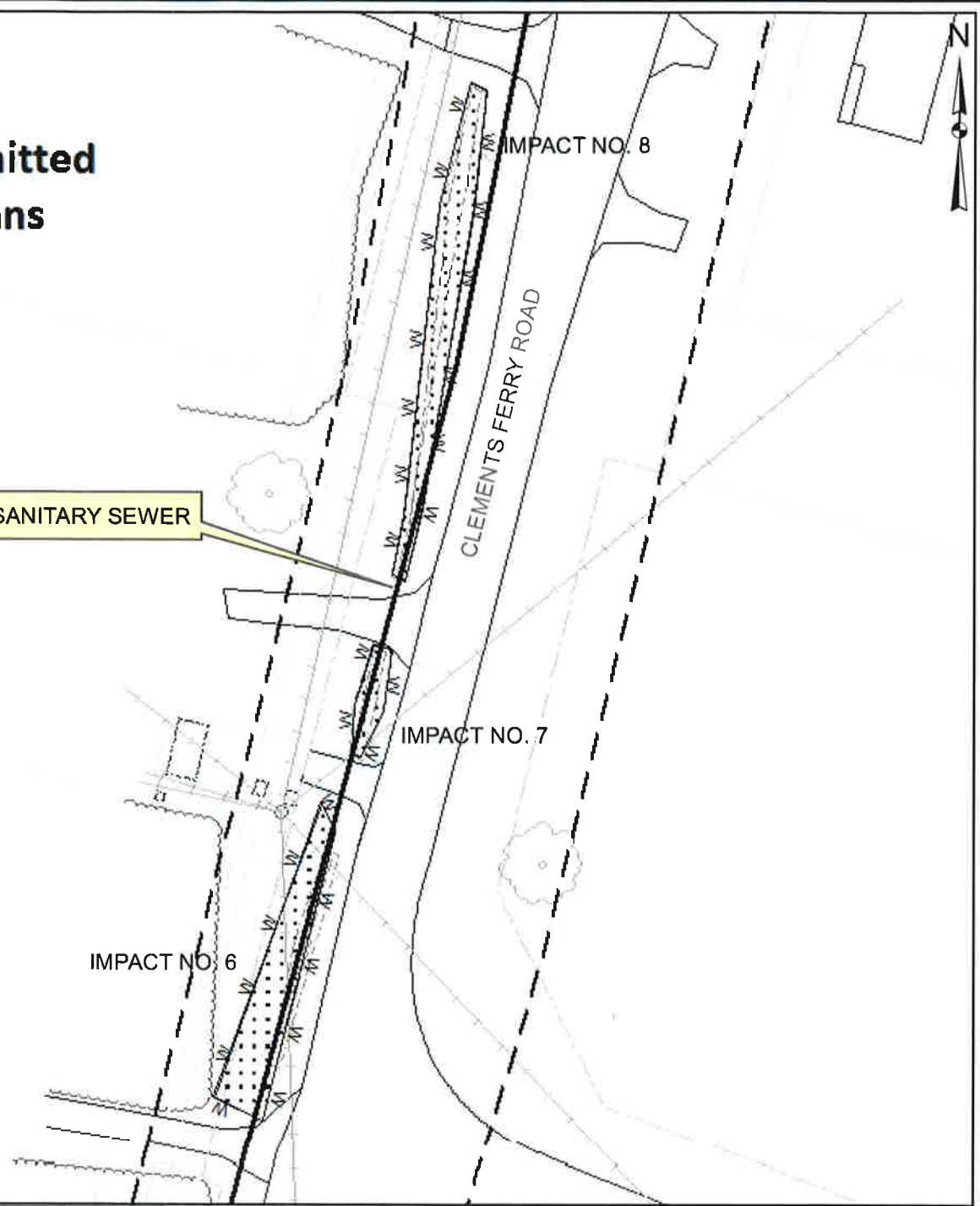


Date: 1/22/2020

CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3E

**Permitted
Plans**

PROPOSED SANITARY SEWER



IMPACT NO.	CONVERSION FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

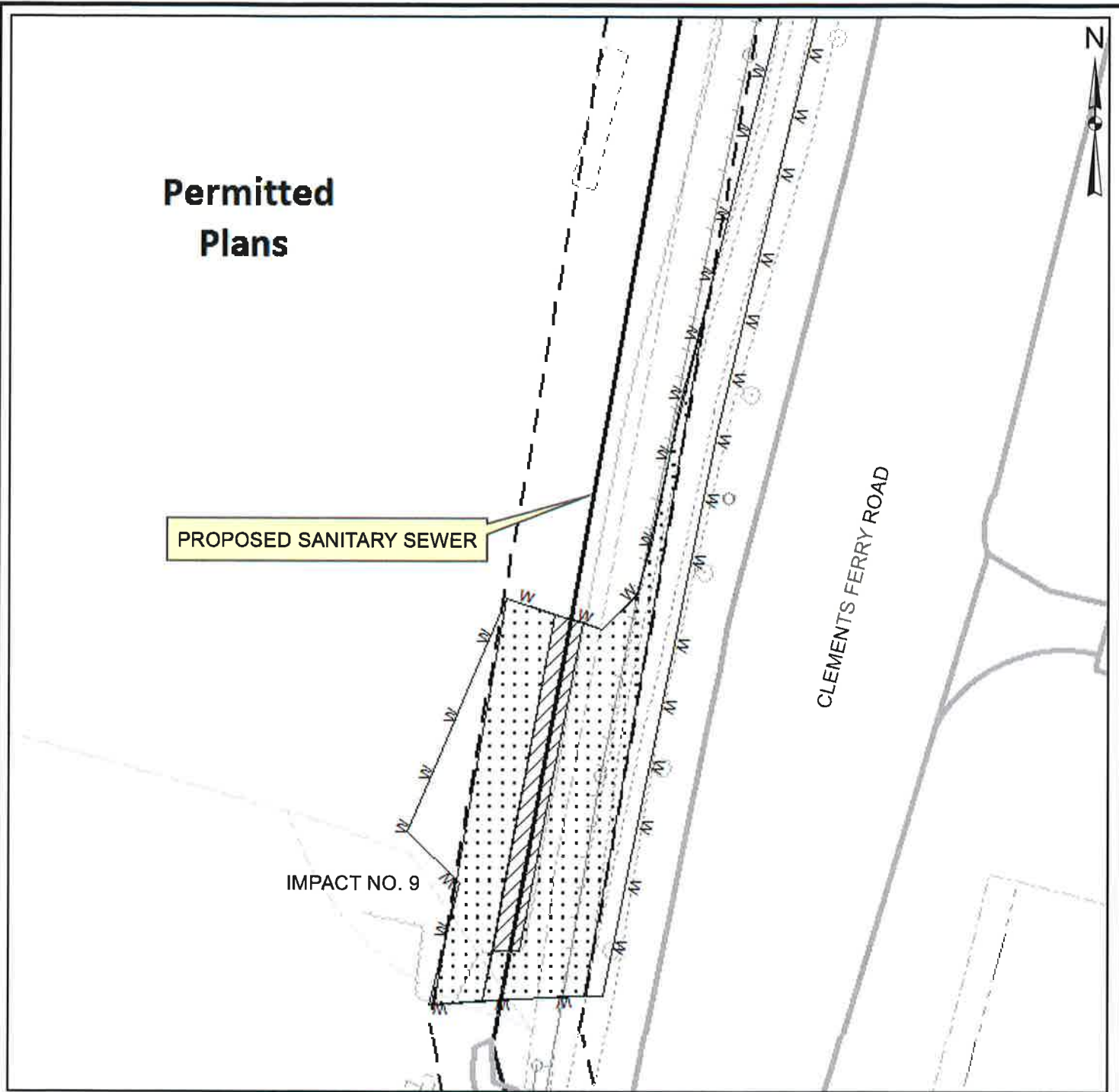
Hazen

1 inch = 50 feet



Date: 1/22/2020

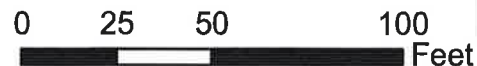
CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3F



