



Tuck Tales

Newsletter of the Tuckasegee Chapter #373 of Trout Unlimited serving the western North Carolina counties of Haywood, Jackson, Macon and Swain

A Monthly Newsletter

January, 2011

Rod Raffle

Don't forget the raffle for one of Jim Mill's custom graphite rods. There was no winner again last month!

January Meeting

The January meeting will be Tuesday evening, Jan. 4th.

Recent Important Court Ruling

See below.

January Grub Committee

Jerry Deweese, Tom Massie and Richard Echelman will provide the meal for the Jan. meeting.

Email addresses needed

Your editor requests that everyone please provide updated email addresses so we can make certain our data base is up-to-date and you won't miss notification of newsletter and event emails!

Editor's email address:

Send an email to:
craigforrest@sleepyhollowstudio.com

Tuckasegee Chapter of Trout Unlimited meets the first Tuesday of every month, with the exception of June, July and August, in the Community Room at the rear of the United Community Bank of Highway 107 South in Sylva at 6:30 PM. A meal is provided by the Grub Committee at a cost of \$5 per person. Guest are invited to join us at no charge.



NC Trout Breathe Easier After Court Ruling

Court Upholds Buffers to Protect Trout Streams and Water Quality

November 19, 2010
CHAPEL HILL, NC –

The N.C. Court of Appeals this week upheld the state's protective buffer for trout streams in a victory for North Carolina's water quality, according to the Southern Environmental Law Center. The decision came after attorneys with the center argued that a golf course constructed at Mountain Air Country Club in Yancey County violated state buffer requirements.

“This ruling is excellent news for everyone who values clean mountain streams as environmental and

economic treasures,” said Blan Holman, a Southern Environmental Law Center attorney. “It's also great news for our trout which need cold, clear water to thrive. The court's decision confirmed that water quality must be protected for North Carolinians and fish downstream from big developments.”

The [court's decision](#) restores protection for thousands of miles of designated [trout streams across the state](#). It also clarifies the limits on the discretion of state regulators in considering requests from developers to remove streamside vegetation and enclose streams in pipes, activities that are not temporary or minimal and thus not permissible in trout buffers, according to the Court of Appeals. Responding to claims that the trout buffer statute should allow razing of trees by streams to clear the way for golf courses, the court responded that the law it was construing “is a pollution control act, not a development promotion act.”

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Court's Decision Restores Protection



“The court’s decision gives the state clear guidance on how to handle future requests from developers to disturb land around trout streams,” said Julie Youngman, senior attorney, Southern Environmental Law Center.

Piping trout streams and denaturalizing the areas next to those streams is a recurring part of proposals for developments in North Carolina’s Appalachian Mountains, especially for mountaintop golf courses. The Mountain Air golf course posed impacts to thousands of feet of stream because the mountainside

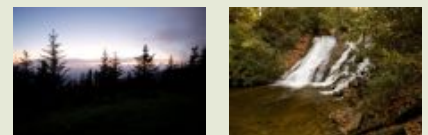
trout stream running through it was reshaped and severely modified to accommodate fairways and greens.

Numerous studies show that vegetated buffers prevent sedimentation and warming of mountain streams, which in their natural state run cold and clear. The trout buffer requirement was enacted because trout require clean, cold water and are therefore vulnerable to buffer loss due to streamside developments.

Above press release from The Southern Environmental Law Center. The Southern

Environmental Law Center represented the non-profit Clean Water for North Carolina and two downstream landowners in this case.

(Above article from Southern Environmental Law Center.)



**Help TU to preserve our coldwater resources.
Renew your membership today!**

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