



**VI. PUBLIC HEARINGS:**

**[12]**

Council will hold public hearing on the following:

**ORDINANCE NO. 37-2012/13**

An Ordinance Confirming The Inclusion Of Certain Property Of Angus-Palm LLC In A Joint County Industrial And Business Park With Marion County; Providing For An Extension Thereof; And Addressing Other Matters Related Thereto.

**VII. APPEARANCES:**

No requests for Appearances were presented at the time of publication of the Agenda.

**VIII. COMMITTEE REPORTS:**

(Items assigned to the Committees in italics. Revisions by Committee Chair requested.)

Administration & Finance

(Chairman Schofield, Councilmen Culberson, Mumford, and Dorriety)

*June 20, 2013*

*Restacking of Complex*

*June 20, 2013*

*Accommodations Tax Reconciliation*

Public Services & County Planning

(Councilmen Poston/Chair, Kirby and Caudle)

*June 2008*

*Museum*

*October 2012*

*Flood Plain Maps*

Justice & Public Safety

(Councilmen Mumford/Chair, Bradley and Jason Springs)

*Litter*

Education, Recreation, Health & Welfare

(Councilmen Culberson/Chair, Poston and Caudle)

Agriculture, Forestry, Military Affairs & Intergovernmental Relations

(Councilman Bradley/Chair, Dorriety and Jason Springs)

*January 17, 2013*

*City-County Conference Committee*

## **IX. RESOLUTIONS/PROCLAMATIONS:**

### **A. RESOLUTION NO. 30-2012/13 (*Deferral*)**

**[13]**

A Resolution In Support Of The Issuance By The South Carolina Jobs – Economic Development Authority Of Its Economic Development Refunding Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2013 In One Or More Series And In An Aggregate Principal Amount Not To Exceed \$14,085,000 Pursuant To The Provisions Of Title 41, Chapter 43, Code Of Laws Of South Carolina 1976, As Amended.

### **B. RESOLUTION NO. 01-2013/14**

**[18]**

A Resolution To Authorize The Addition Of A Vehicle To The County Fleet For The Florence County Museum.

### **C. RESOLUTION NO. 02-2013/14**

**[20]**

A Resolution To Approve The Florence County Stormwater Design Manual; And Other Matters Related Thereto.  
(*Planning Commission approved 8-0*)

### **D. RESOLUTION NO. 03-2013/14**

**[193]**

A Resolution To Amend Section 4 Of Resolution No. 5-2009/10 In Order To Authorize The Inclusion Of Additional Participants In The South Carolina Procurement Card Program And To Increase One Daily And Monthly Limit.

### **E. RESOLUTION NO. 04-2013/14**

**[197]**

A Resolution For Establishing A Moratorium On Non-Emergency Ambulance Franchises For Up To One (1) Year While County Council Studies The Application Process And Fees For Non-Emergency Ambulance Franchises.

### **F. RESOLUTION NO. 05-2013/14**

**[199]**

A Resolution Authorizing The Execution And Delivery Of A Modification To That Certain Inducement And Millage Rate Agreement By And Among Florence County, South Carolina, Monster Worldwide South Carolina, Inc., And Pee Dee Red Rock, LLC And That Certain Memorandum Of Understanding By And Among Florence County, South Carolina, Monster Worldwide South Carolina, Inc., Pee Dee Red Rock, LLC And The South Carolina Department Of Commerce, Each Dated As Of June 26, 2008.

**X. ORDINANCES IN POSITION:**

**A. THIRD READING**

**1. ORDINANCE NO. 17-2012/13 (*Deferral*) [209]**

An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.

**2. ORDINANCE NO. 31-2012/13 [212]**

An Ordinance To Zone Properties Owned By Ladonna M. Beylotte, Cephus & Maxine Peterson Jr., Bessie Wilks, Erik T. & Sarah L. Knotts, Vanona M. Dubose Morris, Ryan J. Johnson, McArthur & Yvonne F. Lynch, James T. Hurst And Located At 227, 233, 237, 241, 243, 247, 249, And 251 Mill Street, Town Of Scranton, As Shown On Florence County Tax Map No. 00194, Block 31, Parcels 25, 077 And 104; And A Portion Of 021, 022, 023, 024 And 111; Consisting Of Approximately 3.16 Acres From Unzoned, To R-1, Single-Family Residential District; And Other Matters Related Thereto.

*(Planning Commission approved 7-0)(Council District 1)*

**3. ORDINANCE NO. 32-2012/13 [220]**

An Ordinance To Rezone Property Owned By Judy H. Thomas And Debra A. Holloway Located At 2005 Hazelwood Lane, Florence, As Shown On Florence County Tax Map No. 00127, Block 01, Parcel 008; Consisting Of Approximately 8.709 Acres From R-3, Single Family Residential District, To RU-1, Rural Community District, Limited; And Other Matters Related Thereto.

*(Planning Commission approved 7-0)(Council District 5)*

**4. ORDINANCE NO. 33-2012/13 [228]**

An Ordinance To Amend The Florence County Code, Chapter 7 – Building Regulations, Article II – Standards For Construction, Installations And Maintenance, Division 1 – Generally, Section 7-11 – International Building Code; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)*



5. **ORDINANCE NO. 34-2012/13** [233]

An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)*

6. **ORDINANCE NO. 35-2012/13** [295]

An Ordinance To Amend The Florence County Code, Chapter 28.6 – Land Development And Subdivision Ordinance, Article VI. – Subdivision Improvements And Guarantees, Section 6-98. Acceptance Techniques In Lieu Of Completion Of All Improvements, Section 28.6-100 – Reduction Of Guarantee, And Section 28.6-101. – Release Of Guarantee; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)*

**B. SECOND READING**

**ORDINANCE NO. 37-2012/13** *(Public Hearing)* [310]

An Ordinance Confirming The Inclusion Of Certain Property Of Angus-Palm LLC In A Joint County Industrial And Business Park With Marion County; Providing For An Extension Thereof; And Addressing Other Matters Related Thereto.

**C. INTRODUCTION**

1. **ORDINANCE NO. 02-2013/14** [316]

An Ordinance To Rezone Property Owned By Myiona L. Driggers Located At 1819 Bozy Road, Scranton, As Shown On Florence County Tax Map No. 01942, Block 31, Parcel 055; Consisting Of Approximately 0.739 Acres From R-1, Single-Family Residential District To B-3, General Commercial District; And Other Matters Related Thereto.

*(Planning Commission approved 8-0)(Council District 1)*

2. **ORDINANCE NO. 03-2013/14** [324]

An Ordinance To Rezone Property On Behalf Of Robert H. Powell, Executor, Estate Of Gregg Located At E. Ashby Road, Quinby, As Shown On Florence County Tax Map No. 00175, Block 01, Parcel 212; Consisting Of Approximately 2.199 Acres From RU-1, Rural Community District To B-3, General Commercial District; And Other Matters Related Thereto.

*(Planning Commission approved 8-0)(Council District 7)*

**3. ORDINANCE NO. 04-2013/14 *(By Title Only)* [331]**

An Ordinance To Impose A One Percent Sales Tax, Subject To A Referendum, Within Florence County Pursuant To The Capital Project Sales Tax Act; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For Which The Tax May Be Imposed; To Provide The Maximum Cost Of The Projects Or Facilities Funded From The Proceeds To Be Raised By The Tax; To Provide For A County-Wide Referendum And To Concur In The Contents Of The Ballot Question In Such Referendum; To Establish The Priority In Which The Proceeds Of The Tax Are To Be Expended; To Authorize The Issuance Of General Obligation Bonds Of Florence County, Subject To Such Referendum, To Defray Costs Of Projects And Issuance Costs; To Provide For The Conduct Of Such Referendum; To Provide For The Administration Of The Tax; To Provide For The Payment Of The Tax; And To Provide For Other Matters Relating Thereto.

**4. ORDINANCE NO. 05-2013/14 *(By Title Only)* [333]**

An Ordinance To Provide For The Creation Of Advisory Committees To The Fire/Rescue Services Coordinator; And Other Matters Related Thereto.

**XI. APPOINTMENTS TO BOARDS & COMMISSIONS:**

**A. JOHNSONVILLE RURAL FIRE DISTRICT [335]**

Approve The Recommendation Of The Johnsonville Rural Fire District Board For The Re-Appointment Of Vernon M. Tanner And William Prosser To Serve On The Johnsonville Rural Fire District Board, With Appropriate Expiration Terms.

**B. COMMISSION ON ALCOHOL & DRUG ABUSE [338]**

Approve The Re-Appointment Of Bishop Oscar Hardman To Serve On The Commission On Alcohol And Drug Abuse, Representing Council District 1, With Appropriate Expiration Term.

**C. BOARD OF ASSESSMENT APPEALS [341]**

Approve The Re-Appointment Of Ted Walter To Serve On The Board Of Assessment Appeals, Representing Council District 1, With Appropriate Expiration Term.

## **XII. REPORTS TO COUNCIL:**

### **A. ADMINISTRATION**

#### **1. MONTHLY FINANCIAL REPORTS**

**[344]**

Monthly Financial Reports Were Provided To Council For Fiscal Year 2013 Through May 31, 2013 As An Item For The Record.

#### **2. STRATEGIC PLANNING & FACILITY PROGRAMMING PRESENTATION**

**[350]**

Ashby Gressette – Stevens And Wilkinson Architects And Mike Thomas – Justice Planning Associates Wish To Appear Before Council To Present The Findings Of The Strategic Planning And Facility Programming For The Administration And Judicial Facilities.

### **B. FINANCE/FLORENCE MUSEUM**

#### **AWARD BID NO. 19-12/13**

**[351]**

Award Bid No. 19-12/13 For The Construction Of Exhibit Structures, Casework, Graphics, And Audio Visual Components For The New Florence County Museum To Capital Exhibit Services Of Manassas, VA In The Amount Of \$1,093,438.00. *(4 Compliant Bids Received)*

### **C. FIRE/RESCUE SERVICES**

#### **UPDATE ON FIRE/RESCUE SERVICES DEPARTMENT**

**[354]**

Fire/Rescue Services Coordinator Sam Brockington Will Provide A Brief Update On The Fire/Rescue Services Department.

### **D. PUBLIC DEFENDER'S OFFICE/HUMAN RESOURCES**

#### **ADDITIONAL FULL-TIME POSITION**

**[355]**

Authorize A Full-Time Assistant Public Defender Position Grade 26 To Be Funded By The South Carolina Office Of Indigent Defense.

## **XIII. OTHER BUSINESS:**

### **A. INFRASTRUCTURE**

#### **1. CITY OF LAKE CITY**

**[360]**

Approve The Expenditure Of Up To \$15,000 From Council District 1 Infrastructure Funding Allocation For The Construction Of A New Restroom Facility At Dew Park In Lake City.

2. **DEWITTS BLUFF LANDING** [362]  
Approve The Expenditure Of Up To \$950 From Council District 2 Infrastructure Funding Allocation For Facility Improvements At Dewitts Bluff Landing.
3. **LYNCHEs RIVER ATHLETIC PARK** [363]  
Approve The Expenditure Of Up To \$3,100 From Council District 4 Infrastructure Funding Allocation To Purchase Additional Bleachers For Lynches River Athletic Park.
4. **TIMMONSVILLE HIGH SCHOOL BASEBALL FIELD** [364]  
Approve The Expenditure Of Up To \$800 From Council District 4 Infrastructure Funding Allocation For Facility Improvements At Old Timmons ville High School Baseball Field.
5. **WINDY HILL VOLUNTEER FIRE COMPANY** [365]  
Approve The Expenditure Of Up To \$4,800 From Council Districts' Infrastructure Funding Allocations (Approximately \$534 Each District) To Assist The Windy Hill Volunteer Fire Company With The Purchase Of Training Equipment And Construction Of Facilities To Train For Aircraft Fires.
6. **MCLAUGHLIN ROAD/HIGHWAY 52 TURN LANE** [367]  
Approve The Expenditure Of Up To \$45,000 From Council Districts 1, 4, and 8 Infrastructure Funding Allocations (Approximately \$15,000 From Each District) To Construct A Turn Lane On McLaughlin Road And Highway 52.
7. **CITY OF FLORENCE** [368]  
Approve The Expenditure Of Up To \$56,000 From Council Districts 3, 7, and 8 Infrastructure Funding Allocations (Approximately \$18,667 From Each District) To Assist The City Of Florence With The Following Projects: \$15,000 Jeffries Creek Park Shelter Repairs (District 8); \$2,000 Lester Park Shelter Repairs (District 3); \$25,000 Timrod Park Tennis Court Resurfacing (\$3,166 District 3, \$18,667 District 7 and \$3,167 District 8); and \$14,000 Freedom Florence Backstops (\$13,500 District 3 and \$500 District 8).

## **B. UTILITY**

### **RESURRECTION CENTER**

**[369]**

Approve The Expenditure Of Up To \$6,930 From Council District 3 Utility Funding Allocation To Pay For Crushed Asphalt For Driveway At Resurrection Center In Florence, SC.

## **XIV. EXECUTIVE SESSION:**

Pursuant to Section 30-4-70 of the South Carolina Code of Laws 1976, as amended.

- Contractual Matter

## **XV. INACTIVE AGENDA:**

### **ORDINANCE NO. 21-2011/12**

Council Voted At Its December 13, 2012 Regular Meeting To Move This Item To The Inactive Agenda Pending Further Action By The Florence School District Three Board. An Ordinance To Declare As Surplus Real Property Owned By Florence County Located At 124 Epps Street, Lake City, South Carolina And Designated As Tax Map Number 80008-12-008: And To Authorize The Conveyance Thereof To Florence School District Three; And Other Matters Relating Thereto.

## **XVI. ADJOURN:**

# **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:** Minutes

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

Council is requested to approve the minutes of the June 20, 2013 regular meeting of County Council.

## **OPTIONS:**

1. Approve minutes as presented.
2. Provide additional directive, should revisions be necessary.

## **ATTACHMENTS:**

Copy of proposed Minutes.

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,  
THURSDAY, JUNE 20, 2013, 9:00 A.M., COUNCIL CHAMBERS  
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY STREET,  
FLORENCE, SOUTH CAROLINA**

**PRESENT:**

James T. Schofield, Chairman  
Alphonso Bradley, Vice Chairman  
Waymon Mumford, Secretary-Chaplain  
Russell W. Culberson, Council Member  
Kent C. Caudle, Council Member  
Jason M. Springs, Council Member  
K. G. Rusty Smith, Jr., County Administrator  
D. Malloy McEachin, Jr., County Attorney  
Connie Y. Haselden, Clerk to Council

**ALSO PRESENT:**

Arthur C. Gregg, Jr., Public Works Director  
Kevin V. Yokim, Finance Director  
Ryon Watkins, EMS Director  
Robert Franks, IT Director  
Jonathan B. Graham, III, Planning Director  
Dale Rauch, Facilities Manager  
Jack Newsome, Tax Assessor  
Sam Brockington, Fire/Rescue Services Coordinator  
Sheriff Kenney Boone  
Coroner Keith vonLutcken  
Chief Deputy Glen Kirby, Sheriff's Office  
Barbara Coker, Administrative Manager Sheriff's Office  
John Sweeney, Morning News

**ABSENT:**

Mitchell Kirby, Council Member  
Roger M. Poston, Council Member  
Willard Dorriety, Jr., Council Member

A notice of the regular meeting of the Florence County Council appeared in the June 19, 2013 edition of the **MORNING NEWS**. In compliance with the Freedom of Information Act, copies of the Meeting Agenda and Proposed Additions to the Agenda were provided to members of the media, members of the public requesting copies, posted in the lobby of the City-County Complex, provided for posting at the Doctors Bruce and Lee Foundation Public Library, all branch libraries, and on the County's website ([www.florenceco.org](http://www.florenceco.org)).

Chairman Schofield called the meeting to order. Secretary-Chaplain Mumford provided the invocation and Vice Chairman Bradley led the Pledge of Allegiance to the American Flag. Chairman Schofield welcomed everyone attending the meeting.



### **APPROVAL OF MINUTES:**

Councilman Mumford made a motion Council Approve The Minutes Of The May 16, 2013 Regular Meeting and the May 29, 2013 Special Called Meeting Of County Council. Councilman Springs seconded the motion, which was approved unanimously.

### **PUBLIC HEARINGS:**

Chairman Schofield stated that Council was asked to defer public hearing on Resolution No. 30-2012/13. The Clerk Published The Titles Of The Remaining Items And Chairman Schofield Opened The Public Hearings For The Following:

#### **RESOLUTION NO. 28-2012/13**

A Resolution Authorizing The Cessation Of Maintenance On And Abandonment And Closure Of Cedar Road Located In Pamplico.

#### **RESOLUTION NO. 29-2012/13**

A Resolution Authorizing The Cessation Of Maintenance On And Abandonment And Closure Of A Portion Of Amanda Circle Located In Florence.

#### **RESOLUTION NO. 30-2012/13 (Deferred)**

A Resolution In Support Of The Issuance By The South Carolina Jobs – Economic Development Authority Of Its Economic Development Refunding Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2013 In One Or More Series And In An Aggregate Principal Amount Not To Exceed \$14,085,000 Pursuant To The Provisions Of Title 41, Chapter 43, Code Of Laws Of South Carolina 1976, As Amended.

#### **ORDINANCE NO. 33-2012/13**

An Ordinance To Amend The Florence County Code, Chapter 7 – Building Regulations, Article II – Standards For Construction, Installations And Maintenance, Division 1 – Generally, Section 7-11 – International Building Code; And Other Matters Related Thereto.

#### **ORDINANCE NO. 34-2012/13**

An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management; And Other Matters Related Thereto.

#### **ORDINANCE NO. 35-2012/13**

An Ordinance To Amend The Florence County Code, Chapter 28.6 – Land Development And Subdivision Ordinance, Article VI. – Subdivision Improvements And Guarantees, Section 6.98. Acceptance Techniques In Lieu Of Completion Of All Improvements, Section 28.6-100 – Reduction Of Guarantee, And Section 28.6-101. – Release Of Guarantee; And Other Matters Related Thereto.

#### **ORDINANCE NO. 36-2012/13**

An Ordinance Consenting To The Extension Of Time For Project Proton To Complete The Project Pursuant To That Certain Fee Agreement Dated December 1, 2008; And Other Matters Related Thereto.



## **APPEARANCES:**

### **JACK DAVIS**

Mr. Davis Appeared Before Council To Relay Some Of The Concerns Of The Riders Of The P.D.R.T.A. Chairman Schofield thanked Mr. Davis for his comments and stated Council was acutely aware of the situation with P.D.R.T.A. and would do all it could to assist in working with the City to see that essential services would continue. Current budget restrictions limited the scope of the assistance Council could offer.

## **COMMITTEE REPORTS:**

### **ADMINISTRATION & FINANCE**

Chairman Schofield Stated That There Was No Report From The Committee But That He Wanted To Inform Council That He Would Like To Refer The "Restacking" Of The Complex To This Committee To Study.

The Chairman stated he received a letter from the South Carolina Department of Transportation dated June 3, which covered some of the questions Council asked about the road projects and what the problems were in getting the projects under way. "Let me read just a few parts of this letter. Most of you know that we have tried to say that the County has no control over the construction of the six remaining road projects and does not affect the day-to-day operation of them. The biggest problem is complying with EPA and Corps of Engineers wetlands problems. So let me just read from the letter, 'In most cases, we are typically able to mitigate wetland and stream impacts through the purchase of credits from an existing mitigation bank. However, no mitigation bank was available in the area to draw credits from. As a result, we had to develop a mitigation site to meet the requirements for this program. The development of a mitigation site, to satisfy the requirements of the [Florence County Forward] projects, required two very complex processes: 1) the state procurement process, for the purchase of consultant services, awarded on June 26, 2012, for the development and implementation of a Final Mitigation Plan; and 2) the environmental permitting process, currently underway, for the approval of the Final Mitigation Plan by the United States Army Corps of Engineers (USACE).' Further in the letter they say, 'SCDOT submitted the Conceptual Mitigation Plan to USACE on August 10, 2012, and the Final Mitigation Plan to the USACE on October 26, 2012, and then after two rounds of comments on May 3, 2013, the final version was submitted which included an addendum providing justification for in-kind wetland and stream impacts, resulting from the US 378 and SC 51 projects. The USACE has given us every indication the approval of the Final Mitigation Plan and the associated permits for the US 378, US 76, and TV Road projects will be received this fall, at which time the projects will be prepared for a Special Letting where we will receive construction bids six weeks later. We plan to stagger the project lettings one month apart, in priority order, to encourage more competitive bids, unless Florence County has objection.' Quite frankly, it has taken a long time to get there but it looks like they are telling us that, we believe that, unless the Corps of Engineers finds something else to ask for, that we will see the bids let on those three major road construction projects this fall."

## **PUBLIC HEARINGS:**

There being no signatures on the sign-in sheets for Public Hearings, Chairman Schofield closed the Public Hearing.

## **RESOLUTIONS/PROCLAMATIONS:**

### **RESOLUTION OF APPRECIATION**

The Clerk published, in its entirety, A Resolution Of Appreciation For James Edward Delaine In Recognition And Appreciation For His Commendable Service To The Citizens Of Florence County. Councilman Mumford made a motion Council approve the Resolution as presented. Councilman Bradley seconded the motion, which was approved unanimously. Councilmen Mumford and Bradley presented Mr. Delaine with a framed Resolution of Appreciation. Councilman Bradley stated he wanted to let the public know that Councilman Mumford and the Committee on Justice & Public Safety set a goal to recognize citizens in Florence who help pick up litter and help to make Florence a more beautiful place. This was the first to be presented. He thanked Mr. Delaine for his hard work. Councilman Mumford expressed his appreciation for Mr. Delaine's efforts to make his community a better place to live. He stated that he has found that no community would be any nicer than the people who live in it. Councilman Mumford stated it would be nice to recognize a citizen each month to encourage participation. Mr. Delaine expressed his appreciation for the Resolution. Councilman Caudle stated citizens like Mr. Delaine were what would make a difference in Florence County and Mr. Delaine was a great example for others.

### **RESOLUTION NO. 28-2012/13**

The Clerk published the title of Resolution No. 28-2012/13: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment And Closure Of Cedar Road Located In Pamplico. Councilman Caudle made a motion Council approve the Resolution as presented. Councilman Mumford seconded the motion, which was approved unanimously.

### **RESOLUTION NO. 29-2012/13**

The Clerk published the title of Resolution No. 29-2012/13: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment And Closure Of A Portion Of Amanda Circle Located In Florence. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Bradley seconded the motion, which was approved unanimously. County Administrator K. G. Rusty Smith, Jr. provided a brief synopsis of the process.

### **RESOLUTION NO. 30-2012/13 (Deferred)**

Resolution No. 30-2012/13 was deferred: A Resolution In Support Of The Issuance By The South Carolina Jobs – Economic Development Authority Of Its Economic Development Refunding Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2013 In One Or More Series And In An Aggregate Principal Amount Not To Exceed \$14,085,000 Pursuant To The Provisions Of Title 41, Chapter 43, Code Of Laws Of South Carolina 1976, As Amended.

### **RESOLUTION NO. 31-2012/13**

The Clerk published the title of Resolution No. 31-2012/13: A Resolution Authorizing A Memorandum Of Understanding, Mutual Aid Between The Beaufort County Detention Center And The Florence County Detention Center For The Purpose Of Mutual Support In The Event Beaufort County Is Uninhabitable And Unable To Accept Inmates And Authorizing The County Administrator To Execute Said Agreement. Councilman Mumford made a motion Council approve the Resolution as presented. Councilman Bradley seconded the motion, which was approved unanimously.

### **ORDINANCES IN POSITION:**

#### **ORDINANCE NO. 17-2012/13 – THIRD READING DEFERRED**

Chairman Schofield stated third reading of Ordinance No. 17-2012/13 would be deferred: An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.

#### **ORDINANCE NO. 29-2012/13 – THIRD READING**

The Clerk published the title of Ordinance No. 29-2012/13: An Ordinance To Ratify FY13 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 01-2013/14 – THIRD READING**

The Clerk published the title of Ordinance No. 01-2013/14: An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2013 And Ending June 30, 2014; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Bradley seconded the motion. Councilman Caudle stated one thing he was opposed to was raising people's taxes. But, due to the budget constraints and unfunded mandates by the State of South Carolina, there was no way around it. He said there was an opportunity for a penny tax that would eliminate property tax and he was in favor of it. Chairman Schofield stated that in order to enhance/improve services for the citizens, especially EMS, there was no way around the increase in millage. He stated if the General Assembly would do what it was required to do by funding the local governments in the State of South Carolina, there would be no millage increase this year. But the Legislature chose not to do that and to allocate the funding elsewhere. In response to a question by Councilman Caudle, Finance Director Kevin Yokim responded that the 3.5 mill increase would equate to a \$14 annual increase in property taxes for a home valued at \$100,000. Councilman Springs stated he joined the public service arena six/seven years ago because he was frustrated with taxes but quickly became educated that a lot of the funding issues were not the fault of the local governing body. As much as he hated to raise taxes, he stated he felt Council had no choice. Councilman Mumford commented that as a member of the Board of Directors for the South Carolina Association of

Counties, the staff of the Association worked very closely with the Legislature trying to get them to fund the unfunded mandates, but it appears to fall on deaf ears. He stated that he would rather see the increase in sales tax than property tax, but Florence County was caught in a dilemma. Third Reading of the Ordinance was approved unanimously.

#### **ORDINANCE NO. 36-2012/13 – THIRD READING**

The Clerk published the title of Ordinance No. 36-2012/13: An Ordinance Consenting To The Extension Of Time For General Electric Company To Complete The Project Pursuant To That Certain Fee Agreement Dated December 1, 2008; And Other Matters Related Thereto. Councilman Caudle made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 31-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 31-2012/13: An Ordinance To Zone Properties Owned By Ladonna M. Beylotte, Cephus & Maxine Peterson Jr., Bessie Wilks, Erik T. & Sarah L. Knotts, Vanona M. Dubose Morris, Ryan J. Johnson, McArthur & Yvonne F. Lynch, James T. Hurst And Located At 227, 233, 237, 241, 243, 247, 249, And 251 Mill Street, Town Of Scranton, As Shown On Florence County Tax Map No. 00194, Block 31, Parcels 25, 077 And 104; And A Portion Of 021, 022, 023, 024 And 111; Consisting Of Approximately 3.16 Acres From Unzoned, To R-1, Single-Family Residential District; And Other Matters Related Thereto. Councilman Springs made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 32-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 32-2012/13: An Ordinance To Rezone Property Owned By Judy H. Thomas And Debra A. Holloway Located At 2005 Hazelwood Lane, Florence, As Shown On Florence County Tax Map No. 00127, Block 01, Parcel 008; Consisting Of Approximately 8.709 Acres From R-3, Single-Family Residential District, To RU-1, Rural Community District, Limited; And Other Matters Related Thereto. Councilman Caudle made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 33-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 33-2012/13: An Ordinance To Amend The Florence County Code, Chapter 7 – Building Regulations, Article II – Standards For Construction, Installations And Maintenance, Division 1 – Generally, Section 7-11 – International Building Code; And Other Matters Related Thereto. Councilman Caudle made a motion Council approve second reading of the Ordinance. Councilman Springs seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 34-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 34-2012/13: An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management; And Other Matters Related Thereto. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Bradley seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 35-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 35-2012/13: An Ordinance To Amend The Florence County Code, Chapter 28.6 – Land Development And Subdivision Ordinance, Article VI. – Subdivision Improvements And Guarantees, Section 6.98. Acceptance Techniques In Lieu Of Completion Of All Improvements, Section 28.6-100 – Reduction Of Guarantee, And Section 28.6-101. – Release Of Guarantee; And Other Matters Related Thereto. Councilman Springs made a motion Council approve second reading of the Ordinance. Councilman Caudle seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 37-2012/13 – INTRODUCED**

The Clerk published the title of Ordinance No. 37-2012/13 and the Chairman declared the Ordinance Introduced: An Ordinance Confirming The Inclusion Of Certain Property Of Angus-Palm LLC In A Joint County Industrial And Business Park With Marion County; Providing For An Extension Thereof; And Addressing Other Matters Related Thereto.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS:**

#### **COMMISSION ON ALCOHOL AND DRUG ABUSE**

Council Unanimously Approved The Re-Appointment Of Dawn Floyd To Serve On The Commission On Alcohol And Drug Abuse, Serving In The At-Large Seat Representing Pharmacy, With Appropriate Expiration Term.

### **REPORTS TO COUNCIL:**

#### **ADMINISTRATION**

#### **MONTHLY FINANCIAL REPORTS**

Monthly Financial Reports Were Provided To Council For Fiscal Year 2013 Through April 30, 2013 As An Item For The Record.

### **FINANCE**

#### **ACCOMMODATIONS TAX ADVISORY COMMITTEE**

Councilman Caudle made a motion Council approve the expenditure of \$200,000 in state accommodations tax funding allocations to be distributed to the various recipients as recommended by the Accommodations Tax Advisory Committee for FY2013/2014. Councilman Mumford seconded the motion. Councilman Bradley made a motion to amend the tax accommodation recommendation and adjust the Florence CVB from \$97,000 to \$96,000 and adjust Florence Downtown Development Corporation Pecan Festival from \$500 to \$1,500. Councilman Mumford seconded the motion, which was approved unanimously. The Recommendation as Amended, was approved unanimously.

In response to a question from the Chairman, Mr. Smith stated that based on County Code the proper course of action would be for the amendment to be referred to a Reconciliation Committee, comprised of members of the Administration & Finance Committee and the Accommodations Tax Advisory Committee, who will then deliberate on the amendment and make a recommendation back to Council. Mr. Smith stated he would like to note that the allocations in that fund were down and much of the decrease in funding was due to the annexation of several areas into the City of Florence.

## **INFORMATION TECHNOLOGY/PROCUREMENT**

### **SOLE SOURCE PURCHASE**

Councilman Mumford made a motion Council Approve The Sole Source Purchase Of The Bradford Networks, Inc. "Network Sentry" Network Access Control Solution From Converged Networks Of Charleston, SC In The Amount Of \$53,225.00 As Funded And Approved In The FY12-13 Budget. Councilman Bradley seconded the motion, which was approved unanimously. Councilman Caudle commented that, while he knew the County did all it could to encourage local vendors to participate, he would like to see more local vendors selected for projects, etc.

## **PROCUREMENT**

### **DECLARATION OF SURPLUS PROPERTY**

Councilman Culberson made a motion Council Declare Five (5) Pickups, One (1) Van, One (1) Ambulance And One (1) Tractor As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Springs seconded the motion, which was approved unanimously.

## **SHERIFF'S OFFICE**

### **CONTRACTUAL AGREEMENT – TOWN OF PAMPLICO**

Councilman Mumford made a motion Council Approve A Contractual Agreement With The Town Of Pamplico To Provide Victim Services. Councilman Culberson seconded the motion, which was approved unanimously.

## **SHERIFF'S OFFICE/GRANTS**

### **USDOJ EDWARD BYRNE MEMORIAL JUSTICE GRANT**

Councilman Springs made a motion Council Approve The Submission Of A Grant Application For The FY2013 United States Department Of Justice (USDOJ) Edward Byrne Memorial Justice Grant (JAG) Program Local Solicitation In The Amount Of \$22,738 To Provide Capital/Replacement Equipment For The Florence County Sheriff's Office. Councilman Caudle seconded the motion, which was approved unanimously.

## **OTHER BUSINESS:**

### **INFRASTRUCTURE**

#### **SOUTH LYNCHES FIRE DEPARTMENT**

Councilman Springs made a motion Council Approve The Expenditure Of Up To \$14,000 From Council District 1 Infrastructure Funding Allocation To Assist The South Lynchs Fire Department With The Purchase And Installation Of Emergency Lights, Striping, Radios, Water Tank, Pump And Hoses Necessary For A Brush Truck. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ROAD SYSTEM MAINTENANCE FEE (RSMF)**

##### **AARON CIRCLE**

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$46,557.50 From Council District 7 RSMF Funding Allocation To Pay For Full Depth Patching And Resurfacing On Aaron Circle. Councilman Bradley seconded the motion, which was approved unanimously.

##### **N. CARNABY CIRCLE**

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$11,154 From Council District 7 RSMF Funding Allocation To Pay For Resurfacing On N. Carnaby Circle. Councilman Bradley seconded the motion, which was approved unanimously.

### **UTILITY**

#### **TOWN OF PAMPLICO**

Councilman Culberson made a motion Council Declare One (1) 2008 Ford F-250 Truck (VS137) As Surplus; Authorize The Sale Of The Vehicle To The Town Of Pamplico In The Amount Of \$15,300; And, Approve The Expenditure Of Up To \$7,500 From Council District 2 Utility Funding Allocation To Assist The Town Of Pamplico With The Purchase Of The Truck. Councilman Springs seconded the motion, which was approved unanimously.

#### **SARDIS-TIMMONSVILLE FIRE DEPARTMENT**

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$300 From Council District 4 Utility Funding Allocation To Pay For 20 Feet Of 24" Metal Pipe For Sardis-Timmons ville Fire Department Station #3, Pending Receipt Of An Encroachment Permit From The SCDOT. Councilman Mumford seconded the motion, which was approved unanimously.

#### **OLANTA RURAL FIRE DEPARTMENT**

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$4,200 From Council Districts 1 And 5 Utility Funding Allocations (\$2,100 From Each District) To Pay For A Concrete Drive For The Olanta Rural Fire Department Substation Located At 2160 Old Creek Road. Councilman Springs seconded the motion, which was approved unanimously.

## **INFRASTRUCTURE/UTILITY**

### **HOWE SPRINGS FIRE DISTRICT**

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$17,000 From Council Districts 2, 4, 5, 6, 7, and 8 Infrastructure/Utility Funding Allocations (Approximately \$2,834 From Each District) To Pay For Sewer Repairs At The Howe Springs Fire Department Headquarters Station Located On Howe Springs Road. Councilman Culberson seconded the motion, which was approved unanimously.

### **EXECUTIVE SESSION:**

Councilman Culberson made a motion Council Enter Executive Session, Pursuant To Section 30-4-70 Of The South Carolina Code Of Laws 1976, As Amended, To Receive Legal Advice And A Briefing. Councilman Springs seconded the motion, which was approved unanimously.

Council entered executive session at 9:39 a.m. Council reconvened at 10:46 a.m.

There being no further business to come before Council, Councilman Culberson made a motion to adjourn. Councilman Mumford seconded the motion, which was approved unanimously.

### **COUNCIL MEETING ADJOURNED AT 10:46 A.M.**

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**WAYMON MUMFORD**  
**SECRETARY-CHAPLAIN**

---

**CONNIE Y. HASELDEN**  
**CLERK TO COUNTY COUNCIL**



# FLORENCE COUNTY COUNCIL

July 18, 2013

**AGENDA ITEM:** Public Hearings

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Council will hold public hearing to receive public comment with regard to the following:

**ORDINANCE NO. 37-2012/13**

An Ordinance Confirming The Inclusion Of Certain Property Of Angus-Palm LLC In A Joint County Industrial And Business Park With Marion County; Providing For An Extension Thereof; And Addressing Other Matters Related Thereto.

# **FLORENCE COUNTY COUNCIL**

July 18, 2013

**AGENDA ITEM:** Resolution No. 30-2012/13 - Deferral

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

A Resolution In Support Of The Issuance By The South Carolina Jobs – Economic Development Authority Of Its Economic Development Refunding Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2013 In One Or More Series And In An Aggregate Principal Amount Not To Exceed \$14,085,000 Pursuant To The Provisions Of Title 41, Chapter 43, Code Of Laws Of South Carolina 1976, As Amended.

**OPTIONS:**

1. *(Recommended)* Defer Resolution No. 30-2012/13 As Presented.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Resolution No. 30-2012/13

Sponsor(s)	:	County Council
Public Hearing	:	July 17, 2013
Adopted	:	July 17, 2013
Committee Referral	:	N/A
Committee Consideration Date	:	N/A
Committee Recommendation	:	N/A

## RESOLUTION NO. 30-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS - ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS (FMU STUDENT HOUSING, LLC – FRANCIS MARION UNIVERSITY PROJECT) SERIES 2013 IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,085,000 PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.)

#### WHEREAS:

1. The South Carolina Jobs - Economic Development Authority (the “**Authority**”) is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, Code of Laws of South Carolina 1976, as amended (the “**Act**”), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in §41-43-160 of the Act in order to promote and develop the business and economic welfare of the State of South Carolina (the “**State**”), encourage and assist in the location of new business enterprises in the State and in rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities, and capital equipment produced within the State, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State; and
2. The Authority is further authorized by §41-43-110 of the Act to issue bonds to provide funds for any program authorized by the Act; and
3. The Authority and FMU Student Housing, LLC (the “**Borrower**”), a South Carolina single member limited liability company, entered into an Inducement Agreement (the “**Inducement Agreement**”), pursuant to which and in order to implement the public purposes enumerated in the Act and in furtherance thereof to comply with the undertakings of the Authority pursuant to the Inducement Agreement, the Authority proposes to issue its Economic Development Refunding Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2013 in one or more series and in an aggregate principal amount not to exceed \$14,085,000 (the “**Bonds**”) under and pursuant to §41-43-110 of the Act for the purpose of (i) redeeming and refunding a portion of the South Carolina Jobs - Economic Development Authority Student Housing Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2004A heretofore issued by the Authority to finance the acquisition, construction, furnishing, and equipping of a 235-bed student housing facility (the “**2004 Project**”) located at 4822 East Palmetto Street on the campus of Francis Marion

University (the "**University**") in Florence County, South Carolina (the "**County**"), and owned and operated by the Borrower and the acquisition by the Borrower of a leasehold interest in certain existing student housing facilities on the campus of, and owned by, the University; (ii) funding a debt service reserve fund for the Bonds; and (iii) paying certain fees and expenses to be incurred in connection with the issuance of the Bonds (collectively, the "**Undertaking**"), and, subject to such approval of the State Budget and Control Board of South Carolina and the County, as may be required by law, for the purpose of reducing the cost of capital to this business enterprise by lending the proceeds of the Bonds to the Borrower under and pursuant to the terms of loan agreements to be entered into between the Authority and the Borrower; and

4. It is anticipated that the Project will result in the maintenance of permanent employment (both direct and indirect) for approximately seven (7) people from the County and surrounding areas by increased payrolls, capital investment, and tax revenues; and
5. The Authority and the County have this day jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in the County not less than fifteen (15) days prior to the date hereof, at which all interested persons were given a reasonable opportunity to express their views.

**NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

**Section 1.** It is hereby found, determined, and declared, that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise provided locally.

**Section 2.** The Undertaking will give rise to no pecuniary liability of the County or a charge against its general credit or taxing power.

**Section 3.** The amount of bonds required to finance the Undertaking shall not exceed \$14,085,000.

**Section 4.** The County supports the Authority in its determination to issue the Bonds.

**Section 5.** All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this Resolution shall take effect and be in full force from and after its adoption.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE

I, the undersigned, Clerk of Florence County Council, do hereby certify that the foregoing is a true, correct, and verbatim copy of a Resolution duly adopted by Florence County Council on June 20, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Connie Y. Haselden, Clerk to Council  
Florence County Council



CERTIFICATE AS TO PUBLIC HEARING

I, the undersigned, Connie Haselden, Clerk of Florence County Council ("**County Council**"), **DO HEREBY CERTIFY** as follows:

1. Attached hereto is an Affidavit of Publication of Notice of Public Hearing (the "**Notice**") published in the Florence Morning News, a newspaper of general circulation in Florence County, South Carolina (the "**County**") on \_\_\_\_\_, 2013.

2. The public hearing was conducted by County Council and the South Carolina Jobs - Economic Development Authority (the "**Authority**") on June 20, 2013, in connection with the issuance by the Authority of its Economic Development Refunding Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2013 in one or more series and in an aggregate principal amount not to exceed \$14,085,000 (the "**Bonds**") for the purpose of defraying the cost of redeeming and refunding a portion of the South Carolina Jobs - Economic Development Authority Student Housing Revenue Bonds (FMU Student Housing, LLC – Francis Marion University Project) Series 2004A heretofore issued by the Authority to finance the acquisition, construction, furnishing, and equipping of a 235-bed student housing facility (the "**2004 Project**") located at 4822 East Palmetto Street on the campus of Francis Marion University (the "**University**") in Florence County, South Carolina, and owned and operated by FMU Student Housing, LLC (the "**Borrower**"), a South Carolina single member limited liability company, and the acquisition by the Borrower of a leasehold interest in certain existing student housing facilities on the campus of, and owned by, the University; funding a debt service reserve fund for the Bonds; and paying certain fees and expenses incurred in connection with the issuance of the Bonds.

3. I was present at the public hearing described in the Notice, which hearing was held at the time and place specified therein. All persons desiring to do so were given reasonable opportunity to speak and, if requested, to present their opinions in writing regarding the issuance by the Authority of the Bonds and the use of the proceeds for the purposes described in paragraph 2 above. There were no written comments received nor persons in attendance at the public hearing to speak in opposition to the issuance of the Bonds for the purpose described in paragraph 2 above.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Connie Y. Haselden, Clerk, Florence County  
Council

## FLORENCE COUNTY COUNCIL MEETING

July 18, 2013

**AGENDA ITEM:** Resolution No. 01-2013/14

**DEPARTMENT:** Museum  
Procurement Department

**ISSUE UNDER CONSIDERATION:**

(Authorize The Addition Of A Vehicle To The County Fleet For The Florence County Museum.)

**POINTS TO CONSIDER:**

- 1) Budget Ordinance No. 01-2013/14, Section 14a requires County Council authorization to permanently place any additional vehicles on the County fleet.
- 2) The Museum needs a vehicle to assist with the operations of the department and a vehicle currently in surplus could be assigned to the department; and
- 3) The Museum will fund the associated maintenance and fuel costs with this unit out of FY 14 budgeted departmental funds.

**OPTIONS:**

- 1) *(Recommended)* Approve Resolution No. 01-2013/14 as presented.
- 2) Provide An Alternate Directive.

**ATTACHMENTS:**

Resolution No. 01-2013/14.

Sponsor(s)/Department : Museum  
Adopted: : July 18, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**RESOLUTION NO. 01-2013/14**

**(To Authorize The Addition Of A Vehicle To The County Fleet For The Florence County Museum.)**

**WHEREAS:**

1. Budget Ordinance No. 01-2013/14, Section 14a requires County Council authorization to permanently place any additional vehicles on the County fleet; and
2. The Museum needs a vehicle to assist with the operations of the department and a vehicle currently in surplus could be assigned to the department; and
3. The Museum will fund the associated maintenance and fuel costs with this unit out of FY 14 budgeted departmental funds.

**NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

The County Administrator is authorized to make a permanent addition to the fleet by the addition of a surplus vehicle for the Florence County Museum.

ATTEST:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

SIGNED:

\_\_\_\_\_  
James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:



**FLORENCE COUNTY COUNCIL MEETING**  
**Thursday, July 18, 2013**

**AGENDA ITEM:** Resolution No. 02-2013/14

**DEPARTMENT:** Planning and Building Department / 

**ISSUE UNDER CONSIDERATION:**

**[A Resolution To Approve The Florence County Stormwater Design Manual; And Other Matters Related Thereto.]** *(Planning Commission approved 8-0: All Council Districts)*

**POINTS TO CONSIDER:**

1. Chapter 9.5 – Drainage and Stormwater Management Ordinance was adopted August 16, 2007.
2. The Planning Commission and Engineering Division staff developed the proposed manual to provide to the recently updated National Pollutant Discharge Elimination System (NPDES) general permit.
3. The regulatory requirements of Chapter 9.5 – Drainage and Stormwater Management has been moved into the proposed working document called The Florence County Stormwater Design Manual.
4. The Florence County Stormwater Design Manual appeared for Public Hearing before the Florence County Planning Commission on June 25, 2013.
5. The eight Planning Commission members present at the June 25, 2013 meeting voted unanimously to recommend that County Council adopt a resolution to approve The Florence County Stormwater Design Manual.
6. Florence County Planning Commission recommends approval of the request to Florence County Council in order to keep County Ordinances current and accurate.

**OPTIONS:**

1. *(Recommended)* Approve as Presented.
2. Provide an Alternate Directive.

**ATTACHMENTS:**

1. Resolution No. 02-2013/14
2. Florence County Stormwater Design Manual

Sponsor(s)	: Planning Commission
Planning Commission Consideration	: June 25, 2013
Planning Commission Public Hearing	: June 25, 2013
Planning Commission Action	: June 25, 2013[Approved: 8-0]
Adopted	: July 18, 2013
Committee Referral	: N/A

## **RESOLUTION NO. 02-2013/14**

### **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**[A Resolution To Approve The Florence County Stormwater Design Manual; And Other Matters Related Thereto.]**

#### **WHEREAS:**

1. Chapter 9.5 - Drainage and Stormwater Management was adopted into the Florence County Code of Ordinances on August 16, 2007; and
2. The South Carolina Department of Health and Environmental Control (SCDHEC) issued an update to the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities on October 15, 2012; and
3. The Florence County Code of Ordinances must be maintained as compliant with the current NPDES permit.

#### **NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

The Florence County Stormwater Design Manual, is hereby approved as presented and attached hereto and incorporated by reference.

ATTEST:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

SIGNED:

\_\_\_\_\_  
James T. Schofield, Chairman

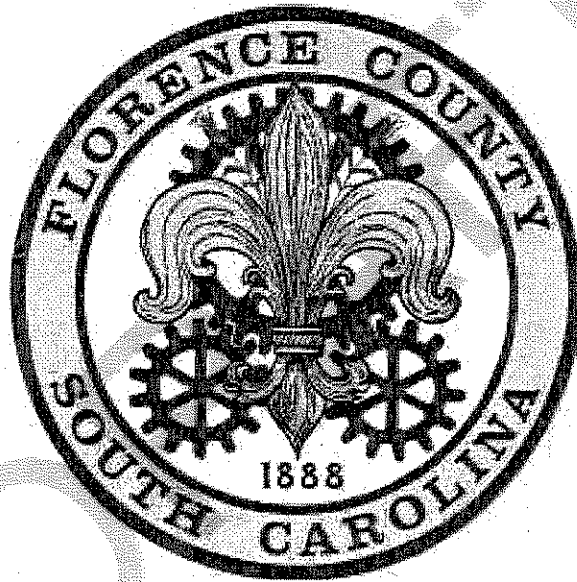
COUNCIL VOTE:

OPPOSED:

ABSENT:

*FLORENCE COUNTY*

*STORMWATER DESIGN MANUAL*



*JULY 2013*

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## SECTION 1. – GENERAL

### *1.1 – INTRODUCTION*

The Florence County Stormwater Design Manual (FCSWDM) defines minimum standards, requirements and procedures for the design, permitting, construction, and maintenance of drainage systems within the jurisdiction of Florence County (the County). As an integral part of the County's stormwater program, this SWDM applies to site developments to provide flood control, water quality improvement and visual appeal. The FCSWDM also contains appendices with detailed information to supplement the information included in the main portion of the manual. This manual is pursuant to Chapter 9.5 Drainage and Stormwater Management of the Florence County Code of Ordinances.

This FCSWDM presents minimum stormwater standards that apply to physical development within the County. However, the standards will not apply for all situations. Compliance with these standards does not relieve the applicant of the responsibility to use sound professional judgment or compliance with other local, state or federal requirements. The County intends for these standards to assist, but not substitute for, competent work by design professionals.

The purposes of stormwater management are:

1. Limit peak during and post-development stormwater flows,
2. Reduce stormwater pollutant loads,
3. Mitigate the impacts of runoff due to additional impervious surfaces,
4. Maximize infiltration (e.g., minimize runoff) from developed property,
5. Facilitate groundwater recharge, and
6. Protect groundwater quality.

## 1.2 – APPLICABILITY

The standards in this FCSWDM apply to new development and redevelopment projects. Florence County recognizes three types of stormwater management and sediment erosion control plans. The three types of plans are for a Small Commercial Land Disturbing Permit (LDP), a Large Commercial LDP and a Residential LDP. All three must meet certain criteria for design but only the Large Commercial LDP requires a comprehensive stormwater management and sediment control plan, which includes a comprehensive stormwater pollution prevention plan (C-SWPPP). The County is responsible for review and approval for all three types of plans.

The three types of stormwater management and sediment erosion control plans are defined as follows:

1. Residential Land Disturbing Permit – All land disturbing activities that are limited to an individual lot or a collection of lots within an approved residential subdivision previously approved by Florence County.
2. Small Commercial Land Disturbing Permit – All land disturbing activities with disturbed areas less than one acre and which are not part of a larger common plan of development or sale.
3. Large Commercial Land Disturbing Permit – All land disturbing activities with disturbed areas of one acre or greater. Also includes projects or developments of less than one acre of land disturbance that are part of a larger common plan of development or sale that totals at least one acre of land disturbance.

The County will review all stormwater related submittals for general compliance with these specific standards. An acceptance by the County does not relieve the applicant from the responsibility of ensuring all systems are safe and that all calculations, plans, specifications, construction, and record drawings comply with normal engineering standards;

1-2



this FCSWDM; and other applicable local, state, and federal rules and regulations. Where any other law, ordinance, resolution, rule, or regulations of any kind also cover requirements in this document, the more restrictive shall govern.

The County Engineer may require more stringent requirements than would normally be required under these standards if special conditions and/or environmental constraints warrant. The County Engineer has the option of accepting alternatives to the FCSWDM standard plans, specifications and design details if the alternatives proposed meet or exceed the adopted performance standards.

### **1.3 – PURPOSE**

In order to protect the general health, safety, and welfare of the people of the County, to enhance the quality of water of the county, and to protect the natural assets and resources of the county for posterity, the Stormwater Management and Sediment Control Ordinance (the Ordinance) was enacted by the County to, among other things, protect the lands and waters from the effects of excessive soil erosion and sedimentation, to prevent siltation of streams and lakes, to prevent clogging of drainage channels, to prevent excessive flood damage, to prevent damage to the property of adjacent landowners and reduce pollutants in stormwater from new development and redevelopment activity. The FCSWDM specifies the detailed analysis that is needed to complete the C-SWPPP and comply with the intent of the Ordinance. The FCSWDM establishes allowable runoff criteria and drainage design standards for new development and redevelopment.

### **1.4 – AUTHORITY**

The Clean Water Act of 1972, as amended in 1987, prohibits the discharge of pollutants into waters of the United States unless the discharge complies with a National Pollutant Discharge Elimination System (NPDES) permit. The County is subject to the Phase 2 Stormwater NPDES permitting requirements and was issued general permit coverage by the South

Carolina Department of Health and Environmental Control (SCDHEC) in September, 2007 (SCR034102). The Federal and State NPDES permit program requires the County to “develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into your regulated SMS4.” Within this regulatory context, the County implements development requirements that reduce water pollution carried in stormwater runoff.

Laws that provide the County with the authority to regulate drainage within the County’s jurisdiction include, but are not limited to the following:

1. Standards of Stormwater Management and Sediment Reduction Regulation 72-305 “Permit Applications and Approval Process” and 72-307 “Specific Design Criteria, Minimum Standards and Specifications”.
2. NPDES General Permit for Stormwater Discharges from Construction Activities (Permit No. SCR100000).
3. NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s) (Permit No. SCR030000).
4. Section 48-14-10 et seq. of the Code of Laws of South Carolina, 1976, amended.
5. Chapter 9.5 et seq. of the Florence County Code of Ordinances.

### ***1.5 – MODIFICATIONS AND ADDENDA***

The County may revise and update this FCSWDM as necessary to reflect corrections and advances in the field of drainage engineering, water resources management, or as directed by the Environmental Protection Agency (EPA) or SCDHEC. Users who request changes to the FCSWDM need to provide data to the County that supports justification for the change.

## **1.6 – DEFINITIONS**

Refer to Ordinance Chapter 9.5, Article 1, Division 2, Section 9.5-16; Section 72-301, Chapter 72 of SCDHEC Document No. 1416; or SC Regulation R61-9.122.2.

## **1.7 – ACRONYMS AND ABBREVIATIONS**

BMP – Best Management Practices

CEPSCI – Certified Erosion Prevention and Sediment Control Inspector

CGP – Construction General Permit (SCR100000)

EPA – Environmental Protection Agency

EQC – Environmental Quality Control

FCSWDM - Florence County Stormwater Design Manual IL-

NOI – Individual Lot Notice of Intent

LCLDP – Large Commercial Land Disturbance Permit

LCP – Larger Common Plan

LDP – Land Disturbance Permit

LID – Low Impact Development

MS4 – Municipal Separate Storm Sewer System

MTD – Manufactured Treatment Device

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

OS-SWPPP – On-site Stormwater Pollution Prevention Plan

RLDPS – Residential Land Disturbing Permit

SCDHEC – South Carolina Department of Health and Environmental Control

SCLDP – Small Commercial Land Disturbance Permit

SCS – Soil Conservation Service

SMS4 – Small Municipal Separate Storm Sewer System

C-SWPPP – Comprehensive Stormwater Pollution Prevention Plan

USGS – United States Geological Survey

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## **SECTION 2. – GENERAL STORMWATER REQUIREMENTS**

### **2.1 – PERMIT**

All land disturbing activities in the unincorporated areas of Florence County shall be required to obtain a land disturbance permit prior to any construction, grading or land disturbance of any nature. In addition, land disturbing activities disturbing one or more acres of land, including sites smaller than one acre that are part of a larger common plan of development ultimately disturbing one or more acres, are required to obtain permit coverage under the NPDES General Permit for Stormwater Discharges from Construction Activities prior to land disturbance.

### **2.2 – PERMIT EXEMPTIONS**

The provisions of the regulations that require the preparation and approval of erosion and sediment control and stormwater management plans shall not apply to the activities or conditions listed below:

1. Land disturbing activities on agricultural land for production of plants and animals useful to man, including but not limited to: Forages and sod crops, grains and feed crops, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, including the breeding and grazing of these animals; bees; fur animals and aquaculture; except that the construction of an agricultural structure or structures which, singularly or collectively total one or more acres, such as broiler houses, machine sheds, repair shops and other major buildings and which require the issuance of a building permit shall require the submittal and approval of a stormwater management and sediment control plan prior to the start of the land disturbing activity.
2. Land disturbing activities undertaken on forestland for the production and harvesting of timber and timber products.

3. Construction or improvement of a single family residence or a separately-built accessory building, which is not part of multiple construction in a subdivision development and which disturbs less than one acre.

Where the exemptions listed above may apply, the County encourages those persons engaged in the land disturbing activities to carry out such activities in a manner to achieve the objectives of erosion and sediment reduction and stormwater management through the use of applicable best management practices (BMP's).

### **2.3 – APPLICATION FOR PERMIT**

The person responsible for the land disturbing activity shall apply in writing, on forms provided by the County, to the Engineering Division for a land disturbance permit as well as a NPDES Permit for Construction Activities, if required. Specific requirements of the permit application and approval process are based upon the extent of the land disturbing activity.

### **2.4 – TYPES OF LAND DISTURBANCE PERMITS**

For the purpose of this FCSWDM, stormwater management and sediment erosion control plans shall be divided into three types of land disturbance permits. The designs, presentations and submittals shall be the responsibility of the person responsible for the land disturbing activity.

1. Residential Land Disturbance Permit – An Individual Lot Notice of Intent (IL-NOI) is required for the construction of a single-family residential structure that is part of a previously permitted residential subdivision approved by Florence County after September, 2007. The new lot owner or residential builder will be considered a Secondary Permittee who assumes sole responsibility for the building phase of development for installation and maintenance of sediment control measures necessary to comply with the terms and conditions of the Construction General Permit (CGP) and the approved On-Site SWPPP (OS-SWPPP).

2. Small Commercial Land Disturbance Permit – All land disturbing activities with disturbed areas less than one acre which are not part of a larger common plan of development or sale are required to obtain a SCLDP. A SCLDP plan shall be prepared in accordance with Section 3.2 of this manual. Florence County reserves the right to require a Large Commercial LDP for a particular type of activity, as deemed necessary.
3. Large Commercial Land Disturbance Permit – All land disturbing activities with disturbed areas greater than or equal to one acre are required to obtain a LCLDP. A LCLDP shall be prepared in accordance with Section 3.3 of this manual and all requirements of the NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000).

## **2.5 – PERMIT APPLICATIONS AND PROCEDURES**

1. Residential Land Disturbance Permit – For all land disturbing activities for a single-family residential lot within an approved subdivision, see Section 3.1 of the FCSWMD.
2. Small Commercial Land Disturbance Permit – For all land disturbing activities involving less than one acre of actual land disturbance which are not part of a larger common plan of development or sale, see Section 3.2 of the FCSWMD.
3. Large Commercial Land Disturbance Permit –
  - a) For all land disturbing activities of one acre or more, see Section 3.3 of this manual for specific requirements including the requirements of a C-SWPPP. The use of measures other than ponds to achieve water quality improvement such as low impact development (LID), are encouraged. Upon receipt of a completed application for stormwater management and sediment control, the County will accomplish its review and have either the approval or review comments transmitted to the applicant within 20 working days. If notice is not given to the applicant or if action is not taken by the end of the 20-work-day period, the applicant's plan is considered approved.

- b) These requirements may be modified by the County on a case-by-case basis to address specific stormwater quantity or quality problems or to meet other regulatory requirements which are more stringent than the requirements of the Ordinance.
- c) When the land disturbing activity consists of the construction of a pond, lake or reservoir which is individually built and not part of a permitted land disturbing activity, the following procedures apply:
  - i. A C-SWPPP will not be required if the pond, lake or reservoir is permitted under the state Dams and Reservoirs Safety Act (Regulation 72-1 thru 72-9) or has received a certificate of exemption under the state Dams and Reservoirs Safety Act. Best management practices must be used to minimize the impact of erosion and sediment.
  - ii. A C-SWPPP will be required for the construction of all ponds, lakes and reservoirs not meeting the conditions in section 9.5-29(b)(4)a, that otherwise meet the size requirements for stormwater management and sediment control plan approval.
- d) A C- SWPPP, or application for waiver or variance, is to be submitted to the County by the person responsible for the land disturbing activity, unless otherwise exempted. The C-SWPPP is to contain supporting computations, drawings and sufficient information describing the manner, location and type of measures in which stormwater runoff will be managed from the entire land disturbing activity. The County will review the C-SWPPP to determine compliance with the requirements of these regulations prior to approval. The approved C-SWPPP will serve as the basis for water quantity and quality control on all subsequent construction activities specific to the site.
- e) No permit will be required under the Ordinance for land disturbing activities that are conducted under a state or federal environmental permitting, licensing or certification program where the state or federal environmental permit, license or certification is conditioned upon compliance with the minimum standards and criteria developed under this FCSWDM.



- f) All C-SWPPPs submitted for approval must contain a certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the approved C-SWPPP and that responsible personnel will be assigned to the project.
- g) All C-SWPPPs must contain a certification by the person responsible for the land disturbing activity acknowledging the right of SCDHEC and the County to conduct on-site inspections.
- h) The C-SWPPP will not be considered approved without an approval stamp signed and dated by an authorized person with the County. The stamp of approval on the plans is solely an acknowledgement of satisfactory compliance with the requirements of these regulations. The approval stamp does not constitute a representation or warranty to the applicant or any other person concerning the safety, appropriateness or effectiveness of any provision of or omission from the stormwater and sediment control plan.
- i) A copy of the Notice of Intent (NOI), the County's acceptance letter, and the NPDES review fee will be forwarded to SCDHEC after the County has approved the application. SCDHEC has seven business days from the receipt of this information to issue a Construction General Permit (CGP) letter granting coverage, denying coverage or requesting additional information. The land disturbing activity must not begin until SCDHEC permit coverage is received by the County and a set of official stamped plans by Florence County is released. Florence County will also require a pre-construction conference before any land disturbing activities may begin.
- j) SCDHEC may request to review and comment on C-SWPPPs. The County cannot approve C- SWPPPs until SCDHEC permit coverage is received.
- k) All C-SWPPPs submitted to the County for approval must be certified by a designer. The following disciplines may certify and stamp/seal plans as allowed by their respective licensing act and regulations:
  - i. Registered professional engineers as described in S.C. Code 1976, § 40-22-10 et seq.

- ii. Registered landscape architects as described in S.C. Code 1976, § 40-28-10(a).
- iii. Tier B land surveyor as described in S.C. Code 1976, § 40-22-10 et seq.
- l) Pursuant to S.C. Code 1976, § 40-22-280, C-SWPPPs may also be prepared by employees of the federal government and submitted by the person responsible for the land disturbing activity to the County for approval.
- m) The Ordinance does not prohibit other disciplines or certified professionals, including, but not limited to, certified professional erosion and sediment control specialists, which have appropriate background and experience from taking active roles in the preparation of the C- SWPPP and design process. All stormwater plans and specifications submitted to the County for approval must be stamped/sealed by one of those listed above.
- n) Approved C-SWPPPs remain valid for five years from the date of approval. Extensions or renewals of C-SWPPP approvals may be granted by the County upon approval of an updated application by the person responsible for the land disturbing activity. If changes to the original C-SWPPP are not required, only a completed NOI and the appropriate application fee are needed.

## **2.6 – SWPPP REVIEW AND APPROVAL**

The County will review all C-SWPPPs for compliance with FCSWDM requirements. Approval by the County does not relieve applicants from responsibility for ensuring system performance, safety and compliance with other local, state and federal regulations. Applicants must ensure that calculations, designs, specifications, construction, and record drawings comply with acceptable engineering standards and this FCSWDM. County approval does not constitute a guarantee of system performance nor does it relieve the applicant of liability for the sufficiency, suitability or performance of facilities. For projects regulated by other jurisdictions, applicants must comply with any additional or varying requirements and receive

approval from those entities. Applicants are to provide proof of approval to the County as deemed necessary.

## **2.7 – START OF CONSTRUCTION**

The applicant must notify the County at least three days prior to commencement of any land disturbing activity or construction under an approved C-SWPPP. The County requires that a pre-construction conference be performed on-site for all non-linear projects prior to the beginning of land disturbing activities to ensure all contractors performing the work know their responsibilities under the permit. Please contact the Florence County Engineering Division at (843) 676-8600 to schedule the pre-construction conference.

## **2.8 – MAKING ON-SITE SWPPS AVAILABLE**

The OS-SWPPP must be retained at the construction site or other location easily accessible (not more than a 30-minute drive away) during normal business hours to: SCDHEC, EPA, local government officials, and the County from the date of commencement of construction activities to the date of final stabilization. If an on-site location is unavailable to store the OS-SWPPP when no personnel are present, notice of the plan's location, along with any updated contact information, must be posted near the main entrance at the construction site.

The OS-SWPPP includes:

1. OS-SWPPP (The contents of the OS-SWPPP include all items required for the review and approval of the C-SWPPP except for the Engineering calculations).
2. NOI (stamped and approved copy).
3. Copy of the SC DHEC Construction General Permit, excluding the appendices. Provisions may be made for the copy of the general permit to be accessed electronically as long as a hard copy can be made available by the end of the working day when required.
4. NPDES Coverage Approval Letter.

5. Copy of local approvals (additional letters, approvals, or certifications necessary to implement the OS-SWPPP, when necessary).
6. Copy of United States Army Corps of Engineers approvals (certifications necessary to allow impacts to Waters of the State or Jurisdictional wetlands, when necessary).
7. Contractor certifications, (certifications necessary to allow contractors to conduct construction activities within the construction site).
8. Any logs necessary to track the progress, compliance, modifications and those associated with the construction site. These logs may include, but are not limited to, a pre-construction conference log, an inspection log, a stabilization log, a rain log, a contractor log and/or any additional record keeping as deemed necessary by the Permittee, Contractor, SCDHEC, MS4 or an entity delegated under Regulation 72-300.

The person(s) responsible for day-to-day operational control over implementation, must have a copy of the OS-SWPPP available at a central location onsite for the use of all those identified as having responsibilities under the OS-SWPPP whenever they are on the construction site.

For linear construction of roads or utilities (such as utility construction including electrical power lines, gas lines, main sewer trunk lines, and water distribution lines) that are not part of a larger common plan of development, where it is not practical to have the OS-SWPPP on location, the Permittee and/or Operator must, upon request, make the OS-SWPPP available by the end of normal business hours, or by the following business day under extenuating circumstances.

OS-SWPPPs must be made available upon request and at the time of a construction site inspection by Florence County. Updated copies of the approved OS-SWPPP must be sent to the appropriate SCDHEC Environmental Quality Control (EQC) Regional Office in situations where it is not practical to have the approved OS- SWPPP on location.

## 2.9 – MODIFICATIONS

Each SWPPP must be modified if during inspections or investigations by local, state, tribal or federal officials, it is determined that the SWPPP is ineffective in either eliminating, when reasonably possible, or significantly minimizing pollutants in stormwater discharges from the construction site.

Each SWPPP must be modified as necessary to include additional or modified BMPs, which are designed to correct problems identified during the construction site inspection by any qualified inspector, or by local, state, tribal or federal officials. Revisions to each SWPPP must be completed within seven (7) calendar days following the inspection.

1. **Major Modifications** - Each C-SWPPP must be modified and submitted for review and receive approval by the County prior to implementation if any of the following conditions are met:

- a) Whenever there is a significant change in design, construction, operation, or maintenance at the construction site resulting in discharges that will cause, have the reasonable potential to cause, or contribute to violations to Water Quality Standards.
- b) Whenever a change in the design, construction, operation, or maintenance calls for a revision of any approved C-SWPPP based on the following list of modifications:
  - i. Modifications that will affect the hydrology or trapping efficiency calculations including:
    - a. Resizing Sediment or Detention Basins that either reduces the stormwater volume capacity and/or is resized to handle increase/decrease incoming peak flows or runoff volumes due to revised site development plans.
    - b. Relocation of Sediment or Detention Basins resulting in increases/decreases in receiving drainage area and/or resulting in a

new/relocated basin outlet location, which is directed towards an outfall that was not approved within the C-SWPPP.

- c. Addition/Removal of Sediment or Detention Basin.
  - d. Modification of Sediment or Detention Basin Outlet Structure.
  - e. Changes in grading that alter drainage patterns that may result in increased or decreased flow to a Sediment or Detention Basin.
  - f. Amending Construction Sequence in a fashion that the Detention Basin is not installed before Grubbing Operations begin.
- ii. Point Discharge or Outfall location changes.
  - iii. Any modification to regulated water quality structural control measures.
  - iv. Adding a new point discharge.
  - v. Addition of Impervious Area due to revised site development plans.
  - vi. Addition of Disturbed Area.
  - vii. Changes to Navigable Water Crossing.
  - viii. Addition of Sediment Trap(s) when required to obtain 80% Trapping Efficiencies for disturbed areas not previously permitted or redirected away from an approved water quality BMP.
  - ix. Site layout changes that require redesigning the stormwater management system.
  - x. Any additional modifications as determined by the County.

2. **Minor Modifications** -The Permittee must modify the OS-SWPPP and keep a record of each modification within the OS-SWPPP if any of the following conditions are met:

- a) Addition of BMPs - Addition of Silt Fence, Slope Drains, Inlet Protection, Outlet Protection that does not involve additional wetland impacts, or Check Dams to improve the overall stormwater management and sediment control at the construction site.
- b) BMP Relocations - Relocation of construction entrance, pond inlet pipes (within a pond), and any other proposed BMP to improve the overall stormwater management and sediment control at the construction site.
- c) Removal of Disturbed Areas - As long as the removal of the disturbed area does not also remove any BMPs required to meet Water Quality or Quantity Standards. Removal of disturbed area only qualifies for disturbed area that was included in the initial coverage approval and that was never disturbed (i.e., cleared, grubbed or graded).
- d) Modifying Individual Lot Drainage - Unless the changes affect the inflow to a Detention Structure or Analysis Point, to which the lot drains, that was not previously approved.

## **2.10 – END OF CONSTRUCTION**

Upon project completion related to the land disturbing activity, the Notice of Termination (NOT) process must be initiated. The process should begin with a request for final inspection so that the Engineering Division can conduct a review for compliance with the approved C-SWPPP. A copy of the NOT application is in Appendix L or can be obtained from the County.

The NOT may only be submitted after one or more of the following conditions have been met:

1. Final stabilization has been achieved on all portions of the site for which the permittee is responsible.
2. Another Operator has assumed control, according to §122.41(l)(3) of SC Regulation 61-9, over all areas of the site that have not been finally stabilized.

3. Coverage under an individual or alternative general NPDES permit has been obtained.
4. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.
5. For construction activities on land used for agricultural purposes (e.g., pipelines across crop or range land, staging areas for highway construction, etc.), either (1) final stabilization has been accomplished by returning the disturbed land to its preconstruction agricultural use, and (2) for any areas disturbed that were not previously used for agricultural activities and areas which are not being returned to their preconstruction agricultural use have achieved final stabilization.
6. Land disturbance activities were never initiated on the construction site and the construction site remains permanently stabilized.

The NOT must be signed by the Permittee and submitted within 30 days of one of the above conditions being met.

The NOT is not valid until the County concurs and notifies the permittee of County acceptance of the NOT. The County will issue an approval letter for the NOT for the Permittee to submit to DHEC, along with the NOT application.

If an NOT has been submitted and the construction site does not meet the criteria for termination, then the construction site remains subject to the provisions of the OS-SWPPP.

If there are any permanent Best Management Practices (BMPs) on the site, a revised maintenance agreement must be submitted along with the NOT, when the responsible party(ies) or individual(s) accepting ownership or maintenance of permanent stormwater control devices have changed from what was originally approved.

For residential subdivisions, Primary Permittees do not need to terminate permit coverage in areas where Secondary Permittees have received permit coverage to perform work under this permit. Primary Permittees can request to terminate coverage when Secondary Permittees are authorized to conduct construction activities, independent of the Primary Permittee, for the



remaining disturbed areas on the construction site and final stabilization has been achieved on all other areas of the construction site.

The person responsible for the land disturbing activity will submit as-built or record document plans for all plans that include any structural BMPs. In addition, the person responsible for the land disturbing activity is required to submit written certification from the professional engineer, landscape architect or tier B land surveyor responsible for the field supervision of the land disturbing activity that the land disturbing activity was accomplished in substantial accordance with the approved C-SWPPP.

#### ***2.11 - END OF CONSTRUCTION - FINAL CERTIFICATE OF OCCUPANCY INSPECTION***

A final 'As-built' drawing must be submitted before a Final Certificate of Occupancy Inspection will be performed by the Engineering Division. A Final CO Inspection from the Engineering Division will not be given an approval status until the following items have been submitted and approved:

1. Punch list of inspection items must be approved.
2. As-built drawing is approved.

Inspection items may include but not limited to:

1. Inlet protection in good condition.
2. Site permanently stabilized to a 70% stand of grass as required by DHEC standards (70% stand of grass within a 2'x2' box placed anywhere on site.)
3. Perimeter ditches sloped to a min 3:1 slope and properly stabilized if applicable.
4. No berms or large landscaping items located over a drainage pipe.
5. Filter fabric under all rip rap.

6. Pond sloped to a min 3:1 slope and stabilized.
7. Control structures clean, clear and of design dimensions.
8. All structures and drainage within easements sealed and free of silt.
9. All catch basin frame and grates supported under its vertical frame.
10. All easement clean, clear, stabilized and free of encroachments.
11. All drainage complaints resolved for the area.
12. Check OS-SWPPP Report.

The County may reserve the right to approve a Final CO Inspection with the site being temporarily stabilized. However, the Permittee will still be responsible for submitting monthly inspection reports until the site is permanently stabilized. If inspection reports are not submitted, the County shall follow up with enforcement actions. This procedure pertains mainly to sites that are covered under a Small Commercial Land Disturbing Permit and not covered under a NPDES permit.

In addition, the inspector reserves the right to add any item not aforementioned to ensure completeness and project compliance to governing authorities.

## **SECTION 3. - PLAN REQUIREMENTS FOR LDPs**

### **3.1 - RESIDENTIAL LAND DISTURBING PERMITS**

All RLDPs required for land disturbing activities that are limited to an individual lot or a collection of lots within an approved residential subdivision previously approved by Florence County shall contain the following information as applicable:

1. A fully completed Individual Lot Notice of Intent (IL-NOI) form for a permit. The County's IL-NOI is included in Appendix E.
2. A narrative description of the lots identified in the IL-NOI and all best management practices to be used during construction activities. Also, clearly define all proposed modifications to the approved SWPPP.
3. A copy of the plat or site plan of the lot or lots that will be identified in this IL-NOI.
4. A copy of the project plans demonstrating individual lot grading, sediment and erosion control and best management plans that will be followed.
5. Maintenance Agreement for permanent centralized controls, as applicable.

### **3.2 - SMALL COMMERCIAL LAND DISTURBING PERMITS**

All SCLDPs required for land disturbing activities less than one (1) acre which are not part of a larger common plan of development or sale shall contain the following information as applicable:

1. A fully completed Small Commercial Land Disturbing Permit application. This application can be found in Appendix D.
2. An anticipated starting and completion date of the various stages of land disturbing activities and the expected date the final stabilization will be completed.
3. A narrative description of the Stormwater Management and Sediment Control Plan to be used during land disturbing activities.

4. General description of topographic and soil conditions of the tract.
5. A general description of adjacent property and a description of existing structures, buildings, and other fixed improvements located on surrounding properties.
6. A sketch plan (engineers, Tier B surveyors, or landscape architect's seal not required) to accompany the narrative which shall contain:
  - a) A site location drawing of the proposed project, indicating the location of the proposed project in relation to roadways, jurisdictional boundaries, streams and rivers.
  - b) The boundary lines of the site on which the work is to be performed.
  - c) A topographic map of the site if required by the County.
  - d) The location of temporary and permanent vegetative and structural stormwater management and sediment control measures.
  - e) Riparian buffers and setbacks requirements to protect receiving water bodies shall be maintained as required by the Florence County Zoning Ordinance.
6. Stormwater Management and Sediment Control Plans shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the plan.
7. All Stormwater Management and Sediment Control Plans shall contain certification by the person responsible for the land disturbing activity of the right of the County or DHEC to conduct on-site inspections.

The requirements contained above may be indicated on one plan sheet. More detailed hydrologic or soils information may be required on a case by case basis by the implementing agency. Storm water detention/retention may be required if excessive water problems are known to exist in the area.

### 3.3 *-LARGE COMMERCIAL LAND DISTURBING PERMITS*

#### *GENERAL CONTENTS*

All LCLDPs required for land disturbing activities with disturbed areas of one acre or greater, including projects or developments of less than one acre of land disturbance that are part of a larger common plan of development or sale that comprise of at least one acre of land disturbance, shall contain the following information in the C-SWPPP, as applicable:

1. A fully completed Notice of Intent (NOI) form for a permit. The County's NOI is included in Appendix B.
2. A fully completed stormwater management and sediment and erosion control plan review checklist listing all current Florence County design and submittal requirements. The County's checklist is included in Appendix C.
3. A vicinity map on 8.5-inch by 11-inch paper indicating north arrow, scale, property boundary, and other information necessary to locate the property or tax parcel.
4. The location of the land disturbing activity with the property boundary outlined shown on a USGS 7.5 minute topographic map or copy, with the route of stormwater runoff from site to nearest waterbody shown.
5. Project Narrative.
6. One Full-size (24-inch by 36-inch) set of plans at an appropriate scale accompanied by a design report and indicating at least:
  - a) The existing and proposed topography, overlaid on a current plat showing existing and proposed contours as required by the County. The plat and topographic map should conform to provisions of applicable state regulations.
  - b) Proposed grading and earth disturbance including:
    - i. Surface area involved.
    - ii. Limits of grading, including limitation of mass clearing and grading, whenever possible.

c) Stormwater management and stormwater drainage computations, including:

- i. Pre-development, during-development and post-development velocities, peak rates of discharge, and inflow and outflow hydrographs of stormwater runoff at all existing and proposed points of discharge from the site. All hydrologic analysis will be based on land use conditions as specified in Section 3.4(2)(d)(i).
- ii. Site conditions around points of all surface water discharge, including vegetation and method of flow conveyance from the land disturbing activity.
- iii. Design details for structural controls.

d) Erosion and sediment control provisions, including:

- i. Provisions to minimize soil compaction, preserve topsoil, and limit disturbance.
- ii. Provisions to control stormwater volume and velocity within the site to minimize soil erosion during construction activity.
- iii. Provisions to control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion during construction activity.
- iv. Provisions to minimize the amount of soil exposed during construction activity.
- v. Provisions to minimize the disturbance of existing steep slopes (i.e., slopes of 30% (~3H:1V) or greater), unless infeasible.
- vi. Provisions to minimize sediment discharges from the site during construction activity.

- vii. Provisions to provide and maintain natural buffers after stormwater runoff is treated by construction site BMPs, unless infeasible during construction activity.
  - viii. Details of site grading.
  - ix. Design details for structural controls, which include diversions and swales.
- e) Description of all post-construction stormwater management measures that will be installed during the construction process to address water quality in stormwater discharges after the construction operations have been completed.
- f) Project specifications (where applicable) for work related to stormwater management and sediment control:
- i. Provisions to provide soil stabilization (temporary and permanent).
  - ii. Provisions to minimize the discharge of pollutants from dewatering trenches and excavations. Discharges are prohibited unless managed by appropriate BMPs for stormwater and non-stormwater discharges.
  - iii. Provisions to design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants during construction activity.
  - iv. Provisions to manage the following prohibited discharges:
    - a. Wastewater from washout of concrete, unless managed by an appropriate control.
    - b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials.

- c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance.
  - d. Soaps or solvents used in vehicle and equipment washing.
- 7. Federal Emergency Management Agency flood maps and, if available, federal and state wetland maps.
- 8. The County requires that plans and design reports be sealed by a qualified design professional and certified that the plans have been designed in accordance with the Ordinance and the FCSWDM.
- 9. Additional information necessary for a complete project review may be required by the County as deemed appropriate. This additional information may include items such as location of public sewers, waterlines, septic fields, wells, etc.
- 10. All contents of the design report and supporting documents must be submitted in a binder with tabs (e.g., Maps, Pre-Development calculations, etc.) and pages numbered [no loose pages].

### **3.4    -LARGE COMMERCIAL LAND DISTURBING PERMITS**

#### ***SPECIFIC REQUIREMENTS FOR SWPPP***

- 1. Specific requirements for the erosion and sediment control portion of the C-SWPPP approval process include, but are not limited to, the following items. The County may modify the following items for a specific project or type of project:
  - a) All C-SWPPPs are to include details and descriptions of temporary and permanent erosion and sediment control measures and other protective measures shown on the C- SWPPP. Procedures in a stormwater and sediment control management plan will provide that all sediment and erosion controls are inspected by the applicant or one of his representatives weekly.