IMPACT NO.	CONVERISON FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

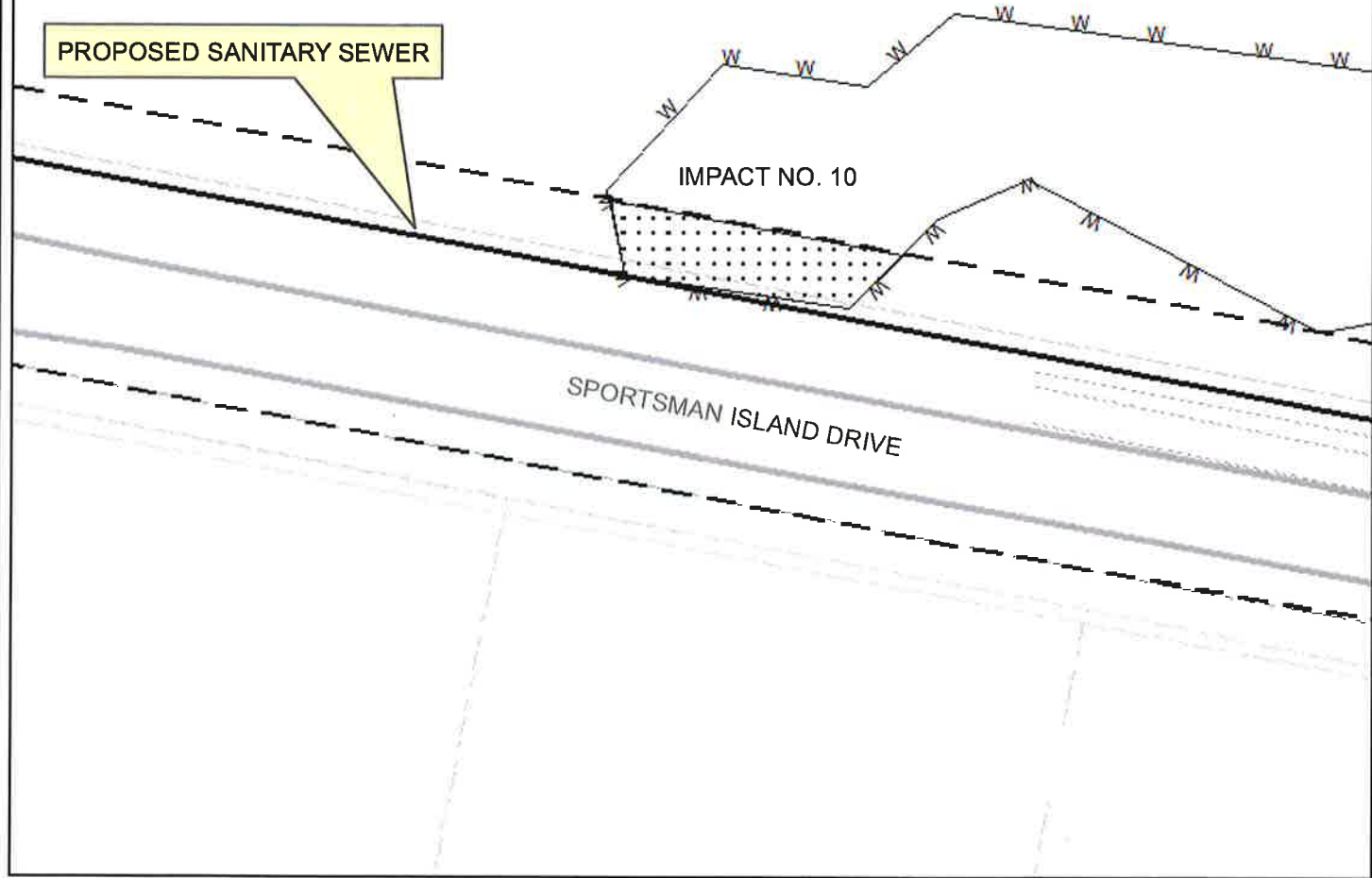
1 inch = 50 feet



Date: 1/22/2020

CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3G

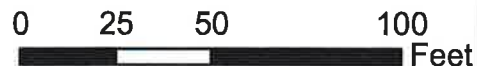
**Permitted
Plans**



IMPACT NO.	CONVERISON FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

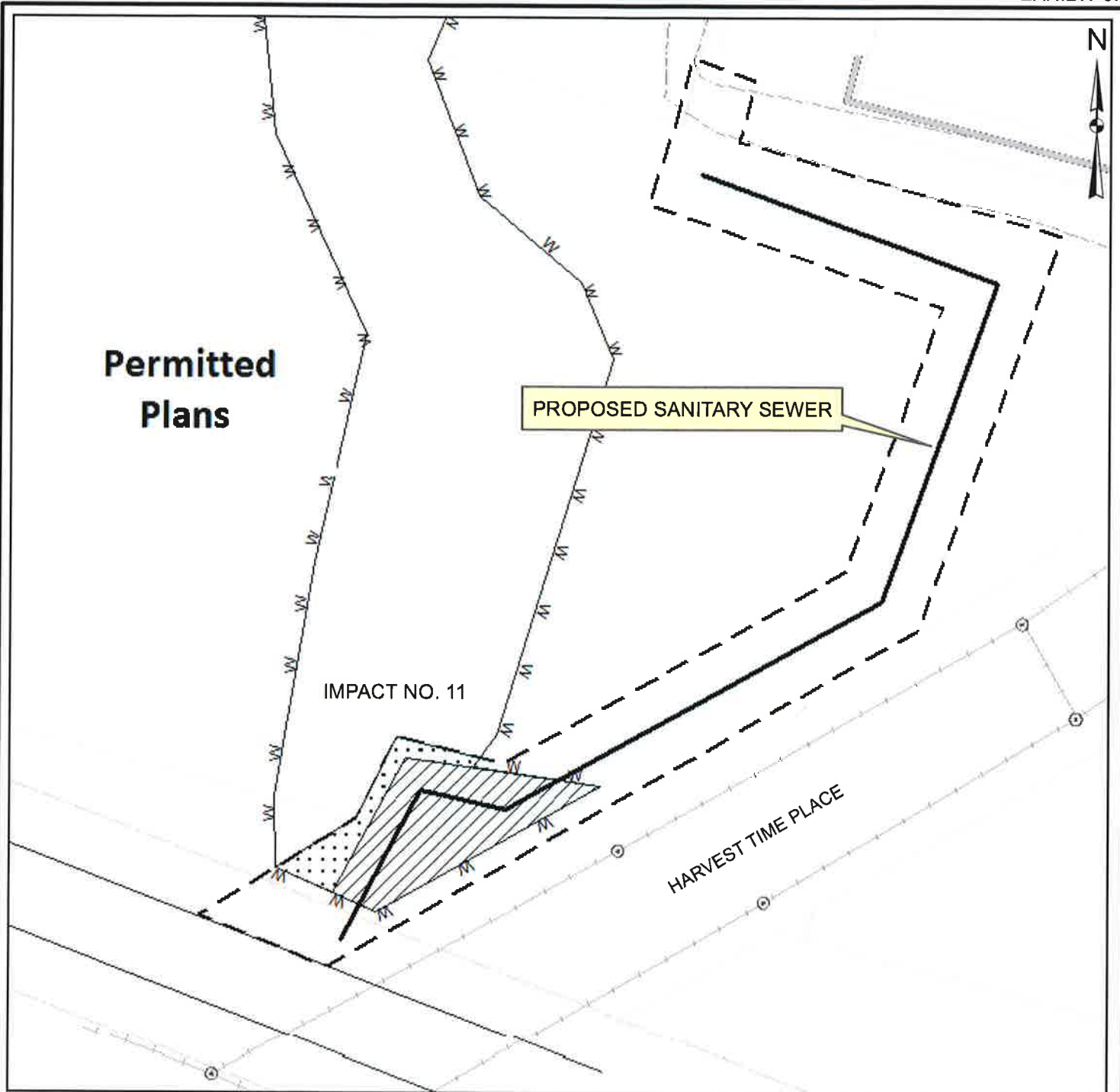
1 inch = 50 feet



Date: 1/22/2020

**CHARLESTON WATER SYSTEM
CHARLESTON, SOUTH CAROLINA**

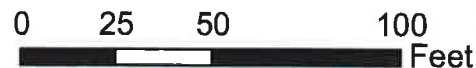
**THOMAS ISLAND REGIONAL PUMP STATION
IMPACT MAP - EXHIBIT 3H**



IMPACT NO.	CONVERISON FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

1 inch = 50 feet



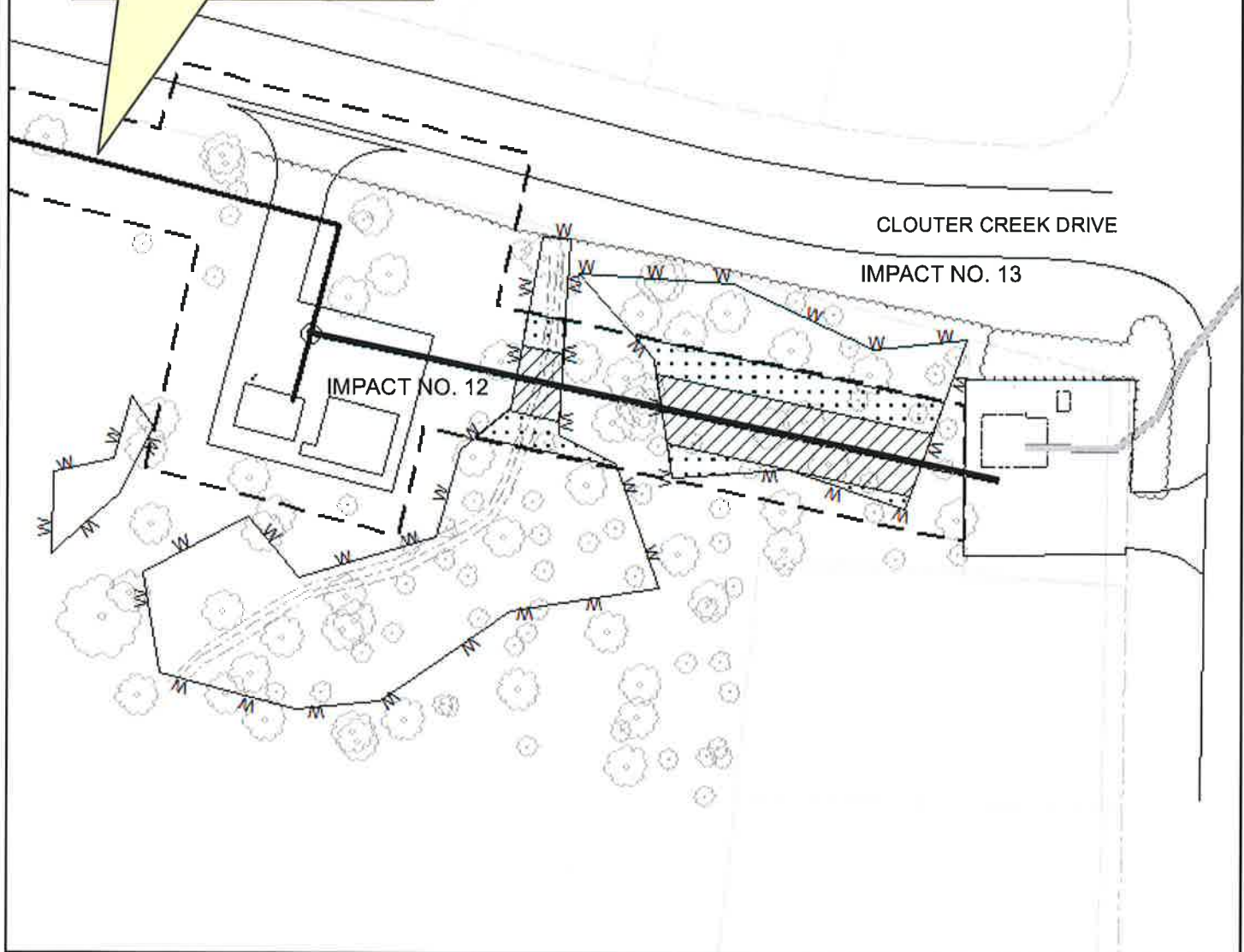
Date: 1/22/2020

CHARLESTON WATER SYSTEM
 CHARLESTON, SOUTH CAROLINA
 THOMAS ISLAND REGIONAL PUMP STATION
 IMPACT MAP - EXHIBIT 3I



Permitted Plans

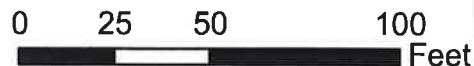
PROPOSED SANITARY SEWER



IMPACT NO.	CONVERSION FOR MAINTAINED CORRIDOR (ACRE)	TEMPORARY CONSTRUCTION IMPACTS (ACRE)	CRITICAL AREA (ACRE)
1	0.06	0.06	0
2	0.06	0.09	0
3	0.61	0.93	0
4	0.02	0.44	0
5	0.02	0.01	0
6	0	0.02	0
7	0	0.005	0
8	0	0.03	0
9	0.02	0.14	0
10	0	0.03	0
11	0.05	0.01	0
12	0.006	0.009	0
13	0.04	0.03	0

Hazen

1 inch = 50 feet



Date: 1/22/2020

CHARLESTON WATER SYSTEM
CHARLESTON, SOUTH CAROLINA
THOMAS ISLAND REGIONAL PUMP STATION
IMPACT MAP - EXHIBIT 3J

12. *Utility Line Activities.* Activities required for the construction, maintenance, repair, and removal of utility lines and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.

Utility lines: This NWP authorizes discharges of dredged or fill material into waters of the United States and structures or work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of utility lines, including outfall and intake structures. There must be no change in pre-construction contours of waters of the United States. A "utility line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and internet, radio, and television communication. The term "utility line" does not include activities that drain a water of the United States, such as drainage tile or french drains, but it does apply to pipes conveying drainage from another area.