



The Chattooga Quarterly

Summer ♦♦ 2005

PRESERVE & PROTECT



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Director's Page

Buzz Williams

Many, myself included, were caught off guard by the rapid, well orchestrated effort to plan, fund and construct a new interstate highway through the Blue Ridge mountains. Rest assured that the Chattooga Conservancy will be working hard to beat this thing back. Doing so will be a tough task given the head start the other side has gained. To win, we will need the help of a dedicated constituency in executing a clear strategy. I have outlined an initial strategy in this *Quarterly's* feature article on page 5. Here I would like to give a little more background on who I believe is at the heart of the plan to sacrifice our natural resources—that we all know are so important to everyone—for the benefit of a few short sighted politicians and the hungry corporations behind them.

Winning against superior forces begins with knowing the enemy. There is certainly more to learn, and here is what we know so far. The real “mover and shaker” behind the interstate effort tracks back to former Georgia Congressman Max Burns from Statesboro, which is near Savannah, Georgia. Elected in 2002 as a representative to the U.S. Congress from Georgia's twelfth congressional district, it was Burns who first introduced legislation to construct the two new interstate highways into the Deep South that, when constructed, would greatly benefit his own constituents in Savannah. Burns was defeated in 2004, but has continued to work to promote plans to construct both interstate highways known as I-3 and I-14.

Burns re-emerged after his failed bid for the 109th Congress as senior policy advisor in Washington, D. C. based Thelen, Reid and Priest LLP, one of the biggest law firms in the United States. Thelen, Reid and Priest, with 440 lawyers from New York to San Francisco, is a powerful force in Washington, D.C., where the firm specializes in providing, “... superior legal services with a focus on complex commercial litigation; corporate and capital markets transactions; project asset finance; construction; labor and employment; intellectual property; domestic and international tax; employee benefits; government affairs; and real estate.” In a news release on February 8th, 2005, the prestigious law firm announced the hiring of former Congressman Burns as a senior policy advisor for government affairs. His main job would be to “bolster the firm's lobbying capabilities in the area of transportation, agriculture, infrastructure and construction.” He would be expected to “offer Thelen Reid clients greater access to GOP lawmakers in congress, as well as to the administration.”

Burns is well positioned to accomplish these goals. Not only does he have the experience, he has the intellect to go with it. In the 108th Congress Burns was elected president

Stopping I-3 will take a well researched argument against the case made by powerful special interests that now control the United States Congress.

of the freshman class. He served on the House Committee on Transportation and Infrastructure and was a key player in promoting the Bush Administration's national energy policy. Burns has a Ph.D. in business administration and was a Fulbright Scholar. He taught corporate information management in Sweden in 1993, served as a consultant to Gulfstream Aerospace and Grinnell Corporation, and helped develop the Supplier's Network to connect Southeast Georgia's small business suppliers to major manufacturers. He also served as a member of the Army Reserves from 1973-1981.

Burns has so far done his job well. According to Charlie Norwood, the Georgia Congressman who is the top promoter for the interstate, it is he and Burns who have recruited the other powerful politicians from across the South to support the interstate project, and are strategically

positioned to get the job done. Heavy hitters like Senate Majority Leader Bill Frist, and former Majority Leader Trent Lott are a part of a powerful political coalition supporting the proposed interstates. Several members of the coalition sit on key appropriations and transportation committees in their respective houses of the U.S. Congress. In Georgia, Burns was central in convincing the Georgia State Legislature to appropriate \$100,000 to establish the Interstate Highway Development Association that, coincidentally, is based near Burns' old congressional district in Statesboro, GA. The organization's executive director, Allen Muldrew, is Burn's former field director.

The record also shows where Burns' driving force originates. Campaign contributions to Burns for both his bids for the U.S. Congress were heavy on the side of big corporations. Top contributors were Wal-Mart, Georgia Pacific and the real estate industry, among others. Now that he is with Thelen and Reid, he will no doubt represent a host of construction firms drooling over the estimated \$50 billion for government contracts for the construction of both I-3 and I-14.

To be fair, I am sure there are those who will argue that former Congressman Burns has also expressed concerns for small business and the environment. So has George Bush, who has the worst environmental record and who is more closely connected to big business than any president in U.S. history. Burns, like Bush, certainly knows how to play the game.

Stopping I-3 will take a well researched argument against the case made by powerful special interests that now control the United States Congress. At the head of this beast are smart, well positioned strategists like Max Burns. Watching players like Burns will help us know where to aim.

Watershed Update

ENDANGERED SPECIES ACT—ENDANGERED

Draft legislation to rewrite the federal Endangered Species Act has been developed by House Resources Committee Chair Richard Pombo (R-CA), and introduction of a formal bill is imminent. Analysis of the draft bill shows that it would seriously undermine our nation’s efforts to restore populations of endangered species, and to prevent new listings of threatened/endangered species. Rep. Pombo’s legislation would re-design the law and essentially gut the provisions that have worked to save species such as the bald eagle, peregrine falcon and American alligator. For instance, the draft legislation no longer requires restoring healthy populations of species. It also dramatically limits protection for endangered species’ habitat, and completely eliminates the requirement to designate habitat for threatened species, even though habitat destruction is the main reason plants and animals wind up on the endangered species list. In addition, the draft Pombo bill changes the key definition of an endangered species from one that is “in danger of extinction throughout all or a significant portion of its range” to “in danger of extinction in the foreseeable future throughout all of its current range.” This subtle change would result in protections for just a few remnant individuals in an isolated island of habitat; for instance, the bald eagle could disappear from the lower 48, as long as the species was present in Alaska. Please write and call your Member of Congress and ask that they oppose Rep. Pombo’s bill to weaken Endangered Species Act protections.

