



◊ North Carolina Wildlife Resources Commission ◊

M. Kyle Briggs, Executive Director

November 20, 2025

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401 and Buffer Transportation Permitting Branch
North Carolina Department of Environmental Quality
2090 U.S. 70 Highway
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SUBJECT: Comments on Application for Helene Repairs to US 176, sites 300s and 900s, North Pacolet River, Polk County. **DF18314.1075023, W03293, DWR 20251554v1**

The North Carolina Department of Transportation (NCDOT) applied for a 404 Permit and 401 Certification for the subject project. The North Carolina Wildlife Resources Commission's (NCWRC) comments are offered to help conserve the wildlife resources affected by the project and to promote wildlife-based recreation in accordance with applicable provisions of the Clean Water Act of 1977 (33 U.S.C. 466 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

The project involves culvert replacements, bank stabilization, and temporary impacts to the North Pacolet River (C Tr) and some tributaries to repair sections of US 176 that were damaged by Hurricane Helene. Temporary impacts are shown to extend across the river channel at several locations. The application notes that in stabilization areas the channel will be returned to pre-storm conditions. However, it appears that channel excavation or relocations are not proposed.

The North Pacolet River (C Tr) in the project area is trout habitat that should still support a naturally reproducing population of Rainbow Trout (*Oncorhynchus mykiss*), though the habitat is degraded and may remain so due to ongoing erosion in the watershed. As noted in scoping comments, instream work during the trout moratorium period is not expected to have an appreciable effect on trout spawning in the

affected portion of the river over the next couple years. Therefore, we waived the trout moratorium for this urgent work. However, effective and well-maintained erosion controls and dewatering measures are nonetheless needed to minimize adverse effects of the work on trout habitat.

The NCWRC requested that the repair design retain existing shoulder parking near the river because this area is a trout stocking reach under the NCWRC's Designated Public Mountain Trout Water program. It appears that the work will not impede access to historic trout stocking locations. The NCWRC particularly appreciates maintaining shoulder parking in the vicinity of bridges 27 and 31 where there is a historic stocking location, fishing access, as well as the Melrose Falls trailhead.

Vertical walls in streams often accelerate water velocities and thereby displace scour downward and laterally, which can lead to chronic habitat deterioration. They also afford poor habitat for fish and other aquatic life. To help offset this potential, the natural riverbeds should not be disturbed beneath the causeways/workpads or they should be restored in these areas using the pre-existing bed materials. The NCWRC requests the addition of scattered boulders along the wall faces to further mitigate habitat impacts and provide some channel roughness.

The NCWRC requests that the following conditions be included in authorizations to help conserve aquatic resources affected by the project:

1. River channel disturbance beyond the footprints of the proposed causeways/work pads must be avoided. The riverbed should not be disturbed under workpads, or if necessary, these areas should be restored using the pre-existing riverbed materials, and scattered boulders placed along the wall faces.
2. Applicable measures from the current *NCDOT Erosion and Sediment Control Design and Construction Manual* should be adhered to. *Design Standards in Sensitive Waters* should be incorporated into the project's erosion control to help ensure protection of potential trout habitat (see part (d) of 15A NCAC 04B .0124).
3. In accordance with standard GC conditions, matting used in riparian areas should not contain nylon mesh because it entangles and kills wildlife. Coir matting should be used on disturbed stream banks that are steep or susceptible to high water. Matting should be anchored with wooden stakes according to NCDOT specifications.

Thank you for the opportunity to review and provide recommendations on this project. Please contact me at david.mchenry@ncwildlife.gov or (828) 476-1966 if you have any questions about these comments.

Sincerely,



Dave McHenry, NCWRC Western DOT Coordinator

cc: Kevin Mitchell, NCDOT Division 14 Environmental Specialist II
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