

# Tye Scenic River Report Nelson County



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

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## **I. REASON FOR THE STUDY**

On behalf of the Nelson County Board of Supervisors, local officials contacted the Virginia Department of Conservation and Recreation (DCR) requesting that a segment of the Tye River within their jurisdiction be evaluated for possible inclusion in the Virginia Scenic River System. The river segment to be studied is from Route 739 (Tye River Road) to the confluence with the James River, a distance of approximately 12.7 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, 30 river segments, totaling more than 728 miles, have received Scenic River designation from the General Assembly. A list of those rivers can be found on the [Virginia Scenic Rivers](http://dcr.cache.vi.virginia.gov/recreational_planning/documents/srlist.pdf) website, [http://dcr.cache.vi.virginia.gov/recreational\\_planning/documents/srlist.pdf](http://dcr.cache.vi.virginia.gov/recreational_planning/documents/srlist.pdf)

### **A. Benefits of Designation**

The Virginia Scenic River designation accomplishes the following:

- 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
- 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 will impede the natural flow of a Scenic River (§10.1-407), <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+10.1-407>
- 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>

### **B. Designation Process**

Scenic river evaluations involve data collection from state agencies, local and regional planning, map surveys, related literature reviews, and a field study 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 evaluations include physically canoeing,

boating, or walking the stretch of river being evaluated and rating the characteristics of the resource. The 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 Tye River evaluation results is included in Section IV 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.

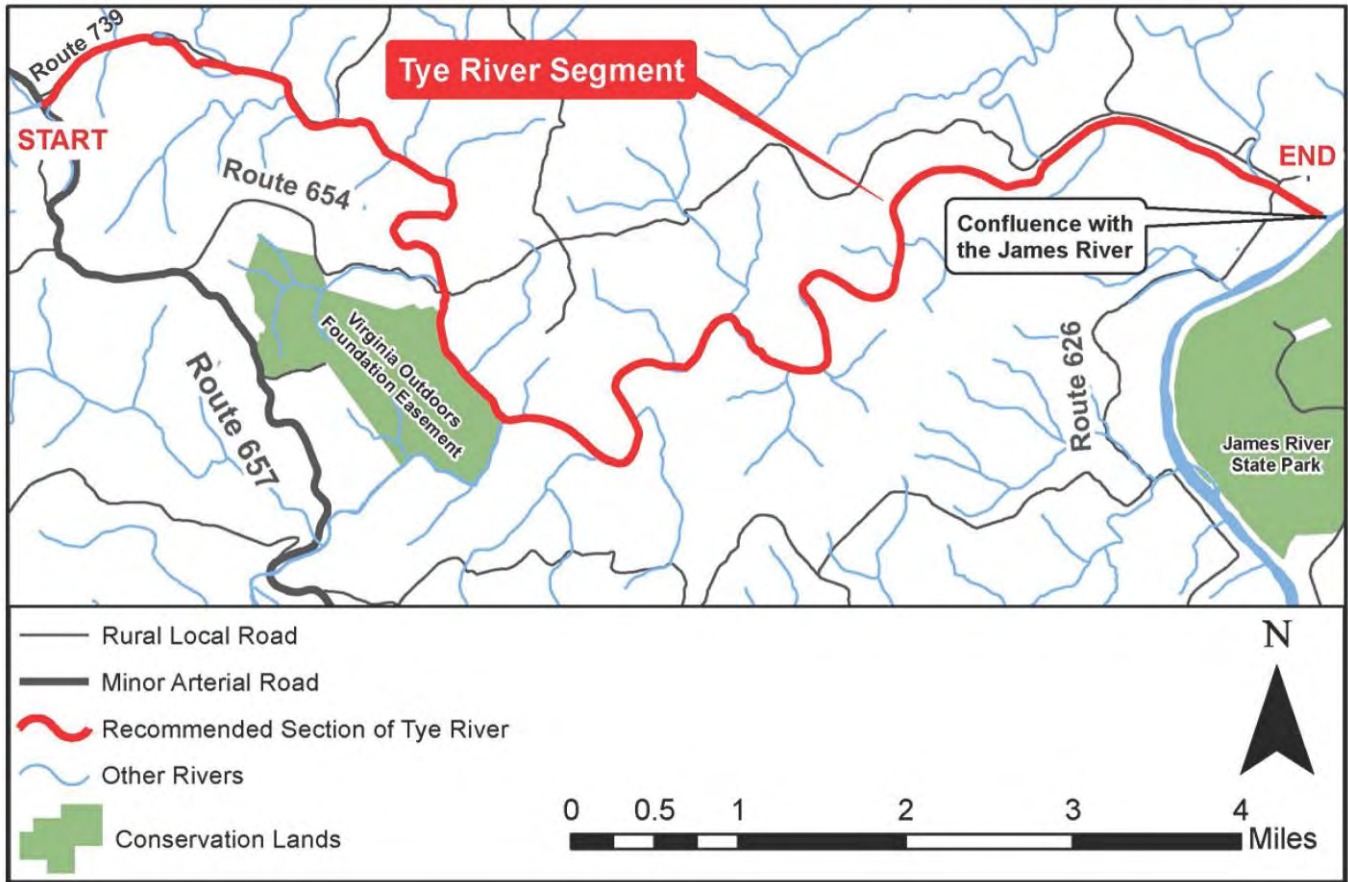
## **II. SUMMARY OF FINDINGS**

At the request of Nelson County Boards of Supervisors, DCR conducted a Scenic River evaluation of the Tye River from Route 739 (Tye River Road) to the confluence with the James River in the spring of 2013.

This report covers DCR's findings during the study of the aforementioned Tye River segment in Virginia. The DCR evaluation of the Tye River corridor determined that the 12.7-mile section from Route 739 (Tye River Road) to the confluence with the James River 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.

### III. CORRIDOR STUDY MAP

The Tye River in Nelson County generally flows southeast through the foothills of the Blue Ridge mountains until its confluence with the James River. This report will discuss the river segment proposed for designation from Route 739 (Tye River Road) to the confluence with the James River, a distance of approximately 12.7 miles (Map 1).



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

#### **IV. Environmental Analysis**

In order to determine whether the proposed segment of the Tye 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. On May 21, 2013, they were joined by local stakeholders and paddled the section of the Tye River 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.

