

From: Brooks, Steve [<mailto:BROOKSS@dhec.sc.gov>]
Sent: Monday, May 04, 2015 5:28 PM
To: McGoldrick, Will
Subject: Re: Port Access Road - SCDOT 2005-1N-440-P-C Permit and Certification

Will,

This permit, SC Department of Transportation, P/N# 2005-1N-440-P-C, was active as of January 1, 2013 with an original issue date of November 13, 2006 and an original expiration date November 13, 2011. The remaining running time for this permit was previously suspended from January 1, 2008 to December 31, 2012 under H.4445, Permit Extension Joint Resolution of 2010.

This permit is also captured under H.3774, Permit Extension Joint Resolution of 2013. Specifically, this resolution suspended the running of the time period for SC DHEC development approvals during the four-year period from January 1, 2013, through December 31, 2016. For development approvals that were issued prior to January 1, 2013, the running of the time period is suspended during the four-year period, and any time that remained on a development approval on January 1, 2013, starts running again on January 1, 2017. For development approvals issued between January 1, 2013, and December 31, 2016, the time period begins to run on January 1, 2017.

Based on the attached guidance for H.3774, the Department has determined your new expiration date to be **November 13, 2020**. Any future extension requests for this permit will be subject to Department review under Regulation 30-4(D), Completion of Work.

Steven Brooks
Senior Regulatory Project Manager
Regulatory Programs Division
SCDHEC
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405
(843) 953-0235
(843) 953-0200 Main
(843) 953-0201 (fax)

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

July 26, 2013

Notice:

In regard to H.3774

A JOINT RESOLUTION TO SUSPEND THE RUNNING OF CERTAIN GOVERNMENTAL APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE FOR THE PERIOD BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2016; AND TO PROVIDE GOVERNMENTAL ENTITIES ISSUING SUCH APPROVALS SHALL PUBLISH NOTICE IN THE STATE REGISTER LISTING THE TYPES OF THESE APPROVALS IT ISSUES AND NOTING THE SUSPENSION OF THE RUNNING OF THE PERIOD OF THE APPROVAL AND TO PROVIDE AN EXCEPTION FOR UNITS OF LOCAL GOVERNMENT. (Referred to as Permit Extension Joint Resolution of 2013.)

Section 6 of the Permit Extension Joint Resolution of 2013 requires that the Department of Health and Environmental Control (“DHEC”) list the types of development approvals that are provided for in that Joint Resolution.

Synopsis:

The Permit Extension Joint Resolution of 2013, ratified by the South Carolina General Assembly on June 19, 2013, and approved by the Governor on June 20, 2013, suspends the running of the time periods of the following DHEC development approvals that are current and valid at any point during the period beginning January 1, 2013 and ending December 31, 2016.

All development approvals are effective when issued, subject to applicable appeal procedures, and may be used at any time prior to the expiration of the time period as extended by the joint resolution. The joint resolution suspends the running of the time period for approvals during the four-year period from January 1, 2013, through December 31, 2016. For development approvals that were issued prior to January 1, 2013, the running of the time period is suspended during the four-year period, and any time that remained on a development approval on January 1, 2013, starts running again on January 1, 2017. For development approvals issued between January 1, 2013, and December 31, 2016, the time period begins to run on January 1, 2017.

If there are any questions concerning this notice, please contact Ms. Shelly Wilson via electronic mail at shelly.wilson@dhec.sc.gov or by phone at 803.898.3138. A copy of this legislation (also named H.3774) can be found electronically at http://www.scstatehouse.gov/sess120_2013-2014/bills/3774.htm.

| Permit Regulation | Permit Type/Description |
|---|---|
| Ocean & Coastal Resource Management (OCRM) | |
| R.30 | Direct Critical Area Permits, including individual and general permits. |

This Notice was published in the S.C. State Register on November 26, 2010:

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

November 26, 2010

Notice:

Section 5 of the "Permit Extension Joint Resolution of 2010," H.4445, requires that the Department of Health and Environmental Control ("DHEC") list the types of development approvals that are provided for in that joint resolution. This notice supersedes the previous notices regarding H.4445, which were published in the State Register on June 25, 2010 and August 27, 2010.

Synopsis:

The Permit Extension Joint Resolution of 2010 (also named H.4445), ratified by the South Carolina General Assembly on May 13, 2010, and approved by the Governor on May 19, 2010, suspends the running of the time periods of the following DHEC development approvals that are current and valid at any point during the period beginning January 1, 2008 and ending December 31, 2012.

All development approvals are effective when issued, subject to applicable appeal procedures, and may be used at any time prior to the expiration of the time period as extended by the joint resolution. The joint resolution suspends the running of the time period for approvals during the five-year period from January 1, 2008, through December 31, 2012. For development approvals that were issued prior to January 1, 2008, the running of the time period is suspended during the five-year period, and any time that remained on a development approval on January 1, 2008, starts running again on January 1, 2013. For development approvals issued between January 1, 2008, and December 31, 2012, the time period begins to run on January 1, 2013.

A copy of this legislation (also named H.4445) can be found electronically at

<http://www.scstatehouse.gov/billsearch.php?billnumbers=4445&session=118&summary=B&PRINT=1>.

| Permit Regulation | Permit Type/Description |
|---|--|
| Ocean & Coastal Resource Management (OCRM) | |
| R.30 | Direct Critical Area Permits, including individual and general permits. Exception: The legislation excluded permits issued under R.30-12.N Access to Coastal Islands |

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**

CRITICAL AREA PERMIT & COASTAL ZONE CONSISTENCY CERTIFICATION

Permittee(s): South Carolina Department of Transportation

Permit Number(s): 2005-1N-440-P-C

Date of Issuance: November 13, 2006

Expiration Date: November 13, 2011

Location: On and adjacent to the Cooper River and located at the south end of the former Charleston Naval Base, North Charleston, Charleston County, South Carolina.

SEE SPECIAL
CONDITIONS(S)

This permit is issued under the provisions of S. C. Code Ann. Section 48-39-10, *et seq.*, and 23A S.C. Code Ann. Regs. 30-1 through 30-18 (Supp. 2005). Please carefully read the project description and any special conditions that may appear on this permit/certification as they will affect the work that is allowed. If there are no special conditions, then the work is authorized as described in the project description and as modified by the general conditions. The general conditions are also a part of this permit/certification and should be read in their entirety. The S. C. Contractor's Licensing Act of 1999, enacted as S.C. Code Ann. Section 40-11-5 through 430, requires that all construction with a total cost of \$5,000 or more be performed by a licensed contractor with a valid contractor's license for marine class construction, except for construction performed by a private landowner for strictly private purposes. Your signature on and acceptance of this permit denotes your understanding of the stated law regarding use of licensed contractors. **All listed special and general conditions will remain in effect for the life of the project if work commences during the life of the permit. This applies to permittee, future property owners, or permit assignees.**

DESCRIPTION OF THE PROJECT, AS AUTHORIZED

The plans submitted by you, attached hereto, show the work consists of constructing a four lane limited access highway from an interchange with I-26 to the South Carolina State Port Authority Marine Container Terminal at the Charleston Naval Complex. Specifically, the work will consist of a 4 to 5 lane road that will provide direct access to and from the aforementioned entities but will also result in the closing of existing exits 217 and 218, the construction of a local access roadway corridor from the Port access road to Hackemann Street. The local access road will not impact any wetlands, however the Port access road will require the filling of 1.97 acres of critical area marsh and will result in 0.057 acres of land clearing. According to the applicant, wetland impacts will be minimized to the greatest extent practicable by placing much of the proposed roadway on bridge structure to avoid filling in the wetlands. Where the placement of fill could not be avoided, 2:1 slopes are to be employed to reduce the amount of fill in wetlands. On site in-kind mitigation is preferable; however, if no estuarine mitigation opportunities are found, the applicant will debit the SCDOT Huspah Creek Mitigation Bank for estuarine wetland impacts. If no suitable freshwater mitigation is found, the applicant will debit the SCDOT Black River Mitigation Bank at the prescribed ratio of 3:1 for freshwater wetland impacts.

CRITICAL AREA PERMIT SPECIAL CONDITIONS

1. Provided a stormwater plan for the four lane limited access highway and bridge for NPDES coverage is submitted to and approved by SCDHEC staff before any work is performed under this permit.