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (*e.g.*, backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

Utility line substations: This NWP authorizes the construction, maintenance, or expansion of substation facilities associated with a power line or utility line in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters of the United States to construct, maintain, or expand substation facilities.

Foundations for overhead utility line towers, poles, and anchors: This NWP authorizes the construction or maintenance of foundations for overhead utility line towers, poles, and anchors in all waters of the United States, provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible.

Access roads: This NWP authorizes the construction of access roads for the construction and maintenance of utility lines, including overhead power lines and utility line substations, in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to pre-construction contours and elevations (*e.g.*, at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize utility lines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (See 33 CFR part 322). Overhead

utility lines constructed over section 10 waters and utility lines that are routed in or under section 10 waters without a discharge of dredged or fill material require a section 10 permit.

This NWP authorizes, to the extent that Department of the Army authorization is required, temporary structures, fills, and work necessary for the remediation of inadvertent returns of drilling fluids to waters of the United States through sub-soil fissures or fractures that might occur during horizontal directional drilling activities conducted for the purpose of installing or replacing utility lines. These remediation activities must be done as soon as practicable, to restore the affected waterbody. District engineers may add special conditions to this NWP to require a remediation plan for addressing inadvertent returns of drilling fluids to waters of the United States during horizontal directional drilling activities conducted for the purpose of installing or replacing utility lines.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the utility line activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to preconstruction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if any of the following criteria are met: (1) The activity involves mechanized land clearing in a forested wetland for the utility line right-of-way; (2) a section 10 permit is required; (3) the utility line in waters of the United States, excluding overhead lines, exceeds 500 feet; (4) the utility line is placed within a jurisdictional area (*i.e.*, water of the United States), and it runs parallel to or along a stream bed that is within that jurisdictional area; (5) discharges that result in the loss of greater than 1/10- acre of waters of the United States; (6) permanent access roads are constructed above grade in waters of the United States for a distance of more than 500 feet; or (7) permanent access roads are constructed in waters of the United States with impervious materials. (See general condition 32.)

(Authorities: Sections 10 and 404)

Note 1: Where the utility line is constructed or installed in navigable waters of the United States (*i.e.*, section 10 waters) within the coastal United States, the Great Lakes, and United States territories, a copy of the NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the utility line to protect navigation.

Note 2: For utility line activities crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Utility line activities must comply with 33 CFR 330.6(d).

