

WHITEWATER COMMISSION
Quarterly Meeting
March 18, 1998

MINUTES

The quarterly meeting of the Whitewater Commission was held on Wednesday, March 18, 1998, in the Division of Natural Resources Conference Room #674, Charleston, West Virginia. The following individuals were in attendance:

WHITEWATER COMMISSION MEMBERS

John B. Rader, Director, Division of Natural Resources (Presiding)
Paul Breuer
Len Hanger
Jeff Proctor
Turner Sharp
Bob Stanley
Chester Thompson
Luther Toney
Alisa Bailey (Representing Commissioner Robert A. Reintsema, Bureau of
Commerce, Division of Tourism)
Lorrie Sprague (Representing Superintendent Peter Hart, National Park Service
Charles Friddell, Guide Representative

DIVISION OF NATURAL RESOURCES

Pamela B. Mullins, Director's Office (Recording Secretary)
Col. Jim Fields, Chief, Law Enforcement Section
Liz Harless, Law Enforcement Section
Becky Payne, Director's Office
Daynus Jividen, DNR Staff Attorney

PUBLIC

Dr. Andy Whisman, West Virginia University
Chris Dragan, Wildwater Expeditions
Rob Dobson, Wildwater Expeditions
Randall Ballard, Drift-A-Bit, Inc.
Karen Calvert, Rivers
Richard Cantrell, Cantrell Ultimate Rafting
Dan Massey, West Virginia Development Office

CALL TO ORDER

The meeting was called to order by Director Rader at approximately 1:05 p.m.

APPROVAL OF MINUTES

Mr. Procter made a **MOTION** to approve the minutes of the November 12, 1997 meeting as presented. The motion was seconded by Mr. Hanger and passed unanimously.

Ms. Sprague advised that Superintendent Hart=s comments urging the commission to follow the recommendations of the Whitewater Study as submitted by Dr. Whisman did not appear in the minutes for the December 17 Special Whitewater Meeting and that he wished for his comments to be made an official part of the meeting record. Mr. Breuer made a **MOTION** to approve the minutes of the December 17 regular quarterly meeting with the addition of Superintendent Hart=s comments as requested. Mr. Proctor seconded the motion and the motion passed unanimously.

PUBLIC COMMENTS

Tom Louisos, West Virginia House of Delegates and Ultimate Rafting Company, commented on the reinstatement of Richard Cantrell=s Gauley River Outfitters license. He stated that he was not trying to reopen the licensing process but was supportive of parity among companies and felt Mr. Cantrell should have a license for the Gauley River. He added that he felt that more companies in business would bring more people to Fayette County thus helping the local economy.

SUMMARY OF ONLINE REPORTING SYSTEM

Dr. Whisman recounted that he was asked by the commission last year to develop a system for outfitters to report to DNR their customer numbers on the rivers for which they are licensed. He proceeded to review this new online system for the internet and provided a handout for the commission. After Dr. Whisman=s presentation a **MOTION**

was made by Mr. Proctor to accept the internet reporting system as submitted. The motion was seconded by Mr. Sharp and was passed. The commissioners agreed that Ms. Harless would mail to outfitters their passwords and URL numbers for reporting their customer numbers and the reports would be submitted to DNR by the 15th of each month.

REPORT OF LAC SUBCOMMITTEE

Mr. Proctor explained that the LAC framework is a process that requires review on a yearly basis to ensure that objectives are still being met and that adequate customer experience is being provided. He added that the LAC subcommittee met in the beginning of February and reviewed a list of the indicators which are basic questions for guests to answer, providing reliable information. Dr. Whisman commented briefly on this survey advising that the LAC Committee established the guidelines and used this information to develop a schedule for outfitters. A handout was provided to the commission outlining how this survey of four questions will be administered to guests.

Mr. Proctor then made a **MOTION** that the LAC customer survey be accepted, as submitted by Dr. Whisman, and be implemented this year. The motion was seconded by Mr. Sharp and was passed unanimously.

REPORT OF TOURISM SUBCOMMITTEE

Ms. Bailey discussed the 30 year Celebration of Whitewater Rafting being planned for this year. She provided the commission with a handout outlining this event. Ms. Bailey added that the Division of Tourism budget committee for this event is looking for \$60,000 and is requesting the Whitewater Commission to consider dedicating \$25,000 to assist with this project.

Mr. Breuer stated that the Whitewater Commission budget subcommittee had determined that funding is available and made a **MOTION** that the Whitewater Commission approve the amount of \$25,000 to be expended for the 30 Years of Whitewater Celebration as outlined by Ms. Bailey. The motion was seconded and was passed.

