Scenic River Evaluation Projects: Clinch and Dan Rivers



Prepared for the Department of Conservation and Recreation
Division of Planning and Recreation Resources

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community design assistance center
College of Architecture + Urban Studies
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Through the active involvement of local individuals, community participation fosters awareness and stewardship of natural resources upon which Scenic River designations depend for long term success.

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Staunton River State Park

TABLE OF CONTENTS

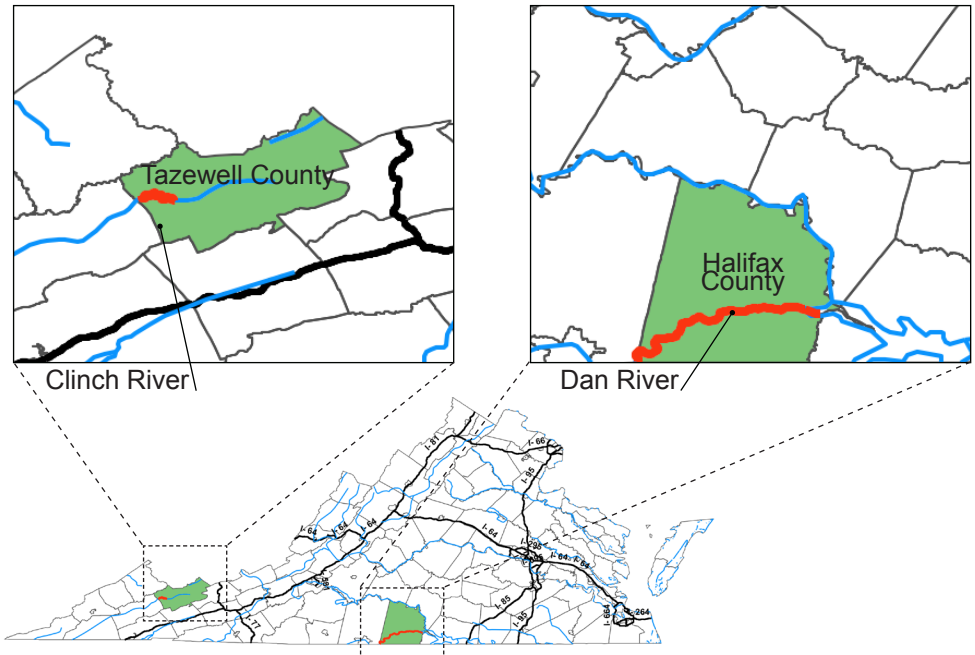
Project Description 6

Process 8

Reports 12
Clinch River Report 12
Dan River Report 53

Appendix 89
Evaluation Criteria Definitions 90
Evaluation Criteria Scorecard 93

PROJECT DESCRIPTION



State map highlighting Tazewell & Halifax Counties

The Virginia Department of Conservation and Recreation (DCR) provides field work and evaluative documentation for qualifying Virginia jurisdictions who seek to designate local rivers in the state's Scenic River Designation program. The Community Design Assistance Center (CDAC) was asked to assist DCR in the evaluation of two rivers.

The Code of Virginia defines 'Scenic Rivers' 10.1-400] as those rivers that have "… superior natural and scenic beauty, fish and wildlife, and historic, recreational, geologic, cultural and other aesthetics."

If a stream meets the minimum criteria necessary for a field study, it is fully evaluated and ranked according to relative uniqueness or quality. Minimum river segment criteria is defined as being a minimum of five (5) miles in length, having definable termini, and being accessible for public use and evaluation.

Another important qualification for study is community support. Community support is officially proclaimed in a letter of interest from the local governing agency(ies) who will sponsor (in time and resources) the evaluation effort. This letter of interest is delivered to the Scenic River Program Administrator of DCR, who then determines other qualifying information. If the river of interest qualifies, then the program administrator confirms this with the agency, helps arrange and augment any necessary public outreach/education, and begins to logistically arrange and execute the study and reporting functions of the program.

PROJECT DESCRIPTION

Each river, or river segment, is evaluated and rated on fourteen different factors from which a cumulative score is derived. This score must meet a minimum rating score to be designated. Each factor was selected because of its ability to enhance the scenic experience and its contribution to the overall quality of the resource.

The two river segments under consideration for Scenic River Designation:

- Clinch River (Tazewell County) – a 30.3 mile segment
- Dan River (Halifax County) – a 38.6 mile segment

CDAC staff worked with DCR personnel to collect background data, conduct field studies along the rivers, utilize the gathered data to determine eligibility for designation under the Virginia Scenic River Program, and prepare a report of the field data findings. The findings were presented to the public, the local Boards of Supervisors or Town Councils, and/or the Board of the Department of Conservation.

PROCESS

Background Research and Preparation

Evaluations of the potential scenic rivers began with background research which covered the following criteria:

River Corridor Vegetation, Riverbed and/or River Flow Modifications, Human Development of Visual Corridor, Historic Features, Landscape, Quality of Fishery, Special Natural Flora/Fauna, Water Quality, Parallel Roads, Crossings, Special Features Affecting River Aesthetics, Public Recreational Access, and Land Conservation.

Data was collected from state agencies, map surveys, and related literature. Rivers were also analyzed in GIS using aerial maps and other forms of geographical information. After background data was collected, the CDAC team underwent a field study to analyze the rivers.

River data was collected and prepared before field work in order to perform a thorough analysis of the rivers and to not overlook potentially subtle assets such as historic amenities. As such, areas recorded in the National Register of Historic Places and landmarks were documented on maps prior to field work so that study participants were prepared to identify, weight, and score historic assets.

Further descriptions of specific criteria may be found in the Appendix.



Jen Jessup assessing the Dan River.



CDAC team members on the Clinch River.



The CDAC team, DCR personnel, and community members after a day evaluating the Dan River.

PROCESS

Below is a short list of activities and checklist items related to field study preparation:

River Float Coordination - travel logistics (transportation, lodging, meals, etc.)

Coordinate with partner agencies and community participants to:

- Select quantity and type of watercrafts (dependent on user skill level, preference, and water levels)
- Select a drop-off and pick-up location
- Select a river guide familiar with the area being studied
- Verify that water levels are adequate for performing a field analysis
- Obtain contact information for guides and other community participants as needed
- Acquire lodging if needed

Tools to help with documentation

- Digital Documentation tools (camera, GPS, etc.)
- Clipboards
- Pencils, waterproof pens
- Redundancy and backup plans (extra field maps, etc.)
- Waterproof topographic maps of the study corridor
- Supporting background research maps and information organized by river and criteria topic
- Copies of Scenic River Criteria and Scorecard sheets for evaluation staff and post-float community input meetings (see Appendix).

Personal safety and professional preparation

- A properly fitted personal flotation device (PFD) is often furnished by agency-obtained outfitters. However, each study participant should be responsible for making sure they have access to one during field work.
- Sunscreen, insect repellent, hydration, snacks
- Dry-bags for maps/gear/personal items

PROCESS

Field Study and Analysis

Field Study: Field study was a thorough and reciprocating process of visual and auditory observation and recording. Recording of information oscillated between two primary activities – field notes and photography.

Field Notes: Maps for each study corridor with basic map features (topographic lines, map scale, roadways, railways, power lines, human development, etc.) were used to assist the field evaluator with making notes. Maps were configured to make note taking as easy as possible. Standard USGS quadrangles printed in black and white and stitched in series were used. Blank space was provided for field notes such that the notes would not compete with map features.

Field Note maps were used following the field study to assist in criteria scoring. In addition, the maps were scanned and stored by DCR, so legibility was a primary concern.

Photographs: Photography was used throughout the evaluation to verify special features, the extent and diversity of views, wildlife, etc. Photographs are also used in the documents of record for DCR including corridor maps and final reports. Thus, photographic quality was important.

Local Experts: Local experts helped field evaluators identify locally significant natural and historic features that might go unobserved. Optimal situations allow for such an expert to be the paddling companion and partner of a DCR agent/evaluator. If this is not possible for each evaluator, at least one person on the team should be designated to be responsible for recording relevant information. There were also opportunities during the field study to discuss historic features as a group. It was particularly important for ***what was seen*** from the river to be recorded whenever possible.

Additional: GPS tools (standard GPS, photographic waypoints) were used to geographically pinpoint criteria along the study corridor.

Field Analysis: Once observation was complete, an official scenic river score was assigned based on the points accrued across all measured criteria. In order for a river to be designated in the Scenic River Program, it must amass enough points to meet the minimum score set by DCR. Each criterion was considered and scored according to specific parameter descriptions during two important meetings (see below) that immediately followed the field study.

Post-Float Community Input Meeting: This meeting immeditaley followed the river analysis and was an opportunity for DCR staff to share general information on the program to community members, including scoring criteria and how the river scoring process works. Local participants were

PROCESS

asked to score the river similar to how state officials score the river. These scores helped evaluators compare results and investigate any extreme contrasts with their own. It also encouraged community participation and buy-in of the process. It also encouraged community participation and buy-in of the process.

Post-Float DCR Evaluator Meeting: During the evaluator meeting, the project team considered all information gathered from field study activities and the post-float community input meeting. DCR evaluators performed the official scoring of the river. The score was recorded on the criteria sheets for entry into a weighted scoring spreadsheet. This was done as soon as possible so that the experience from the day could be most accurately recalled and confirmed by all participants. Field notes and photographs assisted in this effort.

Documentation (Scenic River Reports)

If the minimum score for scenic river designation was met, documentation of background and field study information commences in the format of a Scenic River Report established and managed by DCR. As reports have evolved, a suitable technique is to use a recent report as a template.

Once the documents reached a 99% complete state, DCR adopted the final draft report to confirm and/or perform final edits and to meet agency standards. DCR then finalized and published the Scenic River Report for each river.

CDAC produced three Scenic River Reports which are the basis for legislation considered by the State Assembly during the 2014-2015 legislative sessions. Following are the Scenic River Reports for the Clinch and Dan Rivers.

CLINCH RIVER REPORT

Clinch Scenic River Report
Towns of Richlands and Cedar Bluff and Tazewell County



Prepared By
Department of Conservation and Recreation
Division of Planning and Recreation Resources

July 2014

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College of Architecture + Urban Studies
Virginia Polytechnic Institute and State University

CLINCH RIVER REPORT

Table of Contents

I. REASON FOR THE STUDY 3
A. Benefits of Designation 3
B. Designation Process 4

II. SUMMARY OF FINDINGS 4

III. CORRIDOR STUDY MAP 5

IV. ENVIRONMENTAL ANALYSIS 6
A. River Corridor Vegetation 6
B. Riverbed and/or River Flow Modifications 9
C. Human Development of Visual Corridor 11
D. Historic Features 12
E. Landscape 13
F. Quality of Fishery 14
G. Special Natural Flora/Fauna 14
H. Water Quality 19
I. Parallel Roads 19
J. Crossings 20
K. Special Features Affecting River Aesthetics 20
L. Public Recreational Access 21
M. Land Conservation 21

V. LAND USE AND OWNERSHIP 22

VI. CONCLUSIONS AND RECOMMENDATIONS 22

VII. CONSERVATION PLAN 23

VIII. ANTICIPATED COST OF DESIGNATION 24

IX. AGENCY COMMENTS/ RESOLUTIONS 24

X. APPENDIX 25
A. Species Ranking Definitions of DCR Natural Heritage 26
B. Letters, Comments, and Other Support Documents 29
C. Proposed Legislation for the *Code of Virginia* 41

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CLINCH RIVER REPORT

I. REASON FOR THE STUDY

On behalf of Richlands and Cedar Bluff City Councils and Tazewell County Board of Supervisors, local officials contacted the Virginia Department of Conservation and Recreation (DCR) requesting that a segment of the Clinch River within their jurisdictions be evaluated for possible inclusion in the Virginia Scenic River System. The river segment to be studied is from State Route 693 in Pisgah to the Tazewell/Russell County line at State Route 629, a distance of approximately 30.3 miles.

The Scenic Rivers Act, found in Title 10.1, Chapter 4, §§ 10.1-400 through 10.1-418.1 of the *Code of Virginia*, was enacted in 1970 as a means of recognizing the Commonwealth's scenic rivers and their immediate environs. In order to be eligible for Scenic River designation, a river, or section thereof, must contain substantial natural, scenic, recreational and historical attributes. At the request of the locality(s), DCR evaluates a specified river segment and writes a report documenting these attributes. Since the passage of the Act, 32 river segments, totaling more than 751 miles, have received Scenic River designation from the General Assembly. A list of those rivers can be found on the Virginia Scenic Rivers website, http://dcr.cache.vi.virginia.gov/recreational_planning/documents/srlist.pdf

The request for this Scenic River study originated as part of a larger effort of the Clinch River Valley Initiative to expand downtown revitalization, outdoor recreation, water quality, entrepreneurship, and environmental education along the Clinch River. The Clinch River Valley Initiative is "a pioneering effort to build local economies in the coalfields of Southwest Virginia, focusing on the Clinch River Valley, one of the most biodiverse river systems in North America. Working at a watershed scale with several local partners, this collaborative grassroots effort has developed significant momentum with applicability for communities in Appalachia and beyond." (http://www.clinchriverva.com)

Other sections of the Clinch River have already been designated in the Virginia Scenic River system including Little River to Route 645 (Nash Ford Bridge) and Route 58 (St. Paul) to the Guest River. Two tributaries of the Clinch River, Big Cedar Creek and the Guest River, have been designated as well.

A. Benefits of Designation

The Virginia Scenic River designation accomplishes the following:

- allows riparian landowners to continue using their land as they did before designation, except for the §10.1-407 provision noted above (§10.1- 408), http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-408
- requires the Federal Energy Commission (FERC) to consider the impact of proposed hydropower or related projects on a designated Scenic River using the Scenic River report developed in the qualification process (Code Section E)
- requires all state agencies to consider visual, natural, and recreational values of a Scenic River in their planning and permitting process (§10.1-402) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-402

- gives riparian landowners, local citizens, and local governments a greater voice in the planning and implementation of federal and state projects that might affect the river (§10.1-406.1), http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-406.1
- requires authorization by the General Assembly for the construction, operation and/or maintenance of any structure, such as a dam, that would impede the natural flow of a Scenic River (§10.1-407), http://leg1.state.va.us/cgi-bin/legp504.exe000+cod+10.1-407

B. Designation Process

Scenic river evaluations involve data collection from state agencies, local and regional planning commissions, map surveys, related literature reviews, and field studies. These data are used to validate existing land use information and rank the river according to relative uniqueness and quality. Evaluations for each river or river segment take into consideration thirteen (13) established factors or criteria which provide a uniform gauge for all river studies. Field studies include physically canoeing, boating, or walking the stretch of river being evaluated and rating the characteristics of the resource. Evaluation criteria are: River Corridor Vegetation, Riverbed and/or River Flow Modifications, Human Development of Visual Corridor, Historic Features, Landscape, Quality of Fishery, Special Natural Flora and Fauna, Water Quality, Parallel Roads, Crossings, Special Features Affecting River Aesthetics, Public Recreational Access, and Land Conservation. A summary of the Clinch River evaluation results is included in Section VI of this report.

The Act instructs DCR to conduct "studies of rivers or sections of rivers to be considered for designation" and to "recommend to the Governor and to the General Assembly rivers or sections thereof to be considered for designation as Scenic Rivers." This report fulfills this statutory directive.

II. SUMMARY OF FINDINGS

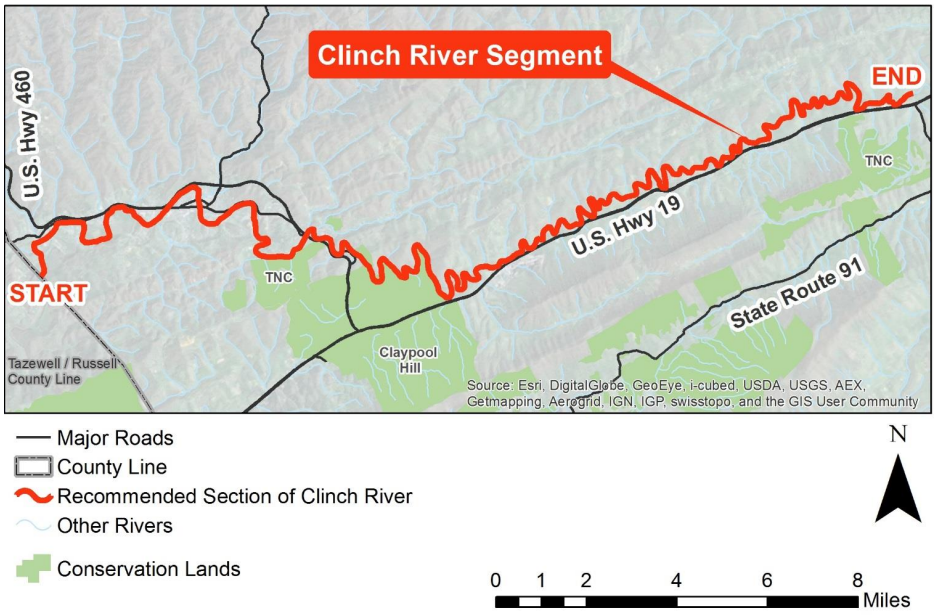
At the request of the City Councils of the Town of Richlands and the Town of Cedar Bluff and the Tazewell County Board of Supervisors, DCR conducted a Scenic River evaluation of the Clinch River from State Route 693 in Pisgah to the Tazewell/Russell County line at State Route 629 in the spring of 2014.

This report covers DCR's findings during the study of the aforementioned Clinch River segment in Virginia. The DCR evaluation of the Clinch River corridor determined that the 30.3-mile section from State Route 693 in Pisgah to the Tazewell/Russell County line at State Route 629 is eligible for inclusion in the Virginia Scenic Rivers System, and its designation as a Virginia Scenic River is recommended. It is further recommended that DCR be the administering agency.

CLINCH RIVER REPORT

III. CORRIDOR STUDY MAP

The Clinch River originates near the Town of Tazewell, VA. It flows southwestward through Tazewell, Russell, Wise, and Scott counties for approximately 135 miles before reaching eastern Tennessee and becoming part of the Tennessee River. This report will discuss the river segment proposed for designation from State Route 693 in Pisgah to the Tazewell/Russell County line at State Route 629, a distance of approximately 30.3 miles (Map 1).



Map 1: Section of the Clinch River recommended for Scenic River Designation

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CLINCH RIVER REPORT

IV. ENVIRONMENTAL ANALYSIS

In order to determine whether the proposed segment of the Clinch was eligible for Scenic River designation, personnel from DCR's Division of Planning and Recreation Resources and from Virginia Tech's Community Design Assistance Center (CDAC) conducted an analysis of the river corridor on April 15-17th, 2014. They were joined by local stakeholders, and they paddled the entire section of the Clinch under consideration. The following is a description of the qualities and conditions of the resource that make it a candidate for the Virginia Scenic River System.

