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## Managing for the View of The Wild & Scenic Chattooga

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Scenery was a primary Outstanding and Remarkable Value associated with the designation of the Chattooga Wild and Scenic River<sup>i</sup> and indeed, the viewing and photography of waterfalls and the river itself are popular activities for Upper Chattooga visitors.<sup>ii</sup>



Photo by William Clay

Here is how the Sumter National Forest has described the Chattooga scenic values ...

*“Scenery- The scenery along the Chattooga River is exceptional. The scenery plays an important role of the Wild and Scenic River experience. The river is deeply entrenched between high ridges for large stretches of its length. Steep forest slopes on either side of the river give a feeling of seclusion. The seasons change the landscape from varying soft greens of spring and summer to the autumn patchwork of red yellow and orange. The winter finds the leaves stripped away...”*<sup>iii</sup>

109 The scenery for which the Chattooga was designated did not include fleets of bright colored kayaks roaring down the watercourse. Any “feeling of seclusion” offered by the scenic topography would cease to exist for foot-travelers if herds of boats are encountered at every site along the river.

The USFS also published this statement: *“Scenery is a major determinant of the quality of the visitor experience. Studies since designation have shown that visitors are pleased with the scenery on the river In addition, the lack of man-made features adds to the enjoyment of the experience..”*<sup>iv</sup>

109 Any Upper Chattooga “scenery studies” since designation were conducted in the absence of boats, and would obviously no longer be applicable in the presence of high-tech creek boats. Therefore, any alteration to this “major determinant of the quality of the visitor experience” – that is, permitting colorful boats – would legally require assessment of current visitor’s visual expectations<sup>1</sup>.

I The Sumter Forest Service noted, *“the addition of boating in this section would most likely result in a high likelihood of impacting the solitude experience of other dispersed recreation user groups. These impacts could be significant since opportunities to experience solitude have become increasingly difficult along the river, even without the introduction of a new user group.”*<sup>v</sup>

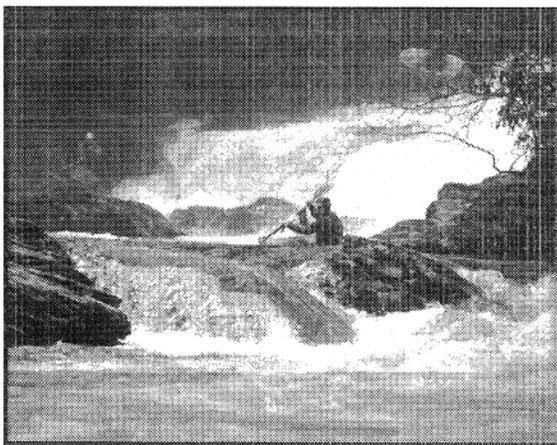


Image by Becky Johnson, Smokey Mountain News

Collected opinions from current visitors match the Forest Service concerns; most visitors to the Upper Chattooga voiced their desired condition of no boats and few encounters<sup>2</sup>. The Sumter National Forest noted its’ scenic concern in their 2004 FEIS *“ There may be additional visual impacts ... since there is a new user group [boaters] in the mix.”*<sup>vi</sup>. Many whitewater kayakers admit that their boats detract from the scenery. John Lane- who has been published by American Whitewater- wrote that *“The gaudy colors and shapes of most kayaks (my boat is bright blue) add a high-tech, purely recreational element to floating.”*<sup>vii</sup>

<sup>1</sup> 36CFR219.21, 3(f) “Planning for the visual resource requires evaluation of the public's visual expectation”.

<sup>2</sup> Non-boating Chattooga visitors desired “few encounters” with “no boats” during USFS scoping meeting, Dec.2005 see xi

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Research shows that unsightly intrusions in natural settings do impact visitor experience;<sup>viii</sup> these national opinions validate the similar values collected from Chattooga visitors.

Current management policy satisfies most visitors by offering an array of visual experiences. The Lower Chattooga offers whitewater boating for floaters and spectators, while the headwaters provides a less-cluttered river in a natural setting. This policy has demonstratively worked well for thirty years with high visitor satisfaction reported on both the Upper and Lower reaches of the Chattooga.



Photo by Kenneth C. Lay

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High water flows bring out both the paddlers and scenery-viewers, and this brings about an asymmetric conflict between the two groups. The Chattahoochee-Oconee National Forests recommends: ***"The best time to view waterfalls is after it has rained, since water levels will be at their peak."***<sup>ix</sup> Additionally, consultant Doug Whitaker's flow preferences manual advises that high water improves the aesthetics of the stream "for flow enhanced activities (such as hiking, birdwatching, and sightseeing)". He notes: ***"Higher flows producing visibly moving water with accompanying sounds appear to be the most preferred situation."***<sup>x</sup> The preferences of paddlers for high-flows are documented in the 2004 Sumter FEIS and throughout AW's 2004 appeal to the USFS. It is clear that both boaters and waterfall viewers desire to visit the river simultaneously.

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Conflict exists because waterfall-viewers and paddlers seek different aesthetic experiences. For on-bank visitors, the river is the scenery and the boat an obstruction to their primary goal; while to river travelers the inverse may be true (although most boaters during a Chattooga public meeting considered hiking and angling "complementary activities"<sup>xi</sup> which is why the conflict appears one-sided).

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Similarly, nature viewers and kayak spectators desire two different visual experiences. Whitewater spectators seek canoeists' flirting-with-danger at large rapids. Extreme sport spectators are most interested in the best view of the kayak, not their impact on the rare and sensitive spray-zone<sup>xii</sup> ecosystem surrounding waterfalls. On the other hand, waterfall viewers want to see cascading water uninterrupted by man – for them kayaks are an unwanted obstruction. The waterfall viewer seeks, and respects, the natural beauty and force of the river. Given these conflicting scenic preferences, it is essential that opportunities within the entire resource, and geographical area, be inventoried to insure both visual experiences remain available.



The lower Chattooga's Bull Sluice is considered the "best rapid to watch" by Blue Ridge Outdoors<sup>xiii</sup> while the lower river is considered "breathtakingly beautiful"<sup>xiv</sup> by paddlers. Both paddler and spectator scenic preferences are already available along the majority of the Chattooga River, below Highway 28.

Another concern is boater impact during low-water runs. Boating without sufficient water creates a long-lasting visual imprint as boats drag along river bottom. Picturesque moss and

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wildflowers covering riverbed boulders are replaced with colorful marks created by the kayak's abrasion against the riverbed. Some boaters reported impacting the riverbed over forty times during the January 2007 high-water boating trials; during lower flow levels impacts will only increase. Canoe marks and flora removal are not in keeping with a wilderness character of the upper Chattooga.

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An indirect impact to the River corridor will be the need for signage<sup>3</sup> warning paddlers of the "hazardous whitewater"<sup>xv</sup>. Markers and signs will most certainly impact scenery on a "wild" or "scenic" section of the river.

The Wilderness Act was established "In order to assure that an increasing population ... does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition"<sup>4</sup> Wilderness should be "unimpaired for future use and enjoyment as wilderness" and managed for the "preservation of their wilderness character." Limitless parades of multicolored boats is the antithesis of wilderness and certainly not the "primeval character" described in the Wilderness Act. "Recreational use can have negative



impacts to the quality, character, and integrity of the wilderness resource due to overuse."<sup>xvi</sup> Ellicott Rock Wilderness was designated specifically to protect this wild area from increased recreational demand<sup>5</sup> like those being pursued by the boater lobby. The Forest Service manual notes: "Where there are alternatives among management decisions, wilderness values shall dominate over all other considerations"<sup>xvii</sup>. The Wilderness Act and Forest Service guidelines instruct protecting natural scenery over increases in recreational demand.

Unmanaged recreation is now considered a major threat to our public lands<sup>xviii</sup>; the USFS must not cede the Chattooga to those lobby organizations demanding boundless access, who look only to their own wants, and not the other visitors or requirements of the Wilderness and Wild and Scenic River Acts, by which the Forest Service must be guided. Section 10 of the Wild & Scenic River Act requires the agency to protect the resource over balancing recreational uses with conflicting goals. Further enhancement of recreational boating values, at the expense of many others values, would not attain the widest range of beneficial uses when considering opportunities in the entire resource or within the geographical area.

The wilderness scenery along the Chattooga is unarguably spectacular and considered a focal point enjoyed by river visitors:<sup>xix</sup> however greater numbers of visitors have a negative impact on the visual experience<sup>xx</sup>. Consider a parallel: A highway built along the Chattooga would enable more visitors to enjoy the scenery thereby enhancing opportunities for scenic viewing; however, vehicles and traffic would certainly diminish the aesthetic of the resource itself. Conversely, forbidding entrance to all visitors would eliminate enjoyment of the Chattooga's splendor but also violate the Wild and Scenic River mandates to "protect and enhance" scenery values. This appears to create a dilemma for managers under the "protect and enhance mandates" for scenery; recreation values requires enhancement but for the Chattooga to stay "wild" and "scenic" access

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<sup>3</sup> Forest Service Manual 2354.42p advises the agencies use of signage to alert the public to hazards.

<sup>4</sup> [16 U.S.C. § 1131(a)].

<sup>5</sup> (Public Law 93-622) Designation of Ellicott Wilderness was due to "pressures from a growing more mobile population"

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limitations are necessary. Fortunately, this is not a dilemma for land managers, the decision has been predetermined by the laws that guide management of Wild and Scenic Rivers. WSR Act Section 10(a) mandates "primary emphasis shall be given to protecting esthetic, scenic, historic, archaeological, and scientific features.

*Management plans for any such component may establish varying degrees of intensity for its protection and development on the special attributes of the area.*" It is clear that the USFS must protect the scenery over increased demand for recreational activities and they are given that authority to limit recreational uses under Wild & Scenic River statute: 16, 28 § 1281<sup>6</sup>.

