



**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>

March 27, 2015

F/SER47: KH/pw

(Sent via Electronic Mail)

Col. Thomas J. Tickner, Commander  
Savannah District, Corps of Engineers  
100 West Oglethorpe Avenue  
Savannah, Georgia 31401-3640

Attention: William Rutlin

Dear Colonel Tickner:

NOAA's National Marine Fisheries Service (NMFS) reviewed joint public notice SAS-2011-00404 dated February 27, 2015. To improve a 17-mile segment of U.S. Highway 78 in McDuffie and Wilkes counties, the Georgia Department of Transportation (GDOT) requests authorization from the Department of the Army to permanently impact approximately 1.55 acres of jurisdictional wetlands, open waters, and ephemeral channels; permanently impact 1,810 linear feet of perennial and intermittent streams; and temporarily impact approximately 1.14 acres of jurisdictional wetlands. The Savannah District has determined the proposed work is not within areas designated essential fish habitat. NMFS agrees with this determination and offers no comments under the authorities of the Magnuson-Stevens Fishery Conservation and Management Act. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendation are provided pursuant to authorities of the Fish and Wildlife Coordination Act.

The GDOT proposes to improve a 17-mile segment of US-78 from State Route (SR) 43 in McDuffie County to SR 80 in Wilkes County. Proposed improvements include widening the existing highway to four 12-foot lanes with a 44-foot depressed grassed median from the project origin to approximately 1.7 miles north of Little River. From this point, the widening would continue with a 14-foot flush median and extend to the project terminus at the Washington Bypass. The width of the proposed right-of-way (ROW) varies from 150 to 250 feet. The proposed project also includes replacing the existing Hart Creek and Big Creek (Clarks Hill Lake) bridges along U.S. Highway 78.

The public notice indicates approximately 2.084 acres of jurisdictional wetlands would be impacted by the proposed project, including palustrine emergent, palustrine forested, and palustrine scrub shrub. These communities experience seasonal to permanent inundation when overbank flooding occurs. Bald cypress, tupelo, American sycamore, river birch, sweetgum, and red maple dominate the canopy. The ground and water surface layers are comprised of arrow arum, cattail, rush, and other common emergent vegetation. The loss of freshwater wetlands could adversely affect water quality as this habitat filters pollutants, stabilizes riparian shorelines, and facilitates transport of organic material. Consideration of the losses to these habitats and the ecosystem services they provide is important during construction.

The public notice also describes impacts to jurisdictional streams, open waters, and ephemeral channels that would permanently eliminate or and temporarily disturb habitats used by aquatic organisms. NMFS recommends the District also examine downstream impacts. Big Creek and Hart Creek are tributaries of the Little River, which flows into the Savannah River. The Savannah River and its tributaries (e.g., Ebenezer Creek and Briar Creek) are spawning areas for anadromous fish. Although upstream passage



through the lock chamber at the New Savannah Bluff Lock and Dam is currently limited, NMFS recommends the District consider during the final permit decision the potential for downstream impacts to anadromous fish and their habitat from construction. Sediment and toxicant input into streams and rivers is a major threat to anadromous fish and their habitats. This input can directly impact individuals and large spawning aggregations as well as permanently eliminate migration and spawning habitat.

As compensatory mitigation for unavoidable impacts to jurisdictional wetlands, GDOT proposes to purchase 16.18 wetland credits from either the Georgia Land Trust In-Lieu Fee Program or a federally approved mitigation bank. While GDOT prefers the latter, it is having difficulty finding a bank with available credits whose primary or secondary service area includes the site of the proposed work.

*Recommendation*

NMFS recommends the permit require Best Management Practices (BMPs) throughout all phases of construction, including (1) ensuring all efforts are made to avoid toxicant input into surface waters and wetlands and (2) deploying a Sediment Control Fence (SCF), silt curtains, or other sedimentation and turbidity control barriers to minimize sediment input into waters and wetlands adjacent to the project. Regular inspections and timely maintenance of all BMPs, including the SCFs, is necessary to minimize sediment and toxicant input into project-adjacent waters.

Thank you for the opportunity to provide these comments. NMFS is available to aid SCDOT as the project progresses. Please direct related questions or comments to the attention of Keith M. Hanson at our Charleston Area Office, 219 Fort Johnson Road, Charleston, South Carolina 29412-9110, Keith.Hanson@noaa.gov or by phone at (843)762-8622.

Sincerely,



/ for

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division

cc:

COE, William.M.Rutlin@usace.army.mil  
FWS, Christopher\_Coppola@fws.gov  
F/SER4, David.Dale@noaa.gov  
F/SER47, Keith.Hanson@noaa.gov