

WHITEWATER COMMISSION  
QUARTERLY MEETING  
DECEMBER 17, 2008  
MINUTES

The quarterly meeting of the Whitewater commission was held on Wednesday, December 17, 2008, in Building 3, Room 674, Charleston, West Virginia. The following individuals were in attendance:

**WHITEWATER COMMISSION MEMBERS**

Frank Jezioro, Director, Division of Natural Resources (Presiding)  
Jeff Proctor, Class VI  
Betty Carver, Division of Tourism  
Rick Johnson, River Expeditions  
Don Striker, Superintendent National Park Service  
Don Beyer, Private Representative  
Brian Campbell, Rivermen  
Jonathan Danz, Wildwater Expeditions

**DIVISION OF NATURAL RESOURCES**

Lt. Col. Jerry Jenkins, Law Enforcement, Charleston  
Will Valentino, Counsel for Department of Natural Resources  
Jennifer Weinrich, Law Enforcement, Charleston (Recording Secretary)

**OTHERS**

Matt Knott, River Riders  
Mark Lewis  
Andy Whisman

**CALL TO ORDER**

The meeting was called to order by Director Jezioro at approximately 1:00 PM. The director welcomed everyone attending and asked everyone to introduce themselves.

**APPROVAL OF MINUTES**

Jeff Proctor made a **MOTION** to approve the minutes of the October 2, 2008, meeting as submitted. The motion was seconded by Rick Johnson. The motion passed as submitted.

**TROUT STOCKING ON THE GAULEY RIVER**

Lt. Col Jenkins prepared documents for the Director's approval. The Director signed the documents prior to the meeting.

## **LAC SAFETY COMMITTEE REPORT**

Jeff Proctor has made contact with Bob Allender in regards to an Access database for injury reports as well Lt Col Jenkins and Andy Whisman for ways to utilize the information in the database reports with the information on the online Trip Leader reports.

Jeff Proctor provided detailed proposals for using Andy Whisman to provide up to date injury reports and LAC reports for usage for the years 2003 to present. Hiring Andy Whisman would help the Whitewater Commission come into compliance with some of the deficiencies noted in the audit that was completed two years ago. Andy would need access to the data that was manually inputted into the Access database Bob has devised to extract the data to write the reports. In 1995 Andy wrote a Limits of Acceptable Change report that analyzed data in regards to crowding and customer satisfaction.

Earlier in the day the LAC Committee members met to review the fatalities reports from 2004 to 2008 as a fact-finding assignment. Based on this meeting, the LAC Committee has no proposed rule changes or recommendations at this time due to no common factors noted in the fatalities; however, there was a trend noticed regarding older rafters. Perhaps the industry should adopt a pre-trip checklist that includes letting users know the effects of cold-water immersion.

Jeff Proctor made a motion to accept Andy Whisman's proposals to update the injury reports and the LAC reports to bring the commission into compliance according to state purchasing requirements. The motion was seconded by Rick Johnson. The motion passed.

A recommendation was made that the Law Enforcement Section send out proposed pre-trip checklists to the Whitewater Outfitters.

A recommendation was made that we continue a spreadsheet in regards to fatalities that is broken down into private/commercial outfitters.

## **STUDY ZONE ON SHENANDOAH RIVER**

Matt Knott distributed the minutes from the meeting that took place in June 2006. Initially when the regulations were passed there was no tubing done on the Shenandoah River. During the meeting in June 2006, a motion was made to change the regulations; however, the regulations were not changed in regards to the Study Zone.

We were too late to get this change accomplished for this season. However, this measure can be proposed again during the next session around Spring.

The request to move the study zone down would therefore allow anyone with a \$10 Whitewater license in WV to operate on that section of water. However, the possibility of someone to really establish a business there is slim.

Jeff Proctor made a motion that the commission asks legal counsel to submit the changes that were approved back in 2006. The motion was seconded and carried.

### **USER REPORTING TIMELINESS**

A reminder was given to the importance of submitting user numbers. User numbers and fees are to be submitted no later than the 15<sup>th</sup> of the month.

### **OTHER BUSINESS**

Economic Impact Report/Bear Study was accomplished by the National Shooting Sports Commission. The last study the Whitewater Commission completed was done in 1995. Betty Carver will be working with Jennifer Weinrich to reproduce the Whitewater Guide and to update website information.

A four page ad was given to the Forage Area and incorporated the Harpers Ferry National Forest in recognition of the John Brown activities.

Whitewater Licenses on the Cheat River – Only two licenses were inactive. According to the regulation the commission does not have the authority to revoke a license if a company purchases a license but does not utilize the license for a certain amount of time. There is no moratorium on the Cheat River.

### **NEXT MEETING DATE AND PLACE**

The date, time and location of the next meeting will be established at a later time and commission members will be notified.

### **MEETING ADJOURNED**

A **MOTION** was made to adjourn the meeting by Jeff Proctor and seconded by Rick Johnson. The meeting ended at approximately 2:15 PM.