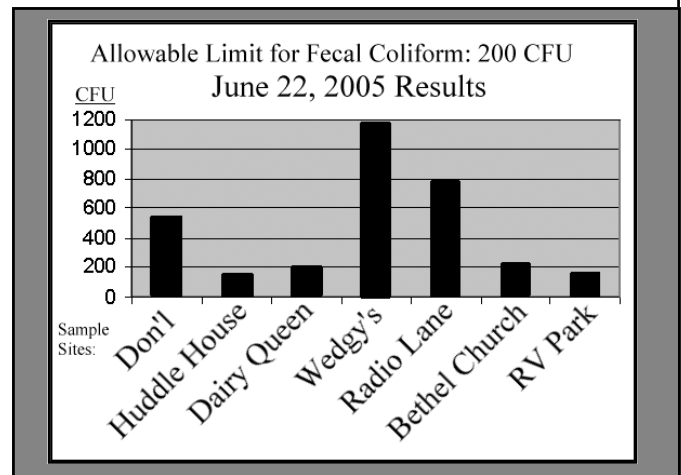
MAJOR TIMBER SALE PROPOSED FOR CHATTOOGA HEADWATERS

The Highlands Ranger District of North Carolina’s Nantahala National Forest has issued a “scoping notice” for a major timber sale in the Chattooga River headwaters. This is the first significant timber sale of the past few years in the Chattooga River watershed, so brief mention of the process follows. “Scoping” is the first phase of the public notice process and invites public comment on the “proposed action.” Respondents will gain the all-important “standing” for participating further in the timber sale process and will also receive the project’s “environmental assessment,” which is released for public comment subsequent to gathering scoping comments. This proposed timber sale is called the “White Bull Project” and it targets 462 acres located just north of the Ellicott Rock Wilderness Area along the Bull Pen Road and near the biologically significant Chattooga Cliffs, as well as another 106 acres situated farther east next to Highway 107. The timber sale would reconstruct 1 mile of road near the base of Chattooga Cliffs, and use “even-age” timber cutting methods, namely group selection and two-age harvesting, to produce approximately 7,500 CCF (CCF = hundred cubic feet) of saw timber. The scoping notice indicates that group selection spots would be up to one acre in size—essentially

one-acre clearcuts—and that the 2-age cuts would leave a basal area of 15-20 square feet—just 14-18 trees per acre. Herbicides would also be used to kill invasive exotic plant species and possibly vegetation that competes with the “crop trees.” The Chattooga Conservancy has serious concerns about the White Bull project because it is located in the heart of the Chattooga River headwaters in an area that encompasses Chattooga Cliffs and numerous headwater streams including Ammons Branch, Norton Branch, Holly Branch and Scotsman Creek. We believe this area should be managed with as light as touch as possible with no road construction/reconstruction, un-even age timber management practices that mimic natural disturbances, and top priority placed on water quality protection. Stay tuned for further reports on this timber sale, and see our website for a map of the project.

VOLUNTEERS NEEDED FOR STEKOA WATER SAMPLING

The Chattooga Conservancy’s monthly water sampling of Rabun County’s very polluted Stekoa Creek continues to register high fecal coliform counts every time. The most recent water sample tests for the month of June at seven spots in Stekoa Creek revealed fecal coliform counts ranging from significantly over to way over permitted levels at four of the seven sampling sites, with a fifth site just barely under the allowed level (see chart below). Excessive fecal readings in a stream that flows through downtown Clayton that’s also a major tributary to the Chattooga River is a public health concern! The Chattooga Conservancy is sharing Stekoa water test results with the Rabun County Health Department and Clayton’s mayor, but unfortunately the county lacks resources to really prioritize clean-up measures. However, to date the Conservancy’s water tests have found two sewer pipe leaks, which were patched. We are looking for volunteers to learn about water sampling techniques and to assist Stekoa Creek monitoring project manager Jenny Pugh Sanders in taking monthly water samples. Water sampling dates are scheduled for August 16, September 20, and October 18. Contact the Chattooga Conservancy to learn and help out.

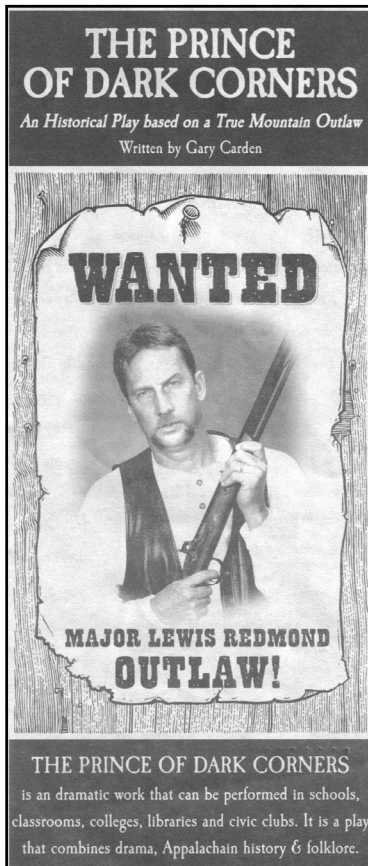


Upcoming Events

CHATTOOGA WATERSHED CULTURAL HERITAGE SERIES

AUGUST 19, 7:00 P.M. Presentation “Wit and Wisdom of the Southern Appalachians” by Ran Shaffner, owner and operator of Cyrano’s Bookshop in Highlands, N.C. Ran is the author of Heart of the Blue Ridge, Highlands, North Carolina that has become the definitive work on the rich cultural history of the headwaters area of the Chattooga watershed.

SEPTEMBER 16, 7:00 P.M. Play Prince of Darkness by Gary Carden, performed by actor Milton Higgins. An historical play based on a true mountain outlaw of the 1880’s who led a gang of 30 whiskey runners in defiance of federal revenueurs. Major Lewis Redmond was a real character, often called the “Jesse James of the Blue Ridge.”



Prince of Darkness, a play about Lewis Redmond, will be performed at the Chattooga Conservancy on September 16th.

COMING SOON! See www.chattoogariver.org for times and dates of the following:

OCTOBER Native American Artifact Field Day. Come

and bring your arrowheads, spear points, pottery shards and other artifacts to the Chattooga Conservancy for identification by a professional archaeologist. Help us document Native American culture. We are particularly interested in artifacts in the Chattooga River watershed. A real learning opportunity for anyone interested in Native American History.

