12/08/05

Mr. John Cleeves
Project Coordinator
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, SC 29212

RE: Upper Chattooga River / Appeal by American Whitewater for Access

Dear Mr. Cleeves:

I am of the understanding that the American Whitewater Association is seeking access to the upper portion of the Chattooga River between the Whiteside Cove Road bridge over the river to the area below, known as Corkscrew Falls. Having grown up fishing and hiking along this part of the river, I would respectfully ask that this appeal be denied for several reasons:

This section of the river is quite impassable by boat, as many log jams and small to medium size waterfalls and gorges make up a great deal of the rivers uniqueness in this area. The well kept beauty of the river and its banks in this area would only be harmed by boating and portaging traffic. The activities that I and my family have enjoyed on this part of the river such as fishing, wading, picnicking, searching for river life under rocks and logs would no longer be enjoyed in the safety and solitude that we have enjoyed for over four generations.

Being an amateur kayaker and canoer myself, I certainly respect the desire of boating enthusiasts to enjoy appropriate waterways. This part of the Chattooga, however, does not meet the criteria of navigable waters and would only put at risk the rivers ecosystem as well as the enjoyment of activities listed above. Again, I would ask that you **not** recommend boating access to this section of the Chattooga River.

Respectfully,

Edward A. Gibson, Jr.

Edward A. Gibson, Jr.
928 New Haw Creek Rd
Asheville, NC 28805

George Robinson Ragsdale

December 13, 2005

John Cleeves, Project Coordinator
Frances Marion and Sumter National Forests
4931 Broad River Road
Columbia, South Carolina 29212

Dear Mr. Cleeves:

I write to encourage you to continue to keep the Upper Chattoog River free of boaters, tubers, rafters and kayakers and to deny the petition c the American Whitewater Association for access.

In the first place, it is wrong to call the Upper Chattooga a "river." It a mountain stream or creek, at best. At normal flows, it would b impassable in many places, requiring boaters to trespass on private propert in order to portage their crafts downstream around the obstructive rock boulders, fallen trees and the like. When the water is low, boats will n float on that stream. In wet weather, when the water is high, one shudders t think what might happen.

If you go to the website of the American Whitewater Association ar read their shameful account of how they violated federal regulations ar paddled down the river despite all, you will see a vivid picture of the dang posed by allowing these people on the Upper Chattooga. The best argume for keeping them off the water is contained in the boastful account of the own misbehavior.

for keeping them off the water is contained in the boastful account of th own misbehavior.

I can imagine real danger to young fishers, women and older peo posed by these reckless kayakers. They have only limited control over th crafts and I can imagine circumstances under which it might be impossil to get out of their way. Were injury to occur, could the Forest Service ass immediate medical care?

There is plenty of deep, fast moving water in western North Caroli for kayaks, boaters and rafters to enjoy endless hours of danger-free, nc disruptive water travel. These people do not belong on narrow, shallo mountain creeks to disturb and destroy the peace and tranquility which there for both the fish and the fishers.

In the strongest terms, I request that the current zoning remain effect which allows boaters free access to the lower two-thirds of the riv Please keep the upper one-third, in reality, nothing but a mountain tro stream, safe and peaceful for future generations.

Sincerely and respectfully,

George R. Ragsdal

Toccoa Clinic Medical Associates, L.L.P.

800 E. DOYLE STREET
TOCCOA, GEORGIA 30577
706-886-7537
1-800-564-1331

FAMILY PRACTICE
William A. Mills, M.D.
Lenka Novotna, M.D.
Shannon Chatman, NP-C
Ruth Christos, FNP-C
Nikki Davis, FNP-C

INTERNAL MEDICINE
Marc Coan, M.D.
Bhasker Patel, M.D.
Jamie Rich, M.D.
Jim R. Wade, M.D.
T. David Yates, M.D.
Delores Schwartz, PA-C
Jody Grahn, NP-C

PEDIATRICS
Michael L. Maley, M.D.
Paresh Patel, M.D.
Kimberly Stroud, M.D.
Juanita Howard, CPNP

ANESTHESIOLOGY
Paul E. Easley, M.D.
John McManus, CRNA
Michael Phillips, CRNA

DERMATOLOGY
Russell R. Burken, M.D.
Margaret Kopchick, M.D.

GENERAL SURGERY
Gordon M. Kelly, Jr., M.D.

NEPHROLOGY
Bhasker Patel, M.D.

OBSTETRICS & GYNECOLOGY
Lionel Meadows, M.D.
Rebecca Lowrey, CNM, FNP
April Teffault, CNM, FNP

OPHTHALMOLOGY
Jack A. Harris, M.D.
Ralph E. Reed. M.D.
Kay Royal, O.D.

ORTHOPAEDICS
Ronald C. Galyon, M.D.

OTOLARYNGOLOGY
Don B. Blakeslee, M.D.
Glen W. Johnson, Audiologist

PSYCHIATRY
Suzanna G. Davis, M.D.

RADIOLOGY
M. M. Patel, M.D.

UROLOGY

CLAYTON MEDICAL ASSOCIATES
Shana F. Egge, M.D.

LAVONIA CLINIC MEDICAL ASSOCIATES
Marirose Olson, M.D.

ADMINISTRATOR
David A. Cronic

FOUNDER
William H. Good, M.D.
1909-1964

November 30, 2005

USDA Forest Service
ATTN: John Cleeves
4931 Broad River Road
Columbia, SC 29212

Dear Mr. Cleeves:

I am writing this letter to make some comments as regards to the upper Chattooga River and its recreation use. I personally like the rule that currently exists but if changes must be made I would actually prefer that boating be banded from more sections of the river from Hwy 28 down to Hwy 76. I have been on the river enough times that a little solitude is sometimes nice and on the sections below Hwy 28 where boating is allowed it seems like every 15 minutes another group of rafters come past.

Should you have any questions certainly feel free to give me a call.

Sincerely yours,

Russell R. Burken, M.D.

RRB/ac

CLEEVES

2489 Glade Road
Clayton, Georgia 30525

Fon: 706/782-9944 Fax: 706/782-1359
e-mail: jgatins@alltel.net

November 17, 2005

Mr. John Cleeves, Project Coordinator
Upper Chattooga LAC Study
USDA Forest Service
4931 Broad River Road
Columbia, SC 29212

Dear John:

Thank you for giving Georgia ForestWatch the opportunity to pose several threshold questions regarding the "Limit of Acceptable Change" study of the Upper Chattooga River.

I trust the USDA Forest Service will seek to answer these before we get too much further along on this study process.

Georgia ForestWatch is a non-profit organization dedicated to protecting and restoring the native eco-systems of Georgia's Mountain and Piedmont public lands – national forestlands in particular – and to inform the citizens of Georgia about the values of these landscapes.

Our members enjoy the Chattahoochee National Forest, and the Chattooga River, and occasionally visit the Wild and Scenic River corridor for recreation, nature walks and spiritual renewal. We actively and routinely engage in commenting on USDA Forest Service projects as stakeholders in Forest Service management of these public lands, and stand ready to become involved in the LAC study.

Here are our initial questions:

- Can and should the USDA Forest Service proceed with this study when there are several unresolved plan appeals pending regarding the management of the Sumter and Chattahoochee National Forests? Should not these appeals be resolved before proceeding with the boating study, particularly since these

appeals, in part, relate to the appropriate management prescriptions for the Rock Gorge area on both forests?

- Who are the members of the project team for this study and are all three affected national forests equally represented on this team?
- As the project team makes decisions about the study topics and the significant issues posed by this study, can these, as well as Forest Service answers to public questions, also be posted on the study website or otherwise distributed to the public and those particularly interested in this process?
- How much is the consultant for this study (Tretratek) being paid and who is paying this fee? (We want to ensure that no private parties are directly or indirectly paying any part of this fee.) What exactly is the consultant's charge and role in this study?
- What exactly is a "Visitor Capacity Analysis Study," as opposed to a "Limit of Acceptable Change" study?
- Please clarify whether the purpose of this study is to determine whether ***any*** floating above the Russell Bridge is within acceptable limits of change, or is it ***already*** about how many float trips can be allowed on that part of the river. The first question needs be answered before the second can even be considered. And as far as ForestWatch is concerned, it seems clear that any floating above the bridge on State Route 28 will produce unacceptable change and loss of wild and scenic river values. The Chattooga is supposed to be managed to maintain or enhance the values that caused the river to be designated as wild and scenic in the first place. So talk of trial boat runs does not seem germane to the central issue of the study is supposed to measure. Unless advised differently, it seems the study should be about the suitability of ***any*** boating, not ***how much***
- If, however, test boating runs on the Upper Chattooga ever are deemed necessary to conduct this study, does the USDA Forest Service have qualified personnel (able to run Class V+ rapids) to lead such trips?
- If test boating runs ever are deemed necessary, will the USDA Forest Service countenance removal of any logs, deadfall and strainers? (I hope it does not on the Upper Chattooga, which is still a Wild and Scenic River, where boating is currently not allowed, and might not be allowed after the study is completed,

and where large woody debris on the river is generally viewed as a good thing.)