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2. Provided that scupper drains must not be placed directly over the waterbody and must be limited in numbers elsewhere.
3. Provided the permittee implement best management practices during construction to authorize erosion and sediment run-off. All disturbed marsh areas adjacent to the construction site must be restored to original contours and conditions upon project completion. Once project construction is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to the surrounding environment.
4. Provided that in the event on-site in-kind mitigation opportunities are not found, SCDOT will mitigate impacts to wetlands by debiting credits from the Huspah Creek Mitigation Bank for the estuarine wetland impacts and the Black River Mitigation Bank for freshwater wetland impacts at the prescribed ratios.
5. Provided that access to the project site must be obtained from an upland location when possible. If access cannot be gained solely from an upland location, all equipment must be operated from floating barges or mats.
6. Provided the permittee is required to keep adjacent critical areas free of construction materials, litter, debris, chemical contaminants, etc.
7. Provided no materials are allowed to be stored in the critical area adjacent to the construction site and that all debris, litter, concrete spillage, etc be cleaned up at least weekly.
8. Provided material used for the road and bridge construction must consist of clean concrete, rock, etc., free of potential sources of pollution.
9. Provided that an as-built survey or engineered drawings representing the bridge must be submitted to the Department within 90 days of the expiration date of the final construction placard. The survey must be performed by a registered land surveyor, must show all components of the bridge, and must list the starting and ending coordinates of the bridge in the SC State Plane Coordinate System, which can be obtained by survey-grade Global Positioning System equipment.
10. Provided that in the event that archaeological or paleontological remains are found during the course of work, the applicant should notify the South Carolina Institute of Archaeology and Anthropology (Mr. James Spirek at 803-777-8170) pursuant to South Carolina Underwater Antiquities Act of 1991, (Article 5 Chapter 7, Title 54, Code of Laws of South Carolina, 1976). Archaeological remains consist of any materials made or altered by man, which remain from past historic or prehistoric times (ie, 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.

WATER QUALITY SPECIAL CONDITIONS

1. The applicant must implement Best Management Practices during construction to minimize erosion and migration of sediments off site, as proposed. These practices may include use of mulches, hay bales, silt fences, or other devices capable of preventing erosion and migration of sediments. All disturbed land surfaces must be stabilized upon project completion. All disturbed land surfaces and sloped areas must be stabilized and sloped with a minimum 3/1 slope upon project completion.

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2. Scupper drains must not be placed directly over the waterbody. Other drains must be placed at the maximum distance apart as design criteria will allow.
3. All necessary measures must be taken to prevent oil, tar, trash, debris and other pollutants from entering the adjacent waters or wetlands.
4. Construction activities must avoid to the greatest extent practicable, encroachment into any wetland/river bank areas not designated as impact areas.
5. Upon completion of construction activities, all disturbed areas, including filled areas, which are not paved must be permanently stabilized with a vegetative cover. This may include sprigging, trees, shrubs, vines or ground cover.
6. The applicant must develop a spill prevention and clean up plan for this project. The plan should contain the names of appropriate officials to contact in case of a reportable spill and outline measures to be taken. Clean up materials, such as absorbent pads and booms, must be kept at the project site for small spills. This plan must be submitted to the Department of Health and Environmental Control for review and approval prior to initiation of the project.
7. The applicant must provide a stormwater management plan for the project describing any strategies that might be employed to prevent runoff from contributing to the further impairment of Shipyard Creek. Such strategies may include but are not limited to bioretention areas, vegetated filter strips, infiltration trenches, vegetated swales and other proprietary technologies.
8. The applicant must provide compensatory mitigation for wetlands impacts associated with the proposed work by locating suitable in-kind mitigation in the vicinity of the project. If no suitable compensatory mitigation can be found in the vicinity of the project then the applicant must compensate for tidal impacts by withdrawing 30.75 credits from the SCDOT Huspah Creek Mitigation Bank. Credit withdrawal documentation from the SCDOT Huspah Creek Mitigation Bank must be submitted to the Water Quality Division within 30 days of issuance of the 404 Permit. Likewise, for unavoidable freshwater impacts, the applicant must locate suitable compensatory mitigation in the vicinity of the project. If none can be found, the applicant must compensate by withdrawing 1.02 credit acres from the SCDOT Black River Mitigation Bank at the prescribed ratio of 3:1, as proposed. Documentation of credit withdrawal from the Black River Mitigation Bank and Huspah Creek Mitigation Bank must be submitted to the Department within 30 days of credit withdrawal. If suitable compensation is located in the vicinity of the project area, a declaration of restrictive covenants or other preservation documentation must be submitted to the Department for review and approval prior to recording. A recorded declaration of restrictive covenants or other preservation documentation must be submitted to the Department within 30 days after alternate mitigation plan approval.

PERMITTEE'S ATTENTION IS DIRECTED TO GENERAL CONDITIONS NUMBERS FOUR (4) AND FIVE (5). BY ACCEPTANCE OF THIS PERMIT, PERMITTEE IS PLACED ON NOTICE THAT THE STATE OF SOUTH CAROLINA, BY ISSUING THIS PERMIT, DOES NOT WAIVE ITS RIGHTS TO REQUIRE PAYMENT OF A REASONABLE FEE FOR USE OF STATE LANDS AT A FUTURE DATE IF SO DIRECTED BY STATUTE.

THE PERMITTEE, BY ACCEPTANCE OF THIS PERMIT AGREES TO ABIDE BY THE TERMS AND CONDITIONS CONTAINED HEREIN AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ATTACHED HERETO AND MADE A PART HEREOF. ANY DEVIATION FROM THESE CONDITIONS, TERMS, PLANS AND SPECIFICATIONS SHALL BE GROUNDS FOR REVOCATION, SUSPENSION OR MODIFICATION OF THIS PERMIT AND THE INSTITUTION OF SUCH LEGAL PROCEEDINGS AS THE DEPARTMENT MAY CONSIDER APPROPRIATE.

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GENERAL CONDITIONS:

This construction and use permit is expressly contingent upon the following conditions which are binding on the permittee:

1. That the permittee, in accepting this permit, covenants and agrees to comply with and abide by the provisions and conditions herein and assumes all responsibility and liability and agrees to save OCRM and the State of South Carolina, its employees or representatives, harmless from all claims of damage arising out of operations conducted pursuant to this permit.
2. That if the activity authorized herein is not constructed or completed within five years of the date of issuance, this permit shall automatically expire. A request, in writing, for an extension of time shall be made not less than sixty days prior to the expiration date.
3. That all authorized work shall be conducted in a manner that minimizes any adverse impact on fish, wildlife and water quality.
4. That this permit does not relieve the permittee from the requirements of obtaining a permit from the U. S. Army Corps of Engineers or any other applicable federal agency, nor from the necessity of complying with all applicable local laws, ordinances, and zoning regulations. This permit is granted subject to the rights of the State of South Carolina in the navigable waters and shall be subject, further, to all rights held by the State of South Carolina under the public trust doctrine as well as any other right the State may have in the waters and submerged lands of the coast.
5. That this permit does not convey, expressly or impliedly, any property rights in real estate or material nor any exclusive privileges; nor does it authorize the permittee to alienate, diminish, infringe upon or otherwise restrict the property rights of any other person or the public; nor shall this permit be interpreted as appropriating public properties for private use.
6. That the permittee shall permit OCRM or its authorized agents or representatives to make periodic inspections at any time deemed necessary in order to ensure that the activity being performed is in accordance with the terms and conditions of this permit.
7. That any abandonment of the permitted activity will require restoration of the area to a satisfactory condition as determined by OCRM.
8. That this permit may not be transferred to a third party without prior written notice to OCRM, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit and thereby agreeing to comply.
9. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and special signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
10. That the permit construction placard or a copy of the placard shall be posted in a conspicuous place at the project site during the entire period of work.
11. That the structure or work authorized herein shall be in accordance with the plans and drawing attached hereto, and shall be maintained in good condition. Failure to build in accordance with the plans and drawings attached hereto, or failure to maintain the structure in good condition, shall result in the revocation of this permit.
12. That the authorization for activities or structures herein constitutes a revocable license. OCRM may require the permittee to modify activities or remove structures authorized herein if it is determined by OCRM that such activity or structures violates the public's health, safety, or welfare, or if any activity is inconsistent with the public trust doctrine. Modification or removal under this condition shall be ordered only after reasonable notice stating the reasons therefore and provision to the permittee of the opportunity to respond in writing. When the Permittee is notified that OCRM intends to revoke the permit, Permittee agrees to immediately stop work pending resolution of the revocation.
13. That OCRM shall have the right to revoke, suspend, or modify this permit in the event it is determined the permitted structure (1) significantly impacts the public health, safety and welfare, and/or is violation of Section 48-39-150, (2) adversely impacts public rights, (3) that the information and data which the permittee or any other agencies have provided in connection with the permit application is either false, incomplete or inaccurate, or (4) that the activity is not in compliance with the drawings submitted by the applicant. That the permittee, upon receipt of OCRM's written intent to revoke, suspend, or modify the permit has the right to a hearing. Prior to revocation, suspension, or modification of this permit, OCRM shall provide written notification of intent to revoke to the permittee, and permittee can respond with a written explanation to OCRM. (South Carolina Code Section 1-023-370 shall govern the procedure for revocation, suspension or modification herein described).
14. That any modification, suspension or revocation of this permit shall not be the basis of any claim for damages against OCRM or the State of South Carolina or any employee, agent, or representative of OCRM or the State of South Carolina.
15. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with all applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to applicable federal, state and local laws.
16. That extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of others. This permit authorizes no invasion of adjacent private property, and OCRM assumes no responsibility or liability from any claims of damage arising out of any operations conducted by the permittee pursuant to this permit.