OCTOBER 1-2 Braintan Buckskin Workshop. Learn how to tan a hide the old way. You will learn how to turn a raw deer skin into soft and supple buckskin, suitable for making clothes and other useful tools. All materials including the deerskin will be provided, or bring your own deerskin. Workshop fee: \$125. Space is limited.

NOVEMBER Old Timers’ Day. Come to the Chattooga Conservancy to swap stories about the early days of the Chattooga River watershed. Bring old photos, letters and Grandma and Grandpa. Empty the attic to discover untold local history, and come help us swap stories!

DECEMBER River Music and Dance. Music and dance native to the Chattooga River watershed performed by local musicians. Come and hear the “Ballad of Felix Alley” and learn about shape note music. There will also be a square dance and maybe a little buck dancing.

Heart of the Blue Ridge Highlands, North Carolina



Randolph P. Shaffner

Ran Shaffner will present “Wit and Wisdom of the Southern Appalachians” on August 19th.

Watch our website at www.chattoogariver.org for dates, times, and new additions.

Interstate 3

Buzz Williams

An interstate highway wider than three football fields is on the fast track for the north Georgia mountains. The initial route, outlined in federal legislation authorizing a “study” of feasible routes and cost, would connect the port of Savannah, Georgia, to Knoxville, Tennessee, and pass through the mountains near Helen, Georgia. However, the proposed route through the north Georgia mountains for Interstate 3, as it has been named, could change depending on the outcome of the feasibility study. Strong opposition from White and Towns Counties, which lie in the first proposed route, is already causing proponents of the road to talk about other options. According to Georgia State Representative Charles Jenkins, whose electorate includes residents of the northeast Georgia mountains, the route could shift to Highway 441 through Rabun County, where current road widening is already underway. Jenkins opposes the highway and claims to be in contact with the Georgia federal delegation that proposed the legislation for the feasibility study. He said in a recent public meeting in Rabun County, “They say this thing is a done deal,” and later, “all I’m hearing is Highway 441.” That would put an Interstate Highway in the Chattooga River watershed along Stekoa Creek—already the most polluted tributary to the National Wild & Scenic Chattooga River. The Chattooga Conservancy is mobilizing to stop I-3.

Here are the facts: On July 22, 2004, Congressman Max Burns (R-GA) introduced legislation in the U.S. House of Representatives conceptualizing two new interstate highways. One, called I-3, would link the port of Savannah, Georgia, and the Midwest through Knoxville, Tennessee, going north of Atlanta through the north Georgia mountains. The other, I-14, would intersect I-3 at Augusta, Georgia, taking off south of Atlanta to Montgomery, Alabama, and on to Natchez, Mississippi. Georgia Congressman Charlie Norwood (R-GA) co-sponsored the legislation. A similar bill was then introduced into the U.S. Senate by Georgia Republican Senators Saxby Chambliss and Zell Miller. Opposition that was beginning to build subsided somewhat when Burns was defeated in last November’s elections, but concerns remained about future efforts to renew the push for the interstate in the 109th Congress.

In January of 2005, Congressman Norwood introduced House Bill 301 requiring the U.S. Department of Transportation (US DOT) to study the same interstate system as proposed earlier by Burns. Reasons for constructing I-3 and I-14 listed in the bill were threefold: 1) to provide a linkage between military facilities to provide better national security; 2) for economic benefits, more expeditious transportation and safety; and, 3) to honor the U.S. Army 3rd Division that served as the “tip of the spear” during the latest Iraq war. The bill required the U.S. DOT to report back to congress on the feasibility and cost of construction no later than December 31, 2005.

The efforts of the Georgia delegation to pass legislation authorizing the feasibility study bogged down “in committee” as had the earlier effort by Burns, prompting a new strategy. On March 10th, legislation for the study of I-3 and I-14 passed the U.S. House of Representatives as a part of HR3, the Transportation Equity Act, by the margin of 419 to 7. Cost of the study was earmarked at \$400,000. Soon afterwards, Senators Saxby Chambliss and Johnny Isakson (R-GA) introduced almost identical legislation in the U.S. Senate as SB 459.

On April 26th, Congressman Norwood sent out a legislative update with an outline of the I-3 proposal and a map of the general route as proposed through Helen and Hiawassee. Norwood was quoted as saying, “It is critical that we begin these projects as quickly as possible, while many sections of existing highways can be incorporated into the routes of both new interstates. Every day of delay runs the risk of development cropping up that will require a great deal more money to accommodate.”

On May 17th, the U.S. Senate passed the Transportation Bill containing provisions to fund the feasibility study for the two interstates. Matt Sawhill, Senator Chambliss’s northeast Georgia regional representative, was quoted as saying that the project has “overwhelming statewide support.” Sawhill pointed to “studies” that show that 80% of jobs are located within five miles of an interstate.

Indeed, many do support the idea of bringing an interstate through the Deep South. Among those who support the project are U.S. House Representative Lynn Westmorland (R-GA) who sits on the House Transportation Committee, Senate Majority Leader Bill Frist, (R- TN), former Majority Leader Trent Lott, (R-MS), Georgia State Development Commissioner Craig Lesser, Georgia Transportation Commissioner Harold Linnenkohl, Robert Morris representing the Georgia Ports Authority and Bill Hubbard, President of the Savannah Area Chamber of Commerce. Big industry also supports both interstate projects including Home Depot, Georgia Pacific, the Georgia Mining Association, the Knoxville based Goody’s Family Clothing Inc., and Sea Ray Boats Inc.

The Georgia State Legislature made their feelings clear in the 2006 budget that includes \$100,000 to establish the Interstate Highway Development Association for the purpose of promoting both interstate projects. This position is clearly motivated by the argument that both I-3 and I-14 would ease traffic problems in and around Atlanta by rerouting truck traffic through the countryside.

On a local level, support tapers off at around Dawson County, where opinions vary. Clarkesville Mayor Sam Tolbert takes a noncommittal position; “I don’t think it would hurt, but I don’t think it would help us,” Tolbert told news reporters. Further north, however opposition is strong.

