

**Mary W
Morrison/R8/USDAFS**

08/04/2011 01:52 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Fw: Chattooga River Comment

"Tom Dunken" <cornelia@foodbanknega.org>

08/04/2011 03:13 PM

To <mwmorrison@fs.fed.us>

cc

Subject Chattooga River Comment

There are many opportunities for water-based recreation available in the northern Georgia-South Carolina-North Carolina area without making the Chattooga a playground for excitement seekers. My "vote" is to ban all boat traffic, commercial or otherwise, from the river. From my standpoint, it is disgusting to see a plastic object like a kayak violating the natural beauty of this rare stream. So, I am against any further degradation of this wild area from an expansion of the stretches where paddling is permitted.

Thanks for the opportunity to have my say.

Tom Dunken
Food Bank of Northeast Georgia
Mountain Distribution Center Manager
706.782.0780 (Wiley Office- Rabun County)
cornelia@foodbanknega.org

Mark Harmon
<meharmon68@yahoo.com>
m>

08/04/2011 02:12 PM

Please respond to
Mark Harmon <meharmon68@yahoo.com>

To "comments-southern-francismarion-sumter@fs.fed.us"
<comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject comment

I am writing to say I support the Forest Service's ban on kayaking on the upper section of the Chatooga River. I am fearful of the impact the increased traffic will have on the river and surrounding area. Kayakers already have many miles of access from section 2 to 4. Please leave the upper section for fishermen & hikers.

Sincerely,

Mark Harmon
Travelers Rest, SC

Brian Hill
<bdhill@yanceync.net>

08/04/2011 07:38 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Chattooga Headwaters ban on boating

Hello,

I am writing to support the ending of the ban on boating in the upper Chattooga. There is no reason that one outdoor enthusiast should be allowed in that area but not another. There is no evidence that boating harms the environment any more than other forms of outdoor recreation, and further more, the times when boating would occur(during high water events after it rains) are only when most other enthusiasts including anglers are not around. This ban is discriminatory and the entire upper Chattooga watershed should be opened for all outdoor enthusiasts, and no special treatment should be shown.

Thank you for your consideration,

Brian Hill

Burnsville, NC

David Prentice
<davidjprentice@yahoo.com>
m>

08/04/2011 11:37 PM

Please respond to David Prentice <davidjprentice@yahoo.com>
--

To "comments-southern-francismarion-sumter@fs.fed.us"
<comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Upper Chattooga

To whom it may concern,

I am a longtime resident of the Chattooga area and I encourage you to allow boaters access to the current restricted areas for several reasons.

1. The areas that boaters are currently allowed to use have been maintained and respected by boaters and the upper sections would be no different.
2. The impact of boating in this area would be far less than the recreations currently allowed such as camping and fishing.
3. Allowing boaters access would bring another group of individuals to support the upper reaches of the watershed through time, effort, and finances.
4. It seems unfair to me that a federal agency would deem one recreational activity more important than another.

Please consider these points when deciding whether to lift this very unfair exclusion of private individuals from a public area

David J. Prentice

"Judy Underwood"
<jfuwood@att.net>

08/05/2011 07:25 AM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Saving the Chattooga

Please don't open new trails into the Upper Chattooga, we need to preserve and protect this wonderful river.

Judy Underwood

James Johnson
<misterjj.tarheel@gmail.com>

08/05/2011 07:30 AM

To comments-southern-francismarion-sumter@fs.fed.us
cc
bcc

Subject Upper Chattooga users

Although it is not a section of river that I would be likely to ever paddle, I do hope the USFS will open the Upper Chattooga to boaters. Kayaking is about as LNT as you can get. We don't create trails or trample sensitive plants. Most of the time, access is at roadways or trails already open to other users. Hiking, backpacking, fishing, and other land based pursuits require trails cut into the land, displacing plants, trees, rocks, and even animals. If one group is to be preferred to another group, I would think that the boaters would be the preferred group because they cause the least damage to the area.

I am not suggesting that any group be banned/prevented from using the Upper Chattooga drainage. It is a beautiful area that I am happy to have experienced (hiking). Please let reason prevail over the loud (at times abusive) voices of the fishermen who would keep the river to themselves and prevent other users equal access to public lands.

Thank you for your service!

James P Johnson

"Tony Allred"
<allredt@windstream.net>

08/05/2011 12:12 PM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Alternative 12, Chattooga River Useage

As a frequent visitor and user of the upper stretch of the Chattooga, I am absolutely firm in my belief that keeping the current usage plan is the only decision which will protect and preserve the wild and scenic nature of this amazing wilderness. This present approach was the result of wisely considered alternatives using appropriate criteria. Just as predicted, the river now offers a variety of user experiences without overburdening or deteriorating its fragile environment.

Alternative 12 will open the door to unfettered access and uncontrolled use. Because the Forrest Service lacks resources to adequately patrol this section of the river and because the financial penalty for violation is insignificant, there will be inevitable conflict, both on the river and at the few, limited parking areas.

Make no mistake about the nature of this disagreement: The kayakers fight is not about the Chattooga, but is an attempt to establish a precedent for gaining broader access on other rivers. Their lawyers know very well the principles of divide and conquer and, too, the practice of incrementalism. If they can get a nose under the tent in Rabun County, they'll snowball it here and in other locations as well. Once they're in, they're in. No going back, no way to slow them down. In twenty five years, there'll be concession stands at Ellicott Rock. "Two Bud's, please, and make it to go."

We are about to lose a national treasure to the narrow and irreverent interests of a few. Preservation of the unique and tranquil environment envisioned at the Chattooga's Wild and Scenic designation is now up to you. Please choose on the side of future generations who have yet to know its wonders.

Sincerely,
T. A. Allred
Dillard, GA

Ann Alman
<ann.alman@gmail.com>

08/05/2011 12:31 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Upper Chattooga

The Chattooga River is beautiful and already has many people using it for recreation. The area above Bull Pen Bridge has many rare species and needs to be protected from the addition of trails, traffic, noise, and hoards of people. I do not feel that accessing this area is necessary. There is already too much noise, "recreation" and humanity all around it. Solitude and quiet are too hard to come by!

Ann Alman
West Union, SC

Linn Osterman
<linnlydia@bellsouth.net>

Sent by:

linnosterman@gmail.com

08/06/2011 12:09 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Upper Chattooga

Dear Sir

I love the beauty and pristine trout fishing on the Chattooga.

I've fished in many beautiful states and believe the Chattooga is the best.

There are plenty of rafting rivers.

Please don't let them take down our only wild river.

Sincerely,

Linn Osterman

Charles Walker
<charleswalkerdvm4@gmail.com>

08/07/2011 08:58 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Upper Chattooga River

Dear Sirs,

I have had the pleasure of paddling and camping along the Chattooga River over the years. In my opinion, the upper Chattanooga should be accessible for paddling also, as it has been designated as Wilderness and a Wild and Scenic river.

I do not think that it is legal or reasonable to deny me or other paddlers the right to enjoy the upper Chattooga or its tributaries.

I am contacting my representatives in the Congress and the Senate as well as the White House with my complaint regarding the US Forest Service spending MY TAX DOLLARS in an ongoing effort to deny me the harmless access to float down the entire Chattooga river.

Yours truly,

Charles E Walker DVM
3755 Fords Mill Rd
Versailles, Ky 40383

Francoise Fussell
<fhfussell@yahoo.com>

08/07/2011 08:56 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Protect

Hi,

I think that the upper section of the Chatooga should continue to be protected. it is not necessary to be rafting on that part of the river.

Thank you.

Francoise H. Fussell (Mrs.)

billygibson@vzw.blackberry.net

08/08/2011 11:13 AM

Please respond to
billygibson@vzw.blackberry.net

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject No boaters on Upper Chattooga

This e-mail is in opposition to allowing boating on any currently "closed to boating" sections of the Chattooga River
Sent from my Verizon Wireless BlackBerry

Dumin D 20110808

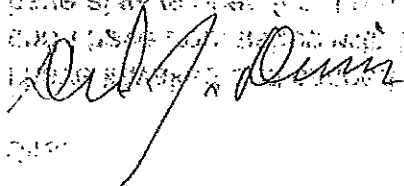
Sirs:

I have kayaked and canoed on the lower Chattooga River with my sons and I have trout fished with them on the upper river. Our experiences have always been fun. I have reviewed your latest plan for the upper Chattooga River, and I'm not sure I support it. It may be the best deal you'll be able to make, but I still think leaving the river as it is now is the best plan.

I can understand that you are under extreme pressure to change the river plan, and if there were some way to ensure that the planned changes could be enforced, then I might say let it go. However, I have already been passed by kayaks and canoes on the upper river while trout fishing, and I fear that if there is any loosening of the rules governing the upper river, then the boaters will ignore the rules, as they do now, and begin unrestricted boating.

If you can figure out some way to enforce the proposed rules, then do it. If not, keep the existing rules.

David Dumin
Clemson, SC



0101

D. J. Dumin
202 Lakeside Ct.
Clemson, SC 29631

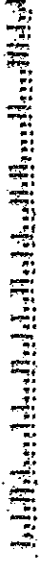
AUG 8 11 AM 11:14



GREENVILLE SC 29631
05 AUG 2011 PM 2 11

Comments on the Upper Chattooga River EA
USDA Forest Supervisor's Office
4931 Broad River Road
Columbia, SC 29212-3530

28212+3530



MelvinR 20110808

JONES, KEY, MELVIN & PATTON, P.A.
ATTORNEYS AND COUNSELORS AT LAW

61 EAST MAIN STREET
FRANKLIN, NC 28734
TEL. 828-524-4444
FAX 828-369-7343

P.O. BOX 609
HIGHLANDS, N.C. 28741
TEL. 828-526-3762

RICHARD S. JONES, JR.
RICHARD MELVIN
FRED H. JONES
JOHN A. VANHOOK
KAREN L. KENNEY

GEO. A. JONES 1878-1906
G. LYLE JONES 1906-1920
GILMER A. JONES 1918-1963
RICHARD S. JONES 1925-1972
LAWRENCE M. PATTON, JR. Retired 2006
BOBBY J. KEY, Retired 2008

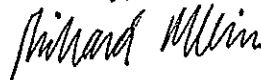
August 2, 2010

U.S. Forest Service
4931 Broad River Road
Columbia, South Carolina 29212

Re: Chatooga River

This is to advise that I oppose all boating, canoeing, kayaking, etc. on the upper Chatooga River.

Yours truly,



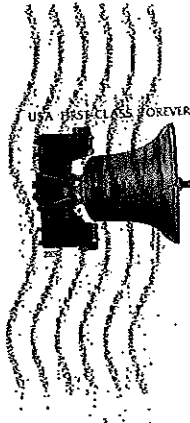
Richard Melvin

JONES, KEY, MELVIN & PATTON, P. A.
P. O. Box 609
Highlands, North Carolina 28741

771178 17.8 0718

ASHEVILLE NC 288

04 MAY 1968 11 11



U.S. Forest Service
4931 Broad River Road
Columbia, South Carolina 29212

2521243530

2521243530

Keil Neff
<kjn.water@gmail.com>

08/09/2011 09:08 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject A Public Comment regarding the Review of Recreation
Uses of Upper Chattooga

Hello,

I strongly support recreational opportunities be provided to boaters in the upper Chattooga Wild and Scenic River throughout the year. Over the past 18 years, I have enjoyed the Chattooga River and have camped, hiked, fished and swam in this watershed/river and paddled the lower Chattooga.

I provide a unique perspective in assessing management plans for this River as 1) I have worked with Great Smoky Mountains National Park fisheries biologists and Trout Unlimited for the past 6 years in research evaluating the physical and chemical habitats of trout; 2) I am an expert in hydrology, hydraulics, and chemical processes impacting lotic biological communities; 3) I am both a recreational whitewater kayaker and angler.

"The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection." Denying or limiting use of one type of recreational user that does not negatively impact a National Wild and Scenic River (i.e. Chattooga) physically, biologically, or chemically violates this law.

Quite frankly, I do not understand the conflict between anglers and whitewater boaters in this area. Having worked and played in many streams in the Great Smoky Mountains National Park, which is an International Biosphere Reserve, I do not understand limiting one group of recreational users. Wilderness and wild river users of all kinds generally are good environmental stewards and promote conservation of pristine wilderness and rivers.

Whitewater boaters are limited in the use of the river by hydrology. In "leaves-off" season, there are more flows for boating. Also, when flows are high and boaters are on the river, conditions are generally unfavorable for angling as trout and other fish are 1) seeking hydraulic refuge and 2) have reduced visibility from increased turbidity for predation.

In the Smokies, in all rivers except perhaps the 4th order Little River, anglers and boaters are rarely on the river at the same time. When they are on the same reach at the same time, all the boaters I

have been with are courteous to anglers and attempt to stay out of the way of the anglers and not disturb trout in the reach being fished.

I understand the value of woody debris in streams. In cases where boaters need to cut out a log jam to permit safe passage through a stream segment, I do not believe this adversely affects the health of the stream. The woody debris will simply be flushed down stream longitudinally on a bank or be caught in some other complex bathymetry. Nonetheless, it will be retained in the system.

My final point regarding the management of the Upper Chattooga and its tributaries, is that in reality there will not be a high volume of boaters because 1) access is difficult/limited in many areas and 2) the high level of difficulty (up to class IV and V) in negotiating many of the rapids on these streams.

To conclude, **I fully recommend and support permitting access and use of the Upper Chattooga and its tributaries to open boaters all year long.** Boating will be controlled by hydrology and level of boating competence.

Sincerely,

Keil

Keil J. Neff, Ph.D.
University of Tennessee
Department of Civil & Environmental Engineering
214 Perkins Hall, Knoxville, Tennessee 37996-2010
Email: kjn.water@gmail.com
Cellular: (865) 804-8505

5 Aug 2011

Dear Forest Service

I support the
Chattooga's Conservation
view — we do not

need an access trail
into the last remaining
reach of the Chattooge
River — above

Bull Run Bridge.

Thank you,

Molly Wenge

Molly Wenge
109 Meadowbrook Drive
Seneca SC 29678

Molly Wenge
26 meade
com

Donna Patterson
902 Berkeley Drive
Clemson, SC 29631
August 9, 2011

USDA Forest Supervisor's Office
4931 Broad River Road
Columbia, SC 29212-3530

Re: Comments on the Upper Chattooga EA

Gentlemen:

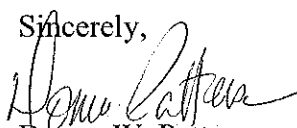
I am writing with regard to changes proposed for rafting on the upper Chattooga. As a Chattooga user of the horse trails, I appreciate the scenic beauty on this area and the preservation of the river corridor. A variety of users now have access to the water and the surrounding trails and it seems to be working well.

Sometimes users can be intermingled and sometimes it is better to have designated sections for particular uses. In the case of the Chattooga, it seems that this upper section is better left to the fishermen and those who prefer a more secluded and peaceful experience. I don't understand why we would want to encroach on the upper Chattooga for boating.

Please listen to groups such as the Chattooga Conservancy who have the knowledge and experience to know what is best and have the protection of the wild and scenic designation of the river at heart.

Thank you for this opportunity to comment.

Sincerely,



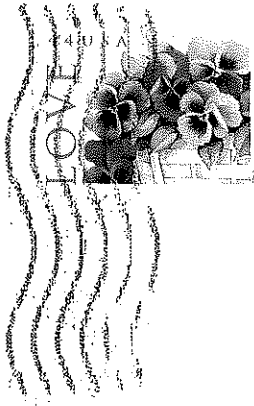
Donna W. Patterson

Donna Patterson
902 Berkeley Dr
Clemson SC 29631-2022



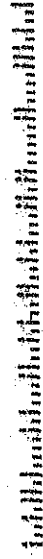
GREENVILLE SC 29609

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Comments on the Upper Chattooga EA446 9/11 AM 025
USDA Forest Supervisor's Office
4931 Broad River Road
Columbia, SC 29212-3530

29212-3530



"Shea B. Airey"
<sheaairey@gmail.com>

08/10/2011 07:25 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Public Comment on Chattooga Alternative 12

To whom it may concern,

My name is Shea Airey. I live in Oconee County, South Carolina. I am both a whitewater kayaker and a trout fisherman, and use the Chattooga in both of these recreational pursuits.

After reviewing Alternative 12, I would provide the following comment:

I believe that allowing some boater access from Bull Pen Bridge and South is both vital and fair. Being equal parts boater and fisherman, it is not justifiable to support a policy where some recreational users (fisherman) can use these sections of the river, while others (boaters) can not. However, I would not support any boating above Bull Pen Bridge. This section of the river is very narrow and gorged in. The type of boating possible in this area only appeals to a tiny fraction of all boaters and is not worth the extra impact on the surrounding natural areas.

I believe that other portions of the river suggested for boating should be opened as suggested. I believe that extending the time period into the fall and spring for boating at the suggested water levels would be a much better approach in order to provide boaters a fair opportunity to use the river in less frigid times of the year, but during water levels that are not prime for fisherman. Ultimately, allowing more "boatable days" is the most reasonable and just thing to do.

I am opposed to any new trails being built in above Bull Pen Bridge or in the Big Bend Section (From Nicholson Ford Road to Big Bend Road - the "Rock Gorge" Section) of the River. These Sections represent some of the last high quality ecological areas because they have not been opened to widespread access and corresponding abuse. It only makes sense to leave some areas of the river remote and undisturbed for those who want a true wilderness experience. It should also be noted that limiting access helps support wildlife, both riparian and terrestrial. Access to other portions of the river is already substantial.

