

**Virginia Scenic River Board
Thursday, September 23, 2004
Leesburg, Virginia**

Virginia Scenic River Board Members Present

Richard G. Gibbons, Chairman
Dr. Ralph Hambrick
Mark Merhige
Richard B. Taylor

Donald O. "Spec" Campen, Jr.
Patricia A. Jackson
Mary Lily Nuckolls

Virginia Scenic River Board Members Not Present

James A.L. Daniel
Ralph L. Moore
Christopher B. Rivers
Porcher L. Taylor, Jr.

Henry R. Broaddus
Cardell C. Patillo, Sr.
Gordon Shelton

Staff Present

Joseph H. Maroon
John R. Davy

Lynn Crump
David C. Dowling

Others Present

Tim Jon, Wage Radio
Darrell Schwahn, Loudoun Watershed Watch
Anne Larson, Catoctin Watershed
Eugene Delgaudio, Board of Supervisors
Dennis J. Humenik, Past Chair, Goose Creek SRAB
Adrienn Marra, Virginia Senate
David Ward, Loudoun Watershed Watch
Alison Teeter, Clark County Planning
Otto Gutenson, Loudoun Watershed Watch
Bill Hudspeth, Goose Creek Scenic River Advisory Committee
Ben Lawrence, Goose Creek Scenic River Advisory Committee
Fred McIntosh, Goose Creek Scenic River Advisory Committee
Joan Rokus, Goose Creek Scenic River Advisory Committee
Helen E. Casey, Chairman, Goose Creek Scenic River Advisory Committee
Kirk Ericson, Goose Creek Scenic River Advisory Committee

Chairman Gibbons called the meeting to order and noted that a quorum was not present.

He asked members and guests to introduce themselves.

Approval of Minutes of April 22, 2004

MOTION: Dr. Hambrick moved that the minutes of April 22, 2004 be approved as submitted.

SECOND: Mr. Taylor.

DISCUSSION: None.

VOTE: Motion carried.

Director's Report

Mr. Maroon thanked members for coming to the meeting. He extended a special note of thanks to Helen Casey for hosting the meeting and for her representation of the scenic rivers in Richmond. He noted that Mrs. Casey, as well as Dr. Hambrick, was most helpful in the formation of the Virginia Scenic River Board.

Mr. Maroon noted that the Virginia Scenic River Board was created as the legislature was seeking to streamline state government and consolidate or eliminate as many boards as possible. The solution was for the formation of the Virginia Scenic River Board and for the process to also allow the formation of local scenic river committees.

There are many water issues being addressed in the Commonwealth at this time. Those initiatives deal with the clean up of the Bay, individual tributary strategies and more.

The Chesapeake Bay program is faced with the daunting task of trying to get 92 percent of agricultural and in some kind of conservation practice. Seventy-four percent of urban areas need some form of treatment.

He noted that last year the Governor's leadership carried a bill that dealt with better management of stormwater throughout the commonwealth.

As of July 1, the Chesapeake Bay Local Assistance Department merged with DCR and became the Division of Chesapeake Bay Local Assistance.

Dam Safety is also the responsibility of the Department of Conservation and Recreation. New regulations expanded the number of dams for which the agency is responsible from 500 to well over 1,400.

DCR also manages the state park system. The Virginia State Park system has been recognized as the number one state park system in the country. Funding continues to be an issue.

Mr. Maroon called on John Davy to brief the board on additional issues.

Mr. Davy reviewed the following river initiatives currently being undertaken in Virginia.

Meherrin River in Brunswick County

The Brunswick County Board of Supervisors has recently passed a resolution asking DCR to conduct a Scenic River Study of the entire length of the Meherrin River in Brunswick County. The River is approximately 35 miles long in the county. The study will be conducted this fall if weather permits.

New River Wild and Scenic River Study

The National Park Service is conducting a study to determine if the New River within the Bluestone Reservoir Project area should be designated as a component of the National Wild and Scenic River System. It has been found to qualify for designation as a National Scenic River. This will include 7 miles in Virginia and 14 miles in West Virginia. The final report is being prepared for submission to the Secretary of Interior.

