

Appendix F
Water Quality Certification

From: [Hughes, Andrea W CIV USARMY CESAC \(USA\)](#)
To: [Fritz, Erica CIV USARMY CESAC \(USA\)](#)
Subject: FW: Murrells Inlet 401 certification
Date: Friday, August 26, 2022 10:11:06 AM
Attachments: [Murrells Inlet- 401 WQC - 2017.pdf](#)
[2016 MurrellsInletPublicNotice.pdf](#)

From: Culbreath, S. Michele <CULBRESM@dhec.sc.gov>
Sent: Friday, August 26, 2022 9:58 AM
To: Hughes, Andrea W CIV USARMY CESAC (USA) <Andrea.W.Hughes@usace.army.mil>; Hightower, Charles <HIGHTOCW@dhec.sc.gov>
Subject: [URL Verdict: Neutral][Non-DoD Source] Re: Murrells Inlet 401 certification

Andrea,

After our phone conversation on August 8th, this office has determined that the 401 Water Quality Certification(WQC) dated April 18, 2017 is still valid for the current maintenance dredging of Murrells Inlet under the public notice for 2016-Murrells Inlet dated September 30, 2016. Furthermore, we found that condition #5 "All excavated materials must be hauled off site or placed on high land and properly contained and permanently stabilized to prevent erosion" was inadvertently added to the 401 WQC. The public notice for this dredge stated, "The material will also be excavated by hydraulic pipeline cutterhead dredge and deposited near the terminal end of the south jetty at Huntington Beach State Park. This material will be used to protect the jetty and restore lost shorebird habitat." The 401 WQC condition #5 is incompatible with this disposal method and should be considered stricken from the 401 WQC. Please attach a copy of this email to the 401 WQC.

S. Michele Culbreath

Water Certification and Wetlands Section
S.C. Dept. of Health & Environmental Control
Office: (803) 898-4224
fax: (803) 898-7344
Connect: www.scdhec.gov [Facebook](#) [Twitter](#)



From: Hughes, Andrea W CIV USARMY CESAC (USA) <Andrea.W.Hughes@usace.army.mil>
Sent: Friday, August 26, 2022 9:37 AM
To: Hightower, Charles <HIGHTOCW@dhec.sc.gov>; Culbreath, S. Michele <CULBRESM@dhec.sc.gov>
Subject: Murrells Inlet 401 certification

*** Caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hi Chuck and Michelle,

I just wanted to follow up concerning our August 8th discussion on the Murrells Inlet 401 certification. As I mentioned previously, we are not making any changes to the authorized project. Can you please confirm by responding to this e-mail that the attached 401 certification is sufficient and that condition #5 in the letter is not applicable?

Thanks so much for your assistance,

Andrea

Andrea W. Hughes
Biologist, Planning and Environmental Branch
U.S. Army Corps of Engineers, Charleston District
69-A Hagood Avenue
Charleston, South Carolina 29403
843.566.3857



April 18, 2017

US Army Corps of Engineers
69A Hagood Ave
Charleston SC 29403

Re: Certification in Accordance with Section 401 of the Clean Water Act, as amended.

US Army Corps of Engineers
New and maintenance dredging
Murrells Inlet
Georgetown County
P/N 2016-MURRELLS INLET

Dear Sir or Madam:

South Carolina Department of Health and Environmental Control (DHEC) staff have reviewed plans for this project and determined there is a reasonable assurance that the proposed project will be conducted in a manner consistent with the Certification requirements of Section 401 of the Federal Clean Water Act, as amended. In accordance with the provisions of Section 401, we certify that this project, subject to the indicated conditions, is consistent with applicable provisions of Section 303 of the Federal Clean Water Act, as amended. We also hereby certify that there are no applicable effluent limitations under Sections 301(b) and 302, and that there are no applicable standards under Sections 306 and 307.

This certification is subject to the following conditions:

1. The applicant must implement best management practices that will minimize erosion and migration of sediments on and off the project site during and after construction. These practices should include the use of appropriate grading and sloping techniques, mulches, silt fences, or other devices capable of preventing erosion, migration of sediments, and bank failure. All disturbed land surfaces and sloped areas affected by the project must be stabilized and sloped.
2. All necessary measures must be taken to prevent oil, tar, trash, debris and other pollutants from entering the adjacent waters or wetlands.
3. Once the project is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to the environment.

