From: Rob Maxwell
To: comments-southern-francismarion-sumter@fs.fed.us
Cc: akimbell@fs.fed.us
Subject: Upper Chattooga EA Comment
Date: 07/30/2008 06:57 AM

Dear Sir/Madam,

After reading the Upper Chattooga draft EA, I have come to view the Forest Services adherence to "zoning" users as simply an antiquated bureaucratic smokescreen the Forest Service uses to pander to a politically connected user group.

If you look on page 105 of the Upper Chattooga draft EA is says:

"If the Forest Service chooses to continue current management the boaters' antipathy toward those who oppose boating would likely escalate. Goal interference and the resulting face to-face conflict under this alternative is the same as the Existing Condition."

In short, the Forest Service has come to the conclusion that boaters are, and will always be, the soul instigator of conflict. Where is the proof? For decades, local boaters have regularly "poached runs" in the Upper Chattooga. Yet, the Forest Service has not reported a single case of conflict with any other user groups. For decades, boaters have run neighboring Overflow Creek, which is considered a prime fishing location. Yet, the Forest Service has not reported a single case of conflict with any other user groups. For decades boaters have shared the, heavily traveled, lower reaches of the Chattooga River with all user groups and even that does not have significant reports of conflicts.

It seems the Forest Service is stumbling over itself to justify "zoning" based on unproven charges that boaters will cause conflict with other user groups. The following are two posts I pulled from www.Georgia-Outdoors.com/forum message board:

"I know one of the key issues in the ruling was angler/boater confrontations and I personally can not wait for a boater to sweep through my fishing spot when i'm out in the middle of the ellicott rock wilderness area... enough said"
Posted: 07/07/08, 6:19 PM by Trout-Triger

"well if you could cast better you could always put on some lead ..... lots of lead and give a few welts (to passing boaters) here and there LOL"
Posted: 07/10/08, 2:41 PM by EndlessEnigma a TU "Hall of Fame Member"

It seems to me, these two anglers would find conflict with anyone, including another angler, for any reason, anywhere. It's simply a matter of human nature: some people are simply more confrontational than others. Do we then "zone" out every user group these two anglers might conflict with? Who should be "zoned" the confronter or the confronted? Do we deny the rights of hundreds to appease the whims of a chosen few?

Where would our society be if we all followed the Forest Services' doctrine of "zoning" to avoid conflict with a small minority of users? As I recall, our nation tacked this issue in the 1950's and 60's with the civil rights movement. In the face of great conflict and civil unrest, the Supreme Court struck down this "separate but equal" fallacy and reaffirmed "equal protection under the law". Does the Forest Service honestly believe its 1950's mindset is

superior to the ruling of our highest court? Its time the Forest Service stepped into the 21st century and abides by the fundamental doctrine "equal protection under the law."

"Equal protection under the law" not only applies to access but treatment as well. All current user groups have access to the Upper Chattooga without restrictions on season, group size, group number or frequency of visits. Why is this luxury not afforded to the boating community? Boating is arguably the most environmentally friendly activity of all the current user groups. However, boaters are the ones that are burdened with the most restrictions. The restrictions are simply unjustified and discriminatory.

Aside from flying in the face of "equal protection under the law", artificially "zoning" boaters by season and/or water level is completely unnecessary. Most boating in the Upper Chattooga can only take place when water levels are not ideal for fishing. Furthermore, the days the water levels are sufficient for both activities to coexist are so rare as to be a nonissue. In other words, the pure nature of each "conflicting" activity prevents "conflict."

If "zoning" because of conflict is so important to the Forest Service, why have you not "zoned" other conflicting user groups? There are plenty of opportunities for other user groups to be equally "zoned" due to conflicts. Or is there just a built in bias against boaters in the Forest Service?

If the Forest Service is reluctant to lift the restrictions and zoning on boaters because it will increase visitor load slightly: I have a suggestion. The stocking of non-native aquatic species is environmentally unsound and should be stopped in federally managed wilderness areas. This will effectively reduce the number of anglers attracted to the Upper Chattooga and will more than offset the introduction of the occasional boater. As an added benefit, it will allow the native Eastern Brook Trout to reclaim its rightful place in the river and return the river to its original natural state. I'm sure restoring and protecting the natural state of the wilderness and river are the main concern of the Forest Service.

I am not apposed to banning or restricting user groups, as long as those measures are based on quantifiable scientific impact studies. No user group should ever be banned or restricted based on fear that a few hot-heads might possibly have a conflict once or twice a year. The management of the Upper Chattooga should center on protecting and restoring the resource, not mitigating the occasional squabble between a couple of anger management class candidates.

In closing, I would prefer the Forest Service adopt management plan Alternative 8. It establishes "equal protection under the law" between all user groups while allowing "adaptive management" of the resources. By doing so, the Forest Service will be able to quickly and fairly respond to changing conditions and user demands of this cherished resource.

Thank You
Robert Maxwell
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