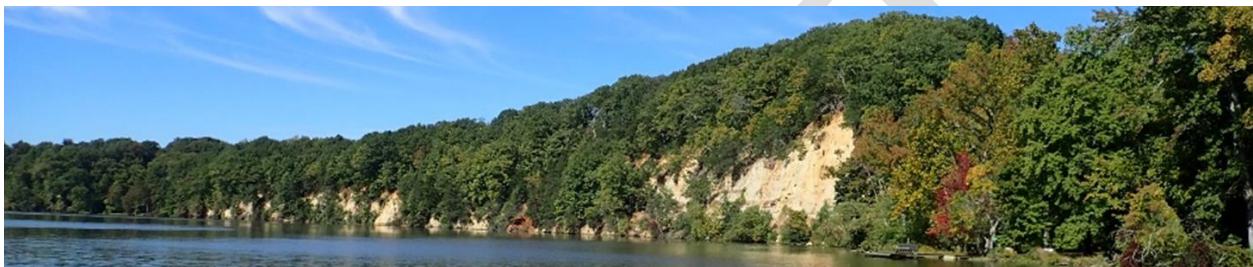




DCR interoffice MEMORANDUM

To: Kelly McClary
From: Lynn Crump
Date: January 20, 2021
Subject: Extension of the Rappahannock River Scenic River Designation



In 1985 and 1990, segments of the Rappahannock River in Rappahannock, Fauquier, Culpeper, Stafford, and Spotsylvania Counties, and the City of Fredericksburg, were designated as a Virginia Scenic River. Specifically, the designated segment is from the headwaters at Chester Gap to the Maysfield Bridge, Route 3, a distance of approximately 86 miles.

In 2020, the counties of Caroline, King George, Spotsylvania, Stafford, Richmond, Essex, Westmoreland and Lancaster Counties, and the City of Fredericksburg, requested extension of the Rappahannock River from the Maysfield Bridge, Route 3, downstream to the Chesapeake Bay for possible Scenic River designation.

In October of 2020 over the course of three different trips, an evaluation was completed by staff from the Department of Conservation and Recreation (DCR) and Friends of the Rappahannock (FoR). The first section studied started from the previously designated section at Maysfield Bridge, Route 3, downstream to Sanders Wharf, a distance of approximately 41.5 miles. The second section studied was from Sanders Wharf downstream to Route 360 at Tappahannock, a distance of approximately 15 miles. Finally, the section from the Route 360 Bridge to Simonson, a distance of approximately 13.5 miles. The study ended before entering Lancaster and Middlesex counties; therefore ending the proposed scenic section short of the Chesapeake Bay. All totaled, the new section is approximately 79 miles.

Based on the evaluations, it was determined that the three new sections, in combination, **qualify for designation**. The proposed section extends from Maysfield Bridge, Route 3 in Fredericksburg to Simonson through the counties of Stafford, Spotsylvania, Caroline, King George, Westmoreland, Essex and Richmond. Combined the sections add a distance of approximately 70 miles to the existing designation section of the Rappahannock River, a length of 86 miles. Combining the sections qualified for Scenic River designation gives the Rappahannock River a total of approximately 156 miles.

Following are the findings that support this designation.

FINDINGS:

The Rappahannock River originates in Virginia's Ridge and Valley Province flowing eastward to the Chesapeake Bay. The section of the Rappahannock studied is within the Coastal Province of Virginia and is flat water with tidal influence. It flows through predominantly agricultural, wetlands and forestal landscapes with scattered shoreline development and a few industrial sites. The majority of the corridor is private land with open fields of crops or hay beyond narrow or non-existent buffers when wetlands do not separate the shore from the river. Buffers of 100 (+) feet are intact for more than 50% of the entire corridor.



The wide river has no dams or other deterrents for river flow. There are a couple of industrial sites adjacent to the river close to towns on the river. There are many houses within view of the river, and some sections have continuous developed properties. In other sections there are no houses or other buildings creating a feel of remoteness and separation from the hustle and bustle of urban life.

With a long history of Native Americans who raised corn along the river, through the arrival of Europeans, the development of the tobacco aristocracy to today, the river maps a unique history of Virginia. Numerous sites, many not fully studied, give credence to the historic value of the corridor. Some of the over 30 notable historic sites and districts that have National Register of Historic Places under the National Park Service (NRHP) and Virginia Landmarks Register (VLR) designation, include: Port Royal Historic District, Woodlawn Historic and Archaeological District, Falmouth Historic District, Baylor House, Emmanuel Episcopal Church, Belle Grove, Tappahannock Historic District, Ferry Farm, Wheatland, and Blandfield.

