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

June 29, 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: Chelsea Bowman

Dear Colonel Litz:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice 2015-00658-2C, dated June 19, 2015. Dangerfield Family Limited Partnership requests authorization from the Department of the Army to construct a dock for personal recreational use of the Atlantic Intracoastal Waterway (AIWW) near Breach Inlet, Charleston County. No compensatory mitigation is proposed. The Charleston District's initial determination is the dock construction 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).

The proposed work includes constructing a private, joint-use dock. The proposed dock has a walkway (514 feet by 4 feet) leading to two pierheads (20 feet by 22 feet), two boat lifts (16 feet by 16 feet), and two floating docks (20 feet by 10 feet). The dock would extend from the existing bulkhead to approximately 130 feet beyond marsh vegetation into the AIWW.

The site of the proposed dock includes estuarine emergent wetlands (salt marsh), a tidal creek, 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 marsh, tidal creeks and unconsolidated bottom as EFH for estuarine-dependent species of the snapper-grouper complex. The SAFMC identifies EFH for federally managed species in Volume IV of the *Fishery Ecosystem Plan of the South Atlantic Region*[1].

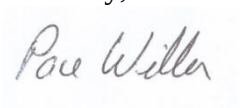
[1] Available at *http://safmc.net/EcosystemLibrary/FEPVolumeIV*

The proposed dock would impact approximately 0.09 acres of EFH by shading and filling with pilings. Approximately 75 percent of the dock's walkway would shade salt marsh, potentially decreasing vegetation density; however, the width of the walkway is within state guidelines for minimizing this impact. The proposed walkway would cross a tidal creek that parallels the shoreline. The width of the creek appears to be less than 10 feet at the walkway crossing. If pilings are installed in this tidal creek, water and sediment movement within the creek could be impacted. The NMFS requests the permit not allow pilings to be installed in the creek.

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.

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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