- b) Specifications for a sequence of construction operations will be contained on all plans describing the relationship between the implementation and maintenance of sediment controls, including permanent and temporary stabilization and the various stages or phases of earth disturbance and construction. The specifications for the sequence of construction should, at a minimum, include the following activities:
- i. Clearing and grubbing for those areas necessary for installation of perimeter controls.
  - ii. Installation of sediment basins and traps.
  - iii. Construction of perimeter controls.
  - iv. Remaining clearing and grubbing.
  - v. Road grading.
  - vi. Grading for the remainder of the site.
  - vii. Utility installation and whether storm drains will be used or blocked until after completion of construction.
  - viii. Final grading, landscaping or stabilization.
  - ix. Removal of sediment controls.
- c) Changes to the sequence of construction operations may be modified by the C-SWPPP preparer or someone with the registration equivalent to the C-SWPPP preparer and does not constitute a violation unless measures to control stormwater runoff and sediment are not utilized. The change must be documented by signing the plan where the change was made.
- d) The plans shall contain a description of the predominant soil types on the site, as described by the soil survey information available through SCDHEC or the local soil conservation district.

- e) When work in a live waterway is performed, precautions should be taken to minimize encroachment, control sediment transport and stabilize the work area to the greatest extent possible during construction.
  - f) Vehicle tracking of sediment from land disturbing activities onto paved public roads carrying significant amounts of traffic shall be minimized.
2. Specific requirements for the permanent C-SWPPP approval process include, but are not limited to, the following items. The County may modify the following items for a specific project or type of project:
- a) Stormwater management should be addressed on a watershed basis to provide a cost-effective water quantity and water quality solution to the specific watershed problems.
  - b) All hydrologic computations shall be accomplished using a volume based hydrograph method acceptable to the County. The storm duration for computational purposes for this method shall be the 24-hour rainfall event, SCS distribution with a 0.1 hour burst duration time increment. The rational and/or modified rational methods are acceptable for sizing individual culverts or storm drains that are not part of a pipe network or system and do not have a contributing drainage area greater than 20 acres. The storm duration for computational purposes for this method shall be equal to the time of concentration of the contributing drainage area or a minimum of 0.1 hour, whichever is less.
  - c) Stormwater management requirements for a specific project shall be based on the entire area to be developed, or if phased, the initial submittal shall control that area proposed in the initial phase and establish a procedure and obligation for total site control.
  - d) Water quantity control is an integral component of overall stormwater management. The following design criteria for flow control is established for water quantity control purposes, unless a waiver is granted based on a case-by-case basis:

- i. Pre-Development discharge rates shall be determined based on existing land use data taken from the 2003 aerial photograph and field check. The 2003 aerial can be obtained from the Florence County Engineering Division.
  - ii. Post-development discharge rates shall not exceed pre-development discharge rates for the 2, 10, and 25-year frequency 24-hour duration storm events, and the 100-year storm event must be accommodated through the development without causing damage to structure or exceeding the limits allocated for this storm event. The same hydrologic procedures shall be used in determining both pre-development and post-development peak flow.
  - iii. Discharge velocities shall be reduced to provide a non-erosive velocity flow from a structure, channel or other control measure or the velocity of the 10- year, 24-hour storm runoff in the receiving waterway prior to the land disturbing activity, whichever is greater.
  - iv. Watersheds, other than designated watersheds that have well documented water quantity problems, may have more stringent or modified design criteria determined by the local government that is responsive to the specific needs of that watershed.
  - v. The volume within any structure used for water quantity control shall be drained from the structure within 72 hours.
- e) Water quality control is also an integral component of stormwater management. The following design criteria are established for water quality protection unless a waiver or variance is granted on a case-by-case basis.
- i. When ponds are used for water quality protection, the ponds shall be designed as both quantity and quality control structures. Sediment storage shall be as specified by the designer during the land disturbing activity.

Sediment storage volumes may be predicted by the universal soil loss equation or methods acceptable to the County.

- ii. Stormwater runoff and drainage to a single outlet from land disturbing activities, which disturb ten acres or more, shall be controlled during the land disturbing activity by a sediment basin where sufficient space and other factors allow these controls to be used until the final inspection. The sediment basin shall be designed and constructed to accommodate the anticipated sediment loading from the land disturbing activity and meet a removal efficiency of 80 percent suspended solids or 0.5 ml/L peak settleable solids concentration, whichever is less. The efficiency shall be calculated for disturbed conditions for the 10-year, 24-hour design event.
- iii. Other practices may be acceptable to the County if they achieve an equivalent removal efficiency of 80 percent for suspended solids or 0.5 ml/L peak settleable solids concentration, whichever is less. The efficiency shall be calculated for disturbed conditions for the 10-year, 24-hour design event.
- iv. Permanent water quality ponds, having a permanent pool, shall be designed to store and release the first one-half inch of runoff from the site over a 24-hour period. The storage volume shall be designed to accommodate, at least, 1/2 inch of runoff from the entire site. Other design practices may be acceptable to the County if they achieve an equivalent removal efficiency of 80 percent for total suspended solids based on an annual removal basis.
- v. Permanent water quality ponds, not having a permanent pool, shall be designed to release the first 1 inch of runoff from the site over a 24-hour period. Other design practices may be acceptable to the County if they achieve an equivalent removal efficiency of 80 percent for total suspended solids based on an annual removal basis.

- vi. Permanent infiltration practices, when used, shall be designed to accept, at a minimum, the first 1 inch of runoff from all impervious areas.
- f) Where ponds are the proposed method of control, the person responsible for the land disturbing activity shall submit to the County, when required, an analysis of the impacts of stormwater flows downstream in the watershed for the 10- and 100-year frequency storm event. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of hydrograph timing modifications of the proposed land disturbing activity, with and without the pond. The results of the analysis will determine the need to modify the pond design or to eliminate the pond requirement. Lacking a clearly defined downstream point of constriction, the downstream impacts shall be established with the concurrence of the County.
- g) Where existing wetlands are intended as a component of an overall stormwater management system, the approved C-SWPPP shall not be implemented until all necessary federal and state permits have been obtained.
- h) Design shall be in accordance with standards developed or approved by SCDHEC or developed and approved by Florence County.
- i) Ease of maintenance must be considered as a site design component. Access to the stormwater management structure must be provided.
- j) A clear statement of defined maintenance responsibility shall be established during the C-SWPPP review and approval process. A maintenance agreement must be signed for all structural BMPs. The maintenance agreement is located in Appendix K.
- k) The use of LID in the creation of stormwater infrastructure within a site is highly encouraged. LID can reduce construction and maintenance costs of the stormwater infrastructure, balance growth needs with water quality protection, and create green landscapes that add amenity value to new development.

l) Infiltration practices have certain limitations on their use on certain sites. These limitations include the following items:

- i. Areas draining to these practices must be stabilized and vegetative filters established prior to runoff entering the system. Infiltration practices shall not be used if a suspended solids filter system does not accompany the practice. If vegetation is the intended filter, there shall be at least a 20-foot length of vegetative filter prior to stormwater runoff entering the infiltration practice.
- ii. The bottom of the infiltration practice shall be at least 0.5 foot above the seasonal high water table, whether perched or regional, determined by direct piezometer measurements, which can be demonstrated to be representative of the maximum height of the water table on an annual basis during years of normal precipitation, or by the depth in the soil at which mottling first occurs.
- iii. The infiltration practices shall be designed to completely drain of water within 72 hours.
- iv. Soils must have adequate permeability to allow water to infiltrate. Infiltration practices are limited to soils having an infiltration rate of at least 0.3 inches per hour. Initial consideration will be based on a review of the appropriate soil survey, and the survey may serve as a basis for rejection. On-site soil borings and textural classifications must be accomplished to verify the actual site and seasonal high water table conditions when infiltration is to be utilized.
- v. Infiltration practices greater than 3 feet deep shall be located at least 10-feet from basement walls.
- vi. Infiltration practices designed to handle runoff from impervious parking areas shall be a minimum of 150 feet from any public or private water supply well.

3-12

- vii. The design of an infiltration practice shall provide an overflow system with measures to provide a non-erosive velocity of flow along its length and at the outfall.
  - viii. The slope of the bottom of the infiltration practice shall not exceed 5 percent. Also, the practice shall not be installed in fill material as piping along the fill/natural ground interface may cause slope failure.
  - ix. An infiltration practice shall not be installed on or atop a slope whose natural angle of incline exceeds 20 percent.
  - x. Clean outs will be provided, at a minimum, every 100 feet along the infiltration practice to allow for access and maintenance.
- m) A regional approach to stormwater management is an acceptable alternative to site specific requirements and is encouraged.
3. All BMPs shall be designed, constructed and maintained with consideration for the proper control of mosquitoes and other vectors. Practices may include, but are not limited to:
- a) The bottom of retention and detention ponds should be graded and have a slope not less than 0.5 percent.
  - b) There should be no depressions in a normally dry detention facility where water might pocket when the water level is receding.
  - c) Normally dry detention system and swales should be designed to drain within 72 hours.
  - d) An aquatic weed control program should be utilized in permanently wet structures to prevent an overgrowth of vegetation in the pond. Manual harvesting is preferred.
  - e) Fish may be stocked in permanently wet retention and detention ponds.

- f) Normally, dry swales and detention pond bottoms should be constructed with a gravel blanket or other measure to minimize the creation of tire ruts during maintenance activities.
4. A C-SWPPP shall be filed for a residential development and the buildings constructed within, regardless of the phasing of construction.
- a) In applying the stormwater management and sediment control criteria, in Chapter 72, Section 72-307 of SCDHEC Document No. 1416, the individual lots in a residential subdivision development shall not be considered to be separate land disturbing activities and shall not require individual permits. Instead, the residential subdivision development, as a whole, shall be considered to be a single land disturbing activity. Hydrologic parameters that reflect the ultimate subdivision development shall be used in all engineering calculations.
  - b) If individual lots or sections in a residential subdivision are being developed by different property owners, all land disturbing activities related to the residential subdivision shall be covered by the approved C-SWPPP for the residential subdivision. Individual lot owners or developers may sign a certificate of compliance that all activities on that lot will be carried out in accordance with the approved C-SWPPP for the residential subdivision. A form for this certificate is included in Appendix E.
  - c) Residential subdivisions which were approved prior to the effective date of September 24, 2007 are exempt from these requirements. Development of new phases of existing subdivisions, which were not previously approved, shall comply with the provisions of the Ordinance and this FCSWDM.
5. Risk analysis may be used to justify a design storm event other than prescribed or to show that rate and volume control is detrimental to the hydrologic response of the basin and, therefore, should not be required for a particular site.



- a) A complete watershed hydrologic/hydraulic analysis must be done using a complete model/procedure acceptable to the County. The level of detail of data required is as follows:
- i. Watershed designation on the 7.5 minute USGS topographic map, exploded to a minimum of 1 inch equals 400 feet.
  - ii. Inclusion of design and performance data to evaluate the effects of any structures which effect discharge. Examples may be ponds or lakes, road crossings acting as attenuation structures and there may be others which must be taken into account.
  - iii. Land use data shall be taken from the most recent aerial photograph and field checked and updated.
  - iv. The water surface profile shall be plotted for the conditions of pre-development and post-development for the 25- and 100-year, 24-hour storm.
  - v. Elevations of any structure, potentially damaged by resultant flow, shall also be shown.
- b) Based on the results of this type of evaluation, the County shall review and evaluate the proposed regulation waiver or change.

### **3.5 -BMP DESIGN**

SCDHEC/OCRM has developed a Stormwater BMP Handbook and BMP Field Manual that should serve as guidance documents to design BMPs required by this FCSWDM. The BMP Handbook and BMP Field Manual include lists of acceptable BMPs, including their specific design performance criteria and operation and maintenance requirements for each stormwater practice. Copies of these two manuals can be obtained through the local SCDHEC EQC office or can be downloaded from the stormwater section of SCDHEC's website ([www.scdhec.gov/stormwater](http://www.scdhec.gov/stormwater)).

Specific Florence County requirements for the erosion and sediment control BMPs and post-construction water quality BMPs used in the stormwater management and sediment control plan are included in Appendix N of the Florence County Stormwater Design Manual. This Appendix will continue to be updated as needed.

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## SECTION 4. – INSPECTION

### 4.1 –SEQUENCE OF INSPECTIONS

Inspections will be required after each phase of construction and the site will have to meet the minimum requirements of the SCDOT Standard Specifications, the Ordinance and the Florence County Stormwater Design Manual requirements. Each phase of construction must be approved before the next inspection will be performed. Once the inspection is performed an inspection report will be generated and sent to the Permittee.

1. Residential Land Disturbing Permit – For all land disturbing activities that are limited to an individual lot or a collection of lots within an approved residential subdivision previously approved by Florence County, the following sequence for inspections shall be followed:
  - a) Initial Erosion Control Inspection – The Division will inspect the placement of construction entrance, silt fence, any other items required prior to construction and the OS-SWPPP, as applicable. This inspection must be approved before a Building Foundation Inspection can be requested.
  - b) Final Certificate of Occupancy Inspection – The Division will inspect that all items have been installed per approved plans and that the lot has been permanently stabilized to a 70% stand of grass as required by DHEC standards (70% stand of grass within a 2'x2' box placed anywhere on site.)
2. Small Commercial Land Disturbing Permit – All land disturbing activities with disturbed areas less than one acre and which is not part of a larger common plan of development or sale, the following sequence for inspections shall be followed:
  - a) Initial Erosion Control Inspection – The Division will inspect the placement of construction entrance, silt fence, any other items required prior to construction and the OS-SWPPP, as applicable. This inspection must be approved before a Building Foundation Inspection can be requested.

- b) Final Certificate of Occupancy Inspection – The Division will inspect that all items have been installed per approved plans and that the lot has been permanently stabilized to a 70% stand of grass as required by DHEC standards (70% stand of grass within a 2'x2' box placed anywhere on site.)
3. Large Commercial Land Disturbing Permit – All land disturbing activities with disturbed areas of one acre or greater. Also includes projects or developments of less than one acre of land disturbance that are part of a larger common plan of development or sale that comprise of at least one acre of land disturbance, the following sequence for inspections shall be followed:
- a) Pre-Construction Meeting - A pre-construction meeting must be held with the Division for each construction project or site with an approved On-Site Stormwater Pollution Prevention Plan (OS-SWPPP). Each contractor, subcontractor, blanket utility provider, etc., who will work at a site must attend this conference in person. The SWPPP Preparer shall conduct the meeting and must notify the County at least 48 hours prior to meeting.
- b) Initial Erosion Control Inspection – The Division will inspect the placement of construction entrance, silt fence, any other items required prior to construction and the OS-SWPPP, as applicable. This inspection must be approved before a Building Foundation Inspection can be requested.
- c) Routine Inspection - A routine inspection will be conducted anytime during the construction process to ensure compliance with the sediment and control plan. No prior notification is required by the inspector. The inspector reserves the right to require additional sediment and erosion controls if current BMPs are not adequate to hold sediment on site. Items that may be inspected include:
- Check outfall pipes and outlet structures.
  - Check condition of existing outfall ditches for positive flow.
  - Check location of ponds and proper slope.

- Erosion control items, pond stabilization.
  - Utilities and encroachments within the drainage easement.
  - Back of lot drainage.
  - Check for minimum 2ft opening inside catch basin.
  - Check SWPPP Report
- d) Final Inspection/Final Certificate of Occupancy Inspection – The Division will not perform a final inspection until a final As-built drawing has been submitted to the Division. A Final Certificate of Occupancy Inspection from the Division will not be given an approval status until the following items have been submitted and approved:

- Punch list of inspection items must be approved.
- As-built drawing is approved.

Inspection items may include but not limited to:

- Inlet protection in good condition.
- Site stabilized to a 70% stand of grass as required by DHEC standards  
(70% stand of grass within a 2'x2' box placed anywhere on site.)
- Perimeter ditches sloped to a min 3:1 slope and properly stabilized if applicable.
- No berms or large landscaping items located over a drainage pipe.
- Filter fabric under all rip rap.
- Pond sloped to a min 3:1 slope and stabilized.
- Control structures clean, clear and built to designed dimensions.

- All structures and drainage within easements sealed and free of silt.
- All catch basin frame and grates supported under its vertical frame.
- All easement clean, clear, stabilized and free of encroachments.
- All drainage complaints resolved for the area.
- Check SWPPP Report.

The County may reserve the right to approve a Final CO Inspection with the site being temporarily stabilized. However, the Permittee will still be responsible for submitting monthly inspection reports until the site is permanently stabilized. If inspection reports are not submitted, the County shall follow up with enforcement actions. This procedure pertains mainly to sites that are covered under a Small Commercial Land Disturbing Permit and not covered under a NPDES permit.

In addition, the inspector reserves the right to add any item not aforementioned to ensure completeness and project compliance to governing authorities.

#### **4.2 –CONSTRUCTION INSPECTION**

Inspections shall be conducted by qualified personnel. For projects that disturb more than 1 acre, “qualified personnel” means a person knowledgeable in the principles and practice of erosion and sediment control who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity. This person must be either the preparer of the C-SWPPP or an individual who is under the direct supervision of the preparer of the approved C-SWPPP and who meets the requirements in this paragraph or an individual who has been certified through Certified Erosion Prevention and Sediment Control Inspector (CEPSCI) program that has been approved by SCDHEC.

Inspections may also be conducted by a person with a registration equivalent to the registration of the preparer of the C-SWPPP and who meets the qualifications of this paragraph or an individual who is under the direct supervision of the person with an equivalent registration and who meets the requirements in this paragraph.

After construction begins, inspections must be conducted at least once every calendar week until final stabilization is reached on all areas of the construction site.

Inspection frequencies for portions of the construction site that have reached temporary or final stabilization may be reduced to at least once every month, as long as the stabilization is maintained and there is no additional disturbance in these areas. Once a definable area has reached final stabilization, the qualified inspector shall label the area on the OS-SWPPP as being stabilized and that on further inspections shall be required in this area. Inspection of common BMPs, such as sediment basins, sediment traps, may be required to resume if areas that drain to them become disturbed during future construction.

The County on a case-by-case basis may require any permittee to conduct inspections on a more frequent basis than prescribed. Examples include, but are not limited to, permittees who have compliance problems and permittees with stormwater discharges to environmentally sensitive waters. The County requires that the Permittee submit a monthly report summarizing the inspections at the site and any associated maintenance activity. The Permittee shall email or fax copies of the monthly inspection report to the Engineering Division.

Inspections must include all areas of the site disturbed by construction activity and areas used for storage of materials that are exposed to precipitation. Inspectors must look for evidence of, or the potential for, pollutants entering the storm water conveyance system. Sedimentation and erosion control measures identified in the C-SWPPP must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing violations to South Carolina's Water Quality Standards, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking.

Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may limit the access of inspection personnel to the areas described above. Inspection of these areas could result in vehicles compromising temporarily or even permanently stabilized areas, causing additional disturbance of soils, and increasing the potential for erosion. In these circumstances, controls must be inspected on the same frequencies as other construction projects, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described above. The conditions of the controls along each inspected 0.25 mile segment may be considered as representative of the condition of the controls that extend from the end of the 0.25 mile segment to either the end of the next 0.25 mile inspected segment, or to the end of the project, whichever occurs first. Representative inspections must include any areas where stormwater discharges to environmentally sensitive waters.

Permittees shall either maintain an on-site rain gauge or use data from a certified weather record (such as a personal weather station or an airport) located within a reasonable proximity of the construction site, to record rainfall records from any significant rainfall event, 0.5 inches or greater. These recorded rainfall amounts must be maintained in a Rain Log located in the OS-SWPPP. Rainfall records for the day of an inspection and any rainfall since the last inspection must be reported on each weekly inspection report.

For each inspection required above, an inspection report, provided in Appendix J, must be completed. At a minimum, the inspection report must include:

1. The inspection date and duration of inspection (arrival and departure times); and
2. Names, titles, and, if not previously given in an inspection report, the qualifications of personnel making the inspection, unless those qualifications change; and
3. Weather information for the period since the last inspection (or since commencement of construction activity if the first inspection) including a best estimate of the beginning of



- each storm event, duration of each storm event, approximate amount of rainfall for each storm event (in inches), and whether any known discharges have occurred; and
4. Weather information and a description of any discharges occurring at the time of the inspection; and
  5. Location(s) of discharges of sediment or other pollutants from the site; and
  6. Location(s) of BMPs that need maintenance; and
  7. Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and
  8. Location(s) where additional BMPs are needed that did not exist at the time of inspection; and
  9. Corrective action required including any changes to the OS-SWPPP necessary and implementation dates; and
  10. Site Name, Operator Name and permit number; and
  11. Verification that all BMPs and stormwater controls identified in the OS-SWPPP have been installed and are operating as designed.

A record of each inspection and of any actions taken in accordance with this section must be retained as part of the C-SWPPP for at least three years from the date that permit coverage expires or is terminated. The report must be signed in accordance with §122.22 of SC Regulation 61-9; refer to Appendix M.

#### **4.3    -CONSTRUCTION MAINTENANCE**

All BMPs and other protective measures identified in the OS-SWPPP must be maintained in effective operating condition. If construction site inspections identify BMPs that are not operating effectively, maintenance must be performed within seven (7) calendar days, before

the next inspection, or as reasonably possible, and before the next storm event whenever practicable to maintain the continued effectiveness of the BMPs.

If periodic inspection or other information indicates that a BMP has been used inappropriately, or incorrectly, the Permittee must address the necessary replacement or modification required to correct the BMP within a time frame of 48 hours of identification. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next storm event whenever practicable. If implementation before the next storm event is impracticable, the situation must be documented in the OS-SWPPP and alternative BMPs must be implemented as soon as reasonably possible.

Remove deposited sediment from sediment traps or sedimentation basins when the design capacity has been reduced by 50 percent or the sediment has reached the clean out point on the cleanout stake (whichever occurs first).

Remove deposited sediment collected by sediment control measure (silt fence, check dams, sediment tubes, etc.) when the deposited sediment reaches  $\frac{1}{3}$  the height of the above-ground portion of these BMPs, or before it reaches a lower height based on the manufacturer's specifications.

## SECTION 5. - OTHER PROCEDURES

### 5.1 -WAIVER

Waivers may be granted from the stormwater management requirements of the Ordinance and this manual for individual land disturbing activities provided that a written request is submitted by the applicant to the County containing descriptions, drawings and any other information that is necessary to evaluate the proposed land disturbing activity. A separate written waiver request shall be required if there are subsequent additions, extensions or modifications which would alter the approved stormwater runoff characteristics to a land disturbing activity receiving a waiver.

A project may be eligible for a waiver of stormwater management for both quantitative and qualitative control if the applicant can demonstrate that the proposed project will return the disturbed area to a pre-development runoff condition and the pre-development land use is unchanged at the conclusion of the project.

A project may be eligible for a waiver of stormwater management for water quality control if the applicant can demonstrate that:

1. The proposed project will have no significant adverse impact on any receiving natural waterway or downstream properties.
2. The imposition of peak control requirements for rates of stormwater runoff would aggravate downstream flooding.

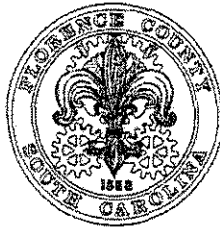
The County will conduct its review of the request for waiver within 20 working days. Failure of the County to act by the end of the 20-work-day period will result in the automatic approval of the waiver.

### **5.1    -VARIANCE**

The County may grant a written variance from any requirement of the Ordinance and the FCSWDM if there are exceptional circumstances applicable to the site such that strict adherence to the provisions of the Ordinance will result in unnecessary hardship and not fulfill the intent of the Ordinance. A written request for a variance shall be provided to the County and shall state the specific variances sought and the reasons with supporting data for their granting. The County shall not grant a variance unless and until sufficient specific reasons justifying the variance are provided by the applicant. The County will conduct its review of the request for the variance within 20 working days. Failure of the County to act by the end of the 20-work-day period will result in the automatic approval of the variance.

***APPENDIX "A"***

**MEMO ON PERMITTING PROCEDURES**



## **Florence County MS4**

**Date: January 1, 2013**

**To: All Engineers**

**RE: Permitting Procedures for Florence County**

The following is the permitting procedures for all Large Commercial Land Disturbance Permits:

### **1) Submittal:**

Submit Package to Florence County Planning Department.

### **2) Initial Review:**

- Notice of Intent (NOI), completed with original signatures (do not use black ink)
- Completed Checklist for Design Professionals. Checklist must indicate the location of each item with the corresponding page number in the SWPPP or supporting calculations.
- Delineation of all Waters of the State (WoS), including wetlands, that will be impacted. Engineer or developer is encouraged to meet with Florence County to determine whether delineation will be required. Florence County requires a delineator's report if there are wetland indicators on the site. If WoS are to be impacted, the necessary permits will need to be acquired before work can begin.
- One copy of the C-SWPPP (Comprehensive Storm Water Pollution Prevention Plan)
- One set of the stormwater and sediment erosion control calculations. Include a summary sheet of pre and post development flows (at least 2-year, 10-year and 25-year, 24-hour storm events). Also include a summary sheet for determination of all curve numbers.
- One complete set of plans. The Engineering Dept. only needs those sheets that are pertinent to the stormwater submittal.

- Detention Pond Maintenance Plan & Responsibility Agreement (If Applicable)
- State / County Encroachment Permits (A copy of the encroachment application will meet the requirements for the initial review)

### **3) Complete Review:**

Once these completed items have been received by Florence County, the complete review will begin. Florence County has 20 days to review and comment.

The complete review procedure shall be the following:

- Zoning Compliance – Including all buffer requirements
- Final approval of the NOI
- Complete review of the Checklist for Design Professionals. Review will make sure that all page numbers correspond to the correct item and that all applicable items are included in the submittal.
- All delineated Waters of the State (WoS), including wetlands, are indicated on the submitted plans. Plans shall include impacts, protection, etc. for all wetlands. A separate plan sheet shall show all WoS on the site and the impacted areas with a description of the activity.
- Final approval of the SWPPP
- Final approval of the calculations
- Final approval of the plans
- Final approval of the Detention Pond Maintenance Plan and Responsibility Agreement
- One copy of the approved State / County Encroachment Permit
- Submittal of the appropriate review fees. Include \$250 + \$100/AC (Not to exceed \$2,250) made payable to Florence County.
- Florence County submits the approved plans and letter to SCDHEC for NPDES coverage. SCDHEC typically has 7 days to review and comment.
- Once NPDES coverage is obtained from SCDHEC, Florence County will require a Pre-Construction Conference with the permit holder and contractor, if applicable.
- Engineer shall bring additional sets of plans to the Pre-Construction Meeting for Florence County MS4 stamp approval.

***APPENDIX "B"***

**LARGE COMMERCIAL LAND DISTURBING PERMIT  
NOTICE OF INTENT (NOI)  
(WITH INSTRUCTIONS)**



FLORENCE COUNTY  
MS4

File Number:     R10      
Permit Number: SC Complete:             
Submittal Package

**Submission of this Notice of Intent constitutes notice that the Applicant identified in Section II intends to be authorized as a Primary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. Fees required for review and NPDES coverage of each application type are as listed on page 2 of the Instructions.**

Date: \_\_\_\_\_  
Project/Site Name: \_\_\_\_\_ County: \_\_\_\_\_  
(Modification or Change of Information Only) **Prior Approved NPDES Permit or File Number:** \_\_\_\_\_

**I. Notice of Intent (NOI) Application Type(s)**

- A. **Project (Application/Review) Type(s)** (Select **ALL** that apply):
- ☐ New Project (Initial Notification) ☐ Ongoing Project: ☐ Permitted or ☐ Un-Permitted
- ☐ Late Notification ☐ Low Impact Development (LID) or Project Design Above Regulatory Requirements
- ☐ New Owner/Operator or Company Name Change (see instructions, attach Form A (Transfer of Ownership))
- ☐ Major Modification: (see instructions, attach Form B (Major Modifications))
- ☐ MS4 Project Review
- ☐ Ocean and Coastal Resource Management (OCRM) Review
- ☐ Change of Information/Other (Specify):

- B. If Applicable, identify the entity designated as **MS4 Reviewer** and **MS4 Operator** (i.e., Lexington County, City of Greer, etc.): **MS4 Reviewer** **MS4 Operator**

## II. Primary Permittee Information

☐ Change of Information

<input type="checkbox"/> Person or <input type="checkbox"/> Company	If a Company, are you a <input type="checkbox"/> Lending Institution or <input type="checkbox"/> Government Entity? Company EIN (If applicable): EIN:
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- A. **Primary** **Permittee** **Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Phone:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

- B. **Contact /ODSA Name** (If different from above OR if owner is a company): \_\_\_\_\_  
 \_\_\_\_\_ Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_  
 \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 \_\_\_\_\_ Email Address: \_\_\_\_\_

- C. **Property** **Owner** **Name** (If different from above): \_\_\_\_\_  
 \_\_\_\_\_ Mailing Address: \_\_\_\_\_ ☐ City: \_\_\_\_\_  
 \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

### III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information

### Change of Information

- A. **C-SWPPP Preparer Name:** \_\_\_\_\_
- B. **Registered Professional**    Engineer    Landscape Architect    Tier B Land Surveyor    **S. C. Registration #:** \_\_\_\_\_
- C. **Company/Firm Name:** \_\_\_\_\_ **S.** ☒ **COA**    **#** : \_\_\_\_\_
- Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- Phone: ☐ \_\_\_\_\_ Fax: ☐ \_\_\_\_\_ Email Address: ☐ \_\_\_\_\_

#### IV. Project/Site Information

### Change of information

- A. **Type of Construction Activity(ies)** (Select ALL that apply) ☐
- Commercial      Industrial      Institutional      Mass Grading      Linear      Utility/Infrastructure
- Residential: Single-family      Residential: Multi-family      Multi-use (Commercial & Residential)
- Site Preparation (No New Impervious Area)      Other (Specify) ☐ ☐

- B. **Site Address/Location** (street address, nearest intersection, etc.) \_\_\_\_\_  
 City/Town (If in limits): \_\_\_\_\_ Zip Code: \_\_\_\_\_

C. Is this site located on Indian Land? ☐ Yes ☐ No

D. Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_

E. Disturbed Area (nearest tenth of an acre): \_\_\_\_\_ Total Area (acres): \_\_\_\_\_

F. Modification Only: (nearest tenth of an acre): Disturbed Area: Current (Approved) Area: \_\_\_\_\_

Disturbed Area Change (Increase Only): \_\_\_\_\_ Total Disturbed Area (After Change): \_\_\_\_\_

G. Is this project part of a Larger Common Plan for Development or Sale (LCP)? ☐ Yes ☐ NoLCP/ Overall Development Name: \_\_\_\_\_ Check here if this is the First Phase. ☐

Previous State Permit/File Number: \_\_\_\_\_ Previous NPDES Coverage Number: SCR10 \_\_\_\_\_

H. Any Flooding Problems exist downstream of or adjacent to this site? ☐ Yes ☐ No (If yes, provide detailed description of flooding problems and applicable floodway/flood zone information in the C-SWPPP).I. Active S.C. DHEC Warning Notice, Notice to Comply or Notice of Violation for this site or LCP? ☐ Yes ☐ No

J. List Relevant State and Federal Environmental Permits or Approvals applied for or obtained for this site (e.g., RCRA, USACOE, Nationwide, etc.). If None, list None.

K. Any Waiver(s)/Variances/Exceptions Requested for this Project? (If yes, identify below and include Waiver Request and Justifications in the C-SWPPP for each proposed request).

1. Small Construction Activity Waiver(s) From NPDES permitting (Section 1.4 & Appendix B)? ☐ Yes ☐ No  
If yes, identify requested waiver: ☐ Rainfall Erosivity Waiver ☐ TMDL Waiver ☐ Equivalent Analysis Waiver2. Detention Waiver (72-302(B))? ☐ Yes ☐ No 3. Other (Specify): \_\_\_\_\_

## V. Waterbody Information (Attach additional sheet(s) as needed)

☐ Change of Information

A. Receiving Waterbody(s) (RWB) Information (List the nearest and next nearest receiving waterbodies to which the sites stormwater discharges will drain. If stormwater discharges drain to multiple waterbodies, list all such waterbodies).

1. Name of Receiving Waterbodies (RWB)	2. Distance to RWB (feet)	3. Classification of RWB
a. Nearest: _____		
b. Next Nearest: _____		
c. Coastal Zone ONLY: Coastal Receiving Water (CRW): _____		Not Applicable
d. Other Waterbodies: _____		

## B. Waters of the U.S. / State Information (Attach additional sheet(s) as needed)

Waters of the U.S./ State	1. On the site?	2. Delineated/ Identified?	3. Impacts?	4. Amount of impacts
a. Jurisdictional wetlands	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	____ Ac
b. Non-jurisdictional wetlands	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	____ Ac
c. Other Water(s): _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	____ Ac ____ Feet
d. Coastal Zone ONLY: Direct Critical Area	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	____ Ac ____ Feet

5. If yes for impacts in B.3, describe each impact and activity, and list all permits (e.g., USACOE Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact:

C. S.C. Navigable Waters (SCNW) Information (Section 2.6.5) The Department will address any issues related to State Navigable Waters' Program under SC Regulation 19-450 during the review of the C-SWPPP for activities that will **NOT** require a 404 permit or a 401 certification. (Attach additional sheet(s) as needed).1. Are S.C. Navigable Waters (SCNW) on the site? ☐ Yes ☐ No

a. If no, do not complete this question. Proceed to Section D (Impaired Waterbodies).

b. If yes, provide the name of S.C. Navigable Waters (SCNW) on the site: \_\_\_\_\_

2. If yes for C.1, will construction activities cross over or occur in, under, or thru the SCNW? ☐ Yes ☐ No

If yes, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.) and proceed to Section C.3: \_\_\_\_\_

3. Identify permits providing coverage of SCNW activities proposed for your site. If NONE, list none.

Permits/Certifications	Permit or Certification No.	Corresponding Covered SCNW Activity(ies)
a. DHEC General/ Other DHEC Permit		
b. USACOE 404 Permit or 401 Certification		
c. SCNW Permit If applied for or issued, identify Date applied for or issued: _____		<input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe): _____
d. If a SCNW Permit has <b>NOT</b> been applied for provide an additional plan sheet that shows plan and profile views (drawn to scale) of the SCNW and associated activities. Include a description of all proposed activities on this plan.		

**D. Impaired Waterbodies Information** (Attach additional sheet(s) as needed)

**1. 303(d) Listed Impaired Waterbodies**

a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4 and the Name of the Corresponding Waterbody?

Nearest DHEC WQMS(s)	Corresponding Waterbody

b. Is this WQMS(s) listed on the most current 303(d) List? If No, proceed to Section 2 of this table. If Yes, complete items c thru f.

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

c. List the pollutant(s) identified as "CAUSES" of the impairment

d. Will any pollutants causing the impairment be present in your site's construction stormwater discharges?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

e. If yes for d, list the "USE SUPPORT" impairment(s) affected by the pollutant(s) identified in c.

f. If yes for d above, will use of the BMPs proposed for your project ensure the site's discharges will NOT contribute to or cause further WQS violations for the impairment(s) listed in c? ☐ Yes ☐ No  
(NOTE: If no for f, this site is NOT eligible for coverage under the CGP). See Instructions.

**2. TMDL Impaired Waterbodies**

a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4?

b. Has a TMDL(s) been developed for this WQMS(s)? If No, identify as such below and proceed to Section VI. If Yes, complete items c thru f of this table.

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

c. If yes for b, what pollutants are listed as "CAUSES" or causing the impairment?

d. If yes for b, has the standard been "ATTAINED" or "Fully Supported" for the impairment(s)?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

e. If no for d (Not Attained), will any pollutants causing the impairment be present in your site's construction stormwater discharges?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

f. If yes for e above, are your discharges consistent with the assumptions and requirements of the TMDL(s)? ☐ Yes ☐ No  
(NOTE: If no for f, this site is NOT eligible for coverage under the CGP). See Instructions.

**VI. Signatures and Certifications** DO NOT SIGN IN BLACK INK! Read the Certifications below (in entirety). Provide date, printed name, and signatures below. If you are a New Owner/Operator, as Primary Permittee you must also sign and date the applicable Comprehensive SWPPP Acceptance & Compliance Agreement below.

**C-SWPPP PREPARER:** "One copy of the C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III).

Printed Name of C-SWPPP Preparer

Signature of C-SWPPP Preparer

S. C. Registration #

**PRIMARY PERMITTEE:** "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I or I (on behalf of my company and its contractors and agents), as the case may be, also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the to S. C. Department of Health and Environmental Control (DHEC) and/or the local implementing agency the right of access to the site at all times for the purpose of on site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity." (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.) Having understood the above information, I am signing this certification as Primary Permittee to the aforementioned NPDES general permit."

Printed Name of Primary Permittee

Title/Position

Signature of Primary Permittee

Date Signed

## NPDES CGP FEE SCHEDULE A

(For All Projects Located Within Florence County Municipal Separate Storm Sewer System (MS4))

Please fill out the fillable version or print/type. This schedule should be attached to DHEC Form 2617-FC MS4 2012. Do not send payment in window envelope. **DO NOT MAIL CASH.** The Florence County Engineering Division will notify the Project Owner/ Operator if the required payment is not calculated correctly or if the submitted check cannot be processed. The review clock will start when a complete application package, including full payment of the appropriate amount of required fees, is received.

1. Identify (✓) the Project Review Type(s) Enter NPDES Coverage Fee of \$250 in the right-hand column if any of the following project/review types apply to this application. Proceed to Item 2. (\$125 for DHEC and \$125 for Florence County)	(✓)	NPDES Coverage Fee
a. Project or LCP (Item IV.G) that will ultimately disturb one (1) acre or more <small>Note: If your project will ultimately disturb less than one (1) acre AND is NOT a part of a Larger Common Plan, coverage under SCR100000 is not required; see (Florence County Simplified Stormwater and Land Disturbance Application - For Sites With Less Than 1 Acre of Disturbance)</small>	<input type="checkbox"/>	\$ _____ .00
b. New Owner/Operator (Transfer of Ownership)/Company Name Change	<input type="checkbox"/>	
c. Unpermitted Ongoing Project or Late Notification	<input type="checkbox"/>	
d. MS4 Project Review (Item I.A and I.B)	<input type="checkbox"/>	
e. Other (Specify): _____	<input type="checkbox"/>	

2. Determine the Project Review Fees (Review fees cannot exceed \$2250 for a project)		
PROJECT OR LCP THAT WILL ULTIMATELY DISTURB ONE (1) ACRE OR MORE	(✓)	Review Fees
a. Enter the disturbed area (Item IV.E) for this project. Proceed to Items 2.b and 2.c.		(Nearest tenth of an acre)
b. Will this project or LCP (Item IV.G) ultimately disturb more than 1.0 acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
c. Is this project exempt from S. C. Reg. 72-300 et seq.?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
1. If this project will not ultimately disturb more than 1.0 acre, and is not part of an LCP, your project is automatically covered under this permit and the NPDES coverage fee and review fee are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties". 2. If this project will ultimately disturb more than 1.0 acre, proceed to Item 2.d.		
d. Enter the project review fees (based on \$100/disturbed area) in the right-hand column. (Multiply the disturbed area (Item 2.a) by \$100/disturbed area). If the disturbed area for this project (Item 2.a.) totals 20.0 acres or more, enter \$2000 in the right-hand column. Review fees cannot exceed \$2250 for a project.		\$ _____ .00

3. Total Required Fees Add the values in the right-hand columns of Items 1 and 2.d. Proceed to Item 4. (The Florence County Engineering Division will not review this project until all required fees are received).	\$ _____ .00
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#### 4. Payment by Check:

Attach below a signed and dated check payable to FLORENCE COUNTY.

Please note that all checks must be less than 30 days old and must be for the entire required fees.

STAPLE CHECK HERE

MAKE CHECK PAYABLE TO: FLORENCE COUNTY

For official use only: Invoice Number \_\_\_\_\_

## Instructions for Completing the Notice of Intent (NOI)

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges from Construction Activities, SCRI00000 (CGP), if you cannot access the websites listed on the NOI and instructions, or if you have any other questions, contact the Stormwater Permitting Section (SWP) at (803) 898-4300 or Coastal Stormwater Permitting Section (CSWP) at (843) 953-0200. Projects located in the S.C. Coastal Zone (SCCZ-Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper counties) are reviewed by CSWP. Please see the Bureau of Water, Stormwater Permitting website (BOW-SPWS): <http://www.scdhec.gov/environment/water/swater/> for guidance and additional information regarding the CGP.

### Who Must File a NOI:

- If S.C. Department of Transportation (SCDOT) is the Primary Permittee (Owner/ Operator), this NOI form (Form 2617) should not be used.
- The Owner/ Operator of a single project or larger common plan for development or sale (LCP-see item IV.G of instructions) that will ultimately disturb 1 acre or more (all counties).
- In the SCCZ, the Owner/Operator of a single project or LCP that is located within 2 mile of a coastal receiving water (CRW) (See item V.A of the instructions) and will ultimately disturb more than 0.5 acres.
- See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties" and "Less Than 1-Acre of Land Disturbance - Coastal Counties".

### Where to File:

See the BOW-SPWS for a current list of the areas that are reviewed by Municipal Separate Storm Sewer System (MS4) operators and entities that have delegated review authority. For projects in these areas, the initial submittal should be made to the MS4 operator; if initial submittal is made to DHEC for projects in these areas, the review process may be delayed. Please contact the appropriate entity for additional information and requirements; for example, the MS4 operator may require that a different application form be submitted. If a project crosses jurisdictional boundaries (e.g., sewer line in Greenville County and the city of Mauldin), then submittals to all appropriate MS4 operators, delegated entities, and DHEC must be coordinated.

Projects Located in the SCCZ	All Other Areas
S.C. DHEC-Bureau of Water Coastal Stormwater Permitting Section 1362 McMillan Ave., Suite 400 Charleston, S.C. 29405	S.C. DHEC-Bureau of Water Stormwater Permitting Section 2600 Bull Street Columbia, SC 29201-1708

### Submittal Package for SWP and CSWP:

- When DHEC performs a full technical review, you must include the original, signed NOI form, appropriate fee schedule (A or B) with required fees, one (1) copy of the Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP), and one (1) copy of all other supporting documentation with the initial submittal. For projects in the **non coastal counties** disturbing **greater than or equal to 1 acre and less than or equal to 2 acres**, one (1) copy of the C-SWPPP and one (1) copy of supporting documentation can be submitted with the initial submittal. In the **SCCZ**, applications for Coastal Zone Consistency certification are to be filed with requests for NPDES construction coverage and will then be routed internally to the Office of Ocean and Coastal Resource Management (OCRM) for review. OCRM submittal requirements can be located at: <http://www.scdhec.gov/environment/ocrm/cz.htm>
- When a regulated MS4 or entity implementing Regulation 72-300 performs the technical review, you must include a copy of the MS4 approved NOI form or MS4 approved application, the \$125 NPDES fee, and one (1) copy of the MS4 approval. In the **SCCZ**, applications for Coastal Zone Consistency certification are to be filed with requests for NPDES construction coverage and will then be routed internally to OCRM for review.
- For projects ultimately disturbing more than 1 acre, the checklist must be completed and attached when DHEC reviews your C-SWPPP. In the **SCCZ**, for projects ultimately disturbing more than 0.5 acres and located within 2 mile of a CRW, the checklist must be completed and attached. See BOW-SPWS for the most current version of the checklist. If this project will **NOT** ultimately disturb more than 0.5 acres (Coastal Counties) or more than 1.0 acre (Non-Coastal Counties) AND is not part of an LCP, your project is automatically covered under this permit and the NPDES coverage fee and review fee are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Coastal Counties AND "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties.
- For Modification projects where DHEC performs a technical review, see Section I of the instructions and Form B. Complete the applicable sections of the NOI Form. Complete the Form B Checklist. Submit an original, signed NOI form, appropriate fee schedule (C) with required fees, one (1) copy of SWPPP revisions, and one (1) copy of all other supporting documentation, including necessary engineering calculations. **No review clock is required for Modification reviews.**

Authorization to discharge is granted based on the timeframes specified in the table below. For project sites located in the SCCZ, the timeframes provided below do not commence until a Coastal Zone Consistency determination has been issued for the site.

Review Type	Allotted Review Time Frame
Regulated MS4 or entity implementing Regulation 72-300	7 business days of DHEC receipt of a complete NOI and fee payment.
DHEC (when construction site is subject to State C-SWPPP reviews)	20 business days of DHEC receipt of a complete NOI and fee payment.

### S.C. Coastal Zone (SCCZ) Requirements:

For projects that are located within 2 mile of a CRW and involve greater than 0.5 acres of land disturbance, a registered engineer, landscape architect, or Tier B surveyor must prepare, amend when necessary, certify, and stamp the C-SWPPP as required and allowed by the qualified individual's respective act and regulations. Regulation 72-307(C)(5)(g) establishes additional requirements for projects located in the SCCZ. The additional water quality measures are outlined in Chapter III, Section XIII of the South Carolina Coastal Zone Management Program, as refined available at <http://www.scdhec.gov/environment/ocrm/czmp.htm>

### **Fee Schedules:**

Make sure to answer all applicable questions on the appropriate Fee Schedule. If you are completing the online fillable version of the NOI, the cursor should automatically move to the next question that needs to be answered until all applicable questions have been answered. **Complete Fee Schedule A for Non-Coastal projects; Schedule B for Coastal projects. Attach Form A, as required, for Transfer of Ownership. Attach Form B for major modifications to a prior approved project with Fee Schedule C if DHEC reviews your modification.**

### **Office Mechanics and Filing:**

The original NOI form for projects located outside of MS4 areas and supporting documentation will be kept in the Central Office files (hard copy or digitized copy) in accordance with the Retention Schedule.

**Date:** Enter today's date.

**Project/Site Name:** The Project/ Site Name should be a unique or distinguishing name (e.g., not Proposed Subdivision).

**NOTE:** DHEC must be notified in writing if the Project/ Site Name changes.

**County:** If the project is in multiple counties, list the county in which the majority of the site is located. If part of the project is in the SCCZ, then list the coastal county in which the majority of the site is located and submit the project to CSWP; see the "Where to File" section. List the other counties in which the site is located in the C-SWPPP.

**Prior Approved NPDES Permit Number (Major Modification or Change of Information Only):** Provide the NPDES permit number (SCR number) or File Number previously assigned to the project or LCP.

**Expedited Review Program (ERP):** For additional information about ERP, see the ERP website <http://www.scdhec.gov/environment/water/swater/expeditedReview.htm>. DHEC will notify the Project Owner/ Operator if the project is selected for review in the ERP. There are additional required fees for participation in this program; these ERP fees should not be submitted until DHEC has notified the Project Owner/ Operator that the project was selected for participation in the ERP. **In the SCCZ, please note that projects impacting Geographic Areas of Particular Concern (GAPCs) and/or wetlands may not be eligible for participation. Consult OCRM staff.**

I. **Notice of Intent (NOI) Application Type(s)** (See Section 2.4 of CGP for submission deadlines and notification requirements)

A. **Project (Application) Type** - Select ALL applicable application types that best describe your project or application. Section 2 of the Construction General Permit (CGP) may be reviewed for further information on each type of application listed in this section. As an example, if your project is one that is a new startup, then "New Project" should be selected. If your project is a new startup that will be located in Beaufort County, that will also be expedited, then "New Project", "OCRM Project Review", and "Expedited Review Program" should each be selected to describe your application. To determine if the project design is considered to be above regulatory requirements or Low Impact Development, see the "Expedited Review Standard Operating Procedures" document. If **none** of the application types listed in this section apply or clearly define the intent of your project, select "Other" and provide specific details that clearly describe the intent of your NOI application.

**NOTE:** DHEC must be notified in writing within fourteen (14) business days of a new Owner (person, lending institution, government institution, etc.) taking title to or ownership of a prior approved ongoing NPDES construction project/site. A new Property Owner must complete all applicable sections of Form A (Transfer of Ownership) and submit this form to the Department or respective MS4 with the NOI application. Written notification is also required when the Owner or Developer's company name changes for a prior approved construction permit.

**NOTE:** Major Modifications allowed by the Department are listed in Section 3.1.7 of the CGP. If your project is a major modification, complete Form B, Fee Schedule C, and applicable sections of the NOI per directions identified on Form B. Please note that Section V (Waterbody Information) of the prior approved NOI must be reviewed for changes prior to submitting any modification request to the Department. If changes have occurred, identify as Change of Information on the NOI form and provide the revised information in this section. Attach a detailed Narrative and revised C-SWPPP documents to the major modification request.

A. **MS4 Reviewer and MS4 Operator** - If this project is located inside a Municipal Separate Storm Sewer System (MS4) and must be reviewed and approved by a MS4 entity prior to submission to DHEC, then select "MS4 Project Review" as application type in Item A and provide the names of the entities that will perform the review and the MS4 Operator. Urbanized area boundary maps are available at <http://cfpub.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=SC>. See the following website for information about MS4s: <http://www.scdhec.gov/environment/water/swmsms4.htm>. Note: Some MS4s have increased their review jurisdiction boundaries beyond the original urbanized area map. Please confirm with the appropriate MS4 regarding review jurisdiction.

### II. **Primary Permittee Information**

Identify whether the Primary Permittee is a person or a company. If a company, identify if it is a lending institution or government entity. Provide the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service for the company. The EIN is commonly referred to as the taxpayer ID. If the company does not have an EIN (e.g., single member LLC, sole proprietorship), **DONOT list a Social Security number**

- A. **Primary Permittee Name** - Provide the complete, legal name of the person or entity (company) that will be the Primary Permittee (Owner/Operator, O/O) for the project. If a person, provide the Title or Position. If a company, provide the complete, legal name of the company. Do not list the D/B/A (Doing Business As) name. **NOTE: If S.C. Department of Transportation (SCDOT) is the O/O, this NOI form (Form 2617) should NOT be used.** Provide the complete mailing address of the person/company identified in II.A as the Primary Permittee.
- B. **Contact/ODSA Name** - Complete if different from II. A or O/O is a company. Provide the complete legal name of the person identified as the Contact or Operator of Daily Site Activities (ODSA) for the project. This can be someone other than the person that has signatory authority for the company. Often the Contact person is also referred to as the ODSA. Provide the complete mailing address for the person, other than the permittee, the Department may contact. This address can be different from the mailing address entered for the O/O.
- C. **Property Owner Name** - If different from II.A or B, list the complete, legal name of the current Property Owner(s) of the site. Enter the complete mailing address for the Property Owner. **NPDES coverage will be issued to the Primary Permittee identified in Section II.A, not the Property Owner, unless same entity.** If there are multiple Property Owners, attach additional sheets with all information requested in Section II.C.

### III. **Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information**

- A. **C-SWPPP Preparer Name** - Provide the name of the C-SWPPP Preparer for this project.
- B. **Registered Professional** - Identify whether the C-SWPPP Preparer is a Registered South Carolina Professional Engineer, Tier B Surveyor, or Landscape Architect. For projects disturbing more than 2 acres, the C-SWPPP preparer must be one of the listed professionals or federal government employee as described in Title 40, Chapter 22, and as required and allowed by the qualified individual's respective act and regulations. In the **SCCZ**, projects that are located within 2 mile of a CRW and that involve greater than 0.5 acres of land disturbance, the C-SWPPP preparer must be one of the listed professionals or federal government employee as described in Title 40, Chapter 22, and as required and allowed by the qualified individual's respective act and regulations.
- C. **Company/Firm Name** - Provide the complete, legal name of the company and S.C. Certificate of Authorization (S.C. COA number). Enter the complete mailing address. DHEC may contact the C-SWPPP Preparer via email. See the following websites for information about COA requirements for Landscape Architecture firms <http://www.dnr.sc.gov/land/LandscArch/LALicense.html> and Engineering and Surveying firms <http://www.ldr.state.sc.us/POL/Engineers/>. Enter N/A for S.C. COA if the firm is not required to have a COA.

### IV. **Project/Site Information**

- A. **Type of Construction Activity (ies)** - Select **ALL** activity types that best describe the development proposed for the site. "Institutional" includes schools and other publicly owned projects, except linear projects. "Site Preparation" includes clearing, grubbing, and grading only; no new impervious areas should be proposed if this activity type is selected. If none describe the development, then select "Other" and list the activity.
- B. **Site Address/Location** - List the site address. If the site address is unknown, list the road name(s) on which the site is located, the nearest intersection, or other detailed description of the site location. List a city/town only if the site is within the city/ town limits. List zip code (if known). Provide the latitude/longitude and tax map numbers. See the following website for assistance in obtaining latitude/ longitude coordinates: [http://www.epa.gov/tri/report/siting\\_tool/index.htm](http://www.epa.gov/tri/report/siting_tool/index.htm). Latitude (from 32° to 35°) and longitude (-78° to -83°) should be for the center of the site. Minutes (') and seconds (") should be from 0 to 59. Identify the lat/long data source.
- C. **Indian Lands** - Identify if this site is located on Indian lands.
- D. **Proposed Start Date/Completion Date** - Provide proposed project start and completion dates.
- E. **Disturbed Area/Total Area** - Enter the disturbed area for the project and the total area for the site. The disturbed areas must be **rounded to the nearest tenth of an acre**. For subdivisions, if the exact build-out is not known, the disturbed area can be estimated using the following equation:  

$$\text{Disturbed area} = 2(\text{Maximum Footprint of House})(\# \text{ of lots}) + \text{Road/ Right-of-Way areas} + \text{Other easements/ disturbance.}$$
**NOTE:** Provide written notification if the actual disturbed area exceeds the disturbed area on the approved NOI.
- F. **Modification Only: Change to Disturbed Area** - If your modification to a prior approved project will increase or decrease the disturbed area, complete this section and see Section I of the Instructions. Enter the current approved disturbed area and proposed increase (+) or decrease (-) to the disturbed area. If no change, enter 0.0. Enter the new total disturbed area (after change). Round each entry to the nearest tenth of an acre.
- G. **Larger Common Plan for Development or Sale (LCP)** - The plan in LCP is "broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot." [63 Federal Register No. 128, July 6, Page 6 1998, p. 36491] For example, if master calculations have been prepared and/ or submitted for an entire site, then all phases and parcels at that site would be considered part of an LCP. If the site is part of a subdivision, industrial park, commercial park, etc., then it is considered to be part of an LCP. List a unique, distinguishing LCP/ Overall Development name. This name should not reference a specific phase. This LCP/ Overall Development name should also be listed on all NOIs for future projects that are part of this LCP, including subsequent phases. Check the box if this is the first phase of the LCP. List the previous state permit/ file number and previous NPDES coverage number if applicable. (**DO NOT** enter SCR100000). If not known, contact the Department for assistance.



- H. **Flooding Problems** - Identify whether flooding problems exist on the site, or downstream or adjacent to the site. If yes, provide detailed explanation of the extent and impact in your C-SWPPP. **NOTE:** All C-SWPPP applications must include a Floodway Map/FEMA Flood Insurance Map (See Checklist) with an outline of the project boundary on the map. **NOTE:** The Department does not regulate the placement of fill in floodplains. Contact local city or county official.
- I. **Active S. C. DHEC Warning Notice/Notice to Comply/Notice of Violation** - Select yes if DHEC has issued a Warning Notice, Notice to Comply, or Notice of Violation for the site or any site within the LCP. Provide additional information about the Notice (e.g., Order number) and a copy of correspondence with DHEC regarding the Notice in your C-SWPPP.
- J. **State and Federal Environmental Permits or Approvals** - List relevant state and federal permits applied for. See §122.21(f) of S.C. Regulation 61-9 <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> for a list of permits, approvals, and programs that should be considered. If inaccurate, NPDES coverage may be invalid.
- K. **Waiver(s)** - Identify any waivers requested for your project or construction site. Provide details and required justifications in the C-SWPPP.

## V. **Waterbody Information**

### A. **Receiving Waterbody(s)(RWB) Information**

1. The **Nearest** receiving waterbody (RWB) is the nearest Waters of the State (WoS). See definition in §122.2 of S.C. Regulation 61-9 - <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> to which the site's stormwater discharges will drain. The nearest RWB must be listed in reference to a named waterbody, if the RWB is unnamed. For example, if the site's stormwater discharges drain to a stream on the site, then the nearest RWB would be the stream. If the stream is not named, then determine the nearest named waterbody (e.g., Grove Creek) into which the stream will flow and list the nearest RWB as a tributary to the named waterbody (e.g., Tributary to Grove Creek). Then, the **Next Nearest** named RWB would be Grove Creek. If the site's stormwater discharges drain to multiple waterbodies, then list all such waterbodies; attach additional sheets, if necessary.
2. Provide the **distance**, in feet to each receiving waterbody.
3. Provide the **classification** for each named waterbody. See S.C. Regulation 61-69 (<http://www.scdhec.gov/environment/water/regs/r61-69.pdf>) for a list of classifications of waterbodies within S.C. If the nearest RWB is unnamed, then search the document for the nearest named RWB. If the nearest, named RWB is not listed, then continue searching the document for the next, named waterbody, proceeding downstream from the site. For example, a site in Anderson County drains to a tributary of Hornbuckle Creek, then to Hornbuckle Creek, then to Middle Branch, and then to Brushy Creek/ Big Brushy Creek. First, search the document for Hornbuckle Creek, then Middle Branch, then Brushy Creek. Because there are 3 listings for Brushy Creek, the next, named waterbody (Saluda River) must be determined. Note that the county for this record for Brushy Creek is listed as Pickens because the headwaters of Brushy Creek are in Pickens County. The classification of the tributary to Hornbuckle Creek is "FW-Freshwaters".
4. **SCCZ Only:** Provide the **Coastal Receiving Water (CRW)** to which the site's stormwater discharges will drain. This distance is used to determine permitting requirements. Coastal Receiving Water is defined as a receiving water body as defined in the *Policies and Procedures of the South Carolina Coastal Zone Management Program*, updated July 1995. This includes all regularly tidally influenced salt and fresh water marsh areas, all lakes or ponds which are used primarily for public recreation or a public drinking water supply, and other water bodies within the coastal zone, excluding wetlands, swamps, ditches and stormwater management ponds which are not contiguous via an outfall or similar structure with a tidal water body.
5. Provide the distance, in feet to the CRW. **Classification of RWB is not applicable for CRW.**

### B. **Waters of the U.S./State Information** (See Section 2.6.2 thru 2.6.6 of the CGP)

1. Complete the **"On the Site?"** column for items a-d. If yes is selected for that column, then the next 3 columns must be completed. If there are other waters of the U.S./ State (WoS) on the site not listed in items a and b (e.g., stream, river, lake, pond), then list those in item c. Jurisdictional wetlands are under ACOE jurisdiction.
2. **Delineation** means identification by U.S. Army Corps of Engineers (USACOE) or wetlands consultant. Also, see the checklist for information about delineation requirements. If there are WoS within 100' of the disturbed area that were not delineated/identified, then explain this in the narrative; this includes WoS that are not on the project site but are within 100' of the disturbed area. **For Direct Critical Area in the SCCZ**, delineation means identification by OCRM or wetlands consultant. OCRM staff may require identification of Direct Critical Area by OCRM staff as part of its Coastal Zone Consistency review.
3. **Impacts** - If construction activities will occur in and/ or will impact WoS, then select yes for "Impacts?"
4. **Amount of Impacts** - List the amount of impacts to WoS. Provide an additional, separate plan sheet that shows all WoS on the site and the impacted areas. If there are proposed impacts to WoS, please contact USACOE (866-329-8187) and S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section (803-898-4300) to determine additional requirements before submitting this NOI. In the **SCCZ**, also contact S.C. DHEC OCRM Wetlands Section (843-953-0200). **Please note that it is the Project Owner/ Operator's responsibility to ensure that all WoS are shown and identified in the C-SWPPP. See Sections 2.6**
6. **If yes for impacts in B.3, describe each impact and activity, and list all permits** (e.g., U.S. Army Corps of Engineers (USACOE) Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact. Describe the activity(s), whether the impact is permanent or temporary, and any other relevant information. Provide a copy of all permits and certifications for and correspondence with USACOE and DHEC for the impacts. Include all plats referenced in the permits or correspondence.



**C. S.C. Navigable Waters (SCNW) Information**

1. **Are SCNW on the site?** See <http://www.scdhec.gov/environment/water/navwater.htm> for the definition of SCNW and other information related to SCNW. Or, contact S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section at (803) 898-4300 for assistance determining the navigability of the waters on your site or with questions related to SCNW. **If yes to C.1, list the name of the SCNW.** If the SCNW is not named, then provide a description that references the nearest, named waterbody (e.g., tributary to Grove Creek). **If no to C.1, do not complete questions C.2 thru C.3 of this section.**
2. If yes to C.1 and construction activities proposed by your project will cross over or occur in, under, or thru the SCNW, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.). This includes temporary and permanent crossings with roads, utility lines, etc.
3. Identify permits providing SCNW Activity(ies) coverages for your site.
  - a. Identify proposed activities covered under a DHEC General Permit or other DHEC permit. Identify permit number(s) and corresponding activities covered under each. See the following website for a list of DHEC General Permits for activities in some SCNW: <http://www.scdhec.gov/environment/water/docs/gp/gp.xls>. See the "Notes" column to determine what types of activities are covered under each permit.
  - b. Identify **USACOE 404 Permit or 401 Certification** issued for the site. Identify permit number(s) or certification(s) and corresponding activities covered under each.
  - c. If applicable, identify the date the **SCNW permit** was applied for. Identify whether the permit applied for will cover ALL activities listed in C.2 of some activities listed in C.2. List covered activities.
  - d. If a **SCNW permit** has NOT already been applied for or issued for all of the activities in SCNW for this site, then those activities and conditions can be addressed during the review of the C-SWPPP, and a separate State Navigable Waters permit is not required. **Provide an additional plan sheet with plan and profile views (drawn to scale) of SCNW and associated activities; include activities description on the plan sheet.**

**D. Impaired Waterbodies Information (Section 3.2.12)**

**NOTE:** The TMDL, 303(d), and Non-Point Source water quality tool is a mapping system showing detailed information on WQMS locations, water quality status, and much more. The tool is available at the following website along with instructions for using the tool: <http://www.scdhec.gov/environment/water/tmdl/>.

**In the SCCZ,** list the nearest upstream and downstream DHEC WQMS(s) and corresponding waterbody(ies). Additionally, shellfish stations only monitor for Fecal coliform bacteria. Include both the nearest shellfish monitoring station(s) and full WQMS(s) on the NOI for both upstream and downstream locations when shellfish monitoring stations are present. If a shellfish monitoring site is not present then you only need to list the full WQMS(s). When a shellfish monitoring station is present, everything but Fecal coliform bacteria needs to be assessed at the full WQMS(s). Shellfish monitoring stations begin with numbers and full WQMS(s) begin with letters.

**1. 303(d) Listed Impaired Waterbodies**

- a. List the **nearest SCDHEC Water Quality Monitoring Station(s)** to which the site's construction stormwater discharges will drain and its **corresponding waterbody**. See the following website for the most current 303(d) List for Impaired Waters and related information: <http://www.scdhec.gov/environment/water/tmdl/>. **NOTE: DHEC has determined that construction SW discharges are expected to contain pollutants causing the following impairments: TURBIDITY, BIO (Macroinvertebrate), TP (Total Phosphorus), TN (Total Nitrogen), Chlorophyll-a, and FC (Fecal coliform) in Shellfish Harvesting Waters in the SCCZ.** Carefully evaluate whether the site's construction SW discharges will contain any pollutants causing other impairments not explicitly listed above. You should also consider previous land uses at the site in answering this question. For example, if the previous land use was a copper processing facility and the impairment at the nearest WQMS is copper, then you should carefully evaluate whether the site's construction SW discharges would contain copper.
- b. Identify whether this **WQMS is listed on the most current 303(d) List**. The 303(d) list is available in Microsoft Excel and Adobe Reader formats. WQMS locations are available for each watershed at the website provided in 1.a as well using the **TMDL, 303(d), and Non-Point Source water quality tool**. To search the 303(d) list to determine whether a WQMS is listed, select "Edit" from the top toolbar of your web browser. Then, select "Find". Enter the WQMS exactly as listed on the map and hit enter. **If none of the WQMS(s) are found, then select "No" and proceed to item V.D.2 (TMDL Impaired Waterbodies). If any of the WQMS(s) are found, then select "Yes" and proceed to item c.**
- c. **If yes for b,** list the impairment(s) or pollutant(s) identified as cause(s) of the impairment (see last column labeled "CAUSE") for the WQMS(s) and proceed to item d.
- d. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). **If no for d, proceed to item V.D.2 (TMDL Impaired Waterbodies). If yes to d and the receiving water is listed on the most current 303(d) List of Impaired Waters** for a sediment or a sediment-related parameter, BIO (macroinvertebrate), turbidity, Total Phosphorous, Total Nitrogen, Chlorophyll-a, or Fecal coliform in Shellfish Harvesting Waters in the SCCZ. You must carefully evaluate all selected BMPs and their performance to ensure that the construction site's Stormwater discharges will not contribute to or cause a violation of water quality standards. **If yes for d and the disturbed area is less than 25 acres,** include an evaluation of the Best Management Practices (BMPs) proposed for the site as described in Section 3.2.12.B(i) of the CGP in the C-SWPPP. **If yes for d and the disturbed area is greater than or equal to 25 acres,** then provide a written qualitative and quantitative assessment of the BMPs proposed in the C-SWPPP for the site as

described in section 3.2.12.B(II) of the CGP. For more information on this subject, please see the DHEC publication entitled "Antidegradation for Activities Contributing to NonPoint Source Pollution to Impaired Waters." This publication can be downloaded at the following DHEC WEB site [www.scdhec.gov/eac/water/pubs/antidegnps.pdf](http://www.scdhec.gov/eac/water/pubs/antidegnps.pdf).

- e. If yes to d, list the "USE" support impairment (AL, FISH, REC, SHELLFISH) affected by the pollutant or impairment listed in item c.
- f. If yes for d, will use of the BMPs proposed for your project ensure the stormwater discharges leaving the site will NOT contribute to or cause further water quality standard violations for the impairment(s) listed in c? NOTE: If your answer to item f is NO, this site is NOT eligible for coverage under the CGP. You may contact the Department to determine if an individual permit application is necessary or you may revise your project to include appropriate Best Management Practices, controls, and procedures to bring your discharge into compliance

## 2. TMDL Impaired Waterbodies

- a. List the nearest SCDHEC water quality monitoring station(s) to which the site's construction stormwater discharges will drain. List WQMS identified in part V.D.1.a of this table.
- b. Identify whether a TMDL is listed for this WQMS. NOTE: See the following website for a list of all WQMS with Approved S.C. Total Maximum Daily Loads (TMDLs): <http://www.scdhec.gov/environment/water/tmdl/>. Select "Approved SC TMDLS", then select "Sites Covered Under an Approved TMDL and Corresponding WQ Attainment Status". Select "Edit" from the top toolbar. Then, select "Find". Enter the WQMS exactly as listed and hit enter.  
If a WQMS is NOT found, then select "No." Stop and proceed to Section VI. If a WQMS is found, then select "Yes" and proceed to item c.
- c. If yes for b, identify and list the impairment(s) or pollutants listed as CAUSE(S) of the impairment (see 7th column labeled "CAUSE") and proceed to item d. If the WQMS(s) is impaired for more than one parameter, then the WQMS will be listed multiple times on successive rows.
- d. If yes for b, identify whether the standard has been ATTAINED for the impairment(s). NOTE: See the 8th column labeled "USE SUPPORT" to determine if the standard has been attained for each impairment for each WQMS. "FULLY SUPPORTED" means the standard has been attained for the impairment listed in the "CAUSE" column. "NOT SUPPORTED" means that the standard has NOT been attained for that impairment. If no for d (the standard has NOT been attained (NOT SUPPORTED) for all impairments for all WQMS(s)), proceed to item e. If yes for d (the standard has been attained for all impairments for all WQMS(s)), proceed to Section VI.
- e. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). If no for e, proceed to Section VI. If yes for e, proceed to f.
- f. If yes for e, are your discharges consistent with the assumptions and requirements of the TMDL(s)? NOTE: If your answer to item f is NO, this site is NOT eligible for coverage under the CGP. You may contact the Department to confirm that adherence to a C-SWPPP that meets the requirements of the CGP will be consistent with the TMDL. Where a TMDL has not specified a WLA applicable to construction stormwater discharges, but has not specifically excluded these discharges, adherence to a C-SWPPP that meets the requirements of the CGP will generally be assumed to be consistent with the approved TMDL. If the TMDL specifically precludes such discharges, the site is not eligible for coverage under the CGP.

## VI. Signatures and Certifications **DO NOT SIGN IN BLACK INK!** The NOI must have original signatures unless the application being submitted to DHEC is one approved by an MS4.

**C-SWPPP Preparer** - The same registered professional must sign and seal the NOI form, C-SWPPP, calculations, and supporting documentation.

**Primary Permittee** - If the Primary Permittee or Project Owner/ Operator is a company, print the name of the person who is signing the NOI for the Owner/ Operator. A person with signatory authority for the Owner/ Operator must sign the application. The C-SWPPP Preparer cannot sign the application for the Owner/ Operator. The C-SWPPP, all reports, including monthly reports, and any information requested by DHEC must be prepared under the direction or supervision of a person with signatory authority for the Owner/ Operator or a duly authorized representative.

See below for a summary and §122.22 of S.C. Reg. 61-9 (Appendix C of the CGP) for complete information about signatory authority requirements.

- Corporation: A responsible corporate officer (e.g., president, vice-president, certain managers)
- Partnership or Sole Proprietorship: A general partner or the proprietor, respectively
- Municipality, State, Federal or Other Public Agency: Principal executive officer or ranking elected official.

***APPENDIX “C”***

**STORMWATER MANAGEMENT AND SEDIMENT & EROSION  
CONTROL PLAN REVIEW CHECKLIST FOR DESIGN  
PROFESSIONALS**

	<p align="center"><b>Stormwater Management and Sediment and Erosion Control Plan Review Checklist For Design Professionals</b></p>	
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This Plan Review Checklist for Design Professionals has been developed to aid those who prepare Stormwater Pollution Prevention Plans (SWPPPs). Adjacent to the heading for most sections are references from the corresponding portion of the NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000), which was issued on October 15, 2012. SWPPP Preparers should not utilize this checklist as a substitute for the language in the permit and should review the permit itself for more information on each specific requirement. The permit may be found at:

<http://www.scdhec.gov/environment/water/swater/docs/CGP-permit.pdf>

In the space provided please indicate the location and page number(s) where each item below can be found in your SWPPP or supporting calculations. If an item is not applicable, put N/A. The Florence County Engineering Division reserves the right to modify this checklist at any time.

**Project Information:**

Project Name: \_\_\_\_\_ County: \_\_\_\_\_

**Checklist Completed by:**

Printed name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PLANS AND MAPS**

**1. CURRENT COMPLETED APPLICATION FORM**

- Original Signature of individual with signatory authority for the applicant according to requirements set forth in R.61-9.122.22 (see Appendix C)
- All items completed and answered
- Fee Schedule
- Note: State and local government projects are not exempt from the plan review fee of \$100 per disturbed acre.

**2. COPIES OF PLANS AND CALCULATIONS**

- Plans stapled together!
- For projects that disturb more than 1 acre or projects that disturb less than or equal to 1 acre but are part of a larger common plan of development or sale (LCP), attached are **ONE** set of plans and supporting documentation (report, calculations, maps, etc.)
- Supporting documentation tabbed (e.g., Maps, Pre-Development calculations) and pages numbered [no loose pages]

**3. LOCATION MAP (3.2.7.A.IV)****Location in C-SWPPP:** \_\_\_\_\_

- North arrow and scale
- Outlined project location
- Labeled road names

**4. PROJECT NARRATIVE (3.2.1)****Location in C-SWPPP:** \_\_\_\_\_

- Scope of project outlined, including a brief description of pre- and post-development conditions
- Summary table of pre- and post-development flows (include 2-year, 10-year, 25-year and 100-year 24-hour storm events)
- Existing flooding problems in the surrounding area described
- Disturbed area calculations included for subdivision projects or LCP disturbing 1 or more acres
  - For subdivisions if the site is not to be mass-graded, the following formula should be used to determine the amount of disturbance:

Amount of Disturbance = 2[Max Restricted Building Size][Number of Lots] + Right of Way (ROW) areas  
{ROW areas include clearing for roads, utilities, easements etc.}

- If this equation is used, include a note on the **plans** stating: "The site is not to be mass-graded. Only 2 times the footprint is to be cleared as the lots are developed. The assumed disturbance on each lot is \_\_\_\_ sq. ft."

**5. TOPOGRAPHIC MAP (3.2.7.A.I)****Location in C-SWPPP:** \_\_\_\_\_

- Project boundary outlined
- Route of runoff from site to nearest waterbody shown
- Road names adjacent to site labeled

**6. SOILS INFORMATION (3.2.7.A.II)****Location in C-SWPPP:** \_\_\_\_\_

- Project boundary outlined
- Predominate soil types found at the site identified on the plans or on a separate map
- Note: Soils information is available from the Natural Resource Conservation Service through their website:  
<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>

**7. FLOODWAY/ FLOODPLAINS(3.2.7.A.III)****Location in C-SWPPP:** \_\_\_\_\_

- Project boundary outlined, if in close proximity to floodplain/ floodway
- Description of any planned disturbance in floodplain

**8. NAVIGABLE WATERS (3.2.4)****Location in C-SWPPP:** \_\_\_\_\_

- Extra plan sheet showing impacts to navigable water and description of activity included if S.C. Navigable Waters (SCNW) crossing and separate SCNW permit has not been obtained for all activities
- Note: For NOIs initially submitted to MS4s /delegated entities, if project has SCNW crossing and if separate SCNW permit has not been obtained for this crossing, then this item will be reviewed by S.C. DHEC before NPDES coverage will be granted.

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## CONSTRUCTION

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### 9. CONSTRUCTION SEQUENCE (3.2.3)

- Construction Sequence should accurately reflect the nature and timing of construction activities for the site
- Sequence should begin with the installation of perimeter controls and end with the removal of sediment and erosion control measures once the site has been finally stabilized
- Address conversion of any temporary sediment control structures to permanent measures (i.e., conversion of a sediment basin to a permanent detention basin)
- Sequence should reflect implementation and transition between each phased plan (see Item 10 below)

### 10. PHASED SEDIMENT & EROSION CONTROL PLANS (3.2.9) Location in C-SWPPP: \_\_\_\_\_

- Phased Sediment and Erosion Control Plans are not required when land-disturbance is 5 acres or less
- For land-disturbance between 5 and 10 acres, a two-phased stormwater management and sediment and erosion control plan is required for all non-linear projects. Each phase must be shown on a separate plan sheet. Plans should address the transition between phases.
  - Phase 1 – Initial Land Disturbance – Must include perimeter sediment and erosion control BMPs required prior to initial/ mass clearing and other appropriate BMPs needed to maintain compliance with the permit. On some sites, this may include appropriate BMPs for demolition of existing structures
  - Phase 2 – Stabilization - Sediment and erosion control BMPs required during the remainder of grading and construction. Must also include appropriate BMPs for stabilization – grassing, inlet protection, etc.
- For land-disturbance greater than 10 acres, a three-phased stormwater management and sediment and erosion control plan is required for all non-linear projects. Each phase must be shown on a separate plan sheet. Plans should address the transition between phases.
  - Phase 1 – Initial Land Disturbance – Must include perimeter sediment and erosion control BMPs required prior to initial/ mass clearing and other appropriate BMPs needed to maintain compliance with the permit. On some sites, this may include appropriate BMPs for demolition of existing structures
  - Phase 2 – Construction - Sediment and erosion control BMPs required during the majority of grading and construction activities.
  - Phase 3 – Stabilization - Sediment and erosion control BMPs required near the completion of the construction project. Must also include appropriate BMPs for stabilization – grassing, inlet protection, etc

### 11. WATERS OF THE STATE, INCLUDING WETLANDS (3.2.4.C) Location in C-SWPPP: \_\_\_\_\_

- Delineation of all waters of the State (WoS), including wetlands, shown and labeled on plans (delineation not required if a 100-ft undisturbed buffer can be maintained between the WoS and all land-disturbing activities)
- Additional, separate plan sheet that shows all WoS on the site and the impacted areas with a description of the activity(s), whether it is permanent or temporary, and any other relevant information.
- If impacts to WoS, outlined areas of impacts and labeled that no work can begin in this area until all necessary USACOE permits, SCDHEC 401 Certifications, and Critical Area Permits (Coastal Zone only) have been obtained and are effective.
- Note: If there are proposed impacts to WoS, then it is advised that you contact USACOE (866-329-8187) and/ or S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section (803-898-4300) to determine additional requirements before submitting the Notice of Intent (NOI).
- Note: If WoS are to be impacted, work cannot be performed in these designated areas until all necessary permits have been acquired
- Note: If a USACOE permit is required for construction of or access to a temporary or permanent stormwater management structure, NPDES permit coverage cannot be granted until the USACOE permits and S.C. DHEC 401 Section certifications are obtained.

**12. BUFFERS – SEE GUIDANCE DOCUMENT (3.2.4.C) Location in C-SWPPP: \_\_\_\_\_**

- Select Compliance Option A, B, or C and provide appropriate documentation
  - Double row of silt fence provided in all areas where a 50' undisturbed buffer cannot be maintained between the disturbed area and the WoS
  - Minimum 10' maintenance buffer provided between last row of silt fence and WoS; or, if buffer not provided, then statement from P.E. on plans indicating how silt fence will be installed and maintained without impacts to WoS
- Ensure discharges into a buffer zone are non-channelized and non-concentrated to prevent erosion, and first treated by the construction site's sediment and erosion controls
- Ensure any velocity dissipation measures implemented within a buffer zone comply with 3.2.4.C.III. (d)
- Florence County Engineering Division recommends a minimum 20-foot buffer between a sediment trap/basin and WoS.