- If test boating runs ever are deemed necessary, will the USDA Forest Service permit such runs by members or affiliates of the American Whitewater organization? Here is the reason for asking this question: While recognizing the Upper Chattooga is closed to boating in its public pronouncements, AW, in the past, appears to have flagrantly solicited and encouraged illegal boating on this part of the river on its "members only" web pages. (See Appendices A and B.) The mindset exhibited in these appendices also suggests the definite possibility of user conflicts between such paddlers and other members of the public who might be trying to enjoy this wild and scenic resource is less aggressive manner at the same time. To say the least, the AW stand regarding the illegal runs colors that group's ability to take part in an objective LAC study, and reveals a lack of respect for other users, the Forest Service and the law.

Again, we do appreciate the opportunity to be involved in this process and look forward to working with you.

Sincerely,

Joseph Gatins

Joseph Gatins
Tallulah District Leader
Georgia ForestWatch

Joseph Gatins

Joseph Gatins
for Georgia ForestWatch
15 Tower Road
Ellijay, Georgia 30540

CC: District Rangers, Andrew Pickens, Highlands and Tallulah districts
SO, Sumter, Chattahoochee and Nantahala National Forests
Regional Forester
American Whitewater

APPENDIX A (from American Whitewater River Reach #3101, resulting from Google search)

Have You Run the Chattooga Headwaters?

American Whitewater is requesting trip reports from the headwaters of the Chattooga known as section 00, 0, and 1. This information will be instrumental in restoring legal access to these wonderful stretches of whitewater. All trip reports can be submitted, and will be shared only in a

completely anonomous fashion, to protect those guilty of paddling on public lands and waters (yes it really is illegal on this one stream)! Spread the word, if you know of others who have paddled these reaches, we could use their input.

Please include as much of the following information as possible for every run that you have done:

1. Month and year of trip
2. What was the Time of day (put in and take-out)
3. What was the water level (preferably at the HWY 76 bridge)
4. Where did you put in and take out?
5. How many people were in your group?
6. How difficult was the run?
7. How many portages did you make?
8. Did you have any significant problems on your run?
9. Did you see other people, ie fishermen, hikers, horseback riders?
10. How many times have you paddled this section?

Please email trip reports to AW's eastern conservation and access associate, Kevin Colburn at kevin@amwhitewater.org

If you have any questions, or for confidentiality would rather submit a trip report by phone, call Kevin at 828-252-6482

Our work on the headwaters is continuing with a great deal of volunteer support and the USFS is currently open to our ideas.

Thanks for your help!

Posted: August 9, 2002 by Kevin Colburn
Contact: Kevin Colburn
EASTERN CONSERVATION/ACCESS DIRECTOR
329 N Jefferson St.
Moscow, ID 83843
E-mail: Kevin@amwhitewater.org
Phone: 208-882-2711

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Appendix B (from American Whitewater River Reach #3101, resulting from Google search)

Chattooga, NC

Section 00 - NC 1107 to Bull Pen Bridge (Double Zero)
Class V

Gauge Information
GA Chattooga R near Clayton GA 1.44 ft 277 cfs usgs 11/16 3:30
Min Sug. Level: 2.6 FT
Max Sug. Level: 4 FT
Description:

The gauge is over 35 miles downriver from the put in with many major tributaries downstream. The significance of this is that the river may have dropped or risen substantially though the gauge reading appears optimal.

River Description

THIS SECTION OF THE CHATTOOGA IS ILLEGAL TO BOAT AT PRESENT. IN 1999 AMERICAN WHITEWATER PROPOSED OPENING THE RIVER FOR NON-COMMERCIAL WHITEWATER RECREATION. HOWEVER, THE RIVER REMAINS CLOSED WHILE WE CONTINUE OUR NEGOTIATIONS.

MORE INFORMATION ABOUT AMERICAN WHITEWATER'S EFFORTS TO OPEN SECTIONS OO, O, & 1

Please weigh in on this issue and voice your support for legal access on this section of the river to Mike Crane, District Ranger, Andrew Pickens District.

The following story was submitted by an anonymous member who supports re-opening the headwaters of the Chattooga to boaters. This story is not intended as an endorsement of poaching the run and boaters should be cautioned that it is illegal to run the section described below.

Poaching a Run

Note: The names and dates have been changed to protect the scofflaw perpetrators of this vicious crime!

The big rains came and poured blessed water on the headwaters of the Chattooga. The alarms went off in the demented heads of the "A" team. "Why don't we see what lies above the Highway 28 bridge?"

So, early in the morning, off we went. The Bandit Boater, Agent J, and Mr. T, were well prepared class 5 boaters. Unfortunately, except for a few rumors, we had no clue what lay in wait for us. We started North. Past the Section 2 put-in, past Burrells Ford Road, past the Iron Bridge at BullPen Road, to the next bridge up on White Side Cove Road.

Ignoring the ominous "No Trespassing signs", our raiding party moved fast to get out of sight of the road. Hoping that we didn't see any trout fishermen along the way, we fought through bank to bank rhododendron and small tree strainers. Where there weren't rhododendron, there were more "No Trespassing" signs. Then it started to drop. Small, but very blind drops at first, then bigger until we got to a 15 to 20 foot straight off drop. As we noticed that there was water blowing out of the face of the rock about halfway down, we assumed there was a pothole at the top. We walked it. Soon, we found more large drops, mostly of the sloping ledge variety. Two other branches of the Chattooga joined us on either side. We got more water.

Then the class 5 fun began. We came upon a boulder pile forming a tricky rapid. Agent J walked his kayak around it. The open boat ran it clean. Next we came to an ancient log jam that blocked the entire river. We carried around it and discovered the first of 3 magically beautiful places. The river dropped over a couple of tricky (and boat damaging) drops into a straight vertical walled canyon about 15 feet wide. Dropping over some more small ledges, the water gather momentum before bouncing around a boulder that had fallen into the middle of the channel. The boulder was in a fortunate spot, as it formed an eddy and slowed the water. We could see the end of the canyon. But, where it opened up, the water dropped out of sight. There were no handholds on the smooth, moss covered walls, and there was only a tiny eddy on the top left of the final drop. One by one, we caught the eddy and lifted over the tree that formed it so that we could see the terminal rock sieve into which the river disappeared. That one was definitely not runnable at this level, and I'd be scared to run there at a higher level. The eddy might not be there! Long shallow slides and a few more decent rapids brought us to the Iron Bridge. Back into stealth mode to sneak past the bridge.... Section 00 had been run without seeing another person. On to Section 0!

Below the Iron bridge, things were pretty calm for awhile. We paddled hard to get out of sight of the road again. Then, we ran into a series of sloped ledges. Good thing the river wasn't too high, these looked like they'd form big holes at high water. The highest was only around 8 feet, so they were pretty easy compared to the stuff before the bridge. We were getting complacent when we got to the drop called Super Corkscrew. Now this one was a class 5! It required us to boof a 7 foot ledge, then catch an eddy and get ourselves together, because the rest was a complicated racetrack through a boulder garden with a nasty piece of undercut bedrock on the right. But, oh

was it pretty! We ran it fine except for one good bashing on the undercut. The kayak showed a little wear from the encounter. More ledges, rocky rapids and beautiful scenery, and the river flattened out.... slow and shallow for a long way. We saw some campers near where another tributary came in. We tried to make it past Burrell's Ford without being seen, but the fishermen had made it out by then. Still, we hadn't been stopped by any authorities yet, so we continued into Section 1.

Once again, it was easy for awhile. I guess the gradient is more shallow where they are able to build a road. But, after the second hairpin turn in the river, it got exciting. First, we ran an 8 or 10 foot ledge. The, we caught an eddy above a big horizon line. It was Big Bend Falls. A large drop of maybe 25 feet, it started out as a steep, ragged, rocky slope, then dropped straight off onto rocks. One of us had the sense to walk it. Agent J made it fine. Mr T put a big ugly crease in his boat where he tried to fold it against a rock. We passed some beautiful scenery and a deer drinking from the river as the river worked it's way down in long shallow rapids. Soon we saw bedrock outcroppings that signaled something was up. We had reached the gorge section.

Our old nemesis the trees were back. After a wide, boofable ledge, the river was squeezed between boulders into a narrow chute. Avoiding a tree interrupted our line at the top, and bedrock extended out into the hole at the bottom, and it proved tricky to get a clean line through it. After that one, there were many more. Boulders that rolled of the mountain had formed a series of challenging rapids surrounded by stunning scenery. The steep sides of the gorge had apparently discouraged most of humanity from hiking through there, and it was very pristine. The rapids were class 4/5 and, while there were some tree problems, it certainly wasn't as treed up as Overflow.

Once we made it through the Gorge, we had a lot of flat water to float. We took out at the Highway 28 bridge when our bunny showed up. Cold beer and dry clothes gave us the comfort to reflect on our journey.

We passed some breathtaking natural beauty, and saw it as no hiker or fisherman could have. We noticed some trash left by fisherman such as corn cans and fishing line, as well as tarps that had been left up as semi permanent campsites. The rapids ranged up to class 5 plus, and, on Section 00 and in the Section 1 Gorge, some rapids were difficult to walk. Of course, everything changes with level.

