

Appendix A
Comments and Responses

Public and Agency Comments and Responses
March 2023
Murrells Inlet Operation and Maintenance Dredging
Environmental Assessment

Eastern Shawnee Tribe, via letter dated December 20, 2022

Comment: “As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes **NO Adverse Effect** or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consult.”

Response: The Eastern Shawnee Tribe’s response is noted. They will be contacted if any discoveries are made, or the project plans are updated.

Delaware Tribe, via email dated November 15, 2022

Comment: “This project is outside our area of interest. The Delaware Tribe has no comment on this project.”

Response: The Delaware Tribe’s response is noted.

NOAA National Marine Fisheries Service, Habitat Conservation Division, via email dated December 15, 2022

Comment: “NMFS has reviewed the draft EA/FONSI, dated November 2022, entitled *Maintenance Dredging of an Inner Shoal of the Murrells Inlet Federal Navigation Project*. The proposed project remains the same as the previous maintenance dredging cycle that was completed in 2016 which NMFS consulted on. Additionally, as noted in section 4.4 of the EA, USACE is currently in consultation with NMFS to develop a Programmatic EFH Consultation that will cover maintenance dredging of the Murrells Inlet project. The USACE notes they intend to follow the conservation measures set forth in the Programmatic in order to avoid significant individual or cumulative adverse effects on EFH or living marine resources under the jurisdiction of NMFS. Consequently, the NMFS offers no EFH conservation recommendations pursuant to the Magnuson-Stevens Fishery Conservation and Management Act and no recommendations under the Fish and Wildlife Coordination Act for the draft EA/FONSI.

Response: The USACE contacted NMFS Protected Resources Division, via email dated April 19, 2023, to document that the project as proposed falls within the programmatic consultation, Appendix D.

South Carolina Department of Natural Resources, letter dated December 15, 2022

Comment: “The proposed action includes the excavation of sandy material from the Federal navigation channel including the entrance channel, the deposition basin, the auxiliary channel, and portions of the inner channel (shoals A, B and C). A total of 500,000 to 750,000 cubic yards is expected to be dredged. Maintenance dredging will be by means of a hydraulic cutterhead dredge that will transport the sand through a pipeline to be discharged as a slurry and placed directly on the front beach of Garden City Beach and on both the front beach and at the terminal west end of the south jetty of Huntington Island State Park.

The SCDNR concurs with the Finding of No Significant Impact on the quality of the natural environment for the proposed maintenance dredging project. Negative impacts to natural resources are likely to be minor and temporary and can be further minimized by adhering to the following recommendations.

1) Special precautions should be taken to avoid and minimize disturbance to oyster resources from dredging equipment mobilization and operation, especially pipelines.

2) To avoid negative impacts to marine species, all in-water equipment, including silt curtains, floating buoys, and vertical lines should be properly secured with materials that reduce the risk of entanglement. All in-water equipment should be designed to ensure there are no freely hanging loops or tangles at the surface or in the water column. All lines and other inwater equipment should be monitored throughout the day and for the duration of project to ensure no entanglement of marine species.

Additionally, the SCDNR understands that the Corps will be initiating a formal consultation with the US Fish and Wildlife Service (USFWS) and obtain a new biological opinion (BO) that will address the potential impacts of the proposed project on species under its jurisdiction, including the loggerhead sea turtle (*Caretta caretta*) and the piping plover (*Charadrius melodus*). The BO will include specific terms and conditions as well as conservation measures that will address the protection of these species and their critical habitat. The SCDNR recommends that the project adheres to all terms and conditions outlined in the BO. Provided these terms and conditions are met, the SCDNR offers no objection to the proposed project.”

Response: As described in the EA, the USACE will implement best management practices to avoid and minimize disturbance to nearby oyster resources and marine species. USACE entered into formal consultation for the proposed action on November 28, 2022. Formal consultation concluded on April 12, 2023, with the receipt of the USFWS Biological Opinion and Conference. USACE will adhere to all Terms and Conditions in the Biological Opinion.

USFWS, Ecological Services, via email dated December 15, 2022

Comment: “The service offers the following comments on the draft EA for the Murrells Inlet dredging project. On November 22, 2022, the Service provided comments on your draft Biological Assessment (BA) and recommended re-evaluating your effect determinations for the Kemp’s ridley sea turtle, leatherback sea turtle, piping plover and its critical habitat (Unit SC-3), and rufa red knot and its proposed critical habitat (Units SC-1 and SC-2). In response to our recommendations, your agency provided a revised BA and request to initiate formal consultation on November 28, 2022. We recommend updating the effect determinations in the draft EA to

reflect our November 22, 2022, comments and revised effect determinations outlined in your revised BA provided via email on November 28, 2022. We also sent out a letter on December 13, 2022 acknowledging initiating formal consultation for this project.”

Response: The USFWS’ comment is noted and the EA and BA were updated.

State Historic Preservation Office (SHPO), via letter dated November 17, 2022

Comment: “Based on the Corps’ description of the Area of Potential Effect (APE), the identification of the Murrells Inlet Historic District within the APE and the implementation of the 50 foot buffer around the magnetic anomaly/probable shipwreck within the vicinity of Inner Shoal B, our office concurs with the Corps assessment that no properties listed in or eligible for listing in the National Register of Historic Places will be adversely affected by this project.

If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials. The federal agency or the applicant receiving federal assistance should contact our office immediately.”

Response: The SHPO’s response is noted. They will be contacted if any discoveries are made, or the project plans are updated.