



Chattooga Quarterly

Summer ♦♦♦ 2013



WOLF MOUNTAIN CELL TOWER: DEFEATED

This sweeping panorama of the Southern Blue Ridge Mountains in the Chattooga River watershed as viewed from Long Creek, SC, was recently saved from the visual blight of a cell phone tower.

Photo from the day of the Chattooga Conservancy's balloon test, with an analogue cell tower structure. Image by W.S. Lesan, Chattooga Native Plant Society

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Director's Page

Nicole Hayler

Since this is my first "director's page," I thought it à-propos to state my origins with the Chattooga Conservancy, which all started many years ago....

It was 1990, and the Forest Service was gearing up for a timber sale that would clearcut and plow roads into the deep woods surrounding the last vestiges of the old "Long Creek Roadless Area." I was fresh to public land issues and very concerned, as an idealistic young recruit into a cadre of citizen-activists all working to put the brakes on the Forest Service's rampant clearcutting of the Chattooga River watershed's native hardwood forest. In this instance, the deal was that after building a road, the large timber sale would go forward along the banks of a tributary to Long Creek and throughout the neighboring woodlands right next to the wild and scenic river corridor. Afterwards, what was formerly a nice stand of native hardwood forest would be converted into a pine plantation.

We had resolved to find a way to stop the clearcut, coupled with the notion of reasoning with the Forest Service to employ a gentler brand of forestry. This mission was foremost in my mind, as the morning sun peeked through low clouds that were quickly vaporizing after a night of pounding rain that broke that summer's dusty drought. The sun finally burst forth, full force and hot, causing the sodden earth to steam and signaling that the river would be recharged and gorgeous. But rather than heed its call, I motored towards the Andrew Pickens Ranger District office, and spent the rest of the day poring over volumes of the Forest Service's handbooks and manuals, all the while searching for some clue or rules that might offer purchase for stopping this timber sale.

That day paid off. Luck and determination led me to a snippet of procedural regulations that pointed to exactly where the Forest Service was poised to break their own rules. This find provided a small spark that helped ignite a full-blown campaign involving bold infiltration into the Forest Service's camp, direct action, big media and ultimately, successful litigation that halted the Forest Service's project, and which afterwards became known as "The Story of Forest Green" (see *Chattooga Quarterly*, 2010 spring & summer). And this episode nearly 25 years ago was when I turned the corner from post-baccalaureate employment with the Chattooga River's whitewater industry, towards the mission of fighting to protect our Chattooga River watershed from the onslaught of the Forest Service's

clearcutting and road-building program that was systematically wrecking our special cache of public lands.

This mission expanded as our team of activists collaborated to found, and then fund the operations of the Chattooga Conservancy (known then as the Chattooga River Watershed Coalition). I was the organization's first official employee, and my role as the development and program coordinator grew over the years from part-time to full-time engagement in a diverse program of work. Now this experience and conviction has propelled my role to that of executive director.

For instance, recent achievements rightly extolled in this issue of the Chattooga Quarterly include stopping the construction of an unsightly 195-foot cell phone tower next to the Chattooga River corridor, and derailing the Forest Service's wacky plan to permit the construction of a theme park and tourist trap within the protected boundary of the wild and scenic river corridor.

Over the years, too, the Chattooga Conservancy has been fueled by its unique mission to protect, promote and restore the Chattooga River watershed, while likewise being propelled by our dedicated membership, staff and board of directors. Through these varied contributions, we all share in upholding this mission as well as the achievements made possible by unified travails.

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and derailing the Forest Service's wacky plan to permit the construction of a theme park and tourist trap within the protected boundary of the wild and scenic river corridor. The outpouring of members' support during both of these fights, which pitted our modest resources against much greater odds, was crucial in achieving these wins.

What lies ahead for my tenure as executive director? A seamless transition into the work at hand has already occurred. And there is a veritable mountain of work before us, including: closure on the Stekoa Creek Park project; executing two 319(h) grant work plans focused on improving Stekoa Creek's water quality; completing the native river cane restoration effort near Chattooga Old Town; keeping tabs on the ongoing North Carolina Forest Plan revision process, and monitoring and oversight—as always—other Forest Service proposals; launching a "Get the Dirt Out" campaign, and preparing for the Land Trust Alliance's accreditation process (both new projects, to be described in the next *Chattooga Quarterly*), and more. I appreciate this opportunity to step up and "carry the torch," and shall work hard to fulfill expectations and continue racking up achievements to add to the proud grassroots history of the Chattooga Conservancy.

The Cherokee Indian Trader

Buzz Williams

Soon after the first permanent English settlement was established in 1607 at Jamestown, Virginia, a hardy and determined group of frontiersmen began making contact with the Cherokee Indians of the Southern Appalachian Mountains to establish trade. Sixty-three years later and further south in South Carolina, a new port called Charles Town was founded at the confluence of the Ashley and Cooper Rivers, which provided an even more viable conduit for establishing trade relations with the Cherokee people. This trade was truly a dangerous and difficult activity involving extended travel into unexplored wilderness, and fraught with encounters with wild animals, harsh weather conditions, flooded river crossings and hostile Indians. Like the extreme conditions they faced, the characteristics of these early traders correspondingly included the extremes of human virtue and vice.

The exploits of many of the first traders among the Cherokee were never recorded. However, during the period between the mid-1600s, when European traders began living in Cherokee villages, until about the time of the American Revolution, American history is colored with wild tales of men living on the cutting edge of exploring a new frontier.

The net effect of all of the cultural changes to Cherokee society that were precipitated by the availability of European trade goods was a shift from a sustainable, egalitarian society to one based on natural resource exploitation. For better or worse, the role in this tragedy played by the first European traders to make contact with the Cherokee people cannot be over emphasized.

The Cherokee Indians who inhabited the Southern Appalachian

Mountains during the colonial period were exposed to both European and African races of people when the Spanish conquistadors Hernando de Soto and Juan Pardo visited the Cherokee in the 1500s during their search for gold and slaves. Yet further contact with Europeans was minimal, until the Virginia traders made their way into Cherokee villages to establish a trade network. Even after 1670, when Charles Town was settled, colonists mostly traded with the numerous other coastal and piedmont Indian tribes, which buffered the Cherokee from European contact.