Interstate 3

In a town hall meeting in Hiwassee on May 24th, 650 people showed up to voice an overwhelming opposition to the project. Then on June 7th in Rabun County, 178 citizens applauded and gave a standing ovation to the Rabun County Commissioner's unanimous opposition to the proposed interstate through the north Georgia mountains.

Opponents of I-3 are uniting forces across the Blue Ridge, not only in North Georgia but in both South and North Carolina. Chapters of an interstate opposition group called Stop I-3 have already held several organizational meetings with a common goal to stand together to stop the project before it gets any further. But backers of the interstate highway project are pushing hard with a target date for the President to sign legislation by August, and to begin construction within five years. Again according to State Congressman Jenkins, the Georgia delegation doesn't really need the relatively few votes in north Georgia to get elected. They see themselves as serving the greater good of traffic-stressed Atlanta and regional development. Norwood's Communications Director John Stone puts it this way, "Right now, there's only a tiny group opposed," he said. "These folks have built retirement homes up there and want to lock themselves in as far as development."

The task of stopping an interstate highway with such political clout and regional support will be a daunting task. Opposition forces must now expand a local argument to a national level with clear reasoning that appeals to the grassroots. Putting together a coalition is a must, with strategies for media, legal support, and civil disobedient, nonviolent protest. The key, of course, must be to convince people outside the region that there are alternatives to the reasons the pro-interstate side has given for sacrificing the pristine environment of the mountains for questionable economic development.

There are flaws in the argument that the region needs I-3 to link Savannah to the Midwest. The current 450-mile route from Knoxville to Savannah would only be shortened by 15 miles. The cost of building an interstate highway is about 25 million dollars per mile, with a total cost for I-3 in the neighborhood of 50 billion dollars. This staggering sum could better be spent on mass transit that would solve Atlanta's traffic woes while going a long way to address serious air quality problems from Atlanta to the Great Smoky Mountains. According to D. J. Gerken of the Southern Environmental Law Center in addressing Atlanta's traffic problems, "Peak hour traffic is the problem, and that's locals."

The argument that the interstate is necessary for homeland security seems aimed at tapping into patriotic sympathies, without much fact. The highway system that currently exists seems to be more than adequate to move troops and supplies. Both Fort Stewart in Hinesville, Georgia, home of the 3rd Infantry Division for which I-3 is named, and Hunter

Army Airfield are located just outside Savannah, and are already served by a four-lane highway. The distance from Savannah to Fort Gordon and the Veterans Administration Hospital in Augusta is only about 140 miles. Necessary improvements to the roads between these military facilities are more than sufficient for national security without even coming near the mountains, where no major military facilities exist. One would only have to ask troops in Iraq or Afghanistan if they would rather see an interstate in the north Georgia mountains, or have 50 billion dollars spent on body and vehicle armor, to get a good argument against I-3.

Then there is the safety argument. Proponents of I-3 do not deny that one possible use of I-3 would be to move tritium and MOX fuel between the Savannah River nuclear facility to other nuclear power plants and Oak Ridge, Tennessee, for processing. Moving the most dangerous poison known to humanity through steep, rugged terrain where snow, ice, and fog are common would be nothing short of extremely unwise.

The economic argument for I-3 is equally flawed. Suffice it to say that the real question is: what kind of economic development? Interstates bring sprawl in the form of convenience stores, fast food joints, warehouses, noise, congestion and pollution. The mountain region economy is fueled by nature based tourism, family farms, and second home development. In fact, the kind of development brought by an interstate would literally kill the goose that lays the golden egg.

Environmental destruction as a result of interstate highway construction would be staggering if I-3 were built through the Blue Ridge Mountains. Wildlife corridors would be severed, streams would be choked with silt, and scenery would be destroyed. Air quality would be even worse in an area already on the EPA's non-attainment list. In short, a pristine environment that is the key to good health and a good economy would be sacrificed for a few big corporations that want to move more goods from China through the Port of Savannah to big box stores across to the Midwest.

The fight to stop I-3 will be daunting. We have outlined here the case for and against I-3. You make the choice. Joining the fight to stop I-3 may be one of the most important decisions that people who care about the pristine environment of our Blue Ridge Mountains will ever have to make. Please get involved now. Which side will you take? In coming months, we will keep you posted on actions and events to stop I-3. Call and write your representative in congress and **demand** this foolish project be withdrawn before it starts.

See www.chattoogariver.org
for information on how you can
take action against Interstate 3.

“Major” Lewis R. Redmond

George Ellison

So, you think the Eric Rudolph extravaganza was pretty special, maybe even unique? In reality, Rudolph is only the latest in a line of picturesque desperadoes produced here in the southern mountains. One of the most colorful and ruthless was “Major” Lewis R. Redmond, a late 19th century mountain outlaw and bootlegger. Redmond had gained such national fame as a romantic hero that he had a “dime novel” border romance based on his life by the time he was 26-years-old, and a book-length biography at age 28. He provided copy for the *National Police Gazette* and most major newspapers of the day, eventually making page one of the *New York Times*. Here’s his story.

Redmond was born in the mid-1850s, according to some sources in the Maple Springs section of present Swain County, North Carolina (a part of Macon County until 1871) or, according to other sources, in Georgia. At any rate, his family was residing in the Middle Fork community of Transylvania County by 1856, at which time the future hero-villain was two years old.

He was given the honorary nom de guerre “Major” as a youth while hanging out around army camps during the Civil War. “The complimentary nickname stuck, and was said to be most appropriate in later years because of his extraordinary ability to lead and organize men,” observed Brevard writer Jim Bob Tinsley in an overview of Redmond’s life published last year as part of his excellent book *The Land of Waterfalls: Transylvania County, North Carolina* (1988). This account of Redmond’s escapades is based on Tinsley’s book as well as other book and newspaper sources.

Tutored by Wash Galloway and his father, Redmond was an experienced distiller of moonshine by the time he was 21. When in 1876 he began making home deliveries of the product, federal revenue officers obtained an arrest warrant. On March 1, he was apprehended at gunpoint by Deputy U.S. Marshall Duckworth while driving a wagonload of the stuff across the Lower Creek ford of Walnut Hollow Road in the East Fork section of Transylvania County.