This trip report is meant to pass on the some information about what lies above Highway 28 and why we should be allowed to boat it legally. Neither I nor my colleagues endorse making an illegal run. If you get caught, it is the law's job to make sure it was not worth your while to do it. I have been told that fines can range up to $1000 and that any gear used in the crime may be confiscated. However, the beauty and challenge that await us up there is certainly worth a great effort in persuading the Forest Service to allow us access when the river is high enough to run it. Get involved and help get access to this awesome place!

Photos/Video (Thumbnail Index)

No Trespassing Sign	119.17KB	.jpg
Class V on OO	1.60MB	.jpg
Class V 00 Sieve	1.17MB	.jpg
Chattooga Headwaters	93.48KB	.002

Guidebooks

North Carolina Rivers and Creeks
$34.95

StreamKeeper: none **Status:** unverified **Last Updated:** 2001-07-31 12:31:09

StreamKeeper Project - Find out more about the StreamKeeper Project, where this data comes from, how it is maintained, and how you can become a StreamKeeper.

User Comments

Jerry Jascomb 2005-07-17 16:46:53

We looked at Section I level early in July when Overflow was 2.6 and Chattooga about 6 ft. A ranger drove up to warn us that boating above Hwy 28 was illegal, and that he drove around on rain/high water days looking to bust boaters doing such. Said the fine for 1st offense would be $150 ($75 for boating above Hwy 28 + $75 for not filling out a permit - huh?, like we would fill out

a permit to boat illegally?) He wrote down all our tag numbers. His name is Dave Heddon. Word to the wise - the boating ban is being energetically policed around here.

Brent Steadman 2005-05-17 14:52:50
Hiked the full length of OO April 4, 2005. The Chattooga guage at US76 was at 2.7 and I was told Overflow was at .85. The river looked to have sufficient flow in all areas. Overall, the stretch looks Class 4/4+ with one particular rapid a class 5 with a massive sieve at the entrance. Check out the pictures.

Registered users can submit comments. **Alerts**

© 2005 American Whitewater | PO Box 1540 | Cullowhee, NC 28723 | 1-866-BOAT-4-AW | info@amwhitewater.org

Whiteside Cove Association
Wyatt S. Stevens, President
Roberts & Stevens, P.A.
One West Pack Square, Suite 1100
P.O. Box 7647
Asheville, NC 28801

Direct dial number 828-258-6992
Facsimile number 828-253-7200

November 9, 2005

Mr. Jerome Thomas
Forest Supervisor — VIA DHL Express
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, SC 29212

Mr. John Cleeves
Project Coordinator — VIA DHL Express
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, SC 29212

Mr. Chuck Myers
Southern Regional Forester — VIA U.S. Mail
USDA Forest Service, Southern Region
1720 Peachtree St.
Atlanta, GA 30309

Attention: Ms. Marisue Hilliard
Forest Supervisor
National Forests in North Carolina — VIA U.S. Mail
160A Zillicoa Street
Asheville, NC 28801

Re: **Whiteside Cove Association's Objection to "Decision for Appeal, (#04-13-00-0026 American Whitewater) of the Sumter National Forest Land and Resource Management Plan Revision."**

Dear Gentlemen and Ms. Hilliard:

I am the President of the Whiteside Cove Association ("The Association"). The Association is an organization of families that has leased a portion of property on the upper Chattooga River ("the property") for almost half a century. The property encompasses approximately 500 acres, and includes a portion the headwaters of the Chattooga River which begins at the Grimshawes SR 1107 bridge and goes downstream for approximately 1.7 miles to

the confluence of Green Creek and the Chattooga River, just below "Corkscrew Falls." The property was acquired by the Rust family in 1968 from Warren and Dorothy Alexander. The Association first started leasing the property from the Alexanders in about 1957 and has leased it continuously ever since. Over the years, our members and their friends have enjoyed the scenic beauty and wilderness experience offered by this special property.

We recently became aware of the Decision for Appeal issued by Ms. Gloria Manning of the Forest Service regarding the appeal filed by American Whitewater. We are writing to express our serious concerns about the scope of that decision and the extent to which it threatens our use and enjoyment of this private property. As you know, American Whitewater is seeking an ultimate ruling from the Forest Service which would allow "year-round access for self-guided groups of non-commercial, non-motorized canoeists and kayakers to float the Chattooga WSR [Wild and Scenic River] from and to existing access points between and including NC Road 1107 (Grimshawes Bridge) and the Highway 28 Bridge." (Emphasis added, NOA, pp 1-2). It is my understanding that the entire section involves about 20 miles. We are primarily concerned with the first 1.7 miles of private property which the Association has leased for almost 50 years.

It is clear from reading the Decision for Appeal, that the Forest Service has incorrectly assumed that the entire 20 miles under consideration is public property. In fact, this 1.7 mile section of the Chattooga River is privately owned. It is not managed or patrolled by the Forest Service, nor by any other public authority. It is not part of the Chattooga River Management Area.

Instead, since at least 1957, it has been managed, patrolled and maintained by the Association and the owners (the Alexanders and then the Rusts). The owners have paid property taxes to Jackson County and the Association has paid rent and dues associated with its maintenance obligations. Throughout that time period, the owners, Association members and their guests have enjoyed and been dedicated stewards of this private property.

The primary purpose of this letter is to urge the Forest Service to remove from further consideration under this Appeal the property and the associated 1.7 miles of stream below NC Road 1107 (Grimshawes Bridge). In my opinion, the Forest Service has no authority to authorize boating through this section of private property, or to include this section of river in the Visitor Use Capacity analysis mandated by the Decision for Appeal.

Over the years, we, our families and friends have enjoyed the property in a number of respects. We have spent time in a rustic mountain cabin located near the river. We have hiked and picnicked along the primitive trails. We have swum and played in the river with our children and grandchildren. We have fished the waters for mountain trout. We have taken good care of the land and its waters. We have not, however, canoed, kayaked or otherwise attempted to float the river. Likewise, we have not observed other people attempt to canoe, kayak or otherwise attempt to float this section.

The reason is simple. This 1.7 mile section of the Chattooga is not, under any reasonable definition, navigable at any water level. It could best be described as a small, tight mountain stream. It flows over numerous waterfalls and through tight passages in the rocks. In some places, the river is no more than ankle deep all the way across, with multiple dry sections of rock. In other places, you can literally straddle the stream with one foot on each side. It is

overhung with countless tree branches, as well as vast sections of mountain laurel, rhododendron and other shrubbery. There are countless dead trees in the river itself which help maintain the proper ecosystem for trout.

Indeed, the 1970 Wild and Scenic River Proposal and the 1971 Chattooga river study described the upper Chattooga River as a "small stream" that requires "frequent portages around difficult cascades and narrow sluices." It stated that the Chattooga River "crashes over a massive precipice and down a 25 foot high Corkscrew Falls." (See 1971 WSR study, p. 73; 1970 WSR proposal, p.7, Dept. of Agriculture).

Recently, members of American Whitewater published a kayaker's view of this portion of the Chattooga in "North Carolina Rivers and Creeks," by Brushy Mountain Publishing, Inc. (2005). The text states in part: "This very small creek is "the most difficult section of the (Chattooga) river". It mentions the "nasty sieve (Corkscrew falls) which "can be walked."

Even more concerning is a recent (October 2005) posting on the American Whitewater website entitled "Poaching a Run," a copy of which is enclosed. (See also www.americanwhitewater.org/rivers/id/3446/). According to the posting, three American Whitewater members, whose names were withheld, blatantly trespassed through the subject property and provided illuminating details of their trip. The posting provides in part:

> "Ignoring the ominous "No Trespassing signs," our raiding party moved fast to get out of sight of the road. Hoping that we didn't see any trout fishermen along the way, we fought through bank to bank rhododendron and small tree strainers... Then it started to drop. Small, but very blind drops at first, then bigger until we got to a 15 to 20 foot straight off drop. As we noticed that there was water blowing out of the face of the rock about halfway down, we assumed there was a pothole at the top. We walked it. Soon, we found more large drops, mostly of the sloping ledge variety... Then the class 5 fun began. We came upon a bounder pile forming a tricky rapid. Agent J walked his kayak around it... Next we came to an ancient log jam that blocked the entire river. We carried around it and discovered the first of 3 magically beautiful places. The river dropped over a couple of tricky (and boat damaging) drops into a straight vertical walled canyon about 15 feet wide... [Then] the water dropped out of sight. There were no handholds on the smooth, moss covered walls, and there was only a tiny eddy on the top left of the final drop... One by one, we caught the eddy and lifted over the tree that formed it so that we could see the terminal rock sieve into which the river disappeared [Corkscrew Falls]. That one was definitely not runnable at this level, and I'd be scared to run there at a higher levy. The eddy might not be there!

See Poaching a Run.