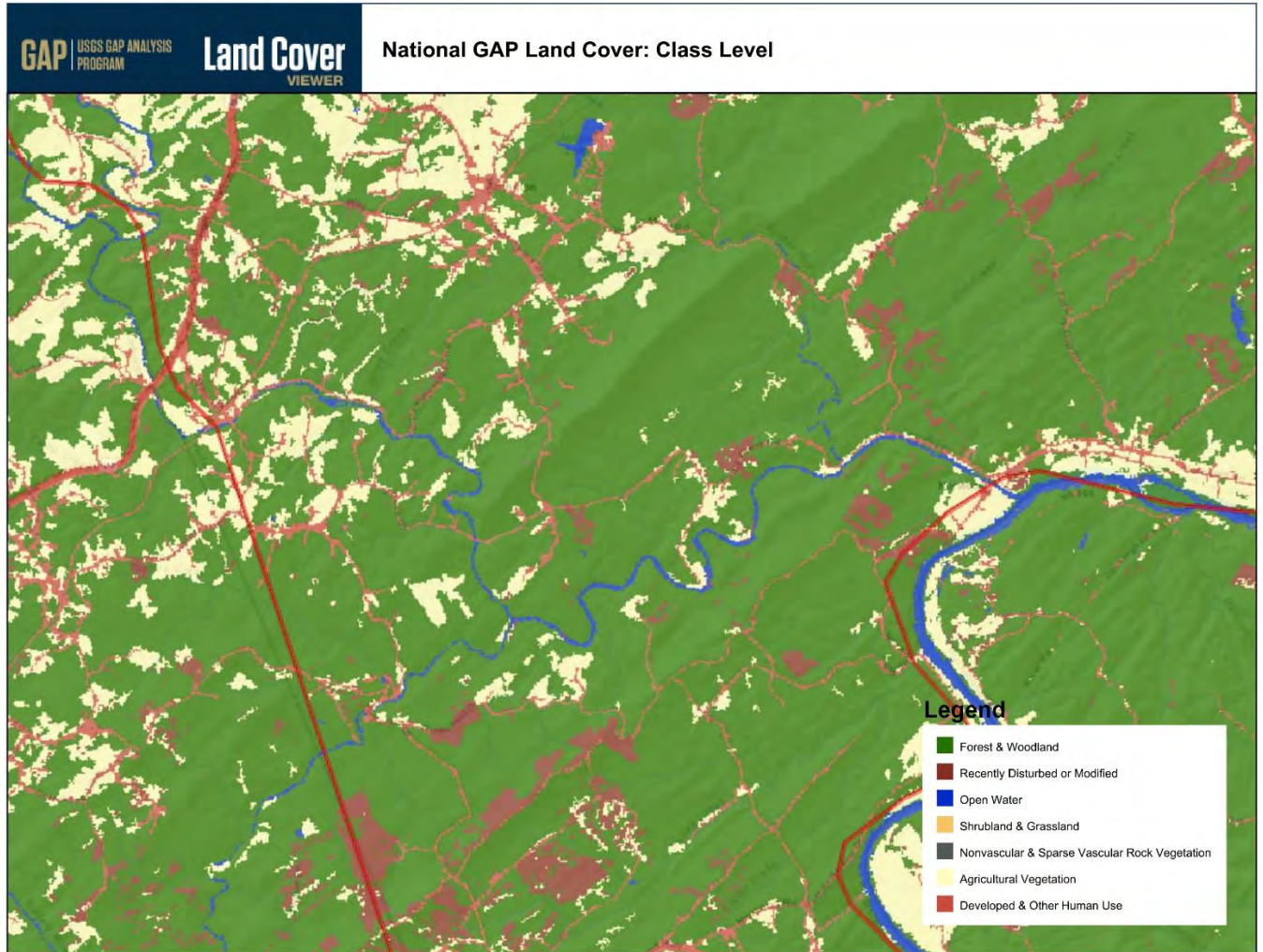
##### **A. River Corridor Vegetation**

The Tye River winds through a seemingly remote, forested landscape accented by bluffs and rock outcroppings. Streamside vegetation is prevalent throughout the corridor with overhanging branches providing plenty of shade (Image 1).

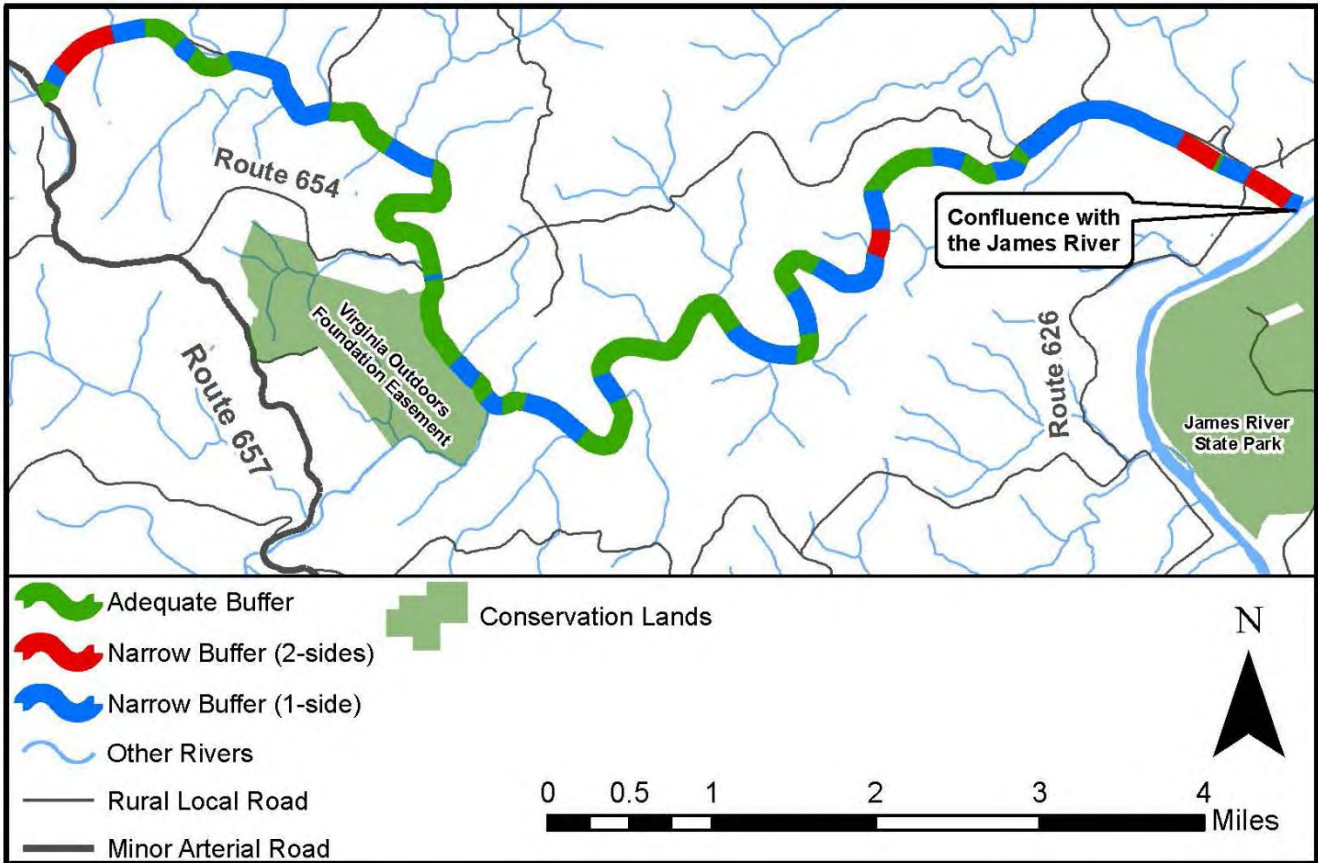


*Image 1: Typical vegetation along the Tye River*

The land along the river is primarily forested, although some areas are used for agricultural purposes and timber or are developed for residential or other human uses (Map 2). Most of the river has a forested buffer that provides necessary cover to protect water quality and fish habitat (Map 3). Approximately 30% of the Tye River has forested riparian buffers of less than 100’.