After Duckworth read the warrant, Redmond told him, “All right, put up your pistol, Alf. I will go along with you.”

As Duckworth lowered his weapon, Redmond produced a small derringer and from point-blank range gunned the officer down with a bullet that entered his throat, carrying with it a collar button.

As Redmond fled, “Duckworth staggered to the ford ... and bent over for a drink, but the water leaked out through the bullet hole in his throat.” The 24-year-old officer died shortly thereafter.



“Major” Lewis Redmond, a late 19th century mountain outlaw and bootlegger.

Thus began a violent and unlikely career during which Redmond became a national hero—a species of Robin Hood—for those who opposed federal revenue laws governing the manufacture of whiskey. Described as “a ladies’ man” who “was part Indian, having hawk-like eyes and raven black hair” and “a superb specimen of manhood, being six feet tall, stoutly built, very strong and active as a cat,” he was quite willing to play the romantic hero role in which he was cast.

“His name was a rallying cry, and fellow distillers were eager to ride with the man who was fighting the revenue officers and winning,” wrote Tinsley, who noted that “many of the influential state newspapers openly supported his activities,”

while the less friendly northern pro-revenue press labeled him “the bloated brigand of the Blue Ridge.”

The lines were drawn and the stage set for a high country whiskey war. And, whatever one might think of Redmond as an individual, he was undeniably ready and able to carry on a pitched battle that raged across the Carolina mountains and front pages of national tabloids for five tumultuous years until the final bloody shootout on the banks of the Little Tennessee River in Swain County on April 7, 1881.

“Major” Lewis Redmond

In January 1877, Redmond and his wagoner, Amos Ladd, were tricked to a house near Liberty, South Carolina, where they thought a delivery was to be made. While asleep with their boots off, they were arrested by officers who stormed the place.

The resourceful Redmond escaped almost immediately. Angry that he had been tricked, he hounded the officers from ambush with gunfire until Ladd was also free. Still fuming a week later, he invaded one of the same officer's home and abducted his wife and two of his best horses. He subsequently returned the wife and one of the horses, but rode off on the other horse, after buying a round of drinks at a local bar.

Upward of thirty men rode with Redmond's various gangs through the years. They were pursued “with a hail of bullets” by dozens of revenue officers through the Blue Ridge to little avail despite the \$1,000 reward posted for Redmond's arrest. As one of his specialties was raiding the homes of the officers who pursued him, he must have cooled off many a would-be captor.

Still, things were hot enough in his usual haunts around the junction of South Carolina, North Carolina, and Georgia that in the spring of 1879 he moved three days west to Maple Springs on the Little Tennessee, several miles west of the little village of Charleston, North Carolina, which changed its name to Bryson City a decade later. So famous was he that a highly fictionalized account of his life by R.A Cobb was published in that same year.

With Redmond's arrival illegal moonshine traffic made a quantum leap in Swain County almost overnight. Concerned citizens filed complaints in Washington, D.C. Three raids were made on his hideout, which consisted of a cabin set against a cliff with a view of the only approach and a canoe at a landing on the river below.

In 1879, having been forewarned, he headed downstream 20 minutes before his would-be abductors arrived. The second raid in 1881 found him going out a small escape hole in the rear of his house as the officers came in the front door. No doubt he once again used the canoe to escape downriver. During the third raid later that year, Redmond came out

came out with a gun. Realizing he was surrounded, he attempted to run.

“Within a few steps he fell with six bullets in him,” read one account. The *New York Times* prematurely reported his death, but Redmond had a tough constitution that fully complemented his rowdy disposition. He survived to live another 25 years.

After the arrest, he was taken to Charleston (Bryson City), where his wife during a visit managed to slip him a pistol concealed under a pillow. The officers found out about it and confronted Redmond with the advice that if he moved he would be killed, which was exactly the sort of language he understood. After surrendering the pistol, he was moved to Asheville and then on to Greenville, South Carolina, for trial.

Redmond spent almost three years in prisons in New York and South Carolina until being granted a pardon by President Chester A. Author in 1884. He died in near Seneca, South Carolina, in 1906, leaving a wife, two sons, and seven daughters, who had inscribed on his gravestone: “He was the sunshine of our life.”

Ironically enough, shortly before his death—as a law-abiding man during a period when whiskey production had become legal—he was hired by a government distillery at Walhalla, South Carolina, to oversee its production, which was of poor quality. Whatever his other deficiencies, Redmond was recognized—even by federal officials—as a man who knew how to make good stuff. For the

government, he turned out a “special blend” distributed by a Charleston, South Carolina, company with a picture of the infamous “Major” Lewis R. Redmond right there on the barrel heads and bottle labels for all to see and contemplate.



A border romance about Redmond was published in Philadelphia in 1879.

George Ellison is a naturalist and writer who resides in Bryson City, North Carolina. His new book *Mountain Passages: Natural and Cultural History of Western North Carolina and the Great Smoky Mountains* was published by The History Press in June 2005. His essay about the life of “Major” Lewis R. Redmond is reprinted from *Smoky Mountain News*, a regional newsmagazine published in Waynesville, North Carolina, where it was originally published in December 2000.

Monsanto Re-engineers Nature

Eric Orr

Percy Schmeiser and his wife saved seeds from their Canadian canola farm for forty years. They had effectively developed a strain of canola that was perfectly adapted to their locale, requiring less herbicides and pesticides than other conventional seeds would have needed. But in 1998 Schmeiser noticed something strange about his crop. He sprayed the popular herbicide Roundup on stray canola plants near a telephone pole, but the plants didn't die. The huge biotech corporation Monsanto got wind of Schmeiser's Roundup resistant crop and paid his farm an uninvited visit. Without consent Monsanto tested the canola and determined it contained patented genes. In August of that year Monsanto filed a statement of claim against Schmeiser demanding a \$15,000 "technology fee." Monsanto is the same company that developed Roundup. They are also the world's foremost producer of genetically modified grains. Among their patents is Roundup Ready canola. It was developed to allow farmers to spray Roundup in their fields without damaging the crop.