I am in support of any erosion control measures, improving campsites (and removing ill-sited campsites) and any enhanced measures to sanction those who leave garbage or refuse near the river. Thank you.

Shea Airey

--

Shea B. Airey III, Esq.

Tel: (864) 280 - 9840

Fax: (855) 280 - 9841

**"Martin, Edward - Walhalla,
SC"**
<edward.martin@sc.nacdnet.net>

08/10/2011 07:45 AM

To "comments-southern-francis-marion-sumter@fs.fed.us"
<comments-southern-francis-marion-sumter@fs.fed.us>
cc "donbettina@aol.com" <donbettina@aol.com>,
"sheaairey@gmail.com" <sheaairey@gmail.com>,
"dgyoung@bellsouth.net" <dgyoung@bellsouth.net>,
"info@chattoogariver.org" <info@chattoogariver.org>
bcc

Subject upper Chattooga boating

It is as president of Oconee Preservation Unlimited Stewardship Trust that I respectfully ask you to reconsider your proposal for the upper reaches of the Chattooga River. My organization staunchly stood against opening the upper sections to boating in the first rounds of discussion on this issue and still stands in opposition to the decisions made to create the access road and open this area to boating. Water access for boaters in north Georgia and South Carolina is adequate and quite accessible. I believe the upper reaches of the Chattooga are being unreasonably pressured by groups driven by greed and unnecessary longing who ignore the opportunities already offered in order to continue a path of access into every last vestige of pure natural area just for their own pertinent interests. This area should be left as is with access being permitted as it is at this time, with no further roads built and no opportunity for boating of any sort.

Eddie Martin
District Manager
Oconee Soil and Water Conservation District
301 WS Broad Street
Walhalla SC 29691
Phone 864 638 2213
Fax 864 718 7750
e-mail: edward.martin@sc.nacdnet.net
website: www.oconeeswcd.org

"Alex J. Matthews"
<ajmatthews@briefingde.com>

08/10/2011 08:46 AM

To "comments-southern-francismarion-sumter@fs.fed.us"
<comments-southern-francismarion-sumter@fs.fed.us>
cc

bcc

Subject Save the Chattooga

Good Morning,

I recently got wind of new legislation being considered that would put a ban on boating the Chattooga River. I strongly urge you to rethink enacting such an irrational and harmful law. Boaters are among the most appreciative and environmentally conscientious group of outdoor enthusiasts, and to take away their right to enjoy one of the most beautiful and scenic rivers in the country would be unjust and simply illogical. Not to mention, it would work against the integrity of the US Forest Service and its objectives to protect and . It is completely unjustified to put excessive restrictions on boaters while allowing unlimited access by other, potentially more destructive, visitors. I just recently began kayaking and have not yet had the privilege to paddle the Chattooga in its entirety. This bill would prevent myself, and all similar river enthusiast, from experiencing this spectacular place. If you care at all about the local residents being able to enjoy the wild and scenic amenities that are an inherent aspect of the southeast, please do all that you can to fight this unjust and detrimental legislation.

I will leave you with USDA Forest Service Strategic Plan's:

Goal 4. (USDA Objective 6.3) Sustain and Enhance Outdoor Recreation Opportunities

And

Objective 4.1 Improve the quality and availability of outdoor recreation experiences.

(These are taken from the USDA Forest Service Strategic Plan for 2007-2012. Document can be found here <http://www.fs.fed.us/publications/strategic/fs-sp-fy07-12.pdf>)

Thank you,

A concerned local resident
Alex Matthews

Terran Viehe
<tviehe@compassts.com>

08/10/2011 10:14 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Boating Ban Reasoning?

To whom it may concern,

This boating ban has been going on far too long with no realistic basis. This seems to be led by fisherman who are misinformed about kayakers. I have seen and picked up trash in rivers from fisherman all over the southeast. Fishing lines in trees, dip cans, beer cans, hooks and plastic worms that got away, broken chairs and tents left in the woods. If boaters had legal access we would be more than happy to plan annual river clean-ups of these areas for all user groups to enjoy. The hatred from some of these fisherman is hurtful, we've nothing to them and only want to help protect the watersheds. It seems their perspective of boaters is very misunderstood and given the chance I know we can show them what we are about. Somehow I think they picture themselves fishing in the middle of a rapid and then having a bunch of rowdy kayakers coming through hoot'n and a holler'n and ruing the peacefulness of it for them. The truth is even with unlimited access boaters do not behave this way and would very rarely be up there due to the requirements needed to be out there. I for one; as most, work all week and would only be able to get up there on a weekend, second it would have to be after a major rain event. In my boating experience the planets practically have to be aligned for the timing and logistics to work out well enough to paddle upper sections of rivers that need the required amount of water. Another misconception a lot of the fisherman seem to have is they think it will turn into a circus with commercial rafting companies. I've boated the lower section several times and don't think I've ever seen a raft out there so I'm not sure why they think the upper section which runs far less frequently would become a zoo. Feel free to ban commercial rafting. I don't know if they are misinformed or are exaggerating their story for selfish reasons but I know that you have the power to see both sides and come to an understanding of what we're about. Thank you very much for taking the time to read this.

Terran Viehe
Compass Technology Services
5449 Bells Ferry Road
Acworth, GA 30102
tviehe@compassts.com
Cell: 404.642.5122
Direct: 678.460.1412

**Mary W
Morrison/R8/USDAFS**

08/10/2011 11:52 AM

To "comments-southern-francismarion-sumter@fs.fed.us"
<comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Fw: WWW Mail: Draft EIR - Upper Chatooga River

----- Forwarded by Carol L Forney/R8/USDAFS on 08/10/2011 12:07 PM -----
brahea22@hotmail.com

08/09/2011 09:06 PM

To cforney@fs.fed.us

cc

Subject WWW Mail: Draft EIR - Upper Chatooga River

I am writing to voice my opposition to the Forest Service's continued ban on kayaking the Upper Chatooga River.

Please add this comment to the official public record. Please keep me informed with regard to this issue.

Thank you.
Peter Wiechers

8-6-11

To Whom it May Concern:

I am a teacher, husband, and whitewater kayaker living in Asheville, NC. I have been a whitewater kayaker for 4 years, and have paddled section 3 of the Chattooga on several occasions with family and friends.

As a taxpayer, I support the preservation of natural resources such as Wild and Scenic Rivers. However, I feel that boating has been unnecessarily banned on the Upper Chattooga, while the environmental impact of boating is negligible at best.

USFS Preferred Alternative 12 is unjust. I do not support it as a stakeholder. Alternative 8 is better, but I am a kayaker and not a 'scenic boater' or 'boat-based angler,' and I do not see how these constituents should affect my use of the river.

Why have whitewater kayakers been singled out? We value the ecology of the area, leave little to no trace, and give back to the land in our donations (at least I do.)

Do the right thing. Allow us the right to boat the Upper Chattooga.

Best,

Stuart Miles
146 Bell Road
Asheville, NC 28805
stubbytah@gmail.com

8-2-11

stand and winter
over. I have
for 4 years and
of the Chattooga on
family and friends

about the process
of wild and scenic
rivers. I have been
told while the river
is not a scenic
river.

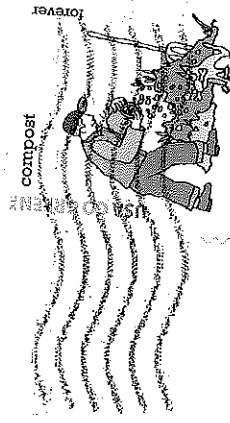
I am not a scenic
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of the area, we are
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Asheville, NC 28805
146 Bell Road
Stuart, NC 28805
28805

Miles
146 Bell Road
Asheville, NC 28805



ASHEVILLE NC 28805

08 AUG 2011 PM 1 T

Comments on Upper Chattooga EA
c/o USDA Forest Service Supervisor's Office
4931 Broad River Road
Columbia, SC 29212

AUG 10 11 PM 10:20

Kevin Ryan
<ryank2@mailbox.winthrop.edu>

08/10/2011 03:31 PM

To comments-southern-francismarion-sumter@fs.fed.us
cc
bcc

Subject Response to Environmental Assessment Aug. 2011

Dear Paul Bradley,

In regards to the recently released Environmental Assessment: Managing Recreation Uses in the Upper Segment of the Chattooga Wild and Scenic River Corridor, I wish to make the following comments. I understand that the Forest Service's Alternative 12 aims to protect the outstandingly remarkable values of the Upper Chattooga River, and I agree with that goal. I also agree with the improvement of campsites, trails and the protection of large wood debris in the river.

However, I do not think that specified forms of recreation should be prohibited or limited on the upper Chattooga River. Specifically, paddling should be allowed on all sections of the river designated as Wild and Scenic at any time of year. I feel that Alternative 12 assumes that paddlers are somehow less important than other users of this public resource.

As a concerned citizen and as a person that benefits from the Chattooga River's outstanding qualities, I cannot agree that Alternative 12 is the best form of management of the upper Chattooga River. I see no reason why paddlers should not be able to float the entire Chattooga River. If it is the goal of the USFS to "maintain opportunities for solitude" in the river corridor, then all types of visitors should be limited equally instead of just one user group.

Alternative 12 is unfair to a specific user group. I have found no logical reason why the USFS would propose unequal treatment for specific user groups. As a tax payer, that is disappointing. I encourage you to thoughtfully consider this response to the recently released Environmental Assessment.

Sincerely,
Kevin Ryan

John Warren
1992 Whiteside Cove Rd
Highlands, N.C. 28741

7/30/11

Dear Forest Supervisor,

We are John and Marsha Warren and we live on Whiteside Cove in Highlands, N.C. My family owns 300 acres along the Cove road and ridges above the Chattooga River. We have placed 132.66 acres including the nearest ridges of the river in a Conservation Easement.

The easement is under the name of James E. Warren Estate. The reason we are writing is to voice our concern about opening the upper Chattooga headwaters to Kayakers.

We are opposed to letting this happen. Our neighbors the Rust family are adamantly opposed and I don't blame them.

This section of the river is too rough and would only be attempted by thrill seekers. My experience with these people is that they do not protect the flora, fauna and beauty of a wild section of unspoiled beauty. Many miles of River are available to them. Thanks John & Marsha Warren

NATURAL LANDSCAPES

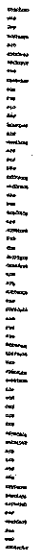


1992 Whiteside Cove Road
Highlands, NC 28741

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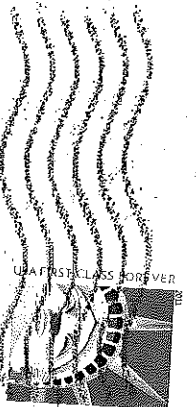
Upper Chattegee EA
c/o USDA Forest Supervisor Office
Sumter National Forest
4931 Broad River Rd.
Columbia, S.C. 29212-3530

2321243530



ASHEVILLE NC 288

51.0000 2000.000 1.1



"Doug and Eedee Adams"
<edadams1@windstream.net
>

08/15/2011 01:37 PM

To "Comments 8/15/2011 USFS" <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Angler with boaters on the Nantahala River

Attachment is submitted by:
Doug Adams
PO Box 65



Rabun Gap, GA 30568 Boating Zoning - Video Angler with boaters 110815.doc

Angler with boaters on the Nantahala River

- Citation: EA page 361 "In all other Southeastern streams with shared use, fly guys and paddle dippers manage to coexist in the same streambed, sometimes with mildly cursory respect."

- Citation: Anderson (SC) Independent Mail
<http://www.independentmail.com/news/2011/jul/18/us-forest-service-asking-input-upper-chattooga-riv/>: "Let's be clear," says Kevin Colburn, American Whitewater's National Stewardship Director. "The user conflicts the USFS is basing the boating limits on are imaginary: they have never occurred, do not occur elsewhere, and will not occur on the Upper Chattooga."

- Citations: Smoky Mountain News (May 18, 2011) <http://www.smokymountainnews.com/news/item/3983-landing-the-big-one-national-fly-fishing-championship-coming-to-cherokee>

National Fly Fishing Championship comes to NC: "Competitors are split into groups and dispatched to one of five rivers. They then rotate over the course of the competition. Each river is divided into sections, with anglers assigned a specific section so they won't be bumping into each other."

- "Youtube" Video (posted June 14, 2011):
http://www.youtube.com/watch?v=Mbd3sHknSKc&feature=player_embedded Please view the video of an angler (Corey Roberts of Dalton, GA) with boaters on the Nantahala River in NC (2011) and the comments below the video:

- Citations: Smoky Mountain News (Aug. 10, 2011) - reader comments:
<http://www.smokymountainnews.com/news/item/4779-stand-off-over-the-chattooga-nears-finale#comments>

Kevin Colburn 2011-08-11 15:53 That video is from the Nantahala River during a whitewater release. The Nantahala is dam controlled, roadside, Class II, and is commercially paddled and fished. Flows are designed to benefit anglers in the morning and evenings and paddlers and power generation in the middle of the day. The only reason someone was fishing during the boating release was likely because of the angling competition held that day. This video has nothing to do with the free-flowing, remote, class IV-V upper Chattooga where use would naturally be very low and naturally separated by flows and normal recreational judgement.

Garrick 2011-08-11 22:00 This fisherman picked a narrow spot in the river and casted from one side to the other, leaving no path for anyone else to use the river.

He did this on a very busy summer afternoon on one of the busiest dam release rivers in the country.

Within a few miles of this spot the fisherman could have fished any number of trout streams which due to the natural flow level during this time of year would have had exactly ZERO paddlers on them.

He could also have fished in this exact spot earlier or later in the day (before or after the water release) when he would have again encountered ZERO paddlers.

By picking this exact spot at this exact time, the fisherman made is 100% certain that he would encounter many, many boaters and rafters. No rafters are pictured - they were edited out of the video. Only kayakers were included to make them seem "rude" despite the fact that the fisherman chose the time and place most likely to have this result.

Karl 2011-08-12 16:08 I dont understand why you think there is a legal obligation to "protect" anglers. Protect them from what? I have personally had flies cast directly at me for simply floating by. Last year, on the Little River, I intentionally moved to the opposite side of the river (against the bank) from a fisherman and floated past quietly and without using my paddle. I got cursed out by the fisherman, who proceeded to cast directly at me. This happens more than you know.

Pedro 2011-08-13 08:14 The argument made here by the boaters that water levels will naturally limit conflicts with anglers is bogus.... for these reasons.

* The 2007 User Study showed boaters and anglers both being able to use the river at flows up 450 cfs.

* The Chattooga is no "creek" - so comparing it to Overflow is nonsense. A river the size of the Chattooga (yes, even at the upper end) will not need flashy rain events to have boatable water levels.

* Ever heard of ELF boating? It stands for Extremely Low Flow boating. There's a segment of the boating population that will boat the Chattooga at water levels when people are fishing.

* If the water level will naturally segment users as AW suggests, why were they so adamant to remove the 450 minimum cfs flow restriction for boating in the first draft EA? It's because they WANT IT ALL - and they know the river will be boated at low water levels when people are fishing.

- Citation: EA page 358 "People who are fishing and swimming are more negatively impacted by encounters with boaters than the boaters;"

My Opinion:

I believe the lower Nantahala (a tailwater trout river since 1942 and another one of the America's 100 Best Trout Streams) was selected as one of the 5 rivers for the national competition because of the high quality of the fishery and the challenge of the social conflict and interference of non-compatible river recreation (a sign of the times).

The video and the comments by **Pedro** and **Karl** confirm that that angling and boating do indeed take place at the same time and place in the same water flow rate. The comments by **Kevin Colburn** and **Garrick** indicate that the conflict is the angler's fault and that he should have been somewhere else.

That type of conflict on area streams is the reason there has been angler displacement; some of those anglers were displaced to the boating-free Chattooga North Fork. Kevin Colburn describes displacement as "normal recreational judgement." In his opinion, user conflicts "are imaginary: have never occurred, do not occur elsewhere" as long as other visitors are displaced.

Before 1970, the lower Chattooga AND the Nantahala (plus all other area streams) were boating free. It was only due to the wisdom of the Forest Service planners 35 years ago that the Chattooga North Fork was zoned as a place where present and future generations can experience backcountry solitude, remoteness and wildness that is free of user conflicts.

Sincerely, Doug Adams - A visitor to the Chattooga North Fork since 1955

Rob Maxwell
<RangerRob2000@hotmail.com>

08/15/2011 04:47 PM

To comments-southern-francismarion-sumter@fs.fed.us
cc
bcc

Subject Upper Chattooga Boating ban

Dear Sir,

Really!?!? Do we have to do this AGAIN!?!?

I'll make this short and sweet: Ban stocking of non-native species.
Allow boating year round, at all water levels, including the
tributaries. Treat all users equally.

Sincerely,

Robert Maxwell



"Michael Bamford"
<mbamford123@comcast.net
>

08/15/2011 10:40 PM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Comments on the July 2011 revised EA



mikes response.pdf

August 15, 2011

Francis Marion and Sumter National Forests
Broad River Road
Columbia, SC 29212

Dear Chattooga Analysis Team,

SUBJECT: Comments on the July 2011 revised EA



For thirty-five years, the management of the Chattooga Wild and Scenic has been considered ideal for thousands of visitors. The Chattooga has provided excellent trout fishing, wildlife habitat and world class boating. Recently the kayak lobby contrived a controversy over the inability to boat the entire river, even though 65% of the river is open to unlimited boating. Through their myopic lens, the kayak lobby has sought to influence the capacity analysis, harass those opposing unlimited access, and initiated a smear campaign against anglers, property owners and hikers who disagree with their position. American Whitewater even browbeat the Forest Service into using a kayak lobby's consultant to study flows, a study methodology they co-authored and helped publish, and that used only members from the kayak lobby to assess boating capacity. After six years, the Forest Service has presented the public with a bias assessment that ignores the desired conditions of the majority of Chattooga visitors, and avoids analysis of the impacts boating (the proposed agency action) will have to most visitors, private property and the primary emphasis values.

