



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>

July 3, 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: David Chamberlain

Dear Colonel Litz:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice 2015-00668-1IY, dated June 18, 2015. Beaufort County requests authorization from the Department of the Army to construct a boat ramp and docking area to provide public access to the Beaufort River. The public notice indicates the proposed impacts to estuarine habitat are 0.21 acres. No compensatory mitigation is proposed. The Charleston District's initial determination is the proposed fill 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 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

Beaufort County proposes to construct a concrete boat ramp approximately 50 feet south of an existing concrete boat ramp for public use. The new amenity would include a concrete boat ramp (28 feet by 170 feet) and a floating dock (8 feet by 80 feet) with an L-shaped section (30 feet by 8 feet). The dock would connect to the uplands via a concrete walkway (6 feet by 110 feet), a concrete dock pad (8 feet by 40 feet), and a concrete abutment (8.5 feet by 28 feet). Rip rap (0.004 acres) would be placed along the edges and at the end of the boat ramp for erosion control.

Essential Fish Habitat in the Project Area

The site of the proposed project includes estuarine emergent wetlands (salt marsh) and unconsolidated bottom. The South Atlantic Fishery Management Council (SAFMC) identifies salt marsh as EFH for penaeid shrimp, including white shrimp (*Litopenaeus setiferus*) and brown shrimp (*Farfantepenaeus aztecus*). Salt marshes are EFH 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 also identifies salt marshes and unconsolidated bottom as EFH for estuarine-dependent species of the snapper-grouper complex. 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 Beaufort River, 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 (*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 boat ramp would result in the permanent loss of 0.21 acres of EFH. Use of the boat ramp may also lead to indirect impacts to adjacent marsh from boat operation and trash accumulation. Beaufort County proposes to leave in place the existing, closed boat ramp. This ramp should be removed so salt marsh vegetation can reestablish within the footprint.

EFH Conservation Recommendation

Section 305(B)(4)(A) of the Magnuson-Stevens Act requires the NMFS to provide EFH Conservation Recommendations for any federal action or permit which may result in adverse impacts to EFH. Therefore, the NMFS recommends the following to ensure the conservation of EFH and associated fishery resources:

- The permit should require removal of the existing boat ramp and rip rap and the grading of the area to the elevations seen in the adjacent marsh.

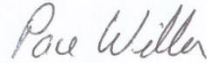
Section 305(b)(4)(B) of the Magnuson-Stevens Act and implementing regulation at 50 CFR Section 600.920(k) require the Charleston District to provide a written response to this letter within 30 days of its receipt. If it is not possible to provide a substantive response within 30 days, an interim response should be provided to the NMFS. A detailed response then must be provided 10 days prior to final approval of the action. The detailed response must include a description of measures proposed by the Charleston District to avoid, mitigate, or offset the adverse impacts of the activity. If the response is inconsistent with an EFH conservation recommendation, a substantive discussion justifying the reasons for not following the recommendation must be provided.

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

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

The 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: COE, David.Chamberlain@usace.army.mil
DHEC, trumbumt@dhec.sc.gov
SCDNR, DavisS@dnr.sc.gov
SAFMC, Roger.Pugliese@safmc.net
FWS, Karen_Mcgee@fws.gov
F/SER4, David.Dale@noaa.gov
F/SER47, Jaclyn.Daly@noaa.gov