

FISHIN' POLE, PACK & PADDLE

FLOAT FISHERMEN OF VIRGINIA

SUMMER 2011 ISSUE

PRESIDENT'S PADDLE



Fellow paddlers,

Well the rivers have been a little low, but that has not stopped a lot of us from paddling. Since the last newsletter I have found time to paddle the Appomattox River below Petersburg, the James River from the Hardware River to Bremono Bluff, the Slate River to Bremono Bluff, and Huguenot Flatwater to Reedy creek, Balcony Falls and that does not include the floats from Memorial Day.

It has been a long time since we have been out to the New River and the first trip to the new Whitt River Bend Park that the town of Pearisburg has established. I personally am looking forward to the new sweet smelling toilets that have been installed at the campground.

The Children's float had a lot of volunteers show up to help out and was handled immaculately by Erica Sims-Goode. All of the children who made it to the float had a wonderful time. Thank you to all of the volunteers that made the trip such a success.

A lot of the chapters have started arranging their floats for next year. If you are interested in attending any of the upcoming floats please let an officer know of your interest and they will gladly let you know whom you should contact.

Paddle Safely,
Brian Vande Sande

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WHEN IT COMES TO LOW-HEAD DAMS, BE DAM SAFE!

After two fatalities on the Blackwater River, one on the Maury at Lexington and one on the Dan River, the SW Virginia area seemed to be near critical mass for some action on safety.

In March 2011, I contacted Linda Underwood, mother of one of the victims, Nicole Underwood, and proposed a meeting of interested people. From there we began to lay the groundwork for a group that would address dam safety locally and statewide.

We have adopted the name "Be Dam Safe!" as our coalition name. It was a logo used by the Iowa Waterway Coalition, but they were only too glad to let us use it as well.

We have held several meetings on the Blackwater

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MEMORIAL DAY MEETING NOTES

President Brian Vande Sande called the meeting to order, thanked the Randy Carter chapter for cooking the Saturday night dinner and asked for reports.

Secretary's Report

Minutes from the Winter Meeting as published in the Pole, Pack and Paddle were accepted.

Treasurer's Report

The report submitted in the Treasurer's absence showed a beginning balance of \$9,442.08 and an ending balance of \$10,883.41. A discussion about reducing dues was tabled until the next meeting.

Web Report

Bob Born was not present but sent word that he is willing to help chapters update their web pages.

Membership Report

Tim reported that as of Memorial Day, there were 266 individual or family memberships. Chapters are requested to send hard copies of membership to Tim Stuller, not Katherine Waller. Tim distributed a state roster that did not have the Dickel or Roanoke Chapters' members. Contact him for an updated version with those chapter listings. Anyone wishing to pay their dues at the Memorial Day meeting could give them to Brian who would pass them along to Katherine.

Newsletter Report

There were three entries for the pet photo contest and the winner is Bryon Jones. There was discussion

about moving the due date for materials from August to July 15 in order for the newsletter to go out on a more timely basis.

Conservation Report

None presented

Old Business

There was some discussion about asking the property owners if Solitude could be a back up location for the Labor Day Meeting in case camping vehicles would not be allowed at Whitt Riverbend Park. Otherwise, Labor Day is scheduled at Whitt Riverbend.

River tax to be collected for Memorial Day was \$5 per person or \$15 per family.

New Business

Erica Goode reminded everyone that Kids' Float was set for June 11; 40 people had volunteered to assist, and she needed about 10 more. The trip will be from Warren Ferry to Hatten Ferry. Participants were reminded to bring coolers with ice to carry drinks for the kids; lunch and snacks will be provided. Ginnie Peck is working to improve shuttle so some congestion can be eliminated at the take out.

After various announcements including "housekeeping" details, items for sale, and a promise of Grand Canyon trip pictures at the Labor Day meeting, Brian adjourned the Memorial Day meeting for paddling and packing.

CONSERVATION NEWS



ACTION ALERT!

- *YOUR RIGHT TO USE PUBLIC RIVERS IN VIRGINIA IS UNDER THREAT*
- *PROTECT THE PUBLIC'S RIGHT TO USE THE JACKSON RIVER*
- *ASK THE STATE ATTORNEY GENERAL TO DEFEND VIRGINIA'S RIVERS*

The developer of the River's Edge golf community near Covington, VA has filed a civil trespassing case against three Virginia anglers who lawfully entered the Jackson river with kayaks at the Smith Bridge public access point and remained within the river banks while fishing down the river. The developer is seeking an injunction to prevent anglers from wade fishing a stretch of the Jackson that runs past their land.

