

U.S. Congressman
Nick Rahall
WORKING FOR WEST VIRGINIANS

FOR IMMEDIATE RELEASE
APRIL 16, 1992

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MEDIA ALERT

Keeping the 'Wild' in West Virginia Rivers

Event: Press Conference
Date: Wednesday, April 22, 1992
Time: 1 p.m.
Place: The banks of the New River
Shanklins Ferry campground in Summers County

U.S. Rep. Nick Rahall will announce, as the first step in the process to designate the segment of the New River where the APCO powerline is proposed to cross, the introduction in the House of Representatives of legislation that would place this segment under the "study river" protections of the Wild and Scenic Rivers Act.

The purpose of the Wild and Scenic Rivers Act is to preserve in their free-flowing condition river segments which possess outstanding scenic, recreational, fish and wildlife, historic and cultural values. In West Virginia, a segment of the Bluestone River is designated as a National Scenic River while both the Gauley River National Recreation Area and the New River Gorge National River designations include protections from the Wild and Scenic Rivers Act.

The designation of a river under the Wild and Scenic Rivers Act normally entails a two-step process, starting with enactment of legislation to require an eligibility study. Based on the study's findings, Congress then considers legislation to designate the river as part of the National Wild and Scenic Rivers System or another type of federal designation such as a National River or National Recreation Area.

River segments under study river status enjoy, on a temporary basis, some of the same protections as do designated rivers. While these protections do not directly block transmission lines from crossing a study river segment, federal agencies normally are reluctant to take actions that would adversely affect the values for which the river is being studied. The proposed APCO line would require a federal right-of-way across the segment of the New River being proposed for study river status.

Rahall will be accompanied at the press conference by other elected officials and concerned citizens.