The colonial government pitted coastal Indian tribes against each other to feed a barbaric slave trade. Colonial policy was

to encourage the tribes to raid each other to capture slaves that they would trade for guns, powder and other goods. Many of these Indian slaves were kept for domestic service, but the majority were sold to plantation owners in the West Indies. The British colonists believed that once Native Americans became dependent on trade for European goods, the colonists would have the upper hand in trade negotiations and could manipulate the Indians to reject the advances of British rivals, which were the Spanish to the

south and the French to the west, who were courting the Indians for trade and alliances as well.

The inter-tribal warfare resulting from competition for trade status with colonials, the ill effects of alcohol dependence, and death from foreign diseases as well as a breakdown of traditional mores devastated the numerous Native American tribes of the Carolina low country and midlands. Tribes such as the Westos, Cusabos, Yamasees, Savanahs and Yuchies soon felt the sting of interrelations with their new colonial neighbors. The result was the Yamasee War in 1715, where an alliance of coastal tribes revolted against unfair trade practices and attacked their European suppressors. The Yamasee and



The mutual desire of the Indians and the British for cultivating favorable political and trade relations led to three Cherokees, led by Ostenaco of Tommotley, traveling to London in 1762.

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their allies burned many outlying settlements and threatened Charles Town, but were finally driven back. This caused two big problems for the Carolina colonialists: first, it destroyed the Indian trade and second, it left the colonists exposed to the threats of growing foreign influence from Spanish Florida, and the French moving in from the Mississippi valley to the west.

The demise of the coastal Carolina and midland Indian tribes destroyed the buffer between the colonists and the Cherokee people. It soon became apparent to the colonists that cultivating an alliance with the Cherokee would be the key to reestablishing a new bulwark against foreign threats as well as continued trade, which now focused on the lucrative fur trade.

Even before the Yamasee War, Colonel James Moore Jr. was one of the first South Carolinians to establish a relationship with the Cherokee. In 1713, with the help of trader Eleazer Wiggan, he recruited 310 Cherokee warriors to accompany him to assist Virginia during the Barnwell Campaign against the Tuscarora Indians.

Eleazer Wiggan was an Englishman who migrated to Cherokee country around 1711 and established a trade practice with the Cherokee. Wiggan also traded with the Catawba and the Yuchi Indians. He later resided at a village among the Overhill Cherokee, at a place called Tenasi on the Little Tennessee River.

Colonial records show a license issued in March 1711 to a company named "Cards, Shekels & Wiggan," which was likely Eleazer Wiggan. The Cherokee called him the "Old Rabbit," after the sly and tricky rabbit that reoccurs in many Cherokee stories. He was described as having a slight build and amicable character.

In the summer of 1715 when the Yamasee War broke out because of bad trade practices, trade networks with the Cherokee were yet insignificant. Consequently, Cherokee participation in the war was minimal. Trader Wiggan, who was an adopted member of the Cherokee tribe, seized the opportunity to lead a delegation of Cherokee chiefs to Charles Town to negotiate peace and to establish a greater trade practice with the Cherokees. As a result, the South Carolina government sent Colonel James Moore's brother Colonel Maurice Moore to Cherokee country on a diplomatic mission to gain the allegiance of the Cherokee.

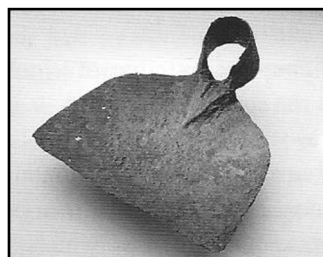
So in the fall of 1715, Colonel Maurice Moore and 300 English soldiers, including two companies of Negro troops, arrived at the Lower Cherokee town of Tugaloo on the upper Savannah

River. Charite Hayge, a powerful chief at Tugaloo, was known to be sympathetic to the Creeks, who had been allies with the Yamasee during the war. Creek warriors got wind of the Moore expedition and sent warriors to Tugaloo to play on Hayge's sympathies and attack Moore. Unfortunately for the Creeks, two Cherokee chiefs aligned with Wiggan massacred the Creek envoys before they convinced Hayge to take their side. Largely as a result of Wiggan's efforts and influence, the Cherokees became allies of the Carolinians.

Later, Colonel Maurice Moore visited Cherokee country to gain their allegiance and establish a trade network, a mission at which he was successful. In 1717, he made an agreement with Charite Hayge that set prices for trade. According to this agreement, a gun was worth 35 deer skins; a yard of cloth was worth 8 skins; a blanket brought 16 skins; a hatchet was worth 3 skins; thirty bullets, a pair of scissors, a knife, a string of beads or twelve flints cost 1 skin; an axe cost 5 skins; a pistol cost 20 skins; a sword cost 10 skins; a shirt cost 5 skins, a calico petticoat cost 14 skins, and a red girdle brought 2 skins.

However, soon the thriving trade with the Cherokee attracted more and more traders, some of whom took advantage of the now dependent Cherokee. Again, the colonial government had to deal with unhappy trade partners. In 1725 the Royal Governor of South Carolina sent Col. George Chicken to smooth things over. His interpreters were traders Eleazer Wiggan and Joseph Cooper.

The Cherokee reached their zenith of power in the period between 1725 and 1740. They now enjoyed a most favored tribe status with the British colonial government. The royal governor in Charles Town found it more favorable to establish trade with the Cherokee while withholding trade from the lower Creek Indians, who had sided with the Yamasee during the war. The principal trade out of Charles Town was deer skin leather, and the Cherokee were not only supplying most of the deer skins but were also carrying them to port cities on their backs. During this period they were becoming dangerously reliant on trade to supply them with more ammunition to kill more deer, and to produce hides to trade for cloth, trade beads, pots, axes,

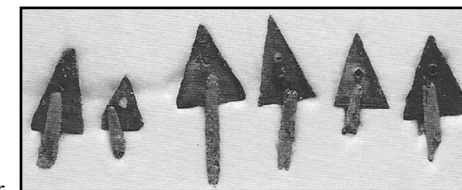


An important part of the deerskin trade were tools such as this iron hoe.

During this period the Cherokee were becoming dangerously reliant on trade to supply them with more ammunition to kill more deer, and to produce hides to trade for cloth, trade beads, pots, axes, hoes, and most addictive, for rum.

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hoes, and most addictive, for rum. So, while Charles Town was experiencing the explosive growth of becoming the primary trade exporter of trade goods in the colonies, the Cherokee were experiencing a whole rearrangement of their social order.