Clearly, according to experienced members of American Whitewater, the same group that has initiated this Appeal, the section of the Chattooga River from Grimshawes Bridge down through Corkscrew Falls is not navigable without (1) incurring great risk and (2) portaging on our private property in multiple different locations. Every time a boater portages on the property to avoid the multiple hazards, they are committing criminal and civil trespass. We do not allow boaters on the property for exactly these reasons.

In addition to being patently unsafe for boating at any water level, this section of the Chattooga River is practically inaccessible by the Forest Service in the event of an emergency. This 1.7 mile section of river runs through the heart of the property. There is no public road nearby and no pubic access through the property. The river is followed only by a primitive foot path for most of its length. With the exception of a few rutted logging roads, there is literally no vehicular access to any portion of the 1.7 miles of river. There also is no cellular phone service in that section of the county. Even an experienced boater could become badly injured while attempting to navigate this section. Help might not reach him for hours, if not days. Imagine what would happen to a novice boater.

For your additional consideration, I have enclosed some digital photographs taken on various sections of the 1.7 mile section of river on October 17, 2005. Based on these photographs and the American Whitewater's own descriptions of the river it is obvious that this treacherous section can not be traversed safely and without extensive portaging and associated trespassing on the property.

For all of these reasons, the Appeal and associated Visitor Use Capacity analysis should only be concerned with that portion of the Chattooga River downstream of Corkscrew Falls and the Green Creek/Chattooga confluence, all of which does indeed flow through Public Lands. We respectfully request that this property be removed from the Chattooga Appeal, as floating cannot be carried out legally or safely on this part of the river.

I appreciate your careful attention to this matter and look forward to your response.

Very truly yours,

Wyatt S. Stevens,
President
Whiteside Cove Association

cc: Representative Charles H. Taylor
339 Cannon House Office Building
Washington, DC 20515

Representative Charles H. Taylor
22 South Pack Square
Suite 330
Asheville, NC 28801

FS
cc: NR
PERGH
PA
FLM

Since 1931

SOUTH CAROLINA WILDLIFE FEDERATION

An affiliate of the National Wildlife Federation

November 2, 2005

Mr. Jerome Thomas, Forest Supervisor
USDA Forest Service
4931 Broad River Road
Columbia, South Carolina 29212-3530

Dear Mr. Thomas:

In May 2003, the South Carolina Wildlife Federation sent a letter to the Forest Service opposing lifting the current ban on boating above the Highway 28 Bridge on the Chattooga River. The Chattooga is a unique natural treasure in the Southeastern United States and is unrivaled in the region as a relatively large, free-flowing stream where an angler, hunter, hiker, backpacker, birder, or other similar recreationist can experience relative solitude and enjoy unmatched natural beauty. The recent decision of the Chief to revisit the earlier decision of the Regional Forester to ban boating above the Highway 28 Bridge is troubling to our organization. We are well aware of the probability, if not the certainty, that serious conflicts will result, especially between boaters and anglers, if the boating ban on the upper Chattooga is lifted.

In the early 1970s, the Forest Service wisely decided that the best way to stop existing and prevent future conflicts between these two groups of users would be to separate the trout fishermen from the boaters. The Forest Service ruled that fishermen would have the river upstream from the Highway 28 Bridge and the boaters would have the river downstream from that bridge. In essence, trout fishermen gave up the lower portion of the river to the boaters because of potential conflicts.

Although trout were still stocked (at a much lower rate) in the lower portion of the river, most trout fishermen quit fishing the lower river because of increasing use of the river by floaters. This is completely understandable since trout fishing is by nature a quiet, contemplative sport while boating is often, although not always, a raucous, group-participation sport.

There are certainly some rivers where boaters and fishermen coexist. But the Chattooga is a much different river than most rivers. On the Chattooga, an angler can experience relative solitude and enjoy unmatched natural beauty when fishing above the Highway 28 Bridge. There are no roads paralleling the river as is the case on most rivers of its size. Few rivers in the East can provide the remote backcountry experience that the Chattooga provides. This corridor is the" last place" of solitude for the citizens of South Carolina and surrounding states. It must continue to be protected from commercial and high impact intrusion.

Rec'd FS 11-4-05

2711 Middleburg Drive, Suite 104 • Columbia, S.C. 29204 • 803-256-0670 FAX 803-256-0690 www.scwf.org

Opening the river above the Highway 28 Bridge to boating will change all this. There will be increased traffic on the Burrells Ford road from private vehicles and raft-carrying shuttle buses. Boaters getting into and out of the river at the bridge will interfere with the "put and take" fishermen who fish just below the bridge. Parking will become even more of a problem than now. In similar settings elsewhere such increased usage by these diverse constituencies has resulted in conflict. In some cases arguments have erupted into shouting matches, fights, or worse. Intensive use by boaters also typically results in increased litter and human wastes deposits throughout the corridor. We are also concerned that the limited law enforcement available will be challenged beyond its means since it is difficult to stop the current "rogue" river runners in this section. If this is opened to general use, increased budgets will be needed for law enforcement, river rescues, and resource monitoring and mitigation, in addition to road improvements, parking, restrooms, boating access, and recurring maintenance.

The data generated from the user surveys that will be conducted on the river in the near future will be of questionable value because it will not include the autumn months when many hunters, hikers, bird watchers, and foliage viewers are in the woods. And boaters using the upper river will certainly be on their best behavior as they try to ensure a minimum of conflict with anglers and other users. Surely Forest Service decision makers will recognize the faulty nature of such biased surveys. The South Carolina Wildlife Federation hopes and expects the U.S. Forest Service to use common sense and sound judgment to make the right decision about boating on the Chattooga River.

While we recognize the importance of whitewater boating as a recreational venue and many of our members are boaters, we feel strongly that opening the reach of the Chattooga above Highway 28 will result in a general decline in this extraordinary fishery and the exceptional fishing experience on this reach of the river. We have noticed degradation in the Nantahala, French Broad, Deep Creek (Great Smoky Mountain National Park) and other rivers where significant floating occurs. We strongly encourage the Forest Service to use its mandate to be good stewards of the public lands (and waters) and protect one of the few areas remaining in the southeastern United States where anglers and other recreationists of the dispersed persuasion can enjoy the beauty, solitude, and tranquility of a true wild and scenic river.

Thank you for your consideration.

Sincerely,

Angela Viney

Angela Viney
Executive Director

c: Chief Dale Bosworth
Regional Forester Robert T. Jacobs

Press Release

PATTON BOGGS LLP
ATTORNEYS AT LAW

2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500

Facsimile 214-758-1550
www.pattonboggs.com

— Chuck
— Tom P
— Chris L.

October 21, 2005

Nathan Galbreath
(214) 758-6602
ngalbreath@pattonboggs.com

Susan H. S.

VIA OVERNIGHT COURIER
Mr. Charles Meyer
Regional Forester
Peachtree 25th Building
7th Floor
1720 Peachtree Road NW
Atlanta, GA 30309

Re: Wilderness floating on the upper Chattooga Wild and Scenic River

integrity

Dear Mr. Meyer:

I enjoyed visiting with you today regarding the restoration of wilderness floating on the stretch of the Chattooga Wild and Scenic River north of Highway 28. I wanted to follow up on our conversation by providing you with hard copies of (1) American Whitewater's appeal of the 2004 Sumter National Forest Land and Resource Management Plan Revision; (2) the Chief's decision on American Whitewater's appeal; and (3) American Whitewater's proposal for implementing the Chief's decision.

As more fully explained in American Whitewater's appeal, the management directive currently in place, which forbids all primitive floating on this wilderness and wild and scenic stretch of river, violates the Wild and Scenic Rivers Act, the Wilderness Act, and other federal laws. Should American Whitewater have to file a lawsuit to restore floating access, that lawsuit would likely cover many of the same points raised in the appeal.

Vulnerable?

Is it "W"ilderness

There appears to be some confusion regarding the meaning of the Chief's decision. On the one hand, the decision found that there is no basis in any record to prohibit primitive floating on the upper reaches of the Chattooga River. Further, it found that even assuming *arguendo* that limitation of wilderness use is necessary along the upper Chattooga corridor—which has never been demonstrated—that no one *type* of wilderness use may be singled out and totally banned. On a similar note, the decision found that if the USFS determines some use limitations are necessary, those limitations must be applied equally to all types of wilderness users. Then, despite making these findings and reversing the 2004 RLRMP floating ban, the Chief's decision confusingly defaulted to the 1985 RLRMP, which also banned floating without justification and in violation of federal law. However, the implementation of the 1985 plan was conditioned by the Chief's requirement that the Southern Region conduct a capacity analysis of the upper Chattooga River corridor and

Basis?

346868v1

11/02/2005 11:06 FAX 4043474177 FOREST SERVICE 002

PATTON BOGGS LLP
ATTORNEYS AT LAW

2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500

Facsimile 214-758-1550
www.pattonboggs.com

publish a new decision on the floating moratorium within two years. In connection with that study, the Chief noted that boating "user trials" could be used.

American Whitewater interprets the spirit of the Chief's decision as requiring all wilderness uses (including floating) to be permitted to the same extent on the upper Chattooga corridor during a two-year study period, and that a new management decision be published at the end of that study period that limits use, if at all, equitably among all types of wilderness users.