**13. FLOW CONTROL (3.2.10) Location in C-SWPPP: \_\_\_\_\_**

- Control stormwater volume and velocity within the site during construction to minimize erosion within the site
- Control stormwater rates and volume at outlets during construction to minimize erosion to downstream channels and stream banks

**14. SEDIMENTOLOGY & SEDIMENT BASIN/TRAP DESIGN (3.2.8.IV AND 3.2.6.A.II)**

**Location in C-SWPPP: \_\_\_\_\_**

- Provide a drainage area map outlining the area contributing to sediment basins, traps, and rock sediment dikes
- Trapping efficiency calculations showing that all sediment basins/ traps are capable of achieving a sediment trapping efficiency of at least 80% for the 10-year, 24-hour storm event, if more than 10 disturbed acres drain to a common point (stream, lake, etc.)
- Sediment basins provide storage for the 10-year, 24-hour storm event for disturbed conditions or 3600 ft<sup>3</sup>/ acre draining to the basin, if more than 10 disturbed acres drain to a common point (stream, lake, property line, etc.)
- Sediment traps only used for drainage areas of less than 5 acres
- Sediment trap storage calculations, showing that 1800 ft<sup>3</sup>/ total acre draining to each trap is provided below the spillway
- If trapping efficiency calculations are required for sediment traps, then provide peak outflow,  $q_{po}$ , calculations; the 10-year, 24-hour storm event for construction conditions cannot overtop the trap's spillway
- Sediment basins and traps designed for total area draining to them
- Curve Number for construction analysis needs to reflect construction/ disturbed conditions. Curve Numbers for newly-graded areas are:
  - Hydrologic Soil Group "A": 77
  - Hydrologic Soil Group "B": 86
  - Hydrologic Soil Group "C": 91
  - Hydrologic Soil Group "D": 94
- Drainage area map outlining the area draining to each basin/trap. Copies of figures used to determine  $V_{15}$  (SV-1) and trapping efficiency (ST-1, SB-1, SB-2), if Design Aids from BMP manual are used to determine trapping efficiencies. Design Aids from the BMP Manual are not appropriate for BMPs designed in series and modeling is required in those instances.
- When multiple D15 values exist for an area, use the soil type with the smallest D15 for the appropriate depth to determine the settling velocity,  $V_{15}$ . Do not use an average D15.
- Sediment basins must dewater via an outlet structure that pulls water from the surface. Options for this include skimmers and flashboard risers. Surface dewatering is not required for traps.
- Porous baffles must be provided in sediment basins
- Forebays must be installed, unless infeasible
- Public Safety should be taken into consideration as a factor in design of sediment basins. Alternative BMPs must be utilized where a construction site limitations would preclude a safe design
- Silt fence only used in areas with drainage areas of less than ¼ acre per 100 LF of fence and not used in areas with concentrated flows

- Clean-out stake, marked at 1/2 the designed sediment storage depth, provided in all sediment basins/ sediment traps

#### **14. SEDIMENTOLOGY & SEDIMENT BASIN/TRAP DESIGN (cont'd)**

- Note: Consult the BMP Handbook for information on the design of these and other devices.
- Note: The Design Aids in the BMP Handbook cannot be used to determine trapping efficiencies for structures in series. If the flow for the 10-year, 24-hour storm for construction conditions overtops the structure or the structure's spillway, then the Design Aids cannot be used.
- Note: SedCAD users please refer to the memo regarding the input of outlet structures.

#### **15. CONVEYANCE MEASURES AND STABLE CHANNELS (3.2.6.A.III) Location in C-SWPPP: \_\_\_\_\_**

- All channels and diversion ditches able to handle the 10-year storm event with non-erosive velocities of less than 5 feet per second during construction (use appropriate CN for disturbed areas) and post-construction (if velocity exceeds 5 ft/s, then permanent measures to reduce the velocity to a non-erosive rate must be provided)
- Stabilization of conveyance channels is to be completed within 7 days of channel construction
- Rock check dams provided in temporary diversions
- Installation detail for erosion control blanket (ECB) or turf reinforcement matting (TRM) if ECBs or TRMs to be used
- Temporary conveyance channels should be utilized to divert concentrated stormwater flows from running onto and within the disturbed area

#### **16. INLET PROTECTION (3.2.6.A.II(a) and (b))**

**Location in C-SWPPP: \_\_\_\_\_**

- Provided at all inlets (existing and proposed)
- Inlet protection details provided for pre-paving and after roadways have been paved
- Hay bales are not acceptable
- Steel posts and buried fabric shown for filter fabric inlet protection. Wood posts are not allowed
- Note: FCED recommends that an inlet not have more than one (1) acre draining to it.

#### **17. ENERGY DISSIPATORS/ OUTLET PROTECTION (3.2.10)**

- All outlets stabilized with appropriately sized riprap apron or other structure
- Riprap detail shows apron dimensions and stone sizes for each pad or each pipe diameter
- Filter fabric installed beneath all riprap
- Note that appropriate outlet protection and energy dissipation is also required for post-construction

#### **18. SLOPES AND/ OR EMBANKMENTS (3.2.6.A.III(e) and 3.2.10) Location in C-SWPPP: \_\_\_\_\_**

- All slopes stabilized
- Minimize Disturbance to Steep Slopes (3H:1V) or greater
- Divert concentrated flows around steep slopes using slope drains or temporary diversions
- Utilize appropriate measures to prevent erosion (erosion control blankets, surface roughening, terracing, etc.)
- Slope drains designed in accordance with the BMP Handbook
- Slope drains provided where concentrated flows discharge onto a fill slope
- Note: Measures, in addition to grassing or hydroseeding, include synthetic or vegetative matting, diversion berms, temporary slope drains, etc.
- Note: If retaining walls or fill slopes are to be constructed at the downstream property line, FCED recommends a 10' buffer to allow for construction and maintenance. If a 10' buffer is not provided, then provide permission from the adjacent property owner for possible land-disturbing activities on his property.

#### **19. UTILITY LINES Location in C-SWPPP: \_\_\_\_\_**

- Limits of disturbance include areas necessary for installation of all utilities (cable, electrical, natural gas, water and sewer), as appropriate
- For instances where the location of cable, electric, and natural gas has not been determined at the time the SWPPP is developed, SWPPP preparer may include a note that the installation of these is to be within the



## 19. UTILITY LINES (cont'd)

permitted limits of disturbance and that installation outside of these areas will require a modification to the permit

- Inlet protection provided at all existing inlets that receive flows from the disturbed areas; also add this as a note on the plans
- For all utility lines crossing WoS, narrative and detail showing sediment and erosion control measures provided on plans
- Note for construction entrances to be provided at all locations where construction traffic accesses a paved roadway

## 20. TMDL/ 303d IMPAIRED WATERBODIES (3.2.12)

Location in C-SWPPP: \_\_\_\_\_

- List the nearest S.C.DHEC Water Quality Monitoring Station (WQMS) that the site's stormwater discharges drain to and the waterbody on which it is located: \_\_\_\_\_

- Qualitative and quantitative assessment (described in Section 3.4C of SCR100000), if nearest WQMS listed on the current 303(d) List of Impaired Waters **and** if site's stormwater construction discharges contain the pollutant of impairment **and** if site disturbs 25 or more acres
- Evaluation of selected BMPs if nearest WQMS listed on the current 303(d) List of Impaired Waters **and** if site's stormwater construction discharges contain the pollutant of impairment **and** if site disturbs less than 25 acres
- Pollutants of concern include TURBIDITY, BIO(Macroinvertebrate), TP(Total Phosphorus), TN(Total Nitrogen), and Chlorophyll-A. Coastal Counties Only: Fecal Coliform (FC) in shellfish harvesting waters
- Link to Water Quality Information Tool and Instructions:  
<http://gisweb00.dhec.sc.gov/water/Stormwater.html?mode=1>
- If Approved TMDL developed for nearest WQMS **and** if site's stormwater construction discharges contain the pollutant of impairment, showed that measures **and** controls on SWPPP met assumptions and requirements of TMDL (may need to contact Watershed Manager for assistance)
- For TURBIDITY, BIO(Macro invertebrate) consider inclusion of BMPs to reduce sediment load such as: sediment traps and basin designed to meet 80% sediment removal efficiency (regardless of size), additional measures to stabilize site, limited clearing and grading
- For TP(Total Phosphorus), TN(Total Nitrogen), and Chlorophyll-A consider inclusion of BMPs to reduce nutrient load. This could include limited clearing and grading, soil samples for to determine nutrient requirements during grassing
- For Fecal Coliform (FC) in shellfish harvesting waters, this may include location of porta-johns and waste receptacles
- Note: To ensure sufficient Water Quality Monitoring Stations are selected to assess all of the identified parameters for construction stormwater, include monitoring stations that contain assessments for the first twelve parameters. Some stations only assess one parameter and should not be relied upon for the entire 303(d)/TMDL assessment for construction stormwater discharges. In addition, fecal coliform (for Shellfish Harvesting waters) must be assessed within the coastal critical area and nutrients and/or chlorophyll must be assessed in lakes/reservoirs

## POST-CONSTRUCTION

### 21. HYDROLOGIC ANALYSIS (3.2.8.A.II)

Location in C-SWPPP: \_\_\_\_\_

- Pre- and post-developed hydrologic analysis calculations for the 2- year, 10-year, 25-year and 100-year 24-hour storm events at each outfall point
- Drainage area maps that clearly correspond to the calculations (pre- and post-development)
- Analysis points for comparing runoff rates and the total drainage area analyzed do not change from pre- to post-development, although the immediate drainage areas contributing to each analysis point might shift.
- Post-development discharges less than pre-development discharges for each outfall point (if not, then see "Detention Waiver" section below)
- Analysis performed using SCS 24-hour storm Type II Storm (Rational method is not acceptable)
- Rainfall data from South Carolina DHEC Storm Water Management BMP Handbook (BMP Handbook) used in all calculations

	2 Year	10 Year	25 Year	50 Year	100 Year
Florence Co. (North)	3.5	5.4	6.7	7.9	9.2
Florence Co. (South)	3.7	5.6	7.0	8.2	9.6

- Note: The curve number for open water, marshes, etc. should be 98.

### 22. DISCHARGE POINTS (3.2.6.A.III)

Location in C-SWPPP: \_\_\_\_\_

- Storm drainage or pond outfalls carried to an existing drainage outfall such as a pipe, ditch, etc.
- No new point discharges onto adjacent property where there was not a point discharge previously, unless written permission from the adjacent property owner is provided
- Level spreaders, plunge pools, etc. provided when the proposed outlet is near the property line and not directed to an existing outfall, such as a creek or ditch
- Twenty (20)-foot minimum buffer is provided between the property line and the discharge point
- Outlets shall not discharge on fill slopes
- Note: This requirement also applies during construction.

### 23. DETENTION ANALYSIS/DESIGN (3.2.8.A.III)

Location in C-SWPPP: \_\_\_\_\_

#### • Analysis

- Pond routing using a volume-based hydrograph for the 2-year, 10-year, 25-year and 100-year SCS 24-hour storm event (Drain:Edge, ICPR, HEC-1, SedCAD, HYDRAFLOW, etc. perform full pond routings; TR55 does not perform a full pond routing; rational method cannot be used)
- Hydrologic and hydraulic calculations necessary to determine the impact of hydrograph timing modifications of the proposed land-disturbing activity, with and without the detention structure (results of analysis will determine the need to modify the detention design or eliminate the detention requirement—see note 2 below)
- Inputs and outputs from analysis program
- Summary table of the peak inflows, peak outflows, discharge velocities, and maximum water surface elevations (WSE) for the 2-year, 10-year, 25-year and 100-year 24-hour storm events for each detention structure
- Stage-storage-discharge relationship for the outlet structure of each detention structure
- If a rating curve for the outlet structure must be generated externally from the analysis program (Drain:Edge, HEC-1, etc.), data and equations used to rate the outlet structure
- As-built of existing detention pond if the site drains to an existing detention pond (see below)
- Note: SedCAD users please refer to the memo regarding the input of outlet structures.
- Note: FCED recommends using the 10% rule in performing analysis. The hydrologic analysis should be conducted for the larger drainage area, where the site in question encompasses 10% of the total drainage area. For example, if your site is 10 acres, then the hydrologic analysis should be performed at the point downstream where the contributing drainage area, including your 10-acre site, is approximately 100 acres.

- **Design**

- Detail of outlet structure and cross-section of the dam/ berm or pond bank, including elevations and dimensions that correspond to the calculations
- Orifice constructability should be considered (do not specify orifice diameters with increments of less than 1/4")
- Small orifices (those less than 3") are prone to clogging
- Maximum WSE for the 25-year storm event below the emergency spillway with 0.5-ft of freeboard between maximum WSE for the 25-year storm and the emergency spillway
- Maximum WSE for the 100-year storm event below the embankment with 0.5-ft of freeboard between maximum WSE for the 100-year storm and the embankment
- Dewatering time calculations for the 10-year storm event (dry ponds must drain completely within 72 hours)
- Bottom of all detention and retention ponds graded to have a slope of not less than 0.5%
- If the pond is to be used for sediment control during construction, temporary horseshoe-shaped riprap berm in front of any low level outlets provided during construction and shown on the pond detail
- Permanent maintenance access to all permanent detention structures (easements may be needed for structures surrounded by lots)
- Infiltration systems designed in accordance with S.C. Reg. 72-307.C(11) [specify how items a-j have been addressed]
- Low Impact Development measure, bioretention cells, infiltration, and other post-construction practices should be installed only **after** the drainage area to these practices has been stabilized
- Note: Emergency spillways should not be built on fill slopes.
- Note: FCED recommends installation of a trash rack or other debris-screening device on all pond risers.
- Note: FCED recommends a maximum slope of 3:1 on pond embankments to allow for ease of maintenance.
- Note: FCED recommends installation of sediment forebay at each outfall into the detention/ sediment basin. This is a requirement during construction.

#### **24. AS-BUILTS (3.2.8.A.VI) Location in C-SWPPP: \_\_\_\_\_**

- Provided for all previously approved detention ponds that will receive flows from new construction
- Prepared by a South Carolina Licensed Land Surveyor
- Grades/ contours/ depths for pond
- Elevations and dimensions of all outlet structures, including:
  - Pipe and orifice inverts and diameters
  - Weir elevations and dimensions
  - Riser dimensions and elevations
  - Emergency spillway dimensions and elevations
  - Locations and inverts for all pipes discharging into the pond
- If the elevations or dimensions of the structures listed above do not match those used in the approved plans, certification statement signed by the project's Registered Engineer indicating that the pond, as built, will function within all applicable standards provided [new analysis of the pond (routing) may be necessary]
- Note: As-built survey and /or analysis must be submitted and accepted by FCED before Notice of Termination (NOT) is submitted.

#### **25. PERMANENT STORMWATER MANAGEMENT STRUCTURE MAINTENANCE (4.3.B)**

##### **Location in C-SWPPP: \_\_\_\_\_**

- Signed agreement from the responsible party accepting ownership and maintenance of the structure
- If maintenance responsibility is transferred after NPDES coverage is granted, an updated agreement should be submitted with the Notice of Termination
- Description of maintenance plan to be used
- Schedule of maintenance procedures (e.g., every 6 months)
- Detailed or manufacturer-specific maintenance items for proprietary control devices (oil-water separators, etc.), underground detention structures, exfiltration systems and non-traditional stormwater controls (constructed wetlands, bioretention, etc.)

- Typical maintenance items to be addressed
  - Grass to be mowed
  - Trees to be removed from within the pond and on the embankment
  - Trash and sediment to be removed from inside of and around the pond outlet structure
  - Orifices to be cleaned and unclogged
  - Outlet pipe to be cleaned, inspected, and repaired
  - Sediment accumulation to be removed from pond
  - Pond bottom to be regraded to provide proper drainage towards the outlet discharge point
  - Energy dissipator to be cleaned and repaired
  - Emergency spillway, if applicable, to be inspected and repaired
  - Erosion on side slopes, if present, to be addressed
  - FCED must be notified in writing of any changes in maintenance responsibility for the stormwater devices at the site (include this statement in agreement).
- Note: If the entity or person with maintenance responsibility changes, then a new maintenance agreement, signed by the new person responsible for maintenance, must be provided to the Department. If a new, signed maintenance agreement is not provided to the Department, then the entity/ person who signed the most recent maintenance agreement on file with the Department will be considered the responsible entity.

**26. DETENTION WAIVER      Location in C-SWPPP: \_\_\_\_\_**

- Note: If the 2-year, 10-year and 25-year, 24-hour post-developed flow rates exceed the pre-developed rates, waivers from detention may be granted in accordance with regulation 72-302(B) on a case-by-case basis
- Justification and a written request, including the following statement: "the increased flows will not have a significant adverse impact on the downstream/adjacent properties"
- A project may be eligible for a waiver or variance of stormwater management for water quantity control if the applicant can demonstrate that:
  - The proposed project will have no significant adverse impact on the receiving natural waterway or downstream properties; or
  - The imposition of peak control requirements for rates of stormwater runoff would aggravate downstream flooding
- Waiver signed by the project's Professional Engineer
- Note: See note in checklist item 23 regarding the 10% rule.

**27. PERMANENT WATER QUALITY REQUIREMENTS (3.2.8.A.IV)      Location in C-SWPPP: \_\_\_\_\_**

- Permanent water quality addressed
  - Wet ponds designed to catch the first ½" of runoff from the entire area draining to the pond and release it over at least a 24-hour period
  - Dry ponds designed to catch the first 1" of runoff from the entire area draining to the pond and release it over at least a 24-hour period
  - Infiltration Practices designed to accept, at a minimum, the first 1" of runoff from all impervious areas and designed in accordance with S.C. Reg. 72-307.C(11)  
[specify how items a-j have been addressed]
  - For areas not draining to a pond or infiltration practice, show how permanent water quality requirements were addressed
- Water quality orifices should be a size that is conducive to proper operation and maintenance. Orifices less than 3" in diameter are prone to clogging
- Waters of the U.S./State are not used for permanent water quality control (alternative means of treatment must be used if an existing pond is to be used for water quantity control).
- Note: Other non-traditional stormwater controls such as Bioretention areas, constructed wetlands, etc. may be used. Consult the BMP Handbook for information on the design of these devices.
- Note: Pre-fabricated or proprietary treatment devices are approved on a case-by-case basis if adequate removal efficiency can be demonstrated. Provide pollutant removal efficiency data, preferably from a third-party testing company. Type of system selected should be based on the ability to remove the pollutants of concern in that area/situation (bacteria, hydrocarbons, etc.).

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## OTHER REQUIRED INFORMATION

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### 28. SITE PLANS CHECKLIST

- Location map with site outlined on first plan sheet (map should have enough detail to identify Surface Waters of the State within 1 mile of the site)
- North arrow and scale
- Property lines and adjacent landowners' names
- Legend
- Registered engineer's signed and dated seal
- Engineering Firm's Certificate of Authorization seal
- If the SWPPP has been developed by a Registered Professional Engineer, Registered Landscape Architect or Tier B Land Surveyor, the following statement must be included on the site plans:

"I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000."

- Existing and proposed contours for entire disturbed area
- Limits of disturbed area
- Locations of off-site material, waste, borrow, or construction equipment storage areas, excluding roll-off containers (Note: Some off-site disturbed areas may require a separate application for NPDES coverage)
- Location and identification of any stormwater discharges associated with industrial activity (not construction)
- Location of Concrete Washout and other Pollution Prevention Measures
- Easements
- Road profiles with existing and proposed ground elevations (if no contours are shown on the plans)
- Grassing and stabilization specifications (temporary and permanent)
- Standard notes (see following page)
- Temporary and permanent control measures (provide details of all sediment and erosion control measures used; make sure the label or legend on the plans matches the name on the detail)  
Note: Maintenance requirements for each BMP should be listed on the detail.  
Note: If details from the BMP Handbook are used, then the inspection frequency must be changed to be in accordance with the new CGP (see Standard note 3).

### 29. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) (3.2):

- **Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP):**  
When seeking coverage, include the NOI, Engineering Report & Plans & C-SWPPP including:
  - Narrative
  - Stormwater Management & Sediment Control
  - Sequence of Construction
  - Site Features & Sensitive Areas
  - Sources of Pollution
  - Best Management Practices
  - Maps
  - Engineering Reports
  - Construction Site Plans
  - Non-Numeric Effluent Limits
  - Documentation of Permit Eligibility Related to Total Maximum Daily Loads (TMDLs)
- **On-Site Stormwater Pollution Prevention Plan (OS-SWPPP):**  
After C-SWPPP approval, a condensed version of the C-SWPPP labeled as the On-Site SWPPP (OS-SWPPP), must be kept at the construction site until final stabilization is reached and coverage under this permit has been terminated. Also include NOI, Plans & Records/Logs.

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## STANDARD NOTES

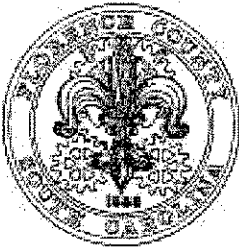
1. If necessary, slopes, which exceed eight (8) vertical feet should be stabilized with synthetic or vegetative mats, in addition to hydroseeding. It may be necessary to install temporary slope drains during construction. Temporary berms may be needed until the slope is brought to grade.
2. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than fourteen (14) days after work has ceased, except as stated below.
  - Where stabilization by the 14<sup>th</sup> day is precluded by snow cover or frozen ground conditions stabilization measures must be initiated as soon as practicable.
  - Where construction activity on a portion of the Site is temporarily ceased, and earth-disturbing activities will be resumed within 14 days, temporary stabilization measures do not have to be initiated on that portion of the Site.
3. All sediment and erosion control devices shall be inspected once calendar every week. If periodic inspection or other information indicates that a BMP has been inappropriately, or incorrectly, the Permittee must address the necessary replacement or modification required to correct the BMP within 48 hours of identification.
4. Provide silt fence and/or other control devices, as may be required, to control soil erosion during utility construction. All disturbed areas shall be cleaned, graded, and stabilized with grassing immediately after the utility installation. Fill, cover, and temporary seeding at the end of each day are recommended. If water is encountered while trenching, the water should be filtered to remove sediment before being pumped back into any waters of the State.
5. All erosion control devices shall be properly maintained during all phases of construction until the completion of all construction activities and all disturbed areas have been stabilized. Additional control devices may be required during construction in order to control erosion and/or offsite sedimentation. All temporary control devices shall be removed once construction is complete and the site is stabilized.
6. The contractor must take necessary action to minimize the tracking of mud onto paved roadway(s) from construction areas and the generation of dust. The contractor shall daily remove mud/soil from pavement, as may be required.
7. Residential subdivisions require erosion control features for infrastructure as well as for individual lot construction. Individual property owners shall follow these plans during construction or obtain approval of an individual plan in accordance with S.C Reg. 72-300 et seq. and SCR100000.
8. Temporary diversion berms and/or ditches will be provided as needed during construction to protect work areas from upslope runoff and/or to divert sediment-laden water to appropriate traps or stable outlets.
9. All waters of the State (WoS), including wetlands, are to be flagged or otherwise clearly marked in the field. A double row of silt fence is to be installed in all areas where a 50-foot buffer can't be maintained between the disturbed area and all WoS. A 10-foot buffer should be maintained between the last row of silt fence and all WoS.
10. Litter, construction debris, oils, fuels, and building products with significant potential for impact (such as stockpiles of freshly treated lumber) and construction chemicals that could be exposed to storm water must be prevented from becoming a pollutant source in storm water discharges.
11. A copy of the SWPPP, inspections records, and rainfall data must be retained at the construction site or a nearby location easily accessible during normal business hours, from the date of commencement of construction activities to the date that final stabilization is reached.

12. Initiate stabilization measures on any exposed steep slope (3H:1V or greater) where land-disturbing activities have permanently or temporarily ceased, and will not resume for a period of 7 calendar days.
13. Minimize soil compaction and, unless infeasible, preserve topsoil.
14. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
15. Minimize the discharge of pollutants from dewatering of trenches and excavated areas. These discharges are to be routed through appropriate BMPs (sediment basin, filter bag, etc.).
16. The following discharges from sites are prohibited:
  - Wastewater from washout of concrete, unless managed by an appropriate control;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
  - Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
  - Soaps or solvents used in vehicle and equipment washing.
17. After construction activities begin, inspections must be conducted at a minimum of at least once every calendar week and must be conducted until final stabilization is reached on all areas of the construction site.
18. If existing BMPs need to be modified or if additional BMPs are necessary to comply with the requirements of this permit and/or SC's Water Quality Standards, implementation must be completed before the next storm event whenever practicable. If implementation before the next storm event is impracticable, the situation must be documented in the SWPPP and alternative BMPs must be implemented as soon as reasonably possible.
19. A Pre-Construction Conference must be held for each construction site with an approved On-Site SWPPP prior to the implementation of construction activities. For non-linear projects that disturb 10 acres or more this conference must be held on-site unless the Department has approved otherwise.

***APPENDIX “D”***

**SMALL COMMERCIAL LAND DISTURBING PERMIT  
APPLICATION**





**Florence County**  
**Small Commercial Land Disturbance Permit**  
**Application**

Florence County  
Engineering Division  
518 South Irby Street  
Florence, S.C. 29501  
Phone (843) 676-8600  
Fax (843) 676-8667

Tax Map Number: \_\_\_\_\_ Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Project Description: \_\_\_\_\_

Total Project Area (acres): \_\_\_\_\_ Disturbed Area (sf): \_\_\_\_\_

Owner/Applicant Name: \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Engineer/Designer Name: \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Certification:** I hereby certify that all land disturbing activities, construction or demolition on this site shall be accomplished pursuant to the approved plans and the applicable provisions of the Florence County Drainage and Stormwater Management Ordinance. Also, I grant permission for representatives from Florence County to enter the site to perform inspections.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Applicant Signature

**\$125.00 Application Fee Required. Please make checks payable to Florence County**

## Small Commercial Land Disturbance Permit Application

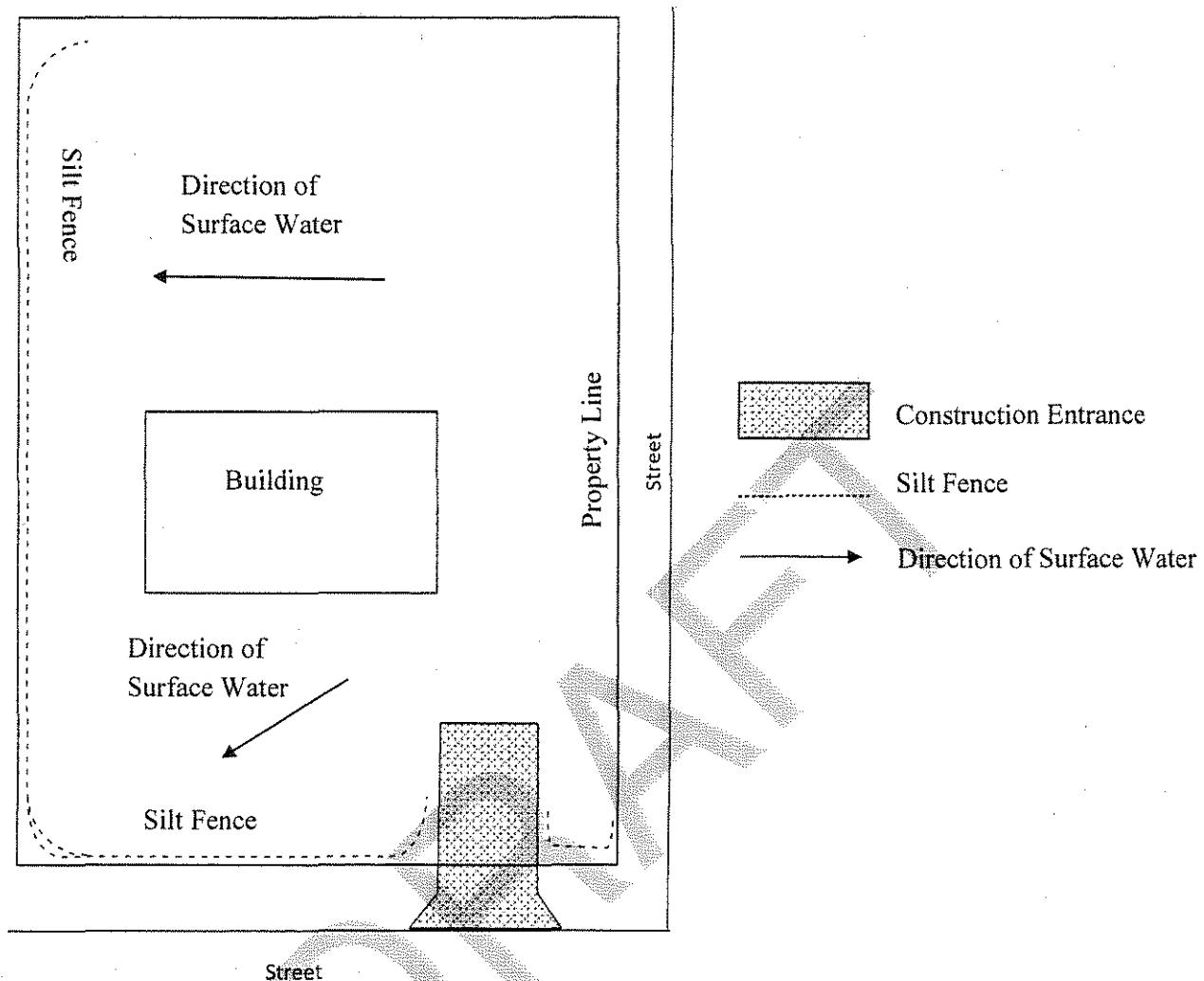
### Site Plan Sheet Requirements

The Stormwater Management and Sediment Control Plan required for land disturbing activities less than one (1) acre which are not part of a larger common plan of development or sale shall contain the following information, as applicable:

1. An anticipated starting and completion date of the various stages of land disturbing activities and the expected date the final stabilization will be completed;
  2. A narrative description of the Stormwater Management and Sediment Control Plan to be used during land disturbing activities;
  3. General description of topographic and soil conditions of the tract;
  4. A general description of adjacent property and a description of existing structures, buildings, and other fixed improvements located on surrounding properties;
  5. A sketch plan (engineers, Tier B surveyors, or landscape architect's seal not required) to accompany the narrative which shall contain:
    - a. A site location drawing of the proposed project, indicating the location of the proposed project in relation to roadways, jurisdictional boundaries, streams and rivers;
    - b. The boundary lines of the site on which the work is to be performed;
    - c. A topographic map of the site if required by the County;
    - d. The location of temporary and permanent vegetative and structural stormwater management and sediment control measures; and
    - e. Riparian buffers and setbacks requirements to protect receiving water bodies shall be maintained as required by the Florence County Zoning Ordinance.
  6. Stormwater Management and Sediment Control Plans shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the plan.
  7. All Stormwater Management and Sediment Control Plans shall contain certification by the person responsible for the land disturbing activity of the right of the County or DHEC to conduct on-site inspections.
- The requirements contained above may be indicated on one plan sheet. More detailed hydrologic or soils information may be required on a case by case basis by the implementing agency. Storm water detention/retention may be required if excessive water problems are known to exist in the area.

# Individual Lot Erosion Control Plan

## Example



### CONSTRUCTION SEQUENCE FOR INDIVIDUAL LOTS

- 1) OBTAIN ZONING COMPLIANCE
- 2) INSTALL TEMPORARY SEDIMENT CONTROL MEASURES WITHIN 24 HOURS OF COMMENCING CONSTRUCTION.
- 3) GRADE SITE. (DISTURB MINIMAL AREA FOR BUILDING)
- 4) MAINTAIN ALL CONTROL MEASURES DURING CONSTRUCTION
- 5) SEED AND FERTILIZE DISTURBED AREAS
- 6) REMOVE SEDIMENT CONTROL MEASURES ONLY AFTER SITE IS STABLIZED.

## Silt Fence Installation

1.25 LB./LINEAR FT. STEEL POSTS

FILTER FABRIC

MAXIMUM SPACING = 6 FT.

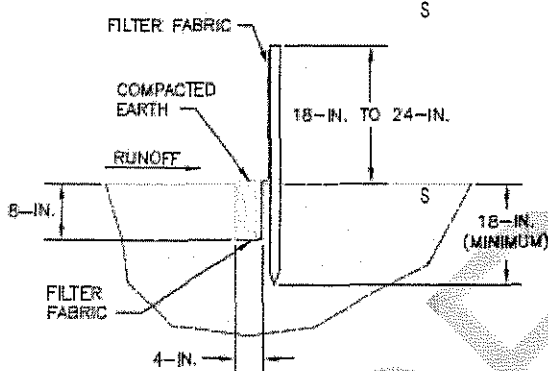
BACKFILL TRENCH WITH  
COMPACTED EARTH

HEAVY DUTY PLASTIC TIE  
FOR STEEL POSTS

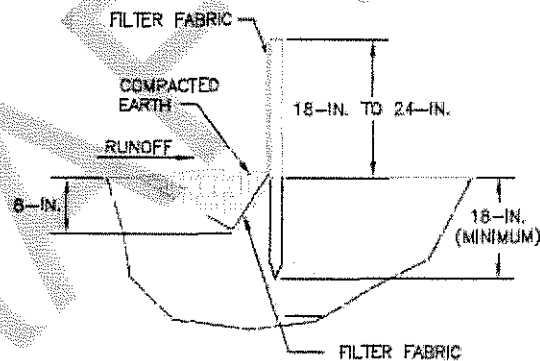
E  
USE EITHER FLAT-BOTTOM  
OR V-BOTTOM TRENCH  
SHOWN BELOW

BURY FABRIC

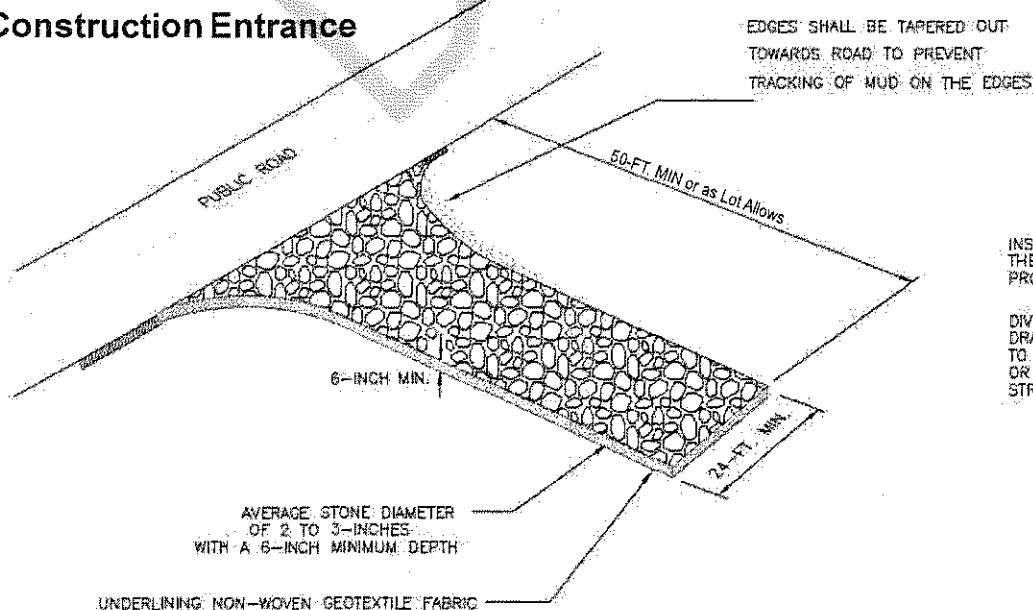
### Flat-Bottom Trench Detail



### V-Shaped Trench Detail



## Construction Entrance



EDGES SHALL BE TAPERED OUT  
TOWARDS ROAD TO PREVENT  
TRACKING OF MUD ON THE EDGES

INSTALL A CULVERT PIPE ACROSS  
THE ENTRANCE WHEN NEEDED TO  
PROVIDE POSITIVE DRAINAGE.

DIVERT ALL SURFACE RUNOFF AND  
DRAINAGE FROM THE STONE PAD  
TO A SEDIMENT TRAP OR BASIN  
OR OTHER SEDIMENT TRAPPING  
STRUCTURE.

***APPENDIX “E”***

**RESIDENTIAL LAND DISTURBING PERMIT  
INDIVIDUAL LOT NOTICE OF INTENT (ILNOI)**

# Residential Land Disturbing Permit



## INDIVIDUAL LOT NOTICE OF INTENT (IL-NOI) For Coverage(s) of Secondary Permittees (Within Residential Subdivisions) Under South Carolina NPDES General Permit For Stormwater Discharges From Construction Activities SCR100000 (Maintain As Part of On-Site SWPPP)



FLORENCE COUNTY  
MS4

### For Official Use Only

File Number: \_\_\_\_\_  
Permit Number: SCR10 \_\_\_\_\_  
Submittal package complete: \_\_\_\_\_

Submission of this Individual Lot Notice of Intent (IL-NOI) constitutes notice that the Applicant identified in Section B intends to be authorized as a Secondary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. A fee of \$150 is required for NPDES coverage under this permit.

Date: / /

☐ New Secondary Permittee ☐ Change of Information ☐ Other: \_\_\_\_\_

☐ Person ☐ Company If a Company, are you a ☐ Lending Institution or ☐ Government Entity?  
Company EIN (If applicable): EIN: \_\_\_\_\_

### A. Secondary Permittee (Applicant) Information

1. Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Company Name (As Applicable): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

2. Contact (ODSA) Name (If different from above): \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### B. Current (Approved) Project/Site Information

1. Project/Site Name (As Approved by the Department): \_\_\_\_\_ County: \_\_\_\_\_  
2. Current Primary Permittee (Owner/Operator) Name: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_  
3. Property Owner Name (If different from Owner/Operator): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_  
4. Larger Common Plan for Development or Sale (LCP) Name or Subdivision Name: (As previously approved by the Department): \_\_\_\_\_  
5. LCP NPDES Coverage No. or State Permit (Tracking) No(s): \_\_\_\_\_  
6. If Applicable: MS4 Reviewer: \_\_\_\_\_ MS4 Operator: \_\_\_\_\_

### C. Individual Lot Information

1. Type of Construction Activity: ☐ Single Lot ☐ Multiple Lots  
2. Individual Lot(s) Information (See Note below. If additional space is required, submit as an attachment to this NOI):

a. Lot No(s)	b. Phase No(s) (As Applicable)	c. Disturbed Area (Nearest tenth of an acre)	d. Lot(s) Currently Stabilized?	e. Lot(s) Currently Abandoned, Under Foreclosure or Bankruptcy Proceedings?	f. Will the SWPPP, Individual Lot Controls, or Drainage Provisions be Modified by this project? (If yes, See Note Below)
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

NOTE: Attach a Narrative, Copy of the Plat, Site Plans or Maps outlining each lot identified on this NOI. Attach Project Plans demonstrating individual lot grading, sediment and erosion control, and best management practices that will be followed. Clearly define all proposed modifications to the SWPPP in the narrative and identify on the project plans. If centralized controls or BMPs will be impacted, identify the controls or BMPs and proposed plans for continued maintenance in the narrative and on the project plans. Attach a Maintenance Agreement for permanent centralized controls, as applicable. (See Section 2.2.2.B of the CGP)

DHEC 0432 (10/2012)

3. Proposed Start /Completion Dates: Start (MM/DD/YYYY): \_\_\_\_\_ Completion (MM/DD/YYYY): \_\_\_\_\_

4. **Coastal Zone ONLY:** If impacts have not been previously addressed by the Primary Permittee to jurisdictional wetlands, non-jurisdictional wetlands, direct Critical Area, or coastal resources, define proposed impacts below. (Attach additional sheet if necessary):

D. **Certifications DO NOT SIGN IN BLACK INK!** Read the Certification statements below (in entirety).

**SECONDARY PERMITTEE (APPLICANT) CERTIFICATION**

"I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I understand that I am solely responsible for the individual lot(s) covered by this NOI and am responsible for installing and maintaining the appropriate sediment and erosion control measures for each lot until the site is stabilized. I further certify that I also understand that SCDHEC is authorized to inspect the lot(s) identified in the notice pursuant to regulations and standards identified in the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP)."

Select only ONE of the following statements and initial as indication of agreement. Provide your title and date and sign the agreement below. Provide explanation in Narrative.

"As Secondary Permittee, I further certify that I or I (on behalf of my company and its contractors and agents), as the case may be, have read the CGP and approved On-Site Stormwater Pollution Prevention Plan (OS-SWPPP). I will adhere to the provisions of the Primary Permittee's OS-SWPPP while conducting any construction activity at the site and I agree follow the **approved individual lot controls and drainage provisions** developed in the approved OS-SWPPP for the LCP."

Or

"As Secondary Permittee, I further certify that I or I (on behalf of my company and its contractors and agents), as the case may be, have read the CGP and approved On-Site Stormwater Pollution Prevention Plan (OS-SWPPP). I will follow the **modified OS-SWPPP, including individual lot controls and/or drainage provisions** developed for the above-referenced lot(s) to be consistent with the provisions of Section 3 of the CGP."

Name of Secondary Permittee (Printed or Typed)

Title/Position

Signature of Secondary Permittee

Date Signed

**CURRENT PRIMARY PERMITTEE (OWNER/OPERATOR) CERTIFICATION**

Provide your name, title, and date and sign the agreement below.

If the signature of the current Owner/Operator cannot be obtained, please check this box: ☐

(Provide explanation in the project Narrative)

"I hereby certify that the Secondary Permittee was provided a copy of the Construction General Permit (CGP) and approved On-Site Stormwater Pollution Prevention Plan (OS-SWPPP), or information to readily access these documents. I understand that the Secondary Permittee is solely responsible for the individual lot(s) covered by this NOI and is responsible for installing and maintaining the appropriate sediment and erosion control measures for each lot until the site is stabilized. I further certify that I also understand that SCDHEC is authorized to inspect the lot(s) identified in the notice pursuant to regulations and standards identified in the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP)."

Select only one of the following statements and initial as indication of agreement.

"I also hereby certify (by my initials) that I understand that the Secondary Permittee has agreed to follow the **approved OS-SWPPP, including individual lot controls and/or drainage provisions** developed in the approved OS-SWPPP for the LCP."

OR

"I also hereby certify (by my initials) that I understand that the Secondary Permittee has **chosen to follow the modified OS-SWPPP, including individual lot controls and/or drainage provisions** developed for the above-referenced lot(s) to be consistent with the provisions of Section 3 of the CGP."

Name of Primary Permittee (Printed or Typed)

Title/Position

Signature of Primary Permittee

Date Signed

E. **Fees** (Identify ONE method of payment below and please do not send fees directly to the Bureau of Finance.

☐ **Payment by Check:**

Attach a **signed and dated check payable to Florence County** to the **front** of this Fee Schedule.

Please note that all checks must be **less than 30 days old** and must be for the **entire required fees**.

☐ **Payment by Credit Card:** (Check here if you wish to pay via credit card using the on-line payment system).

The Department will contact you to provide an invoice number and instructions for online payment.

Please provide an e-mail address where the invoice number may be sent:

For official use only: **Invoice Number QB**

DHEC 0432 (10/2012)

## Instructions for Completing the Individual Lot Notice or Intent (NOI)

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges From Construction Activities SCR100000 (CGP), if you cannot access the websites listed in these instructions, or if you have any other questions, contact the Stormwater Permitting Section (SWP) at (803) 898-4300 or Coastal Stormwater Permitting Section (CSWP) at (843) 953-0200. Projects located in the S.C. Coastal Zone (SCCZ—Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper counties) are reviewed by CSWP. Please see the Bureau of Water, Stormwater Permitting website: <http://www.scdhec.gov/stormwater> for guidance and additional information regarding the CGP.

This NOI form must be completed by an individual lot owner or residential builder assuming coverage (project ownership and responsibility) as a Secondary Permittee for an individual lot or a group of individual lots within a previously permitted residential subdivision. The completed form must be submitted to the Department at least seven (7) business days prior to commencement of construction activities by the new lot owner or residential builder. *For projects located in the Coastal Zone, see Section C below.* **A FEE OF \$125 IS REQUIRED FOR NPDES COVERAGE.**

### What is Expected of Individual Lot Owners or Residential Builders as Secondary Permittees?

*As a Secondary Permittee, the new lot owner or residential builder assumes sole responsibility for the building phase of development for the lot(s) identified in Section C of this form, and sole responsibility for installation and maintenance of sediment control measures necessary to comply with the terms and conditions of the Construction General Permit (CGP) and the approved On-Site SWPPP (OS-SWPPP). Secondary Permittees may choose to either follow the Primary Permittee's approved OS-SWPPP or may select to develop a C-SWPPP for their discharges consistent with the provisions of Section 3 of this permit.*

When the Secondary Permittee elects to not follow the Primary Permittee's approved SWPPP or proposes to make extensive revisions to the approved individual lot controls and/or drainage provisions, the Primary Permittee, the Department, the Regulated MS4, or entity implementing SC Regulation 72-300 may also require the applicant obtain coverage under this permit as a Primary Permittee. Each individual lot(s) owner or residential builder obtaining coverage under this permit as a Secondary Permittee will be issued a new NPDES permit coverage number and assigned a state file number linked to the residential subdivision as part of a Larger Common Plan (LCP).

### What is Expected of the Primary Permittee?

The Primary Permittee is transferring ownership of a lot or group of lots within a residential subdivision to the person or company or residential builder that will be issued NPDES coverage as the new Owner/Operator. The Primary Permittee must make the Individual Lot Notice of Intent form, the approved On-Site SWPPP, and a copy of the CGP available or accessible to the applicant seeking individual lot(s) coverage under this permit. *One application form may be submitted to the Department for coverage of multiple lots within a single residential subdivision.*

### Where To File the NOI:

SC Department of Health & Environmental Control  
Bureau of Water

#### Non-Coastal Counties

Stormwater Permitting Section  
2600 Bull Street  
Columbia, SC 29201-1708

#### Coastal Counties

Coastal Stormwater Section  
1362 McMillan Avenue  
Suite 400  
Charleston, SC 29405

### Completing the Form

Complete both sides of the form. Abbreviate if necessary to stay within the space allowed for each item. Submit a completed form to the SCDHEC-Bureau of Water or the appropriate Municipal Separate Storm Sewer System as necessary.

#### **Section A - Secondary Permittee (Applicant) Information**

Identify whether your application is for a new application or a change to previous information. List the complete legal name of the new lot owner and the title/position. If a company, provide the company name and the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service. Provide complete mailing addresses, telephone numbers, fax and e-mail addresses.

#### **Section B - Current (Approved) Project/Site Information**

Provide the project/site name, Primary Permittee name, and property owner name. Provide the contact information for each. Identify the name and NPDES or File (tracking) number of the approved LCP. This information should be the same as in the approved C-SWPPP. If this project is in a MS4 area, identify the entity designated as the MS4 Reviewer and Operator (i.e., Lexington County, Lexington County Department of Public Works, City of Greer, etc.)

#### **Section C - Individual Lot Information**

Complete this section in its entirety. Identify whether this notice is for a single lot or multiple lots. Identify the specific project phase, as applicable; the total disturbed area for each lot; and whether the lot is stabilized. If abandoned or under pending foreclosure or bankruptcy proceedings, indicate so, as applicable. If your project will modify the approved On-Site SWPPP, individual lot controls, or drainage provisions, see the NOTE below this table and provide all requested documentation. Identify proposed start and completion dates. *For lots located in the Coastal Zone, identify proposed impacts to jurisdictional wetlands, non-jurisdictional wetlands, direct Critical Area, and coastal resources. If not previously addressed in the approved OS-SWPPP by the Primary Permittee, consult DHEC's Office of Ocean and Coastal Resource Management regarding any potential coastal zone consistency submittal requirements. Additional time may be necessary for this review. See <http://www.scdhec.gov/environment/ocrm/czc.htm> for additional information.*

#### **Section D - Certifications**

Read the certification statements (in entirety). Provide your printed name, title/position, date, and signature. Initial the applicable OS-SWPPP certification agreement. *Only one certification agreement may be initialed. **DO NOT SIGN IN BLACK INK.***

#### **Section E - Fees**

Submit application fee of \$125 by check payable to S.C. DHEC and attach to the front of the IL-NOI or indicate in Section E if you wish to pay via credit card using DHEC's online payment system.



***APPENDIX "F"***

**FORM A – PRIMARY PERMITTEE TRANSFER OF OWNERSHIP**



FORM A  
PRIMARY PERMITTEE TRANSFER  
OF OWNERSHIP

(New Owner/Operator Notifications)

Under South Carolina

NPDES Construction Stormwater General Permit  
SCR100000



FLORENCE COUNTY  
MS4

Section 2.4.3 of the Construction General Permit (CGP) requires that New Owner/Operators of prior approved Ongoing Projects notify the Department in writing within fourteen (14) calendar days of the change in ownership. Lending or other institutions taking operational control of a prior approved construction site (due to foreclosure, bankruptcy, abandonment, etc.) must also contact the Department within fourteen (14) business days of taking title to the property. Transfer of Ownership Notifications and information defining the stabilization and construction activity status of the site must also be provided as defined in Section 2.4.3 of the Construction General Permit (CGP).

A new NOI must be submitted and NPDES coverage granted by the Department prior to any new Owner/Operator performing any construction activities at the site. Transferred sites must also be properly stabilized prior to issuance of new coverage. **Sites that are properly stabilized are not required to submit a new NOI immediately and may submit this form as initial notification to the Department Only.** New Owner/Operators that agree to comply or not comply with an existing Comprehensive SWPPP, must initial the appropriate SWPPP Acceptance and Compliance Statement in Section E. If your site is properly stabilized, and you are simply making a notification, a pdf of this form may be submitted electronically to the Department at [swtransfer@dhec.sc.gov](mailto:swtransfer@dhec.sc.gov), or, the original signed document may be mailed as defined in the instructions to this form. Attach a copy of this form to the new C-SWPPP and NOI to apply for new coverage under this permit. NPDES coverage fee of \$125 is required when the NOI application is submitted for NPDES coverage. No fee is required for Transfer of Ownership Notifications.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ County: \_\_\_\_\_

A. ☐ NOTIFICATION ONLY ☐ NPDES COVERAGE

1. Project/Site Name (As Approved by the Department): \_\_\_\_\_
2. NPDES Coverage No. or State Permit (File Tracking) No: \_\_\_\_\_
3. Larger Common Plan (LCP) Name: (If Applicable, As Approved by the Department): \_\_\_\_\_
4. If Applicable: MS4 Reviewer: \_\_\_\_\_ MS4 Operator: \_\_\_\_\_

**B. Current Primary Permittee (Owner/Operator) Information**

1. Current Primary Permittee (Owner/Operator) Name: \_\_\_\_\_  
Company Name (As Applicable): \_\_\_\_\_ EIN: \_\_\_\_\_ - \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Email Address: \_\_\_\_\_
2. Property Owner Name: \_\_\_\_\_  
Company Name (As Applicable): \_\_\_\_\_ EIN: \_\_\_\_\_ - \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

**C. New Primary Permittee (Owner/Operator) Information**

- ☐ Person ☐ Company If a Company, are you a ☐ Lending Institution or ☐ Government Entity?  
Company EIN (If applicable): EIN: \_\_\_\_\_ - \_\_\_\_\_
1. Primary Permittee Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_
  2. Contact /ODSA Name (If different from above OR if owner is a company): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**D. Transfer of Ownership Information**

1. Title Date or Effective Date of Transfer of Ownership to New Owner: \_\_\_\_\_
2. **Lending/ Government Institution/Other Entity Only** (Select the appropriate option of intent below):  
☐ Purchasing this project/site WITH THE INTENT FOR RESALE ONLY (without operational control of site development)  
☐ Purchasing this project/site WITH THE INTENT OF CONTINUING CONSTRUCTION ACTIVITIES (for site development)  
(Provide a summary of planned proceedings below. Attach additional sheets if necessary).  
\_\_\_\_\_  
\_\_\_\_\_
3. Any Active Warning or Compliance Notice issued by the Department for the current approved project or site? ☐ Yes ☐ No  
If yes, Date Issued: \_\_\_\_\_
4. Select As applicable: ☐ Entire Permit or Site being transferred to the New Owner/Operator, or  
☐ A Portion of the Entire Permit or Site being transferred to the New Owner/Operator?
5. Complete both tables A and B below for each site or portion of the site being transferred.

**Table A: Site Transfer Information & Status**

a. Site Name(s) or Portion of Site Being Transferred Name	b. Total Number of Acres Being Transferred (Nearest tenth of an acre)	c. Current Total Number of Disturbed Acres (Nearest tenth of an acre)	d. Identify if Site(s) or Lot(s) are Currently Abandoned or Subject to Pending Foreclosure or Bankruptcy Proceedings?
			<input type="checkbox"/> Abandoned <input type="checkbox"/> Foreclosure <input type="checkbox"/> Bankruptcy <input type="checkbox"/> N/A
	Total: _____	Total: _____	<input type="checkbox"/> Abandoned <input type="checkbox"/> Foreclosure <input type="checkbox"/> Bankruptcy <input type="checkbox"/> N/A

**Table B: Project/Site Stabilization & Construction Activity Status**

If the site under the control of the new Owner is inactive and all areas disturbed have not *reached stabilization*, the new Owner must obtain permit coverage and provide stabilization as defined in this permit.

a. Site Name(s) or Portion of Site Being Transferred Name	b. Is your Site(s) Currently:  Active or Inactive or Under Delayed Recommencement of Construction Activities?	c. If Inactive or Under Delayed Recommencement of Construction Activities Is the Transferred Site or Transferred Portion Currently Stabilized? (If No, provide stabilization completion date below)	Identify Proposed Date for Recommencement of Construction Activities?
	<input type="checkbox"/> Active <input type="checkbox"/> Inactive Under Delayed Recommencement	<input type="checkbox"/> Yes <input type="checkbox"/> No If No, date for completion: _____	
	<input type="checkbox"/> Active <input type="checkbox"/> Inactive Under Delayed Recommencement	<input type="checkbox"/> Yes <input type="checkbox"/> No If No, date for completion: _____	

**E. Signatures & Certifications** (Read the Certification statements below (in entirety). Initial the applicable C-SWPPP Compliance Statement below. Sign and date the certification agreement. Initial the applicable C-SWPPP Compliance Certification Statement. **DO NOT SIGN IN BLACK INK!**

**Current Owner/Operator Certification**

If the signature of the current Owner/Operator cannot be obtained, please check this box: ☐

Provide explanation in the project Narrative.

"As the Current Owner/Operator for this project, I hereby certify that the site or portion of the site described above is covered under the Construction General Permit which has now transferred ownership/responsibility as indicated above. The new owner or operator, has been made aware of the importance of site stabilization in an effort to control pollutant runoff and/or sedimentation. I hereby relinquish the responsibility and ownership of the NPDES Permit or portion of the NPDES permit listed in Section A. I realize that sediment and erosion control compliance responsibilities for the site or portions of the site listed in Section D now belong solely to the new Owner/Operator

Signature of Current Owner/Operator/ or Duly Authorized Representative \_\_\_\_\_

Date Signed \_\_\_\_\_

**New Owner/Operator Certifications/Compliance Statement**

"As the New Owner/ Operator for this project, I certify that I or, I on behalf of my company and its contractors and agents, as the case may be, am responsible (per this transfer of ownership) for all of the land-disturbing activities, stormwater discharges, and related maintenance thereof for this construction project or construction site.

(Initial the applicable C-SWPPP Compliance statement below)

"I agree to comply with the existing Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and will follow (construct in accordance to) the previous approved C-SWPP, including Grading & Drainage Provisions and Best Management Practices (BMPs) as identified in the previous NPDES approval."

OR

"I will provide a new Notice of Intent (NOI) and new Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and will follow (construct in accordance to) the new approved C-SWPP, including Grading & Drainage Provisions, and Best Management Practices (BMPs) as identified in the new C-SWPPP approved by the Department."

"As the New Owner, I also hereby certify that I or I (on behalf of my company and its contractors and agents), as the case may be, am responsible for installing and maintaining the appropriate sediment and erosion control measures to provide continued stabilization for the project or site identified in Section A. I understand that stabilization measures shall be implemented as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than fourteen (14) calendar days after work has ceased, except where stabilization by the 14<sup>th</sup> day is precluded by snow cover or frozen ground. Where construction activity on a portion of the Site is temporarily ceased, and earth-disturbing activities will be resumed within 14 calendar days, temporary stabilization measures do not have to be initiated on that portion of the Site. I further certify that I also understand that SCDHEC is authorized to inspect the transferred site pursuant to regulations and standards identified in the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP). " Having understood the above information, I am signing this agreement as the New Owner of the aforementioned property covered under the NPDES general permit."

Signature of New Owner/Operator or Duly Authorized Representative \_\_\_\_\_

Date Signed \_\_\_\_\_

## Instructions for Completing the Transfer of Ownership form

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges From Construction Activities SCR100000 (CGP), if you cannot access the websites listed in these instructions, or if you have any other questions, contact the Bureau of Water Stormwater Permitting Section (BOW) at (803) 898-4300. Please see the Bureau of Water, Stormwater Permitting website (<http://www.scdhec.gov/stormwater/>) for guidance and additional information.

This Transfer of Ownership form must be completed by a new Property Owner taking title to or ownership of a previously approved NPDES construction site as the new Primary Permittee. This form must be submitted to the Department or respective Municipal Separate Storm Sewer System (MS4) as notification of changes in ownership. **If your project is located within a Municipal Separate Storm Sewer System (MS4), you must contact the applicable MS4 to determine their requirements and fees for ownership transfers. NO FEE IS REQUIRED FOR SUBMITTING A TRANSFER OF OWNERSHIP NOTIFICATION TO THE DEPARTMENT. A \$125 NPDES COVERAGE FEE IS REQUIRED WHEN THE NOI IS SUBMITTED FOR NPDES COVERAGE OF A NEW OWNER/OPERATOR AS THE PRIMARY PERMITTEE.**

### When Do I Need to Complete This Form?

The CGP requires that the Department receive notification within fourteen (14) calendar days of a new Owner taking title to the property or within 14 business days of a Lending or other type institution taking over operational control of a construction site due to abandonment, foreclosure proceedings, or permittee filing for bankruptcy. **If your project or site is being transferred to a new Owner/Operator as the Primary Permittee, you must complete this form and/or the Notice of Intent as defined in Section 2 of the CGP to make such notifications.** This Transfer of Ownership form also identifies the current construction activity status for the property or site being transferred (i.e., active, inactive, under delayed recommencement of construction activity, temporarily stabilized, permanently stabilized, etc.).

### What Are the New Owners Responsibilities?

All new Property Owners and lending and other types of institutions taking ownership of a prior approved NPDES construction site become responsible for stormwater discharges from the property. New Owners must ensure that if construction activities have temporarily or permanently ceased, **all disturbed areas are properly stabilized as soon as practicable and within fourteen (14) calendar days of taking title to a property.** New Owners of sites not properly stabilized may be issued a compliance agreement.

Some institutions, such as lending institutions, taking over a construction site, may do so with only the intent for property resale, therefore may not intend to obtain NPDES coverage as a Primary Permittee with the intent to complete construction activities at a site. In such cases, commencement or recommencement of construction activities may be delayed for longer unplanned periods of time. Institutions taking ownership of such sites must ensure that they are properly stabilized to minimize the potential for erosion. **Each new Owner and subsequent owner must provide notification to the Department or respective MS4 within fourteen (14) calendar days of taking ownership. Each new Owner completing this form becomes responsible for stabilization of the site and stormwater discharges from the site until NPDES coverage is granted to a subsequent Owner/Operator as Primary Permittee for the site.**

Prior to initiating construction activity at the site as the new Owner/Operator, a new Notice of Intent (NOI) and a SWPPP Compliance Agreement or, if applicable, a new or modified SWPPP must be submitted to and approved by the Department. **The NOI must be submitted at a later date if the site is properly stabilized. If your site is INACTIVE & NOT stabilized or properly stabilized, a complete NOI and this form must be submitted to the Department as defined in the CGP.**

### Completing the Form

Complete the entire form. Abbreviate if necessary to stay within the space allowed for each item. Submit a completed form to the applicable SCDHEC office at

Coastal Counties	Non-Coastal Counties
Coastal Stormwater Section 1362 McMillan Avenue Suite 400 Charleston, SC 29405	Stormwater Permitting Section, 2600 Bull Street, Columbia, SC 29201-1708

or the appropriate MS4 or local entity responsible for plan reviews. Provide the date and county and identify if this form is submitted as a Notification ONLY or for new NPDES coverage. If submitted as notification, complete the entire form. Complete sections B, D, and E if submitted with a NOI for NPDES coverage.

#### Section A – Project/Site Information

Provide the name of the approved project or site, as approved by the Department on the previous approved NOI. Provide the NPDES or State Permit (File Tracking) number. If part of a Larger Common Plan (LCP), identify the LCP name. If this project is in a MS4 area, identify the entity designated as the MS4 Reviewer and Operator (i.e., Lexington County, City of Greer, etc.).

#### Section B – Current Primary Permittee (Owner/Operator) Information

List the complete legal name of the current Owner/Operator and Property Owner, as applicable. If a company, provide the company name and requested information. Provide complete mail and e-mail information.

#### Section C – New Primary Permittee (Owner/Operator) Information

List the complete legal name of the new Owner/Operator.

If a person, provide the name. If a company, identify if you are a Lending Institution or Government Entity.

Provide the company name and the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service. Provide the complete mailing address, telephone number, fax and e-mail address. Provide the Contact (ODSA) information.

#### Section D – Transfer of Ownership Information

Complete this entire section. Complete all tables and information requested to identify the stabilization status and plans for continued construction activities for the site or portions(s) of the site being transferred. Attach additional sheets as necessary.

#### Section E – Signatures & Certifications

Read the certification statements (in entirety). Provide your signature and the date and initial the applicable Compliance Statement. **DO NOT SIGN IN BLACK INK.**

If the signature of the current Owner/Operator cannot be obtained, please check the box provided in this section.

***APPENDIX “G”***

**FORM B – MAJOR MODIFICATIONS FORM**



**FORM B**  
**MAJOR MODIFICATIONS**  
**Under South Carolina NPDES General Permit**  
**For Stormwater Discharges From Construction**  
**Activities SCR100000**

(Maintain As Part of On-Site SWPPP)



**FLORENCE COUNTY**  
**MS4**

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Project/Site Name: (as identified on prior approved NOI): \_\_\_\_\_ County: \_\_\_\_\_

File Number or NPDES Permit (Coverage) Number: (as identified on prior approved NOI): \_\_\_\_\_

Major Modifications allowed by the Department are listed in Section 3.1.7 of the Construction General Permit. Complete this Form, Fee Schedule C, and applicable sections of Form 2617 (Notice of Intent for Coverage(s) of Primary Permittees) as defined below. Please note that each modification request requires review of Section V (Waterbody Information) of the prior approved NOI to determine and identify if information in this section has changed. Fee Schedule C (page 2), a Narrative describing proposed modifications, and revised SWPPP documentation must also be provided with the major modification request.

**Check (✓) each item (A-D) included in this modification package for your project or site**

☐ **A. REVIEW OF PRIOR APPROVED WATERBODY INFORMATION & DISTURBED AREA (Sections V and IV.F)**

• **SECTION V (WATERBODY INFORMATION REVIEW):** Review Section V (Waterbody Information) of your most recent approved Notice of Intent (NOI) application. Identify if the waterbody information has changed since the last approval and initial the applicable certification statement below.

Has any of this information changed since the prior approval? ☐ Yes ☐ No

If the information in this section has changed, you are required to complete Sections I.A, I.B (if MS4), III (as applicable), IV.F, V, and VI of the Notice of Intent (Form 2617) and attach it to this form with the other modification request documents. Identify Section V as "Change of Information" on the new form and initial the applicable certification below. If no change is required to this section, initial the applicable certification below.

**Section V Certification (Please initial applicable statement)**

\_\_\_\_ "I hereby certify that I have reviewed the prior approved Waterbody Information (Section V) for this project/site and no changes are required."

\_\_\_\_ "I hereby certify that I have reviewed the prior approved Waterbody Information (Section V) for this project/site and changes are as identified on the attached NOI (Form 2617)."

• **SECTION IV.F (MODIFICATION TO DISTURBED AREA):** (nearest tenth of an acre): Review the change to disturbed area as a result of this modification. If the disturbed area decreases or remains the same, a copy of the most recent prior approved NOI may be submitted with this Form. If the disturbed area increases changes, complete Sections I.A, I.B (if MS4), III (as applicable), IV.F, V, and VI of NOI Form 2617 and attach it to this form.

☐ **B. FEE SCHEDULE C:** Complete the fee schedule on page 2 of this form.

☐ **C. NARRATIVE:** Attach a detailed Narrative description of proposed Major Modifications.

☐ **D.C-SWPPP REVISIONS:** Attach revised Stormwater Pollution Prevention Plan documentation supporting the proposed modification(s) (i.e., project plans, calculations, justification for disturbed area increases, etc.).

**E. SIGNATURES AND CERTIFICATIONS: DO NOT SIGN IN BLACK INK! Read the Certifications below (in entirety). Provide date, printed name, and signatures below.**

**MODIFIED C-SWPPP PREPARER:** "One copy of the modified C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III of the NOI).

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

**PRIMARY PERMITTEE:** "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

**NPDES CGP FEE SCHEDULE C**(This schedule should **ONLY** be used Major Modification Reviews and may be used for ALL counties)This schedule should **not** be used for projects reviewed by a delegated entity or MS4 operator.

See Section 3.1.7 (Modifications) of the Construction General Permit (CGP) for additional information and guidance. Modification requests are approved by the Department on a case-by-case basis. The BOW reserves the right to require a modification request be treated as a new project, where appropriate. You may consult the SCDHEC Stormwater Division at 803-898-4300 prior to submittal to determine if your proposed changes may be processed as a modification or will require a new project submittal.

If you are completing the fillable version of this form and if the **County** and **Disturbed Area** fields are correctly filled out on page 2 of this form, the fees in the right hand column will be automatically entered based on your answers to the questions below. The schedule should be attached to DHEC Form 2617. Do not send payment in window envelope. **DO NOT MAIL CASH.** DHEC will notify the Project Owner/Operator if the submitted check or credit card payment cannot be processed or if fee requirements are different than indicated on this schedule. **A \$100 NPDES plan review fee and \$100 per disturbed acre increase fee (not to exceed \$2000 for the entire project/site) is required with each modification request for projects NOT exempt from this fee per 72-300 et. seq.**

<b>1. Identify the Major Modification(s) and Required Modification Fee</b> See Section 3.1.7 of the CGP and page 3 of this form for additional information and a list of Department allowed major modifications.	<b>Permit Modification Fee</b>
If the modification is allowed under SCR100000, enter \$200.00 in the right-hand column. Proceed to Item 2.	\$ 0.00

**2. Determine the Additional Project Review Fees** (Review fees cannot exceed \$2000 for a project)

(Identify any additional disturbed area (nearest tenth of an acre) required for this modification in the center column and review fees (based on \$100/disturbed acre) in the right-hand column). Proceed to Item 2.a below.

**a. Prior (Current) Disturbed Area =** \_\_\_\_\_ (nearest tenth of an acre)

1. Enter the current total disturbed area for this project (prior to this modification). Proceed to Item 2.a.2.

2. If the total entered in Item 2.a is **equal to or greater than 20.0 acres**, no Review Fees are required. Proceed to Item 2.d.

If the total is **less than 20.0 acres**, proceed to Item 2.b.

**b. Increase in Disturbed Area =** \_\_\_\_\_ (nearest tenth of an acre)

1. If the disturbed area for this project will increase with this modification application, enter the additional or increase in disturbed area (Item IV.F). If no increase, enter 0.0 acres. Proceed to Item 2.c. (NOTE: Additional disturbed area should typically be no greater than 1-2 acres. Requests for more than this amount must be accompanied with a detailed justification for the proposed increase amount)

**c. Total Disturbed Area =** \_\_\_\_\_ (nearest tenth of an acre)

Add the disturbed areas in Items 2.a. and 2.b. Complete either 2.c.1 below or 2.c.2 below.

1. If the **Total (Item 2.c)** is less than or equal to 20.0 acres, enter the **increase** in disturbed area (Item 2.b) in the center column. **Multiply the increase** by \$100/disturbed area and enter this fee in the right-hand column. Proceed to Item 2.d.

**Disturbed Area**  
(Nearest tenth of an acre)

(Increase)  
(2.b)

**Additional Disturbed Area Fees**

\$ 0.00

2. If the **Total (Item 2.c)** is greater than 20.0 acres, subtract the current disturbed area entered in Item 2.a from 20.0 acres and **enter ONLY the (absolute numeric) difference** in the center column. Difference: (20.0 acres - \_\_\_\_\_ (Item 2.a) acres = \_\_\_\_\_ (nearest tenth of an acre) **Multiply this difference** by \$100/disturbed area and enter this fee in the right-hand column. Proceed to Item 2.d.

(Difference)  
(2.b.2)

\$ 0.00

**d. Total Required Fees (Modification Project)**

If Item 2.a is equal to or greater than 20.0 acres, enter fee from Item 1 in the right-hand column. Otherwise, add the values in the right-hand columns of Items 1 and Item 2.c.1 or 2.c.2 and enter this sum in the right-hand column. (The Department will not review this project until all required fees are received). Proceed to Item 3.

\$ 0.00

**3. Identify the Method of Payment:**

☐ **Payment by Check:**

Attach a **signed and dated check payable to Florence County** to the **front** of this Fee Schedule.

Please note that all checks must be **less than 30 days old** and must be for the **entire required fees**.

☐ **Payment by Credit Card:** (Check here if you wish to pay via credit card using the on-line payment system).

The Department will contact you to obtain the credit card's information.

Please provide an e-mail address where the invoice number may be sent: \_\_\_\_\_

**For official use only:** Invoice Number \_\_\_\_\_

***APPENDIX “H”***

**PRE-CONSTRUCTION CONFERENCE CERTIFICATION FORM**





PRE-CONSTRUCTION  
CONFERENCE CERTIFICATION FORM  
For Coverage(s) Under South Carolina  
NPDES General Permit For  
Stormwater Discharges From Construction  
Activities SCR100000  
(Maintain As Part of On-Site SWPPP)



FLORENCE COUNTY  
MS4

A Pre-Construction Conference must be held for each project with an approved Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and must be attended by all contractors, subcontractors, Blanket Utility Providers, etc. prior to their performing any construction-related or land-disturbing activities at the site. Documentation of attendance must be included in the On-Site SWPPP (OS-SWPPP). In some instances, the Department or the respective MS4 may require a pre-construction conference normally conducted off-site, be held on-site or, when justified, the Department may allow a conference normally conducted on-site, be held off-site by the Owner/Operator. An Owner/Operator may also choose, at their discretion, to hold a conference normally held off-site, at the construction site (on-site). (See Sections 2.2.3 and 4.1 of the CGP for additional information).

**A. Pre-Construction Conference Information: (This section must be completed by person(s) conducting the conference ONLY)**

**1. Pre-Construction Conference Information:**

Date of Pre-Construction Conference: \_\_\_\_\_ Time: \_\_\_\_\_

Project/Site Name (As Approved by Department): \_\_\_\_\_  
NPDES Coverage No.: SCR \_\_\_\_\_  
State Permit (Tracking) No.: \_\_\_\_\_

Owner/Operator Name: \_\_\_\_\_

**2. Person(s) Conducting Pre-Construction Conference:**

☐ C-SWPPP Preparer or ☐ Registration Equivalent: ☐ Engineer ☐ Land Surveyor ☐ Landscape Architect

Printed Name: \_\_\_\_\_

S.C. Registration#: \_\_\_\_\_

Signature: \_\_\_\_\_

☐ Primary Permittee or ☐ Secondary Permittee or ☐ Duly Authorized Representative (Per Section 122.22(b) of SC Reg. 61-9):

Printed Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Signature: \_\_\_\_\_

☐ Other  
Printed Name: \_\_\_\_\_  
Title/Position: \_\_\_\_\_  
Signature: \_\_\_\_\_

**3. Construction/Project Type & Conference Location:**

☐ Non-Linear ( $\geq 10$  Disturbed Acres) ☐ Non-Linear ( $< 10$  Disturbed Acres) ☐ Linear (Not Part of LCP) ☐ Linear Activity (LCP)

Conference Location (See Notes below): ☐ On-Site ☐ Off-Site ☐ Approved Alternate Location  
(If offsite or Department or MS4-approved alternate location, identify or describe the specific location below): \_\_\_\_\_

**Notes:** Unless specifically required in writing or as a condition of the approved SWPPP by the Department or by the respective MS4 to be conducted otherwise, pre-construction conferences for:

- (a) Non-linear projects/sites that disturb 10 acres or more must be held on-site
- (b) Non-linear projects/sites that disturb less than 10 acres may be held off-site
- (c) Linear construction projects/sites (not part of a LCP) may be held off-site
- (d) Linear construction activities (within a LCP) must be held in accordance with disturbed area ( $< 10$  acres or  $\geq 10$  acres) criterion established for non-linear projects/sites

## PRE-CONSTRUCTION CONFERENCE CERTIFICATION FORM

Date: \_\_\_\_\_  
NPDES Coverage No.: SCR \_\_\_\_\_ State Permit (Tracking) No.: \_\_\_\_\_  
Project/Site Name: \_\_\_\_\_

### B. Pre-Construction Conference Certification Statements:

All contractors, subcontractors, Annual Blanket Utility Providers, etc. performing any construction-related (land-disturbing) activity at the above-listed construction project/site must attend a Pre-Construction Conference for that construction project/site and complete a Pre-Construction Conference Certification prior to their starting to work at the above-listed construction project/site. *Read the Certification statements below (in entirety) and provide date and signature of agreement below.*

"I certify by my signature below that:

- (a) I or I on behalf of my company, as the case may be, participated in a pre-construction conference for the above-listed project in accordance with the requirements of the Construction General Permit (CGP) with the individual who is responsible for the operational control of the Stormwater Pollution Prevention Plan (SWPPP) or the duly authorized representative, and/or the preparer of the SWPPP or person with registration equivalent to that of the preparer of the SWPPP, and
- (b) I or I on behalf of my company accept the terms and conditions of the SWPPP as it pertains to the portion or portions of the plan I or my company am responsible for, and as required by the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Construction Activities SCR100000 issued to the Owner/Operator of the construction activity for which I or my company have been contracted to perform construction-related professional services."
- (c) Annual Blanket Utility Providers ONLY: "I also certify by my signature below that as a Blanket Utility Provider, I will only perform construction-related (land-disturbing) activities for this project that are covered in the approved SWPPP or approved subsequent modifications to the approved SWPPP."

**PRE-CONSTRUCTION CONFERENCE CERTIFICATION FORM**  
(Sheet 1)

Date: \_\_\_\_\_  
NPDES Coverage No.: SCR \_\_\_\_\_ State Permit (Tracking) No.: \_\_\_\_\_  
Project/Site Name: \_\_\_\_\_

**C. Pre-Construction Conference Certification Agreements:**

Please print legibly and complete all spaces on the form. *Annual Blanket Utility providers must also provide their annual blanket registration number and expiration date.* Abbreviate if necessary and submit the completed form to the person(s) conducting the pre-construction conference. **Additional certification agreement pages may be attached as necessary. DO NOT SIGN IN BLACK INK!**

**Contractor Information**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Company Name (As Applicable) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_  
(Blanket Utility Only): Annual Blanket Registration Number: \_\_\_\_\_ Blanket Expiration Date: \_\_\_\_\_

**Pre-Construction Conference Certification (Signature of Agreement):** Provide date and signature. **DO NOT SIGN IN BLACK INK!**

\_\_\_\_\_  
Signature of Agreement

\_\_\_\_\_  
Date Signed

**Contractor Information**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Company Name (As Applicable) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_  
(Blanket Utility Only): Annual Blanket Registration Number: \_\_\_\_\_ Blanket Expiration Date: \_\_\_\_\_

**Pre-Construction Conference Certification (Signature of Agreement):** Provide date and signature. **DO NOT SIGN IN BLACK INK!**

\_\_\_\_\_  
Signature of Agreement

\_\_\_\_\_  
Date Signed

**Contractor Information**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Company Name (As Applicable) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_  
(Blanket Utility Only): Annual Blanket Registration Number: \_\_\_\_\_ Blanket Expiration Date: \_\_\_\_\_

**Pre-Construction Conference Certification (Signature of Agreement):** Provide date and signature. **DO NOT SIGN IN BLACK INK!**

\_\_\_\_\_  
Signature of Agreement

\_\_\_\_\_  
Date Signed

**Contractor Information:**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Company Name (As Applicable) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_  
(Blanket Utility Only): Annual Blanket Registration Number: \_\_\_\_\_ Blanket Expiration Date: \_\_\_\_\_

**Pre-Construction Conference Certification (Signature of Agreement):** Provide date and signature. **DO NOT SIGN IN BLACK INK!**

\_\_\_\_\_  
Signature of Agreement

\_\_\_\_\_  
Date Signed

**C. PRE-CONSTRUCTION CONFERENCE CERTIFICATION AGREEMENTS**  
(Company Certification Agreements)  
(Sheet 2)

Use this sheet for certification agreements of contractors, subcontractors, annual blanket utility providers, etc. employed by the Contracting Company identified on this sheet **ONLY**. If you do not work for the company listed on this sheet, do not sign this sheet. Please print legibly and complete all spaces on the form. *Blanket utility providers must complete this agreement and provide their annual blanket registration number and expiration date.*

Date: \_\_\_\_\_

NPDES Coverage No.: SCR \_\_\_\_\_

State Permit (Tracking) No.: \_\_\_\_\_

Project/Site Name: \_\_\_\_\_

**Contracting Company Information:**

Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Contractor Information:**

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_ (Bla

Signature of Agreement

Date Signed

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_ (Bla

Signature of Agreement

Date Signed

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_ (Bla

Signature of Agreement

Date Signed

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_ (Bla

Signature of Agreement

Date Signed

## Instructions for Completing the Pre-Construction Conference Certification Agreement

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges From Construction Activities (SCR100000 (CGP)), if you cannot access the websites listed in these instructions, or if you have any questions, contact the Bureau of Water Stormwater Permitting Section at (803) 898-4300 or Coastal Stormwater Permitting Section at (843) 953-0200. Please see the Bureau of Water, Stormwater Permitting website (<http://www.scdhec.gov/stormwater>) for guidance and additional information.

