

July 14, 2023

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N. E.
Washington, D. C. 20426

Subject: Dominion Energy South Carolina, Inc.
Saluda Hydroelectric Project
FERC Project No. 516
Proposed Earth Fill Encroachment Sale

Dear Secretary Bose:

In keeping with the provisions of Section(s) 6 and 7.2 of the Dominion Energy South Carolina, Inc. ("DESC" or "Licensee") Saluda Project No. 516 ("Project") original Land Use Management Plan ("Plan"), as approved by the Commission in its order issuing the new license dated June 1, 1984, and FERC Orders issued September 17, 1991 and June 23, 2004 approving updates to the Plan, DESC herein submits an application for Commission approval to convey approximately **0.02 acres** of Project property to Angela Haney Scott. The property represents an earth fill encroachment in the form of a fill of land previously lying below the 360-foot contour elevation.

I. Background Information

The earth fill encroachment to be conveyed has been in existence since prior to the establishment of Licensee's Shoreline Management Program in 1984 which prohibits filling below the 360 contour. The area is surrounded by residential development with no mapped adjacent Environmentally Sensitive Areas. Licensee has determined that the environmental impact of removing or modifying the encroachment would far outweigh the impact of leaving it undisturbed. Licensee has also determined that the sale of the land is not inconsistent with the purpose of protecting and enhancing the scenic, recreational and other environmental values of the project and is not inconsistent with any approved Exhibit R conditions or approved report on recreational resources of an Exhibit E.

The instruments of conveyance will include deeded flowage rights reserved to DESC as well as covenants running with the land to ensure that the use of the land conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall Project recreational use. The conveyed property will remain within the FERC Project Boundary to maintain DESC's flowage rights over the property.

Encroachment Description

Angela Haney Scott Earth Fill Encroachment, 0.02 acres
Exhibit K, Sheet No. 24, Index No. 3, Option No. 827
Elbert S. Shealy and Patrick W. Shealy

II. Documents Submitted

Enclosed with the transmittal letter are the following exhibits:

Exhibit A [Location Map](#)
Exhibit B [Property Plat](#)
Exhibit C [Aerial Photos and Environmentally Sensitive Area Map Sheet 10](#)



III. Agency Consultations

Since the encroachment is diminutive in size and has been in existence for many years and there is no intention that it will be expanded, the Licensee is providing a copy of this application to the federal or state resource or recreational agencies listed below as well as the State's historic preservation officer, in lieu of prior formal consultation. The listed agencies are invited to provide their comments or to request additional consultation within thirty (30) days of receiving this submittal.

IV. Communications

Any questions concerning this notice should be directed to my attention at Dominion Energy South Carolina, Inc., Mail Code J48, 220 Operation Way, Cayce, SC 29033-3701, by telephone (803) 217-7322 or email at raymond.ammarell@dominionenergy.com.

Yours very truly,

A handwritten signature in blue ink that reads "Raymond R. Ammarell".

Raymond R. Ammarell, P.E., Manager
Dam Safety and Civil Engineering

RRA/ra

Enclosures

c: J. W. Miller/H. E. Delk, Jr./I. N. Griffin/SH File
D. L. Tucker
W. K. Chastain, Jr./L. Baughman
J. H. Hamilton/M. Gissendanner/C. Burgess/A. Rooks
B. McDonald/R. Nix
Corporate Records



Resource Agencies (w/attachments):

