



**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>

January 15, 2015

F/SER47:JD/pw

(Sent via Electronic Mail)

Lt. Col. John Litz, Commander  
Charleston District, Corps of Engineers  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107

Attention: David Wilson

Dear Lt. Colonel Litz:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice 2009-00159-2ID, dated December 31, 2014. BP Amoco requests authorization from the Department of the Army to modify the existing BP "T" Head dock on the Cooper River, Berkeley County, to include three new mooring dolphins. Two of the new dolphins would be installed along the face of the existing wharf. The third dolphin would be installed 100 feet southward of the wharf along the same plane as the wharf face. Each dolphin would have three 36-inch cylindrical rubber fenders similar to the fenders located at the existing dolphins. No compensatory mitigation is proposed. The Charleston District's initial determination is the mooring dolphins would not have substantial individual or cumulative adverse impacts on essential fish habitat (EFH) or federally managed fishery species. 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).

The portion of the Cooper River near the BP Amoco dock includes estuarine emergent vegetation (tidal marsh) and unconsolidated bottom. The South Atlantic Fishery Management Council (SAFMC) identifies these habitats as EFH for estuarine-dependent species of the snapper-grouper complex. Tidal marsh is also EFH for penaeid shrimp, including white shrimp (*Litopenaeus setiferus*) and brown shrimp (*Farfantepenaeus aztecus*), because larvae and juveniles concentrate and feed extensively and shelter within these habitats. As a consequence, growth rates are high and predation rates are low, which makes these habitats effective nursery areas. The SAFMC identifies EFH for all federally managed species in Volume IV of the *Fishery Ecosystem Plan of the South Atlantic Region*<sup>1</sup>.

The waters of the Cooper River, the tidal creeks connected to it, and the surrounding coastal marsh also serve as nursery and forage habitat for other species, such as red drum (*Sciaenops ocellatus*), black drum (*Pogonias cromis*), Atlantic menhaden (*Brevoortia tyrannus*), and blue crab (*Callinectes sapidus*). Many of these species are prey for other fish managed under the Magnuson-Stevens Act, such as mackerels, snappers, groupers, billfish, and sharks. Red drum are important as a recreationally caught species, and

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<sup>1</sup> Available at <http://safmc.net/EcosystemLibrary/FEPVolumeIV>



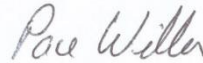
estuarine wetlands within the project area provide habitat necessary for development and survival throughout all life stages of red drum.

Installation of the dolphins would result in minimal loss of EFH. However, pile driving creates pressure waves that can injure fish or affect their behavior (e.g., reduce foraging). NMFS recommends the piles be driven with a vibratory hammer to the maximum extent practicable. If impact hammering is needed, pile caps or cushions should be used to reduce the pressure waves. In addition, the hammer should be ramped-up to allow mobile organisms an opportunity to leave the area before the full hammer energy is reached.

In accordance with section 7 of the Endangered Species Act of 1973, as amended, it is the responsibility of the Charleston District 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.

NMFS appreciates 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](mailto:Jaclyn.Daly@noaa.gov).

Sincerely,



/ for

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division

cc:

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