

Appendix D
Coastal Zone Consistency Determination



August 4, 2023

Erica Fritz
69A HAGOOD AVE
CHARLESTON, SC 29403

RE: Town Creek Federal Navigation Project, HPW-4GMF-HY342
Charleston County

Dear Ms. Fritz:

This Coastal Zone Consistency Determination Conditional Concurrence is in response to the U. S. Department of Army, US Army Corps of Engineers Charleston District's Coastal Zone Consistency Determination submitted to South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management (SCDHEC OCRM) on January 17, 2023. SCDHEC OCRM's review began on February 10, 2023. This letter is provided through supplemental coordination following additional resource agency comments and responses provided, and will supersede the previous consistency concurrence dated July 14, 2023.

The proposed activity consists of maintenance dredging of Town Creek entrance Channel within Five Fathom Creek. The Draft EA updates previous analysis for continued operation and maintenance of the Town Creek Federal navigation channel and evaluates impacts associated with the proposed advanced maintenance dredging of the Town Creek Navigation Channel, potential future realignment of the entrance channel to follow deep water, and placement of the excavated material nearshore along Lighthouse Island.

Dredged material will be placed either adjacent to the existing channel (100' from vessel) on the downdrift side or within a designated nearshore (approximately 13' MLW) placement area along Lighthouse Island within Cape Romain National Wildlife Refuge.

The updated Federal Channel project would now include 4.5 acres of advanced maintenance dredging of the Town Creek Federal navigation channel (up to an additional 60,000 cubic yards of material) and realignment of the entrance channel to follow deep water, as well as the potential use of a modified hopper dredge. The realignment would consist of "following the deep" water where the channel alignment is adjusted within the project limits to follow the natural deeper waters. Shoaling will either be excavated by a side-cast dredge, with placement adjacent to the channel downdrift; or by a modified hopper dredge, with dredged material being placed nearshore along Lighthouse Island within Cape Romain National Wildlife Refuge.

The purpose of this iteration of maintenance dredging is to continue to provide safe navigation for existing and prospective vessel traffic. Shoaling tends to occur within the entrance

channel, which impacts navigation. When this shoaling occurs, vessels navigate outside the federal channel to access deeper areas. Therefore, there is a need to conduct regular maintenance dredging of the entrance channel to improve access to and from McClellanville.

Pursuant to 15 C.F.R. § 930.4 SCDHEC OCRM **conditionally concurs** with the determination that the project is consistent to the maximum extent practicable with the following conditions below to ensure consistency with the enforceable policies contained within the S. C. Coastal Zone Management Program (SCCZMP) pursuant to 15 C.F.R. § 930.55. This concurrence is based upon the review of the Guidelines for Evaluation of All Projects as well as the Wildlife and Fisheries Management, Dredging (*Dredging and Dredged Material Disposal*), Activities in Areas of Special Resource Significance (*Navigation Channels*) policies contained in the SCCZMP.

1. Should the proposed project utilize a traditional hopper dredge to achieve the purpose of the federal action, the hopper dredge is limited to use between November 1st – March 31st to minimize potential negative impacts to sea turtles utilizing Cape Romain National Wildlife Refuge during mating and nesting season.
2. Should the proposed project utilize a modified hopper dredge, as identified in the draft EA with smaller draghead sizes and openings in addition to lower suction horsepower than a traditional hopper dredge, nearshore placement of material must be limited to October 1st – June 15th to minimize potential impacts to sea turtle hatchlings leaving the beaches within Cape Romain National Wildlife Refuge.

Please contact me if you have any questions about this concurrence or the conditions within it. It is our intention to work with the US Army Corps of Engineers to address any concerns that you may have as to how this project can be consistent with the enforceable policies of the SCCZMP.

Sincerely,



Christopher M Stout
South Carolina Department of Health and Environmental Control
OCRM - Coastal Zone Consistency
stoutcm@dhec.sc.gov

cc: Mr. William "Rusty" Wenerick, SCDHEC Wetland and Water Quality Certification Section