### Who Must Sign a Pre-Construction Conference Certification Agreement

All contractors, subcontractors, annual blanket utility providers, etc., who will work for an Owner/Operator at a construction site with an approved C-SWPPP, must attend a Pre-Construction Conference (in person) before performing any construction-related or land-disturbing activities that may affect the implementation of the approved SWPPP. This conference may be held simultaneously with all contractors and builders or may be conducted separately with one or more contractors or builders present. See Section 4.1 (Pre-Construction Conferences) of the Construction General Permit (CGP) for additional information.

### General Guidance for This Form

#### Why Must I Attend a Pre-Construction Conference?

A Pre-Construction Conference must be held for each project or construction site with an approved Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP). Each contractor, subcontractor, blanket utility provider, etc., who will work at a site must attend this conference. The primary purpose of this conference is for the preparer of the SWPPP, or someone with a registration equivalent to that of the preparer of the SWPPP, and/or the person with operational control of the plans and specifications (the Primary or Secondary Permittee or their duly authorized representative (as defined in Section 122.22(b) of SC Regulation 61-9)) to review and explain the On-Site SWPPP (OS-SWPPP) so that all contractors, subcontractors, etc. are aware of the requirements before they start performing construction-related (land disturbing) activities that may affect the implementation of the approved SWPPP. *Pre-Construction Conference attendance must also be documented and maintained within the On-Site SWPPP (OS-SWPPP).*

#### Where Should I Hold the Pre-Construction Conference?

Unless specifically required by the Department or the respective MS4 (in writing or as a condition of the approved SWPPP to be held otherwise), Pre-Construction Conferences must be conducted as follows:

- Non-linear projects or sites that disturb 10 acres or more must be held on-site;
- Non-linear projects or sites that disturb less than 10 acres may be held off-site;
- Linear construction projects or sites (not part of a Larger Common Plan, subdivision or development) may be conducted off-site
- Linear construction within a Larger Common Plan, subdivision, etc. are considered to be linear construction activities under the Construction General Permit (CGP) and are not defined as linear construction projects or sites. Conferences for linear construction activities must be conducted in accordance with disturbed area ( $<10$  acres or  $\geq 10$  acres) criterion listed above for non-linear sites under the CGP. See **Appendix A, Definitions**, for additional information.

In addition, person(s) conducting the conference (Owner/Operator) may choose, at their discretion, to hold a conference normally held off-site, on-site.

### Instructions for Completing This Form

Please print legibly and complete all spaces on the form. Abbreviate if necessary to stay within the space allowed for each item. Submit the completed form to the person(s) conducting the Pre-Construction Conference.

#### Section A - Pre-Construction Conference Information

Persons conducting the conference may complete this section before the conference. Provide all requested information, including the date, time, project, and Owner/Operator identification information. Enter the official or legal name of the project or site as approved by the Department. Identify the person or persons conducting the conference. Identify the construction project type and conference location (on-site, off-site, or an alternate location approved by the Department or the respective MS4.) If your conference will be held off-site or at an alternate location, list or identify the specific location.

#### Section B - Pre-Construction Conference Certification Statements

Read the certification statements in entirety. If you are an Annual Blanket Utility, read the blanket utility statement also.

#### Section C - Pre-Construction Conference Certification Agreements

Sign Sheet 1 or 2 as applicable. Sheets 1 and 2 are formatted for multiple contractor certifications. Sheet 1 provides individual (person) certifications. Sheet 2 is ONLY for signatures within a specific company. If you use Sheet 1, provide your legal name, title or position, the name of your company, your mailing address, telephone and email address. If you use Sheet 2, provide the name, mailing address telephone, and email address of your company in Contracting Company Information. If you are an approved Annual Blanket Utility Provider, you must also provide your approved Annual Blanket Utility registration number and expiration date.

Sign and date the Pre-Construction Conference Certification (Signature of Agreement). **DO NOT SIGN IN BLACK INK.**

Return the signed and dated form to the Owner/Operator for record retention as a part of the On-Site SWPPP (OS-SWPPP)

***APPENDIX "I"***  
**CONTRACTOR CERTIFICATION FORM**



## CONTRACTOR CERTIFICATION FORM

For Coverage(s) under South Carolina  
NPDES General Permit for  
Stormwater Discharges from  
Construction Activities SCR100000  
(Maintain as Part of On-Site SWPPP)



FLORENCE COUNTY  
MS4

Date: \_\_\_\_\_

### A. Project Information

1. NPDES Coverage No.: SCR \_\_\_\_\_ State Permit (Tracking) No.: \_\_\_\_\_  
2. Project/Site Name (As Approved by Department): \_\_\_\_\_  
3. Owner/Operator Name: \_\_\_\_\_

### B. Contractor Information

1. Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Company \_\_\_\_\_ Name \_\_\_\_\_ (As \_\_\_\_\_ Applicable): \_\_\_\_\_  
Phone: \_\_\_\_\_ Email \_\_\_\_\_  
Address: \_\_\_\_\_  
2. Describe Construction-Related Responsibilities & Activities (Home construction, site grading, utility line installation, etc.): \_\_\_\_\_

### C. Contractor Certification Statements & Agreement: *(Read the Contractor Certification statements below (in entirety) and provide date and signature of agreement below).* See Section 122.22 of S.C. Reg. 61-9 for signatory authority requirements. **DO NOT SIGN IN BLACK INK!**

"I certify by my signature below that I or I (on behalf of my company and its contractors and agents), as the case may be,

- (a) Understand, accept, and will adhere to the provisions of the Stormwater Pollution Prevention Plan (SWPPP) as it pertains to the portion of the project I am or my company is responsible for, and as required by the coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Construction Activities SCR100000 issued to the Owner/Operator of the construction activity with whom I am or my company is under contract to perform construction related professional services;
- (b) Am legally accountable to the SC Department of Health and Environmental Control (DHEC), under the authorities of the Clean Water Act and the SC Pollution Control Act, to ensure compliance with the terms and conditions of the SWPPP applicable to my or my company's portion of the project;
- (c) Must comply with the terms and conditions of the Construction General Permit (CGP), will adhere to applicable standards and stormwater erosion control practices established in the SWPPP and in the Best Management Practices (BMP) manual at all times while performing work at the project site, and agree to implement corrective actions identified by the qualified inspector during a site inspection; and
- (d) Understand that DHEC enforcement actions may be taken against any specific or combination of permittees and contractors if the terms and conditions of the SWPPP are not met.

Therefore, having understood the above information, I am signing this certification as contractor to the aforementioned NPDES general permit."

Printed Name of Contractor \_\_\_\_\_

Title/Position \_\_\_\_\_

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

### **Termination of Contractor Certification Agreement: DO NOT SIGN IN BLACK INK!**

*(When your land-disturbing activities at this site have been completed, sign and date below).* After this date, you may *not* perform any land-disturbing activities at this site unless you sign a new contractor certification agreement).

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

## CONTRACTOR CERTIFICATION FORM

NPDES Coverage No.: SCR \_\_\_\_\_

State Permit (Tracking) No.: \_\_\_\_\_

Project/Site Name: \_\_\_\_\_

**C. Contractor Certification Statements:**

All contractors performing any land disturbing activity at a construction site must be certified and listed in the On-Site SWPPP (OS-SWPPP) in order to work on the site. *Read the Certification statements below (in entirety) and provide date and signature of agreement below.*

*"I certify by my signature below that I or I (on behalf of my company and its contractors and agents), as the case may be,*

- (a) Understand, accept, and will adhere to the provisions of the Stormwater Pollution Prevention Plan (SWPPP) as it pertains to the portion of the project I am or my company is responsible for, and as required by the coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Construction Activities SCR100000 issued to the Owner/Operator of the construction activity with whom I am or my company is under contract to perform construction related professional services;*
- (b) Am legally accountable to the SC Department of Health and Environmental Control (DHEC), under the authorities of the Clean Water Act and the SC Pollution Control Act, to ensure compliance with the terms and conditions of the SWPPP applicable to my or my company's portion of the project;*
- (c) Must comply with the terms and conditions of the Construction General Permit (CGP), will adhere to applicable standards and stormwater erosion control practices established in the SWPPP and in the Best Management Practices (BMP) manual at all times while performing work at the project site, and agree to implement corrective actions identified by the qualified inspector during a site inspection; and*
- (d) Understand that DHEC enforcement actions may be taken against any specific or combination of permittees and contractors if the terms and conditions of the SWPPP are not met.*

*Therefore, having understood the above information, I am signing this certification as contractor to the aforementioned NPDES general permit."*



# C. CONTRACTOR CERTIFICATION AGREEMENTS

(Sheet 1)

NPDES Coverage No.: SCR \_\_\_\_\_

State Permit (Tracking) No.: \_\_\_\_\_

Project/Site Name: \_\_\_\_\_

Please print legibly and complete all spaces on the form. **If you are an approved Blanket Utility Provider, you do not need to sign this form, but you must submit a copy of your Annual Blanket NOI registration information to the Owner/Operator.** Abbreviate if necessary and submit the completed form to the Owner/Operator. (When your land-disturbing activities at this site are complete, sign and date the termination agreement below. After this date, you may not perform any land-disturbing activities at this site unless you sign a new contractor certification agreement). **Additional certification agreement pages may be attached as necessary.** DO NOT SIGN IN BLACK INK!

**Contractor Information:**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
 Company \_\_\_\_\_ Name \_\_\_\_\_ (As \_\_\_\_\_ Applicable) \_\_\_\_\_  
 \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Contractor Certification (Signature of Agreement):** Provide date and signature. DO NOT SIGN IN BLACK INK!

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

**Termination of Contractor Certification Agreement:** Provide date and signature. DO NOT SIGN IN BLACK INK!

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

**Contractor Information:**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
 Company \_\_\_\_\_ Name \_\_\_\_\_ (As \_\_\_\_\_ Applicable) \_\_\_\_\_  
 \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Contractor Certification (Signature of Agreement):** Provide date and signature. DO NOT SIGN IN BLACK INK!

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

**Termination of Contractor Certification Agreement:** Provide date and signature. DO NOT SIGN IN BLACK INK!

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

**Contractor Information:**

Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_  
 Company \_\_\_\_\_ Name \_\_\_\_\_ (As \_\_\_\_\_ Applicable) \_\_\_\_\_  
 \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Contractor Certification (Signature of Agreement):** Provide date and signature. DO NOT SIGN IN BLACK INK!

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

**Termination of Contractor Certification Agreement:** Provide date and signature. DO NOT SIGN IN BLACK INK!

Signature of Contractor \_\_\_\_\_

Date Signed \_\_\_\_\_

**C. CONTRACTOR CERTIFICATION AGREEMENTS**  
**(Company Certifications)**  
 (Sheet 2)

Use this sheet for certification agreements of contractors, subcontractors, etc. employed by the Contracting Company identified below **ONLY**. If you do not work for the company listed below, do not sign this sheet. If you are an approved Blanket Utility Provider, you do not need to sign this form, but you must submit a copy of your Annual Blanket NOI registration information to the Owner/Operator. Abbreviate if necessary and submit the completed form to the Owner/Operator. (When your land-disturbing activities at this site are complete, sign and date the termination agreement below. After this date, you may *not* perform any land-disturbing activities at this site unless you sign a new contractor certification agreement). **Additional certification agreement pages may be attached as necessary.** Please print legibly and complete all spaces on the form. **DO NOT SIGN IN BLACK INK!**

NPDES Coverage No.: SCR \_\_\_\_\_ State Permit (Tracking) No.: \_\_\_\_\_  
 Project/Site Name: \_\_\_\_\_

**Contracting Company Information:**

Company \_\_\_\_\_ Name \_\_\_\_\_  
 \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 \_\_\_\_\_ Email Address: \_\_\_\_\_

**Contractor Information:**

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_

Contractor Certification (Signature of Agreement): Provide date and signature. **DO NOT SIGN IN BLACK INK!**

Signature of Contractor \_\_\_\_\_ Date Signed \_\_\_\_\_

Termination of Contractor Certification Agreement: Provide date and signature. **DO NOT SIGN IN BLACK INK!**

Signature of Contractor \_\_\_\_\_ Date Signed \_\_\_\_\_

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_

Contractor Certification (Signature of Agreement): Provide date and signature. **DO NOT SIGN IN BLACK INK!**

Signature of Contractor \_\_\_\_\_ Date Signed \_\_\_\_\_

Termination of Contractor Certification Agreement: Provide date and signature. **DO NOT SIGN IN BLACK INK!**

Signature of Contractor \_\_\_\_\_ Date Signed \_\_\_\_\_

Contractor Name: \_\_\_\_\_ Title/Position: \_\_\_\_\_

Contractor Certification (Signature of Agreement): Provide date and signature. **DO NOT SIGN IN BLACK INK!**

Signature of Contractor \_\_\_\_\_ Date Signed \_\_\_\_\_

Termination of Contractor Certification Agreement: Provide date and signature. **DO NOT SIGN IN BLACK INK!**

Signature of Contractor \_\_\_\_\_ Date Signed \_\_\_\_\_

## Instructions for Completing the Contractor Certification Form

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges From Construction Activities SCR100000 (CGP), if you cannot access the websites listed in these instructions, or if you have any questions, contact the Bureau of Water Stormwater Permitting Section at (803) 898-4300 or the Coastal Stormwater Permitting Section at (843) 953-0200. Please see the Bureau of Water, Stormwater Permitting website (<http://www.scdhec.gov/stormwater>) for guidance and additional information.

## Who Must Complete a Contractor Certification Form

Contractors (who are not Permittees or Annual Blanket Utility providers), employed by a Primary or Secondary Permittee of a construction project or site, must complete a Contractor Certification Form before performing any land-disturbing activities at the construction site. Contractor Certification Forms do not require Department approval, however, this form must be signed, dated, and submitted by each contractor to the Owner/Operator prior to commencement of land-disturbing activities by the contractor.

### General Guidance for this Form

#### **Are there Other Requirements for Contractors Completing this form?**

Contractors completing this form must also attend a pre-construction conference, and sign and date a Pre-Construction Conference Certification Agreement for each project or construction site where they will be performing construction activities. Contractors *cannot* work at a construction site until they sign this certification form and document attendance at the Pre-Construction Conference held for the project or construction site. See Section 4.1 of the 2012 CGP for additional information.

#### **What Does This Certification Mean?**

Upon signing this certification, the contractor is accountable to DHEC to ensure the terms and conditions of the approved Stormwater Pollution Prevention Plan (developed for the respective construction project or site) and the Construction General Permit (CGP) are implemented and adhered to in the respective area(s) of the plan where each contractor and/or company signing this form will be performing work. Each contractor becomes subject to DHEC enforcement actions if permit conditions are not met. See Sections 2.2.3 and 2.3.2 of the 2012 CGP for additional information.

#### **Should the Owner/Operator Retain This Form?**

The Owner/Operator of the construction site must retain completed Contractor Certification Forms with the approved On-Site SWPPP. This form must be retained for at least three years from the date permit coverage expires or is terminated.

### Instructions for Completing this Form

Please print legibly and complete all spaces on the form. Abbreviate if necessary to stay within the space allowed for each item and submit the completed form to the Owner/Operator for the specific project or construction site listed in Section A.

#### **Section A - Project Information**

Provide all requested information. Enter the date, NPDES coverage number, and Tracking No. provided by the Department for the approved SWPPP. Enter the official or legal name of the project or site, as approved by the Department. If this project is for an individual lot or group of lots, provide the lot number(s). Provide the name of the Owner/Operator.

#### **Section B - Contractor Information**

Provide your legal name and title/position. As applicable, provide the legal (formal) name of the company, firm, public organization, or any other entity (you are employed by or represent) on whose behalf you will be performing contractor construction activities. Provide your mailing address, telephone and e-mail address. Briefly describe construction-related duties and responsibilities you or your company will perform for this project at the construction site.

#### **Section C - Contractor Certification Statements & Agreement**

Read the certification statements (in entirety). Provide your printed name and title or position. Date and sign the certification agreement. Return the signed and dated form to the Owner/Operator. **DO NOT SIGN IN BLACK INK.** Sheets 1 and 2 are formatted for multiple contractor signatures. Sheet 2 is **ONLY** for signatures within a specific company. Each may be copied as necessary. Sign and date the Termination of Contractor Certification Agreement when the services you provide for this project are complete. Return the signed and dated form to the Owner/Operator for record retention as a part of the On-Site SWPPP (OS-SWPPP).

***APPENDIX “J”***

**CONSTRUCTION INSPECTION FORM**

DRAFT

**NPDES STORM WATER CONSTRUCTION COMPLIANCE INSPECTION REPORT FOR CONTRACTORS**

NPDES PERMIT NO.: \_\_\_\_\_ DATE OF INSPECTION: \_\_\_\_\_  
PROJECT NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_  
PROJECT DESCRIPTION (check one): Residential Commercial Other: \_\_\_\_\_

**I. TYPE OF INSPECTION:**

- 1) At least once every 7 calendar days, or  
   2) At least once every 14 calendar days and within 24 hrs of the end of a storm event of 0.5 inches or greater.

**II. WEATHER CONDITIONS**

- 1) Weather conditions during inspection: \_\_\_\_\_  
2) Weather conditions since last inspection, including rainfall information: \_\_\_\_\_  
\_\_\_\_\_

**III. SITE AND PLAN REVIEW**

*Are the following required items available for regulatory review?*

- Y N 1) SWPPP  
Y N 2) Copy of the General Permit  
Y N 3) NOI  
Y N 4) DHEC Coverage Letter  
Y N 5) Co-permittee agreements or contractor certification statements  
Y N 6) Weekly inspection forms

**IV. BEST MANAGEMENT PRACTICES**

- Y N 1) Is the Construction entrance/exit properly installed according to plans  
Y N 2) Is the perimeter silt fence and/or other controls properly installed  
Y N 3) Did any BMPs fail to operate as designed or prove inadequate? \*If Yes, Identify BMPs and location(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Y\* N 4) Are additional BMPs needed? \*If Yes, identify BMPs needed and which location(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Y\* N 5) Do any BMPs require maintenance? \* If Yes, provide location(s) and description(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Y N 6) Is construction activity following the phasing and sequencing plan?  
Y N 7) Has construction activity on the site ceased for 14 days or more?

Y N\* 8) If activity has ceased, have temporary stabilization measures been installed within 14 days? \*If No, identify location(s) needing stabilization: \_\_\_\_\_

Y N\* 9) Are litter, construction debris, oils, fuels, building products & construction chemicals being properly addressed and/ or removed? \*If No, identify location(s): \_\_\_\_\_

## V. FINAL STABILIZATION

Y\* N Have all land disturbing activities at the site permanently ceased? \*If Yes, complete the following questions:

Y N 1) Are there any areas of active erosion evident? If Yes, location(s): \_\_\_\_\_

Y N 2) Does the permitted area have 70% permanent vegetative cover (i.e. grass or other cover) OR have equivalent measures such as riprap, or geotextiles been installed?

## VI. OFFSITE IMPACTS FROM PROJECT

1) Are there any offsite impacts? \_\_\_No\_\_\_ Yes, where? \_\_\_Public Right of Way\_\_\_ Adjoining Property Owner  
\_\_\_Wetlands\_\_\_ Creek/River \_\_\_Lake/Pond\_\_\_ Other (please specify): \_\_\_\_\_

2) If answering "Yes" to the previous question, indicate the location and describe the impact: \_\_\_\_\_

## VII. DEFICIENCIES/ CORRECTIVE ACTIONS

Were deficiencies noted in this inspection previously listed in a monthly report? \_\_\_Yes\_\_\_ No

Corrective Action needed as a result of this inspection, including date to be completed: \_\_\_\_\_

## VIII. STORM WATER POLLUTION PREVENTION PLAN UPDATES

Y N 1) Does the SWPPP need to be modified as a result of the inspection?

Y N 2) Has the SWPPP been modified since the last inspection? If so, note the date(s): \_\_\_\_\_

## IX. COMMENTS

Inspector: \_\_\_\_\_ Title/Qualifications: \_\_\_\_\_

***APPENDIX “K”***

**PERMANENT STORMWATER SYSTEM MAINTANENCE AND  
RESPONSIBILITY AGREEMENT**

## Permanent Stormwater System Maintenance and Responsibility Agreement

Under the South Carolina Stormwater Management and Sediment Reduction Act of 1991 (48-14-10, et. seq.), Regulation 72-308 requires the Landowner, its successors and assigns, including any homeowners association, shall adequately maintain the stormwater management/Best Management Practices (BMP) facilities. This includes all pipes and channels built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions.

The Department of Health and Control (DHEC)/Office of Ocean and Coastal Resource Management (OCRM) recommends that The Landowner, its successors and assigns, shall inspect the stormwater management/BMP facility regularly. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc.

The Landowner, its successors and assigns, hereby grant permission to the DHEC/OCRM, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management/BMP facilities whenever DHEC/OCRM deems necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints. DHEC/OCRM shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.

The Landowner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management/BMP facilities (including sediment removal) is outlined on the approved plans, the schedule will be followed.

This Agreement imposes no liability of any kind whatsoever on DHEC/OCRM and the Landowner agrees to hold DHEC/OCRM harmless from any liability in the event the stormwater management/BMP facilities fail to operate properly.

I accept responsibility for ownership and proper maintenance of the stormwater system (pond, swales, etc.) on the \_\_\_\_\_ site per the approved maintenance plan. I will complete any necessary repairs and/or preventive maintenance procedures in a timely manner to ensure proper functioning as a stormwater management device(s).

It is my understanding that the maintenance plan may be amended/revised at any time by DHEC/OCRM, and I will abide by any prescribed changes.

I will continue to own and maintain the pond until DHEC/OCRM is notified in writing of a transfer in ownership and maintenance responsibility. The notification will include a date for the transfer of responsibility and a letter of acceptance from the new owner.

I understand that failure to adhere to the signed maintenance agreement may result in fines of up to \$1,000.00 per day, per violation and /or the institution of a court action.

\_\_\_\_\_  
Signature of Owner/Agent

\_\_\_\_\_  
Printed Name of Owner/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Notary Stamp/Signature/Date



***APPENDIX “L”***

**NOTICE OF TERMINATION (EPA FORM)**

BOARD:  
Paul C. Aughry, III  
Chairman  
Edwin H. Cooper, III  
Vice Chairman  
Steven G. Kiser  
Secretary



C. Ead Hunter, Commissioner

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

BOARD:  
Henry C. Scott  
M. David Mitchell, MD  
Glenn A. McCall  
Coleman F. Buckhouse, MD

## Notices of Termination for SCR100000

The two procedures outlined below should be utilized for the submittal of Notices of Termination (NOTs) for SCR100000 to the Department. The completed, signed, original NOT form should be mailed to the following addresses.

Projects in the 8 coastal counties (Beaufort, Berkeley, Charleston, Colleton, Dorchester, Horry, Georgetown, Jasper):

S.C. DHEC-OCRM  
Stormwater Permitting Section  
1362 McMillan Avenue, Suite 400  
Charleston, SC 29405

Projects located in all other counties:

S.C. DHEC  
Stormwater Permitting Section  
2600 Bull Street  
Columbia, SC 29201-1708

1. The first scenario involves NPDES Construction General Permit (CGP) coverages issued under the 1998 NPDES General Permit for Storm Water Discharges from Construction Activities (1998 CGP). Coverage under the 1998 CGP was issued before September 1, 2006, and individual coverage numbers are from SCR101### to SCR10D###. This CGP states that NPDES permit coverage should be terminated as follows: "Where a site has been finally stabilized and all storm water discharges from construction activities that are authorized by this permit are eliminated, the operator of the facility must submit a Notice of Termination that is signed in accordance with Part VI.G of this permit."

Sites that meet these requirements should use the following form:

<http://www.scdhec.gov/administration/library/D-2610.pdf>.

2. If NPDES CGP coverage was granted on or after September 1, 2006, coverage was granted under the 2006 NPDES General Permit for Storm Water Discharges from Large and Small Construction Activities (2006 CGP), and the above form is not applicable. Individual coverage numbers are SCR10E### and higher. Sites permitted under the 2006 CGP may submit a Notice of Termination when one or more of the following 4 conditions, listed in Section 5.1, have been met:
  - a. Final stabilization has been achieved on all portions of the Site for which you (the permittee) are responsible;
  - b. Another Operator has assumed control, according to §122.41(l)(3) of SC Regulation 61-9 (see Appendix C of the 2006 CGP), over all areas of the Site that have not been finally stabilized;
  - c. Coverage under an individual or alternative general NPDES permit has been obtained; or
  - d. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner. (Seed and straw is not adequate for temporary stabilization.)

Until the Department develops its own NOT form, EPA's Form - No. 3510-13 found at the following address should be used: [http://www.epa.gov/npdes/pubs/cgp\\_appendixf.pdf](http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf).

In addition to this form, Section 5.2 of the 2006 CGP requires that an engineering certification be provided for sites that disturb more than 2 acres. Following is the exact section outlining what is required:

"For Projects disturbing more than 2 acres, a certification statement, signed and dated by the preparer of the SWPPP or other person with a registration equivalent to that of the preparer of the SWPPP, that to the best of his or her knowledge and belief all work was conducted and completed in accordance with the approved SWPPP and this CGP. This certification must be based on the inspections performed in accordance with this Subpart 3.10 of this CGP and must state that any deficiencies that were noted have been corrected."

Also, if submission of as-built drawings of stormwater management structures was required in the approval letter for the site's NPDES CGP coverage, then this should be submitted to and accepted by the Department prior to submitting an NOT.

NPDES  
FORM



United States Environmental Protection Agency  
Washington, DC 20460  
**Notice of Termination (NOT) of Coverage Under an NPDES General Permit for  
Stormwater Discharges Associated with Construction Activity**

Submission of this Notice of Termination constitutes notice that the party identified in Section II of this form is no longer authorized to discharge stormwater associated with construction activity under the NPDES program from the site identified in Section III of this form. All necessary information must be included on this form. Refer to the instructions at the end of this form.

**I. Permit Information**

NPDES Stormwater General Permit Tracking Number:

Reason for Termination (Check only one):

- ☐ Final stabilization has been achieved on all portions of the site for which you are responsible.
- ☐ Another operator has assumed control, according to Appendix G, Section 11.C of the CGP, over all areas of the site that have not been finally stabilized.
- ☐ Coverage under an alternative NPDES permit has been obtained.
- ☐ For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

**II. Operator Information**

Name:

IRS Employer Identification Number (EIN):  -

**Mailing Address:**

Street:

City:

State:

Zip Code:  -

Phone:  -  -

Fax (optional):  -  -

E-mail:

**III. Project/Site Information**

Project/Site Name:

Project Street/Location:

City:

State:

Zip Code:  -

County or similar government subdivision:

**IV. Certification Information**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print

Name:

Print

Title:

Email:

Signature:

Date:

Instructions for Completing EPA Form 3510-13

**Notice of Termination (NOT) of Coverage Under an NPDES General Permit for  
Stormwater Discharges Associated with Construction Activity**

NPDES Form

This Form Replaces Form 3517-7 (8-98)

Form Approved OMB Nos. 2040-0086 and 2040-0211

**Who May File an NOT Form**

Permittees who are presently covered under the EPA-issued National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity may submit an NOT form when final stabilization has been achieved on all portions of the site for which you are responsible; another operator has assumed control in accordance with Appendix G, Section 11.C of the General Permit over all areas of the site that have not been finally stabilized; coverage under an alternative NPDES permit has been obtained; or for residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

"Final stabilization" means that all soil disturbing activities at the site have been completed and that a uniform perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. See "final stabilization" definition in Appendix A of the Construction General Permit for further guidance where background native vegetation covers less than 100 percent of the ground, in arid or semi-arid areas, for individual lots in residential construction, and for construction projects on land used for agricultural purposes.

**Completing the Form**

Type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) or telephone the Stormwater Notice Processing Center at (866) 352-7755. Please submit original document with signature in ink - do not send a photocopied signature.

**Section I. Permit Number**

Enter the existing NPDES Stormwater General Permit Tracking Number assigned to the project by EPA's Stormwater Notice Processing Center. If you do not know the permit tracking number, refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) or contact the Stormwater Notice Processing Center at (866) 352-7755.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box. Check only one:

*Final stabilization has been achieved on all portions of the site for which you are responsible.*

*Another operator has assumed control according to Appendix G, Section 11.C over all areas of the site that have not been finally stabilized.*

*Coverage under an alternative NPDES permit has been obtained.*

*For residential construction only, if temporary stabilization has been completed and the residence has been transferred to the homeowner.*

**Section II. Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the project described in this application and is covered by the permit tracking number identified in Section I. The operator of the project is the legal entity that controls the site operation, rather than the site manager. Provide the employer identification number (EIN from the Internal Revenue Service; IRS). If the applicant does not have an EIN enter "NA" in the space provided. Enter the

complete mailing address, telephone number, and email address of the operator. Optional: enter the fax number of the operator.

**Section III. Project/Site Information**

Enter the official or legal name and complete street address, including city, state, zip code, and county or similar government subdivision of the project or site. If the project or site lacks a street address, indicate the general location of the site (e.g., Intersection of State Highways 61 and 34). Complete site information must be provided for termination of permit coverage to be valid.

**Section IV. Certification Information**

All applications, including NOIs, must be signed as follows:

*For a corporation:* By a responsible corporate officer. For the purpose of this Part, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated NOT form will not be considered valid termination of permit coverage.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hours per notice, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB number on any correspondence. Do not send the completed form to this address.

Visit this website for mailing instruction:  
[www.epa.gov/npdes/stormwater/mail](http://www.epa.gov/npdes/stormwater/mail)

Visit this website for instructions on how to submit electronically:  
[www.epa.gov/npdes/stormwater/enoi](http://www.epa.gov/npdes/stormwater/enoi)

***APPENDIX “M”***

**SC REGULATIONS 61-9, SECTION 122.2 – SIGNATORIES TO  
PERMIT APPLICATIONS AND REPORTS**

## 122.22 Signatories to permit applications and reports.

(a) Applications. All permit applications shall be signed as follows:

(1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency or public facility: By either a principal executive officer, mayor, or other duly authorized employee or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator, Region IV, EPA).

(b) All reports required by permits, and other information requested by the Department, shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

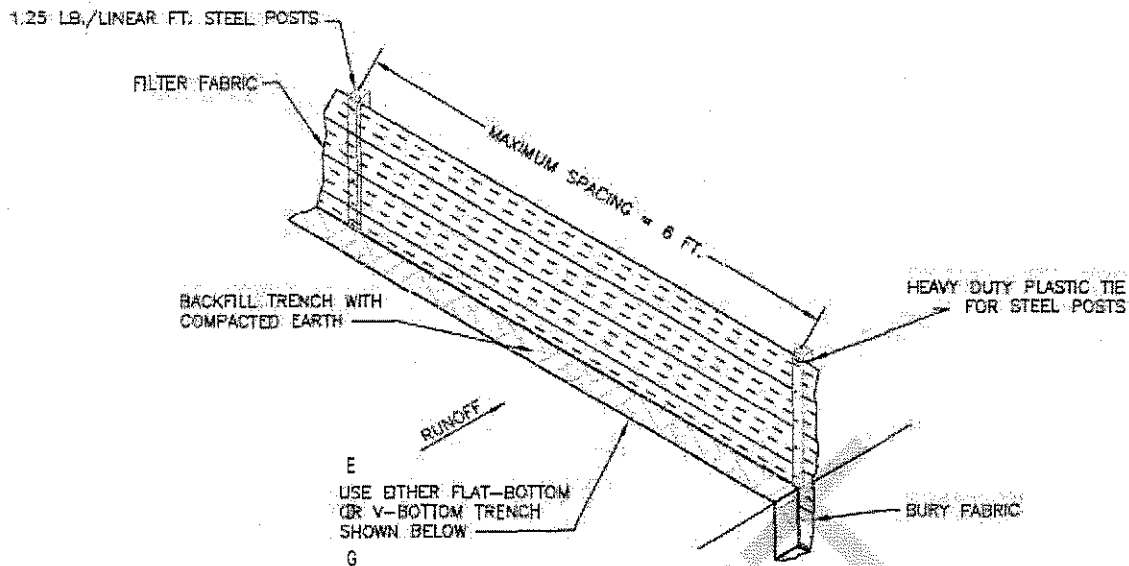
(3) The written authorization is submitted to the Department.

(c) Changes to authorization. If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

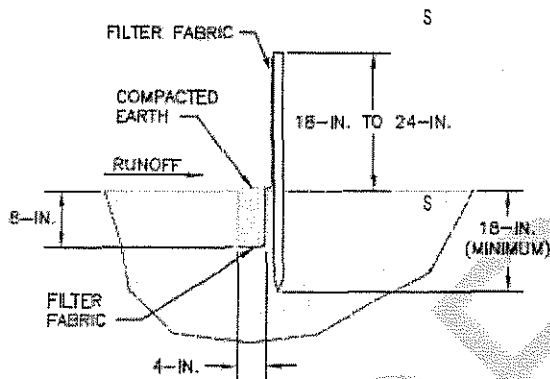
(d) Certification. Any person signing a document under paragraph (a) or (b) of this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

***APPENDIX “N”***  
**STANDARD SPECIFICATIONS AND DETAILS**

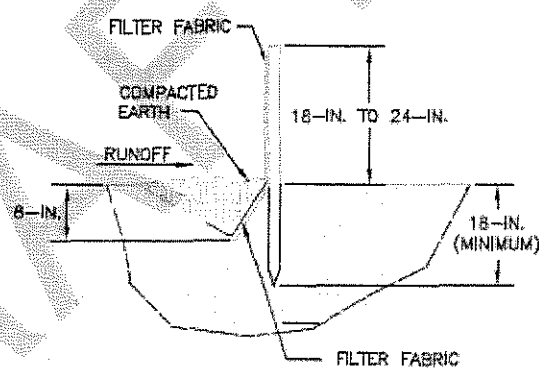
## Silt Fence Installation



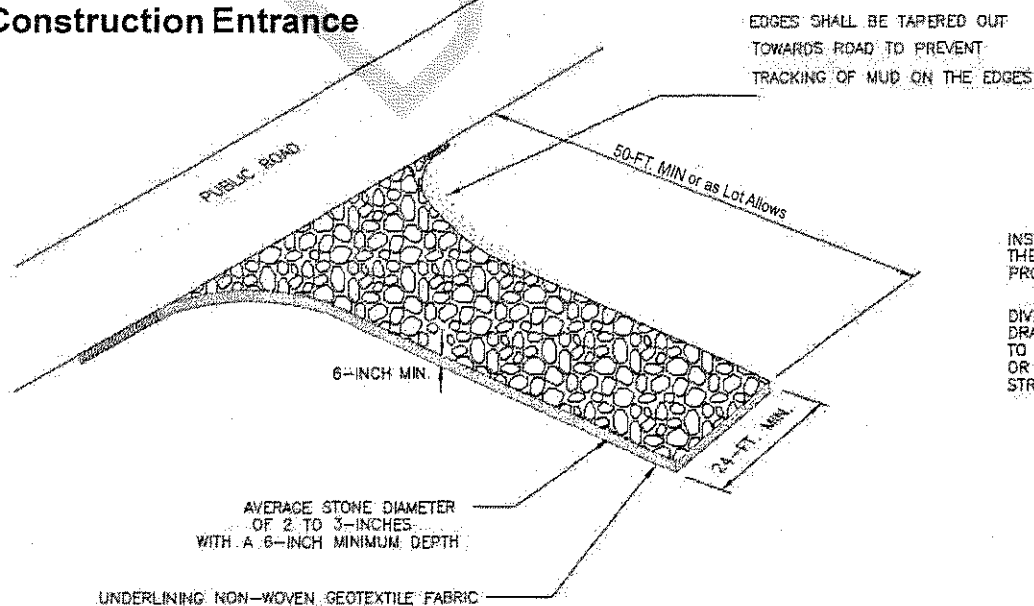
### Flat-Bottom Trench Detail



### V-Shaped Trench Detail



## Construction Entrance



INSTALL A CULVERT PIPE ACROSS THE ENTRANCE WHEN NEEDED TO PROVIDE POSITIVE DRAINAGE.

DIVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE STONE PAD TO A SEDIMENT TRAP OR BASIN OR OTHER SEDIMENT TRAPPING STRUCTURE.



***APPENDIX “O”***

**STORMWATER MANAGEMENT AND SEDIMENT CONTROL  
PERMIT APPLICATIONS FEES**

**FLORENCE COUNTY ENGINEERING DIVISION  
FEE SCHEDULE  
(2013)**

<b>ACTIVITY</b> (For All Land Disturbance Activity in Florence County)	<b>AMOUNT OF FEE</b>
<b>RESIDENTIAL</b>	
<b>Residential Land Disturbing Permit - Individual Lot Notice of Intent</b> (For coverage of secondary permittees within an approved subdivision)	\$150.00
<b>COMMERCIAL</b>	
<b>Small Commercial Land Disturbing Permit</b> (For all commercial projects that disturb less than 1 acre of land which is not part of a Larger Common Plan)	\$125.00
<b>Large Commercial Land Disturbing Permit - Notice of Intent (NOI)</b> (For coverage of primary permittees under SC NPDES General Permit for stormwater discharges from construction activities SCR1000000 - Over 1 acre of land disturbance)	\$250 + \$100/Acre (Max. \$2,250.00)
<b>Major Modifications to NOI for Coverages of Primary Permittees</b> (For modifications to the approved SWPPP due to changes in design, construction, operation or maintenance) \$2,250.00 shall be the maximum review fee for the total project acreage. The \$200.00 administrative fee will still be required.	\$200 + \$100/Acre Per Each Additional Acre

***APPENDIX "P"***

**CONSTRUCTION GENERAL SWPPP TEMPLATE**

# SC DHEC's Stormwater Pollution Prevention Plan (SWPPP) Template

## Overview

To aid in the development of a site-specific Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and an On-site Stormwater Pollution Prevention Plan (OS-SWPPP) for construction sites seeking coverage under the South Carolina's NPDES General Permit for Stormwater Discharges from Construction (CGP), the following template has been provided as guidance. It is recommended that this template be use in conjunction with the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP) and the latest editions of the SCDHEC's Plan Review Checklist for Design Professionals and Stormwater BMP Handbook. All are available for download on SC DHEC's Stormwater website, <http://www.scdhec.gov/stormwater>.

This template covers the majority of the requirements that may need to be addressed to obtain coverage under the CGP for most construction sites located within South Carolina. However, additional provisions may need to be included within the C-SWPPP or OS-SWPPP to address site-specific conditions. Please review the current edition of the CGP to ensure all requirements have been met before submitting your C-SWPPP for review and approval.

As noted above, this template has been designed to create both the C-SWPPP and the OS-SWPPP. Sections 1 through 3 should be the same for each document, with the bulk of the differences between the C-SWPPP and OS-SWPPP will be within the appendices.

## Using this Template to Create the C-SWPPP

This template includes an example of a site-specific Comprehensive SWPPP as a Microsoft Word document. A set of instruction has been provided for each section and some sections have been provided with sample language. The SWPPP preparer can easily add tables, diagrams, text and other sources of information to address the needs for a specific construction site. The C-SWPPP derived from this template can then be sent in for review and approval.

## Using this Template to Create the OS-SWPPP

After approval, this template may also be used to generate the required On-Site SWPPP. Simply rename the approved C-SWPPP document to the OS-SWPPP and remove the Engineering Report Appendix. Be sure that Appendix E, F, G and H are included. If they were not included with the C-SWPPP, please add them prior to implementation of the approved C-SWPPP at the construction site.

### Disclaimer

The information and guidance presented within this document represent design templates that are recommended, however their effectiveness is dependent on the proper identification of stormwater management BMPs to address site-specific conditions. No guarantee of permit coverage is implied upon inclusion or acceptance of the use of this template within a Permittee's application package for coverage under the NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000).

DRAFT

## Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) For Construction Activities:

**Project/Site Name:**

Insert Company or Organization Name

**Primary Permittee:**

Insert Company or Organization Name

**Project Address/Location:**

Insert Address

Insert City, State, Zip Code

Insert Telephone Number

Insert Fax/Email

**Permittee/Owner Contact:**

Insert Address

Insert City, State, Zip Code

Insert Telephone Number

Insert Fax/Email

**SWPPP Preparer:**

Insert Company or Organization Name

Insert Name

Insert Address

Insert City, State, Zip Code

Insert Telephone Number

Insert Fax/Email

**Day-to-Day Operator:**

Insert Company or Organization Name

Insert Name

Insert Address

Insert City, State, Zip Code

Insert Telephone Number

Insert Fax/Email

(Leave Blank if not known.)

**C-SWPPP Preparation Date:**

\_\_\_/\_\_\_/\_\_\_\_\_

**Modification Dates:**

Modification I:     /     / \_\_\_\_\_

Modification II:    /     / \_\_\_\_\_

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\*C-SWPPP is acronym for Comprehensive Storm Water Pollution Prevention Plan

\*\*OS-SWPPP is acronym for On-Site Storm Water Pollution Prevention Plan

## Section 1

### PROJECT OVERVIEW

#### 1.1 Narrative (CGP Section 3.2.1)

##### Construction Activities and BMP Summary

**Instructions:** Include a brief summary of the proposed construction activities and the BMPs that will be implemented to manage stormwater and to provide sediment and erosion control. Identify if the construction activities are required to be implemented through phased plans as specified in Section 3.2.9.B. Also, identify any proposed permanent water quality/quantity BMPs.

##### - Sample Language - Project Summary -

This construction site includes the clearing and grubbing of existing agricultural land, grading of the existing contours, and the construction of two commercial buildings and a large parking lot.

Perimeter Control BMPs and a sediment basin will be installed prior to the initiation of the mass clearing/grubbing and grading of the site, and the sediment basin will be the primary sediment control BMP used during the lifespan of all construction activities, until final stabilization is reached. Once final stabilization is reached the sediment basin will be converted into a wet detention pond to treat post-development water quality and quantity.

The construction activities at this site will be implemented in 3 distinct Erosion Prevention and Sediment Control Phases. The first phase includes the initial installation of perimeter controls, sediment control BMPs, and the construction entrance. The second phase includes the bulk of the construction activities and the implementation of internal stormwater management BMPs. The final phase, Phase 3, includes the final stabilization of the site and conversion of the sediment basin into a permanent water quality and quantity control structure.

##### Pre-Development Conditions

**Instructions:** Include a brief summary of the pre-development drainage conditions. Identify the number of outfall locations and any pre-existing stormwater management structures. Reference the Site Maps, Drainage Maps, and Engineering Reports that may provide more details on these conditions.

##### Post-Development Conditions

**Instructions:** Include a brief summary of the post-development drainage conditions. Identify the number of outfall locations and any changes from pre-development stormwater drainage. Reference the Site Maps, Drainage Maps, and Engineering Reports that may provide more details on these conditions. Include a pre/post peak discharge table summarizes these flows.



**- Sample Language - Peak Discharges -**

As shown in Table 1.1-A, the post-development peak discharges are lessthanor equalto the pre-development peak discharges for each of the 4 identified outfalls.

Table 1.1-A: Pre/Post Peak Discharges

Summary of Pre/Post Peak Discharges					
Outfall A			Outfall B		
	Pre	Post		Pre	Post
2-YR			2-YR		
10-YR			10-YR		
100-YR			100-YR		
Outfall C			Outfall D		
	Pre	Post		Pre	Post
2-YR			2-YR		
10-YR			10-YR		
100-YR			100-YR		

**Flooding Issues**

Instructions: Include a description of existing and potential flooding problems at the site due to pre-construction drainage conditions, and any potential flooding problems within the surrounding area that may be a direct result of current site conditions or the proposed site development. Identify if the site is located within a floodplain. Reference any appendix that contains additional information.

**Residential Subdivision Information (As Applicable)**

Instructions: Identify if this C-SWPPP was developed for a Primary or a Secondary Permittee. If for a Primary Permittee, identify whether this C-SWPPP may be used by Secondary Permittees to obtain coverage or if Secondary Permittees are required to develop their own C-SWPPP for permit coverage.

Identify if the subdivision is to be mass-graded or not. If the subdivision is not to be mass graded include the disturbed area calculations and the subsequent note identified in Item 4 of the Stormwater Management and Sediment and Erosion Control Plan Checklist for Design Professionals.

## 1.2 Stormwater Management and Sediment Control (CGP Section 3.2.2)

Instructions: This section may be used to address all applicable requirements identified in Section 3.2.2 of the Construction General Permit. This includes identification of stormwater discharges from industrial activities regulated by the NPDES Industrial Stormwater Program (batch concrete plants, asphalt plants, etc), various types of BMPs, stockpile management, construction entrances, dust control, and pollutant identification. These sections should contain very general information and might be able to be used for most sites.

Sample Language has been provided for the majority of the items identified in the CGP. Bolded text is language that will differ from site to site.

### - Sample Language -

#### Erosion Prevention BMPs

As the existing site is cleared, grubbed and graded to the proposed contours shown on the construction site plans, erosion prevention BMPs shall be placed throughout the construction site to aid in the prevention of sediment-laden stormwater runoff. These BMPs shall be focused in areas with high potential of erosion, areas preceding infiltration practices, and shall be applied to all steep slopes. That is slopes equal to or greater than 3H:1V.

Each erosion prevention measure shall be selected on a site-specific basis and details have been provided on the construction site plans. The plans identify all proposed Erosion Prevention BMPs and the recommended installation, maintenance, and inspection procedures.

Examples of Erosion Prevention BMPs are, but are not limited to, surface roughening, temporary seeding, erosion control blankets, turf reinforcement mats, sodding, riprap, outlet protection, dust control, and polyacrylamide (PAM). Information on the design and proper use of Erosion Prevention BMPs can be located in the SCDHEC's BMP Handbook.

#### Sediment Control BMPs

Sediment Control BMPs are designed to remove some of the sediment accumulated within stormwater runoff, to the best extent practicable. These BMPs help prevent sediment impacts to adjacent properties and water bodies from stormwater discharges originating from construction sites.

Typically these BMPs are placed near each of the site's outfalls and are installed prior to clearing and grubbing of the site (before large areas of soil are exposed). However, these BMPs can also be located throughout the construction site and, in these circumstances, are installed after mass grading has occurred. Placement, sizing and modifications of Sediment Control BMPs should be left to the SWPPP preparer and/or the Site Engineer. Contractors must consult the SWPPP Preparer as listed at the front of this SWPPP before making any significant changes to these BMPs.

Each sediment control BMP shall be selected on a site-specific basis. Examples of Sediment Control BMPs are, but are not limited to sediment traps, sediment basins, silt fence, rock check dams, rock sediment dikes, sediment tubes, and inlet protection. Please consult SCDHEC's BMP Handbook for more information on Sediment Control BMPs.

#### Structural Control BMPs and Floodplain Placement

This site-specific SWPPP utilizes the following structural control BMPs: retention pond, detention pond, Bioretention areas, perimeter earthen berms, permanent vegetated swales, and storm sewer systems. These practices have been designed to either divert flows from exposed soils, to retain/detain flows, and to otherwise limit the runoff and the discharge of pollutants from disturbed areas of the construction site.

Throughout the lifespan of the construction project these BMPs will be installed and maintained, as required by the SWPPP and the construction site plans, until final stabilization has been achieved for the areas draining to each BMP. Upon final stabilization, each structural control BMP must be modified to the post-construction conditions shown within the approved construction site plans or removed, if the structural BMP was a temporary structure.

Any Structural Control BMPs that are being proposed within the 100-yr floodplains will require approval from the local regulating agency, since SC DHEC does not have the authority to regulate within the associated flood plains. Approvals from the local agency will be located in Appendix C, Additional Approvals/Certifications of this SWPPP. If the required approval is not located in this SWPPP, please contact the Primary Permittee listed on the title sheet of this SWPPP before performing work within the floodplain.

#### Construction Entrances and Dust Control

All access areas into and out of the limits of disturbance, as shown on the construction site plans, are required to be equipped with a construction entrance. The use of this BMP will limit the amount of sediment being transported by construction vehicles onto existing roadways or other impervious areas. Any tracked sediment, along with any attached pollutants, deposited on impervious areas could be washed downstream during the next rain event. Each construction entrance must be installed as shown in the details section of the construction site plans.

If a new entrance or exit is required, that is not shown on the plans, install the construction entrance as noted by the construction entrance detail, mark the location on the plans and make a record of this minor modification in the SWPPP's modification log, which is located within one of the appendices of the On-site SWPPP.

Each stabilized construction entrance should be used in conjunction with Street Sweeping measures if it becomes apparent that sediment is still being tracked onto adjacent impervious areas, even with the use of the construction entrance.

During extremely dry conditions, drought, and/or excessive winds, the construction site

should be treated for dust control to prevent the suspension of fine sediment particles into the air, being carried offsite, and deposited on adjacent properties or surface waters. This practice may not be directly called out for on the construction site plans. A water tanker used to spray the soil down may be an effective way to prevent excessive dust at a construction site.

#### Water Quality BMPs During Construction

Site-specific water quality BMPs (e.g., sediment basins, sediment traps, rock check dams, and rock sediment dikes) must be installed prior to the mass clearing, grubbing and grading of the site, and must be kept in functioning order throughout the lifespan of all construction activities. Each of these BMPs must be maintained and inspected until all areas draining to these BMPs have reached final stabilization, approved by the construction site inspector or the SWPPP Preparer, and recorded within the stabilization log located as an appendix of the On-site SWPPP.

The location, installation procedures, and maintenance procedures for each water quality BMP can be found within the approved construction site plans.

#### Post-Construction Water Quality

All construction sites disturbing 5 acres or more, including construction activities associated with Larger Common Plans disturbing 5 acres or more (for sites located within an MS4 this may be 1 acre or more), must be designed to treat water quality post-construction. These water quality controls must be installed and stabilized prior to terminating coverage under the CGP. These controls will require routine maintenance to remain functional; this is to be conducted by the Primary Permittee or the entity that accepts responsibility for these structures once construction has been completed. Additional information, including permanent maintenance and inspection procedures, can be found in Appendix C of the OS-SWPPP or within the construction site plans.

Upon final stabilization, each construction site will have to make the transition from temporary BMPs to permanent BMPs. This transition may include the conversion of a sediment basin to a detention basin, a sediment trap to a bioretention area, or diversion swales to permanently vegetated swales. All post-construction (permanent) water quality and water quantity BMPs are identified in the final phase of the Erosion and Sediment Control located within the construction site plans.

#### Other Stormwater Management Procedures

Based on the nature, conditions, and/or procedures associated with this construction site, the following items must be followed and adopted by all those conducting land disturbing activities at this site:

- All construction debris must be stockpiled in designated areas, which have been provided with the proper BMPs to prevent the discharge of pollutants through stormwater runoff from building or other similar materials off-site or into surface waters.

- Any additional waste material or stockpile material (i.e., soil and mulch) must also be stored in the designated areas as shown on the Construction Site Plans or as the contractor, responsible for day-day activities at this site, deems appropriate. Silt fence or an approved equal shall surround all stockpiled materials.
- All parties conducting work at this construction site must be informed of and make note of pollutant sources, both industrial and construction, at this site, and be informed of all controls and measures that will be implemented to prevent the discharge of these pollutants in stormwater runoff.
- Any additional non-stormwater discharges, as referenced in the CGP, should be eliminated or reduced to the maximum extent feasible. All unpreventable non-stormwater discharges shall be treated through the approved stormwater management system before release off-site. Following is a list of allowable non-stormwater discharges:
  - Fire hydrant flushing
  - Wash water without detergents
  - Water used for dust control
  - Potable water
  - Building wash down water without detergents
  - Uncontaminated pavement wash water
  - Uncontaminated condensation from mechanical equipment
  - Uncontaminated ground or spring water
  - Water from foundation of footing drains
  - Uncontaminated excavation dewatering
  - Landscape irrigation.
- (Additional notes specific to your construction site may be inserted here and below in list format or however you see fit. The regulatory agency may request additional notes here after initial review of the submitted SWPPP.)

### 1.3 Sequence of Construction

Instructions: This section is provided to ensure that a construction sequence has been provided for the proposed activities. For most sites, this section can simply reference the construction sequence located within the construction site plans. In certain situations more detail on each step identified within the construction sequence may be desired or may be necessary to be provided.

Additional tables or lists may be provided in addition to the sample language provided below. Any additional information will be beneficial to those implementing the proposed construction activities and associated BMPs.

#### - Sample Language -

The construction sequence for this project has been provided on sheet EPSC-1 of the construction site plans. Each item/step of that construction sequence has been listed in the sequence that they should be implemented.

For additional information or questions on the sequencing please contact the SWPPP Preparer or the Permittee referenced on the cover of this SWPPP.

## 1.4 Non-Numeric Effluent Limits

**Instructions:** This section may be used to address applicable Non-Numeric Effluent Limits identified in Section 3.2.10 of the Construction General Permit. Some of these requirements can be addressed solely on the Construction Site Plans, but some may be better addressed within the SWPPP document.

Sample Language has been provided for the Non-Numeric Effluent Limits that are required to be addressed within the SWPPP Document. Portions of the sample language may need to be revised to meet site-specific conditions.

### - Sample Language -

#### Stormwater Volume and Velocity Control

During the implementation of construction activities, all parties performing work at this construction site whose work may affect the implementation of the SWPPP must be informed of and directed on how to comply with this Non-Numeric Effluent Limit, which requires the management of stormwater runoff within the construction site and at each outfall. The purpose of this requirement is to control the stormwater volume and velocity at these locations to minimize erosion.

Specifically, each responsible party should be made aware of the practices that have been or should be implemented at the construction site to accomplish these particular stormwater management practices. Below is a list of practices that may be utilized within the disturbed area and at each outfall at construction sites to control stormwater volume and velocity:

#### Volume Control

- Limiting the amount of disturbed area and exposed soils
- Staging and/or Phasing of the Construction Sequence;
- Sediment Basins and Sediment Traps
- Diverting off-site flow around the construction site;
- Controlling the Drainage Patterns within the Construction Site;
- Temporary Stabilization of Disturbed Areas.

#### Velocity Control

- Surface Roughening and/or other Slope Stabilization Practices;
- Level Spreaders, Riprap Plunge Pools and/or other Velocity Dissipation BMPS located at the Construction Site's and Sediment Basin Outfalls.
- Use of Rock Checks, Sediment Tubes, Etc. in Temporary Diversion Swales and Ditches.
- Use of Erosion Control Blankets, Turf Reinforcement Mats, and other Non-Vegetative BMPs that can be used to Quickly Stabilize Disturbed Areas.

The SWPPP Preparer/Engineer should approve any modifications (Additional BMPs or Changes to Existing BMPs) to address the management of stormwater volume and velocity prior to implementation. All approved SWPPPs that were issued coverage under the CGP should include ample BMPs and other control measures to address this specific Non-Numeric Effluent Limit.

#### Soil Exposure, Compaction and Preservation

Throughout construction activities, the amount of soil exposed during construction should be kept to a minimum. This may be accomplished by minimizing the amount the disturbed area within the permitted Limits of Disturbance (shown on the approved construction site plans) to only that which is necessary to complete the proposed work. For areas that have already been disturbed and where construction activities will not begin for a period of 14 days or more, temporary stabilization techniques must be implemented.

Prior to implementation of any major grading activities, topsoil is to be preserved by placing it in areas designated for stockpiling until final grades are reached. Each stockpile must be equipped with proper sediment and erosion controls to preserve the topsoil and protect adjacent areas from impacts. Once final grades have been reached, the preserved topsoil should be utilized to apply to areas identified for stabilization. Topsoil contains nutrients and organisms that aid in the growth of vegetation.

The Compaction of Soil should also be minimized to the degree practicable during grading activities. This is especially important during the replacement of topsoil to aid in a quick establishment of vegetative cover. Compaction of soil may also reduce rainfall's ability to infiltrate into the soil, increasing the amount of stormwater runoff.

#### Soil Stabilization

Throughout construction activities, soil stabilization techniques are to be initiated as soon as practicable whenever any clearing, grading, excavating, or other land-disturbing activities have permanently or temporarily ceased on any portion of the construction site and will not resume for a period exceeding 14 calendar days. For areas where initiating stabilization measures is infeasible, (e.g., where snow cover, frozen ground, or drought conditions preclude stabilization), initiate vegetative or non-vegetative stabilization measures as soon as practicable.

#### Steep Slopes (Slopes of 30% grade or greater)

All disturbed steep slopes (30% grade, ~3H:1V, or greater), and steep slopes to be created through grading activities must be managed in a fashion that limits the potential of erosion along the slopes. All parties whose work is/was responsible for the creation/disturbance of steep slopes must comply with the following items:

- Minimize the Disturbance of all steep slopes, when possible.
- Divert Concentrated or Channelized Flows of stormwater away from and

around steep slope disturbances.

- Use Specialized BMP Controls including temporary and permanent seeding with soil binders, erosion control blankets, surface roughening, reducing continuous slope length with terracing or diversions, gradient terraces, interceptor dikes and swales, grass-lined channels, pipe slope drains, subsurface drains, level spreaders, check dams, seep berms, and triangular silt dikes to minimize erosion.
- Initiate Stabilization Measures as soon as practicable on any disturbed steep slope areas where construction activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days.
- A Vegetative and/or Non-Vegetative Cover must be established within 3 working days from the time that stabilization measures were initiated.

Stabilization of steep slopes should be a priority for those performing work at the construction site. At the very least, runoff control BMPs should be implemented to transport stormwater runoff from the top of the slope to the toe of the slope. An example of this is to install diversion swales along the top of slope and direct the runoff towards pipe slope drains to transport the runoff to the toe of the slope. All pipe slope drain outlets are to be equipped proper outlet protection.

#### Sediment Discharge Minimization

Permittees, Contractors, and all other parties responsible for conducting land-disturbing activities are required to install and maintain all erosion and sediment BMPs that are identified on the approved construction site plans. These BMPs have been designed and approved to address such factors as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soils particle sizes expected to be present on the construction site. Proper installation, inspection, and maintenance will allow these BMPs to operate at maximum efficiencies in order to minimize sediment discharges to the maximum extent practical.

#### Pollutant Discharge Minimization

Permittees, Contractors, and all other parties responsible for conducting land-disturbing activities are required to install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, the following items must be implemented:

- Minimize the discharge of pollutants from dewatering trenches and excavations by managing runoff with the appropriate controls. Otherwise these discharges are prohibited;
- Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
- Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to



precipitation and to stormwater; and

- Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

#### Prohibited Discharges

Permittees, Contractors, and all other responsible parties for conducting land-disturbing activities are prohibited to discharges, from the construction site, the following items:

- Wastewater from washout of concrete, unless managed by an appropriate control;
- Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
- Soaps or solvents used in vehicle and equipment washing.

## 1.5 Buffer Zone Management

Instructions: This section may be used to address applicable Buffer Zone Management Requirements identified in Section 3.2.4.C of the Construction General Permit. A Buffer Zone Narrative is required to be provided within the SWPPP Document.

Sample Language has been provided below for the Buffer Zone Narrative for each Compliance Option listed in the CGP. Additional language has been provided as a "General Information" section on the Buffer Zone Management Requirements. Portions of the sample language may need to be revised to meet site-specific conditions.

#### - Sample Language -

##### Buffer Zone Narrative (Compliance Option A)

Per Section 3.2.4.C of the CGP, a buffer zone has been proposed along the unnamed tributary of the Catawba River as shown on sheet EC-1 of the construction site plans. A buffer zone width of 30-ft will be maintained along this surface water, as directed by Compliance Option A from the CGP.

This 30-ft buffer zone is to be identified on the site by flagging, installation of tree protection fence or other practices to make it readily identifiable prior to the implementation of other perimeter BMPs and commencement of construction activities. All perimeter BMPs and sediment control BMPs, as shown on sheet EC-1 of the construction site plans, are to be installed prior to the discharge of stormwater runoff into the buffer zone from disturbed areas.

Inspection and maintenance of the buffer zone is to be conducted until final stabilization is reached, or as otherwise approved. All maintenance procedures and inspection requirements for the provided buffer zones can be found on plan sheet EC-1.

BufferZoneNarrative(ComplianceOptionB)

Per Section 3.2.4.C of the CGP, a buffer zone has been proposed along an unnamed tributary of the Catawba River as shown on sheet EC-1 of the construction site plans. A buffer zone width of 20-ft will be maintained along this surface water, as directed by Compliance Option B from the CGP.

Compliance Option B was selected due to existing clearing within 30-ft of the unnamed tributary of the Catawba River. The current state of the project area was an agricultural field reaching to within 20-ft of the surface water. For this reason, a buffer zone width less than the required minimum width as listed in Section 3.2.4.C of the CGP will be provided. Pre-Existing Development is one of the Exceptions listed in Section 3.2.4.C of the CGP that allows for the selection of Compliance Option B.

This 20-ft buffer zone is to be identified on the site by flagging, installation of tree protection fence or other practices to make it readily identifiable prior to the implementation of other perimeter BMPs and commencement of construction activities. All perimeter BMPs and sediment control BMPs, as shown on sheet EC-1 of the construction site plans, are to be installed prior to the discharge of stormwater runoff into the buffer zone from disturbed areas.

Inspection and maintenance of the buffer zone is to be conducted until final stabilization is reached, or as otherwise approved. All maintenance procedures and inspection requirements for the provided buffer zones can be found on plan sheet EC-1.

Additionally, a Surface Water Protection Plan, which outlines a list of procedures to protect the Tributary of the Catawba River has been provided on plan sheet EC-1.

BufferZoneNarrative(ComplianceOptionC)

Per Section 3.2.4.C of the CGP, a buffer zone is required to be provided along the unnamed tributary of the Catawba River; however, an undisturbed buffer zone is not capable of being provided due to pre-existing development that has disturbed the majority of the required buffer zone area. For this reason, Compliance Option C was selected for this project.

Compliance Option C was selected since the pre-existing development has stripped the buffer zone area from natural strands of vegetation. The pre-existing state of the project area was a parking area and grassed area that extended to within a few feet of the surface waters. For this reason, a buffer zone will not be provided as allowed through Compliance Option C listed in Section 3.2.4.C of the CGP.

In lieu of a buffer zone, all sediment control BMPs discharging to this tributary have been designed to meet an 80% trapping efficiency to prevent impacts to this

surface water. Supporting Calculations demonstrating these trapping efficiencies can be found in Appendix D of this SWPPP.

All perimeter BMPs and sediment control BMPs, as shown on sheet EC-1 of the construction site plans, are to be installed prior to the discharge of stormwater runoff into the adjacent surface water from disturbed areas. Inspection and maintenance of these BMPs are to be conducted until final stabilization is reached. All maintenance procedures and inspection requirements for these BMPs can be found on plan sheet EC-1.

Additionally, a Surface Water Protection Plan, which outlines a list of procedures to protect the Tributary of the Catawba River has been provided on plan sheet EC-1.

#### Additional Buffer Zone Information

All construction sites that contain or are adjacent to surface waters must provide a vegetated buffer of at least 30 linear feet, or 45 linear feet when the surface water is classified as a Sensitive Waters (Section 3.2.4.C of South Carolina's CGP). This requirement is only applicable during construction. Work may be conducted within the buffer area once all disturbed areas discharging towards the buffer zone have had final stabilization measures implemented. This work must have been included within the SWPPP at the time of coverage approval.

Buffer Zones Requirements should be explained in detail during the Pre-Construction Conference. These details should include the outlining of the exact location of where the buffer starts and ends, the sediment and erosion controls precluding the buffer and all other general information pertinent to maintaining the buffer zone area during construction.

All contractors and sub-contractors shall be made aware of the buffer zones and establish a work procedure that preserves and protects these areas. The buffer zones should be flagged prior to any perimeter control placement and, most importantly, before mass clearing and grubbing. These areas must also be inspected during construction for areas of excessive sediment impacts, which may need to be removed if sediment impacts are evident within the buffer zone.

In the event that a portion of a buffer is accidentally disturbed, the contractor shall temporarily stabilize the area as soon as possible and consult with the construction site's inspector, permittee, and/or engineer on the installation of any additional sediment control or erosion prevention measure to protect the portion of the buffer still undisturbed.

## 1.6 Certification Statement

**Instructions:** This section is used by the SWPPP Preparer to certify that all sections of the SWPPP have been prepared or approved by the SWPPP Preparer. This statement should also be included on the site plans.

Sample Language has been provided as the recommended certification statements for this section. Portions of the sample language may need to be revised to meet site-specific conditions.

- Sample Language -	
<p>"I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000."</p>	
<p>Name _____</p>	
<p>Title _____</p>	
<p>Date _____</p>	
<p>(Signature and Seal)</p>	

## Section 2

### SITE FEATURES AND SENSITIVE AREAS

#### 2.1 Sources of Pollution

**Instructions:** This section can be used to address section 3.2.5 of the CGP. Identify any potential sources of pollution, including sediment and fertilizers, which are likely to affect the quality of stormwater discharges from the construction site.

Sample Language has been provided below. Portions of the sample language may need to be revised to meet site-specific conditions. Additionally, a sample table has been provided to list these potential sources of pollution.

- Sample Language -				
<p>Throughout construction activities, each permittee, contractor, and person responsible for conducting work will need to ensure that sources of pollution are managed to prevent their discharge from the construction site. Expected pollution sources during construction have been identified in Table 2.1-A, but due to the nature of construction activities, it is often tough to predict all pollution sources that may appear throughout the life of a construction project. For that reason, the following table has also been provided to help all those performing work at this construction site identify possible sources of pollution</p> <p>Stormwater runoff subjected to the identified pollution sources must be treated by the appropriate BMPs as directed by this SWPPP.</p> <p>In the event that any additional sources of pollution are identified during construction, the person(s) with day-to-day operational control at the site is to add the new source(s) to Table 2.1-A and consult with the SWPPP Preparer to properly address this source and to prevent the discharge of it's pollutant through stormwater runoff.</p>				
Table 2.1-A: Potential Sources of Pollution				
Source	Material or Chemical	Location*	Appropriate Control Measures	
Loose soil exposed/disturbed during clearing, grubbing and grading activities	Sediment	All areas within the Limits of Disturbance	As directed by the construction Plans. This includes Silt Fence, sediment tubes, sediment basins, and sediment traps.	
Areas where construction equipment are cleaned, a.k.a. concrete washout	Heavy Metals & pH	Located adjacent to each construction entrance	Concrete Washout Basin as shown on sheet C-8 of the plans.	
Water encountered during trenching	Nutrients & Sediment	In and around any trenching activities.	Direct water into impoundments such as basins or traps to allow for the sedimentation of the listed pollutants.	
Paving Operation	Sediment & Trash	All areas to be paved.	Inlet protection.	

	Material Delivery and Storage Areas	Nutrients, pH, Sediment, Heavy Metals, oils & grease	All areas used as storage areas	Silt fence and/or sediment dikes
	Equipment fueling and maintenance areas	Metals, hydrocarbons, oils and greases	Areas surrounding fuel tanks	Provide secondary containments, locate in upland areas. Repair leaking and broken hoses.
	Paints	Metal oxides, stoddard solvent, talc, calcium-carbonate, arsenic	Throughout site, primarily in areas of building construction	Washwater should be contained and is prohibited from being discharged

\*Area where material/chemical is used on site.

## 2.2 Surface Waters

Instructions: This section can be used to address requirements found in Section 3.2.4.A of the CGP. This includes the identification of all Waters of the State (WoS) located on the project site in which the construction site has been proposed, any receiving waters accepting stormwater discharges from construction activities, and any impacts to Waters of the State/ Waters of the United States. For each impact to Waters of the State explain applicable permits and certifications that have been obtained, or are in the process of being obtained, from the U.S. Army Corps of Engineers and DHEC 401 Water Quality Section. When a construction site includes proposed impacts to Water of the U.S. or a Critical Area Permit is required in the Coastal Zone, the ability of DHEC to grant coverage under the CGP is governed based on criteria outlined in Section 2.6.2 and 2.6.3 of the CGP.

Sample Language has been provided below. Sample language should be revised to address site-specific conditions. Reference construction site plan sheets and the Notice of Intent that may contain additional information pertinent to this section. Maps and other visual aids are often helpful.

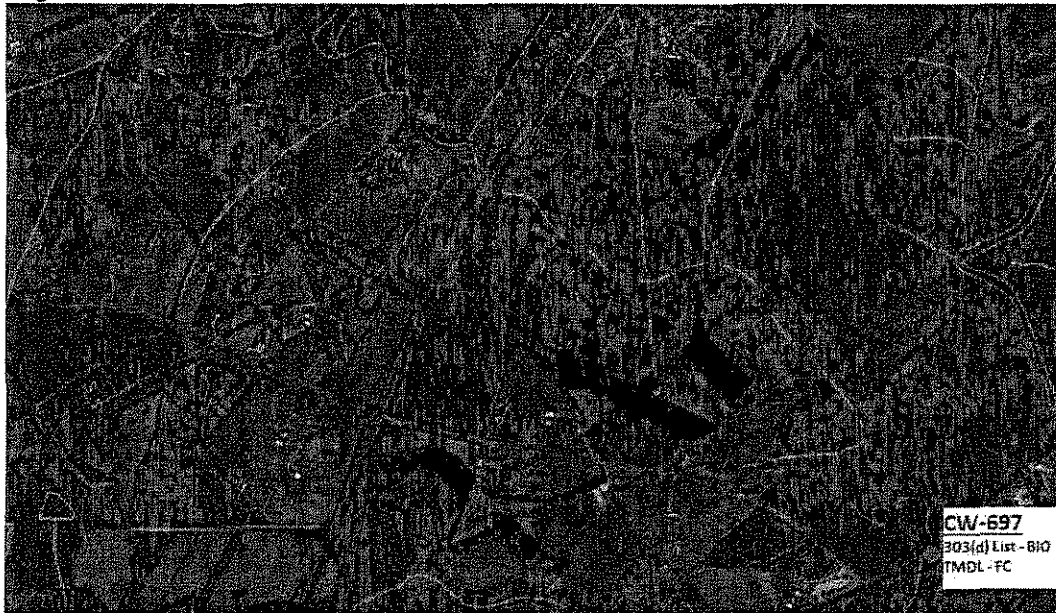
### - Sample Language -

Stormwater runoff from the proposed construction sites discharges from 2 locations as outlined in **Figure 2.2** to an **unnamed tributary of Stony Fork Creek**, which lies along the northwest boundary of the site. One outfall is located in the northwest corner. The

second outfall is located in the northeast corner of the site where it discharges through a proposed detention pond into an existing ditch located in SCDOT Right-of-Way along State Road. From the unnamed tributary, the stormwater runoff from this site will enter Stony Fork Creek. Stony Fork Creek discharges into Fishing Creek.

96 LF of the unnamed tributary of Stony Fork Creek, outlined on the construction plans has been identified as a jurisdictional stream. This area is proposed for grading for the construction of a building and proposed detention pond. A 404 permit has been obtained from the USACOE and a DHEC 401 Water Quality Certification has been issued and are included in **Appendix L**.

**Figure 2.2: Stormwater Runoff Route**



## 2.3 Impairments and TMDLs

**Instructions:** This section can be used to address section 3.2.12 of the CGP. Identify any impairments or TMDLs cited for any of the receiving waters listed in Section 2.2 of this SWPPP template.

Sample Language has been provided below. This language gives a detailed overview of impaired waters and TMDLs, common pollutants that may be found in construction stormwater discharges. The SWPPP for any site discharging to one of these waterbodies must include appropriate BMPs to ensure that the site's construction stormwater discharges will not contribute to the impairment identified. Sample language should be revised to address site-specific conditions.

**- Sample Language -**

Some Waters of the State (WoS) have been identified as not meeting the State's water quality standards for recreational swimming, fish consumption, aquatic life use, and/or shellfish harvesting for one or more pollutants even after controls for point and nonpoint source pollution have been put in place. These waterbodies have been classified as "impaired." Once these waterbodies have been identified they are listed on the State's 303(d) List of Impaired Waterbodies. South Carolina lists impairments as "stations" where samples were taken along a waterbody.

The most recently-approved 303(d) list can be found at the following link:

<http://www.scdhec.gov/environment/water/tmdl/index.htm#4>

After a pre-determined period of time, DHEC is obliged to develop a Total Maximum Daily Load (TMDL) for the pollutant of concern for each impaired station listed on the 303(d) List. A TMDL is the amount of a single pollutant (such as bacteria, nutrients, metals) that can enter a waterbody on daily basis and that waterbody still meet water quality standards. "TMDL" refers to both a calculation of a pollutant entering a waterbody as well as the document containing this calculation along with source assessments, watershed and land use information, reductions and allocations information, implementation and other relevant information, maps, figures, and pictures.

Once a TMDL has been developed and approved by the EPA, the impaired WoS is removed from the 303(d) list. A separate list is maintained for WoS with approved TMDLs.

Any construction site whose discharges are released into a WoS listed on the 303(d) List or for which an EPA-approved TMDL has been developed must address the specific pollutant set forth in the TMDL and/or potential pollutants for the impairment. The SWPPP must include a description of BMPs to address these pollutants.

The primary permittee and/or contractor must ensure that the construction site discharges remain in compliance with the State's water quality standards. To do so, these parties will have to ensure the function of all approved BMPs to handle the specific pollutant.

Construction Stormwater Discharges are expected to contain pollutants that contribute and/or can cause the following impairments to receiving water bodies: BIO (Macroinvertebrate Community), Turbidity, TP (Total Phosphorus), TN (Total Nitrogen), CHLA (Chlorophyll-a), and Fecal Coliform in waters classified for Shellfish Harvesting in the coastal zone. The presence of any of these impairments in receiving waters will require approval control of the site's construction stormwater discharges. Information on each of these impairments and how to treat stormwater runoff for these impairments has been provided below.



Impairments Effectuated by Construction Site Discharges and Methods to Control Potential Pollutants Causing or Contributing to the Impairments

1. BIO (Macroinvertebrate Community): A balanced and varied group of Macroinvertebrate organisms is an indicator of a healthy stream that supports aquatic life. A balanced community can be defined as a natural, diverse group of organisms (including Macroinvertebrate) characterized by the ability to sustain itself through season changes, presence of food chain species and a lack of domination by pollutant tolerant or invasive species. If these conditions do not exist, then the site may be considered impaired due to the presence of an undesirable or non-existent Macroinvertebrate community. Sediment from construction sites may further threaten the propagation of these organisms.

Address by: Examples include limiting the amount of disturbed area, designing sediment control BMPs to remove the maximum amount of sediment possible, immediate stabilization of disturbed areas, and other practices may be utilized to control the discharge of sediment from construction sites.

2. Turbidity: Turbidity can be generally defined as the "cloudiness" of a waterbody and may be caused by the growth of aquatic phytoplankton and the presence of suspended solids in the water column. In SC, a water quality standard for turbidity is applicable to all waters of the State (see R. 61-68 D. 11. for numeric targets by waterbody classification). Turbidity levels that exceed the water quality standard may reduce light penetration, thereby inhibiting aquatic flora growth, and may reduce the ability of fauna, such as fish, to absorb oxygen across their gills.

Address by: Examples include limiting the amount of disturbed area, designing sediment control BMPs to remove the maximum amount of sediment possible, immediate stabilization of disturbed areas, and other practices may be utilized to control the discharge of sediment from construction sites.

3. TP (Total Phosphorus): Similar to total nitrogen, TP is an essential nutrient for the propagation of aquatic life. In SC, a water quality standard for TP is applicable to lakes greater than 40 acres (see R. 61-68 D. 11. for numeric and narrative targets). At acceptable levels, TP is assimilated by aquatic flora ensures the propagation of an overall balanced, indigenous aquatic community. TP levels that exceed the water quality standard are considered impaired and may cause negative impacts to the overall health of the aquatic community by promoting excessive algal growth in lakes. Phosphorous may enter a site's stormwater when excess amounts of the nutrient are applied to the site during temporary or final stabilization.

Address by: To prevent this soil should be tested to determine the quantity of the nutrient present in the soil and the correct amount that needs to be added so that it is absorbed by the vegetation.

4. TN (Total Nitrogen): Similar to total phosphorus, TN is an essential nutrient for the propagation of aquatic life. In SC, a water quality standard for TN is applicable to lakes greater than 40 acres (see R. 61-68 D. 11. for numeric and narrative targets). At acceptable levels, TN is assimilated by aquatic flora and ensures the propagation of an overall balanced, indigenous aquatic community. TN levels that exceed the water quality standard are considered impaired and may cause negative impacts to the overall health of the aquatic community by promoting excessive algal growth in lakes. Nitrogen may enter a site's stormwater when excess amounts of the nutrient are applied to the site during temporary or final stabilization

Address by: Examples include that the soil should be tested to determine the quantity of the nutrient present in the soil and the correct amount that needs to be added so that it is absorbed by the vegetation.

5. Chlorophyll-a (CHLA): CHLA is a pigment present in the cells of photosynthetic flora and some algal species. The presence of CHLA in an aquatic environment is a water quality indicator of the overall productivity in the aquatic system. CHLA is linked to the levels of TP, TN and light penetration in the water column. In SC, a water quality standard for CHLA is applicable to lakes greater than 40 acres (see R. 61-68 D. 11. for numeric and narrative targets). CHLA levels that exceed the water quality standard may suggest that other undesirable water quality impacts are present as the aquatic system may be too productive to support the propagation of an overall balanced, indigenous aquatic community. Excess nutrients may discharge from a construction site during temporary and final stabilization. Limiting the amount of phosphorus and nitrogen applied while establishing vegetation will prevent excessive levels of CHLA in receiving waters.

Address by: Examples include that the soil should be tested to determine the quantity of the nutrients present in the soil and the correct amount that needs to be added so that it is absorbed by the vegetation.

6. Fecal Coliform (FC) in Shellfish Harvesting waters: Fecal Coliform is an indicator bacteria for other pathogens which may be present in a waterbody. Shellfish Harvesting Waters are tidal salt waters protected for shellfish harvesting and must be protected to a higher standard than other waters because of the risk to human health posed by ingesting shellfish from areas with high levels of bacteria. Bacteria levels increase following rain events. Potential sources of bacteria on construction sites include improperly located porta-johns and litter that may attract rodents and other animals.

Address by: Porta-johns should be placed away from WoS and not placed on catch basins and other drainage structures. Litter and construction debris should be placed in identified areas and emptied on a routine basis.

### Impairment Sources and Prevention

Construction sites can contribute to these impairments directly through the release of excess soil and/or nutrients within stormwater runoff. For this reason, proper sediment and erosion control BMPs should be implemented and the design of the stormwater management systems, during both construction and post-construction, should address the control of stormwater runoff. A reduction in the volume released or the rate at which this volume is released can significantly improve the quality of stormwater runoff and limit the amount of the pollutants that contribute to the above listed impairments.