The 2011 assessment contradicts previous USFS management publications as well as contradicting itself. The EA now totaling nearly 500 pages does not provide the justification for selecting the proposed alternative, nor for allowing expanding access above highway 28 at all. The revised Environmental Assessment has simply become more convoluted and verbose in its attempt to avoid assessment of each alternative's impacts. In place of a concise and objective EA, the published assessment is a justification of the proposed action to expand boating as demanded by a litigious kayak lobby, regardless of the collected facts from previously published agency literature.

With this statement I which incorporate all my previous comments placed in this public record, including my comments made during the now redacted 2009 Environmental Assessment.

I will support the growing coalition planning to appeal any Forest Service policy that expands boating into the headwaters.

Sincerely,

Michael Bamford

Contradictions within the 2011 draft Environmental Assessment

Some of the most ridiculous contradictions in this EA include that:

- Rare and sensitive species are unlikely to be impacted because rare plants are not often encountered(p.197)
- Visitor impact on wildlife is minimized, because some species can flee (p.183). Conversely, impacts to other species are dismissed because of their immobility during Winter (p184).
- The EA suggests swimming in a dry creek (during low flows) is the only time people swim (p76), contradicting the methodology supposedly used to conduct the flow study.
- The EA purports fishing is only practical below boat-able flows (p 75). Despite documented conflicts between these user groups, and contradicting the data collected.
- The proposed agency policy is “expected to cause fatalities” and accidents [p.466]. A windfall for personal injury lawyers in Southern Appalachia.
- The Forest Service plans to systematically monitor the demise of rare lichen in a remote part of the river [477] by both visiting the site for monitoring as well as increasing access to the site for boaters.
- Boaters are expected to magically be transported to the confluence of Greens Creek, since the impacts associated with getting to this location are never assessed.
- The EA proposes to eliminate many hiking and fishing trails due to resource damage, while simultaneously proposing adding an unlimited number of new boater trails.
- The EA indicates both boaters and hikers are expected to use, stop and enjoy riverside attraction sites, while the affects of such use are never assessed. The USFS have already documented that “deterioration of streamside conditions can be expected in these locations” within the 1971 WSR congressional Study report p.156. Also, attraction-site impacts are documented below highway 28 within this EA. yet dismissed as inapplicable to Chattooga above highway 28.
- Visitor encounters will only be measured while visitors are moving along the land trails, not at wildlife observation spots, swim holes, fishing areas or near large rapids or at kayak playspots; thus overlooking over 40% of the time foot-travel visitors spend visiting at, along, or on the Wild and Scenic Chattooga River.
- The USFS are eliminating, parking, campsites and trails because the resource is overused, while adding a new users (boaters) in limitless quantities.

Above are only a few of the contradictions within the EA. However, the most egregious contradictions within the EA are those which misrepresent the recreational flow study (p75-76). Statements regarding recreational flow needs for anglers, boaters and swimmers are purposely misleading and at times outright fraudulent. The expensive recreational flow study information that was collected and published has simply been altered and now magically justifies the agencies preferred alternative.

In addition to the comical list of contractions above, my substantive comments are here:

I: Primary Emphasis Features are Statutorily Prioritized Over Kayaking.

The proposed alternative does not meet the USFS obligation to administer the Chattooga in a manner that places primary emphasis on conservation features over recreational demands; this is in direct violation of 16 U.S.C. 1281(a).

The esthetic, scenic, and scientific features require primary emphasis when administering a WSR. In addition values associated with biology, solitude and water quality, are included as Outstanding and Remarkable Values. The assessment includes plants, wildlife and associated habitat under the Biology value; combined with primary emphasis features, these values have been labeled “conservation values” in [*Friend of Yellowstone v. Norton, 2009*]. Impacts to these Conservation Values must be assessed using the ‘non-diminish’ standards.

Assessing the net effect of expanding boating through the North Carolina Chattooga requires such consideration under [40 § 1502.16]. Further, the EA does not assess nor even list the indirect effects as required under [40 § 1508.8]. Without due consideration of these primary features and conservation values, the assessment could not have possibly prioritized non-use values over recreation; therefore the EA (despite the volume) remains deficient.

The EA details that conservation features WILL be impacted by adding boating to the Chattooga Cliffs reach, then justifies the ‘preferred alternative’ by suggesting the proposed alternative has fewer impacts than even more damaging alternatives. When administering management policy for Wild and Scenic Rivers, agencies are held to a higher standard of review than ‘impact significance’ when assessing primary emphasis features. Justifying a proposed action that will diminish the esthetics and scientific features, less than a more damaging proposal is still a statutory violation of the WSR Act [*Friend of Yellowstone v. Norton, 2009*].

The shell-game comparison used to contrast and assess alternatives is also a violation of NEPA; alternatives are supposed to be compared amongst alternatives, not just against those alternatives that present the proposed alternative most favorably.

The EA documents that boating will create new wildlife disturbances, impact the fisheries, impact riparian vegetation, impact wildlife, mark the streambed during lower flows, create new and an undefined amount of trails, and pollute the Chattooga river with increased sedimentation, each admittedly diminishing the Primary Emphasis Features. Courts have made clear that the WSR agency has a non-diminish standard with respect to these primary emphasis features, and that congress prioritized these Conservation Values over recreational whims. The agency appears to be ignoring the clearly expressed congressional intent of the WSR Act that prioritized conservation over extreme sports.

Finally, the agency has failed to explain why its’ proposed alternative runs counter to the evidence collected by and before the agency. The USFS admits the remote Chattooga Cliffs is the most ecologically sensitive area, and that this area is only accessible by boat. Yet the preferred alternative would allow unlimited quantities of boating to access to this area.

II. Inconsistent and Bias Management of the trail System.

Previous Forest Service policy closed many access roads and trails severely restricting access to the Chattooga Cliffs reach; since 1971 over twelve miles of these trails and roads have been closed under the auspice of protecting the sensitive river environment. Some of these river access trails ('user-created trails') were closed as recently as 2007 during a recent Chattooga Trail reconstruction project. According to this EA, and the 1985 FEIS, these trail closure and access restrictions 'improved conditions along the river'.

Further, this EA acknowledges the need to close additional hiking trails, because some trails are damaging the resource and are inconsistent with Wild and Scenic River management policy. Simultaneously, the agency is also proposing to expand the trail system and access for one special interest group, kayakers. This preferential treatment designed specifically to benefit kayakers is inconsistent with, and contrary to, Forest Management policy. Such bias trail design does not treat all visitors equitably nor does it meet the standards for objectivity.

III. Removal of the More Preferable Alternatives from Assessment.

The agency has removed all the previously considered alternatives that would have only allowed boating below Bull Pen Bridge. The EA claims this alternative has "became redundant and unnecessary"(p41), but that is not true. Eliminating Bull Pen as a proposed Put-in, the assessment misrepresents the available options as a dichotomy to either allow boating into the most ecologically sensitive area, or allow no additional boating at all.

The reduced variety of alternatives considered in this EA appears deliberately designed to produce a desired outcome of pushing boating upstream toward Greens Creek. Every scoping and previous EA during the past four years evaluated alternatives that did not allow boating above Bull Pen Bridge. In addition, the 1971 Study Report Recreational Development Plan lists Bull Pen Bridge as the uppermost put-in indicating boating above the bridge is not a congressionally recognized value.

By deliberately limiting the range of alternatives available to the decision maker (after having done the assessment), possibly the environmental alternative, is a NEPA violation.

Finally, the draft EA does not label the environmental alternative, nor why such alternative would be environmentally preferable over all the others.

IV: The Assessment of Impacts to the Riparian Zone is Non-Exsistent.

- The EA does not provide sufficient information for the public to comment on the Green's Creek access trail location; therefore it is impossible to comment on this proposal. The trail map provided terminates 100yards from the river and 250 yards below Greens Creek, providing no river access at all. This is a Violation under [40 § 1502.21].

- The EA did not provide information regarding the suitability of the area for these new trails which is a *connected action*, a *similar action* and a *cumulative impact* to the proposed alternative [40 § 1508.25] (this trifecta is an agency record!) . The USDA has already published this area is *unsuitable for such recreational* uses specifically during the times boaters will visit the area; this information was previously submitted to the USFS during previous public comment periods.
- The EA does not provide the cost of developing or maintaining all the new trails, nor how these user-created and undefined trails could possibly meet Forest Service Best Management Practices for building trails within a riparian zone. A violation under [40 § 1508.25] and [40 § 1508.8].
- The EA does not provide information regarding the impact associated with creating a new river access point into an ecologically sensitive portion of the Chattooga [40 § 1508.8]. A finding that such use is non-significant would contradict other statements made within this EA.
- The EA does not include consideration for the parking capacity at the proposed new access site. [40 § 1508.25]
- The logic used to dismiss paddler impacts to anglers within the Chattooga Cliffs is erroneous, contradicts the collected facts and violates the CEQ standards for objectivity. [CEQ 1506.5].
- The effects of downriver boating trails has already been reported as being far worse than the hiking trails above 28 requiring mitigation; yet, the forest service ignores such foreseeable impacts within this assessment. [40 § 1502.21].
- Contradicting the USDA published *Soil Survey of Jackson County North Carolina* NRCS 1997, the Forest Service proposes new recreational uses and access in an area they is not recommended for recreational trails, and during a time (after rains) when the trails have the highest probability of erosion. In addition to the increased sedimentation at the proposed ‘access’ site, assessment of sedimentation resulting from boaters scouting these hazardous rapids along the Chattooga Cliffs remains absent (see my previous and extensive comments associated with the very biased, incomplete, and contradictory assessment of scouting and portage needs).
- The North Carolina Sedimentation Pollution Control Act of 1973 requires buffer zones along trout waters. G.S. 113A-57(1). The Act notes:“Waters that have been classified as trout waters by the Environmental Management Commission shall have an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation” Yet the USFS plans to allow unlimited amounts of user-created trails along the riparian zone.
- North Carolina’s Division of Land Resources (“DLR”) Rule 15A NCAC 04B .0125 specifies buffer zones for trout waters must be a minimum of 25-foot measured horizontally from the top of the bank, scouting trails along the river would directly violate such a mandate.
- No trails can be created in North Carolina without a trout buffer variance request through the DLR Central Office. However, the EA proposes that user created trails in unlimited quantities and lengths would be acceptable under the proposed alternative.
- Removing the buffer zone vegetation adjacent to protected trout water will cause adverse stream temperature fluctuations; under 15A NCAC 2B .0211, such action is prohibited.

For each of the reasons listed above, new scouting, portage and access trails (many of which will be user-created) would violate NC laws, WSR laws, NEPA mandates, contradict the NCRS recommendations, and conflict with Forest Service Best Management Practices (BMPs) for managing riparian zones.

Absolutely no monitoring under adaptive management is mentioned with respect to user-created riparian trails. Such direction is negligent given that the user-created riparian have been targeted as requiring mitigation measures, before adding new boater required trails.

As outlined previously, the scouting and portage trail assessment is hugely underestimated, distorted and highly suspect; the trail review was conducted by the kayak lobby's preferred consultant using the kayak lobby methodology.

V. Where are the Access Prohibitions for North Carolina?

The proposed alternative eliminates restrictions on boating in North Carolina, without assessing the associated impacts of such action. Where in the EA are the restrictions on boating in North Carolina? If there are none, where is the assessment associated with the elimination of the current boating restrictions?

VI. Impacts During Low flows:

Further, the impact to the riverbed environment created by eliminating flow restrictions (previously considered) is absent. Specifically, the EA ignores assessing those times when flows are not sufficient to float. This despite acknowledging that insufficient flow will color the rocks which is simply evidence of impacting the riverbed.

During the 2007 Flow Study, boaters reported as many as 15 'hits' to the Chattooga Cliffs streambed, when the flows were elevated at 400cfs. Permitting boats at any level, would certainly increase streambed impacts as the water level are decreased from 400cfs.

Had the Forest Service policy proposed dragging skiffs weighing as much as 300lbs along the gravel river beds for up to 10 miles at a time, heads would be rolling out the Sumter Forest offices. Oddly, the current EA proposes boating during insufficient flows which would impact the resource in the exact same manner as dragging a 300lb skiffs down the streambed.

The EA suggests sanctioned destruction of the Chattooga gravel beds (critical for trout habitat), but only for members of the precious paddling community. Such a proposal is akin to allowing snowmobiles in Yellowstone during the summer or ORVs driving through small streams.

VII. Private Property

The EA includes private lands within the geographic scope of review (p.4), yet ignores reassessing the impacts to private lands; this is a violation under NEPA and EO 13352.

The Forest Service documented streambed ownership (based on the streams non-navigability) in 1971 as required for WSR designation. However, the EA claims that navigability was never “formally analyzed by any federal or state agency or authority”. A review of navigability is synonymous with the review of streambed ownership, and documenting land ownership is a prerequisite for WSR designation; the Forest Service meet their obligation when they published that the streambed was not owned by the State, but rather by the riparian landowner. Congressional approval codified riparian owner rights at the time of designation; changes to that vested right cannot be made without just compensation to the riparian owner [16 § 1284(b)]. The Forest Service cannot rewrite, or renounce, a study that they authored and submitted to congress for WSR approval... without consequence.

Further, the Forest Service is ignoring their own guidelines which compel the agency to consider rivers non-navigable, until adjudicated otherwise (FMS 2354.14). The agency is compelled to assess the 1.7 mile stretch as non-navigable, even without a judicial determination. Instead, the USFS has illegally avoided re-assessment of the 1.7 miles, while including it within the assessment scope. If the Forest Service plans to alter policy, the previously documented impacts to the current social, economical and physical environment through these 1.7 miles cannot be ignored.

VII. The Legal Repercussions of Promoting Natural Selection.

Page 466 of the EA notes accidents and fatality are expected. The EA references a statement already published by the USFS in 2007 that “*there are going to be some accidents, injuries and eventually a fatality*”. In addition, the 1976 Development Plan submitted to congress notes that *this section is too hazardous for floating*.

Prior to making a final Decision the USFS must consider the severity of each impact; specifically “*The degree to which the proposed action affects public health or safety*” under [1508.27 b 2]. Fatalities would appear to ‘affect public health and safety’ to the highest possible degree of severity (especially by trial lawyers representing a deceased kayaker’s family). Establishing WSR policy, will require the agency to find that *expected accidents and deaths* are not significant impacts. This is inconsistent with agency policy elsewhere within the Nantahala Forest, and likely to be found negligent on the part of the agency. Elsewhere, the Forest Service has curtailed and prohibited recreational access for far lesser threats to human safety.

Consideration of S&R Safety can not Legally be Ignored

Page 466 also notes that Search and Rescue is expected to occur, but does not consider the safety of the S&R professionals. When considering indirect affects to any policy, the risks to S&R professionals should be assessed. So not only is the safety of those poor unsuspecting paddlers in jeopardy, but so is the volunteers from the S&R teams.

At an absolute minimum, the USFS should add safety to adaptive management monitors which automatic trigger the return of the 1985 boating prohibitions. When the highly distorted safety statistics (published by the kayak lobby's recommended consultant) proves to be inaccurate, claims of gross negligence will be the fault of the agency who instituted such a negligent policy.

IX: Adaptive Management

The EA has not identified potential 'adjustments' that may be pursued under 'adaptive management as required under [36 § 220.7 (b), 2, (iv)].

The monitoring variables suggested under adaptive management have little to do with the agency's proposed action to expand boating. The only monitoring variable proposed are those suggested by the kayak lobby consultant; these are extremely biased. Variables should include:

- On-the-river encounters (conflicts between anglers and boaters); these are not included in the assessment or as a monitored variable.
 - Boater trail proliferation is expected and unknown, lengths of user-created trails requires monitoring. Location and lengths of these trails require monitoring.
 - Accident Statistics should be monitored with corrective action triggers established..
-

X: When does the next round of Forest planning Start for Sumter NF?

According to the EA, forest plans are scheduled to be renewed every 10-15 years. Since the last plan was published in 2004, a new Forest plan is due as soon as spring of 2014.

Why is this issue, not combined with the RFEIS and Sumter Forest Plan. Certainly everyone can wait a few more years, since boating remains available below highway 28.

XI Parking at Grimshawes Bridge:

The 2011 EA appears to have included private property (specifically roadside parking) along Whiteside Cove Rd in NC within the "available capacity" for public use.

The only roadside parking considered in the entire analysis is at Grimshawes Bridge, and most of that area is privately owned. All other bridges only count paved parking as available parking in the capacity plan. This inconsistency makes the claiming of private property in a capacity analysis a clear abuse of agency discretion.

The current EA acknowledges that roadside parking after heavy rains (when boaters will use the river) will likely lead to road bank failures and costly repairs. This will not only be costly to the taxpayers of Jackson County, NC, but will also produce sediment (pollution) into the river in direct violation of the Clean Waters Act, the WSR act, and NC state water laws protecting ORW waters. Environmentally damaging parking, cannot be considered 'available capacity'.

XII Flow Studies

The EA contradicts the results from the 2007 recreational flow analysis that noted:

“it is clear that acceptable ranges for the two groups overlap overlap.”

