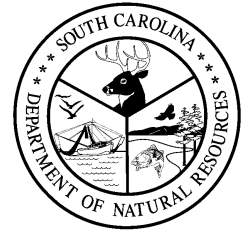


South Carolina Department of Natural Resources

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Robert H. Boyles, Jr.
Director
Lorianne Riggan
Director, Office of
Environmental Programs

October 21, 2020

Ms. Amy Cappellino
U.S. Army Corps of Engineers
Columbia Regulatory Office
Strom Thurmond Federal Building
1835 Assembly Street, Room 865 B-1
Columbia, South Carolina 29201

Electronic submission

RE: P/N SAC-2011-01356; Dominion Energy South Carolina
Nationwide Permit 38, Cleanup of Hazardous and Toxic Waste
Congaree River, Richland County

Dear Ms. Cappellino:

Personnel with the South Carolina Department of Natural Resources (SCDNR) have reviewed the proposed project, evaluated its impact on natural resources and offer the following comments.

Project Description

Dominion Energy South Carolina, Inc. (DESC), formerly South Carolina Electric and Gas Company, plans to complete a Modified Removal Action to address the occurrence of a tar-like material (TLM) that is commingled with sediment along the eastern shoreline of the Congaree River, south of the Gervais Street Bridge in Columbia, South Carolina. The TLM is believed to be a coal tar material that originated from the Huger Street former manufactured gas plant site, located approximately 1,000 feet to the northeast of the project area. The overall objective of this project is to remove the impacted sediment from the Congaree River. The current plan is to construct two temporary cofferdams to facilitate removal of the impacted sediment. As currently envisioned, the temporary cofferdams would be constructed in two separate phases over two or three construction seasons. The construction seasons will range from approximately May through October of each year. After the temporary cofferdam is constructed for each phase, the isolated area will be dewatered, and the impacted sediment removed and transported off-site for disposal. Following completion of the impacted sediment removal activities, the cofferdam materials will be completely removed from the river. No

compensatory wetland mitigation is proposed; however, a Restoration Operation, Maintenance and Monitoring Plan has been submitted for review.

Agency Concerns and Comments

Project Description – Joint Application Supplement (Attachment C)

- The Joint Application Supplement (JAS) states in the Riverbank and Shoreline Restoration section on page 10 that “As project plans are further developed, certain details or specifications regarding restoration may be modified in order to reflect minor changes or input from applicable experts and/or the property owner.” The SCDNR requests notification of any major modifications to planned activities and to have the opportunity to review the proposed modifications and provide comments prior to implementation.
- Under Spawning Areas on page 12 of the JAS, the document states that silt curtains “will be employed if an increase above the established conservative TSS action level is indicated”; however, on page 3 of the TSS Monitoring Plan (Appendix E of the JAS) the document indicates that silt curtains will be deployed prior to any construction activities. The SCDNR recommends that silt curtains be deployed prior to any construction activities as well as any disturbances to the riverbed or riverbank.
- Under Endangered Species on pages 12 and 13 of the JAS, the SCDNR concurs that if the project is completed between the months of May through October it should not have any negative impacts to shortnose sturgeon. SCDNR understands that DESC has requested permission to work behind the cofferdam year-round with activities minimized during the months of December through April. SCDNR finds that the minimization of activities from December through April must be strictly enforced to avoid impacts during spawning season.
- The SCDNR submits that robust redhorse should be considered “likely to be present” in the project area and not “may be present” as stated at the top of page 13.

Mussel Relocation Plan (Attachment H)

- A minimum of two (2) survey passes should occur during the initial mussel assessment of the project area. SCDNR requests a copy of the initial reconnaissance survey report for each Modified Removal Action (MRA) area.
- The SCDNR supports the utilization of the second potential scenario whereby the collection and relocation teams are mobilized both before and after the construction of the cofferdam and dewatering of the project area.
- The mussels collected should be kept in water until they are transported to the relocation area.
- The SCDNR requests copies of the Removal Action Reports and any progress reports as they become available.
- The SCDNR is concerned that the plan to not replace the material removed and rely on the natural depositional processes of the river could lead to a loss of aquatic habitat. SCDNR recommends that post-construction monitoring of the project area include monitoring the redeposition of sediments. If suitable substrates do not reestablish in areas formerly occupied by mussels and other aquatic species, then consultation with the resource agencies should be required and remedial measures to reintroduce substrate may need to occur.

The SCDNR has no objections to the approval of the proposed work under Nationwide Permit 38 provided that the concerns and recommendations above are incorporated into the permit documents and project plans. Should you have any questions or need more information, please do not hesitate to contact me by email at mixong@dnr.sc.gov or by phone at 803.734.3282.

Sincerely,

A handwritten signature in black ink that reads "Greg Mixon". The signature is written in a cursive style with a large, prominent "G" and "M".

Greg Mixon
Office of Environmental Programs