As an example, sediment basins and/or traps should be used during construction to allow for sedimentation of soils/nutrients, and to control the release of stormwater into the impaired water body. Vegetated Detention and Infiltration structures should be implemented as post-construction BMPs to control stormwater volumes. Caution is advised when using fertilizers to reach Final Stabilization; excess fertilizer can contribute to each of the above listed impairments.

### Site-Specific Requirements

This construction site's discharges drain into WoS that is either Impaired or has an established TMDL for the following impairment(s): BIO (macroinvertebrate), turbidity, Total Phosphorus, Total Nitrogen, Chlorophyll-a, and Fecal Coliform. Due to the possibility of pollutants in construction stormwater discharges from this site that may contribute to any of these impairments, the following must be conducted throughout the lifespan of all land-disturbing activities at this site:

- Monthly monitoring of the construction site's outfalls;
- Biweekly inspections of all the primary sediment control BMPs;
- Employee training/acknowledgement during the Pre-Construction Meeting;
- Installation of additional BMPs to meet the water quality standards (as directed by the SWPPP preparer and as approved by the regulating agency); and
- All sediment control BMPs have been designed to meet or exceed an 80% trapping efficiency.

Additionally post-construction BMPs may be required to be installed, once final stabilization is reached, to address any established TMDL or Impairment once construction operations have been completed.

## 2.4 Critical Areas (CZC only)

Instructions: This section can be used to address section 3.2.4.B of the CGP. Identify all Critical Areas located within and/or directly adjacent to the proposed disturbed areas. Identify all impacts to any Critical Areas, which includes coastal waters, tidelands, beaches, and beach/dune systems.

## Section 3

## Compliance Requirements

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### 3.1 SWPPP Availability

Instructions: This section can be used to address section 3.1.6 of the CGP. Identify where the copy of the On-Site SWPPP (OS-SWPPP) is being retained, either on-site or off-site, as allowed by the CGP. List any other applicable requirements from the CGP that will be beneficial to determine where to retain the OS-SWPPP and when and to whom it will need to be made available.

### 3.2 Pre-Construction Conferences

Instructions: This section can be used to address section 4.1 of the CGP. Include information on when a Pre-Construction Conference is required and who is responsible to relay the requirements of the approved OS-SWPPP to all those responsible for performing construction activities at the site. Identify where the Pre-Construction Conference is to be held and site the documentation that was used to record the attendance of this meeting (See Appendix G).

### 3.3 Inspection Requirements

Instructions: This section can be used to address section 4.2 of the CGP. Identify the scope and frequency of all site inspections. List the inspector qualifications for the proposed construction site and identify where the inspection reports are to be stored (See Appendix E). Reference the use of rain gauges and a rainfall log (See appendix F).

### 3.4 Maintenance Requirements

Instructions: This section can be used to address section 4.3 of the CGP. Include references of the maintenance of all proposed BMPs, whether this information is provided within the SWPPP document or within the Construction Site Plans.

Include Information on any required maintenance for permanent BMPs and reference the submitted maintenance agreement and permanent maintenance plans.

### 3.5 Record Keeping

Instructions: This section can be used to address section 3.1.1.H.V.(h). Identify all required logs used to track the progress, the compliance, the modifications, and those associated for performing work at the construction site. Reference the location of these logs within the OS-SWPPP Appendices.

### 3.6 Final Stabilization

Instructions: This section can be used to address how the site is to reach final stabilization, through the use of permanent seeding, impervious areas, and other permanent BMPs. It should also note that once final stabilization has been reached on all disturbed areas, the Notice of Termination is to be submitted.

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## Appendix A

### Site Maps

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To develop a site-specific SWPPP for a construction map, an assortment of site maps must be used in addition to an on-site assessment to develop an effective stormwater sediment and erosion control plan. The maps located in this appendix have been obtained from various sources, or have been developed by the SWPPP Preparer. Listed below is standard information on a few of the type of maps that may be found within this Appendix.

#### Locations Maps

A general location map is helpful to identify nearby water bodies in proximity to other properties, and can be a useful tool used to locate the site when on the road. This map should include the outlined project locations, labeled roadways, a North arrow and a scale. SWPPP Preparers may opt to locate this map on the first sheet of the construction site plans in lieu of including it in this appendix.

#### Site Maps

Site maps tend to go a step beyond a typically location map by adding zooming in on the limits of disturbance and identifying a number of features at the construction site related to land-disturbing activities and stormwater management practices. Each site map should include the following: Stormwater flow directions and discharge locations, Areas and features to be protected, Outline of disturbed areas, Locations of all major BMPs, Areas to remain stabilized, and Adjacent features (e.g., road and water bodies).

#### Topographic Maps

Topographic Maps can be very useful when determining the existing contours at a construction site, not to mention the existing drainage patterns. These maps must include the project boundary outline, route of runoff from site to nearest waterbody shown, and adjacent road names. These maps are readily available on the Internet (e.g., [www.terraser.com](http://www.terraser.com)) or by contacting the US Geological Survey Store (<http://store.usgs.gov>).

#### Soils Maps

Soils Maps are helpful tools used to determine the soil types and other soil characteristics that are located at a construction site. Each soils map must contain the project boundary outline and the predominate soil types found at the site. Soils Maps can be readily obtain online from the NRCS (<http://soils.usda.gov>).

#### Floodway Maps

Floodway Maps are used to determine the location of the 100-yr Flood Plain and other related flooding issues at or adjacent to the construction site. Each Floodway Map must contain the project boundary outline and a legend. These maps can be readily obtain online from FEMA ([www.fema.gov](http://www.fema.gov)).

## Appendix B

### Drainage Maps

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Drainage maps become an essential tool when both developing and reviewing hydrology models of a construction site during the various phases of developing such a site (i.e. pre-development conditions, construction conditions, and post-development conditions). Typically these maps are enhanced site maps that add the features of drainage basins outlines and their respective outfall markers. Each SWPPP must contain, at a minimum, a pre-development and a post-development drainage map for the entire on-site area and adjacent off-site areas that contribute runoff to any of the marked outfall locations.

Additional drainage maps should also be included for any sediment control BMP in which sediment trapping efficiency calculations are required to be submitted. A drainage map for "During Construction" conditions should also be included if the basin and subbasin drainage patterns differ from both the pre-development and post-development patterns.

All provided drainage maps must clearly correspond to any calculations submitted for review, the outfall locations chosen for comparing runoff rates and the total drainage area analyzed (from pre- to post-development conditions) may not change. However, the immediate drainage areas contributing to each outfall location may shift.

Each Drainage Map should be provide on an 11x17 sheet and must show the contours for the specific stage of construction each map represents.

## Appendix C

### Additional Approvals/Certifications

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This appendix has been provided as a catchall to store any additional correspondences that may be required to either obtain coverage under the current CGP or to implement land-disturbing activities at a construction.

Examples and descriptions of such correspondences have been listed below. All associated correspondences and approval for this site-specific SWPPP can be located on the following pages.

#### Coastal Zone Consistency Certification

A Coastal Zone Consistency (CZC) Certification needs to be obtained for all land disturbing activities located within any of the eight coastal counties (Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry and Jasper) before applying coverage under the NPDES Permit Program. These certifications establish that all land and water uses within these critical areas are consistent with both the State's Coastal Zone Management Plan (SCCZMP) and the Federal Coastal Zone Management Act.

CZC Certifications ensures that any land disturbance activities will be conducted in a manner in which they preserve, protect, develop, and where possible, restore and enhance the resources located within South Carolina's coastal zone.

Please contact the DHEC-OCRM office nearest you for all information on the types of permits or certifications needed for your particular project. More information on 401 Certifications can be found on DHEC's website via the following link:

<http://www.scdhec.gov/environment/water/401.htm>

#### USACE's Jurisdictional Determinations

The procedure of identifying and locating jurisdictional waters of the US regulated by the Corps under Section 404 of the Clean Water Act and Section 10 of the Rivers & Harbors Act of 1899 is commonly referred to as the "Jurisdictional Determination Process", a "wetland determination" or a "delineation". In general, these determinations are good for five years from the date the Corps notifies you in writing that you have accurately delineated the jurisdictional features on your property.

This survey procedure establishes a line that identifies and separates the Corps regulated areas from non-regulated areas. Regulated (i.e., jurisdictional) areas can include wetlands, stream channels, rivers, lakes, ponds and coastal and offshore waters.

The JD process is essential when investigating, planning, designing, or submitting an application for a permit from the Corps to determine if the proposed work will occur in wetlands or waters of the US. More information on Jurisdictional Determinations can be found on USACE's website via the following link, <http://www.sac.usace.army.mil/>.

#### USACE's Section 404 Permits

Section 404 of the Clean Water Act regulates the discharge of dredged, excavated, or fill material in wetlands, streams, rivers, and other U.S. waters. The U.S. Army Corps of Engineers is the federal agency authorized to issue Section 404 Permits for certain activities conducted in wetlands or other U.S. waters.

Depending on the scope of the project and method of construction, certain farming activities may require this permit. Examples include ponds, embankments, and stream



channelization. More information on Section 404 Permits can be found on USACE's website via the following link, <http://www.sac.usace.army.mil/>.

#### **SC DHEC 401 Water Quality Certification**

All activities requiring a Federal 404 permit (a U.S. Army Corps of Engineers permit for the discharge of dredged or fill material) result in a discharge to waters or wetlands, so SCDHEC must take certification action on all 404 permit applications. U.S. Coast Guard Permits and Federal Energy Regulatory Commission Permits also require states to take Water Quality Certification action.

During review of applications for Water Quality Certification, the Department looks at whether or not there are feasible alternatives to the activity, if the activity is water dependent, and the intended purpose of the activity. Certification is denied if the activity will adversely affect existing or designated uses. The Federal permit cannot be issued if certification is denied. Regulation 61-101 entitled Water Quality Certification directs the Department in processing applications for certification.

More information on 401 Certifications can be found on DHEC's website via the following link, <http://www.scdhec.gov/environment/water/401.htm>.

#### **Jurisdictional Floodplain Management Certifications**

South Carolina's Department of Health and Environmental Control does not regulate the placement of fill and/or fill materials within a floodplain. This approval needs to be granted by local authorities, either county or city engineers.

Contact your local regulating authorities to obtain information on how to obtain the proper approvals for the placement of fill in floodplains.

#### **Other Local Ordinance Certifications and Approvals**

Any additional documentation certifying that you meet any local, state, or federal ordinances should be included in this appendix. If you have any questions on what should be kept in this appendix, please contact SC DHEC's Bureau of Water, 803-898-4300, and ask to speak to someone in the Stormwater Permitting Section.

## Appendix D

### Engineering Reports

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#### Hydrologic Analysis

Each hydrologic analysis was performed in a manner consistent with SC Regulations 72-300 and the SC DHEC Stormwater Management BMP Handbook. Each analysis, at a minimum, meets the following requirements or guidelines:

- Analysis Points (Outfalls) for comparing runoff rates and the total drainage area analyzed do not change from pre- to post-development conditions (although the immediate drainage areas contributing to each analysis point may shift);
- Post-development and Construction runoff peak discharges for the 2-yr and 10-yr storm events are less than Pre-Development peak discharges at each outfall; and
- Each analysis was performed using a SCS 24-hour storm event.

#### Detention Analysis

Each detention structure analysis was performed using a volume-based hydrograph for the 2-, 10-, 25-, and 100-yr SCS 24-hour storm event. (TR-55 does not perform a full pond routing, and the rational method cannot be used to provide a full pond routing.) Also, for each detention structure a Stage-Storage-Discharge Relationship for the outlet structure has been provided/generate by the modeling software.

If a rating curve for the outlet structure had to be generated externally from the modeling software, the data and equations used to rate the outlet structure must also be included in this appendix.

Each of the detention ponds/basins have been modeled/designed to meet the following requirements:

- Maximum Water Surface Elevation (WSE) within the detention pond/basin for the 10-year storm event is below the emergency spillway with 0.5-ft of freeboard between maximum WSE for the 10-year storm and the emergency spillway;
- Maximum Water Surface Elevation (WSE) within the detention pond/basin for the 100-year storm event is below the emergency spillway with 0.5-ft of freeboard between maximum WSE for the 100-year storm and the embankment; and
- The detention structure completely dewatered within 72 hours.

## Appendix E

### Inspection Log and Reports

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## SWPPP Inspection Log

Name of Construction Site	Location of Construction Site		
Date of Inspection	Inspector Name	Does Inspection Report require maintenance of installed BMPs?	
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

### SWPPP Inspection Log (Continued)

Date of Inspection	Inspector Name	Does Inspection Report require maintenance of installed BMPs?	
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

## Appendix F

Rainfall Log and Reports

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SWPPP Rainfall Records (January - June)										Year: _____	
January	Rainfall	February	Rainfall	March	Rainfall	April	Rainfall	May	Rainfall	June	Rainfall
1		1		1		1		1		1	
2		2		2		2		2		2	
3		3		3		3		3		3	
4		4		4		4		4		4	
5		5		5		5		5		5	
6		6		6		6		6		6	
7		7		7		7		7		7	
8		8		8		8		8		8	
9		9		9		9		9		9	
10		10		10		10		10		10	
11		11		11		11		11		11	
12		12		12		12		12		12	
13		13		13		13		13		13	
14		14		14		14		14		14	
15		15		15		15		15		15	
16		16		16		16		16		16	
17		17		17		17		17		17	
18		18		18		18		18		18	
19		19		19		19		19		19	
20		20		20		20		20		20	
21		21		21		21		21		21	
22		22		22		22		22		22	
23		23		23		23		23		23	
24		24		24		24		24		24	
25		25		25		25		25		25	
26		26		26		26		26		26	
27		27		27		27		27		27	
28		28		28		28		28		28	
29		29		29		29		29		29	
30				30		30		30		30	
31				31				31			

SWPPP Rainfall Records (July - December)										Year: _____	
July	Rainfall	August	Rainfall	September	Rainfall	October	Rainfall	November	Rainfall	December	Rainfall
1		1		1		1		1		1	
2		2		2		2		2		2	
3		3		3		3		3		3	
4		4		4		4		4		4	
5		5		5		5		5		5	
6		6		6		6		6		6	
7		7		7		7		7		7	
8		8		8		8		8		8	
9		9		9		9		9		9	
10		10		10		10		10		10	
11		11		11		11		11		11	
12		12		12		12		12		12	
13		13		13		13		13		13	
14		14		14		14		14		14	
15		15		15		15		15		15	
16		16		16		16		16		16	
17		17		17		17		17		17	
18		18		18		18		18		18	
19		19		19		19		19		19	
20		20		20		20		20		20	
21		21		21		21		21		21	
22		22		22		22		22		22	
23		23		23		23		23		23	
24		24		24		24		24		24	
25		25		25		25		25		25	
26		26		26		26		26		26	
27		27		27		27		27		27	
28		28		28		28		28		28	
29		29		29		29		29		29	
30		30		30		30		30		30	
31		31				31				31	



## Appendix G

### Additional Site Logs and Records

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## SWPPP Pre-Construction Conference Attendance Log

[illegible]

Last Updated - February 11, 2013

## SWPPP Contractor & Sub-Contractor Log

Name of Construction Site		Location of Construction Site	
Company/Individual Name		Work Responsibilities	
1.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
2.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
3.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
4.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
5.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
6.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
7.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
8.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
9.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			
10.)			
Start Date: <input type="text"/>			
Completion Date: <input type="text"/>			

## SWPPP Contractor & Sub-Contractor Log (Continued)

11.)	
Start Date:	
Completion Date:	
12.)	
Start Date:	
Completion Date:	
13.)	
Start Date:	
Completion Date:	
14.)	
Start Date:	
Completion Date:	
15.)	
Start Date:	
Completion Date:	
16.)	
Start Date:	
Completion Date:	
17.)	
Start Date:	
Completion Date:	
18.)	
Start Date:	
Completion Date:	
19.)	
Start Date:	
Completion Date:	
20.)	
Start Date:	
Completion Date:	
21.)	
Start Date:	
Completion Date:	

## SWPPP Modification Log

Name of Construction Site		Location of Construction Site	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	

## SWPPP Modification Log (Continued)

Name of Construction Site		Location of Construction Site	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	
<b>Type of Modification</b>		<b>Description of Modification</b>	<b>Location of Modification</b>
<input type="checkbox"/> Major	<input type="checkbox"/> Minor		
Start Date:			
Completion Date:			
Reason for Modifications:		Approved/Implemented By:	

SWPPP Soil Stabilization Log			
Name of Construction Site		Location of Construction Site	
<b>Type of Stabilization</b> <input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____		<b>Description of Stabilization</b> _____ _____ _____	<b>Location of Stabilization</b> _____ _____ _____
		Inspection Frequency for Stabilized Area: _____	
<b>Type of Stabilization</b> <input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____		<b>Description of Stabilization</b> _____ _____ _____	<b>Location of Stabilization</b> _____ _____ _____
		Inspection Frequency for Stabilized Area: _____	
<b>Type of Stabilization</b> <input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____		<b>Description of Stabilization</b> _____ _____ _____	<b>Location of Stabilization</b> _____ _____ _____
		Inspection Frequency for Stabilized Area: _____	
<b>Type of Stabilization</b> <input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____		<b>Description of Stabilization</b> _____ _____ _____	<b>Location of Stabilization</b> _____ _____ _____
		Inspection Frequency for Stabilized Area: _____	
<b>Type of Stabilization</b> <input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____		<b>Description of Stabilization</b> _____ _____ _____	<b>Location of Stabilization</b> _____ _____ _____
		Inspection Frequency for Stabilized Area: _____	



## SWPPP Modification Log (Continued)

Name of Construction Site		Location of Construction Site	
Type of Stabilization		Description of Stabilization	Location of Stabilization
<input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____			
		Inspection Frequency for Stabilized Area:	
Type of Stabilization		Description of Stabilization	Location of Stabilization
<input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____			
		Inspection Frequency for Stabilized Area:	
Type of Stabilization		Description of Stabilization	Location of Stabilization
<input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____			
		Inspection Frequency for Stabilized Area:	
Type of Stabilization		Description of Stabilization	Location of Stabilization
<input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____			
		Inspection Frequency for Stabilized Area:	
Type of Stabilization		Description of Stabilization	Location of Stabilization
<input type="checkbox"/> Final <input type="checkbox"/> Temporary Initiate Date: _____ Completion Date: _____ Additional work proposed for this area: _____			
		Inspection Frequency for Stabilized Area:	

## Appendix H

Construction General Permit SCR100000

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A copy of the NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000) can be found at the following address:

<http://www.scdhec.gov/environment/water/swater/docs/CGP-permit.pdf>

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***APPENDIX “Q”***

**TEMPORARY AND PERMANENT SEEDING RATES**

## Fertilizer

Apply a minimum of 1000 pounds per acre of a complete 10-10-10 fertilizer (23 pounds per 1000 square feet) or equivalent during permanent seeding of grasses unless a soil test indicates a different requirement. Incorporate fertilizer and lime (if used) into the top 4-6 inches of the soil by disking or other means where conditions allow. Do not mix the lime and the fertilizer prior to the field application.

## Seeding

Loosen the surface of the soil just before broadcasting the seed. Evenly apply seed by the most convenient method available for the type of seed applied and the location of the seeding. Typical application methods include but are not limited to cyclone seeders, rotary spreaders, drop spreaders, broadcast spreaders, hand spreaders, cultipacker seeder, and hydro-seeders. Cover applied seed by raking or dragging a chain or brush mat, and then lightly firm the area with a roller or cultipacker. Do not roll seed that is applied with a hydro-seeder and hydro-mulch.

## Mulching

Cover all permanent seeded areas with mulch immediately upon completion of the seeding application to retain soil moisture and reduce erosion during establishment of vegetation. Apply the mulch evenly in such a manner that it provides a minimum of 75% coverage. Typical mulch applications include straw, wood fiber, hydromulches, BFM and FGM. Use hydromulches with a minimum blend of 70% wood fibers.

The most commonly accepted mulch used in conjunction with permanent seeding is small grain straw. Select straw that is dry and free from mold damage and noxious weeds. The straw may need to be anchored with netting or asphalt emulsions to prevent it from being blown or washed away. Apply straw mulch by hand or machine at the rate 2 tons per acre (90 pounds per 1000 square feet). Frequent inspections are necessary to check that conditions for growth are good.

## Temporary Seeding

Species	Lbs/Ac	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Sandy, Droughty Sites</b>													
Browntop Millet	40 lbs./ac.												
Rye, Grain	56 lbs./ac.												
Ryegrass	50 lbs./ac.												
<b>Well drained, clayey/loamey Sites</b>													
Browntop Millet or Japanese Millet	40 lbs./ac.												
Rye, Grain or Oats	56 lbs./ac. 75 lbs./ac.												
Ryegrass	50 lbs./ac.												

## Permanent Seeding

Species	Lbs./Ac	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Sandy, Droughty Sites</b>													
Browntop Millet	10 lbs./ac.												
Bahiagrass	40 lbs./ac.												
Browntop Millet	10 lbs./ac.												
Bahiagrass	30 lbs./ac.												
Sericea Lespedeza	40 lbs./ac.												
Browntop Millet	10 lbs./ac.												
Atlantic Coastal	15 lbs./ac.												
Panicgrass	PLS												
Browntop Millet	10 lbs./ac.												
Switchgrass	8 lbs./ac.												
(Alamo)	PLS												
Little Bluestem	4 lbs./ac.												
Sericea Lespedeza	20 lbs./ac.												
Browntop Millet	10 lbs./ac.												
Weeping Lovegrass	8 lbs./ac.												
<b>Well drained, clayey/loamey Sites</b>													
Browntop Millet	10 lbs./ac.												
Bahiagrass	40 lbs./ac.												
Rye, Grain	10 lbs./ac.												
Bahiagrass	40 lbs./ac.												
Clover, Crimson	5 lbs./ac.												
(Annual)													
Browntop Millet	10 lbs./ac.												
Bahiagrass	30 lbs./ac.												
Sericea lespedeza	40 lbs./ac.												
Browntop Millet	10 lbs./ac.												
Bermuda, Common	10 lbs./ac.												
Sericea lespedeza	40 lbs./ac.												
Browntop Millet	10 lbs./ac.												
Bermuda, Common	12 lbs./ac.												
Kobe Lespedeza	10 lbs./ac.												
(Annual)													
Browntop Millet	10 lbs./ac.												
Bahiagrass	20 lbs./ac.												
Bermuda, Common	6 lbs./ac.												
Sericea lespedeza	40 lbs./ac.												
Browntop Millet	10 lbs./ac.												
Switchgrass	8 lbs./ac.												
Little Bluestem	PLS												
Indiangrass	3 lbs./ac.												
	PLS												
	3 lbs./ac.												
	PLS												

# FLORENCE COUNTY COUNCIL MEETING

July 18, 2013

**AGENDA ITEM:** Approval of Resolution No.03-2013/14

**DEPARTMENT:** Administration  
Finance

## **ISSUE UNDER CONSIDERATION:**

(To Amend Section 4 of Resolution No. 5-2009/10 In Order To Authorize The Inclusion Of Additional Participants In The South Carolina Procurement Card Program and To Increase One Daily And Monthly Limit.)

## **POINTS TO CONSIDER:**

1. Resolution No. 05-2009/2010, approved by County Council on November 19, 2009, authorized Florence County to participate in the South Carolina Procurement Card Program and limited participation to specific users in specific departments, with specific daily and monthly spending limits.
2. The Procurement Department was not included in the original authorization and it is fiscally inefficient to process purchase orders in an amount less than \$50; therefore, having access to a procurement card would make this department's operation much more efficient.
3. The Administrative Services - GIS Department was not included in the original authorization and this department has a need to have access to a procurement card for software development purposes. Many of the vendors that provide these types of products will not accept a purchase order.
4. With the addition of the Complex personnel as County employees, it is necessary for certain of their employees to have access to the procurement card program for the efficient operation of the complex.
5. The daily and monthly spending limits originally authorized for the Sheriff's Office Fiscal Technician are insufficient for conference registration and reservation requirements of various Sheriff's Office staff.
6. It is becoming increasingly difficult to do business with only purchase orders or cash, without having some form of charge ability; many vendors do not accept purchase orders for small purchases.
7. Participation in the Card Program will be limited to departments approved by resolution, in amounts approved.

## **OPTIONS:**

1. *(Recommended)* Approve as presented
2. Provide An Alternate Directive

## **ATTACHMENT:**

1. Resolution No. 03-2013-/2014
2. Resolution No. 05-2009-/2010

Sponsor(s)/Department : County Council  
Adopted: : July 18, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 03-2013/14**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(To Amend Section 4 of Resolution No. 5-2009/10 In Order To Authorize The Inclusion Of Additional Participants In The South Carolina Procurement Card Program and To Increase One Daily And Monthly Limit.)**

**WHEREAS:**

1. Resolution No. 5-2009/10 authorizing Florence County's participation in the South Carolina Procurement Card Program was adopted by Florence County Council on November 19, 2009; and
2. Increasing Florence County's participation in this Program will further reduce the County's exposure to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases; and
3. Efficiencies currently experienced by the County's participation in this Program will increase with an increase in participation in this program; and
4. Since the inception of the County's participation in the Program nearly two years ago, each procurement card has been used solely for official, authorized use, and each transaction has been reconciled timely and fully accounted for at all times in accordance with Section 1 of Resolution No. 5-2009/10.

**NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Section 4 of Resolution No. 5-2009/10 is hereby amended to increase the existing spending limits for one participant and to add additional positions to the Program per the listing below.

<u>Department</u>	<u>Daily Limit</u>	<u>Monthly Limit</u>
<b><i>Increase spending limit:</i></b>		
<b><i>Sheriff's Office (010-421-421)</i></b>		
Fiscal Technician	\$2,500	\$6,000
<b><i>Additional positions:</i></b>		
<b><i>Procurement Department (010-411-413)</i></b>		
Procurement Director	\$1,000	\$1,000
<b><i>Administrative Services - GIS (010-411-414)</i></b>		
GIS Manager	\$1,000	\$1,000

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

Sponsor(s)/Department : County Council  
Adopted: : November 19, 2009  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 5-2009/10**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(To Authorize Florence County To Participate In The South Carolina Procurement Card Program and To Establish Local Policies And Procedures.)**

**WHEREAS:**

1. Section 8f of Ordinance No. 01-2009/10, the annual budget Ordinance for Florence County, states in part, "Credit cards which obligate Florence County are not permitted unless specifically authorized by written resolution of County Council"; and
2. Florence County is currently exposed to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases; and
3. It is becoming increasingly inefficient to do business without some form of credit card program: One such recent example of inefficiency being that the South Carolina Law Enforcement Division (SLED) no longer extends credit for the cost of employment background checks, but requires credit card payment. Since the County currently does not conduct business using credit cards, payment has to be made with a check in advance, which delays the County's hiring process by as much as an additional three weeks; and
4. The per-transaction processing cost of a typical purchase order system such as Florence County's is estimated to be in excess of \$75 per purchase; whereas the same per-transaction processing cost for the SC Procurement Card Program is less than \$25 per purchase (inclusive of all documentation, issuance, tracking, partial payout, reconciliation, and closure); and
5. The SC Procurement Card Program contains control mechanisms not available on commercial credit cards, in that the County can program each card with dollar and transaction limits per day/month, restrict use by vendor type, electronically monitor transactions in real time, cancel cards instantly via the Internet, and benefit from coverage of any fraudulent transactions with \$100,000 per cardholder liability insurance by VISA; and
6. The SC Procurement Card Program has been in existence for approximately ten years, is currently being used by about fifty local governments, including eleven counties, and has handled over 1,000,000 transactions in 2008, totaling more than \$244,000,000.

**NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

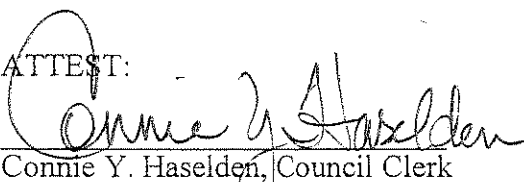
1. Florence County is hereby authorized to participate in the South Carolina Procurement Card Program, and the County Administrator is directed to execute the necessary documentation to proceed.
2. Regular monitoring of the County's participation in the Program will include detailed reviews of each monthly statement at all levels, including heads of participating departments.



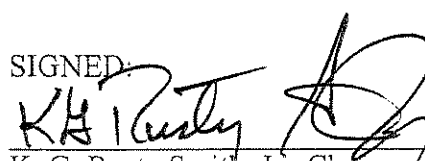
3. The County Administrator will manage the County's participation in the Program:
  - a. Requiring that each card be used solely for official, authorized use, reconciled timely, and fully accounted for at all times.
  - b. Providing monthly reports to County Council detailing the dollar volume and number of transactions for each card authorized in the Program.
  - c. Notifying the Council immediately of any event of fraud or misuse.
  - d. Terminating or suspending any user, department, or all County participation as necessary.
4. Below is a listing of the positions to which cards will be issued as participants in the Program and a daily spending limit and a total monthly spending limit for each position. County Council may amend this list to add additional positions to the Program, or to increase existing spending limits, upon the recommendation of the County Administrator.

<b>Department</b>	<b>Daily Limit</b>	<b>Monthly Limit</b>
<b><i>Public Works Department (153-441-431)</i></b>		
Urban Supervisor	\$2,500	\$2,500
<b><i>Recreation Department (010-471-451)</i></b>		
Facilities Superintendent	\$ 200	\$1,000
Program Superintendent	\$ 500	\$2,000
Parks Superintendent	\$ 200	\$1,000
<b><i>Sheriff's Office (010-421-421)</i></b>		
Maintenance Supervisor	\$2,500	\$6,000
Fiscal Technician	\$1,000	\$2,000
Lieutenant/Security	\$1,000	\$1,000
<b><i>Human Resources Department (010-411-412)</i></b>		
Director	\$ 200	\$ 550
Human Resources Coordinator	\$ 200	\$ 550
<b><i>Clerk to Council (010-411-402)</i></b>	<i>\$1,500</i>	<i>\$1,500</i>
<b><i>Facilities Management (010-411-420)</i></b>		
Facilities Manager	\$ 500	\$1,500
Facilities Coordinator	\$ 100	\$ 500
Buildings & Grounds Superintendent	\$ 100	\$ 500
<b><i>Emergency Management (010-421-422)</i></b>		
Emergency Preparedness Coordinator	\$1,000	\$1,000
Technical Hazards Coordinator	\$1,000	\$1,000
Radio Technician	\$1,000	\$1,000
<b><i>Information Technology (010-411-427)</i></b>		
Information Tech. Director	\$2,500	\$2,500

ATTEST:

  
 Connie Y. Haselden, Council Clerk

SIGNED:

  
 K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE: *approved*  
 OPPOSED: ☐  
 ABSENT: ☐

# FLORENCE COUNTY COUNCIL

July 18, 2013

**AGENDA ITEM:** Resolution No. 04-2013/14

**DEPARTMENT:** Administration/EMS

**ISSUE UNDER CONSIDERATION:**

A Resolution To Establish A Moratorium On Non-Emergency Ambulance Franchises For Up To One (1) Year While County Council Studies The Application Process And Fees For Non-Emergency Ambulance Franchises.

**OPTIONS:**

1. *(Recommended)* Approve Resolution No. 04-2013/14 As Presented.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Resolution No. 04-2013/14

Sponsor(s)/Department : Administration/EMS  
Adopted : July 18, 2013  
Committee Referral :  
Committee Consideration Date :  
Committee Recommendation :

**RESOLUTION NO. 04-2013/14**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**[A Resolution To Establish a Moratorium On Non-Emergency Ambulance Franchises For Up To One (1) Year While County Council Studies the Application Process and Fees for Non-Emergency Ambulance Franchises.]**

**WHEREAS:**

1. Florence County has enacted a non-emergency and non-exclusive, emergency franchise ordinance to guide the licensing of non-emergency ambulance service in the County of Florence; and
2. Florence County Council is reviewing the County's emergency ambulance franchise ordinance; and
3. Florence County desires to ensure the safety and the transportation of its citizens by ambulance operators; and
4. Florence County deems it necessary to properly regulate and control the operation of non-emergency ambulance service in the County of Florence; and
5. Florence County Council is prepared to review the fees for the issuance of non-emergency ambulance service franchises in the County of Florence and develop a fair and equitable license fee for said franchises.

**NOW, THEREFORE, BE IT RESOLVED BY FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

A moratorium on all non-emergency ambulance franchise applications is hereby established for the County of Florence for up to one (1) year or until action is taken by Florence County Council to establish the desired controls and fees for the issuance of said franchises. Further, the County of Florence will work with the community to provide a recommendation for action concerning applications for non-emergency ambulance franchises within the next twelve (12) months.

**ATTEST:**

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

COUNCIL VOTE:  
OPPOSED:  
ABSENT:



# **FLORENCE COUNTY COUNCIL**

July 18, 2013

**AGENDA ITEM:** Resolution No. 05-2013/14

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

A Resolution Authorizing The Execution And Delivery Of A Modification To That Certain Inducement And Millage Rate Agreement By And Among Florence County, South Carolina, Monster Worldwide South Carolina, Inc., And Red Rock Pee Dee, LLC And That Certain Memorandum Of Understanding By And Among Florence County, South Carolina, Monster Worldwide South Carolina, Inc., Red Rock Pee Dee, LLC And The South Carolina Department Of Commerce, Each Dated As Of June 26, 2008.

**OPTIONS:**

1. *(Recommended)* Approve Resolution No. 05-2013/14 As Presented.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Resolution No. 05-2013/14

Sponsor(s)/Department : County Council  
Adopted : July 18, 2013  
Committee Referral :  
Committee Consideration Date :  
Committee Recommendation :

## RESOLUTION NO. 05-2013/14

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[A Resolution Authorizing The Execution And Delivery Of A Modification To That Certain Inducement And Millage Rate Agreement By And Among Florence County, South Carolina, Monster Worldwide South Carolina, Inc., And Red Rock Pee Dee, LLC And That Certain Memorandum Of Understanding By And Among Florence County, South Carolina, Monster Worldwide South Carolina, Inc., Red Rock Pee Dee, LLC And The South Carolina Department Of Commerce, Each Dated As Of June 26, 2008.]**

#### WHEREAS:

1. Florence County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), Monster Worldwide South Carolina, Inc. (the "Company"), Red Rock Pee Dee, LLC (the "Sponsor"), and the South Carolina Department of Commerce have previously entered into that certain Memorandum of Understanding dated as of June 26, 2008 (the "MOU") relating to the payment of a fee in lieu of *ad valorem* taxes for the acquisition, construction, and equipping and/or expansion of certain manufacturing facilities of the Company in the County (the "Project," as further defined in the MOU); and
2. In addition, the County, the Company, and the Sponsor have previously entered into that certain Inducement and Millage Rate Agreement dated as of June 26, 2008 (the "Inducement Agreement" and, together with the MOU, the "Agreements") pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina 1976, as amended (the "Act") regarding the Project; and
3. The Company intends to make continuing and further investment in the Project and has requested the County provide certain economic development incentives to the Company by modifying the Agreements as described in that certain Modification of Inducement and Millage Rate Agreement and Memorandum of Understanding by and between the County, the Company, the Sponsor, and the Department of Commerce (the "Modification"), the form of which is attached hereto as Exhibit A; and
4. All capitalized terms not specifically defined herein shall have the meaning as defined in the Agreements, and if not defined therein shall have the meaning as defined in the Act.

**NOW, THEREFORE, BE IT RESOLVED BY FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

Section 1. Form of Modification. The form, terms and provisions of the Modification as presented to County Council are approved, and all of the terms, provisions, and conditions of the Modification are incorporated by reference.

Section 2. Procedural Requirements. Pursuant to the Inducement Agreement, the County Council will comply with the provisions of the Home Rule Act and the Code and Constitution regarding the procedural requirements for adopting all required ordinances and resolutions.

Section 3. Effectiveness of Resolution. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Section 4. Official Action. It is the intention of the County Council that this Resolution and the Modification attached hereto, the content, terms, and provisions of which are incorporated into this Resolution by reference, shall constitute an official action on the part of the County within the meaning of any statute or other legislative enactment relating to the provision of incentives including, without limitation, the approval of a fee-in-lieu-of-tax agreement for the inducement of economic development projects.

ATTEST:

---

Connie Y. Haselden, Council Clerk

---

James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Exhibit A

Form of Modification

DRAFT

## **MODIFICATION OF INDUCEMENT AND MILLAGE RATE AGREEMENT AND MEMORANDUM OF UNDERSTANDING**

This Modification of Inducement and Millage Rate Agreement and Memorandum of Understanding (the "Modification") is made effective as of July 18, 2013 (the "Effective Date") by and between Florence County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina; Monster Worldwide South Carolina, Inc. (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware; Red Rock Pee Dee, LLC (the "Sponsor"), a limited liability company organized and existing under the laws of the State of South Carolina; and the South Carolina Department of Commerce, a body politic and corporate and a political subdivision of the State of South Carolina.

WHEREAS, the County, the Company, the Sponsor, and the South Carolina Department of Commerce have previously entered into that certain Memorandum of Understanding dated as of June 26, 2008 (the "MOU") relating to the payment of a fee in lieu of *ad valorem* taxes for the acquisition, construction, and equipping and/or expansion of certain manufacturing facilities of the Company in the County (the "Project," as further defined in the Agreements); and

WHEREAS, pursuant to Section I.D.9 of the MOU, the Company committed to invest at least \$16 million, the Sponsor committed to invest at least \$12 million, and the Company and the Sponsor committed to invest, collectively, at least \$28 million by December 31, 2013; and

WHEREAS, in addition, pursuant to Section I.D.1, I.D.2, I.D.3, and I.D.4 of the MOU, respectively, the Company and the Sponsor have received from the County a project development grant in the amount of \$250,000, a training grant in the amount of \$150,000, a temporary space grant in the amount of \$37,500, and a road paving grant in an unspecified amount (collectively, the "Grants"); and

WHEREAS, in addition, the County, the Company, and the Sponsor have previously entered into that certain Inducement and Millage Rate Agreement dated as of June 26, 2008 (the "Inducement Agreement" and, together with the MOU, the "Agreements") and that certain Fee Agreement dated as of June 26, 2008 (the "Fee Agreement"); and

WHEREAS, pursuant to Section 2.1 of the Inducement Agreement, the Company and the Sponsor have been granted a special source revenue credit (the "SSRC") pursuant to Section 12-44-70 of Code of Laws of South Carolina 1976, as amended, for the Project; and

WHEREAS, pursuant to Section 2.2 of the Inducement Agreement, the grant of the SSRC is subject to a clawback provision which requires the Company to invest at least \$16 million and create at least 750 jobs, and the Sponsor to invest at least \$12 million, at the Project by December 31, 2013 (collectively, the "Clawback Requirements"); and

WHEREAS, as of the date hereof, each of the Company and the Sponsor has invested at least \$2.5 million in the Project as required by the Fee Agreement; and



WHEREAS, the Company intends to make continuing and further investment in the Project and has requested that the County provide certain economic development incentives to the Company by modifying the Agreements as described below; and

WHEREAS, all capitalized terms not specifically defined herein shall have the meaning as defined in the Agreements, and if not defined therein shall have the meaning as defined in Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the "Act").

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which are hereby acknowledged, the parties agree as follows:

1. Modification of Agreements.

a. The Clawback Requirements shall be modified such that the Company (i) shall be required to invest, when combined with existing investment by the Company and the Sponsor, at least \$14 million, and (ii) shall create at least 300 jobs, at the Project by December 31, 2015. If the Company achieves these investment and job requirements by December 31, 2015, the Company shall have no further obligations to the County under the Agreements.

b. In exchange for the Grants which the Company has received from the County, the Company shall pay to the County the amount of \$150,000 in cash within thirty (30) days of the date of the execution of this Modification by all parties and the adoption by the County of that certain Resolution in connection herewith. Such payment shall constitute full payment and complete satisfaction of any obligations of the Company to the County with respect to repayment of the Grants.

c. Article II of the Inducement Agreement shall be deleted in its entirety and replaced with the following language:

ARTICLE II  
SPECIAL SOURCE REVENUE CREDITS; CLAWBACK

Section 2.1 Special Source Revenue Credits. The County agrees that for the first twenty (20) years of any actual FILOT payments under the Fee Agreement, the Company is entitled to receive a special source revenue or infrastructure improvement credit of ninety percent (90%) for tax years 2009 through 2013; thirty-five percent (35%) for tax years 2014 through 2018; twenty-five percent (25%) for tax years 2019 through 2023; and fifteen percent (15%) for tax years 2024 through 2028 against such FILOT payments (the "SSRC"), pursuant to Section 12-44-70 of the Code of Laws of South Carolina, 1976, as amended. The SSRC may apply to any costs as allowed, or provided for, in Section 4-29-68(A)(2) of the Code of Laws, 1976, as amended (the "Costs"). The Costs may be incurred at any time during the term of the Fee Agreement, and the SSRC may be applied in any tax year during the twenty (20) years provided in this Section 2.1, except that no SSRC may be credited against an annual FILOT

payment where the credit exceeds the credits stated above and applicable to that year's total FILOT payment. Any SSRC not used in a year may be carried over and applied in subsequent years throughout the twenty (20) year term of the FILOT provided for in this Section 2.1, subject only to the above exception that no SSRC may be credited against any annual FILOT payment where the credit exceeds the credits stated above and applicable to that year's total FILOT payment.

## Section 2.2 Clawback Provision.

A. Subject to the provisions of Section 2.2.D below, if the Company fails to invest at least \$14 million (when combined with any investment previously made by the Company and the Sponsor) and create at least 300 jobs at the Project by December 31, 2015 (the "Investment Period"), then the SSRC provided in this Article II and actually credited to the Company for any of the tax years 2014 through 2028, but not for the tax years 2009 through 2013, shall be reduced for the Company and reimbursed by the Company to the County based on the following formula:

As to the Company:

$$\begin{array}{rcl}
 \frac{\text{Company Actual Investment}}{\$14 \text{ million}} & = & \text{Investment Achievement Percentage} \\
 \frac{\text{Company Actual Job Creation}}{300 \text{ Jobs}} & = & \text{Job Achievement Percentage} \\
 \frac{\text{Investment Achievement Percentage} + \text{Job Achievement Percentage}}{2} & = & \text{Overall Achievement Percentage} \\
 100\% - \text{Overall Achievement Percentage} & = & \text{Reimbursement Factor} \\
 \text{SSRC actually credited} \times \text{Reimbursement Factor} & = & \text{Amount of Reimbursement}
 \end{array}$$

For example:

SSRC actually credited is \$500,000

$$\begin{array}{rcl}
 \frac{\$14 \text{ million actual investment}}{\$14 \text{ million}} & = & 100\% \\
 \frac{225 \text{ Actual Job Creation}}{300 \text{ Jobs}} & = & 75\% \\
 100\% + 75\% & = & 87.5\%
 \end{array}$$

100% - 87.5%	=	12.5%	Reimbursement Factor
\$500,000 x 12.5%	=	\$62,500	Reimbursement

B. No SSRC reimbursement shall be due for any actual SSRC claimed and received by the Company for the tax years 2009 through 2013. If a SSRC reimbursement amount described in Section 2.2.A is due retroactively, such amount shall not be paid by the Company but rather will be assessed proportionally against any SSRC in subsequent years that correspond to the number of years for which retroactive assessment is due; provided, however, that if an SSRC reimbursement remains due under Section 2.2.A after tax year 2028, the Company shall pay this amount to the County within thirty (30) days of written demand from the County for its payment.

C. Under no circumstances will the application of FILOT payments, and the terms and conditions as to calculations of FILOT payments, including but not limited to, the assessment ratio, fixed millage rate, termination date, alternative payment method (if used), under the Act, or the Multi-County Industrial Park, all as provided in Article I of this Agreement, be modified or changed as a result of any application of this Section 2.2. As long as the Company shall maintain the statutory minimum investment requirement under the Act, the Company shall be entitled to all benefits of the FILOT payments and the Act.

D. The parties agree that if at any time during the Investment Period the Company reaches a total investment of at least \$14 million and creates at least 300 jobs at the Project, the clawback provisions of Section 2.2.A shall no longer apply.

E. RESERVED.

F. Should the Company be unable to meet 100% of its Investment Achievement or Job Achievement as set forth in Section 2.2.A, as a result of a "Force Majeure Event" then the Investment Period, only as applied in this Article, shall be tolled and extended for such time as is reasonable and prudent for the Company to recover from or remedy the results of the Force Majeure Event. The Company shall give reasonable written notice to the County with details following the occurrence of the cause relied upon, to include a reasonable estimate of the remedy or recovery period. The Company will then advise the County in writing when the remedy or recovery is complete. Once the Company has remedied or recovered from the Force Majeure Event, the tolling/extension period shall end and the remaining time within the Investment Period shall begin, and at the conclusion of such Investment Period, the application of the clawback provisions in Section 2.2.A of this Article shall be enforced, if applicable. If, during the tolling/extension period or recommenced Investment Period, the Company shall meet the investment amount and/or jobs creation number, then

Section 2.2.D shall immediately apply. "Force Majeure Event" shall mean (A) any taking of any part of the property comprising the Project by eminent domain, or (B) any damage to the property comprising the Project that is caused by fire or acts of God (such as flood, lightning, earthquake, storm or hurricane), war, strikes and other labor disputes, power outage or riot or similar civil disturbance, but only to the extent such damage or disruption was beyond the control of and not caused in whole or in part by negligence, illegal acts or willful misconduct on the part of the Company, or (C) such general state-wide or geographically greater, economic downturn or malaise exists, that reasonable manufacturing concerns in the same or similar position as the Company are experiencing inability to invest in capital projects or are required to curtail job growth or engage in reduction in force plans in business operations.

2. Extension of the Investment Period. The Investment Period for investments and jobs creation under the MOU and the Inducement Agreement shall be extended until December 31, 2015, and all other sections of the Agreements shall be revised to allow for such an extension of the Investment Period; provided, however, that such extension shall not apply to the timing requirements for job creation and investment set forth in the Revitalization Agreement between the Company and the South Carolina Coordinating Council for Economic Development with respect to the Project.

3. Fee Agreement. The parties agree that the Company and the Sponsor have each satisfied and complied with the applicable investment requirements of the Fee Agreement and the Fee Agreement remains unmodified by this Amendment.

4. Severability. If any term, provision, or any portion of this Modification shall to any extent and for any reason be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this agreement shall not be affected thereby and shall nevertheless remain in full force and effect, and each term and/or provision of this agreement shall be valid and enforceable to the fullest extent permitted by the law.

IN WITNESS WHEREOF, Florence County, South Carolina, has executed this Modification by causing its name to be hereunto subscribed by the Chairman of its County Council for the County and attested by the Clerk to the County Council; Red Rock Pee Dee, LLC; and the South Carolina Department of Commerce has executed this Modification by causing its name to be hereunto subscribed by its authorized representative, all being done as of the day and year first written above.

[signatures on following page]

FLORENCE COUNTY, SOUTH CAROLINA

WITNESSES

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_  
James T. Schofield, Chairman, County  
Council of Florence County, South  
Carolina

(SEAL)

ATTEST:

By:

\_\_\_\_\_  
Connie Y. Haselden, Clerk to County  
Council of Florence County, South Carolina

WITNESSES:

Monster Worldwide South Carolina, Inc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_

Its:

\_\_\_\_\_

WITNESSES:

Red Rock Pee Dee, LLC

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_

Its:

\_\_\_\_\_

WITNESSES:

South Carolina Department of Commerce

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_

Its:

\_\_\_\_\_

## FLORENCE COUNTY COUNCIL MEETING

July 18, 2013

**AGENDA ITEM:** Third Reading - Ordinance No. 17-2012/13 (*Deferral*)

**DEPARTMENT:** Finance

### **ISSUE UNDER CONSIDERATION:**

(An Ordinance To Authorize The Execution and Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.)

### **POINTS TO CONSIDER:**

1. The Drs. Bruce and Lee Foundation have provided Florence County with a grant in the amount of \$2,500,000 in order to develop a community park in Lake City.
2. The grant terms require Florence County to secure additional funding for the park project in the form of grants.
3. The South Carolina Department of Health and Environmental Control (SCDHEC) is authorized to make loans through the South Carolina Brownfields Cleanup Revolving Fund Loan program to assist with removal actions required when entering into a Voluntary Cleanup Contract with SCDHEC.
4. The County entered into a Voluntary Cleanup Contract earlier this year for the properties which are to be developed for the park in Lake City.
5. The loan funds may be used for removal activities, including demolition and/or site preparation, which are part of the site cleanup.
6. The County will be eligible to have 25% of the amount borrowed, up to a maximum of \$100,000 converted into a grant.
7. The loan carries a 1% interest rate and is amortized over 10 years.

### **OPTIONS:**

1. (*Recommended*) Approve as presented.
2. Provide An Alternate Directive.

### **ATTACHMENTS:**

Ordinance #17-2012/13.

Sponsor(s)	: Finance
First Reading	: November 15, 2012
Committee Referral	: N/A
Committee Consideration Date	: N/A
Committee Recommendation	: N/A
Second Reading	: December 13, 2012
Public Hearing	:
Third Reading	:
Effective Date	:

I, \_\_\_\_\_,  
Council Clerk, certify that this  
Ordinance was advertised on  
\_\_\_\_\_ for Public Hearing.

# ORDINANCE NO. 17-2012/13

## COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**(An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.)**

### WHEREAS,

1. The County of Florence, South Carolina, a public body corporate and politic and a political subdivision organized and existing under the laws of the State of South Carolina (the "County"), proposes to fund a portion of the costs associated with soil remediation of the Lake City Park Project (the "Project") with a loan in the principal amount of \$500,000; and
2. The South Carolina Department of Health & Environmental Control (the "Lender") acting through its fund manager is authorized to make loans through the Catawba Regional Development Corporation ("CRDC") South Carolina Brownfields Cleanup Revolving Fund Loan (the "Fund"); and
3. CRDC has proposed terms relating to a loan from the Fund to the County which, if it receives final approval from the Lender, CRDC and the County, could provide financing for the Project; and
4. An outline of such proposed terms is attached hereto as Exhibit A; and
5. The security for the proposed borrowing is 2008 Lease Purchase Bond Proceeds and does not constitute a pledge of the full faith, credit and taxing power of the County; and
6. The Project serves a valid corporate and public purpose of the County; and
7. The County expects to receive a final proposal for the financing of the Project on the terms and conditions set forth in Exhibit A; and
8. County Council (the "County") has determined, and hereby determines, that it is in the County's best interest to accept the outline of the proposal of the Lender as shown on Exhibit A hereto; and
9. The County intends to enter into the Promissory Note (the "Note") and a Loan Agreement (the "Loan Agreement") (the Note and the Loan Agreement are hereinafter referred to as the "Loan Documents") between the Lender and the County. The Note and the Loan Agreement are in substantially the forms attached hereto as Exhibits B and C, respectively.

**NOW, THEREFORE, BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. It is hereby declared that the recitals set forth in the preambles to this Ordinance are in all respects true and correct.
2. The Council hereby authorizes, ratifies, confirms and approves all actions heretofore taken with respect to this transaction.
3. The proposal of the Lender on the proposed terms and conditions attached hereto as Exhibit A is hereby approved and accepted.
4. The Note shall be in the principal amount of \$500,000.00, and shall bear interest and be payable as described in Exhibit A.
5. The County Administrator (the "Administrator") is hereby authorized and directed to execute and deliver the Loan Documents on behalf of the County in such form as he approves, with the advice of counsel, his execution being conclusive evidence of his approval; and the Clerk of Council is hereby authorized and directed to affix the corporate seal of the County to the Loan Documents and to attest the same.
6. The consummation of all transactions contemplated by the Loan Documents is hereby approved.
7. The County Administrator and all other appropriate officials of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County or the Lender or CRDC in order to carry out, give effect to, and consummate the transactions contemplated by the Loan Documents.
8. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.
9. This Ordinance shall become effective immediately upon third reading by the Council.
10. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.
11. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden  
Clerk to Council

\_\_\_\_\_  
Chairman  
Florence County Council


COUNCIL VOTE:  
OPPOSED:  
ABSENT:

\_\_\_\_\_  
Approved as to Form & Content  
D. Malloy McEachin, Jr., County Attorney



**FLORENCE COUNTY COUNCIL MEETING**  
**Thursday, July 18, 2013**

**AGENDA ITEM:** Ordinance No. 31-2012/13  
Third Reading

**DEPARTMENT:** Planning and Building Inspections / 

**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Zone Properties Owned By Ladonna M. Beylotte, Cephus & Maxine Peterson Jr., Bessie Wilks, Erik T. & Sarah L. Knotts, Vanona M. Dubose Morris, Ryan J. Johnson, McArthur & Yvonne F. Lynch, James T. Hurst And Located At 227, 233, 237, 241, 243, 247, 249, And 251 Mill Street, Town Of Scranton, As Shown On Florence County Tax Map No. 00194, Block 31, Parcels 025, 077 And 104; And A Portion Of 021, 022, 023, 024 and 111; Consisting Of Approx. 3.16 Acres From Unzoned, To R-1, Single-Family Residential District; And Other Matters Related Thereto.]

*(Planning Commission 7 to 0; Council District 1)*

**POINTS TO CONSIDER:**

1. The subject properties are currently unzoned.
2. Surrounding land uses consist of Single-Family Residential and manufactured/mobile home.
3. The Comprehensive Plan currently designates the subject properties as Residential Preservation. The designation will support R-1, Single-Family zoning.

**OPTIONS:**

1. *(Recommended)* Approve As Presented.
2. Provide An Alternate Directive.

**ATTACHMENTS:**

1. Ordinance No. 31-2012/13
2. Staff report for PC#2013-01
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s) : Planning Commission  
 Planning Commission Consideration : April 23, 2013  
 Planning Commission Public Hearing : April 23, 2013  
 Planning Commission Action : April 23, 2013 [Approved: 7 to 0]  
 First Reading/Introduction : May 16, 2013  
 Committee Referral : N/A  
 County Council Public Hearing : N/A  
 Second Reading : June 20, 2013  
 Third Reading : July 18, 2013  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that  
 this Ordinance was  
 advertised for Public  
 Hearing on \_\_\_\_\_.

## ORDINANCE NO. 31-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Zone Properties Owned By Ladonna M. Beylotte, Cephus & Maxine Peterson Jr., Bessie Wilks, Erik T. & Sarah L. Knotts, Vanona M. Dubose Morris, Ryan J. Johnson, McArthur & Yvonne F. Lynch, James T. Hurst And Located At 227, 233, 237, 241, 243, 247, 249, And 251 Mill Street, Town Of Scranton, As Shown On Florence County Tax Map No. 00194, Block 31, Parcels 025, 077 And 104; And A Portion Of 021, 022, 023, 024 and 111; Consisting Of Approx. 3.16 Acres From Unzoned, To R-1, Single-Family Residential District; And Other Matters Related Thereto.]

#### WHEREAS:

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on April 23, 2013.

#### NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Properties located at 227, 233, 237, 241, 243, 247, 249, and 251 Mill Street, Scranton, bearing Tax Map 00194, Block 31, Parcels 025, 077, 104; and a portion of 021, 022, 023, 024, and 111 are hereby zoned as R-1, Single-Family Residential District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
 Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
 James T. Schofield, Chairman

\_\_\_\_\_  
 Approved as to Form and Content  
 D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:  
 OPPOSED:  
 ABSENT:

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, April 23, 2013  
PC#2013-01  
ORDINANCE NO. 31-2012/13**

**SUBJECT:** Zoning amendment request to R-1, Single Family Residential District

**LOCATION:** 227, 233, 237, 241, 243, 247, 249, and 251 Mill St. Scranton, SC

**TAX MAP NUMBERS:** 00194, Block 31, Parcels 25, 077 and 104; and a portion of 021, 022, 023, 024 and 111

**COUNCIL DISTRICT(S):** 1; County Council

**OWNER OF RECORD:** Cephus & Maxine Peterson Jr., Bessie Wilks, Erik T. & Sarah L. Knotts, Vanona M. Dubose Morris, Ryan J. Johnson, McArthur & Yvonne F. Lynch, James T. Hurst, Ladonna M. Beylotte

**APPLICANT:** Town of Scranton

**LAND AREA:** 3.16 Acres

**WATER /SEWER AVAILABILITY:** These services are provided by the City of Scranton.

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The properties are not located in a flood zone.

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject area properties are currently occupied by single-family residential uses and manufactured/mobile home. The subject area properties are currently unzoned.
2. Proposed Land Use and Zoning:  
The proposal is to rezone the subject properties to R-1, Single-Family Residential District.
3. Surrounding Land Use and Zoning:  
North: Vacant/UZ/Town of Scranton  
South: Vacant/UZ/Town of Scranton  
West: Single-Family Residential/R-1/Vacant/UZ/Town of Scranton  
East: Vacant/UZ/Town of Scranton

4. Transportation Access and Circulation:  
Present access to the properties is by way of Mill Street.
5. Traffic Review:  
The rezoning of these properties will not have an effect on traffic flow for the area.
6. Florence County Comprehensive Plan:  
The Land Use for the following tax map numbers is Residential Preservation. The designation will support R-1 zoning.
7. Chapter 30-Zoning Ordinance:  
The intent of the R-1, Single-Family Residential District, Aside from differences in lot sizes and densities, these districts are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

**STAFF RECOMMENDATION:**

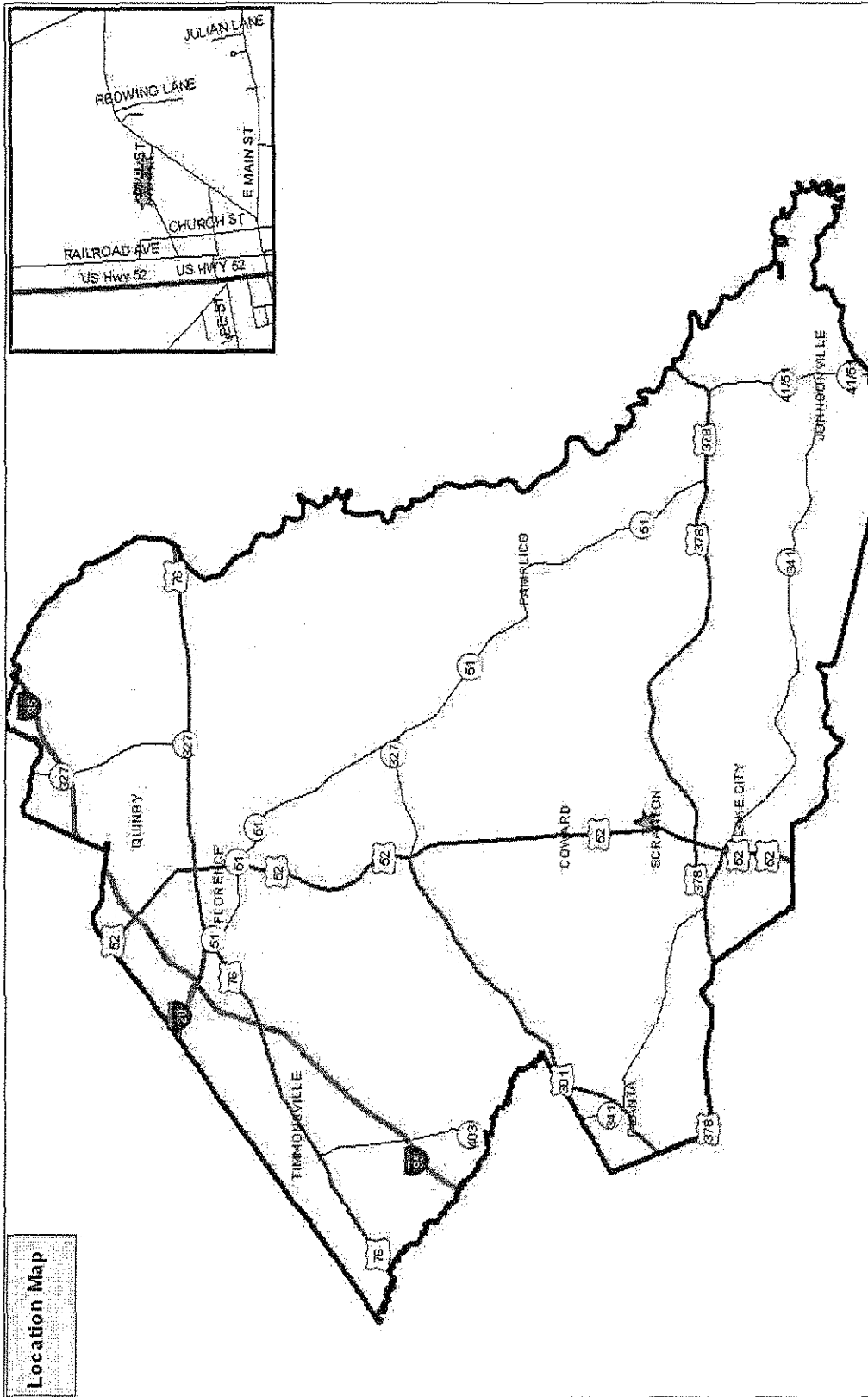
Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

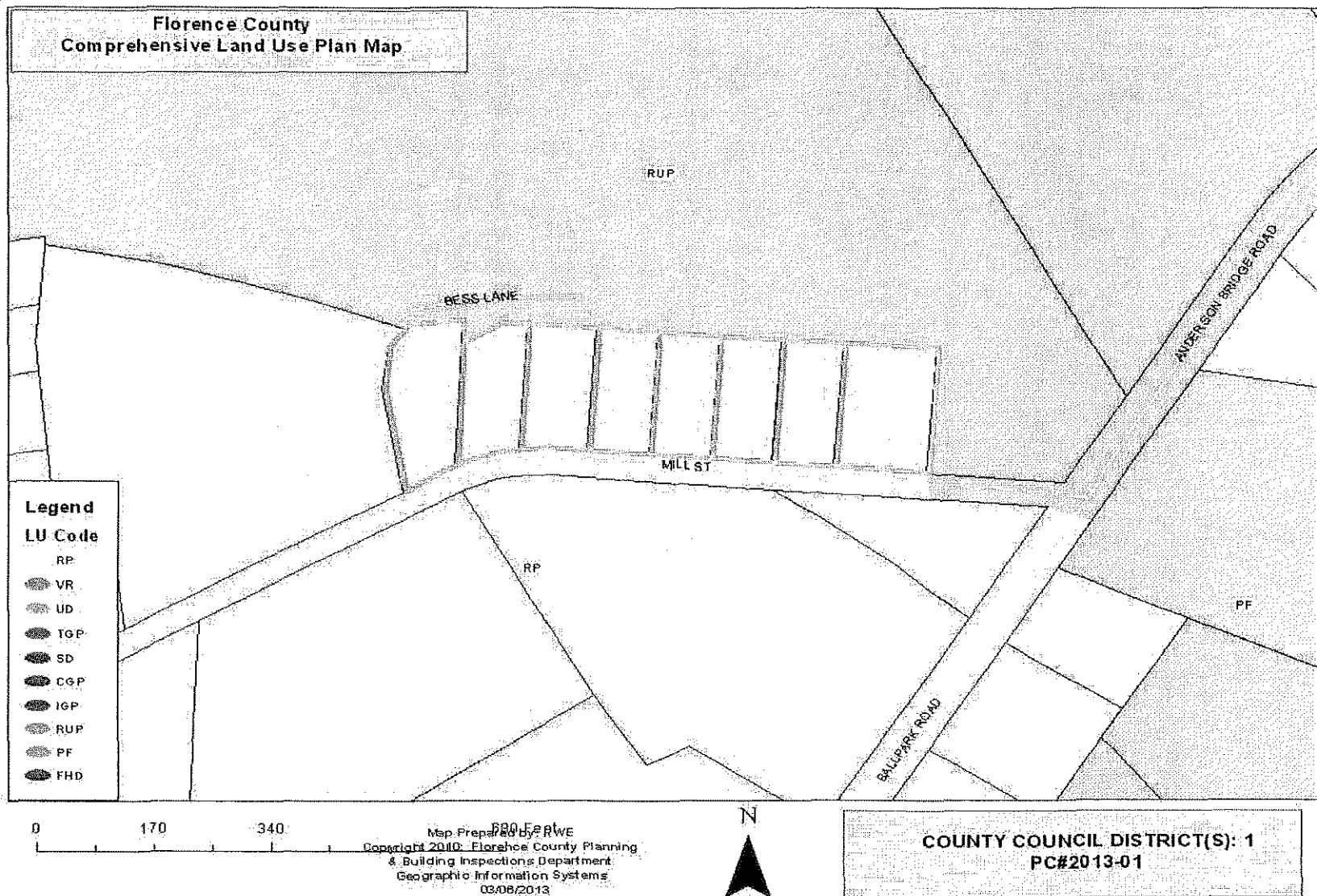
**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, APRIL 23, 2013:**

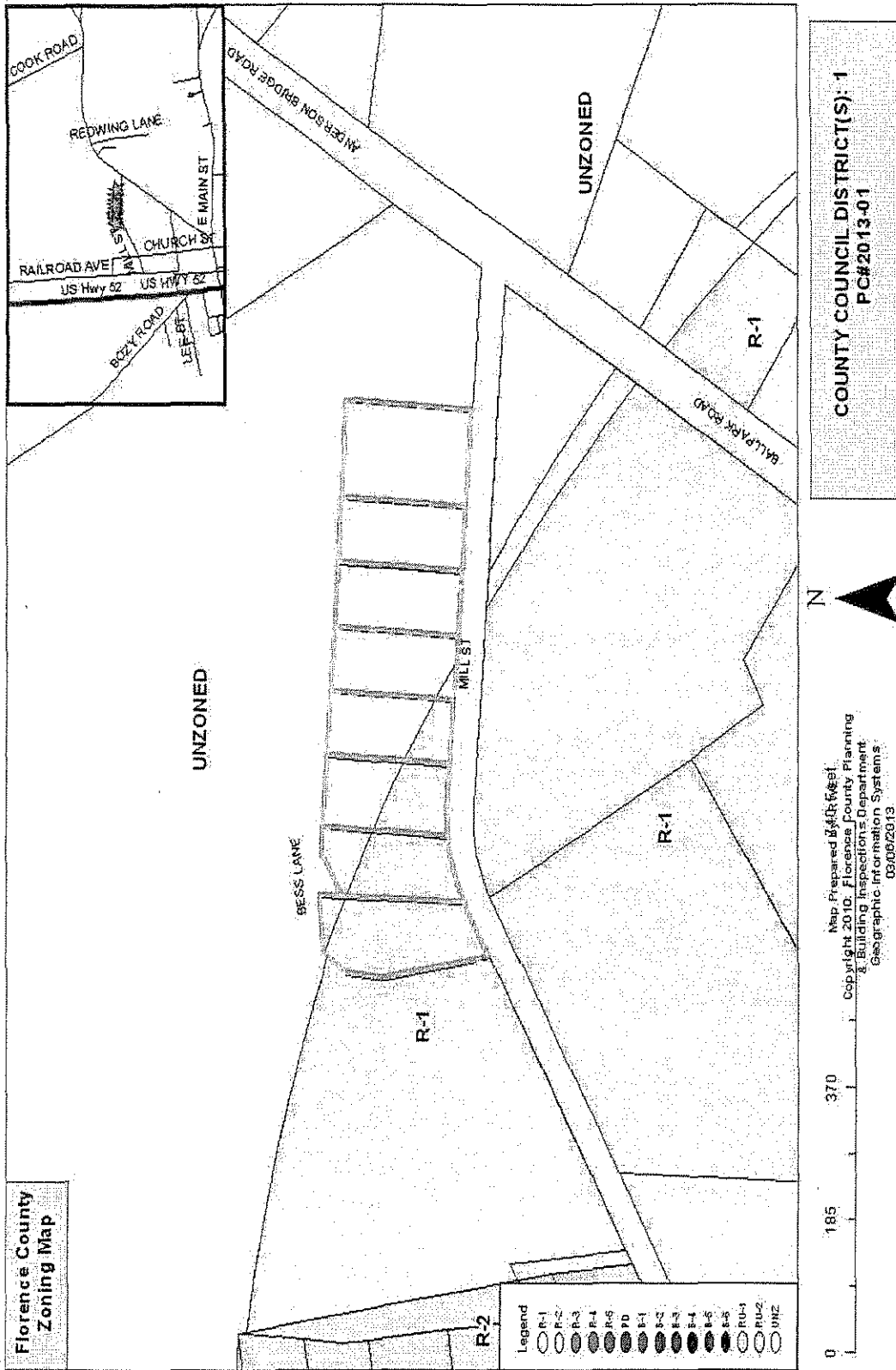
The seven Planning Commission members present approved the zoning amendment request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

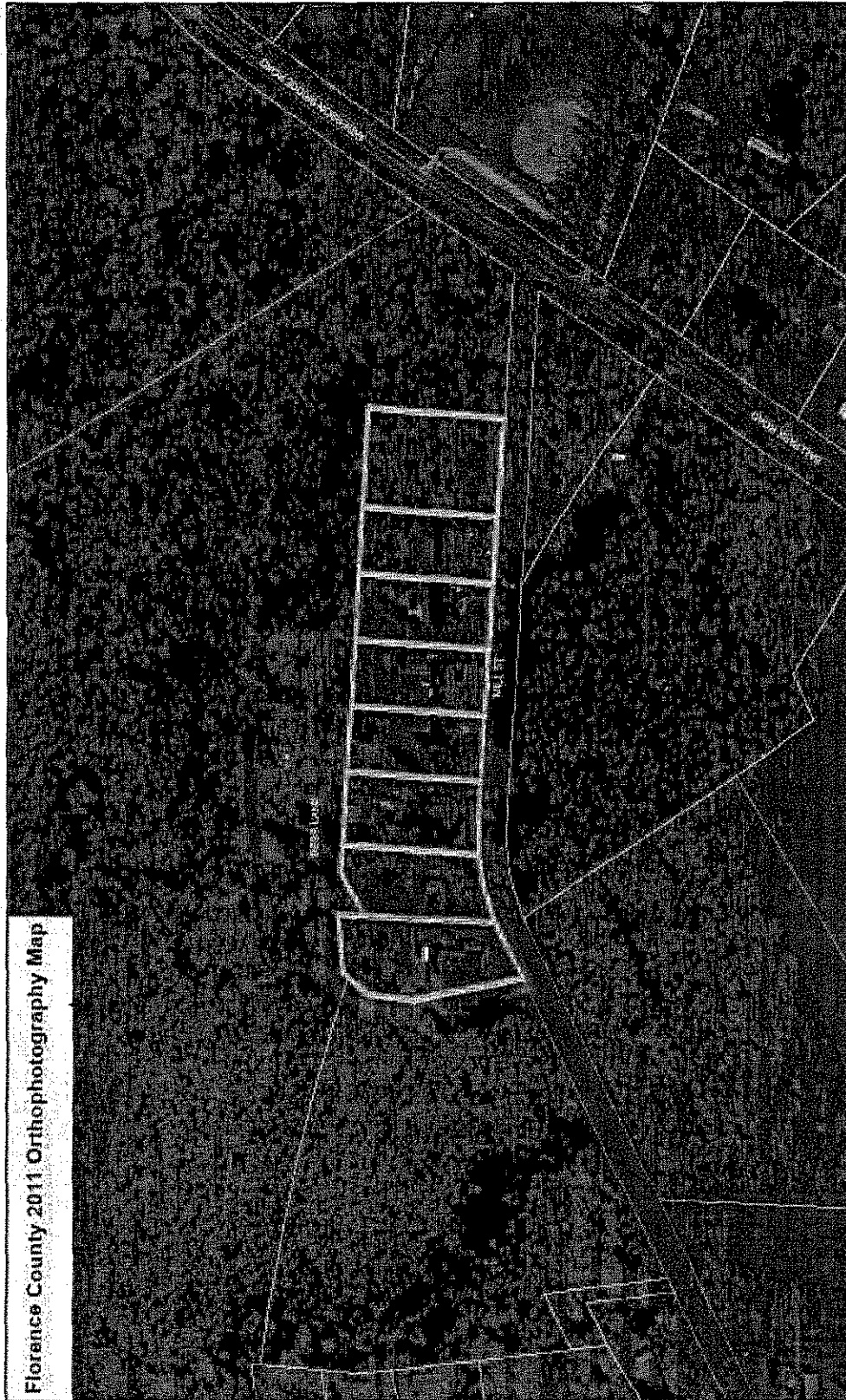
**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission members recommend approval of the zoning amendment request to Florence County Council based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.









COUNTY COUNCIL DISTRICT(S): 1  
PC#2013-01

Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
03/06/2013



**FLORENCE COUNTY COUNCIL MEETING**  
**Thursday, July 18, 2013**

**AGENDA ITEM:** Ordinance No. 32-2012/13  
Third Reading

**DEPARTMENT:** Planning and Building Inspections



**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Rezone Property Owned By Judy H. Thomas And Debra A. Holloway Located At 2005 Hazelwood Lane, Florence, As Shown On Florence County Tax Map No. 00127, Block 01, Parcel 008; Consisting Of Approx. 8.709 Acres From R-3, Single Family Residential District To RU-1, Rural Community District; And Other Matters Related Thereto.]

*(Planning Commission approved 7 to 0; Council District 5)*

**POINTS TO CONSIDER:**

1. The subject property is currently zoned R-3, Single- Family Residential District.
2. Surrounding land uses consist of mixture of vacant land manufactured/mobile home currently zoned R-3, Single-Family Residential District.
3. The Comprehensive Plan currently designates the subject property as Suburban Development according to the Comprehensive Plan Land Use Map.
4. The zoning designation of RU-1, Rural Community District, is in compliance with the Comprehensive Plan land Use Map.

**OPTIONS:**

1. *(Recommended)* Approve As Presented.
2. Provide An Alternate Directive.

**ATTACHMENTS:**

1. Ordinance No. 32-2012/13
2. Staff report for PC#2013-04
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s)	:	Planning Commission	I, _____,
Planning Commission Consideration	:	April 23, 2013	Council Clerk, certify that
Planning Commission Public Hearing	:	April 23, 2013	this Ordinance was
Planning Commission Action	:	April 23, 2013 [Approved: 7 to 0]	advertised for Public
First Reading/Introduction	:	May 16, 2013	Hearing on _____.
Committee Referral	:	N/A	
County Council Public Hearing	:	N/A	
Second Reading	:	June 20, 2013	
Third Reading	:	July 18, 2013	
Effective Date	:	Immediately	

# **ORDINANCE NO. 32-2012/13**

## **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**[An Ordinance To Rezone Property Owned By Judy H. Thomas and Debra A. Holloway Located At 2005 Hazelwood Lane, Florence, As Shown On Florence County Tax Map No. 00127, Block 01, Parcel 008; Consisting Of Approx. 8.709 Acres From R-3, Single Family Residential District, To RU-1, Rural Community District, Limited; And Other Matters Related Thereto.]**

### **WHEREAS:**

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on April 23, 2013

### **NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Property located at 2005 Hazelwood Lane, Florence, bearing Tax Map 00127, Block 01, Parcel 008; and is hereby rezoned to RU-1, Rural Community District, Limited.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

\_\_\_\_\_  
Approved as to Form and Content  
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, April 23, 2013  
PC#2013-04  
ORDINANCE NO. 32-2012/13**

**SUBJECT:** Rezoning request from R-3, Single Family Residential District to RU-1, Rural Community District

**LOCATION:** Property is located at 2005 Hazelwood Lane, Florence County

**TAX MAP NUMBER:** 00127, Block 01, Parcel 008

**COUNCIL DISTRICT(S):** 5; County Council

**OWNER OF RECORD:** Judy H. Thomas & Debra A. Holloway

**APPLICANT:** Judy H. Thomas & Debra A. Holloway

**LAND AREA:** 8.709 Acres

**WATER /SEWER AVAILABILITY:** These services are not provided by the City of Florence

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The property is not located in a Flood zone.

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject property is currently single-family residential and zoned R-3, Single-Family Residential District.
2. Proposed Land Use and Zoning:  
The proposal is to rezone the subject property to RU-1, Rural Community District.
3. Surrounding Land Use and Zoning:  
North: Vacant/ R-3/Florence County  
South: Mobile Homes/R-3/Florence County  
West: Vacant/Mobile Homes/R-3/Florence County

East: Vacant/Mobile Homes/R-3/Florence County

4. Transportation Access and Circulation:

Present access to the property is by way of Hazel Lane.

5. Traffic Review:

The rezoning of this property will not have an effect on traffic flow for the area.

6. Florence County Comprehensive Plan:

The subject property is located in a suburban Development area according to the Comprehensive Plan Land Use Map. While the applicant has requested to rezone to RU-1, this request does comply with Comprehensive Plan.

7. Chapter 30-Zoning Ordinance:

The intent of the RU-1, Rural Community District: The intent of this district is to sustain and support rural community centers as an integral part of the rural environment, serving the commercial, service, social, and agricultural needs of nearby rural residents.