Pg 42, 2007 *Upper Chattooga, Expert Panel Field Assessment Report*

By August of 2009, the FS made flow comparisons using only ‘optimal’ flow conditions:

“optimal flows for Fishing end between 250 and 450cfs at Burrells Ford”

P.1, Aug 2009, *Response to Public Comments*, USFS

The revised 2011 EA now claims angling is only optimal below 250cfs.

Finding suggest anglers can fish higher flows (more then 250 to 350cfs at Burrells Ford), but optimal flows for fly and spin fishing are lower. (ID@ 75)

The shifting of the flow assessment from the original data is clearly erroneous. The new EA implies angling is either poor, or impossible, during boatable flows. The evolution of the facts toward the preferred alternative does not meet the required standards of objectivity nor has the author of this section even tried to hide the manipulation of data and erroneous interpretations.

The Forest Service continues to misrepresent flow levels and visitor data throughout the analysis. In addition, the forest service misapplies data from lower sections section suggesting this data applies to the entire 21 mile stretch. Each misrepresentation is incorporated into the EA in a fashion that claims other river visitors are absent during boatable flows. This is simply not true as demonstrated in this YouTube video <http://www.youtube.com/watch?v=Mbd3sHknSKc>.

All of the thirteen errors, made while ‘interpreting’ the flow study data, benefits boaters, while none benefit anglers or swimmers. The probability of thirteen errors all favor boating is a random occurrence, is as likely as winning the Powerball Lottery.

All these abnormalities have been included within my previous comments to the Forest Service, with the hope that the Forest Service would correct errors; none were corrected.

With this letter, I am requesting that this issue be turn over to the CEQ for evaluation of the objectivity of the recreational planning team members as-well-as the design and execution of the flow study analysis. A review of the original flow study data, compared against the current EA indicates a clear bias within the analysis process, or from some planning team members.

Leigh Hilger
<lhilger@haywood.main.n
c.us>

08/16/2011 06:41 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject chattooga comment

Ii would like to weigh in on the Chattooga access for paddlers.

First of all, I am not an avid whitewater paddler but am an avid hiker and defender of fair access. There is a lot of debate about impact of paddlers on the environment, which I think is unwarranted. It has been my experience that paddlers are just as environmentally conscious as other user groups and more so than some (hiking and camping Boy Scouts, for example). Hikers use existing trails, fisherman often use trails to get to the river and often create more "fisherman's" trails along the bank where they then wade (which is not desirable) and paddlers float downstream on water, leaving no trace except footprints on the existing trail perhaps a little impact on the rocks where they put in and took out. I see paddlers carrying, not dragging, their boats on the trail so, essentially they are hikers and the hiking trails are already there. Maybe we are misplacing our concern. An individual sport itself doesn't do impact but the individuals do and I've certainly seen my share of large running groups or hiking groups spread out off the trail creating loads of impact, not to mention noise, thus negatively affecting my experience. Education may be what is needed, not access restrictions on some groups but not others.

I've heard comments that kayaking is an extreme sport and therefore doesn't belong on the upper Chattooga. That is a biased and ignorant statement. Wild and Scenic access guidelines do not specify that "extreme" sports are excluded. Who is to make that judgement anyway? One could easily argue that fishing is extreme, it is injuring or killing innocent creatures just trying to live a peaceful life in the water, but it hasn't been restricted. Trail running can be dangerous and those running are not out for a meditative walk but for a more 'extreme' experience that they don't get on a gentle hike but there is no restriction on the speed that one can travel on the trail. The existing and proposed restrictions on paddlers, if based on this type of bias and thought process, are restrictions I would expect if they were being made by a fourth grade class. The Chattooga access is decided based on studies and by supposedly intelligent, unbiased individuals that we entrust with the care of our wilderness; I expect more from them than I'm getting.

User groups should be able to co-exist and some tolerance needs to be learned. We are all there for the same thing, to appreciate and enjoy the woods, and all it has to offer, in our own way. Paddlers would, regardless of legal restrictions placed upon them, only paddle the river when the water is higher and floatable for a boat. These higher water times are short and often during or following a period of excessive rain, which makes the water conditions less desirable for fisherman; a win-win situation for both parties. Wilderness would not be protected if people didn't have passion to do so. That passion grows when they experience a place and they can't do that if they aren't allowed in. We need responsible and wise access guidelines that are fair and not based on historical use but contemporary values and equitability.

I look forward to a fair and just decision.

Leigh Hilger
Wayesville, NC



**Christina A
Zissette/R8/USDAFS**
08/16/2011 11:20 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Scan of hardcopy comment letter from Robert Webb dated
08/04/11

Christina A. Zissette

Program Assistant
Francis Marion & Sumter National Forest
4931 Broad River Road
Columbia, SC 29212
Phone: 803-561-4074



Fax: 803-561-4004 Robert Webb comment letter dated 08-04-11.pdf

August 4, 2011

Mr. Paul L Bradley, Forest Supervisor
Francis Marion & Sumter National Forests
4931 Broad River Road
Columbia, SC 49212

Dear Mr. Bradley,

I think the Forest Service had it correctly in the first place in the January 1976 forest plan. The whitewater people are relentless and want it all.

I remember quite well attending a few years ago a meeting in Wallhalla, SC to try to get some reasonable solution between the whitewater folks and the fishermen, campers and hikers, etc. The whitewater people at every table would not give an inch. One table, whose spokesman was Canie Smith said that at his table the fishermen had asked for just 2 miles of the Chattooga and the whitewater folks could have the rest of the river (55 miles). The whitewater people would not even agree to that proposal. The whole meeting was a waste of time.

I asked a gentleman at my table, who was a paid attendee of the whitewater folks, why they wanted the upper part of the Chattooga when they already had access to 37 miles of the best part of the river. His answer was, "because we want to go anywhere we want".

I firmly believe that if the American Whitewater is successful in getting what they want on the Chattooga River, they will use it as a precedent to gain access to other areas now restricted to them in the US. What better argument for them to have and say we have access the wild and scenic Chattooga River. I believe this is a test case for them.

Goodness knows, the whitewater folks have access to all sorts of waters through out North and South Carolina and all over the United States. There are few pristine waters for trout fishing and other non-invasive activities left in this part of North Carolina. Please, please leave it as it was established in 1976. The American Whitewater are not unfairly excluded.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert S Webb, Jr.", with a stylized flourish at the end.

Robert S Webb, Jr.

RS Webb, Jr.

Webb
INSURANCE

216 Asheland Avenue
P.O. Box 3320
Asheville, NC 28802

5757347770 575

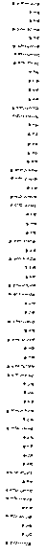
ASHEVILLE NC 288

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Mr. Paul L. Bradley, Forest Supervisor
Francis Marion S. Sumter National Forests
4931 Broad River Road
Columbia, SC 49212

2821243330



Steve Campbell
<stebo6575@yahoo.com>

08/16/2011 11:52 AM

Please respond to
Steve Campbell <stebo6575@yahoo.com>

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Chattooga Head Water

I read an article at smokeymountainnews.com titled Stand Off Over The Chattooga Nears Finale. Typically I take a spectator seat in matters such as these and watch as the pieces fall where they may. However I find it difficult to sit idly by without casting my two cents upon the issue. I am an avid outdoors man. A hiker, biker, camper, occasional fisherman, climber, and a kayaker. There is no place I had rather be than out enjoying nature beyond the reaches of urban sprawl and enjoying the "solitude" that Mr. Williams speaks of in the article. But in addition to being an outdoors man I am also a free, law abiding, Federal tax paying American who still believes in "this land is your land, this land is my land", "Life Liberty and the Pursuit of Happiness", and the Constitution of the United States of America.

I would never profess to having such knowledge of the Chattooga as to know when the river levels are high enough to kayak, when the fishing is prime, or even attempt to argue how the two sports may conflict with one another but I will say that I strongly disagree with kayakers being some unruly bunch of wilderness trashing people. In my experience with the class IV and V boating community it is exactly the opposite. Yes, I have seen novice boaters drag boats down foot trails and widen them out. Yes I have seen novice boaters that do not know how to pack paddle gear for a trip go for a swim and their gear is lost to the river polluting it. But these are not the people we are talking about here. The people wanting to run the head waters of the Chattooga are no weekend warriors. Most are semi to expert boaters who have been boating for years. They are physically fit individuals that do not drag anything anywhere. If you have any doubts about that do yourself a favor. Pick any Saturday afternoon when the dam is operating at the Tuxedo Hydro station on the Green River in Saluda NC and go sit at the bottom of the half mile long put in trail and watch the class V boaters getting ready to run the Narrows and count just how many you see dragging their boats to the put in. Likewise, sit at the top of the trail head and count how many of the class II boaters who take out before the Narrows that drag their boats out. What will be observed is the difference between night and day.

As a kayaker I can tell you this: kayakers had much rather find an eddy that has a small sand bar to get out of our boats when it comes time to portage rather than try and clamber up onto sketchy rocks. Kayakers paddle in without injury and prefer to paddle out the same way. Rocks are slick and often sharp and getting out of a boat that is still floating in water is difficult. Docking on a micro beach is ideal. When kayakers do occasionally portage something it is preferred to get back into the water as soon as possible; taking the shortest route possible along the river bank. Kayakers are on the river to kayak, not to hike. Otherwise they would have left the boat at home. Blazing a portage trail is not desirable with a fifty pound boat over one shoulder, paddle in the other hand, and an additional twenty pounds of wet expensive gear being shredded by bushes as we go through the woods. Kayakers walk in the water, on the rocks or on the sand. If for some reason it is required to leave the river bed or banks it is often via the path of least resistance and not

for very long. This path is often foot paths created by fishermen who are dodging the same very thing that kayakers are while in search of a better fishing hole.

The kayaking community is not appreciative of the attempts to leverage the bulk of destruction to the environment along the river bank onto us. We are not the ones stomping around in the weeds in our waders, snapping off tree limbs over hanging the river that the fly we spent thirty dollars and two hours making is tangled in. I have seldom seen kayaks, paddles, or associated gear littering the banks of any river I have ever visited but I can not walk for more than a hundred yards along any river bank before I find fishing line with a hook still attached hanging from a tree. Talk about environmentally destructive. I bet squirrels and birds love that. Or how about the worm cans and broken branches to ease river access or bank casting? Not to mention the constant fire rings from the campsites which typically is accompanied by some form of litter around the campsite, slash marks in the surrounding trees from axes and knives, or worse -nails in the trees! And just how did those rocks get in a ring to begin with? Where did they come from? Was a salamander or earth worm suddenly evicted from their home? Destruction. Lets examine this for one moment. Which is more destructive? A persons feet stomping around in the river bed where fish spawn and lay their eggs to hatch, or a boat gliding across the surface of the water that seldom comes in contact with the sands and gravel of the river bed? How many cray fish are stomped to death by kayaking? How many fish lips and lungs are ripped off or out by kayaking? Not a single one.

Mr. Williams also mentions destruction of the mosses growing upon the rocks along the river as being fragile and subject to damage by kayakers. That boarder lines on being a straw mans argument. How do the hikers and fishermen avoid creating the same damage? Does being a kayaker revoke ones ability to levitate over such fragile obstacles? No. Being a kayaker gives a person insight as to what a river looks like when the water is high enough to paddle and to know what a river looks like when it jumps its banks during flood stage while the fishermen are at home keeping dry making flies and the other outdoor enthusiasts are inside trying to stay warm and dry too. Mother nature is a destructive force that recreates herself through constant destruction that mankind cannot even begin to compete with. Pieces of drift wood, the erosive power water, sand grit, rocks and boulders coming down the stream does far more damage to the plants and mosses along the banks in one single flood than if the Chattooga gorge was opened up like a Six Flags amusement park and the multitudes were welcomed in daily to walk the banks. I am not sure what sort of moss Mr. Williams has seen, but most moss tends to grow on the shaded damp sides of rocks, not so much on the sunny tops of rocks which is where people tend to walk. Most of the outdoors folk tend to like sure footing as opposed to unsure footing. When is the last time you can recall someone saying: "hummm, the moss on that rock beside the thirty foot fall into a raging torrent of a river looks like a damn good place for me to step rather than that nice clean rock over there"?

In regards to creating a trail to access a put in for kayakers being destructive to the environment, well how much complaining occurred when the environment was "destroyed" to put in an access trail for hiking, biking, camping, and fishing? Here is a simple idea: why not remove the access trail for fishing, hiking, camping and biking so that everyone including kayakers does not have a trail? That is fair isn't it? If an individual truly stands behind their beliefs that there is a negative impact to the environment by creating a new trail they would agree. There is actually a term used for it called zero trace hiking and camping. No trail, no sign that a person was ever even there. The Earth, this Nation, the states of Georgia and South Carolina, and the Chattooga river is for all of us to share, enjoy and protect and we each do it in our own way as individuals and sometimes as groups. Nothing should give one individual or one group anymore privilege over another when it comes to something we all collectively own as Americans. Even solitude has to be shared

sometimes and if that is not good enough for some of us to swallow, perhaps we should go find another rock to live under.

Steve

Campbell

stebo6575@yahoo.com

Marshall/K - 20110816

Kenneth Marshall
607 Lighthouse Court
Seneca, SC 29672

Comments on the Upper Chattooga EA
c/o USDA Forest Supervisor's Office
4931 Broad River Road
Columbia, SC 29212-3530

August 14, 2011

To Whom It May Concern:

I am writing to express strong opposition to the Forest Service plan to develop a new access trail in the upper Chattooga River basin, at the confluence of Green Creek and the Chattooga River, between Highlands and Cashiers, NC (as discussed in the Seneca Daily Journal on 8/5/2011). Please leave at least some portion of this wonderful area to hikers seeking a truly wild and scenic landscape, as opposed to having this section also over-run by thrill seeking paddlers. I've enjoyed myself and have no opposition per se to rafting, kayaking, or canoeing, but think it more reasonable to confine these activities to the extensive lower reaches of the Chattooga.

Thank you for your attention to these comments.

Kenneth Marshall

Kenneth Marshall

kamarshall@bellsouth.net



Kenneth Marshall
607 Lighthouse Ct
Seneca, SC 29672-6961

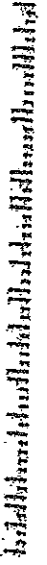
SENT 11.01.94



GREENVILLE SC 296
15 AUG 2011 PM 2 T

Comments on the Upper Chestoga - EA
c/o USDA Forest Supervisor's Office
4931 Broad River Road
Columbia, SC 29212-3830

25212+3830



"Robert"
<b4qqkrymyb@snkmail.com>

08/17/2011 10:48 AM

To comments-southern-francismarion-sumter@fs.fed.us
cc
bcc

Subject Chattooga Headwaters

It looks like this debate has been going on for such a long time and it makes so little sense to me!

So, there's a ban on paddling one of our rivers? Why?

If the problem is wear and tear on the trails, why are only paddlers banned? Surely hikers and fishermen impact the trails and streambeds more by walking on it than paddlers do by floating over it. It's true that a minority of boaters drag their boats. I think making putting a ban on boat-dragging would be a wonderful idea. It really seems that so few people drag boats in the first place and the ones that do drag would honor a drag-ban. But if boat dragging really did turn out to be a problem, which I doubt it would, there are solutions to that. Some places use a pair of close-together hand rails (like those you see on stairs) that paddlers can place their boat across and walk to the river without the boat touching the ground or having to be carried.

If the problem is trash left behind, why isn't there a ban on fishing? Paddlers have an easy way of carrying out anything they're able to bring in in the first place. Fishermen and hikers both have to have a way of carrying their trash and it actually takes effort to carry something as opposed to putting it back in a boat to ride along. And no paddling gear is left behind as frequently as fishing line and hooks. And certainly no paddling gear is the danger to people and animals that near-invisible line with barbed hooks is.

If the problem is lack-of-solitude, then why aren't there controls on hikers and fishermen? Controls like group size limits, max number of people who can access areas on a given day, etc.

All of the problems I've heard about make sense. But why are paddlers singled out as the one group of people that are banned when they have the least impact on the environment of them all? And paddling doesn't even require the expenditure of resources that fishing does in terms of fish stocking. And why are non-native trout stocked in there in the first place?

Thanks for taking comments yet again.

I wish you the best of luck and wisdom in reaching a safe, fair decision.



Georgia Council Trout Unlimited

6105 Paddock Lane
Cumming, GA 30040-5712
mack@mackmartin.com

August 15, 2011

Comments on the Upper Chattooga EA
c/o USDA Forest Service Supervisor's Office
4931 Broad River Road
Columbia, SC 29212

Attn: Mr. Paul Bradley

Dear Mr. Bradley:

Over the past several years you have received many comments from members of Trout Unlimited (TU), a number of the TU chapters and a host of interested sportsmen and women in Georgia regarding the unspoiled fishing opportunities afforded on the upper stretches of Chattooga River. Those comments all had one common theme of preserving this unique and rewarding fishing experience through continued zoning of the activities on the river.

We appreciate the significant effort that the Forest Service made to analyze and attempt to resolve the conflicting issues between the boaters and fishermen and to give all stakeholders the opportunity to comment on the use of the upper 20 miles of the Chattooga River. The wisdom of zoning activities has worked for many years and has afforded many opportunities for excellent fishing and solitude for the anglers and has allowed boating on the lower stretches of the river. While most of our members would have preferred the continued operation with Alternative #3, we can accept the Alternate #12, which will establish backcountry capacities to minimize encounters between boaters and anglers, reduce campsite density to maximize opportunities for a solitude experience for all, provide boaters floating the upper river when flow levels are best suited for their interests and most importantly to prohibit the removal of in-stream woody debris that is critical to the habitat for trout.