Yet under the current process to study and analyze the river corridor, floating remains completely banned while all other wilderness uses are permitted without restriction of any kind. Furthermore, the process seems to be designed around whether and to what degree floating should be allowed, rather than studying the capacity of the area and determining whether any limitations should be equitably applied to all types of users. The appearance of discrimination and unfairness is further exacerbated by the official messages posted on the USFS website that suggest the floating ban may continue indefinitely under the Chief's decision.

Despite years of frustration on this issue, American Whitewater has withheld filing a lawsuit up to this point in its ongoing effort to collaborate with the USFS on river issues all over the country. However, given the continued floating ban and the direction the analysis process is taking, it increasingly appears that a lawsuit in federal court may be the only way to restore primitive floating access on the upper reaches of the Chattooga Wild and Scenic River. A lawsuit would be a tragic waste of resources for all parties involved.

I am excited about the new perspective that you bring to this issue. American Whitewater looks forward to discussing restoration of floating access on the upper Chattooga River with you further at your earliest convenience. Please do not hesitate to call me for any reason at 214-758-6602.

Sincerely,

J. Nathan Galbreath

J. Nathan Galbreath

- Limits of Acpt Change
  Capacity Analysis "0-base"
- Hearing
- X Seasonal use - restrictions

346868v1

11/02/2005 11:06 FAX 4043474177 FOREST SERVICE 003

Mike Kelly - Fw: Visitor Use Capacity Analysis, Upper Chattooga River

From: "Ben Morton" <bcmrtn@nuvox.net>
To: "Undisclosed Recipient" <bcmrtn@nuvox.net>
Date: 11/18/2005 3:44 PM
Subject: Fw: Visitor Use Capacity Analysis, Upper Chattooga River

----- Original Message -----
From: Eedee & Doug Adams
To: Friends of the Upper Chattooga
Sent: Friday, November 18, 2005 2:08 PM
Subject: Visitor Use Capacity Analysis, Upper Chattooga River

The Second Public Meeting in Clayton (Nov. 17) was attended by about 80 or more stakeholders. Even if you were unable to attend the meeting and you visit the Upper Chattooga, the Forest Service wants and needs your comments to make the study as accurate and as complete as possible. Here is the Upper Chattooga River (above Highway 28) 'Recreation Use ' survey:

Upper Chattooga River - Recreation Use Form

Name (optional) Mike Kelly

1. What is the most important activity on the trip? (be specific - Ex: Backcountry Fishing, Backpacking, Camping, etc)

2. What other activities would you do on the trip? (Ex: Hiking, Wildlife Viewing, Hunting, Wild Flowering, Birding, etc)

3. Where would you go? List the segment(s) you would use and describe your travel route (if any).
Start at 28 bridge and go all the way to Reed creek.

4. When (what time of year) could you take this trip? (Please specify months, season, or "all year"). [This measures entire season.]

5. When is the best time of year to take this type of trip? How often do you take (or would you take) this trip per year? [This measures the "prime season".] Fall, winter, early spring

6. How many people (include yourself) would be in your group on this trip?
2

7. How long would your trip be? (Days or hours)
2 days

8. Describe the most important attributes of the trip - the conditions or characteristics of the trip that make it high quality. Few other people, Being out in nature.

9. Describe the specific concerns you have about how other recreation users in the area may affect your trips.
If the numbers get too Large I could look for somewhere else to go. (No boaters, floaters)

Take a few minutes to answer these questions. Do it right now. Help to preserve and protect the solitude and uniqueness of the only section of the Chattooga that has not been damaged by conflict and management for too many user groups.

Send your comments to: Project Coordinator - John Cleeves, E-mail jcleeves@fs.fed.us
USDA Forest Service, 4931 Broad River Road, Columbia, SC 29212

All info gathered will be posted on the Sumter NF website in the next week or so: http://www.fs.fed.us/r8/fms/

David Burton

From: "Eedee & Doug Adams" <edadams1@alltel.net>
To: "Friends of the Upper Chattooga" <edadams1@alltel.net>
Sent: Friday, November 18, 2005 2:06 PM
Subject: Visitor Use Capacity Analysis, Upper Chattooga River

The Second Public Meeting in Clayton (Nov. 17) was attended by about 80 or more stakeholders. Even if you were unable to attend the meeting and you visit the Upper Chattooga, the Forest Service wants and needs your comments to make the study as accurate and as complete as possible. Here is the Upper Chattooga River (above Highway 28) 'Recreation Use ' survey:

Upper Chattooga River - Recreation Use Form

Name (optional) David Burton

1. What is the most important activity on the trip? (be specific - Ex: Backcountry Fishing, Backpacking, Camping, etc)
Fishing

2. What other activities would you do on the trip? (Ex: Hiking, Wildlife Viewing, Hunting, Wild Flowering, Birding, etc)
Hiking, Wildlife Viewing

3. Where would you go? List the segment(s) you would use and describe your travel route (if any).
To Burrell's Ford by Road on GA Side up & down river approx 1Mi either side of bridge

4. When (what time of year) could you take this trip? (Please specify months, season, or "all year"). [This measures entire season.]
All year

5. When is the best time of year to take this type of trip? How often do you take (or would you take) this trip per year? [This measures the "prime season".]
3

6. How many people (include yourself) would be in your group on this trip? 4 or 5

7. How long would your trip be? (Days or hours) 6

8. Describe the most important attributes of the trip - the conditions or characteristics of the trip that make it high quality.
Good Fishing – Solitude – "chance to be alone with Nature – Don't like Crowds

9. Describe the specific concerns you have about how other recreation users in the area may affect your trips.
Prefer Not to have boaters in Burrell Ford Area – distracting to the experience

Take a few minutes to answer these questions. Do it right now. Help to preserve and protect the solitude and uniqueness of the only section of the Chattooga that has not been damaged by conflict and management for too many user groups.

Send your comments to: Project Coordinator - John Cleeves, E-mail jcleeves@fs.fed.us
USDA Forest Service, 4931 Broad River Road, Columbia, SC 29212

All info gathered will be posted on the Sumter NF website in the next week or so: http://www.fs.fed.us/r8/fms/

Please 'forward' this to other visitors you know that want to help preserve the Upper Chattooga River.

Thanks & Happy Trails, Doug

Karl & McKenzie Koon
177 Jones Cove Road
Asheville, NC 28805

November 11, 2005

Mr. John Cleeves
Project Coordinator
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, SC 29212

Re: Upper Chattooga River / Appeal by American Whitewater for Access

Dear Mr. Cleeves:

We are of the understanding that the American Whitewater Association is seeking boating access to the upper Chattooga River beginning at the Grimshawes Bridge located on Whiteside Cove Road in North Carolina. My wife and I are uniquely familiar with this stretch of the river having hiked, fished, and relaxed along this section over the past 40 years from the Grimshawes Bridge to "Corkscrew Falls". This area encompasses approximately 1.7 miles of water bordered on both sides by private land. For this section to be considered "navigable" is ludicrous and would create a danger not only for boaters attempting to run this section but also to those who fish and play in this stream in addition to causing environmental damage to the stream.

We have 4 children and enjoy teaching them to fish, playing in the stream, and observing the aquatic life in the water. We often wade this section of stream in tennis shoes and find it necessary to step out of the water to walk around fallen trees, bypass falls, and avoid brush and vegetation too thick to push through in the water. My wife and I have both been kayakers and have run lower sections of the Chattooga. We are aware of the conditions necessary for safe boating and what conditions require portage of boats. Based upon our boating knowledge and intimate knowledge of this section of the Chattooga River, it is impossible to navigate without leaving the water and dragging boats. In fact, we can estimate that approximately 11 – 13 portages would be required over this 1.7 mile section. This hardly qualifies as "navigable".

We ask that you not recommend boating access to this section of the Chattooga River, not only for the safety of those who might be fishing or playing in the stream, but also for boaters who would quickly find themselves in conditions unsuitable for travel. In addition, such boating access would also damage this fragile ecosystem by disturbing wildlife, both land and aquatic, and creating erosional damage to stream banks where boaters would be forced out of the stream. Allowing boating access to this section would not be in the best interests of the private landowners, hikers and fishermen, ill-informed boaters who think this water is "navigable" or the environment.

Thank you for your consideration of this information.

Sincerely,

Karl N. Koon

Karl N. Koon

Robert Q. Jones, Jr.
6875 Lisa Lane
Dunwoody, GA 30338

November 10, 2005

Mr. John Cleeves
Project Coordinator
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, SC 29212

Re: Upper Chattooga River / Appeal by American Whitewater

Dear Sir:

I understand that a group known as American Whitewater is seeking a ruling to allow access for canoeists and kayakers to paddle the headwaters of the Chattooga River beginning at the Grimshawes Bridge in Whiteside Cove. I am writing to express some concerns about that.

I'm familiar with the approximately 1.7 mile section of the river flowing from the Grimshawes Bridge down to the large waterfall known as Corkscrew Falls, having fished there annually since about 1990 as a guest of members of the Whiteside Cove Association. I've also canoed, kayaked and rafted on a number of rivers in the southeastern U.S., including the Chattooga River.