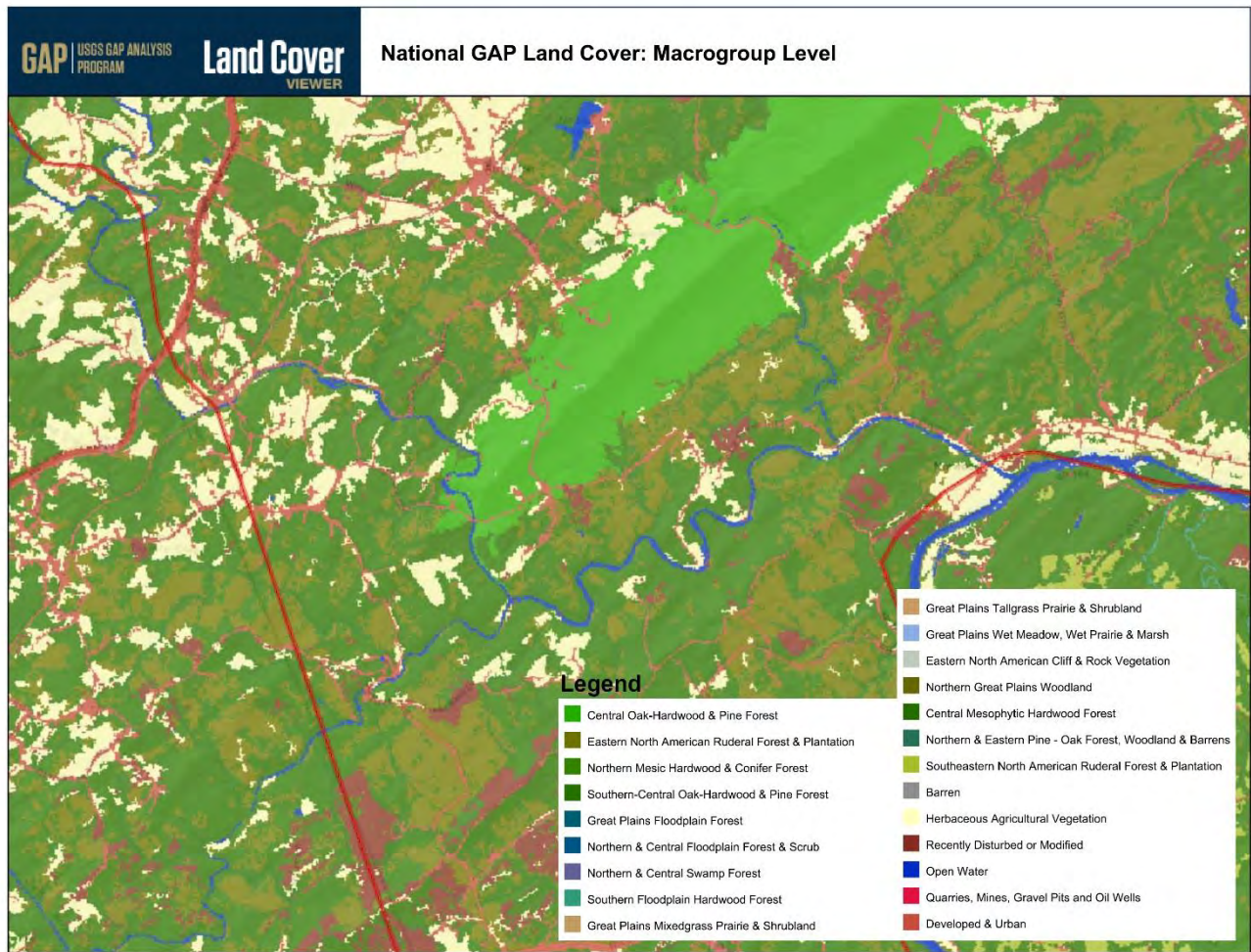
Map 2: Landcover along the Tye River. Source: US Geological Survey, Gap Analysis Program (GAP), Aug. 2011. National Land Cover, Version 2.



Map 3: Buffer analysis of the Tye River

Vegetation along the corridor is primarily central oak-hardwood and pine forest with various evergreen plantations (Map 4). Dense stands of mountain laurel provide an evergreen buffer along some sections of the river, while sycamore and river birch line much of the water’s edge. Pinkster azaleas bloom bright pink in the spring, and pawpaw provide edible fruit in the fall. 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.





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

## B. Riverbed and/or River Flow Modifications

The river section studied is free flowing. Its riverbed ranges from mud, silt and sand in the slower, deeper river sections to smooth river rock in the shallow or swifter moving waters. Naturally occurring rock ledges, outcrops, and in-stream rock formations add visual and paddling interest to the journey (Image 2). In addition, Class 1 and Class 2+ rapids add to the excitement of the trip and require intermediate paddling skills. These rapids do not impact flow and there are no other obstructions on this river segment (Image 3).



*Image 2: In-stream rock formations*



*Image 3: Paddlers prepare to cross rapids along the Tye River*

**C. Human Development of Visual Corridor**

This segment of the Tye 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 4). Old irrigation dams can be seen in the wintertime. Other human interventions include bridges and utility line crossings (see Section J. Crossings).



Image 4: One of only a few cabins along the Tye River

**D. Historic Features**

According to the Virginia Department of Historic Resources (DHR), there are no known historical/cultural features of significance along this section of the Tye. However, a house on the river at the Route 626 bridge may have historic significance, but no information on the structure was available to evaluate its uniqueness (Image 5).



Image 5: Historic building along the Tye River, possibly of historical significance

## E. **Landscape**

The Tye River is a 35.4-mile river that originates on the eastern slopes of the Blue Ridge Mountains and flows southeast until it reaches the James River. The Tye is in the foothills sub-province of the northern piedmont physiographic province in Virginia, a landscape characterized by rolling hills, moderate slopes, and rugged terrain. The Tye River is a tributary of the James River, which is part of the Chesapeake Bay watershed. Major tributaries include the Piney and Buffalo Rivers.

Views along this section of the Tye River offer a variety of landscapes, including forested hills, rock bluffs, and near the James River confluence, open fields with views of nearby mountains. This section of the Tye River is characterized by a forested landscape that feels remote and isolated. This is an intimate corridor with ample canopy, which contributes to a high percentage of foreground and middleground views (Images 6-7).



*Image 6: Foreground view from the Tye River*



*Image 7: Middleground view from the Tye River*

## F. **Quality of Fishery**

The Tye River offers good fishing opportunities. For fly fishing, the river has brook trout (wild and stocked), rainbow trout (stocked with some holdovers), and brown trout (stocked with some holdovers). The Tye River also supports smallmouth bass and has a very diverse and plentiful population of aquatic insects including mayflies, stoneflies, caddisflies, sculpin, and baitfish.