Historically the river was used primarily for transportation and food production (i.e. commercial fisheries), with recreational fishing and hunting opportunities abundant. Commercial fisheries continues to be an important activity on and adjacent to the river both from an economic and cultural perspective and is viewed as a heritage industry of the region. Development is not concentrated along the upper portion of the river with a few industrial sites adjacent to the urban/town section. Residential development is scattered with more concentrated sections in the downstream section.

This section of the Rappahannock is wide and deep enough for barge and other boating opportunities. It is made up of loopy bends with stretches that allow for long views, sometimes of the hundred plus foot cliffs. There are numerous long sections of forest edge as well as large wetlands that add interest with multiple ecosystems. These contributions add to the interest and variety experienced on this stretch of river.

Fish quality was rated as moderately high by the study team and the Department of Wildlife Resources (DWR). Game fish in this section include: tidal river blue catfish, largemouth bass, smallmouth bass, hickory shad, and striped bass with some American shad, hickory shad, river herring. There are a large number of documented significant natural resources along the corridor,



including: American and shortnose sturgeon, warblers, eagles, terns and a unique butterfly, duck, heron, bittern, Lake-shore sedge and sensitive joint vetch and several intact natural communities of terrestrial, marsh, and aquatic.

Water quality, which is based on the turbidity in the growing season and frequency of trash was given an overall moderate score. This due to the impacts of agriculture upstream which causes increased turbidity. Little visible trash seen along the river what was there was concentrated near boat launches and fishing sites.

Water quality, which is based on the turbidity in the growing season and frequency of trash was given an overall moderate score. This due to the impacts

There are no parallel roads within 1000 feet of the river. Other forms of development are accentuated by the few bridges and powerline crossings. For the entire 70 river miles, there are two bridges and three transmission and pipeline crossings. Fortunately the impacts of these crossings are minimal, due to the meandering corridor and long distances between each.

The long views, wetlands, and cliffs create a wonderful backdrop for river travelers, especially in the fall when the autumn colors reflect off the flat and wide water. Cliffs along with multiple islands, cultural sites and primitive mature forest areas create interest and a feeling of remoteness and isolation along the corridor. The aesthetic appeal is in the moderate to high range.



Public river access is infrequent and separated by long distances. Many of the access sites are private, but are be usable for a fee. The [Friends of the Rappahannock \(FoR\)](#) have developed a series of [water trail maps for Rappahannock](#), that allow for safe use of the river.

This long section of the Rappahannock has few properties in land conservation. The prominent public ownership that is there, for less than about 3% of the entire corridor, is by the [U.S. Fish & Wildlife Service as the Rappahannock River Valley](#).

Based on the evaluation, the overall score for the proposed Rappahannock River extension in the City of Fredericksburg through the counties of Stafford, Spotsylvania, Caroline, King George, Westmoreland, Essex and Richmond is well above the minimum score for designation; therefore, **it is recommended that the newly studied 79 miles of the Rappahannock be added to the existing designated Rappahannock River, of 86 miles, be submitted for designation. This additional mileage will bring the Rappahannock River Section to 165 miles.**

THE PROPOSED CODE OF VIRGINIA CHANGE FOLLOWS:

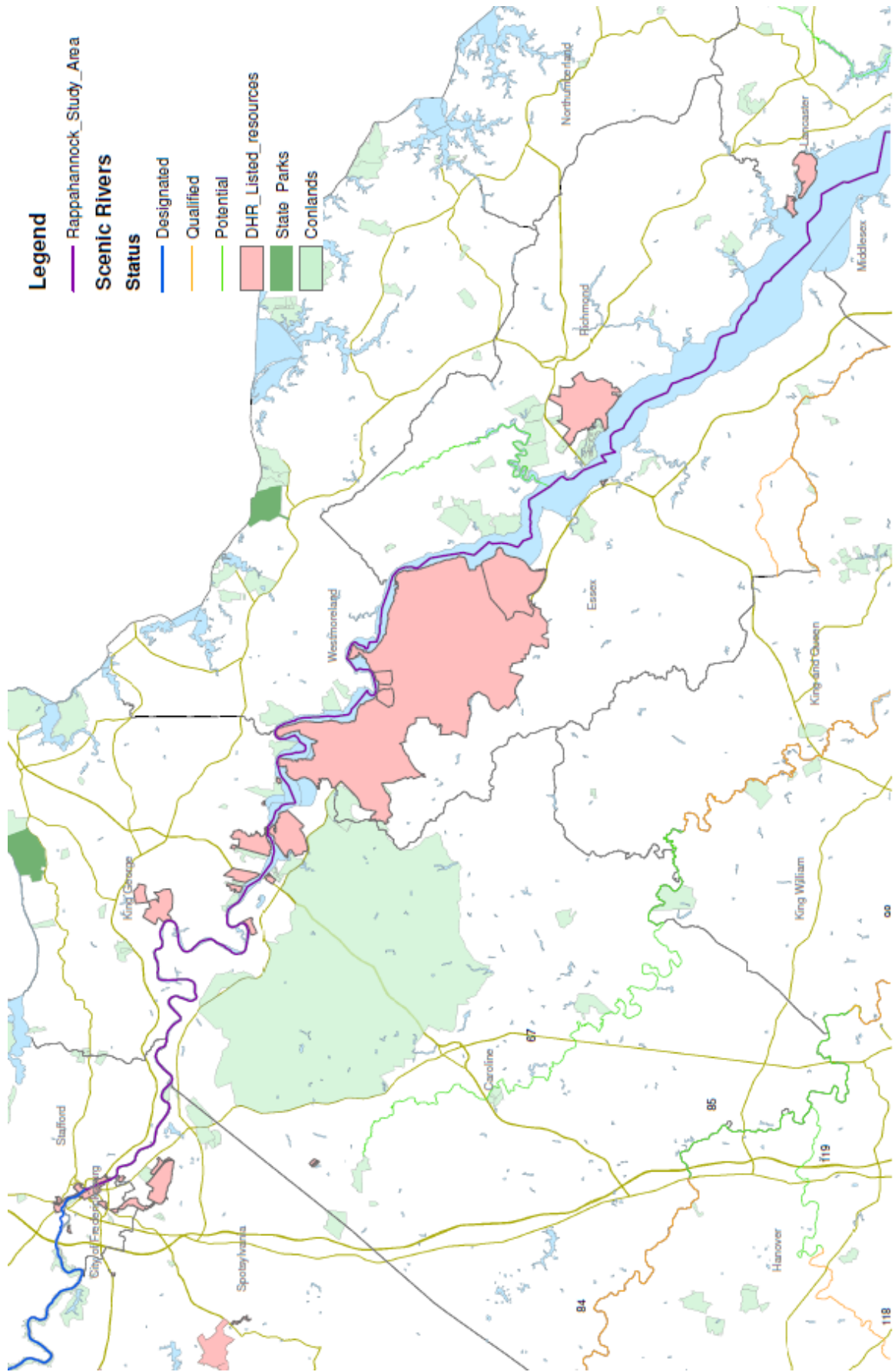
§ 10.1-415. Rappahannock State Scenic River.

The mainstem of the Rappahannock River in Rappahannock, Culpeper, Fauquier, Stafford, Spotsylvania, Caroline, King George, Westmoreland, Richmond, and Essex Counties and the City of Fredericksburg from its headwaters near Chester Gap to Simonson, a distance of approximately 165 statute river miles, is hereby designated as the Rappahannock State Scenic River, a component of the Virginia Scenic Rivers System.

ATTACHEMENTS:

MAP OF SECTION

RESOLUTIONS OF SUPPORT





MOTION: DEVINE

SECOND: WITHERS

RE: Supporting a Virginia Scenic River Designation of the Lower Rappahannock River

ACTION: APPROVED: Ayes: 7; Nays: 0

**December 8, 2020
Regular Meeting
Resolution 20-92**

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.

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.

Representatives from Friends of the Rappahannock joined staff from the Virginia Department of Conservation and Recreation to visit the Lower Rappahannock River and evaluate its eligibility for Scenic River designation in October 2020.

The Virginia Department of Conservation and Recreation completed its evaluation and determined that the portion of the Lower Rappahannock River in the City of Fredericksburg was found to qualify as a Virginia Scenic River.

The Virginia Board of Conservation and Recreation support the endorsement of the Lower Rappahannock River for designation as a Scenic River.

Therefore, the City Council hereby resolves:

- Supporting designation of the Rappahannock River from the Mayfield-Ferry Farm Route 3 Bridge to the point where the Rappahannock River leaves the City at Fredericksburg/Spotsylvania County line, as a Virginia Scenic River.