4. Construction activities must avoid to the greatest extent practicable, encroachment into any wetland/river bank areas not designated as impact areas.
5. All excavated materials must be hauled off site or placed on high land and properly contains and permanently stabilized to prevent erosion.
6. The excavated area must be sloped such that the rear is no deeper than the front and the front no deeper than the adjacent waterbody to maintain water circulation.
7. All conservation measures outlined in the U.S. Fish and Wildlife Service's Biological Opinion dated August 10, 2016, must be adhered to.

DHEC reserves the right to impose additional conditions on the Certification to respond to unforeseen, specific problems that might arise and to take any enforcement action to ensure compliance with State water quality standards.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Preston".

Heather Preston, Director
Division of Water Quality
Bureau of Water

cc: US Army Corps of Engineers
Charleston District Office
Environmental Affairs District Office Georgetown County
OCRM



**Department of the Army
And
South Carolina Department of Health and Environmental Control**

September 30, 2016

**JOINT PUBLIC NOTICE
Amended**

**US Army Corps of Engineers, Charleston District
69A Hagood Ave.
Charleston, SC 29412
and the
South Carolina Department of Health and Environmental Control
Ocean and Coastal Resources Management, Charleston
Water Quality and Wetlands Section, Columbia**

To Whom It May Concern:

Subject: Project amendment to include maintenance dredging of the entrance channel and of the deposition basin of the Federal Navigation Channel at Murrell's Inlet, with dredged material placement along the south end of Garden City Beach to the north jetty and at the terminal end of the south jetty. The amended notice follows the July advertisement of the Availability of Draft Environmental Assessment (Draft EA) describing the excavation and disposal of material dredged from the Murrells Inlet Federal Navigation Channel near Marlin Quay Marina. This is pursuant to the National Environmental Policy Act, Federal Consistency Determination pursuant to the Coastal Zone Management Act, and Water Quality Certification pursuant to Section 401 of the Clean Water Act, for the Proposed Excavation of the Murrells Inlet Federal Navigation Channel, Georgetown County, South Carolina.

Pursuant to above mentioned federal statutes, the U.S. Army Corps of Engineers (USACE) Charleston District has prepared a July 2016 Draft EA and a May 2001 Final EA on the proposed dredging and material placement of the Murrells Inlet Federal Navigation Channel. The South Carolina Department of Health and Environmental Control (SCDHEC), Offices of Ocean and Coastal Resources Management and Water Quality Certification and Wetlands in conjunction with the USACE are inviting comment on this amended notification that serves as a public notice on their behalf. These documents are available to agencies and the public for an additional 10 day comment period. **Comments will be accepted until October 10, 2016.** The documents are available online at:

<http://www.sac.usace.army.mil/Missions/CivilWorks/NEPADocuments.aspx>.

Federal Project Authorization and Project Description:

The Murrells Inlet Federal Navigation Channel was authorized by the House Committee on Public Works on 10 November 1971 and the Senate Committee on Public Works on 18 November 1971, under authority of Section 201, P.L. 89-298, and 1965 Flood Control Act. Project construction initiated in September 1977 and completed in August 1981. The project authorized the construction of two jetties and the construction of a deposition basin, an entrance channel, two inner channels (Inner Channel A and Inner Channel B, respectively) and a turning basin. The initial project provided for an Entrance Channel 300 feet wide, 10 feet deep and extends 3,900 feet from -12-foot ocean contour. Inner Channel A is 200 feet wide, 10 feet deep and extends from the entrance channel to the mouth of Main Creek, approximately 2000 feet. Inner Channel B is 90 feet wide, 8 feet deep and extends to an old Army crash boat dock where it terminates with a turning basin 300 feet long and 150 feet wide. The Auxiliary Channel is 200 feet wide, 10 feet deep and is approximately 1000 feet long. The Entrance Channel is stabilized by ocean jetties extending seaward 3,445 feet and 3,319 feet on the north and south sides of the Inlet, respectively. The north jetty was constructed with a weir section at the north end to allow for passage of littoral drift traveling essentially between the shoreline and the -4-foot contour. Inside the north jetty is a deposition basin that has the capacity to hold up to 600,000 cubic yards of material. The project resulted in approximately 1,103,300 cubic yards being initially excavated. The project also authorized regular operation and maintenance (O&M) dredging, with disposal of material on Garden City Beach and Huntington Beach State Park. The last dredging was conducted in 2002, when approximately 680,000 cubic yards of material was dredged from both the entrance channel and deposition basin and placed on Garden City Beach and Huntington Beach State Park. Maintenance dredging has been previously performed in 1988 and 2001.