## 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.

Along the studied section of the Tye River, the Green Floater, *Lasmigona subviridis*, ranked G3 [Global – very rare or vulnerable] / S2 [Subnational – imperiled status] and the Piedmont/Coastal Plain Hemlock-Hardwood Forest, *Tsuga canadensis*-*Fagus grandifolia*-*Quercus (montana,alba)* Forest, ranked G2G3 [Global – very rare and imperiled status and vulnerable] / S1S2 [Subnational – critically imperiled and imperiled status] are present.

The Green Floater, *Lasmigona subviridis*, is a small mussel that is often found in small creeks and large rivers, and less commonly found in canals (Image 8). It prefers environments with a gravel and sand bottom, mid-range calcium concentrations, and slow pools and eddies. It is intolerant of strong currents and requires good water quality.



Image 8: Green Floater

The Piedmont/Coastal Plain Hemlock-Hardwood Forest is typically found on north-facing bluffs and steep ravine slopes with acidic, nutrient poor soils (Image 9). White oak (*Quercus alba*), northern red oak (*Quercus rubra*), chestnut oak (*Quercus montana*), and American beech (*Fagus grandifolia*) are the major overstory trees. Eastern hemlock (*Tsuga canadensis*) and sweet birch (*Betula lenta*) are occasional associates. See ranking definitions in the Appendix.



Image 9: Example of a Piedmont/Coastal Plain Hemlock-Hardwood Forest

In addition to the Green Floater and the Piedmont/Coastal Plain Hemlock-Hardwood Forest, three significant terrestrial natural communities are located at the confluence of the Tye and James Rivers. These include Central Appalachian Mafic/Calcareous Barren (Low- Elevation Type), *Fraxinus americana*-*Juniperus virginiana*/*Rhus aromatic*)/ *Schizachyrium scoparium*-*Carex pensylvanica*-*Cheilanthes lanodas* Wooded Herbaceous Vegetation, ranked G2G3 [Global – very rare and imperiled status and vulnerable] / S1S2 [Subnational – critically imperiled and imperiled status], Inner Piedmont/ Lower Blue Ridge Basic Mesic Forest, *Liriodendron tulipifera*-*Quercus rubra*-*Fraxinus americana*/*Asimina triloba*/*Cimicifuga racemosa*-*Uvularia perfoliata* Forest, ranked G2 [Global – very rare and imperiled status] / S2 [Subnational – imperiled status], and Chestnut Oak/Catawba Rhododendron Forest, *Quercus montana*/*Rhododendron catawbiense*-*Kalmia latifolia* Forest, ranked G4 [Global – common and apparently secure] / S3 [Subnational – vulnerable in state].

The Central Appalachian Mafic/Calcareous Barren (Low-Elevation Type) generally has a high cover of exposed bedrock with extensive organic or soil mats that support vascular plant cover. Vegetation is typically a patchwork of severely stunted trees, shrub thickets, herbaceous mats, and lithophytic lichens (Image 10).



Image 10: Example of a low herbaceous barren

The Inner Piedmont/ Lower Blue Ridge Basic Mesic Forest typically occurs on deep ravines, sheltered north- or east-facing slopes along large streams and rivers, and occasionally well-drained floodplain terraces. Dominant tree species include sugar maple (*Acer saccharum* var. *saccharum*), basswoods (*Tilia americana* var. *americana* and *heterophylla*), white ash (*Fraxinus americana*) tulip-poplar (*Liriodendron tulipifera*), and yellow buckeye (*Aesculus flava*), as well as chinkapin oak (*Quercus muhlenbergii*), black maples (*Acer nigrum*), southern sugar maple (*Acer barbatum*), American beech (*Fagus grandifolia*), bitternut hickory (*Carya cordiformis*), and black walnut (*Juglans nigra*) (Image 11).



Image 11: Example of a basic Mesic forest in the southern Virginia Piedmont

The Chestnut Oak/Catawba Rhododendron Forest is prominent on xeric, infertile upland sites and is overwhelmingly dominated by chestnut oak (*Quercus montana*). It is also associated with blackgum (*Nyssa sylvatica*), sourwood (*Oxydendrum arboretum*), sassafras (*Sassafras albidum*), and downy serviceberry (*Amenlanchier arborea* var. *arborea*) (Image 12).



Image 12: Chestnut Oak/Catawba Rhododendron Forest

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 water-associated fowl to be found include blue heron, green heron, wood duck and kingfisher. A bald eagle was also seen on the Tye River; however, eagle nests have not been documented.

## H. **Water Quality**

Visibility through the water column was mostly clear. The water is only periodically turbid or muddy, primarily after heavy rains, with the exception of the Tye's confluence with the Buffalo River. Water flowing into the Tye from the Buffalo River is significantly more turbid (Image 13). Tires and other forms of human engendered garbage were rare.



*Image 13: Water from the Buffalo River entering the Tye River*

The Tye River fully supports aquatic life, wildlife, and recreational uses. However, in 2012, the Tye River was listed on the Department of Environmental Quality's Impaired Waters List due to high bacteria levels. The main contributors were "nonpoint" sources such as runoff from agricultural lands and failing septic tanks on residential lands.

## I. **Parallel Roads**

Parallel roads line 3.56 miles of the 12.7 mile designated section of the Tye River. These include sections of Route 622 (S Powells Island Road), Route 654 (Cedar Creek Road), and Route 655 (Variety Mills Road). These roads have little visual impact on the river due to elevation differences and vegetative buffers.

## J. **Crossings**

Crossings consist of roads and power/communication lines (Image 14). Most of these are perpendicular to the Tye 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 Tye had a total of five crossings:

two utility wires crossings, two bridge crossings, and one utility/bridge combination crossing.



*Image 14: Bridge crossing the Tye River*

#### **K. Special Features Affecting River Aesthetics**

Generous buffers and stream canopy along this section of the Tye River 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 intermixed with in-stream rock formations, bluffs, and cliffs provide varied features along the river corridor (Image 15). In addition, small islands create navigational interest for paddlers (Image 16). Lastly, the Buffalo River and several small streams flow into the Tye to further diversify the landscape, views, and paddling conditions.



*Image 15: Bluff along the Tye River*



*Image 16: Island along the Tye River*



L. **Public Recreational Access**

The river allows year-round paddling with minimal portages in shallow sections during dry periods. During dry seasons, navigation is hindered, and short in-stream portages are common. Paddlers and tubers find river access at public bridge crossings and by permission from private landowners. In addition, there are informal public launch sites along Route 662 (S Powells Island Road).

M. **Land Conservation**

The Virginia Department of Historic Resources (DHR) provides information on listed, eligible, and eased properties. According to its inventory, this section of the Tye has limited protection from developments. Approximately one mile of the Tye River study corridor, or 8%, is under a Virginia Outdoors Foundation land conservation easement (Image 15). No other adjacent easements exist.