Schmeiser disputed the claim, saying that he never wanted to grow genetically engineered canola, and that it had contaminated his seed either through cross-pollination from a neighboring field or from seed blown off of a passing truck. Monsanto attorney Roger Hughes said, "Whether Mr. Schmeiser knew of the matter or not matters not at all." Monsanto initiated a \$400,000 lawsuit that resulted in a seven year battle. In the end, Schmeiser had to pay nothing to Monsanto, but he was found guilty of patent-infringement. He lost \$160,000 in legal fees, \$40,000 in time spent away from his farm, and 40 years of seed development. Schmeiser said, "If I would go to St. Louis and contaminate their [Monsanto's] plots—destroy what they have worked on for 40 years—I think I would be put in jail and the key thrown away."

Percy Schmeiser is not Monsanto's only victim. The raging giant investigates 500 farmers each year, and to date they have been awarded over \$15 million through lawsuits. "Farmers are being sued for having GMO's [genetically modified organisms] on their property that they did not buy, do not want, will not use and cannot sell," said North Dakota farmer Tom Wiley.

In 1997 and 1998 Glen Eaton planted Roundup Ready soybeans on his Arkansas farm. Many of the soybeans "shattered" before harvest time causing Eaton to suffer huge profit losses. Monsanto compounded his financial straits when they sued him for growing Roundup Ready soybeans in 1999 and 2000. The last thing Eaton wanted in his fields was the same seed that left him with crop failure. He doesn't know how his seed got contaminated. It could have been volunteer plants from previous years or he may have inadvertently mixed in left over Monsanto seed. Even the judge concluded that Eaton's claim was irrefutable, but the lawsuit ended with a confidential settlement.

Why would such a huge company launch a corporate crusade against small farmers? Monsanto's patents prevent farmers from saving seed, so they have to buy new seed each year. By making examples of small farmers, they are systematically scaring the entire agriculture industry into not saving seeds. The goal is to force farmers into buying Monsanto seed, and the chemicals necessary to grow that seed, every year. Monsanto employs 75 people specifically for investigating and prosecuting farmers. It's a \$10 million a year terror tactic.

The biotech industry's attempts to expand the use of genetically modified crops serve only the corporations that stand to profit. The general public has no choice. Over 50% of all conventional soybean and corn seed and almost 100% of conventional canola in the United States is tainted with genetically modified DNA. Approximately 60% of all food on grocery store shelves contains genetically modified ingredients, however the FDA does not require them to be labeled as such. A 1999 *Time* magazine poll revealed that 81% of American consumers believe that GMO food should be labeled, and 58% indicated that they would avoid purchasing food labeled as GMO. European labeling laws make it easy for consumers to steer clear of genetically engineered food. And while biotech companies have been getting wealthier, foreign bans on GMO's and product recalls have cost the United States \$12 billion in farm subsidies since 1999.

Genetically modified organisms have not existed long enough to adequately determine whether or not they are safe. Very few studies have been conducted on the long term health effects of GMO's, and when studies do reveal potential health hazards they are ignored. In a report summary presented to the European Food Safety Authority (EFSA), Monsanto failed to mention the abnormal effects of GMO corn on lab rats. A previous study indicated harmful effects on rats that were fed GMO potatoes. Many scientists believe genetically engineered food should be studied more thoroughly before it is introduced to the public.

In 1989 the Centers for Disease Control linked 37 deaths to tryptophan that was produced with GMO bacteria. It also paralyzed 1500 people and temporarily disabled 5000. The genetically engineered tryptophan contained a harmful amino acid that doesn't occur in naturally produced tryptophan.

Another concern is that GMO food could harbor deadly allergens. Without labeling there would be no way to trace the allergy to its source, because the victim would have no knowledge of consuming GMO's.

Genetically modified plants also present significant environmental dangers. Although the biotech industry claims that GMO's reduce the need for herbicide, they actually require more chemicals. Farmers who grow

Monsanto Re-engineers Nature

Roundup Ready soybeans spray 2 to 5 times more herbicide than those who grow non-GMO soybeans. It's designed to resist the effects of Roundup so the entire crop gets dowsed, whereas, non-GMO fields can only be treated prior to sowing, or spot treated later. The increased use of herbicides creates chemical resistant super-weeds, so farmers must use different kinds of herbicides in higher quantities. Why would a company aim to reduce chemical use when they manufacture the chemicals?

Plants that are engineered to resist insect infestations actually produce pesticides. Each cell of the plant continuously creates insecticide to kill the insects that feed on the crop. The Environmental Protection Agency lists these plants as pesticides. So even though farmers may not be applying chemicals to control insects, more pesticide is introduced into our food and water supplies.

Genetically modified DNA threatens the environment further

as cross-pollination introduces the modified genes to wild vegetation. Proponents of genetic engineering argue that it's just an extension of natural evolution, but if that were the case there would be no need for genetic engineering. Evolution doesn't cross species boundaries. There is no way for a soybean seed to naturally inherit the genes of bacteria. Evolution also occurs at a very subtle rate, while genetically modified organisms are introduced on a massive scale. This massive scale severely reduces biological diversity.

Thousands of acres of crops share the exact same DNA and they pass that DNA on to wild plants. The resulting monoculture limits the viability of the species. If one plant is susceptible to disease, the entire crop gets wiped out. The impact of gene pollution cannot be reversed.

We simply have no idea where genetic engineering will lead. It's God's job. A 1999 Cornell University study of Monarch butterfly caterpillars and insecticidal GMO corn resulted in the death of almost half of the caterpillars that were fed modified corn pollen. The surviving butterflies were smaller than normal Monarchs and had decreased appetites. In 2000, an Iowa State University study determined that plants in or near insecticidal GMO cornfields were covered with enough of the toxic pollen to kill Monarch caterpillars. Genetically engineered corn covers much of the Monarch's migration route throughout the U.S. This seemingly minor effect could result in a chain reaction of ecological destruction.