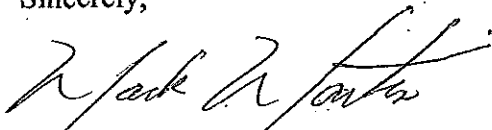
The enforcement of these new zoning requirements is paramount to the success of Alternate #12 along with stringent penalties for breaking the rules for boating above highway 28 bridge. The current fine of \$50 will likely not deter many and that fine should be increased tenfold to \$500 or more.

We understand that other interests for the use of the upper 20 miles of the Chattooga River seek unrestricted access to that part of the river. Unfortunately such access would spoil the unique

fishing experience and solitude that trout anglers seek. The continued zoning restrictions in Alternate #12 will hopefully resolve most of these differences and serve to minimize conflicts in the future.

On behalf of the Georgia Council of TU I thank you and your staff for your efforts to resolve this crisis and wish that all sportsmen would be fair and considerate of their sports peers, so that future generations can continue to enjoy solitude and the beauty of an unspoiled wilderness area.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack Martin", written in a cursive style.

M. A. (Mack) Martin
Chairman
Georgia Council Trout Unlimited

Cc: Georgia TU Chapters



#098

Georgia Council Trout Unlimited
6105 Paddock Lane
Cumming, GA 30040

NORTH MEYER, GA 30040

15 AUG 2011 PM 3 T



AUG 17 2011 AM 11:50

Comments on the Upper Chattooga EA
c/o USDA Forest Service Supervisor's Office
4931 Broad River Road
Columbia, SC 29212

Attn: Mr. Paul Bradley

29212+3530

[Barcode]

Roland McNutt
<rolandmcnutt@yahoo.com>

08/17/2011 11:21 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Chattooga River

USFS

I have paddled the Chattooga River since Deliverance came out in 1972.

Since then I have paddled most of the original 8 Wild and Scenic Rivers of the US, and a hundred other rivers. No one can live in harmony. I have nothing against fishermen. They should have nothing against me.

Please change your policy to allow boating on all of the Chattooga.

happiness and joy

lisa and roland

Ed Schuler
<schuler@atlanticbb.net>

08/17/2011 06:19 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Upper Chattooga Access

As a resident of South Carolina I would like to begin by stating that I am proud of the natural treasure of the Chattooga and its protected river basin. Recently I was introduced to the sport of kayaking by my son, who as a avid kayaker and is as thrilled with the sport as he is the beauty of the river. At 57 years of age I am surely glad I was given the opportunity to see the river by boat - it is an experience to be be cherished. I must add that to fully experience this Wild and Scenic River you must see it by boat. Of course this river is only navigable by small craft such as a canoe or kayak, both of which have less environmental impact that any other means of traversing the area.

I fully respect the right of fishermen. Fishing is one of my main recreations along with shrimping in the beautiful Carolina coastal waters. I believe my right to fish and shrimp should not take precedence over the right of any others to enjoy the waterways of South Carolina. Conversely I believe that fisherman should not interfere with the right of boaters to use the rivers for their enjoyment. In my experiences on the Chattooga there didn't seem to be enough private kayakers nor fisherman to bother each other. The upper section should be seen and admired by all. From a boat it would be a spectacular view of God's creation.

No restrictions should be placed upon boaters wishing to float any portion of the Chattooga. There is plenty of river for all to find peace and solitude in their own way.

Respectfully,

Ed Schuler, Engineer - Savannah River Site
681 Pintail Drive
Aiken, SC 29803

--

Ed Schuler
Aiken, SC

(from my desktop computer using Mozilla's Thunderbird email client)



TROUT UNLIMITED

Upper Chattahoochee Chapter

August 16, 2011

Mr. Paul L. Bradley
Forest Supervisor
Francis Marion and Sumter National Forests
4931 Broad River Road Columbia, SC 29212

Re: Environmental Assessment on Managing Recreation Uses on the Upper Segment
of the Chattooga Wild and Scenic River dated July 15, 2011 (EA)

Dear Mr. Bradley:

The Upper Chattahoochee Chapter of Trout Unlimited supports and fully incorporates herein the comments previously submitted on the referenced EA by the Georgia Council of Trout Unlimited:

“Over the past several years you have received many comments from members of Trout Unlimited (TU), a number of the TU chapters and a host of interested sportsmen and women in Georgia regarding the unspoiled fishing opportunities afforded on the upper stretches of Chattooga River. Those comments all had one common theme of preserving this unique and rewarding fishing experience through continued zoning of the activities on the river.

We appreciate the significant effort that the Forest Service made to analyze and attempt to resolve the conflicting issues between the boaters and fishermen and to give all stakeholders the opportunity to comment on the use of the upper 20 miles of the Chattooga River. The wisdom of zoning activities has worked for many years and has afforded many opportunities for excellent fishing and solitude for the anglers and has allowed boating on the lower stretches of the river. While most of our members would have preferred the continued operation with Alternative #3, we can accept the Alternate #12, which will establish backcountry capacities to minimize encounters between boaters and anglers, reduce campsite density to maximize opportunities for a solitude experience for all, provide boaters floating the upper river when flow levels are best suited for their interests and most importantly to prohibit the removal of in-stream woody debris that is critical to the habitat for trout.

The enforcement of these new zoning requirements is paramount to the success of Alternate #12 along with stringent penalties for breaking the rules for boating above Highway 28 Bridge. The current fine of \$50 will likely not deter many and that fine should be increased tenfold to \$500 or more.

We understand that other interests for the use of the upper 20 miles of the Chattooga River seek unrestricted access to that part of the river.

KEVIN F. MCGRATH
PRESIDENT
3391 WINDSONG COURT, ROSWELL GA 30075
(404) 668-5835 PRESIDENT@UCCTU.ORG

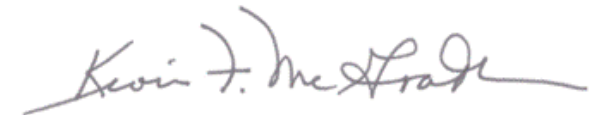
Unfortunately such access would spoil the unique fishing experience and solitude that trout anglers seek. The continued zoning restrictions in Alternate #12 will hopefully resolve most of these differences and serve to minimize conflicts in the future.

On behalf of the Georgia Council of TU, I thank you and your staff for your efforts to resolve this crisis and wish that all sportsmen would be fair and considerate of their sports peers, so that future generations can continue to enjoy solitude and the beauty of an unspoiled wilderness area.”

The mission of the Upper Chattahoochee Chapter of Trout Unlimited is to conserve, protect and restore Georgia’s cold water fisheries and their watersheds. This letter represents over six hundred seventy five members, many frequent visitors to the Upper Chattooga River, who are concerned about conserving and protecting its unique legacy. We strongly assert that the Upper Chattooga River’s Outstanding Remarkable Values (ORV) can only be maintained through active enforcement of the zoning stipulations.

Thank you for the opportunity to submit comments. Please contact me directly with any questions or comments.

Regards,

A handwritten signature in dark ink, reading "Kevin F. McGrath". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin F. McGrath
President

cc: Mack Martin, Chairman, Georgia Council of Trout Unlimited

**James H
Knibbs/R8/USDAFS**

08/18/2011 08:03 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Fw: WWW Mail: Non Commercial Kayaking above 28
Bridge

Please see message at the end of this e-mail.

Jim

----- Forwarded by James H Knibbs/R8/USDAFS on 08/18/2011 10:01 AM -----

Carol L Forney/R8/USDAFS

08/18/2011 09:24 AM

To James H Knibbs/R8/USDAFS@FSNOTES, Mary W Morrison/R8/USDAFS@FSNOTES

cc

Subject Fw: WWW Mail: Non Commercial Kayaking above 28 Bridge

I suppose this is a comment, so I am forwarding to you. If you think Mike Crane should be included, please forward to him.

