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Andrew Edwards

Water Quality Standards Coordinator South Carolina Department
of Environmental Services (SCDES)

Bureau of Water – Water Quality Standards

2600 Bull Street

Columbia, SC 29201

Submitted via email to: andrew.Edwards@des.sc.gov

*RE: Formal Request for Reclassification of AICW (Venning Creek
to Price's Creek and Inlet), Cape Romain, and Sewee Bay as
Outstanding National Resource Waters (ONRW)*

To the Bureau of Water:

I am writing to request for the reclassification of the Atlantic Intracoastal Waterway (AICW) between Venning Creek and Price's Creek and Inlet, Sewee Bay and the waters of the Cape Romain National Wildlife Refuge, from their current "Outstanding Resource Water" (ORW) status to "Outstanding National Resource Waters" (ONRW). While current state protections recognize their outstanding value, these waters meet every federal and state criterion for "Outstanding National Resource Waters", and such they should be reclassified .

The legal status of these areas as national waters is firmly established under the Clean Water Act (CWA) and federal statutes. As a federally authorized navigation project, the AICW is a Traditional Navigable Water (TNW) used in interstate commerce

and subject to the ebb and flow of the tide. Furthermore, under the U.S. Supreme Court's ruling in *Sackett v. EPA*, the adjacent Sewee Bay, Price's Creek and Inlet and surrounding marshes remain under federal jurisdiction as "Waters of the United States" (WOTUS) because they possess a continuous surface connection to these permanent, navigable waterbodies and the waters of a Class I National Seashore.

Moreover, the waters of the Cape Romain National Wildlife Refuge—including the waters at and around Price's creek and Inlet—are unequivocally national. Administered by the U.S. Fish and Wildlife Service, these 66,000+ acres were established by federal law to conserve habitat for migratory waterfowl and are designated as a Class I National Wilderness Area. Since these national seashore waters are inextricably linked to the AICW through daily tidal exchange, they should be managed under a unified, national-tier standard that reflects their status as one of the most productive estuarine environments on earth.

I recognize that the AICW is a vital artery for maritime travel. Therefore, I advocate for this reclassification to include a specific provision allowing the U.S. Army Corps of Engineers (USACE) to continue its mandated maintenance dredging and dredged material placement. By explicitly permitting routine maintenance within the ONRW framework, the state can uphold the safe navigation of this national waterway while simultaneously applying the most rigorous water quality standards to prevent any new pollutant discharges or industrial expansions that would degrade this critical resource.

I urge SCDES to prioritize this reclassification to ensure that South Carolina's most exceptional coastal resources remain pristine.

Sincerely,

Charles Mauro, MD

Awendaw, SC