



Natural Resources Conservation Service
P.O. Box 2890
Washington, D.C. 20013

AUG 10 2006

Mr. Lawrence Dorsey
President
North Carolina Chapter
American Fisheries Society
31826 Ameron Circle
Albemarle, North Carolina 28001

Dear Mr. Dorsey:

Thank you for your letter of July 14, 2006, providing a copy of the Resolution on Emergency Watershed Protection Program in North Carolina, adopted by the North Carolina Chapter of the American Fisheries Society on February 1, 2006. The resolution identified concerns of the membership regarding the implementation of the Emergency Watershed Protection (EWP) Program in North Carolina following Hurricanes Frances and Ivan, and made recommendations for the implementation of the EWP Program in the future.

Hurricanes Frances and Ivan resulted in record flooding in several watersheds in western North Carolina. Severe stream bank erosion, debris blockages, and landslides resulted from these two events. The eroding stream banks contributed thousands of tons of sediment to local streams and rivers, and if not repaired, would continue to do so. Many of these rivers and streams are designated as trout water and many support habitat for the Appalachian elktoe mussel. Debris blockages, particularly those above culverts and bridges, threatened life and property as well as redirecting normal stream flow out of the channel.

The EWP Program in North Carolina was implemented through local sponsors who had the responsibility to prepare plans and specifications, acquire necessary permits, administer contracts, and perform construction inspection. Meetings were held with sponsors and attended by representatives of State and Federal regulatory agencies where implementation and program requirements were reviewed. The Natural Resources Conservation Service (NRCS) encouraged the use of bioengineering and natural stream design wherever practicable. In many cases, in-stream structures were used to stabilize banks and improve in-stream habitat. Channel banks and disturbed areas were planted to native grasses and woody vegetation. Planting was not "optional" as stated in the resolution. In some cases, the constraints of roads, utilities, buildings, etc., made the use of in-stream structures or restoration of stream patterns impractical, and in those cases more rock was used to protect the toe of the slope and banks. In almost all cases, the cross sectional area of the channel was reduced from that following the storm event. Regional curve data and up and downstream undisturbed reaches were used to size

channels. There was no channelization of streams or increase in capacity compared to pre-storm conditions. No berms or levees were constructed as part of the EWP Program.

The resolution encouraged restoration of natural floodplain functions by purchasing floodplain easements as authorized in the EWP Program. That feature of the program has not been funded for several years and was not an option in the response to Hurricanes Frances and Ivan. It is an option NRCS would make available if funded.

The resolution encouraged NRCS to expand the use of natural stream design methodologies and stated that full restoration of natural stream and riparian features and processes was not pursued. NRCS staff in North Carolina has worked with both State and Federal agencies for a number of years to incorporate the principles of natural stream design into EWP and other NRCS programs. Our regulation provides at 7 CFR 624.8(c) (1) that EWP measures or practices are limited to those necessary to reduce applicable threats. EWP funds cannot be used to solve watershed problems that existed prior to the natural disaster. To pursue full restoration of natural stream and riparian features as suggested in the resolution is clearly beyond the scope and authority of the EWP Program. However, there is an opportunity for project sponsors to request enhancement or improvement of EWP recovery measures that go beyond that necessary to adequately repair or restore the impacted area. The additional cost of the improvement or enhancement is borne totally by the sponsor in accordance with our regulations 7 CFR 624.6(b)(4). Perhaps there is an opportunity for your organization's membership to work with local sponsors to encourage and fund the costs of improvements to benefit aquatic and riparian habitat.

The resolution recommended that riparian vegetation planting and perpetual maintenance be required on repaired stream banks. Vegetation is a key component of most EWP measures. Although perpetual maintenance is not required, NRCS and the project sponsors work with landowners to encourage proper long term maintenance.

The resolution also recommended best management practices and adequate project oversight to ensure compliance with all applicable environmental laws. Construction oversight and compliance with permit conditions was a sponsor responsibility. NRCS has conducted follow-up meetings with project sponsors and the regulatory agencies to ensure improved project oversight in future EWP efforts.

It should be noted that livestock exclusion, establishment of riparian buffers and other best management practices have been encouraged by NRCS and Soil and Water Conservation District staff following the disaster event. NRCS has worked successfully with landowners in the affected areas to implement needed conservation measures through other Federal and State cost share programs. In many cases, the practices enhance the benefits derived from EWP projects.

NRCS strongly feels that the implementation of the EWP Program in western North Carolina has reduced the threat to life and property resulting from Hurricanes Frances and Ivan, and that water quality, fish and wildlife habitat, and endangered species habitat

has been protected and improved as well. The impact of sediment on water quality and aquatic habitat is well documented and the reduction and elimination of significant sources must be viewed as a benefit to aquatic resources.

Again, thank you for your interest in the EWP Program. If you have any additional comments or questions, please contact Mary Combs, State Conservationist in North Carolina, at (919) 873-2102.

Sincerely,

A handwritten signature in cursive script that reads "Leonard Jordan". The signature is written in black ink and is positioned above the printed name and title.

LEONARD JORDAN

Director

Conservation Planning and Technical
Assistance Division

bc: (w/ copy of incoming correspondence)

Richard Coombe, Regional Assistant Chief, East, NRCS, Washington, D.C.

Mary Combs, State Conservationist, NRCS, Raleigh, North Carolina

Randall Gray, National Wildlife Biologist, Ecological Sciences Division, NRCS,
Washington, D.C.

Howard Hankin, National Aquatic Ecologist, Ecological Sciences Division, NRCS,
Washington, D.C.