Thanks

~~~~~  
Caroline Forney  
Information Assistant  
GIS/Planning/Public Affairs (GISPPA)  
Francis Marion & Sumter  
National Forests (South Carolina)  
4931 Broad River Road  
Columbia, SC 29212-3530

Phone: (803) 561-4002  
Fax: (803) 561-4004  
E-mail: cforney@fs.fed.us

----- Forwarded by Carol L Forney/R8/USDAFS on 08/18/2011 09:23 AM -----

**Immerck@bellsouth.net**

08/17/2011 09:13 PM

To cforney@fs.fed.us

cc

Subject WWW Mail: Non Commercial Kayaking above 28 Bridge

I am an avid kayaker on the Chatooga. My river experience has been that kayakers

and canoeist protect the Chatooga environment better than most campers. We respect fishermen and paddle as far from their position as possible. I would like to see the section above 28 Bridge opened to non motor boating so that awareness is more available to the usage of that section of The Chatooga . In other words , us kayakers would be eyes for misuse of that section of river



Patrick  
<scotts\_creek58@yahoo.com>

08/18/2011 12:44 PM

To comments-southern-francismarion-sumter@fs.fed.us  
cc  
bcc  
Subject Upper Chattooga comments

Please accept these comments on the Draft EA for Managing Recreation Uses on the Upper Segment of the Chattooga Scenic River.



Hopton comments.pdf

Date: Aug 18, 2011

To: U.S. Forest Service  
Chattooga River Project  
4931 Broad River Road  
Columbia, S.C. 29212

From: Patrick Hopton  
205 Scotts Creek Road  
Clayton, GA 30525

Subject: Comments on Draft EA, Managing Recreation Uses in the Upper Segment of the Chattooga Wild and Scenic River Corridor

Please consider these comments pertaining to the Draft Environmental Assessment for Managing Recreation Uses in the Upper Segment of the Chattooga Wild and Scenic River Corridor.

I reside within 15 miles of the Chattooga River. For over 25 years both I and my family have used the upper segment of the Chattooga River on a year-round basis for recreational activities, specifically for fishing, hiking, camping, and swimming. An important aspect of our recreation experience is our high value of solitude. The backcountry of the upper Chattooga River is the only place where we had been assured of a boat-free, solitude experience while recreating near a large, free flowing cold-water river. All other rivers that include boating as a recreational activity did not provide the experience of solitude that we value so much. Therefore **I desire to preserve the experience of solitude on the upper segment of the Chattooga River.**

After examining the range of alternatives presented in the Draft EA, **I prefer Alternative 3.** This alternative is the best one presented that will ensure that my value of a boat-free, solitude experience while recreating on the upper Chattooga will be met, while also addressing concerns of damage to the resource from over-use.

However I recognize there are other recreational users, such as boaters, that do not share my value of solitude. I believe the preferred Alternative 12, with clarifications, can provide a balance of recreational opportunities on the upper Chattooga River. For these reasons, **I support Alternative 12 with clarifications.**

I am asking the Deciding Officer to clarify the following items by inclusion in the Response to Comments:

- **Clarify the means of enforcing the Decision.** During monitoring, some recreational users may be found performing activities that are outside the bounds of the Decision. Enforcement actions, such as penalties, may be used as a direct measure in the management response. It is unclear what those penalties will be and if those penalties will be sufficient to encourage recreational users to return to the activities within the Decision.

I encourage the Forest Service to set penalties appropriate for the activities done outside the bounds of the Decision. Penalties should be set in such a way that those committing activities outside the bounds of the decision will be highly discouraged from repeating that activity.

- **Clarify the limits of any additional management actions.** Additional management actions may be taken when the agency needs to address problems revealed through monitoring (Draft EA, pages 38-39). It is unclear as to whether additional management actions can be only actions addressed in the effects analysis of the selected alternative, or if the effects of the additional management actions can be addressed in alternatives not selected by the Deciding Officer. A Deciding Officer chooses to not select an alternative because of its effects. Therefore if an additional management action is addressed in an unselected alternative that action would be outside the scope of the Decision.

I encourage the Forest Service to restrict any additional management action to only those that have been addressed in the effects analysis of the selected alternative. Any additional action with effects not addressed in the selected alternative should require new public involvement and a new Decision.

- **Clarify the continuing need for the USGS water gauge located at the Burrells Ford bridge.** This gauge was placed in support of the first Draft EA, which had a preferred alternative that included boating restrictions as determined by water flows. During that Draft EA's second comment period, this water gauge was recognized as new information and public support for its placement was noted. Since the current Draft EA has a preferred alternative without the water flow restriction, it is unclear as to whether or not the Burrells Ford water gauge will remain in place. However for the period of December 1 through March 1, the gauge will be useful in determining when boating activities may occur.

I encourage the Forest Service to petition the USGS to keep the Burrells Ford water gauge in place as tool to monitor recreation uses in the upper Chattooga River. By determining when boating may occur, I will be able to use the gauge as a means to meet my desire for a boat-free recreational experience with solitude during the December 1 through March 1 period.

With appropriate enforcement measures, limiting additional actions to only those addressed in the alternative's effects analysis, and the continued use of the water gauge at Burrells Ford bridge, I believe Alternative 12 will meet my desire of a recreational experience with solitude on the upper segment of the Chattooga River.

I appreciate the work done by the Forest Service in managing recreation uses in the upper segment of the Chattooga Wild and Scenic River Corridor. Thank you for considering my comments in your decision.

/s/ Pat Hopton

**Clark Rodgers**  
**<Clark.Rodgers@northhig**  
**hland.com>**

08/19/2011 06:00 AM

To "comments-southern-francismarion-sumter@fs.fed.us"  
<comments-southern-francismarion-sumter@fs.fed.us>  
cc "asago@silverpop.com" <asago@silverpop.com>,  
"begeland@mastest.com" <begeland@mastest.com>,  
"bettymark27@yahoo.com" <bettymark27@yahoo.com>,  
"blang50@aol.com" <blang50@aol.com>,  
"bret.nelson@yahoo.com" <bret.nelson@yahoo.com>,  
"clarkrodgers@bellsouth.net"  
<clarkrodgers@bellsouth.net>, "ddavis@ers.state.ga.us"  
<ddavis@ers.state.ga.us>, "dormor4@att.net"  
<dormor4@att.net>, "greglsmith@mindspring.com"  
<greglsmith@mindspring.com>, "grizzz1@mac.com"  
<grizzz1@mac.com>, "jedwards@bellsouth.net"  
<jedwards@bellsouth.net>, "pgmtrout@charter.net"  
<pgmtrout@charter.net>, "schlaugh@comcast.net"  
<schlaugh@comcast.net>, "skeeble@mindspring.com"  
<skeeble@mindspring.com>, "smalatar@hotmail.com"  
<smalatar@hotmail.com>

bcc

Subject Opposition to Any Change in Boating Rules for the Upper  
Chattooga River

Dear Sir or Madam,

My name is Clark Rodgers, and I am the President of North Georgia Trout Online ([www.ngot.org](http://www.ngot.org)). **The purpose of this email is to express NGTO's continued opposition to opening up the upper Chattooga River (upstream of Highway 28) to kayaks / whitewater boating.**

Although Option 12 might be seen as a decent compromise; the problem is going to be enforcement. Federal and State Law Enforcement Officers are already stretched thin as it is, and they will not have the man-power nor time to keep boaters off the upper Chattooga when they are not suppose to be there per the Option 12 rules. We fear a "give them an inch and they will take the entire river" scenario here. Once boaters have gained limited access to the upper Chattooga River, it will be almost impossible to keep them from using that stretch of the river year round. Option 12 may look good on paper, but without a strong commitment (and funding) for rigorous enforcement of Option 12, then it will fail and wilderness anglers and hikers will be on the losing end of this compromise.

When the Chattooga River was first designated as a Wild and Scenic River, the officials of that day were wise to keep one section of the river free from boating to preserve a true wilderness setting for hikers and anglers alike. This is the one and only stretch of the Chattooga River where trout anglers can enjoy a peaceful and serene day of fishing on one of the most beautiful rivers in the nation. Allowing boating on the upper Chattooga will ruin the ability for anglers to enjoy peaceful and productive wilderness angling experience. As you are aware, the river is very narrow in this upper stretch, and thus one cannot have an enjoyable day of fishing if they constantly have to dodge waves of kayaks and canoes coming down river. The very essence of what makes fly fishing for trout on the upper Chattooga would be gone forever if you allow recreational boating to occur there. It should be noted that the boating community has long enjoyed use of the remainder of the Chattooga River downstream of Highway 28, and we at NGTO fully support the continued use of the remainder of the Chattooga River downstream of Highway 28 for recreational boating.

I trust and certainly hope that all of you who are responsible for finalizing the long term usage plan for the upper

Chattooga River corridor have hiked in and seen just how beautiful and serene this section of the river is. I personally have spent my entire life hiking and fishing the upper Chattooga River and would hate to see this last precious section of river opened up for recreational boating. As stated, we fully support kayakers and canoeists continued use of the stretch of the Chattooga River downstream of Highway 28, but we remain strongly oppose any change to the current restrictions in place for boating on the upper Chattooga River.

Sincerely,

CLARK RODGERS

**Predient – North Georgia Trout Online ([www.ngto.org](http://www.ngto.org))**

C: 678.643.9170

This e-mail message and its attachments are for the sole use of the designated recipient(s). They may contain confidential information, legally privileged information or other information subject to legal restrictions. If you are not a designated recipient of this message, or an agent responsible for delivering it to a designated recipient, please do not read, copy, use or disclose this message or its attachments, and notify the sender by replying to this message and delete or destroy all copies of this message and attachments



**Gary Sundin**  
<gwsundin@prodigy.net>

08/19/2011 09:22 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Comments on 2011 draft EA

Thank you for providing an opportunity for input on this document. I am an avid angler and have fished the Chattooga River above Highway 28 frequently for 16 years. Although my current use of the area includes 3-5 days/year, in the past I made 6-20 trips/year to fish this section of river. I also frequently paddle a recreational kayak on non-whitewater lakes and rivers while fishing, and have done some limited whitewater paddling. I am a natural resource professional and have worked with the assessment of federally-managed natural resources.

From my own experiences on other rivers, I know that the presence of kayakers negatively impacts the angling experience. I believe this impact will be particularly negative on the upper Chattooga, an area unique for its seclusion and wilderness nature. The unique nature of the upper River, as a fishing destination, must be emphasized. There are many beautiful fishing destinations in the southern Appalachians, but none have the qualities of the upper Chattooga. The presence of boaters on this water will detract from this highly unique wilderness fishing experience. With this said, I am sympathetic to paddlers that are also keenly interested in experiencing this unique stretch of river, and can understand their frustration with the long closure.

I believe the legislation governing the river supports a management regime that allows for significant providence of boater-free angling. Therefore, I support Alternative 12, as presented in the 2011 Draft Environmental Assessment. I believe it is a reasonable and lawful compromise that will allow both paddlers and anglers to enjoy this unique and beautiful reach. Further, I welcome the efforts to manage all uses in the river to reduce the impacts from social trails and camping areas.

Gary Sundin

240 Gilleland Drive  
Athens, GA 30606  
(706) 340-7628

**JOHN KIES**  
<johnkies@bellsouth.net>

08/19/2011 10:07 AM

To comments-southern-francismarion-sumter@fs.fed.us,  
comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Upper Chattooga - Option 12

Thank you for the opportunity to comment on Option 12.

Option 12 as currently worded is a viable compromise. However, my personal view is that the current version of the regulations is successful and has been for 30+ years. I recognize the value of boating as recreation and accept that the majority of the Chattooga is open to boating.

I am concerned that your compromise solution is flawed in trying to rely on self-registrations and trusting user groups to follow all regulations without law enforcement supervision. This alternative, Option 12, should be put on hold immediately until full enforcement of all the proposed regulations can be documented, funded and staffed. Further, should enforcement become available, this big a change to such a small area must have a review period before final decisions are reached. The alternative should be managed as a two year trial period with funded monitoring by management teams and then evaluated for continuation.

Again, thank you for the opportunity to comment on the preservation of this remaining piece of southeaster forest solitude.

Regards --John Kies--

110 Echo Lane  
Hendersonville, NC  
28739

John C. Kies  
828.698.5207 Home  
404.372.1908 Cell

"Money, like water, follows the path of least resistance" NPR 2008



**larry walker**  
<dixienamos@yahoo.com>

08/19/2011 12:12 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Fw: USFS Chattooga Alt 12 comments from Rabun TU

These comments will be submitted by US Mail in addition to this email version. If you have any difficulty with give me a call.

Larry Walker

706-2444345 cell

--- On **Fri, 8/19/11**, **Larry Walker** <dixienamos@yahoo.com> wrote:

From: Larry Walker <dixienamos@yahoo.com>

Subject: USFS Chattooga Alt 12 comments from Rabun TU

To: "Larry Walker" <dixienamos@yahoo.com>

Date: Friday, August 19, 2011, 1:10 PM

This E-mail was sent from "RNPCB279A" (C3535).

Scan Date: 08.19.2011 13:10:41 (-0400)



20110819131041278.pdf

## Rabun Chapter of Trout Unlimited

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P O Box 371  
Clayton, GA 30525

Comments on the Upper Chattooga EA  
c/o USDA Forest Service Supervisor's Office  
4931 Broad River Road  
Columbia, SC 29212

E-mailed to: [comments-southern-francismarion-sumter@fs.fed.us](mailto:comments-southern-francismarion-sumter@fs.fed.us).

The Rabun Chapter of Trout Unlimited offers the following input to the US Forest Service regarding the Environmental Assessment - Managing Recreation Uses in the Upper Segment of the Chattooga Wild and Scenic River Corridor

We continue to believe that the usage zoning that has been in place since 1976 is the best environmental and social management approach for the Chattooga River.

However, if the FS decides to move ahead with Alternative 12 as outlined in the EA dated July 15, 2011, we express the following concerns that should be addressed:

1. We do not believe the FS can effectively enforce the plan as outlined. The meager \$50 fine for violation is grossly insufficient and will not be effective in deterring violators. Penalties should include much greater fines and equipment confiscation.
2. The two access scenarios should be reversed. We believe there would be fewer in-stream angler-boater encounters if the sessions are flipped because backcountry angling activity below Burrell's Ford begins to increase in February.
3. Parking for boater access is very insufficient at the Thrift Lake and Green Creek put-in's, and will lead to vehicles parking off designated areas. This will lead to erosion and to conflict issues with surrounding private owners and others.
4. There are 2 Lick Log Creeks. The EA needs to be clear that this Lick Log Creek comes in from SC above Highway 28. The other comes in from GA below Highway 28.
5. Winter road access for boaters will likely bring unprecedented stress to the roads and must be accounted for in considering possible additional erosion in the Chattooga corridor.
6. At least one boater access trail does not currently exist. If constructed, it must adhere to BMPs for trails along with all other affected access trails.

Again, we appreciate the opportunity to provide our considered input, and trust that you will make wise decisions that protect the unique and tranquil environment that was envisioned upon the creation of the Wild and Scenic River designation for the Chattooga.

Sincerely,

Larry Walker  
President

**Michael**  
**<mchdrn@aol.com>**

08/19/2011 01:39 PM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject CHATTOOGA RIVER PROJECT

Hello

I would like to make a quick comment regarding access for boaters in the headwaters of the chattooga river, especially the upper most section. I am a kayaker and I greatly enjoy it. I would even like to paddle the upper chattooga, BUT I am also a botanist and ecologist who knows that is not the best use of that section of the river. Not all boaters respect nature, therefore they would trample much of the lush, unique, and special vegetation of the headwaters. Also, there needs to be some section of the river where hikers and/or fisherman can go and not be distrubed by the boating community. As awesome as it may be to boat the upper section (s) of the chattooga it is my strong opinion that access should not be granted.

Sincerely

Michael Dorn  
Seneca, SC

**"Dean Dellinger"**  
**<DellingerD@deflaw.com>**

08/22/2011 07:16 AM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Comments on Alternative 12 from the July 2011 EA

Dear Reviewing Officer,

I am a member of the Whiteside Cove Association who frequents the Chattooga River in Cashiers, NC. I would like to take a moment to comment on the recently finalized Environmental Assessment, and I appreciate your taking my comments under review.

First, the topography along the North Carolina Chattooga varies from very steep gorges to low gradient banks. Yet, only assessment of the steep gorge areas is included when considering capacity for anglers. By only considering the most difficult access spots, the assessment underestimates the ability of the Chattooga to accommodate angling during higher flows. Fly-fishing the area around Bull Pen Bridge remains acceptable at flows as high as 600cfs, as documented within the Forest Service 2007 report.

Many of the smaller tributaries simply cannot accommodate casting due to the overhanging vegetation. These tight tributaries do not offer an alternative for fisherman displaced by boating and associated disturbances. Only the Chattooga still offers an opportunity to enjoy fishing in North Carolina without disturbance.

If the proposed alternative was to allow boating only below Bull Pen Bridge, at least some of the North Carolina angling opportunities would remain available year-round. Unlike boaters, anglers are required to purchase expensive out-of-state licenses when fishing in other states. The Sumter Forest Service should continue to offer diverse recreational opportunities in each state, especially during the higher flows. The entire Chattooga should be monopolized by a paddling monoculture.

Finally, the EA proposes boating initiates at Greens Creek, without providing the details on how boats will arrive at this location. Without assessing the impacts associated with paddlers influx to the confluence of Greens Creek, it is impossible to comment on the proposed new access point.

*Dean A. Dellinger*  
404-885-6439

**"Peter McIntosh"**  
<petermac@windstream.net>

08/19/2011 09:07 PM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject upper Chattooga comment

occasional boating - okay, unlimited boating - no!

Thank you,

Peter McIntosh

706.490.1247

[www.mcintoshmountains.com](http://www.mcintoshmountains.com)

=====

Email scanned by PC Tools - No viruses or spyware found.  
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<http://www.pctools.com>

=====

**"GUYNELLE ROBBINS"**  
<guynelle@windstream.net>

08/20/2011 10:42 AM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Opening the 16.5 miles of the Upper Chattooga for  
paddling

The question of opening the 16.5 miles of the upper Chattooga for paddling is an issue that has been rattling around for far too long. It would appear that it will continue as long as there are paddling companies, such as American Whitewater, who have the funds to continue the fight. However, there are citizens who refuse to give up on surrendering the upper Chattooga to paddling.

Not only the river will be invaded but also the fragile areas of endangered plants. You cannot haul canoes and rafts to the river without making a trail-a very wide trail. This will open the areas to be used for portaging to trampling many plants, shrubs and trees with erosion of the soil to follow. This debate is not just about allowing some paddlers to have access to yet another part of the Chattooga but also about the natural ecosystem that needs to be protected.

The forest service has stated that it will monitor the trails and the number of paddlers and how are they going to do this? They can barely handle the maintenance of roads, trails, and camp grounds now. The economy is not getting any better and I do not see that the US government is going to provide them with additional funds in the near future. They, in fact, will probably have a major budget cut for the next several years.

I urge you to allow the 16.5 miles of the Upper Chattooga to be left as wild as it is at this moment. I believe that is why it was approved by Congress as a Wild and Scenic River.

Guynelle Robbins



**"Charlie & Kathy  
Breithaupt"**  
**<knc615@windstream.net>**

08/21/2011 06:04 AM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Boating Zoning from The Breithaupts 08/21/11

Attached is our letter for comment on the Chattooga River Zoning - it is also in the body of this email.

Thanks,

Kathy & Charlie Breithaupt  
194 Kitchins Lane  
Clayton, GA 30525  
knc615@windstream.net  
(706) 782-6954

Kathy and Charlie Breithaupt  
194 Kitchins Lane  
Clayton, GA 30525  
August 20, 2011  
Comments on the Upper Chattooga EA  
C/o USDA Forest Service Supervisor's Office  
4931 Broad River Road  
Columbia, SC 29212

E-mailed to: comments-southern-francismarion-sumter@fs.fed.us  
Attn: Paul Bradley - Forest Supervisor  
Subject: Comments on the Environmental Assessment dated July 15, 2011

Dear Mr. Bradley:

For the past decade we have been very aware of and involved in the on-going planning and management of the Upper Chattooga River. We are both active members of Trout Unlimited, the Chattooga Conservancy and Georgia Wildlife Federation. Also, we are frequent visitors to the upper Chattooga.

Several years ago the Forest Service conducted a lengthy and thorough process and decided to continue the zoning of the river as it had been for about 30 years. This seemed like a breath of fresh air as you stuck by what you had seen work so well for a long time. Then another "process" was conducted and a preferred alternative was selected that had part of the river open to boating during designated dates and at certain water levels. Some felt that "the camel had his nose under the tent" but, before that plan could even be implemented, another "process" (more time and money) was called for and another preferred alternative selected. Suddenly, and without much effort, "the camel" has stuck a large part of his body under the tent. How long will it be until that camel is completely inside and very comfortable? Not long at the rate things are moving now.