Note 3: Utility lines consisting of aerial electric power transmission lines crossing navigable waters of the United States (which are defined at 33 CFR part 329) must comply with the applicable minimum clearances specified in 33 CFR 322.5(i).

Note 4: Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the

utility line must be removed upon completion of the work, in accordance with the requirements for temporary fills.

Note 5: Pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the United States are considered to be bridges, not utility lines, and may require a permit from the U.S. Coast Guard pursuant to section 9 of the Rivers and Harbors Act of 1899. However, any discharges of dredged or fill material into waters of the United States associated with such pipelines will require a section 404 permit (see NWP 15).

Note 6: This NWP authorizes utility line maintenance and repair activities that do not qualify for the Clean Water Act section 404(f) exemption for maintenance of currently serviceable fills or fill structures.

Note 7: For overhead utility lines authorized by this NWP, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

Note 8: For NWP 12 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require preconstruction notification (see paragraph (b) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

C. Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. *Navigation.* (a) No activity may cause more than a minimal adverse effect on navigation. (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. *Aquatic Life Movements.* No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.
3. *Spawning Areas.* Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
4. *Migratory Bird Breeding Areas.* Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
5. *Shellfish Beds.* No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. *Suitable Material*. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. *Water Supply Intakes*. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. *Adverse Effects From Impoundments*. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. *Management of Water Flows*. To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. *Fills Within 100-Year Floodplains*. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. *Equipment*. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. *Soil Erosion and Sediment Controls*. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. *Removal of Temporary Fills*. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. *Proper Maintenance*. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. *Single and Complete Project*. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. *Wild and Scenic Rivers.* (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. (b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status. (c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. *Tribal Rights.* No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. *Endangered Species.* (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur. (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If preconstruction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district

engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, he applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species specific permit conditions to the NWP. (e) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (*e.g.*, an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. (f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required. (g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their worldwide Web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. *Migratory Birds and Bald and Golden Eagles.* The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether “incidental take” permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. *Historic Properties.* (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied. (b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the preconstruction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. (d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (e) Prospective permittees should be aware that section 110k of the

NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. *Discovery of Previously Unknown Remains and Artifacts.* If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. *Designated Critical Resource Waters.* Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment. (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. *Mitigation.* The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal: (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (*i.e.*, on site). (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal. (c) Compensatory

mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require preconstruction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require preconstruction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. (d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult to-replace resources (see 33 CFR 332.3(e)(3)). (e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (*e.g.*, conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (*e.g.*, riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses. (f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332. (1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation. (2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)). (3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation. (4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33

CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). (5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided. (6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33CFR 332.4(c)(1)(ii)). (g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2- acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs. (h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management. (i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. *Safety of Impoundment Structures.* To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. *Water Quality.* Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. *Coastal Zone Management.* In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. *Regional and Case-By-Case Conditions.* The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. *Use of Multiple Nationwide Permits.* The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. *Transfer of Nationwide Permit Verifications.* If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

(Date)

30. *Compliance Certification.* Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include: (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions; (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the

permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and (c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. *Activities Affecting Structures or Works Built by the United States.* If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a 'USACE project'), the prospective permittee must submit a preconstruction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. *Pre-Construction Notification.* (a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the, additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either: (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or (2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's

right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2). (b) *Contents of Pre-Construction*

Notification: The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;
- (3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;
- (4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);
- (5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;
- (6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.
- (7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;
- (8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for

listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act; (9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and (10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal. (2) Agency coordination is required for: (i) All NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of streambed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes. (3) When agency coordination is required, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were

considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5. (4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act. (5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of preconstruction notifications to expedite agency coordination.

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The following Regional Conditions have been approved by the Charleston District for the Nationwide Permits (NWP) published in the January 6, 2017, Federal Register as authorized under General Condition #27. Regional conditions are authorized to modify NWPs by adding conditions on a generic basis applicable to certain activities or specific geographic areas. Certain terminologies used in the following conditions are identified in *italics* and are defined in the above referenced Federal Register under Definitions.

Note: The acronym “PCN” used throughout the Regional Conditions refers to *Pre-Construction Notification*.

For All Nationwide Permits:

1. The applicant must implement *best management practices* during and after all construction to minimize erosion and migration of sediments off site. These practices may include use of devices capable of preventing erosion and migration of sediments in waters of the United States., including wetlands. These devices must be maintained in a functioning capacity until the area is permanently stabilized. All disturbed land surfaces must be stabilized upon project completion. Stabilization refers to the minimization of erosion and migration of sediments off site.
2. All wetland and stream crossings must be stabilized immediately following completion of construction/installation and must be aligned and designed to minimize the *loss of waters of the United States*.
3. Necessary measures must be taken to prevent oil, tar, trash, debris and other pollutants from entering waters of the United States, including wetlands that are adjacent to the authorized activity.
4. Any excess excavated materials not utilized as authorized back fill must be placed and contained on uplands and permanently stabilized to prevent erosion into waters of the United States, including wetlands.
5. Placement and/or stockpiling (double handling) of excavated material in waters of the United States, including wetlands, is prohibited unless specifically authorized in the nationwide permit verification. Should double handling be authorized, the material must be placed in a manner that does not impede circulation of water and will not be dispersed by currents or other erosive forces.
6. Once project construction is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to aquatic resources and the surrounding environment.
7. If you discover any previously unknown historic, cultural or archeological remains and

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artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent *practicable*, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places. Archeological remains consist of any materials made or altered by man, which remain from past historic or prehistoric times (i.e., older than 50 years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, *structures*, or non-recent (i.e., older than 100 years) vessel ruins.