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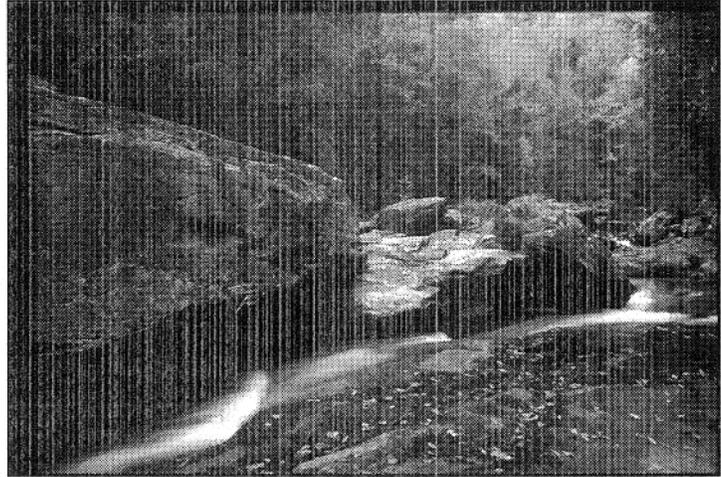


Image by William C. by

For thirty years the Chattooga Wild and Scenic River has offered a variety of scenic opportunities from unobstructed rapids on the North Fork to undeveloped scenery for paddlers on the lower river. The visual expectation and aesthetic standards are well established and documented for lower and upper river visitors. To meet scenic integrity objectives<sup>xxi</sup>, the Sumter National Forest must continue to provide a broad spectrum of visitor opportunities in a variety of landscapes and natural settings. The visual diversity and unique experiences, currently offered within the Chattooga River corridor, is exactly what the boat lobby demands be eliminated. "Beauty is in the eye of the beholder" and the Upper Chattooga offers an alternative experience to nearby boat-filled creeks for those less tolerant of crowds to also enjoy during higher flows.

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Destruction of the wild and scenic character of the Upper Chattooga scenery to accommodate the egocentric wishes of some paddlers would not be an equitable policy for most visitors<sup>7</sup> and would be illegal under the Wilderness and Wild & Scenic River Act. The Forest Service must be guided by the priorities set forth within the laws, management objectives and their own internal guidelines. Further diminishment of the Upper River character to placate recreational whims –under threats of a lawsuit by access lobbyists- sets a ruinous precedent for all public land managers attempting to "balance use" across the broad spectrum of recreational activities.

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<sup>6</sup> 16, 28 § 1281: Gives the managing agency the responsibility, therefore accountability, of limiting users that interfere with the enjoyment of the designated values and special attributes.

<sup>7</sup> The Sumter FEIS published participation rates of 60% for scenery seekers and 3% for kayakers.

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**Appendix : Waterfall Viewing references from local guidebooks**

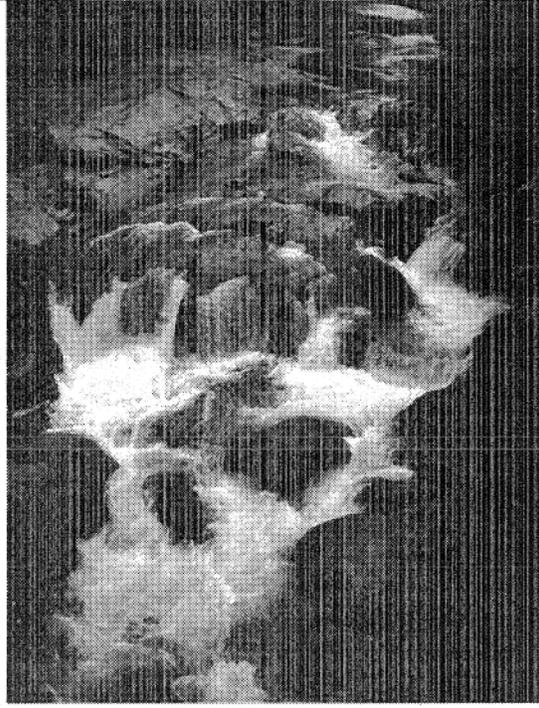
The two most popular falls on the main channel of the Chattooga's North Fork are the Bull Pen Cascades and Big Bend

**Bull Pen Cascades**

"A beautiful series of rugged cascades occurs along the Chattooga River high in its headwaters region along Bull Pen Road. Immediately upstream of Bull Pen Bridge a crashing 10 foot waterfall is easily viewed. This falls features numerous swirl holes caused by the powerful currents. Other small falls can be seen further upstream amidst huge boulders. An easy one-mile loop trail skirts the river then climbs circles back around. This is a fascinating area to explore."

Primitive path upstream from Bull Pen Bridge,... "For those desiring a longer hike, away from the crowds, this would be a good option."

Pg 62 Waterfalls of Southern Appalachia. 1993 Fern Creek Press



"The highlands section of the Chattooga Wild and Scenic River contains a few small cascades". The only cascades mentions in the book because of its "popularity and inclusion into Highlands-area publications".

pg.103 "North Carolina Waterfalls. Where to find them How to photograph them." 1961-1994 Kevin Adams John F Bliar publisher

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### Big Bend Falls

"The water of the Chattooga cascades 15 feet over a 30 degree tiered rocky slope; then the water is forced between massive boulders creating a 15-foot block waterfall"

"The shoreline of the Chattooga River below the falls provides small sandy beaches and large boulders on which to relax and picnic after a long hike. The river provides some safe places for wading and swimming close to the shoreline."



Photo by William Clay

Pg 34 *Waterfall hikes of Upstate South Carolina*, T. King, 2006

"Its energy is infectious though, so you'll quickly spring back to life after the two-hour trek and your first glimpse of the largest drop on this Wild and Scenic River."

SCTrails <http://www.sctrails.net/Trails/ALLTRAILS/waterfalls/Bigbend.html>

"A moderate 2.7 mile trail affords views of the biggest drop on the Chattooga River, a rumbling 30-foot hydraulic known as Big Bend Falls."

Sumter Forest Service: <http://www.fs.fed.us/r8/tnas/forest/recreation/waterfalls.shtml>

"The river cascades over one of the most spectacular waterfalls on the Chattooga River, Big Bend Falls."

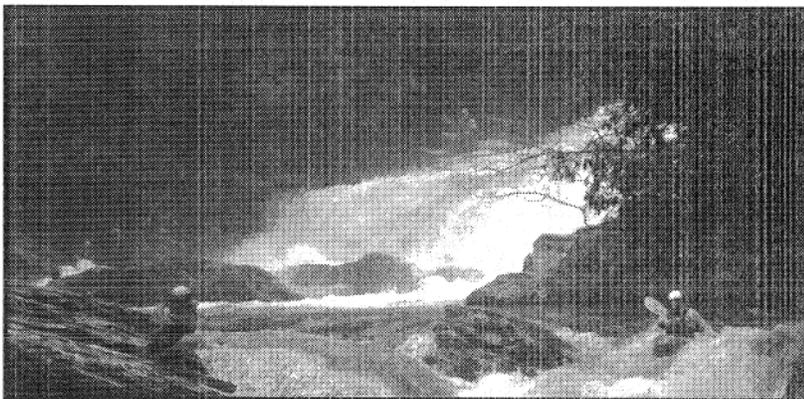
GA online <http://www.georgiaencyclopedia.org/nce/Article.jsp?id=h-2629>

Also Pg 113 *Waterfall Walks and Drives in the Western Carolinas* M Morrison, HF publishing 1994

For greater detail of the many other smaller falls visit the Sherpa Guides publication...

[http://www.sherpaguides.com/georgia/mountains/blue\\_ridge/eastern/chattooga\\_river.html](http://www.sherpaguides.com/georgia/mountains/blue_ridge/eastern/chattooga_river.html)

or SC [http://www.theblueridgehighlander.com/waterfalls/south\\_carolina\\_upcountry/oconee.html](http://www.theblueridgehighlander.com/waterfalls/south_carolina_upcountry/oconee.html)



Chattooga Boating Trials at Big Bend Falls.

Photo by Becky Johnson.  
Smokey Mountain News.

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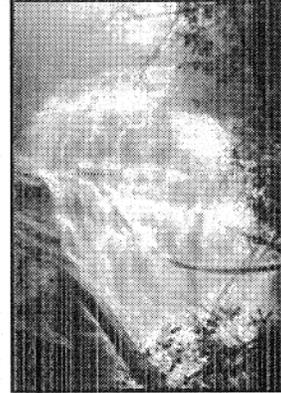
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**Other waterfalls recommended for viewing on Upper Chattooga Tributaries:**

**King Creek Falls**

This 70-foot tumble through a laurel choked gorge is on King Creek. After a moderate 30-minute hike, you will reach a spot where you can relax all day long and enjoy the spray from the falls. Perhaps it is the backward slant of the rocks, but in any case the drop appears to be much higher than 70 feet.

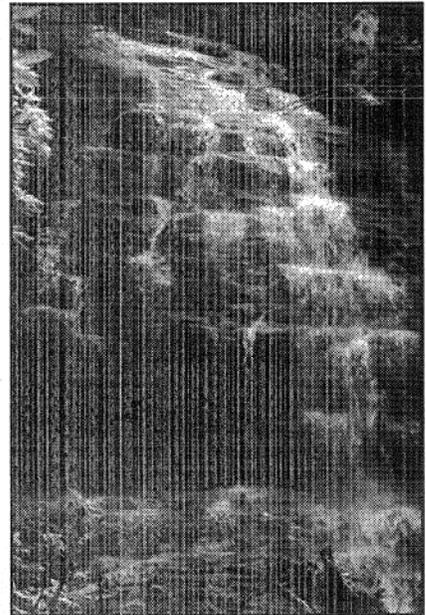
Sumter Forest Service:  
<http://www.fs.fed.us/r8/fms/forest/recreation/waterfalls.shtml>



**Spoonauger Falls**

Set back into a hillside and surrounded by an explosion of shrubbery, Spoonauger Falls runs down a stepped rock face in a broad sheet. The 50-foot high waterfall is among the more popular in this area of the Chattooga River Watershed, no small part due to the easy, 20-minute hike. Like its cousin, **King Creek Falls**, this waterfall is camera-friendly, especially in the summer when plants snake all about and afternoon light highlights the innumerable horizontal slashes of

Sumter Forest Service:  
<http://www.fs.fed.us/r8/fms/forest/recreation/waterfalls.shtml>



