



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

December 11, 2014

F/SER47:JD/pw

(Sent via Electronic Mail)

Mr. Kevin Rose
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166

Attention: Lisa Landers

Dear Mr. Rose:

NOAA's National Marine Fisheries Service (NMFS) reviewed the Essential Fish Habitat (EFH) Assessment, dated September 30, 2014, prepared by the Federal Highway Administration (FHWA) for the Fort Pulaski bridge replacement project, Chatham County. FHWA and the National Park Service (NPS) propose to replace the deteriorating Fort Pulaski bridge leading to Cockspur Island on a new, upstream alignment over the South Channel of the Savannah River. As compensatory mitigation, FHWA and NPS would restore and enhance salt marsh at the bridge and at one or two locations on Cockspur Island or adjacent NPS land. FHWA has determined the bridge replacement would have temporary adverse effects on EFH; however, the effects would not be substantial and the minimization and mitigation measures would appropriately mitigate for the adverse effects. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Proposed Project Description

The proposed new bridge would be upstream of the existing bridge, approximately 1,300 feet long, consist of two 11-foot-wide travel lanes, and have a five-foot shoulder. To support bridge decking, sixty square concrete piles (18 inches on a side) would be driven into the river bottom using an impact hammer. The existing abutments would be used to the maximum extent practicable; however, new fill would be needed to accommodate the new alignment. To construct the new bridge abutments, FHWA would install sheet-pile cofferdams (130 feet and 100 feet at south and north area, respectively) using a vibratory hammer, dewater the area, and then place fill within the cofferdams. Sheet piling would then be removed and riprap would be placed at each bridge abutment to protect the abutments from scour. Once the new bridge is completed, the existing bridge would be mechanically demolished and the existing 310 timber piles would be removed from the channel. Remaining abutments associated with the existing bridge would be graded to adjacent marsh elevations and monitored for marsh recruitment. No in-water work would occur from April 15 to May 31 and from September 1 to November 30 to avoid impacts to sturgeon. The proposed work is anticipated to take one year to complete.

Essential Fish Habitat in the Project Area

With two exceptions, the EFH Assessment accurately describes EFH in the project area and use by federally managed fishery species. The EFH Assessment includes red drum. On November 5, 2008, management of Atlantic coast red drum was transferred from the Magnuson-Stevens Act to the Atlantic Coastal Act. With this transfer, Atlantic red drum lost its federal EFH designations and should not be



listed as having federally-designated EFH in the EFH Assessment. Spiny lobster and slipper lobster are not found in the action area and should be deleted from the assessment. While the EFH descriptions in the EFH Assessment do not require augmentation to complete this EFH consultation, NMFS believes future EFH assessments would be improved by explicitly tying the EFH and HAPC designations to their respective federal fishery management plans (e.g., penaeid shrimp, coastal migratory pelagic species) and using these plans as the organizing framework for the impact evaluation. This approach ensures consistent terminology when describing specific habitats, draws attention to the functions of habitats in supporting federally managed fishery species, and provides a filter for EFH and HAPC evaluations based on the presence/absence of the federally managed species in the project area.

Impacts to Essential Fish Habitat

The bridge replacement project would permanently impact approximately 0.40 acres of salt marsh; approximately 7,800 square feet on the southern side and approximately 9,200 square feet on the northern side. During construction, increased turbidity and sedimentation can degrade water quality while noise could impact fish behavior. No oysters are present within the construction footprint; however, oyster aggregations are present approximately 100 to 200 meters upstream. No direct impacts would occur to these aggregations and indirect impacts from water quality degradation are likely to be insignificant due to turbidity control measures.

Avoidance, Minimization, and Mitigation

FHWA proposes several means to minimize impacts to aquatic resources. Based on a site visit with NMFS on July 21, 2014, FHWA has realigned the proposed bridge to take advantage of fill already present. This alignment shift decreased impacts to salt marsh by 0.12 acres. Silt fencing and other best management practices would be used to reduce erosion and sediment leaving the site and impacting the adjacent tidal marsh and oyster aggregations. Sound attenuation methods, such as pile caps, using the minimum hammer energy needed to drive piles, and ramping-up hammers, would decrease impacts to fish by reducing received sound levels and allowing fish to leave the area before highest noise levels are reached. Lastly, FHWA has also proposed construction windows to reduce the likelihood of encounters with sturgeon.