According to Colonel Timberlake's description, these arrow points were cut from worn out brass trade kettles.

During this period, the Carolina frontier was the line where two of the most different cultures on the planet flowed together. There was bound to be turbulence and radical change. Trade was the driving force of change, and the lynch pin between the two cultures were the traders who lived among the tribe, and who had taken Cherokee wives—these were the people who breached the gap between these two cultures. In fact, the traders, who often served as interpreters for interactions between the Cherokee and the colonial government, were often considered by the Cherokee as official representatives of the government. As a result, the actions of these early traders often played important roles in the shaping of history.

Some sources claim that an Irish trader by the name of Alexander Dougherty was the first white man to marry a Cherokee woman in 1690. However, it is more likely that the first trader to live among the Cherokee was a man named Robert Bunning. Later came Cornelius Daugherty, Alexander Long, James Douglas and James Beamer. William and Joseph Cooper were traders operating among the Lower Cherokee Towns in the headwaters of the Savannah River in 1698.

Another of the first traders among the Cherokee was Alexander Long, who had a trade store at the Yuchi village of Chestowee. Long, with the help of Wiggan, perpetrated one of the most shameful events in colonial history. History is not clear on the details, but it is well established that the remnant band of Yuchi Indians who lived in a village on the Hiawassee River were indebted to both Long and Wiggan for trade goods. The story goes that Long had an argument with a Yuchi warrior over the alleged debt, and that Long got the worst of it, leaving behind a chunk of his scalp. So Long employed the "Old Rabbit" as an accomplice in a plot for revenge, and the chance to recover debt. Wiggan used his influence with two powerful Overhill headmen named Flint and Caesar, and got them to agree to attack the Yuchi village of Chestowee in exchange for debt relief.

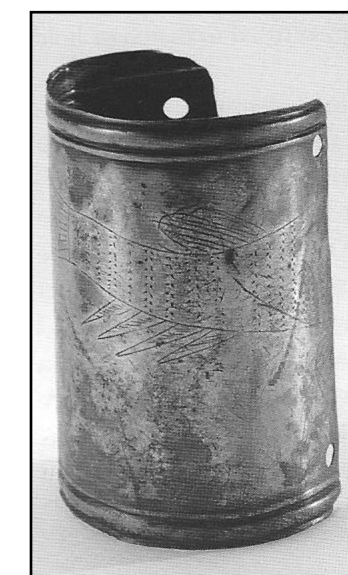
At dawn on a spring morning of 1714, the Cherokee attacked the Yuchi village of Chestowee, storming the palisade, and setting fire to houses and slaughtering villagers. Many took refuge in the council house, where they were surrounded. The Yuchi warriors, seeing the hopelessness of their situation, killed

every woman and child and then died by their own hands rather than submit to death or enslavement. The only survivors were a woman and 5 children, who escaped the slaughter. The traders held the survivors to be sold as slaves, to settle the Yuchi debt. Both Long and Wiggan were convicted by the South Carolina Commissioners of Trade of inciting the massacre at Chestowee. Their trade licenses were revoked, and the Yuchi captives were freed.

This disgraceful incident at Chestowee occurred one year before the Yamasee War, which was fought in the Carolina low country over dishonest trade practices. This should have been a wakeup call for the Cherokee, who would soon experience the same cultural downfall as the coastal tribes, as the tide of European influence rolled toward their land.

Long disappeared after the massacre at Chestowee; however, he did leave behind a very interesting account of his life with the Indians called "A Small Postscript of the Ways and manners of the Indians called Charikees." The more resilient Wiggan eventually regained his trader's license and went on to be a central figure in another landmark event in Cherokee history.

The year was 1730, when the flamboyant Scotsman named Alexander Cumming made his historic expedition into Cherokee



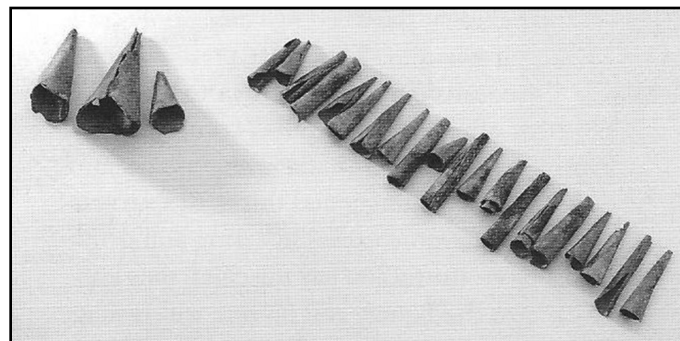
A Cherokee armband made from trade silver, a highly prized status symbol.

country to extract a Cherokee pledge of allegiance to the British. His guide was trader Joseph Cooper from Keowee Town. Cumming took seven Cherokee Indians to England to sign a treaty that lasted thirty years, and the interpreter that accompanied the Cherokee visit to England was none other than Eleazer Wiggan. Trader Ludovick Grant documented this historic event in "Historical Relations of Facts Delivered By Ludovick Grant, Indian Trader For His Excellency, The Governor of South Carolina."

In the year 1735, the Cherokee could field 3,000 warriors and were the most important tribe in the southeastern United States.

It was critical for the British to maintain Cherokee alliance, to stem a growing threat from the Spanish and the French, who were stirring up trouble with the Creeks and other southeastern tribes against the British. After a feeble attempt by the colonial government to reform trade practices, the unfair practices that had caused the Yamasee War were reemerging. Thus, the critical allegiance of the Cherokee

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Brass cones fashioned from scrap metal sometimes were attached to articles of clothing to create sounds during dances.

was once again being eroded by unscrupulous trade practices, and one of the worst offenders was a trader named John Elliot. Elliot was known to take advantage of the Cherokee by charging exorbitant prices, and also rigged scales and weights in his favor, sold war paint tainted with lead, and kept the Cherokee addicted to rum.

The 1740s and 50s were difficult times for the Cherokee people. An epidemic of smallpox swept through the nation and reduced populations by one-third. Game was getting scarce, and traders were unable to provide enough ammunition. The Cherokee became more dependent on rum as a way of escaping the grim reality of their plight. They became even more indebted to traders who had to answer to anxious merchants in Charles Town.

In 1745, two hundred thousand deerskins were purchased from the Cherokee. The fur and leather trade had become one of the most important export markets in the colonies.