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### Bibliography

- <sup>i</sup> Senate report P.L. 93-279 1974,
- <sup>ii</sup> "the Cashiers-Highlands area has always been called the "the land of waterfalls"" pg 377 *Western North Carolina Since the Cival War*, Noppen, Maple press, 1973. Also [www.georgiaencyclopedia.org/nge/Article.jsp?id=h-2629](http://www.georgiaencyclopedia.org/nge/Article.jsp?id=h-2629) 2006
- <sup>iii</sup> pg 3-9 2004, *Final Environmental Impact Statement for the Revised Land and Resource Management Plan Sumter National Forest (Sumter 2004 FEIS)*. reference USDA Management Bulletin R8-MB 116B
- <sup>iv</sup> pg. H-4, Sumter 2004 FEIS
- <sup>v</sup> pg. H-25, Sumter 2004 FEIS
- <sup>vi</sup> pg. H-12, Sumter 2004 FEIS
- <sup>vii</sup> pg 116 *Chattooga*, J.Lane, University of Georgia Press 2004
- <sup>viii</sup> pg 103 *Diversity in Outdoor Recreation, Planning and Managing a Spectrum of Visitor Opportunities in and among Parks* : Warzecha, Manning, Lime, and Freimund, The George Wright Forum, 2001
- <sup>ix</sup> USFS Website <http://www.fs.fed.us/conf/ne-ga-waterfalls/index.htm>
- <sup>x</sup> pg. 73 Whittaker, D. , B. Shelby, W. Jackson, and R. Beschta. 1993. Instream flows for recreation: a handbook on concepts and research methods. U.S. Department of Interior, National Park Service, Anchorage, AK
- <sup>xi</sup> Public Comments Recreation Opportunities and their Desired Conditions Visitor Use Capacity Analysis, Upper Chattooga River Third Public Meeting, December 1, 2005
- <sup>xii</sup> pg 3-140 Sumter 2004 FEIS. Describes waterfall spray zones as rare and sensitive habitat
- <sup>xiii</sup> Blue Ridge Outdoors Newspaper, November 2006 pg 26
- <sup>xiv</sup> pg 88 *North Carolina Rivers and Creeks* , L. Davis, 2005, Brushy Mtn. Publishing Inc.
- <sup>xv</sup> Legislative history Page 3008 Senate report 93-738
- <sup>xvi</sup> 3-283 Sumter 2004 FEIS
- <sup>xvii</sup> Forest Service Manual: FSM 2320.3
- <sup>xviii</sup> *Four threats to public lands*, symposium chaired by Dale Bosworth October 2006.
- <sup>xix</sup> 2004 FEIS pg 3-18 "Riparian and stream areas are a desired focal point of many activities. People love the sights and sonds, life and movment associated with streams and riparian habitats."
- <sup>xx</sup> Manning, R., D. Lime, R. McMonagle, and P. Nordin. 1993. *Indicators and Standards of Quality for the Visitor Experience at Arches National Park*: St. Paul: University of Minnesota Cooperative Park Studies Unit.
- <sup>xxi</sup> pg 33 Summary FEIS Sumter Forest Service, 2004 R8-MB 116D **Scenic Objectives: A:** "Protection and enhancement of the scenic and aesthetic values of national forest lands in the Southern Appalachians."  
**B:** "Management of national forests to provide a variety of landscape character themes with the predominant themes being natural appearing, natural evolving, and variations of these themes.

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May 3, 2007

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**Subject: Upper Chattooga River Phase I Data Collection Expert Panel Field Assessment Report**

Dear Mr. Cleeves:

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I am a water resources manager employed by ENSR Corporation with broad experience in managing recreational waters. This experience has included evaluation and regulation of boat traffic, fishing conditions, and water quality as relates to recreational uses. I have been involved in studies of the recreational carrying capacity of lakes and rivers, impacts of boating on the aquatic environment and other users, potential improvement of streams for recreational uses, and minimum flows for a variety of uses, particularly habitat maintenance. I work extensively with user groups, many with clear conflicts with other users, in both public and private settings, seeking rational management approaches.

ENSR was hired by a private client in North Carolina to review work relating to the potential impacts of opening the upper Chattooga River to boating. To this end, the February 2007 report by the Louis Berger Group entitled "Upper Chattooga River Phase I Data Collection Expert Panel Field Assessment Report" and related methodological documents were reviewed. I also went to the upper Chattooga River and spent considerable time in, on and near portions of the river to become familiar with conditions.

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This letter addresses the validity and utility of the Upper Chattooga River Phase I Data Collection Expert Panel Field Assessment Report published February 2007 by the Louis Berger Group. While recreation science often involves accumulating subjective opinions to arrive at an overall evaluation of the suitability of an area or set of conditions for an activity, there are procedures generally applied to limit bias or at least to characterize it. Aspects of the study design, implementation, results and conclusions are overly biased and flawed in this case. According to the authors, "The purpose of the expert panel assessment was to gain information about boating and angling opportunities on the upper Chattooga River, with particular attention to boaters and anglers flow preferences for these flow-dependent activities." By assessing conditions at only one flow and considering only the most rudimentary aspects of the recreational experience, it misses this target substantially.

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Mr. John Cleaves  
USFS

This report is one component of a larger analysis being conducted by the United States Forest Service (USFS), so there is opportunity for the USFS to recognize this and either rectify the shortcomings or disregard questionable conclusions. Please consider the following issues.

**Criteria For Member Panel Selection**

The selection process to choose panel members to participate in the flow study seems biased towards getting boaters with more experience, skill and inclination to find the conditions suitable. The panel members were selected based on "...the review of the following qualifications: years of experience, skill level, previous experience participating in flow studies, level of availability, and knowledge of the area and/or river." One requirement of the boater panel members was experience in Class V whitewater (expert boaters). Angler panel members needed only have experience in a full range of angling techniques, but no documented skill level or experience with this river or similar conditions. In essence, members of the angler panel were not required to be experts in the field of fishing, whereas the boating panel members were clearly expert paddlers.

Limiting the panel members to those with Class V whitewater experience immediately eliminates the majority of potential boating/rafting users on the upper Chattooga River. Novices or even advanced kayakers and below were not able to participate on the expert panel, so all thoughts, opinions and results of the panel are going to relate to expert kayakers only. We recognize that there are safety issues involved with participant selection, however, it must be acknowledged that no viewpoint on boatability by amateur, beginner, moderate or even advanced kayakers is supplied. Would any opening of the upper Chattooga River to boating be limited to those with some documented minimum skill level? Would the river be open to boating only on selected days when conditions were deemed appropriate? Who would make those determinations? Management policy cannot ignore the potential risks and associated liabilities associated with every potential user on both private and public lands.

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It is our understanding that boating panelists were members of the American Whitewater Association (AWA), a group that has publicly pushed for opening the upper Chattooga River. This does not foster an unbiased analysis. In contrast, the criteria for selection for the fishing panel do not preclude a range of panelists with different backgrounds. However, it does not appear that familiarity with the entire target reach of the river was sought in the fishing panel; for certain, no member of the existing outing club utilizing the Chattooga Cliffs section of the river was included. This may seem like an effort to avoid bias from a group with a vested interest in keeping boating off this river segment, but limits the expertise and coverage on the fishing panel. It is surprising that no effort was made to at least acquire data from individuals or groups that routinely fish this river as such use is already permitted.

The consultants that conducted the boatability and fishability study as sub-contractors to the Louis Berger Group (Whittaker and Shelby) were apparently recommended by the AWA, and correspondence indicates that the AWA was accorded some form of review in the selection of panelists. It would not be unusual for a group such as AWA to hire a consultant or develop a review team to provide support for its opinion, but it is not appropriate for an interest group to

guide the selection process for a publicly funded study to determine USFS policy on appropriate public uses. How much influence did AWA have in the selection of the consultant team and the panel members? Were panelist opinions influenced by AWA? Was input sought from other interest groups?

**River Segment Selection**

For the purpose of the Phase I study, the Chattooga River was separated into three sections based primarily on access locations to deploy and retrieve the panel members. Boating panel members planned to float the entirety of each section while fishing panel members were only able to experience a very limited area along each reach due to time constraints imposed by the study. Specific study zones were not selected based on conditions or physical attributes considered favorable or unfavorable to fishing. Instead, the members of the fishing panel were asked to use the same stretches of river that had been selected based on the preferences of the boating panel. These areas may not reflect the appropriate river delineation based on river morphology, fishing preferences or opportunities.

Access and boatability are the primary issues for the boaters; certainly scenic aspects and whitewater challenges figure into opinions, but the key aspect of boatability is the ability to move between access points. Fishing acceptability is far more complicated, and involves a number of factors for which evaluation was not facilitated by this study. The sub-consultants to the Louis Berger Group who conducted the boatability and fishability assessments are also authors of recreational study manuals (e.g., Whittaker et al. 1993, 2005) that point out the difficulty in assessing those many factors for fishability. However, ignoring them because they are difficult to assess is not acceptable in this process. Even narrowing the focus to access and flow related factors, fishing panel members should have been given the opportunity to assess conditions over a larger reach of river offering more varied conditions, and could have considered additional access points, as hauling equipment is less of a problem for anglers than boaters.

**Study Approach**

Boatability

The report does not include adequate discussion on the methods used to assess boatability. Specifically, no information is included on the number of hits, stops, drags or portages that are acceptable for any of the studied sections. The ranges and averages for these variables are provided, but there is no clear discussion of how these data were used. It appears that no pre-determined objective criteria were used to assess boatability. According to Whittaker et al. (1993), writing on the assessment of boatability, "...studies should systematically define the nature of problems as well as the number of such problems users will tolerate for various types of experiences." What was the tolerance level of the boating panel? Is the tolerance level of the expert boating panel likely to be similar to that of novices who could boat this section of river if opened to the public for such use?

Assessment of boatability also varies between craft type, yet only kayaks and a single canoe were used in this assessment. Is it to be assumed that if the upper Chattooga River was opened to boating, the types of craft would be specifically limited? Whittaker et al. (1993) state, "Relationships between flows and boatability will differ for different types of craft with different loads, and studies need to explicitly define any assumptions in this regard." No such assumptions appear to have been defined in this study, and the consultants appear to violate many of their own recommendations for proper assessment.

On the topic of boater skill level, Whittaker et al. (1993) state that "Flow-boatability relationships will differ for boaters with different skill levels, and studies need to state any assumptions about this variable." The authors of the Phase I report do not discuss the basic and inherent assumptions of the study. Clearly boatability is being based on a single trip by a group of expert kayakers and one canoeist, taken at a time when the flow was most conducive to that trip. Can one infer from successful completion of that trip that the river is suitable for boating at a level that warrants opening it to the public for boating? Note that Whittaker et al. (1993) described boating some stretches of some rivers as "... more like stunts than a recreation experience." While Whittaker et al. referred specifically to low water conditions in that report, the same could apply to rare high water conditions requiring extreme skill to successfully complete. Any conclusion that the entire upper Chattooga River could be opened to boating because a group of expert kayakers can make it through a selected portion of the river at a rare flow is unjustified.