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SEE SPECIAL
CONDITIONS(S)

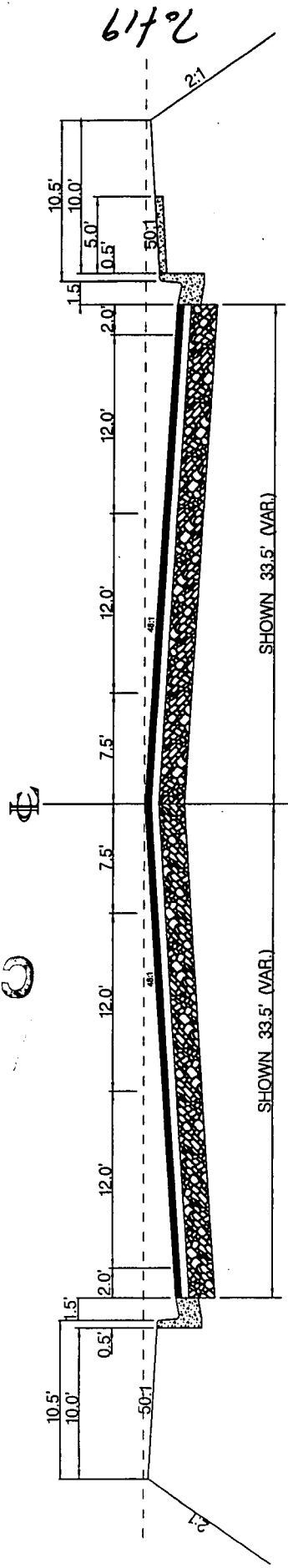


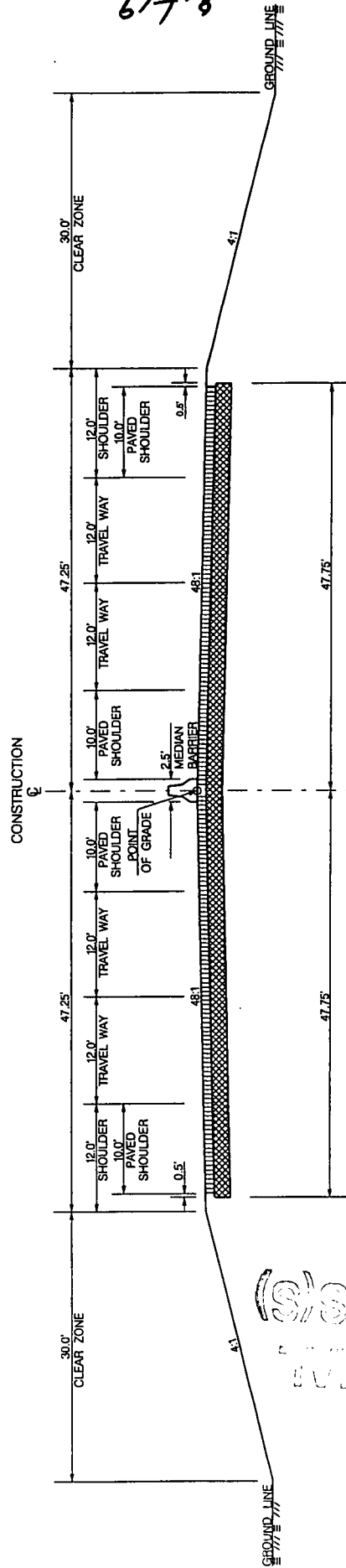
FIGURE 1
PROPOSED TYPICAL FOR NEW PROPOSED
ACCESS ROADWAY SHOWN ON SHEETS 6 - 7

PROPOSED ACCESS ROADWAY IDENTIFIED AS ALT. 1d IN THE JULY, 2006 ACCESS ROADWAY FEASIBILITY STUDY SUPPLEMENTAL REPORT FOR THE CNC MARINE TERMINAL EIS PROPOSED ALTERNATIVE
CHARLESTON COUNTY, S.C.
APPLICATION BY SCDOT
FEDERAL FUNDS TO BE USED
DATE: JULY 12, 2006



NOT TO SCALE

80708



SEE SPECIAL CONDITIONS

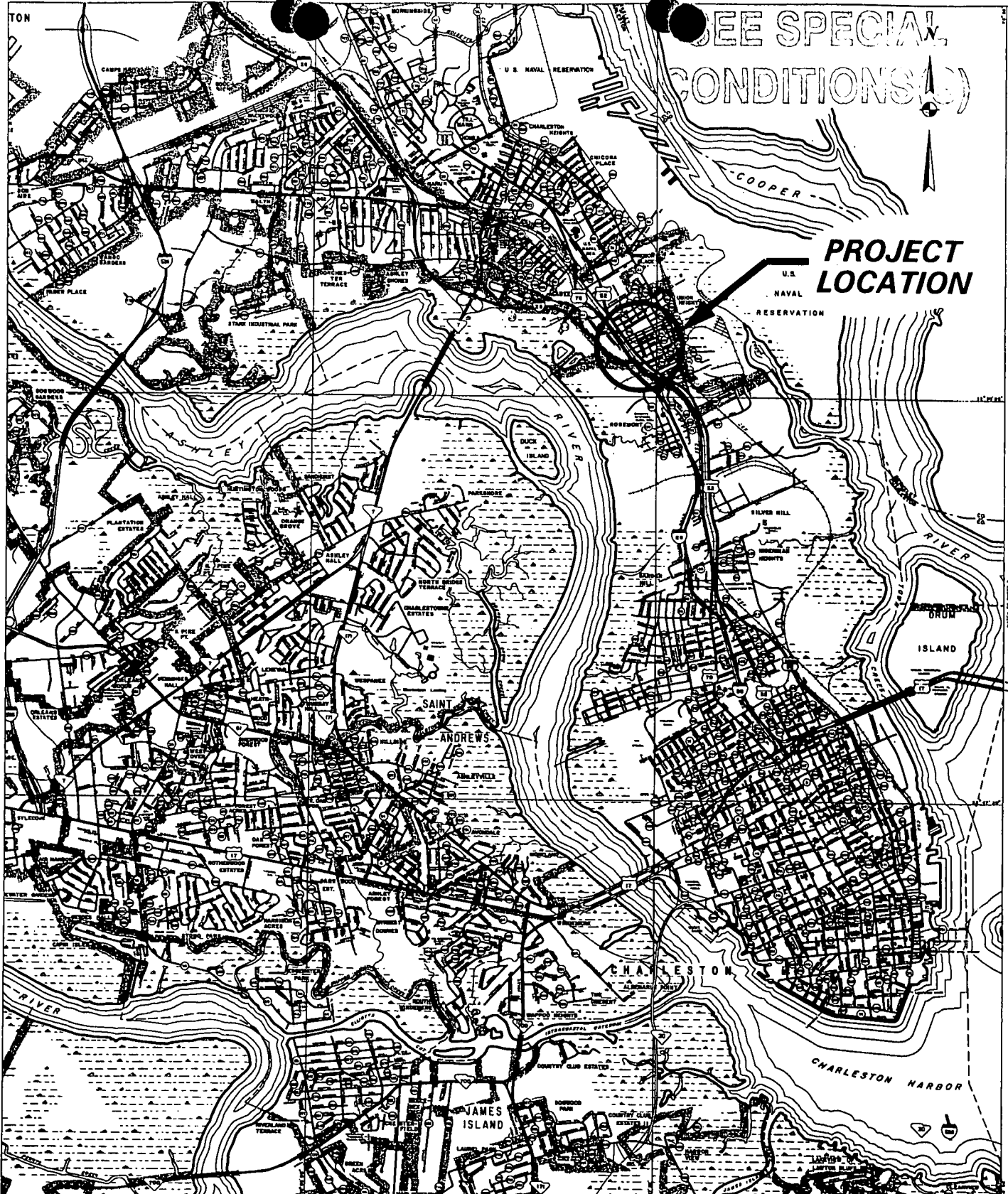
FIGURE 2
PROPOSED TYPICAL FOR NEW PROPOSED ACCESS
ROADWAY MAINLINE ALT. 1d SHOWN ON SHEET 5

PROPOSED ACCESS ROADWAY IDENTIFIED AS ALT. 1d IN THE JULY, 2006 ACCESS ROADWAY FEASIBILITY STUDY SUPPLEMENTAL REPORT FOR THE CNC MARINE TERMINAL EIS PROPOSED ALTERNATIVE
 CHARLESTON COUNTY, S.C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 12, 2006



NOT TO SCALE

SEE SPECIAL
CONDITIONS



**PROJECT
LOCATION**



Shaded Area Indicates
County Location in SC

A Section of the City of Charleston Showing the Location of the Proposed
Access Roadway Identified as Alternative 1d in the July, 2006 Access
Roadway Feasibility Study Supplemental Report For The CNC Marine
Terminal EIS Proposed Alternative