On September 16, 1746, South Carolina Governor James Glen received 6 letters from “traders, agents and other informants among the Cherokee villages...”. The letters warned the governor that “...the uneasy tri-partie relationship between the Cherokee, the French, and the English was shifting dangerously.” Traders James Grant and Robert Bunning were among those who had written letters to the governor. Glen responded by appointing George Pawley to go to the Cherokee territory and gather intelligence about French activity among the Cherokee people. Pawley took Robert Bunning as an interpreter. On April 14, 1747, Pawley submitted his report to the Commons Indian Affairs Committee. Pawley’s recommendations were taken up by the House, which authorized the building of Fort Prince George (1753) on the Keowee River, and Fort Loudon (1756) on the Little Tennessee River, to promote British interests in Cherokee country.

Coincidentally in England in 1755, James Adair, who had been a trader with the Cherokee, Creeks and Chickasaw Indians, published “The History of the American Indian.” This work drew on 30 years of experience living with the Indians of the southeastern United States, and documented his observations including their origin, language, religious practices, customs, diet, methods of agriculture, disease cures and manufactures. Although the work also tried to prove that the Cherokee were the “lost tribe of Israel,” it is regarded as one of the most important pieces of historical literature in American history.

Despite efforts to appease the Cherokee by the construction of two forts and a promise of better trade practices, relations continued to deteriorate. Unscrupulous traders continued to operate in Cherokee territory, and now a new threat of settlers was pressing them for land. In 1756, two British traders moved their trade operation from Tellico to a more pro-British town called Chatuga. There was talk of war, and an alliance with the French unless trade practices improved. The Cherokee now seemed driven by an addiction to European wares. If the English wouldn’t supply them, then they would go to the French.

In February 1760, the coming Cherokee War was in full brew. Marauding bands of young Cherokee warriors were attacking isolated settlers on the frontier. A group of Cherokee headmen were being held hostage at Fort Prince George on the Keowee River. The Great Warrior Oconostota was poised to ambush and kill the fort’s commander. This would be the event that would ignite the Cherokee War, which was the beginning of the end for the Cherokee

people, who would never recover. It is interesting to note that the killing of trader John Elliot and nine other traders at New Keowee occurred almost simultaneously with the Cherokee’s attack on Fort Prince George.

The demise of the once great Cherokee Nation is one of the saddest events of American history. Certainly, the introduction of a whole new economic paradigm as presented by European traders played an important role in the Cherokee’s demise; it would be easy to point to the corrupting tendencies of the capitalist system. Yet the Cherokee must share the blame, as they allowed themselves to be corrupted. This is an issue that is prevalent even today, as we struggle with keeping the corrosive forces of capitalism and greed under control. On the brighter side, some of the early traders who married Cherokee women and became a part of the Cherokee culture, but who also retained an interest in promoting peace and good will between the races, left a historical record from which we may learn much about this fascinating time in American history.

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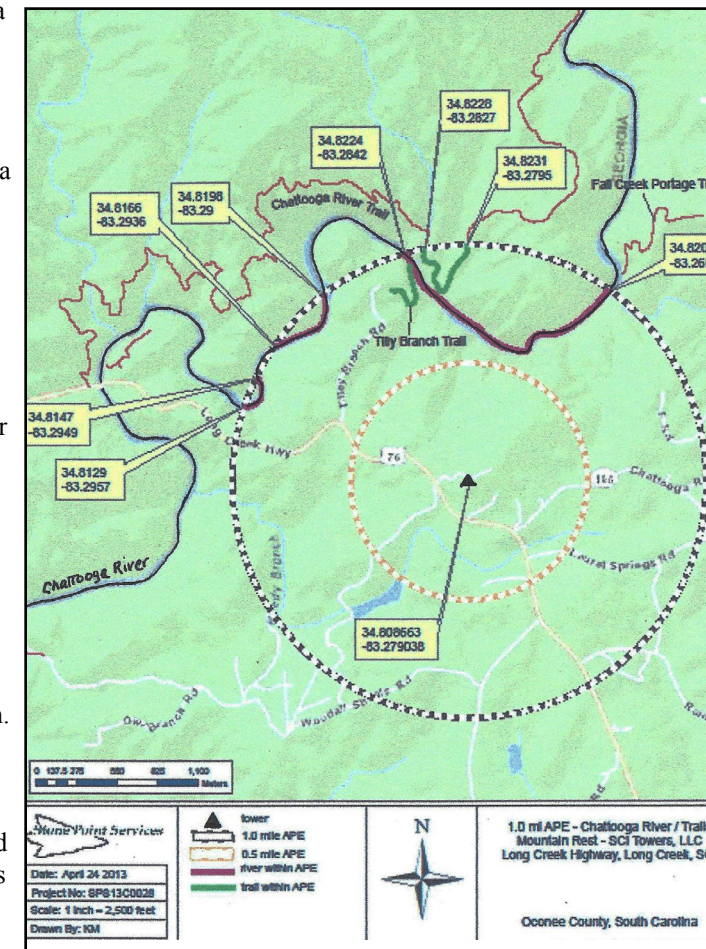
Wolf Mountain Cell Tower

Buzz Williams

In early March of this year, rumors were flying around Long Creek, South Carolina, that a cell tower was going to be built on Wolf Mountain, which is very near the Thrifts Ferry area of the Chattooga River. Opinions about this possibility varied within the community. Landowners adjacent to the rumored cell tower site were concerned about spoiled views and lower property values. Other property owners in the nearby view sheds, including the Chattooga Belle Farm, which depends on offering their customers the pristine, sweeping views of the Southern Blue Ridge Mountains along the Chattooga River, were also concerned. And other folks worried about the visual effects within the Wild & Scenic Chattooga River Corridor. On the other side, however, a few locals in favor of the cell tower were pointing out the need for better cell phone coverage. Another category of people in the community sat cautiously on the sidelines. The Chattooga Conservancy, whose mission includes protecting the scenic beauty of the wild and scenic river corridor, immediately began monitoring the situation.

This issue became more real when a local resident living near the area in question called and reported that he and others living around the intersection of Chattooga Ridge Road and Highway 76 had been contacted by SCI Inc., a Florida-based company that builds and leases cell phone towers, about leasing a site for a tower. Evidently, SCI had identified an area occupying the west-facing slope of Wolf Mountain, at about 1,780 feet in elevation and oriented towards a well known dead spot in cell coverage that exists along Highway 76 and across the Chattooga River into Georgia, as a perfect site for building a new tower to service the spotty coverage. The caller and several more nearby residents had declined SCI’s offer. But we soon learned that an absentee landowner had subsequently signed a lease for the cell tower, because a man living on the caller’s property had observed survey crews marking out the site.

