From:	J. MARK HOFFMAN
To:	comments-southern-francismarion-sumter@fs.fed.us
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Subject:	CHATTOOGA W & S RIVER ASSESSMENT
Date:	07/10/2008 11:40 AM

LADIES & GENTLEMEN: Please allow me to introduce myself. My name is Mark Hoffman. I currently reside in Apex, NC. I am a 48 year old home builder at present. In the past I was employed by three different Fortune 500 companies. I have been a fisherman for 45 years- since my grandmother took me for the first time when I was three. In my lifetime I have fished all over the western hemisphere. I began sea kayaking about twenty years ago and took up white water kayaking eight years ago. My wife and I enjoy hiking, fishing, and boating in the mountains so much so that we purchased six acres on the river in the mountains of NC. We begin construction of our new mountain hide away within the next two weeks and look forward to a long friendship and stewardship with the mountains and the RIVERS. It is our intent to expose all our nieces and nephews to the wonderful treasures of the great outdoors, all of the great outdoors, without restrictions, except for safety. Just last week we took two of our nieces on their very first white water boating trip- they can't wait to go again.

I was an active participant of the Chattooga assessment process, as I took several weeks away from work to attend and participate in as many of the meeting as I possibly could. I have spent a considerable amount of time doing legal research on this issue. I have had conversations with the Division Chief of Inland Fisheries of the NC Wildlife Resources Commission where we discussed the fisherman vs. boater "conflict." In the state of NC there is no conflict- there is a state statute already in place that prohibits any fishing activity from impeding any form of navigation. Just as our founding fathers had established since the birth of our great country, through the most basic of laws, The Public Trust Doctrine, rivers have always been and legally must always be "open highways of commerce and travel." I have even had conversations with the office of the NC Attorney General concerning the issue of navigability on the upper reaches of the Chattooga. Their opinion has been given and it was their determination that the Chattooga was in fact "legally navigable" in NC.

In their boating prohibition, The Forest Service; without explanation, without fact, without logic, without reason, without science, and without legal merit, has chosen to:

1. disregard Supreme Court rulings
2. ignore the Public Trust Doctrine
3. circumvent federal law
4. fail to recognize state statutes
5. overlook their own federal-issued USFS Manual & USFS Handbook, these being the policies and procedures for all Forest Service activities
6. failed to heed a directive from a superior compliance officer of the DC Office of The Forest Service that the Chattooga boating ban has

“always been unjustified”

I will only support an immediate and total lifting of all bans and restrictions on paddling on the upper reaches of the Chattooga. That is the only civil, legal, and sensible outcome to resolve this untenable situation. Thank you for you time and may God grant you both wisdom and peace. Sincerely, J. MARK HOFFMAN