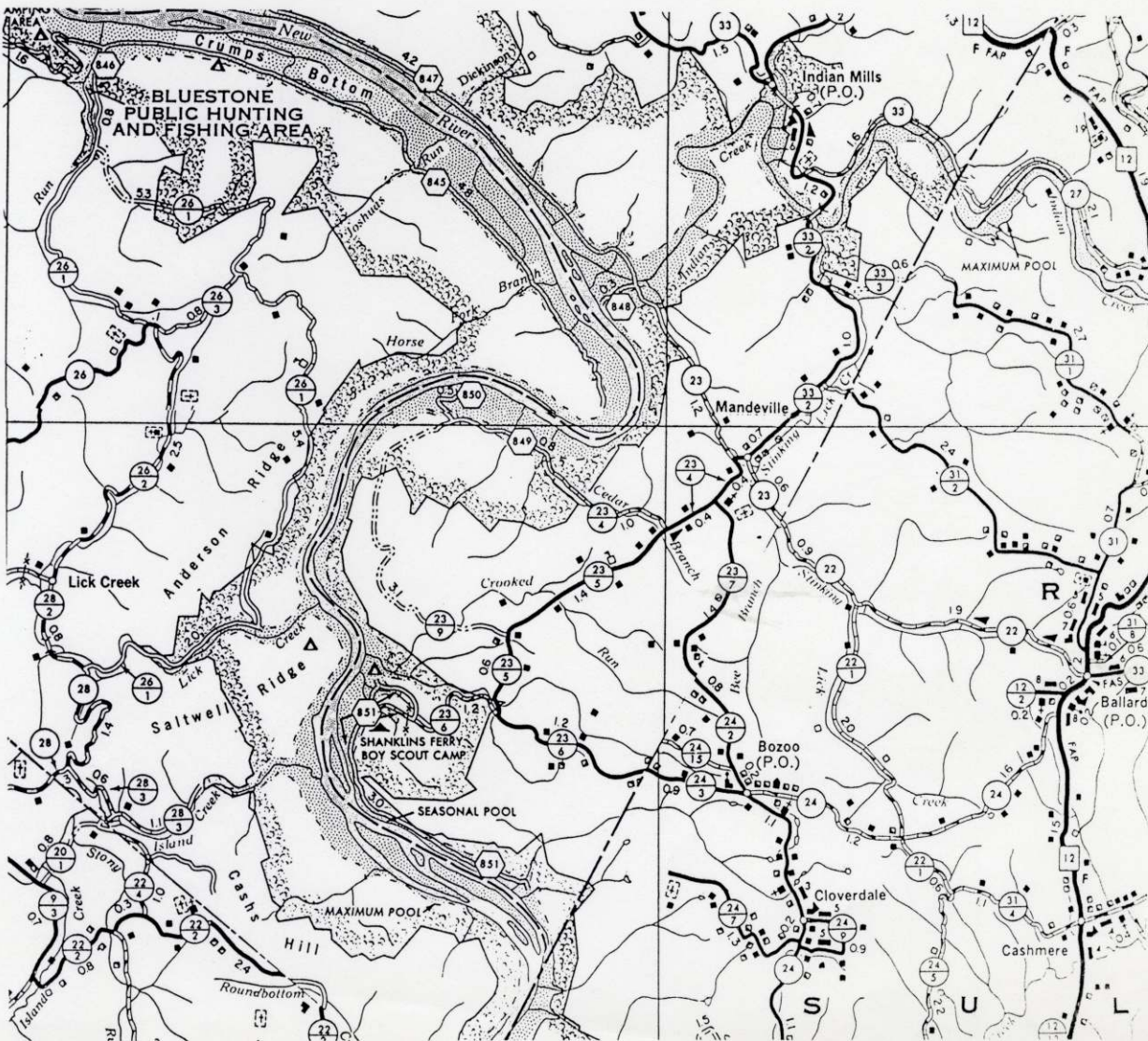
DIRECTIONS TO SHANKLINS FERRY

From Bluefield:

Take U.S. 460 to Rich Creek, Virginia, and pick-up U.S. 219 North to Peterstown. At Peterstown, turn left on WV Route 12 and continue for 1.2 miles. At this point turn left onto the Bozoo Road (Rt. 24). After approximately 4 miles there will be a four-way intersection in the community of Bozoo (church on right, general store on left). Turn left (per the Shanklins Ferry sign) onto the road to Shanklins Ferry. Continue down this road to the Shanklins Ferry sign (dirt road) and turn left. Continue to the fork of the road -- take the right-hand fork to the campground by the river. (Bluefield to Shanklins Ferry is about an one-hour drive.)

Via Hinton:

From Hinton take WV Route 3 East to WV Route 12. Continue on Route 12 through Forest Hill. Approximately 2 miles past Forest Hill, turn right off of Route 12 at the Army Corps of Engineers' sign (it says Mouth of Indian Creek, Cedar Branch, Shanklins Ferry). Follow this road for approximately 2 miles to a fork in the road. Take the right fork and continue for about 6 miles to the sign for Shanklins Ferry. Turn right at the sign onto a dirt road and continue to the fork of the road -- take the right-hand fork to the campground by the river. (Hinton to Shanklins Ferry is about a 45 minute drive.)



Office of U.S. Rep. Nick Rahall
Background on the
Wild and Scenic Rivers Act

The purpose of the Wild and Scenic Rivers Act is to preserve, in their free-flowing condition, river segments which possess outstanding scenic, recreational, fish and wildlife, historic and cultural values. In West Virginia, a segment of the Bluestone River is designated as a National Scenic River while both the Gauley River National Recreation Area and the New River Gorge National River designations include protections from the Wild and Scenic Rivers Act.

The designation of a river under the Wild and Scenic Rivers Act normally entails a two-step process, starting with enactment of legislation to require an eligibility study. Based on the study's findings, Congress then considers legislation to designate the river as part of the National Wild and Scenic Rivers System under one of three categories: wild rivers, scenic rivers or recreational rivers. However, other types of federal designations may be pursued as well, such as a National River or National Recreation Area.

River segments under study river status enjoy, on a temporary basis, some of the same protections as do designated rivers. The primary thrust of these protections are to preserve the free-flowing condition of the river by (1) prohibiting Federal Energy Regulatory Commission approval of the licensing or construction of any dam, water conduit, reservoir, powerhouse or transmission line on or directly affecting the river; and (2) prohibiting any federal agency from assisting in any manner the construction of water resource projects that would have a direct and adverse effect on the values for which the river was designated.