A visit to an affected property owner, who lives near the southeast leg of the tract where the tower site had been surveyed, revealed that the site was only 40 feet from his property line. Setback requirements from neighboring property for cell towers permitted in Oconee County, S. C., are the height of the tower plus 50 feet. If the tower was an average height of about 200 feet, the proposed site would violate the county’s setback requirements by over 5 times the required distance.



SCI Towers’ “area of potential impact” extended only to a 1-mile radius from the proposed tower site, yet even then failed in considering visual impacts to adjacent landowners and residential districts.

A call to the Oconee County Community Development Office confirmed that SCI was intending to apply for a land use permit. We were told that once the application was submitted and it was determined that the application was complete, the public would be given at least 15 days’ notice prior to a public hearing before the Oconee County Planning and Zoning Board of Appeals to express their concerns. If the land use permit were approved, SCI could then apply for a building permit and start construction of the cell tower. Since the zoning appeals board is a judicial proceeding, the only recourse the public would have if they decided to contest the decision would be to take the issue before the circuit court. We were told by the community development office that we’d just have to stay in touch to find out if and when SCI made an application for a land use permit, or monitor the *Seneca Journal* for a public notice that would be published in the event of a public hearing.

On April 3rd, we were informed that a local American Whitewater (AW) representative had requested a balloon test to assess the “area of potential impact” to the Chattooga Wild & Scenic River Corridor, and had determined those areas to be within a 1-mile radius from the proposed cell tower site, including sites around the river at the Thrifts Ferry trail and launch site, and from the Chattooga River Trail in Georgia. AW is a national organization dedicated to represent the interests of whitewater boaters and at this point in time, we welcomed their assistance as a partner in representing the best interests of

Wolf Mountain Cell Tower

protecting the outstandingly remarkable values of the Wild & Scenic Chattooga River Corridor.

The next day, we filed a Freedom of Information Act Request (FOIA) with Oconee County and received a copy of SCI's application, a map of the site and a sketch of the proposed 195-foot mono-pole tower. We also were informed that the application seemed incomplete, since it was deficient in addressing how the proposed tower would comply with Oconee County Code requirements for siting cell towers, and that the county would follow up via a letter to SCI with questions as per the code.

In the meantime, deciduous trees around the proposed tower site were leafing out and beginning to obscure visibility from surrounding areas. Since visual effects to the surrounding area were of paramount concern and nothing seemed to be happening with SCI's balloon test, I personally decided to conduct a balloon experiment to get an idea of what the tower would look like from the surrounding property before visual effects were obscured by spring foliage, since approximately 45% of the year (leaf-off seasons) a cell tower would be more readily visible.

With two volunteers, we set up a trial balloon test using a helium-filled "Happy Birthday" balloon tied to a 200-foot string that was anchored to a spot very near the actual location of the proposed cell tower site. The wind that day was about 5-10 miles per hour, and we sent the balloon aloft to almost full height before the wind blew the balloon's string into a tree, where it became entangled. Even so, this haphazard balloon test demonstrated two important facts: first, a successful balloon test depends on almost dead calm, and secondly, even though our small balloon never achieved full height, it convinced us of the obvious impacts that the tower would have on neighboring property. With the tree leaves getting bigger with each passing day, we ordered a large, red weather balloon and waited for a calm day.

While waiting for SCI's re-application and for a calm day to fly our weather balloon, we decided to research the cell tower industry. We learned that cell tower companies were investing a small fortune locating dead spots in coverage, and were constructing towers for upgrading their systems to increase broadband frequency coverage to take advantage of a rapidly growing market for smart phones and all manner of new gadgets

depending on expanded coverage requiring broader frequencies. We learned that in Georgia alone, cell companies had invested millions of dollars on upgrades to accommodate new markets for large file download capabilities for data, watching movies, and for software applications that use smart phones to, for example, send a signal home to turn up the thermostat prior to returning from vacation. Compare it to converting a two-lane country road to a 4-lane highway...and the race is on for expanded cell tower capability, because it means billions of dollars to wireless companies who can provide enhanced broadband capabilities.

It became clear to the Chattooga Conservancy that we were possibly facing another "David and Goliath" fight against a corporation with big bucks. It also became clear that SCI had come to Oconee County with an "in your face" application targeting a site right next to a national wild & scenic river, and with a bold disregard for private property rights. The incomplete application seemed to us to be a foray into Oconee County to see just what they could get away with. The Chattooga Conservancy had heard enough to decide to fight the placement of a cell tower sited dangerously close to the Chattooga Wild & Scenic River, while helping protect the private property values and our neighbor's view sheds in the community.

On April 16th we became aware of a company named Trileaf, an environmental and property consultant from Maitland, Florida, that had been hired by SCI to work with local governments and the community to comply with the county ordinance requirements for conducting a "line-of-sight analysis showing the potential visual and aesthetic impact on adjacent residential districts." Trileaf had subcontracted with Stone Point Services from Tyler, Texas, to conduct a balloon test to comply with the requirements for the line-of sight visual impacts, and this test was to be conducted on April 26th. The local American Whitewater representative, who now seemed to be involved at every turn of events, had requested the balloon test and was known to be working closely with Trileaf and Stone Point Services to set up the logistics for the test to assess the visual impacts on selected sites in the Chattooga River corridor.

The balloon test was indeed conducted on April 26th. The test's objectives as defined by Stone Point in their subsequent report appeared to be entirely geared to satisfying the concerns of

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Wolf Mountain Cell Tower

"volunteers" from "local groups" identified as "environmental groups," who presumably were concerned about the visual effects within the Chattooga River corridor. Further, Stone Point's "area of potential impact" focused on areas as defined by "three local kayaking and hiking enthusiasts." One of these three was an employee of the Chattooga Conservancy, and what he observed that day later became crucial to assessing the validity of Stone Point's balloon test.