A. River Corridor Vegetation

The Clinch River winds through a varied landscape of forestland, pastureland, and urban areas (Image 1 and 2). Streamside vegetation is most prevalent in the northeastern sections of the study corridor where tracts of forests provide shade along the river's edge.



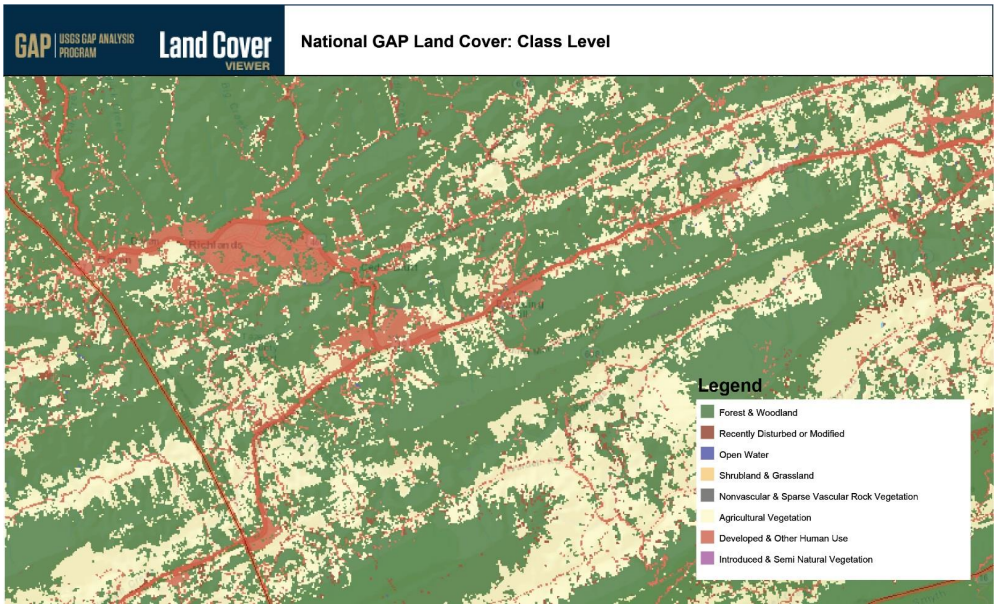
Image 1: Typical vegetation along the Clinch River

CLINCH RIVER REPORT



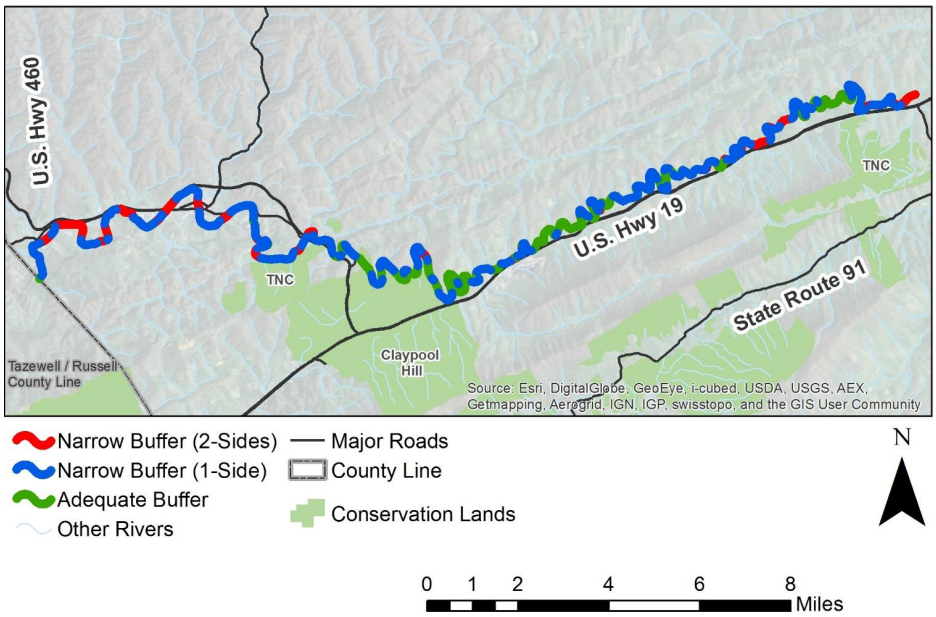
Image: 2 Cedar Bluff Woolen Mill building

Although some of the land along the river is forested, many of the areas are used for agriculture or residential development (Map 2). Approximately 60% of the river segment has forested riparian buffers of less than 100' (Map 3). Forested buffers provide necessary cover to protect water quality and fish habitat.



Map 2: Landcover along the Clinch River. Source: US Geologicial Survey, Gap Analysis Program (GAP), Aug. 2011. National Land Cover, Version 2.

CLINCH RIVER REPORT



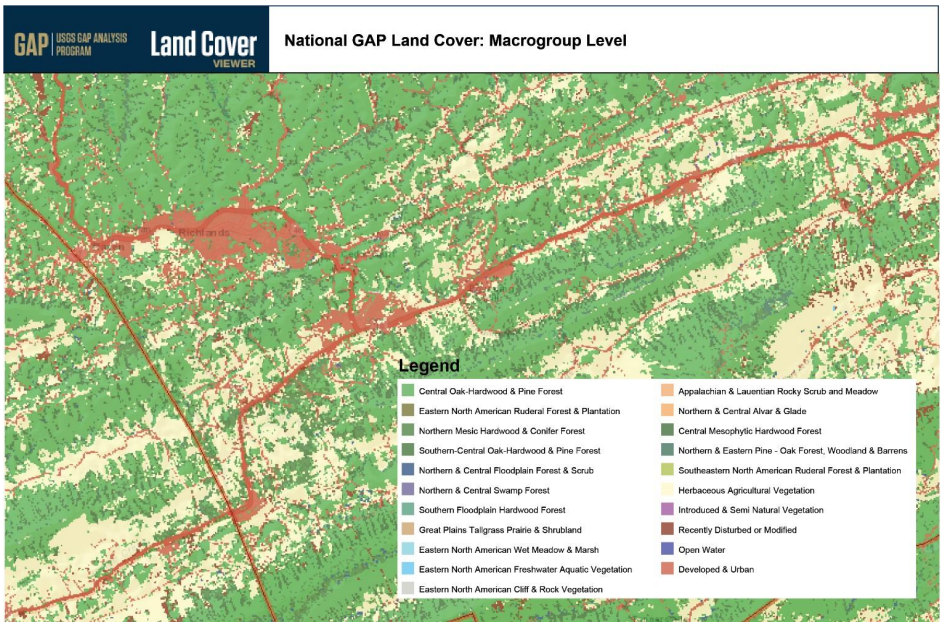
Map 3: Buffer analysis of the Clinch River

The study area of this river segment is located in the Ridge and Valley physiographic province of Virginia. Vegetation along the corridor is primarily central oak-hardwood and pine forest with herbaceous agricultural vegetation (Map 4). Dense stands of pine plantations provide evergreen buffers along some sections of the river, while sycamore, buckeyes, and river birch line much of the river bank. Redbud, serviceberry, and dogwood provide spring color, while sweet gum and maple display good fall color. Early spring wildflowers include American beauty, bellwort, blood root, columbine, coral bells, Dutchman's breeches, mayapple, meadow-rue, Solomon's seal, trillium, and twinleaf (Image 3). Other plant species create a variety of forms, textures, sizes, and colors along the corridor. This diversity provides year-round changes in scenery.



Image 3: Bellwort

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Map 4: Vegetation Types along the Clinch River. Source: US Geological Survey, Gap Analysis Program (GAP). August 2011. National Land Cover, Version 2.

B. **Riverbed and/or River Flow Modifications**

Although the river section studied is primarily freely-flowing and meandering, several river flow modifications are present. These include two intact dams (Taylor's Mill and the Old Cedar Bluff Grist Mill), the ruins of the McQuire Mill (which was abandoned after World War 1), and several low water bridges that create significant obstructions and require portaging (Image 4). The location of the old McQuire Mill now serves as a small public park and offers river access.

Naturally occurring rock ledges, outcrops, high bluffs, and in-stream rock formations add visual and paddling interest (Images 5 and 6). Class 1-3 rapids add excitement and required intermediate technical paddling skills. These rapids do not impact river flow (Image 7). Approximately 1.4 miles, or 0.4%, of the river section is impounded due to dams or other structures.

CLINCH RIVER REPORT



Image 4: Taylor's Mill

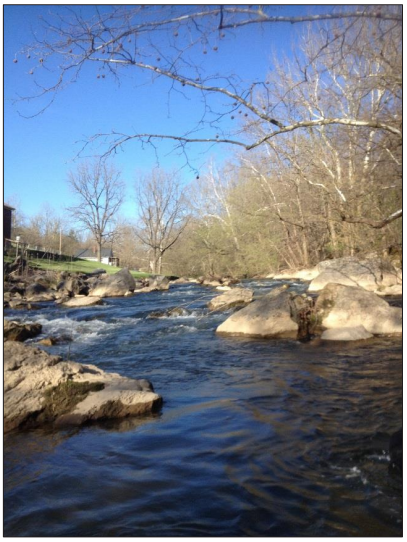


Image 5: In-stream rock formations

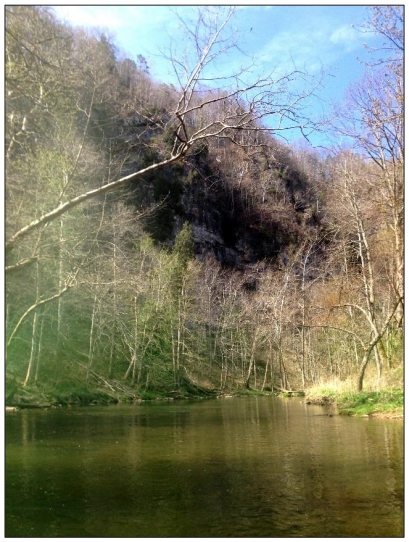


Image 6: High bluffs

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Image 7: Paddlers cross rapids along the Clinch River

C. **Human Development of Visual Corridor**

This segment of the Clinch contains numerous signs of human development. Multiple houses, cabins, and shelters may be seen along the route. These are particularly dense in urban areas such as downtown Richlands and Cedar Bluff (Image 8). Other human interventions include bridges and utility line crossings (see Section J. Crossings).



Image 8: Houses along the Clinch River

CLINCH RIVER REPORT

D. **Historic Features**

According to the Virginia Department of Historic Resources (DHR), there are six historical/cultural features of significance within 1000 feet of this Clinch River section. Three of the sites, including the Old Kentucky Turnpike Historic District, Richlands Historic District, and Tazewell Area Historic District, are of national significance. All of the sites, with the exception of the Richlands Historic District, are visible from the river. Therefore, they add significantly to the cultural experience. More details about these features are provided below:

(1) Clinch Valley Roller Mills (Banes-Higginbotham Mill/Grist Mill Restaurant)
This building was first built in the late 1850s and possibly rebuilt after an 1884 fire. The two story, three-bay, frame mill has extensive, late-nineteenth- and early-twentieth-century shed-roofed additions to the north and is on the official Cedar Bluff town seal (Image 9).[i]



Image 9: Historic Clinch Valley Roller Mills

(2) McGuire-Perry House
This late-nineteenth-century house is a two-story, central-passage-plan frame house with contemporary accessory buildings including a framed two-room servants' house, granary, barn, and corn crib, as well as the site of an outbuilding (Image 10).[ii]



Image 10: Historic McGuire-Perry House

(3) Naph Whittaker House
This late Victorian house, built circa 1895, was the residence of Naph Whittaker, a railroad engineer. It is one-and-a-half-stories with a double-front gable roof, weatherboard sheathing, and wood shingled gables. It has a wrap-around porch supported by Tuscan columns. [iii]

(4) Old Kentucky Turnpike Historic District
This district is located on both sides of the Clinch River at the mouth of Indian Creek within the town of Cedar Bluff. It extends up a steeply sloping bluff on one side of the town, and the district encompasses the Cedar Bluff High School and a group of houses on College Hill, located to the north. The District also includes densely settled lots along the Old Kentucky Turnpike, open land on the opposite side of Indian Creek, the historic Clinch Valley Roller Mills at the creek mouth, and the setting of the McGuire-Perry House on the south side of the Clinch River.[iv]

(5) Richlands Historic District
This District encompasses approximately nineteen blocks in the center of town with 96 primary buildings and ten outbuildings. All but fifteen of these buildings contribute to the Historic District. It is approximately 55% residential and 45% percent commercial, and it includes three churches. Architectural styles include late Victorian, Colonial Revival, Gothic Revival, American Bungalow, American Craftsman, and commercial.[v]

(6) Tazewell Avenue Historic District
This District encompasses 70 contributing buildings in a primarily residential section of the town of Richlands. Most of the buildings were built between 1900 and 1960 and are modestly-scaled brick and frame dwellings reflecting popular architectural styles including Queen Anne, Colonial Revival, and Bungalow. Notable non-residential buildings include the former Pentecostal Holiness Church, former First Baptist Church, Barker Youth Center (1955), Nassif Building (c. 1945), and Masonic Hall and Jenkins Cleaners Building (c. 1930)[vi]

E. Landscape

The Clinch River originates near the town of Tazewell and flows 135 miles southwestward through Tazewell, Russell, Wise, and Scott counties and the Towns of Tazewell, Cedar Bluff, Richlands, Cleveland, St. Paul, Dungannon, and Clinchport. The Clinch is part of the ridge and valley physiographic province in Virginia, a landscape characterized by long, parallel, narrow, even-crested ridges rising above intervening valleys of varying size. The Clinch is a tributary of the Tennessee River, which is part of the Tennessee watershed. The Guest River and Big Cedar Creek are designated scenic rivers that flow into the Clinch.

Views along this section of the Clinch River offer a variety of landscapes. These include forested hills, rock bluffs, and open fields with views of nearby mountains and urban environments. This section of the Clinch River is characterized by a patchwork of forest and pastureland that transitions into a more urban environment as it flows through the towns of Cedar Bluff and Richlands (Images 9 and 10). This is an intimate corridor with ample canopy, which contributes to a wide range of views (Images 11-12).



Image 11: Exceptional view along the Clinch River

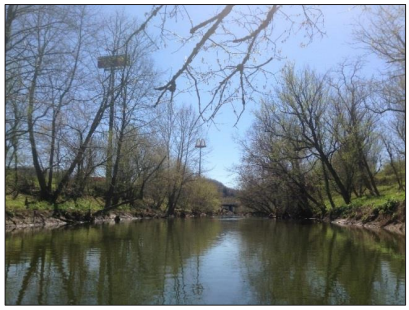


Image 12: View of the Clinch River in downtown Richlands

CLINCH RIVER REPORT

F. Quality of Fishery

This segment of the Clinch River offers good fishing opportunities. It contains more species of fish than any other river in Virginia, and the river and its tributaries are the only Virginia waterways where sauger are present. The studied portion of the Clinch is near the river's headwaters where fish populations may not be quite as diverse as further downstream. Native gamefish in the river include smallmouth bass, spotted bass, walleye, and sauger. Other potential gamefish populations include largemouth bass, rock bass, redbreast sunfish, longear sunfish, bluegill, musky, black crappie, and freshwater drum.

G. Special Natural Flora/Fauna

The DCR Natural Heritage Program identifies areas that have a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain. This program has identified a number of significant species in this river segment. In particular, this segment is home to approximately 50 species of mussel, which is a greater number of mussel than any other river in the world. Along the studied section of the Clinch River, twenty-three species have statewide or greater significance. These include:

(1) Bluespar Darter/ *Etheostoma meadiae*, G4/S2
The bluespar darter is a small fish (typically less than 2 inches) found in medium to large streams with silty sand to fine gravel substrates and slow to moderate currents. It occurs in the Clinch and Powell River systems above Norris Reservoir in Tennessee and Virginia (Image 13).



Image 13: Bluespar darter
© N. Burkhead & R. Jenkins, VDGIF

(2) Mirror Shiner/ *Notropis spectrunculus*, G4/S2
The mirror shiner is a small species of fish (1.5-2 inches) that is found in clear, cold, rocky creeks and streams in the Upper Tennessee River drainage in Virginia (Image 14).



Image 14: Mirror shiner
© Noel M. Burkhead, U.S. Geological Survey

(3) Ohio Lamprey/ *Ichthyomyzon bdellium*, G3G4/S2
The Ohio lamprey is one of two native parasitic species. It is typically 10-14 inches long. Spawning adults are found in small, clear streams with sand or gravel bottoms. Juveniles are found in medium to large streams with soft substrate. Non-spawning adults are found in large bodies of water (Image 15).

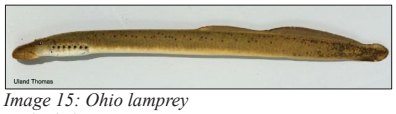


Image 15: Ohio lamprey
© Uland Thomas

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(4) Clinch Sculpin/ *Cottus sp.4*, G1G2/S1S2
The clinch sculpin is a small species of fish (2-3 inches) that is endemic to the upper Clinch system. Its preferred habitat is large gravel, rocky substrate in the runs and riffles of small, clean streams. It avoids silted areas and feeds on aquatic insects, tiny crustaceans, small fish, and some vegetation (Image 16).



Image 16: Clinch sculpin
© Virginia Tech EFISH

(5) Purple Bean/ *Villosa perpurpurea*, G1/S1/LE/LE
The purple bean is a freshwater mussel that is mainly found in southwestern Virginia and northeastern Tennessee. It is a filter feeder and is found in shallow waters (under three feet) with moderate to strong currents and coarse sandy/gravel substrate (Image 17).



Image 17: Purple bean
© Virginia Tech FMCC

(6) Tennessee Clubshell/ *Pleurobema oviforme*, G2G3/S2S3
The Tennessee clubshell is endemic to the Cumberland Plateau Region of Virginia, Tennessee, and Kentucky. It is often found in riffles or shoals with a sandy/gravel substrate (Image 18).



Image 18: Tennessee clubshell
© Craig Stihler, USFWS

(7) Tennessee Heelsplitter/ *Lasmigonia holstonia*, G3/S1/LE
The Tennessee heelsplitter is a small to medium (3-5 inches) freshwater mussel found in the Ohio and Tennessee River drainages. It is found in small or medium streams (sometimes even in very small streams where no other mussels occur) with some current and sandy/gravel substrates (Image 19).



Image 19: Tennessee heelsplitter © NCWRC

(8) Fluted Kidneyshell/ *Ptychobranchus subtentum*, G2/S2/LE
The fluted kidneyshell is a large freshwater mussel (3-5 inches) found in the Cumberland and Tennessee River systems. Shell color ranges from yellow-green to brown with wide green markings (Image 20).



