



STATE OF WEST VIRGINIA
 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

I, David C. Callaghan, Director,
Title or Position

Department of Natural Resources, hereby submit to record in
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify (declaration of emergency _____).

This filing pertains to Natural Resources - whitewater recreation zones.

Chapter 20
 Article 2
 Series XI
 Section 5
 Page No. 11

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

6/30/81

Date Submitted

David C. Callaghan
 Signature of Person Authorizing
 this Filing



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25305

DAVID C. CALLAGHAN
Director

June 30, 1981

The Honorable A. James Manchin
Secretary of State of West Virginia
State Capitol Building
Charleston, West Virginia 25305

Dear Mr. Secretary:

Enclosed herewith are three copies of the proposed West Virginia Administrative Regulations, designated Series XI, Section 5, relating to whitewater recreation zones, which have been filed in the State Register, to become effective pending the results of a public hearing scheduled for August 20, 1981.

Committee Substitute for SB 398, passed April 10, 1981, requires that certain studies and investigations regarding whitewater recreation zones commence by July 1, 1981. Therefore, these regulations are being filed on an emergency basis, to be effective immediately.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Callaghan".

David C. Callaghan
Director

DCC/cia

Enclosures



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25305

DAVID C. CALLAGHAN
Director

June 30, 1981

The Honorable A. James Manchin
Secretary of State of West Virginia
State Capitol Building
Charleston, West Virginia 25305

Dear Mr. Secretary:

Enclosed herewith are three copies of the proposed West Virginia Administrative Regulations, designated Series XI, Section 5, relating to whitewater recreation zones, which are to become effective on the earliest possible date.

The Department of Natural Resources will hold a public hearing on August 20, 1981, from 3:00 p.m. to 8:00 p.m., in Room 674, Building #3, 1800 Washington Street, East, Charleston, West Virginia, to solicit public comments concerning the proposed regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Callaghan".

David C. Callaghan
Director

DCC/cla

Enclosures

SECRETARY OF STATE

OFFICE

81 JUN 30 4:25

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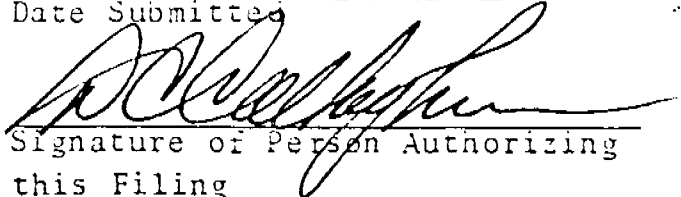
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Section 5. Whitewater Recreation Zones.

5.01. Whitewater recreation zones for commercial whitewater expeditions are designated as follows:

- a. Cheat River from its headwaters to Lake Lynn (Cheat Lake).
- b. Gauley River from the U. S. Corps of Engineers Summersville Dam to its confluence with the New River.
- c. New River from its confluence with the Gauley River to its confluence with the Greenbrier River.
- d. Shenandoah River from its confluence with the Potomac River to the Virginia boundary line.

5.02. Whitewater recreation zones to be studied pursuant to 20-2-23a, Subsection (b) of the Code of West Virginia, are designated as follows:

- a. Cheat River from the village of Rowlesburg to Lake Lynn (Cheat Lake).
- b. Gauley River from the U. S. Corps of Engineers Dam to the village of Belva.
- c. New River from its confluence with the Gauley River to its confluence with the Greenbrier River.
- d. Shenandoah River from its confluence with the Potomac to the Virginia boundary line.

5.03. Investigations on all the above-named study zones shall be initiated the first day of July, one thousand nine hundred eighty-one.

All studies and investigations shall be completed no later than the first

day of July, one thousand nine hundred eighty-four.

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- d. Shenandoah River from its confluence with the Potomac River to the Virginia boundary line.

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- c. New River from its confluence with the Gauley River to its confluence with the Greenbrier River.
- d. Shenandoah River ~~fr~~om its confluence with the Potomac to the Virginia boundary line.

5.03. Investigations on all the above-named study zones shall be initiated the first day of July, one thousand nine hundred eighty-one. All studies and investigations shall be completed no later than the first day of July, one thousand nine hundred eighty-four.

NEWS

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STATE OF WEST VIRGINIA • DEPARTMENT OF NATURAL RESOURCES • CHARLESTON 25305

David C. Callaghan, Director

FOR RELEASE: July 1, 1981

PHONE: 304/348-3381

DIRECTOR SETS WHITEWATER REGULATIONS

Department of Natural Resources Director David C. Callaghan today announced the filing of temporary regulations designating four streams in West Virginia as whitewater recreation zones and all, or portions of those streams, as whitewater recreation study zones. This action was taken in accordance with legislation passed in April of this year.

The director has designated the following streams as whitewater recreation zones:

1. Cheat River from its headwaters to Lake Lynn (Cheat Lake);
2. Gauley River from the U. S. Corps of Engineers dam at Summersville to its confluence with the New River;
3. New River from its confluence with the Gauley River to its confluence with the Greenbrier River;
4. Shenandoah River from its confluence with the Potomac River to the Virginia boundary line.

The following streams, or portions of streams, have been designated as whitewater recreation study zones by Director Callaghan:

1. Cheat River from the village of Rowlesburg to Lake Lynn (Cheat River);
2. Gauley River from the U. S. Corps of Engineers dam at Summersville to the village of Belva;

(more)

3. New River from its confluence with the Smoky River to its confluence with the Greenbrier River;
4. Shenandoah River from its confluence with the Potomac River to the Virginia boundary line.

The director pointed out that any commercial license to operate on these four whitewater recreation zones purchased prior to April 10 of this year will remain in effect through December 31. However, after April 10 the annual commercial license fee to operate on these streams was raised, by law, to \$250 per year. In addition, the director said that after April 10, the legislature set a fee of \$250 to be assessed of any commercial outfitter operating on each whitewater recreation study zone.

Director Callaghan said, "The purpose of naming certain areas for special study is to determine if there are serious problems requiring immediate regulation, safety hazards and problems of overcrowding or environmental misuse. These studies will be undertaken immediately."

The director also announced today that a public hearing to discuss whitewater zoning and study areas will be held on August 20 in Room 674 of the Motor Vehicles Building from 3 P.M. to 8 P.M. The public is invited to attend.

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