Although we have difficulty understanding your decision, as law abiding citizens we will, of course, support the Forest Service's plans for the river. We suggest the following if Alternative #12 is implemented:

\* Strict enforcement of all regulations to include significant increases in fines for all violations. More personnel are needed to patrol

the river. In addition, all citizens should be provided with information to report suspected violations.

\* Consider "reversing" the planned dates for boating to better avoid possible conflicts.

\* Continue to monitor woody debris especially in the "newly designated" boating sections to insure that the health of the river is maintained.

\* Closely monitor road and parking conditions during boating periods. Heavy road use during wet periods and limited parking space can lead to increases in sediment run off.

Finally, it is not too late to simply continue the zoning of the Chattooga as it presently is...foot traffic only above the Highway 28 bridge. This is what conservation organizations, hikers, anglers, some property owners, rescue personnel and even some boaters prefer. Dare to take a stand.

Submitted with respect and disappointment,

Charles C. Breithaupt Jr.  
Katherine S. Breithaupt, Ph.D.



winmail.dat

**Dusty Hoefer**  
<dustyhoefer@nc.rr.com>

08/21/2011 07:56 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Recreation uses on the upper Chattooga river

As a boater and former raft guide I would like to express my support for the Chattooga Conservancy's position on boating in Section 1, or the upper Chattooga. I am quite satisfied with the boating opportunities in sections 2, 3, and 4, and would like the upper section preserved year round as a limited access and use area. New access is unnecessary and would be detrimental to the wilderness quality of the area and could be a threat to rare species. I am a member of the Chattooga Conservancy and former resident of Long Creek, South Carolina.

Sincerely,

Dusty Hoefer  
41 Maxwell Road  
Chapel Hill, NC

-----

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Version: 10.0.1392 / Virus Database: 1520/3848 - Release Date: 08/21/11

**Ken Mitchell**  
<kenrmitchell@yahoo.com>  
>

08/19/2011 04:59 PM

Please respond to  
Ken Mitchell <kenrmitchell@yahoo.com>

To "comments-southern-francismarion-sumter@fs.fed.us"  
<comments-southern-francismarion-sumter@fs.fed.us>  
cc  
bcc

Subject Upper Chatooga River Use

Dear Forest Service,  
Regarding the upper Chatooga River use decision, I FULLY support the alternative proposed by the Chatooga Conservancy.

Ken Mitchell  
195 Windy Hill Rd  
Mt. Rest, SC 29664

**Ken Mitchell**  
**Cell - 864-710-8960**

**"Don Mabry"**  
<Donald.Mabry@simpsonhousing.com>

08/22/2011 12:06 PM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Please protect North Carolina angling!

Dear Reviewing Officer,

Thank you for taking the time to consider my comments on the 2011 EA.

The topography along the North Carolina Chattooga varies from steep gorges to low gradient banks. Yet, only assessment of the steep gorge areas is included when considering capacity for anglers. By only considering the most difficult access spots, the assessment underestimates the ability of the Chattooga to accommodate angling during higher flows. Fly-fishing the area around Bull Pen Bridge remains acceptable at flows as high as 600cfs, as documented within the 2007 Expert Panel Report.

Many of the smaller tributaries simply cannot accommodate casting due to the overhanging vegetation. These tight tributaries do not offer an alternative for fisherman displaced by boating and associated disturbances. Only the Chattooga still offers an opportunity to enjoy fishing in North Carolina without disturbance.

If the proposed alternative was to allow boating only below Bull Pen Bridge, at least some of the North Carolina angling opportunities would remain available year-round. Unlike boaters, anglers are required to purchase expensive out-of-state licenses when fishing in other states.

The Sumter Forest Service should continue to offer diverse recreational opportunities in each state, especially during the higher flows. The entire Chattooga should not be monopolized by a paddling monoculture.

Finally, the EA proposes boating be initiated at Greens Creek, without providing the details on how boats will arrive at this location. Without assessing the impacts associated with paddlers influx to the confluence of Greens Creek, it is impossible to comment on the proposed new alternative.

Again thank you for your consideration.

Sincerely,

Don Mabry



**SIMPSON  
HOUSING** **Don Mabry**

Chief Development Officer

1100 Abernathy Road, Northpark 500, Suite 700, Atlanta, Georgia 30328

tel: 770.390.3907 fax: 770.551.0480

[don.mabry@simpsonhousing.com](mailto:don.mabry@simpsonhousing.com)

[SimpsonHousing.com](http://SimpsonHousing.com)



image001.jpg



**Allen\_Ratzlaff@fws.gov**

08/23/2011 06:14 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc david.mchenry@ncwildlife.org, laura.gadd@ncdenr.gov,  
misty.buchanan@ncdenr.gov, Sandy\_Tucker@fws.gov,  
Jay\_Herrington@fws.gov

bcc

Subject Chattooga River EA

History:



This message has been forwarded.

Attached are comments from the U.S. Fish and Wildlife Service, Asheville Field Office.

Allen Ratzlaff  
USFWS  
160 Zillicoa St.  
Asheville, NC 28801

828/258-3939 x229



05-454 Chattooga River Lichen Section 7 2.pdf



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Asheville Field Office  
160 Zillicoa Street  
Asheville, North Carolina 28801

August 23, 2011

U.S. Forest Service  
Chattooga River Project  
4931 Broad River Road  
Columbia, South Carolina 29212

To Whom It May Concern:

Subject: Environmental Assessment for Managing Recreational Uses on the Upper Chattooga River, Nantahala National Forest, Jackson and Macon Counties, North Carolina

On July 15, 2011, we received an email from Ms. Christina A. Zisette (U.S. Forest Service [USFS]), requesting our comments on the subject document. On August 1, 2011, we received a second email from Ms. Zisette extending the comment period to August 30, 2011. We previously commented on this project in a letter to Ms. Marisue Hilliard (Forest Supervisor, USFS, National Forests in North Carolina) dated December 28, 2008, a letter to the Chattooga Planning Team dated July 31, 2008, and a letter to Mr. John Cleeves (USFS, Columbia, South Carolina) on September 11, 2007. The following comments are provided in accordance with the provisions of section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

The Sumter (SNF), Chattahoochee (CNF), and Nantahala (NNF) National Forests, are proposing a change in recreation management direction for the 21-mile section of the Chattooga Wild and Scenic River upstream of the bridge traversing US 28 (Upper Chattooga River). About 70 percent of the upper Chattooga River is bordered by South Carolina on the eastern bank and Georgia on the west bank; the northernmost portion is within North Carolina.

As in previously reviewed documents, the subject Environmental Assessment (EA) addresses the impacts to rare lichens and bryophytes, including the federally endangered rock gnome lichen. Two monitoring plans will be implemented in association with the proposed recreational change. Populations of the following rare plant species would be monitored for the first two years to determine their continual presence:

1. *Lejeunea bloomquistii* or *Listera smallii* on the CNF;



2. *Chiloscyphus muricatus*, *Homalia trichomanoides*, *Bryoxiphium norvegicum*, *Cephalozia macrostachya* ssp. *australis*, *Plagiomnium carolinianum*, or *Plagiochilla sullivantii* var. *sullivantii* on the NNF; and
3. *Lophocolea appalachiana* for either the NNF or the CNF.

If any of these rare species are located, a National Environmental Policy Act decision would be implemented to ensure that boaters traversing that stretch of the river would avoid impacts to these species.

There are two documented populations of the rock gnome lichen in tributaries (Scotsman Creek and Fowler Creek) to the Upper Chattooga River in North Carolina. Surveys completed in 2007 relocated both of these populations in addition to finding a new subpopulation on the east bank of the Chattooga River in North Carolina, just upstream from the confluence of Fowler Creek and about 1,500 feet north of the South Carolina and Georgia border.

There are no visible direct impacts from any current recreational usage within the two rock gnome lichen populations, including the new subpopulation along the main stem of the Chattooga River. Potential direct effects to the rock gnome lichen subpopulation along the Chattooga River from the proposed modification of recreational activities includes trampling by anglers traversing the river, scraping of rocks by boats traversing the river at different high flows, and portaging of boats around log jams, all of which are anticipated to increase with the decline and dropping of eastern hemlock trees as a result of infestations by the hemlock wooly adelgid.

The newly located subpopulation along the Chattooga River is partially protected under a narrow rock shelf. The physical features of the site probably have previously discouraged, and will continue to discourage, access by anglers as well as any visitation from boaters when floating this section of the river. There is no hiking trail within the vicinity of this site nor are there any trails proposed for this area. The site is not flat enough to allow a rest opportunity for boaters. If adjacent hemlocks were to fall across the river at this site, resulting in a necessary portage, the natural area to traverse would be the flatter western bank where the species does not occur. Therefore, there are no anticipated direct effects anticipated with seasonal boating proposed along this stretch of the Chattooga River. Annual monitoring of the subpopulation along the main stem of the Chattooga River will also be executed to ensure that no impacts are occurring from implementation of this recreational project. Specific monitoring requirements for the Rock Gnome Lichen will include:

1. A botanist familiar with rock gnome lichen identification and the exact location along the main stem of the Chattooga River would annually assess the subpopulation.
2. The evaluation would record the presence of any refuse, any visible destruction of the lichen mat, or any other indication on the level of visitation near the subpopulation on the eastern bank of the Chattooga River.

3. Monitoring would include recording data for the *Gymnoderma lineare* rapid assessment field form as a reference metric for assessing any change in population size or vigor. Data recorded would include the temporary plot sizes, an abundance cover class for each plots and an assessment on the vigor/health for each plot.
4. The USFS would provide maps of any additional located subpopulations to the Asheville Field Office of the U.S. Fish and Wildlife Service.
5. An annual monitoring report would be supplied to the Asheville Field Office as part of the more comprehensive annual threatened and endangered species monitoring report.

Additionally, there are no anticipated indirect effects to the rock gnome lichen from the proposed recreational use changes. Given the relative remoteness of the site and its physical characteristics, which discourage any stops by boaters, it is unlikely there will be increased visitation to this site if the recreation proposal is implemented. Therefore, the EA concludes that the proposed recreational changes are not likely to adversely affect the rock gnome lichen and the proposed activities associated with opening up a portion of the upper Chattooga River to limited boating will have no effect on any other federally listed species.

Based on the information provided in the EA and the USFS's commitment to monitor the rock gnome lichen subpopulation in the project corridor, we concur with the EA's assessment that the preferred alternative (Alternative 12) is not likely to adversely affect the rock gnome lichen. Further, because all of the action alternatives involve the area between Bullpen and Burrells Ford, the possible impacts from all of the action alternatives on the rock gnome lichen are similar and thus, we believe all of the action alternatives are not likely to adversely affect the rock gnome lichen. Therefore, the requirements under section 7(c) of the Act are fulfilled. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed or critical habitat is determined that may be affected by the identified action.

We appreciate your cooperation and coordination with our office on this project. If you have questions, please contact Mr. Allen Ratzlaff of our staff at 828/258-3939, Ext. 229. In any future correspondence concerning this project, please reference our Log Number 4-2-05-454.

cc:

Mr. David McHenry, Mountain Region Reviewer, North Carolina Wildlife Resources  
Commission, 20830 Great Smoky Mtn. Expressway, Waynesville, NC 28786  
Ms. Laura Gadd, Botanist, North Carolina Department of Agriculture and Consumer Services,  
Plant Protection Section, 1060 Mail Service Center, Raleigh, NC 27699-1060  
Ms. Misty Buchanan, Botanist, Natural Heritage Program, North Carolina Department of  
Environment and Natural Resources, 1601 Mail Service Center, Raleigh, NC 27699-1601  
Field Supervisor, FWS, Georgia Ecological Services Field Office, Athens, GA  
Field Supervisor, FWS, Charleston Field Office, Charleston, SC

"Michael Bamford"  
<mbamford123@comcast.net>

08/23/2011 12:12 PM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Inconsistencies

The Forest Service described to the Federal Court why they withdrew the August 2009 Decision On page 5 of the USFS "Motion to Dismiss" filed by the USFS on December 30, 2009, the forest Service notes:

*"the decision notices were withdrawn because the analysis in both the Biological Evaluation and Biological Assessment were based upon an alternative that was different from the selected alternative, resulting in inconsistencies between the environmental documents. Specifically, the BE and BA assumed that there would be a maximum of four groups per boatable day, but the selected alternative did not contain a limitation on the number of groups allowed per boatable day. Therefore, more analysis needs to be completed and new decisions made."*

The 'more analysis' that the USFS argued was required to reach a new decision, is absent from the 2011 EA. In fact, the latest preferred alternative would not only allow unlimited quantities of boaters, it also proposes to eliminate any and all flow level restriction. Therefore, "*inconsistencies between the environmental documents*" associated with more boats inflicting even more impacts upon the resource remain. In fact, the inconsistencies between evaluations and proposed policy should be even more acute with the proposed alternative.

The EA reliance on a Biological Assessment, and Biological Evaluation, that are admittedly deficient, cannot possibly be used to justify a FONSI or final agency Decision.

The USFS should either return to only allowing four limited boat groups per day at higher flow levels during the Winter, or accurately assess and document the impacts associated with the preferred alternative.

After monitoring for a few more decades, the USFS could then make an educated assessment on if allowing more boats per day or boating during lower flows would be appropriate.

"Larry Winslett"  
<winfog@windstream.net>

08/23/2011 08:43 PM

Please respond to  
"Larry Winslett" <winfog@windstream.net>

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Chattooga boating comment for Georgia Sierra Club

Dear Sumter NF,

I am writing to inform you that the Georgia Chapter of the Sierra Club is **opposed to any Alternative that would open up the Chattooga River's headwaters to boating.** This stretch has been closed to boats for more than thirty years, the Sierra Club feels the ban should remain in place. The Upper Chattooga, which bisects the Ellicott Rock Wilderness, and the Rock Gorge area remains one of the premier wild areas of the eastern United States, a refuge for wildlife, people, and is one of the best backcountry trout streams in the country. We would, in fact, argue that opening the river for boating thru the Ellicott Rock Wilderness is inconsistent with the goals of the Wilderness Act. We are likewise concerned that allowing boating through the Rock Gorge section of the river, from the Highway 28 bridge to Burrell's Ford, could severely damage this areas currently relatively unspoiled nature and potential for future wilderness designation. The Sierra Club has long supported full Wilderness protection for this area and an extension to the Ellicott Rock Wilderness. **Therefore, the Sierra Club can only support a no-boating Alternative.**

Further, The Sierra Club feels that opening the area to boaters, and their vehicles, would overwhelm this fragile ecosystem and create additional conflicts with other users whose impacts are already too great for the resource. We feel protecting this area is critically important because as noted in the Forest Service's own report on Watershed Conditions much of the area in question (Reed Creek/Chattooga River) is already listed as "impaired." (see <http://www.fs.fed.us/publications/watershed/>) We fail to see how opening any of this section to more boating could improve this situation. Likewise, since watershed protection was a cornerstone of the current Land and Resource Management Plans for the three affected National Forests this would seem to us to be in conflict with the goals of those plans as well.

Whitewater boaters already have access to the majority of swift rapids in the area, including the entire West Fork of the Chattooga, and all of the Chattooga below the Highway 28 bridge. Overflow Creek all the way to North Carolina is also already open to boating. Given the Forest Service's demonstrated lack of ability to police and protect this fragile and important ecosystem we see no way that adding additional users of any type is helpful.

The Forest Service's highest priority should be protecting the Upper Chattooga's existing biology, geology, history, water quality and, especially, its solitude.

We would like to add that we do support those parts of Alternative 12 that would fix user-created trails, decommission bad campsites, and educate the public to setting limits on group sizes, encounters, etc. In closing, again, we are **opposed** to any additional boating on the headwater's of the Chattooga River.

Sincerely,

Larry Winslett, Wildlands Comm.-Wilderness Issues

CC: Mark Woodall, Alan Toney, Colleen Kiernan, Sam Booher, Mike Murdock

(hardcopy also mailed)

"Mike Kettles"  
<kettlesenvir@touchnc.net  
>

08/24/2011 02:00 PM

To <comments-southern-francismarion-sumter@fs.fed.us>  
cc  
bcc

Subject Upper Chattooga River Boating

To Whom it may concern,

We took a hike today from the parking area on Whiteside Cover Road and down the proposed access trail to the Chattooga River near Green Creek. I am on the board for the Jackson Macon Conservation Alliance, and am a retired forester and urban forester. I have worked in the environmental field for about 30 years.

Let me explain my thoughts on the whole concept of allowing boating on the upper section of this river. I am totally opposed to allowing boating at any time of the year on this section of river. This section of river is very fragile environmentally, and would not make a safe route for boaters because of large rock formations in the river itself. The plants and vegetation along and on the rocks in the river would not sustain to repeated foot and boat traffic. Furthermore, any wild woods camping sites would not sufficiently accomodate any masses of boaters, without causing serious damage to the river shoreline ecosystem. To sum up, my position is in **opposition to any form** of boating on the upper Chattooga River.

-Mike Kettles

**Scott Brame**  
<BRAMES@clemson.edu>

08/24/2011 03:54 PM

To "comments-southern-francismarion-sumter@fs.fed.us"  
<comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Boating the Chattooga Headwaters

Dear Sir/Madam-

I would like to respectfully enter comments on the U.S. Forest Service's preferred option for allowing boater access to the upper Chattooga River.

First off, the Chattooga River is a priceless resource that needs strict oversight. Allowing free market incentives to determine the fate of this shared public resource would not ensure the biological integrity of this riverine environment.

Given that, there are several compromises that can be made to allow access to boaters and the other traditionally allowed river users (fishermen and hikers). To protect the resource, the following criteria must be adhered to:

- (1) No construction of additional trails to create new access points
- (2) No boating above Hwy 28 unless the Hwy 76 USGS gauge is  $\geq 3.0$  feet at some point on the day that the boating takes place
- (3) Boating parties should be kept to six people or less
- (4) No inflatable crafts that are designed to hold more than 2 people (ie, no rafts, only inflatable kayaks)
- (5) No more than 50 boaters should be allowed per day – this could be enforced by having a sign in log in addition to the permit so that other potential boaters would know that the limit had been reached

If these restrictions are kept in place and enforced, the resource will be protected and the wilderness experience of other river users will be kept to an acceptable level.

It is time to admit the no boating clause on these upper sections was done in arbitrary manner and that there acceptable uses on these sections other than just fishing and hiking. The primary goal should be to protect the resource, not just the current human experience. These restrictions allow both.

Thank you for the opportunity to comment.

Scott Brame  
207 Augusta Road  
Clemson, SC 29631

**James H  
Knibbs/R8/USDAFS@MSO  
COEX**

08/25/2011 06:50 AM

To comments-southern-francismarion-sumter  
cc  
bcc

Subject FW: Problems with new Green Creek area map

**From:** jgatins@gmail.com  
**Sent:** Wednesday, August 24, 2011 3:26 PM  
**To:** Knibbs, James; Wilkins, Mike  
**Subject:** Fwd: Problems with new Green Creek area map

----- Forwarded message -----

From: **Joseph Gatins** <[jgatins@gmail.com](mailto:jgatins@gmail.com)>  
Date: Wed, Aug 24, 2011 at 3:24 PM  
Subject: Problems with new Green Creek area map  
To: Paul Bradley <[pbradley@fs.fed.us](mailto:pbradley@fs.fed.us)>, Mary W Morrison <[mwmorrison@fs.fed.us](mailto:mwmorrison@fs.fed.us)>, Tony L White <[tlwhite01@fs.fed.us](mailto:tlwhite01@fs.fed.us)>

Dear Paul, Mary and Tony: I have a problem with the map attached to the Sumter's new posting of August 5 (which I just found today) about the proposed Green Creek boat access area. It shows a dotted line trail emanating from Whiteside Church into the corridor. I thought and always had been told that the user-created trail behind Whiteside Church (also known as the Summer Chapel) was simply user-created, totally unofficial and not sanctioned by the Nantahala National Forest. This new map also looks markedly different from the map previously provided at the Sumter Supervisor's behest by Ranger Mike Wilkins, which more accurately shows the Chattooga River Trail coming into the relevant area from the new parking lot built several years ago.

I would like an explanation in writing as to which map is correct (both are attached) and whether the dotted line trail shown on the new map from the church is in fact a designated Forest Service Trail and when it was so designated. TIME IS OF THE ESSENCE, as we are now hitting your deadline. I will appreciate a prompt response.

Joseph Gatins  
District Leader  
Georgia ForestWatch  
[706-782-9944](tel:706-782-9944)

CC: Georgia ForestWatch, Chattooga Conservancy, Various TU people, WNCA, JMCA, WCA and other interested parties



USFS Green Creek Access.pdf



USFS Green Creek Explanation & Map.pdf



**Mitchell Betty**  
<mitchellbetty@gmail.com>

08/25/2011 09:47 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Public Comments for the revised EA

Dear Reviewing Officer,