"Boatability is an attribute directly affected by flow" (Whittaker et al. 1993), and the lack of a dam or other flow control structure makes it impossible for the consultants to control conditions. Given that the flow varies considerably over the upper Chattooga River, assessment of boatability will be complicated and limited by the pattern of natural flows and the timing of field assessments. There are no upstream dams that allow flow control for comparative analysis by the panel; this study depended upon a single assessment trip at a naturally elevated flow, with extrapolation to any other condition or un-assessed river segment.

With only one field assessment of selected portions of the target river reach, the utility of the results will be severely limited. For example, the upper 2.2 miles of the roughly 5.3-mile long Chattooga Cliffs section does not appear to have been floated in the assessment of the Chattooga Cliffs river reach. This upstream portion has much less flow than the downstream portion studied, with major confluences near where the boating panel began its run. Extrapolation of results from the lower portion (Mills Creek to Bull Pen Bridge) to the upper portion will be highly erroneous; the upstream section will be much less boatable for any given level of flow than the downstream portion. The situation is similar in other sections of the upper Chattooga River; conditions may vary markedly over a short distance as a result of tributary confluences. A field visit in November of 2006 supports this contention.

Lack of control over flows creates lack of predictability for boating conditions. Even if some portion of the target area is deemed boatable under some naturally occurring flow, knowing

when it will be boatable with enough notice to take advantage of it will be difficult. Offering recreational opportunity for boating under uncontrolled flow conditions creates many potential hazards for both boaters and the environment. Assuming that some portion of the target area is boatable by a select few under rare conditions on short notice is an entirely inadequate justification for opening an area to the public for boating at times of public choice.

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Fishability

The term fishability is not defined in the Phase I report. According to Whittaker et al. (1993), "...fishability refers to the combination of conditions that provide a good fishing opportunity, including all the factors listed above." The factors to which the authors refer include access, water clarity, presence of various mesohabitats, and fish activity. A more recent document states that "Fishability studies only address immediate effects that anglers can evaluate, they do not provide information about immediate or long-term biophysical effects (Whittaker et al. 2005)." Biophysical effects in this reference include mainly features of the fish population. In some studies the use of pre-evaluation focus groups allows anglers to concentrate their efforts on two aspects of fishing, "...access to fishable water (wading, from the bank, or by boat) and use of fishable water (tackle and technique considerations)" (Whittaker et al. 2005). General goals of the fishing panel are supplied in the report, but there is no discussion of exactly what the authors were trying to assess during the fishability portion of the study. We would submit that even ignoring the factors Whittaker et al. find difficult to assess, a much better job could have been done evaluating the impacts of scenery, solitude, and related features of a fishing trip that make it special. Fishing is most definitely not just about access and flow considerations.

1  
C

The members of the fishing panel were not given adequate time to fish any of the three pre-selected study sections. According to written reports supplied by the fishermen, the time allotted each day to fish depended on the amount of time the consultants spent with the boating panel. The focus on boatability to the detriment of proper assessment of fishability is evident.

No one from the fishing panel actually fished in the Chattooga Cliffs section of the river, although one fisherman did acknowledge that fishing was possible based on a short reconnaissance trip while waiting for the boating panel to arrive from upstream. No valid conclusions can be drawn about the Chattooga Cliffs section of the river during the survey except that it was fishable based on brief visual inspections.

Fishing in the Ellicott Rock reach was limited to 45 minutes due to the unexpected length of time for the boating panel to float the Chattooga Cliffs section. Ellicott Rock reach is a 5.3 mile section of the Chattooga River and it is difficult to believe that anyone could assess a 5.3 mile section of river in a meaningful way in 45 minutes. The fishermen could not even walk this section in the time allotted to them for fishing it. The lack of time allotted for fishing stands in contrast with the admonition of Whittaker et al. (2005), who suggest "It is challenging to assess a diversity of potential fishing locations during a short assessment period (a few hours

or a day)." Assessment periods were completely inadequate in the fishing portion of this study.

~~Species to  
boater~~

Another disturbing aspect of the Phase I fishability report is the range of flows applied to the fishability evaluation. The authors stated that "Most anglers are 'calibrated' to stage levels at the Highway 76 gage..." They also stated that the "boater panel, in contrast, made their evaluations relative to the Burrells Ford gage..." Flows in the upper reaches of the Chattooga River have not been correlated to the levels at the Highway 76 gage, so it is unclear how the authors are supplying recommended flows for fishing. The authors state that "...flows at the Highway 76 gage and Burrells Ford gage are not necessarily easy to 'convert'..." If there is no way to convert flows from the Highway 76 gage to the Burrells Ford gage with any confidence, how are the authors able to supply flow recommendations for the angler panel members based solely on the Highway 76 gage? Anglers were fishing upstream in the same areas the boating panel was boating, so why apply data from different gages?

Even under known flows, single flow assessments are noted as "...unlikely to provide precise flow ranges for different opportunities" (Whittaker et al. 2005). The limitation of this study in this regard casts great doubt on conclusions drawn from it. While it may be possible to establish some sense of applicable flow range from a single outing, the confidence interval surrounding such an estimate is expected to be too large for use in such a critical determination of recreational suitability. Put simply, not enough work has been done to support meaningful conclusions.

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It appears that the focus of the angler panel evaluation was the quality of access to fishable water on the days of the study. Whittaker et al. (2005) state that in lieu of a controlled observational study, real data for use of a specific reach can be used to assess access and fishability. For the Chattooga Cliffs section, such data exist from the Whiteside Cove Association logbook previously submitted to the Forest Service that gives fishing dates and corresponding water levels since 1962. These data provide valuable input to answer the question of whether the Chattooga Cliffs area is fishable under a wide range of flows. Certainly there are other anglers who frequent other portions of the upper Chattooga River who could have provided useful input. Why bring in fishermen unfamiliar with this portion of the river and give them inadequate time to actually assess fishability?

G

The Louis Berger Group study concludes that the upper Chattooga River was fishable during the two-day study period, but may not have been optimal at the elevated flows encountered. The challenge is to create a distribution of fishability over the range of potential flows for all segments within the target reach of the river and compare that to a similar distribution of boatability. The study did not generate adequate data to derive such a distribution, and must conclude that fishing and boating activities will overlap in time and space. Historical records and my site visit indicate that fishing opportunities will exist over the range of natural flows. Angler preference for any given area will change as flows change, but the opportunity to fish under favorable conditions still exists. As noted previously, aspects of fishability extend beyond the quantitative level of fishing success, and access is sufficient to allow fishing at a

very wide range of flows. Unlike boaters, fishermen do not need an extended area of river to enjoy their recreational pursuit, and with less equipment to transport, can access points more readily.

Fishability vs. Boatability

The impacts of boating on fishing in the Chattooga River have not been addressed by the authors of the Phase I report. Human-related fishing impacts are detailed in the scientific literature, and failure to consider them in the overall assessment is a major shortcoming. Boat-related effects on fish and fishing are most often related to motorized boats and prolonged exposures. Non-motorized boats present a different type of impact on the fish community, one that is less often studied but still important in cases such as this one. Impacts from non-motorized boats include increased noise and disturbance through boat hits, stops and drags, increased noise from paddle strikes on the boat and river bottom, increased noise from talking and yelling, increased overhead shadows, and competition for habitat (human vs. fish). Additionally, desire to make boating more enjoyable may lead to intentional habitat alterations detrimental to fish and fishing, but we will focus on the direct impact of boating here.

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Sudden, loud noises associated with boating (paddles, yelling, boats hitting bottom) will cause fish to momentarily seek shelter as far away from the noise as possible. Laboratory experiments have demonstrated fish reactions to sudden loud noises. Juvenile Chinook salmon and rainbow trout exhibited a strong flight response in relation to loud noise created by an aluminum tube and motorized piston. After multiple tests, the flight response was replaced by the fish moving as far away from the noise source as possible (Knudsen et al. 1997). Two additional laboratory studies reported that fish exhibited fright response and arousal from aquarium tapping and/or moving shadows (Laming and Ebbesson 1984; Laming 1987). In these studies the fish had nowhere to escape to, because they were living in captivity. The results in a river might be different, and would likely be more detrimental to fish and fishing. Effects will be magnified in the upper Chattooga River, which is not wide in most places. Fish will not be able to escape by moving laterally, and obstructions prevent upstream movement in many areas; downstream flight is expected, with no guarantee that the fish can return to their former position.

112

In a wild setting, fish experiencing continued disturbances will leave the disturbed area or hide to avoid what they perceive as a threat. Fish leaving a particular stretch of the river reduces their catchability in that area and ultimately has a negative impact on the fishing opportunity. Where there are physical barriers to fish passage in the upstream direction, scaring fish into flight may substantially reduce fish availability in a formerly productive fishing area. It is not difficult to envision fish being chased from pools into riffles or rapids that may limit their return. At the very least, boating will result in energy expenditures by fish not conducive to maintaining high quality fish condition. Thus angling satisfaction may be affected both by fish availability and condition.

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Shadows and movement from humans and boats will startle fish and cause them to seek shelter away from the disturbance area. Ingram and Odum (1941) reported that pumpkinseed (*Lepomis gibbosus*) exhibited a flight response when a human shadow was reflected over the nest. This general response of fish to human presence is common in most species. Healthy salmonids will rapidly swim away from overhead shadows or from a hand waved slowly over a tank (White 2000). The increased overhead shadows and paddles breaking the surface of the water will translate to increased flight and fright responses by the fish inhabiting the river, even without considering the noise aspect. As with noise impacts, the narrowness of the upper Chattooga in many areas will maximize the impact of passing boat shadows

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An additional concern is the conflict over habitat between humans and fish. Boaters will seek out deeper runs and pool areas for easier passage, rest breaks and possibly other recreational use (e.g., swimming). The impact of human activity in these important fish refugia will force fish to leave the area or hide at the first sign of any disturbance. The response of fish to most human activities is fright (Lassee 1995). The result of fright response is increased oxygen demand, disruption of internal balance and ultimately death if the stress is not removed (Lassee 1995). It seems unlikely that actual fish deaths will occur from boating use of the river, but the potential for added stress is noted. Clearly, increased boating disturbances will only result in deleterious affects to the fish community; no benefits accrue to the fish.

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Beyond impacts on fish availability and condition, boating effects on angling are well known and require no special studies to elucidate. Fishermen do not enjoy having boats pass through their fishing locations any more than boaters would enjoy getting hooked by a fisherman's cast. The many pools at the base of small waterfalls constitute prime fishing areas, and would be the landing areas for watercraft coming over those falls; in addition to effects on fishing success, angler safety is a legitimate concern. The upper Chattooga River has been managed for fishing activities for over three decades and is fished over a very wide range of flows. The USFS must consider the established expectations of fishermen and the impact boating would have on the recreational experience now offered on the upper river.