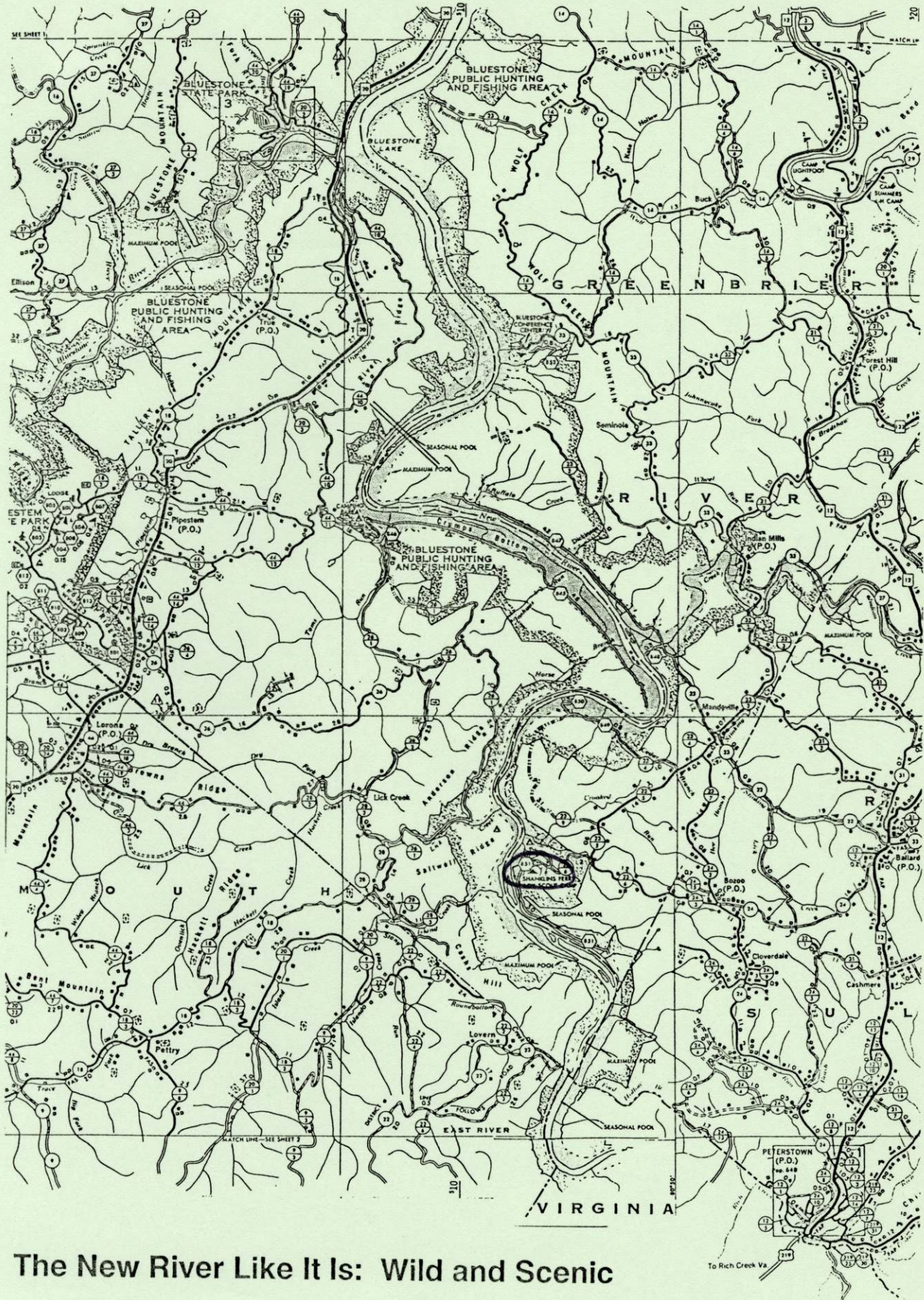
While these protections do not directly block transmission lines from crossing a study river segment, federal agencies normally are reluctant to take actions that would adversely affect the values for which the river is being studied. The proposed APCO line, for example, would require a federal right-of-way across the segment of the New River being proposed for study river status. However, if designated, a right-of-way could only be granted if it conforms to the policy and purpose of the Wild and Scenic Rivers Act. In this respect, the law limits activities that would "substantially interfere with public use and enjoyment" of the values for which the segment was designated and emphasizes the protection of the river's scenic, recreational, fish and wildlife, historic or cultural features.

Designated segments are usually managed by either the National Park Service or the Forest Service. In the case of the segment of the New River proposed for study, land acquisition is not an issue as the entire segment is currently owned by the federal government. The State of West Virginia under a lease arrangement manages the area as a Wildlife Management Area. In general, management plans are devised for designated segments. The law encourages State participation in the management of designated segments. Further, the law explicitly provides for State jurisdiction over fish and wildlife resources, including hunting and fishing.

Designations may also take into account special considerations specific to the river. For example, in the case of the law designating the Bluestone National Scenic River, Rep. Rahall provided for the continued management of the area by the State of West Virginia as a Wildlife Management Area. The law also maintains that nothing in the designation can impair or affect the management of the Bluestone Lake Project by the Army Corps of Engineers.

"DESIGNATION"

Segment of the New River Subject to Legislation Proposed by
U.S. REP. NICK RAHALL



The New River Like It Is: Wild and Scenic