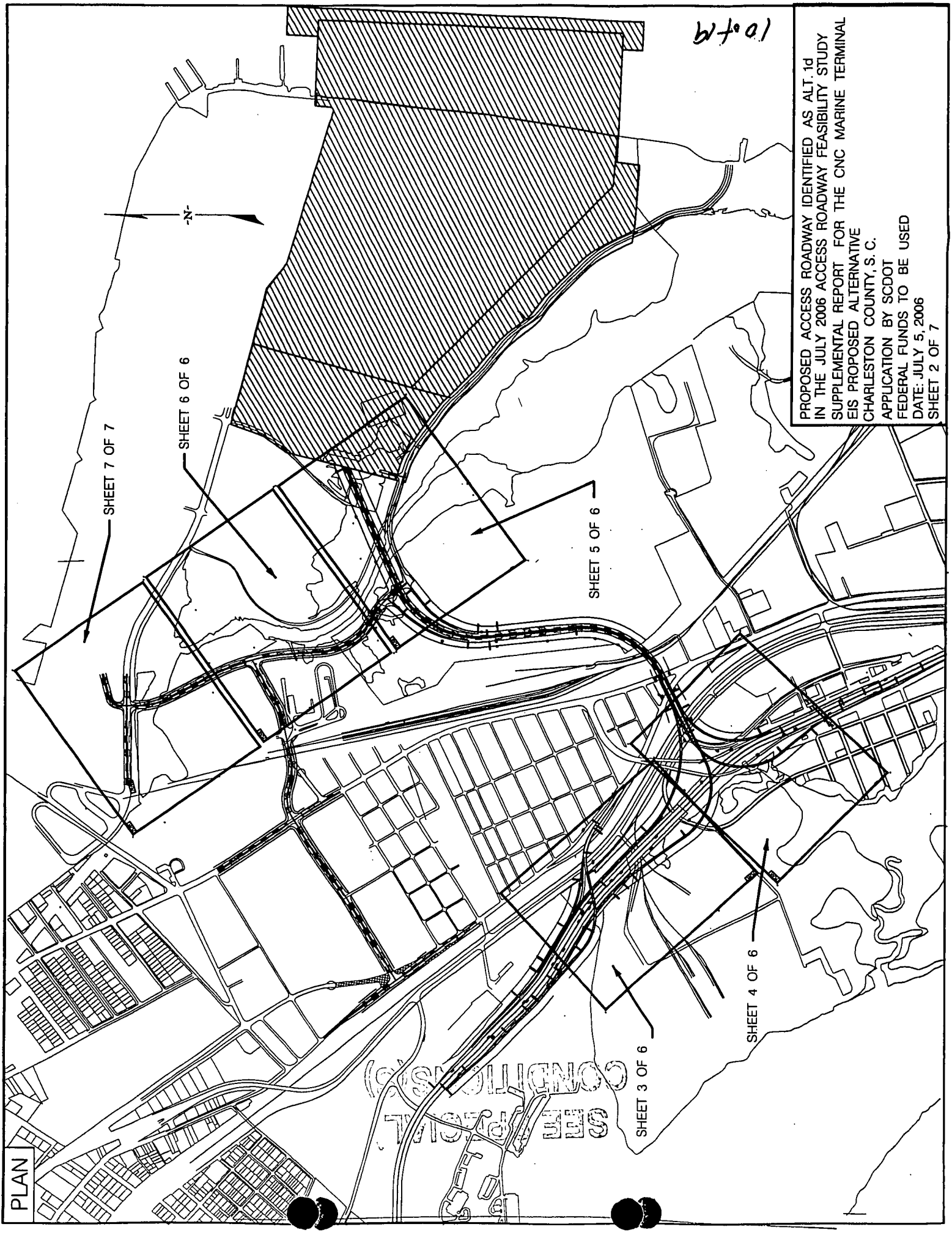
SHEET 1 OF 7

NOT TO SCALE

9.7.19

1049

PROPOSED ACCESS ROADWAY IDENTIFIED AS ALT 1d
IN THE JULY 2006 ACCESS ROADWAY FEASIBILITY STUDY
SUPPLEMENTAL REPORT FOR THE CNC MARINE TERMINAL
EIS PROPOSED ALTERNATIVE
CHARLESTON COUNTY, S.C.
APPLICATION BY SCDOT
FEDERAL FUNDS TO BE USED
DATE: JULY 5, 2006
SHEET 2 OF 7