Votes:

Ayes: Greenlaw, Frye, Devine, Duffy, Graham, Kelly, Withers

Nays: None

Absent from Vote: None

Absent from Meeting: None

Caroline County, Virginia

Board of Supervisors



Jeffrey S. Black
Western Caroline District

Clayton T. Forehand
Middle District

Nancy L. Long
Port Royal District

Jeffrey M. Sill
Bowling Green District

Floyd W. Thomas
Mattaponi District

Reginald L. Underwood
Roeby Church District

Charles M. Culley, Jr.
County Administrator

R32/20

A RESOLUTION IN SUPPORT OF VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION QUALIFICATION OF LOWER RAPPAHANNOCK RIVER AS A VIRGINIA SCENIC RIVER

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, the Virginia Department of Conservation and Recreation completed its evaluation and determined that the lower portion of the Rappahannock River under review that includes Caroline County was found to qualify as a Virginia Scenic River; and

WHEREAS, the Virginia Board of Conservation and Recreation supported the endorsement for designation as a Scenic River of a portion of the Rappahannock River.

NOW, THEREFORE BE IT RESOLVED that the Caroline County Board of Supervisors does hereby support the designation of the Rappahannock River from the Route 3 bridge at Ferry Farm in Fredericksburg to the downstream county line of Essex and Richmond counties; and

BE IT FURTHER RESOLVED that Caroline County will contact its General Assembly representatives to request that they serve as patrons for the legislation that will codify the Scenic River designation.

Adopted this 8th day of December, 2020.

Charles M. Culley, Jr.
Clerk to the Board

Jeffrey M. Sill
Chairman

"Committed To Service, Dedicated To The People"

212 North Main Street, P. O. Box 447, Bowling Green, Virginia 22427
(804)633-5380 - Telephone (804)633-4970 - Fax

www.co.caroline.va.us



**SCENIC RIVER DESIGNATION-
LOWER RAPPAHANNOCK RIVER**

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, the Virginia Department of Conservation and Recreation reviewed the Lower Rappahannock River to evaluate its eligibility for Scenic River designation; and,

WHEREAS, the Virginia Department of Conservation and Recreation completed its evaluation and determined that the Lower Rappahannock River under review in King George County was found to qualify as a Virginia Scenic River; and,

WHEREAS, the Virginia Board of Conservation and Recreation supported the endorsement for designation as a Scenic River of a portion of the Lower Rappahannock River.

THEREFORE, BE IT RESOLVED, that the King George Board of Supervisors does hereby support designation of the Rappahannock River from the Route 3 bridge at Ferry Farm in Fredericksburg to the downstream county line of Essex and Richmond Counties.

Adopted by the King George County Board of Supervisors this 1st day of December, 2020.

Cathy E. Binder
Chairwoman, King George County Board of Supervisors

At a meeting of the Spotsylvania County Board of Supervisors held on December 8, 2020, on a motion by xxxx and passed xxxxxx, the Board adopted the following resolution:

RESOLUTION

VIRGINIA: At the adjourned meeting of the Spotsylvania County Board of Supervisors on Tuesday, December 8, 2020 in the Board meeting room of the Holbert Building, 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, several Spotsylvania County residents joined staff from the Virginia Department of Conservation and Recreation to visit the Rappahannock River and evaluate its eligibility for Scenic River designation; and

WHEREAS, the Virginia Department of Conservation and Recreation completed its evaluation and determined that the portion of the Rappahannock River under review along Spotsylvania County was found to qualify as a Virginia Scenic River; and

WHEREAS, the Virginia Board of Conservation and Recreation supported the endorsement for designation as a Scenic River of a portion of the Banister River; then

THEREFORE, BE IT RESOLVED, that the Spotsylvania County Board of Supervisors does hereby support the designation of the Rappahannock River, from the State Route 3 Bridge to the Spotsylvania County line, as a Virginia Scenic River; and

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

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 15th day of December, 2020:

<u>MEMBERS:</u>	<u>VOTE:</u>
Mog Bohmke, Chairman	Yes
Thomas C. Coen, Vice Chairman	Yes
Tinesha O. Allen	Absent
L. Mark Dudenhefer	Yes
Cindy C. Shelton	Yes
Gary F. Snellings	Absent
Crystal L. Vanuch	Yes

On motion of Ms. Vanuch, seconded by Mr. Coen, which carried by a vote of 5 to 0, the following was adopted:

**A RESOLUTION TO ENDORSE THE VIRGINIA DEPARTMENT OF
CONSERVATION AND RECREATION (DCR) LOWER
RAPPAHANNOCK RIVER STATE SCENIC DESIGNATION**