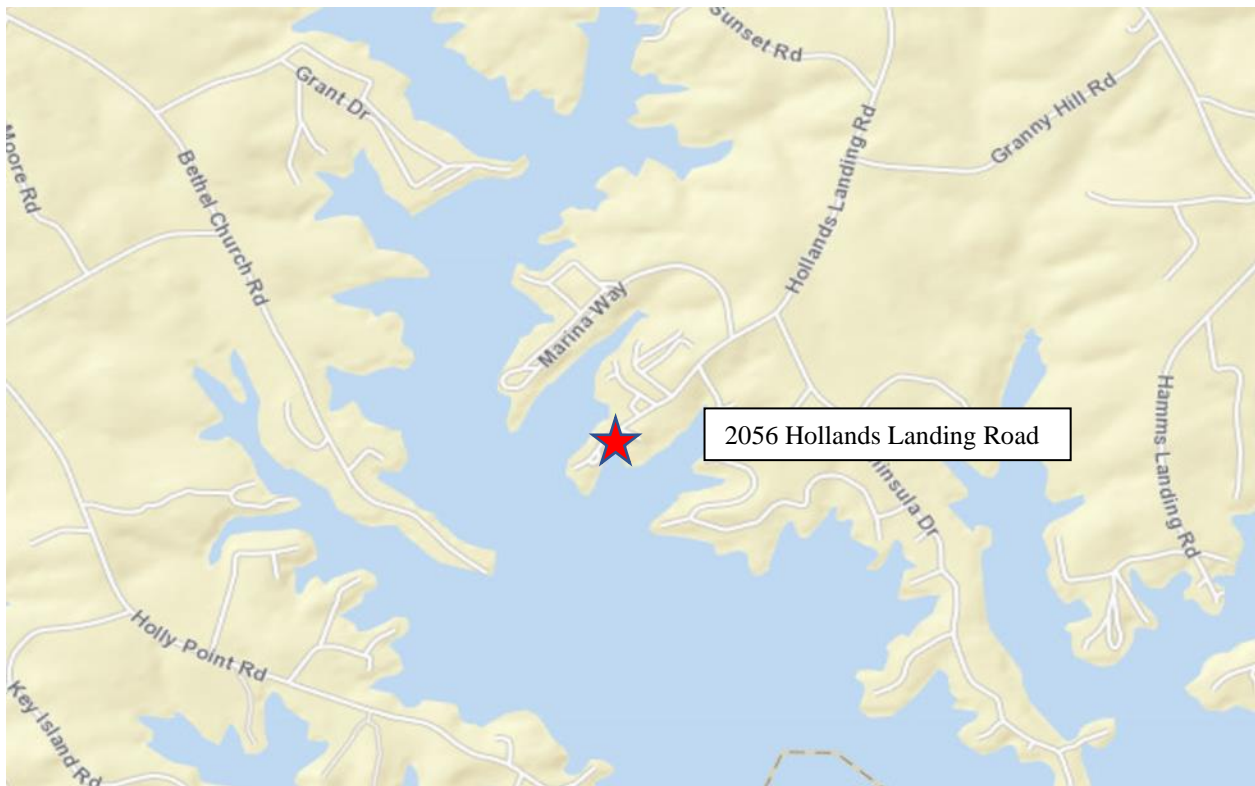
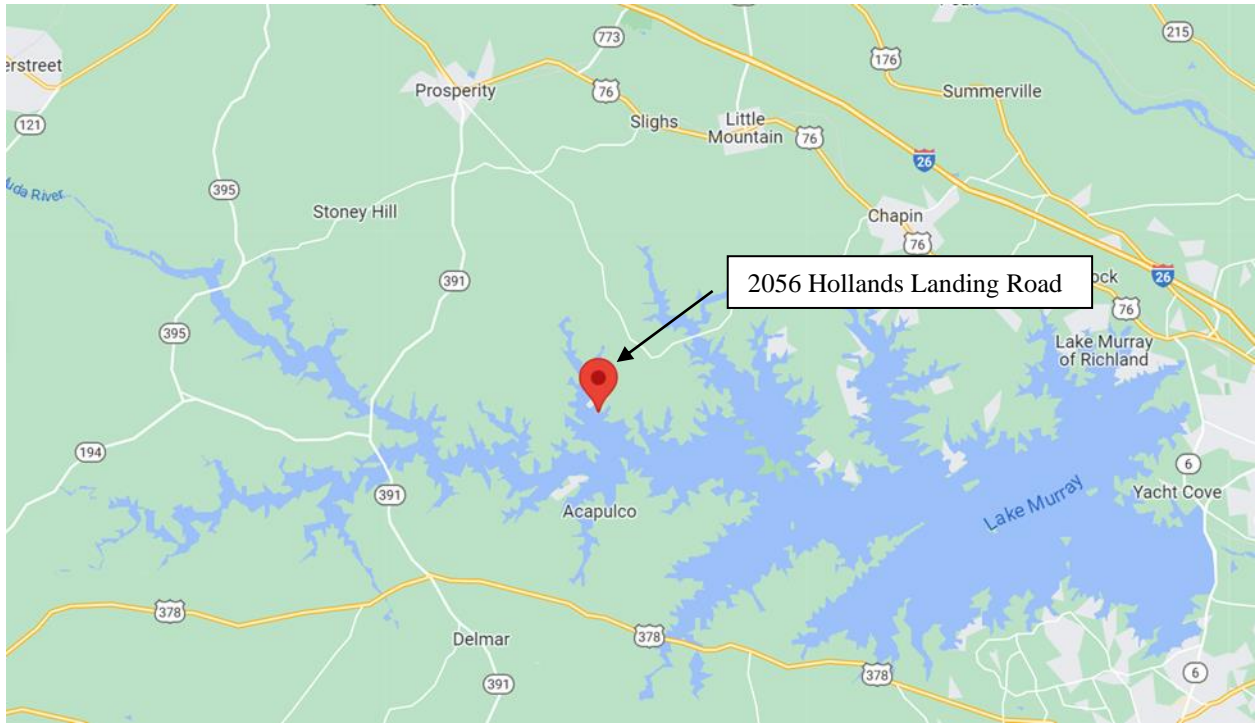
U.S. Department of the Interior Fish and Wildlife Service
Attn: Melanie Olds
176 Croghan Spur Road, Suite 200
Charleston, South Carolina 29407

South Carolina Department of Natural Resources
Attn: Elizabeth Miller
Office of Environmental Programs
P.O. Box 12559
Charleston, SC 29422-2559

South Carolina Department of Parks, Recreation and Tourism
Attn: Daniel Gambrell
1205 Pendleton St.
Columbia, South Carolina 29201

South Carolina Department of Archives and History
Attn: Elizabeth Johnson
8301 Parkland Road
Columbia, South Carolina 29223

Location Map
Exhibit A



Aerial Photomap of Earthfill Encroachment
Exhibit C 1 of 2



Environmentally Sensitive Area Map Sheet 10
 Exhibit C 2 of 2