SHEET 7 OF 7

SHEET 6 OF 6

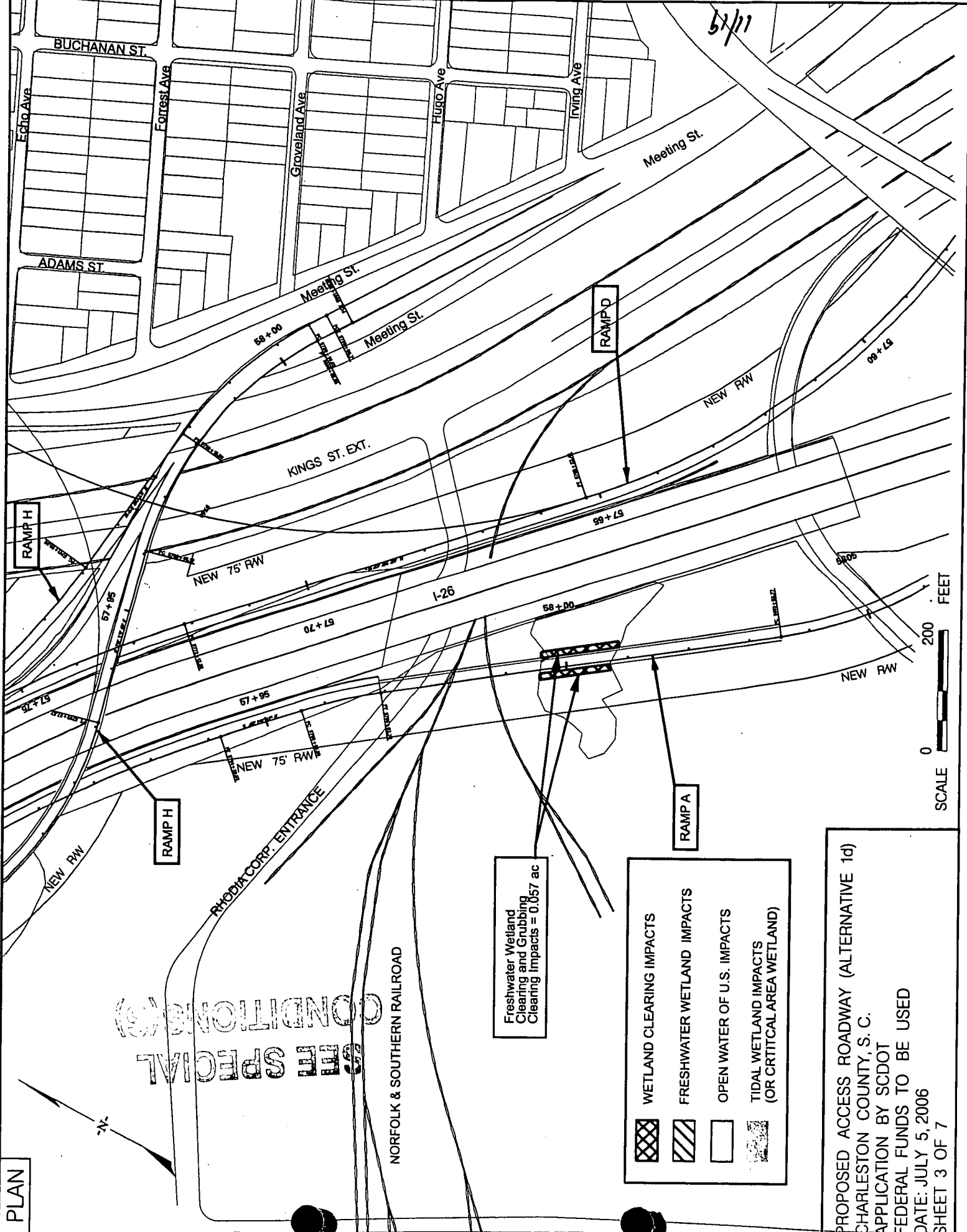
SHEET 5 OF 6

SHEET 4 OF 6

SHEET 3 OF 6

PLAN

CONDITIONS
TERMS



PLAN

CONDITIONS SPECIAL

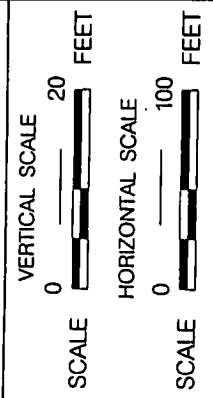
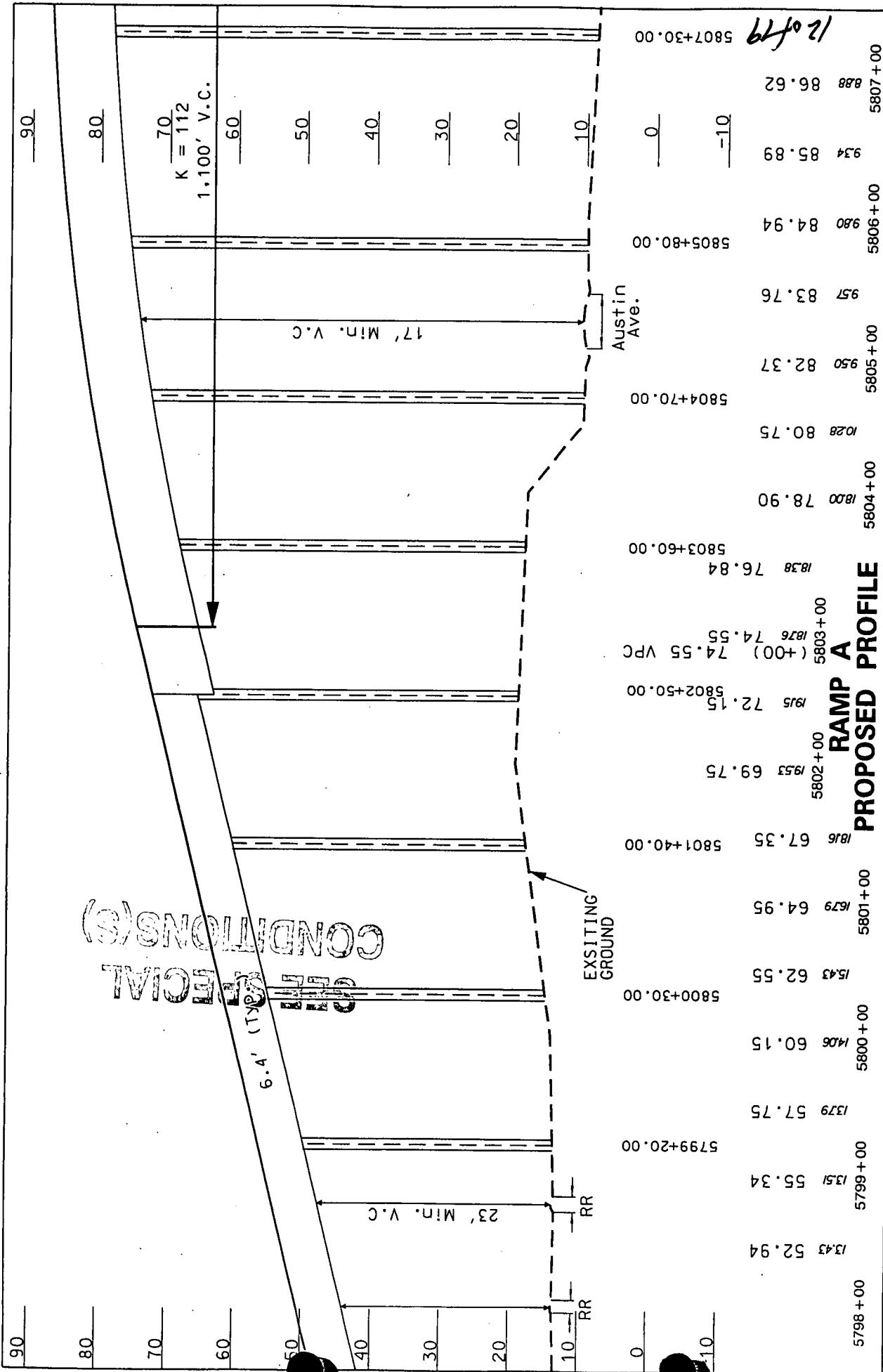
NORFOLK & SOUTHERN RAILROAD

Freshwater Wetland
Clearing and Grubbing
Clearing Impacts = 0.057 ac

| | |
|--|---|
| | WETLAND CLEARING IMPACTS |
| | FRESHWATER WETLAND IMPACTS |
| | OPEN WATER OF U.S. IMPACTS |
| | TIDAL WETLAND IMPACTS (OR CRITICAL AREA WETLAND) |

PROPOSED ACCESS ROADWAY (ALTERNATIVE 1d)
CHARLESTON COUNTY, S. C.
APPLICATION BY SCDOT
FEDERAL FUNDS TO BE USED
DATE: JULY 5, 2006
SHEET 3 OF 7

SCALE 0 200 FEET



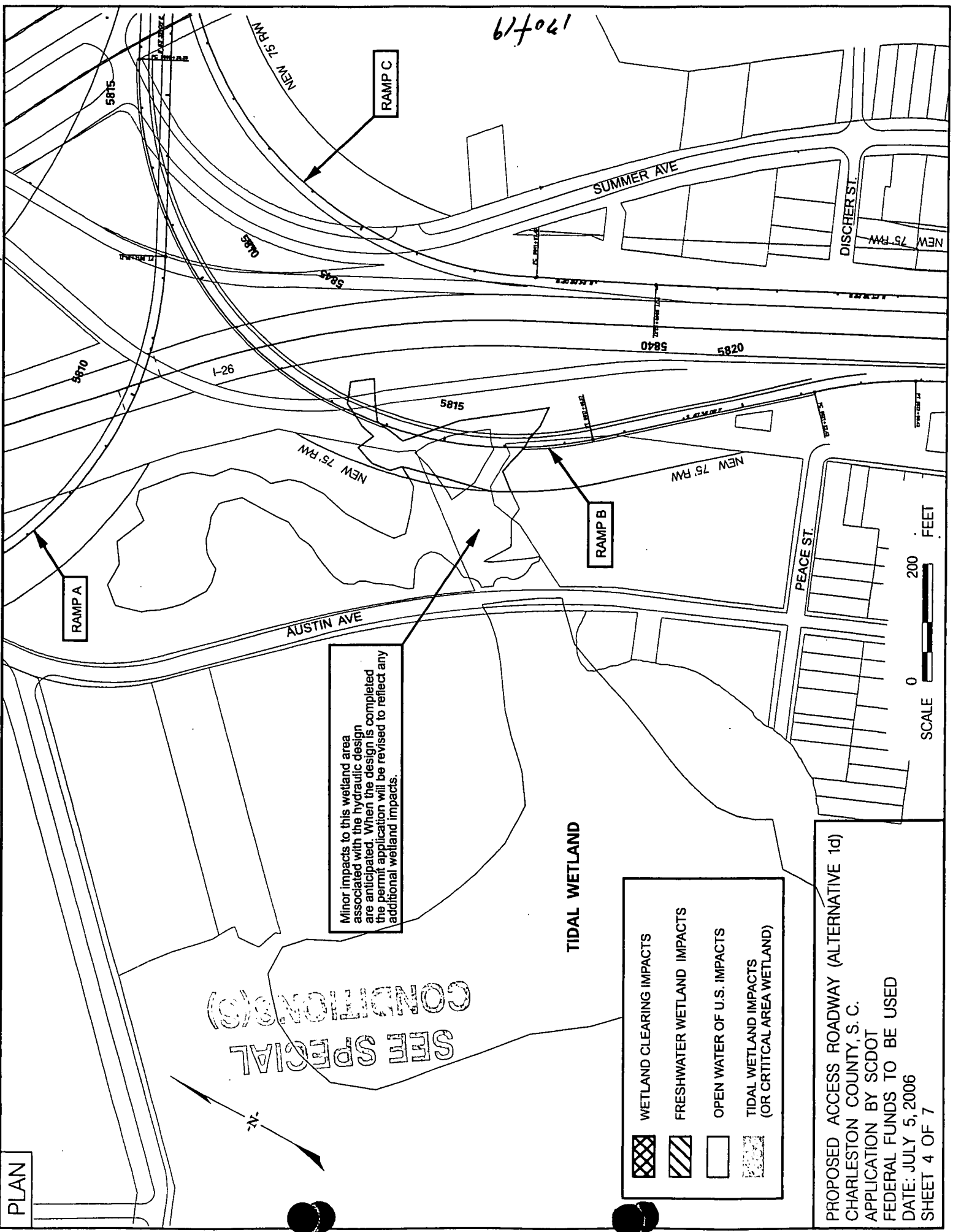
PROPOSED ACCESS ROADWAY
 CHARLESTON COUNTY, S.C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 10, 2006
 SHEET 3A OF 7



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6/7061

PLAN



Minor impacts to this wetland area associated with the hydraulic design are anticipated. When the design is completed the permit application will be revised to reflect any additional wetland impacts.