**STAFF RECOMMENDATION:**

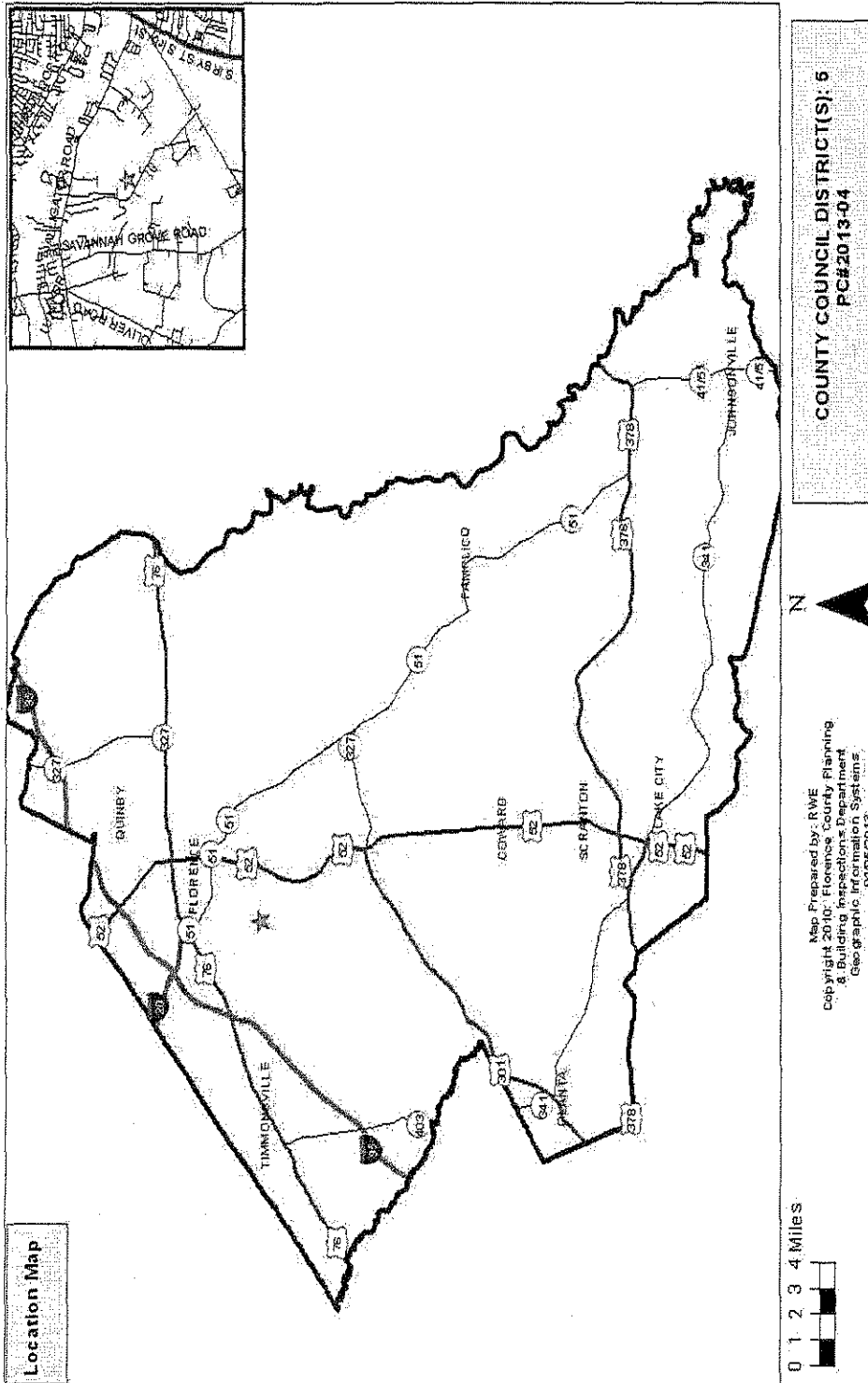
Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, APRIL 23, 2013:**

The seven Planning Commission members present approved the zoning amendment request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission members present approved the zoning amendment request to Florence County Council base on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.



**Florence County  
Comprehensive Land Use Plan Map**

**Legend**

**LU Code**

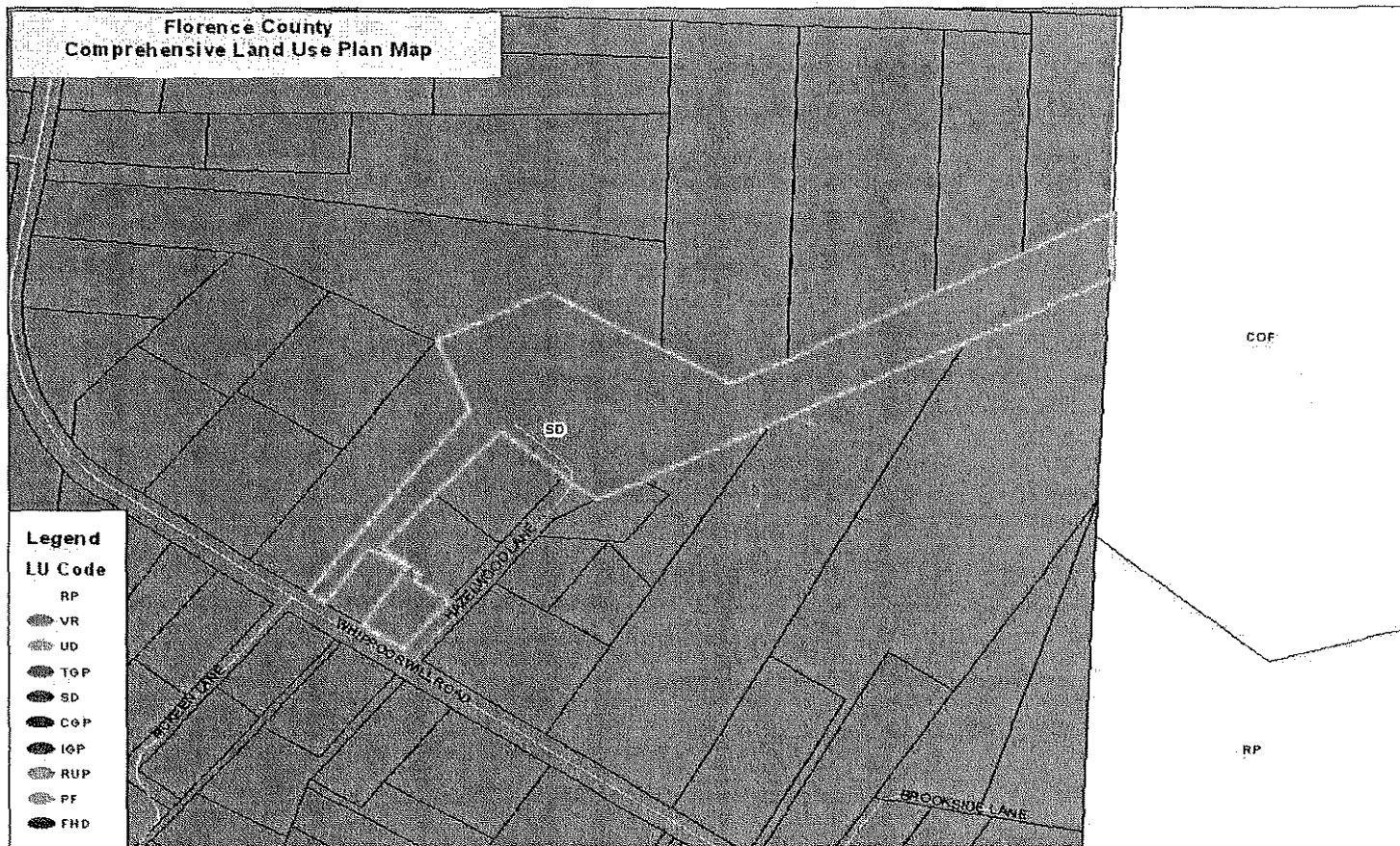
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- VR
- UD
- TGP
- SD
- CGP
- IGP
- RUP
- PF
- FHD

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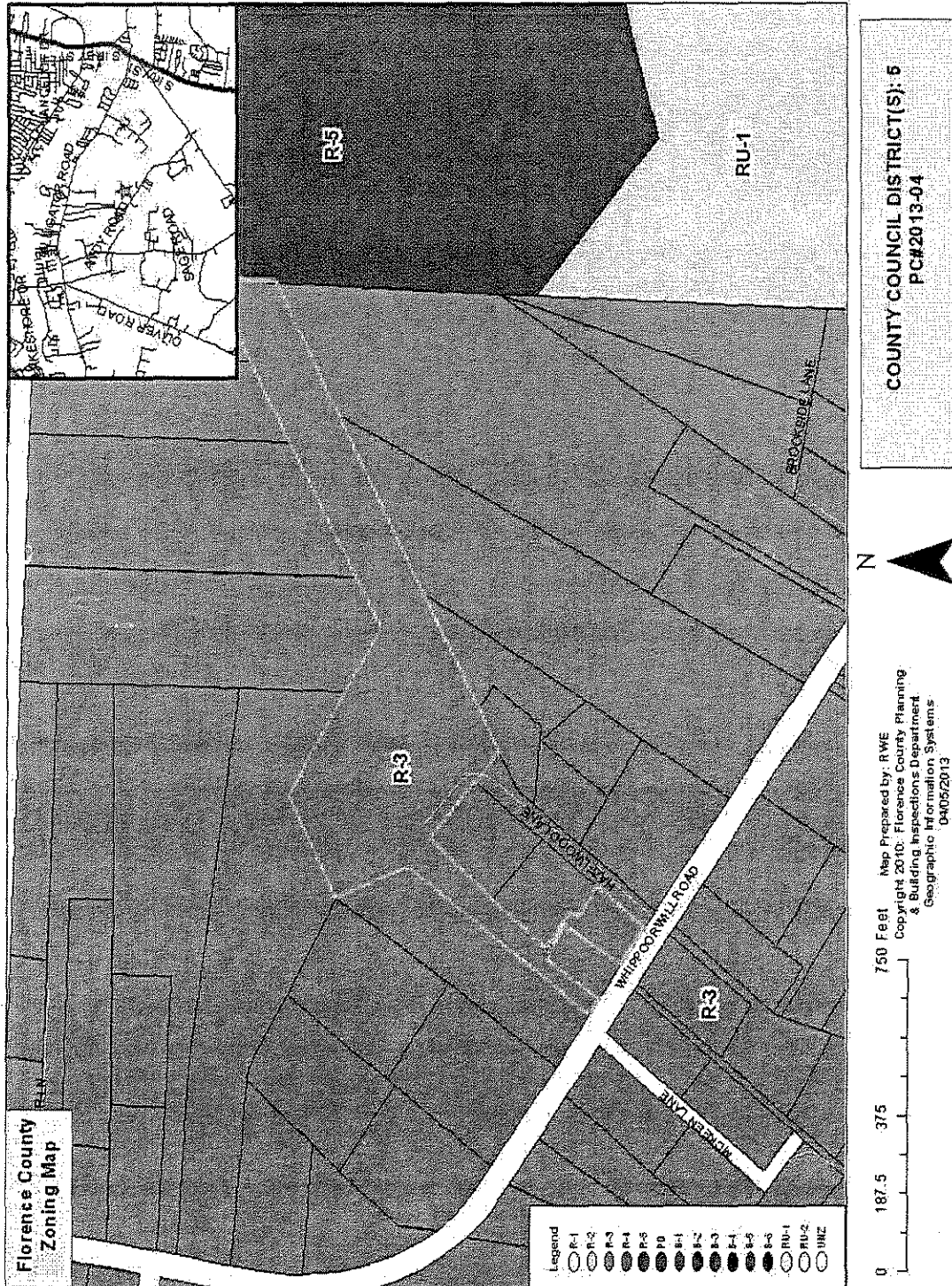
Map Prepared by: RWE  
Copyright 2010, Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
04/05/2013

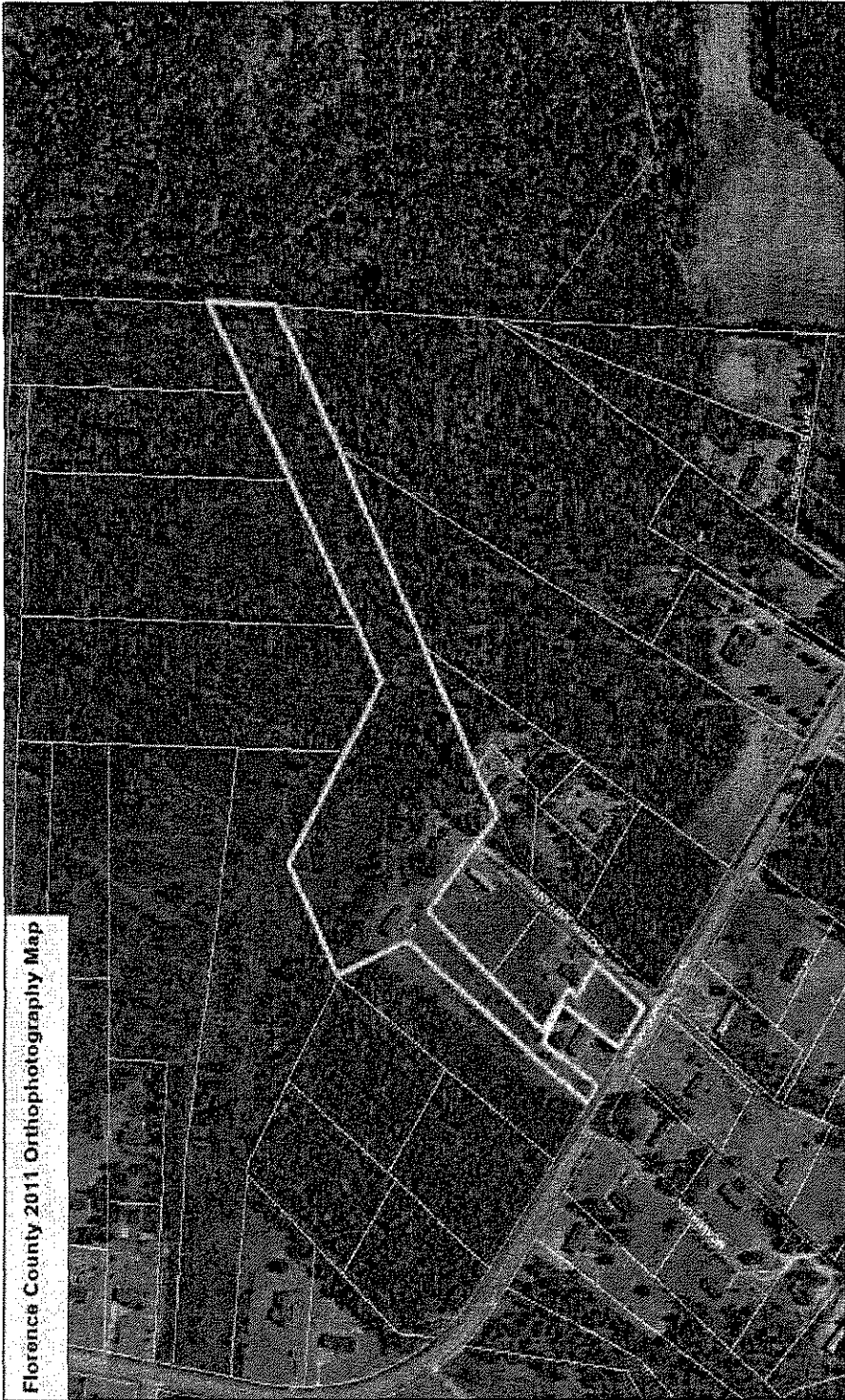


**COUNTY COUNCIL DISTRICT(S): 5  
PC#2013-04**









Florence County 2011 Orthophotography Map

Map Prepared by: RWG  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
04/05/2013

0 150 300 Feet



COUNTY COUNCIL DISTRICT(S): 5  
PC#2013-04



## FLORENCE COUNTY COUNCIL MEETING

Thursday, July 18, 2013

**AGENDA ITEM:** Ordinance No. 33-2012/13  
Third Reading

**DEPARTMENT:** Florence County Planning & Building Department / 

**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Amend The Florence County Code, Chapter 7 - Building Regulations, Article II - Standards For Construction, Installations And Maintenance, Division 1 - Generally, Sec. 7-11 - International Building Code; And Other Matters Related Thereto.]  
(Planning Commission *approved* 6-0: All Council Districts)

**POINTS TO CONSIDER:**

1. The State of South Carolina adopted, by reference and amendment, the latest editions of the codes nationally recognized for regulation of construction.
2. The Florence County Code must comply with the SC Code of Laws.

**OPTIONS:**

1. (*Recommended*) Approve as Presented.
2. Provide an Alternate Directive.

**ATTACHMENTS:**

1. Ordinance No. 33-2012/13 New Proposed
2. Staff report for PC#2013-03

Sponsor(s)	: Planning Commission	I, _____
Planning Commission Consideration	: April 23, 2013	Council Clerk, certify that this
Planning Commission Public Hearing	: April 23, 2013	Ordinance was advertised for
Planning Commission Action	: April 23, 2013 [Approved: 6-0]	Public Hearing on _____.
First Reading/Introduction	: May 16, 2013	
Committee Referral	: N/A	
County Council Public Hearing	: June 20, 2013	
Second Reading	: June 20, 2013	
Third Reading	: July 18, 2013	
Effective Date	: Immediately	

## ORDINANCE NO. 33-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Amend The Florence County Code, Chapter 7 - Building Regulations, Article II - Standards For Construction, Installations And Maintenance, Division 1 - Generally, Sec. 7-11 - International Building Code; And Other Matters Related Thereto.]**

#### WHEREAS:

1. The State of South Carolina adopted, by reference and amendment, the latest editions of the codes nationally recognized for regulation of construction; and
2. The Florence County Code must comply with the SC Code of Laws.

#### NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Code, Chapter 7 - Building Regulations, Article II - Standards For Construction, Installations And Maintenance, Division 1 - Generally, Sec. 7-11 - International Building Code is hereby amended to read as follows:

##### **Sec. 7-11. - Building Code Administration.**

Administration of the International Building Code® and the National Electrical Code® shall be as set forth in the following referenced standards:

The 2012 International Building Code®, Chapter 1, Scope and Administration

The 2012 International Residential Code®, Chapter 1, Scope and Administration

The 2012 International Plumbing Code®, Chapter 1, Scope and Administration

The 2012 International Mechanical Code®, Chapter 1, Scope and Administration

The 2012 International Fuel Gas Code®, Chapter 1, Scope and Administration

The 2012 International Fire Code®, Chapter 1, Scope and Administration

The 2012 International Energy Conservation Code®, Chapter 1, Scope and Administration

The 2011 National Electric Code®, Article 90, Introduction

2. Provisions in other Florence County Ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

\_\_\_\_\_  
Approved as to Form and Content  
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

DRAFT

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, April 23, 2013  
PC#2013-03  
ORDINANCE NO. 33-2012/13**

**SUBJECT:** Request for text amendment to the Florence County Code, Chapter 7 - Building Regulations, Article II. - Standards for Construction, Installations and Maintenance, Division 1. - Generally, Sec. 7-11. - International Building Code.

**APPLICANT:** Florence County Planning & Building Department

**STAFF ANALYSIS:**

Periodically, the State of South Carolina adopts, by reference and amendment, the latest editions of the following nationally recognized codes, and the standards referenced in those codes, for regulation of construction within this State: International Building Code®, International Residential Code®, International Plumbing Code®, International Mechanical Code®, International Fuel Gas Code®, International Fire Code®, International Energy Conservation Code®, and the National Electric Code®. The International Codes are promulgated, published, or made available by the International Code Council, Inc. and the National Electrical Code® is published by the National Fire Protection Association. These codes are referenced in the South Carolina Code of Laws, Title 6, Chapter 9, Section 6-9-50.

The South Carolina Code of Laws directs that all municipalities and counties in this State shall enforce the latest editions of the Building, Residential, Plumbing, Mechanical, Fuel Gas, Fire, Energy Conservation, and Electric codes relating to the construction, livability, sanitation, erection, energy efficiency, installation of equipment, alteration, repair, occupancy, classification, or removal of structures located within their jurisdictions and promulgate regulations to implement their enforcement. The municipality or county shall enforce only the national building and safety codes provided in the South Carolina Code of Laws.

The State of South Carolina, consistent with the aforementioned requirements, adopted the 2012 edition of the International Building Code® and the 2011 edition of the National Electrical Code® in August 2012 with an effective date of July 2013.

Compliance with the SC Code of Laws requires The Florence County Code, Chapter 7 - Building Regulations, Article II - Standards for Construction, Installations and Maintenance, Division 1 - Generally, Sec. 7-11 - International Building Code adopted be amended to read as follows:

**Sec. 7-11. - International Building Code adopted Administration.**

Chapter I - Administration of the 2006 International Building Code is hereby adopted for the enforcement of the standards as set forth herein Administration of the International Building Code® and the National Electrical Code® shall be as set forth in the following referenced standards:

The 2012 International Building Code®, Chapter 1, Scope and Administration

The 2012 International Residential Code®, Chapter 1, Scope and Administration

The 2012 International Plumbing Code®, Chapter 1, Scope and Administration

The 2012 International Mechanical Code®, Chapter 1, Scope and Administration

The 2012 International Fuel Gas Code®, Chapter 1, Scope and Administration

The 2012 International Fire Code®, Chapter 1, Scope and Administration

The 2012 International Energy Conservation Code®, Chapter 1, Scope and Administration

The 2011 National Electric Code®, Article 90, Introduction

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, MARCH 26, 2013:**

The March 26, 2013 meeting of the Planning Commission was cancelled due to the lack of a quorum. There were only five members present. The item will be rescheduled to appear on the agenda for the Planning Commission meeting to be held April 23, 2013.

**STAFF RECOMENDATION:**

Staff recommends approval by Florence County Planning Commission of the amendment request as presented.

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, APRIL 23, 2013:**

The six Planning Commission members present approved the text amendment request unanimously.

**FLORENCE COUNTY COUNCIL:**

This item is tentatively scheduled to appear for introduction on the agenda on Thursday, May 16, 2013 @ 9:00 a.m. in room 803 of the City-County Complex, 180 North Irby St., Florence.

## FLORENCE COUNTY COUNCIL MEETING

Thursday, July 18, 2013

**AGENDA ITEM:** Ordinance No. 34-2012/13

Third Reading

**DEPARTMENT:** Planning and Building Department / 

**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management; And Other Matters Related Thereto.] *(Planning Commission approved 6-0: All Council Districts)*

**POINTS TO CONSIDER:**

1. Chapter 9.5 – Drainage and Stormwater Management Ordinance was adopted August 16, 2007.
2. The Planning Commission and Engineering Division staff developed the proposed amendment to bring the Ordinance into compliance with the recently updated National Pollutant Discharge Elimination System (NPDES) general permit.
3. The proposed Ordinance removes irrelevant information as it applies to Drainage and Stormwater Management and reduces the current format from 77 pages to 60 pages.
4. The regulatory requirements of Chapter 9.5 – Drainage and Stormwater Management has been moved into a proposed working document called The Florence County Stormwater Design Manual.
5. The proposed Florence County Stormwater Design Manual is scheduled to appear for Public hearing before the Florence County Planning Commission June 25, 2013.
6. The six Planning Commission members present at the April 23, 2013 meeting voted unanimously to adopt a resolution recommending that County Council amend the Drainage and Stormwater Management Ordinance.
7. Florence County Planning Commission recommends approval of the request to Florence County Council in order to keep County Ordinances current and accurate.

**OPTIONS:**

1. *(Recommended)* Approve as Presented.
2. Provide an Alternate Directive.

**ATTACHMENTS:**

Ordinance No. 34-2012/13 New Proposed

Sponsor(s)	: Planning Commission	I, _____
Planning Commission Consideration	: April 23, 2013	Council Clerk, certify that this
Planning Commission Public Hearing	: April 23, 2013	Ordinance was advertised for
Planning Commission Action	: April 23, 2013 [Approved: 6-0]	Public Hearing on _____.
First Reading/Introduction	: May 16, 2013	
Committee Referral	: N/A	
County Council Public Hearing	: June 20, 2013	
Second Reading	: June 20, 2013	
Third Reading	: July 18, 2013	
Effective Date	: Immediately	

## ORDINANCE NO. 34-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management; And Other Matters Related Thereto.]**

#### WHEREAS:

1. Chapter 9.5 - Drainage and Stormwater Management was adopted into the Florence County Code of Ordinances on August 16, 2007; and
2. The South Carolina Department of Health and Environmental Control (SCDHEC) issued an update to the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities on October 15, 2012; and
3. The Florence County Code of Ordinances must be maintained as compliant with the current NPDES permit.

#### NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Code, Chapter 9.5, Drainage and Stormwater Management, is hereby amended to read as follows:

#### Chapter 9.5 - STORMWATER MANAGEMENT AND SEDIMENTATION CONTROL

##### ARTICLE I. – GENERALLY

##### DIVISION 1. - GENERAL

##### Sec. 9.5-1. - Purpose, authority and jurisdiction.

- (a) Purpose. In order to protect the general health, safety and welfare of the people of the County, to enhance the water quality of the County and to protect the natural assets and resources of the County for posterity, this Stormwater Management and Sediment control article is enacted to protect the lands and waters from the effects of excessive soil erosion and sedimentation, to prevent siltation of streams and lakes, to



prevent clogging of draining channels, to prevent excessive flood damage and to prevent damage to the property of adjacent landowners.

- (b) Permit Compliance. It is further the purpose of this article to comply with the federal and corresponding State Stormwater discharge regulations (40 CFR 122.26 and SC Regulation 61-9.122.26) developed pursuant to the Clean Water Act (CWA) and to grant the County the authority to take any action required by it to obtain and comply with its National Pollutant Discharge Elimination System (NPDES) permit for Stormwater discharges. Among other things, these regulations require the County to establish legal authority which authorizes or enables the County at a minimum to attempt to:
- (1) Control the contribution of Pollutants to the County's Small Municipal Separate Storm Sewer System (SMS4) and receiving waters by Stormwater discharges associated with residential, commercial, industrial and related facilities activity and the quality of Stormwater discharged from sites of residential, commercial, industrial and related facility activity; and
  - (2) Prohibit illicit discharges to the SMS4 and receiving waters; and
  - (3) Control the discharge to the SMS4 and receiving waters of spills, dumping, or disposal of materials other than Stormwater; and
  - (4) Control, through intergovernmental agreements, contribution of Pollutants from one municipal Stormwater system to another; and
  - (5) Require compliance with conditions in ordinances, permits, contracts or orders; and
  - (6) Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with permit conditions including the prohibition on illicit discharges to the SMS4 and receiving waters.
- (c) Minimum Requirements. The application of this article and the provisions expressed herein shall be the minimum Stormwater Management requirements and shall not be deemed a limitation or repeal of any other powers granted by statute. In addition, if site characteristics indicate that complying with these minimum requirements will not provide adequate designs or protection for local property or residents, it is the owner and operator's responsibility to exceed management practices control techniques and system, design and engineering methods and such other programs and controls as are required by the County's NPDES Permit as defined below.
- (d) Construction. This article is to be construed to further its purpose of controlling and reducing Pollutant discharges to the SMS4 and to the waters of the State and to meet the County's obligations under its NPDES permit issued by the South Carolina



Department of Health and Environmental Control (DHEC) as required by 33 USC 1342 and 40 CFR 122.26 (the "NPDES Permit").

- (e) Authority. This article is adopted pursuant to the authority conferred upon the County by the South Carolina Constitution, the South Carolina General Assembly and in compliance with the requirements imposed upon the County by the NPDES Permit issued in accordance with the Federal Clean Water Act, the South Carolina Pollution Control Act and regulations promulgated thereunder.
- (f) Jurisdiction. The provisions of this article shall apply to all lands within the jurisdiction of the County, including incorporated areas of the County where the municipality has entered into an intergovernmental agreement with the County to perform Stormwater Management services on behalf of the municipality.
- (g) Relationship with other laws, regulations and ordinances. Whenever the provisions of this article impose more restrictive standards than are required in or under any other law, regulation or ordinance, the requirements contained in this article shall prevail. Whenever the provisions of any other law, regulation or ordinance require more restrictive standards than are required in this article, the requirements of such law, regulation or ordinance shall prevail. Approvals of Stormwater Management and Sediment Control Plans which were obtained by the County Engineering Division prior to September 18, 2007 shall remain in effect for the original term of the approval.
- (h) Amendments. This article may be amended in the same manner as prescribed by law for its original adoption.
- (i) Notification forms. The Florence County Engineering Department, shall attempt to provide proper notification of the requirements of this article to those persons desiring to conduct a Land Disturbing Activity and shall provide the necessary forms required for application for securing approval of the Stormwater Management and Sediment Control Plan as defined below. A copy of this article shall be made available upon reasonable request.

**Sec. 9.5-2. to 9.5-15 Reserved**

## **DIVISION 2. - DEFINITIONS**

**Sec. 9.5-16. - Definitions.**

**Administrator:** means the Administrator of the Environmental Protection Agency or any employee of the Agency to whom the Administrator may, by order, delegate the authority to carry out his functions under Section 307(a) of the CWA, or any person who shall, by operation of law, be authorized to carry out such functions.

**Adverse impact:** significant negative impact to land, water and associated resources resulting from a land disturbing activity. The negative impact includes increased risk of flooding; degradation of water quality; increased sedimentation; reduced groundwater recharge; negative impacts on aquatic organisms; negative impacts on wildlife and other resources; and threatened public health.

**Aesthetic water use:** water use for ornamental or decorative purposes such as fountains, reflecting pools, and waterfalls.

**Allowable Discharges:** means Stormwater and non-Stormwater discharges allowed to discharge to WoS as authorized by the Construction General Permit. See Sections 1.3.1.A and 1.3.1.B of the CGP.

**Alternative General Permit:** means Stormwater and non-Stormwater discharges allowed to discharge to WoS as authorized by an alternative general permit. See Sections 1.3.1.A and 1.3.1.B of the CGP.

**Antidegradation Policy:** means the water quality standards regulation that requires States and Tribes to establish a three-tiered antidegradation program:

- (1) Tier 1 maintains and protects existing uses and water quality conditions necessary to support such uses. An existing use can be established by demonstrating that fishing, swimming, or other uses have actually occurred since November 28, 1975, or that the water quality is suitable to allow such uses to occur. Where an existing use is established, it must be protected even if it is not listed in the water quality standards as a designated use. Tier 1 requirements are applicable to all surface waters.
- (2) Tier 2 maintains and protects "high quality" water bodies where existing conditions are better than necessary to support CWA § 101(a)(2) "fishable/swimmable" uses. Water quality can be lowered in such waters. However, State and Tribal Tier 2 programs identify procedures that must be followed and questions that must be answered before a reduction in water quality can be allowed. In no case may water quality be lowered to a level which would interfere with existing or designated uses.
- (3) Tier 3 maintains and protects water quality in outstanding national resource waters (ONRWs). Except for certain temporary changes, water quality cannot be lowered in such waters. ONRWs generally include the highest quality waters of the United States. However, the ONRW classification also offers special protection for waters of exceptional ecological significance, i.e., those which are important, unique, or sensitive ecologically. Decisions regarding which water bodies qualify to be ONRWs are made by States and authorized Indian Tribes.

**Applicant:** means a person, firm, or governmental agency applying to the Division for a State or NPDES permit to obtain approval or a permit for a land disturbing activity.

**Application:** means the application form entitled Notice of Intent (NOI) or other specific uniform NPDES application form created or adopted by the County, including subsequent additions, revisions, or modifications.

**Approved:** accepted by the Division director or the staff reviewer as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

**As-built plans:** set of engineering or site drawings that delineate the specific permitted Stormwater management facility as actually constructed

**Bank:** (e.g., stream bank or river bank) - the rising ground bordering the channel of a water of the U.S.

**Berm:** means a mound of soil, either natural or man-made, intended to buffer land uses or limited access.

**Best Management Practices (BMPs):** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to Surface Waters of the State. In order to effectively reduce erosion and sedimentation impacts, Best Management Practices (BMPs) must be designed, installed, and maintained during land disturbing activities.

**Best Management Practices (BMP) Handbook:** is a tool designed by the Department (SCDHEC) to provide information to planners, developers, engineers, and contractors on the proper selection, installation, and maintenance of BMPs. The handbook is intended for use during the design and construction of projects that require erosion and sediment controls to protect Waters of the State. It also aids in the development of other reports, plans, or specifications required by water quality regulations.

**Borrow and Fill Areas:** are areas where erodible material (typically soil) is dug for use as fill and the areas where the fill is used, either onsite or off-site. There is no processing or separation of erodible material conducted at the site. Given the nature of activity and pollutants present at such excavation, borrow and fill areas are considered construction activity for the purpose of the Construction General Permit.

**Buffer Zone:** an area, strip, or plot of dense undisturbed perennial native vegetation, either original or reestablished, surrounding streams and rivers, ponds and lakes, wetlands, seeps, or other surface waters within which construction activities are restricted, and which are established for the primary purpose of protecting water quality and maintaining a healthy aquatic ecosystem in the receiving surface waters.

**Building:** any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. The term "building" shall be construed as if followed by the words "or parts thereof."

**CFR:** means the Code of Federal Regulations, as amended.

**Clean Water Act (CWA):** means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq.

**Clearing:** means the removal of vegetation and disturbance of soil prior to grading or excavation in anticipation of construction and/or non-construction activities. (For instance, clearing forested land in order to convert forestland to pasture for wildlife management purposes would be considered clearing in anticipation of non-construction activities.) In reference to the Construction General Permit, clearing does not refer to the removal of vegetation and disturbance of soil along existing or new roadways, highways, dams, power lines for sight distance, other maintenance and/or safety concerns, and cold milling of roadway pavement surfaces.

**Combined sewer:** a sewer receiving both surface runoff and sewage.

**Commencement of Construction Activities:** means the initial disturbance of soils (or breaking ground) associated with clearing, grading, or excavating activities or other construction-related activities (e.g., installation of perimeter controls, stockpiling of fill material, etc).

**Commercial Development:** any intended use of a building, structure or property for any retail trade, service, professional, office, amusement, entertainment, multi-family developments or similar purpose as defined by the County Zoning Ordinance or County Code of Ordinances and as specifically permitted within any business or commercial district under the Zoning Ordinance.

**Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP):** as used in the Construction General Permit means the Stormwater Pollution Prevention Plan (SWPPP) prepared according to requirements outlined in Section 3 of the Construction General Permit. The comprehensive SWPPP must be submitted with the Notice of Intent (NOI) and must include the Engineering Report (project design calculations). This document must be submitted and approved by the Florence County Engineering Division prior to obtaining coverage under the Construction General Permit.

**Construction Activities:** means earth-disturbing activities, such as the clearing, grading, and excavation of land.

**Construction General Permit (CGP) or General Permit:** means an NPDES permit issued under 40 CFR section 122.28 authorizing a category of discharges or activities under the PCA and CWA within a geographical area.

**Construction Site:** means the land or water area where any construction "facility or activity" is physically located or conducted and where Stormwater controls will be installed and maintained. The construction site also includes adjacent land used in connection with the

facility or activity and support activities, which may be located at a different part of the property where the primary construction activity will take place, or on a different piece of property altogether. The construction site is often a smaller subset of the lot or parcel within which the project is taking place.

**Construction Waste:** means discarded material (such as packaging materials, scrap construction materials, masonry products, timber, steel, pipe, and electrical cuttings, plastics, and styrofoam) and contaminated soil generated by construction activities.

**Contaminant:** a substance that will impair the quality of the water to a degree that it creates a serious health hazard to the public leading to poisoning or the spread of disease.

**Contractor:** means a person, group, company, etc. hired by the Developer to commence and complete construction activities covered by these regulations. See Section 2.2.3 of the Construction General Permit for additional information.

**Control Measure:** refers to any Stormwater control, Best Management Practice (BMP), or other method used to prevent or reduce the discharge of pollutants to "Waters of the United States."

**Conveyance Channel:** means a temporary or permanent feature designed for the movement of Stormwater through the drainage system, such as concrete pipes, ditches, depressions, swales, channels, etc.

**Corrective Action:** for the purposes of the Construction General Permit, means any action taken to (1) repair, modify, or replace any Stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

**County:** Florence County or any duly authorized official acting on its behalf.

**Culvert:** shall mean a structure designed to convey a watercourse under a roadway, railway, pedestrian walk, or through an embankment.

**Curve Number (CN):** means the runoff curve number. The curve number is an empirical parameter used in hydrology for predicting direct runoff or infiltration from rainfall excess. The curve number method was developed by the USDA Natural Resources Conservation Service, which was formerly called the *Soil Conservation Service* or *SCS*. The number is still popularly known as a "SCS runoff curve number". The runoff curve number was developed from an empirical analysis of runoff from small catchments and hill slope plots monitored by the USDA. It is widely used and is an efficient method for determining the approximate amount of direct runoff from a rainfall event in a particular area.

The runoff curve number is based on the area's hydrologic soil group, land use, treatment and hydrologic condition. References, such as from USDA indicate the runoff curve numbers

for characteristic land cover descriptions and a hydrologic soil group. *CN* has a range from 30 to 100; lower numbers indicate low runoff potential while larger numbers are for increasing runoff potential.

**Delegated Entity:** means a local government (or other governmental entity such as a tribal government or Conservation District) that has received authority to administer an environmental regulatory program in lieu of the State Agency counterpart.

**Delegation:** means the acceptance of responsibility by a Local Government or Conservation District for the implementation of one or more elements of the statewide Stormwater management and sediment control program.

**Department** means the South Carolina Department of Health and Environmental Control (SCDHEC or DHEC). This includes staff from the Bureau of Water, Office of Ocean and Coastal Resource Management (OCRM), and Regional Offices.

**Design storm events:** shall mean the frequency storm used for the design of Stormwater management facilities (two-year, ten-year, twenty five-year and one hundred-year frequency storms). See Storm Events.

**Detention Structure:** means a permanent Stormwater management structure whose primary purpose is to temporarily store Stormwater runoff and release the stored runoff at controlled rates.

**Developed land use conditions:** shall mean the land use conditions according to the current county land use map or proposed site plan. Also the conditions which exist following the completion of the land disturbing activity in terms of topography, vegetation, land use and rate, quality, volume or direction of Stormwater runoff.

**Developer:** means a person undertaking, or for whose benefit, activities covered by these regulations are commenced and/or carried out.

**Development activity:** should generally mean any of the following actions undertaken by a public or private individual or entity:

- (1) The division of a lot, tract or parcel of land into two (2) or more lots, plots, sites, tracts, parcels or other divisions by plat or deed;
- (2) The construction, installation or alteration of a structure, impervious surface, or drainage facility;
- (3) Any land change, including, without limitation, clearing, tree removal, grubbing, stripping, dredging, grading, excavating, transporting and filling of land; and,
- (4) Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, or otherwise disturbing the soil, vegetation, and mud, sand or rock of a site.

**Dewatering:** means the act of draining rainwater and/or groundwater from building foundations, vaults, and trenches.

**Discharge:** means any discharge or discharge of any sewage, industrial wastes or other wastes into any of the waters of the State, whether treated or not. When used without qualification, means the “discharge of a pollutant.”

**Discharge of a Pollutant:** means any addition of any pollutant or combination of pollutants to waters of the State from any point source or any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This term includes additions of pollutants into waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any indirect discharger.

**Discharge of Stormwater Associated with Construction Activity:** as used in the Construction General Permit, refers to a discharge of pollutants in Stormwater from areas where land disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial Stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

**Discharge Point:** for the purposes of the Construction General Permit, means the location where collected and concentrated Stormwater flows are discharged from the construction site.

**District:** means any soil and water conservation district created pursuant to Chapter 9, Title 48, S.C. Code of Laws.

**Division:** means the Florence County Engineering Division.

**Drainage:** surface water runoff; the removal of surface water or groundwater from lands by drains, grading, or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving water supply and the prevention or alleviation of flooding.

**Drainage Area:** means that area contributing runoff to a single point.

**Drainage system:** any previously existing or newly constructed drainage facility that conveys Stormwater or surface runoff such as drainage ways, watercourses, storm drainage pipe, culverts, catch basins, sewers, specifically designed for Stormwater, open ditches, swales with or without inverts, and all appurtenances thereto.

**Drainage Area Map:** means a map showing areas of a construction site contributing runoff to a single point.

**Easement:** means a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

**Effluent Limitation:** means any restriction imposed by the Department on quantities, discharge rates, and concentrations of pollutants which are discharged from point sources into waters of the State, the waters of the contiguous zone, or the ocean.

**Effluent Limitations Guidelines:** means a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

**Effluent Standards and Limitations:** means restrictions or prohibitions of chemical, physical, biological, and other constituents which are discharged from point sources into State waters, including but not limited to, effluent limitations, standards of performance, toxic effluent standards and prohibitions, pretreatment standards and schedules of compliance. Limits are based on applicable technology-based and water quality-based standards.

**Eligible:** means qualified for authorization to discharge Stormwater and allowable non-Stormwater discharges under the Construction General Permit.

**Endangered Species:** is defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insects determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

**Engineering Report:** as applied to the Construction General Permit refers to the report or document submitted to the Department containing the specific Project or Site design calculations and supporting documents. This report includes as a minimum, calculation of parameters and design criteria specified in SC Regulation 72-300 and identified in Section 3.2.8 of the Construction General Permit. The Engineering Report must be included in the Comprehensive SWPPP.

**Environmental Protection Agency (EPA):** means the United States Environmental Protection Agency.

**Ephemeral Streams:** mean streams that generally have defined natural watercourses that flow only in direct response to precipitation (rainfall or snowmelt) in which discrete periods of flow persist no more than 29 consecutive days per event and whose channel is at all times above the water table.



**Erosion:** means the wearing away of land surface by the action of wind, water, gravity, ice, or any combination of those forces.

**Erosion and Sediment Control:** means the control of solid material, both mineral and organic, during a land disturbing activity to prevent its transport out of the disturbed area by means of air, water, gravity, or ice.

**Exemption:** means those land-disturbing activities that are not subject to the sediment and Stormwater requirements contained in these regulations. See Appendix D of the Construction General Permit for additional information.

**Extended Natural Buffer:** in reference to the Construction General Permit, means an area, strip, or plot of undisturbed, natural cover adjacent to surface waters, classified as Sensitive Waters, that may be utilized to provide water quality control of Stormwater discharges from adjacent land-disturbing activities. Natural cover includes the vegetation, exposed rock, or barren ground that existed prior to commencement of land-disturbing activities. The minimum width of an Extended Natural Buffer is typically greater than the width required for Natural Buffers.

**Facility or Activity:** means any "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

**Farm:** a tract of land cultivated for the purpose of agricultural production.

**Filter strips:** shall mean vegetated sections of land designated to accept runoff as overland sheet flow from upstream developments.

**Final Stabilization:** means that all land-disturbing activities at the construction site have been completed and that on all areas not covered by permanent structures, either (1) a uniform (e.g., evenly distributed, without large bare areas) vegetative cover with a density of 70 percent of the natural background vegetative cover has been established excluding areas where no natural background vegetative cover is possible (e.g., on a beach), or (2) equivalent permanent stabilization measures (such as the use of landscaping mulch, riprap, pavement, and gravel) have been implemented to provide effective cover for exposed portions of the construction site not stabilized with vegetation.

**Flood:** shall mean a general and temporary condition of partial or complete inundation of land areas from the overflow of inland waters, tidal conditions, or the unusual and rapid accumulation of runoff of surface waters from any source.

**General Permit or Construction General Permit (CGP):** means an NPDES permit issued under section 40 CFR 122.28 authorizing a category of discharges or activities under the PCA and CWA within a geographical area.

**Good Engineering Practice (GEP):** is a term applied to engineering and technical activities to ensure that a company manufactures products of the required quality as expected by the relevant regulatory authorities. Good engineering practices are to ensure that the engineering development methodology generates deliverables that support the requirements for qualification or validation.

**Grading:** means excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.

**Groundwater:** means water below the land surface in a zone of saturation.

**Hazardous materials:** any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**Hydrologic response:** the hydrologic response of a property is the manner and means whereby Stormwater collects, remains, infiltrates, and is conveyed from a property. It is dependent on several factors including, but not limited to, the presence of impervious area, the size, shape, topographic, vegetative, and geologic conditions of a property, antecedent moisture conditions, and groundwater conditions on a property.

**Illegal or illicit discharge:** an illicit discharge is defined as any discharge to a municipal/public separate storm sewer system (Stormwater drainage system) that is not composed entirely of Stormwater runoff (except for non-polluting discharges that may be allowed under a permit or by exemption).

**Illicit connections:** An illicit connection is defined as either of the following:

- (1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including but not limited to, any conveyances which allow any non-Stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system. This also includes any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
- (2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

**Impaired Waters:** means waters identified by a State, Tribe, or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards to support classified uses as promulgated in S.C. Regulation 61-68, Water Classifications and

Standards and S.C. Regulation 61-69, Classified Waters. Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established. A list of the streams and lakes not meeting water quality standards can be found at <http://www.scdhec.gov/environment/water/tmdl> under 303(d) & TMDLs.

**Impervious Surface:** for the purpose of the Construction General Permit, means any land surface with a low or no capacity for soil infiltration including, but not limited to, pavement, sidewalks, parking areas and driveways, packed gravel or soil, or rooftops.

**Inactive Sites:** means sites or projects in which construction activities have been abandoned or ceased for long periods of time.

**Indirect Discharge:** means the "discharge of a pollutant" from a source indirectly into a receiving water body (i.e., an indirect source may discharge to a POTW, which in turn discharges into the receiving water body).

**Individual Permit:** is a permit specifically tailored to an individual facility.

**Industrial Development:** organized activity concerned with the manufacturing, extracting and processing of raw materials.

**Infiltration:** means the passage or movement of water through the soil profile.

**Inspector:** for the purposes of the Construction General Permit, means a person certified by the State or Department through a Construction Site Inspector Certification Course approved by DHEC. An inspector performs and documents required inspections of Stormwater construction activities, paying particular attention to time-sensitive permit requirements such as stabilization and maintenance activities. An inspector typically has the following responsibilities:

- (1) Oversee the requirements of other construction-related permits, such as Aquatic Resources Alteration Permit or Corps of Engineers permit for construction activities in or around Waters of the State;
- (2) Update the records, logs, and inspection reports within the OS-SWPPP as necessary due to an on-site inspection;
- (3) Conduct pre-construction inspection to verify that undisturbed areas have been properly marked and initial measures have been installed; and
- (4) Inform the permit holder of activities that may be necessary to gain or remain in compliance with the CGP and other environmental permits.

**Intermittent or Seasonal Streams:** means streams that generally have defined natural watercourse which do not flow year round, but flow at certain times of the year when

groundwater provides water for stream flow, as well as during and immediately after some precipitation events or snowmelt.

**Jurisdictional Waters of the State:** is defined as water bodies, including wetlands, over which a state may exercise jurisdiction or control. Jurisdiction may overlap and be concurrent with the federal government, or it may be reposed only to the state.

**Jurisdictional Waters of the United States or Waters of the U.S.:** are defined as water bodies, including wetlands, under the jurisdiction or control of the United States federal government. Federal jurisdiction may overlap and be concurrent with a state. Section 404 of the Clean Water Act regulates the placement of dredged or fill material into waters of the United States, including wetlands. The Army Corps of Engineers (Corps) is the agency responsible for the processing and issuing of permits for proposed projects that will impact Waters of the United States, including wetlands.

**Land Disturbance or Land Disturbing Activity:** by definition means any use of the land by any person that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and quantity of Stormwater runoff. Such activities include, but are not limited to: clearing, removal of vegetation that disturbs the soil, stripping, grading, grubbing, excavating, filling, logging and storing of materials. Clearing of areas where soils are not exposed and an adequate vegetative structure is left in place is not considered land disturbance, provided that the clearing is not in anticipation of other construction activities such as grubbing and grading.

**Land subdivision regulations:** the land subdivision regulations of the County, however adopted/enacted.

**Lot:** a piece, parcel, tract, or plot of land intended as a unit for transfer of ownership or for development, the size of which shall be regulated by the County Zoning Ordinance and County Code of Ordinances, as amended.

**Large Construction Activity:** is defined in section 122.26(b) of SC Regulation 61-9 and incorporated here by reference. A large construction activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than five acres of land or will disturb less than five acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five acres. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the Site.

**Larger Common Plan for Development or Sale (LCP):** is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. [63 Federal Register No. 128, July 6, 1998, p. 36491].

A common plan for development or sale identifies a site where multiple separate and distinct construction activities (areas of disturbance) are occurring on contiguous areas. Such sites may have one operator or owner or several operators and owners. Construction activities may take place at different times on different schedules, in separate stages, and/or in separate phases, and/or in combination with other construction activities. Each Developer, Operator or Owner for each Site or Project determined to be a part of a LCP are subject to permitting requirements as defined by the CGP.

Projects and sites identified as part of a larger common plan for development or sale are linked thru permitting by the Division as part of one plan, referred to as the larger common plan. LCP projects must ensure that adequate Stormwater management facilities are designed into the Project(s) or Site(s) to control pollution and protect water quality during all stages or phases of development.

Projects or Sites added as part of a LCP may be required to expand existing or provide additional Stormwater management facilities to control pollution from land disturbance activities from other contiguous areas or proposed additional phases as required by the CGP.

LCP projects are typically identified by the documentation that identifies the scope of the project including such things as plats, blueprints, marketing plans, contracts, building permits, public notice or hearing, and zoning requests. If master calculations have been prepared and/or submitted for an entire site, then all phases and parcels at that site would be considered part of a LCP.

**Late Notifications:** means NOIs submitted after initiating clearing, grading, filling and excavation activities (including borrow pits and stockpile material storage areas), or other similar construction activities for projects or sites required to obtain authorization under the Construction General Permit are considered late.

**Level Spreader:** a temporary Stormwater control used to spread Stormwater flow uniformly over the ground surface as sheet flow to prevent concentrated, erosive flows from occurring.

**Limits of Disturbance (LOD):** means specific areas of a site or individual lot in which construction and other land disturbing activities must be contained.

**Linear Project or Linear Construction:** is a land disturbing activity that includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area as conducted by an underground/overhead utility or highway department, including but not limited to any cable line or wire for the transmission of electrical energy; any conveyance pipeline for transportation of gaseous or liquid substance; any cable line or wire for communications; or any other energy resource transmission ROW or utility infrastructure, e.g., roads and highways. Linear project activities also include the construction of access roads, staging areas, and borrow/spoil sites associated

with the linear project. Land disturbance specific to the development of a residential and/or commercial subdivision is not considered a linear project.

**Load Allocation (LA):** means the portions of a receiving water's TMDL that is allocated to its non- point sources of pollution. See definition of TMDL.

**Local Government:** means any county, municipality, or any combination of counties or municipalities, acting through a joint program pursuant to the provisions of the Construction General Permit.

**Low Impact Development (LID):** means an approach to land development (or re-development) that works with nature to manage Stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat Stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.

**Maintenance:** shall mean any action necessary to preserve Stormwater management facilities in proper working condition, in order to serve the intended purposes set forth in this article and to prevent structural failure of such facilities. Maintenance shall not include actions taken solely for the purpose of enhancing the aesthetics aspects associated with Stormwater management facilities and BMPs.

**Major drainage channels:** all channels which drain an accumulation of primary and/or secondary drainage channels. These channels shall be the natural drainage channels of the watershed or man-made channels draining an area of one square mile or more.

**Minimize:** means to reduce and/or eliminate to the extent achievable using Stormwater controls (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

**Minor drainage channels:** are convenience systems that quickly remove Stormwater runoff from areas such as streets and sidewalks for public safety purposes. The minor drainage system consists of inlets, street and roadway gutters, roadside ditches, small channels and swales, and underground pipe systems which collect Stormwater runoff and transport it to structural control facilities, pervious areas and/or the major drainage system.

**Modification:** refers to the requirements defined in Section 3.1.7 of the Construction General Permit for making and documenting major and minor revisions to an approved Stormwater Pollution Prevention Plan (SWPPP). Revisions to an approved SWPPP that

present minor changes to design, construction, operation, or maintenance, thus minor changes in potential impacts to WoS are termed "**Minor Modifications**." Minor modifications require only on-site documentation of the modified construction activity or facility on the On-Site SWPPP. Revisions to an approved SWPPP that present major changes to design, construction, operation, or maintenance, thus major changes in potential impacts to WoS are termed "**Major Modifications**". Major modifications must be reviewed and approved by the Division as outlined in the CGP for inclusion in the Comprehensive SWPPP previously approved by the Division.

**Modified SWPPP:** means a Stormwater pollution prevention plan submitted to the Division to incorporate revisions or modifications to the construction Project or Site in accordance with Section 3.1 of the Construction General Permit or as required to meet submission deadlines for ongoing projects as defined in Section 2.4 the Construction General Permit.

**Multi-family:** shall mean developed land whereon more than one (1) residential dwelling unit is located, and shall include, but not be limited to duplexes, triplexes, apartment houses, attached single-family homes, boarding houses, group homes, hotels and motels, retirement centers, and other structures in which more than one (1) family group commonly and normally reside or could reside.

**Municipality:** means a city, town, borough, county, parish, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of CWA.

**Municipal Separate Storm Sewer System (MS4):** means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (1) Owned and operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, Stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to Surface Waters of the United States;
- (2) Designed or used for collecting or conveying Stormwater;
- (3) Which is not a combined sewer; and
- (4) Which is not part of a Publicly Owned Treatment Works (POTW) as defined in section 122.2 of SC Regulation 61-9.

**National Pollutant Discharge Elimination System (NPDES):** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an "approved program."

**Natural Buffer:** in reference to the Construction General Permit, means an area, strip, or plot of undisturbed, natural cover adjacent to surface waters that may be utilized to provide water quality control of Stormwater discharges from adjacent land-disturbing activities. Natural cover includes the vegetation, exposed rock, or barren ground that existed prior to commencement of land-disturbing activities.

**Natural outlet:** Any outlet in a water course, pond, ditch, lake or other body of surface water or groundwater.

**Natural Waterways:** waterways that are part of the natural topography. They usually maintain a continuous or seasonal flow during the year and are characterized as being irregular in cross-section with a meandering course. Construction channels such as drainage ditches shall not be considered natural waterways.

**Navigable Waters:** as defined in 33 CFR 329, means those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce while the waterway is in its ordinary condition. Navigable waters are waters that provide a channel for business (commerce) and transportation of people and goods. Jurisdiction over navigable waters belongs to the federal government rather than states or municipalities. The federal government can determine how the waters are used, by whom, and under what conditions. It also has the power to alter the waters, such as by dredging or building dams. Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), approved 3 March 1899, prohibits the unauthorized obstruction of a navigable water of the U.S. This statute also requires a permit from the U.S. Army Corps of Engineers for any construction in or over any navigable water, or the excavation or discharge of material into such water, or the accomplishment of any other work affecting the course, location, condition, or capacity of such waters.

**New Owner or New Operator:** means an operator or owner that replaces an existing operator or owner on a construction project through transfer of ownership and/or operation.

**New Project:** means a construction project that commenced construction activities after the effective date of the Construction General Permit.

**New Source:** for the purpose of the Construction General Permit, a construction project that commenced construction activities after February 1, 2010, and that requires NPDES permit coverage for its construction discharges under Section 1.2 of the CGP.

**Non-erodible:** a material, e.g., natural rock, riprap, concrete, plastic, etc., that will not experience surface wear due to natural forces of wind, water, ice, gravity or a combination of those forces.



**Non-Numeric Effluent limitations:** for purposes of the Construction General Permit means design of site-specific non-numeric erosion and sediment control methods and practices (i.e., minimizing amount of exposed soil during construction activity, maximizing infiltration, structural Best Management Practices, etc.) and other practices and procedures as defined in Section 3.2.12 of the CGP to meet effluent limitations imposed by the Department. Non-numeric effluent limitations will apply to all permitted construction sites, regardless of disturbed area.

**Non-Point Source Pollution:** means pollution contained in Stormwater runoff from ill-defined, diffuse sources such as runoff from urbanized or agricultural areas. The majority of agricultural facilities are defined as non-point sources and are exempt from NPDES regulation.

**Non-Stormwater Discharges:** means discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.

**Notice of Intent (NOI):** means the NPDES application form developed by the Division and Department to request coverage under the Construction General Permit. Required information and contents are as defined in Section 2.3 of the CGP.

**Notice of Termination (NOT):** means the NPDES application form developed by the Department to terminate land disturbance activities and coverage under the Construction General Permit. Required information and contents are as defined in Section 5.2 of the CGP.

**NPDES Form or Application:** means any uniform permit application or any uniform form used by the Division and Department or developed for use in the NPDES program, including a NPDES application, a Refuse Act permit application and a reporting form.

**NPDES Permit:** means a permit issued by the Department to a discharger pursuant to NPDES regulations for all point source discharges into surface waters, and shall constitute a final determination of the Department.

**Ongoing Project:** means the “commencement of construction activities” occurs before the effective date of the Construction General Permit.

**On-Site Stormwater Pollution Prevention Plan (OS-SWPPP):** as used in the Construction General Permit means the Stormwater Pollution Prevention Plan prepared according to requirements outlined in Section 3 of the CGP. The On-Site SWPPP is a condensed version of the Comprehensive SWPPP and is stored on site. This SWPPP does not include the Engineering Report (project design calculations). This document does not require submission or approval by the Division prior to obtaining coverage under this permit.

**Operator:** for the purpose of the Construction General Permit and in the context of Stormwater

associated with construction activity, means any party associated with a construction Project that meets one of the following two criteria:

- (1) The person has operational control over construction plans, SWPPPs, and specifications, including the ability to request modifications to those plans, SWPPPs, and specifications by a qualified individual identified in Section 3.1.2.B of the Construction General Permit. This person is typically the owner or developer of the project or a portion of the project (subsequent builders), and is considered the Primary Permittee; or
- (2) The person has day-to-day operational control of those activities at a construction site which are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is often referred to as the Operator of Day-to-Day Site Activities (ODSA) and is typically a contractor or a commercial builder who is hired by the Primary Permittee. This person is considered a Secondary Permittee.

See Section 2.0 of the Construction General Permit for additional information.

**Outfall:** means a point source at the discharge point of a waste stream, sewer, or drain into a receiving body of water. See discharge point.

**Outstanding National Resource Waters (ONRW):** means a classification of waters that is pursuant to South Carolina's Classification & Standards (R.61-68) and Classified Waters (R.61-69) regulations and that is intended to protect unique and special waters having excellent water quality and of exceptional state or national ecological or recreational significance.

**Owner or Operator:** means the owner or operator of any "facility or activity" subject to regulation under the NPDES program. For purposes of the Construction General Permit, when local governments (counties, cities, etc.) construct or improve state roads, the owner of these road construction projects during the construction is the local government. See definition of Operator and details in Section 2.0 of the CGP for additional information.

**Perennial Stream or Perennial River:** is a stream or river (channel) that has continuous flow in parts of its bed all year round during years of normal rainfall. Base flow is maintained by groundwater discharge, as the stream channel is usually below the water table.

**Permit:** means an authorization, license, or equivalent control document issued by the Department to implement the requirements of this regulation, 40 CFR Parts 123, and R.61-9.124. Permit includes an NPDES general permit (section 122.28). Permit does not include any permit which has not yet been the subject of final agency action, such as a draft permit or a proposed permit.

**Permitted Ongoing Project:** means a construction project that commenced prior to the effective date of the Construction General Permit, which has been covered by a prior NPDES permit for Stormwater discharges associated with construction activities.

**Permitting Authority:** means the United States Environmental Protection Agency, EPA, a Regional Administrator of the Environmental Protection Agency, or an authorized representative.

**Person Responsible:** means any individual, public or private corporation, political subdivision, association, partnership, corporation, municipality, State or Federal agency, industry, copartnership, firm, trust, estate, any other legal entity whatsoever, or an agent or employee thereof.

**Point Source:** means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include introduction of pollutants from non point-source agricultural and silvicultural activities, including Stormwater runoff from orchards, cultivated crops, pastures, range lands, and forest lands or return flows from irrigated agriculture or agricultural Stormwater runoff.

**Point Source Discharge:** means a discharge which is released to the waters of the State by a discernible, confined and discrete conveyance, including but not limited to a pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel, or other floating craft from which waste is or may be discharged. Typical point source dischargers include discharges from publicly owned treatment works (POTWs), discharges from industrial facilities, and discharges associated with urban runoff.

**Pollutant:** is defined in 122.2 of SC Regulation 61-9. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste. Typical construction site pollutants include sediment, oil and grease, pesticides and fertilizers, pollutants from construction wastes, and pollutants from construction materials. Pollutant does not mean sewage from vessels or water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the State in which the well is located, and if the State determines that the injection or disposal will not result in the degradation of ground or surface water resources.

**Pollution Control Act (PCA):** means the South Carolina Pollution Control Act (PCA), S.C. Code Ann. section 48-1-10 et seq. (1976).

**Pollution Prevention Measures:** means Stormwater controls designed to reduce or eliminate the addition of pollutants to construction site discharges through analysis of pollutant sources, implementation of proper handling/disposal practices, employee education, and other actions.

**Post-Development or "Post-Construction":** means the conditions which exist following the completion of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of Stormwater runoff.

**Pre-Development or Pre-Construction:** means the conditions which existed prior to the initiation of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of Stormwater runoff. These conditions shall mean the land use conditions shown on the March 2008 aerial photographs available from the County.

**Primary Permittee:** means the person that has operational control over construction plans, SWPPPs, and specifications, including the ability to request modifications to those plans, SWPPPs, and specifications by a qualified individual identified in Section 3.1.2.B of the Construction General Permit. This person is typically the owner or developer of the project or a portion of the project (subsequent builders). See Section 2.2.1 of the CGP for additional information.

**Private:** shall mean property or facilities owned and maintained by individuals, corporations, and other organizations and not by the County.

**Prohibited Discharges:** means discharges that are not allowed under this permit, including:

- (1) Wastewater from washout of concrete;
- (2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- (3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- (4) Soaps or solvents used in vehicle and equipment washing;
- (5) Toxic or hazardous substances from a spill or other release; and
- (6) Waste, garbage, floatable debris, construction debris, and sanitary waste from pollutant-generating activities.

**Project:** means an undertaking such as, but not limited to, construction of commercial development, residential development, industrial development, roadways, railways, and utility lines.

**Project Area:** means:

- (1) The areas on the construction Site where Stormwater discharges originate and flow toward the point of discharge into the receiving waters (including areas where excavation, Site development, or other ground disturbance activities occur) and the

immediate vicinity. (Example: 1. Where bald eagles nest in a tree that is on or bordering a construction Site and could be disturbed by the construction activity or where grading causes Stormwater to flow into a small wetland or other habitat that is on the Site that contains listed species.)

- (2) The areas where Stormwater discharges flow from the construction Site to the point of discharge into receiving waters. (Example: Where Stormwater flows into a ditch, swale, or gully that leads to receiving waters and where listed species (such as amphibians) are found in the ditch, swale, or gully.)
- (3) The areas where Stormwater from construction activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge. (Example: Where Stormwater from construction activities discharges into a stream segment that is known to harbor listed aquatic species.)
- (4) The areas where Stormwater BMPs will be constructed and operated, including any areas where Stormwater flows to and from BMPs. (Example: Where a Stormwater retention pond would be built.)
- (5) The areas upstream and /or downstream from construction activities discharge into a stream segment that may be affected by the said discharges. (Example: Where sediment discharged to a receiving stream settles downstream and impacts a breeding area of a listed aquatic species.)

**Provisionally Covered Under this Permit:** for the purposes of the Construction General Permit, means the Department provides temporary coverage under the CGP for emergency-related projects prior to receipt of a complete and accurate NOI. Discharges from earth-disturbing activities associated with the emergency-related projects are subject to the terms and conditions of the CGP during the period of temporary coverage.

**Qualified Personnel or Qualified Individual:** means a person knowledgeable in the principles and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction Site that could impact Stormwater quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of Stormwater discharges from the construction activity.

**Receiving Waters or Receiving Water Bodies (RWB):** means the "Waters of the United States" as defined in 122.2 of SC Regulation 61-9 into which the regulated Stormwater discharges.

**Redevelopment:** A land disturbance activity that alters the current use of the land but does not necessarily alter the pre-development runoff characteristics.

**Refuse Act Permit application:** means an application for a permit issued under authority of Section 13 of the United States Rivers and Harbors Act of March 3, 1899.

**Regional Administrator:** means the Regional Administrator of Region IV of the Environmental Protection Agency or the authorized representative of the Regional Administrator.

**Registered landscape architect:** A landscape architect properly registered and licensed in South Carolina or permitted by the licensing board.

**Registered professional engineer (engineer):** A person who is registered by the State of South Carolina pursuant to S.C. Code 1976, Tit. 40, Ch. 22, as amended.

**Registered tier B land surveyor:** A person who is registered by the State of South Carolina pursuant to S.C. Code 1976, Tit. 40, Ch. 22, as amended.

**Retention Structure:** means a permanent structure whose primary purpose is to permanently store a given volume of Stormwater runoff. Release of the given volume is by infiltration and/or evaporation.

**Residential Development:** means developed land containing one (1) structure which is not attached to another dwelling and which contains one (1) or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one (1) family. Detached dwelling units may include single-family houses, single duplex units under common ownership, patio homes, manufactured homes, and mobile homes located on one (1) or more individual lots or parcels of land and residential condominium and townhouse units. Developed land may be classified as a detached single-family dwelling unit despite the presence of incidental structures associated with residential uses such as barns, garages, carports, or small storage buildings. Detached single-family dwelling units shall not include developed land containing: structures used primarily for nonresidential purposes, manufactured homes and mobile homes located within manufactured home or mobile home parks where the land is owned by others than the owners of the manufactured homes or mobile homes, or multiple residential properties.

**Riparian Buffer:** means a permanent area, strip, or plot of undisturbed, naturally vegetated and/or engineered land cover consisting of vegetation (e.g., grass, brush, trees, foliage) adjacent to surface waters that is utilized to provide water quality control for post-construction Stormwater discharges. These buffers may be designed to provide many types of water quality benefits including, but not limited to, water quality protection, wildlife habitat preservation and flood mitigation.

**Runoff Coefficient:** means the fraction of total rainfall that will appear at the conveyance as runoff. Runoff coefficient is also defined as the ratio of the amount of water that is NOT absorbed by the surface to the total amount of water that falls during a rainstorm. The value of the coefficient is determined on the basis of climatic conditions and physiographic characteristics of the drainage area and is expressed as a constant between zero and one and symbol C.

**SCDHEC or DHEC:** means Department or the South Carolina Department of Health and Environmental Control's Office of Environmental Quality Control (EQC).

**Secondary Permittee:** means the person who has day-to-day operational control of those activities at a residential development that are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is typically an individual lot owner or residential builder.

**Section 404 Permit or U. S. Army Corps of Engineers 404 Permit:** refers to permits issued by the U.S. Army Corps of Engineers for certain activities conducted in wetlands or other U.S. waters as defined in Section 404 of the Clean Water Act. Construction projects affecting wetlands in any state cannot proceed until a 404 permit has been issued.

**Sediment:** means solid particulate matter, both mineral and organic, that has been or is being transported by water, air, ice, or gravity from its site of origin.

**Sediment Basin:** means a temporary basin consisting of an embankment constructed across a wet weather conveyance, or an excavation that creates a basin or by a combination of both. A sediment basin typically consists of a forebay cell, dam, impoundment, permanent pool, primary spillway, secondary or emergency spillway, and surface dewatering device. The size and shape of the basin depends on the location, size of drainage area, incoming runoff volume and peak flow, soil type and particle size, land cover, and receiving stream classification (i.e., impaired, HQ, or unimpaired).

**Sensitive Waters:** means any waters with approved or established TMDLs, any waters included in the most recent SC DHEC Bureau of Water Clean Water Act (CWA) Section 303(d) list, and/or any waters pursuant to South Carolina's Classification & Standards (R.61-68) and Classified Waters (R.61-69) regulations that are classified as either Outstanding National Resource Waters, Outstanding Resource Waters, Trout Waters, or Shellfish Harvesting Waters.

**Silvicultural Point Source:** means any discernible, confined and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in connection with silvicultural activities and from which pollutants are discharged into waters of the State. The term does not include non-point source silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff. However, some of these activities (such as stream crossing for roads) may involve point source discharges of dredged or fill material which may require a CWA section 404 permit (See 33 CFR 209.120 and Part 233).

**Site Plan:** The development plan for one or more lots which shows the existing and proposed conditions of the lot including: topography, vegetation, drainage, flood-plains, waterways, easements, streets and any other information pertaining to the proposed development of the storm drainage system.

**Small Construction Activity:** is defined under the definition of "Stormwater discharge associated with small construction activity" at 122.26(b) of SC Regulation 61-9 as follows: "Stormwater discharge associated with small construction activity means the discharge of Stormwater from:

- (1) Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one acre and less than five acres and, in coastal counties within one-half (1/2) mile of a receiving water body (but not for single-family homes which are not part of a subdivision development), that result in any land disturbance less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. The Division may waive the otherwise applicable requirements in a general permit for a Stormwater discharge from construction activities that disturb less than five acres where:
  - (a) The value of the rainfall erosivity factor ("R" in the Revised Universal Soil Loss Equation) is less than five during the period of construction activity. An Operator must certify to the Division that the construction activity will take place during a period when the value of the rainfall erosivity factor is less than five; or
  - (b) Stormwater controls are not needed based on a "total maximum daily load" (TMDL) approved or established by EPA that addresses the pollutant(s) of concern or, for non-impaired waters that do not require TMDLs, an equivalent analysis that determines allocations for small construction Sites for the pollutant(s) of concern or that determines that such allocations are not needed to protect water quality based on consideration of existing in-stream concentrations, expected growth in pollutant contributions from all sources, and a margin of safety. For the purpose of this paragraph, the pollutant(s) of concern include sediment or a parameter that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the construction activity. The Operator must certify to the Division that the construction activity will take place, and Stormwater discharges will occur, within the drainage area addressed by the TMDL or equivalent analysis.
- (2) Any other construction activity designated by the Department, or in States with approved NPDES programs either the Department or the EPA Regional Administrator, based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to waters of the United States.



**Soil:** means the unconsolidated mineral and organic material on the immediate surface of the earth that serves as a natural medium for the growth of plants.

**South Carolina Navigable Waters (SCNW):** means those waters which are now navigable, or have been navigable at any time, or are capable of being rendered navigable by the removal of accidental obstructions, by rafts of lumber or timber or by small pleasure or sport fishing boats. Navigability shall be determined by the Division.

**Stabilization:** means the installation of vegetative and/or non-vegetative (structural measures) to establish a soil cover to prevent and/or reduce soil erosion and sediment loss in areas exposed during the construction process.

**State:** means the State of South Carolina.

**Steep Slope:** means slopes of 30% (~3H:1V) or greater in grade.

**Stop Work Order (SWO):** an order directing the Person Responsible for the land disturbing activity to cease and desist all or any portion of the work that violates the provisions of this chapter.

**Storm drain:** a conveyance which carries storm and surface waters and drainage, but excludes sewage and polluted wastes.

**Storm Event:** means a precipitation event that results in a discharge.

**One Hundred-Year Storm or One Hundred-Year Storm Event:** means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 100 years. It may also be expressed as an exceedence probability with a one (1) percent chance of being equaled or exceeded in any given year. Likewise, a one hundred-year 24-hour storm event means the maximum 24-hour precipitation event with a probable recurrence interval of once in one hundred years.

**Ten-Year Storm or Ten-Year Storm Event:** means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 10 years. It may also be expressed as an exceedence probability with a 10 percent chance of being equaled or exceeded in any given year. Likewise, a ten-year 24-hour storm event means the maximum 24-hour precipitation event with a probable recurrence interval of once in ten years.

**Twenty Five-Year Storm or Twenty Five-Year Storm Event:** means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 25 years. It may also be expressed as an exceedence probability with a 4 percent chance of being equaled or exceeded in any given year. Likewise, a twenty five-year 24-hour storm event means the maximum 24-hour precipitation event with a probable recurrence interval of once in twenty five years.

**Two-Year Storm or Two-Year Storm Event:** means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 2 years. It may also be expressed as an exceedence probability with a 50 percent chance of being equaled or exceeded in any given year. Likewise, a two-year 24-hour storm event means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years.

**Stormwater:** means rainfall Stormwater runoff, snowmelt runoff, and surface runoff and drainage.

**Stormwater Discharge-Related Activities:** as used in this permit, include: activities that cause, contribute to, or result in Stormwater point source pollutant discharges, including but not limited to: excavation, site development, grading and other surface disturbance activities; and measures to control Stormwater including the citing, construction and operation of BMPs to control, reduce or prevent Stormwater pollution.

**Stormwater Management:** means, for:

- (1) quantitative control, a system of vegetative or structural measures, or both, that control the increased volume and rate of Stormwater runoff caused by manmade changes to the land;
- (2) qualitative control, a system of vegetative, structural, or other measures that reduce or eliminate pollutants that might otherwise be carried by Stormwater runoff.

**Stormwater Management and Sediment Control Plan:** means a set of drawings, other documents, and supporting calculations submitted as a prerequisite to obtaining a permit to undertake a land disturbing activity. This plan must contain all required information and specifications identified in Section 3.2.2 of the Construction General Permit. In general, this plan is considered to be a part of the Stormwater Pollution Prevention Plan (SWPPP).

**Stormwater management services:** activities and functions conducted by the County that together result in the collection, conveyance, and disposal of Stormwater runoff, including support activities and functions necessary to accomplish the mission of the Stormwater management program, and shall include but not be limited to the administration, engineering, operation and maintenance, regulation and enforcement, and improvement of systems and facilities, review of development proposals and of the installation and maintenance of Stormwater systems on private properties, provision of Stormwater quality management programs to eliminate or mitigate the impact of pollutants contained in Stormwater runoff, and flood emergency response and recovery measures.

**Stormwater management systems and facilities:** include, but are not limited to, rivers, streams, creeks, lakes, ponds, channels, ditches, swales, other drainage ways, storm sewers, culverts, inlets, catch basins, headwalls, dams, reservoirs and other impoundments, flumes,

Stormwater detention and retention storage areas, filters, riparian areas, plants, works, instrumentalities, properties, and other structural and nonstructural components that control, capture, collect, convey, route, restrict, store, detain, retain, infiltrate, cleanse, or otherwise affect or influence the flow of Stormwater within the County and the quality of Stormwater discharged from the County.

**Stormwater Pollution Prevention Plan (SWPPP):** generally means a site-specific written document that (1) identifies potential sources of Stormwater pollution at the construction site; (2) describes Stormwater control measures to reduce or eliminate pollutants in Stormwater discharges from the construction site; and (3) identifies procedures the operator will implement to comply with the terms and conditions of this general permit. The SWPPP includes site map(s), drawings and plans, other documents, and supporting calculations, and identification of construction/contractor activities that could cause pollutants in the Stormwater, and a description of measures or practices to control these pollutants. "SWPPP" as used in the Construction General Permit, generally means Comprehensive Stormwater Pollution Prevention Plan (SWPPP), unless specific reference is given to the On-Site SWPPP.

**Stormwater Runoff:** means direct response of a watershed to precipitation and includes the surface and subsurface runoff that enters a ditch, stream, storm sewer or other concentrated flow during and following the precipitation.

**Subdivision:** means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions, for the purpose, whether immediate or future, of sale, legacy, or building development, or includes all division of land involving a new street or a change in existing streets (public or private), and includes resubdivision and, where appropriate, in the context, shall relate to the process of subdividing or to the land or area subdivided.

**Support Activities:** means various construction-related activities that occur or facilities provided at a construction site alongside the construction activity that are directly related to and implemented as support to the construction activity or facility. Typical support activities include concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas.

**Surface Water:** means any waters where the surface of which is exposed to the atmosphere, such as water collecting on the ground or in a stream, river, lake, wetland, or ocean. It is related to water collecting as groundwater or atmospheric water. Surface water is naturally replenished by precipitation and naturally lost through discharge to evaporation and sub-surface seepage into the ground.

**Surface Waters of the State:** means "Waters of the State" as defined in 122.2 of SC Regulation 61-9 except for groundwater.

**Swale:** means a structural measure with a lining of grass, riprap or other materials, which can function as a detention structure and convey Stormwater runoff without causing erosion.

**Temporary Stabilization:** means a condition where exposed soils or disturbed areas are provided a temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area. Temporary controls must be installed, maintained, and removed according to specifications in the BMP Manual.

**Ten-percent point:** is the location in the drainage system downstream from the proposed development, where the proposed development represents less than ten (10) percent of the total watershed draining to this location.

**Total Maximum Daily Load (TMDL):** is a calculation of the maximum amount of a specific pollutant that a waterbody can receive and still meet water quality standards. It is the sum of the allowable loads or allocations of a given pollutant from all contributing point (wasteload allocation (WLA)) and nonpoint (load allocation (LA)) sources. It also incorporates a margin of safety and consideration of seasonal variation. For an impaired waterbody, the TMDL document Specifies the level of pollutant reductions needed for waterbody use attainment. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure.

**Tracking or Permit Number:** refers to the permit numbering systems used by the Department to track each Notice of Intent (NOI) application. The permit number is generally formatted as SCR10XXXX.

**Turbidity:** is a condition of water quality characterized by cloudiness or haziness of a fluid caused by the presence of individual particles (suspended solids and/or organic material) that are generally invisible to the naked eye, similar to smoke in air.

**Undeveloped land:** Land in an unaltered natural state or which has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped. Undeveloped land shall have no pavement, asphalt, or compacted gravel surfaces or structures which create an impervious surface that would prevent infiltration of Stormwater or cause Stormwater to collect, concentrate, or flow in a manner materially different than that which would occur if the land was in an unaltered natural state.

**Unpermitted Ongoing Project:** a construction project that commenced prior to the effective date of this permit, but the discharges related to this project have not been authorized under an NPDES permit.

**Upset:** means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

**Variance:** means the modification of the minimum sediment and Stormwater management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of these regulations.

**Waiver:** means the relinquishment from sediment and Stormwater management requirements by the County Engineering Division for a specific land disturbing activity on a case-by-case review basis. Rainfall Erosivity Waiver, TMDL Waiver, and Equivalent Analysis Waiver are defined for small construction activities in Appendix B of the General Construction Permit.

**Waste Load Allocation (WLA):** is the portion of a receiving water's TMDL that is allocated to one of its existing or future point sources of pollution (EPA-823-B-94-005a). See definition of TMDL.

**Water Quality:** means those characteristics of Stormwater runoff from a land disturbing activity that relate to the physical, chemical, biological, or radiological integrity of water.

**Water Quality Standards (WQS):** are provisions of State or Federal law which consist of a designated (classified) use or uses for the Waters of the United States, water quality criteria, expressed in numeric or narrative form, for such waters based upon such uses, and an antidegradation policy that protects existing uses and provides a mechanism for maintaining high water quality. Water quality standards are measurable parameters of standards established as criteria to evaluate characteristics of Stormwater runoff from a land disturbing activity that relate to the physical, chemical, biological, or radiological integrity of water. Water quality standards are to protect public health or welfare, enhance the quality of water and serve the purposes of the Federal Clean Water Act and the S.C. Pollution Control Act.

**Water Quantity:** means those characteristics of Stormwater runoff that relate to the rate and volume of the Stormwater runoff to downstream areas resulting from land disturbing activities.

**Watershed:** means the drainage area contributing Stormwater runoff to a single point.

**Waters of the State (WoS):** means lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits of the State, and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially within or bordering the State or within its jurisdiction.

