



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

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

July 14, 2015

F/SER47: KH/pw

(Sent via Electronic Mail)

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

Attention: Elizabeth Williams

Dear Lt. Colonel Litz:

NOAA's National Marine Fisheries Service (NMFS) reviewed joint public notice 2009-1107-DIJ dated June 15, 2015. To improve a two-mile segment of U.S. Highway 701 (US 701) in Georgetown and Horry Counties, the South Carolina Department of Transportation (SCDOT) requests authorization from the Department of the Army to impact 9.49 acres of jurisdictional freshwater wetlands and 0.151 acres of tidal freshwater wetlands. 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).

Description of the Proposed Project

The SCDOT proposes to improve an approximately two-mile-long segment of US 701 within the Waccamaw National Wildlife Refuge as it crosses over the Great Pee Dee River, the Great Pee Dee River overflow, and Yauhannah Lake. Proposed improvements include constructing three bridges and a causeway on a northern alignment. The new roadway segments would maintain a 45-foot offset between the bridges, but would incorporate portions of the existing embankment fill to minimize the overall footprint. The existing roadway would remain intact but the existing bridges would be removed. The proposed work would extend approximately 1,900 feet south of the Yauhannah Lake Bridge near the intersection of Trinity Road to 1,300 feet north of the Great Pee Dee River Overflow Bridge near the Lucas Bay Road intersection for a total project distance of approximately 12,000 feet. The proposed project also includes construction of a new boat ramp and access road on the east bank of the Great Pee Dee River on the north side of the US 701 relocation in Horry County. An extensive network of temporary work trestles is proposed to accommodate construction access.

Essential Fish Habitat in the Project Area

In May 2015, SCDOT submitted an EFH Assessment on behalf of the Federal Highway Administration for this project. The site of the proposed project includes tidal freshwater



wetlands. The South Atlantic Fishery Management Council (SAFMC) identifies tidal freshwater wetlands as EFH for penaeid shrimp, including white shrimp (*Litopenaeus setiferus*), because they function as inshore nursery areas. The SAFMC provides additional information on EFH and its support of federally managed species in Volume IV of the *Fishery Ecosystem Plan of the South Atlantic Region*¹.

The waters of the Great Pee Dee River, the downstream tidal creeks connected to it, and the adjacent wetlands 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 downstream of the project area provide habitat for several life stages of red drum.

Impacts to Essential Fish Habitat

The public notice describes direct fill impacts from the proposed boat ramp that would result in the permanent loss of 0.151 acre of tidal freshwater wetlands along the riverbank. Use of the boat ramp also may lead to indirect impacts to adjacent tidal freshwater habitat from boat operation, contaminant release, and trash accumulation. No fill associated with the roadways would impact tidal freshwater wetlands because the river rarely tops the bank levees except under extreme rainfall conditions.

The SCDOT has closely coordinated this project with the NMFS and other resource agencies, including meetings and site inspections. Steps the SCDOT has taken to avoid or minimize impacts from the proposed project include removing approximately 0.0119 acre of existing bridge structure from within the Great Pee Dee River; using 2:1 side slopes along wetland areas to reduce the project footprint; and installing, inspecting, and maintaining appropriate erosion and sedimentation control Best Management Practices in accordance with local and state stormwater guidelines. Lastly, the SCDOT proposes to implement a seasonal moratorium on all in-water work between January 1 and April 15 as a conservation measure to avoid potential impacts to protected fish species, including the shortnose (*Acipenser brevirostrum*) and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*). The existing US 701 roadbeds through freshwater wetlands would not be removed because they will augment stormwater treatment for the new road. While the NMFS appreciates SCDOT's avoidance and minimization efforts; the NMFS recommends the permit be conditioned to require all disturbed areas from roadway, bridge, and boat landing construction and bridge removal are graded to elevations matching adjacent wetlands not impacted by the project.

As compensatory mitigation for unavoidable impacts to jurisdictional wetlands and tidal freshwater habitat from the proposed project, the SCDOT proposes to purchase 120.8 wetland mitigation credits from the Carter-Stilley Mitigation Bank. The NMFS does not object to use of the Carter-Stilley Mitigation Bank to offset impacts to freshwater wetlands from this project. The impact site (HUC 03040201) and bank site (HUC 03040206) are in adjacent watersheds and share similar hydrological and biological characteristics; the impact site is located within the secondary service area of the bank. The NMFS is unaware of mitigation banks with tidal

¹ Available at safmc.net/EcosystemLibrary/FEPVolumeIV

freshwater credits in the area. The NMFS does not object to SCDOT using Carter-Stilley Mitigation Bank to offset impacts to tidal freshwater wetlands from boat ramp construction due to the small acreage and location of impact, however, SCDOT should recognize this is out-of-kind and adjust the mitigation calculations accordingly.

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 the NMFS jurisdiction should be reported to the NMFS Protected Resources Division at the letterhead address.

NMFS appreciates the opportunity to provide these comments. 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

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