Based on such familiarity and experience, I believe that section of the river is unsuitable for canoeing, kayaking or rafting and that such activities would be inappropriate there. Among other things, the water there is generally too shallow for such activities and there are too many logjams, waterfalls and other obstructions present.

I trust that during the course of the Forest Service's reanalysis of recreation use on the upper portions of the river, sufficient information will come to your attention to make it apparent that American Whitewater seeks more than should reasonably be allowed.

Sincerely,

Robert Q. Jones, Jr.

Upper Chattooga Recreation Use Form

Name : W. Stell Huie_PO Box 2469 Highlands, NC 28741, 828 526 9142

1. What is the most important activity on the trip? (be specific .Ex: Backcountry Fishing)
Backcountry Fly-fishing.

2. What other activities would you do on the trip? (Ex: Hiking, Wildlife Viewing, Hunting, Wild Flowering, etc)
Hiking to get to the best fishing areas. Viewing flowers, birds and other wildlife. Enjoying the peace and solitude.

3. Where would you go? List the segment(s) you would use and describe your travel route (if any).
I fish above and below Burrells Ford and the delayed harvest area above Russell bridge. I am now 75 years old and can not get to many areas I used to fish, so the Upper Chattooga with its easy trails and relatively level terrain is wonderful for me.

4. When (what time of year) could you take this trip? (Please specify months, season, or "all year"). [This measures entire season.]
I fish all year on good days, but do not fish in the winter

5. When is the best time of year to take this type of trip? How often do you take (or would you take) this trip per year? {This measures the "prime season".]
April-May and October-November are my favorite times. I would make the trip about 10 times a year.

6. How many people (include yourself) would be in your group on this trip?
Most of the time just two, but I like to go by myself. Once a year I have a group up to fish and there would be as many as 6

7. How long would your trip be? (Days or hours)
One day, or perhaps just half a day

8. Describe the most important attributes of the trip .the conditions or characteristics of the trip that make it high quality .
I have been most fortunate in my life to have fished in many places around the world. There is no more beautiful river anywhere than the Chattooga. It is a virtual paradise in the Spring and Fall. The river is challenging, but rewarding for one willing to work at fishing. Unlike so many big rivers, there is no highway along its shoreline, so it is peaceful and quiet. Let's keep it that way. It is a real treasure.

9. Describe the specific concerns you have about how other recreation users in the area may affect your trips.
The popularity of this area continues to grow along with the population. It is important to save and protect places that afford the solitary pleasures, that fishing, hiking, birdwatching and the like afford. I have seen the effect of rafting, etc. on the lower section of the Chattooga, the Tuckasaseege and other rivers. The whole character of the river is changed-the people population increases and the one pristine and quiet waters are noisy and littered with all kinds of trash.

• Hard copy of survey form submitted via email on 1 1/21/05

Jones, Bob

From: Jones, Bob
Sent: Monday, November 21, 2005 3:00 PM
To: 'John Cleeves'
Subject: Upper Chattooga River - Recreation Use Form

Upper Chattooga River - Recreation Use Form

Name (optional): **Bob Jones**

1. What is the most important activity on the trip? (be specific - Ex: Backcountry Fishing, Backpacking, Camping, etc)

Backcountry Fishing.

2. What other activities would you do on the trip? (Ex: Hiking, Wildlife Viewing, Hunting, Wild Flowering, Birding, etc)

Hiking (to and from favorite fishing spots).

3. Where would you go? List the segment(s) you would use and describe your travel route (if any).

Fishing in Section "00" (Grimshawes Bridge to Corkscrew Falls), typically at the following places: the House Pool, Footbridge, Logjam, Fowler's Creek, Ledge d/s of Fowler's Creek, Pools at Waterfall d/s of Fowler's Creek, Pool d/s of Trail Crossing, and Pool above Corkscrew Falls.

4. When (what time of year) could you take this trip? (Please specify months, season, or "all year"). [This measures entire season.]

Late April to early November.

5. When is the best time of year to take this type of trip? How often do you take (or would you take) this trip per year? [This measures the "prime season".]

June - August. I've been fortunate enough to take 2-3 trips per year for about the last 15 years.

6. How many people (include yourself) would be in your group on this trip?

Typically 4-9 people.

7. How long would your trip be? (Days or hours)

Friday-Sunday (3 days).

8. Describe the most important attributes of the trip - the conditions or characteristics of the trip that make it high quality.

Beauty of the area, quality of the fishing, solitude.

9. Describe the specific concerns you have about how other recreation users in the area may affect your trips.

Section 00 is a trout stream. It's a series of shallow (sometimes ankle-deep) stretches punctuated by fallen trees, logjams, narrow waterfalls, rock ledges and boulder piles. It is totally unsuitable for boating of any kind (the notion of kayaking there is preposterous). Anyone attempting to kayak or otherwise boat Section 00 would inevitably have to walk a substantial part of the way, both in the stream and on the bank. The resulting foot travel would spoil the fishing and worsen stream-bank erosion. I believe that Section 00 is the only section of the Chattooga that has not been significantly damaged by over-use. Opening up Section 00 to more users would subject it to the same damage and would profoundly diminish the quality of any future trips there. I would rather Section 00 be closed to all visitation and that I never have the privilege of seeing it again, than to see it ruined like so many other places.

November 23, 2005

Mr. John Cleeves
Project Coordinator
4931 Broad River Road
Columbia, South Carolina 29212

Dear Mr. Cleeves,

I have fished the upper Chattooga River on a regular basis since 1968. I have never seen any water craft on the river, not even an inner tube. It is puzzling why there is a push to permit boats of any sort on a river that is completely unsuitable for water craft for the following reasons:

1. during periods of low water the river is impassable
2. the river is very narrow
3. there are several large trees and fallen rhododendron bushes completely blocking the river
4. there are four falls that would require portage on trails so steep and narrow that I have actually fallen down the bank into the water. I cannot imagine anyone trying to carry a canoe along these trails.

5. there are two gorges that are impassable
6. the last fall, aptly named "corkscrew", drops sixty feet straight down onto a flat rock. No one could survive that fall. The 45 degree trail down the right hand side has not been maintained and is very dangerous even to someone walking down, much less trying to carry a boat.

I know you have to study both sides of an issue but in this case it seems pretty clear that the upper Chattooga should be devoted to the family enjoyment of nature, picnics, swimming and fishing.

Yours sincerely,

E. Bretney Smith, Jr.

E. Bretney Smith, Jr.

Marvin M. Thomas, III
253 Country Club Rd.
Asheville, NC
28804

Mr. John Cleeves
Project Coordinator
4931 Broad River Road
Columbia, SC 29212

November 22, 2005

Dear Mr. Cleeves,

I am writing today to express my concern about the possibility of boating being allowed on the upper Chattooga River. This section of river offers a very quiet and peaceful environment that will be destroyed, possibly forever, by the introduction of boaters.

As a frequent user of these waters, I am deeply concerned of the impact such activities would have on the area. I often enjoy tranquil afternoons fishing the area while my children play in nearby pools and my wife and friends hike the trails.

My grounds for opposing this change in policy are as follows:

1. The safety of those fishing, wading or swimming will be greatly jeopardized. The gorges and waterfalls do not allow adequate time for people wading the river to see or hear approaching boaters, endangering those in the water of being struck by a boat or paddle.

2. The depth and width of the water through most of this section is not adequate to float a kayak or canoe and any attempts to do so will result in destroyed habitat for many fish, amphibians and insects important to this eco-system.

3. For boaters to safely utilize the river it would be necessary to remove many natural structures in and above the stream, further endangering vital habitat.

4. Simultaneous use of the upper Chattooga by fishermen, swimmers and boaters simply is not possible in the most desirable spots. The areas below waterfalls and rapids are magnets to all users which will result in overcrowding and ultimately, confrontation. Without extensive management, the more aggressive activities ultimately will win out leaving fishermen and swimmers no place to go.

5. The section in question here has at least 6 waterfalls or gorges along its path that are not passable by boat. The only option to boaters would be to portage around these areas. This will further damage habitat by increased use also causing erosion. Boaters portaging will encounter hikers on the narrow trails causing conflict in yet another aspect of the region.

6. Access to the river is very limited in this area. Emergency responders dealing with the inevitable serious injuries this activity will invite would have to be prepared with the equipment and manpower necessary to extract victims from a very remote, steep, narrow ravine with virtually no access.

Based on this and other information I am told you have received including other testimonials and photographs, I trust you can understand why I would like to see the current restriction against boating the upper Chattooga to remain in effect. To allow watercraft in these waters would be irresponsible, dangerous and liable.

Thank you for your time and consideration of my position on this matter.

Sincerely,

Marvin Thomas

Mr. John Cleeves
Project Coordinator
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, SC 29212

Dear Mr. Cleeves,

This letter is to express my dismay and opposition to the possible opening of the upper Chattooga River (N.C. State Road 1107) to boating. I have enjoyed the solitude of fishing this pristine area since the 1960's. My grandchildren now fish and swim in these peaceful waters as did my own children when they were young. The thought of fast moving boats on this small stream is frightening.