WHEREAS, the Board approved the Virginia Department of Conservation and Recreation (DCR) study and assessment of the Lower Rappahannock River State Scenic River Designation; and

WHEREAS, since the inception of the Scenic River System program in 1970, 33 river segments totaling 860 miles of river have been added to the System; and

WHEREAS, DCR notified Stafford County that the Rappahannock River was eligible for the State Scenic River Designation; and

WHEREAS, the Scenic River designation constitutes official recognition of the natural, scenic, historic and recreational values of some of Virginia's most valuable riverine resources and provides them with a measure of protection not afforded other rivers;

DARRYLE FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGLE, VIRGINIA 22409

W. W. HYNSON, VICE CHAIRMAN
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443

RUSS OLIVER
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22520

DOROTHY DICKERSON TATE
ELECTION DISTRICT NO. 3
MONTROSS, VIRGINIA 22520

TIMOTHY J. TRIVETT
ELECTION DISTRICT NO. 5
COLONIAL BEACH, VIRGINIA 22443



NORM RISAVI
County Administrator
P.O. BOX 1200
MONTROSS, VIRGINIA 22520-1200
PHONE: 804/950-2130
FAX: 804/950-3117
E-mail: nrisavi@westmoreland-county.gov
Web Page: www.westmoreland-county.org

WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

**RESOLUTION
SCENIC RIVER DESIGNATION
FOR A PORTION OF THE RAPPAHANNOCK RIVER**

At the regular meeting of the Westmoreland County Board of Supervisors on Monday, December 14, 2020 in the public meeting room of the George D. English, Sr. Memorial Building, 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, the Virginia Department of Conservation and Recreation has completed its evaluation and determined that the lower section of the Rappahannock River which extends from the Route 3 Bridge at Ferry Farm in Fredericksburg, Virginia to the Chesapeake Bay was found to qualify as a Virginia Scenic River; and


WHEREAS, the Virginia Board of Conservation and Recreation supported the endorsement for designating this portion of the Rappahannock River as a Scenic River;

NOW, THEREFORE, BE IT RESOLVED, that the Westmoreland County Board of Supervisors does hereby support the designation of the lower section of the Rappahannock River, from the Route 3 Bridge at Ferry Farm in Fredericksburg, Virginia to the Chesapeake Bay, as a Virginia Scenic River; and

THEREFORE, BE IT FURTHER RESOLVED, that Westmoreland County hereby requests our General Assembly representatives to support legislation that will codify the Scenic River designation.

Given under my hand this 14th day of December, 2020.


Darryl E. Fisher, Chairman
Board of Supervisors
Westmoreland County


Norm Risavi, Clerk



COMMONWEALTH of VIRGINIA

Marine Resources Commission
180 Fawcett Road
Bldg 98
Fort Monroe, VA 22651-1064

Matthew J. Bricker
Secretary of Natural Resources

Steve G. Brown
Commissioner

December 23, 2020

Department of Conservation and Recreation
Attn: Lynn Crump
600 East Main Street, 24th Floor
Richmond, Virginia 23219

Re: Proposed Scenic River Designation of Segments of the
South, North Fork of the Shenandoah, Middle James
extension and extension of the Rappahannock River

Dear Ms. Crump,

In accordance with your memorandum dated December 8, 2020, we have reviewed the documentation concerning the proposed Scenic River designation of segments of the South River in Waynesboro, North Fork of the Shenandoah in Shenandoah County, Middle James extension from Allens Creek to Warren and New Canton to Columbia, and extension of the Rappahannock River in the City of Fredericksburg, the counties of Spotsylvania, Essex, Westmoreland, King George, Stafford, Richmond, and Caroline, and the towns of Port Royal and Tappahannock.

The Virginia Marine Resources Commission (VMRC) is responsible for managing the commercial and recreational tidal fisheries and for issuing permits for encroachments in, on, or over State-owned submerged lands throughout the Commonwealth. The VMRC has no position on the proposed Scenic River designations provided such designations do not adversely affect our management of the commercial and recreational fisheries and the submerged lands on which those resources depend.

If you have any questions please contact me at 757-247-2251 or by email at randy.owen@mrc.virginia.gov. Thank you for the opportunity to comment.