This amended notice, covered in the May 2001 Final EA, includes maintenance dredging of sections of the Murrell's Inlet navigation channel and deposition basin. In 2001, the project was found to be in compliance with all applicable State and Federal laws and regulations and was certified as consistent with the South Carolina Coastal Zone Management Program. The project involves the use of a hydraulic pipeline cutterhead to dredge beach compatible sand from the federal navigation channel and the deposition basin located near the north jetty. Approximately 478,000 cy of material will be placed along approximately 8,976 feet of shoreline along Garden City Beach and approximately 80,000 cy of material will be placed along approximately 1,056 feet of shoreline at the terminal west end of the south jetty within Huntington Beach State Park. The originally noticed project described in the July 2016 Draft EA includes the excavation of 25,000 yd³ of material dredged from a one and one eighth acre of the Murrells Inlet Federal Navigation Channel near Marlin Quay Marina. The material will also be excavated by hydraulic pipeline cutterhead dredge and deposited near the terminal end of the south jetty at Huntington Beach State Park. This material will be used to protect the jetty and restore lost shorebird habitat.

The South Carolina Department of Health and Environmental Control, Ocean and Coastal Resources Management is soliciting public comment through October 10, 2016 on the project's consistency with the enforceable policies and programs of the State's Coastal Zone Management Program, pursuant to 15 C.F.R. § 930.42, regulations associated with the Federal Coastal Zone Management Act of 1972. The Federal Navigation Channel was initially constructed between 1977 and 1981. Maintenance dredging of the Federal Channel has taken place several times since initial construction, the most recent dredging occurring in 2001. The proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the South Carolina Coastal Zone Management Program (SCCZMP). Applicable enforceable resource policies of the SCCZMP include: (1) Wildlife and Fisheries Management, (2) Dredging, (3) Erosion Control, (4) Activities in Areas of Special Resource Significance, and (5) Beach and Shoreline Access. The SCCZMP enforceable policies may be reviewed in detail:

http://www.scdhec.gov/Environment/docs/OCRM_Policies_Procedures.pdf

This notice serves as a request to the South Carolina Department of Health and Environmental Control for

Section 401 Water Quality Certification and serves as a public notice on their behalf. Section 404 of the Clean Water Act requires this public notice as part of the water quality certification process to authorize the excavation and placement of dredged material, and discharge of effluents to waters of the United States. The South Carolina Department of Health and Environmental Control will review this project in accordance with the provisions of Section 401 of the Clean Water Act, which is required to conduct an activity in, or adjacent to, waters of the State of South Carolina. Any person or agency who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 10 days of the date of this notice (**October 10, 2016**), in writing, and state the reasons/basis of objections, or request for a public hearing to the South Carolina Department of Health and Environmental Control, Division of Water Quality, Bureau of Water, 2600 Bull Street, Columbia. An overview of the South Carolina Water Quality Certification Program may be viewed at:

<http://www.scdhec.gov/environment/WaterQuality/401Certification/Overview/>

Comments on the project should be addressed to:

Mr. Jesse Helton
Biologist
US Army Corps of Engineers
Charleston District
69A Hagood Ave
Charleston, SC 29412
Jesse.S.Helton@usace.army.mil

Comments on the consistency of the project with the South Carolina Coastal Zone Management Program's enforceable policies are invited and will be accepted through October 10, addressed or emailed to:

Jeannie Lewis
Coastal Zone Consistency Project Manager, Regulatory Division
SC Department of Health and Environmental Control
Ocean and Coastal Resources Management
1362 McMillan Ave; Suite 400
Charleston, SC 29405
lewisaj@dhec.sc.gov

Further information on Federal Consistency:

<http://www.scdhec.gov/environment/WaterQuality/CoastalPermits/CoastalZoneConsistency/>

<https://coast.noaa.gov/czm/consistency/>

Comments pertaining to the *water quality certification* pursuant to Section 401 of the Clean Water Act are invited and will be accepted through October 10, addressed or emailed to:

Chuck Hightower
Manager, Water Quality Certification and Wetlands Section
Bureau of Water
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201
hightocw@dhec.sc.gov