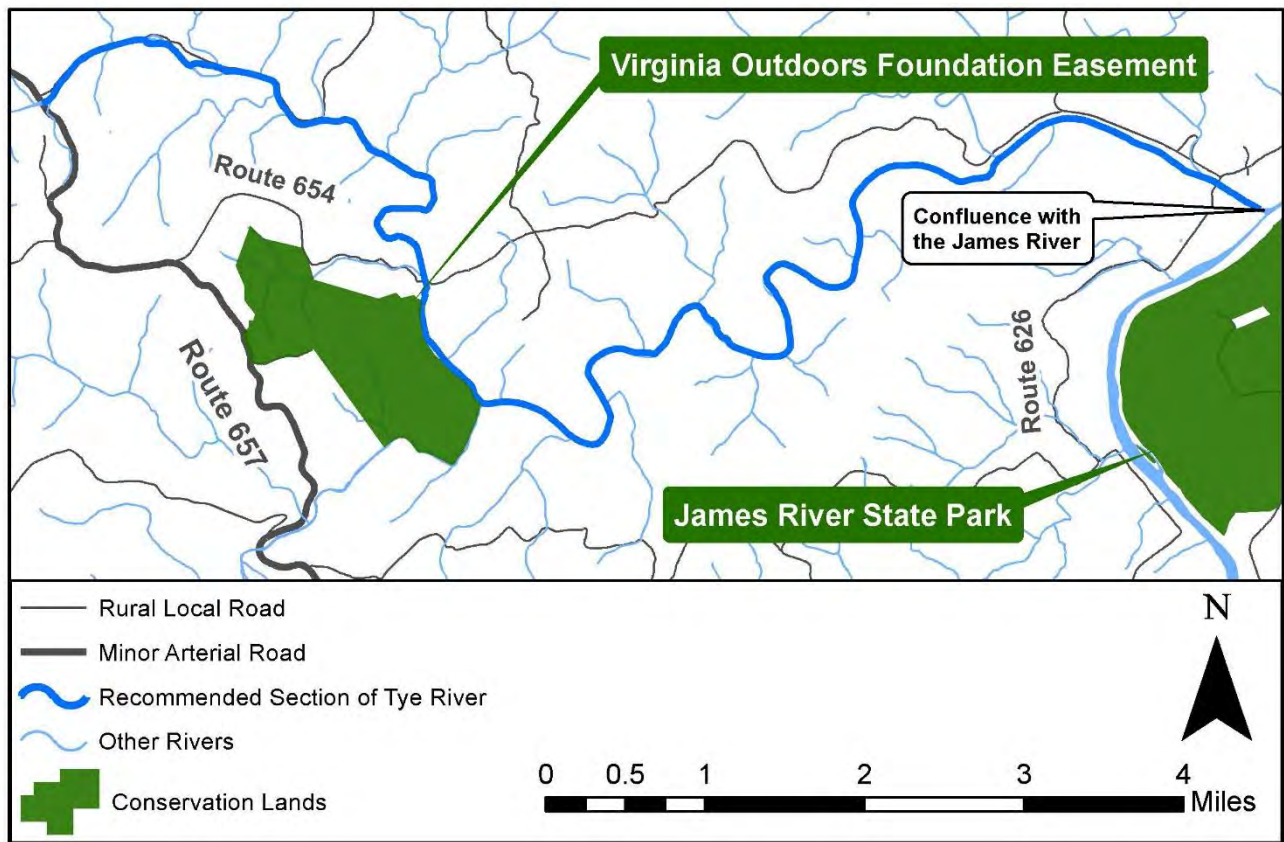


Image 15: Tye River land conservation

## **V. LAND USE AND OWNERSHIP**

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

## **VI. CONCLUSIONS AND RECOMMENDATIONS**

The Department of Conservation and Recreation concludes that the Tye River from from Route 739 (Tye River Road) to the confluence with the James River, a distance of approximately 12.7 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, this river segment has a number of interesting aesthetic features including rock formations, islands, rapids, cliffs, and rock outcrops. Its meandering alignment is typical for a Piedmont river. Trees along the Tye provide an ample canopy that promotes interesting foreground and middleground views and offers a sense of remoteness and isolation. The adjacent landscape has few man-made features. The Tye River is an ecologically healthy river corridor with consistent and extensive vegetative buffers that sustain productive aquatic and avian habitats. This section of the Tye is also home to several globally significant natural heritage resources, including the Green Floater, Piedmont/Coastal Plain Hemlock-Hardwood Forest, Central Appalachian Mafic/Calcareous Barren, Inner Piedmont/Lower Blue Ridge Basic Mesic Forest and Chestnut Oak/Catawba Rhododendron Forest. Public access points are available at informal public launch sites along Route 662 (S Powells Island Road).

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

It is recommended that:

1. The Tye River from Route 739 to the James River confluence, a distance of approximately 12.7 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 Tye 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 Tye 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 Nelson 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.

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 Tye River and the efforts of Nelson County should combine to protect the natural and scenic qualities of the recommended section of the Tye River for the enjoyment of future generations. Proposed Legislation is provided in the Appendix.

## **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 Nelson County. Comments from these agencies are listed below. Letters of support are included in Appendix B of this report.

**X. APPENDIX**

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

## Appendix A

### Species Ranking Definitions of DCR Natural Heritage

<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>	<b>GLOBAL RANK</b>	<b>STATE RANK</b>	<b>FEDERAL STATUS</b>	<b>STATE STATUS</b>
Lasmigona subviridus	Green Floater	G3	S2		LT

#### **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.

**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)

### **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



Appendix B - Letters, Comments and Other Support

This appendix is divided into sections as outlined below

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Douglas W. Domenech  
Secretary of Natural Resources



David A. Johnson  
Director

**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF CONSERVATION AND RECREATION**

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

June 19, 2013

Mr. Stephen A. Carter  
Nelson County Administrator  
Post Office Box 336  
Lovingsston, Virginia 22949

RE: Scenic River Study of the Tye River

Dear Mr. Carter:

At your request, the Department of Conservation and Recreation (DCR) conducted an evaluation of the Tye River from Route 738 (Tye Depot Road) to the confluence with the James River, a distance of approximately 12.7 miles. On the basis of a field study on May 21, 2013, this river segment was found to qualify as a Virginia Scenic River.

Background work conducted during the winter of 2012-2013 laid the ground work for the field evaluations, and on May 21, DCR staff, along with staff from the Virginia Tech Community Design Assistance Center (CDAC) and local stakeholders, paddled this section of the Tye. In addition to representatives of DCR and CDAC, those participating in the fieldwork were Emily Harper, Director of Parks and Recreation for Nelson County, a staff member from the Virginia Department of Environmental Quality and other Nelson County residents.

Should your locality wish to continue the designation process, the next step will be to obtain a resolution from the County Board of Supervisors (example attached), and then forward a copy to us so we can begin the final report.

Following adoption of the resolution, the County will need to contact your local legislators to ask that they serve as patrons for legislation in the 2014 General Assembly session to codify the designation. A proposed amendment to the *Code of Virginia* is attached.

DCR will present the recommended designation to the Board of Conservation and Recreation at their next meeting for endorsement. Additionally, if you would like us to present the program to your locality or to your Board of Supervisors, please let us know.