Image 20: Fluted kidneyshell © M.C. Barnhart

(9) Rough Rabbitsfoot/ *Quadrula cylindrical strigillata*, G3G4T2/S2/LE/LE
Rough rabbitsfoot is a large freshwater mussel (approximately 5 inches) found in sections of the Clinch and Powell Rivers. Its habitat is the clear waters of medium and large-sized rivers, and in particular, the riffles and shoals along banks with swiftly moving currents (Image 21).



Image 21: Rough rabbitsfoot
© Dick Biggins, USFWS

CLINCH RIVER REPORT

(10) Fine-rayed Pigtoe/ *Fusconaia cuneolus*, G1/S1/LE/LE
Fine-rayed pigtoe is a medium-sized freshwater mussel (up to 3.5 inches) that is found in portions of the Clinch and Powell Rivers, North Fork of the Holston River, and Paint Rock River. It is found in moderate to strong current streams with firm cobble or gravel substrates (Image 22).


Image 22: Fine-rayed pigtoe
© Jim Godwin

(11) Oyster Mussel/ *Epioblasma capsaeformis*, G1/S1/LE/LE
The oyster mussel occurs throughout the Clinch and Power river drainages of southwestern Virginia and northeast Tennessee. It is approximately 2 inches in length and yellow-green in color. Its habitat is shoals with silt-free gravel and sand substrates (Image 23).


Image 23: Oyster mussel
© Virginia Tech

(12) Onyx Rocksnail/ *Leptoxis praerosa*, G5/S2
The onyx rocksnail is a freshwater snail found on algae-covered rocks in strong currents of unpolluted streams. It is found in the Ohio River, Cumberland River, Duck River, and Tennessee River and some of these rivers' lower tributaries (Image 24).


Image 24: Onyx rocksnail
© Chris Lukhaup

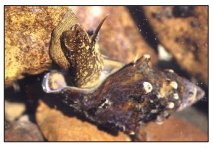
(13) Slippershell Mussel/ *Alasmidonta viridis*, G4G5/S1/LE
The slippershell mussel is a small freshwater mussel (1.4 inches) that is found in Illinois, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin. It is critically imperiled in North Carolina, New York, Iowa, Arkansas, Alabama, and Virginia. It is typically found in creeks and headwaters of rivers and prefers sandy gravel substrates (Image 25).


Image 25: Slippershell mussel © DCA

(14) Shiny Pigtoe/ *Fusconaia cor*, G1/S1/LE/LE
The shiny pigtoe ranges from 2-3 inches and often has a subtriangular yellowish-brown shell with prominent dark green to blackish rays. It is found in the Clinch, Powell, and North Fork Holston Rivers in Virginia, as well the Elk River in Tennessee and the Paint Rock River in Alabama. It occurs in fords, shoals and other shallow areas of rivers with moderate to swift currents (Image 26).


Image 26: Shiny pigtoe
© Jim Godwin

(15) Spiny Riversnail/ *lo fluvialis*, G2/S2/LT
The spiny riversnail is a gill-breathing freshwater snail found in the Clinch, Powell, and Holston River systems of southwest Virginia and northeast Tennessee. It can grow to a length of 19.5 inches making it one of the largest species of aquatic snails in North America. It is found in shoals and riffles with strong currents and feeds on algae and organic debris found on river rocks (Image 27).


Image 27: Spiny riversnail
© Dick Biggins, USFWS

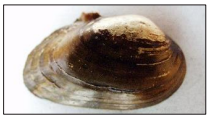
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(16) Little-winged Pearlymussel/ *Pegias fabula*, G1/S1/LE/LE
The little-winged pearlymussel is a small freshwater mussel with a maximum length of approximately 1.5 inches. It is found in clear, cool small to medium-sized streams with moderate to strong currents. It is found in limited sections of the Tennessee and Cumberland river systems (Image 28).


Image 28: Little-winged pearlymussel © Virginia Tech

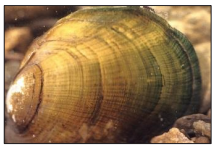
(17) Cumberland Bean/ *Villosa trabalis*, G1/SX/LE/LE
The cumberland bean is a small to medium sized (2.2 inches) freshwater mussel that is found in small streams and rivers with strong currents and coarse sandy/gravel substrate. It is currently found in limited sections of the Cumberland and upper Tennessee river systems (Image 29).


Image 29: Cumberland bean © USFWS

(18) Elktoe/ *Alasmidonta marginata*, G4/S1S2
The elktoe is a medium sized freshwater mussel (3 inches) whose boundary ranges from New York to Virginia on the east and North Dakota to Oklahoma on the west. It is most commonly found in small shallow rivers with moderately fast currents and riffles. It is also present in some medium to large size streams (Image 30).


Image 30: Elktoe © Dick Biggins, USFWS

(19) Tan Riffleshell/ *Epioblasma florentina aureola*, G1T1/S1/LE/LE
The tan riffleshell is a small to medium size freshwater mussel (2.5 inches) that is brown to yellow in color with numerous green rays. It is found in the headwaters and small and medium-sized streams of the Tennessee River system. The only known reproducing population exists in the Clinch River. The riffleshell is found in shallow riffles and shoals with coarse sand/gravel substrates and in some silty substrates (Image 31).


Image 31: Tan riffleshell © Gary Peeples, USFWS

(20) Slabside Pearlymussel/ *Pleuronaia dolabelloides*, G2/S2/LE/LT
The slabside pearlymussel is a medium size freshwater mussel (3.3 inches) found in large creeks and small to medium-sized rivers. It prefers shallow waters with sandy/gravel substrates and a moderate current. Its distribution is restricted to sections of the Cumberland and Tennessee River systems (Image 32).


Image 32: Slabside pearlymussel © Brett Ostby, USFWS

(21) Tennessee Pigtoe/ *Pleuronaia gibberum*, G2G3/S2
The Tennessee pigtoe is a medium size (2.3 inches) freshwater mussel that is endemic to the Tennessee River basin. Extant populations exist in the Clinch, Little, Nolichucky, Powell, Little Tennessee, Elk, Duck and Buffalo Rivers. It occurs in riffles and shoals with sandy/gravel substrates and moderate to swift currents (Image 33).


Image 33: Tennessee pigtoe © NCWRC

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(22) Canby's Mountain-lover/ *Paxistima canbyi*, G2/S2
Canby's mountain-lover is a small, evergreen shrub (16 inches) that has small green flowers. It occurs in rocky well-drained upland woods on west and northwest facing slopes. It ranges from Pennsylvania and Ohio to the north, and to North Carolina and Eastern Kentucky to the south and west (Image 34).

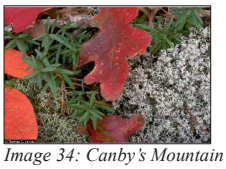


Image 34: Canby's Mountain Lover © Thomas G. Barnes, USDA

(23) Crested Sedge/ *Carex cristatella*, G5/S1
Crested sedge is a 1.5-2 inch facultative wetland species that actively grows in the spring and fall when soil temperatures are cool. A facultative wetland species is one that usually occurs in wetlands but is occasionally found in non-wetlands. It is found in wet meadows, wet prairies, swamps, along streams, around ponds and in roadside ditches. It is found throughout Virginia (Image 35).

In addition to these species of special consideration, this river segment attracts diverse populations of mammals, amphibians, reptiles, birds, and insects. Sightings of bear, deer, turkey, rabbit, and quail are relatively common. Species observed during the field study included blue heron, green heron, wood duck, kingfisher, scarlet tanager, western tanager, rufous towhee, Canadian geese, mallard, osprey, snapping turtle, and beaver (Image 36).



Image 35: Crested sedge
© Doug Goldman, USDA

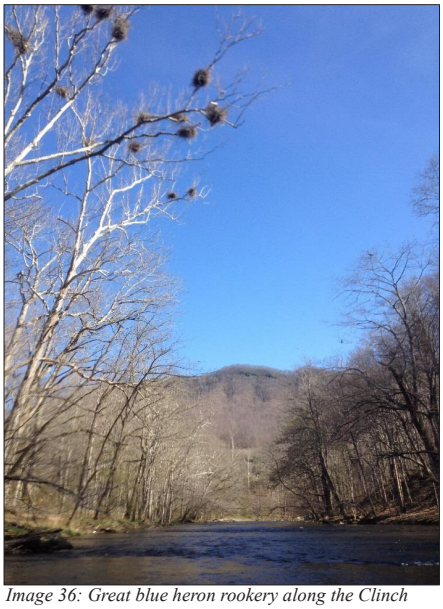


Image 36: Great blue heron rookery along the Clinch River

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H. Water Quality

Visibility through the water column is mostly clear (Image 37). The water is only periodically turbid or muddy. This occurs primarily after heavy rains. Tires and other forms of human engendered garbage are rare in the upper stretches of the river corridor, but they are more common from Pounding Mill to Richlands (Image 38).



Image 37: Visibility through the water column along the Clinch River



Image 38: Trash along the Clinch River

This segment of the Clinch River fully supports aquatic life, wildlife, and recreational use. However, a section of the study corridor from the mainstream of Plum Creek near Pisgah downstream to Deskins Creek near Maxwell was listed on the Department of Environmental Quality's Impaired Waters List in 2012 due to *Escherichia coli* and fecal coliform. The main contributor was unrestricted cattle access to the river.

I. Parallel Roads

Roads, including railroads, run parallel to approximately 20% of the designated section of the river segment. The Norfolk Southern Railway parallels the river from US Highway 460 near Pleasant View Lane to the Tazewell/Russell county line. In addition, numerous small roads and US Highway 460 parallel sections of the river. Larger roads, such as US Highway 460, reduce the scenic quality of the river both visually and auditorily. Some of the less travelled, smaller roads, have less negative impact on the scenic quality of the river. In some cases, they provide scenic views of the river and allow for fishing access.

CLINCH RIVER REPORT

J. Crossings

Crossings consist of roads and power/communication lines that pass over the river (Image 39). Most of these are perpendicular to the Clinch and have limited visual impact on the river experience. In situations where utility and road crossings are located close to one another, the crossing was counted as one instead of two occurrences in the evaluation. This section of the Clinch had a total of 57 crossings, resulting in an average of 1.9 crossings per mile. Although crossings reduce the sense of remoteness along the river, they provide visual access to the water.



Image 39: Railroad crossing the Clinch River

K. Special Features Affecting River Aesthetics

This section of the Clinch River is characterized by a variety of vistas. These ranged from intimate views of a couple of hundred yards to spectacular long-range views of three to four miles. The long-range views often include distant mountains surrounded by forest and pastureland. Generous buffers and stream canopy along sections of the Clinch River study corridor contribute to a wildlife experience that is not always visual, but can be heard. The predominant auditory experience besides the sound of water is the call of songbirds.

Periodic rapids, in-stream rock formations, bluffs, and cliffs provide varied features along the river corridor (Images 40-41). In addition, small islands create navigational interest for paddlers. Lastly, culturally significant sites, such as the historic mills along the river, provide additional aesthetic value to this section of the river.

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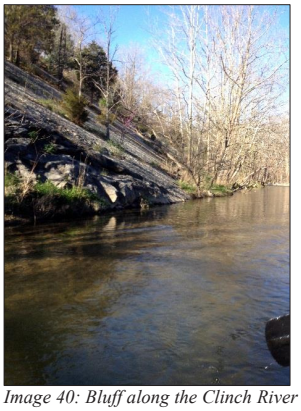


Image 40: Bluff along the Clinch River

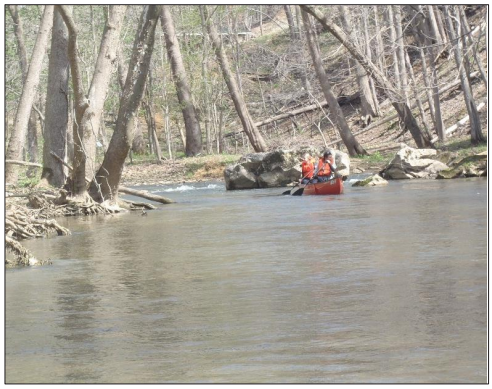


Image 41: In-stream rock formations

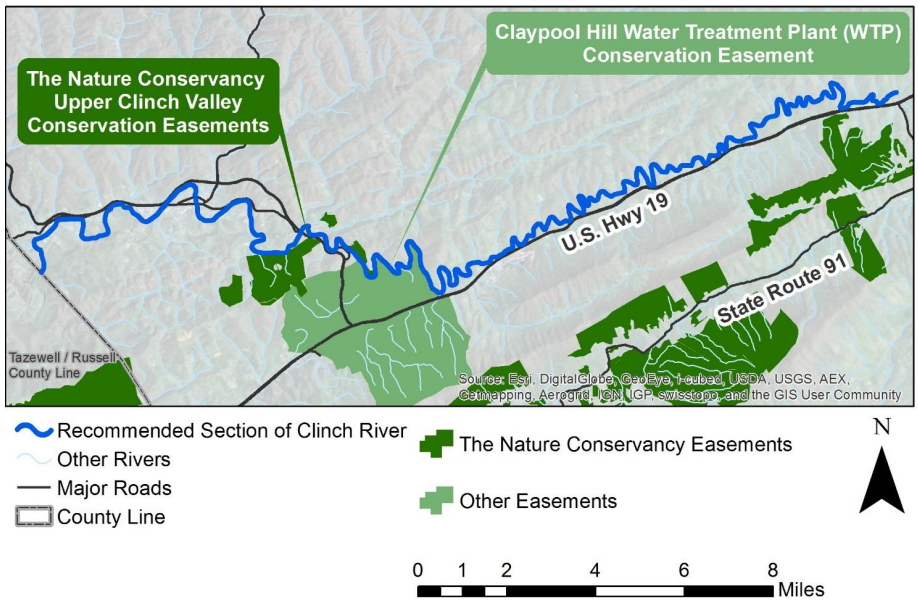
L. **Public Recreational Access**

The river allows for wet season recreational paddling with canoes or kayaks. During dry seasons, navigation is hindered, and short in-stream portages are often required. Paddlers and tubers can access the river at public bridge crossings and by permission from private landowners. Public access is located at Old McGuire Mill Dam Park in Cedar Bluff. In addition, there are plans for two public access points in the Town of Richlands, one at Critterville Park and the other at the potential Swinging Bridge Park.

M. **Land Conservation**

DCR's Natural Heritage program provides information on listed, eligible, and properties with conservation easements. According to its inventory, this section of the Clinch has limited protection from developments. Approximately 7.4% of the river corridor is under conservation easement (Map 5).

CLINCH RIVER REPORT



Map 5: Land conservation along the Clinch river segment

V. LAND USE AND OWNERSHIP

Lands along the study corridor are primarily in private ownership with only a few conservation easements. Most of the land use is pastureland, forested, or residential.

VI. CONCLUSIONS AND RECOMMENDATIONS

The Department of Conservation and Recreation concludes that the Clinch River from State Route 693 in Pisgah to the Tazewell/Russell County line at State Route 629, a distance of approximately 30.3 miles, is hereby eligible to be a component of the Virginia Scenic River System. Scenic River designation is warranted because of the aesthetic and recreational qualities of the river section, its environs, and the unique flora and fauna.

Flowing through largely pastoral and forested land, this river segment has a number of interesting aesthetic features including expansive views, rock formations, islands, rapids, and cliffs. Its winding alignment promotes interesting foreground and middleground views. The adjacent landscape is diverse with some areas of forestland that feel remote and isolated and some areas in more urban environments. The Clinch River is part of the nation's most

biologically diverse drainage system and is home to the largest number of mussel species in the world and to the most diverse fish population in the state of Virginia. This section of the Clinch contains twenty-three natural features of statewide or greater significance. In addition, three historical/cultural features of state significance and three historical/cultural features of national significance are located along this section of the Clinch. Public access points are available at McQuire Mill Park in Cedar Bluff and at public bridge crossings. In addition, there are plans for two public access points in the Town of Richlands, one at Critterville Park and another at the potential Swinging Bridge Park.

Considering all of the aspects of this segment of the Clinch River within Tazewell County as described in this report, DCR recommends it as a good candidate for Virginia Scenic River designation.

It is recommended that:

1. The Clinch River from State Route 693 in Pisgah to the Tazewell/Russell County line at State Route 629, a distance of approximately 30.3 miles, be recommended for Virginia Scenic River Designation;

2. The Department of Conservation and Recreation be appointed the Administering Agency;

VII. CONSERVATION PLAN

Several elements contribute to the conservation plan for the Clinch River. These elements call for a minimum effort and specific actions on the part of the General Assembly, local and state units of government, and individual and riparian landowners.

Legislation establishing Virginia Scenic River designation for the section of the Clinch River under consideration is the first element that must be implemented. In addition to clearly expressing the policy intent of the Commonwealth with regard to protection and conservation of the river, designation will focus attention on the river as a natural resource of statewide significance. The increased attention will help ensure a greater scrutiny of plans or proposals that have the potential to significantly alter or destroy those resource qualities that make the river worthy of designation. The locality has the option of creating a local river committee that is either appointed by the DCR or the locality and that will work with the DCR to consider and manage the scenic attributes of the river (see Code of Virginia code section § 10.1-401.A.4 and § 10.1-406.1).

A second aspect of the Conservation Plan involves Richlands, Cedar Bluff, and Tazewell County. Comprehensive land use plans should explicitly reflect citizens' recognition, appreciation, and concern for the river and the valuable role it plays in the region's quality of life. Such plans should be aimed in part at protecting the river and its environs from potential development, or insuring that the development that does occur utilizes low impact development strategies as much as possible.

CLINCH RIVER REPORT

The final component of the Conservation Plan is the continued individual stewardship of local and riparian landowners. Over the years, this stewardship has been good. If not for this stewardship, the attributes necessary for inclusion in the Virginia Scenic River System might have been lost. Through continuation of these efforts, the natural and scenic character of the river can be protected.

Action by the General Assembly to designate this section of the Clinch River and the efforts of Tazewell County should combine to protect the natural and scenic qualities of the recommended section of the Clinch River for the enjoyment of future generations. Proposed Legislation is provided in the Appendix.

Additional elements for the recognition and protection of the Clinch River is the local Clinch River Valley Initiative (CRVI) and the Appalachian Spring Initiative. The CRVI works to build local economies in Southwest Virginia around the Clinch River and focuses on five goal areas: developing a Clinch River State Park; developing and integrating access points, trails, and campgrounds along the Clinch River, enhancing water quality in the Clinch River, developing and enhance environmental education opportunities for all community members in the Clinch River watershed; and connecting and expanding downtown revitalization, marketing, and entrepreneurial developing opportunities in the Clinch River Valley. The Appalachian Spring Initiative works to create an international awareness of Southwest Virginia as a destination for tourism and focuses on asset-based economic development related to outdoor recreation, downtown revitalization and small business development.

