

WHITEWATER COMMISSION  
QUARTERLY MEETING  
OCTOBER 2, 2008  
MINUTES

The quarterly meeting of the Whitewater commission was held on Thursday, October 2, 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, Lansing  
Kathy Johnson, Division of Tourism  
Greg Malcolm, National Park Service  
Rick Johnson, River Expeditions  
Paul Hart, Cheat River Outfitters

**DIVISION OF NATURAL RESOURCES**

Lt. Col. Jerry Jenkins, Law Enforcement, Charleston  
Will Valentino, Counsel for Department of Natural Resources  
Rhonda Banks, Law Enforcement, Charleston (Recording Secretary)  
Bob Albright

**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 June 18, 2008, meeting as submitted. The motion was seconded by Rick Johnson. The motion passed as submitted.

**WVPRO – SPONSORED SWIFTWATER RESCUE TRAINING**

Lt. Col Jenkins thanked WVPRO for sponsoring the Swiftwater Rescue Training. Every officer who had not already attended a Swiftwater Rescue Training course was able to attend this training course.

## **WHITEWATER STUDY ZONE ON THE SHENANDOAH RIVER**

On January 10, 2006, a meeting was held where a vote had passed changing the designated area from a study area to a non-study area; however, the law was not changed on the books. There are two laws that were voted on and in print, added to the regulation as a change. Since it is a rule there is no code change.

Lt. Col Jenkins researched further and found that there is a mile section (around Millville) to allow the outfitters around the area to use their kayaks, rafts, tubes, etc. The Hydro Plant is about a mile on upstream. Blue Ridge uses the Millville area to access the Shenandoah River. From points on upstream is where other outfitters access. According to the Rule, the study zone is from the Hydro Plant down to the Potomac River. Mr. Knott's wants to change it to make the area around Melville the study zone and eliminate the mile area up to the Hydro Plant. However, there are other outfitters that actually put in above that so is there a need to change that one mile section?

The Administrative Rule 9.1.12.5A was put in there concerning that section of the river. Lt Col Jenkins doesn't know if there was a misunderstanding or what happened that allowed it to pass the way that it was. It was not known whether or not there was input from the other outfitters that use that mile section.

It was decided that Mr. Knott's would need to be present during the next meeting as well as the minutes from the January 2006 meeting for further clarification and discussion.

## **ONLINE REPORTS AND REPORT GENERATION**

There is a substantial difference between the Whitewater numbers the Outfitters report versus the Trip Leader report. It is unknown whether they are differences stem from programming or procedures. An example regarding this difference is: Summersville Dam (put in) to Mason Branch (take out) = 1 user; However, for the DNR numbers we have to report 2 numbers for that. In that situation, perhaps we can have Bob take care of that.

Another situation is if you were to do a double Upper Gauley the outfitter would report two user days on their monthly's but it only tracks one on the Trip Leader report. Either a procedure need to be developed that the trip leaders will understand, such as two reports, or the programming aspect of the reporting needs to be fixed.

There are several reports in the Trip Leader report that should help us streamline the process of doing LAC study update, but those have not been dealt with. A final report should be made from the accident report and the Trip Leader report. Since these reports have already been streamlined online, it should not cost much to accomplish.

There have only been 6 accidents accomplished online by the Outfitters this year. There is an assumption that the Outfitters are sending in a hard copy as well, since there has been more than 6 accidents this year. One of the problems is that the trip leader at the

end of the day goes and completes a trip leader report and sometimes leaves out some vital information. Some Outfitters do not want their trip leaders to fill out the accident report, rather have the River Manager fill it out. Secondly, you might not know whether someone has had medical attention so many days later. Inevitably, someone (River Manager/Risk Manager/Owner) will need to follow-up.

It does appear that the programming is a work in progress at the time that Chip left. (Bob Allender is a Visual Basic programmer). The database can pull off the information but not modify the programming or really verify what it is supposed to do. Accident report information has been sent to Mr. Allender.

When the Trip Leader fills out the report but they do not check that there was an accident, then the River Manager has the final approval of the Trip Leader report at which point when the River Manager opens it up and checks that there was an accident it did not come up. What is needed is a major change giving someone the authority to suspend something until it receives the final approval as to whether there was an accident or not.

A letter will be sent out that states that there are issues concerning the online reporting of injuries/accident reporting. Please continue to send in hard copies as you have in the past year to ensure we have an accurate record on file. (Rhonda is to send out.)

### **OTHER BUSINESS**

There are issues with guide training forms matching up where they tried to set up a time where the officers would meet up with the River Managers in the spring and it is believed that they came individually and had two different large meetings.

There is a draft action report from 2003 that was in draft mode and the Commission approved two meetings ago that needs to be posted to the website to show the auditors that we are improving our practices.

Outfitters do a good job reporting monthly numbers. However, access to that information seems to be difficult to get. It was suggested that the information be available online within 10 days of the 15<sup>th</sup> of each month for Outfitters could see if the industry was either growing or shrinking.

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

The date and time of the next meeting will be December 17<sup>th</sup>, 2008 at 1:00pm. The location will be in Building 3, Room 674, Charleston, WV.

### **MEETING ADJOURNED**

A **MOTION** was made to adjourn the meeting by Jeff Proctor and seconded by Rick Johnson. The meeting ended at approximately 1:50 PM.