Mr. Stephen A. Carter  
June 19, 2013  
Page Two

DCR staff is looking forward to working with Nelson County to complete the designation process. Any additional questions can be directed to Lynn M. Crump, Environmental Programs Planner, (804) 786.5054 or [Lynn.Crump@dcr.virginia.gov](mailto:Lynn.Crump@dcr.virginia.gov).

Sincerely,

Danette Poole, Division Director  
Planning and Recreation Resources

Attachments

cc: Ms. Emily Harper, Director, Nelson County Parks and Recreation Department  
Ms. Lynn Crump, DCR, Environmental Programs Planner

Appendix B - Letters, Comments and Other Support Documents

Aug 20 2013

BOARD OF SUPERVISORS


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North District

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South District

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East District

THOMAS H. BRUGUIERE, JR.  
West District

CONSTANCE BRENNAN  
Central District



STEPHEN A. CARTER  
Administrator

CANDICE W. McGARRY  
Administrative Assistant/  
Deputy Clerk

DEBRA K. McCANN  
Director of Finance and  
Human Resources

15 August, 2013

Ms. Lynn M. Crump, Environmental Programs Manager  
Virginia Department of Conservation and Recreation  
600 East Main Street, 24<sup>th</sup> Floor  
Richmond, Virginia 23219

Re: Nelson County – Scenic River Designation – Tye River

Dear Ms. Crump:

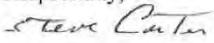
Please find enclosed Resolution R2013-50, as approved on August 13 by the Nelson County Board of Supervisors, to provide Nelson County's formal endorsement and support of designating an approximate 12.7 miles of the Tye River for inclusion in the Virginia Scenic Rivers Program (i.e. designating this section of the Tye as a scenic river), as administered by the Department of Conservation and Recreation.

It is the County's request that the Department proceed with the ensuing actions necessary to provide for state approval of the scenic river designation for the herein noted 12.7 mile section of the Tye River (from Route 738 to the confluence with the James River).

Please do not hesitate to contact this office or Ms. Emily Harper, the Nelson County's Director of Park and Recreation, should the County need to provide additional information or complete any additional responsibilities necessary to achieve the requested designation. And, related to this communication, the County will concurrently submit the Board's resolution to its representatives in the General Assembly to request their assistance with completing the scenic river designation for the Tye River.

The County is very appreciative of the Department's and your assistance with its efforts to achieve scenic river designation for the Tye River, which is a historic and beautiful tributary of the James River within Nelson County.

Respectfully,



Stephen A. Carter  
County Administrator

Cc: Board of Supervisors  
Hon. R. Creigh Deed,  
Hon. Richard P. Bell  
Hon. C. Matthew Fariss  
Ms. Emily Harper, Director, Parks and Recreation

Enclosure

P.O. Box 336 • Lovingsston, VA 22949 • 434-263-7000 • Fax 434-263-7004 • www.nelsoncounty.com



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Deputy Clerk

DEBRA K. MCGANN  
Director of Finance and  
Human Resources

**RESOLUTION R2013-50  
NELSON COUNTY BOARD OF SUPERVISORS  
SCENIC RIVER DESIGNATION- TYE 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**, on May 21, 2013, Nelson County residents and staff joined staff from the Virginia Department of Conservation and Recreation, the Virginia Department of Environmental Quality, and staff from the Virginia Tech Community Assistance Design Center to visit a section of the Tye 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 Tye River under review in Nelson 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 Tye River;

**THEREFORE, BE IT RESOLVED**, that the Nelson County Board of Supervisors does hereby support the designation of the Tye River within Nelson County from Route 738 (Tye Depot Road) to the confluence with the James River, a distance of approximately 12.7 miles; and

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

Approved: August 13, 2013

Attest: Stephena Carter, Clerk  
Nelson County Board of Supervisors

**From:** Conkle, Bill (DCR)  
**Sent:** Friday, September 13, 2013 3:44 PM  
**To:** PRR/GrantsList; McClary, Kelly (DCR)  
**Subject:** DCR Board Meeting - September 11

At their September 11 meeting, the DCR Board recommended adoption of the Biscuit Run Master Plan, the Widewater Master Plan Update and the Pocahontas Master Plan Amendment. Next week, we will be contacting the General Assembly to let them know these documents are available for a 30 day review. Following the 30-day review, these planning documents will be presented to the DCR Director for adoption.

**The DCR Board also made motions of support for Scenic River Designation for the Cranesnest River, Tye River and Banister River Extension.**

The Board commended us for our good work. ☺

Bill

**Please note our new location at the Main Street Centre:**

**William J. Conkle, CPRP, CPSI**  
**Park Planner**  
Virginia Department of Conservation and Recreation  
Division of Planning and Recreation Resources  
Main Street Centre, 24th Floor  
600 East Main Street  
Richmond, Virginia 23219

[804-786-5492](tel:804-786-5492)

Fax [804-371-7899](tel:804-371-7899)

If opportunity doesn't knock...build a door. -Milton Berle 1908-2002

**From:** Rhur, Robbie (DCR)

**Sent:** Monday, November 04, 2013 10:02 AM

**To:** Kennedy, John (DEQ); Cason, Gladys (DGIF); Hubbard, Quatro (DHR); Revell, Paul F. (DOF); Jordan, Elizabeth (VDOT); Woodward, Jay (MRC)

**Subject:** FW: Scenic River Reviews

All:

As stated in the *Code of Virginia* §10.1- 404, the Department of Conservation and Recreation (DCR) is responsible for notifying other affected state agencies of Scenic River designation proposals. During the past several months, as requested by the localities, DCR conducted evaluations of the three river segments listed below. We ask for any comments you may have on the proposed designations to [Robbie.rhur@dcr.virginia.gov](mailto:Robbie.rhur@dcr.virginia.gov) by December 4<sup>th</sup>, 2013.

- The Cranesnest River within Dickenson County from Route 637 crossing to the Flannagan Reservoir Cranesnest Launch Ramp, a distance of approximately 10.7 miles.
- The Tye River within Nelson County from Route 739 (Tye River Road) to the confluence with the James River, a distance of approximately 12.7 miles.
- The Banister River extended in Pittsylvania County from the Route 29 bridge to the Route 640 bridge, where the current Banister designation ends, a distance of approximately 25 miles. In 2013, the Banister in Pittsylvania and Halifax Counties and the Town of Halifax was designated as a Scenic River. The additional section will bring the total Banister designation to approximately 63.3 miles.

The Tye River in Nelson County was recommended for study as possible Scenic Rivers in the 2007 Virginia Outdoors Plan. Each has been evaluated and meets the adopted criteria for designation. The three river segment maps are enclosed for your review.

At the present time, we understand that all involved localities will be supporting designation and will be approaching their local members of the General Assembly to prepare legislation for the 2014 session. We ask for your support for the designation of the specified reaches of the Banister, Dan, and Meherrin Rivers. If we do not hear from you by the requested date, we will assume your concurrence.

If you would like additional information on the Scenic Rivers Program, please contact our staff representative, Lynn Crump, at (804) 786.5054 or [lynn.crump@dcr.virginia.gov](mailto:lynn.crump@dcr.virginia.gov). Additional information about the program is also available on the DCR/Scenic Rivers website at [http://dcr.virginia.gov/recreational\\_planning/srmain.shtml](http://dcr.virginia.gov/recreational_planning/srmain.shtml).