VIII. ANTICIPATED COST OF DESIGNATION

The only anticipated direct costs as a result of the designation will be those incurred by the Department of Conservation and Recreation (DCR) as a result of its duties as administrator of the river. At present, these costs are estimated to be in the range of $1,000 per year.

IX. AGENCY COMMENTS/ RESOLUTIONS

A draft report was circulated among DCR Divisions, other state agencies, and Tazewell County. Comments from these agencies are listed below. Letters of support are included in Appendix B of this report.

CLINCH RIVER REPORT

X. APPENDIX

A. Species Ranking definitions of DCR Natural Heritage
B. Letters, Comments, and Other Support Documents
C. Proposed Legislation

CLINCH RIVER REPORT

Appendix A

Species Ranking Definitions of DCR Natural Heritage

SCIENTIFIC NAME	COMMON NAME	GLOBAL RANK	STATE RANK	FEDERAL STATUS	STATE STATUS
Villosa perpurpurea	Purple Bean	G1	S1	LE	LE

Definitions of Abbreviations used on Natural Heritage Resource Lists

The following ranks are used by the Virginia Department of Conservation and Recreation to set protection priorities for natural heritage resources. Natural Heritage Resources, or "NHR's," are rare plant and animal species, rare and exemplary natural communities, and significant geologic features. The criterion for ranking NHR's is the number of populations or occurrences, i.e. the number of known distinct localities; the number of individuals in existence at each locality or, if a highly mobile organism (e.g., sea turtles, many birds, and butterflies), the total number of individuals; the quality of the occurrences, the number of protected occurrences; and threats.

S1 - Critically imperiled in the state because of extreme rarity or because of some factor(s) making it especially vulnerable to extirpation from the state. Typically 5 or fewer populations or occurrences; or very few remaining individuals (<1000).

S2 - Imperiled in the state because of rarity or because of some factor(s) making it very vulnerable to extirpation from the state. Typically 6 to 20 populations or occurrences or few remaining individuals (1,000 to 3,000).

S3 - Vulnerable in the state either because rare and uncommon, or found only in a restricted range (even if abundant at some locations), or because of other factors making it vulnerable to extirpation. Typically 21 to 100 populations or occurrences (1,000 to 3,000).

S4 - Apparently secure; Uncommon but not rare, and usually widespread in the state. Possible cause of long-term concern. Usually>100 populations or occurrences and more than 10,000 individuals.

S5 - Secure; Common, widespread and abundant in the state. Essentially ineradicable under present conditions. Typically with considerably more than 100 populations or occurrences and more than 10,000 individuals.

S#B - Breeding status of an animal within the state

S#N - Non-breeding status of animal within the state. Usually applied to winter resident species.

S#? - Inexact or uncertain numeric rank.

SH - Possibly extirpated (Historical). Historically known from the state, but not verified for an extended period, usually > 15 years; this rank is used primarily when inventory has been attempted recently.

S#S# - Range rank; A numeric range rank, (e.g. S2S3) is used to indicate the range of uncertainty about the exact status of the element. Ranges cannot skip more than one rank.

SU - Unrankable; Currently unrankable due to lack of information or due to substantially conflicting information about status or trends.

SNR- Unranked; state rank not yet assessed.

SX - Presumed extirpated from the state. Not located despite intensive searches of historical sites and other appropriate habitat, and virtually no likelihood that it will be rediscovered.

SNA- A conservation status rank is not applicable because the element is not a suitable arget for conservation activities

CLINCH RIVER REPORT

Global Ranks are similar, but refer to a species' rarity throughout its total range. Global ranks are denoted with a "G" followed by a character. Note GX means the element is presumed extinct throughout its range, not relocated despite intensive searches of historical sites/appropriate habitat, and virtually no likelihood that it will be rediscovered. A "Q" in a rank indicates that a taxonomic question concerning that species exists. Ranks for subspecies are denoted with a "T". The global nd state ranks combined (e.g. G2/S1) give an instant grasp of a species' known rarity.

These ranks should not be interpreted as legal designations.

G1 Extremely rare and critically imperiled with 5 or fewer occurrences or very few remaining individuals; or because of some factor(s) making it especially vulnerable to extinction.
G2 Very rare and imperiled with 6 to 20 occurrences or few remaining individuals; or because of some factor(s) making it vulnerable to extinction.
G3 Either very rare and local throughout its range or found locally (even abundantly at some of its locations) in a restricted range; or vulnerable to extinction because of other factors. Usually fewer than 100 occurrences are documented.
G4 Common and apparently secure globally, although it may be rare in parts of its range, especially at the periphery.
G5 Very common and demonstrably secure globally, although it may be rare in parts of its range, especially at the periphery.
GH Formerly part of the world's fauna with some expectation that it may be rediscovered; generally applies to species that have not been verified for an extended period (usually >15 years) and for which some inventory has been attempted recently.
GX Believed to be extinct throughout its range with virtually no likelihood of rediscovery.
GU Possibly rare, but status uncertain and more data needed.
G? Unranked, or, if following a numerical ranking, rank uncertain (e.g., G3?).
G_G_ The rank is uncertain, but considered to be within the indicated range (e.g., G2G4) of ranks (also, T_T_).
G_Q Taxon has a questionable taxonomic assignment (e.g., G3Q) and may prove to be invalid upon further study.
G_T_ Signifies the rank of a subspecies (e.g., G5T1 would apply to a subspecies if the species is demonstrably secure globally (G5) but the subspecies warrants a rank of T1, critically imperiled.)

FEDERAL STATUS

The Division of Natural Heritage uses the standard abbreviations for Federal endangerment developed by the U.S. Fish and Wildlife Service, Division of Endangered Species and Habitat Conservation.

LE - Listed Endangered **LT** - Listed Threatened **PE** - Proposed Endangered
PT - Proposed Threatened
C - Candidate (formerly C1 - Candidate category 1)
E(S/A) - treat as endangered because of similarity of appearance
T(S/A) - treat as threatened because of similarity of appearance
SOC - Species of Concern species that merit special concern (not a regulatory category)

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CLINCH RIVER REPORT

STATE LEGAL STATUS
The Division of Natural Heritage uses similar abbreviations for State endangerment:
LE - Listed Endangered **PE** - Proposed Endangered
SC - Special Concern - animals that merit special concern according to VDGIF (not a regulatory category)
LT - Listed Threatened **PT** - Proposed Threatened **C** – Candidate

For information on the laws pertaining to threatened or endangered species, please contact:

U.S. Fish and Wildlife Service for all FEDERALLY listed species;
Department of Agriculture and Consumer Services, Plant Protection Bureau for STATE listed plants and insects
Department of Game and Inland Fisheries for all other STATE listed animals

CONSERVATION SITES RANKING
Rank is a rating of the significance of the conservation site
based on presence and number of natural heritage resources; on a scale of 1-5, 1 being most significant.
Sites are also coded to reflect the presence/absence of federally/state listed species:

Conservation Site Ranks
B1 - Outstanding significance
B2 - Very High significance
B3 - High significance
B4 - Moderate significance
B5 - Of general Biodiversity significance

Legal Status of Sites
FL - Federally listed species present
SL - State listed species present
NL - No listed species present

CLINCH RIVER REPORT

Appendix B - Letters, Comments, and Other Support

This appendix is divided into sections as outlined below

1. Letters Requesting Designation 30
2. DCR Designation Support Letters 33
3. Resolutions of Support.....XX
4. Agency Comments..... 39

CLINCH RIVER REPORT

DEC - 3 2013

TOWN OF RICHLANDS
200 WASHINGTON SQUARE
RICHLANDS, VA 24641
PHONE (276) 964-2566 • FAX (276) 963-2889

November 26, 2013

Ms. Lynn Crump
Environmental Program Planner
DCR Planning & Recreation Resources
600 East Main Street 24th Floor
Richmond, VA 23219

RE: Scenic River Study

Dear Ms. Crump:

The Richlands Town Council, at their November 12th council meeting, gave approval to pursue having a study performed to determine if the Clinch River qualifies for the scenic river status.

The Town of Richlands, located in Tazewell County, is hopeful this would bring tourism and recognition to this area. The area considered for the scenic river would consist of 6.2 river miles from the east to the west end of town.

There is the possibility that the Town of Cedar Bluff, located at the east end of the Town of Richlands, will join in this endeavor.

Sincerely,

Tim Taylor
Town Manager

Cc: Mayor and Council Members
Jim McGlothlin, Town Manager, Cedar Bluff
Jim Spencer, Tazewell County Administrator

CLINCH RIVER REPORT

JAN 2 2 2014

Town of Cedar Bluff

BOX 807
CEDAR BLUFF, VA 24609

PHONE 276/964-4889

January 17, 2014

Danette M. Poole
Division Director
Va. DCR Planning and Recreation Resources
600 East Main St., 24th Floor
Richmond, VA 23219

Re: Scenic River Program

Dear Ms. Poole:

At the regular meeting held on January 14, 2014, the Cedar Bluff Town Council voted unanimously to request a study to see if the Clinch River in Cedar Bluff qualifies for Scenic River designation. This section of the Clinch River is approximately 3 miles in length and adjoins the Clinch River located in the Town of Richlands which has been included in a separate request for study.

Enclosed you will find a copy of Section 46.8 of The Town of Cedar Bluff Comprehensive Plan addressing waterways and a copy of the Town of Cedar Bluff Strategic Plan.

The contact information for the Town of Cedar Bluff representative is:
James K. McGlothlin
Town Manager
276-964-4889
managercedarbluff@roadrunner.com

Thank you very much for your assistance with this request.

Sincerely,

James K. McGlothlin
Town Manager

Cc: Timothy Taylor, Town of Richlands

CLINCH RIVER REPORT

Tazewell County Virginia

"Bound For Progress"

D. Michael Hymes, Supervisor
Southern District

J. Garland Roberts, Supervisor
Northern District

Charles A. Stacy, Chairman
Eastern District

James H. Spencer, III
County Administrator

Seth R. White, Vice Chairman
Northwestern District

John M. Absher, Supervisor
Western District

March 13, 2014

Ms. Lynn Crump
Environmental Program Planner
DCR Planning & Recreation Resources
600 East Main Street 24th Floor
Richmond, VA 23219

RE: Scenic River Study

Dear Ms. Crump:

The Tazewell County Board of Supervisors, at their March 4, 2014 meeting gave approval to pursue having a study performed to determine if the Clinch River qualifies for the scenic river designation through the Department of Conservation & Recreation.

We will be joining with the towns of Cedar Bluff and Richlands to request your office conduct this study. If river conditions allow, we would like for the County portion of the study to begin at the Pisgah area, near the Crab Orchard Museum (Route 460 & Pisgah Road intersection). If conditions are not favorable to starting in that location, the alternative launch point could be Taylors Mill, Route 637. The study would continue to the eastern limits of Cedar Bluff.

I have been in contact with Rod Cury, Town of Richlands, about the boat and guide that you will need. He has secured the boat and is in the process of securing a guide for the study. We have discussed your lodging with Crab Orchard Museum, who has a guest cottage that they rent out. It is a four room cottage with two bedrooms (one queen & two twin beds), living room and kitchen. If this would work for you and your group, we can reserve this for you. If you need more beds, we will need to use a different location. You can let me know when you have a firm date for arrival and the number of people who will be traveling with you.

We are looking forward to your visit and the tourism opportunities it could bring to Tazewell County!

Sincerely,

Patricia Green

Patricia Green
Assistant County Administrator

108 East Main Street • Tazewell, Virginia 24651 • (276) 385-1200 • Fax (276) 988-4246
www.tazewellcounty.org

CLINCH RIVER REPORT

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

600 East Main Street, 24th Floor
Richmond, Virginia 23219
(804) 786-6124

5/16/2014

Tim Taylor
Town Manager, Town of Richlands
200 Washington Square
Richlands, VA 24641

Re: Scenic River Study of a Clinch River Segment within the Town of Richlands

Dear Tim Taylor:

At your request on behalf of the Town of Richlands Town Council, Department of Conservation and Recreation (DCR) staff conducted a study of the Clinch River segment in Town of Richlands. Based on the study, the 30.3 mile segment of the Clinch River from State Route 693 to the Tazewell/Russell County line has been found to qualify for scenic designation.

The field evaluation was performed on April 15, 2014. DCR staff, along with support from the Virginia Tech Community Design Assistance Center (CDAC), and local citizen, Joe McCracken, paddled the study corridor. Our staff appreciates the support from local representatives who guided the trip.

Should the Town Council wish to continue with the designation process, please notify Lynn Crump of my staff as soon as possible. The Council will ultimately need to pass a resolution of support for extending the designation of the Clinch River.

Additionally, the Town will need to contact its local General Assembly representatives to request that they serve as patrons for the legislation that will codify the designation. The attached draft legislation should prove helpful in this regard.

The Board of Conservation and Recreation will hear the proposal for this designation at its next meeting and consider supporting endorsement for the designation of the Clinch River as described in this letter and the attachment.

We look forward to hearing from you regarding your interest in pursuing the formal designation. Lastly, please send this office a copy of the Town Council resolution of support. We anticipate that the necessary requirements can be completed in a relatively short time so that designation legislation can be introduced in the 2014 General Assembly.

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Natural Heritage • Dam Safety and Floodplain Management • Land Conservation

CLINCH RIVER REPORT

If you would like DCR staff to participate in any general or public informational meetings, please let us know. We are happy to assist. We appreciate your interest in the Scenic Rivers Program and look forward to working with you to facilitate the designation of the Clinch River.

If you have any question, please contact Lynn Crump, Environmental Programs Planner, 804-786-5054, or Lynn.Crump@dcr.virginia.gov.

Sincerely,

for

Danette Poole, Division Director
Planning and Recreation Resources

Attachment

C: James H. Spencer III, Tazewell County Administrator
Jim McGlothlin, Cedar Bluff, Town Manager
Patricia Green, Assistant County Administrator, Tazewell County
Rod Cury, Town of Richlands, Town Council Vice Mayor
Todd Day, Town of Tazewell, Town Manager
Lynn M. Crump, DCR, Environmental Programs Planner

CLINCH RIVER REPORT

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

600 East Main Street, 24th Floor
Richmond, Virginia 23219
(804) 786-6124

5/16/2014

Jim McGlothlin
Town Manager, Town of Cedar Bluff
115 Central Ave.
Cedar Bluff, VA 24609

Re: Scenic River Study of a Clinch River Segment within the Town of Cedar Bluff

Dear Jim McGlothlin:

At your request on behalf of the Town of Cedar Bluff Town Council, Department of Conservation and Recreation (DCR) staff conducted a study of the Clinch River segment in Town of Cedar Bluff. Based on the study, the 30.3 mile segment of the Clinch River from State Route 693 to the Tazewell/Russell County line has been found to qualify for scenic designation.

The field evaluation was performed on April 15, 2014. DCR staff, along with support from the Virginia Tech Community Design Assistance Center (CDAC), and local citizen, Joe McCracken, paddled the study corridor. Our staff appreciates the support from local representatives who guided the trip.

Should the Town Council wish to continue with the designation process, please notify Lynn Crump of my staff as soon as possible. The Council will ultimately need to pass a resolution of support for extending the designation of the Clinch River.

Additionally, the Town will need to contact its local General Assembly representatives to request that they serve as patrons for the legislation that will codify the designation. The attached draft legislation should prove helpful in this regard.

The Board of Conservation and Recreation will hear the proposal for this designation at its next meeting and consider supporting endorsement for the designation of the Clinch River as described in this letter and the attachment.

We look forward to hearing from you regarding your interest in pursuing the formal designation. Lastly, please send this office a copy of the Town Council resolution of support. We anticipate that the necessary requirements can be completed in a relatively short time so that designation legislation can be introduced in the 2014 General Assembly.

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If you would like DCR staff to participate in any general or public informational meetings, please let us know. We are happy to assist. We appreciate your interest in the Scenic Rivers Program and look forward to working with you to facilitate the designation of the Clinch River.

If you have any question, please contact Lynn Crump, Environmental Programs Planner, 804-786-5054, or Lynn.Crump@dcr.virginia.gov.

Sincerely,

for

Danette Poole, Division Director
Planning and Recreation Resources

Attachment

C: James H. Spencer III, Tazewell County Administrator
Patricia Green, Tazewell County, Assistant County Administrator
Tim Taylor, Town of Richlands, Town Manager
Rod Cury, Town of Richlands, Town Council Vice Mayor
Todd Day, Town of Tazewell, Town Manager
Lynn M. Crump, DCR, Environmental Programs Planner

CLINCH RIVER REPORT

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

600 East Main Street, 24th Floor
Richmond, Virginia 23219
(804) 786-6124

5/16/2014

Patricia Green
Assistant County Administrator
108 East Main Street
Tazewell, VA 24651

Re: Scenic River Study of a Clinch River Segment within Tazewell County

Dear Patricia Green:

At your request on behalf of the Tazewell County Board of Supervisors, Department of Conservation and Recreation (DCR) staff conducted a study of the Clinch River segment in Tazewell County. Based on the study, the 30.3 mile segment of the Clinch River from State Route 693 to the Tazewell/Russell County line has been found to qualify for scenic designation.

The field evaluation was performed on April 15, 2014. DCR staff, along with support from the Virginia Tech Community Design Assistance Center (CDAC), and local citizen, Joe McCracken, paddled the study corridor. Our staff appreciates the support from local representatives who guided the trip.

Should the Board of Supervisors wish to continue with the designation process, please notify Lynn Crump of my staff as soon as possible. The Board will ultimately need to pass a resolution of support for extending the designation of the Clinch River.

Additionally, the County will need to contact its local General Assembly representatives to request that they serve as patrons for the legislation that will codify the designation. The attached draft legislation should prove helpful in this regard.

The Board of Conservation and Recreation will hear the proposal for this designation at its next meeting and consider supporting endorsement for the designation of the Clinch River as described in this letter and the attachment.

We look forward to hearing from you regarding your interest in pursuing the formal designation. Lastly, please send this office a copy of the Board resolution of support. We anticipate that the necessary requirements can be completed in a relatively short time so that designation legislation can be introduced in the 2014 General Assembly.

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Natural Heritage • Dam Safety and Floodplain Management • Land Conservation

CLINCH RIVER REPORT

If you would like DCR staff to participate in any general or public informational meetings, please let us know. We are happy to assist. We appreciate your interest in the Scenic Rivers Program and look forward to working with you to facilitate the designation of the Clinch River.

If you have any question, please contact Lynn Crump, Environmental Programs Planner, 804-786-5054, or Lynn.Crump@dcr.virginia.gov.

