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**The Memorial Day Float
&
Business Meeting,
Glen Maury Campground
May 28-30**

For more information on the Glen Maury Park, campground and facilities, go to:

<http://www.glenmaurypark.com/>

For directions see page 2 inside...

The President's Paddle

It's May already and the Memorial Day float is not far away. Looking forward to seeing everyone at Glen Maury Park in Buena Vista. The area has white water for all skill levels, so everyone will have a chance to get on the river. Rainfall will be a determining factor for some choices, but there is always water in the James. Please refer to the meeting notice for directions to the Park.

One of the issues we need to be thinking about is next year's VIP float. Yes, it is over a year away, but it is never too soon to start planning. Be thinking about location and dates and what you are willing to do to make it successful.

The nominating committee, which consists of the last three presidents, will be looking for candidates for president elect and treasurer. Our current treasure, Tim Hinness has decided not to continue in that position and will resign his position after Labor Day 2005. The committee will welcome any volunteers or nominations.

I would like to challenge the FFV Foundation Board to choose a project that will enhance river conservation. The club has been surveyed and members have expressed their opinions. Now is the time to act. If you have any suggestions, contact a Foundation Board member.

I encourage every chapter who hasn't already, to adopt a section of river or stream in your area. Picking up trash not only improves the appearance of the streams but also gets recognition for FFV. It is a good way to get your chapter in the news. Many areas have beautification and clean up days with which this can be coordinated as part of an area wide program.

Stay safe, and see you in a few days!

John VanLuik

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DIRECTIONS TO...

THE MEMORIAL DAY FLOAT & BUSINESS MEETING, GLEN MAURY / MAY 28-30

From Roanoke: Take I-81 North to Buena Vista exit; then take US-60 East to Buena Vista; at Buena Vista, turn right on US-501 South. Turn right on 10th Street and cross the river to Glen Maury Park.

From Staunton: Take I-81 South to Buena Vista exit; then take US-60 East to Buena Vista; at Buena Vista, turn right on US-501 South. Turn right on 10th Street and cross the river to Glen Maury Park.

THE SUMMER FLOAT WHITT RIVERBEND PARK / JULY 16-17

From I81: Take US 460 West at the Christiansburg exit. Continue on 460W around Blacksburg, through Pembroke (watch your speed!) and over the New River. Take the first (Pearisburg) exit after crossing the New, and make a right onto SR 636. Continue through the town of Ripplemead, across the railroad tracks, and under the 460 bridge. The road ends at the park's entrance.

Cushaw Project Update: Balcony Falls Take-out Effort Continues

The Cushaw Project is an effort by paddlers, float fishermen and tubers to develop a new take-out river access below the Balcony Falls whitewater section of the James River in Virginia. The section runs from Glasgow, Virginia to just above the Cushaw Dam. Slow, but definite progress continues.

The relicensing of Cushaw Dam at Snowden provides an opportunity to address the issue of 1.6 miles of flat water caused by the dam. The relicensing of hydropower dams by the Federal Energy Regulatory Commission occurs only once every fifty years, so now is the time to address the dam that destroyed the free-flowing James River below Balcony Falls.

During the 80's, the CSX railroad cut off our informal take-out along the James River below Balcony and forced all paddleboaters and tubers to use a Virginia Department of Game and Inland Fisheries (DGIF) take-out, which is 1.6 miles below the end of the whitewater section. This forces a long flatwater paddle, often against strong headwinds.

This project is both an access and safety issue on the James River. Use of this section, (which is deemed by many in Virginia to be one of the best whitewater sections in the state), could be increased by providing better access. Boaters now take out all along the CSX tracks and carry their boats up a steep hill after crossing the railroad tracks illegally. This is a very unsafe situation. Many boaters are unable to boat this section due to the physical difficulties of getting out of the river at the end of the trip.

continued on page 5...



Welcome New FFV Members

Bent Creek Chapter
Gerald Lunde, Chesapeake

Randy Carter Chapter
John Duke, Myersville
Myron W. Kiltz, Mechanicsville
Benjamin & Linda Powell, Troy

Roanoke Valley Chapter
Scott Beard, Roanoke
Matthew & Christina Bizzarr, Mechanicsville
Bobby Bolinger, Roanoke
David Bordett, Fincastle
Willard Hamil, Roanoke
Mark & Andrea Jones, Christiansburg
Nate King, Roanoke
Mary Lou Legg, Roanoke
Steve & Jo McGonigal, Roanoke
Chris Moran, Roanoke
Harry B. Rhett, Martinsville
Jason Shull, Roanoke
Steven Smith, Salem
Richard B. Vipperman, Roanoke

Raffle Tickets Still Available

A new 14' Mad River Explorer TT awaits the winner of the Float Fishermen of Virginia Foundation's fundraiser

A few raffle tickets remain -- \$5.00 each or five for \$25.00

Support the Foundation ~

Purchase your tickets now!