**Conclusion**

C

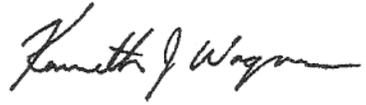
The authors of the Phase I study have inadequately assessed fishability as it relates to the upper Chattooga River. One of three areas was not assessed, and an additional 5.3 mile section was only fished for 45 minutes. The hydrology of the area is insufficiently understood and no accurate conversion has been developed between the gage locations, making the flow ranges applied to impressions from the fishing and boating panels unreliable. Uncontrollable variability in flow over the target river reach is high, has not been characterized in this study, and affects conclusions on fishability and boatability. Existing real data from an upstream outing club may offer decades of fishability information that has not been considered. Key factors in fishability have been ignored, including additional access potential, adaptation to varying flow conditions, interference by boating, fish community features, and non-fishing aspects of a fishing trip. Any conclusion that the upper Chattooga River should be considered

Page 9  
Mr. John Cleeves  
USFS

boatable based on a single trip by expert kayakers and a perception that there is no significant overlap with fishing activity should be rejected.

I would be happy to discuss any aspect of this review or provide additional information upon request.

Sincerely yours,



Kenneth J. Wagner, Ph.D., CLM  
Water Resources Manager  
[kwagner@ensr.aecom.com](mailto:kwagner@ensr.aecom.com)

**References**

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H

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MBL

April 30, 2007

Supervisor Jerome Thomas  
Sumter National Forest  
USDA Forest Service  
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4391 Broad River Road  
Columbia, South Carolina 29212-3530

Dear John:

H

The undersigned Friends of the Upper Chattooga request that the questions and comments in this letter be addressed during the USDA Forest Service's Upper Chattooga River Visitor Use Capacity Analysis and that it be made part of the administrative record for this study.

This is to get the Forest Service to more closely analyze and address two factors that do not, to date, appear to have received adequate attention:

1. The issue of tributaries to the Wild and Scenic Chattooga River (including the North Fork and West Fork), and whether boating is contemplated on these headwaters reaches.
2. The issue of preserving large woody debris on the Chattooga River and all its tributaries

**Tributaries:**

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It is generally well known that some boaters are prone to run some tributaries of the Wild and Scenic River at times of high water. From what the Forest Service has told us, this apparently is legal with some tributaries under the current Land and Resource Management Plans for the Sumter, Chattahoochee and Nantahala National Forests. But it makes little sense to permit this activity when some of the main forks of the Chattooga are zoned to prohibit boating (as is the case today) or might be so zoned after the study is over.

One such possibility, for example, would be to see boating on the East Fork of the Chattooga, which dumps into the North Fork, where boating is not currently permitted.

At a minimum, the Friends request that this issue be studied and analyzed as part of the Visitor Use Capacity Analysis. The list of tributaries should include, but is not limited to:

- **In North Carolina:** Green Creek, Norton Mill Creek, Cane Creek, Holly Branch, both Fowler Creeks, Scotman's Creek, Bryson Branch, Clear Creek, Overflow Creek (both east and west reaches.)
- **In Georgia:** Harden Creek, Granddaddy Creek, Hedden Creek, Ridley Branch, Reed Creek, Mose Branch, Big Creek, Little Creek, Ross Field Branch, Double Bridge Branch, Talley Mill Creek, Law Ground Creek, Millstone Branch, Stopping White Oak Branch, Burrell Branch, Billingsley Creek, Holcomb

Creek, Bradley Branch, Long Branch, Tottery Pole Creek, Laurel Creek, Page Branch.

- **In South Carolina:** Bad Creek, East Fork Chattooga River, Indian Camp Branch, Pigpen Branch, King Creek, Lick Log Creek.
- **In all three states:** Any unnamed tributaries.

### Large Woody Debris:

As the USDA Forest Service well recognizes, the occurrence of large woody debris in trout streams, whether man-made or caused by nature, provides a crucial ingredient in the aquatic food chain and crucial habitat for many species of fish, including wild and native trout. Just how important these dead and downed trees is evidenced in the Andrew Pickens Ranger District's recent (March 29, 2007) proposal to fell up to 125 trees in Crane Creek specifically to enhance habitat of native brook trout.

The rationale for this proposal is instructive: "The creation of pools and increase of large woody debris would improve instream cover and overwintering habitat for brook trout increasing stream depth. This would maximize the available habitat to brook trout within the stream. The addition of large woody debris would also increase populations of aquatic insects, the primary food source for brook trout." (Scoping letter from Ranger Michael B. Crane.)

Why then does the USDA Forest Service permit boaters to remove large wood debris from the lower part of the Wild and Scenic Chattooga River, and why has it previously countenanced the illegal removal of such debris from the West Fork, and Holcomb and Overflow creeks?

Rather, the Friends urge the USDA Forest Service to institute and regulate and enforce an absolute ban on such removal from all Chattooga forks and tributaries above the Route 28 bridge, as it instituted and enforced during the recently completed boater trials – such ban to remain in effect for the duration of the visitor capacity analysis, and forever more on this part of the Chattooga watershed. 64

We also request that the biophysical survey being conducted as part of the visitor analysis be expanded to include identification and location of currently existing large woody debris on all sections of the Upper Chattooga that will be considered for boating in the study.

We note, too, that the incidence of large woody debris on this river and all its tributaries is expected to increase considerably in coming years as the many native hemlocks located in this watershed succumb and fall to the deadly Hemlock Woolly Adelgid infestation.

Finally, we offer the following scientific references for further background on the value of large woody debris:

- Hedman, Van Lear and Swank. *In-stream large woody debris loading and riparian forest seral stage associations in the southern Appalachian Mountains*. Canadian Forest Resources 26: 1218-1227 (1996.)
- Klapproth and Johnson. *Understanding the Science Behind Riparian Forest Buffers: Effects on Plant and Animal Communities*. Publication No. 420-152. Posted October, 2000.
- Flebbe. *Trout use of woody debris and habitat in Wine Spring Creek, North Carolina*. USDA Forest Service, Southern Research Station. Forest Ecology and Management 114 (1999) 367-376.

- Dollof and Warren. *Fish Relationships with Large Wood in Small Streams*. USDA Forest Service, Southern Research presented at the American Fisheries Society Symposium 37:179-193. 2003.

Thank you for your time and attention to these issues. Please call if there are questions.  
Sincerely,

Joseph Gatins  
Joseph Gatins  
Co-district leader, Georgia Forest Watch

Doug Adants  
Doug Adants,  
Newsletter Editor, Rabun Chapter, Trout Unlimited  
By JG, with express permission JG-4/30/07

Charlie Breithaupt  
Charlie Breithaupt,  
Chairman, Georgia Council of Trout Unlimited  
By JG, with express permission JG-4/30/07

Tom McInnis  
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Rusty Berrier  
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Buzz Williams  
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Executive Director, Chattooga Conservancy  
By JG, with express permission JG-4/30/07

David Bates  
David Bates,  
Executive Director, Jackson-Macon Conservation Alliance  
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Wyatt Stevens  
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Director, Whiteside Cove Association  
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George Nickas  
George Nickas  
Wilderness Watch  
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John Benbow  
John Benbow,  
President, North Carolina Wildlife Federation  
By JG, with express permission JG-4/30/07

Jerry McCollum  
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Georgia Wildlife Federation  
By JG, with express permission JG-4/30/07

I, N,

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21  
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April 20, 2007

Supervisor Jerome Thomas  
Sumter National Forest  
USDA Forest Service  
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Columbia, South Carolina 29212-3530

Dear John:

The undersigned Friends of the Upper Chattooga ask that the following attachment be made part of the administrative record in the Upper Chattooga River Visitor Use Capacity Analysis, solely as a matter of general information for the USDA Forest Service.

Please call if there are questions.

Sincerely,

---

Joseph Gatins  
Co-district leader, Georgia ForestWatch

---

Doug Adams,  
Newsletter Editor, Rabun Chapter, Trout Unlimited  
By JG, with express permission

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Charlie Breithaupt,  
Chairman, Georgia Council of Trout Unlimited  
By JG, with express permission

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Tom McInnis,  
Chairman, South Carolina Council of Trout Unlimited  
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Rusty Berrier,  
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By JG, with express permission

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Buzz Williams,  
Executive Director, Chattooga Conservancy  
By JG, with express permission

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David Bates,  
Executive Director, Jackson-Macon Conservation Alliance  
By JG, with express permission

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Wyatt Stevens,  
Director, Whiteside Cove Association  
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George Nickas  
Wilderness Watch  
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John Benbow,  
President, North Carolina Wildlife Federation  
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Jerry McCollum  
Georgia Wildlife Federation  
By JG, with express permission

Attachment:

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**POINT> and <COUNTERPOINT**

**Frequently Asked Questions Regarding the Chattooga Headwaters**

A boater posted a link on the Sumter National Forest Bulletin Board to "Frequently Asked Questions."

To read all 17 boater questions and answers, visit:

[http://www.americanwhitewater.org/content/Wiki/aw:chattooga\\_faq](http://www.americanwhitewater.org/content/Wiki/aw:chattooga_faq) As "foot travel only" stakeholders, we believe readers also should have the "counterpoint" answers provided below.

**Do kayaks, canoes and rafts belong in Wilderness areas?**

I

**Boater's Point:** Yes. The Wilderness Act explicitly states that non-motorized boats are wilderness compliant uses. The Wilderness Act is clear that Wilderness areas are to be managed to allow and encourage backcountry recreation on foot, in boats, and on horseback. As Aldo Leopold wrote in "Wilderness" from A Sand County Almanac in 1949, "Wilderness Areas are first of all a series of sanctuaries for the primitive arts of wilderness travel, especially canoeing and packing." The right to paddle down Wilderness rivers is at the very core of the Wilderness Act and the concept of Wilderness.

**Counterpoint:** We agree that the Wilderness Act of 1964 recognizes that non-motorized boating is a wilderness compliant use. However, each Wilderness area is managed differently to protect its unique wilderness character. There is nothing in the Wilderness Act that says all compliant uses must be permitted in all Wilderness areas. To allow otherwise would set a precedent that would open all Wilderness lands to all activities and thus destroy everything embedded in the concept of Wilderness and the Act that led to its establishment. The Wilderness Act speaks to administration for "future generations the benefits of an enduring resource of wilderness", "unimpaired for future use as wilderness", "preservation of wilderness character", and "solitude", - it does NOT say "unlimited use" for recreation.