Sincerely,

Randy Owen
Deputy Chief, Habitat Management Division

RDO/tib
HM

An Agency of the Natural Resources Secretariat

www.dnr.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

RESOLUTION # 21-002

RESOLUTION OF THE BOARD OF SUPERVISORS OF ESSEX COUNTY, VIRGINIA
SUPPORTING DESIGNATION OF THE LOWER RAPPAHANNOCK
AS A SCENIC RIVER OF THE COMMONWEALTH OF VIRGINIA

WHEREAS, the Virginia Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 through the Virginia's Scenic Rivers Act, Va. Code §§ 10.1-400, *et seq.* (the "Act") for the purpose of identification, protection, and preservation of certain rivers, or sections of rivers, which possess significant scenic, historic, recreational and natural values; and

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

WHEREAS, the Virginia Department of Conservation and Recreation has performed an evaluation of the nearly 70-mile segment of the Rappahannock River from the Route 3 bridge in Fredericksburg to the downstream county lines of Essex and Richmond Counties, and has found this stretch of the Rappahannock River qualifies for Virginia Scenic River designation under the Act.

NOW, THEREFORE BE IT RESOLVED that the Essex County Board of Supervisors does hereby support the designation of that portion of the Rappahannock River lying within Essex County as a Scenic River of Virginia under the Act; and

BE IT FURTHER RESOLVED that Essex County will contact its General Assembly representatives to request that they serve as patrons for the legislation to codify this Scenic River designation.

Adopted this 12th day of January, 2021.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Essex, Virginia certifies that the Resolution set forth above was duly adopted during an open electronic meeting on the 12th day of January, 2021 by a majority of the members of the Board of Supervisors with the following votes:

AYE: Johnson, Akers, Gill, Magruder, Smith

NAY: N/A

ABSTENTION: N/A

Signed this 14th day of January, 2021.

ATTEST:



Michael A. Lombardo, Clerk
Board of Supervisors of the County of Essex, Virginia





Richmond County Board of Supervisors

101 Court Circle P.O. Box 1000 Warsaw, Virginia 22372 (804) 333-3415 FAX (804) 333-3408 www.co.richmond.va.us

RESOLUTION OF THE BOARD OF SUPERVISORS OF RICHMOND COUNTY, VIRGINIA SUPPORTING DESIGNATION OF THE LOWER RAPPAHANNOCK AS A SCENIC RIVER OF THE COMMONWEALTH OF VIRGINIA

WHEREAS, the Virginia Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 through the Virginia's Scenic Rivers Act, Va. Code §§10.1-400, *et seq.* (the "Act") for the purpose of identification, protection, and preservation of certain rivers, or sections of rivers, which possess significant scenic, historic, recreational, and natural values; and

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

WHEREAS, the Virginia Department of Conservation and Recreation has performed an evaluation of the nearly 70-mile segment of the Rappahannock River from the Route 3 bridge in Fredericksburg to the downstream County lines of Richmond and Essex Counties, and has found this stretch of the Rappahannock River qualifies for Virginia Scenic River designation under the Act.

NOW, THEREFORE BE IT RESOLVED that the Richmond County Board of Supervisors does hereby support the designation of that portion of the Rappahannock River lying within Richmond County as a Scenic River of Virginia under the Act; and

BE IT FURTHER RESOLVED that Richmond County will contact its General Assembly representatives to request that they serve as patrons for the legislation to codify this Scenic River designation.



F. Lee Sanders, Chairman
Richmond County Board of Supervisors

DATE: January 14, 2021

Richard B. Thomas
Election District 1

J. David Parr
Election District 2

William C. Herbert, II
Election District 3

Robert B. Penikert
Election District 4

Lee Sanders
Election District 5

R. Morgan Quicks
County Administrator

The Rappahannock River Extension in the City of Fredericksburg, the counties of Spotsylvania, Essex, Westmoreland, King George, Stafford, Richmond, and Caroline, and the towns of Port Royal and Tappahannock from the existing terminus at the Route 3 bridge in Fredericksburg to the Essex/ Middlesex and Richmond/Lancaster County lines, for a distance of approximately 79 statute miles: This segment of the Rappahannock River has been designated a Threatened and Endangered Species due to the presence of federal Endangered Atlantic Sturgeon and state Threatened Green Floaters (only in freshwater section) and also has been designated an Anadromous Fish Use Area. **Department of Wildlife Resources 1/15/2021**

Based on information provided by the Department of Environmental Quality (DEQ), the General Assembly designation of the Rappahannock River as a Scenic River will not impact existing State Water Control Board programs. Therefore, DEQ, acting on behalf of the Board, has no comment on the proposed designations. **Department of Environmental Quality 1/18/2021**

DRAFT