Legislative Update:

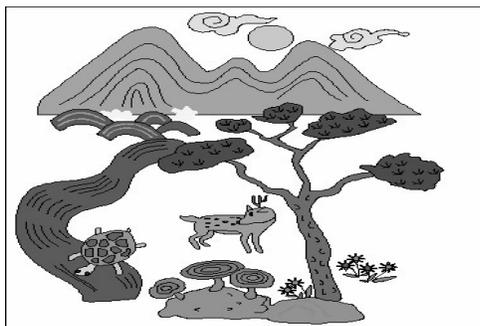
Funding for the Bay & Tributaries *Funding for the Bay & Tributaries*

The Virginia Legislature considered several measures aimed at reducing pollution from municipal sewage treatment plants and agricultural runoff during the 2005 sessions. House Bill 2694 known as the *Virginia Clean Streams Act* would have required localities to assess residences connected to a municipal sewer system, septic system, or other wastewater treatment system \$52 per year, and industrial facilities connected to a municipal sewer system \$1,200 per year. Funds would be dedicated to improve nutrient removal technologies at municipal sewage systems. HB2694, and its parallel Senate Bill 1240 both failed.

Rather than generate additional revenue through user fees, House Bill 2777 simply appropriates \$50 million from the general fund to the *Water Improvement Quality Fund* effective July 1, 2005. The money is designated for the sole purpose of financing the costs of design and installation of biological nutrient removal facilities at publicly owned sewage systems. Seventy percent of these moneys will be allocated to the *Department of Conservation and Recreation* to be used for the implementation of best management practices that reduce nitrogen and phosphorous nonpoint source pollution, and 30 percent will be allocated to the *Department of Environmental Quality* to make grants to significant dischargers and to treatment works that utilize the Public-Private Education Facilities and Infrastructure Act, to design and install state-of-the-art nutrient removal technology.

The bill also directs the chairman of the committees of oversight to develop recommendations for a permanent source of funding that will clean up the Chesapeake Bay and its tributaries, as well as other impaired waters outside the Bay watershed.

HB2777's chief patron was 15th District Delegate Allen L. Louderback (R, Luray), and was identical to SB1235 sponsored by 13th District Senator Frederick M. Quayle (R, Chesapeake), and SB810 sponsored by 1st District Senator Martin E. Williams (R, Newport News).



Going for Tier III Designation: Easier Said Than Done, So Do It In Bits and Pieces

A Swift Proposal by Jonathan Modest

Background information: The process for getting a section of a river, creek or stream designated as Tier III, or exceptional water protected from degradation, is outlined on a state website found at:

<http://www.deq.virginia.gov/wqs/rule.html#T3>

The description of the Tier III process outlines the time line for nomination and procedure for acceptance of a Virginia river, creek or stream as an exceptional waterway.

There are many reasons why a nominated river, creek or stream may not be designated as receiving Tier III status-which protects the waterway from future development. One major detriment to the process is the resistance of local landowners and local governments to declare a section of water protected from certain kinds of development. The opposition can vary from positions such as "We have been good stewards, why should we now have government interfering in what we have been doing well without their assistance; (Don't they trust us to do the right thing?)" or positions such as "We need development to boost our tax base, to grow new business and commerce in our locality, and we can't do that with restriction on water usage; (I've been elected on the platform that I will bring wealth and prosperity to our county)". These positions were overwhelmingly presented at a hearing for the nomination of sections of the Cowpasture River as an exceptional Virginia waterway.

There were probably an equal number of positions presented for limiting development, protecting the water, and ensuring that an exceptional waterway would remain just that-an outstanding river for recreational use, as well as a protected habitat for river's critters. The only problem was that not all of the riparian landowners were in agreement with the nomination and none of the local governmental officials supported the nomination.

One logical position for not supporting the nomination was that in order to get to "first base", (so to speak) sections of the river were nominated, and others were not, so that there would be gaps in the protected sections of the river. One opponent to the nomination stated: (rough paraphrase) "If some land owners want to designate their section as protected, well, let them do so, but don't force the rest of us to do so."

I took her seriously. There is a state program that supports and encourages setting aside land under a conservation easement that limits what development can take place on that property. For more information on conservation easements see websites at:

http://www.wildlaw.org/easements/10_1-1009.html
<http://www.pecva.org/conservation/easementlist.asp>

This program offers incentives to those who participate: they receive tax credits for their properties; if they cannot use the tax credits, they are then able to sell the tax credits, possibly recovering over several tax years an amount equal to the selling cost of the property.

If Tier III status cannot be granted to a contiguous section of river owned by various individuals, could the state offer protection status to riparian landowners who want to place their properties under a restriction similar to the conservation easement but different in that it would allow some development? I kept hearing pro-nomination people at the hearing state that "Development can take place under Tier III status." This needs to be spelled out for those of us who don't know what the safe development practices are, especially for the landowners who might want to sell their properties for big bucks to a developer and the nearsighted local government officials in their tasseled loafers who believe that progress is mass development of any kind.

I would suggest that anyone interested in protecting Virginia's exceptional waters write the State Water Control Board and suggest that if Tier III status cannot be designated for a contiguous section of a state river, creek or stream, that protection for individual properties be urged, spelling out what safe development could entail and then provide an incentive similar to, but perhaps more modest in terms of tax credits, that is awarded to landowners placing their properties under a conservation easement. The properties would not be totally protected from development, as the conservation easement provides, but would encourage development not harmful to the river's environment and still allow property owners to sell their properties for development -- development limited to protecting Virginia's exceptional rivers, creeks and streams, but allowing local governmental officials to pursue their desires for development in their counties.

By the way, my name's not Jonathan Modest, it's Linda VanLuik.

...continued from page 2

Cushaw Project Update

Recently recon teams found a metal culvert (10 feet in diameter) located at the end of the whitewater section, which goes under the track and provides excellent access to the river. A civil engineer has examined the culvert and found it to be quite safe for people to use. It is connected to a US Forest Service road that goes to the paved highway (US-501). There is even space for parking next to the culvert.

A new take-out will require the cooperation of Dominion, CSX and the Forest Service. In our favor, however, is the fact that by creating such a new take-out, there will be fewer people crossing over the tracks at the current take-out, thus reducing the safety problem and the liability for CSX. We have 30 letters of support from counties, towns, organizations, outfitters, state delegates and state senators.

A CSX employee has visited the site and given a favorable report to CSX. The management of CSX has been generally positive, but continues to deny support because of perceived liability issues. Meetings have been held with various state agencies attending. A strong consensus existed that CSX's concern regarding liability was unwarranted. The Department of Conservation and Recreation has been very supportive and the Forest Service is doing an estimate on improving the road to the culvert.

The completion of this project would be an economic benefit to areas of Amherst and Rockbridge counties, the town of Glasgow and numerous outfitters and businesses.

For this reason, we are seeking letters of support for the project to be sent to CSX. To date we have over 30 letters of support.

If you are interested in helping, please contact Bill Tanger, [Email tanger@mediavisionva.com, or phone: (home) 540-366-2228; (work) 540-777-1020.



Gauley River Access Threatened

Appalachian Whitewater and Class VI (AW/VI) have issued a letter stating that they will close Mason's Branch and Bucklick to private boaters and only allow access at their new road at Woods Ferry on river right. AW/VI plans to charge a fee for use of the access. This Woods Ferry access must now be used for take-outs on Upper trips and put-ins for Lower trips. Mason's Branch is the take-out used in the past 15 years or more by boaters, and since 1994 using a shuttle to bring out boats in a truck, while the boaters themselves hike out along Panther Creek. Bucklick is the put-in just above Koontz's Flume used for Lower Gauley trips. Both of these access points are owned by AW/VI. So imagine the Gauley season with everyone, Upper and Lower boaters (20,000+), having to go to Woods Ferry and on top of that pay a fee to these outfitters!

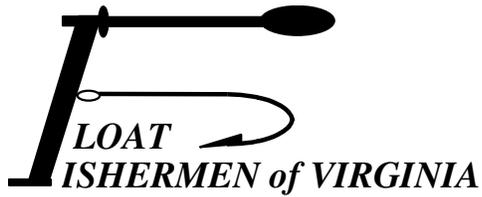
As a result, we are forming a group to re-open the public Woods Ferry Road to allow at least one public access, without having to pay AW/VI for the use. We have looked at the road and it is all quite possible, but we need lots of volunteer labor and we will need to raise some money for some of the work. A possible name for the group might be Friends of the Gauley River (FOGR).

Turner Sharp of the WVWA is helping, and has been asked to ask his group to do a shuttle service at Woods Ferry this year, instead of the shuttle at Mason's Branch, since AW/VI will not allow that this year. If we ask for a shuttle donation, we could donate the money toward the cost of road improvements. Benjy Simpson of Passages to Adventure is working with us on road improvements.

Motivation for the Closings: What is the reason for this action? AW/VI owns all of the major access points along river right. They want the Park Service to buy their Woods Ferry access property, but have asked a price for it that is more than double the appraised value. The Park Service, by federal law, cannot pay more than the appraised value. So AW/VI wants to increase the value of their access by charging fees to boaters and demonstrating that the value is higher than the appraisal. This is our best guess on reasons.

Public Access Plans: We want to raise the visibility of this problem and to address the long-term issue of Gauley access. A congressional act mandates that before any other Gauley access is developed, that private boater access be developed at Woods Ferry river right. This was a bill written by Rep. Rahall with input from AW/VI. It may be time to contact Rep. Rahall and revisit this legislation. The current law basically ties us all up in knots. This issue impacts the people of Summersville and West Virginia to the tune of millions of dollars each year! It could wreck the Gauley boating season for thousands of boaters!

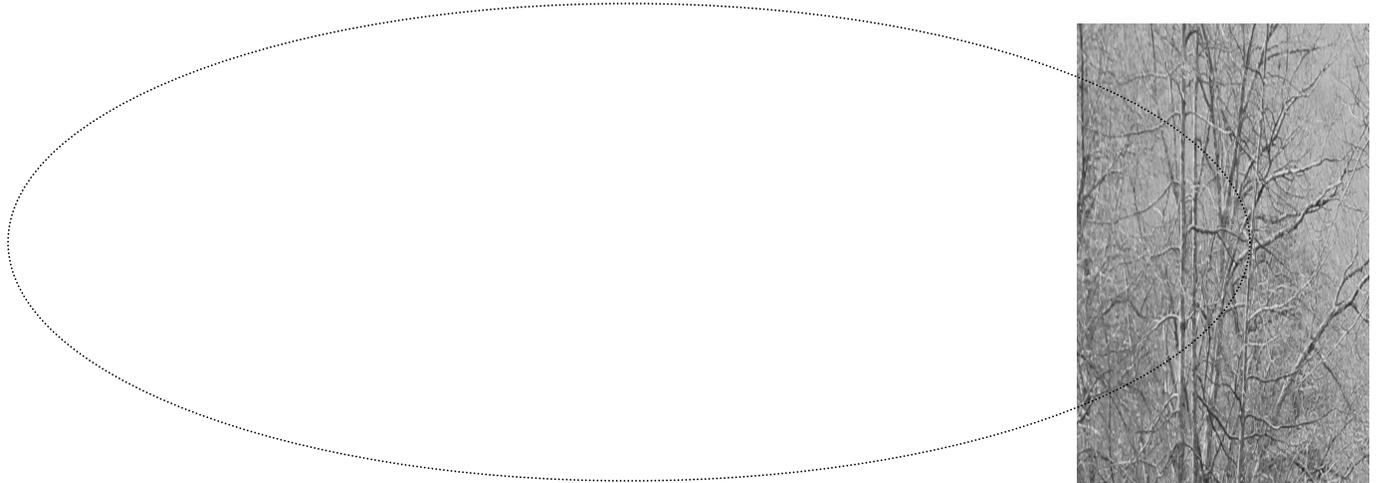
If you are interested in helping, please contact Bill Tanger [Email tanger@mediavisionva.com, or phone: (home) 540-366-2228; (work) 540-777-1020.



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FFV CALENDAR OF EVENTS

May 28-30
Memorial Day Float & Business Meeting
Glenn Maury

July 16-17
Summer Float
Whitt Riverbend Park on the New River

August (*submissions due the 5th*)
Fishin' Pole, Pack & Paddle
Summer/Fall issue 2005, No. 3

September 3-5
Labor Day Float & Business Meeting
James River at Davids Creek, Bent Creek

October 1-2
Dickel Bash
Contact Ginnie Peck, George Dickel Chapter

November (*submissions due the 5th*)
Fishin' Pole, Pack & Paddle
Fall/Winter issue 2005, No. 4

NEXT ISSUE...
DIRECTIONS FOR...
THE LABOR DAY FLOAT & BUSINESS MEETING,
JAMES RIVER AT DAVIDS CREEK, BENT CREEK