



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>

April 1, 2015

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(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 Colonel Litz:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAC-2014-01105, dated March 6, 2015, and the associated Prospectus, dated November 25, 2014. ICA Engineering, Inc., and MWV-Caton Creek, LLC, propose to establish a 479-acre freshwater stream and wetland mitigation bank approximately 11 miles west of Monks Corner in Berkeley County. The applicants refer to the mitigation bank as the Caton Creek Stream and Wetland Mitigation Bank (Bank). The Charleston District's initial determination is the Bank is not within essential fish habitat (EFH), and NMFS agrees with this determination. As the a member of the Charleston District's Interagency Review Team and 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.

Description of the Proposed Project

The Bank would be within the headwaters of the Ashley River (HUC 03050201) and include the headwaters of Caton Creek and four unnamed tributaries. All waters from the Bank flow into Wassamassaw Swamp, which is immediately east of the Bank. Wassamassaw Swamp flows into Cypress Swamp, which ultimately flows into the Ashley River and Charleston Harbor.

The proposed work includes restoration, enhancement, and preservation of freshwater streams and wetlands. The proposed Bank contains approximately 24,250 linear feet of an abandoned single-thread relic channel of Caton Creek and approximately 4,735 feet of four unnamed tributaries (UT 1 to 4). The majority of the currently ditched Caton Creek would be restored to a meandering creek by diverting flow from the existing ditched channel into the relic channel. The sponsors would enhance approximately 1,350 feet of Caton Creek in the upstream most portion of the Bank by raising the channel bed from its existing elevation to meet the bed elevation of the relic channel and preserve UT 1, 3, and 4 because they are fully functional and threatened by silviculture practices if not protected. While there are ditches in UT 2, several sections of relic channel remain intact. The sponsors intend to study the possibility of restoring UT 2 to its relic channel but may be restricted from doing so due to hydrological influences on adjacent properties. Finally, the sponsors would remove a large portion of the existing road that parallels Caton Creek. The remaining existing roads (2.7 acres) would be maintained so the site can be accessed for management and monitoring.

Due to lateral drawdown of the incised channel of Caton Creek, the sponsors predict up to 124 acres of wetlands (delineation based on hydric soil composition) have been degraded and restoring Caton Creek would result in a more natural near-surface hydrology for these hydric soils. Thirteen groundwater



gauges were installed at the Bank in June 2014 (12 within the Bank and one within a reference wetland). The Prospectus notes the data collected to date are insufficient to confirm the extent of lateral drawdown, and groundwater gauges will continue to be monitored. Mature hardwood vegetation dominates the riparian and upland buffers.

The Bank's proposed primary service area is the entirety of HUC 03050201 (Cooper River) and the portion of HUC 03050111 (Lake Marion) that falls within the Mid-Atlantic Coastal Plain Ecoregion. The proposed secondary service area is the entirety of HUC 03050202 (South Carolina Coastal), HUC 03050209 (Bulls Bay sub-basin), and HUC 03050112 (Santee River).

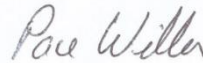
Prospectus Comments

While the Bank would not be appropriate for offsetting impacts to EFH, NMFS believes the Bank has the opportunity to provide stream credits and, possibly, wetland credits. NMFS recommends:

- Wetland restoration, enhancement, or preservation credit not be offered for the wetlands serving as stream buffers.
- The stream reference site be a perennial stream outside the area influenced by the proposed work. The proposed primary and secondary service areas follow the most recent guidance from the Charleston District.
- The Mitigation Banking Instrument specifies credits from the Bank cannot be used to offset impacts to tidal wetlands.

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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