8. Use of nationwide permits does not obviate requirements to obtain all other applicable Federal, State, county, and local government authorizations.
9. No NWP is authorized in areas known or suspected to have sediment contamination, with the exception of NWP 38, and NWP 53 when used in combination with NWP 38.
10. In accordance with General Condition #31, "Activities Affecting *Structures* or Works Built by the United States," a *PCN* must be submitted if a NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE" project"). See General Condition #32 for *PCN* content and timing requirements and particularly paragraph (b)(10) for an activity that requires permission from the Corps pursuant to 33 U.S.C. 408. An activity in South Carolina that requires section 408 permission is not authorized by a NWP until the Charleston District issues the section 408 permission to alter, occupy, or use the USACE project, and the District Engineer issues a written NWP verification.
11. For all proposed activities that would be located in or adjacent to an authorized Federal Navigation project, as listed in Regional Condition #18, the *PCN* must include project drawings that have the following information: a) location of the edges of the Federal channel; b) setback distances from the edge of the channel; c) the distance from watermost edge of the proposed *structure* or fill to the nearest edge of the channel and the Mean High and Mean Low water lines; and d) coordinates of both ends of the watermost edge of the proposed *structure* or fill (NAD 83 State Plane Coordinates in decimal degrees). This notification requirement is in addition to the *PCN* requirements listed in General Condition #32.
12. For all proposed activities that would be located in waters that are designated critical habitat under section 7 of the Endangered Species Act, and waters that are proposed critical habitat, the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32. Refer to the following National Oceanic and Atmospheric Administration (NOAA) Fisheries website for the most up-to-date information regarding Critical Habitat designations under the jurisdiction of the National Marine Fisheries Service (NMFS):
http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/

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13. For all proposed activities that would be located within a FEMA designated floodway, the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32.
14. The permittee must comply with all FEMA regulations and requirements. The permittee is advised that the National Flood Insurance Program (NFIP) prohibits any development within a designated floodway within the FEMA Special Flood Hazard Area (SFHA), including placement of fill, without a "No Impact Certification" approved by the local NFIP flood plain manager. If the proposed action is located in a designated FEMA SFHA (e.g., 100 year flood plain), the permittee must coordinate with the local NFIP flood plain manager and comply with FEMA requirements prior to initiating construction. A list of NFIP floodplain managers may be found at: <http://www.dnr.sc.gov/water/flood/index.html>.
15. The permittee must comply with all FEMA regulations and requirements. The permittee is advised that development activities in a designated FEMA Special Flood Hazard Area (SFHA) are subject to the floodplain management regulations of the National Flood Insurance Program (NFIP). If the proposed action is located in a designated FEMA SFHA (e.g., 100 year flood plain), the permittee must coordinate with the local NFIP flood plain manager and comply with FEMA requirements prior to initiating construction. A list of NFIP floodplain managers may be found at: <http://www.dnr.sc.gov/water/flood/index.html>.

For Specific Nationwide Permits:

16. For NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51 and 52, in accordance with General Condition # 22(a), Designated Critical Resource Waters, the discharges of dredged or fill material into waters of the United States within, or directly affecting, critical resource waters, including wetlands adjacent to such waters, are NOT authorized by these NWPs. Note: The ACE Basin National Estuarine Research Reserve and the North Inlet Winyah Bay National Estuarine Research Reserve are Designated Critical Resource Waters.
17. For NWP 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38 and 54, in accordance with General Condition # 22(b), Designated Critical Resource Waters, a *PCN* is required for any activity proposed in designated critical resource waters including wetlands adjacent to those waters. Refer to General Condition #32 for *PCN* requirements. Note: The ACE Basin National Estuarine Research Reserve and the North Inlet Winyah Bay National Estuarine Research Reserve are Designated Critical Resource Waters.
18. For NWP 1, 3, 5, 7, 8, 10, 11, 12, 13, 14, 15, 19 and 36, the prospective permittee must submit a *PCN* to the District Engineer for any activity that would be located in or adjacent to an authorized Federal Navigation project. These Federal navigation areas include Adams Creek, Atlantic Intracoastal Waterway (AIWW), Ashley River, Brookgreen Garden Canal, Calabash Creek Charleston Harbor (including the Cooper River and Town Creek), Folly River, Georgetown Harbor (Winyah Bay, Sampit River, and Bypass Canal), Jeremy Creek, Little River Inlet, Murrells Inlet (Main Creek), Port Royal Harbor, Savannah River, Shem Creek

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(including Hog Island Channel & Mount Pleasant Channel), Shipyard Creek, Village Creek and the Wando River.

19. For NWP 3, 11, 12, 13, 14, 15, 20, 22 and 33, temporary *structures*, fills, and/or work, including the use of temporary mats, are only authorized for a period of 90 days per temporary impact area and/or phase of the overall project. The permittee may submit a written request at least 15 days prior to the expiration of the original period of 90 days requesting an extension of up to an additional 90 days. The Charleston District Engineer may extend the 90-day period up to an additional 90 days, not to exceed more than a total of 180 days, where appropriate. After expiration of the authorized period (i.e., initial 90 days or up to an additional 90 days), all temporary *structures*, fills, and/or work, including the use of temporary mats, for the temporary impact area and/or phase of the overall project must be removed and the disturbed areas restored to pre-disturbance conditions. Activities that require the use of temporary *structures*, fills, and/or work, including the use of temporary mats, in excess of 180 days will require Individual Permit authorization from the Corps prior to construction.
20. For NWP 3, 11, 12, 13, 14, 15, 20, 22 and 33, that require *PCNs* and that involve temporary *structures*, fills, and/or work, including the use of temporary mats, the *PCN* must include a written description and/or drawings of the proposed temporary activities that will be used during project construction. This requirement is in addition to the *PCN* requirements listed in General Condition #32.
21. For NWP 29, 39, 40, 42, 43, 44, 51 and 52, impacts to stream beds** must be provided in both linear feet and acreage.
22. NWP 12, 14, 29, 39, 43, 51 and 52, will not be used in conjunction with one another for an activity that is considered a *single and complete project*.
23. For NWP 12, 14, 29, 39, 46, 51 and 52, all *PCNs* must include appropriately sized and positioned culverts that meet the requirements of General Conditions #2, #9 and #10 for each individual crossing of waters of the United States. This requirement is in addition to the *PCN* requirements listed in General Condition #32.
24. For NWP 12, 14, 29, 39, 46, 51 and 52, that include the new construction and/or replacement of culverted road crossings, at a minimum, the width of the base flow culvert(s) shall be approximately equal to the average channel width and will not reduce or increase stream depth. This is a minimum requirement that does not replace local and State requirements for roadway design.
25. For NWP 12, 14, 18 and 27, the *discharge* must not cause the *loss* of more than 300 linear feet of stream bed**, unless for *intermittent* and *ephemeral* stream beds the District Engineer waives the 300 linear foot limit by making a written determination concluding that the *discharge* will result in no more than minimal adverse environmental effects.
26. For NWP 12, 14, 18 and 27, the *discharge* cannot cause the *loss* of more than 300 linear feet

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of *perennial stream* beds**.