In my opinion, this water is unsuitable for kayaks and canoes for the following reasons:

1. The first two miles below Grimshawes Bridge (N.C. State Road 1107) is very small- it is not yet a river. In some areas the water is extremely shallow and ecological damage is probable.
2. There are narrow, dangerous gorges and a killer waterfall (Corkscrew Falls). Who will be responsible for liability issues?
3. Forcing boats into and on top of swimmers and fishermen is also dangerous and creates conflicts.

It is my understanding that boaters currently have use of almost 70% of the Chattooga. Is it not appropriate to preserve some of the smaller water for swimming and fishing? What justification is there for giving American Whitewater 100%? In my 45 years on this part of the river, I have never seen a boat.

Please keep the upper Chattooga "Wild and Scenic"- and peaceful!

Sincerely,

Canie B. Smith

Canie B. Smith
P.O. Box 1980
Cashiers, NC 28717

John Izard

From: Joseph Gatins [jgatins@alltel.net]
Sent: Monday, November 28, 2005 8:27 AM
To: Ga. Forestwatch in Rabun
Subject: More re: Chattooga Study

Friends of ForestWatch in Rabun and nearby locales: Note that the Forest Service is holding another meeting this week regarding the study of boating on the upper reaches of the Chattooga, in case anyone has the time to attend. (See news release below for logistics and background.)

Also, if anyone has the time, it would be very useful if you took the time to fill out the "recreation survey" below, and described in your own words how you use that part of the river and how you feel about boating thereon.
Many thanks.
Joe Gatins
Tallulah District Leader
Georgia ForestWatch
706/782-9944

Dear Sir:
Thank you for undertaking this study. I visit the Chattooga above Hwy 28 bridge 4-6 times per year as a fly fisherman. I hope you can include my data in your study. Sincerely,
John Izard Jr

Upper Chattooga River - Recreation Use Form

Name (optional) John Izard Jr.

1. What is the most important activity on the trip? (be specific - Ex: Backcountry Fishing) Backcountry fly fishing.

2. What other activities would you do on the trip? (Ex: Hiking, Wildlife Viewing, Hunting, Wild Flowering, etc) Hiking, Wildlife viewing, photography

3. Where would you go? List the segment(s) you would use and describe your travel route (if any). West Fork of Chattooga & tributaries. North Fork of Chattooga from Hwy 28 to Bull Pen Rd.

4. When (what time of year) could you take this trip? (Please specify months, season, or "all year"). [This measures entire season.] All year

5. When is the best time of year to take this type of trip? How often do you take (or would you take) this trip per year? [This measures the "prime season".]
4-6 times per year. Primarily in the Spring and Summer.

6. How many people (include yourself) would be in your group on this trip?
2-6 people

7. How long would your trip be? (Days or hours)
1-2 days

8. Describe the most important attributes of the trip - the conditions or characteristics of the trip that make it high quality. Having lived in Georgia 45 years and enjoyed fishing & hiking my whole life, the West Fork and North Fork are my favorite destinations because of remote setting/low impact uses.

9. Describe the specific concerns you have about how other recreation users in the area may affect your trips. Boating in these areas would severely diminish the unique experience of this backwoods area. Boaters have many other options. Those seeking solitude have few options.

Send your comments to: Project Coordinator - John Cleeves, E-mail jcleeves@fs.fed.us USDA Forest Service, 4931 Broad River Road, Columbia, SC 29212

News Release

USDA Forest Service
4931 Broad River Road
Columbia, South Carolina 29212-3530

For More Information:
Stephanie Neal Johnson

November 23, 2005

Mr. John Cleeves
Project Coordinator
4931 Broad River Road
Columbia, South Carolina 29212

Dear Mr. Cleeves,

I have fished the upper Chattooga River on a regular basis since 1968. I have never seen any water craft on the river, not even an inner tube. It is puzzling why there is a push to permit boats of any sort on a river that is completely unsuitable for water craft for the following reasons:

1. during periods of low water the river is impassable
2. the river is very narrow
3. there are several large trees and fallen rhododendron bushes completely blocking the river
4. there are four falls that would require portage on trails so steep and narrow that I have actually fallen down the bank into the water. I cannot imagine anyone trying to carry a canoe along these trails.

5. there are two gorges that are impassable

6. the last fall, aptly named "corkscrew", drops sixty feet straight down onto a flat rock. No one could survive that fall. The 45 degree trail down the right hand side has not been maintained and is very dangerous even to someone walking down, much less trying to carry a boat.

I know you have to study both sides of an issue but in this case it seems pretty clear that the upper Chattooga should be devoted to the family enjoyment of nature, picnics, swimming and fishing.

Yours sincerely,

E. Bretney Smith, Jr.

E. Bretney Smith, Jr.

Anthony C. Slay
405 Fayetteville Rd.
Jonesboro, GA 30236

November 28, 2005

Mr. John Cleeves
Project Coordinator
Upper Chattooga LAC Study
4931 Broad River Rd.
Columbia, SC 29212

Dear Mr. Reeves:

I am writing to express my support for continuing the ban on boating on that portion of the Chattooga River above Highway 28 in the Sumter National Forest. That section of the river provides the wild and solitary experience I relish as a fisherman and outdoorsman.

Allowing boating on that section, private or otherwise, may disrupt and ruin that experience for myself and countless others. Boating is already allowed below Highway 28, thus providing a balanced opportunity for both types of users. I fear that if boating were allowed above Highway 28, the Chattooga may soon come to look like the Nantahala in North Carolina, choked by rafts and kayaks, leaving little opportunity for those looking to spend some quiet and solitary time along a scenic waterway.

Thank you for your consideration of my thoughts.

Sincerely,

Anthony C. Slay

Anthony C. Slay

Mr. John Cleeves
Project Coordinator
Francis Marion and Sumter National Forests
4931 Broad River Road
Columbia, South Carolina 29212

Re: Upper Chattooga River/ Appeal by American Whitewater

Dear Mr. Cleeves,

As an outdoorsman who has enjoyed the Upper Chattooga River for more than 45 years, I cannot imagine kayaks and canoes navigating that part of the river from Grimshaws Bridge in Whiteside Cove down to Corkscrew Falls. The water is generally shallow, rocky, difficult to negotiate, with some logjams ,small and large falls, usually too narrow for the sport of kayaking. To portage, the boatsmen would be on private land over that entire stretch of the river. The Rust family, who own that property, have been good stewards of the land; keeping the land as well as the river as clean as nature will allow (unlike the area across Whiteside Cove Road at Sliding Rock, which, when opened to the public as Park Service land, is often littered with bottles, cans, dirty diapers, etc.).

Please consider carefully these facts before allowing boating in this area. There are many other areas more suitable for this sport. This is not a navigable area of the Chattooga River in my estimation. Thank you for your thoughtful consideration.

Sincerely,

Edward A. Gibson

Edward A. Gibson
P.O. Box 15373
Asheville, North Carolina 28813

Upper Chattooga River - Recreation Use Form

Name (optional) STEVE RAEBER — LAREMONT, GA

1. What is the most important activity on the trip? (be specific - Ex: Backcountry Fishing) FLY FISHING, HIKING

2. What other activities would you do on the trip? (Ex: Hiking, Wildlife Viewing, Hunting, Wild Flowering, etc)
HIKING — WILDLIFE VIEWING

3. Where would you go? List the segment(s) you would use and describe your travel route (if any).
ALL ALONG THE CHATTOOGA — BURRELS FORD — HWY 28 BRIDGE AND ABOVE

4. When (what time of year) could you take this trip? (Please specify months, season, or "all year"). [This measures entire season.] EVERY SEASON — ALL YEAR

5. When is the best time of year to take this type of trip? How often do you take (or would you take) this trip per year? [This measures the "prime season".] SPRING, FALL — VIRTUALLY ANY SEASON EXCEPT HEAT, LOW WATER — OR BELOW 30°

6. How many people (include yourself) would be in your group on this trip?
1-2-3

7. How long would your trip be? (Days or hours) DAY TRIPS — 4-8 HOURS

8. Describe the most important attributes of the trip - the conditions or characteristics of the trip that make it high quality. THE QUALITY OF THE WATER — CLEAN, CLEAR. THE UNSPOILED BEAUTY OF THE AREA

9. Describe the specific concerns you have about how other recreation users in the area may affect your trips.
BOATERS NEED ACCESS. BOATERS INTERFERE WITH FISHING

UPPER CHATTOOGA –RECREATION USE FORM

Name: (Optional) George E. Grover "Greg"

(1) What is the most important activity on the trip? Ex: fishing, hiking etc
Flyfishing Year Round Particularly During Delayed Harvest

(2) What other activities would you do on the trip? Ex: bird watching etc
Just flyfish

(3) Where would you go? List the segments of the river you would use and describe your travel route. Above Hwy 28 Bridge : Burrells Ford area.
Hike by foot : wade

(4) What time of year would you take your trips? Ex: specify months, season etc.
DH - November thru May

(5) When is the best time of the year to take this trip? How often do you take (or would you take) this trip per year? (This measures prime season).
During DH 2 times per year

(6) How many people (include yourself) would be in your group on this trip?
2

(7) How long would your trip be? (Days or hours)
All Day, One day

(8) Describe the most important attributes of the trip-the conditions or characteristics of the trip that make it high quality. The scenic wilderness of the river, the quality of the fishing w/o Kayakers

(9) Describe the specific concerns you have about how other recreation users in the area may affect your trips. Kayakers put the fish "down" & make the experience lousy. It's extremely difficult for flyfishermen to coexist with Kayakers at the same time on the Upper Chattooga.