New River Blueway

The states of Virginia, North Carolina and West Virginia have been working independently for years to provide access and public use areas along the New River in their respective states. DCR is now undertaking a three-state effort to present the New River as a continuous 240-mile long canoe trail beginning at the headwaters spring in North Carolina and ending at the Gaulley Bridge in West Virginia. We are working with National Geographic's Trails Illustrated to prepare maps and trip guides for the trail and its related lands.

Shenandoah River Blueway

DCR is working with Rockingham County and the Towns of Elton and Shenandoah to develop a Shenandoah River Guide for the South Fork Shenandoah River from Port Republic to the Town of Shenandoah. The guide will include a map of the river showing accesses, use areas, historic and geologic points of interest, and hazard areas and how to traverse them. Trip planning and tourism support information will also be provided.

Rappahannock River Blueway

The Friends of the Rappahannock River are developing a Rappahannock River Canoeing Guide as a Chesapeake Bay Gateway project with support from DCR. The guide will describe the river from Kelly's Ford through the City of Fredericksburg.

Lower James River Guide

The James River Association with support from DCR has recently completed a Guide to the Lower James River. The 110-mile long map series starts in Richmond and ends at Hampton Roads. The Guide provides navigation, access and public use information as

well as interesting information about the historic, cultural and natural resources of the James River and it's environs.

Occoquan River Canoe Trail

The Northern Virginia Regional Park Authority has recently completed an Occoquan River Canoe Trail Guide. The trail runs from Bull Run Regional Park to Mason Neck State Park on Occoquan Bay on the Potomac River.

Ms. Crump gave an overview of the Southside Virginia Rails to Trails Workshop to be held on November 5 at Southside Community College in Keysville. She also gave an overview of the Virginia Greenways and Trails conference to be held in Richmond on May 1-4.

Mr. Davy noted that the department will be kicking off the development of the 2007 Virginia Outdoors Plan in the fall of 2005.

MOTION: Ms. Nuckolls moved that the Board formally endorse the selection of the New River as a National Scenic River as it is being studied in Giles County.

SECOND: Mr. Taylor

DISCUSSION: None.

VOTE: Motion carried unanimously.

Mr. Taylor asked if the Occoquan was under consideration to be studied as a scenic river. Mr. Davy said there were no plans for such a study.

Mr. Maroon asked Mr. Dowling to give an update regarding signage issues for State Scenic Rivers.

Mr. Dowling said that the Secretary of Transportation and VDOT have approached DCR concerning the issue of natural resources signage as part of their overall signage policy. They would like to make Natural Resource signage a priority for such areas as natural heritage, watersheds and scenic rivers.

The highway maps were compared with GIS maps to determine the number of bridges crossings. VDOT has shown an interest in allowing DCR to proceed.

Mr. Maroon noted that one issue of concern is who pays for the signage. But he noted that consideration by VDOT of the signage was a positive move.

MOTION: Mr. Campen moved that the Virginia Scenic River Board express appreciation to and comment VDOT for their willingness to address this issue.

SECOND: Dr. Hambrick

DISCUSSION: None.

VOTE: Motion carried.

Scenic River Committee Reports

Mr. Gibbons said that the Board would hear from the two established Scenic River committees as well as two managed rivers without formal committees. He noted that in his experience citizen advisory boards have been tremendously useful and helpful.

Historic Falls of the James

Dr. Hambrick gave a review of the activities of the Historic Falls of the James Scenic River Advisory Committee.

He noted that the committee has been working with the Planning Commission regarding the revision of the downtown plan. The committee had substantial input particularly regarding the public access to the river. Most of the committee recommendations were incorporated into the plan. The plan was approved by the Planning Commission and will go to City Council.

The committee has urged the Planning Commission to look at the river as a whole entity rather than in segments.

The committee has been working on developing a white water boating takeout in the downtown area. This has been difficult due to property ownership and other issues.

The committee has a GIS volunteer who will be working to develop some work on a viewshed study and an overall look at the river. The committee also wants to do an island ownership study.

The committee contacted all candidates for City Council and provided a history of the committee and the mandates.

Goose Creek

Mrs. Casey gave a report of the activities of the Goose Creek Scenic River Advisory Committee.

The committee has worked hard to mitigate the progress created by land development around the county. Loudoun County is the second fastest growing county in the country. This brings a great deal of pressure regarding the land along the Goose Creek.