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Howard Zahniser of The Wilderness Society and primary author of the 1964 Wilderness Act, as well as its chief advocate, made it clear on many occasions that recreation is not the purpose of the Act, that it is an allowable use provided that the area's wilderness character is not impaired. But as he stated and we know today, some areas might be closed entirely to recreation in order to protect wildlife. Certainly as an area can be closed to all recreational use, it can be closed to a single type of recreation use. The following is a quote from Zahniser's testimony before Congress: "Recreational needs for wilderness are indeed pressing. They are provided for in the policy and program that the Wilderness Act will establish. At the same time wilderness may fittingly be preserved on areas where recreation would be damaging to other interests--such as wildlife preservation. On these areas recreation, or other conflicting uses, would be excluded. The lands would be devoted to the peculiar use for which they have been established--but so administered for this purpose as to preserve its wilderness." (Hearings before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, House of Representatives, Eighty-seventh Congress, Second Session, May 7-11, 1962)

I

The Ellicott Rock Area provides an example of the importance of balancing competing uses. In 1975, Ellicott Rock Scenic Area was re-designated as the Ellicott Rock Wilderness (ERW). Like a magnet, the new Wilderness label soon made ERW the most visited Wilderness in the entire Forest Service system (measured as visitors/acre/year). However, only 13% of those visitors were anglers (from page 29, "Ellicott Rock Wilderness Management Plan", prepared 1982). The Management Emphasis for ERW: "The emphasis is to allow ecological and biological processes to progress naturally with little to no human influence or intervention, except the minimum impacts made by those who seek the wilderness as a special place that offers opportunities to experience solitude." (Quote from page 3-1 of the Sumter Forest Plan) Obviously, LWD (large woody debris) in the river should not be manipulated, especially to

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facilitate visitor recreation. And trout have never been stocked in the ERW. The management must not in any way degrade the wilderness character of the ERW, including its biophysical or social / experiential values.

The Ellicott Wilderness was designated "in order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition" 16 U.S.C. § 1131(a). The Ellicott Rock Wilderness congressional designation (Public Law 93-622) described the need to protect Eastern wilderness as "urgent" due to overuse. Congress also noted that areas of wilderness are "increasingly threatened by pressures of growing and more mobile populations ... and uses inconsistent with the protection, maintenance, and enhancement of the areas wilderness character." The intent of designation was clearly to protect wilderness areas from overuse not for unlimited recreation.

The ERW management plan does not allow recreational gold panning, horses, or floating (all are Wilderness compliant uses). With the ERW already experiencing impaired wildness and solitude, the Limits of Acceptable Change (LAC) must be established before there is any consideration for adding another user group. For more on LAC, <http://www.fs.fed.us/r8/fms/forest/projects/steps.shtml>

To review the Wilderness Act, visit: <http://www.wilderness.net/index.cfm?fuse=NWPS&sec=legisAct&error=404>

**Is the boating ban illegal?**

**Boater's Point:** Yes, the US Forest Service is breaking the law. The office of the Chief of the USFS determined that the ban was totally unjustified and thus violated the Wilderness Act and the Wild and Scenic Rivers Act. We agree. The Chief's office then decided to allow the illegal ban to be continued for 2-5 years. This decision to allow an admittedly illegal action to continue is what paddlers are challenging in court because it is arbitrary and capricious. The greater legal issues remain: primarily that the USFS has been breaking the law for thirty years by banning a use they are mandated to protect and enhance under both the Wild and Scenic Rivers Act and the Wilderness Act.

**Counterpoint:** No, the USFS is not breaking the law. Rather the USFS is complying with the decision of the Reviewing Officer of the Office of the Chief of the USFS. Although the Reviewing Officer reversed the Regional Forester's decision to continue the no-boating zone above Highway 28, the appeal decision confirmed that the zoning should remain in place while additional studies are performed because the Forest Service cannot alter such restrictions without proving conclusively that the resource or visitor experience will not be impaired. Such studies, in the end, could continue to support the present zoning. AW has raised this issue with the Chief of the USFS and he responded to AW, consistent with the decision of the Reviewing Office, in a letter dated 5/12/06, "Associate Deputy Chief Manning provided interim management direction instructing the Regional Forester to manage boating above Highway 28 by applying the management direction from the 1985 Forest Plan, which includes direction maintaining the boating closure that had been established previously. In your letter, you state your belief that it is wrong for the Regional Forester to "interpret and implement [the appeal] Decision in a way that maintains the pre-Decision status quo". However, the Regional Forester is required to follow the interim management direction provided in the appeal decision until such time as a new decision can be reached. The interim management direction is fully consistent with the National Forest Management Act and the regulations governing appeals of land and resource management plans." Six days later the boaters filed a lawsuit in federal court demanding immediate and unrestricted access to the foot travel only zone. After hearing arguments from both sides, the Judge dismissed their lawsuit.

Further, the Chief's position is supported fully by the Wild and Scenic Rivers Act (W&SRA), which directs the Agency (in this case the USFS) to protect and enhance the Outstandingly Remarkable Values (ORVs) that caused the river to be included in the W&SRA in the first place. For the Chattooga, the ORVs include geology, biology, scenery, recreation, and history. "The recreational values of the river and corridor are outstanding along its 57-mile course. The river offers a wide variety of activities in a high-quality setting. Activities range from swimming to hiking and horseback riding with spectacular scenery, to excellent trout fishing and nationally recognized white-water rafting opportunities. Other activities include backpacking, photography, and nature study. Most of these activities take place in largely unmodified natural surroundings, with many opportunities for remoteness and solitude." (Quote

from page 3-52 of the Sumter Forest Plan) Protecting the aesthetic, scenic, historic, archaeological, and scientific features is to be done in the context of administering the ORVs. [Definition: aesthetic - Features or qualities that are pleasurable (as contrasted with the utilitarian features of a resource) such as opportunities for remoteness and solitude.] There is absolutely nothing in the Wilderness Act and/or the W&SRA that says all compliant uses must be permitted in all sections of the river.

To review the Wild & Scenic River Act, visit <http://www.nps.gov/rivers/wsract.html>

**Shouldn't there be some place for people to go and not see boaters?**

**Boater's Point:** There are many places one can go and not see boaters since boaters are rarely present on any headwater streams. The small percentage of headwater streams which are desirable for boaters are only floatable occasionally, after strong rains. On those few days, paddlers may or may not actually choose to paddle a specific river, and even then will only pass an area once for a brief period of the day. In short, backcountry enthusiasts have ample opportunities to experience headwater streams without paddlers present: on streams not preferred by paddlers, on all streams at flows too low and too high for paddling, and on all streams when paddlers are simply not present.

**Counterpoint:** Yes, there should be sections of public streams set aside for "foot travel only" visitors, just like some Forest Service areas prohibit mountain bikes and ATVs. The prohibition on boating in order to preserve the unique qualities of the wilderness is essential and has been recognized as standard management policy with regard to other unique wilderness areas. For example, Yellowstone National Park continues to not allow whitewater boating, a decision reached after extensive analysis of the impacts of boating on the park resource. The Park Service stated after its analysis, "*Whitewater boating would conflict with other established park uses that require the atmosphere of peace and tranquility...*" Whitewater boating on the Chattooga Wild and Scenic River above Highway 28 similarly compels a decision that the peace and tranquility must be maintained.

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Some boaters assert that floating on the Chattooga's North Fork will be rare occasions, explaining that below Bull Pen Bridge, the Chattooga is floatable only when the Highway 76 gauge reads 2.0 feet. What is not highlighted is that, based on historical data, the gauge reads above 2.0 feet on average 81-days / year. Further, in a recent 3-year period (2003-2005) there were 476 days (average 158-days / year) above 2.0 feet. In 2003, the Forest Service analysis predicted that on a typical floatable day there would be approximately 26 crafts (some days more, some days less) going past every backcountry visitor between the bridges. All of this information contradicts the boater's position that paddling on the headwaters will be only an "occasional" event. As a result, it may be predicted that, if the ban is lifted, on those numerous floatable days, the walk-in backcountry visitors will encounter a boat passing through every few minutes, repeatedly invading their personal envelopes of solitude, disrupting the anglers' activities, and spooking the trout. This will result in the type of recreational conflicts that the original zoning on the river was designed and implemented to avoid.

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Studies have shown that zoning of the type that has been in place on the Chattooga River for the past 30 years prevents this type of recreational conflict. For example, the USDA Forest Service has found: "*-- conflicts between different forms of recreation use have arisen with increasing frequency in recent years. The root cause for rising conflicts is simply the increase in demand for most forms of outdoor recreation.*" "*Streams and whitewater—Water attracts a wide variety of visitors, including swimmers, viewers of fish, anglers, and users of muscle- and motor-powered watercraft. The possibilities of conflict are obvious. For the most part, all the uses just listed are incompatible with one another.*" "*Land managers, therefore, are being forced to examine more closely the question of access and who gets what, when, and where.*" "*Recreation goals are based on social (such as family affiliation), psychological (such as solitude), and physical (such as exercise) motives.*" "*Conflict resolution may involve both zoning and education. When the source of conflict is goal interference, it is more appropriate to consider zoning by time, space, or activity. Zoning can ensure that different types of users are physically separated.*" See, The Southern Forest Resource Assessment; Southern Research Station, USDA Forest Service, dated Oct. 2002; report 4.5 titled Potential Conflicts Between Different Forms of Recreation. For the complete report, click on:

<http://www.srs.fs.usda.gov/sustain/draft/socio6/socio6-09.htm>

History also supports continued protection of the Backcountry ORVs of the North Fork as a means to avoid recreational conflicts. Prior to 1968 (the year the Chattooga was recommended for Wild and

Scenic River status) a visitor could hike to any section of the 57 miles of the Chattooga River and have a remote backcountry solitude experience. There were only 100 private floats on the entire Chattooga in 1968; in 1974 (just 6 years later) the number of private floats had increased to over 22,000. Visit, <http://www.fs.fed.us/r8/fms/forest/recreation/riveruse.html> The present zoning was implemented in 1976 on the North Fork (above the Highway 28 Bridge) to protect the outstanding remarkable values (ORVs) of recreation that include wildness, remoteness, and solitude in a "foot travel only" backcountry setting. For the last 30 years the zoning has protected and preserved the ORVs of this area. Now the boaters are demanding "unlimited use" (any time, any number of boats, any water level) of these last few miles of the last truly wild river in the East. For the benefit of present and future generations (and to avoid recreational conflicts) the Chattooga's North Fork must continue to be managed with lower degrees of intensity to protect and enhance the ORVs of the backcountry.

