

Friends of the Upper Chattooga

2368 Pinnacle Drive
Clayton, Georgia 30525
706.782.6397

November 14, 2006

Charles S. Myers Jr.
Regional Forester – Region 8
USDA Forest Service
1720 Peachtree Road
Atlanta, Georgia 30367

Dear Chuck:

It has come to the attention of Friends of the Upper Chattooga that the Forest Plans for the 3.3-mile West Fork/Overflow Creek headwaters above the FSR 86 Bridge (a Wild Section) actually do not allow for floating. As provided in the 1985 Sumter NF Plan, “[f]loating is limited to the 26 mile portion below Highway 28 Bridge and the West Fork’s lower 4 miles.”¹ This is further supported by the 2004 Sumter NF Plan (Appendix I, page I-6), which states “[t]he portions of the Chattooga River open to boating are divided into four sections. Section I is the West Fork of the Chattooga River in Georgia ending at the main river channel,” clearly demonstrating that floating the W&S West Fork/Overflow above Section I (upstream of the FSR 86 Bridge) is prohibited. The Forest Service’s map of the W&S Chattooga River supports this position.

Despite this prohibition, this area is often used for steep creek private boating. Floating on this area of the river is a relatively recent development as new equipment design and materials have allowed boaters to engage in activities in areas previously believed to be inaccessible. The March 1976 Development Plan stated that “[t]he West Fork above Overflow Bridge is wild and inaccessible,” however, modern hi-tech boats have made the W&S West Fork/Overflow headwaters a desirable float for many experienced boaters from around the country, attracting upwards of 50 boaters on some high water days. American Whitewater provides detailed information about the headwaters on its website.²

¹ See 1985 Sumter NF Plan, Appendix M, page M-2.

² See <http://www.americanwhitewater.org/content/River/detail/id/495/>.

Congress officially designated the Chattooga's West Fork/Overflow headwaters as a Wild and Scenic River in 1974, which was before Alan Singley's historic solo first boating descent. Since this time, the floaters have commandeered access to the West Fork and Overflow Creek watersheds, almost half of the W&S Chattooga headwaters. For decades, the boaters have removed the large wood debris (LWD) that hinders their passage. The Wild and Scenic Rivers Act (W&SRA) requires the agency to apply the appropriate restrictions to protect and enhance the outstandingly remarkable values (ORVs) and aesthetic values that caused the West Fork/Overflow creek headwaters to be included in the W&SRA in the first place (which obviously did not including floating).³

We believe that the area has either been overlooked or that the three Forest Supervisors in Georgia, North Carolina and South Carolina have tacitly accepted that it may be used for floating despite the zoning in the 1985 Plan.⁴ Indeed, the Sumter NF planners appeared to infer acceptance of floating of the West Fork/Overflow headwaters in the 2004 Sumter NF Plan, with Appendix H containing numerous references to floating on Overflow Creek.⁵

We do not intend to be critical of current administration as the zoning in the Plan pre-dates most of the personnel currently tasked with enforcing the Plan. This does, however, further reinforce our concerns about the ability of the U.S. Forest Service and District Rangers' ability to enforce any zoning applicable to other boating-limited areas under the present rules and regulations with a limited budget. Frankly, failure to adequately enforce the prohibitions for the West Fork/Overflow headquarters calls into question the Forest Service's ability to regulate any new rules that might arise from its Visitor Use Capacity Analysis on this Wild and Scenic River.

³ The 1976 Development Plan in the Recreation Section states "[p]rotecting and maintaining the aesthetic values of the river must remain of paramount importance. Development within the boundary of the Chattooga River must not detract from, or destroy, the natural beauty that makes this river different from other rivers.

⁴ In fact, American Whitewater has remarked on tacit acceptance of floating prohibited waters, by stating on its website that "[i]t is a well-known fact that it is possible to run the river [Chattooga's North Fork] without getting caught by the River Rangers. In fact, there is a tacit 'don't look, don't tell' policy between river rangers and boaters on these sections." See <http://www.americanwhitewater.org/archive/article/46/#summary>

⁵ See 2004 Sumter NF Plan, Pages H-7, H-20, and H-28. These references to floating on Overflow Creek were made despite other statements in the Plan clearly demonstrating that such floating is prohibited, as stated in the first paragraph of this letter. Further, it is important to note that certain members of the boating community clearly understand that floating is prohibited on West Fork/Overflow headquarters. Internet Posting by Jack Wise of Wildwater Ltd., Long Creek, SC, who stated that "[t]he last four miles are the only section of the West Fork where paddling is legal." See <http://www.chattooga-river.net/whitewater.html> Jack Wise is a member of the "Boater Panel" for the upcoming Forest Service trials.

The 2004 Chattahoochee-Oconee NF Plan recommended a 3.0-mile extension of the W&S Overflow Creek corridor for a mile into North Carolina's Nantahala NF.⁶ This Plan indicated that this area is to be managed "as if they were already designated."⁷ Therefore, the Friends respectfully request that the Forest Service undertake appropriate measures to manage the entire 6.3 miles above the FSR 86 Bridge as a Wild Section, preserving the natural environmental and natural processes from human influences and enforcing the present zoning that prohibits floating.⁸

At a minimum, the Forest Service must post signs that floating is prohibited in these protected headwaters. If necessary, the Forest Service should consider issuing protective orders in the Nantahala and Chattahoochee National Forests to alert public to this fact. We suggest that signs be posted on or near creek access location in Blue Valley (East and West Fork of Overflow Creek and Clear Creek); at the "big culvert" at the terminus of Billingsley Creek Road; at the John Teague Gap; at the bridges of Billingsley Creek and Overflow Creek roads, as well as at the Warwoman Bridge parking areas.

I look forward to receiving your reply with details for the future management of these wild and primitive "overlooked" headwaters.

Sincerely,

Joe Gatins
For Friends of the Upper Chattooga

CC: Jerome Thomas, Supervisor FMSNF (jthomas01@fs.fed.us)
Kathleen Atkinson, Supervisor CONF (katkinson@fs.fed.us)
Marisue Hilliard, Supervisor, NFNC (mhilliard@fs.fed.us)

NOTE: This letter is filed collectively and individually on behalf of Friends of the Upper Chattooga, which include Georgia ForestWatch, Chattooga Conservancy, South Carolina Wildlife Federation, North Carolina Wildlife Federation, Georgia Wildlife Federation, Wilderness Watch, Jackson-Macon Conservation Alliance (NC), Georgia Council of Trout Unlimited, South Carolina Council of Trout Unlimited, North Carolina Council of Trout Unlimited, Atlanta Fly Fishing Club, and Whiteside Cove Association.

⁶ See 2004 Chattahoochee-Oconee NF Plan, p. 3-34; also see FEIS, Appendix D, p. D-63.

⁷ See 2004 Chattahoochee-Oconee NF plan, p. 3-32; Prescription 2.B.

⁸ See 2004 Sumter NF Plan, p. 3-41; 2004 Chattahoochee-Oconee NF Plan, p.3-26.