And there were big problems with Stone Point's balloon test. One of the main problems was that the "area of potential impact" focused primarily on the Chattooga River corridor and those sites identified by the "volunteers," which turned out to be just 1 mile in radius. But Oconee County Code required the visual impact analysis to include nearby residential districts. As a result of the 1-mile limitation, places like Chattooga Belle Farm and many residents in the Long Creek community were left completely out of the analysis. So while the local "environmentalists" were deep in the Chattooga River corridor looking straight up at a tree canopy now totally covered in foliage with no chance of seeing anything, SCI's consultants were out snapping pictures of the local residential districts only within the small area as defined by possible impacts to the Chattooga River.

On May 6th, we made a call to the director of the Oconee County Community Development Office, and were informed that SCI had augmented their application with answers to his questions. We submitted another FOIA request to obtain the new information. On May 14th, we received SCI's new application, which answered 14 questions as per the Oconee County Code. Most of the questions were technical in nature, but several—with SCI's answers—were telling, as follows.

"Based on the plan submitted, it appears the minimum setback requirements are not met" (Oconee County Code 32-134.m).

SCI answered by admitting that set-back requirements had not been met and requested a variance, stating that "In order to meet the required setback to all property lines, we would impact the future usability of the property for future development." When I showed this statement to adjacent property owners, they were incensed: What about the future usability of their property?!

SCI made one feeble attempt to address the obvious potential impact to adjacent property owners with the statement, "We are willing to accept a condition that would require us to design breakpoints in the tower; in the unlikely event of a failure, the



During SCI's balloon test, an adjacent landowner documented this blatant visual impact to his residence, which SCI failed to acknowledge.

tower would collapse within the property boundary of the subject parcel." This questionable statement was debunked by a consultant attorney, who pointed out that ice storms are one of the most likely causes of a tower failure. We googled "cell tower ice," and were amazed at the number of tower failures and damage to property from ice build-up, and ice falling. The attorney summed it up: "If they can't design them to stand up, they sure can't design them to fall." Long Creek has frequent ice storms, and with the proposed tower being so close to 2 adjacent property owners, the concerns were obviously great. So much so that future house sites already planned by both adjacent property owners would have had to be abandoned.

Another question asked by the county was: "Provide documentation addressing design and location restrictions as stated in 32-138.6." SCI's answer sent a message loud and clear that SCI had realized that Oconee County officials were not going to rubber stamp the proposed cell tower site. With this, they would have to get serious about a game they had undoubtedly played in many communities before coming to Long Creek. Oconee County ordinances state that cell tower builders must show that they had looked at all feasible alternatives to the proposed site including co-location with other existing towers, and that any new cell tower would have to be evaluated as a "special exception." To meet this requirement,

Wolf Mountain Cell Tower

SCI would have to come up with a reason that this was the only feasible site that could meet the needs of the community. Their answer was, “Specifically, based on land availability this location is as close as we can get to the Chattooga River. One of the vital services this tower will provide will be the ability to utilize wireless communication devices in the event of an emergency along the river.” SCI knew that many people might be sympathetic to the need to aid emergency situations on the Chattooga River, which is famous for its inherent dangers that have caused many accidents and deaths.

Yet to the many experienced, veteran outfitters as well as search and rescue personnel, this clearly was not the case. In fact, Chattooga River rafting companies now carry cell phones and are able to make calls from almost anywhere in the river corridor simply by moving around or climbing up a ridge, and search and rescue personnel use specialized radios as well as incident command stations that allow communications to and from virtually anywhere inside the wild and scenic river corridor. And the fact is that experienced river people, almost to every person asked, agreed that cell phone service would not have saved one single life that has been lost on the Chattooga River. SCI’s statement most certainly was a big, red herring.

On May 23rd, the Chattooga Conservancy hosted a public meeting at the Chattooga Belle Farm. About 30 people showed up to learn the facts concerning the cell tower application, and to hear our case against the tower at the proposed site. Many who attended agreed to show up at the upcoming hearing before the Oconee County Planning and Zoning Appeals Board, and a local volunteer fireman and very experienced river-runner testified in a letter that debunked the need for cell service in case of emergencies in the Chattooga River corridor. A local real estate agent wrote and stated the inevitable loss of property values near the proposed site if the tower were built, and the director of the local convention and visitors bureau wrote to testify about the negative effects the cell tower would have on the area’s scenic views and local tourist-based economy.

But what about the balloon test conducted by SCI, which in the end stated there would be no negative effects to view sheds if the tower was built? The red herring about cell phone coverage being “vital” to river emergencies wasn’t the only fishy claim made by SCI. During SCI’s balloon test, an adjacent landowner took an important photo indicating the balloon’s tether seemed to be hung in a tree. The Chattooga Conservancy representative who accompanied the “volunteers” during SCI’s balloon test had helped retrieve it after the test, and also testified that the balloon had become entangled in nearby trees. And curiously, SCI completely neglected taking photos from at least 3 adjacent residences, while other images were taken from vantage points under trees that obscured the view of their balloon. It was obvious that SCI’s test lacked credibility.

On May 25th, the Chattooga Conservancy conducted our own balloon test on a fair, calm day with winds predicted to be less than 5 miles per hour. We rented a helium tank, filled our red weather balloon and flew it aloft on a 200-foot string that was anchored right next to the proposed cell tower site. We had a local law enforcement officer measure our string to confirm accuracy. We were amazed at the height it achieved. The “official” balloon test submitted by SCI showed photos of their balloon and also an analogue to create mock-up visuals of what they claimed the proposed cell tower would look like. So we and a handful of concerned citizens quickly traveled around the community and took photos at the same places. We also took additional photos from places like Chattooga Belle Farm, which is outside the 1-mile radius that SCI used for their photo area. Again, the difference between their photos and ours was dramatic, with ours showing the true visual impact.

On May 28th—just 2 days before the public hearing—SCI called the Chattooga Conservancy office and said they had “heard” there were community concerns about the proposed cell tower. We assured them that that was absolutely right, and that we and others planned to fight them all the way. The next day we received a call from the Oconee County Community Development Office saying that SCI had requested postponing consideration of their application at the public hearing, and that the zoning appeals board would likely grant SCI’s request. This news was spread through the network of citizens opposed to this site, so folks could reschedule attendance for the next hearing.

On May 30th, the meeting to hear concerns about the cell tower was held at the Oconee County Council Chambers in Walhalla, S.C. The zoning appeals board voted 5 to 1 to grant SCI’s request for an extension. About 30 people showed up any way, and almost all were against the cell tower, which undoubtedly sent a clear message to the board. Media had heard about the meeting and interviewed adjacent land owners and others. The next day, the story broke on both radio and in the *Seneca Journal*. Nicole Hayler, our executive director, was quoted as saying, “We were ready to argue our case tonight and we will be back in 30 days.”