**Waters of the United States or Waters of the U.S.:** means:

- (1) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (2) All interstate waters, including interstate "wetlands;"

- (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - (a) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - (b) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (c) Which are used or could be used for industrial purposes by industries in interstate commerce;
- (4) All impoundments of waters otherwise defined as waters of the United States under this definition;
- (5) Tributaries of waters identified in paragraphs (1) through (4) of this definition;
- (6) The territorial sea; and
- (7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (1) through (6) of this definition.

**Wetland:** that area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetland generally includes swamps, marshes, bogs, and similar areas.

**You and Your:** as used in the Construction General Permit is intended to refer to the Applicant (Permittee), the Operator, or the discharger, as the context indicates, and that party's responsibilities (e.g., the city, the county, the flood control district, the U.S. Air Force, etc.).

**Zoning ordinance:** means the officially adopted Zoning Ordinance of the County or County code of Ordinances, as amended.

Sec. 9.5-17. to 9.5-25. – Reserved.

## **ARTICLE II. - PROCEDURE**

### **DIVISION 1. – PROCEDURE**

#### **Sec. 9.5-26. - Florence County Stormwater Management Plan (SWMP).**

The SWMP developed by the County to comply with the NPDES Permit serves as the basis for the County's Stormwater program implementation and administration. The SWMP, as amended from time to time by the County, is hereby adopted for the life of the County's NPDES Permit as the official operational program. The mapping and geographical information system (GIS) developed as part of the SWMP shall serve as an information source for program administration purposes.

**Sec. 9.5-27. - Stormwater management design manual.**

- (a) The County shall develop and maintain a stormwater management design manual in accordance with the approved SWMP. The manual shall serve as minimum criteria for the design, construction, and maintenance of facilities which collect, control, treat (through pollutant removal), and convey stormwater. This manual will include, but not be limited to, the following information:
- (1) Details describing the policies, goals, and tasks of the stormwater management program.
  - (2) Design requirements and specifications for the preparation of stormwater management plans. Acceptable techniques for obtaining, calculating and presenting the information required in the plans shall be described, along with design conditions which must be accounted for.
  - (3) Minimum specifications for designing, constructing, and maintaining stormwater management facilities. These specifications shall be established in accordance with current good engineering practices.
  - (4) Minimum easement requirements for the inspection and maintenance of stormwater management facilities.
  - (5) Site design approaches that minimize the impact of development on runoff, and protect natural resources and sensitive areas.
- (b) The manual shall be reviewed and, if needed, updated periodically (at a minimum every three years) to reflect the most current and effective practices, regulations and most current water quality standards and shall be made available to the public. Although the intention of the manual is to establish minimum design practices for the protection of water quality and downstream impacts, it neither replaces the need for engineering judgment nor precludes the use of information not presented. Other accepted engineering procedures may be used to conduct stormwater studies as required or approved by the Engineering Department.

**Sec. 9.5-28. - Permits and Stormwater Management and Sediment Control Plans.**

Unless otherwise exempt under this article, all Land Disturbing Activities are required to obtain permit coverage for their Stormwater discharges by submitting a Stormwater Management and Sediment Control Plan. The plan shall be prepared in accordance with the requirements of section 9.5-51 of this Chapter and the Florence County Stormwater Design Manual.

**Sec. 9.5-29. - Application for permit; Approval and Disapproval.**

- (a) The Person Responsible for the Land Disturbing Activity shall apply in writing to the County Engineering Division for a permit for such activity. Such application shall be accompanied by One Copy of the Stormwater Management and Sediment Control Plan prepared in accordance with the provisions of this article.
- (b) Specific requirements of the permit application and approval process are based upon the extent of the Land Disturbing Activity. The permit application and approval procedure is as follows:
  - (1) For Land Disturbing Activities that will ultimately disturb more than one (1) acre, a Stormwater Management and Sediment Control Plan is required. The use of measures other than ponds to achieve Water Quality improvement, such as Low Impact Development (LID), are encouraged. Plans and specifications for these activities shall be prepared by the designers specified in subsections (i) and (j) of this section. Upon receipt of a completed Stormwater Management and Sediment Control Plan, the County Engineering Division shall accomplish its review and have either the approval or review comments transmitted to the Applicant within 20 working days. If notice is not given to the Applicant or if action is not taken by the end of the 20- working-day period, the Applicant's plan is considered approved.
  - (2) For Land Disturbing Activities that will disturb less than one (1) acre and is not part of a greater common plan, a designer specified in subsections (i) and (j) of this section is not required. However, a completed Stormwater Management and Sediment Control Plan that meets the specifications of the Florence County Stormwater Design Manual must be submitted. Upon receipt of the prepared plan, the County Engineering Division shall accomplish its review and have either the approval or review comments transmitted to the Applicant within 20 working days. If notice is not given to the Applicant or if action is not taken by the end of the 20- working-day period, the Applicant's plan is considered approved.
  - (3) These requirements may be modified by the County Engineering Division on a case-by-case basis to address specific Stormwater quantity or quality issues or to meet other regulatory requirements which are more stringent than the requirements of this article.
  - (4) When the Land Disturbing Activity consists of the construction of a pond, lake or reservoir which is individually built and not part of a permitted Land Disturbing Activity, the following procedures apply:
    - (a) A Stormwater Management and Sediment Control Plan will not be required



if the pond, lake or reservoir is permitted under the state Dams and Reservoirs Safety Act (Regulation 72-1 thru 72-9) or has received a certificate of exemption under the state Dams and Reservoirs Safety Act. Best Management Practices (BMPs) must be used to minimize the impact of Erosion and Sediment.

- (5) If the application for a Stormwater Management and Sediment Control Plan is denied, written notification indicating the reason or reasons for denial shall be forwarded to the Applicant.
- (6) Any plan approval may be suspended, revoked or modified by the County Engineering Division upon finding that the holder is not in compliance with this article.
- (c) A Stormwater Management and Sediment Control Plan, or an application for a Waiver or Variance, shall be submitted to the County Engineering Division by the Person Responsible for the Land Disturbing Activity, unless otherwise exempted. The Stormwater Management and Sediment Control Plan shall contain supporting computations, drawings and information sufficient to describe the manner, location and type of measures in which Stormwater Runoff from the entire Land Disturbing Activity will be managed. The County Engineering Division shall review the plan to determine compliance with the requirements of these regulations prior to approval. The approved Stormwater Management and Sediment Control Plan shall serve as the basis for Water Quantity and Water Quality control on all subsequent Construction Activity specific to the site.
- (d) No permit shall be required under this article for Land Disturbing Activities that are conducted under a State or Federal environmental permitting, licensing, or certification program where the State or Federal environmental permit, license, or certification is conditioned upon compliance with the minimum standards and criteria developed under this article.
- (e) All Stormwater Management and Sediment Control Plans submitted for approval shall contain a certification by the Person Responsible for the Land Disturbing Activity that the Land Disturbing Activity will be accomplished pursuant to the approved plan and that responsible personnel will be assigned to the project.
- (f) All Stormwater Management and Sediment Control Plans shall contain a certification by the Person Responsible for the Land Disturbing Activity acknowledging the right of DHEC and the Florence County Engineering Division to conduct on-site inspections.
- (g) The Stormwater Management and Sediment Control Plan shall not be considered approved without an approval stamp signed and dated by an authorized person with the County Engineering Division. The stamp of approval on the plans is solely an

acknowledgement of satisfactory design with the requirements of these regulations. The approval stamp does not constitute a representation or warranty to the applicant or any other person concerning the safety, appropriateness or effectiveness of any provision of or omission from the Stormwater Management and Sediment Control Plan.

- (h) DHEC may request to review and comment on Stormwater Management and Sediment Control Plans. The County will not approve the Stormwater Management and Sediment Control Plan until all DHEC comments, if any are addressed and approved by DHEC.
- (i) All Stormwater Management and Sediment Control Plans submitted to the County Engineering Division for approval shall be certified by a designer. The following disciplines may certify and stamp/seal plans as allowed by their respective licensing act and regulations:
  - (1) Registered professional engineers as described in S.C. Code 1976, § 40-22-10 et seq.
  - (2) Registered landscape architects as described in S.C. Code 1976, § 40-28-10(b).
  - (3) Tier B land surveyor as described in S.C. Code 1976, § 40-22-10 et seq.
- (j) Pursuant to S.C. Code 1976, § 40-22-280, Stormwater Management and Sediment Control Plans may also be prepared by employees of the Federal Government and submitted by the Person Responsible for the Land Disturbing Activity to the County Engineering Division for approval.
- (k) This article does not prohibit other disciplines or certified professionals, including, but not limited to, certified professional Erosion and Sediment Control specialists, which have appropriate background and experience from taking active roles in the preparation of the plan and design process. All Stormwater plans and specifications submitted to the County Engineering Division for approval shall be stamped/sealed by those listed in subsection (i) of this section or prepared by employees of the Federal Government under subsection (j) of this section.
- (l) Approved plans remain valid for five (5) years from the date of an approval. Extensions or renewals of the plan approvals may be granted by the County Engineering Division upon approval of an updated application by the Person Responsible for the Land Disturbing Activity. If changes to the original SWPPP are not needed, only a completed application form and the appropriate application fee are required.
- (m) The Applicant must notify the County Engineering Division prior to commencement of any Land Disturbing Activity or construction under an approved plan.

**Sec. 9.5-30. - Fee Schedule.**

- (a) The application for a Stormwater Management and Sediment control permit to disturb land in the County shall be accompanied by nonrefundable fees. The County Engineering Division shall establish a fee schedule, located in the Appendix of the Florence County Stormwater Design Manual, subject to County Council approval according to the following criteria:
  - (1) An application fee of a set dollar amount per disturbed acre up to a maximum application fee for any application submitted.
  - (2) An application fee will be charged for land disturbing activities which disturb less than one (1) acre and are not part of LCP.
  - (3) An additional fee for all applications requesting a Waiver or Variance from the requirements of this article will be assessed.
  - (4) The fees above do not include any fee charged separately by DHEC to issue the NPDES permit for all construction activities one acre or larger.
  - (5) An appropriate application fee will be charged for extensions or renewals of a Stormwater Management and Sediment control permit.
  - (6) A fee for Major changes (as defined in the Florence County Stormwater Design Manual) to Stormwater Management and Sediment Control Plans will be established.

**Sec. 9.5-31. - Waivers.**

- (a) Waivers may be granted from the Stormwater Management requirements of this article for individual land disturbing activities provided that a written request is submitted by the applicant to the County Engineering Division containing descriptions, drawings and any other information that is necessary to evaluate the proposed Land Disturbing Activity. A separate written Waiver request shall be required if there are subsequent additions, extensions or modifications which would alter the approved Stormwater Runoff characteristics to a Disturbing Activity receiving a Waiver.
- (b) A project may be eligible for a Waiver of Stormwater Management for both quantitative and qualitative control if the applicant can demonstrate that the proposed project will return the disturbed area to a Pre- Development runoff condition and the Pre-Development land use is unchanged at the conclusion of the project.

- (c) A project may be eligible for a Waiver of Stormwater Management for Quality control if the applicant can demonstrate that:
  - (1) The proposed project will have no significant Adverse Impact on any receiving natural waterway or downstream properties: or
  - (2) The imposition of peak control requirements, for rates of Stormwater Runoff, would aggravate downstream flooding.
- (d) The County Engineering Division will conduct its review of the request for Waiver within 20 working days. Failure of the County Engineering Division to act by the end of the 20 working day period will result in the automatic approval of the Waiver.

**Sec. 9.5-32. - Variances.**

The County Engineering Division may grant a written Variance from any requirement of this article if there are exceptional circumstances applicable to the site such that strict adherence to the provisions of this article will not fulfill the intent of this article. A written request for a Variance shall be provided to the County Engineering Division and shall state the specific Variances sought and the reasons with supporting data for their granting. The County Engineering Division shall not grant a Variance unless and until sufficient specific reasons justifying the Variance are provided by the applicant. The County Engineering Division will conduct its review of the request for the Variance within 20 working days. Failure of the County Engineering Division to act by the end of the 20 working day period will result in the automatic approval of the Variance.

**Sec. 9.5-33. - Appeals and administrative hearings.**

Appeals from the decisions made by the County Engineering Division under this article shall be heard by the County Planning Commission and shall be subject to the procedures set forth in Section 30-297 of this Code.

**Sec. 9.5-34. - Inspection and enforcement.**

- (a) The Person Responsible for the Land Disturbing Activity shall notify the County Engineering Division before initiation of a Land Disturbing Activity and upon project completion related to that Land Disturbing Activity so a final inspection may be conducted to ensure compliance with the approved Stormwater Management and Sediment Control Plan.
- (b) Inspections shall be conducted by qualified personnel. For projects that disturb more

than one (1) acre, "Qualified personnel" means a person knowledgeable in the principles and practice of Erosion and Sediment Controls who possesses the skills to assess conditions at the construction site that could impact Stormwater Quality and to assess the effectiveness of any Sediment and Erosion control measures selected to control the quality of Stormwater discharges from the Construction Activity.

This person must be either the preparer of the SWPPP or an individual who is under the direct supervision of the preparer of the approved SWPPP and who meets the requirements in this paragraph or an individual who has been certified through a Construction Site Inspector Certification Course that has been approved by DHEC.

Inspections may also be conducted by a person with a registration equivalent to the registration of the preparer of the SWPPP and who meets the qualifications of this paragraph or an individual who is under the direct supervision of the person with an equivalent registration and who meets the requirements in this paragraph.

Additional specific requirements for construction inspection are included in the Florence County Stormwater Design Manual. Copies of this document can be obtained from Florence County Planning Commission, County Engineering Division.

- (c) In order to implement its responsibilities as an SMS4 and to comply with the terms and conditions of the NPDES Permit, the County, through its duly designated employees and officials, may enter private property to perform the following:
  - (1) Inspection of the County's storm sewer system for purposes consistent with its obligations under the NPDES Permit including, but not limited to, outfall identification, mapping, and detection of illicit discharges.
  - (2) Installation of monitoring stations and collection of Water Quality data.
  - (3) Inspection of construction activities to ascertain compliance with approved Stormwater Management and Sediment Control Plans as described in this article.
- (d) The County Engineering Division shall, for inspection purposes, do all of the following:
  - (1) Diligently attempt to ensure that the approved Stormwater Management and Sediment Control Plan ("approved plan") is located on the project site and that the Person(s) Responsible for the Land Disturbing Activity are in compliance with the approved plan.
  - (2) Diligently attempt to ensure that every active site is inspected for compliance with the approved plan on a regular basis.
  - (3) Diligently attempt to provide the Person Responsible for the Land Disturbing Activity with a written report after every inspection that describes:

- a) The date and location of the site inspection; and
  - b) Whether the approved plan has been properly implemented and maintained at the time of inspection; and
  - c) Any approved plan or practice deficiencies discovered; and
  - d) Any action taken.
- (4) Diligently attempt to notify the Person Responsible for the Land Disturbing Activity in writing when violations are observed and describe the:
- a) Nature of the violation; and
  - b) Required corrective action; and
  - c) Time period for violation correction.
- (e) The County Engineering Division may require a revision to the approved plan as necessary due to changes in or newly discovered site conditions. The County Engineering Division shall establish guidelines to facilitate the processing of revised plans where field conditions necessitate plan modification. Where changes to the approved plan are necessary, those changes shall be in accordance with the following:
- (1) Major changes (as defined in the Florence County Stormwater Design Manual) to the approved Stormwater Management and Sediment Control Plans must be submitted to the County Engineering Division for review and receive approval prior to implementing any of the changes.
  - (2) Minor changes (as defined in the Florence County Stormwater Design Manual) to Stormwater Management and Sediment Control Plans may be made without the County Engineering Division's approval and documented on the field inspection report by the Person Responsible for the Land Disturbing Activity, their representative or the County Engineering Division.
- (f) Stormwater Management on construction sites may be inspected at any time without notice. The inspector shall present proper credentials upon reasonable request by the Person Responsible for the Land Disturbing Activity.
- (g) The County Engineering Division may, in addition to local enforcement options, refer a site to DHEC for review.
- (h) Referral of a site to DHEC may initiate a construction inspection of the site to verify site conditions. That construction inspection may result in the following actions by DHEC:
- (1) Notification through appropriate means to the person engaged in a Land Disturbing Activity to comply with the approved plan within a specified time frame; and

- (2) Notification of plan inadequacy, with a time frame for the person engaged in the Land Disturbing Activity to submit a revised plan to the County Engineering Division and to receive approval from the same.
- (i) Failure of the person engaged in the Land Disturbing Activity to comply with DHEC requirements may result in other penalties as provided in S.C. Code 1976, § 48-14-10 et seq., in addition to such penalties as may be imposed by the County under this article.
- (1) The County Engineering Division shall have the power to request any person violating any provision of S.C. Code 1976, § 48-14-10 et seq., or this article to cease and desist from any site work activity other than those actions necessary to achieve compliance with any administrative order.
- (2) The County Engineering Division may refrain from issuing any further land use or Stormwater Management permits to any person having outstanding violations until those violations have been remedied and accepted by the County Engineering Division.
- (3) The County Engineering Division may levy fines and/or recommend that fines be levied by DHEC.
- (j) The County Engineering Division may utilize Stop Work Orders as a part of its inspection and enforcement program. When a Stop Work Order is issued, the following procedure shall be followed:
- (1) The County Engineering Division may issue a Stop Work Order if it is found that a Land Disturbing Activity is being conducted in violation of this article or of any regulation adopted or order issued pursuant to this article, and that either:
- a) Off-site Sedimentation, or the imminent threat thereof, resulting from noncompliance with the approved plan, has impacted or degraded use of a lake or natural waterway or that such degradation is imminent; or
  - b) Off-site Sedimentation, or the imminent threat thereof, resulting from noncompliance with an approved plan, has caused material damage to adjacent land or that there is an imminent threat of such damage; or
  - c) The Land Disturbing Activity which requires an approved plan under this article is being conducted without the required approved plan.
- (2) The Stop Work Order shall be in writing and shall state what work is to be stopped and what measures are required to abate the violation. The order shall include a statement of the findings made and shall list the conditions under which work may be resumed. The delivery of equipment and materials, which does not contribute to the violation, may continue while the Stop Work Order is in effect. A copy of this section may be attached to the Stop Work Order.

- (3) The Stop Work Order shall be served by the County Engineering Division or by some other person duly authorized by law to serve process, and shall be served on a Person Responsible for the Land Disturbing Activity. The County Engineering Division or other person duly authorized by law to serve process shall post a copy of the Stop Work Order in a conspicuous place at the site of the Land Disturbing Activity. The County Engineering Division may also deliver a copy of the Stop Work Order to any person that the County Engineering Division has reason to believe may be responsible for the violation.
- (4) The directives of a Stop Work Order become effective upon service of the order. Thereafter, any person notified of the Stop Work Order who violates any of the directives set out in the Stop Work Order may be assessed a civil and/or a criminal penalty as provided in section 9.5-35. A Stop Work Order issued pursuant to this section may remain in force until all non-compliant issues are rectified in the sole discretion of the County Engineering Division.
- (5) The County Engineering Division shall designate an employee to monitor compliance with the Stop Work Order. The name of the employee so designated shall be included in the Stop Work Order. The employee so designated shall rescind the Stop Work Order if all the violations, for which the Stop Work Order is issued, are corrected, no other violations have occurred and all measures necessary to abate the violations have been taken. The County Engineering Division, through its designated employee, shall rescind any Stop Work Order that is issued in error.

#### **Sec. 9.5-35. - Penalties.**

- (a) Any person who violates any provision of this article or who initiates or continues a Land Disturbing Activity, for which a Stormwater Management and Sediment Control Plan is required, except in accordance with the terms, conditions and provisions of an approved plan, is subject to a civil penalty of not more than \$1,000.00 for each violation. No civil penalty may be assessed and no prosecution for a misdemeanor may occur until the person alleged to be in violation has been notified of each violation. Each separate day of a continued violation constitutes a new violation for civil or criminal purposes, once said party has been given notification of each violation, as set forth above. In addition to any applicable civil penalties, any person who negligently, willfully, or intentionally violates any provision of this article shall be guilty of a misdemeanor and shall be punished within the jurisdictional limits of magistrate's court. Upon conviction, a person who violates this article may be fined not more than \$500.00 or confined for not more than 30 days for each violation.
- (b) The County Engineering Division shall determine the amount of the civil penalty to be assessed under this section for violations under its jurisdiction. It shall make



written demand for payment upon the Person Responsible for the violation and set forth, in detail, the violation for which the penalty has been invoked. If payment is not received within 30 days after demand for payment is made, a civil action may be filed in the circuit court in the County to recover the amount of the penalty.

- (c) Where the County is fined and/or placed under a compliance schedule by the state or federal government for a violation(s) of its NPDES permit, and the County can identify the person(s) who caused such violation(s) to occur, the County may assess the penalty and cost of compliance against that Person(s) Responsible as a civil penalty.
- (d) The County may institute injunctive, mandamus or other appropriate action or proceedings at law or equity, including criminal conviction, for the enforcement of this article or to correct violations of this article, and any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus or other appropriate forms of remedy or relief.

**Secs. 9.5-36. to 9.5-50. – Reserved.**

### **ARTICLE III – PLAN AND APPLICATION**

#### **DIVISION 1. – PLAN AND APPLICATION**

**Sec. 9.5-51. - Standards and requirements for preparation of Stormwater Management and Sediment Control Plans.**

- (a) Stormwater Management and Sediment Control Plan submittal requirements shall be included in the Florence County Stormwater Management Design Manual and/or the Sediment and Erosion Control Plan Review Checklist for Design Professionals.
- (b) The County Engineering Division shall require that plans and design reports be sealed by a qualified design professional and certified that the plans have been designed in accordance with this article and all other relevant and applicable Sediment and Stormwater laws and regulations.
- (c) The Person Responsible for the Land Disturbing Activity shall submit as-built or record document plans for all plans that include any structural BMPs. In addition, the Person Responsible for the Land Disturbing Activity is required to submit written certification from the professional engineer, landscape architect or tier B land

surveyor responsible for the field supervision of the Land Disturbing Activity that the Land Disturbing Activity was accomplished in substantial accordance with the approved Stormwater Management and Sediment Control Plan.

- (d) Additional information necessary for a complete project review may be required by the County Engineering Division as deemed appropriate. This additional information may include items such as location of public sewers, water lines, septic fields, wells, etc.
- (e) The Florence County Stormwater Design Manual, DHEC Stormwater BMP Handbook, and BMP Field Manual includes a list of acceptable BMPs, including their specific design performance criteria and operation and maintenance requirements for each Stormwater practice. Copies of these documents may be obtained through the Florence County Engineering Division, local DHEC office or can be downloaded from the Stormwater section of the Florence County and DHEC website.
- (f) Specific Florence County requirements, Erosion and Sediment Control BMPs and Post-Construction Water Quality BMPs to be used in the Stormwater Management and Sediment Control Plan are included in the Florence County Stormwater Design Manual.

**Secs. 9.5-52. to 9.5-60. – Reserved.**

#### **ARTICLE IV. – MAINTENANCE REQUIREMENTS**

##### **DIVISION 1. – MAINTENANCE REQUIREMENTS**

###### **Sec. 9.5-61. - Permanent Stormwater maintenance requirements.**

- (a) The Person Responsible for permanent maintenance of all completed Stormwater Management practices shall perform, or cause to be performed, preventive maintenance to ensure proper functioning.
- (b) Where permanent Stormwater BMPs are employed, the Person(s) Responsible for maintenance shall execute a permanent Stormwater Management maintenance agreement to assure proper maintenance of BMPs in accordance with the approved plan. The maintenance agreement shall also specify responsibilities for financing permanent maintenance with options that may include (1) the property owner, (2) a homeowner's association, provided that provisions for financing necessary permanent maintenance are included in deed restrictions or other contractual agreements, or (3) other financing mechanisms acceptable to the County.

- (c) The County Engineering Division and any other permitting authority must be notified in writing of any changes in maintenance responsibility for the Stormwater BMPs at the site. This requirement shall be included in the maintenance agreement.
- (d) Periodic Post-Construction inspections may also be performed by the County Engineering Division. These inspection reports shall be maintained by the County Engineering Division on all Detention and Retention Structures and shall include the following items, as applicable:
- (1) The date of inspection.
  - (2) The name of the inspector.
  - (3) The condition of, if applicable:
    - a) Vegetation;
    - b) Spillways;
    - c) Embankments;
    - d) Reservoir area;
    - e) Outlet channels;
    - f) Underground drainage;
    - g) Sediment load; or
    - h) Other items which could affect the proper function of the structure.
  - (4) Description of needed maintenance.
- (e) The County Engineering Division shall provide procedures to ensure that deficiencies identified by inspections are rectified. The procedures shall include the following:
- (1) Notification to the Person Responsible for maintenance of deficiencies including a time frame for repairs;
  - (2) Subsequent inspection to ensure completion of repairs; and
  - (3) If repairs are not undertaken or not performed properly, the Person Responsible may be assessed a civil and/or a criminal penalty as provided in section 9.5-35 and/or referred to SCDHEC.

**Sec. 9.5-62. - Off-site damage correction.**

- (a) The following criteria shall be used by the County Engineering Division in evaluating and remedying off-site damages resulting from the Land Disturbing Activity:
  - (1) Determine the extent of damage by Sediment resulting from the Land Disturbing Activity;
  - (2) Determine the classification of the impaired waterbody, if any;
  - (3) Determine the impact and severity of the damage resulting from noncompliance with or lack of an approved Stormwater Management and Sediment Control Plan;
  - (4) Attempt to develop an agreement for cleanup and corrections, including a schedule of implementation between the damaged landowner(s) and the owner/custodian of the property causing the damage;
  - (5) Evaluate alternatives for correction of the damage and prevention of future damage.
- (b) The unreasonable failure of the owner/custodian of the property that is causing the damage to implement the agreement with the damaged landowner(s) will constitute a violation of this article.
- (c) In cases of flooding, where the County Engineering Division has determined the cause of flooding issues in an area are due to, but not limited to; BMPs such as silted detention or retention basins, clogged ditches, inlet basins, culverts, and the cause of impaired BMPs is due to; improper maintenance, neglect, or intentional compromising of affected BMPs, the County Engineering Division will send notice to the owner/custodian of property that is the cause of the flooding. The notice will state the problem and include potential solutions to correct the problem. The notice shall establish a deadline for remediation of the problem. The notice shall advise that, should the owner fail to remedy the situation within the allotted time frame, the County Engineering Division, at its discretion, may perform the work or contract the work to be performed, and that the expense of the remediation work shall be charged to the owner. In performing the work, the County Engineering Division does not assume any future responsibility to ensure proper maintenance and operation of said BMP.

**Secs. 9.5-63. to 9.5-70. - Reserved**

## **ARTICLE V. – ILLICT DISCHARGES**

### **DIVISION 1. – ILLICT DISCHARGES**

#### **Sec. 9.5-71. - Applicability.**

This division shall apply to all water entering the County Storm Drain System or County watercourses generated on any developed and undeveloped lands unless explicitly exempted by the NPDES permitting authority.

#### **Sec. 9.5-72. - Administration.**

The County Engineering Division shall administer and implement the provisions of this division of this article. Other duly authorized officers of the County may also enforce provisions of this article.

#### **Sec. 9.5-73. - Discharge Prohibitions.**

##### **(a) Prohibition of Illegal Discharges**

- (1) No person shall discharge or cause to be discharged into the Storm Drain System or watercourses any materials, including but not limited to Pollutants or waters containing any Pollutants, that cause or contribute to a violation of applicable Water Quality standards other than Stormwater.
- (2) This prohibition includes spillage or leakage of leachate during transport from all vehicles used to collect and/or transport municipal solid wastes into the storm drain system or County watercourses.
- (3) The commencement, conduct or continuance of any illegal discharge to the Storm Drain System is prohibited except as follows:
  - a) Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (if dechlorinated – typically less than one part per million chlorine), firefighting activities, and any other water source not containing Pollutants.

- b) Discharges specified in writing by DHEC or the United States Environmental Protection Agency (EPA) as being necessary to protect public health and safety.
  - c) Dye testing is an allowable discharge, but requires a verbal notification to the County Engineering Division 10 days prior to the event.
  - d) The prohibition shall not apply to any non-Stormwater discharge permitted under an NPDES Permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and all other applicable laws and regulations, provided that written approval has been granted for any discharge into the Storm Drain System.
- (b) Prohibition of Illicit Connections
- (1) The construction, use, maintenance, or continued existence of Illicit Connections to the Storm Drain System is prohibited.
  - (2) This prohibition expressly includes, without limitation, Illicit Connections made in the past, regardless of whether the connection was permissible under law or practices applicable at the time of connection.
  - (3) A person is considered to be in violation of this article if the person connects to a line conveying Wastewater or any other non-Stormwater discharge to the SMS4, or allows such connection to continue.

#### **Sec. 9.5-74. - Exemptions.**

- (a) The following discharges do not require NPDES permits:
  - (1) Any discharge of sewage from vessels, effluent from properly functioning marine engines, laundry, shower, and galley sink wastes, or any other discharge incidental to the normal operation of a vessel. This exclusion does not apply to rubbish, trash, garbage, or other such materials discharged overboard; nor to other discharges when the vessel is operating in a capacity other than as a means of transportation such as when used as an energy or mining facility, a storage facility or a seafood processing facility, or when secured to a storage facility or a seafood processing facility, or when secured to the bed of the ocean, contiguous zone or waters of the State for the purpose of mineral or oil exploration or development.
  - (2) Discharges of dredged or fill material into waters of the United States which are regulated under section 404 of the Clean Water Act (CWA).

- (3) The introduction of sewage, industrial wastes or other Pollutants into publicly owned treatment works by indirect dischargers. Plans or agreements to switch to this method of disposal in the future do not relieve dischargers of the obligation to have and comply with permits until all discharges of Pollutants to waters of the State are eliminated. This exclusion does not apply to the introduction of Pollutants to privately owned treatment works or to other discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other party not leading to treatment works.
- (4) Any discharge in compliance with the instructions of an On-Scene Coordinator pursuant to 40 CFR Part 1510 (The National Oil and Hazardous Substances Pollution Plan) or 33 CFR 153.10(e) (Pollution by Oil and Hazardous Substances).
- (5) Any introduction of Pollutants from non-point-source agricultural and silvicultural activities, including Stormwater runoff from orchards, cultivated crops, pastures, range lands, and forest lands, but not discharges from concentrated animal feeding operations, discharges from concentrated aquatic animal production facilities, discharges to aquaculture projects, and discharges from silvicultural point sources.
- (6) Return flows from irrigated agriculture.
- (7) Discharges into a privately owned treatment works, except as DHEC may otherwise require in its regulations.

**Sec. 9.5-75. - Suspension of SMS4 Access.**

- (a) The County Engineering Division may, without prior notice, suspend SMS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge that presents or may present imminent and substantial danger to the environment, or to the health and welfare of persons, or to the SMS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the County Engineering Division may take such steps as deemed necessary to prevent or minimize damage to the SMS4 or waters of the United States, or to minimize danger to persons.
- (b) Any person discharging to the SMS4 in violation of this article may have their SMS4 access terminated if such termination would abate or reduce an illicit discharge.

**Sec. 9.5-76. - Unauthorized Connection.**

It shall be unlawful for any person to make any connection to the SMS4 without written permission, or to reconnect access when it has been suspended or terminated due to an illicit discharge without the prior approval of the County Engineering Division.

**Sec. 9.5-77. - Litter and Refuse Control**

- (a) It shall be unlawful for any person to throw litter, garbage, vegetative matter, bottles, cans, or containers upon public right-of-way or property or the premises of another without permission of the owner.
- (b) It shall be the duty of the property owner to keep piles of leaves out of any gutter, inlet, catch basin or ditch.
- (c) It shall be unlawful to place yard waste into any storm drain, stream, or conveyance where concentrated Stormwater flows will wash such wastes into the storm sewer system or County watercourse.

**Sec. 9.5-78. - Monitoring of Discharges.**

- (a) This section applies to all facilities that have Stormwater discharges associated with industrial activity, including Construction Activity, or in the investigation of an Illicit Connection to the storm drain system or County watercourses.
  - (1) The County Engineering Division shall be permitted to enter and inspect facilities subject to regulations under this article as often as may be necessary to determine compliance with this article. If a discharging facility has security measures in force that require proper identification and clearance before entry into its premises, the facility shall make the necessary arrangements to allow access to representatives of the County Engineering Division.
  - (2) Facility operators shall allow the County Engineering Division ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES Permit to discharge Stormwater, and the performance of any additional duties as defined by state and federal law.
  - (3) The County Engineering Division shall have the right to set upon any permitted facility such devices as are necessary in the opinion of the County Engineering Division to conduct monitoring and/or sampling of the facilities Stormwater discharge.
  - (4) The County Engineering Division has the right to require the discharging facility to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the facility at its own expense. All devices used to measure Stormwater flow and quality shall be calibrated to ensure its accuracy.



- (5) If the County Engineering Division has been refused access to any part of the premises from which Stormwater is discharged, and it is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the County may seek issuance of a search warrant from any court of competent jurisdiction or refer the case to DHEC.

#### **Sec. 9.5-79. Notification of Spills**

- (a) Notwithstanding other requirements of law, as soon as any Person Responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected releases of materials which are resulting or may result in illegal discharges or Pollutants discharging into Stormwater, the SMS4, or waters of the United States, that person shall take all necessary steps to ensure the discovery, containment and cleanup of such release. In the event of such a release, and in addition to other notification requirements, the person shall notify the County Engineering Division in person, by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the County's Public Works Department, Stormwater Division within three business days of the original notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.
- (b) For facilities that operate under existing NPDES permits for Stormwater discharge, spill reporting shall be made to the permitting authority in accordance with the permit. The County Engineering Division shall be provided with copies of any written notification required by the NPDES permitting authority.

#### **Sec. 9.5-80. Enforcement**

- (a) Whenever the County Engineering Division finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the County Engineering Division may order compliance by written notice violation to the Person Responsible. Such notice may require without limitation:
- (1) The elimination of Illicit Connections or discharges;
  - (2) That violating discharges, practices or operations shall cease and desist;
  - (3) The abatement or remediation of Stormwater pollution or contamination hazards and the restoration of any affected property; and

- (4) The implementation of source control or treatment BMPs.
- (b) If abatement of a violation and/or restoration of the damaged property is required, the notice shall set forth a deadline for remediation or restoration to be completed. The notice shall advise that, should the violator fail to remediate or restore within the established deadline, the County Engineering Division or a contractor will do the work and the expense thereof shall be charged to the violator.

#### **Sec. 9.5-81. Penalties**

Any person found to be in violation of the prohibition of illicit discharges that fails to comply with a compliance directive issued by the County Engineering Division referenced in the previous Section shall be subject to any and all applicable penalties as set forth in Section 9.5-35 of this Ordinance. Each day in violation of the provisions shall constitute a separate and distinct offense. The penalties shall be in addition to the remedial process provided for in this Ordinance.

#### **Sec. 9.5-82. Remedies Not Exclusive**

The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

#### **Secs. 9.5-83. to 9.5-90. - Reserved**

### **ARTICLE VI – DRAINAGE**

#### **DIVISION 1. – DRAINAGE**

#### **Sec. 9.5-91. - Drainage.**

- (a) Every proposed development must have a drainage system which shall be designed by a registered engineer and constructed by the developer to provide for the proper drainage of surface water of the development and the drainage area of which it is a part; to permit the unimpeded flow of natural watercourses; and to provide positive drainage away from on-site sewage disposal facilities. The subdivider/developer's responsibility shall include those drainage facilities to discharge such developer's storm runoff to an existing facility outside the secondary area capable of receiving the runoff with no adverse effects.
- (b) A drainage study and report shall be prepared by a registered engineer engaged by the developer. This report shall include both existing and proposed drainage conditions and shall include an evaluation of the ability of the proposed drainage facilities and other improvements pertaining to drainage or flood control within the development to handle

any runoff generated by the development. The report will also contain a section devoted to the analysis of the downstream drainage facilities and its ability to handle existing flow and any increased flow from the development. The report shall also contain the following items:

- (1) Calculated estimates of the quantity of Stormwater entering the development naturally; also, estimates of such water when the upper watershed area shall have been developed for the maximum land use permitted under the official land use plan.
  - (2) Existing conditions of the watershed that may affect the proposed development, such as subsoil type, positive drainage channels, obstructions and the like.
  - (3) Quantities of flow at each pickup point.
  - (4) Estimates of temporary erosion and pollution controls necessary while the development is under construction.
  - (5) Description of major, primary and secondary systems. The report shall include an evaluation of proposed facilities under both frequent and infrequent storms. (2-year, 10-year, 25-year, 50-year, 100-year).
  - (6) Drainage analysis for minor developments. Minor development projects as defined in Article I of this chapter shall also be studied in order to determine the adequacy of any existing storm drainage systems or the effect on proposed improvements. The County Engineer may require as much or as little of the above information as needed to conduct an appropriate drainage analysis of the site plan, grading plan, or storm drainage analysis of the site plan, grading plan, or storm drainage plans submitted to the County as part of the requirements of the site plan needed for a zoning certificate and building permit. The County Engineer may waive the requirement that a registered professional engineer conduct the drainage study for minor developments.
- (c) In designing storm drainage facilities, special consideration shall be given to the avoidance of problems which may arise from concentration of Stormwater runoff onto adjacent developed or undeveloped properties.
- (d) Storm drainage facilities shall be designed to handle the anticipated peak discharge from the property being developed and the anticipated increase in runoff that will occur when all property at a higher elevation in the same drainage area is fully developed.

- (e) In those instances when underground piped storm drainage facilities are reasonably accessible to the proposed development, the developer shall connect such developer's on-site drainage system to the public system based on standard storm drainage design practices or other special design standards deemed necessary by the County Engineer.
- (f) Drainage easements shall be provided in accordance with the following criteria:
  - (1) Where development is traversed by a drainage facility, adequate areas for storm drainage, including ponding, shall be allocated, conforming substantially with the lines of such drainage facility, and of sufficient width to carry off storm drainage and provide for maintenance and improvement of the drainage facility. An adequate access easement for maintenance and equipment is required. Generally, for underground storm drain pipe, the minimum width of the easement shall be not less than 20 feet or the outside diameters of the pipes in feet plus eight feet each side of the pipe whichever is greater. Where open improved drainage channels, paved or unpaved, are permitted, the width of the easement shall be a minimum of three feet on one side measured at the intersection of the existing ground and channel cut plus the width of the channel at the top or ground level, plus 15 feet on the opposite side to allow equipment to enter for maintenance operations. Depending on the design of the paved channel, this requirement may be reduced to not less than ten feet on one side.
  - (2) The location of any surface or underground drainage facilities shall not be changed without the approval of the County Engineer.

**Sec. 9.5-92. - Drainage system standards.**

- (a) All streets shall be provided with an adequate storm drainage system consisting of curbs, gutters, and storm sewers.
  - (1) All streets shall be designed so as to carry the Stormwater drainage of at least the street itself and adjacent property.
  - (2) Curb drainage inlets shall be provided at appropriate intervals along streets with curb and gutter drainage facilities. These inlets shall connect to a storm drain system and a drainage inlet structure with a protective grating shall be installed in accordance with standard specifications of the State Department of Highways and Public Transportation.

- (3) Inlet spacing and capacity shall be adequate to limit the spread of water into the street and to maintain pedestrian walks and street crosswalks free of standing water.
  - (4) Where driveways connect to existing streets with side ditch drainage facilities, a culvert shall be provided under such driveway as required by the County Engineer. The minimum pipe size is 15 inches and shall conform to standard specifications of the State Department of Highways and Public Transportation.
  - (5) All streets having curb and gutter shall not allow Stormwater flow across intersections and/or driveways and shall have a suitable cross-gutter system.
- (b) The design of the off-street drainage system shall include the watershed that affects the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage. The design shall be in accordance with the following requirements:
- (1) When the drainage system is outside of the street right-of-way, the subdivider shall provide all required easements in accordance with section 9.5-91(f).
  - (2) Open ditch drainage may be used, provided that such ditches are "V" ditches with side slopes not exceeding one to three (1:3) ratio, (one vertical to three horizontal) and a maximum depth of two feet. Where open ditches meeting these requirements are not adequate to provide satisfactory storm drainage, an underground piped system shall be installed as required by the County Engineer. These open ditches shall be protected from erosion by either sodding or seeding as approved by the County Engineer.
  - (3) No open natural major storm drainage course shall be permitted within 75 feet of the rear or side of a building as measured from the building to the top of the edge of the drainage facility or vice versa, unless exceptional site planning opportunity is afforded and the improvement will not be jeopardized by flooding or erosion.
  - (4) Off-street drainage from private parking lots or other buildings/uses shall be channeled to and collected at one or more catch basins located on the private property of the development and piped underground to any reasonably accessible existing storm drainage facility. Such surface storm runoff shall not be allowed to flow over public sidewalks.

**Sec. 9.5-93. - Areas subject to flooding; floodplain management administrator.**

The Zoning Administrator shall be the floodplain manager for developments in the County.

**Sec. 9.5-94. - Methods of calculating stream flow and runoff.**

- (a) Minimum design frequencies for calculating rainfall runoff:
  - (1) Residential – (25 – years)
  - (2) Light industrial and commercial – (25 – years)
  - (3) Heavy industrial and high-value commercial – (50 – years)
  - (4) Any development in a FEMA regulated flood zone – (100 – years)
- (b) Variance in design frequency shall depend upon the density of development, existing and expected; value of development; and cost effectiveness of design. Minimum design frequency may be used if approved by the County Engineer. The following formula and values may be used for calculating all stream flow and runoff for the policies and regulations established herein:
  - (1) Runoff from drainage areas of 20 acres or less may be determined by the "Rational Formula". ( $Q=C*I*A$ )
  - (2) The size of closed storm sewers, open channels, culverts, and bridges may be determined by using the "Manning Formula" which may be modified for use with runoff determined by the "Rational Formula". ( $Q=(1.486/n)*R^{2/3}*S^{1/2}*A$ )
  - (3) The rational method may not be used for calculating flows for sizing Stormwater detention/retention facilities or for any drainage areas greater than 20 acres. In these cases all hydrologic computations shall be accomplished using a volume based hydrograph method acceptable to the County.

**Sec. 9.5-95. - Natural primary and/or major drainage channel requirements.**

- (a) All natural primary and/or major drainage channels which are located within or along the property line of an improvement, development or subdivision shall be protected and improved by the developer as follows:

- (1) The existing channel lying within or along the property line of the subdivision or parcel of land proposed for development or redevelopment shall be cleaned to provide for the free flow of water. The existing channel shall be cleaned to provide free flow of water, straightened, widened, levied or diked, or otherwise improved to the extent required to prevent overflow from a 50-year frequency flood. Improvements shall extend beyond the limits of the dedicated drainage easement provided in section 9.5-91(f) sufficient to provide compliance.
- (2) Site improvement shall provide for the grading of all building pads to an elevation where all building pads will not be subject to overflow from 100-year flood event and in a manner that will provide for a rapid runoff of Stormwater.
- (3) Whenever channel improvements are carried out, sodding, back-sloping, cribbing, and other bank protection shall be designed and constructed to control erosion for the anticipated conditions and flow resulting from a 50-year frequency rainfall.
- (4) An existing natural drainage channel shall not be located in a street easement unless it is placed in an enclosed storm drain system except under the following conditions:
  - a) Where a paved street surface at least two lanes wide is provided on both sides of a paved channel so as to provide access to abutting properties.
  - b) When a condition exists as outlined above, adequate space shall be dedicated as right-of-way to provide for maintenance of the paved drainage channel.
- (5) Culverts, bridges and other drainage structures shall be constructed in accordance with the specifications and design criteria of the County when the County shall have present or future maintenance responsibility.
- (6) No open natural storm drainage course shall be permitted within 75 feet of the rear or side of a building as measured from the building to the top of the edge of the drainage facility or vice versa, unless exceptional site planning opportunity is afforded and the improvement will not be jeopardized by flooding or erosion.

**Sec. 9.5-96. - Secondary drainage and/or minor drainage channel requirements.**

- (a) All secondary drainage channels which are within, or immediately adjacent to, an improvement, development or subdivision shall be protected and improved by the developer as follows:

- (1) Secondary drainage channels which have a primary function of collecting surface water from adjacent properties or intercepting and diverting side hill drainage shall be underground and piped.
- (2) Developments:
  - a) In single-family residential, duplex or apartment/townhouse/condominium development, site grading shall be carried out in such a manner that surface water from each dwelling lot will flow directly to a storm drain system, sodded swale, or paved street with storm drainage without crossing more than four adjacent lots in overland flow and with no adverse effects to adjacent property.
  - b) In commercial, industrial and institutional development, roofs, paved area, yards, courts and courtyards shall be drained into a storm drain system.
- (3) Surface water collected on streets shall be diverted to storm drains at satisfactory intervals to prevent overflow of six-inch high curbs during a 25-year frequency rain for the area and grades involved. Design frequency may vary with the classification of street, highway, or land use in the area. Drainage area allowed for surface flow on streets at point of diversion shall not exceed 20 acres, regardless of flow.
- (4) Drainage easement of satisfactory width to provide working room for construction and maintenance shall be provided for all storm drains as detailed in section 9.5-91(f).

**Sec. 9.5-97. - Major channel requirements.**

- (a) All major channels which are located outside the floodplain area as defined by the Federal Emergency Management Agency's flood insurance study and maps, or the U.S. Army Corps of Engineers, whichever is most appropriate to the situation, and which are located within or immediately adjacent to an improvement or subdivision shall be protected and improved by the developer as follows:
  - (1) The existing channel shall be cleaned to provide free flow of water, straightened, widened, levied or diked, or otherwise improved to the extent required to prevent overflow from a 50-year frequency flood.
  - (2) Site improvements shall be in accordance with the provisions of the County's adopted zoning ordinance.



**Sec. 9.5-98. - Bridge and culvert requirements.**

All flow of water across continuous streets or alleys shall be through culverts or bridges. Bridges and culverts shall be sized to accommodate a 50-year frequency rain. Design of bridges and culverts shall conform to County and construction specifications of the State Department of Highways and Public Transportation, and approved by the County Engineer.

**Sec. 9.5-99. - Closed storm drain system.**

Closed storm drain system shall be constructed of pre-cast, prefabricated pipe, or built in place of closed box design to conform to County and construction specifications of the State Department of Highways and Public Transportation. Sizing shall be calculated by the "Manning Formula." However, storm drains carrying runoff from streets may be designed to serve the design frequency rainfall for the drainage area involved, provided that overflow from a 100-year frequency rainfall can reach a suitable outlet without inundating any building pad.

**Sec. 9.5-100. - Open paved storm drainage.**

Open paved storm drainage channels shall be constructed in accordance with County specifications. Side slopes above the paved section shall be shaped and sodded on a slope of three horizontal to one vertical or flatter. Fences shall not be located any more than one foot (measured horizontally) from the right-of-way/easement line as provided for in section 9.5-91(f).

**Sec. 9.5-101. - Areas outside subdivision or development.**

County reserves the right to require improvements to preclude any backup of tail water inundating any areas outside of the dedicated drainage easements in the subdivision or development as a result of a 50-year frequency flood.

**Sec. 9.5-102. - Existing open ditches.**

At the time of development, any existing man-made waterway shall be included in the Stormwater management plan. Modifications, including piping, may be required by the County.

**Sec. 9.5-103. - Review by County Engineer.**

Prior to authorization of any building permit by the County Building Department, the County Engineer shall review and approve all such stream flow, runoff calculations, and drainage plans as such engineer may require of a developer under the terms of this article. The County Engineer shall have final authority of engineer interpretations of all required fifty (50)-

year and one-hundred (100)-year flood elevations necessary to this article and shall report the findings to the County's Floodplain Management Administrator for appropriate action.

**Sec. 9.5-104. - Application and enforcement of this article.**

- (a) Sufficient inspections shall be made to insure compliance with the specifications set forth in this article. A registered engineer, employed by the developer and approved by the County Engineer, may certify in writing to the County Engineer that such engineer has inspected each phase of the construction of the storm drainage improvements required in this article and said inspection certification shall meet the terms of this article. The County Engineer, however, shall make a final inspection of said improvements before accepting said improvements for dedication to the County for permanent maintenance.
- (b) No zoning certificate or building permit shall be issued for any new building or development by the zoning secretary or codes enforcement division without a written statement from the County Engineering division stating that the storm drainage facilities for said property and building meet all of the requirements of this article.
- (c) The County Council may amend the regulations or provisions of this article after study and a written report by the Planning Commission and the holding of a public hearing as required by law.
- (d) Any violation of these regulations will be a misdemeanor and upon conviction is punishable as provided by law.

**Sec. 9.5-105 - Variations and exceptions.**

- (a) Whenever strict compliance with these regulations would result in extraordinary hardship or injustice to the subdivider because of unusual topography, unusual size or shape of the property, or unusual conditions in surrounding property or development, the planning commission, acting only upon the written concurrence of the County Engineer, may modify, vary or waive such regulations in order that the subdivider or developer may subdivide or develop the property in a reasonable manner, provided that such modification, variation or waiver will not nullify the intent or purpose of this article and that the public welfare, interest of the County and the surrounding area shall be protected. Any such variance, together with reasons therefore, shall be entered upon the minutes of the planning commission.
- (b) In granting modifications, variations or waivers, the planning commission may impose such other reasonable conditions as well, in its judgment, in order to justify such modification, variation or waiver and still maintain the objectives of these regulations.

- (c) Each modification, variation or waiver of these regulations sought by a subdivider or developer shall be applied for specifically on forms supplied by the planning and development division, copies of which shall be forwarded to the County Engineer for such engineer's review and comments and an evaluation of such submitted to the planning and development division and the County planning commission.

**Sec. 9.5-106. - Interpretation and conflict.**

In interpreting and applying the provisions of this article, the provisions shall be held to be minimum requirements necessary to uphold the purpose of this article. It is not intended by this article to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, where this article imposes greater restriction on the subdivision and/or use of buildings or land, or requires more open spaces or more stringent development standards than required by other resolutions, ordinances, rules or regulations, or by easements, covenants, or agreements, the provisions of this article shall govern. When the provisions of any other statute require more restrictive standards than are required by the regulations of this article, the provisions of the more restrictive statute shall govern.

2. Provisions in other Florence County Ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
Approved as to Form and Content  
D. Malloy McEachin, Jr., County Attorney

SIGNED:

\_\_\_\_\_  
James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

## FLORENCE COUNTY COUNCIL MEETING

Thursday, July 18, 2013

**AGENDA ITEM:** Ordinance No. 35-2012/13  
Third Reading

**DEPARTMENT:** Florence County Planning and Building Department / 

**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Amend The Florence County Code, Chapter 28.6 – Land Development and Subdivision Ordinance, Article VI. –Subdivision Improvements and Guarantees, Sec.6-98. Acceptance Techniques In Lieu Of Completion Of All Improvements, Sec. 28.6-100 – Reduction Of Guarantee, And Sec. 28.6-101. – Release Of Guarantee.; And Other Matters Related Thereto.] *(Planning Commission approved 6-0: All Council Districts)*

**POINTS TO CONSIDER:**

1. Chapter 28.6 – Land Development and Subdivision Ordinance was adopted August 16, 2007.
2. The Planning Commission and Florence County Planning and Building Department staff developed the amendments to simplify the process in which a project can be accepted in lieu of full completion.
3. Provides developers a clear process of what is expected of them if they choose to provide a financial guarantee.

**OPTIONS:**

1. *(Recommended)* Approve as Presented.
2. Provide an Alternate Directive.

**ATTACHMENTS:**

1. Ordinance No. 35-2012/13 New Proposed
2. Staff report for PC#2013-06

Sponsor(s)	: Planning and Building Department I, _____.	
Planning Commission Consideration	: April 23, 2013	Council Clerk, certify that this
Planning Commission Public Hearing	: April 23, 2013	Ordinance was advertised for
Planning Commission Action	: April 23, 2013 [Approved: 6-0]	Public Hearing on _____.
First Reading/Introduction	: May 16, 2013	
Committee Referral	: N/A	
County Council Public Hearing	: June 20, 2013	
Second Reading	: June 20, 2013	
Third Reading	: July 18, 2013	
Effective Date	: Immediately	

## ORDINANCE NO. 35-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Amend The Florence County Code, Chapter 28.6 – Land Development and Subdivision Ordinance, Article VI. –Subdivision Improvements and Guarantees, Sec.6-98. Acceptance Techniques In Lieu Of Completion Of All Improvements, Sec. 28.6-100 – Reduction Of Guarantee, And Sec. 28.6-101. – Release Of Guarantee; And Other Matters Related Thereto.]**

#### **WHEREAS:**

1. Periodic amendments need to be made to the Code to facilitate an efficient procedure and uniformity with County Laws and regulations; and
2. In recognition that the progress of development, systems and processes can change the efficacy of previously adopted ordinances and standards; and
3. The amendment procedure established in the Florence County Code, Chapter 28.6 – Land Development and Subdivision Ordinance has been followed by the Florence County Planning Commission at a public hearing on April 23, 2013.

#### **NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. The Florence County Code, Chapter 28.6 – Land Development and Subdivision Ordinance, Article VI. –Subdivision Improvements and Guarantees, Sec.6-98. Acceptance techniques in lieu of completion of all improvements, Sec. 28.6-100 – Reduction of guarantee, and Sec. 28.6-101. – Release of guarantee is hereby amended to read as follows:

#### **Sec. 28.6-98. - Acceptance techniques in lieu of completion of all improvements.**

- (a) Financial guarantees may be posted in lieu of completing improvements required by these regulations to allow for the recording of a final plat or to obtain building permits for properties for which ownership will be transferred. Acceptance of financial guarantees is discretionary and the County Administrator reserves the right to refuse a financial guarantee for any remaining improvements and require that such improvements

be completed before the recording of a final plat or issuance of building permits. Acceptance of a financial guarantee by the County Administrator shall not be construed as an obligation to any other agency, utility or property owner within affected developments

(b) An engineer's cost estimate for financial guarantees shall be submitted to the Florence County Engineering Division and follow the procedures enumerated below. Failure to follow these procedures may delay the approval of such guarantee and recording of a final plat or issuance of building permits.

(1) An itemized cost estimate shall be submitted for the improvements that the financial guarantee will cover. Such estimate shall bear the original signature and seal of a licensed professional engineer, be on company letterhead, and be in a form acceptable to the Florence County Engineering Division. Cost estimates may include, but are not limited to the following:

- a. Storm drainage systems and erosion control measures.
- b. Street improvements including curbs, gutters, temporary culs-de-sac and required grassing or landscaping within rights-of-way or easements.
- c. Street monuments.
- d. Street intersection lighting.

(2) The Florence County Engineering Division will determine if the proposed cost estimate is consistent with the prevailing costs for construction materials. Upon such determination, the Engineering Division will inform the Planning Department that the cost estimate is acceptable and a financial guarantee for the proposed amount may be submitted.

(c) The County Administrator may accept letters of credit as financial guarantees to ensure the completion of public improvements in accordance with the requirement enumerated below.

(1)

Approved guarantees shall be independent of the development project's construction loan. The County Administrator will not accept any guarantee that requires drawdowns for monthly expenditures. Payment of monthly expenditures is the sole responsibility of the developer and does not affect the amount of money held by Florence County. Approved letters of credit shall adhere to the following standards:

- a. Be equal to 125 percent of the approved cost estimate.

- b. Be issued for an initial coverage period not less than 12 months from the date that the final plat is submitted for recording.
  - c. Be irrevocable, unconditional and subject to presentation for drawing within the State of South Carolina. Upon consent of the issuing institution and Florence County, facsimile drawing may be permitted. In no instance shall a letter of credit only include a facsimile number for the purpose of potential drawing.
  - d. Be payable to Florence County.
  - e. Be for no less than \$10,000.00 of construction.
  - f. Substantially conform to the format shown in Appendix B.
- (d) A developer may extend a letter of credit before the expiration date of its initial coverage period. To qualify for an extension a revised construction cost estimate shall be supplied to the Engineering Division showing the improvements that the extended letter of credit will guarantee. The revised construction cost estimate shall meet the standards enumerated in subsection Sec.28.6-98 (b), above. The extension request must be received thirty days prior to the expiration of the initial coverage period. Upon approval of the revised construction cost estimate, the extended letter of credit shall be provided to the County Administrator no fewer than ten days prior to the expiration date of the letter of credit. The extension may be in the form of an amendment or new letter of credit. Extensions shall be no longer than 1 year and may occur in two six-month extensions. No individual extension shall be for a period less than six-months. If the improvements for which the letter of credit was posted have not been completed within one year, the County Administrator may allow one additional one year extension. Such extension is subject to approval of a revised construction cost estimate. Additional extensions may be considered on a case by case basis.

**Sec. 28.6-100. - Setup, extensions, and reduction of guarantee.**

- a) The fees listed below will apply to letters of credit established with Florence County or extended before their expiration. All fees shall be paid at the time of guarantee submittal or prior to the guarantee's expiration. Payment shall not be a portion of the guarantee amount and will be in the form of a cashier's check made payable to Florence County.

Setup			
\$500.00	plus	\$0.25 for every	\$100.00
Extensions			
\$250.00	plus	\$0.25 for every	\$100.00

- b) A developer may reduce a financial guarantee during the initial coverage period. A request to reduce the financial guarantee shall be submitted to the Planning Department and include a revised construction cost estimate. The Planning Department will forward the revised cost estimate to the Florence County Engineering Division for review. Reductions of financial guarantees will not be allowed within 6-months of any previous

reduction request and shall be no less than the greatest of 25 percent or \$10,000 of the revised construction cost estimate. A fee of \$100.00 shall be charged for any letter of credit that is authorized for reduction before its expiration. Requests involving both the reduction and extension of a letter of credit shall be subject to the extension fees listed in subsection Sec. 28.6-100. (a) above.

**Sec. 28.6-101. - Release and draw of guarantee.**

- (a) The Planning Department may draw a letter of credit when it has been determined that the improvements for which the financial guarantee were posted will not be completed in accordance with these regulations. Any unexpended funds, once construction is complete, shall be released to the financial institution or responsible entity that posted the guarantee.
  - (b) The Florence County Engineering Division shall authorize the Planning Department to release guarantees to the financial institution or responsible entity. Authorization will occur once all improvements have been installed, received final inspection and a warranty financial guarantee (when applicable) has been submitted and approved by the Florence County Engineering Division. In addition, the developer's engineer shall furnish the Engineering Division a letter certifying that all non-county owned or maintained improvements have been completed and accepted by the applicable entities who will own or maintain such improvements. Such letter shall be on company letterhead with an original signature and professional seal.
2. Florence County Code Chapter 28.6 – Land Development and Subdivision Ordinance, is hereby amended with the insertion of the following language:

**Appendix D**

**Format for Letter of Credit**

[ Bank/Issuer name, address and telephone number ]

[ Date ] Letter of Credit Number \_\_\_\_\_

Amount: \$ \_\_\_\_\_ U.S.

To: The County of Florence, South Carolina

Re: Irrevocable Letter of Credit issued on behalf of [Name of developer]

Dear Sirs:

The Issuer opens its Irrevocable Letter of Credit in your favor available in the following manner and on the following terms:



1. Issuer: [ name of bank/issuer ]
2. Beneficiary: The County of Florence, South Carolina, a political subdivision of the State of South Carolina
3. Customer: [ name of developer ]
4. Project: [name of project, site, subdivision ]
5. Obligation of Issuer: The Credit is irrevocable.
6. Transferability: The Credit is to be non-transferable.
7. Total: The sum total of the Credit is \$ \_\_\_\_\_ U. S.

8. Purpose: To provide surety for a developer's bond required by County Code Section 28.6-98 to ensure construction of required public improvements at [ name of project, site, subdivision ] to include installation of [ list of public facilities to be constructed/installed ] in accordance with the specifications of the County of Florence, South Carolina.

9. Default: In the event that any or all of the above-stated public improvements are not constructed and/or installed in accordance with the specifications of the County of Florence within twelve (12) months from this date, the Beneficiary may upon written notice to Issuer and Customer at the addresses noted herein demand and receive payment from the Issuer in cash in the entire amount of \$ \_\_\_\_\_ if one of the required public improvements have been constructed and/or installed or in such lesser amount as may be required to complete construction and/or installation of the aforesaid improvements if said improvements have been partially constructed and/or installed. All drafts drawn under this Letter of Credit shall contain the clause "Drawn under [ name of Issuer ] Letter of Credit Number \_\_\_\_\_." This letter of Credit is based on an Engineers Estimate for construction; if cost of construction or repair exceeds the amount of funds designated by this Letter of Credit the owner/developer shall remit those additional funds immediately to the County. By this letter the County of Florence reserves the right to recover any excess costs for completion of the required public improvements from the owner/developer by any legal means necessary.

The Issuer shall have ninety (90) days from the receipt of said notice to effect a cure by procuring completion of construction and/or installation of the aforesaid public improvements in accordance with the specifications of the County of Florence, South Carolina, and thereby receive a refund of any sum paid in default.

10. Addresses:

Issuer:

[name of Issuer]  
[street address]  
[city, state, zip]

Customer:

[name of Customer]

[streetaddress]  
[city.state.zip]

Beneficiary:

County of Florence, South Carolina  
c/o County Administrator  
City-County Complex  
180 North Irby Street MSC-G  
Florence, SC 29501

11. Termination: This is a continuing agreement and shall remain in full force and effect until written notice is received by the County of Florence that it has been terminated and revoked.

12. Miscellaneous: This Letter of Credit and the terms hereof shall be binding upon the respective parties, heirs, executors, administrators, successors and assigns. None of the terms of this agreement or its provisions may be waived, altered, modified or amended except in writing signed by the Beneficiary and the Issuer.

13. Applicable Law: This Letter of Credit is to be governed by the Uniform Commercial Code of the State of South Carolina.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

[ Issuer Bank name ], Issuer By:

\_\_\_\_\_  
[ Title ]

Seen: \_\_\_\_\_  
Customer

County of Florence, South Carolina, Beneficiary

3. Provisions in other Florence County Ordinances in conflict with this Ordinance are hereby repealed.
4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

\_\_\_\_\_  
Approved as to Form and Content  
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, April 23, 2013  
PC#2013-06  
ORDINANCE NO. 35-2012/13**

**SUBJECT:** Request for text amendments to the Florence County Code, Chapter 28.6 – Land Development and Subdivision Ordinance, Article VI. –Subdivision Improvements and Guarantees, Sec.6-98. Acceptance techniques in lieu of completion of all improvements, Sec. 28.6-100 – Reduction of guarantee, and Sec. 28.6-101. – Release of guarantee.

**APPLICANT:** Florence County Planning & Building Department

**STAFF ANALYSIS:**

Periodically staff reviews ordinance items that need to be updated to meet the needs of Florence County as a whole. The amendments proposed provide more discretion to staff when accepting new developments in the County and gives developers more options when developing a property.

The proposed amendment changes simplify the process in which a project can be accepted in lieu of full completion. It also gives developers a clear process of what is expected of them if they chose to provide a financial guarantee.

The Florence County Code, Chapter 28.6 – Land Development and Subdivision Ordinance, Article VI. –Subdivision Improvements and Guarantees, Sec.6-98. Acceptance techniques in lieu of completion of all improvements, Sec. 28.6-100 – Reduction of guarantee, and Sec. 28.6-101. – Release of guarantee. The text amendments shall read as follows:

Sec. 28.6-98. - Acceptance techniques in lieu of completion of all improvements.

- (a) In lieu of requiring the completion of all improvements prior to final plat approval, the county administrator may, at his/her discretion, enter into a contract with the subdivider whereby the subdivider shall guarantee to complete all improvements required by this chapter, or otherwise specified by the planning commission, in a manner satisfactory to the county administrator. Any funds unused by the county to complete said improvements shall be returned to the subdivider. Financial guarantees may be posted in lieu of completing improvements required by these regulations to allow for the recording of a final plat or to obtain building permits for properties for which ownership will be transferred. Acceptance of financial guarantees is discretionary and the County

Administrator reserves the right to refuse a financial guarantee for any remaining improvements and require that such improvements be completed before the recording of a final plat or issuance of building permits. Acceptance of a financial guarantee by the County Administrator shall not to be construed as an obligation to any other agency, utility or property owner within affected developments

- (b) Prior to the granting of final plat approval by the planning commission, the county administrator and subdivider shall agree upon a deadline for the completion of all required improvements; such deadline not to exceed one (1) year from the date of final plat approval. The county administrator shall have the right to extend the deadline for one (1) additional year where the subdivider can present substantial reason for doing so. Florence County shall not approve a subdivision guarantee until a copy of the SC DHEC "Approval To Place Into Operation" for water and sewer systems are provided. An engineer's cost estimate for financial guarantees shall be submitted to the Florence County Engineering Division and follow the procedures enumerated below. Failure to follow these procedures may delay the approval of such guarantee and recording of a final plat or issuance of building permits.

- (1) An itemized cost estimate shall be submitted for the improvements that the financial guarantee will cover. Such estimate shall bear the original signature and seal of a licensed professional engineer, be on company letterhead, and be in a form acceptable to the Florence County Engineering Division. Cost estimates may include, but are not be limited to the following:

- a. Storm drainage systems and erosion control measures.
- b. Street improvements including curbs, gutters, temporary culs-de-sac and required grassing or landscaping within rights-of-way or easements.
- c. Street monuments.
- d. Street intersection lighting.

- (2) The Florence County Engineering Division will determine if the proposed cost estimate is consistent with the prevailing costs for construction materials. Upon such determination, the Engineering Division will inform the Planning Department that the cost estimate is acceptable and a financial guarantee for the proposed amount may be submitted.

- (c) To secure this contract, the subdivider shall provide, subject to this approval, of the county administrator one of the following guarantees: The County

Administrator may accept letters of credit as financial guarantees to ensure the completion of public improvements in accordance with the requirement enumerated below.

- (1) *Escrow account.* The subdivider shall deposit cash or other instrument readily convertible into cash at face value, either with the county, or in escrow with a financial institution in the State of South Carolina. The use of any instrument other than cash, and, in the case of an escrow account, and the financial institution with which the funds are deposited, shall be subject to the approval of the county. The amount of the deposit shall be at least equal to the cost of installing all required improvements plus ten percent, as estimated by the subdivider and approved by the planning commission staff engineer and the county.

In the case of an escrow account, the subdivider shall file with the county an agreement between the financial institution and himself guaranteeing the following: Approved guarantees shall be independent of the development project's construction loan. The County Administrator will not accept any guarantee that requires drawdowns for monthly expenditures. Payment of monthly expenditures is the sole responsibility of the developer and does not affect the amount of money held by Florence County. Approved letters of credit shall adhere to the following standards:

- a. That the funds of said escrow account shall be held in trust until released by the county and may not be used or pledged by the subdivider as security in any other matter during that period.
- b. And that in the case of a failure on the part of the subdivider to complete said improvements, then the financial institution shall immediately make the funds in said account available to the county for use in completion of those improvements.
- a. Be equal to 125 percent of the approved cost estimate.
- b. Be issued for an initial coverage period not less than 12 months from the date that the final plat is submitted for recording.
- c. Be irrevocable, unconditional and subject to presentation for drawing within the State of South Carolina. Upon consent of the issuing institution and Florence County, facsimile drawing may be permitted. In no instance shall a letter of credit only include a facsimile number for the purpose of potential drawing.
- d. Be payable to Florence County.
- e. Be for no less than \$10,000.00 of construction.
- f. Substantially conform to the format shown in Appendix B.

- (2) *Real Property Escrow.* The subdivider may offer real property as a guarantee. The value of any such property shall be at least equal to the cost of all contracted improvements, as estimated by the subdivider and approved by the planning commission staff engineer and county administrator, plus ten percent. The county tax assessor shall establish the value of any property so used and, in so doing, shall take into account the likelihood of a decline in the value of said property during the guarantee period. The county shall retain the right to reject the use of any property when the value of such property is sufficiently unstable, when it believes that the property will be unusually difficult to sell, or for other reasons such as will inhibit the county from exchanging the property for a sufficient amount of money to complete the required improvements.

When property is offered as an improvement guarantee, the subdivider shall:

- a. Deed, in fee simple, the property to Florence County.
- b. Provide title insurance, to the satisfaction of the county.
- c. Pay all closing costs, including deed preparation and recording.

- (3) *Letter of credit.* The subdivider shall provide a letter of credit from a bank or other financial institution or individual. The letter of credit is subject to the approval of the county administrator, and shall certify the following:

- a. That the creditor does guarantee funds in an amount equal to the cost plus ten percent for completing all required improvements as estimated by the subdivider, verified by the planning commission staff engineer, and approved by the county administrator.
- b. That the letter of credit shall remain valid for a period of two years, unless it is released by the county.
- c. That the letter of credit can be released only by the county.
- d. That, in the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the county immediately, and without further action, the value of credit stated in the letter.
- e. That if the letter of credit is not released by Florence County, within 30 calendar days of its expiration date any remaining amount of credit shall be paid to Florence County by the bank, financial institution, or individual who provides the letter.
- f. That the letter of credit is in the county's name and may not be withdrawn, or reduced in amount, unless released by the county.

- (d) A developer may extend a letter of credit before the expiration date of its initial coverage period. To qualify for an extension a revised construction cost estimate

shall be supplied to the Engineering Division showing the improvements that the extended letter of credit will guarantee. The revised construction cost estimate shall meet the standards enumerated in subsection Sec.28.6-98 (b), above. The extension request must be received thirty days prior to the expiration of the initial coverage period. Upon approval of the revised construction cost estimate, the extended letter of credit shall be provided to the County Administrator no fewer than ten days prior to the expiration date of the letter of credit. The extension may be in the form of an amendment or new letter of credit. Extensions shall be no longer than 1 year and may occur in two six-month extensions. No individual extension shall be for a period less than six-months. If the improvements for which the letter of credit were posted have not been completed within one year, the County Administrator may allow one additional one year extension. Such extension is subject to approval of a revised construction cost estimate. Additional extensions may be considered on a case by case basis.

Sec. 28.6-100. - Reduction of guarantee.Setup, extensions, and reduction of guarantee.

In those cases where improvement guarantees have been made, the amount of the guarantee may be reduced upon acceptance, in compliance with section 28.6-99, of the dedication of a portion of the required improvements. The amounts of the reduction shall not exceed the percentage of the original improvements just accepted for dedication. In no case, however, shall the guarantee be reduced to less than 15 percent of the original amount, until the project is complete and acceptable.

- a) The fees listed below will apply to letters of credit established with Florence County or extended before their expiration. All fees shall be paid at the time of guarantee submittal or prior to the guarantee's expiration. Payment shall not be a portion of the guarantee amount and will be in the form of a cashier's check made payable to Florence County.

Setup			
\$500.00	plus	\$0.25 for every	\$100.00
Extensions			
\$250.00	plus	\$0.25 for every	\$100.00

- b) A developer may reduce a financial guarantee during the initial coverage period. A request to reduce the financial guarantee shall be submitted to the Planning Department and include a revised construction cost estimate. The Planning Department will forward the revised cost estimate to the Florence County Engineering Division for review. Reductions of financial guarantees will not be allowed within 6-months of any previous reduction request and shall be no less than the greater of 25 percent or \$10,000 of the revised of construction cost estimate. A fee of \$100.00 shall be charged for any letter of credit that is authorized for reduction before its expiration. Requests involving both the

reduction and extension of a letter of credit shall be subject to the extension fees listed in subsection Sec. 28.6 – 100. (a) above.

Sec. 28.6-101. - Release and draw of guarantee.

- (a) *Escrow accounts or letters of credit.* Upon acceptance of the project, in accordance with section 28.6-99 of the dedication of the final portion of improvements, the governing body shall authorize the release of any remaining portion of the improvements guarantee. The Planning Department may draw a letter of credit when it has been determined that the improvements for which the financial guarantee were posted will not be completed in accordance with these regulations. Any unexpended funds, once construction is complete, shall be released to the financial institution or responsible entity that posted the guarantee.
- (b) *Real property.* Upon acceptance of the project, the county will execute a deed transferring the real property back to the developer. This deed must be prepared and filed by the developer. The Florence County Engineering Division shall authorize the Planning Department to release guarantees to the financial institution or responsible entity. Authorization will occur once all improvements have been installed, received final inspection and a warranty financial guarantee (when applicable) has been submitted and approved by the Florence County Engineering Division. In addition, the developer's engineer shall furnish the Engineering Division letter certifying that all non-county owned or maintained improvements have been completed and accepted by the applicable entities who will own or maintain such improvements. Such letter shall be on company letterhead with an original signature and professional seal.

Florence County Code Chapter 28.6 is hereby amended as follows:

Appendix D

Format for Letter of Credit

[ Bank/Issuer name, address and telephone number ]

[ Date ]

Letter of Credit Number \_\_\_\_\_

Amount:     \$ \_\_\_\_\_ U.S.

To:    The County of Florence, South Carolina

Re: Irrevocable Letter of Credit issued on behalf of [Name of developer]



Dear Sirs:

The Issuer opens its Irrevocable Letter of Credit in your favor available in the following manner and on the following terms:

1. Issuer: [ name of bank/issuer ]
2. Beneficiary: The County of Florence, South Carolina, a political subdivision of the State of South Carolina
3. Customer: [ name of developer ]
4. Project: [name of project, site, subdivision ]
5. Obligation of Issuer: The Credit is irrevocable.
6. Transferability: The Credit is to be non-transferable.
7. Total: The sum total of the Credit is \$ \_\_\_\_\_ U. S.

8. Purpose: To provide surety for a developer's bond required by County Code Section 28.6-98 to ensure construction of required public improvements at [ name of project, site, subdivision ] to include installation of [ list of public facilities to be constructed/installed ] in accordance with the specifications of the County of Florence, South Carolina.

9. Default: In the event that any or all of the above-stated public improvements are not constructed and/or installed in accordance with the specifications of the County of Florence within twelve (12) months from this date, the Beneficiary may upon written notice to Issuer and Customer at the addresses noted herein demand and receive payment from the Issuer in cash in the entire amount of \$ \_\_\_\_\_ if one of the required public improvements have been constructed and/or installed or in such lesser amount as may be required to complete construction and/or installation of the aforesaid improvements if said improvements have been partially constructed and/or installed. All drafts drawn under this Letter of Credit shall contain the clause "Drawn under [ name of Issuer ] Letter of Credit Number \_\_\_\_." This letter of Credit is based on an Engineers Estimate for construction; if cost of construction or repair exceeds the amount of funds designated by this Letter of Credit the owner/developer shall remit those additional funds immediately to the County. By this letter the County of Florence reserves the right to recover any excess costs for completion of the required public improvements from the owner/developer by any legal means necessary.

The Issuer shall have ninety (90) days from the receipt of said notice to effect a cure by procuring completion of construction and/or installation of the aforesaid public improvements in accordance with the specifications of the County of Florence, South Carolina, and thereby receive a refund of any sum paid in default.

10. Addresses:

Issuer:

[nameofIssuer]  
[streetaddress]  
[city.state.zip]

Customer:

[nameofCustomer]  
[streetaddress]  
[city.state.zip]

Beneficiary:

County of Florence, South Carolina  
c/o County Administrator  
City-County Complex  
180 North Irby Street  
MSC-G Florence, SC  
29501

11. Termination: This is a continuing agreement and shall remain in full force and effect until written notice is received by the County of Florence that it has been terminated and revoked.

12. Miscellaneous: This Letter of Credit and the terms hereof shall be binding upon the respective parties, heirs, executors, administrators, successors and assigns. None of the terms of this agreement or its provisions may be waived, altered, modified or amended except in writing signed by the Beneficiary and the Issuer.

13. ApplicableLaw: This Letter of Credit is to be governed by the Uniform Commercial Code of the State of South Carolina.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

[ Issuer Bank name ], Issuer

By: \_\_\_\_\_  
\_\_\_\_\_ [ Title ] \_\_\_\_\_

Seen: \_\_\_\_\_ Customer

County of Florence, South Carolina, Beneficiary

**Florence County Planning Commission Action: April 23, 2013:**

The six Planning Commission members present voted unanimously to adopt a resolution recommending that County Council amend the Land Development and Subdivision Ordinance.

**Florence County Planning Commission Recommendation:**

Florence County Planning Commission recommends approval of the request to Florence Council in order to keep County Ordinances current and accurate.

# **FLORENCE COUNTY COUNCIL**

July 17, 2013

**AGENDA ITEM:** Ordinance No. 37-2012/13 – Second Reading

**DEPARTMENT:** County Council/Economic Development

**ISSUE UNDER CONSIDERATION:**

An Ordinance Confirming The Inclusion Of Certain Property Of Angus-Palm LLC In A Joint County Industrial And Business Park With Marion County; Providing For An Extension Thereof; And Addressing Other Matters Related Thereto.

**OPTIONS:**

1. *(Recommended)* Approve Second Reading of Ordinance No. 37-2012/13.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Ordinance No. 37-2012/13

Sponsor(s) : Economic Development  
 First Reading/Introduction : June 20, 2013  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Public Hearing : July 18, 2013  
 Second Reading : July 18, 2013  
 Third Reading :  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that this  
 Ordinance was advertised for  
 Public Hearing on \_\_\_\_\_.

## ORDINANCE NO. 37-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**(An Ordinance Confirming The Inclusion Of Certain Property Of Angus-Palm LLC In A Joint County Industrial And Business Park With Marion County; Providing For An Extension Thereof; And Addressing Other Matters Related Thereto.)**

**BE IT ORDAINED BY THE COUNTY COUNCIL OF FLORENCE COUNTY, SOUTH CAROLINA:**

SECTION I: By the authority of Title 4, Chapter 1 of the Code of Laws of South Carolina, 1976, as amended and pursuant to Ordinance No. 11-2000/01 enacted by Florence County, South Carolina ("Florence County") on February 15, 2001 and Ordinance No. 00-14 enacted by Marion County, South Carolina ("Marion County") on November 14, 2000, Florence County and Marion County entered into an Agreement for Development of a Joint County Industrial Park dated June 1, 2001 (the "Park Agreement"), initially including property located in Florence County.

SECTION II: The Park Agreement was established to include certain property of Crenlo, Inc. (the "Property"). The Property was subsequently conveyed to Angus-Palm LLC (the "Company"), which is currently undertaking an expansion of a manufacturing facility thereon. The Property is generally described on Exhibit A attached hereto.

SECTION III: Section 8 of Florence County Ordinance No. 11-2000/01 provides that the Ordinance terminates on January 2, 2025, unless extended by concurrent ordinances of Florence County Council and Marion County Council.

