Legal wrangling keeps paddlers off Upper Chattooga

33-year ban on boating should have been lifted this week

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Bob and Rosalie Schilling explore along the river at Earls Ford while visiting from Ohio. The ban on boating in the Upper Chattooga will remain in place until all pending appeals are decided sometime in the spring.

WALHALLA — This should have been the week that kayakers' and canoeists' dreams of paddling on the Upper Chattooga River for the first time in more than 33 years were to become reality.

Conservationists and passive recreation advocates who want to preserve the quiet and pristine beauty of the Upper Chattooga successfully dashed boaters' dreams.

A bevy of appeals to the U.S. Forest Service's decision to allow boating during a limited period

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beginning Dec. 1 and lasting through March 1 effectively closed that window of opportunity.

Georgia ForestWatch led the charge against opening up to boaters a 7-mile stretch from Norton Mill Creek in North Carolina to Burrells Ford Bridge in Oconee County.

The conservation group charged that the U.S. Forest Service decision handed the Upper Chattooga to "an extreme sport." The group also was successful in quashing the federal agency's bid to ban boating on all but up to six days on one small section of the river.

Georgia ForestWatch Executive Director Wayne Jenkins said recently that the group took the strong action because of its belief that boating would cause irreparable harm.

"The decision (to allow boating) inevitably would lead to resource damage and user conflict, and forever change the remote, solitary nature of one of the wildest, natural places in the east," Jenkins said.

American Whitewater (AW), which has spearheaded an almost five-year-long legal battle to open up the Upper Chattooga to boaters, is not giving up.

The group filed a lawsuit Oct. 15 in U.S. District Court in Greenville to challenge the Forest Service stay of its earlier decision to allow boating. AW filed an injunction to allow paddling access.

An AW spokesman said the presiding judge will accept the Forest Service's response to the group's lawsuit later this month and hold a hearing in late January.

The river is designated the Chattooga Wild and Scenic River and is managed by the Forest Service. The agency studied uses of the river for two years, held public hearings and received more than 3,000 comments during a 45-day public comment period before announcing its decision Aug. 26.

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