TIDAL WETLAND

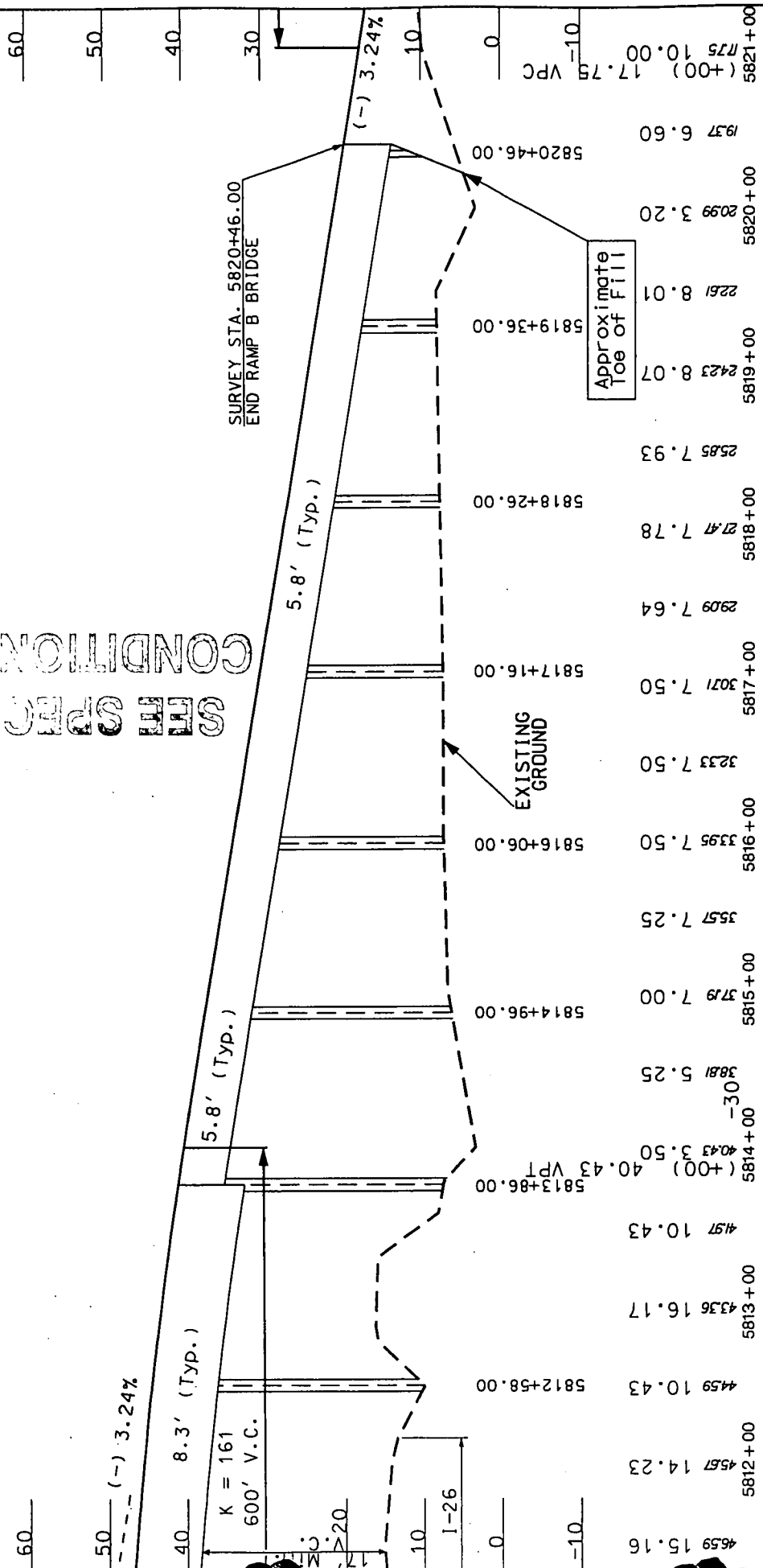
| | |
|--|--|
| | WETLAND CLEARING IMPACTS |
| | FRESHWATER WETLAND IMPACTS |
| | OPEN WATER OF U.S. IMPACTS |
| | TIDAL WETLAND IMPACTS (OR CRITICAL AREA WETLAND) |



SPECIAL PERMITS
CONDITIONS

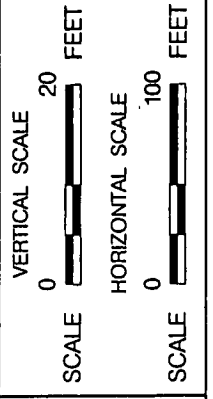
PROPOSED ACCESS ROADWAY (ALTERNATIVE 1d)
 CHARLESTON COUNTY, S. C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 5, 2006
 SHEET 4 OF 7

SITE SPECIAL CONDITIONS

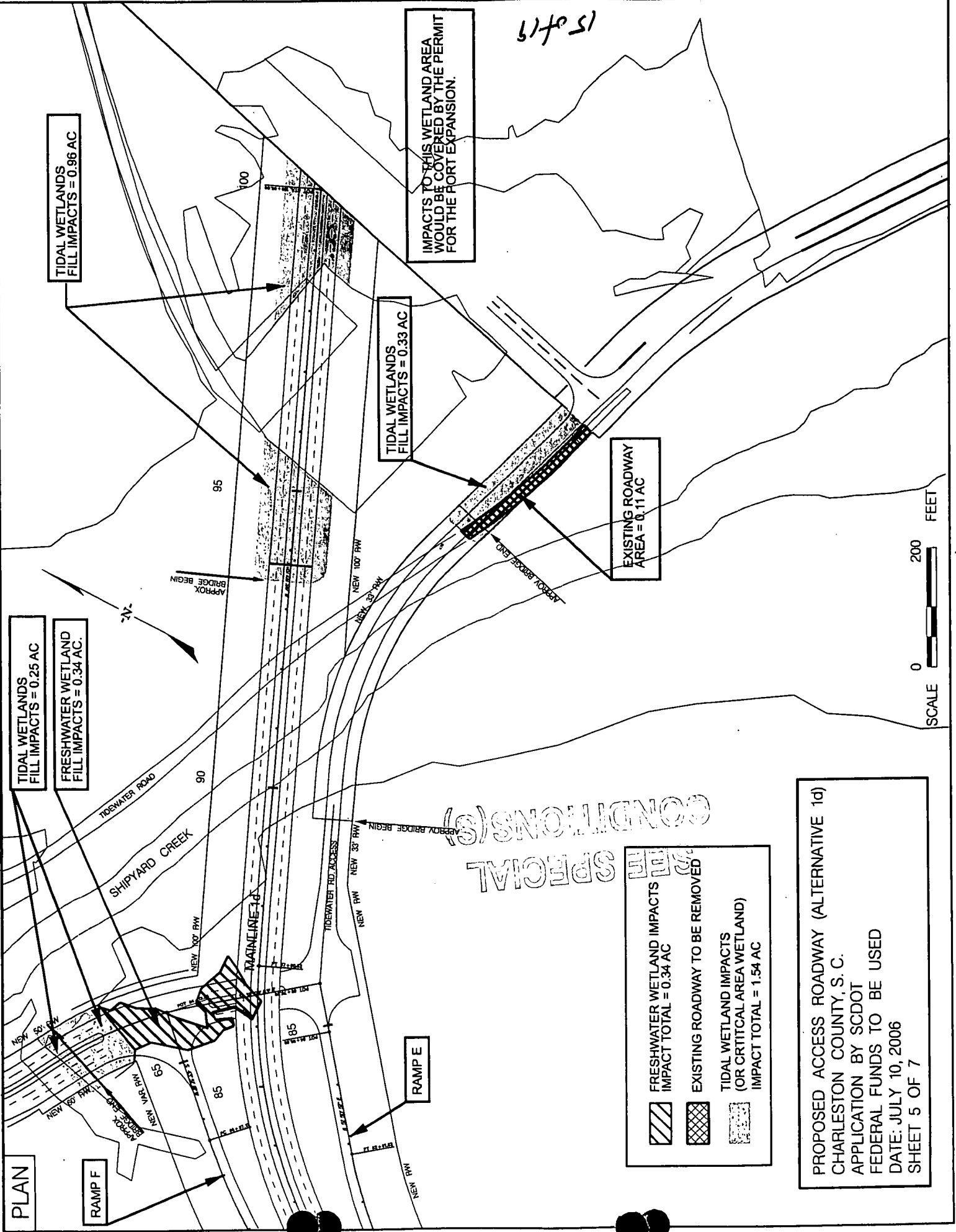


RAMP B PROPOSED PROFILE

PROPOSED ACCESS ROADWAY
CHARLESTON COUNTY, S.C.
APPLICATION BY SCDOT
FEDERAL FUNDS TO BE USED
DATE: JULY 10, 2006
SHEET 4A OF 7



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PLAN

RAMP F

RAMP E

CONDITIONS(S)
SPECIAL

| | |
|--|---|
| | FRESHWATER WETLAND IMPACTS IMPACT TOTAL = 0.34 AC |
| | EXISTING ROADWAY TO BE REMOVED |
| | TIDAL WETLAND IMPACTS (OR CRITICAL AREA WETLAND) IMPACT TOTAL = 1.54 AC |

PROPOSED ACCESS ROADWAY (ALTERNATIVE 1d)
 CHARLESTON COUNTY, S. C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 10, 2006
 SHEET 5 OF 7

TIDAL WETLANDS
FILL IMPACTS = 0.96 AC

TIDAL WETLANDS
FILL IMPACTS = 0.25 AC
FRESHWATER WETLAND
FILL IMPACTS = 0.34 AC.

