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Tennessee Citizens for
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Tennessee Clean Water
Network



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*Benefiting the Obed
Wild and Scenic River*



February 27, 2001

The Honorable Don Sunquist, Governor
Office of the Governor
State Capitol
Nashville, Tennessee 37243

Dear Governor Sunquist:

Tennessee Paddle is a coalition of the recreational and conservationist organizations listed to the left. All are individual non-profit organizations and together we are unified in our appreciation and support for the Obed and Emory watersheds, including the Obed Wild and Scenic River, a national park.

First, let me express my gratitude for your leadership to declare Clear Creek an Outstanding National Resource Water under the Clean Water Act. Your leadership in that initiative was exemplary and meaningful. Second, we deeply appreciate your proclamation of Rivers 2000 Week last year in support of our efforts to raise funds for conservation and to increase the public's support for the watersheds that comprise the Obed and Emory watershed area.

Today, I am writing to seek your support and action to resolve two important "access issues" that confront members of the paddling community in regards to the Catoosa Wildlife Management Area, WMA, managed by the Tennessee Wildlife Resources Agency, TWRA.

I will give you a brief outline here and ask that you refer to a more detailed description of the problems by accessing a web page at: www.tennesseepaddle.com/catoosa.htm There you will be able to learn more and identify the paddling organizations that have expressed support for our contacting you in the hope of reaching a resolution, possibly by the time of the Tennessee Paddle Festival being held April 6-8 in Wartburg. Together, the memberships of these organizations and those from across the southeast number in the tens of thousands of men and women who support conservation and seek to ensure public access to the nation's rivers and streams. These are not incompatible agendas.

I have written to TWRA on two occasions regarding access to an area known as Devil's Breakfast Table inside the Catoosa WMA. Here's the problem. When Catoosa WMA is closed for hunting, paddlers are not authorized to use the road that is otherwise available to run shuttle between the put-in and the take-out. This results in a shuttle one-way trip equal to 43 mile versus having access to the road and it being only an 8-mile distance. We are seeking access to Devil's Breakfast Table only when the area is open for authorized hunting, not when the area is completely closed. During April of 2000 ten members of a club from Ohio were fined \$149 each for parking vehicles at DBT. When the area is closed for hunting, the road is not closed and not well posted so these visitors unknowingly decided to use the area at devil's Breakfast Table to park for shuttle purposes. They did not transgress from the road and did not go into any other area of Catoosa.

To the first inquiry dated December 28, 1999 I received a response that I surmised was tantamount to saying "hunters pay for access, paddlers don't". My second letter dated May 18, 2000 was submitted for TWRA's consideration when they set the turkey-hunting schedule for 2001. It was not acknowledged in any way. Copies of the correspondence are enclosed for your review. I have met with the Mr. Coffey, the TWRA Regional Director and we discussed an alternative he had developed. The evaluation of my paddling friends and myself is that the alternative is not workable. We are seeking access to Devil's Breakfast Table when this WMA is open for hunting purposes. While we acknowledge that TWRA has a statewide standard for hunting closures we do not believe that paddlers are denied reasonable access at any other WMA.

American Whitewater, a national paddlesports organization comprised of thousands of members has listed this issue as among the top 40 issues in the United States because of the publicly held land managed by the State.

The other matter of concern is apparently due to a recent TWRA land acquisition and designation that was not communicated to the public and certainly not our constituent groups. On February 16 two paddlers from Oak Ridge paddled Island Creek. When they returned to their vehicle near Island Creek Bridge, a TWRA staff member met them and advised them they were not supposed to be there. They were told that TWRA had recently acquired the road there from the County and that the area was completely closed, as is Catoosa in January and February. They were not fined as the staff member acknowledged that the change in designation was not posted on the road. While paddlers are not fee-paying hunters there was no communication about this change and apparently no opportunity for public comment before it was instituted. Again, we would seek to resolve this access issue and discuss the method by which we can be notified of proposed changes that restrict access to this area.

I am requesting your attention to these two issues by asking that you direct the TWRA to: review our concerns; consider possible options for immediate and long-term resolution; and participate in a "problem solving" mediation session with us to thoroughly explore these issues and come to a voluntary resolution. I am requesting that you appoint a "rule 31 approved" civil mediator to conduct the mediation session and that TWRA's representatives have the authority to carry out any interim or permanent agreement reached through mediation. We would like to meet as soon as possible in the hope that some resolution may be possible to enable paddlers to access these areas while the spring rains continue to enable use of these rivers and streams.

In the event, that there is no resolution of these access issues, we will initiate alternative actions to seek resolution of access to these publicly held lands. We recognize the history of the establishment of the Catoosa WMA. However, at the time this WMA was established paddling was not the recreational activity it is today. In total, while there is widespread support for our effort, we anticipate that on any given Saturday when the nature-fed streams are high enough to “run” that we expect only 25 or so cars would desire to use the road to Devil’s Breakfast Table and fewer to the Island Creek destination. We are not seeking access to other areas of Catoosa other than “road access”.

I appreciate your time and I invite you to review the web page at:
www.tennesseepadle.com/catoosa.htm We have not “connected it” to our main site and will not until we hear from you about a decision to seek a resolution through the use of mediation. I would appreciate a response within 10 days of your receipt of this communication. We are available to travel to Nashville to participate in a mediation session.

Again, thank you for your leadership in the past and we look forward to your leadership on these two important access issues.

Sincerely,

Dale B. Robinson

Dale B Robinson
President

Enclosures

Cc:
Hon. Zack Wamp, Congressman
Hon. Van Hilleary, Congressman
Hon. Lincoln Davis, Senator
Hon. John Mark Windle, Representative
Hon. Raymond Walker, Representative
Mr. Gary Myers, TWRA Executive Director
Mr. Brock Hill, Cumberland County Executive
Mr. Tommy Kilby, Morgan County Executive
Mr. Don Hall, Mayor of Wartburg