27. **For NWP 12, 14, and 18**, the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32, prior to commencing the activity if the proposed *discharge* will impact more than 25 linear feet of streambed. This notification requirement is in addition to the *PCN* requirements listed in General Condition #32.
28. **For NWP 3**, paragraph (a) and (c) activities, the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition # 32, if the proposed *discharge* of dredged or fill material will cause the loss of greater than 1/10-acre of waters of the United States or if the proposed *discharge* of dredged or fill material will be located within a special aquatic site, which includes but is not limited to, wetlands, mudflats, vegetated shallows, *riffle and pool complexes*, sanctuaries, and refuges.
29. **For NWP 3**, paragraph (a) activities, the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition # 32, for the repair, rehabilitation or replacement of existing utility lines constructed over *navigable waters* of the United States (i.e., Section 10 waters) and existing utility lines routed in or under *navigable waters* of the United States (i.e., Section 10 waters), even if no *discharge* of dredged or fill material occurs.
30. **For NWP 3**, paragraph (b) activities, excavation of accumulated sediment or other material is not authorized in areas within the immediate vicinity of existing *structures* (e.g., private or commercial dock facilities, piers, canals dug for boating access, marinas, boat slips, etc.).
31. **For NWP 7 and 12**, the associated intake *structure* must be screened to prevent entrainment of juvenile and larval organisms, and the inflow velocity of the associated intake *structures* cannot exceed 0.5 feet/second.
32. Activities authorized by **NWP 7** must occur in the immediate vicinity of the outfall, and must be necessary for the overall construction or modification of the outfall. **NWP 7** shall not be used to authorize ancillary activities such as construction of access roads, installation of utility lines leading to or from the outfall or intake *structures*, construction of buildings, distant activities, etc.
33. **For utility line activities authorized by NWP 12 (as well as utility lines associated with projects authorized by NWP 29 and 39)** that involve horizontal directional drilling beneath *navigable waters* of the United States (i.e., section 10 waters), the *PCN* must include a proposed remediation plan (i.e., frac-out plan). This requirement is in addition to the *PCN* requirements listed in General Condition #32.
34. **For utility line activities authorized by NWP 12 (as well as utility lines associated with projects authorized by NWP 29 and 39)**, excavated material shall be returned to the trench and any remaining material shall be relocated and retained on an upland disposal site. Substrate containing roots, rhizomes, seeds, and other natural material must be kept viable and replaced at the surface of the excavated site. Impacted wetlands will be replanted with native wetland

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species or allowed to naturally re-vegetate from the replaced substrate, as long as the resulting vegetation is native.

35. **For utility line activities authorized by NWP 12 (as well as utility lines associated with projects authorized by NWP 29 and 39),** stream banks that are cleared of vegetation will be stabilized using bioengineering techniques and/ or the planting of deep-rooted native species.
36. **For utility line activities authorized by NWP 12 (as well as utility lines associated with projects authorized by NWP 29 and 39),** construction techniques to prevent draining, such as anti-seep collars, will be required for utility lines buried in waters of the United States when necessary. If no construction techniques to prevent draining are proposed, the prospective permittee must provide appropriate documentation to support that such techniques are not required to prevent drainage of waters of the United States.
37. **For NWP 12,** the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32 prior to commencing the activity if the activity will involve temporary *structures*, fills, and/or work. To be complete, the *PCN* must also include the specifications of how pre-construction contours will be re-established and verified after construction. This notification requirement is in addition to the notification criteria listed for this NWP.
38. **For utility line activities authorized by NWP 12, (as well as utility lines associated with projects authorized by NWP 29 and 39),** the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32, prior to commencing the activity if the activity will involve maintained utility crossings. To be complete, the *PCN* must also include a justification for the required width of the maintained crossing that impacts waters of the United States. This notification requirement is in addition to the notification criteria listed for this NWP.
39. **For NWP 12,** the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32 prior to commencing the activity if the activity will involve the construction of a sub-station in waters of the United States. To be complete, the *PCN* must also include a statement of avoidance and minimization for the *loss of waters of the United States* impacted by the utility line sub-station. This requirement is in addition to the *PCN* requirements listed in General Condition #32.
40. **For NWP 12,** the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32 prior to commencing the activity if the activity will involve the permanent conversion of forested wetlands to herbaceous wetlands. To be complete, the *PCN* must also include the acreage of conversion impacts of waters of the United States and a *compensatory mitigation* proposal or a statement of why *compensatory mitigation* should not be required. This requirement is in addition to the *PCN* requirements listed in General Condition #32.

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41. For NWP 13 activities, NWP 54 activities, and living shoreline projects authorized by NWP 27 that require submittal of a *PCN*, the *PCN* must include the following information:
- a. Habitat type along the shoreline;
 - b. The presence of stabilization *structures* in the vicinity of the project;
 - c. Cause/s, extent, and approximate rate of erosion (if known);
 - d. Site specific information which may include: shoreline orientation, slope, bank height, tidal range, nearshore bathymetry, fetch, substrate stability, etc.;
 - e. Rationale for selecting the preferred stabilization technique;
 - f. A statement that structural materials toxic to aquatic organisms will not be used and if stone is proposed, a statement that only clean stone, free of exposed rebar, asphalt, plastic, soil, etc., will be used; and
 - g. A statement that filter fabric will be used as appropriate when stone or other heavy material is proposed.

These requirements are in addition to the *PCN* requirements listed in General Condition #32.