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**Why are paddlers requesting "unlimited use" of the upper Chattooga?**

**Boater's point:** Paddlers are requesting equal access and treatment. Currently hikers, anglers, swimmers, campers, and other wilderness compliant uses are all "unlimited." We are also requesting standard management for similar streams. We agree with the Chief of the USFS that currently there is no basis for limiting uses in this area. The default policy for the USFS is to allow unlimited Wilderness compliant uses unless data suggests that use should be limited (at which time it must be limited equitably). No such data exists on the Chattooga. Paddlers support use limits on many other rivers where data suggests limits are necessary, and limits are equitable and reasonable. Likewise, upon completion of the user capacity analysis, if it is sound, paddlers will support use limitations on the Chattooga if the data indicates limitations are needed to protect the river corridor and limits are equitably imposed.

**Counterpoint:** The boaters do not recognize that not all uses are created equal, regardless of whether empirical data from the area exists. By its very nature, boating is very different than hiking, angling, swimming and camping. Boaters are transported in vehicles that travel relatively fast. Experienced whitewater boaters can access areas that are difficult and time consuming to reach on foot. Even without user limits, far fewer hikers and anglers reach portions of these backcountry rivers than boaters. This is why boaters on most Wild and Scenic Rivers are more regulated on their numbers than other recreational groups within the same watershed. We also draw readers' attention to the following:

**POTENTIAL GROWTH OF "CREEKING":** Headwater boating (creeking) is a relatively new whitewater sport. It is made possible by the application of new hi-tech materials to creative new boat designs. It is part of the explosion in popularity of "extreme" sports. In October of 1999, American Whitewater (AW) told the Forest Service that boaters should be allowed to run the North Fork of the Upper Chattooga when the Highway 76 gauge reads above 2.6 feet; in 2002 they lowered it to 2.0 feet. Future equipment improvement may make it possible to boat Chattooga's North Fork at much lower stage levels, so now AW is demanding "unlimited use." In 1999, AW estimated the North Fork is "... unlikely to receive more than a couple hundred boating visitors per year." Just 4 years later the Forest Service estimates over 10 times that number for the DRAFT analysis for management plan Alternative E (2,120 floats / average year). Then in 2004 the Forest Service stated, "Also, as mentioned earlier, not all boaters will conform to the water level assumptions in this analysis. Some may attempt to float the river at lower levels (this is particularly true below the Burrell's Ford Bridge). Additionally improved technology and equipment in the future may facilitate low water boating, and could thereby increase the number of undesired encounters and the potential for conflict." (Page H-16 of Sumter NF Plan). What will be the increase in "creeking" in another 20 years? Just look at the present concerns in the Lower Chattooga River where the "unlimited use" and growth of whitewater floating activities has impacted all visitors, has displaced most non-boaters, has resulted in recreational conflicts (anglers vs. boaters, private boaters vs. commercial boaters, and boaters vs. horseback riders) in addition to decreased opportunities for the ORVs of remoteness and solitude. AW admitted in its appeal that "most boaters could not run the headwaters" at the time of designation, but the boaters today are urging unlimited access.

**NON-EXPERIENCED FLOATERS:** Non-experienced floaters present an additional concern supporting the present zoning of the North Fork. If the boaters were to gain "unlimited use" of the North Fork, both the 'experienced' and 'non-experienced' floaters with their approved crafts and safety equipment could put-in at Burrell's Ford at any water level. During low water levels the view from the

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bridges at Burrell's Ford and Highway 28 is deceptively placid to the 'non-experienced' (a.k.a. Bubba) boater. Some will probably be anglers with their open cockpit kayaks, canoes, and pontoon float tubes. Is it possible to place restrictions on the level of experience required for boaters on the North Fork? If so, what government agency would be willing to assume the responsibility of judging the qualifications of persons participating in sports such as whitewater boating? It may be expected that no government agency would be willing or have the resources to conduct such evaluation, with the inevitable result that non-experienced boaters will try to float the North Fork, resulting in unnecessary rescues and injuries. The present North Fork zoning solves that dilemma.

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**FEDERAL AGENCY PRECEDENT:** All of this for "a couple hundred boating visitors per year"? Yeah, right! Just exactly why are the boating organizations requesting "unlimited use" in the North Fork? Is it possible that the reason AW is putting so much effort and resources into this issue is for the legal precedent "unlimited use" will establish with a federal agency? Does AW intend to use overturning the zoning of the Chattooga's North Fork for the legal precedent needed to mount a federal court challenge in their 20-year struggle with the US Department of Interior concerning Yellowstone National Park's whitewater boating ban.

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Is the Chattooga's North Fork just the boater's steppingstone to reach the big prize, Yellowstone?

**Will opening the upper Chattooga to paddling allow tubers to navigate the Chattooga?**

**Boater's point:** Not necessarily. Paddlers are requesting access for whitewater boating, which requires specific craft designed for the activity. Paddlers have never requested that craft not designed for whitewater be allowed on the Chattooga. Furthermore, the reaches are likely not desirable for floating in tubes.

**Counterpoint:** Although the boaters are not requesting access for tubing, tubing and similar activities are inevitable if the Chattooga's North Fork is opened to unlimited floating. Occasionally tubers are already "poaching" backcountry float trips from Lick Log Creek to Highway 28. Should boaters gain unrestricted access, both the 'experienced' and 'less skilled' floaters with their "specific crafts" could put in at Burrell's Ford at any water level. During low water levels the view from the bridges at Burrell's Ford and Highway 28 is deceptively placid to the 'less skilled' (a.k.a. Bubba) boaters. Some will probably be anglers with their open cockpit kayaks, canoes, personal pontoons, and float tubes. Is it possible to place restrictions on the level of experience required for boaters on the North Fork? If so, what government agency would be willing to assume the responsibility of judging the qualifications of persons participating in sports such as whitewater boating? It may be expected that no government agency would be willing or have the resources to conduct such evaluation, with the inevitable result that non-experienced boaters will try to float the North Fork, resulting in unnecessary rescues and injuries. The present North Fork zoning solves that dilemma.

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**Will opening the upper Chattooga to paddling allow commercial use?**

**Boater's point:** No. Paddlers are requesting access for non-commercial use only. Commercial permits for use of public lands and waters are an entirely different matter. More importantly, the upper Chattooga will not support commercial use due to its flashy hydrology, stream size, and difficulty. Commercial outfitters have openly stated that they have no interest in rafting on these sections. There are thousands of whitewater streams on USFS lands, all of which are open to boating except the Chattooga, but commercial boating occurs on only a small fraction of those streams, when permission is granted.

**Counterpoint:** Yes, opening the upper Chattooga to paddling will open this area to commercial use. Although we agree that commercial guided rafting will not be authorized, there will be no limitation on the use of "taxies" and rental boats, which are certainly "commercial" uses. American Whitewater agrees these are commercial uses when they wrote a letter about lower Chattooga boating to the USFS dated 6/10/02, explicitly acknowledging that commercial users are less skilled than non-commercial users. The following are excerpts from that letter, "Other commercial users - the shuttle clients and/or rental customers of any other special use permit holder such as a shuttle permit or any entity that advertises to rent equipment on the Chattooga River. In general this group of users are less skilled, less aware of their impacts on the river, and are more prone to needing public search and rescue services." "Shuttle permits are generally issued to the companies that also rent inflatable kayaks or other river craft and

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commercially promote and encourage river use." "There are no restrictions on the number of craft a company can rent."

<http://www.americanwhitewater.org/resources/repository/Final%20AW%20comments%20re%20Amendment%2014%20EA%20June%2010%202002.pdf>

If the Agency were to grant the "unlimited use" that the private boaters are requesting, shuttle services and rental inflatable kayaks (a.k.a. duckies) would be permissible. Private boaters may use either "rental" or "owned" cars or boats. The Forest Service can't discriminate if a private boater uses rental equipment. For safety considerations, would guided duckies be permitted next? Then maybe "creeking" clinics? That would be kind of like "the camel's nose under the tent." The present zoning prevents this.

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**Did paddlers request the user capacity analysis?**

**Boater's point:** No. Paddlers appealed the illegal boating ban, and on appeal the Chief of the USFS's office discovered that the Sumter National Forest had never conducted a user capacity analysis, which is a standard management tool on Wild and Scenic Rivers. The Chief asked that a user capacity analysis be carried out so that responsible management could begin on the Chattooga. While paddlers did not request a user capacity analysis, we are glad that our efforts will bring more responsible management to the Chattooga River.

**Counterpoint:** The North Fork's "foot travel only" stakeholders support conducting a capacity analysis and are pleased that the end result will establish Limits of Acceptable Change (LAC) for the Wild and Scenic River (WSR) corridor above Highway 28. We believe the LAC will help protect the backcountry's wildness, remoteness, and solitude for future generations.

For more info on LAC, visit <http://www.fs.fed.us/r8/fms/forest/projects/steps.shtml>

We also believe the West Fork backcountry upstream of the Overflow Road Bridge (FSR 86) also has Outstandingly Remarkable Values (ORVs) that caused that river to be included in the WSR Act as a "Wild" section and the Agency has the responsibility to protect those values, too. For the first time, the 2004 Sumter Forest Plan made it legal for boating on this section. We believe the Forest Service must now establish the LAC needed to protect and preserve the natural environmental and natural processes from human influences. This means stopping the practice of allowing the removal of LWD (large woody debris) that blocks the passage of boats. Also, the proposed 3-mile WSR Overflow Creek extension (one mile into NC) must now be managed "as if they were already designated." as called for in the Chattahoochee Forest Plan.

Note: The Forest Service streams are managed in a manner that emphasizes and recruits LWD. The desired condition is approximately 200 pieces of LWD per stream mile (Sumter Forest Plan, page 3-41). Visit <http://www.fs.fed.us/r8/fms/forest/projects/plan.pdf> (page 86 of 208)

For more info about the importance of LWD, visit [http://www.americanwhitewater.org/content/Wiki/stewardship:woody\\_debris](http://www.americanwhitewater.org/content/Wiki/stewardship:woody_debris)

**Is the river currently "zoned" so that boaters have two thirds of the river and other users have one third?**

**Boater's point:** Absolutely not. Anglers, hikers, swimmers, and other backcountry users can access and enjoy the entire Wild and Scenic Chattooga River. Only boaters are restricted. An unjustified ban on boating is not zoning – it is illegal and discriminatory management.