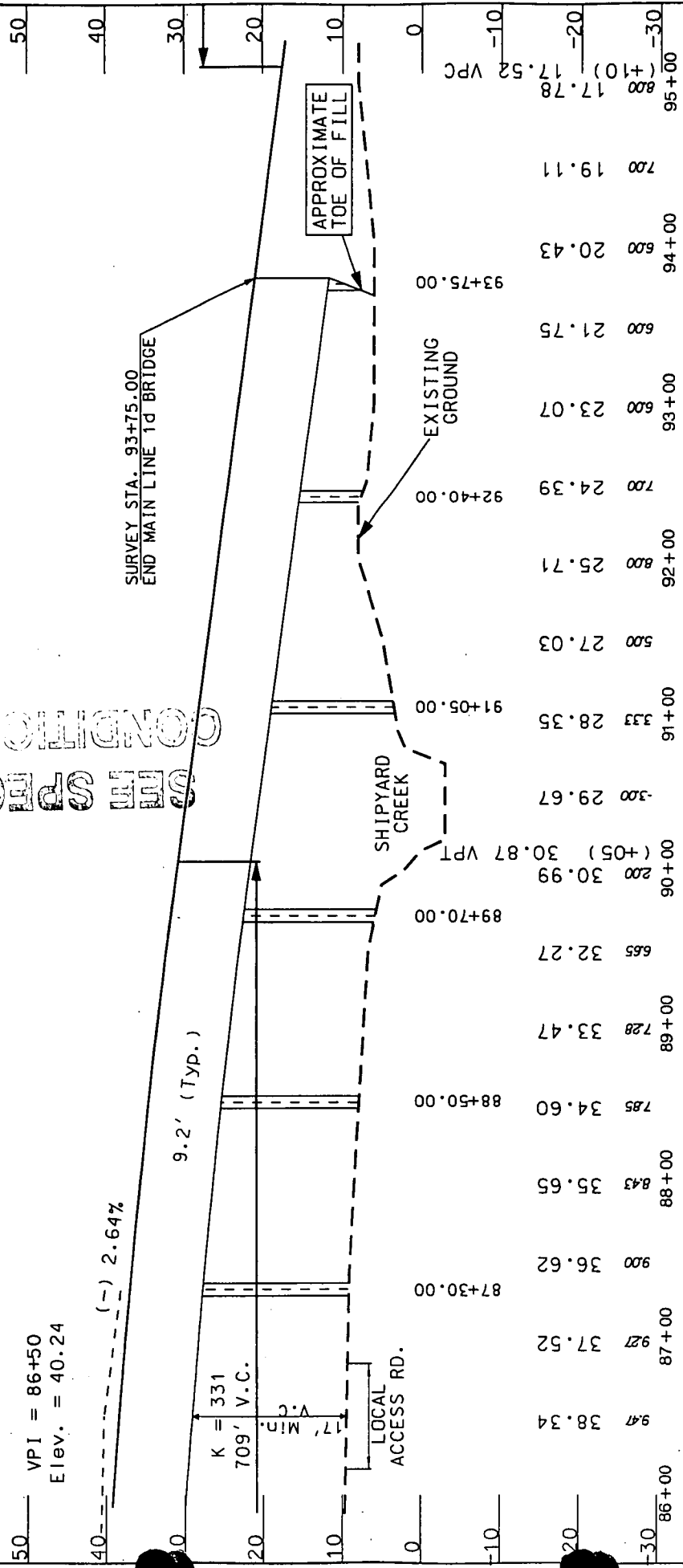
TIDAL WETLANDS
FILL IMPACTS = 0.33 AC

EXISTING ROADWAY
AREA = 0.11 AC

IMPACTS TO THIS WETLAND AREA
WOULD BE COVERED BY THE PERMIT
FOR THE PORT EXPANSION.

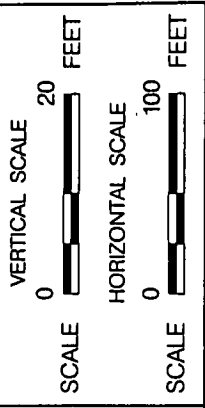
SCALE 0 200 FEET

SOUTH SPECIAL
 CONDITIONS

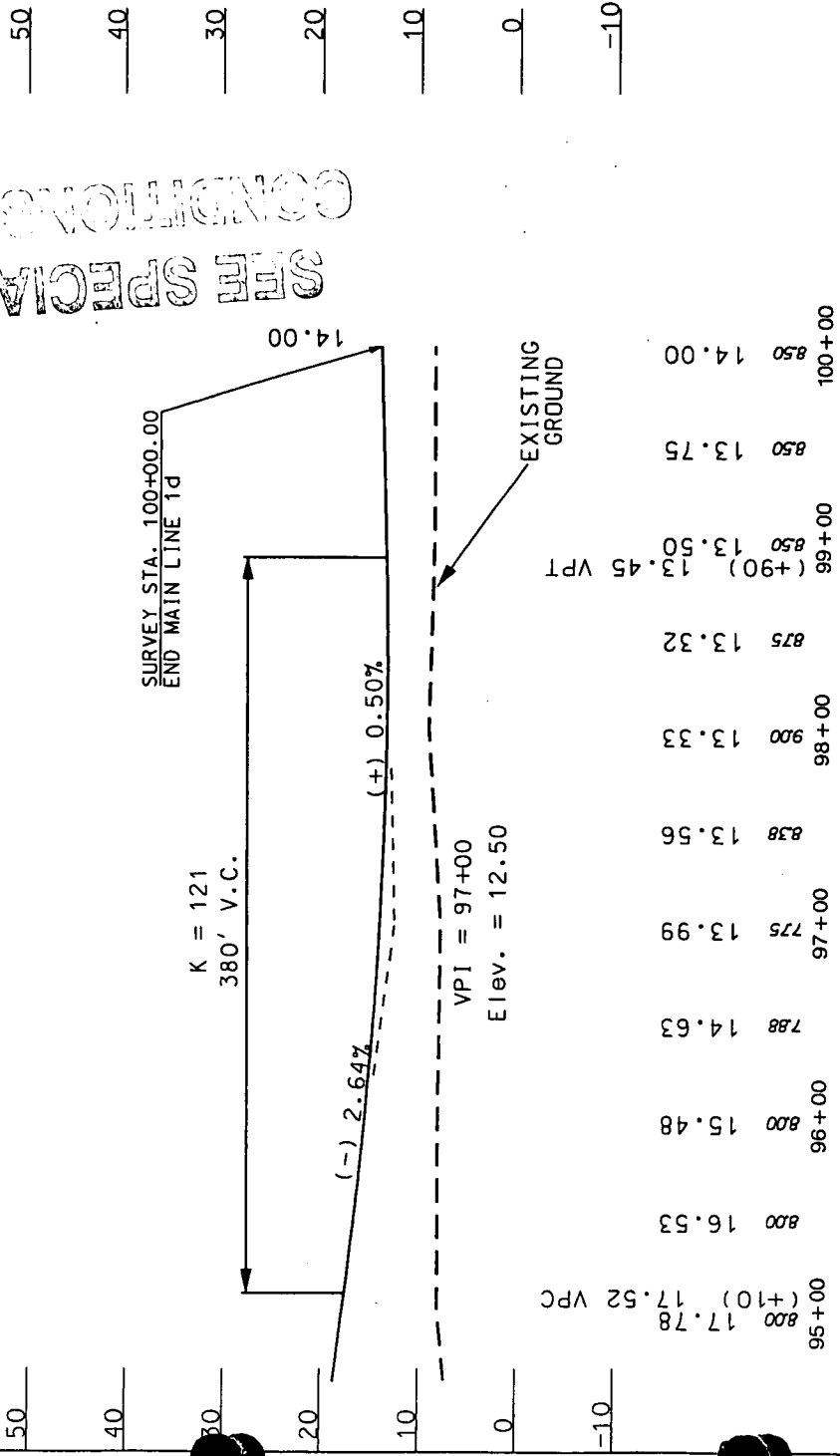


MAINLINE 1d PROPOSED PROFILE

PROPOSED ACCESS ROADWAY
 CHARLESTON COUNTY, S.C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 10, 2006
 SHEET 5A OF 7



SEE SPECIAL
CONDITIONS

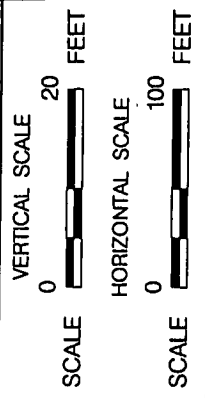


MAINLINE 1d PROPOSED PROFILE

PROPOSED ACCESS ROADWAY
CHARLESTON COUNTY, S.C.
APPLICATION BY SCDOT
FEDERAL FUNDS TO BE USED
DATE: JULY 10, 2006
SHEET 5B OF 7