Developing countries may get the shortest end of the GMO stick. Biotech corporations claim that genetic engineering is the solution to third world hunger. They emphasize the need to introduce the technology to poor countries to increase food production. But supply is not the problem. The world currently produces more food per person than ever before in recorded history. Hunger is caused by poverty. Subsistence farmers in third world countries cannot afford Monsanto's technology. In order to grow GMO's they must pay for the chemicals and equipment necessary to produce a consumable crop. Even the United States Department of Agriculture agrees that developing countries are the primary target market for "terminator" seeds. Terminator seeds are GMO seeds that don't reproduce, so even if farmers want to save seeds illegally, they can't. They are forced to purchase new seeds every year. Poor countries rely on saving seeds. Introducing GMO technology only serves to broaden the economic class division in these countries. Only large commercial farms can afford to utilize GMO technology, and small farmers are forced

to sell out. Often their only option is to move into cities to work low paying sweatshop jobs.

There are currently 70 million acres of GMO crops growing in the U.S. That's roughly the size of North Carolina and Georgia put together. If the biotech industry doesn't rethink its priorities we may be headed for disaster. In a 1998 *New York Times* article, Harvard geneticist Richard Lewontin said, "There is no way of knowing what all the downstream effects will be or how it might effect



You can reject genetic engineering by shopping at local sustainable farmers markets.

the environment. We have such a miserably poor misunderstanding of how the organism develops from its DNA that I would be surprised if we don't get one rude shock after another."

The most effective means of fighting gene pollution is to tell the biotech industry you don't want their GMO's by not buying them. Instead of supporting chains and corporate based stores that carry genetically engineered food, find a local farmers market in or near your community. The best way to ensure you're not buying genetically engineered food is to see where that food comes from. If you're lucky enough to have a garden spot plant your own heirloom vegetables and trying saving the seed from year to year. Eating locally and sustainably produced food will not only provide you with healthful meals, but it will also give you peace of mind.

Endangered Plants in the Chattooga Watershed

Carol Greenberger

“Nothing is more priceless and more worthy of preservation than the rich array of animal life with which our country has been blessed. It is a many-faceted treasure, of value to scholars, scientists, and nature lovers alike, and it forms a vital part of the heritage we all share as Americans.” These words of President Richard Nixon heralded the signing of the Endangered Species Act (ESA) in 1973, designed to protect the diversity of animals and plants throughout our nation. With an almost unanimous vote from Congress, the ESA was a rewrite of the 1966 Endangered Species Preservation Act. The original act, inspired by the plight of the whooping crane, authorized the listing of endangered domestic fish and wildlife, established a budget for the Fish & Wildlife Service to purchase habitat for listed species, and directed federal land agencies to preserve endangered species habitat. This law, as well as one passed in 1969, while an important beginning gave little meaningful protection to listed species. The Endangered Species Act went many steps further.

The 1973 ESA distinguished threatened from endangered species, added plants and invertebrates, authorized unlimited funds for species protection, and made it illegal to harm or kill a listed species. The act encouraged states to develop and maintain conservation programs for federally listed species, and established a system of incentives and financial assistance. Recovery plans were required for each listed species, describing the steps needed to restore the species to health. Designation of critical habitat, geographic areas essential to the conservation of listed species, was an important aid to the legislation’s ability to effect positive change. The objective of the act is to provide a means for conserving the ecosystems that threatened and endangered species rely on, above virtually all other considerations. This was a change from the earlier language that called for protection “where practicable”. The ultimate goal of the Endangered Species Act is to make itself obsolete by recovering species to the point that they no longer need protection.

The Endangered Species Act has been amended eight times since its passage. These changes included: allowing a cabinet-level committee to exempt actions that would jeopardize a listed species; requiring the determination of the status a species to be made solely on the basis of biological information, without consideration of possible economic effects; monitoring of candidate and recovered species; public notice and review of recovery plans; and reports of all identifiable expenditures on a species by species basis.

The ESA is administered by the U.S. Fish & Wildlife Service and the National Oceanic and Atmospheric Administration. According to the U.S. Fish & Wildlife Service there are currently 1264 listed species, 988 of these are endangered and 276 are threatened. An *endangered*

species is one that is in danger of extinction throughout all or a significant portion of its range. A *threatened* species is one that is likely to become endangered in the foreseeable future. Species may be listed due to destruction of habitat; overuse for commercial, scientific or educational purposes; disease or predation; inadequacy of existing regulatory mechanisms; or other natural or man-made factors affecting its continued existence. Anyone can petition the Fish & Wildlife Service to consider a species for listing, reclassification or de-listing. The Service and other agencies also conduct surveys and field studies to examine the health of plant and animal species.

Plants account for 599 of the listed endangered species and 147 of the threatened species. South Carolina currently has 20 listed plants, North Carolina 27, and Georgia 23. There are 50 total different plant species listed in the three states. About 12 of these listed plants can be found in the Chattooga watershed. Many of these plants are only found in a few sites in the watershed, and each of these separate groups of the species is called a population or colony. The decline of most of the plants that are listed as endangered or threatened has been the result of the encroachment of civilization into what were once forests or prairies.

The smooth coneflower, *Echinacea laevigata*, is one of the endangered plants that can still be found in the Chattooga watershed. Historically, the smooth coneflower grew in Pennsylvania, Virginia, Maryland, North & South Carolina, Georgia, and Arkansas. It survives today in four states, including South Carolina and Georgia. Over two-thirds of the historic populations have been destroyed, and the plant was listed as endangered in 1992. This member of the Aster family can be found in the open woods, clear cuts, roadsides, cedar barrens, and dry limestone bluffs. While the blooms of the smooth coneflower look that of its relative, the purple coneflower that we are familiar with, it can be distinguished from other species of *Echinacea* by its smooth leaves, in contrast to the usual sandpapery textured leaves. The plant thrives in abundant sunlight and little competition in the herbaceous layer. The species requires bare soil for seed germination. Careful clearing, fire or some other type of suitable disturbance is essential to the survival of the smooth coneflower. Formerly the plant probably occurred in prairie-like habitats or post oak savannas maintained by fires set by Native Americans or caused by lightning. Loss of open habitat due to the growth of cities and suburbs, highway right-of-way maintenance, collection, fire suppression and possible predation by insects have all played a part in the decline of the species.