Under a Virginia statute that is more than 200 years old, the beds of all rivers and streams "are the property of the Commonwealth and may be used as a common by all the people for the purposes of fishing, fowling, hunting, and taking and catching oysters and other shellfish."

The grants also do not mention fishing rights. This case is therefore very different from, and potentially more threatening to anglers, paddlers and hunters, than the previous Jackson River VA Supreme Court case (Kraft v. Burr) where it was undisputed that the landowners owned the bed of the river. Here, the River's Edge developer is claiming to own property that, in practice and historically, belongs to the Commonwealth.

Attorney General Ken Cuccinelli's office needs to defend Virginia's property rights on the Jackson River and the interests of the people to use the river for boating, fishing, hunting, swimming or general recreation. Without state involvement, rights to other rivers and streams (like the Shenandoah or the James) may be compromised.

The Commonwealth's participation is also needed to ensure that the court has all relevant facts and arguments available before it renders a decision. Putting the burden on the fisherman or hunter or boater to prove or disprove ownership of a river bottom is a daunting task.

All anglers, hunters and paddlers, please contact Attorney General Ken Cuccinelli right away!

Urge him to do the following:

Join as Party Defendant in North South Development LLC, et. al. v. Garden, et. al., Alleghany County Circuit Court Case #CL11000043.

Defend the interests of the people of Virginia to use the Jackson River and other public rivers.

Office of the Attorney General
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DAM SAFETY

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issues and are in touch with the Maury River family. We recently held a public awareness event at the Blackwater site and got front page coverage in the Roanoke Times.

There is lots of research to be done, but we have already found that Virginia really has no coherent laws on the books about dam safety. Two state agencies have minor authority, but huge gaps exist in data, responsibility and planning.

We have learned about other low-head dam fatalities in Winchester and other towns as well and are gathering data on how many and where they have occurred.

Needless to say, there is opportunity for anyone interested in helping. Just give me a call or email and I will go over our plans and needs.

In the interests of boating safety...
Bill Tanger, FFV

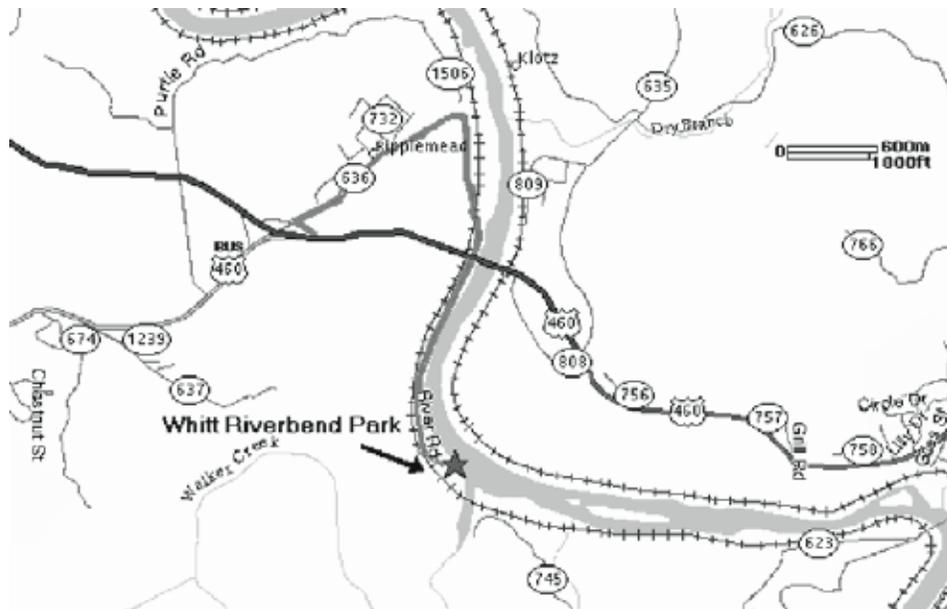
Editor's Note

The opinions expressed in FPP&P are those of the author and not necessarily those of FFV or its members. Articles and material for publication may be submitted to the FPP&P editor. Preferred format: E-mail with attachments in Word, RTF, and/or JPEG. Dates for submitting material for publication: 1st of February, April, August and November. The Editor reserves the right to edit as needed. Comments, criticism and compliments are always welcome.



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DIRECTIONS TO LABOR DAY



FROM RIPPLEMEAD, VA:

Going west on US 460 cross the bridge over the New River and turn right on SR 636 and go thru Ripplemead. Continue across railroad tracks and under the US 460 bridge over the New River. Follow SR 636 to end at park.