Thank you.

Attachments: River Maps

cc: David Dowling, Policy and Planning Director  
Michelle Vucci, Assistant Director of Policy and Planning  
Lynn Crump, Environmental Programs Planner  
Robbie Rhur, Environmental Program Planner

Lynn Crump, LA, ASLA  
Environmental Programs Planner  
DCR -Planning & Recreation Resources  
600 East Main Street, 24th Floor  
Richmond, VA 23219  
[\(804\) 786-5054](tel:(804)786-5054)

**From:** Jordan, Elizabeth (VDOT)  
**Sent:** Tuesday, November 05, 2013 10:14 AM  
**To:** Rhur, Robbie (DCR)  
**Cc:** Ray, Alfred C. (VDOT); Crump, Lynn (DCR)  
**Subject:** RE: Scenic River Reviews

Dear Ms. Ruhr,

Thank you for providing VDOT with the opportunity to review and comment on these recommendations. Typically we do not see these until they are submitted as bills during a General Assembly session. At that time, and in most cases, we ask the bill's sponsor to add the following language:

*"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 project."*

Please feel free to contact me with any further questions or concerns.

All the best,

Liz

Elizabeth G. Jordan, Ph.D.  
Environmental Program Planner  
Virginia Department of Transportation  
[804-371-0877](tel:804-371-0877)  
[Elizabeth.Jordan@VDOT.Virginia.gov](mailto:Elizabeth.Jordan@VDOT.Virginia.gov)



**From:** Hubbard, Quatro (DHR)  
**Sent:** Tuesday, November 05, 2013 3:46 PM  
**To:** Rhur, Robbie (DCR)  
**Cc:** Bascone, Dominic (DHR); Langan, Julie (DHR)

**Subject:** RE: Scenic River Reviews

Hi Robbie

If we at DHR (meaning primarily our GIS specialist, Dominic Bascone) provided you with the locational information on the listed, eligible and eased properties in our inventory that fall within the areas of interest in each of these scenic river corridors, then that would be the extent of our comments regarding these proposed designations.

Let us know if you need additional information from us.

FYI – the map attachments did not come through to me on your original e-mail.

Thanks!

Quatro  
Quatro Hubbard  
Commonwealth of Virginia  
DHR Archives  
2801 Kensington Avenue  
Richmond, VA 23221-2470  
[804-482-6102](tel:804-482-6102)  
[804-367-2391](tel:804-367-2391) (fax)  
Website: <http://www.dhr.virginia.gov>

V-CRIS information and schedule now available at:  
[http://www.dhr.virginia.gov/archives/archiv\\_vcrisHome.htm](http://www.dhr.virginia.gov/archives/archiv_vcrisHome.htm)

FTP: <https://vitashare.virginia.gov/fcweb/jsp/logon.jsp>

**Please note:** DHR Archives are open to the public **Tuesdays through Thursdays** from 9 am until 5 pm.

**From:** Revell, Paul F. (DOF)  
**Sent:** Wednesday, November 13, 2013 1:24 PM  
**To:** Rhur, Robbie (DCR)  
**Cc:** Crump, Lynn (DCR)  
**Subject:** FW: Scenic River Reviews

[More comments on the Tye](#)

**From:** Perry, William E. (DOF)  
**Sent:** Wednesday, November 13, 2013 1:15 PM  
**To:** Revell, Paul F. (DOF)  
**Subject:** RE: Scenic River Reviews

Hi Paul,

Below is the comments I got from the local Conservation Police Officer that has been dealing with some of the land owner conflicts.

Some of the land owners are very picky and want people to have access under certain conditions and if they do not like what some is doing or where they are parked they want us to charge them with trespassing. The section does have limited access by the public. I know it was looked at years ago about putting in a boat ramp at 29 where the Tye goes under it.

No sure what they are planning but they do have lot of land owners to talk to.

Thanks,

Bill Perry

Area Forester Specialist  
Virginia Department of Forestry  
James River Work Area  
P.O. Box 465, Amherst, VA 24521  
Office: [434-946-7955](tel:434-946-7955)  
Mobile: [540-817-3344](tel:540-817-3344)  
Email: [bill.perry@dof.virginia.gov](mailto:bill.perry@dof.virginia.gov)  
Web: [www.dof.virginia.gov](http://www.dof.virginia.gov)

**From:** Revell, Paul F. (DOF)  
**Sent:** Wednesday, November 13, 2013 9:29 AM  
**To:** Perry, William E. (DOF)  
**Subject:** RE: Scenic River Reviews

[Thank you for this information.](#)

**From:** Perry, William E. (DOF)  
**Sent:** Tuesday, November 12, 2013 3:14 PM  
**To:** Revell, Paul F. (DOF)

**Cc:** Warring, Martha E. (DOF)  
**Subject:** FW: Scenic River Reviews

Hi Paul,

Martha asked me to comment on the designation of the lower Tye River into a scenic river. I have canoed this stretch many times and can say it certainly deserves the title.

Other than what I have read in the this email chain I am not familiar with this program. If the program is truly to encourage local tourism and recreation there is a big problem with this stretch. There is no public access to any portion of this river. There is no parking at either of these spots except for along the road. The traditional take out point is now posted and this landowner has asked the Conservation Police to begin charging people with trespassing.

I have forwarded your email to a Conservation Police officer who is more familiar with the issues with the private landowners. I would say unless the state is looking at purchasing landings, encouraging more traffic on this stretch of river is a bad idea.

Thanks,

Bill Perry

Area Forester Specialist  
Virginia Department of Forestry  
James River Work Area  
P.O. Box 465, Amherst, VA 24521  
Office: [434-946-7955](tel:434-946-7955)  
Mobile: [540-817-3344](tel:540-817-3344)  
Email: [bill.perry@dof.virginia.gov](mailto:bill.perry@dof.virginia.gov)  
Web: [www.dof.virginia.gov](http://www.dof.virginia.gov)

**From:** Warring, Martha E. (DOF)  
**Sent:** Thursday, November 07, 2013 4:40 PM  
**To:** Perry, William E. (DOF)  
**Subject:** FW: Scenic River Reviews

Have you canoed this part of the Tye? Do you have any comments? Anything would be appreciated.

Martha D. Warring  
Senior Area Forester  
VA Dept. of Forestry  
James River Area  
P. O. Box 465  
Amherst, VA 24521  
Phone: [434-946-7955](tel:434-946-7955)  
Cell: [434-981-4548](tel:434-981-4548)  
Fax: [434-946-0577](tel:434-946-0577)  
E-mail: [martha.warring@dof.virginia.gov](mailto:martha.warring@dof.virginia.gov)  
Web: [www.dof.virginia.gov](http://www.dof.virginia.gov)

---

**From:** Zimmer, Edward H. (DOF)  
**Sent:** Wednesday, November 06, 2013 3:31 PM  
**To:** Arnn, D. Drew (DOF); Warring, Martha E. (DOF)  
**Subject:** FW: Scenic River Reviews

Please provide comments to Paul Revelle.