Mr. Thompson stated, as chairman of the budget committee, the committee's goal would be to develop a comprehensive plan for expenditures such as these. He added that this is a very worthwhile event but the goal is to make this type of expenditure part of a long range plan to insure that funding is available to all segments of the commission with the budget being established by line item.

DISCUSSION OF INJURY REPORTING CRITERIA

Dr. Whisman discussed injury reporting and advised that during the last couple of weeks he had been entering and analyzing injury reporting data from 1996 and 1997. He added that in the original study injuries were analyzed from 1990 to 1995 and he had continued that effort. Dr. Whisman expressed his feelings that there may be a reliability problem in the injury reporting data as observations indicate that most of the injury reports are coming from a limited number of outfitters; half of the licensed outfitters have submitted injury reports over the last couple of years. Dr. Whisman discussed the injury report form being used currently. Discussion continued briefly among commission members.

DISCUSSION OF LICENSE APPLICATIONS RECEIVED TO DATE

Director Rader asked if the commission had decided to issue more whitewater outfitter=s licenses since the study had been completed and the moratorium lifted. He then called attention to the four applications for new licenses included in the meeting packet. Discussion occurred among commission members. Director Rader asked the commission to review the applications for a period of 30-days after which a special meeting of the commission would be called to address this matter. Mr. Stanley asked about the reinstatement of Mr. Cantrell=s license for the Gauley River and how this situation would be addressed. He stated that he felt some clarification and resolution to this situation should be made as to whether Mr. Cantrell is eligible for reinstatement of his license or if he should be considered as a new license applicant. Director Rader suggested that this matter be turned over to Daynus Jividen, legal counsel for the commission, for a determination and recommendation. This will also be on the agenda for the special meeting of the commission.

OTHER BUSINESS

Mr. Proctor stated that since the next regular meeting of the commission will be in June, he felt action should be taken for the continuation of funding for Dr. Whisman=s contract for the LAC study. He advised that the LAC contract will end in August and plans should be undertaken by mid-May. Mr. Proctor made a **MOTION** to extend the WVU contract for three years with a yearly renewal for the purpose of tabulating the outfitters numbers and the continuation of the LAC study. He also recommended the process for funding be initiated as soon as possible. After discussion and comments by Mr. Thompson saying that the budget committee will be reviewing various expenditures for the commission, Mr. Proctor **WITHDREW** his **MOTION**.

Col. Jim Fields asked the commission about their intentions for DNR in the area of law enforcement. He advised that some funding would be needed if a specific officer would need to be assigned for whitewater enforcement solely. He advised that there may be a problem with hunting and fishing licenses funds being dedicated solely for whitewater

enforcement. Also, Col. Fields mentioned that funding to supplement Ms. Harless= salary should also be reviewed by the commission.

Mr. Hanger advised that when outfitters license fees were increased in the 1980's, it was with the understanding that the increase would be put toward funding a conservation officer specifically for whitewater rafting enforcement. He added that he feels more law enforcement is needed to insure industry compliance with regulations.

Mr. Breuer added that outfitters would be supportive of a law enforcement officer position being funded for the specific purpose of whitewater regulations enforcement and that he felt this could be worked out budgetarily as well as for the administrative support position.

Mr. Friddell stated that he felt this would be one of the issues addressed by the regulations committee and presented to the commission for action.

Mr. Thompson added that there were three areas which needed to be addressed by the budget committee and the commission: DNR personnel; Dr. Whisman=s contract for continuation of monitoring the study; advertising and promotions. He also reemphasized the importance budgetarily for any advertising or promotions costs to be included in the over all budget plan and he would like also for safety training of guides to be addressed.

Mr. Friddell mentioned there were terms expiring in June for certain commission members and he felt it would be appropriate for recommendations to be submitted to the Director for appointments to these positions. Director Rader advised that letters of recommendations for these positions should be forwarded to him and he would submit them to the Governor for appointments.

NEXT MEETING DATE AND PLACE

The next Whitewater Commission meeting will be a special meeting to be held on Wednesday, April 22, 1998 at 1:00 p.m. for action on the four applications for outfitters licenses and for discussion of Mr. Cantrell=s Gauley River license. The next regular quarterly meeting will be held on Wednesday, June 17, 1998 at 1:00 p.m. in Charleston.

The **MOTION** to adjourn was made by Mr. Breuer, seconded by Mr. Hanger and passed. The meeting adjourned at approximately 2:55 p.m.