



**DEPARTMENT OF THE ARMY**  
CHARLESTON DISTRICT, CORPS OF ENGINEERS  
1835 ASSEMBLY STREET ROOM 865 B1  
COLUMBIA, SOUTH CAROLINA 29201

October 27, 2020

Regulatory Division

Mr. Andrew (Rusty) Contrael  
ACE, Inc.  
132 South Grant Avenue  
Kittanning, Pennsylvania 16201  
rcontrael21@outlook.com

Dear Mr. Contrael:

This is in response to your September 30, 2020 Department of the Army (DA) permit application (SAC-2011-01356), in which Dominion Energy South Carolina Inc. (DESC) has requested verification of this project under Nationwide Permit 38 (NWP 38). The work affecting waters of the United States is part of an overall project known as Congaree River Stakeholder-Developed Modified Removal Action (MRA), to construct temporary reinforced rock-filled berm cofferdams around two areas (2.6 acres and 0.5 acres) in the Congaree River, dewater, excavate tar-like material, sediments, gravel, and rocks from the river bed that will be disposed off-site (estimated 11,700 cubic yards), remove cofferdams, and restore disturbed portions of the riverbank (1,300 linear feet) using geotextile, riprap, vegetation, and/or bioengineering methods under Voluntary Cleanup Contract 02-5295-RP between DESC and the South Carolina Department of Health and Environmental Control (SCDHEC). The project involves impacts to not more than 5.8 acres of waters of the United States or 1,300 linear feet of perennial streams. The project is located in the Congaree River west of the intersection of Gist Street and Senate Street in Columbia, Richland County, South Carolina (Latitude: 33.9939°, Longitude: -81.0482°).

Since SCDHEC is the government agency with the established legal and regulatory authority over this cleanup project and will be reviewing/approving the various components, the U.S. Army Corps of Engineers (USACE) is considering it for potential authorization under NWP 38. However, additional information is needed to complete our review of this proposed project. Please note that all drawing submissions must be clearly readable and reproducible and on **8-1/2 x 11 inch paper**. You may submit digital drawings. Please submit the following:

1. Attached is our latest Memorandum of Agreement template for archaeological sites. Please provide a redline version of the attached MOA template in Word.
2. Please conduct a survey of the project site for Smooth coneflower and Georgia aster, and provide a report of the results.
3. This office coordinated the project plans with state and federal resource agencies and received comments from the SC Department of Natural Resources (SCDNR) on October 21, 2020. If we receive any further comments, we will provide them to you upon receipt. Please review the comments and provide any views you may wish to offer.

4. The application included and referenced various action plans that are currently draft and will be updated. As these plans are updated and approved by SCDHEC, please provide these plans to the USACE.

The information above is requested by November 30, 2020. Please advise if additional time will be needed. If we do not hear from you within 30 days, this permit application may be withdrawn from further processing.

In all future correspondence, please refer file number SAC-2011-01356. If you have any questions regarding this letter or the additional information needed, please contact Amy Cappellino at (803) 253-3992 or by email at Amy.e.Cappellino@usace.army.mil.

Sincerely,



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Brice McKoy  
Chief, Northwest Branch

Attachments:

Memorandum of Agreement template  
Comment Letter

Copy Furnished:

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