Sincerely,

Danette Poole, Division Director
Planning and Recreation Resources

Attachment

C: James H. Spencer III, Tazewell County Administrator
Jim McGlothlin, Cedar Bluff, Town Manager
Tim Taylor, Town of Richlands, Town Manager
Rod Cury, Town of Richlands, Town Council Vice Mayor
Todd Day, Town of Tazewell, Town Manager
Lynn M. Crump, DCR, Environmental Programs Planner

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Virginia Polytechnic Institute and State University

CLINCH RIVER REPORT

COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

November 25, 2014

Ms. Lynn Crump, RLA
Environmental Programs Planner
DCR - Division of Planning and Recreation Resources
600 E. Main Street; 17th Floor
Richmond VA 23219

RE: Proposed Scenic River Designations – Clinch and Dan Rivers

Dear Ms. Crump:

Thank you for requesting input from the State Water Control Board (Board) on two Scenic River designation proposals for portions of the Dan and Clinch Rivers, per a November 10, 2014 email from Robbie Rhur in your Department. DEQ has reviewed the reports and DEQ files on the two proposals. Our files indicate the following:

- **Dan River:** The Dan River proposal is in Halifax County from the North Carolina state line to the confluence of Aarons Creek, a distance of approximately 38.6 miles, and is identified as Sections 2 and 2a of the Roanoke Basin in the VA Water Quality Standards Regulation (9VAC25-260-450). Section 2a is the Potable Water Supply (PWS) for the Town of South Boston. It is not anticipated this PWS designation will impact the proposal for Scenic River status.

  Contrary to the statement on page 15 of the Dan River Report ("*fully supports aquatic life, wildlife, and recreational uses*"), this stretch of the river is impaired for the recreational use due to exceedance of bacteria water quality standards. In addition, the VA Department of Health has issued fish consumption advisories due to PCB and mercury contamination in this section of the Dan River.

  There is one VPDES municipal discharge to the proposed Scenic River section in the Town of South Boston (Maple Ave WWTP – VA0020362); there are no known issues with existing VPDES for this proposed Scenic River designation.

- **Clinch River:** The Clinch River proposal is from State Route 693 in Tazewell County through the towns of Richlands and Cedar Bluff to the Tazewell/Russell County line, a

distance of approximately 30.3 miles, and is identified as Sections 2, 2b, and 2c of the Tennessee and Big Sandy River Basins (Clinch River Subbasin) in the VA Water Quality Standards Regulation (9VAC25-260-500). Section 2b is the Potable Water Supply (PWS) for the Raven-Doran area and Town of Richlands. Section 2c is the PWS for the Town of Tazewell. It is not anticipated these PWS designations will impact the proposal for Scenic River status.

The Scenic River report correctly states there are recreational use impairments in the proposed section.

There is one VPDES municipal discharge to the proposed Scenic River section in Richlands (Richlands Regional WWTF – VA0021199); there are no known issues with existing VPDES for this proposed Scenic River designation.

Based on the reports and the above information, General Assembly designation of the proposed sections of the Dan and Clinch Rivers as Scenic Rivers will not impact existing Board programs. Therefore, DEQ, acting on behalf of the Board, has no comment on the proposed designations.

Sincerely,

Melanie D. Davenport
Water Division Director

C: Elleanore Daub – DEQ/Water Permits
David Whitehurst – DEQ/WQ Standards
Cindy Berndt – DEQ/Policy
Robert Weld – DEQ/BRRO Reg. Dir.
Allan Newman – DEQ/SWRO Reg. Dir.

CLINCH RIVER REPORT

Appendix C

Proposed Legislation for the *Code of Virginia*:

§ l0.l-410.2. Clinch State Scenic River.

A. The Clinch River in Tazewell County from Route 693 in Pisgah to the Tazewell/Russell County line, a distance of approximately 30.3 miles, and in Russell County from its confluence with the Little River to the Nash Ford Bridge at mile 279.5, a distance of approximately 20 miles and including its tributary, Big Cedar Creek from the confluence to mile 5.8 near Lebanon, is hereby designated a component of the Virginia Scenic Rivers System.

B. This designation shall not be used:

1. To designate the lands along the river and its tributaries as unsuitable for mining pursuant to § 45.1-252 or regulations promulgated with respect to such section; however, the Department shall still be permitted to exercise the powers granted under §10.1-402; or

2. To be a criterion for purposes of imposing water quality standards under the federal Clean Water Act.

---

[i] *Old Kentucky Turnpike National Register of Historic Places Registration Form. VDHR# 184-0001*
[ii] *Old Kentucky Turnpike National Register of Historic Places Registration Form. VDHR# 184-0001*
[iii] *Richlands Historic District National Register of Historic Places Registration Form. VDHR# 148-5014*
[iv] *Old Kentucky Turnpike National Register of Historic Places Registration Form. VDHR# 184-0001*
[v] *Richlands Historic District National Register of Historic Places Registration Form. VDHR# 148-5014*
[vi] *Tazewell Avenue Historic District National Register of Historic Places Registration Form. VDHR# 148-5020*

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DAN RIVER REPORT

Dan Scenic River Report
Halifax & Pittsylvania Counties



Prepared By
Department of Conservation and Recreation
Division of Planning and Recreation Resources

September 2014

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Virginia Polytechnic Institute and State University

DAN RIVER REPORT

Table of Contents

I. REASON FOR THE STUDY 3
A. Benefits of Designation 3
B. Designation Process 4

II. SUMMARY OF FINDINGS 4

III. CORRIDOR STUDY MAP 5

IV. ENVIRONMENTAL ANALYSIS 6
A. River Corridor Vegetation 6
B. Riverbed and/or River Flow Modifications 9
C. Human Development of Visual Corridor 11
D. Historic Features 11
E. Landscape 12
F. Quality of Fishery 13
G. Special Natural Flora/Fauna 13
H. Water Quality 14
I. Parallel Roads 15
J. Crossings 15
K. Special Features Affecting River Aesthetics 16
L. Public Recreational Access 16
M. Land Conservation 16

V. LAND USE AND OWNERSHIP 17

VI. CONCLUSIONS AND RECOMMENDATIONS 17

VII. CONSERVATION PLAN 18

VIII. ANTICIPATED COST OF DESIGNATION 19

IX. AGENCY COMMENTS/ RESOLUTIONS 19

X. APPENDIX 20
A. Species Ranking Definitions of DCR Natural Heritage 21
B. Letters, Comments, and Other Support Documents 24
C. Proposed Legislation for the *Code of Virginia* 36

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DAN RIVER REPORT

I. REASON FOR THE STUDY

On behalf of the Halifax County Board of Supervisors and the Town Councils of Halifax and South Boston, local officials contacted the Virginia Department of Conservation and Recreation (DCR) requesting that a segment of the Dan River within their jurisdiction be evaluated for possible inclusion in the Virginia Scenic River System. The river segment to be studied is from the North Carolina line in Halifax County to its confluence with Aarons Creek, a distance of approximately 38.6 miles. A small portion of this river segment close to the North Carolina border passes through Pittsylvania County.

The Scenic Rivers Act, found in Title 10.1, Chapter 4, §§ 10.1-400 through 10.1-418.1 of the *Code of Virginia*, was enacted in 1970 as a means of recognizing the Commonwealth's scenic rivers and their immediate environs. In order to be eligible for Scenic River designation, a river, or section thereof, must contain substantial natural, scenic, recreational, and historical attributes. At the request of the locality(s), DCR evaluates a specified river segment and writes a report documenting these attributes. Since the passage of the Act, 32 river segments, totaling more than 751 miles, have received Scenic River designation from the General Assembly. A list of those rivers can be found on the Virginia Scenic Rivers website, http://dcr.cache.vi.virginia.gov/recreational_planning/documents/srlist.pdf

Another section of the Dan River has already been designated in the Virginia Scenic River system. This section begins at Route 880 at Berry Hill Road in Pittsylvania County and ends at Danville's Abreu-Grogan park, a distance of approximately 15 miles.

A. Benefits of Designation

The Virginia Scenic River designation accomplishes the following:

- allows riparian landowners to continue using their land as they did before designation, except for the §10.1-407 provision noted above (§10.1- 408), http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-408
- requires the Federal Energy Regulatory Commission (FERC) to consider the impact of proposed hydropower or related projects on a designated Scenic River using the Scenic River report developed in the qualification process (Code Section E)
- requires all state agencies to consider visual, natural, and recreational values of a Scenic River in their planning and permitting process (§10.1-402) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-402
- gives riparian landowners, local citizens, and local governments a greater voice in the planning and implementation of federal and state projects that might affect the river (§10.1-406.1), http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-406.1
- requires authorization by the General Assembly for the construction, operation and/or maintenance of any structure, such as a dam, that would impede the natural flow of a Scenic River (§10.1-407), http://leg1.state.va.us/cgi-bin/legp504.exe000+cod+10.1-407

DAN RIVER REPORT

B. **Designation Process**

Scenic River evaluations involve data collection from state agencies, local and regional planning commissions, map surveys, related literature reviews, and field studies. These data are used to validate existing land use information and rank the river according to relative uniqueness and quality. Evaluations for each river or river segment take into consideration thirteen (13) established factors or criteria which provide a uniform gauge for all river studies. Field studies include physically canoeing, boating, or walking the stretch of river being evaluated and rating the characteristics of the resource. Evaluation criteria are: River Corridor Vegetation, Riverbed and/or River Flow Modifications, Human Development of Visual Corridor, Historic Features, Landscape, Quality of Fishery, Special Natural Flora and Fauna, Water Quality, Parallel Roads, Crossings, Special Features Affecting River Aesthetics, Public Recreational Access, and Land Conservation. A summary of the Dan River evaluation results is included in Section VI of this report.

The Scenic Rivers Act instructs DCR to conduct "studies of rivers or sections of rivers to be considered for designation" and to "recommend to the Governor and to the General Assembly rivers or sections thereof to be considered for designation as Scenic Rivers." This report fulfills this statutory directive.

II. SUMMARY OF FINDINGS

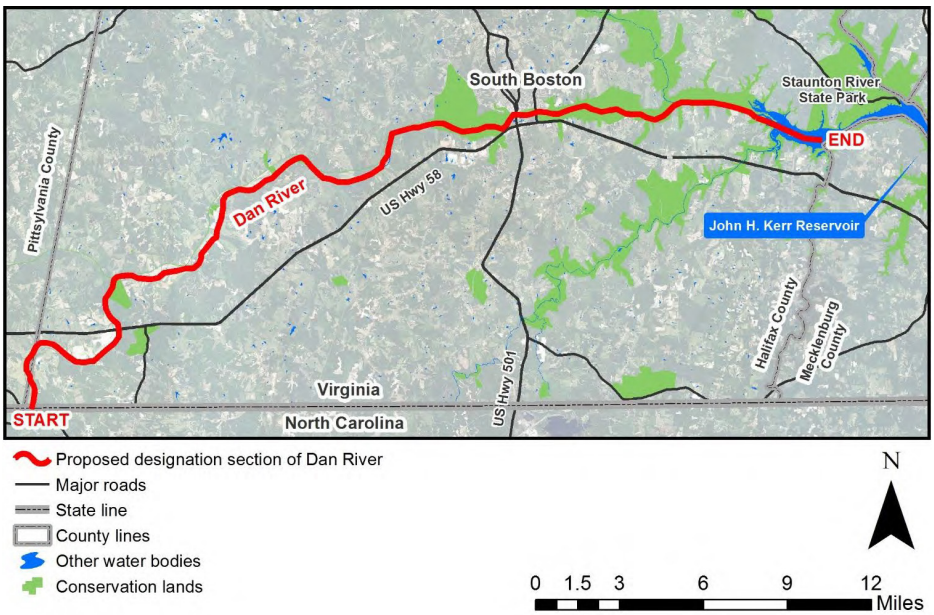
At the request of Halifax County Board of Supervisors and the Town Councils of Halifax and South Boston, DCR conducted a Scenic River evaluation of the Dan River from the North Carolina line in Halifax County to its confluence with Aarons Creek in the summer of 2014.

This report covers DCR's findings during the study of the aforementioned Dan River segment in Virginia. The DCR evaluation of the Dan River corridor determined that the 38.6-mile section from the North Carolina line in Halifax County to its confluence with Aarons Creek is eligible for inclusion in the Virginia Scenic Rivers System, and its designation as a Virginia Scenic River is recommended. It is further recommended that DCR be the administering agency.

DAN RIVER REPORT

III. CORRIDOR STUDY MAP

The Dan River originates in Patrick County, Virginia and flows easterly through North Carolina and Virginia until it empties into the John H. Kerr Reservoir. This report will discuss the river segment proposed for designation from the North Carolina line in Halifax County to its confluence with Aarons Creek, a distance of approximately 38.6 miles (Map 1).



Map 1: Section of the Dan River recommended for Scenic River Designation

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IV. ENVIRONMENTAL ANALYSIS

In order to determine whether the proposed segment of the Dan was eligible for Scenic River designation, personnel from the Division of Planning and Recreation Resources of the Department of Conservation and Recreation (DCR) and from the Community Design Assistance Center (CDAC) of Virginia Tech conducted an analysis of the river corridor from June 16-18th, 2014. They were joined by local stakeholders and paddled the section of the Dan River under consideration. The following is a description of the qualities and conditions of the resources that make it a candidate for the Virginia Scenic River System.

A. River Corridor Vegetation

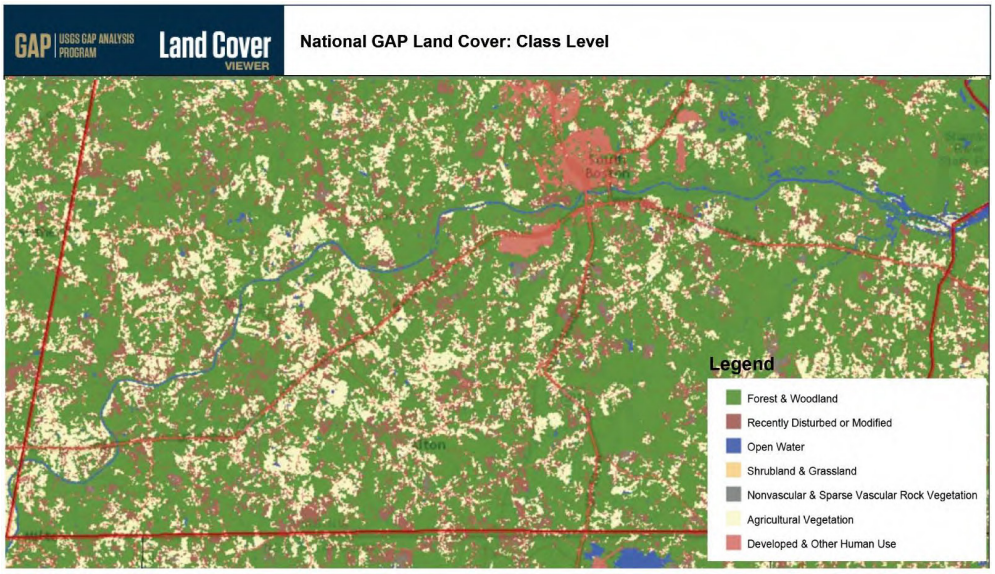
The Dan River flows through a tree-lined landscape with few signs of habitation (Image 1). Although much of the adjacent property consists of rolling hills, river bottom lands, farms, and urban centers, the substantial streamside vegetation prevents adjacent operations from interfering with the scenic quality of the river.



Image 1: Typical vegetation along the Dan River

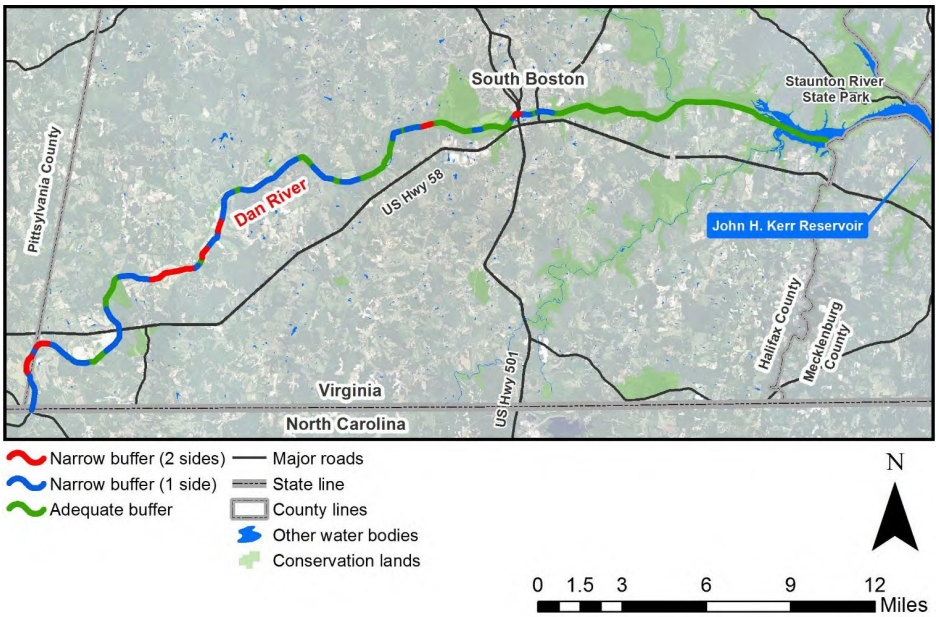
DAN RIVER REPORT

Although much of the land along the river is forested, some of the areas are used for agricultural vegetation or are developed for residential or other human uses (Map 2). Approximately 29% of the Dan River has forested riparian buffers of less than 100' (Map 3). Forested buffers provide necessary cover to protect water quality and fish habitat.



Map 2: Landcover along the Dan River. Source: US Geologicial Survey, Gap Analysis Program (GAP), Aug. 2011. National Land Cover, Version 2.

DAN RIVER REPORT



Map 3: Buffer analysis of the Dan River. A narrow buffer is a shoreline with less than a 100' of forested land.

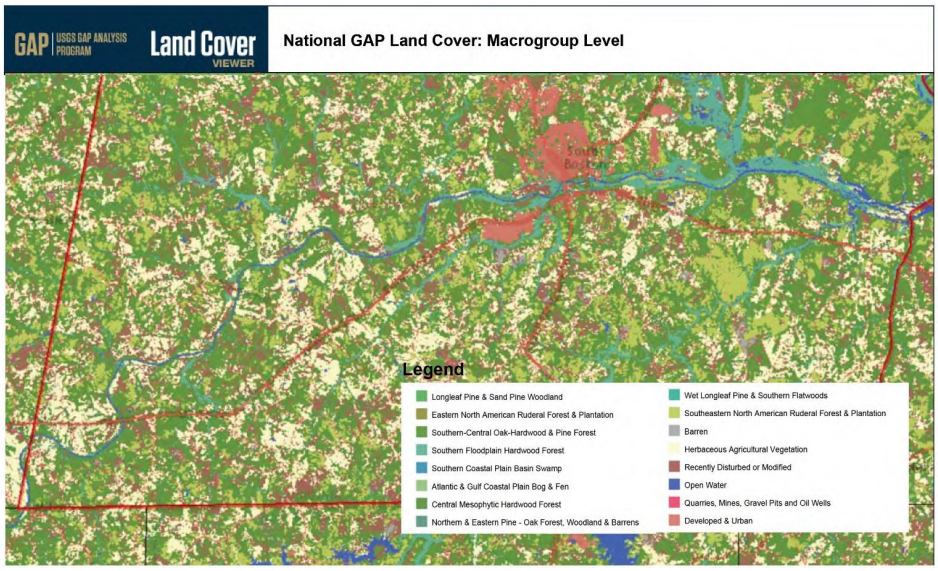
The study area of the Dan River is located in the Piedmont Plateau physiographic province. Vegetation along the corridor is primarily southern central oak-hardwood and pine forest, ruderal forest and plantation, southern floodplain hardwood forest, and herbaceous agricultural vegetation (Map 4). Several dense stands of pine plantations provide an evergreen buffer along some sections of the river, while sycamore, box elder, and river birch line much of the water's edge. Elderberry, silky dogwood, and trumpet vine flower along the banks, and sweet gum and maple display good fall color (Image 2). Other vegetation along the corridor creates views with a variety of forms, textures, sizes, and colors. This diversity provides year-round changes in scenery from and along the river.



Image 2: Trumpet vine

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DAN RIVER REPORT



Map 4: Vegetation Types along the Dan River. Source: US Geological Survey, Gap Analysis Program (GAP). August 2011. National Land Cover, Version 2.

B. **Riverbed and/or River Flow Modifications**

Although the river section studied was primarily freely-flowing and meandering, backwater from the John H. Kerr reservoir affected 5.8 miles or approximately 15% of the study corridor. Otherwise, the current is swift, and the river bottom is clayey sand. Naturally occurring rock outcrops, bluffs, and in-stream rock formations added visual and paddling interest (Images 3-4), while small riffles added excitement and only required beginner technical paddling skills. These riffles do not impact river flow.

DAN RIVER REPORT



Image 3: Bluff



Image 4: In-stream rock formations

DAN RIVER REPORT

C. **Human Development of Visual Corridor**

This segment of the Dan River corridor contains few signs of human development. Several houses, cabins, and shelters may be seen along the route, but they are few and far between (Image 5). Vegetative buffering along the water's edge screens most buildings and urban areas. Other human interventions include bridges and utility line crossings (see Section J. Crossings).



Image 5: A small cabin on the Dan River

D. **Historic Features**

According to the Virginia Department of Historic Resources (DHR), there are three historical/cultural features of significance and two nominated features along this section of the Dan. These include:

(1) Banister River Navigation Improvements Historic District
The Virginia Department of Transportation has listed the "Banister River Navigation Improvements District" VDHR 041-5311 as eligible for listing on the Virginia and National Registers. Features included in this district are wing dams in the Banister Bridge project area/US 360, the Meadville canal, the King Bridge Wing Dams, and the Cow Ford Wing Dams.

(2) Berry Hill
Berry Hill is a Greek revival mansion that was built in 1844 for plantation owner James Cole Bruce. Mr. Bruce shipped tobacco hogsheads, or large barrels, downriver by batteau. A batteau is a wooden, flat bottom boat that was used up until the early 20th century to transport goods and to navigate shallow waters in the southeastern United States. The plantation also includes early outbuildings, ruins and sites of slave quarters, and one of the largest slave cemeteries in Virginia with more than 200 graves (Image 6).[i]



Image 6: Berry Hill
© http://oldhalifax.com/county/RiverRoadTour3.htm

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(3) News Ferry Historic District
The News Ferry Historic District has been listed as potentially eligible for state and national registration.

(4) Reedy Creek Site
The Reedy Creek Site contains Late Archaic (2000-1000 B.C) artifacts. An Indian village was located on the site between A.D. 900 and 1400. Studies show that the village began as a hamlet and then grew to a concentrated, possibly palisaded village. Remnants of seeds, nuts, and animal bones found on the site have provided information about the indigenous people's diets in the Dan River drainage.[ii]

(5) South Boston Historic District and Expansion
This District includes industrial, commercial, and residential development from post-Civil War to the 1930s that are associated with South Boston's golden age of tobacco trading. South Boston began as a railroad depot in 1854 and then boomed in the early 1900s as the country's second largest bright-leaf tobacco market (Image 7).[iii]



Image 7: South Boston Historic District
© http://hmwpreservation.blogspot.com/

E. **Landscape**

The Dan River originates in Patrick County, Virginia and flows easterly through North Carolina and Virginia until it empties into the John H. Kerr Reservoir. It is part of the Piedmont Plateau physiographic province in Virginia, a landscape characterized by large, level terrain with wide, slow rivers. The Dan is a tributary of the Roanoke River.

Views along this section of the Dan River are primarily of a forested landscape with a variety of islands, rock bluffs, and in-stream rock formations. The width of the river and flat terrain provide framed views of the sky and clouds (Image 8).


Image 8: View of the sky from the Dan River

F. **Quality of Fishery**

DAN RIVER REPORT

This section of the Dan River offers low to moderate fishing opportunities. Local anglers target primarily flathead and blue catfish. In addition, walleye begin to migrate out of the J.H. Kerr Reservoir into the Dan River as early as January, while white perch and white bass migrate in early April. Striped bass migrate in late April and May.

G. Special Natural Flora/Fauna

The Natural Heritage Program of the Department of Conservation and Recreation (DCR) identifies areas that have a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain (see Appendix A for species ranking definitions of DCR Natural Heritage).

Along the studied section of the Dan River, three natural features had statewide or greater significance. These included:

(1) Lesser Marsh St. John's-wort/ *Hypericum tubulosum*, G4/S2
The lesser marsh St. John's-wort is a wetland perennial that has pink flowers in July through September. It can be found in wet sandy locations (Image 9).



Image 9: Lesser marsh St. John's-wort
© Jomegat/CCSA

(2) Southern Piedmont/ Inner Coastal Plain Mixed Oak Floodplain Swamp/ *Quercus phellos – Quercus 9palustris,lyrata)/ Ilex decidua/ Carex typhina- (Carex grayi)*, G3/S3
The Southern Piedmont/ Inner Coastal Plain Mixed Oak Floodplain Swamp is a swamp forest found in somewhat poorly drained to very poorly drained floodplains of large streams and small rivers. Common habitats include shallow sloughs, low flat terraces, and backswamps (Image 10).



Image 10: Southern Piedmont/ Inner Coastal Plain Mixed Oak Floodplain Swamp
© DCR Natural Heritage

(3) Speckled Killifish/ *Fundulus rathbuni*, G4/S2
The speckled killifish is a small fish (8 cm)

found in sand or mud substrates in backwaters and pools of creeks and small to medium rivers. Its range is limited to the Roanoke and Santee River drainages in Virginia and North Carolina (Image 11).

DAN RIVER REPORT

The river attracts diverse populations of mammals, amphibians, reptiles, birds, and insects. Sightings of bear, deer, turkey, rabbit, and quail are relatively common. Specific species of fauna observed during the evaluation included bald eagle, blue heron, kingfisher, cedar waxwing, and mallard (Image 12).



Image 11: Speckled killifish
© CNRE Virginia Tech



Image 12: Great blue heron rookery along the Dan River

H. Water Quality

Visibility through the water column was moderate. The water is periodically turbid or muddy, primarily after heavy rains, and has a yellow-tan color year-around (Images 13-14). Tires and other forms of garbage were rarely seen along the study corridor.

DAN RIVER REPORT



Image 13: Visibility through the water column along the Dan River



Image 14: Dan River water clarity

The Dan River fully supports aquatic life, potable water supply and wildlife uses. An "impaired" designation for the recreation use applies to the section of the Dan River from the City of Danville to the Kerr Reservoir headwaters due to bacterial contamination. VDH has issued fish consumption advisories in the same river section due to legacy PCB and mercury contamination. In February 2014, an estimated 39,000 tons of coal ash and 27 million gallons of contaminated water spilled into the Dan River from Duke Energy's retired Dan River Power Station near Eden, North Carolina, which is upstream of the study area. Duke Energy completed ash recovery work at 3 sites along the Dan River in July 2014 in accordance to EPA standards. Additional recovery sites may be identified in the future if coal ash accumulates in sufficient quantities to justify dredging, in accordance with a risk-evaluation protocol ordered by EPA. A Natural Resources Damage Assessment is now underway, coordinated by the U.S. Fish and Wildlife Service along with VA DEQ and NC Dept. of the Environment and Natural Resources.[iv]

I. Parallel Roads

No parallel roads were predetermined through roadway map analysis, nor was any evidence of parallel roads witnessed along this section of the Dan River.

J. Crossings

Crossings consist of vehicular roads, railroad trestles, and power/communication lines (Images 15-16). Most of these are perpendicular to the Dan and have limited visual impact on the river experience. In situations where utility and road crossings were close to one another visually, the crossing occurrence was counted as one instead of two occurrences. This section of the Dan had a total of 11 crossings, resulting in an average of 0.3 crossings per mile. Although crossings reduce the sense of remoteness along the river, they provide visual access to the water.

DAN RIVER REPORT



Image 15: Utility lines crossing the Dan River



Image 16: Railroad trestle crossing the Dan River

K. **Special Features Affecting River Aesthetics**

This section of the Dan River is characterized by short to long-range vistas of forestland and sky. The buffered landscape combined with minimal development along the river offer a seemingly remote river experience. In addition, islands, periodic riffles, in-stream rock formations, and bluffs provide varied features along the river corridor (Images 17-18).

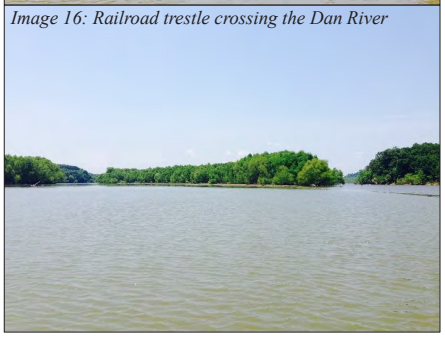


Image 17: Island

L. **Public Recreational Access**

The river allows for year round recreational paddling with canoes or kayaks. Paddlers and boaters find river access at public bridge crossings and by permission from private landowners. Public access is also located at Route 658/Paces Bridge/Melon Road and at the Maple Avenue Wastewater Treatment Plant in South Boston.

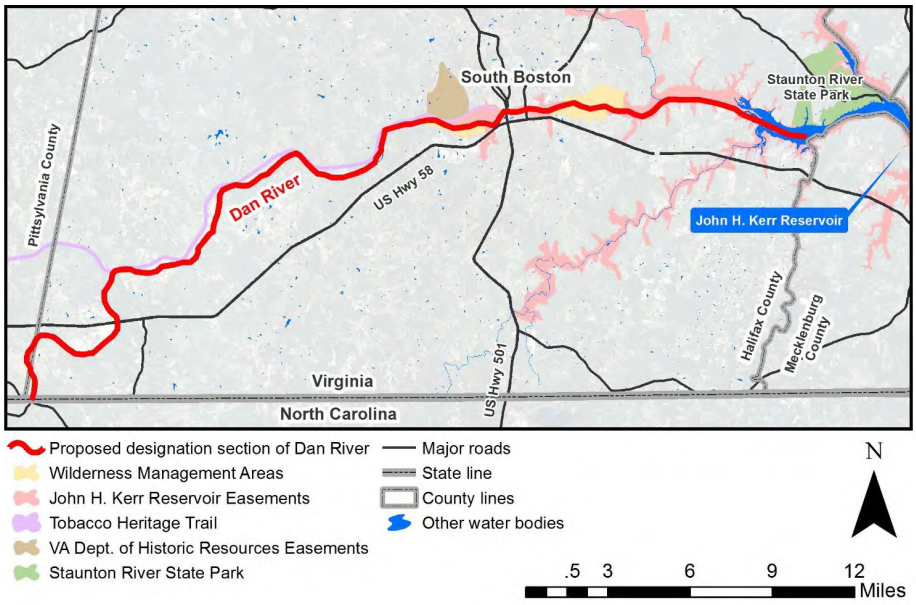


Image 18: Bluff along the Dan River

M. **Land Conservation**

DCR's Natural Heritage program provides information on listed, eligible, and eased properties. According to its inventory, this section of the Dan has significant protection from development. Approximately 48.2% of

the river corridor is under conservation easement (Map 5).



Map 5: Dan River land conservation

V. LAND USE AND OWNERSHIP

Lands along the study corridor are primarily in private ownership or under conservation easement. Most of the land use along the river is forested, agricultural, or residential.

VI. CONCLUSIONS AND RECOMMENDATIONS

The Department of Conservation and Recreation concludes that the Dan River from the North Carolina line in Halifax County to its confluence with Aarons Creek, a distance of approximately 38.6 miles, is hereby eligible to be a component of the Virginia Scenic River System. Scenic River designation is warranted because of the aesthetic and recreational qualities of the river section, its environs, and the unique flora and fauna.

Flowing through largely forested land of rolling hills and river bottom lands, this river segment has a number of interesting aesthetic features including islands, rock formations, and bluffs. The

adjacent landscape consists of few man-made features, which creates a sense of remoteness and isolation. Its generous corridor provides an interesting mix of foreground, middle ground, and background views. This section of the Dan River contains three natural features of statewide or greater significance, three historical/cultural features of significance, and two nominated historical/cultural features. Public access points are available at Route 658/Paces Bridge/Melon Road, the Maple Avenue Wastewater Treatment Plant in South Boston, and at other public bridge crossings.

Considering all of the aspects of this segment of the Dan River within Halifax and Pittsylvania counties as described in this report, DCR recommends it as a good candidate for Virginia Scenic River designation.

It is recommended that:

1. The Dan River from the North Carolina line in Halifax County to its confluence with Aarons Creek, a distance of approximately 38.6 miles, be recommended for Virginia Scenic River Designation;

2. The Department of Conservation and Recreation be appointed as the Administering Agency.

VII. CONSERVATION PLAN

Several elements contribute to the conservation plan for the Dan River. These elements call for a minimum effort and specific actions on the part of the General Assembly, local and state units of government, and individual and riparian landowners.

Legislation establishing Virginia Scenic River designation for the section of the Dan River under consideration is the first element that must be implemented. In addition to clearly expressing the policy intent of the Commonwealth with regard to protection and conservation of the river, designation will focus attention on the river as a natural resource of statewide significance. The increased attention will help ensure a greater scrutiny of plans or proposals that have the potential to significantly alter or destroy those resource qualities that make the river worthy of designation. The locality has the option of creating a local river committee that is either appointed by the DCR or the locality. This committee will work with the DCR to consider and manage the scenic attributes of the river (see Code of Virginia code section § 10.1-401.A.4 and § 10.1-406.1).

A second aspect of the Conservation Plan involves Halifax and Pittsylvania counties. Comprehensive land use plans should explicitly reflect citizens' recognition, appreciation, and concern for the river and the valuable role it plays in the region's quality of life. Such plans should be aimed in part at protecting the river and its environs from potential development or ensuring that development utilizes low impact development strategies as much as possible.

The Halifax County *2007 Comprehensive Plan Update* recognizes the importance of the protecting their natural resources and addresses scenic rivers in several of its implementation strategies. Examples of these include:

- (9-y): study the adoption of overlay districts such as highway, river, and scenic corridors as amendments to the zoning ordinance;
- (13-j): support cooperative efforts and programs by Virginia and North Carolina localities within the Roanoke River Basin for the protection of basin water resources;
- (13-n): support programs and initiatives that protect and conserve fragile groundwater resources, as well as the rivers, streams, aquifers, and wetlands within the County;
- (13-p): promote the scenic and recreational value of the County's waterways and wetlands for use by residents and recreational visitors from outside the County.

The final component of the Conservation Plan is the continued individual stewardship of local and riparian landowners. Over the years, this stewardship has been good. If not for this stewardship, the attributes necessary for inclusion in the Virginia Scenic River System might have been lost. Through continuation of these efforts, the natural and scenic character of the river can be protected. Currently, Duke Energy is part of an effort to create a stakeholder group with citizen representatives from throughout the Dan River Basin. This group would work to determine common interests among basin residents and to protect river resources. This type of initiative would be of great value to the protection of the Dan River and its scenic qualities.

Action by the General Assembly to designate this section of the Dan River and the efforts of Halifax and Pittsylvania counties should combine to protect the natural and scenic qualities of the recommended section of the Dan River for the enjoyment of future generations. Proposed Legislation is provided in Appendix C.

VIII. ANTICIPATED COST OF DESIGNATION

The only anticipated direct costs as a result of the designation will be those incurred by the Department of Conservation and Recreation (DCR) as a result of its duties as administrator of the river. At present, these costs are estimated to be in the range of $1,000 per year.

IX. AGENCY COMMENTS/ RESOLUTIONS

A draft report was circulated among DCR Divisions, other state agencies, and Halifax and Pittsylvania counties. Comments from these agencies are listed below. Letters of support are included in Appendix B of this report.

DAN RIVER REPORT

X. APPENDIX

A. Species Ranking definitions of DCR Natural Heritage
B. Letters, Comments, and Other Support Documents
C. Proposed Legislation

DAN RIVER REPORT

Appendix A

Species Ranking Definitions of DCR Natural Heritage

SCIENTIFIC NAME	COMMON NAME	GLOBAL RANK	STATE RANK	FEDERAL STATUS	STATE STATUS
Fundulus rathbuni	Speckled Killifish	G4	S2		

Definitions of Abbreviations used on Natural Heritage Resource Lists

The following ranks are used by the Virginia Department of Conservation and Recreation to set protection priorities for natural heritage resources. Natural Heritage Resources, or "NHR's," are rare plant and animal species, rare and exemplary natural communities, and significant geologic features. The criterion for ranking NHR's is the number of populations or occurrences, i.e. the number of known distinct localities; the number of individuals in existence at each locality or, if a highly mobile organism (e.g., sea turtles, many birds, and butterflies), the total number of individuals; the quality of the occurrences, the number of protected occurrences; and threats.

S1 - Critically imperiled in the state because of extreme rarity or because of some factor(s) making it especially vulnerable to extirpation from the state. Typically 5 or fewer populations or occurrences; or very few remaining individuals (<1000).

S2 - Imperiled in the state because of rarity or because of some factor(s) making it very vulnerable to extirpation from the state. Typically 6 to 20 populations or occurrences or few remaining individuals (1,000 to 3,000).

S3 - Vulnerable in the state either because rare and uncommon, or found only in a restricted range (even if abundant at some locations), or because of other factors making it vulnerable to extirpation. Typically 21 to 100 populations or occurrences (1,000 to 3,000).

S4 - Apparently secure; Uncommon but not rare, and usually widespread in the state. Possible cause of long-term concern. Usually>100 populations or occurrences and more than 10,000 individuals.