SECTION IV: Section 8 of Marion County Ordinance No. 00-14 provides that the Ordinance terminates on January 2, 2025, unless extended by concurrent ordinances of Florence County Council and Marion County Council.

SECTION V: Section 16 of the Park Agreement provides that the Park Agreement may not be terminated for a period of twenty-five (25) years commencing with the effective date thereof.

SECTION VI: The Company has requested confirmation that the Property is included in the Park and an agreement by Florence County and Marion County that the Park Agreement shall not be terminated for at least the term of the fee in lieu of tax agreement dated May 29, 2013 between Florence County and the Company (the "Fee Agreement").

SECTION VII: Florence County hereby amends Section 8 of Ordinance No. 11-2000/01 to provide that such Ordinance does not terminate on January 2, 2025 and likewise adopts this ordinance for purposes of allowing Marion County to amend its Ordinance No. 00-14 in the same manner.

SECTION VIII: Florence County hereby confirms that the Property is included in the Park Agreement. To the extent that any or all of the Property was not previously included, it is hereby added.

SECTION IX: Florence County hereby agrees to amend Section 16 of the Park Agreement to provide that it may not be terminated prior to the expiration of the Fee Agreement.

SECTION X: This Ordinance shall supersede and amend in its entirety any other ordinances or resolutions of the Florence County Council pertaining to the Park.

SECTION XI: Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

SECTION XII: This Ordinance shall be effective after third and final reading thereof.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

\_\_\_\_\_  
Approved as to Form and Content  
D. Malloy McEachin, County Attorney

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

I, the undersigned, Clerk to County Council of Florence, South Carolina ("County Council") DO  
HEREBY CERTIFY:

Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the Florence County Council, South Carolina, as of this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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## EXHIBIT A

### PROPERTY DESCRIPTION

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND AND ALL IMPROVEMENTS THEREON SITUATE, LYING AND BEING IN THE COUNTY OF FLORENCE, SOUTH CAROLINA CONTAINING 54.85 ACRES, MORE OR LESS AS SHOWN ON A PLAT MADE BY ERVIN ENGINEERING CO., INC. DATED DECEMBER 20, 2007, LAST REVISED DECEMBER 27, 2007 AND IS MORE FULLY DESCRIBED AS FOLLOWS TO WIT: BEGINNING AT A POINT ON THE ABOVE MENTIONED PLAT NOTED AS P.O.B. "1"; WHICH IS ARRIVED AT BY COMING FROM A POINT WHERE THE PROJECTED SOUTHERN RIGHT OF WAY LINE OF FLORENCE HARLLEE BOULEVARD INTERSECTS THE PROJECTED EASTERN RIGHT OF WAY LINE OF GENERAL WILLIAM W. DRIVE; THENCE, GOING ALONG THE SOUTHERN RIGHT OF WAY LINE OF FLORENCE HARLLEE BOULEVARD IN A SOUTHEASTERLY DIRECTION S62°47'49"E A DISTANCE OF 76.88 FEET TO A 5/8" IRON PIN (WHICH IS THE POINT OF BEGINNING, AND INDICATED ON PLAT AS P.O.B. "1"); THENCE, CONTINUING ALONG THE SOUTHERN RIGHT OF WAY LINE OF SAID FLORENCE HARLLEE BOULEVARD IN A SOUTHEASTERLY DIRECTION S2°47'49"E A DISTANCE OF 66.07 FEET TO A 5/8" IRON PIN AT THE BEGINNING OF A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 1554.98 FEET AND A CHORD OF S75°16'49"E - 672.39 FEET), A DISTANCE OF 677.75 FEET TO A 1/2" PIPE AT THE BEGINNING OF A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 75.00 FEET AND A CHORD OF S62°39'46"E - 63.64 FEET) A DISTANCE OF 65.72 FEET TO A 1/2" PIPE AT THE BEGINNING OF A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 125.00 FEET AND A CHORD OF N86°23'30"E - 207.38 FEET), A DISTANCE OF 244.56 FEET TO A 1/2" PIPE AT THE BEGINNING OF A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 75.00 FEET AND A CHORD OF N55°26'45"E - 63.64 FEET), A DISTANCE OF 65.72 FEET TO A 1/2" PIPE AT THE BEGINNING OF A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 1554.98 FEET AND A CHORD OF N78°43'14"E 99.27 FEET), A DISTANCE OF 99.29 FEET TO A 5/8" IRON PIN; THENCE, DEPARTING THE SOUTHERN RIGHT OF WAY OF SAID FLORENCE HARLLEE BOULEVARD IN A SOUTHERLY DIRECTION S16°47'05"E A DISTANCE OF 1323.57 FEET TO A 5/8" IRON PIN; THENCE, IN A SOUTHWESTERLY DIRECTION S50°18'54"W A DISTANCE OF 622.61 FEET TO A 5/8" IRON PIN; THENCE, IN A WESTERLY DIRECTION N81°29'19"W A DISTANCE OF 1171.17 FEET TO A 1/2" PIPE ON THE EASTERN RIGHT OF WAY LINE OF SAID GENERAL WILLIAM W. DRIVE AT IN A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 684.97 FEET AND A CHORD OF N00°44'37"W 342.35 FEET) A DISTANCE OF 346.01 FEET TO A 1/2" PIPE; THENCE, IN A NORTHERLY DIRECTION N15°12'07"W A DISTANCE OF 198.61 FEET TO A 1/2" PIPE AT THE BEGINNING OF A CURVE; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 1605.56 FEET AND A CHORD OF N04°34'40"E 1086.85 FEET) A DISTANCE OF 1108.75 TO A 3/8" ROD AT THE BEGINNING OF A CURVE WHICH CONNECTS THE EASTERN RIGHT OF WAY OF GENERAL WILLIAM W. DRIVE TO THE SOUTHERN RIGHT OF WAY OF FLORENCE HARLLEE BOULEVARD; THENCE, ALONG SAID CURVE (WHICH HAS A RADIUS OF 75.00 FEET AND A CHORD OF N70°46'56"E - 108.66 FEET) A DISTANCE OF 121.53 FEET TO A 5/8" IRON PIN WHICH IS THE POINT OF

BEGINNING AND LABELED P.O.B. "1" ON THE ABOVE NOTED PLAT. ALL MEASUREMENTS BE A LITTLE MORE OR LESS.

SAID PROPERTY BEING FURTHER SHOWN AND DELINEATED AS 54.86 ACRES, MORE OR LESS, ON A PLAT OF CRENLO, INC., PREPARED BY NESBITT SURVEYING CO., INC.. DATED JUNE 20, 2000, LAST REVISED AUGUST 13, 2002 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR FLORENCE COUNTY ON JUNE 9, 2003 IN PLAT BOOK 81, PAGE 921. ALL MEASUREMENTS BEING A LITTLE MORE OR LESS.

Being the same property conveyed to Crenlo, LLC by deed of Pee Dee Electricom, Inc, dated May 23, 2003 and recorded in the Office of the Register of Deeds for Florence County in Book A744, page 910.

TMS No.: 00236-01-018

DRAFT



**FLORENCE COUNTY COUNCIL MEETING**  
**Thursday, July 18, 2013**

**AGENDA ITEM:** Ordinance No. 02-2013/14  
Introduction

**DEPARTMENT:** Planning and Building Inspections / 

**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Rezone Property Owned By Myiona L. Driggers Located At 1819 Bozy Road, Scranton, As Shown On Florence County Tax Map No. 01942, Block 31, Parcel 055; Consisting Of Approx. 0.739 Acres From R-1, Single Family Residential District To B-3, General Commercial District; And Other Matters Related Thereto.]

*(Planning Commission approved 8 to 0; Council District 1)*

**POINTS TO CONSIDER:**

1. The subject property is currently zoned R-1, Single- Family Residential District.
2. Surrounding land uses consist of Vacant Land and Single-Family Residential District.
3. The Comprehensive Plan currently designates the subject property is Commercial Growth and Preservation. The designation will support B-3, General Commercial District.

**OPTIONS:**

1. *(Recommended)* Approve As Presented.
2. Provide An Alternate Directive.

**ATTACHMENTS:**

1. Ordinance No. 02-2013/14
2. Staff report for PC#2013-09
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: June 25, 2013	Council Clerk, certify that
Planning Commission Public Hearing	: June 25, 2013	this Ordinance was
Planning Commission Action	: June 25, 2013 [Approved: 8 to 0]	advertised for Public
First Reading/Introduction	: July 18, 2013	Hearing on _____.
Committee Referral	: N/A	
County Council Public Hearing	: N/A	
Second Reading	:	
Third Reading	:	
Effective Date	: Immediately	

# **ORDINANCE NO. 02-2013/14**

## **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**[An Ordinance To Rezone Property Owned By Myiona L. Driggers Located At 1819 Bozy Road, Scranton, As Shown On Florence County Tax Map No. 01942, Block 31, Parcel 055; Consisting Of Approx. 0.739 Acres From R-1, Single Family Residential District, To B-3, General Commercial District; And Other Matters Related Thereto.]**

### **WHEREAS:**

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on June 25, 2013.

### **NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Property located at 1819 Bozy Road, Scranton, bearing Tax Map 01942, Block 31, Parcel 055; and is hereby rezoned to B-3 General Commercial District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
James T. Schofield, Chairman

\_\_\_\_\_  
Approved as to Form and Content  
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, June 25, 2013  
PC#2013-09  
ORDINANCE NO. 02-2013/14**

**SUBJECT:** Rezoning request from R-1, Single-Family Residential District to B-3, General Commercial District

**LOCATION:** Property is located at 1819 Bozy Road, Scranton, SC

**TAX MAP NUMBER:** 01942, Block 31, Parcel 055

**COUNCIL DISTRICT(S):** 1; County Council

**OWNER OF RECORD:** Myiona L. Driggers

**APPLICANT:** Myiona L. Driggers

**LAND AREA:** 0.739 Acres

**WATER /SEWER AVAILABILITY:** These services are provided by the Town of Scranton.

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The property is not located in a Flood zone.

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject property is currently an Auto Sales and Repair Shop zoned R-1, Single-Family Residential District.
2. Proposed Land Use and Zoning:  
The proposal is to rezone the subject property to B-3, General Commercial District.
3. Surrounding Land Use and Zoning:  
North: Single-Family Residential District/ R-1/Town of Scranton  
South: Vacant/B-3/Town of Scranton  
West: Vacant/R-2/Town of Scranton  
East: Vacant/B-3/Town of Scranton

4. Transportation Access and Circulation:

Present access to the property is by way of Bozy Road.

5. Traffic Review:

The rezoning of this property will not have an effect on traffic flow for the area.

6. Florence County Comprehensive Plan:

The subject property is currently designated as Commercial Growth and Preservation as established by the Land Use Element of the Comprehensive Plan and is compatible with B-3 zoning.

7. Chapter 30-Zoning Ordinance:

The intent of the B-3, General Commercial District: The intent of this district is to provide for the development and maintenance of commercial and business uses strategically located to serve the community and larger region in which it holds a central position.

**STAFF RECOMMENDATION:**

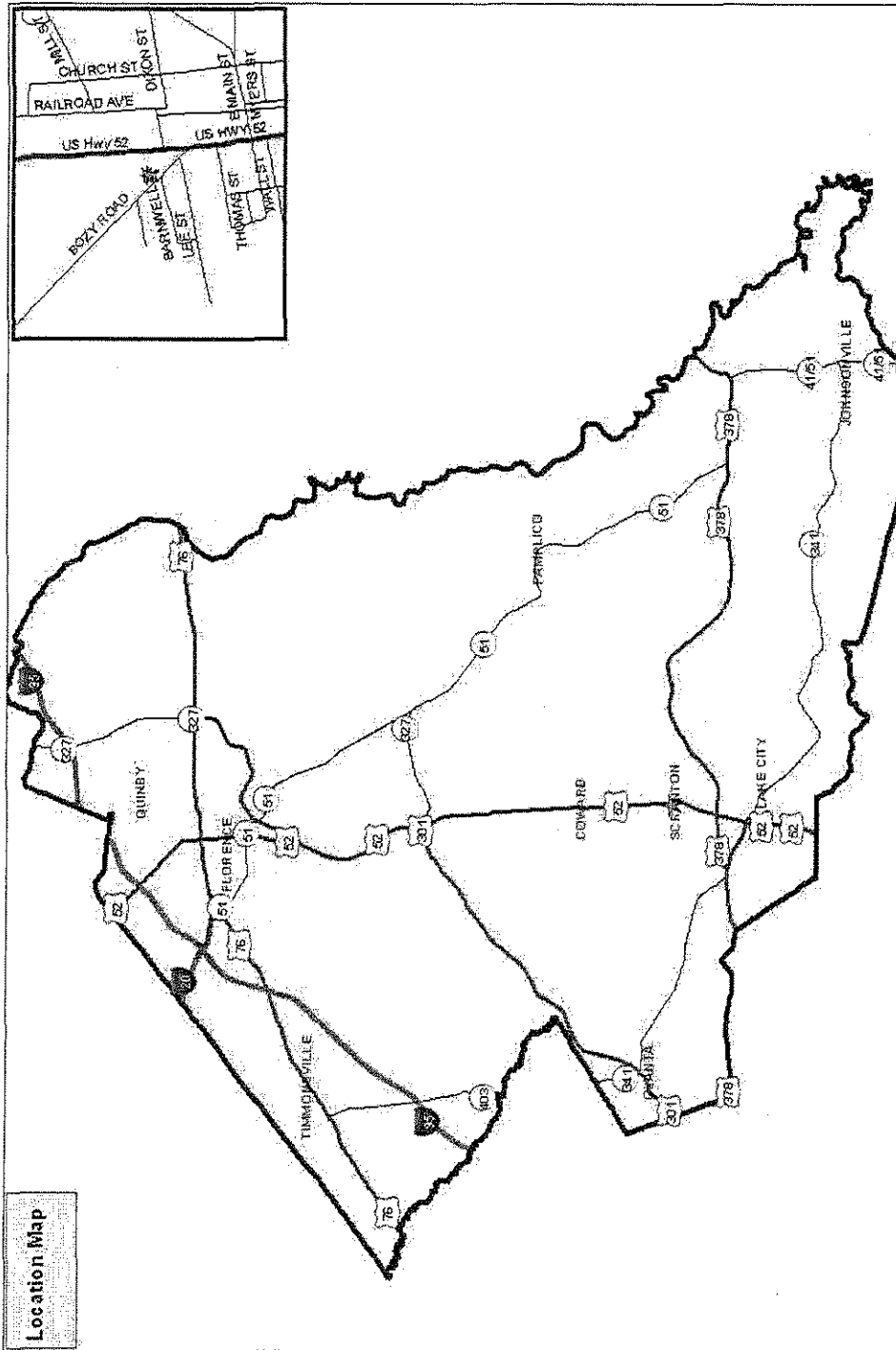
Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, JUNE 25 2013:**

The eight Planning Commission members present approved the zoning amendment request unanimously based on request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission members present approved the zoning amendment request to Florence County Council based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.



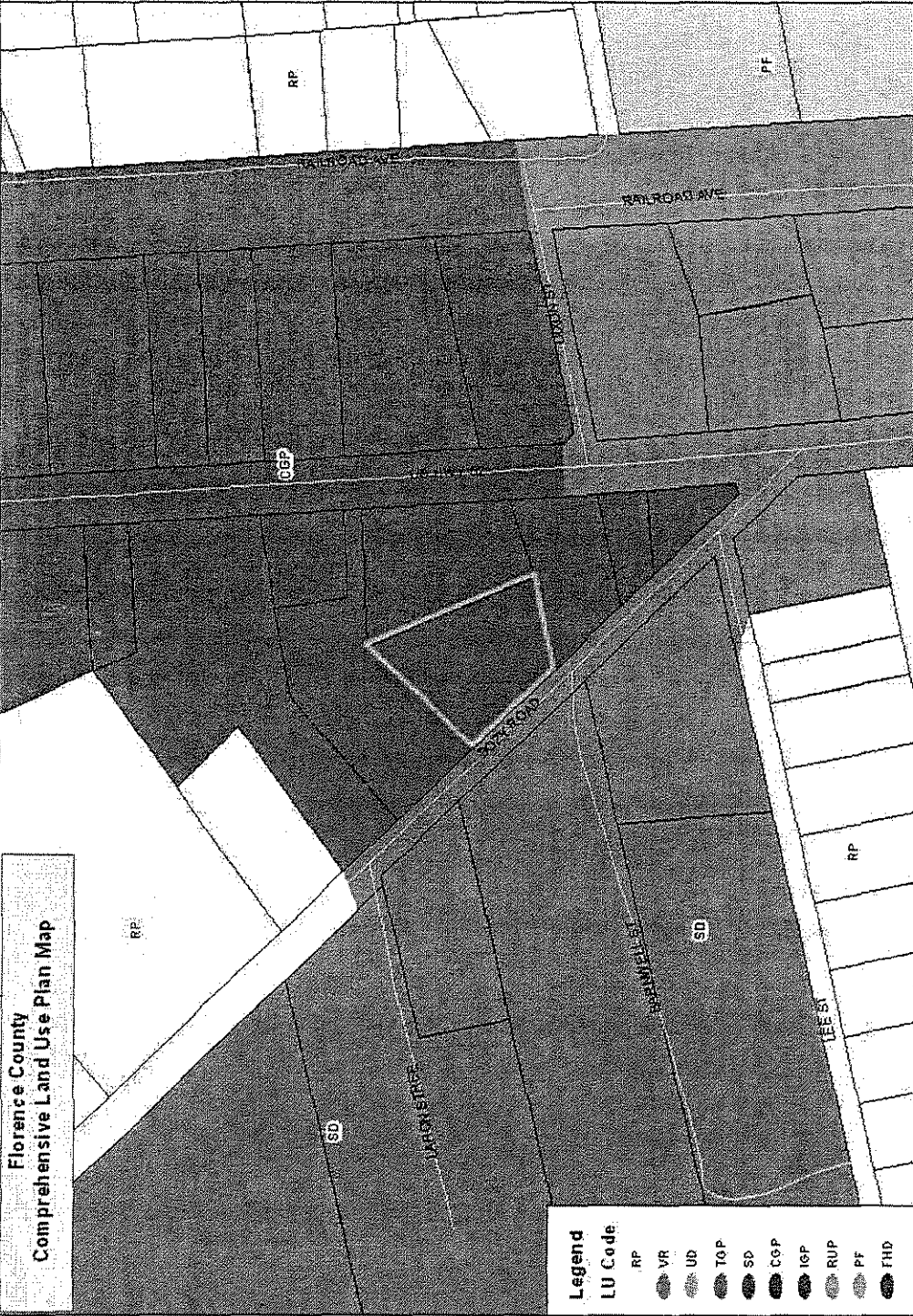
Location Map

0 1 2 3 4 Miles



Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
00042013

COUNTY COUNCIL DISTRICT(S): 1  
PC#2013-09



**Florence County  
Comprehensive Land Use Plan Map**

**Legend**

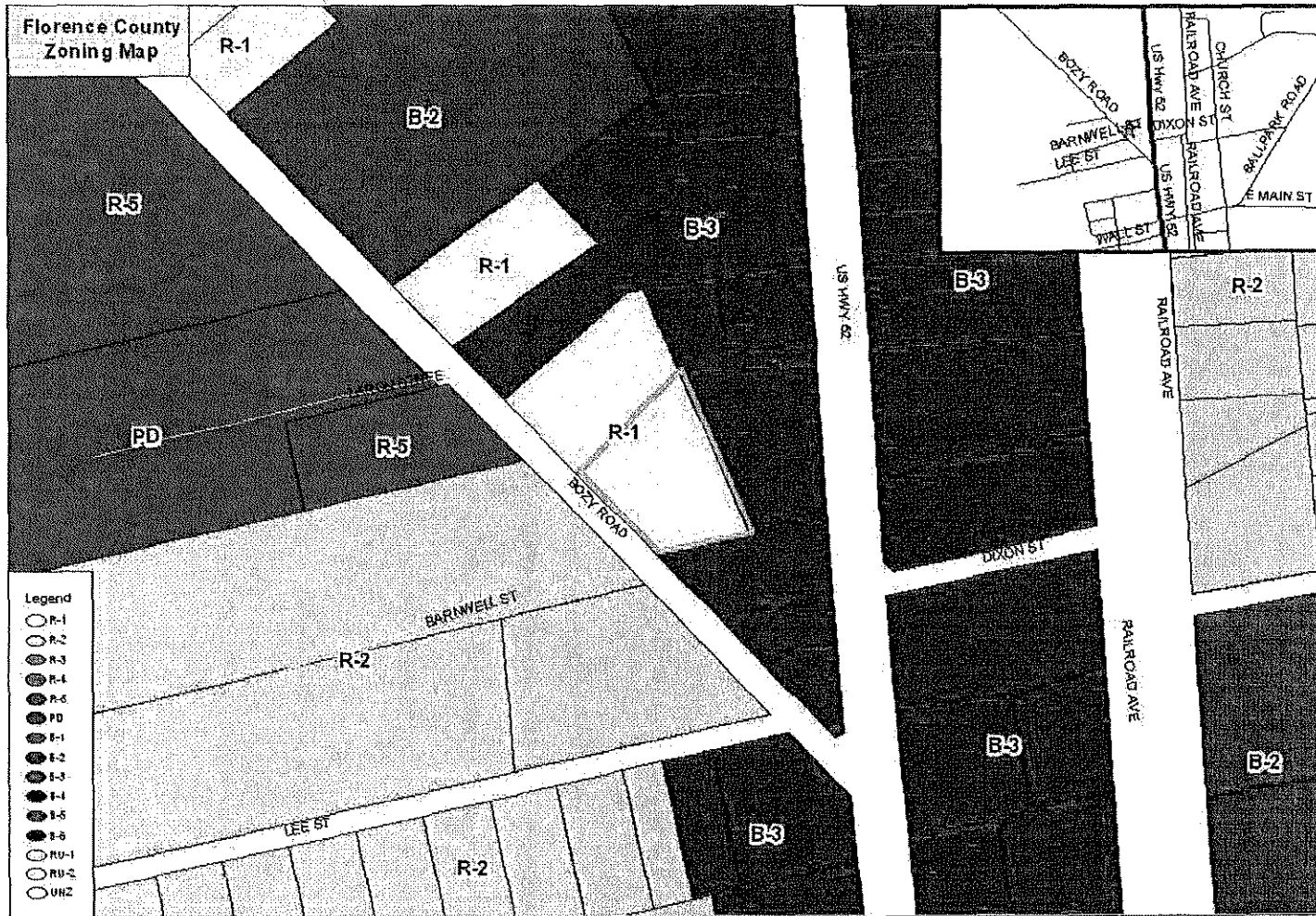
LU Code	Description
RP	Residential Medium Density
VR	Village Residential
UD	Urban District
TGP	Transit Growth Pattern
SD	Special District
CGP	Community Growth Pattern
IGP	Industrial Growth Pattern
RUP	Residential Urban Pattern
PF	Professional Office
FHD	Farm Home Development

**COUNTY COUNCIL DISTRICT(S): 1**  
PC#2013-09



Map Prepared by: 880, F&E  
Copyright 2010, Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
06/04/2013





0 185 370

Map Prepared by: 7/4/10 Lee St  
 Copyright 2010: Florence County Planning  
 & Building Inspections Department  
 Geographic Information Systems  
 06/04/2013



COUNTY COUNCIL DISTRICT(S): 1  
 PC#2013-09

This is a black and white aerial photograph of a residential area in Florence County, South Carolina. The image shows a large, irregularly shaped lot in the center, which appears to be a house with a large, light-colored roof. To the left of this central lot, there is a smaller, rectangular lot with a house. To the right, there is a long, narrow lot with a house. The surrounding area is filled with other residential lots, some with houses and others with trees. The image is labeled 'Florence County 2011 Orthophotography Map' in the bottom left corner.

COUNTY COUNCIL DISTRICT(S): 1  
PC#2013-09



## FLORENCE COUNTY COUNCIL MEETING

Thursday, July 18, 2013

**AGENDA ITEM:** Ordinance No. 03-2013/14  
Introduction

**DEPARTMENT:** Planning and Building Inspections / 

### **ISSUE UNDER CONSIDERATION:**

[An Ordinance To Rezone Property On Behalf Of Robert H. Powell, Executor, Est. of Gregg Located At E. Ashby Road, Quinby, As Shown On Florence County Tax Map No. 00175, Block 01, Parcel 212; Consisting Of Approx. 2.199 Acres From RU-1, Rural Community District To B-3, General Commercial District; And Other Matters Related Thereto.]

*(Planning Commission approved 8 to 0; Council District 7)*

### **POINTS TO CONSIDER:**

1. The subject property is currently zoned RU-1, Rural Community District.
2. Surrounding land uses consist of a mixture of vacant land/commercial use zoned R-1, Single-Family Residential District, RU-1, Rural Community District and B-3, General Commercial District.
3. The Comprehensive Plan currently designates the subject property as Commercial Growth and Preservation according to the Comprehensive Plan Land Use Map.
4. The zoning designation of B-3, General Commercial District, is in compliance with the Comprehensive Plan Land Use Map.

### **OPTIONS:**

1. *(Recommended)* Approve As Presented.
2. Provide An Alternate Directive.

### **ATTACHMENTS:**

1. Ordinance No. 03-2013/14
2. Staff report for PC#2013-11
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s) : Planning Commission  
 Planning Commission Consideration : June 25, 2013  
 Planning Commission Public Hearing : June 25, 2013  
 Planning Commission Action : June 25, 2013 [Approved: 8 to 0]  
 First Reading/Introduction : July 18, 2013  
 Committee Referral : N/A  
 County Council Public Hearing : N/A  
 Second Reading :  
 Third Reading :  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that  
 this Ordinance was  
 advertised for Public  
 Hearing on \_\_\_\_\_.

## ORDINANCE NO. 03-2013/14

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Rezone Property On Behalf Of Robert H. Powell, Executor, Est. of Gregg Located At E. Ashby Road, Quinby, As Shown On Florence County Tax Map No. 00175, Block 01, Parcel 212; Consisting Of Approx. 2.199 Acres From RU-1, Rural Community District, To B-3, General Commercial District; And Other Matters Related Thereto.]**

**WHEREAS:**

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on June 25, 2013.

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Property located at E. Ashby Road, Quinby, bearing Tax Map 00175, Block 01, Parcel 212; and is hereby rezoned to B-3, General Business District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
 Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
 James T. Schofield, Chairman

\_\_\_\_\_  
 Approved as to Form and Content  
 D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:  
 OPPOSED:  
 ABSENT:

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, June 25, 2013  
PC#2013-11  
ORDINANCE NO: 03-2013/14**

**SUBJECT:** Rezoning request from RU-1, Rural Community District to B-3, General Commercial District

**LOCATION:** Property is located at E. Ashby Road, Quinby, SC

**TAX MAP NUMBER:** 00175, Block 01, Parcel 212

**COUNCIL DISTRICT(S):** 5; County Council

**OWNER OF RECORD:** Robert H. Powell, Executor, Est. of Gregg

**APPLICANT:** Phil Ward

**LAND AREA:** 2.199 Acres

**WATER /SEWER AVAILABILITY:** These services are provided by the City of Florence.

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The property is not located in a flood zone.

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject property is currently vacant and zoned RU-1, Rural Community District.
2. Proposed Land Use and Zoning:  
The proposal is to rezone the subject property to B-3, General Commercial District.
3. Surrounding Land Use and Zoning:  
North: Vacant/R-1/Town of Quinby  
South: Vacant/RU-1/Town of Quinby  
West: Commercial/B-3/Town of Quinby  
East: Vacant/RU-1/Town of Quinby

4. Transportation Access and Circulation:  
Present access to the property is by way of Ashby Road.
5. Traffic Review:  
The rezoning of this property will not have an effect on traffic flow for the area.
6. Florence County Comprehensive Plan:  
The subject property is currently designated as Commercial Growth and Preservation as established by the Land Use Element of the Comprehensive Plan and is compatible with B-3 zoning.
7. Chapter 30-Zoning Ordinance:  
The intent of the B-3, General Commercial District: The intent of this district is to provide for the development and maintenance of commercial and business uses strategically located to serve the community and larger region in which it holds a central position.

**STAFF RECOMMENDATION:**

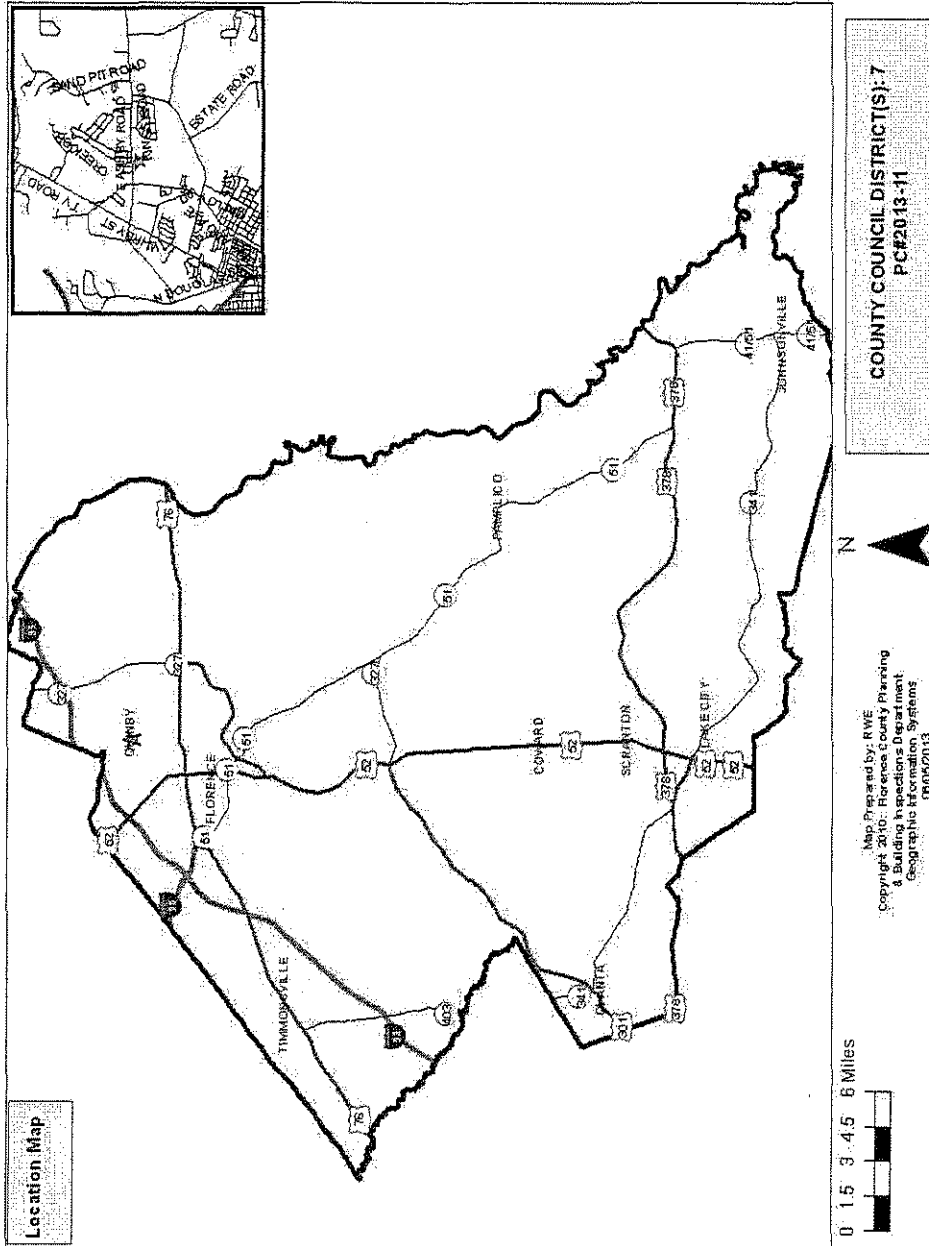
Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

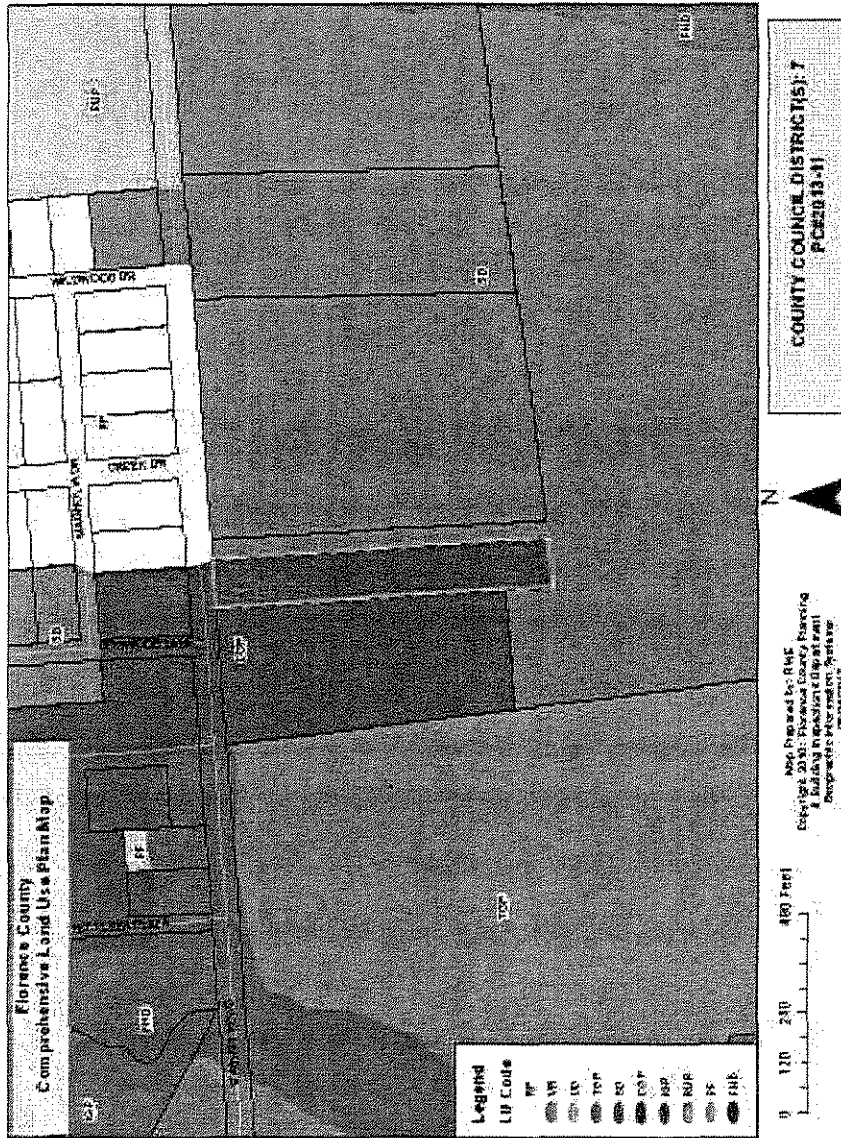
**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, JUNE 25, 2013:**

The eight Planning Commission members present approved the zoning amendment request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATIONS:**

The Planning Commission members present approved the zoning amendment request to Florence County Council based on request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan









# **FLORENCE COUNTY COUNCIL**

July 18, 2013

**AGENDA ITEM:** Introduce Ordinance No. 04-2013/14 by Title Only

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

An Ordinance To Impose A One Percent Sales Tax, Subject To A Referendum, Within Florence County Pursuant To The Capital Project Sales Tax Act; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For Which The Tax May Be Imposed; To Provide The Maximum Cost Of The Projects Or Facilities Funded From The Proceeds To Be Raised By The Tax; To Provide For A County-Wide Referendum And To Concur In The Contents Of The Ballot Question In Such Referendum; To Establish The Priority In Which The Proceeds Of The Tax Are To Be Expended; To Authorize The Issuance Of General Obligation Bonds Of Florence County, Subject To Such Referendum, To Defray Costs Of Projects And Issuance Costs; To Provide For The Conduct Of Such Referendum; To Provide For The Administration Of The Tax; To Provide For The Payment Of The Tax; And To Provide For Other Matters Relating Thereto.

## **OPTIONS:**

1. *(Recommended)* Introduce Ordinance No. 04-2013/14 By Title Only.
2. Provide an alternate directive.

## **ATTACHMENTS:**

Copy Of Proposed Title of Ordinance No. 04-2013/14



Sponsor(s)	: County Council	I, _____,
First Reading	: July 18, 2013	Council Clerk, certify that this
Committee Referral	:	Ordinance was advertised for
Committee Consideration Date	:	Public Hearing on _____.
Committee Recommendation	:	
Second Reading	:	
Public Hearing	:	
Third Reading	:	
Effective Date	:	

**ORDINANCE NO. 04-2013/14**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

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AN ORDINANCE TO IMPOSE A ONE PERCENT SALES TAX, SUBJECT TO A REFERENDUM, WITHIN FLORENCE COUNTY PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH THE TAX MAY BE IMPOSED; TO PROVIDE THE MAXIMUM COST OF THE PROJECTS OR FACILITIES FUNDED FROM THE PROCEEDS TO BE RAISED BY THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM AND TO CONCUR IN THE CONTENTS OF THE BALLOT QUESTION IN SUCH REFERENDUM; TO ESTABLISH THE PRIORITY IN WHICH THE PROCEEDS OF THE TAX ARE TO BE EXPENDED; TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF FLORENCE COUNTY, SUBJECT TO SUCH REFERENDUM, TO DEFRAY COSTS OF PROJECTS AND ISSUANCE COSTS; TO PROVIDE FOR THE CONDUCT OF SUCH REFERENDUM; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX; TO PROVIDE FOR THE PAYMENT OF THE TAX; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

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# **FLORENCE COUNTY COUNCIL**

July 18, 2013

**AGENDA ITEM:** Introduce Ordinance No. 05-2013/14 by Title Only

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

An Ordinance To Provide For The Creation Of Advisory Committees To The Fire/Rescue Services Coordinator; And Other Matters Related Thereto.

**OPTIONS:**

1. *(Recommended)* Introduce Ordinance No. 05-2013/14 By Title Only.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Title of Ordinance No. 05-2013/14

Sponsor(s) : County Council  
Introduction : July 18, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Public Hearing :  
Second Reading :  
Third Reading :  
Effective Date :

I, \_\_\_\_\_,  
Council Clerk, certify that the  
ad for a Public Hearing on this  
Ordinance ran on: \_\_\_\_\_.

**ORDINANCE NO. 05-2013/14**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**[An Ordinance To Provide For The Creation of Advisory Committees To The Fire/Rescue Services Coordinator; And Other Matters Related Thereto.]**

DRAFT

## **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:**     Boards & Commission  
                              Johnsonville Rural Fire District

**DEPARTMENT:**     County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Recommendation Of The Johnsonville Rural Fire District Board For The Re-Appointment Of Vernon M. Tanner And William Prosser To Serve On The Johnsonville Rural Fire District Board, With Appropriate Expiration Terms.

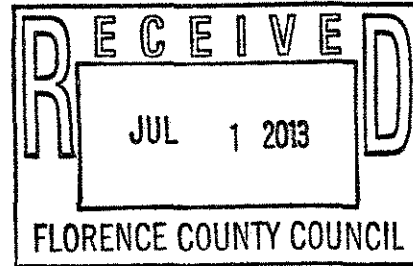
**ATTACHMENTS:**

1. Letter from Jeff B. Humphries, Vice Chairman, Johnsonville Rural Fire District.
2. Current Johnsonville Rural Fire District Board membership listing.

**JOHNSONVILLE RURAL FIRE DISTRICT**  
*"Serving our Citizens on a personal basis"*

July 25, 2013

Florence County Council  
180 N. Irby Street MSC-G  
Florence, S. C. 29501

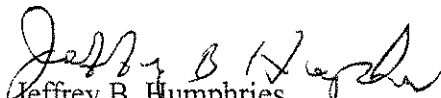


Dear Councilmen,

The Board of Commissioners of the Johnsonville Fire District at their meeting request that Commissioner Vernon M. Tanner and William Prosser be reappointed for another term on the Board. Both are very active members of the Board and Commissioner Tanner serves as our Chairman.

Thank you for considering this request and placing it on Council's agenda. Mr. Tanner and Mr. Prosser initialed their approval of each other.

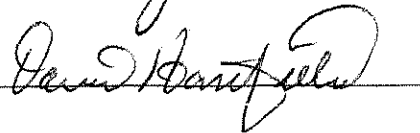
Sincerely,

  
Jeffrey B. Humphries  
Vice Chairman

Commissioner Rudy C. Cook



Commissioner David Hartfield



Commissioner William Prosser



Commissioner Vernon M. Tanner



## JOHNSONVILLE RURAL FIRE DISTRICT BOARD

AUTHORITY:  
APPOINTED BY:

ORDINANCE #12-80/81  
County Council

### MEMBERSHIP ROSTER

There is established a Johnsonville Fire District Board of Five (5) members, all of whom should reside in the geographic area of one of the following precincts: Vox, Johnsonville, Prospect, Kingsburg, Stone. The Board shall consist of five (5) members who shall be appointed by County Council. The members of the Board shall be appointed as follows: one shall be for a term of four years, one shall be for a term of three years, one shall be for a term of two years, and two shall be for a term of one year, for initial terms. Their successors shall be appointed for terms of four years.

<u>SEAT</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	David Hartfield 623 Poston Road Johnsonville, SC 29555	3/2014 386-3405
	<u>Vice Chairman</u>	
2	Jeffrey B. Humphries 431 N. Halfmoon Road Lake City, SC 29560	3/2015 386-2382 - H 386-2011 - O
3	Rudy C. Cook 2484 Hanna Lake Road Johnsonville, SC 29555	3/2014 386-2346 - H 558-2594 - O
	<u>Chairman</u>	
4	Vernon M. Tanner 501 Tanner Lane Hemingway, SC 29554	3/2013 546-6342 - O 386-3825 - H
5	William Prosser 515 Paradise Lane Johnsonville, SC 29555	3/2013 386-3536

Council District #2	Tracy Hanna, Secretary/Bookkeeper 159 E. Broadway Street P O Box 594 Johnsonville, SC 29555 386-2500 - O 386-2282 - FAX tlhannajfd@frontier.com
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# **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:**     Boards & Commission  
                             Commission on Alcohol & Drug Abuse

**DEPARTMENT:**     County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Re-Appointment Of Bishop Oscar Hardman To Serve On The Commission On Alcohol And Drug Abuse, Representing Council District 1, With Appropriate Expiration Term.

**ATTACHMENTS:**

1. Current list of Board members.

## COMMISSION ON ALCOHOL AND DRUG ABUSE

Authority: Ordinance #04-81/82, #07-81/982, #23-84/85,  
Ordinance #30-87/88, #07-96/97  
Appointed by: County Council

### Membership Roster

Nine (9) members for an initial, staggered period, term of one to four (4) years. Succeeding terms of four years, appointees holding office until successor is appointed and qualified. Three at-large, voting members, nominated by the Commission: 1) Pharmacy Expert, 2) Accounting Expert, 3) Business Law Expert. Succeeding terms of four years after initial terms as follows: 1) Pharmacy: Expires 6-89; 2) Accounting: Expires 6-90; 3) Business Law: Expires 6-91.

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	7	Elizabeth Thomas Post Office Box 1416 Florence, SC 29503	6/2014 665-0389 669-3691
2	1	Bishop Oscar Hardman 241 S. Blanding Street Lake City, SC 29560	6/2013 389-9727
3	3	Audrey Davis 138 Wilson Road Florence, SC 29506	6/2015
4	4	Ben McInville 3509 Twin Church Road Timmonsville, SC 29161	6/2015
5	5	Don Coker 312 Morris Street Lake City, SC 29560	6/2014 394-2519 - O
6	2	Charles Munn 860 Poppie Lane Pamplico, SC 29583	6/2013 687-8598
7	6	Richard Sale 620 Lansdowne Drive Florence, SC 29501	6/2014 665-8889 - H



<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
8	8	W. Joe McMillan, Jr. McMillan Tiller and Associates Coldwell Banker 667-1100 491 W. Cheves Street Florence, SC 29501	6/2016
9	9	David P. Milligan 3710 W. Pineneedles Rd. Florence, SC 29501	6/2015

**AT LARGE, VOTING MEMBERS**

1 Pharmacy:	Dr. Dawn Floyd CVS Pharmacy Lake City P O Box 372 Olanta, SC 29114	6/2013
2 Accounting:	Marshall T. Rainey 610 South Gaillard St. Florence, SC 29506	6/2014
3 Business Law:	James R. "Randy" McDonald 319 Scotland Road Lake City, SC 29560	6/2015

Randy Cole: 665-9349 –O  
(Rose Santiago-Toca)  
Post Office Box 6196  
Florence, SC 29502-6196

# **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:**   Boards & Commission  
                          Board of Assessment Appeals

**DEPARTMENT:**   County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Re-Appointment Of Ted Walter To Serve On The Board Of Assessment Appeals, Representing Council District 1, With Appropriate Expiration Term.

**ATTACHMENTS:**

1. Current list of Board members.

## FLORENCE COUNTY BOARD OF ASSESSMENT APPEALS

AUTHORITY:

Ordinance # 06-2003/04

APPOINTED BY:

County Council

### MEMBERSHIP ROSTER

Nine (9) Members: One from each Council district for a term of four years or until successors are appointed and qualified.

<u>Council District</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	Ted Walter 520 Williams Street Lake City, SC 29560	6/2013
2	A. C. Allen, Chair 2431 Allen Road Effingham, SC 29541	6/2009 669-9867
3	Marion McDowell 1120 N. Elmgrove Ave. Florence, SC 29506	6/2013 843 662-9028
4	Joseph "Joey" M. Brown, Jr. 4219 Oak Grove Road Effingham, SC 29541	6/2006 662-3367
5	David S. Kelley 1449 N. Jones Road Olanta, SC 29114	6/2006 659-3133
6	Stoney Moore 4516 Justine Road Florence, SC 29506	6/2014 665-4839 - H

- |   |  |                        |
|---|--|------------------------|
| 7 | Roland Briggs<br>1941 Goose Pond Lane<br>Post Office Box 15207<br>Quinby, SC 29506 | 317-9682<br>6/2015     |
| 8 | Mrs. Susan Snow, Secretary<br>547 Fairway Drive<br>Florence, SC 29501              | 669-3235 - H<br>6/2007 |
| 9 | Dwight Hyman<br>1021 Mockingbird Circle<br>Florence, SC 29501                      | 6/2015                 |

# **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:** Reports to Council  
Monthly Financial Reports

**DEPARTMENT:** Administration

**ISSUE UNDER CONSIDERATION:**

Monthly Financial Reports Are Provided To Council For Fiscal Year 2013 Through May 31, 2013 As An Item For The Record.

**ATTACHMENTS:**

Copies of the monthly financial reports.

**FLORENCE COUNTY GOVERNMENT  
GENERAL FUND  
REVENUE & EXPENDITURE REPORT FY13  
7/1/12 TO 05/31/13**

	BUDGETED	YEAR-TO-DATE ACTUAL	REMAINING	
	REVENUE	REVENUE	BALANCE	PCT
<b>REVENUES</b>				
Taxes	35,540,067	34,418,046	1,122,021	3.16%
Licenses & Permits	1,329,750	1,291,173	38,577	2.90%
Fines & Fees	3,240,000	2,879,719	360,281	11.12%
Intergovernmental	5,926,783	4,753,521	1,173,262	19.80%
Sales and Other Functional	5,418,050	5,157,267	260,783	4.81%
Miscellaneous	499,000	338,637	160,363	32.14%
Operating Transfers	(1,452,343)	-	(1,452,343)	100.00%
Use of Fund Balance	-	-	-	
<b>TOTAL</b>	<b>50,501,307</b>	<b>48,838,363</b>	<b>1,662,944</b>	<b>3.29%</b>

**FLORENCE COUNTY GOVERNMENT  
GENERAL FUND  
REVENUE & EXPENDITURE REPORT FY13  
7/1/12 TO 05/31/13**

		YEAR-TO-DATE		REMAINING BALANCE	PCT
		BUDGETED EXPENDITURE	ACTUAL EXPENDITURE		
EXPENDITURES					
10-411-401	County Council	352,229	273,395	78,834	22.38%
10-411-402	Administrator	618,172	629,066	(10,894)	-1.76%
10-411-403	Clerk of Court	1,821,092	1,704,070	117,022	6.43%
10-411-404	Solicitor	1,051,131	951,242	99,889	9.50%
10-411-405	Judge of Probate	507,403	460,833	46,570	9.18%
10-411-406	Public Defender	771,702	648,572	123,130	15.96%
10-411-407	Magistrates	2,239,713	1,969,020	270,693	12.09%
10-411-409	Legal Services	79,650	59,039	20,611	25.88%
10-411-410	Voter Registration & Elections	572,617	591,433	(18,816)	-3.29%
10-411-411	Finance	753,545	667,841	85,704	11.37%
10-411-412	Human Resources	345,813	314,194	31,619	9.14%
10-411-413	Procurement & Vehicle Maintenance	589,131	679,618	(90,487)	-15.36%
10-411-414	Administrative Services	399,454	354,881	44,573	11.16%
10-411-415	Treasurer	1,224,670	1,094,097	130,573	10.66%
10-411-416	Auditor	465,256	413,861	51,395	11.05%
10-411-417	Tax Assessor	1,301,398	1,154,785	146,613	11.27%
10-411-418	Planning and Building	2,084,547	1,499,297	585,250	28.08%
10-411-419	Complex	1,186,224	1,207,658	(21,434)	-1.81%
10-411-420	Facilities Management	735,247	629,292	105,955	14.41%
10-411-427	Information Technology	1,560,218	1,443,227	116,991	7.50%
10-411-446	Veteran's Affairs	148,551	134,955	13,596	9.15%
10-411-480	Senior Citizen Centers	327,008	204,355	122,653	37.51%
10-411-485	General Direct Assistance	217,996	201,166	16,831	7.72%
10-411-488	Contingency	999,010	158,701	840,309	84.11%
10-411-489	Employee Non-Departmental	399,502	598,173	(198,671)	-49.73%
10-421-421	Sheriff's Office	15,422,473	13,773,256	1,649,217	10.69%
10-421-422	Emergency Management	2,466,321	2,132,268	334,053	13.54%
10-421-481	Rural Fire Departments	15,140	4,826	10,314	68.13%
10-451-423	EMS	4,411,492	4,093,404	318,088	7.21%
10-451-424	Rescue Squads	537,798	436,286	101,512	18.88%
10-451-425	Coroner	282,034	246,424	35,610	12.63%
10-451-441	Health Department	80,934	84,090	(3,156)	-3.90%
10-451-442	Environmental Services	733,706	628,379	105,327	14.36%
10-451-485	Health Direct Assistance	14,502	7,935	6,567	45.28%
10-461-485	Welfare - MIAP & DSS	427,134	400,648	26,486	6.20%
10-471-451	Recreation	1,784,270	1,599,032	185,238	10.38%
10-471-455	County Library	3,569,732	3,254,232	315,500	8.84%
10-481-485	Literacy Council	4,515	3,386	1,129	25.00%
TOTAL		50,501,330	44,706,937	5,794,393	11.47%

Percent of Fiscal Year Remaining = 8.33%

**FLORENCE COUNTY  
BUDGET REPORT - OTHER FUNDS  
CURRENT PERIOD: 7/1/12 TO 05/31/13**

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
45 County Debt Service Fund	3,723,817	3,737,259	-	0.00%	3,723,817	3,521,730	202,087	5.43%
112 Economic Development Partnership Fund	436,079	337,857	98,222	22.52%	436,079	53,853	382,226	87.65%
123 Local Accommodations Tax Fund	2,508,780	2,524,470	-	0.00%	2,508,780	2,073,722	435,058	17.34%
124 Local Hospitality Tax Fund	738,955	924,610	-	0.00%	738,955	1,174,247	-	0.00%
131 District Utility Allocation Fund	2,000,000	137,060	1,862,940	93.15%	2,000,000	2,000,000	-	0.00%
132 District Infrastructure Allocation Fund	1,315,000	309,454	1,005,546	76.47%	1,315,000	1,000,000	315,000	23.95%
151 Law Library Fund	87,787	27,099	60,688	69.13%	87,787	39,891	47,896	54.56%
153 Road System Maintenance Fee Fund	3,098,767	2,527,874	570,893	18.42%	3,098,767	2,634,403	464,364	14.99%
154 Victim/Witness Assistance Fund	192,119	170,250	21,869	11.38%	192,119	221,909	-	0.00%
421 Landfill Fund	4,131,276	3,496,180	635,096	15.37%	4,131,276	3,036,672	1,094,604	26.50%
431 E911 System Fund	486,254	282,342	203,912	41.94%	486,254	464,934	21,320	4.38%
<b>TOTALS:</b>	<b>18,718,834</b>	<b>14,474,457</b>	<b>4,459,165</b>	<b>23.82%</b>	<b>18,718,834</b>	<b>16,221,361</b>	<b>2,962,555</b>	<b>15.83%</b>

Percent of Fiscal Year Remaining: 8.33%

331 Capital Project Sales Tax (Florence County Forward road projects) received and interest earned  
(See separate attachment for additional details.)

\$ 125,187,070



**Florence County Council  
District Allocation Balances  
May 31, 2013**

<b>Council District #</b>	<b>Type of Allocation</b>	<b>Beginning Budget FY12</b>	<b>Commitments &amp; Current Year Expenditures</b>	<b>Current Available Balances</b>
<b>1</b>	Infrastructure	162,165.00	109,133.00	53,032.00
	Paving	167,125.00	112,437.00	54,688.00
	Utility	253,623.00	10,000.00	243,623.00
	In-Kind	19,800.00	18,188.00	1,612.00
<b>2</b>	Infrastructure	35,000.00	31,835.00	3,165.00
	Paving	201,465.00	63,888.00	137,577.00
	Utility	51,364.00	25,457.00	25,907.00
	In-Kind	19,800.00	16,922.00	2,878.00
<b>3</b>	Infrastructure	35,000.00	34,950.00	50.00
	Paving	211,878.00	40,227.00	171,651.00
	Utility	106,697.00	103,768.00	2,929.00
	In-Kind	19,800.00	5,726.00	14,074.00
<b>4</b>	Infrastructure	178,531.00	41,553.00	136,978.00
	Paving	100,998.00	30,180.00	70,818.00
	Utility	75,586.00	37,000.00	38,586.00
	In-Kind	19,800.00	-	19,800.00
<b>5</b>	Infrastructure	41,128.00	41,111.00	17.00
	Paving	99,387.00	-	99,387.00
	Utility	25,549.00	405.00	25,144.00
	In-Kind	19,800.00	98.00	19,702.00
<b>6</b>	Infrastructure	264,268.00	36,319.00	227,949.00
	Paving	252,910.00	58,366.00	194,544.00
	Utility	343,770.00	24,007.00	319,763.00
	In-Kind	19,800.00	3,248.00	16,552.00
<b>7</b>	Infrastructure	62,347.00	40,669.00	21,678.00
	Paving	211,021.00	-	211,021.00
	Utility	299,978.00	135,363.00	164,615.00
	In-Kind	19,800.00	-	19,800.00
<b>8</b>	Infrastructure	178,520.00	111,095.00	67,425.00
	Paving	78,485.00	78,485.00	-
	Utility	38,702.00	20,983.00	17,719.00
	In-Kind	19,800.00	-	19,800.00
<b>9</b>	Infrastructure	75,081.00	43,352.00	31,729.00
	Paving	110,303.00	88,652.00	21,651.00
	Utility	122,962.00	-	122,962.00
	In-Kind	19,800.00	9,000.00	10,800.00

Infrastructure funds to be used for capital projects or equipment purchases. (See guidelines)

Paving funds to be used for paving or rocking roads. See guidelines in County code.

Utility funds to be used for water, sewer, stormwater, and any infrastructure fund projects.

In-Kind funds to be used for projects completed by the Public Works Department.

# FLORENCE COUNTY FORWARD CAPITAL PROJECT SALES TAX

As of May 31, 2013

EXPENDITURES	Project Budget	Design or Engineering	Right of Way	Construction	Total Expended	Balance Unexpended	Budget % Expended
Pine Needles Road Widening	\$ 17,676,768.00	\$ 710,297.09	\$ 1,225,607.80	\$ 14,229,979.96	\$ 16,165,884.85	\$ 1,510,883.15	91.45%
US 378 Widening	\$ 138,751,620.00	\$ 4,764,020.78	\$ 4,703,992.34	\$ 263,229.88	\$ 9,731,243.00	\$ 129,020,377.00	7.01%
US 76 Widening	\$ 31,641,621.00	\$ 2,284,599.44	\$ 2,210,874.69	\$ 120,169.77	\$ 4,615,643.90	\$ 27,025,977.10	14.59%
TV Road Widening	\$ 34,519,290.00	\$ 2,115,673.75	\$ 2,319,970.31	\$ 59,704.50	\$ 4,495,348.56	\$ 30,023,941.44	13.02%
SC 51 Widening	\$ 151,533,817.00	\$ 2,624,064.64	\$ 24,512.39	\$ 10,549.24	\$ 2,659,126.27	\$ 148,874,690.73	1.75%
US 301 Bypass Extension	\$ 73,464,146.00	\$ 61,050.35	\$ 127.58	\$ -	\$ 61,177.93	\$ 73,402,968.07	0.08%
	\$ 447,587,262.00	\$ 12,559,706.05	\$ 10,485,085.11	\$ 14,683,633.35	\$ 37,728,424.51	\$ 409,858,837.49	8.43%

REVENUES	Revenue Budget				Received/Earned to Date	Balance To Be Rcvd/Earned	Balance % Rcvd/Earned
Capital Project Sales Tax	\$ 148,000,000.00				\$ 116,865,509.00		
Sales Tax Interest Earnings	\$ -				\$ 8,321,560.93	\$ 31,134,491.00	84.59%
Earned State SIB Fund Match	\$ 250,000,000.00				\$ 233,731,018.00	\$ 16,268,982.00	93.49%
	\$ 398,000,000.00				\$ 358,918,087.93	\$ 47,403,473.00	90.18%

NOTE 1: Revenue Received/Earned to Date is as of March 31, 2013, since capital project sales tax is received from the state on a quarterly basis.

NOTE 2: Merchant collection of sales tax will conclude on April 30, 2014, unless total collections, excluding interest, exceed \$148,000,000 prior to that date.

# **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:** Reports to Council

**DEPARTMENT:** Administration

**ISSUE UNDER CONSIDERATION:**

Ashby Gressette, Stevens and Wilkinson Architects and Mike Thomas, Justice Planning Associates wish to appear before Council to present the findings of the Strategic Planning and Facility Programming for the Administration and Judicial Facilities.



## FLORENCE COUNTY COUNCIL MEETING

July 18, 2013

**AGENDA ITEM:** Reports to Council  
Bid Award

**DEPARTMENT:** Finance Department  
Florence Museum

**ISSUE UNDER CONSIDERATION:** Request To Award Bid No. 19-12/13 For The Construction Of Exhibit Structures, Casework, Graphics, And Audio Visual Components For The New Florence County Museum to Capital Exhibit Services Of Manassas, VA In The Amount Of \$1,093,438.00 (*4 Compliant Bids Received*).

### **POINTS TO CONSIDER:**

- 1) Bid No. 19-12/13 was advertised in the South Carolina Business Opportunities (SCBO) newsletter on Monday, May 13, 2013 and in the Morning News on Sunday May 12, 2013.
- 2) The bid opening was held on June 6, 2013.
- 3) Four (4) bids were received; Four (4) bids were compliant.
- 4) The lowest responsive, responsible bidder was Capital Exhibit Services of Manassas, Va in the amount of \$1,093,438.
- 5) The Museum Director recommends the bid be awarded to the low bidder.
- 6) The bid expires October 6, 2013.

### **FUNDING FACTORS:**

\$1,093,438 = Total amount of the Exhibit Structures, Casework, Graphics, and Audio Visual Components for the new Florence County Museum to be funded from Museum Construction funds previously approved by Council.

### **OPTIONS:**

- 1) Award Bid No. 19-12/13 (*Recommended*).
- 2) Decline Award.

### **ATTACHMENTS:**

- 1) Bid Tabulation Sheet.
- 2) Bid Recommendation from the Museum Director.

Department: Florence County Museum  
Construction of Exhibit Structures, Caswork, Graphics  
and Visual Componets for the Museum

Bid Opening Date: June 13, 2013  
Time: 11:00 am

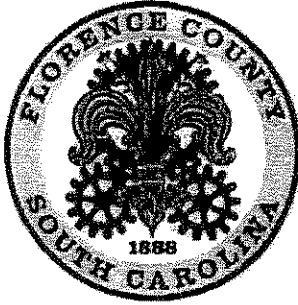
Invitation-to Bid # 19-12/13 Bid Tabulation

Name of Bidder	Bid Bond Y/N	Addendum No. 1	Addendum No. 2	Addendum No. 3	Primary Bid Amount	Alternate 1 (Deduct)	Bid Including Alternate 1
Capital Exhibit Services, Inc. 12299 Livingston Rd. Manassas, VA	Y	Y	Y	Y	\$1,093,438.00	(\$18,434.93)	\$1,075,003.07
WN Hodings LLC 5403 Dividend Dr. Decatur, GA	Y	Y	Y	Y	\$1,151,272.14	(\$64,135.00)	\$1,087,137.14
Explus Inc. 44156 Mercure Circle Dulles, VA	Y	Y	Y	Y	\$1,431,622.23	(\$55,810.70)	\$1,376,011.53
Pacific Studio 5311 Shilshole Ave NW Seattle Wa	Y	Y	Y	Y	\$1,609,792.92	(\$53,240.50)	\$1,556,552.42

Notes:

All bids are thoroughly reviewed to ensure that all specifications as required in the bid package has been satisfied. A notification of award will not be issued until it has County Council's approval and until the expiration period for protest has been met.

It is always the intent of Florence County to award the lowest priced responsible/responsive bidder that best meets the specifications as determined by Florence County. A notice of intent letter will be sent to all bidders only in the case of a bid awarded to another vendor other than the apparent low bidder as stated on this bid tabulation.



# *Florence County South Carolina*

---

DATE: July 2, 2013

TO: Suzanne S. King, Administrative Services Director  
Patrick Fletcher, Procurement Director

FROM: Andrew Stout, Museum Director *AKS*

Re: Contract Recommendation, Bid # 19-2012-13 – Capitol Exhibit Services, Inc.

---

I have reviewed Bid # 19-2012-13. Please accept this memo as my recommendation to award the bid to Capitol Exhibit Services, Inc., Manassas, Virginia, for the purpose of fabricating exhibits at the Florence County Museum.

Thank you for your cooperation and please do not hesitate to contact me if you have any questions.

# **FLORENCE COUNTY COUNCIL MEETING**

July 18, 2013

**AGENDA ITEM:** Reports to Council

**DEPARTMENT:** Fire/Rescue Services

**ISSUE UNDER CONSIDERATION:**

Fire/Rescue Services Coordinator Sam Brockington Will Provide A Brief Update On The Fire/Rescue Services Department



## FLORENCE COUNTY COUNCIL MEETING

July 18, 2013

**AGENDA ITEM:** Reports to Council

**DEPARTMENT:** Public Defender's Office  
(Human Resources)

### **ISSUE UNDER CONSIDERATION:**

Authorize A Full-time Assistant Public Defender Position Grade 26 To Be Funded By The South Carolina Office of Indigent Defense.

### **POINTS TO CONSIDER:**

1. The Personnel Policy Manual requires Council authorization for the addition of a new position on the County payroll.
2. The Circuit Public Defender's request is funded annually by the South Carolina Office of Indigent Defense requiring no County funds.

### **FUNDING FACTORS:**

1. \$64,288.53 = Total annual costs for this position to be funded from the Public Defender Fund, 141-411-748-000 for FY 14.
2. The legislature has appropriated recurring funds for the defense of Criminal Domestic Violence and Driving Under the Influence cases. The Public Defender will receive \$64,288 annually from the DUI and CDV fund.
3. The County will be reimbursed monthly for the personnel costs.
4. If the funding for the position becomes unavailable, the position will be removed from the County payroll.
5. The Circuit Public Defender will be required to fund any COLA increases.

### **OPTIONS:**

1. Approve the request.
2. Provide an alternate directive.

### **ATTACHMENTS:**

1. Circuit Public Defender Floyd's request for additional staffing.
2. E-mail notification the South Carolina Office of Indigent Defense.
3. Spreadsheet showing distribution of new appropriated recurring funds.



OFFICE OF  
**TWELFTH CIRCUIT PUBLIC DEFENDER**

**SCOTT P. FLOYD**  
12th CIRCUIT PUBLIC DEFENDER

**MICHAEL S. BELL**  
CHIEF PUBLIC DEFENDER  
FOR FLORENCE COUNTY  
PHONE: (843) 665-3055  
FAX: (843) 665-4041

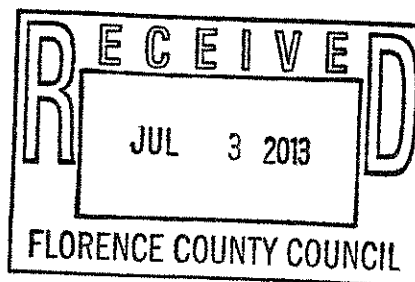
CITY-COUNTY COMPLEX, ROOM 703  
180 NORTH IRBY STREET, MSC-N  
FLORENCE, SOUTH CAROLINA 29501



July 3, 2013

The Honorable James T. Schofield  
Chairman, Florence County Council  
180 N. Irby Street, MSC-G  
Florence, SC 29501

RE: Request for Additional Staffing



Dear Mr. Schofield:

The South Carolina Office of Indigent Defense has notified me that recurring funding will be provided to this office so that we can employ additional staff to handle DUI and CDV defense in our Magistrate's Court system. I am requesting that the Florence County Council approve the addition of one full time salaried attorney position to the Public Defender staff for this purpose. I am not requesting that Florence County contribute any funding towards the costs of this position. Our office will provide one hundred percent of the funding for this position to the County from state funds provided to our office.

I would appreciate it if you could include this request in the Council's agenda at your earliest convenience. I will be available to answer any questions concerning this request. Thank you for your kind assistance.

Yours Truly,

A handwritten signature in cursive script that reads "Scott P. Floyd".

Scott P. Floyd  
Chief Public Defender  
Twelfth Judicial Circuit

## Scott Floyd

---

**From:** Patton Adams <PAdams@sccid.sc.gov>  
**Sent:** Thursday, June 27, 2013 12:29 PM  
**To:** Chief Circuit Public Defenders  
**Cc:** Hugh Ryan; Lisa Campbell  
**Subject:** FY13-14 New General Fund Distribution by Circuit/County  
**Attachments:** SCCID FY13-14 Appropriated Funds Distribution Comparison with FY 12-13 6-27-2013.xlsx

Ladies and Gentlemen:

Attached is the spreadsheet showing the distribution of the NEW appropriated recurring funds in the FY13-14 budget. Every county has an increase. Please remember that half of this funding is for DUI defense, which mostly occurs in Magistrate Court, just as the CDV funding in the FY 12-13 budget. I strongly urge you to use this funding increase to hire additional public defenders, and that you use them for representation in Magistrate Courts. Please keep us posted on your employment plans as we always have attorneys contact us who are interested in public defender work, many who are passionate about it.

Also, our general fund distributions to you beginning July 1, 2013, will be made on a quarterly basis rather than monthly, and Lisa will be sending you this afternoon a spreadsheet showing how this will work.

And also, but IMPORTANTLY – we will be closing out our data for the current fiscal year on July 10, 2013. Please remind your staff to have all FY 12-13 data entered into our system NLT July 10, 2013. This is critically important because our FY14-15 budget requests will be based on the data in the system, and as you know the data is used for many other purposes throughout the year.

We will also be sending out in late July our annual Human Resources Survey. The completed report will include a spreadsheet on total county funding, including all county funding, as it always does. Please be prepared to enter your counties' appropriation data in the survey when the survey is published.

Email secured by Check Point

Appropriated Funds Comparison FY 13-FY 14  
Defense of Indigents

CIRCUIT	COUNTY NAME			INCREASE
1	CALHOUN			\$ -
1	DORCHESTER			\$ -
1	ORANGEBURG			\$ -
				\$ -
2	AIKEN			\$ -
2	BAMBERG			\$ -
2	BARNWELL			\$ -
				\$ -
3	CLARENDON			\$ -
3	LEE			\$ -
3	SUMTER			\$ -
3	WILLIAMSBURG			\$ -
				\$ -
4	CHESTERFIELD			\$ -
4	DARLINGTON			\$ -
4	DILLON			\$ -
4	MARLBORO			\$ -
				\$ -
5	KERSHAW			\$ -
5	RICHLAND			\$ -
				\$ -
6	CHESTER			\$ -
6	FAIRFIELD			\$ -
6	LANCASTER			\$ -
				\$ -
7	CHEROKEE			\$ -
7	SPARTANBURG			\$ -
				\$ -
8	ABBEVILLE			\$ -
8	GREENWOOD			\$ -
8	LAURENS			\$ -
8	NEWBERRY			\$ -
				\$ -
9	BERKELEY			\$ -
9	CHARLESTON			\$ -

7/5/2013

Appropriated Funds Comparison FY 13-FY 14  
Defense of Indigents

			\$ -
10	ANDERSON		\$ -
10	OCONEE		\$ -
			\$ -
11	EDGEFIELD		\$ -
11	LEXINGTON		\$ -
11	McCORMICK		\$ -
11	SALUDA		\$ -
			\$ -
12	FLORENCE		\$51,880.96
12	MARION		\$12,407.57
			\$ 64,288.53
13	GREENVILLE		\$ -
13	PICKENS		\$ -
			\$ -
14	ALLENDALE		\$ -
14	BEAUFORT		\$ -
14	COLLETON		\$ -
14	HAMPTON		\$ -
14	JASPER		\$ -
			\$ -
15	GEORGETOWN		\$ -
15	HORRY		\$ -
			\$ -
16	UNION		\$ -
16	YORK		\$ -
			\$ -
	<b>Total</b>		<b>\$ 1,758,816.00</b>

7/5/2013

Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project  
Council District 1

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$15,000 From Council District 1 Infrastructure Funding Allocation For The Construction Of A New Restroom Facility At Dew Park In Lake City

**FUNDING SOURCE:**

XXX Infrastructure

\_\_\_\_\_ Road System Maintenance Fee

\_\_\_\_\_ Utility

Signed: verbally approved – signature pending  
Requested by Councilman for District 1

Date: \_\_\_\_\_

**ATTACHMENTS:**

Copy of the request from the City of Lake City.

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council

# City of Lake City

Post Office Box 1329  
Lake City, SC 29560



Phone (843) 374-5421  
FAX (843) 374-1809

July 3, 2013

Councilmember Jason Springs  
Florence County  
180 N. Irby Street, MSC-G  
Florence, SC 29501

Ref: Dew Park

Dear Jason,

The City of Lake City is requesting assistance with the construction of the new restroom facility located at Dew Park on Fairview Street. The new construction will provide a safe and sanitary environment for the community residents who utilize the park area.

We would like to request funding for this project not to exceed \$ 15,000.00. I would like to thank you in advance for your consideration in assisting the City with this project. If you have any questions, please contact me at (843) 374-5421 option 1.

Respectfully,

*Mayor Lovith Anderson, Jr.*

Mayor Lovith Anderson, Jr.  
City of Lake City

Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project  
Requested by Council District 2

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$950 From Council District 2 Infrastructure Funding Allocation For Facility Improvements At Dewitts Bluff Landing.

**FUNDING SOURCE:**

XXX Infrastructure                      \_\_\_\_\_ Road System Maintenance                      \_\_\_\_\_ Utility

**Requested by Councilmember:**

**Signed:** verbally approved – signature pending  
Roger Poston

Date:

**ATTACHMENTS:**

None

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council



Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project  
Requested by Council District 4

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$3,100 From Council District 4 Infrastructure Funding Allocation To Purchase Additional Bleachers For Lynches River Athletic Park.

**FUNDING SOURCE:**

XXX Infrastructure                      \_\_\_\_\_ Road System Maintenance                      \_\_\_\_\_ Utility

**Requested by Councilmember:**

**Signed:** verbally approved – signature pending  
Mitchell Kirby

Date:

**ATTACHMENTS:**

None

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council



Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project  
Requested by Council District 4

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$800 From Council District 4 Infrastructure Funding Allocation For Facility Improvements At Old Timmons ville High School Baseball Field.

**FUNDING SOURCE:**

XXX Infrastructure                      \_\_\_\_\_ Road System Maintenance                      \_\_\_\_\_ Utility

**Requested by Councilmember:**

**Signed:** verbally approved – signature pending  
Mitchell Kirby

Date:

**ATTACHMENTS:**

None

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council

Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$4,800 From Council Districts' Infrastructure Funding Allocations (Approximately \$534 Each District) To Assist The Windy Hill Volunteer Fire Company With The Purchase Of Training Equipment And Facilities To Train For Aircraft Fires.

**FUNDING SOURCE:**

XXX Infrastructure                      \_\_\_\_\_ Road System Maintenance Fee                      \_\_\_\_\_ Utility

**Requested by Councilmember:** Russell W. Culberson, District 6

Amount: <u>\$533</u>	\$533	\$533
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Signed: _____ Jason M. Springs	_____ Roger M. Poston	_____ Alphonso Bradley
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Amount: <u>\$533</u>	\$533	\$534
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Signed: _____ Mitchell Kirby	_____ Kent C. Caudle	_____ Russell W. Culberson
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Amount: <u>\$534</u>	\$534	\$533
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Signed: _____ Waymon Mumford	_____ James T. Schofield	_____ Willard Dorriety, Jr.
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Date: \_\_\_\_\_

**ATTACHMENTS:**

Letter of Request from Windy Hill Volunteer Fire Company

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council

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# Windy Hill Volunteer Fire Company

*"Our Job...to protect life and property..."*

Cathy DeLung  
President

103 N. Williamson Road - Florence, SC 29506

John T. DeLung, Jr.  
Fire Chief

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Russell Culberson  
Florence County Council  
1 July 2013

Councilmen Culberson,

As of September 2013 the Windy Hill Volunteer Fire Company will be responding with the Florence Regional Airport to plane crashes within Airport property. To enhance this capability we are purchasing a older model airplane for the cost of \$2,500.00, we can use for training. The plane is located at the Lake City Airport.

The members of the Windy Hill Volunteer Fire Company would like to request your assistance with the funding and relocation of the Air Plane Prop.

This prop will be utilized by the Airport's ARFF, Windy Hill, the Florence Fire Department and any other agency needed training on aircraft fires.

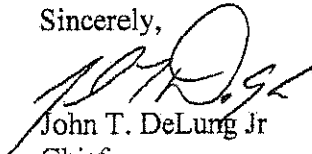
Windy Hill would like to request the assistance of Florence County Public Works with transporting the plane from the Lake City Air port to property owned by the Florence Regional Airport in Florence. The Airport Director as approved the use of some airport property to store the plane, where we will have access. We also would request funding for to build the burn units that will be used on the plane itself.

The cost will be as followed:

Manufacturing of Burn Units	\$4,000.00
2 - 100 pound Propane Cylinder	\$300.00
Gas Line	\$500.00

I really would like to thank you for your help with these matter, if you have any questions or comments you can e-mail or call me at (843) 601-3214.

Sincerely,



John T. DeLung Jr  
Chief

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Mailing Address: 103 N. Williamson Rd Florence, SC 29506  
Telephone: (843) 662-2050 - Fax: (843) 662-7173  
[www.windyhillfire.com](http://www.windyhillfire.com)



Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$45,000 From Council Districts 1, 4, and 8 Infrastructure Allocations (Approximately \$15,000 From Each District) To Construct A Turn Lane On McLaughlin Road and Highway 52.

**FUNDING SOURCE:**

XXX Infrastructure                      \_\_\_\_\_ Road System Maintenance Fee                      \_\_\_\_\_ Utility

**Requested by Councilmember:** James M. Springs, District 1

**Amount:** \$15,000(I)                      \$15,000 (I)                      \$15,000 (I)

**Signed:** \_\_\_\_\_  
                 Jason M. Springs                      Mitchell Kirby                      James T. Schofield

Date: \_\_\_\_\_

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council

Florence County Council Meeting  
July 18, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project  
Council Districts 3, 7, and 8

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**


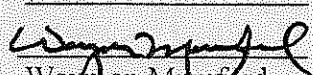
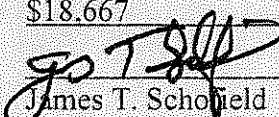
Approve The Expenditure Of Up To \$56,000 From Council Districts 3, 7, and 8 Infrastructure Funding Allocations (Approximately \$18,667 From Each District) To Assist The City Of Florence With The Following Projects:

\$15,000 Jeffries Creek Park Shelter Repairs (District 8)  
\$ 2,000 Lester Park Shelter Repairs (District 3)  
\$25,000 Timrod Park Tennis Court Resurfacing  
(\$3,166 District 3, \$18,667 District 7 and \$3,167 District 8)  
\$14,000 Freedom Florence Backstops (\$13,500 District 3 and \$500 District 8).

**FUNDING SOURCE:**

XXX Infrastructure                      \_\_\_\_\_ Road System Maintenance                      XXX Utility

**Requested by Councilmember:**

<b>Amount:</b> \$18,666	<b>Amount:</b> \$18,667	<b>Amount:</b> \$18,667
<b>Signed:</b> 	<b>Signed:</b> 	<b>Signed:</b> 
Alphonso Bradley District 3	Waymon Mumford District 7	James T. Schofield District 8

Date: \_\_\_\_\_

**ATTACHMENTS:**

None

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

\_\_\_\_\_  
Connie Y. Haselden, Clerk to Council

## FLORENCE COUNTY COUNCIL MEETING

July 18, 2013

**AGENDA ITEM:** Other Business  
Utility Project  
Council District 3

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve the expenditure of up to \$6,930.00 from Council District 3 Utility funding allocation to pay for crushed asphalt for driveway at Resurrection Center in Florence, SC.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Department.

**FUNDING SOURCE:**

\_\_\_\_\_ Infrastructure  
\_\_\_\_\_ Road System Maintenance  
XXX Utility

**SIGNED:** verbally approved – signature pending  
Councilmember: Alphonso Bradley

Date: \_\_\_\_\_

**ATTACHMENTS:**

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I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

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Connie Y. Haselden, Clerk to Council