



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

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St. Petersburg, Florida 33701-5505

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

May 12, 2015

F/SER47:JD/pw

(Sent via Electronic Mail)

Col. Thomas J. Tickner, Commander
Savannah District Corps of Engineers
100 W. Oglethorpe Avenue
Savannah, Georgia 31402-0889

Attention: Shaun Blocker

Dear Colonel Tickner:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAS-2015-00235 and SAS-2005-01381, dated April 23, 2015. The Savannah Harbor – Interstate 16 Corridor Joint Development Authority requests authorization from the Department of the Army to fill 142.69 acres of freshwater wetlands and 5,647 linear feet of freshwater streams and canals to construct a manufacturing facility in Bryan County. The wetlands proposed for impact drain to Mill Creek and Black Creek, eventually discharging into the tidally influenced freshwater of the Ogeechee River. As compensatory mitigation, the applicant proposes purchase of wetland credits from an approved mitigation bank and/or contribution to the Georgia Land Trust In-Lieu Fee Program. The Savannah District did not provide a determination on the project's impacts to essential fish habitat (EFH), presumably because no direct impacts to EFH are proposed. It is not clear if the Savannah District considered potential indirect impacts to EFH, which also may be subject to EFH consultation. 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).

Description of the Proposed Project

Figure 4 of the public notice indicates the project site is 1,907.7 acres currently used as a pine plantation, including 179 acres of managed longleaf pine. The proposed work includes filling 125.13 acres of jurisdictional wetlands, 17.56 acres of non-jurisdictional wetlands, 2,631 linear feet of stream, and 3,016 linear feet (0.62 acres) of a jurisdictional ditch to construct parking areas, warehouses, support buildings, roads, a railroad, and eight stormwater ponds. The majority of the fill would be placed on the periphery of wetlands except for the railroad on the southeastern portion of the site, which crosses wetlands. Because the Savannah District is currently processing a jurisdictional determination for the site, the wetlands impact acreages may change.



Essential Fish Habitat in the Project Area

The site of the proposed project does not include EFH; however, the tidally influenced freshwater portion of the Ogeechee River is located approximately 1.12 miles from the eastern site boundary. The South Atlantic Fishery Management Council (SAFMC) identifies tidal freshwater wetlands as EFH for penaeid shrimp, including white shrimp (*Litopenaeus setiferus*). Although tides dominate the rise and fall of the water in freshwater tidal wetlands, the wetlands themselves are typically not salty with a salinity range of 0.0 to 0.5 parts per thousand. The brackish and estuarine downstream waters of the Ogeechee River, the tidal creeks connected to it, and the surrounding coastal marsh are designated EFH for a number of federally managed fisheries, including penaeid shrimp and estuarine-dependent species of the snapper grouper complex. The SAFMC provides additional information on EFH for federally managed species in Volume IV of the *Fishery Ecosystem Plan of the South Atlantic Region*¹.

The salt marshes of the Ogeechee River 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 fish managed under the Magnuson-Stevens Act, such as mackerels, snappers, groupers, billfish, and sharks. Red drum is an important state-managed fishery, and estuarine wetlands within the project area provide habitat for all life stages of red drum.

Impacts to Essential Fish Habitat

The proposed project may impact EFH indirectly. An 11-mile segment of Mill Creek, to which the project site currently drains, is listed on the Environmental Protection Agency 303(d) list as impaired for dissolved oxygen. The amount of impervious surface and associated manufacturing chemicals associated with site development and operations may further impair waterbodies connecting to the Ogeechee River.

To minimize the potential degradation of water quality, the NMFS recommends the applicant incorporate low-impact design principles into the project plans. Examples include vegetated bioretention areas and pervious pavements to control hydrology through infiltration and/or evapotranspiration. These practices are consistent with recommendations the Georgia Department of Natural Resources, Environmental Protection Division, provides in the 2009 *Coastal Stormwater Supplement to the Georgia Stormwater Management Manual*. NMFS also recommends the railroad bed include culverts to minimize restriction of hydrologic flow of the wetland system the railroad bed will bifurcate.

Mitigation

As compensatory mitigation for impacts to freshwater wetlands, the applicant proposes to purchase available wetland and stream mitigation credits from a bank with a primary service area that includes the lower Ogeechee River. The public notice does not provide the mitigation credit worksheets; however, it does state not enough credits are available to satisfy mitigation needs. Therefore, the applicant is also proposing to purchase credits through the Georgia Land Trust In-Lieu Fee Program, which also does not have credits available for the lower Ogeechee River watershed. Given the two mitigation sources lack sufficient credits and this one project would deplete all credits within the Lower Ogeechee watershed, NMFS recommends the applicant

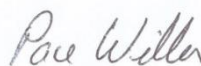
¹ Available at safmc.net/EcosystemLibrary/FEPVolumeIV

pursue permittee-responsible mitigation within the lower Ogeechee watershed, preferably by restoring or enhancing wetlands along the Ogeechee River.

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

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

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