S5 - Secure; Common, widespread and abundant in the state. Essentially ineradicable under present conditions. Typically with considerably more than 100 populations or occurrences and more than 10,000 individuals.

S#B - Breeding status of an animal within the state

S#N - Non-breeding status of animal within the state. Usually applied to winter resident species.

S#? - Inexact or uncertain numeric rank.

SH - Possibly extirpated (Historical). Historically known from the state, but not verified for an extended period, usually > 15 years; this rank is used primarily when inventory has been attempted recently.

S#S# - Range rank; A numeric range rank, (e.g. S2S3) is used to indicate the range of uncertainty about the exact status of the element. Ranges cannot skip more than one rank.

SU - Unrankable; Currently unrankable due to lack of information or due to substantially conflicting information about status or trends.

SNR- Unranked; state rank not yet assessed.

SX - Presumed extirpated from the state. Not located despite intensive searches of historical sites and other appropriate habitat, and virtually no likelihood that it will be rediscovered.

SNA- A conservation status rank is not applicable because the element is not a suitable target for conservation activities.

DAN RIVER REPORT

Global Ranks are similar, but refer to a species' rarity throughout its total range. Global ranks are denoted with a "G" followed by a character. Note GX means the element is presumed extinct throughout its range, not relocated despite intensive searches of historical sites/appropriate habitat, and virtually no likelihood that it will be rediscovered. A "Q" in a rank indicates that a taxonomic question concerning that species exists. Ranks for subspecies are denoted with a "T". The global and state ranks combined (e.g. G2/S1) give an instant grasp of a species' known rarity.

These ranks should not be interpreted as legal designations.

G1 Extremely rare and critically imperiled with 5 or fewer occurrences or very few remaining individuals; or because of some factor(s) making it especially vulnerable to extinction.
G2 Very rare and imperiled with 6 to 20 occurrences or few remaining individuals; or because of some factor(s) making it vulnerable to extinction.
G3 Either very rare and local throughout its range or found locally (even abundantly at some of its locations) in a restricted range; or vulnerable to extinction because of other factors. Usually fewer than 100 occurrences are documented.
G4 Common and apparently secure globally, although it may be rare in parts of its range, especially at the periphery.
G5 Very common and demonstrably secure globally, although it may be rare in parts of its range, especially at the periphery.
GH Formerly part of the world's fauna with some expectation that it may be rediscovered; generally applies to species that have not been verified for an extended period (usually >15 years) and for which some inventory has been attempted recently.
GX Believed to be extinct throughout its range with virtually no likelihood of rediscovery.
GU Possibly rare, but status uncertain and more data needed.
G? Unranked, or, if following a numerical ranking, rank uncertain (e.g., G3?).
G_G_ The rank is uncertain, but considered to be within the indicated range (e.g., G2G4) of ranks (also, T_T_).
G_Q Taxon has a questionable taxonomic assignment (e.g., G3Q) and may prove to be invalid upon further study.
G_T_ Signifies the rank of a subspecies (e.g., G5T1 would apply to a subspecies if the species is demonstrably secure globally (G5) but the subspecies warrants a rank of T1, critically imperiled.)

FEDERAL STATUS
The Division of Natural Heritage uses the standard abbreviations for Federal endangerment developed by the U.S. Fish and Wildlife Service, Division of Endangered Species and Habitat Conservation.

LE - Listed Endangered
LT - Listed Threatened
PE - Proposed Endangered
PT - Proposed Threatened
C - Candidate (formerly C1 - Candidate category 1)
E(S/A) - Treat as endangered because of similarity of appearance
T(S/A) - Treat as threatened because of similarity of appearance
SOC - Species of Concern species that merit special concern (not a regulatory category)

DAN RIVER REPORT

STATE LEGAL STATUS

The Division of Natural Heritage uses similar abbreviations for State endangerment:

LE - Listed Endangered
PE - Proposed Endangered
SC - Special Concern - animals that merit special concern according to VDGIF (not a regulatory category)
LT - Listed Threatened
PT - Proposed Threatened
C – Candidate

For information on the laws pertaining to threatened or endangered species, please contact:

U.S. Fish and Wildlife Service for all FEDERALLY listed species;
Department of Agriculture and Consumer Services, Plant Protection Bureau for STATE listed plants and insects
Department of Game and Inland Fisheries for all other STATE listed animals

CONSERVATION SITES RANKING

Rank is a rating of the significance of the conservation site
based on presence and number of natural heritage resources; on a scale of 1-5, 1 being most significant.
Sites are also coded to reflect the presence/absence of federally/state listed species:

Conservation Site Ranks
B1 - Outstanding significance
B2 - Very High significance
B3 - High significance
B4 - Moderate significance
B5 - Of general Biodiversity significance

Legal Status of Sites
FL - Federally listed species present
SL - State listed species present
NL - No listed species present

DAN RIVER REPORT

Appendix B - Letters, Comments, and Other Support

This appendix is divided into sections as outlined below

1. Letter Requesting Designation 25
2. DCR Designation Letters 26
3. Letters of Support 31
4. Agency Comments 33

DAN RIVER REPORT

HALIFAX COUNTY BOARD OF SUPERVISORS

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WILLIAM I. FITZGERALD
LOTTIE T. NUNN

JAMES M. HALASZ
County Administrator
jmh@co.halifax.va.us

NOV 15 2013

October 28, 2013

Virginia Department of Conservation and Recreation
203 Governor Street, Suite 326
Richmond, VA 23219
Attention: Lynn M. Crump, Environmental Program Planner

Dear Lynn:

At the October 21, 2013 Joint Meeting of the Halifax County Board of Supervisors with the Town Councils of Halifax and South Boston, I was directed to officially request that the Virginia Department of Conservation and Recreation study the segment of the Dan River beginning from Pittsylvania County to Mecklenburg County to determine if this section might meet the requirements to be designated a State Scenic River. The Board approved my submitting this letter and requesting this designation of the Banister River under the Virginia Scenic Rivers Act of 1970.

Please advise if you require additional information or if I might be of assistance in this matter.

Sincerely,

COUNTY OF HALIFAX

James M. Halasz
County Administrator

GWN/daf

Cc: The Hon. James E. Edmunds, II
Mr. Carl Espy, IV, Town Manager
Halifax County Board of Supervisors

community design assistance center
College of Architecture + Urban Studies
Virginia Polytechnic Institute and State University

DAN RIVER REPORT

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director

Joe Elton
Deputy Director of Operations

Rochelle Altholz
Deputy Director of Administration and Finance

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

600 East Main Street, 24th Floor
Richmond, Virginia 23219
(804)786-6124

August 14, 2014

Mr. James M. Halasz
Halifax County Administrator
Post Office Box 699
Halifax, Virginia 24558-0699

Mr. Timothy L. Wilson
South Boston Town Manager
455 Ferry Street
South Boston, Virginia 24592

Mr. Clarence Monday
Pittsylvania County Administrator
Post Office Box 426
Chatham, Virginia 24531

Re: Scenic River Study of a Dan River Segment within Halifax and Pittsylvania Counties

Dear Mr. Halasz, Mr. Wilson, and Mr. Monday:

At the October 21, 2013, Joint Meeting of the Halifax County Board of Supervisors and the Town Councils of Halifax and South Boston, Mr. Halasz was asked to request that the Department of Conservation and Recreation (DCR) study a segment of the Dan River in Halifax and Pittsylvania Counties that passes through the Town of South Boston. Based on the results of the study, a 38.6 mile segment of the Dan River from the North Carolina line in Halifax County to its confluence with Aarons Creek has been found to qualify for Scenic River designation. A small portion of this river segment close to the North Carolina border passes through Pittsylvania County.

The field evaluation was performed during a period of several days – from June 16 to 18, 2014. DCR Central Office Planners traversed the study corridor with support from Virginia Tech Community Design Assistance Center (CDAC), staff from Staunton River State Park, and local citizens. DCR is most appreciative of the local representatives who guided the trip and is especially grateful for the participation of Delegate James E. Edmunds II.

Should the Halifax and Pittsylvania County Boards of Supervisors and the South Boston Town Council wish to continue with the designation process, there are several steps in the process that should be undertaken as soon as possible. The first step would be to contact Lynn Crump of my staff to let her know of your intent. Her contact information is lynn.crump@dcr.virginia.gov or (804) 786.5054.

All three localities will need to pass a resolution of support for the designation of the Dan River segment described in the first paragraph. A copy of each resolution should be sent to Ms. Crump. There will need to be contact with your local General Assembly representatives to request that they serve as patrons for the designation legislation. The attached draft legislation should prove helpful in that regard.

State Parks • Soil and Water Conservation • Outdoor Recreation Planning
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation

DAN RIVER REPORT

We look forward to hearing from you regarding your intent to pursue the formal Scenic River designation. We are interested in hearing your plans. Additionally, the Board of Conservation and Recreation will hear the proposal for this designation at its next meeting, and members will be asked for their endorsement. If all jurisdictions want to move forward, we anticipate that the necessary requirements can be completed in a relatively short time so that designation legislation can be introduced in the 2015 General Assembly.

DCR believes whole-heartedly in the Virginia Scenic Rivers recognition program, and we are appreciative of the support of both Halifax and Pittsylvania Counties in the recent designation of the Banister River. Pittsylvania was also a partner with the City of Danville in the 2013 designation of a 15-mile segment of the Dan. Both counties have been leaders in renewed attention to the Scenic River program in your region of the Commonwealth, and we now welcome South Boston as a working participant. DCR salutes your commitment to local riverine resources.

If you would like staff to participate in any general or public informational meetings, or if we can assist in another way, please let me or Ms. Crump know. We will do our best to accommodate your requests.

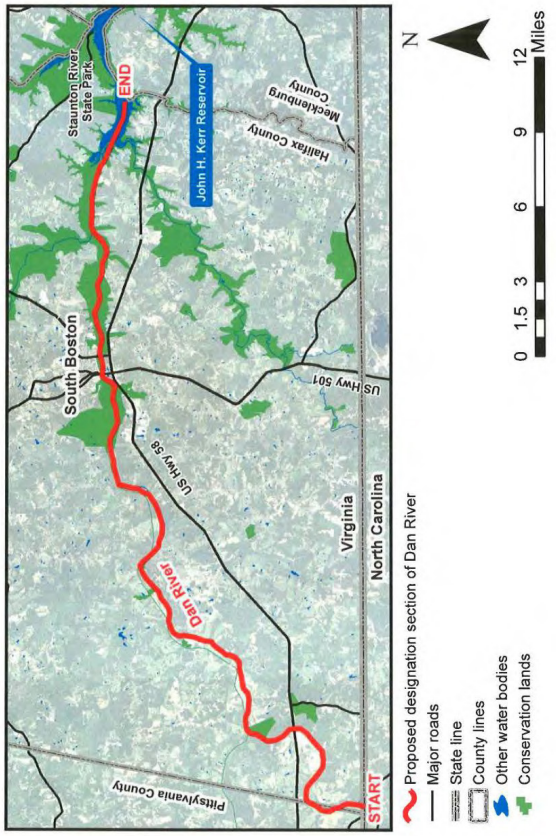
Sincerely,

Danette Poole, Division Director
Planning and Recreation Resources

Attachments

C: The Honorable James E. Edmunds II, Member, Virginia House of Delegates
Greg Sides, Assistant Pittsylvania County Administrator
Carl Espy IV, Halifax Town Manager
Alan Auld, Director, South Boston Public Works
Mark W. Moore, Director, Pittsylvania County Parks and Recreation
Lynn Crump, DCR, Environmental Programs Planner

DAN RIVER REPORT



DAN RIVER REPORT

That the *Code of Virginia* is amended by adding in Chapter 4 of Title 10.1 a section numbered **10.1-413.3** as follows:

§ 10.1-413.3. Dan State Scenic River.

A. The Dan River from Berry Hill Road at Route 880 in Pittsylvania County to the downstream property boundary of Abreu/Grogan Park in Danville, a distance of approximately 15 miles, and the section from the North Carolina line in Halifax County to the confluence of Aarons Creek, a distance of approximately 38.6 miles, are hereby designated a component of the Virginia Scenic Rivers System.

B. Nothing in this section shall preclude the Commonwealth or a local governing body from constructing, reconstructing, operating, or performing necessary maintenance on any road or bridge in the designated area.

DRAFT

DAN RIVER REPORT

RESOLUTION SUPPORTING THE DESIGNATION OF A SECTION OF THE DAN RIVER AS A VIRGINIA STATE SCENIC RIVER

WHEREAS, the Virginia State Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 to identify, recognize and provide a level of protection to rivers with significant scenic beauty, historic importance, recreational value and natural characteristics pursuant to the Code of Virginia Title 10.1, Sections 10.1-400 through 10.1-418, "Scenic Rivers Act"; and

WHEREAS, the Virginia Department of Conservation and Recreation (DCR), has been charged with administering the Scenic Rivers Program and developing an objective evaluation process to determine the suitability of river segments; and

WHEREAS, the 2004 Halifax County Trails, Bicycle & Pedestrian Plan adopted by the Board of Supervisors and Councils of the Towns of Halifax and South Boston, recognized the potential blueway system along the area's major waterways including the Dan River; and

WHEREAS, under authorization of the Halifax County Board of Supervisors and the Town Councils of Halifax and South Boston by letter to Lynn M. Crump, DCR Environmental Programs Planner, the Virginia Department of Conservation and Recreation was requested to conduct a study of the Dan River beginning at Milton, NC and ending at its confluence with Aaron's Creek to determine its potential as a State Scenic River; and

WHEREAS, on June 16 – 18, 2014 DCR staff along with consultants from the Community Development Assistance Center (CDAC), Delegate James Edmunds, and several residents from Halifax County paddled the river study corridor to make field evaluations; and

WHEREAS, on August 14, 2014 by letter to the Town of South Boston, Halifax County and Pittsylvania County, the localities were informed that DCR completed its evaluation determining a 38.6 mile stretch of the Dan from the Virginia State Line to the confluence with Aaron's Creek in Halifax County qualifies as a Virginia State Scenic River; and

WHEREAS, on September 2, 2014 the Pittsylvania County Board of Supervisors will consider a resolution supporting the Scenic River designation of the Dan River and on September 8, 2014 the South Boston Town Council will consider a similar resolution.

NOW, THEREFORE BE IT RESOLVED, on this 2nd day of September, 2014 that by way of this resolution, the Board of Supervisors of Halifax County, Virginia, does hereby support the designation of the Dan River beginning at the Virginia-North Carolina State Line and ending at the confluence with the Aarons Creek as a Virginia State Scenic River pursuant to the Scenic Rivers Act, Virginia Code Section 10.1-400 *et seq.*

BE IT FURTHER RESOLVED, that the Halifax County Board of Supervisors, Virginia does hereby respectfully request that the members of the Halifax County and Pittsylvania County legislative delegation introduce legislation to the Virginia General Assembly for approval and designation of the Dan River's eligible 38.6 mile section in the 2015 Session.

Adopted this 2nd day of September, 2014.

Thomas E. West, Chairman
Halifax County Board of Supervisors

DAN RIVER REPORT

TOWN OF
South Boston
VIRGINIA

Mayor
Edward Owens

Town Manager
Timothy L. Wilson

RESOLUTION SUPPORTING THE DESIGNATION OF THE DAN RIVER AS A VIRGINIA STATE SCENIC RIVER

WHEREAS, the Virginia State Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 to identify, recognize, and provide a level of protection to rivers, or segments thereof, with significant scenic beauty, historic importance, recreational value, and/or natural characteristics pursuant to the "Scenic Rivers Act" of the Code of Virginia; and

WHEREAS, the Town of South Boston in full and mutual agreement with Halifax County, Virginia and Pittsylvania County, Virginia find it desirable and in the public interest to identify and make widely known to all the unique and exceptional attributes of the Dan River; and

WHEREAS, on June 16-18, 2014 the Virginia Department of Conservation and Recreation (DCR) inspected and evaluated a 38.6 mile segment of the Dan River beginning from the Virginia/North Carolina state line in Halifax County and ending at the river's confluence with Aaron's Creek for the purpose of designating this portion of the Dan River as a Scenic River pursuant to the Act; and

WHEREAS, upon finding and conclusion of DCR staff, it has been determined that the above identified segment of the Dan River traversing the localities of Halifax County, Pittsylvania County, and the Town of South Boston, Virginia qualifies for Scenic River designation; and

WHEREAS, the Town of South Boston desires to support and participate in the pursuit of state legislation that will result in formal Scenic River designation of this segment of the Dan River.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Town of South Boston, Virginia, that it does hereby support and request the designation of the above described segment of the Dan River as a Virginia Scenic River; and

BE IT FURTHER RESOLVED, that the Council of the Town of South Boston, Virginia, does hereby authorize and direct the Town Manager to seek state legislative support for this initiative and to take any other necessary actions to have this designation codified by the General Assembly of the State of Virginia.

Adopted this 8th day of September, 2014.

Edward Owens

Mayor Edward Owens

455 Ferry Street
South Boston, Virginia 24592
Telephone: 434.572.4200
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DAN RIVER REPORT

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
SCENIC RIVER DESIGNATION – DAN RIVER

RESOLUTION
2014-09-02

VIRGINIA: At the regular meeting of the Pittsylvania County Board of Supervisors on Tuesday, September 02, 2014 in the General District Courtroom of the Edwin R. Shields Courthouse Addition, the following resolution was presented and adopted:

WHEREAS, the Virginia Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 for the purpose of identification, protection, and preservation of certain rivers, or sections of rivers, which possess high quality natural beauty; and

WHEREAS, the Virginia Department of Conservation and Recreation has been charged with administering the Scenic Rivers Program and developing an objective evaluation process to judge the suitability of river segments; and

WHEREAS, elected officials and staff from Halifax County and the Town of South Boston requested that the Virginia Department of Conservation and Recreation evaluate the portion of the Dan River located within Halifax County and the Town of South Boston, including a very small portion located in Pittsylvania County, and determine its eligibility for Scenic River designation; and

WHEREAS, the Virginia Department of Conservation and Recreation completed its evaluation and determined that the 38.6 mile segment of the Dan River under review was found to qualify as a Virginia Scenic River; then

THEREFORE, BE IT RESOLVED, that the Pittsylvania County Board of Supervisors does hereby support the designation of the 38.6 mile segment of the Dan River from the North Carolina state line in Halifax County to its confluence with Aarons Creek, including the small portion within Pittsylvania County, as a Virginia Scenic River, conditioned on approval and support by the governing bodies of Halifax County and the Town of South Boston; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Pittsylvania County will contact our General Assembly representatives to request that they serve as patrons for the legislation that will codify the Scenic River designation.

Given under my hand this 2nd day of September, 2014.