42. Projects qualifying for NWP 27 and/or NWP 54 will require coordination with appropriate Federal, State, and local agencies. The coordination activity will be conducted by the Corps of Engineers. Agencies will generally be granted 15 days to review and provide comments unless the District Engineer determines that an extension of the coordination period is reasonable and prudent.
43. For NWP 29, the *loss of waters of the United States* is limited to a maximum of $\frac{1}{4}$ -acre for a single family residence.
44. For NWPs 29 and 39, the *discharges* of dredged or fill material for the construction of *stormwater management facilities* in *perennial streams* are not authorized.
45. For NWP 33, the prospective permittee must submit a *PCN* to the District Engineer in accordance with General Condition #32, for temporary construction, access, and dewatering activities that occur in non-tidal waters of the United States, including wetlands. In addition, the *PCN* shall include a restoration plan.
46. For NWP 36, only one boat ramp may be constructed on a single lot or tract of land (e.g., each lot within a subdivision).
47. For NWP 38, the *PCN* must contain the following information:
- a. documentation that the specific activities are required to effect the containment, stabilization, or removal of hazardous or toxic waste materials as performed, ordered, or sponsored by a government agency with established legal or regulatory authority;
 - b. a narrative description indicating the size and location of the areas to be restored, the work involved and a description of the anticipated results from the restoration; and

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c. a plan for the monitoring, operation, or maintenance of the restored area.

This requirement is in addition to the *PCN* requirements listed in General Condition #32.

48. **For NWP 41**, a *PCN* must be submitted to the District Engineer for projects that require mechanized land clearing in waters of the United States, including wetlands, in order to access or perform reshaping activities.
49. **NWP 41** is prohibited in channelized streams or stream relocation projects that exhibit natural stream characteristics and/or perform natural stream functions.
50. **For NWP 48**, changing from bottom culture to floating or suspended culture will require submittal of a *PCN* to the District Engineer. Additionally, new aquaculture activities involving suspended or floating culture will require submittal of a *PCN* to the District Engineer. Refer to the *PCN* requirements listed in General Condition #32. Note: If the District Engineer determines that the proposed floating or suspended culture will result in more than minimal adverse environmental effects, an Individual Permit will be required for the proposed activity.
51. **For NWP 48**, when a new commercial shellfish aquaculture activity will occur adjacent to property that is not owned by the prospective permittee, the activity will require submittal of a *PCN* to the District Engineer. The *PCN* must include the following information in addition to the *PCN* requirements listed in General Condition #32:
 - a. A map or depiction that shows the adjacent property(ies) and adjacent property owners' contact information. Note: This information may be obtained online from the applicable county's tax information pages.
 - b. A signed letter(s) of "no objection" to the proposed commercial shellfish activity from each of the adjacent property owner(s). Each letter shall include the name, mailing address, property address, property Tax Map Parcel (TMS) number, and signature of the property owner.
52. **For NWP 53**, the *PCN* must include a Tier I evaluation, in accordance with the Inland Testing Manual, for the project area immediately upstream of the low-head dam. If the Tier I evaluation indicates contaminated sediments are present, a Tier II evaluation may be required.
53. **For NWP 54 projects and living shoreline and/or oyster restoration projects authorized by NWP 27**, the *PCN* must include the following information in addition to the *PCN* requirements listed in General Condition #32:
 - a. A plan view project sketch that shows the proposed project footprint; the Mean High Water (MHW) Line; the Mean Low Water (MLW) Line; marsh line (if applicable); shoreline; width of the waterway at the project location; location of adjacent *structures*,

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such as docks and boat ramps (if applicable); distance of the project footprint from the MHW line; distance of the project footprint from adjacent *structures*; and proposed location of informational or navigation markers. Refer to c. and d. below, if applicable. Note: Refer to Regional Condition #11 if the proposed project is located in or adjacent to an authorized Federal Navigation project for the additional information that will be required.

b. A cross-section sketch that shows the height of the proposed project above substrate and the water depth at MHW Line and MLW Line in relation to the proposed project.

c. For projects that are 18 inches or less in height above substrate AND consist of hard *structures* or fill material, such as, but not limited to, riprap, oyster castles, bagged oyster shell and wooden sills, informational signs to alert boaters to the presence of the project area will be required. The *PCN* must include a depiction and description of proposed informational signs. The signs must be made of reflective material or must include reflective tape on the sign or sign post. The signs must be located at each end of the project area and at 100-foot increments along the project area, if applicable. Note 1: Projects that include ONLY the use of loose shell will not require the installation of informational or navigational signs. Note 2: The prospective permittee shall be made aware that the U.S. Coast Guard (USCG) may require the project area to be marked. Prior to commencing work, the permittee shall contact the USCG at U. S. Coast Guard Charleston District Seven, Waterways Management Branch, 909 SE 1st Ave, Suite 406, Miami, FL 33131, or by phone at 305-415-6755 or 305-415-6750, regarding possible markers and/or lighting requirements. The permittee shall install all markers and/or lighting as required by the USCG. In the event that the USCG does not require markers or lighting, the permittee shall mark the project area with Corps approved informational signs as described above. Note 3: These requirements will be added to the NWP verification as special conditions.

d. For projects that are more than 18 inches in height above substrate AND consist of hard *structures* or fill material, such as, but not limited to, riprap, oyster castles, bagged oyster shell, and wooden sills, the prospective permittee must mark the project area with diamond-shaped white day markers with orange border and black print stating "Danger Obstruction". The signs shall be located at each end of the project area and at 100-foot increments along the project area, if applicable. Note 1: Projects that include ONLY the use of loose shell will not require the installation of informational or navigational signs. Note 2: Prior to commencing work, the permittee shall contact the USCG at U. S. Coast Guard Charleston District Seven, Waterways Management Branch, 909 SE 1st Ave, Suite 406, Miami, FL 33131, or by phone at 305-415-6755 or 305-415-6750, regarding potential project specific approval of the markers. The permittee shall install all markers and/or lighting as required by the USCG. In the event the USCG does not require these or other markers and/or lighting, the "Danger Obstruction" markers are still required by the Corps. Note 3: These requirements will be added to the NWP verification as special conditions.

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** For the purpose of these regional conditions, the term “stream bed” also includes features determined to be a “tributary” and a “relatively permanent water.”

Note 1: For the purpose of these regional conditions, bankfull is defined as the top-of-bank to top-of bank of the channel in a cross-sectional view.

Note 2: Regional conditions # 14, #15, and #53d were revised on September 7, 2017.

Permit Number: _____

Name of Permittee: _____

Date of Issuance: _____

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Regulatory Division
69A Hagood Avenue
Charleston, South Carolina 29403-5107

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

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I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee