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## HOUSE JOINT RESOLUTION NO. 103

Offered January 22, 1996

*Establishing a commission to study ways to improve and enhance the role of water recreation in the tourism industry in the coalfield region.*

Patron—Phillips

Referred to Committee on Rules

WHEREAS, the coalfields of Virginia (Planning Districts 1 & 2) have an abundance of natural resources; and

WHEREAS, historical reliance upon mineral resources has led to an economy which does not have the diversity necessary to continue to sustain long-term economic growth; and

WHEREAS, for diversity to take place in southwest Virginia, tourism has to play an increasingly prominent role; and

WHEREAS, anticipated water impoundment at Haysi, and existing impoundments such as Flannagan Dam, regulated water flow on streams such as the Russell Fork, and natural flows on other streams in southwest Virginia make it important for the region to prepare for proper water resource utilization; and

WHEREAS, tourism is the third largest employment area in Virginia, and new employment opportunities are essential to this economically depressed region; and

WHEREAS, tourism nationally is the third largest generator of retail business receipts, and in Virginia the second largest; and

WHEREAS, in contrast to other areas of the Commonwealth, the southwest region is characterized by declining population growth, a sluggish economy, and declines in some major industries; and

WHEREAS, an opportunity exists to harvest a renewable natural resource to help achieve economic stabilization; and

WHEREAS, analysis is needed to determine the proper relationship between all water users as the tourism potential of this natural resource is tapped to insure that economic, ecological and cultural balance is maintained; therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a Commission be established to propose recommendations to improve and enhance the role of water recreation in the tourism industry in the coalfield region of the Commonwealth. Waterways which shall be studied include: the Russell Fork, the Pound River, the Clinch River, the Powell River, the Guest River, the Levisa Fork, and other rivers and streams as deemed necessary by the Commission.

Among the issues the commission shall consider are the needs and effects of: (i) boating; (ii) fishing; (iii) unique biological aspects; (iv) user protection; and (v) other direct and indirect recreational users of water. In addition the Commission shall examine the economic effects of such activities including infrastructure effects, social impacts and the effect on education in the region. The responsibilities and management of water-based tourism development shall also be examined.

The Commission shall examine issues affecting stream usage in the region to include, but shall not be limited to: water flow rates, river ratings and potential ratings at various flow rates, liability, commercial operation certifications, user conflicts, environmental issues, access, signage, emergency response, hazard identification, user profiles, length of season, economic impact, and alternative flow schemes of regulated flow streams. Outcomes of this study shall include but are not limited to: (i) a determination of flow rates which best meet the needs outlined in the study; (ii) a determination of the level of regulation the Commonwealth should place on outfitters; (iii) a determination of whether the Department of Conservation and Recreation or the Department of Game and Inland Fisheries should be required to place signage on rivers and streams in the study area and identify potential hazards; (iv) a determination of which state agencies have responsibility for emergency response personnel and equipment; and (v) a determination of potential economic impacts on the region of developing of rafting, tourism, fishing and other associated water industries.

The Commission shall be composed of twenty-two members as follows: the Speaker of the House shall appoint four members of the House of Delegates, and the Senate Committee on Privileges and Elections shall appoint two members of the Senate. The Speaker shall also appoint seven members from the southwest region of the Commonwealth, including: one representative from the Army Corps of Engineers, one representative from the U.S. Forest Service, one representative from the U.S. Fish and Wildlife Service, one representative from the Virginia Department of Game and Inland Fisheries, one representative from the Virginia Department of Conservation and Recreation, one representative from the Nature Conservancy, Inc. and one representative from the Virginia Division of Tourism. The Senate

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60 Committee on Privileges and Elections shall appoint seven members from the southwest region of the  
61 Commonwealth, including: one representative from the Virginia Coalfield Regional Tourism Authority,  
62 two representatives from local government in Southwest Virginia and two representatives from  
63 water-related and tourism-related businesses located within or serving Southwest Virginia, one  
64 representative from an emergency response organization, and one representative each from the American  
65 Rivers Council, the mining industry and the utility industry .

66 The direct costs of this study shall not exceed \$14,000.

67 The Division of Legislative Services shall provide staff support for the study. All agencies of the  
68 Commonwealth shall cooperate with the commission and, upon request, assist the Commission in the  
69 performance of its duties and responsibilities. The Commission shall submit its findings and  
70 recommendations to the Governor and the 1998 General Assembly as provided in the procedures of the  
71 Division of Legislative Automated Systems for the processing of legislative documents.

72 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
73 Rules Committee. The Commission may withhold expenditures or delay the period for the conduct of  
74 the study.