



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: Debra King

Dear Lt. Colonel Litz:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice 2009-00315-1W(modified), dated January 2, 2015. The Town of Edisto Beach requests authorization from the Department of the Army to modify an existing dock on Big Bay Creek, Charleston County, to provide shade and weather protection to the public and to add recreational access. No compensatory mitigation is proposed. The Charleston District's initial determination is the proposed project 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 proposed work includes installing a covered deck (22.76 feet by 11.6 feet) between two existing walkways. The deck would connect the two walkways approximately 8 feet above mean low water and be supported by six timber pilings. In addition, the applicant would add a floating platform (8 feet by 24 feet) to the existing floating dock for jet ski use. This dock would be approximately 43 feet from the existing shoreline, which is stabilized with a timber bulkhead.

The site of the proposed covered deck 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*¹.

The waters of the Big Bay Creek, 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

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



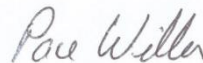
(*Pogonias cromis*), Atlantic menhaden (*Brevoortia tyrannus*), and blue crab (*Callinectes sapidus*). Many of these species are prey for other fish managed under the Magnuson-Stevens Act, such as mackerels, snappers, groupers, billfish, and sharks. Red drum are important as a recreationally caught species, and estuarine wetlands within the project area provide habitat necessary for development and survival throughout all life stages of red drum.

The design plans in the public notice indicate salt marsh vegetation is not present between the two docks. However, aerial imagery indicates salt marsh vegetation is present within and around the site. Piles would be driven into marsh and the 264 square feet of decking and roof would shade marsh vegetation.

While NMFS has no objection to the proposed floating dock, NMFS has concerns about the proposed covered deck. The purpose of the covered deck, as stated in the notice, is to provide a gathering area protected from the elements, which is not a water-dependent use. There is a large open, upland space on the landward side of the timber bulkhead. Constructing the covered space here would avoid impacts to wetlands. NMFS recommends the cover deck be moved to this location to avoid impacts to marsh habitat.

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.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:

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