Jessie L. Barksdale, Chairman
Pittsylvania County Board of Supervisors

Clarence Monday, Clerk
Pittsylvania County Board of Supervisors

DAN RIVER REPORT

Agency Comments:

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

November 25, 2014

Ms. Lynn Crump, RLA
Environmental Programs Planner
DCR - Division of Planning and Recreation Resources
600 E. Main Street; 17th Floor
Richmond VA 23219

RE: Proposed Scenic River Designations – Clinch and Dan Rivers

Dear Ms. Crump:

Thank you for requesting input from the State Water Control Board (Board) on two Scenic River designation proposals for portions of the Dan and Clinch Rivers, per a November 10, 2014 email from Robbie Rhur in your Department. DEQ has reviewed the reports and DEQ files on the two proposals. Our files indicate the following:

- **Dan River:** The Dan River proposal is in Halifax County from the North Carolina state line to the confluence of Aarons Creek, a distance of approximately 38.6 miles, and is identified as Sections 2 and 2a of the Roanoke Basin in the VA Water Quality Standards Regulation (9VAC25-260-450). Section 2a is the Potable Water Supply (PWS) for the Town of South Boston. It is not anticipated this PWS designation will impact the proposal for Scenic River status.

  Contrary to the statement on page 15 of the Dan River Report ("*fully supports aquatic life, wildlife, and recreational uses*"), this stretch of the river is impaired for the recreational use due to exceedance of bacteria water quality standards. In addition, the VA Department of Health has issued fish consumption advisories due to PCB and mercury contamination in this section of the Dan River.

  There is one VPDES municipal discharge to the proposed Scenic River section in the Town of South Boston (Maple Ave WWTP – VA0020362); there are no known issues with existing VPDES for this proposed Scenic River designation.

- **Clinch River:** The Clinch River proposal is from State Route 693 in Tazewell County through the towns of Richlands and Cedar Bluff to the Tazewell/Russell County line, a

DAN RIVER REPORT

distance of approximately 30.3 miles, and is identified as Sections 2, 2b, and 2c of the Tennessee and Big Sandy River Basins (Clinch River Subbasin) in the VA Water Quality Standards Regulation (9VAC25-260-500). Section 2b is the Potable Water Supply (PWS) for the Raven-Doran area and Town of Richlands. Section 2c is the PWS for the Town of Tazewell. It is not anticipated these PWS designations will impact the proposal for Scenic River status.

The Scenic River report correctly states there are recreational use impairments in the proposed section.

There is one VPDES municipal discharge to the proposed Scenic River section in Richlands (Richlands Regional WWTF – VA0021199); there are no known issues with existing VPDES for this proposed Scenic River designation.

Based on the reports and the above information, General Assembly designation of the proposed sections of the Dan and Clinch Rivers as Scenic Rivers will not impact existing Board programs. Therefore, DEQ, acting on behalf of the Board, has no comment on the proposed designations.

Sincerely,

Melanie D. Davenport
Water Division Director

C: Elleanore Daub – DEQ/Water Permits
David Whitehurst – DEQ/WQ Standards
Cindy Berndt – DEQ/Policy
Robert Weld – DEQ/BRRO Reg. Dir.
Allan Newman – DEQ/SWRO Reg. Dir.

2

DAN RIVER REPORT

From: Kennedy, John (DEQ)
Sent: Monday, November 17, 2014 4:27 PM
To: Crump, Lynn (DCR)
Subject: FW: 2014 Scenic Rivers

I forwarded the earlier versions you sent to other DEQ staff for review and comment, particularly in regards to WQ Standards, WQ Assessment status, etc.

Since I'm DEQ's POC of the coal ash spill, I took a look at the summary on the spill event. Attached are my comments/edits on that section.

Hope to have a response from the other staff within a week or two and will forward anything else that comes up.

Thanks, JMK

John Kennedy (DEQ) edits:

"The Dan River fully supports aquatic life, potable water supply and wildlife uses. An "impaired" designation for the recreation use applies to the section of the Dan River from the City of Danville to the Kerr Reservoir headwaters due to bacterial contamination. VDH has issued fish consumption advisories in the same river section due to legacy PCB and mercury contamination. In February 2014, an estimated 39,000 tons of coal ash and 27 million gallons of contaminated water spilled into the Dan River from Duke Energy's retired Dan River Power Station near Eden, North Carolina, which is upstream of the study area. Duke Energy completed ash recovery work at 3 sites along the Dan River in July 2014 in accordance to EPA standards. Additional recovery sites may be identified in the future if coal ash accumulates in sufficient quantities to justify dredging, in accordance with a risk-evaluation protocol ordered by EPA. A Natural Resources Damage Assessment is now underway, coordinated by the U.S. Fish and Wildlife Service along with VA DEQ and NC Dept. of the Environment and Natural Resources."

DAN RIVER REPORT

Appendix C

Proposed Legislation for the amendment of the *Code of Virginia* by adding in Chapter 4 of Title 10.1 a section number 10.1-413.3 as follows:

§ l0.l-413.3. Dan State Scenic River.

A. The Dan River from Berry Hill Road at Route 880 in Pittsylvania County to the downstream property boundary of Abreu/Grogan Park in Danville, a distance of approximately 15 miles, and the section from the North Carolina line in Halifax County to the confluence of Aarons Creek, a distance of approximately 38.6 miles, are hereby designated a component of the Virginia Scenic Rivers System.

B. Nothing in this section shall preclude the Commonwealth or a local governing body from constructing, reconstructing, operating, or performing necessary maintenance on any road or bridge in the designated area.

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[i] Calder Loth (ed.). (1999). *The Virginia Landmarks Register* (4th edition).: Charlottesville, VA: Virginia Department of Historic Resources.
[ii] Calder Loth (ed.). (1999). *The Virginia Landmarks Register* (4th edition).: Charlottesville, VA: Virginia Department of Historic Resources.
[iii] Calder Loth (ed.). (1999). *The Virginia Landmarks Register* (4th edition).: Charlottesville, VA: Virginia Department of Historic Resources.
[iv] Duke Energy (n.d.). Dan River Response: Important Information. Retrieved from http://www.duke-energy.com/dan-river/

APPENDIX

The following pages make up the two worksheets used for this project. The worksheets are produced by DCR. The worksheets include Scenic River criteria definitions and the criteria scoring guide.

EVALUATION CRITERIA DEFINITIONS

EVALUATION CRITERIA

The Code of Virginia defines 'Scenic Rivers' [10.1-400] as those rivers that have "… superior natural and scenic beauty, fish and wildlife, and historic, recreational, geologic, cultural and other aesthetics." If a stream meets the minimum criteria necessary for a field study, it is fully evaluated and ranked according to relative uniqueness or quality. Minimum river segment criteria is defined as being a minimum of five (5) miles in length, having definable termini, and being accessible for evaluation.

Each river, or river segment, is evaluated and rated on fourteen different factors from which a cumulative score is derived. This score must meet a minimum rating score to be designated. Each factor was selected because of its ability to enhance the scenic experience and its contribution the overall quality of the resource.

Factors and description:

1. Stream Corridor Vegetation

Research has shown that the wider the undisturbed riverbank buffers the more dramatically the reduction in pollution run-off, which protects water quality. Tree canopies that shade the water and reduce water temperatures creating healthy habitats for fish and wildlife, these environments enhance the score for river sections. Agricultural lands and clear-cut forests are one of the greatest contributors of siltation, erosion and river pollution. Consequently, the farther back from the river's edge the less impact these will have on any given river. These two significant attributes, wide buffers and tree canopies, naturally forested river banks are significantly weighted criteria.

2. Streambed and/or stream flow modifications

It is the intention of the Scenic River Program to keep designated rivers in a native/ natural state. To this end, *significant channelization, or* impoundments of any kind negatively impact the scenic quality of the river. In some cases designated sections end at a significant impoundment, in order to preserve the quality of the designated river section.

3. Human development of visual corridor
   A. City or Town Related
   B. Rural Development

Much of human development is in random and poorly thought out patterns, which have a negative effect on the scenic viewshed from rivers. Each survey is conducted when foliage is in full leaf, when the total visual impact of unsightly development is diminished and recreationalists are using the river. Development impacts on the river are scored in two parts. The first focuses on development related to the concentration of buildings in the more urban areas, as they are observed from the river. The second is for those more rural areas, where single residences or groupings are seen as separate individual units or clusters. [NOTE- a cluster is defined as up to five dwelling or other structures located immediately adjacent to one another.] Higher scores are a result of having no urban development and no visible buildings.

4. Historic Features

Rivers throughout Virginia were the primary transportation corridors from early on in the history of this country. Accordingly, consideration of the historical aspects of the river is critical. Historic features *and sites* are recognized in the original legislation. **Bonus points** are given for *visible* historic sites that are on state or national historic lists *within 1000 feet of the river.* Note these are not eligible sites, but ones already designated.

EVALUATION CRITERIA DEFINITIONS

EVALUATION CRITERIA

5. Landscape
   A. Diversity
   B. Views

When the term 'scenic' is used, it is most frequently applied to the natural environment or landscape. Here two specific scenic attributes, diversity and views, are identified and considered for scoring along the proposed river section. As supported by research, the first attribute, diversity, shows that the more diverse the visual landscape, the more appealing it is to the observer. Longer and grander views are also considered a scenic quality as seen from the river corridor, making the corridor itself more appealing.

6. Qualify of Fishery

Fish and wildlife assets along a scenic river are important because of their intrinsic and recreational value. The quality of fish in a river corridor is based on the abundance of recreational varieties, the number of varieties, the uniqueness of the varieties of the fish population, and the opportunities along the river for legal fishing.

7. Additional Natural Features

This section refers to the wildlife and plants along the corridor. Data from the Natural Heritage Data is used to identify species of statewide or greater significance that are present along the corridor. Additional points can be received for the presence of plant and animal species natural features within 1000 feet of the river.

8. Water Quality

Water Quality is generally considered to be related to the chemical or other pollution levels. Since most of the rivers in the state are already under observation for chemical and biological impacts, for the purposes of this evaluation, the appearance of the water and its banks is more significant. The evaluation is based on the visible turbidity or siltation and the amount of litter in and adjacent to the river corridor.

9. Parallel Roads

Part of the designation of scenic rivers is to look at the perceived remoteness of the river corridor, as studied when trees are in full leaf. Since many of Virginia's rivers were major transportation routes, roads often followed the river routes. Consequently, many miles of riverbanks hold parallel roads and railroads. The more industrial a corridor, the less likely it is to become a Scenic River. How *visible* the roads are is key to a high rating for the Parallel Roads criteria.

10. Crossings

Many developed river corridors have bridges throughout the river extent to accommodate easier road or railroad construction. Historic bridges or bridges at the beginning or end of the proposed river segment are not counted in the scoring. Crossings refer to roads, railroads, telephone lines, powerlines, and any other man-made structure that crossed over the river. Pipelines and other crossings that go under the riverbed, and are not seen from the river, are not counted in the scoring.

EVALUATION CRITERIA DEFINITIONS

EVALUATION CRITERIA

11. Special Features Affecting the Aesthetics

Unique or interesting in-stream rock formations
Culturally significant sites (mills, covered bridges, navigation structures, etc.)
Islands
Rapids
Waterfalls or cascades
Primitive areas (e.g. swamps, mature forests, etc.)
Bluffs, cliff, rock outcrops
Special geological features
Remoteness or isolation

The purpose of this category is to list all the stream and corridor features, which singly or in combination make the river resource visually attractive. The reviewer(s) can check as many of the special features as appropriate. A brief explanation of the identified features is required.

12. Overall Aesthetic Appeal

An overall Aesthetic Appeal rating considers all of the special features and then a score is applied based on a low to exceptional ranking. Exceptional ranking is one where there are many features, a lot of diversity and extreme or dramatic contrasts and features.

13. Public Recreational Access

Public Boat/Canoe/ Kayak Launch or public use trail along corridor
Informal Public Launch Site; e.g., bridge crossing, adjacent road
Private access site available to public
No public access

Having public access for field investigations, especially, is beneficial to the consideration of an asset that will benefit the Commonwealth. The access opportunities listed above are rated depending on the amount of public access associated with each one. During the evaluation the reviewers will also record specific types of water-based recreation that occur on segment under evaluation, such as boating, fishing, swimming, tubing, and body surfing.

14. Significant Permanent Protection

With the increase in attention to land conservation and the fact that many of the conservation easements look to see if properties are adjacent to designated scenic rivers, the Scenic River Advisory Board added special recognition for significant permanent protection of 25% or more land adjacent to evaluated segment; i.e., conservation easement, protected public land, or other permanent protection.

The ultimate score must be 214 or higher based on the total possible score of 385 to qualify for Scenic River Designation.

EVALUATION CRITERIA SCORECARD

River _____ Section: _____ Date: _____

EVALUATION CRITERIA

If a stream meets the minimum criteria necessary for field study, it is fully evaluated and ranked according to relative uniqueness or quality. Each river or river segment is evaluated or rated on eleven different factors from which a cumulative score is derived.

1. Stream Corridor Vegetation

   0 Points – Natural vegetation within view from the river is more than 75% disturbed by grazing, cropland, timbering, etc.

   10 Points – Natural vegetation is 50-75% disturbed

   20 Points – Natural vegetation is 25-50% disturbed

   30 Points – Natural vegetation is 15-25% disturbed

   40 Points – Natural vegetation is less than 15% disturbed

   Describe and estimate as closely as possible the amount of each type of disturbance.

   _____ % of shoreline timbered with less than 100'

   _____ % of visual corridor timbered with more than 100" buffer

   _____ % of visual corridor in pasture

   _____ % of visual corridor in cropland

2. Streambed and/or stream flow modifications

   10 Points – Between 1 and 5% of the segment being evaluated is impounded or channelized

   20 Points – No impoundment or channelization present

3. Human development of visual corridor

   Evaluation should be conducted when foliage is in full leaf.

   A. City or Town Related

   0 Points – More than 10% of visual corridor is devoted to residential, industrial or commercial uses (not including agricultural or recreational developments).

   5 Points – Between 5 and 10% of visual corridor is devoted to residential, industrial, or commercial uses (not including agricultural or recreational development).

   15 Points – No urban development

   B. Rural Development

   0 Points – An average of two or more houses, cabins, barns, industrial buildings or clusters* per mile of river evaluated.

   5 Points – An average of 1.1 to 1.9 houses, cabins, barns, industrial buildings or clusters* per mile of river evaluated.

   10 Points – An average of .5 to 1 house, cabins, barns, industrial buildings or clusters* per mile of river evaluated.

   15 Points – From 0 to .5 houses, cabins, barns, industrial buildings or clusters* per mile of river evaluated.

   *A cluster is defined as up to five dwellings or other structures located immediately adjacent to one another.

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EVALUATION CRITERIA SCORECARD

River _____ Section: _____ Date: _____

4. Historic Features

0 Points – No known historical significances.

10 Points – Historic sites or structures of state significance within 1,000 feet of river.

20 Points – Historic sites or structures of national significance within 1,000 feet of river.

NOTE: Ten bonus points available for each site or structure of state or national significance that is visible from the river. Maximum 30 points.

5. Landscape

A. Diversity

0 Points – Little diversity – few changes in scenery.

10 Points – Moderate diversity – fair number of natural features visible.

15 Points – High diversity of corridor features (e.g. cliffs, mountains, gorges, vegetative canopies, winding course).

B. Views

0 Points – Low range of views – foreground only.

5 Points – Medium range of views – foreground and middle ground

10 Points – High range of views – background of several miles.

15 Points – Exceptional grandeur – frequent, with wide range of views.

6. Qualify of Fishery

0 Points – Game fish population low to nonexistent, abundance of trash fish.

10 Points – Game fish populations moderate. Good fishing opportunities.

20 Points – Game fish populations excellent. Prime fishing opportunities.

30 Points – Nationally significant fishery.

7. Additional Natural Features Additional Natural Features

Ten bonus points for each occurrence, within 1,000 feet of the river, of a natural feature which is of statewide or greater significance. Maximum of 40 points

8. Water Quality

10 Points – Periodic visible pollution or chronically muddy or turbid

20 Points – Visible pollution rare: turbid or muddy during less than one-third of the six warm season months (May through October)

30 Points – No visible pollution; turbid or muddy only after heavy rains, after which the water clears rapidly.

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EVALUATION CRITERIA SCORECARD

River _____ Section: _____ Date: _____

9. Parallel Roads

10 Points – Up to five miles of parallel road per 10 miles of stream.

20 Points – Up to a total of one mile of state or county road per 10 miles or river.

30 Points – Up to a total of three-fourths of a mile of parallel county road within 300 feet.

NOTE: Paralleling roads, including railroads, are evaluated by their effect on the aesthetics of a stream, as viewed by the stream users. Roads may be excepted if traffic is inaudible and invisible from the river. Highly objectionable roads more than 1,000 feet from a stream may reduce ratings in individual cases.

10. Crossings

15 Points – An Average of .3 to.4 crossings per mile of river

20 Points – An average of .1 to.3 crossing per mile of river

30 Points – Less than .1 crossing per mile of river

NOTE: Covered bridges, foot bridges and fords may be excepted as crossings, if, in the judgment of the raters, they do not seriously impair the visual quality of the stream area. Bridges at beginning and end of study segment are not counted in the total number of crossings.

11. Special Features Affecting the Aesthetics

The purpose of this category is to list those stream and corridor features which singly or in combination make a resource physically attractive. Check as many as appropriate and place comments explaining your rating at the end of the section.

[ ] Unique or interesting in-stream rock formations
[ ] Culturally significant sites (e.g. mills, covered bridges, navigation structures, etc.)
[ ] Islands
[ ] Rapids
[ ] Waterfalls or cascades
[ ] Primitive areas (e.g. swamps, mature forests, etc.0
[ ] Bluffs, cliff, rock outcrops
[ ] Special geological features
[ ] Remoteness or isolation
[ ] Other (explain) _____

_____

12. **OVERALL AESTHETIC APPEAL**

10 Points - Low

20 Points - Medium

30 Points - High

40 Points - Exceptional

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EVALUATION CRITERIA SCORECARD

River _____ Section: _____ Date: _____

13. Public Recreational Access

10 Points – Public Boat/Canoe/ Kayak Launch or public use trail along corridor

6 Points – Informal Public Launch Site; e.g., bridge crossing, adjacent road

4 Points – Private access site available to public

0 Points – No public access

NOTE: During evaluation, please check specific types of water-based recreation that occur on segment under evaluation. Boating ( ) Fishing ( ) Swimming ( ) Tubing ( ) Body surfing ( )

14. Significant Permanent Protection

NOTE: Special recognition for significant permanent protection of land adjacent to evaluated segment; i.e., conservation easement, protected public land, or other permanent protection.

5 Points – 25% or more of corridor protected through easement or other permanent measure –

TOTAL POSSIBLE SCORE – 385 Points

TOTAL SCORE _____

NOTES/ COMMENTS:

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