South Carolina Department of Transportation



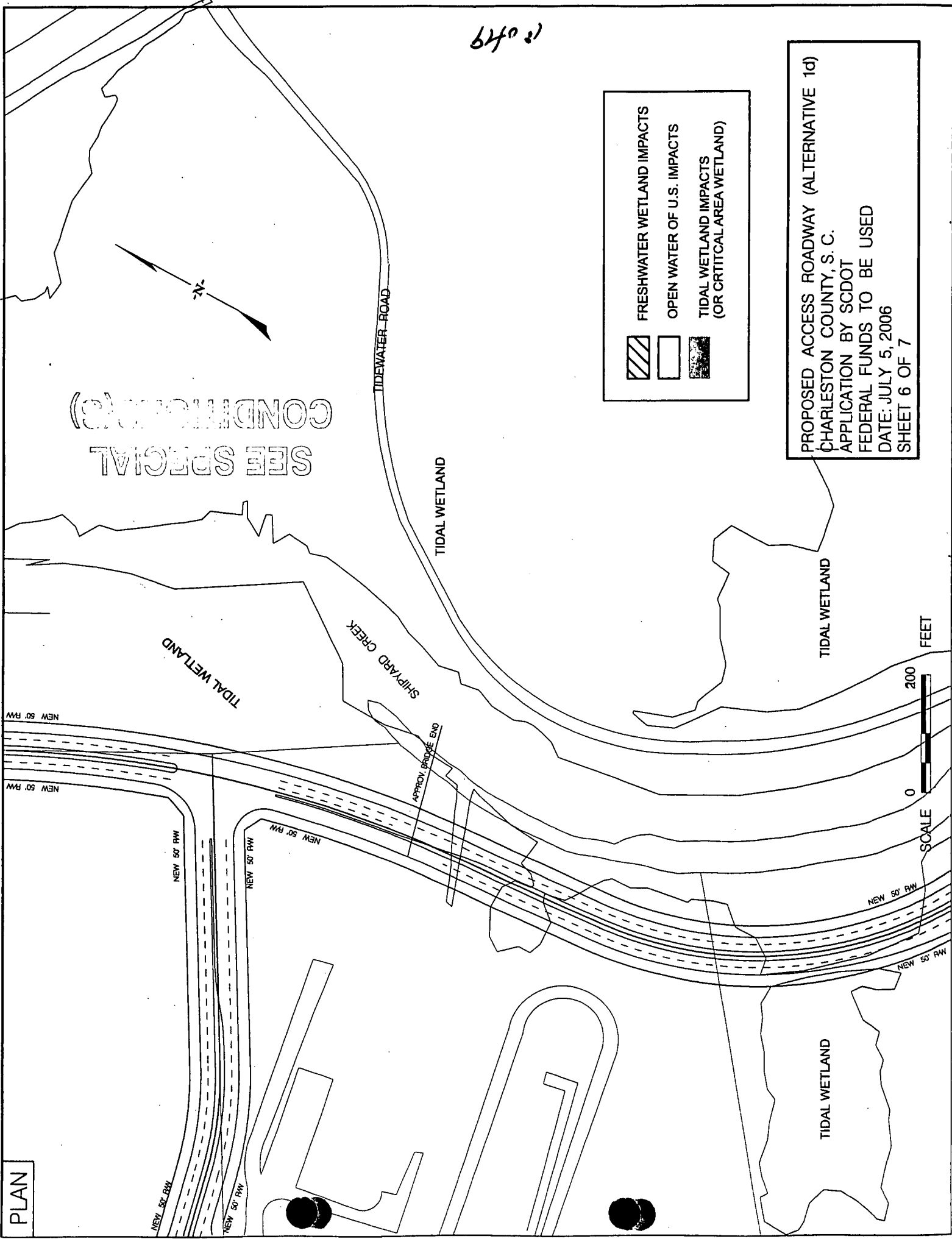
17.19

640 21

SEE SPECIAL
CONDITIONS

| | |
|---|---|
|  | FRESHWATER WETLAND IMPACTS |
|  | OPEN WATER OF U.S. IMPACTS |
|  | TIDAL WETLAND IMPACTS (OR CRITICAL AREA WETLAND) |

PROPOSED ACCESS ROADWAY (ALTERNATIVE 1d)
 CHARLESTON COUNTY, S. C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 5, 2006
 SHEET 6 OF 7



PLAN

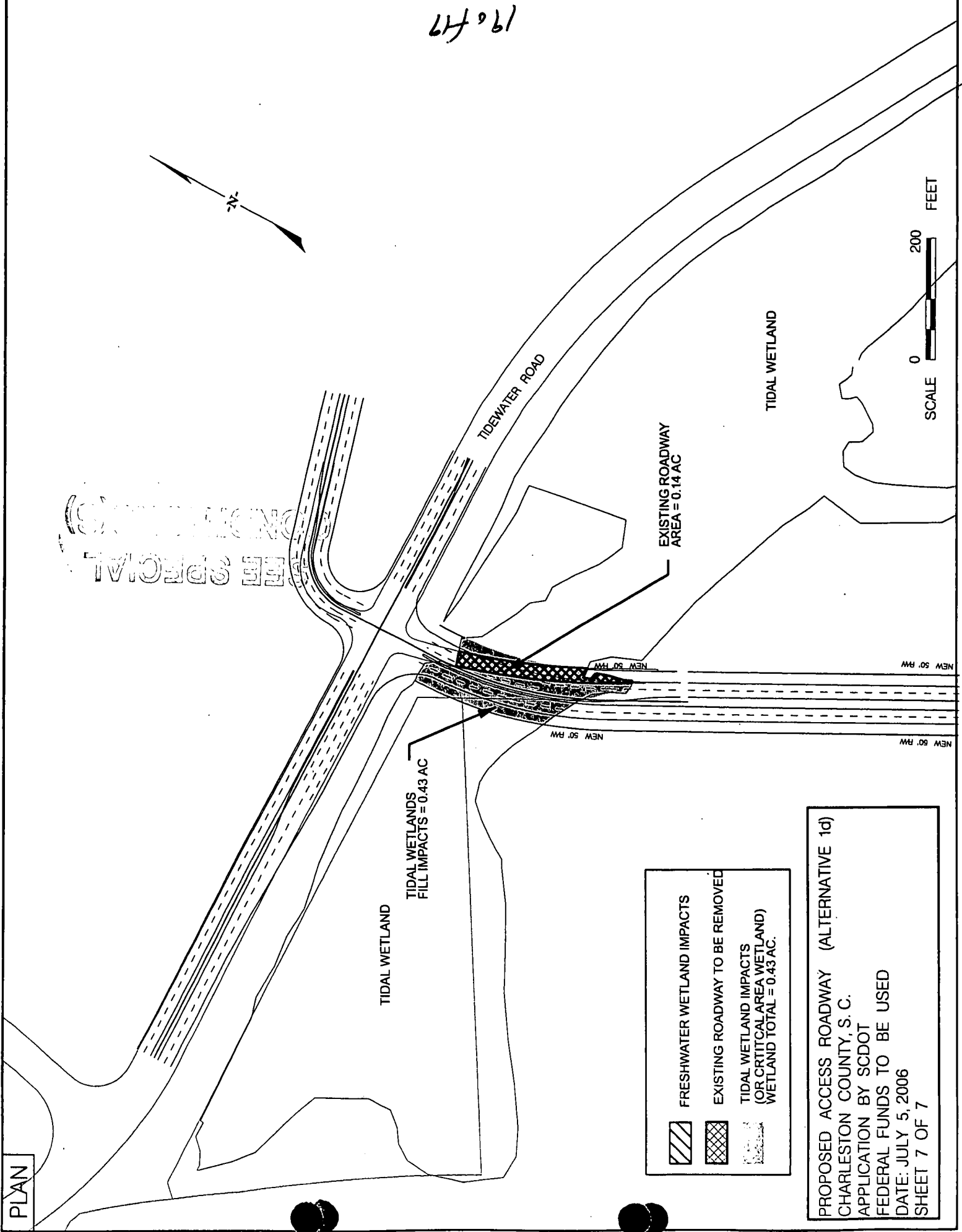
SCALE
0 200 FEET




19061



WETLANDS SPECIAL PERMITS

PLAN



-  FRESHWATER WETLAND IMPACTS
-  EXISTING ROADWAY TO BE REMOVED
-  TIDAL WETLAND IMPACTS (OR CRITICAL AREA WETLAND) WETLAND TOTAL = 0.43 AC.

PROPOSED ACCESS ROADWAY (ALTERNATIVE 1d)
 CHARLESTON COUNTY, S. C.
 APPLICATION BY SCDOT
 FEDERAL FUNDS TO BE USED
 DATE: JULY 5, 2006
 SHEET 7 OF 7



Office of Ocean and Coastal
Resource Management

1362 McMillan Avenue, Suite 400
Charleston, SC 29405
843-744-5838 FAX 843-744-5847

MEMORANDUM

TO: Curtis Joyner

FROM: John L. Hensel, Jr. *JLH*

SUBJ: SC Dept of Transportation
2005-1N-440-P-C
Charleston County

DATE: October 25, 2006

Certification staff has reviewed the freshwater wetland impacts and mitigation proposal associated with the above referenced project and finds them consistent with the State's Coastal Zone Management Program. Mitigation will be provided through the debiting the appropriate number of mitigation credits from SCDOT's Black River Mitigation Bank. Proof of debiting of credits must be provided to OCRM prior to any work commencing under the permit.

JLH/scdot54050

cc: Ms. Barbara Neale
— Mr. Steve Brooks
Mr. Jeff Thompson