**Counterpoint:** Zoning of conflicting uses is good stewardship, not discrimination. Stewardship includes the protection of the aesthetic values of natural resources such as remoteness and wildness, the proper regard for the rights of others to solitude, and the responsibility of preserving those values intact for future generations. Two-thirds of the Chattooga is zoned to allow boating, including the West Fork, which contains almost half of the headwaters; and the North Fork is zoned for foot travel only (no horses, no boats, no bicycles) which provides the opportunities for remoteness and solitude. The W&SRA says all of these values, " - - shall be protected for the benefit and enjoyment of present and future generations." It is the use of watercrafts (rafts, kayaks, canoes, duckies, etc) and other transportation vehicles that are zoned away from the North Fork. Floaters and riders can still hike into the North Fork's backcountry just like everyone else. Hikers, swimmers, and anglers that want to observe boaters can visit the river below Highway 28. There is absolutely nothing in the Wild & Scenic

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River Act that says all compliant uses must be permitted in all sections of the river. To review the Wild & Scenic River Act, visit <http://www.nps.gov/rivers/wsract.html>

**Is it true that the upper Chattooga is the only river in the entire Forest Service system that is banned to boating?**

**Boater's point:** Yes.

**Counterpoint:** Not true. The Forest Service filed a brief in the AW lawsuit dated 7-7-06 that stated, "Three sections of the Upper Rogue WSR, totaling about 21 miles, are closed to private whitewater boating and the entire length of the river is closed to commercial whitewater boating. Although administered by the National Park Service, whitewater boating is also prohibited in rivers present in Yellowstone National Park."

Zoning to ensure that different types of users are physically separated was implemented on the Wild and Scenic North Umpqua River, in Oregon's Umpqua Nation Forest. The river has seasonal restrictions to prevent boating on certain stretches of river from the end of June until the first of November because of high potential for conflicts between anglers and boaters. The Umpqua NF posted on their website, "A 5-mile section upstream of Bogus Creek Campground is closed to boating between July 15 and October 31 to minimize conflicts with anglers. Also, between July 1 and the end of October, boating is restricted before 10 a.m. and after 6 p.m. to lessen conflicts with anglers." Visit, <http://www.fs.fed.us/r6/umpqua/recreation/watersports/rafting.shtml>

A portion of the Wild and Scenic North Umpqua River is managed by the BLM. The following excerpt is quoted from The News-Review of Douglas County, OR, "With a dripping mountain snow pack in the spring, the North Umpqua River becomes swollen with jade-green, rushing water. Kayakers flock to it from April to June to ride its rapids and fast-moving current and navigate boulders and columnar basalt chutes. The North Umpqua is also a Mecca for fly fishermen. A 31-mile stretch becomes closed during the summer to all other water activity except fly-fishing." Visit, <http://www.newsreview.info/article/20060519/DISCOVER22/105180146/-1/DISCOVER>

**Can "unlimited use" be expected to have ecological impacts on the Chattooga?**

**Boater's point:** No. Unlimited use by noncommercial paddlers is occurring on almost every floatable river in the entire USFS system – and on every river in the region. Paddling is a very low impact activity, and the small amount of use the upper Chattooga is expected to receive will have negligible impacts. There are no other similar headwater streams in the region with any limits on use by non-commercial boating because use numbers are low enough to have negligible impacts. There is no reason to expect the Chattooga will be any different.

**Counterpoint:** Yes. The combination boater publicity about Chattooga's North Fork (upstream of the Highway 28 Bridger) and a wet summer as we had in 2003 and 2005, "unlimited use" access would mean unprecedented numbers of boaters. The ecological effects on wildlife displacement as a result of increases in human activities are well documented. An excerpt from an authoritative guide to managing the ecological impacts of recreational activities (Wildland Recreation: Ecology and Management by Hammitt & Cole) states "These studies show that human disturbance result in changes in wildlife physiology, behavior, reproduction, population levels, and species composition, and diversity." To read more of this text, visit

<http://books.google.com/books?id=6u4ESjX9daMC&pg=PA68&lpg=PA68&dq=%22knight+and+gutzwiller+1995%22&source=web&ots=Hd8oz9iQtQ&sig=e7HWguD6Za8wjfhTeKhaZFm7IxM>

We believe a few conscientious whitewater boaters will have little physical impact on the environment. A limited numbers of conscientious boaters that avoid low-water boating, have the knowledge to avoid trampling sensitive areas, and curtail wildlife disturbances will cause minimum impact to the Chattooga ecosystem. However, for decades a few insensitive boaters have made a practice of removing the large woody debris (LWD) that hinders their passage in headwater streams, such as the Chattooga's West Fork headwaters. LWD has incredible ecological importance in river systems. The Forest Service streams are managed in a manner that emphasizes and recruits LWD. The desired condition is approximately 200 pieces of LWD per stream mile (Sumter Forest Plan, page 3-41). Visit <http://www.fs.fed.us/r8/fms/forest/projects/plan.pdf> (page 86 of 208)

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"Unlimited use" incorporates all boaters and that includes the less-skilled low-water boaters (a.k.a. Bubba boaters). Historically when less-skilled boaters have attempted to float the North Fork's Rock Gorge section, it resulted in serious degradation to the physical environment of the backcountry, including littering, impact to spray-zone flora, and search & rescue ingress/egress.

"Unlimited use" will create social conflicts with the walk-in backcountry visitors through invasion of solitude issues and direct interference with anglers. The source of the conflict is goal interference, therefore zoning is proper management. Zoning can ensure that different types of users are physically separated. For more on recreation conflict management, visit: <http://www.srs.fs.usda.gov/sustain/draft/socio6/socio6-09.htm>

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For more info about the importance of LWD, visit [http://www.americanwhitewater.org/content/Wiki/stewardship:woody\\_debris](http://www.americanwhitewater.org/content/Wiki/stewardship:woody_debris)

**Do kayaks, canoes and rafts belong on Wild and Scenic Rivers like the Chattooga?**

**Boater's point:** Absolutely. The Wild and Scenic Rivers Act specifically requires agencies to protect and enhance recreational uses recognized as valuable during the designation process. Paddling was formally recognized by congress as a public value associated with the upper Chattooga. The USFS, in recommending the river for designation claimed boating was the best way to view the river, and proposed boat launch sites at all bridges over the upper Chattooga, and specific portage trails around major rapids.

**Counterpoint:** We agree that the Wild & Scenic River Act (W&SRA) recognizes that non-motorized boating is a compliant use. However, there is absolutely nothing in the W&SRA that says all compliant uses must be permitted in all sections of the river. To the contrary, the W&SRA directs the Agency (in this case the USFS) to protect and enhance the Outstandingly Remarkable Values (ORVs) that caused the river to be included in the W&SRA in the first place. For the Chattooga, the ORVs include geology, biology, scenery, recreation, and history. *"The recreational values of the river and corridor are outstanding along its 57-mile course. The river offers a wide variety of activities in a high-quality setting. Activities range from swimming to hiking and horseback riding with spectacular scenery, to excellent trout fishing and nationally recognized white-water rafting opportunities. Other activities include backpacking, photography, and nature study. Most of these activities take place in largely unmodified natural surroundings, with many opportunities for remoteness and solitude."* (Quote from page 3-52 of the Sumter 2004 Forest Plan.) Protecting the aesthetic, scenic, historic, archaeological, and scientific features is to be done in the context of administering the ORVs. [Definition: aesthetic - Features or qualities that are pleasurable (as contrasted with the utilitarian features of a resource) such as opportunities for remoteness and solitude.] Two-thirds of the Chattooga is zoned for boating, including the West Fork, which contains almost half of the headwaters; and the North Fork is zoned for foot travel only (no horses, no boats, no bicycles) which provides the opportunities for remoteness and solitude. The W&SRA says these values, " - - shall be protected for the benefit and enjoyment of present and future generations." The present zoning does exactly that. To review the Wild & Scenic River Act, visit <http://www.nps.gov/rivers/wsraact.html>

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**Plastic and rubber boats are modern inventions, are they primitive enough to be used in Wilderness?**

**Boater's point:** Yes, the Wilderness Act does not prevent use of modern non-mechanized recreational equipment in Wilderness areas. Modern synthetic boats, paddles, boots, fishing poles, fishing line, clothing, backpacks, guns, bullets, saddles, tents, and other recreational equipment are used in designated Wilderness Areas across the country.

**Counterpoint:** We agree that the Wilderness Act does not prevent the use of modern, non-mechanized recreational equipment in Wilderness areas. However, we disagree that vehicles such as boats should be considered in the same category as fishing and hiking equipment. There is clearly a difference between equipment that merely made activities more comfortable while not changing the general character of the activity and equipment that fundamentally altered the activity itself. Gortex boots and graphite fishing rods did not alter a person's ability to hike or fish the backcountry. Nor did they increase the number of participants or make access into remote areas easier; rather they made the activities more comfortable, less wet, and easier to store our gear. In comparison, modern boating

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equipment opens up areas of the wilderness that could not have been accessed through boating in past years to multitudes of new floaters. Only 20 years ago, the Green River Narrows (NC) was considered unboatable. Kayakers using modern hi-tech boats first successfully ran the Green Narrows in 1988 and since then, it has become the most popular Class V creek in the Eastern United States.

The Wilderness Act drafters were aware that "growing mechanization" (or technology advancement) may increase usage and negatively impacts the wilderness. They intended to protect the designated Wilderness areas from the increased demand associated with easier access from technology. It is the growing mechanization of manufacturing processes that has created hi-tech plastics, improved production methods, and cutting edge designs that now enable the modern kayakers to float the small headwater streams and in lower water levels.

There is nothing in the Wilderness Act that says all compliant uses must be permitted in all Wilderness areas. To allow otherwise would set a precedent that would open all Wilderness lands to all activities and thus destroy everything embedded in the concept of Wilderness and the Act that led to its establishment. The Wilderness Act speaks to administration for "*future generations the benefits of an enduring resource of wilderness*", "*unimpaired for future use as wilderness*", "*preservation of wilderness character*", and "*solitude*", - it does NOT say "*unlimited use*" for recreation. To review the Wilderness Act, visit: <http://www.wilderness.net/index.cfm?fuse=NWPS&sec=legisAct&error=404>

Assembled on April 17, 2007 by Doug Adams – a member of Friends of the Upper Chattooga.