

**Appendix A**  
**Comments and Response**

**Public and Agency Comments and Responses**  
**May 2023**  
**Town Creek Operation and Maintenance Dredging**  
**Environmental Assessment and 401 Comments**

**Audubon South Carolina, via letter dated February 10, 2023**

*Comment:* “Audubon South Carolina supports the proposed beneficial use placement of dredge material nearshore of Lighthouse Island in CRNWR as a feeder berm and we commend the Charleston District of the U.S. Army Corps of Engineers for your prioritization of wildlife habitat when considering beneficial use placement options. Additionally, we would like to elevate the eroding Marsh Island in CRNWR as a priority option for current or future placement of dredge material.”

*Response:* Audubon’s comment is noted and will be shared as appropriate for further consideration in future projects.

**Eastern Shawnee Tribe, via letter dated February 7, 2023**

*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 consultation.”

*Response:* The Eastern Shawnee Tribe’s response is noted. They will be contacted if any discoveries are made or the project plans are changed or modified in anyway.

**Environmental Protection Agency (EPA), via email dated February 10, 2023**

*Comment:* “The EPA recommends continued consultation with the SCDHEC regarding water quality impacts from the proposed modification. Periodic turbidity monitoring should be implemented to ensure suspended solids fall out of the water column as expected.”

*Response:* The Corps is committed to protecting water quality, dredging operations will be conducted such that water quality impacts from turbidity are minimized. Due to the high sand content of the material to be dredged, it is not anticipated that dredging will cause significant turbidity concerns on this project. Turbidity plumes will be monitored visually, no turbidity sampling will be required.

*Comment:* “In general, using dredged material for environmentally sensitive applications is strongly encouraged and supported by the EPA. Where sediments are potentially contaminated with toxic metals, the Corps should coordinate with SCDHEC for

their proper disposal. The EPA is available to provide additional technical guidance and support for selection of appropriate placement sites and determining suitability of material.”

*Response:* Sampling in August 2022 confirmed that the anticipated dredge materials are predominantly sand, ranging from 93.5% to 98.8%. Material composed primarily of sand is typically free of contaminants. Based on type of material to be dredged and no known contamination history, USACE concluded that there is no reason to believe contaminants are present and therefore, no need for further testing.

*Comment:* “The EPA recommends sediment be tested for contaminants prior to the commencement of dredging activities. If contaminants are found to be present, the USACE should coordinate with SCDHEC. The EPA is available to provide additional technical guidance and support for selection of appropriate placement sites and determining suitability of material.”

*Response:* See above response.

*Comment:* “The EPA recommends the USACE continue to coordinate with NMFS and USFWS regarding potential impacts to EFH and federally listed species.”

*Response:* The proposed project falls under the Programmatic EFH Consultation and the South Atlantic Regional Biological Opinion. USACE will coordinate a project verification form with NMFS once the proposed plans are finalized.

*Comment:* “The EPA recommends USACE implement clean dredge technology to the maximum extent possible. A preference for dredge fleets operating Tier 3 or greater diesel engines should be considered.”

*Response:* The above comment is noted. The MURDEN is the preferred dredge fleet for the proposed dredging activity and operates using an EPA Tier 3 engine.

### **South Carolina Department of Natural Resources, letter dated February 15, 2023**

*Comment:* “The SCDNR concludes that the Finding of No Significant Impact on the quality of the natural environment for the proposed maintenance dredging project is only applicable provided the Corps adheres to seasonal dredging windows regarding the use of hopper dredges. According to SCDNR data, Cape Romain National Wildlife Refuge (NWR) documented the largest loggerhead sea turtle nesting area in South Carolina and the largest nesting aggregation north of the state of Florida. The SCDNR recommends that the use of hopper dredges be limited to November 1st – March 31st to minimize the potential for negative impacts to sea turtle utilizing the Cape Romain NWR during mating and nesting season. The SCDNR does not offer any objection to permit issuance provided that the recommendation above is incorporated as a permit condition.”

*Response:* The maintenance dredging of the navigation channel is covered by 2020 SARBO, and USACE will adhere to all applicable Project design criteria. Notably, Section 2.3.1.2 of the 2020 SARBO describes modified hopper dredges and states that modified hopper dredging does not necessitate the need for a protected species observer (PSO) to monitor dredged material for the potential presence of take. In addition, the SARBO does not include time of year restrictions for hopper dredging.

As described in the EA, the equipment used by both the side-cast dredge and the modified hopper dredge have smaller draghead sizes and openings, as well as lower suction horsepower than conventional hopper dredges. In 1998, North Carolina Wildlife Resources Commission and USACE conducted a test to determine whether or not these vessels could take sea turtles. The findings of this study determined that the low suction force and small openings substantially reduced the risk of turtles being entrained.

Recognizing the importance of the Cape Romain NWR beaches to nesting sea turtles, nearshore placement of material would be limited to October 1<sup>st</sup> – June 15<sup>th</sup> to minimize potential impacts to hatchlings leaving the beach. Based on the timing of placement and the reduced risk of entrainment with the selected dredge plant, USACE has determined that a time of year restriction for dredging is unnecessary. This is consistent with the SARBO, which this project falls under.