Send to: John Cleeves, Project Coordinator
USDA Forest Service
4391 Broad River Rd.
Columbia, SC 29212
Email: jcleeves@fs.fed.us
Web site: http://www.fs.fed.us/r8/fms/

Take a few minutes to answer these questions. Do it right now!

I sincerely appreciate Jimmy Harris from Unicoi Outfitters for sharing this information via their newsletter and allowing me to paraphrase so that I can keep all AFFC members informed as well.

Jimmy is a staunch supporter of the AFFC. I encourage all of you stop by his shop in Helen or Blue Ridge.

Greg Grover
Lifetime Member Trout Unlimited
AFFC Member

11/22/05

UPPER CHATTOOGA –RECREATION USE FORM

Name: Mike Williams MEWill47@EARTHLINK.NET

(1) What is the most important activity on the trip? Fishing

(2) What other activities would you do on the trip? Hiking

(3) Where would you go? List the segments of the river you would use and describe your travel route. (1) Above Burrell's Ford (2) Hwy 28 bridge up river (3) Down river from the camp ground. Drive to the entry points and hike the trails along the river to my fishing destination.

(4) What time of year would you take your trips? Spring, Summer, Fall & Winter

(5) When is the best time of the year to take this trip? How often do you take (or would you take) this trip per year? (This measures prime season). Fall. I will fish the river 6 to 8 times per year.

(6) How many people (include yourself) would be in your group on this trip? 2

(7) How long would your trip be? (Days or hours) 1 to 2 days

(8) Describe the most important attributes of the trip-the conditions or characteristics of the trip that make it high quality. Solitude and the opportunity to catch wild trout.

(9) Describe the specific concerns you have about how other recreation users in the area may affect your trips. More people would crowd the area and once a boat comes through your area, the fishing is all but over. Conflicts would certainly occur.

It seems like the boaters have many, many more miles to pursue their activity than fisherman. The Chattooga is a rare gem for chasing trout.

Send to: John Cleeves, Project Coordinator
USDA Forest Service
4391 Broad River Rd.
Columbia, SC 29212
Email: jcleeves@fs.fed.us
Web site: http://www.fs.fed.us/r8/fms/

UPPER CHATTOOGA –RECREATION USE FORM

Name: (Optional)

(1) What is the most important activity on the trip? Ex: fishing, hiking etc

(2) What other activities would you do on the trip? Ex: bird watching etc

(3) Where would you go? List the segments of the river you would use and describe your travel route. – Hwy 28 Brige to Reed Creek & above Burrel Fords.

(4) What time of year would you take your trips? Ex: specify months, season etc.
April – July & Sept – May.

(5) When is the best time of the year to take this trip? How often do you take (or would you take) this trip per year? (This measures prime season).
April - June November - May - Delayed Harvest

(6) How many people (include yourself) would be in your group on this trip?

(7) How long would your trip be? (Days or hours) 1-Day to 3 Days

(8) Describe the most important attributes of the trip-the conditions or characteristics of the trip that make it high quality. – Wilderness Environment, good fishing, solitude.

(9) Describe the specific concerns you have about how other recreation users in the area may affect your trips. Kyackers or Rafters using River from Reed Creek South to Hwy 28 Bridge will severely impact quality of Trout Fishing in Delayed Harvest Season

Send to: John Cleeves, Project Coordinator
USDA Forest Service
4391 Broad River Rd.
Columbia, SC 29212
Email: jcleeves@fs.fed.us
Web site: http://www.fs.fed.us/r8/fms/

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I sincerely appreciate Jimmy Harris from Unicoi Outfitters for sharing this information via their newsletter and allowing me to paraphrase so that I can keep all AFFC members informed as well.

Jimmy is a staunch supporter of the AFFC. I encourage all of you stop by his shop in Helen or Blue Ridge.

Fred Folsom
3250 Still Rd
Cumming, GA 30041

209 Manley Drive
Clemson, SC 29631

November 18, 2005

Supervisor Jerome Thomas
U.S.D.A. Forest Service
4931 Broad River Road
Columbia, SC 29212-3530

Dear Supervisor Thomas:

Solitude is becoming a rare commodity along many portions of the Chattooga River corridor in the Pickens Division of the Sumter National Forest and its environs. Hiking the Chattooga corridor north of route 76 bridge at one time was a pleasant wilderness experience. Currently, however, the high populations of river rafters render the area less than desirable for hiking.

If river sections north of the route 28 bridge are opened to river craft of any type, then the peace and solitude of these sections will be significantly compromised. Consequently, I am opposed to the use of water craft north of the route 28 bridge.

The term "non-commercial" river craft was used at the October meeting to identify user types to be studied for use above route 28 bridge. Approval of paddle water craft above the bridge may very well be followed by requests for commercial rafting. Any expanded permission to enter the corridor above 28 bridge will place additional demands on the Forest Service for new and enlarged access roads and launch sites, and additional responsibilities for safety and law enforcement.

If the section of the Chattooga above the 28 bridge is opened to paddle river craft (and ultimately possibly to commercial rafters), we may anticipate that ATV and equestrian groups will petition the Forest Service to permit further expansion of areas to be used by these groups.

In addition, allowing increased use of the Chattooga above the 28 bridge will constitute an incursion into a large area of the Ellicott's Rock Wilderness, in addition to the penetration of the Chattooga corridor.

The section of the Chattooga under consideration may constitute some of most prolific trout water in western South Carolina. Increased use of this section would result in unfavorable impacts on fishing and the isolation of the fishing experience. This is a further argument against increased use of the upper section of the Chattooga corridor.

Relaxation of the standards applied to the Chattooga as a wild river (especially the section above 28 bridge) may ultimately result in a threat to its designation as "wild". The ultimate fate, of course, would be to reduce its classification to recreational, There were groups at the 1970 hearings in Clayton, Georgia who advocated a classification of "industrial" for the Chattooga corridor. Fortunately, U.S.F.S. rejected this suggestion. However, groups with similar ideas concerning the Chattooga have not disappeared.

As I stated in my letter of 11/24/99 to Mr. Tony White (copy enclosed) these issues serve as excellent examples of Kingsland's universal, irrevocable, irreversible, immutable law of diminishing environmental expectations.

Sincerely,

Graydon Kingsland

Graydon Kingsland
864-654-9264

Enclosure
Copy to: Mr. Michael Crane
Mrs. Linda Taft
Mr. Chris Kempton
Mr. Buzz Williams

Main Identity

1 Measure Spaces?

From: "Eedee & Doug Adams" <edadams1@alltel.net>
To: "Lea Richmond" <lrjr@alltel.net>
Sent: Thursday, December 01, 2005 12:35 PM
Subject: Re: meeting thoughts

Good questions! The vehicle idea is new and better way of looking at it. Thanks, Doug

----- Original Message -----
From: Lea Richmond
To: edadams1@alltel.net
Sent: Thursday, December 01, 2005 11:03 AM
Subject: meeting thoughts

Definitions:
Vehicle: Any means by or which someone travels or something is carried or conveyed, a means of conveyance or transport.
Kayak: A canoe type of boat (or vehicle)
Boat: A small, usually open craft

Questions

Why allow one type of vehicle or boat and not others. Would this be considered fair and equal treatment? Why are we discussing one type of boat to the exclusion of others? Is this sustainable?

Why should I,as a fisherman, not be allowed to use a vehicle to gain access along the course of the upper Chattooga river also? The roads are blocked. I'm 83 years old and could soon use the help of a vehicle but would vote against it as an intrusion on a very rare and fragile spot.

If vehicles are allowed why would it not be permissible to rent one? Why not have buses going back and forth to put in and take out?

It has been suggested by the boaters that the upper river would be used only during high water levels when fishing may not be as desirable. Is their not a segment of their group designating themselves as "Creekers"?

Why is American Whitewater so intent on using the upper Chattooga when there are rivers and streams all about with put in and take out spots to use to say nothing of the great stretch below the highway 28 bridge?

As fishermen we have been placed in the light of obstructionist, protecting our favorite trout stream from intrusion of others. Actually we welcome and enjoy others. It's the intrusion of vehicles that, if allowed, will change the whole experience for everyone else.

As fishermen we are frequently asked why we like this avocation. It's where it takes us. Otherwise a trout farm would be less trouble. There are not many spots like this available to us or any one else in need of a special place, pristine, quiet, wild and scenic free of intrusion by vehicles of any sort.

Lee Richard