

U.S. Fish and Wildlife Service

John H. Chafee Coastal Barrier Resources System Unit M06/M06P, Unit M11, Unit M12/M12P, and Unit SC-09P Summary of Public Comments Received and U.S. Fish and Wildlife Service Responses and Recommendations

I. Overview

The U.S. Fish and Wildlife Service (Service) prepared draft revised boundaries for four existing and two proposed new Coastal Barrier Resources System (CBRS) units in Beaufort and Charleston Counties, South Carolina – Morris Island Complex M06/M06P, Harbor Island Unit M11, St. Phillips Unit M12/M12P, and Hunting Island Unit SC-09P. The Service held a 45-day public comment period on the proposed boundaries from January 4 through March 5, 2021. The proposed boundaries were prepared in accordance with section 4 of the 2006 Coastal Barrier Resources Reauthorization Act (Pub. L. 109-226) which directs the Service to prepare draft revised maps for all CBRS areas, propose additions to the CBRS, and solicit public comments on the draft revised boundaries.

The Service announced the availability of the proposed boundaries and the opportunity to provide comments in a notice published in the *Federal Register* on January 4, 2021 (86 FR 118). The Service sent letters dated January 8, 2021, to approximately 130 stakeholders, including members of Congress; federal, state, and local officials; and nongovernmental organizations. The draft revised boundaries, *Federal Register* notice, and summaries of the proposed boundary changes were made available on the Service's website during the public comment period. The Service received ten comments regarding the proposed changes to the CBRS in Beaufort and Charleston Counties, South Carolina. Most commenters supported the proposed changes. No commenters opposed the proposed changes.

The Service received comments from the following entities regarding the proposed changes to Unit M06:

- Two property owners (support proposed changes)

The Service received comments from the following entities regarding the proposed changes to Unit M11:

- Four property owners (support proposed changes)

The Service received no comments specific to the proposed boundaries for Units M06P, M12, M12P, and SC-09P.

The Service received the following comments that were not specific to one particular unit:

- Audubon South Carolina (generally supports the Coastal Barrier Resources Act (CBRA) and the proposed changes to the South Carolina units)
- U.S. Environmental Protection Agency (EPA) (recommends inclusion of future coastal barrier and saltmarsh migration buffers around CBRS units)
- One local resident (generally supports the CBRS along the South Carolina coast)
- Florida Wildlife Federation (generally supports the expansion of the CBRS)

Copies of the comments submitted to the Service during the public comment period are available on the Federal e-Rulemaking Portal at <http://www.regulations.gov>. In the Search box, enter FWS-HQ-ES-2019-0058-0001, which is the docket number for the public review notice.

II. Summary of Issue Raised and Service Response

A summary of the one specific issue raised during the comment period and the Service's response is below.

Recommendation to Include Future Coastal Barrier and Saltmarsh Migration Buffers Around CBRS Units

Comment: EPA commented that it recommends CBRS map modifications include the addition of buffers around these resources to enable on-going and future migration of the coastal systems and adjacent saltmarsh areas. EPA also

provided links to two studies that may help inform the need to consider mapping additional available land to serve as buffers for the long-term protection of these systems.

Service Response: The impacts of sea level rise and storm surge due to climate change will greatly increase both the risk associated with developing coastal barriers and the value of these areas for fish and wildlife habitat and as cost-effective buffers to protect mainland communities against coastal storm damage. CBRA removes the federal financial incentive to develop ecologically-sensitive and unstable coastal barrier areas (i.e., by restricting most new federal funding for flood control projects, disaster assistance, and flood insurance). The Service has a mandate to make recommendations to Congress for expansions to the CBRS.¹ Consistent with the statutory purposes, the Service will consider the means and measures by which the long-term conservation of these areas could be achieved.² The Service intends to explore changes that could be made in the mapping of CBRS units in the future to address the migration of coastal barriers (and adjacent aquatic habitat) inland due to climate change and sea level rise. However, the Service did not consider this concept in the preparation of the final recommended maps for the six CBRS units in Beaufort and Charleston Counties, South Carolina.

III. Service Recommendations

The Service has prepared four final recommended maps, dated April 29, 2021, for six CBRS units, Morris Island Complex M06/M06P, Harbor Island Unit M11, St. Phillips Unit M12/M12P, and Hunting Island Unit SC-09P, located in Beaufort and Charleston Counties, South Carolina. The final recommended maps remove private properties that were inappropriately included within the CBRS in the past and add undeveloped lands and associated aquatic habitat that meet the CBRA criteria for inclusion within the CBRS.³

The Service has reviewed all comments received during the comment period; no changes were made to the CBRS boundaries based on the comments.

The maps dated April 29, 2021, reflect the Service's recommended changes to certain CBRS units in South Carolina; however, these changes will only take effect if the revised maps are adopted

through legislation enacted by Congress. Copies of the maps and summaries of the recommended changes are available on the Service's website at: www.fws.gov/cbra.

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- 1 This mandate is found in section 4(c)(3)(D) of the 2006 Coastal Barrier Resources Reauthorization Act (Pub. L. 109-226).
 - 2 Coastal Barrier Resources, U.S. Code 16 (2018), § 3501(b).
 - 3 Coastal Barrier Resources, § 3503(g)(1).

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