Thanks,

Ed Zimmer  
Regional Forester  
Virginia Department of Forestry  
Central Region  
900 Natural Resources Drive, Suite 800  
Charlottesville, VA 22903  
Office: [434-220-9178](tel:434-220-9178)  
Cell: [757-653-7511](tel:757-653-7511)  
Fax: [434-220-9189](tel:434-220-9189)  
Email: [ed.zimmer@dof.virginia.gov](mailto:ed.zimmer@dof.virginia.gov)  
Web: [www.dof.virginia.gov](http://www.dof.virginia.gov)  
VDOF: Protecting and Serving since 1914

**From:** Revell, Paul F. (DOF)  
**Sent:** Monday, November 04, 2013 11:09 PM  
**To:** Zimmer, Edward H. (DOF); Stoots, E. Edward (DOF)  
**Cc:** Brown, Andrew (DOF); Warring, Martha E. (DOF); Arnn, D. Drew (DOF)  
**Subject:** FW: Scenic River Reviews

Please see the request from DCR. I will respond to DCR once you provide me your comments. To my knowledge, a Scenic River designation in no way precludes routine forestry practices and is simply used to encourage local tourism and outdoor recreation. They are not asking for a detailed study on our part, just your comments pro or con backed up by any local knowledge you have.

Please respond to me by November 30.

**From:** Kennedy, John (DEQ)  
**Sent:** Thursday, November 14, 2013 12:30 PM  
**To:** Rhur, Robbie (DCR)  
**Subject:** RE: Scenic River Reviews

Robbie – staff in our Water Quality Standards section reviewed your list of proposed Scenic Rivers designations, and their comments are:

- Offer support for the designations.
- Scenic river designations do not require different water quality standards or criteria.

Hope this is helpful,  
John Kennedy  
DEQ-Office of Ecology & Infrastructure  
phone: [804-698-4312](tel:804-698-4312)

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Home Nelson CountyTimes News

# Tye River may get 'scenic' label

Story Comments Image (1)

Print Font Size:



Lee Luther Jr. Paddlers enjoy the beauty and recreation of the Tye River. A 12.7-mile portion of the waterway has been evaluated in a study by the Virginia Department of Conservation & Recreation. The section meets criteria necessary to receive a Virginia Scenic River designation.

Posted Wednesday, July 17, 2013 11:27 am

Katherine Lacaze

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This southeast portion of the Tye River already is known for its beauty by area paddlers, tubers, fishers and nature enthusiasts of all kind. Now, it may gain more wide-reaching recognition for its scenic appeal, including its clear water, lush, green shorelines and near seclusion from houses, roads and other signs of civilization.

A 12.7-mile portion of the Tye River evaluated in a study by the Virginia Department of Conservation & Recreation meets criteria necessary to receive a Virginia Scenic River designation. To start the process, the Nelson County Board of Supervisors is asking for input from residents along the river

"We found that it does qualify for scenic river designation," said Lynn Crump, the environmental programs planner with the DCR, who presented the findings from the May 21 field study to the Nelson County Board of Supervisors at its meeting July 9.



Lovingsston, VA

### Current Conditions



Scattered Clouds Humidity: 69%  
**81°** Winds: at 0mph  
 Feels Like: 84°

### Your Extended Forecast



Today High 83°/Low 60°  
 Scattered thunderstorms possible



Tomorrow High 76°/Low 55°  
 Mostly sunny



Thursday High 77°/Low 57°  
 Mix of sun and clouds



Friday High 79°/Low 59°  
 Times of sun and clouds

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### Calendar

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The qualifying segment runs from Virginia 738, or Tye Depot Road, to the river's confluence with the James River.

The Virginia Scenic River Program is managed solely by the state and is designed to "identify, designate and help protect rivers and streams that possess outstanding scenic, recreational, historic and natural characteristics of statewide significance for future generations," DCR's website states.

The program started in 1970 and currently designates 30 river segments, or about 670 miles of river, as scenic throughout the state, Crump said.

"It's a program that's really about designation, recognition of the qualities of the river," she said, adding that many localities use the title to help get additional grant money or easements.

The program is not a regulatory program, Crump said, outside of one restriction mandating that a dam cannot be build on a segment of a waterway with a Virginia Scenic River designation without the approval of the General Assembly.

There are, however, some recommendations for portions of rivers that carry the designation. For instance, any development that must go through state or local permitting processes should "take in to consideration the scenic values of the rivers that are designated," Crump said.

Another recommendation would be the creation of a local administering committee, with members to be appointed by the DCR, to help oversee the continued protection of the river and its qualities. The DCR would help support the committee.

To move forward with the process, the Board of Supervisors would need to pass a resolution of support, and then contact local legislators to ask "that they serve as patrons for legislation in the 2014 General Assembly to codify the designation," according to a June 19 letter from DCR Division Director Danette Poole to County Administrator Steve Carter.

At its July 9 meeting, the board decided to hold off on passing the resolution until landowners along the river could be notified and given a chance to give input.

"I'd like the landowners, since they're going to be the ones who are most affected, to have a voice before this county government just slaps a designation on [the river segment]," said Tommy Bruguere, chairman of the board of supervisors.

Crump said the designation will have little to no impact on the landowners.

"There's no changes to how they're managing their lands," Crump said.

Supervisors plan to hold a meeting within the next month or two to allow people to speak on the matter.

Also at the board's meeting, Tara Sieber, the valley region Total Maximum Daily Loads coordinator with the Virginia Department of Environmental Quality, presented a report on the water quality study that was conducted on the Tye River and its tributaries, including Hat Creek, Rucker Run and Piney River.

A Technical Advisory Committee in cooperation with the DEQ has been studying the TMDL for those waterways to find the sources of pollution and figure out how to eliminate them.

Sieber said the next steps will be to submit a plan to the Environmental Protection Agency and then to work on a clean-up plan that will identify practices, strategies and actions that can be implemented to reduce the bacteria.

"The more active and involved the community is, the faster we try to push for a clean-up plan, so we're hoping the Tye River will be quite soon," Sieber said.

Contact Katherine Lacaze at (434) 385-5542 or [klacaze@timesadlance.com](mailto:klacaze@timesadlance.com).

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## Comparison of 2013 Tye Scenic River Study to 1978 Tye Scenic River Study

The 2013 Tye Scenic River study was compared to a similar study completed by the Department of Conservation and Recreation in 1978. Many of the river's attributes were similar between the two studies with the exception of two criteria: stream corridor vegetation and crossings. Stream corridor vegetation disturbance, the length of the corridor with less than 100' of vegetative buffer, increased from 1978 to 2013 by at least 15%. The number of crossings along the river corridor also increased during this time period, but the exact numbers were not recorded.



## Appendix C

Proposed Legislation for the *Code of Virginia*:

Tye River State Scenic River.

The Tye River within Nelson County from Route 739 (Tye River Road) to the confluence with the James River, a distance of approximately 12.7 miles, is hereby designated a component of the Virginia Scenic Rivers System. Nothing in this section shall preclude the Commonwealth or a local governing body from constructing, reconstructing, or performing necessary maintenance on any road or bridge.