But that day was not to come. On June 21st, just a few days before the rescheduled hearing, SCI withdrew their application. Our strategy, combined with strong community support, scored a resounding win—in this round. We expect that SCI will regroup and renew their quest for finding the cell tower sites that would enable blanket broadband coverage, while pocketing the considerable profits gained by making this happen.

But in the meantime, there is much to celebrate about a successful community action that preserved private property rights, and saved the best view in Long Creek of a majestic mountain range deep in the Chattooga River watershed.

Watershed Update

Upper Chattooga - New Trails Proposed Comments Needed By Aug. 28th

Ironically, the Forest Service—the agency in charge of protecting the Chattooga River—has yielded to the pressure of special interest groups and failed to recognize a more equitable alternative as proposed by the Chattooga Conservancy to resolve the controversy about allowing whitewater boating on the upper Chattooga. One key provision of our alternative is that it would not have required any new access construction into the wild and scenic river corridor. Managing for a back country experience is one of the primary management objectives for a “wild” river, and a bedrock principle of back country management is ***nothing kills wildness quicker than too much access***. But now, the Forest Service is requesting public comments on building/designating **5 new trails** through the upper Chattooga’s wild and scenic river corridor to provide increased river access for boaters and foot travel, with trail construction proposed at Green Creek, Norton Mill Creek, Bull Pen Bridge, Burrell’s Ford Bridge and Lick Log Creek.

One of our major concerns is for the fate of the Chattooga Cliffs reach, due to the proposed trails at Green Creek and Norton Mill Creek. Here in the Chattooga’s remote headwaters, there exists a unique backcountry experience where one can find solitude as well as the most biologically rich place in the whole Chattooga River corridor. ***New trail construction would undoubtedly funnel more people into the once-remote headwaters and also result in the creation of countless new user-created trails, which would degrade and damage this fragile resource.*** In addition, the justification for these 2 trails to accommodate boaters is irresponsible because: 1) there is a huge log jam, two stories high all the way across the river, ¼ mile below Norton Mill Creek; and, 2) the Green Creek trail is proposed for an area of very erodible soils that are rated at the highest level for the greatest negative impacts from paths and trails. Then, there is also the proposed construction of a boater take-out trail at Lick Log Creek, which would require paddlers to carry boats for about 1 mile along a heavily used hiking trail to reach a parking area. This makes no sense, because there is already a major access point just a few miles downstream near the Highway 28 Bridge, which already has a large paved parking lot and boat ramp to the river.

Please comment on the Forest Service’s proposal to construct and designate these trails into the Chattooga River, that would needlessly cause significant resource damage in the upper Chattooga watershed. Endorse the Chattooga Conservancy’s alternative to the upper Chattooga controversy, which would allow boating from Bull Pen all the way down to Highway 28, year-round and when the water levels are high enough for paddling but too high for fishing, with reasonable restrictions on numbers to protect the wilderness experience. Comments are **due by August 28, 2013**, and may be submitted electronically to: comments-southern-francismarion-sumter@fs.fed.us.

Wolf Mountain Cell Tower Defeated

This spring during the months of March through June, the Chattooga Conservancy tackled a new issue for our organization, and ultimately prevailed in challenging a proposal to construct a cell phone tower next to the Wild & Scenic Chattooga River Corridor in Long Creek, SC, that would have severely impacted neighboring private property values as well as the outstanding visual quality of certain unique and relatively pristine view sheds in the Chattooga River watershed. Our strategy to defeat the cell tower utilized a groundswell of community support, research of Oconee County Codes, and innovative work in the field including conducting our own “balloon test.” Please see pp. 7-10 in this issue for the full story.

Southern Appalachian Farmstead Proposal Withdrawn

On May 14th, the Andrew Pickens District Ranger announced that the Forest Service was withdrawing their environmental assessment of a special-use application from the Oconee Heritage Center (OHC) to establish a “Southern Appalachian Farmstead” at the site of the old Russell Farmstead, which is located in the Chattooga Wild & Scenic River Corridor along Highway 28 in Oconee County, SC. The decision to nix the special use application was based on OHC’s letter to the Forest Service stating “The Oconee Heritage Center hopes that our withdrawal will expeditiously enable other interested parties or persons to assist the USFS with the urgent historic preservation that is needed at the historic Russell Farmstead property.” While this letter from the OHC was an essential formality, we believe the strong opposition to the theme park scheme expressed by all of the public comments during the Forest Service’s scoping period was critical to the favorable outcome on this issue.

The Russell Farmstead tract was one of those properties acquired by the Forest Service in anticipation of the Chattooga being designated as a national wild & scenic river back in 1974. The Russell House served as a stagecoach and lodging stop for travelers in the late 19th and early 20th centuries, and is still listed on the National Register of Historic Places. However, in 1988 the Russell House was burned to the ground by an arsonist, and the Forest Service subsequently hired a consultant to evaluate the property who firmly recommended that the farmstead be removed from the national register because the remaining, scattered outbuildings did not have historical merit. The Forest Service, which has a history of leveraging privatization schemes to do their work, ignored this recommendation, and one reason may have been to entice a private entrepreneur to apply for grant money to develop the Russell House property.

Thanks very much to everyone who responded to our “action alert” calling for opposition to this ill-fated project! There

Watershed Update

were approximately 75 comments posted on the Forest Service's website, that ranged from outrage to disbelief at the audacity of the Andrew Pickens Ranger District's plan to permit building a theme park / tourist trap inside the wild and scenic river corridor. **However, beware the "expeditiously enabled" parties who might step in in the future to "assist" the Forest Service with the "urgent preservation" of a place that burned to the ground in 1988.**

Body Recovery at Soc-em Dog

On June 19th, an individual on a commercial rafting trip drowned on Section IV of the Chattooga River at the powerful Soc-em Dog rapid. The dedication of river guides and search and recovery personnel, who worked tirelessly for over 2 weeks to locate the victim, was exemplary. During the night of July 4th, the forces of the river finally released the body when high water of flood proportions is believed to have dislodged it from the depths beneath the drop.