The current policy that has provided diverse opportunities for a variety of recreational visitors found an ideal balance between whitewater boating, undisturbed trout fishing and opportunities for solitude for many hiking visitors. The ideal solution for managing the Chattooga remains prohibiting boats above Highway 28 in order to protect habitat diversity and a variety of visitor preferences.

Limiting boats to the winter on only portions of the Chattooga will minimize conflict with anglers. However, in place of two zones allowing boats for six weeks each, please consider a less impactful alternative allowing boating for twelve weeks, but only between Bull Pen and Burrells Ford,

The benefits of this proposed policy includes:

- i. Monitoring impacts along only one segment is far easier than two are.
- ii. Fewer user-created boat trails would be required, since only 5.5 miles will be open.
- iii. Impacts to the Rock Gorge, or the sensitive Chattooga Cliffs reach would be avoided.
- iv. Enforcement and monitoring at bridge access points would require fewer resources.
- v. No new access trails would be required in order to accommodate boaters.
- vi. North Carolina would retain a disturbance-free area for anglers.

In addition to limiting boats by section and season, limiting the quantity of boats per day would prevent kayak races, or 'unorganized events' from destroying the Wilderness resource.

Continuing the current zoning policy would be the best policy for Chattooga, but any new boat access should limit access to the river between Bull Pen Bridge and Burrells Ford Bridge.

Thank you for the opportunity to comment on the EA

E Mitchell Betty

**Matt Bohler**  
<Matt.Bohler@woodruffcenter.org>

08/25/2011 11:59 AM

To "comments-southern-francismarion-sumter@fs.fed.us"  
<comments-southern-francismarion-sumter@fs.fed.us>  
cc

bcc

Subject Comment on Alternative 12

Good day.

I love the Chattooga River and the fine fishing and solitude I find there. It relieves much of the stress from jobs and the other things in life that give us difficulties. It is one of the few areas in the east that give you the same sort of feeling of remoteness that you can find out west.

Allowing boating access to the upper river – above Burrell's and down to Hwy. 28 would be a mistake and would end that solitude in my opinion. I have been fishing and hiking along the river since the late 70s and have seen the changes that have come with increased knowledge and access to that area. Few of them have been positive changes - more trash and crap from mindless humans. I believe letting kayakers access this section will damage the unique experience available in few other areas of the SE United States.

I have encountered kayakers who were "poaching" the upper section 3 times over the years but have seen evidence of others – orange, blue and yellow plastic patches on rocks where kayakers have slid over them, broken paddles and lost paddling booties and gloves, as well. The first encounter was in the late 80s with 2 guys who had no idea where they were or what they were doing. They were actually dragging the kayakers downstream just above Big Bend Falls and were in sad, sad, shape. They asked if I knew what was downstream. When I informed them of the water fall and then the rock gorge area farther down they were astounded and shaken. They were clueless and eventually decided to haul the things back up the trail 3 miles to Burrell's. Folks like that sometimes manage to kill themselves.

The second encounter was below Big Bend falls when I was fly fishing sometime around 2005. Here come two guys in whitewater kayakers, thumping and bumping, slamming rocks on purpose to get a thrill of some sort and when they came into the section of water I was fishing they intentionally ran the chute 3 times – probably just to piss me off from what I could tell. When I informed them that this section of river was closed to paddling they laughed and said they had "heard" that it had been opened to paddlers. When I said that was wrong they laughed again, shot off into the current and flipped me the finger, and said "F--- you!" for no apparent reason outside of being jerks.

The third encounter, in 2010, was almost identical to the one described above. 2 male kayakers (college kids from Clemson) paddling the closed section, nasty attitudes when I said it was closed to paddling and that they were breaking the access rules. They also flipped me and my girlfriend the bird. Such nice guys these paddlers.

I believe things work best the way they are now. Changes to allow more access to boaters without real, on-site regulation will not work. It is as simple as that. Paddlers are going to push the boundaries – that is the intent of what they do. Changing access will open a Pandora's Box of conflict and regretful encounters between those who seek solitude and the "extreme" behavior exhibited by many paddlers.

I also paddle so I am not adverse to boaters –I oppose allowing access to this particular stretch of water. There will be little to no enforcement for the new rules as there is a known shortage of manpower in the FS

and other govt. agencies that might be in the mix. How are you going to oversee what you cannot see in the first place? Restricting parking places to control crowds?? That will not work. I have seen Burrell's area about to bust at the seams with people looking for a place to park. Restricting dates –read the examples above to see that that will not work either.

There are plenty of other streams and rivers to paddle but few places as unique and remote as the upper sections of the Chattooga. Please do not allow American Whitewater and other paddler groups with their high-power lawyers to shove this thing through. I believe it is only to set precedent so that they can challenge the restrictions on the Yellowstone and other rivers out west.

Thanks for letting me have my say.

Matt Bohler  
Fisherman. Paddler. Lover of solitude.

Matt Bohler  
Office Services  
High Museum of Art  
404-733-4408  
[matt.bohler@woodruffcenter.org](mailto:matt.bohler@woodruffcenter.org)



**James Costa**  
<costa@email.wcu.edu>

08/24/2011 03:05 PM

To "comments-southern-francismarion-sumter@fs.fed.us"  
<comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Comments RE Upper Chattooga EA

24 August 2011

Comments on the Upper Chattooga Environmental Assessment  
c/o USDA Forest Service Supervisor's Office  
4391 Broad River Road  
Columbia, South Carolina 29212-3530

Dear Supervisors Bradley, Bain, and Hilliard:

Attached please find a PDF of a letter sent this date offering my comments regarding the Upper Chattooga Environmental Assessment.

Thank you very much for your consideration.

Sincerely,  
James T. Costa, Ph.D.

— Executive Director, Highlands Biological Station  
265 N. Sixth Street  
Highlands, NC 28741 USA

828-526-2602  
costa@email.wcu.edu  
www.wcu.edu/hbs

— Professor of Biology  
Western Carolina University  
Cullowhee, NC 28723 USA

828-227-3811 or -7244

--



Comments on the Upper Chattooga EA.Costa.24 August 2011.pdf



# The Highlands Biological Station

An Interinstitutional Center of the University of North Carolina  
An Affirmative Action/Equal Opportunity Institution

265 N. Sixth Street, Highlands, North Carolina 28741 U.S.A.

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24 August 2011

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Univ. of South Carolina - Aiken  
University of the South  
Univ. of Tennessee - Chattanooga  
Vanderbilt University  
Wake Forest University  
Western Carolina University

Comments on the Upper Chattooga EA  
c/o USDA Forest Supervisor's Office  
Sumter National Forest  
4931 Broad River Road  
Columbia, SC 29212

Dear Supervisors Bradley, Bain and Hilliard,

This letter is filed on behalf of the Highlands Biological Station and Highlands Biological Foundation, Inc. in response to the request by the USDA FS (Forest Service) for comments on the Environmental Assessment for Managing Recreational Uses in the Upper Segment of the Chattooga Wild and Scenic River Corridor, released July 15, 2011 (EA).

The Highlands Biological Station is an inter-institutional research center of the University of North Carolina whose principal mission is to promote research and education in biodiversity studies (ecology, systematics, evolution, and conservation), with special emphasis on the diverse flora and fauna of the region. Founded in 1927, the Highlands Biological Station acquired its first laboratory for scientific research in 1930. Since that time, researchers based at the Station have made significant scientific contributions in the study of the region's biota and ecological systems. The Highlands Biological Foundation, Inc. is a private, non-profit, 501(c)(3) organization, the mission of which is to support the research and educational programs of the Highlands Biological Station.

Like many with a keen interest in the ecological health of our forest communities, I was accepting of the reasonable compromise position adopted by the USFS granting limited boating access to the Upper Chattooga River. I was subsequently disappointed when the USFS felt compelled, apparently under pressure from lobbying groups, to reopen this matter. By its own analysis, as exhibited by the USFS interactive map of impaired waterways/watersheds on National Forest lands [[apps.fs.usda.gov/WCFmapviewer/](http://apps.fs.usda.gov/WCFmapviewer/)], the Chattooga headwaters area itself is classified as "Functioning at Risk," and is geographically proximate to the "Impaired Function" area immediately down river, beginning with the stretch of the Chattooga in the Ellicott Rock Wilderness and extending south for many miles. It makes no sense to me, as a biologist or as a citizen, for the USFS to

consider further opening a largely protected stretch of Wild and Scenic River *in an "at risk" watershed region* to increased boat and foot traffic, which will only serve to push the Upper Chattooga area into the "Impaired Function" category. That this has been reopened for discussion in response to the demands of one particularly vocal activist organization, one that will likely be satisfied at nothing short of complete access to the river by its constituents, is deeply disappointing.

The USFS had made a reasonable decision to permit limited access, which should have satisfied all parties. Anglers and lovers of solitude had to accept a compromise and give up something, ecologists and environmental scientists had to give up something, and the boating community needs to give up something. That "something" in the case of the boating community is an acceptance of limited access on this one short but biologically fragile stretch of river. Please allow me to reiterate and amplify the key concerns I voiced in my 2007 letter on this matter:

1. The upper Chattooga watershed area is a unique biological and cultural resource that is likely to suffer serious degradation through the human impacts associated with boating (largely through the effects of portaging) if opened up further. Specifically, significant increases in human activity will lead to edge disturbance of degraded habitat, giving a foothold to biological threats such as invasive species. Moreover, scientific studies conducted on National Forest lands in the southern Appalachians have documented the negative impacts of opening up new trails and roads on wildlife such as salamanders (e.g., Semlitsch et al. 2007, *Conservation Biology* 21: 159-167; Marsh 2007, *J. Wildlife Management* 71: 389-394), and the readiness with which invasive plants are able to colonize edges and other disturbed areas even within largely intact forest communities in our region (e.g., Kuhman et al. 2010, *Landscape Ecology* 25: 1433-1445). The largely intact upper Chattooga watershed area functions as an ecological core area — it is both a refuge and population source area (as opposed to a sink area), and the fragmentation and edge effects stemming from stepped up human activity will erode this core area irrevocably.

2. The Upper Chattooga is one of the few remaining truly wild stretches of eastern river and a renowned biological resource, lying as it does in a Wilderness area at the epicenter of North American biological diversity for many plant and animal groups. Its Wild and Scenic River designation also makes the Upper Chattooga an invaluable cultural resource, at the heart of a vestige of a formerly extensive forested landscape. This area now represents an island in a mosaic landscape in various stages of impact and degradation. Wilderness areas give people in the increasingly crowded eastern US the opportunity to realize profound solitude and contemplation.

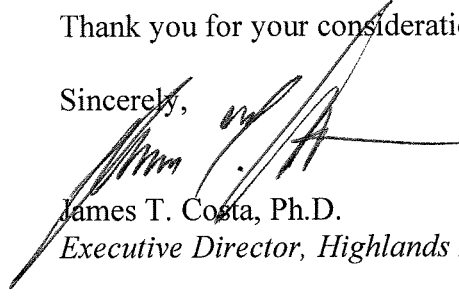
3. The southern Appalachian escarpment region abounds in rivers, just about all of which are open to boating in their entirety. It is far from unreasonable to ask for limited boating access in this one largely pristine and biologically significant stretch of river. The USFS acted reasonably in granting access to boaters, but

stringently limited access that balances the interests of recreational boaters with those of hikers and wilderness purists as well as those whose chief concern is the area's ecological sensitivity. The vocal minority demanding still more access for boating will in all likelihood find *any* compromise unacceptable, and granting further access in response to these demands now will only lead to still more demands until the river is as heavily trafficked as any other in its class.

I urge the USFS to stand by its compromise decision, which was given after a considered multi-year analysis, and look beyond the immediate demands of the few to anticipate the interests and needs of future generations. The area's ecological sensitivity is of central importance, since once disturbed it will be very difficult to undo that damage. Little-impacted stretches of Wild and Scenic River and Wilderness will only become a rarer and rarer commodity, and all the more important and valued as such as our population grows, and the impacts and demands on our already beleaguered landscape increase.

Thank you for your consideration.

Sincerely,



James T. Costa, Ph.D.

*Executive Director, Highlands Biological Station*

<[withersd@bellsouth.net](mailto:withersd@bellsouth.net)>

08/25/2011 07:25 PM

To <[comments-southern-francismarion-sumter@fs.fed.us](mailto:comments-southern-francismarion-sumter@fs.fed.us)>

cc

bcc

Subject Chatooga Access

Why should a wild and scenic river be limited to fishermen, hikers and hunting? Boaters are entitled to the same rights as all others. Environmental impact is a high concern of a majority of boaters that I know. Many of my boating friends as well as myself are the ones who want to protect and preserve our wilderness area that we visit by cleaning up trash that fishermen or others may leave.

My vote is to allow boating on all sections of the Chatooga at all times. It is a crime to discriminate against boaters or any others in this beautiful area intended for use by the public.

David Withers  
828-273-1955  
[withersd@bellsouth.net](mailto:withersd@bellsouth.net)



**kohl zimmer**  
**<mksdays@hotmail.com>**

08/27/2011 09:22 AM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject Subject: All types of boating should be considered on the Chattooga.

Dear, Reviewing Officer

The Chattooga Wild and Scenic River was designated to protect and enhance opportunities for public recreation. Mistakenly, the 1976 Chattooga Development Plan published that "motorized use is impractical because of the shallow water and rocks." (id FR 11849). Justified by faulted logic, the USFS banned access of motorized craft to any section of the Chattooga River in 1977. Similar to the complaints from American Whitewater, this 35 year-old statement is inaccurate. The Chattooga has always provided interim opportunities for motorized boating during times of higher flows, this natural flow regime would also limit motorized boating to those brief times that flows were high enough to accommodate motorized boating. Because of these natural limits, motorized boating use will be minimal.

Impacts to other visitors, or wildlife will also be minimal. Like the decision to ban paddle boats from the headwaters, this 35 year-old regulation was not promulgated under a transparent NEPA analysis, nor was it open to the public for review or comments. Therefore the current ban on motorized boating remains illegal.

In the past, the USFS has referenced, and posted by sign, Wilderness regulations as being the justification for such severe restriction on motorized use in the Chattooga corridor. However, this is not a statutory justification for use outside of declared Wilderness. Only a few miles of the Chattooga, and none of the West Fork, flows through any Wilderness Area; no statutory restrictions preclude motorized use. The four lowest miles of the Chattooga Headwaters, as well as Section II and the West Fork, can accommodate motorized craft without ever entering into the Ellicott Wilderness.

No new infrastructure is needed if all boats were allowed equal access. The boat ramp and parking facilities located on Section II and at Tugaloo Lake, already provide the necessary infrastructure to accommodate launching boats onto the Chattooga. These are public boat ramps that were built to accommodate boating for citizens using taxpayer dollars, restricting access to only groups suing the Forest Service would be arbitrary and capricious.

Responding to American Whitewater's 2004 administrative appeal, the USFS published the 2005 Appeal Decision. The Decision directed the Regional Forester to "conduct the appropriate visitor use capacity analysis, including non-commercial boat use, and to adjust or amend, as appropriate, the RLRMP to reflect a new decision based on the findings." The 2005 Decision acknowledged that "No capacity analysis is provided to support restrictions or a ban on recreation use or any type of recreation user. While there are multiple references in the record to resource impacts and decreasing solitude, these concerns apply to all users and do not provide the basis for excluding boaters without any limits on other users." The Regional Forester was directed to consider all users and any type of recreation, not limit assessment to those initiating the appeal. The Decision did not limit the Visitor Capacity Analysis to non-motorized boats, this was an arbitrary decision made by Sumter Forest Service in an arbitrary and capricious manner without public review. The Decision directed the Regional Forester to "ensure that all potential users have a fair and equitable chance to obtain access to the river." The initial 2007-2008 NEPA scoping did not adhere to the

Appeal decision because some users were not represented in the capacity analysis that was conducted in conjunction with, and at times by, American Whitewater.

In addition, the Decision did not limit the analysis of to the Chattooga above highway 28, in fact it required the Forest Service to 'adjust or amend' the entire RLRMP for the Sumter forest based on the findings of the analysis and to consider 'nearby rivers'. A review of boating most certainly includes the Chattooga below highway 28.

By limiting analysis to the kayakers 'request for relief', the USFS has conducted their assessment in an arbitrary and capricious manor, in contradiction to the 2005 Agency Remand Decision, and outside of the NEPA statutory guidelines.

Numerous requests to have the USFS even consider allowing motorized boating on the Chattooga have been ignored. Thousands of boaters nationwide have already voiced their demands to allow all citizens equal access to the Chattooga, and that restrictions should apply equally to all user types. We see no reason that the USFS should not at least consider one set of alternatives that includes motorized boats in this assessment.

The USFS should consider some alternatives that permit motorized watercraft on the lower section of the Chattooga during higher flow levels (above 2.2' on the 76 gauge). Boating enthusiasts are seeking only limited access that will only fill the extra capacity of the lower Chattooga as private paddlers migrate to the headwaters under new management policy.

Please consider an alternative that provides the opportunity for the public to comment equal access to all types of boating on the Chattooga.

"Malcolm Leaphart"  
<mwleapjr@att.net>

08/27/2011 10:58 AM

To <comments-southern-francismarion-sumter@fs.fed.us>

cc

bcc

Subject SC Trout Unlimited Council

August 25, 2011

USDA Forest Service Supervisor's Office  
4931 Broad River Road  
Columbia, SC 29212  
Attn: Mr. Paul Bradley

Re: Comments on the Upper Chattooga EA

Dear Mr. Bradley:

The SC Council of Trout Unlimited (TU), representing over 1200 members and 3 chapters in South Carolina compliments the United States Forest Service (USFS) on a well-designed and well-conducted study that has produced a professional, comprehensive, and fair *User Capacity Analysis*. The USFS attempted to involve all affected and interested parties, both groups and individuals, in the analysis process through outreach using the media, the USFS website, and public meetings. We appreciate the significant effort that the Forest Service made to analyze and attempt to resolve conflicting issues between boaters and anglers for the upper 20 miles of the Chattooga River.

A key goal for many was protecting the solitude and wilderness experience as the current zoning for foot travel only above Highway 28 has for over 30 years. The SC Council of TU supports the many members and chapters that prefer that this successful zoning be continued (Alternative #3). However, the SC Council finds Alternative #12 from the USFS study as an acceptable compromise that is fair to all stakeholders and should not harm the fisheries. We hope that other resource users will join TU in support of Alternative #12 to help the USFS resolve this controversial issue and move on to more productive efforts.

All recreation activities are not compatible as the USFS certainly knows from years of providing multiple use opportunities for such diverse public segments as motor bikers, mountain bikers, horse riders, hikers, campers, anglers, and hunters. The zoning stipulations in Alternative #12, if properly enforced, should provide good protection for the important values of solitude and remoteness for present and future generations. However, we would suggest that the fines as proposed would not be a significant deterrent to breaking the proposed new rules and should be increased from \$50 to at

least \$500. If the proposed fine level is not increased, we recommend that the ability of the USFS to revise those in the future, and also to revise floating date schedules as needed to minimize conflicts be allowed in an adaptive management approach.

Establishing backcountry capacities to minimize encounters between boaters and anglers, reducing campsite density to maximize opportunities for a solitude experience for all, and providing boaters opportunities to float the upper river when flow levels are best suited for their interests are all well thought out solutions supported in Alternative #12. Equally important, is the wise prohibition of removal of large woody debris from the river which is very important to the health of the fishery as an integral part of the intricate food chain. Valuing the fishery over navigability concerns is to be commended as it is in keeping with the many years of work to improve the fishery by the USFS and others working together in the 'Chattooga Coalition' which has met annually since formation during the 3 year macro-invertebrate study in the late 1980s that TU was a major participant in, including providing funding and manpower.

Respectfully submitted by,

Malcolm Leaphart, Chair  
South Carolina Council Trout Unlimited  
115 Conrad Circle  
Columbia, SC 29212  
803 781-4752  
[mwleapjr@att.net](mailto:mwleapjr@att.net)

**Morgan Carothers**  
<morganiris@me.com>

08/27/2011 11:06 AM

To comments-southern-francismarion-sumter@fs.fed.us

cc

bcc

Subject Stop Chattooga Kayaking

Hi-

I am very upset to hear that you are going to expand the access of the Chattooga to kayakers. I think that they should be restricted to the places that they currently use, a decision that was a compromise that was reached a number of years ago. I don't even want them to put in at the iron bridge let alone even higher up as you are proposing. If you keep giving people half of the pie, then another half of that, soon the pie is gone. No more compromises to that elitist group.

Sincerely,

Morgan Iris