



Catherine E. Heigel, Director

*Promoting and protecting the health of the public and the environment*

June 29, 2015

Amec Foster Wheeler Environment & Infrastructure Inc.  
Mr. Allen W. Conger  
720 Gracern Rd Ste 132  
Columbia, SC 29210

Re: Certification in Accordance with Section 401 of the Clean Water Act, as amended and the Coastal Zone Management Program (48-39-10 et. seq., and 15 CFR 93)

Berkeley County (Project Soter)  
Placement of fill material in wetlands  
Timothy Creek  
Berkeley County  
P/N SAC 2015-0476-SIR

DATE PERMIT ISSUED: June 29, 2015

Dear Mr. Conger:

The South Carolina Department of Health and Environmental Control (Department) has reviewed plans for this project and determined there is a reasonable assurance that the proposed project will be conducted in a manner consistent with the Certification requirements of Section 401 of the Federal Clean Water Act, as amended, and the Coastal Zone Management Act (48-39-10 et. seq., and 15 CFR 93).

In accordance with the provisions of Section 401, we certify that this project, subject to the indicated conditions, is consistent with applicable provisions of 303 of the Federal Clean Water Act, as amended. We also certify that there are no applicable effluent limitations under Sections 301(b) and 302, and that there are no applicable standards under Sections 306 and 307.

This certification is subject to the following conditions:

1. The applicant must implement appropriate best management practices that will minimize erosion and migration of sediments on and off the project site during and after construction. These practices should include the use of appropriate grading and sloping techniques, mulches, silt fences, or other devices capable of preventing erosion, migration of sediments, and bank failure. All disturbed land surfaces and sloped areas affected by the project must be stabilized

2. All necessary measures must be taken to prevent oil, tar, trash, debris and other pollutants from entering the adjacent waters or wetlands.
3. Only clean earthen material free of all potential sources of pollution must be used as fill.
4. Upon project completion, all disturbed areas must be permanently stabilized with vegetative cover or other erosion control methods as appropriate.
5. Copies of the signed recorded plats and conservation easements (or other restrictions acceptable to the SCDHEC and the USACE) for the Bannister, Mimms, Dean Swamp, Singletary, Long and Salisbury Tracts as identified in the Landscape Mitigation Plan must be submitted to SCDHEC within 180 days of issuance of a Department of the Army permit by the USACE.
6. A revised mitigation plan to supplement the Landscape Mitigation Plan must be submitted to and approved by SCDHEC within 180 days of issuance of a Department of the Army permit by the USACE. The plan must identify performance standards tailored to each plant community.
7. All enhancement and restoration activities described in the Landscape Mitigation Plan must be completed within five years of the issuance of a Department of the Army permit by the USACE.
8. Annual monitoring reports must be submitted to SCDHEC and the USACE for a period of five years after issuance of a Department of the Army permit or until performance standards are met.
9. Financial assurances, such as a performance bond, letter of credit or other mechanism as approved by SCDHEC must be provided for the mitigation activities. The amount of the financial assurance shall be an amount that is reasonably estimated to cover the cost of the proposed mitigation activities (restoration, enhancement, and monitoring costs) and must be submitted to SCDHEC within 90 days of issuance of a Department of the Army permit by the USACE.
10. In the event that any historic or cultural resources and archaeological or paleontological remains are found during course of work, the applicant must notify the State Historic Preservation Office pursuant to S.C. Law. Historic or cultural resources consist of those sites named to the National Register and those sites that are eligible for the National Register and other areas of special historic significance. Archaeological remains consist of any materials made or altered by man, which remain from past historic or prehistoric times (older than 50 years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or non-

recent vessel remains. Paleontological remains consist of old animal remains, original or fossilized such as teeth, tusks, bone, or entire skeletons.

11. Final stormwater management plan(s) submitted to the Department for NPDES coverage must comply with the applicable Stormwater Management Guidelines as set forth in the SCCZMP Program Refinements.

The Department reserves the right to impose additional conditions on this Certification to respond to unforeseen, specific problems that might arise and to take any enforcement action necessary to ensure compliance with State water quality standards.

Sincerely,



Heather Preston, Director  
Division of Water Quality  
Bureau of Water

cc: U.S. Army Corps of Engineers,  
Charleston District Office  
OCRM-Charleston  
SC DHEC-District Office