One of the earliest things the committee did was to meet with those individuals developing land along the creek. Early on a 300 ft. easement set back was established.

The committee has worked with developers early in the process and encouraged them to protect the creek as it is in their interest as well. Every property the committee has worked with over 20 years has created that easement. The easement is fairly solid on Route 7 north to the Potomac River on both sides of the creek.

The committee worked with Luckstone regarding their quarry. They asked Luckstone to dedicate the quarry as a permanent water source and Luckstone agreed. Luckstone is noted for their environmental sensitivity.

Mrs. Casey provided the members with an overview of the history of Cotton Bridge.

The committee has also worked with the regional parks authority regarding an historic Potomac area trail.

Shenandoah River

Alison Teeter, Clark County Planning Commission, gave an overview of the activities along the Shenandoah River.

Ms. Teeter expressed regrets from Mr. Fred Nagelvordt that he was unable to attend the meeting.

The Shenandoah River is designated a scenic river along a twenty-two mile stretch where the river flows through Clarke County.

The former advisory board and the Friends of the Shenandoah work closely to encourage conservation easements. About 7 miles of the riverfront is protected by scenic easements. Most of Clarke County is rural.

Ms. Teeter noted that Clarke County does not share the development issues with Loudoun. Most of the issues in Clarke County deal with access to the river. There is a lot of recreational use of the river however, there are no river outfitters in Clarke County.

A regional recreation board meets along with the Northern Valley Regional Planning Commission.

Friends of the Shenandoah are very active in monitoring and have been collecting data for more than 20 years. The highest pollution for the river comes from agriculture runoff.

The planning department has a water resources management plan. They have tried to adopt a 100 ft. setback. The most protective effort is within the flood plain. The county has a strict septic ordinance. No septic system is allowed within the 10 year flood zone.

Catoctin Creek

Anne Larson and Darrel Schwan gave an overview of the activities on Catoctin Creek.

The Catoctin Creek is located in the northern part of Loudoun County. The area is surrounded by Maryland on the other side of the Potomac River.

The Catoctin Scenic River Advisory Board was non-functional for several years. Ms. Larson noted she was not a member, but has an interest as a riparian landowner.

The county recently did a study of the creek. The study report is available on the Internet.

Ms. Larson and her family continue to do stream monitoring. While currently they are not funded to do the monitoring, they previously received a grant from the Soil and Water Conservation District.

Ms. Larson and others participate in cleanup projects around the creek. They win an annual award from "Keep Loudoun Beautiful."

Mr. Schwan noted that he was with the Loudoun Watershed Watch as well as the Loudoun Wildlife Conservancy. These are two citizen groups concerned about protecting habitats and water resources as well as restoring water quality. Mr. Schwan gave a presentation on the status of Catoctin Creek.

Catoctin Creek Background

- Drains almost 100 sq. miles of the northwest quadrant of Loudoun County
- Divided into the North and South Forces and mainstem.
- Major tributary is Milltown Creek
- Towns in watershed include Hillsboro, Purcellville, Hamilton, Lovettsville and Waterford.

1st Threat to Catoctin Creek – No Watershed Plan

- No watershed management plan to guide landuse decision-making
- No public parks, hiking trails, or canoe landings for public access to scenic portion of Catoctin Creek
- Public and political leaders generally unaware of scenic beauty and public recreational value on this water resource

Recreational Value

- Steep rocky bluffs, riffles and narrows, and quiet pastoral scenes provide a popular destination for kayaking and canoeing, and a valuable recreational resource.

2nd Threat to Catoctin Creek – Poor Water Quality

- Three fecal bacteria impairments
 - 7.4 miles of scenic mainstem
 - 17.26 miles of South Fork Catoctin (entire length)
 - 10.53 miles of North Fork Catoctin
- Nonpoint Sources (NPS) primarily agriculture
- Aquatic life impairment in SF Catoctin due to stormwater runoff from Purcellville area

Change in Attitudes Needed to Restore Buffers

- Local government has been unable to effectively protect stream riparian buffers, floodplains and steep slopes.