Using the Savannah District's Standard Operating Procedure (SOP) for wetland mitigation, FHWA determines 3.64 credits are needed to offset the loss of function of 0.40 acres of salt marsh impacted by the proposed project. In the calculations, FHWA assigned a rarity ranking of "common" to the impacted marsh. The Savannah District typically affords salt marsh an "uncommon" or "rare" factor value in SOP mitigation calculations. With a change to "uncommon," FHWA would need 3.8 credits. The proposed grading and restoration of approach sections of the existing bridge would provide 2.1 credits. NMFS recommends the final grading plan be examined carefully prior to work to ensure the target elevations are locally conducive for salt marsh vegetation. The remaining credits would be generated by installing living shoreline projects, in coordination with the Georgia Department of Natural Resources (GADNR), at one or two erosional areas on the island or by removing fill on nearby NPS land. On October 30, 2014, NMFS participated in a conference call with FHWA, NPS, and GADNR to discuss potential mitigation sites. NMFS noted any living shoreline project would have to result in salt marsh recruitment to generate credit and high wave energy at many of the Cocks spur Island sites may impede success. NMFS also helped identify additional sites on NPS land that could be restored to marsh by removing old spoil fill. FHWA has yet to present a final mitigation proposal to NMFS for review.

Conservation Recommendation

NMFS finds the proposed filling of salt marsh will adversely affect EFH. Section 305(b)(4)(A) of the Magnuson-Stevens Act requires NMFS to provide EFH conservation recommendations when an activity is expected to adversely affect EFH. Based on this requirement, NMFS provides the following:

EFH Conservation Recommendation

- FHWA shall provide a complete compensatory mitigation and monitoring plan to NMFS for approval. The plan shall include the location of sites proposed for mitigation work, description of construction activities, monitoring methods, performance standards, credit calculations, and an adaptive management process. NMFS is available to review draft plans.

In accordance with Section 305(b)(4)(B) of the Magnuson-Stevens Act and its implementing regulations at 50 CFR 600.920(k), the FHWA must provide a detailed response in writing to NMFS within 30 days after receiving this letter. If it is not possible to provide a substantive response within 30 days, the FHWA should provide an interim response to NMFS, to be followed by the detailed response. The response must include a description of measures proposed by the FHWA for avoiding, mitigating, or offsetting the impact of the activity on EFH. If the response is inconsistent with the EFH conservation recommendation, the FHWA must explain reasons for not following the recommendation, including the scientific justification for any disagreements with NMFS over the anticipated effects of the action and the measures needed to avoid, minimize, mitigate, or offset such effect. The FHWA must submit the response to NMFS at least 10 days prior to final approval of the action.

In accordance with section 7 of the Endangered Species Act of 1973, as amended, it is the responsibility of the FHWA to review and identify any proposed activity that may affect endangered or threatened species and their designated critical habitat. Determinations involving species under NMFS jurisdiction should be reported to NMFS' Protected Resources Division at the letterhead address.

The Marine Mammal Protection Act of 1972, as amended, prohibits, with certain exceptions, the "take" of marine mammals in U.S. waters. If the proposed action may incidentally take, by harassment, a marine mammal, FHWA should contact the NMFS Office of Protected Resources, Permits Division, at NOAA Headquarters, Silver Spring, Maryland.

We appreciate the opportunity to provide these comments. Please direct related correspondence to the attention of Ms. Jaclyn Daly-Fuchs at our Charleston Area Office. She may be reached at (843) 762-8610 or by e-mail at Jaclyn.Daly@noaa.gov.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:

FHWA, Lisa.Landers@dot.gov
COE, Sherelle.D.Reinhardt@usace.army.mil
GADNR CRD, Kelie.Moore@dnr.state.ga.us, Jan.Mackinnon@dnr.state.ga.us
SAFMC, Roger.Pugliese@safmc.net
EPA, Somerville.Eric@epa.gov
FWS, Karen_Mcgee@fws.gov
F/SER4, David.Dale@noaa.gov
F/SER47, Jaclyn.Daly@noaa.gov