

Data Submitted (UTC 11): 10/16/2023 7:10:59 PM

First name: Jeff

Last name: Wright

Organization: North Carolina Council of Trout Unlimited

Title: Southern Appalachians Project Manager

Comments: The North Carolina Council of Trout Unlimited (NCTU) has reviewed the draft Environmental Assessment for the Setzer Fish Hatchery Special Use Permit. It is disappointing that National Forests in North Carolina (NFsNC) has accepted the North Carolina Wildlife Resources Commission's (NCWRC) stance that the dam is outside of the scope of the proposed project. NCTU anticipated that NFsNC would take a more holistic approach in their review. NCWRC's determination that the dam was not part of this renovation was arbitrary. The entire intake system cannot currently function without it. Despite a request from NCTU and a number of partner's, NCWRC's engineering contractor never fully explored alternatives, including cost analysis, to a new intake system that would provide benefits for both hatchery production and connectivity within the Davidson River watershed.

Additionally, NCTU believes that a number of proposed actions, including ignoring the issues being cause by the dam, are inconsistent with the new Nantahala and Pisgah National Forests Land Management Plan. This specifically includes:

- Leaving the existing dam in the Davidson River without requiring any alternative analysis is inconsistent with AQS-DC-01, AQS-DC-02, AQS-DC-08, AQS-O-03, AQS-S-01, WTR-DC-06, WTR-DC-07, and WTR-DC-09. As the responsible land stewardship organization, NFsNC should require NCWRC to provide evidence that an appropriate alternatives analysis was completed. This should include alternative designs and cost-benefit analyses used to justify the decision for leaving the dam in place. This is consistent with the processes followed by other partners when working on infrastructure projects with NFsNC. The alternatives analysis should be received and reviewed by NFsNC staff prior to issuing the special use permit.

- The current plan for maintaining flows in the Davidson River along the Hatchery is inconsistent with WTR-DC-04, WTR-DC-05, and WTR-G-04. The new system does provide potential positive impacts for flows and aquatic habitat. However, these benefits are speculative, the allowable intake for the hatchery during low-flow has the potential to dewater a significant portion of that reach, and minimum flow requirements for the proposed pump back system are not established as part of the EA. The comments in the EA indicating increased habitat for listed species and improved habitat for hellbenders are hypothetical and not supported by evidence. The suggested benefits ignore the fact that no flow mitigation plan is in place and that the dam itself creates negative impacts for these species that are not being addressed. Prior to issuing the Special Use Permit, NFsNC should establish minimum flow requirements. NCTU requests that the Hatchery be required to deliver a flow to the base of the dam that matches inflow to the raceways, especially May through October.

- The proposed flood wall was not part of the scoping. The available plans do not show the location and extent of the flood wall. This type of wall is inconsistent with AQS-G-01, WTR-DC-06, WTR-DC-07, and WTR-DC-08. Prior to issuing the Special Use Permit, NFsNC should require NCWRC to produce plans that show the extent of the proposed flood wall. They should also provide analysis of the potential impacts this wall would have on streambank erosion during high flows.

NCTU understands the importance the Setzer Hatchery has for recreational fishing, local communities, and the North Carolina economy. As an advocate for health, coldwater ecosystems, NCTU was confident that an alternative could be found that benefitted both hatchery production and the Davidson River ecosystem. The current proposal from NCWRC does not strike this balance and the draft EA does not acknowledge the inconsistencies the proposal has with the current Land Management Plan. NFsNC should take a more thorough look at the proposed project, work with NCWRC to bring this project into better alignment with their Land Management Plan, and ensure that societal and economic benefits are balanced with true benefits to ecosystem

health.