Controlling Nonpoint Pollution is a Challenge

- Local government unable to effectively manage impervious surfaces and stormwater
 - Impervious surfaces cause pollution and erosion
 - Cleared riparian buffer and discharge in stream

3rd Threat to Catoctin Creek – Citizen Involvement Not Supported

- Local watershed groups excluded from pollution control (TMDL) funding by DCR:
 - Proposed monitoring plan not funded
 - Proposed educational plan not funded
 - TMDL funding provided only to state agency
- No funding for local watershed management planning

Citizens Have Monitoring Experience in Catoctin

- Loudoun Wildlife Conservancy has monitored in the Catoctin Watershed since 1997.

4th Threat to Catoctin Creek – DEQ May Change Recreational Use Designation

- If pollution control is unsuccessful
 - DEQ has authority to change recreational designation from primary to secondary use
 - Secondary use allows 5x more pollution and excludes body contact such as swimming
 - Secondary use reduces need to protect riparian buffers, floodplains, and steep slopes

What is Needed from DCR

- Support for public parks and trails along Catoctin Creek so the public will value the resource
- Support for citizen groups and community organizations to play partnership role in watershed stewardship and water pollution control
- Improved regulatory tools to help control nonpoint pollution rather than complete reliance on voluntary implementation
- Support for local watershed management planning to better implement water pollution, nutrient and sediment controls for the Chesapeake Bay.

Mr. Maroon noted that regarding TMDLs, Mr. Schwan was correct that the state has put little money into implementation. The vast amount has gone to the development of the plan. What implementation money there is has come through federal grants.

New Business

Mr. Maroon noted that there were three matters to be brought to the attention of the Board.

Meherrin River in Brunswick

The Brunswick County Board of Supervisors has recently passed a resolution asking DCR to conduct a Scenic River study of the entire Meherrin River in Brunswick County. The River is approximately 35 miles long in the County. The study will be conducted in the fall if the weather permits.

Mr. Maroon noted that the process requires legislative action to designate a particular river or extension of a river as a scenic river. The law now allows the Scenic River Board to make recommendations as to whether the segment should be included.

Dr. Hambrick noted that he thought the Board should play a role in the designation of rivers and asked if there was a systematic plan.

Mr. Maroon noted that at this time DCR work on scenic rivers is largely just reactive due to staff limitations.

Dr. Hambrick said it would be helpful to have a broader vision of what the Board should become.

Mr. Gibbons said it would be helpful to have the future vision of scenic rivers program included in the next Virginia Outdoors Plan.

Rappahannock River

The County of Stafford Utilities Department asked DCR to comment on the intake from the Rappahannock River for the Rocky Pen Run Reservoir. Three intake alternatives were provided for comment. It is the position of DCR that the first alternative that creates an island would be the best from an aesthetic stance on the designated scenic river.

Ms. Crump noted that the structure has already been approved by the State Water Control Board, VMRC and the Army Corps of Engineers.

MOTION: Mr. Campen moved that the Virginia Scenic River Board endorse the DCR staff recommendation for the selected planned development on the Rappahannock River as presented by staff.

SECOND: Mr. Taylor.

DISCUSSION: None.

VOTE: Motion carried.

Rivanna Water and Sewer Authority

The Rivanna Water and Sewer Authority is in the planning stages of developing alternatives for expansion of their capacity to meet their water demands for 2055 and has asked for DCR input. Currently there are 23 alternatives being considered, including several that have a combination of sub-alternatives. Some of the alternatives affect the Moormans River, a designated scenic river, and the Mechums River, a potential scenic river. Many of the alternatives also will have an impact on the Rivanna River, portions of which are designated as a scenic river. Since there are so many alternatives being presented, staff will be providing comments that request avoidance of alternatives that will impact the Moormans and the Rivanna Rivers. The Moormans River has a relatively small watershed and is therefore vulnerable to impacts due to low flow conditions, especially for recreational boating. The impacts to the Rivanna are less significant, but low flow levels during the prime recreational boating season can limit use of the river. DCR will also suggest that because the Mechums River qualifies for scenic river designation, that they should avoid alternatives that would cause the Mechums to lose its qualifications for designation.

Public Comment

Mrs. Casey expressed appreciation for the support of the Catoctin Group.

Next Meeting Date

Mr. Gibbons noted that it would be difficult to schedule a meeting prior to the General Assembly session.

Adjourn

There being no further business the meeting was adjourned.

Respectfully submitted.

Richard G. Gibbons
Chairman

Joseph H. Maroon
Recording Secretary