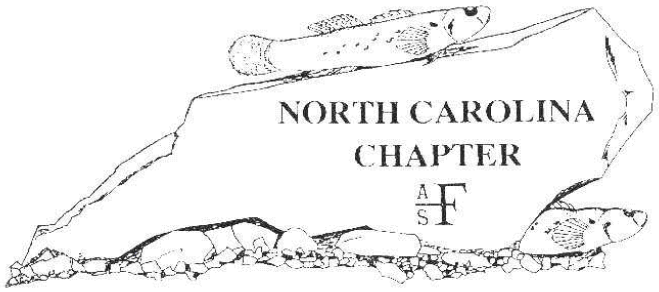

July 14, 2006

Re: Emergency Watershed Protection Program in North Carolina

Please find attached a resolution approved by the North Carolina Chapter of the American Fisheries Society (NCAFS) regarding the United States Department of Agriculture's Emergency Watershed Protection program. The program's actions on stream bank erosion and debris blockages after floods can either benefit or harm fishery resources and their habitats. The Environmental Concerns Committee of the NCAFS identified this issue as a significant concern to the membership and developed the resolution to encourage actions that would meet the program's objectives while benefiting fishery resources through improved aquatic and riparian habitats. The resolution was presented to the NCAFS membership, voted on and approved at its annual meeting on 1 February 2006.

The NCAFS has a diverse membership. Its 139 members represent fisheries scientists from academic institutions, state and federal management agencies, and private institutions. Most NCAFS members are also members of the American Fisheries Society (AFS). The AFS was founded in 1870 and is the oldest and largest professional society representing fisheries scientists. The AFS promotes scientific research and enlightened management of aquatic resources for optimum use and enjoyment of the public.

Sincerely,

Lawrence Dorsey

Lawrence Dorsey, President
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cc: Robert Curry, President, Southern Division American Fisheries Society
Christopher Kohler, President, American Fisheries Society
Ghassan Rassam, Executive Director, American Fisheries Society

RESOLUTION ON EMERGENCY WATERSHED PROTECTION PROGRAM IN NORTH CAROLINA

North Carolina Chapter of the American Fisheries Society

Adopted by a membership vote of yes in 2006

WHEREAS, pools, runs, riffles, large woody debris, stable undercut banks, riparian vegetation, accessible floodplains, and other naturally occurring stream and riparian components are vital to productive and diverse stream communities; and,

WHEREAS, stream communities are resilient to and sometimes dependent upon periodic flood-induced habitat changes that are not unnaturally excessive because of human-induced watershed manipulations, including flood management; and,

WHEREAS, accelerated stream bank erosion from major floods largely occurs where stream banks and riparian areas have insufficient coverage or an absence of deep rooted trees or other soil-securing vegetation; and,

WHEREAS, many flood management activities such as construction of levees, armored stream banks, and straightened, widened, and deepened stream channels degrade aquatic habitat by reducing habitat diversity and complexity, by isolating the floodplain, by disrupting normal sediment transport, and by displacing and increasing stream flow, erosion, and the magnitude of flooding in downstream areas; and

WHEREAS, the United States Department of Agriculture has implemented the Emergency Watershed Protection (EWP) program in North Carolina to "…undertake emergency measures, including the purchase of floodplain easements, for runoff retardation and soil erosion prevention, in cooperation with landowners and land users, as the Secretary deems necessary to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of that watershed." (Section 216, P.L. 81-516, (33 U.S.C. 701b1); and,

WHEREAS, the EWP program was amended by Section 382 of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, to allow purchasing floodplain easements for the restoration of floodplain functions; and,

WHEREAS, implementation of the EWP program often include stream channel, bank, and riparian modifications that must be conducted in an environmentally defensible manner (7CFR624) and that must have a minimal adverse effect on the environment where waters are filled (40CFR230); and,

WHEREAS, the EWP program has the potential to improve watershed functions, diminish recurring erosion and flooding problems, and improve aquatic habitat if its actions restore natural stream and riparian features and processes; and,

WHEREAS, the EWP program can demonstrate to the public the use and effectiveness of natural stream design techniques that will improve long-term stream channel stability and aquatic habitat; and,

WHEREAS, the EWP program is publicly funded and often involves work on private properties; and,

WHEREAS, the EWP program was implemented in 2004 in North Carolina following major floods from tropical storms; and

WHEREAS, many EWP projects following the 2004 floods in North Carolina (herein referred to as flood projects) involved locations on streams with recurring erosion problems that had been addressed previously by the EWP program; and,

WHEREAS, natural stream design techniques were used with many flood projects, but restoration of natural stream and riparian features and processes was not pursued; and,

WHEREAS, many flood projects involved extensive stream channel modifications and bank armoring to return streams to pre-flood conditions that are not stable; and,

WHEREAS, vegetation planting on repaired stream banks was optional and agreements to maintain reestablished vegetation are short-term; and

WHEREAS, livestock were not excluded from stream banks and channels where flood projects were undertaken; and,

WHEREAS, many flood projects involve protection of properties that were damaged because they are in an active floodplain, but no floodplain easements were obtained; therefore, be it

RESOLVED, that based on the best scientific information available, it is the position of the North Carolina Chapter of the American Fisheries Society (NCAFS), which includes fisheries professionals from throughout North Carolina's academic institutions, state and federal management agencies, and private institutions, that any future implementation of the EWP program in North Carolina:

1. should include restoration of natural floodplain functions and the purchasing of riparian easements from willing property owners to accomplish floodplain restoration and to avoid recurring erosion problems on particularly problematic properties,

2. should continue to expand the use of accepted and appropriately designed and constructed natural stream design methodologies for stream bank repairs in lieu of stream channel modifications and bank armoring that degrade aquatic habitat and perpetuate excessively unstable stream channel conditions,

3. should require riparian vegetation planting and perpetual maintenance of replanted vegetation on repaired stream banks,

4. should use best management practices and adequate project construction oversight to ensure compliance with applicable environmental laws in the State of North Carolina,