In the course of the recovery operations at Soc-em Dog, and due to the prolonged time of working to locate and recover the body, an option was broached concerning the controversial tactic of placing a "coffer dam" structure in the river, to attempt diverting enough water so that greater access to submerged objects might possibly be obtained.

The first instance of installing a coffer dam under these circumstances occurred in 1999, during the prolonged effort to recover Rachel Trois' body from Raven Chute Rapid (see *Chattooga Quarterly* summer/fall 1999, pp. 7-13). At that time, a coffer dam was installed (under protest from the Chattooga Conservancy) by drilling holes in the river's bedrock to secure the structure, an action that set a dangerous precedent in violation of the Wild & Scenic Rivers Act, and which ultimately failed. The main controversy surrounding this incident involved employing extraordinary measures during body recovery efforts that would clearly violate the Wild & Scenic Rivers Act, which unequivocally states: **"Alteration of the stream bed or modification of bedrock will not be permitted."**

The Chattooga is a beautiful, powerful and wild river with many rewards and dangers inherent in its wildness. To save this treasure for present and future generations, the protections to the river offered by the Wild & Scenic Rivers Act must be upheld.

Stekoa Creek Watershed Management Plan

Over the past few years, the ambitious goal of improving water quality in Stekoa Creek has been one of the Chattooga Conservancy's major projects. Fortunately, we have been successful in creating a partnership with the City of Clayton to begin the task of restoring Stekoa Creek, through receiving 2 grants from the Georgia Environmental Protection Division (GA EPD) under its Clean Water Act Section 319(h) program to identify, restore, and protect streams from "non-point source" pollution, which is typically sediment and bacteria. We are beginning work on the second 319 grant project this year.

Unfortunately, many of the causes of degradation to Stekoa Creek are entrenched and chronic, and to deal with them, a foundation of contemporary data is necessary. So we've been focused on creating a water quality monitoring plan that will be approved by the GA EPD, and which will incorporate past water sampling work as well as serve as a new guide for 12 months of systematic water sampling at sites throughout the Stekoa Creek watershed. The purpose of the sampling will be to pin-point hotspots and sources of sediment and bacteria pollution, to serve as the basis for formulating a suite of potential management actions that will abate and prevent this pollution. These findings will be presented in a final report, which also is a required precursor for receiving any more 319 grant funds to address the non-point pollution sources.

We also hosted a Georgia Adopt-A-Stream (AAS) workshop led by Duncan Hughes of the Soque River Watershed Partnership & N. GA Technical College. The participants had a great day wading in Stekoa Creek at the Stekoa Creek Park site and identifying bugs, crayfish and worms, and learning how to test for pH, dissolved oxygen, conductivity, and *E. coli* (bacteria where high levels indicate the presence of harmful pathogens).

Upcoming is a meeting of a "technical advisory committee" (TAC) for the project, and the start of 12 months of water quality sampling and analysis. **If you know of sites and stretches of Stekoa Creek or its tributaries that are sources of sedimentation or bacteria pollution, please let us know or come to the TAC meeting.** The date of the upcoming TAC meeting will be posted on our website www.chattoogariver.org.



Adopt-A-Stream workshop participants learned how to identify aquatic critters, and test for pH, conductivity, dissolved oxygen and E. coli bacteria.

Members' Pages

THANK YOU VERY MUCH to everyone who recently contributed to the Chattooga Conservancy. Your generous donations will help us continue to work on the important conservation issues facing the Chattooga River watershed area.

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Stekoa Park Pavilion Our herculean task of creating the Stekoa Creek Park is nearing completion, and has progressed over the past 2+ years as a "pay-as-you-go" project. **Now, a final and currently unfunded element of the park's amenities is the rock foundation, made from Georgia granite, for the park's community pavilion.** This structure is to be the centerpiece of Stekoa Park, and will be a replica of an historic Civilian Conservation Corps (CCC) building located in the Chattooga watershed at the Walhalla Fish Hatchery. Our choice to replicate this timber frame CCC building is intended to honor our cultural heritage, as well as to place a remarkable structure adjacent to the heavily traveled Highway 441 corridor to draw visitors into the park and surrounding downtown Clayton, GA area.

The timber frame portion of the structure is completed. We are seeking donations specifically earmarked for our Pavilion Foundation Fund. **Please consider making an individual, group or corporate contribution to help us finish the community pavilion's Georgia granite foundation.**

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Please provide the Chattooga Conservancy with your **current email address**. We do not sell email lists, and will keep all information confidential. Also, if email contact is desired under limited circumstances or not at all, we will honor all such requests. When an important event or opportunity arises on a short timeline, we would like to provide adequate notice to our membership!

Please send your response to:
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Thank you!

Chattooga Conservancy

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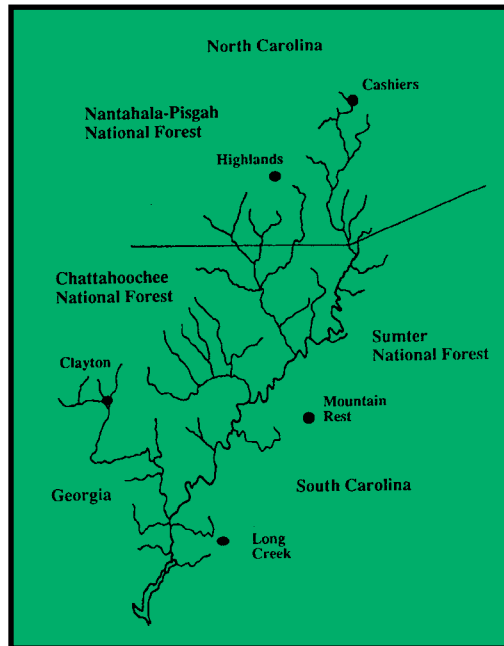
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Mission:

To protect, promote and restore the natural ecological integrity of the Chattooga River watershed ecosystems; to ensure the viability of native species in harmony with the need for a healthy human environment; and, to educate and empower communities to practice good stewardship on public and private lands.



Goals:

Monitor the U.S. Forest Service's management of public forest lands in the watershed, and work cooperatively to develop a sound ecosystem initiative for the watershed

Promote public choice based on credible scientific information

Protect remaining old growth and roadless areas

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Educate the public

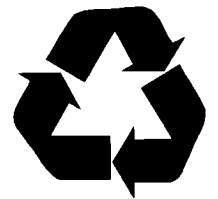
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