In South Carolina’s Sumter National Forest, the Forest Service began the first experimental management for this species using fire in 1992. After clearing woody vegetation from a site and then conducting a prescribed burn, the smooth coneflower population quadrupled. In Georgia’s Chattahoochee National Forest, the Forest Service is

Endangered Plants in the Chattooga Watershed

monitoring the populations and mowing on a timed schedule to benefit the plant. Prescribed burning was also conducted on that site.

The recovery plan calls for protective management of the known populations, surveying to find suitable habitat for additional populations, and research on the biology of the species and its natural ecosystem. The plant will move from endangered to threatened when twelve geographically distinct, self-sustaining populations are protected in at least two counties each in Virginia, North Carolina, South Carolina, and one in Georgia. The populations must maintain a stable or increasing level for five years, and at least nine of the populations must be in natural habitats in permanent conservation ownership and management. Delisting will be considered when there are fifteen populations that have been stable or increasing for ten years.

Two endangered species of trillium can be found in the Chattooga watershed, *Trillium persistens* and *Trillium reliquum*. Persistent trillium was listed as endangered in 1978. The species is very restricted in distribution and today exists in four populations that are within 5.3 miles of each other. This species of Trillium blooms earlier than most others, from mid-March to mid-April. It produces a single, white, three-petaled flower on an erect stalk. The petals of the flower turn purple as the bloom ages.

Persistent trillium generally grows in deciduous or mixed hemlock-pine-deciduous woods on steep slopes, gorges or ravines, under or near *Rhododendron maximum* or *R. minus*. They root in loose loam and well-decomposed litter. Soil moisture is probably the most influential factor in the distribution of the species at each site. The limited range and population size of persistent trillium makes it vulnerable to anything that reduces its habitat such as clear cutting, logging and power line construction. It is also likely that the damming of the Tugaloo and Tallulah Rivers to form lakes destroyed some colonies of persistent trillium. Over-collecting because of the plant's rarity also threatens its existence.

Most of the plants in both South Carolina and Georgia are located on land belonging to Georgia Power Company. The company has entered into agreements with both states to protect the persistent trillium found on their land and have protected the habitats from timber cutting and development. Callaway Gardens is developing propagation techniques for the species, and seeds have been placed in the US Forest Service's National Tree Seed Laboratory for germination studies and long term storage. The recovery plan for *Trillium persistens* seeks to provide permanent protection



The small whorled pogonia was moved from endangered status to threatened in 1994.

for the habitat of at least 75 percent of the known plants, search for additional populations, develop and implement appropriate management guidelines, make available commercial sources for the species, provide long term seed storage, enforce the laws that protect the species and increase public awareness.

The small-whorled pogonia, *Isotria medeoloides*, is listed as threatened in Georgia, North Carolina and South Carolina. Originally deemed endangered in 1982, the species was reclassified as threatened in 1994. This member of the orchid family has a single or pair of yellowish-green flowers with a greenish-white lip. Its five or six leaves grow in a circular arrangement, a false whorl. Although sparse in population, the species has a wide range extending from Maine to Georgia. The Nantahala, Sumter and Chattahoochee-Oconee National Forests all have colonies of

the small whorled pogonia. The sites generally share a few characteristics: sparse to moderate ground cover, a relatively open understory canopy, the presence of decaying vegetation, and proximity to logging roads or streams that create long, persisting breaks in the forest canopy. Other than these similarities in habitat, the species can be found in widely different settings.

While over collecting was originally identified as one of the two main threats to the small whorled pogonia, habitat destruction has become the primary problem. Residential and commercial development is the primary factor in destruction of the species habitat, as well as the construction of roads, power lines and sewer mains that accompany growth. In some cases though, education and public awareness have been successful in

protecting populations of the small whorled pogonia. In a subdivision near Williamsburg, Virginia a road and sewer main were rerouted to avoid destruction of a colony. In Connecticut, a trail through a state forest was rerouted. Recovery efforts also have aided by research.

The Endangered Species Act has helped us as a nation make great strides in species conservation. Unfortunately the law's original intent has been diluted by politics and lawsuits. Draft legislation, soon to be introduced to Congress, has been prepared by the Republican staff of the House Resources Committee that would greatly further weaken the ESA. In order to protect the wonderful and fascinating diversity of species our country is endowed with, the focus must return to conservation over special interests. We can each do our part by being aware of the endangered and threatened species in our watershed, and trying above all, to do no harm.

Members' Page

Many thanks to all who recently renewed their membership, joined or donated goods or time to the Chattooga Conservancy. Your generous contributions will help us continue to work on all of the important conservation issues facing the watershed.

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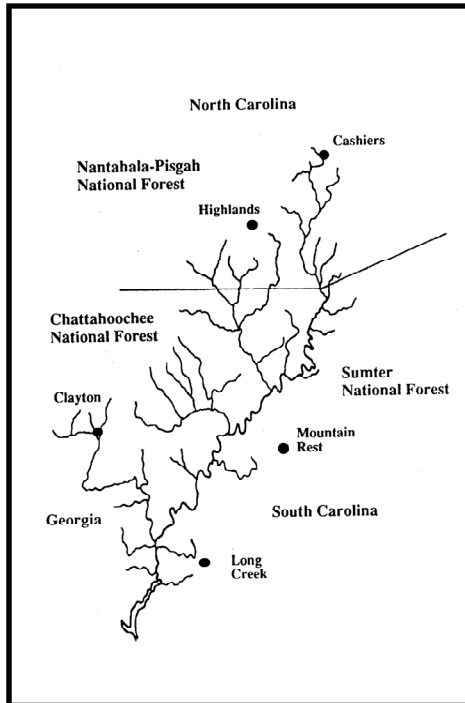
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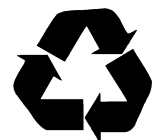
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