

## VIRGINIA SCENIC RIVER DESIGNATION

### *Does*

- ✓ Allow riparian landowners to continue using their land as they did before the designation.
- ✓ Give 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.
- ✓ Require all state agencies to consider the visual, natural and recreational values of a scenic river in planning and permitting processes.
- ✓ Require General Assembly authorization for the construction, operation or maintenance of a dam, or similar structure, that would impede the natural flow of the river.
- ✓ Require the Federal Energy Regulatory Commission to use the scenic river report when considering the impact of proposed hydropower or related projects on a designated scenic river.

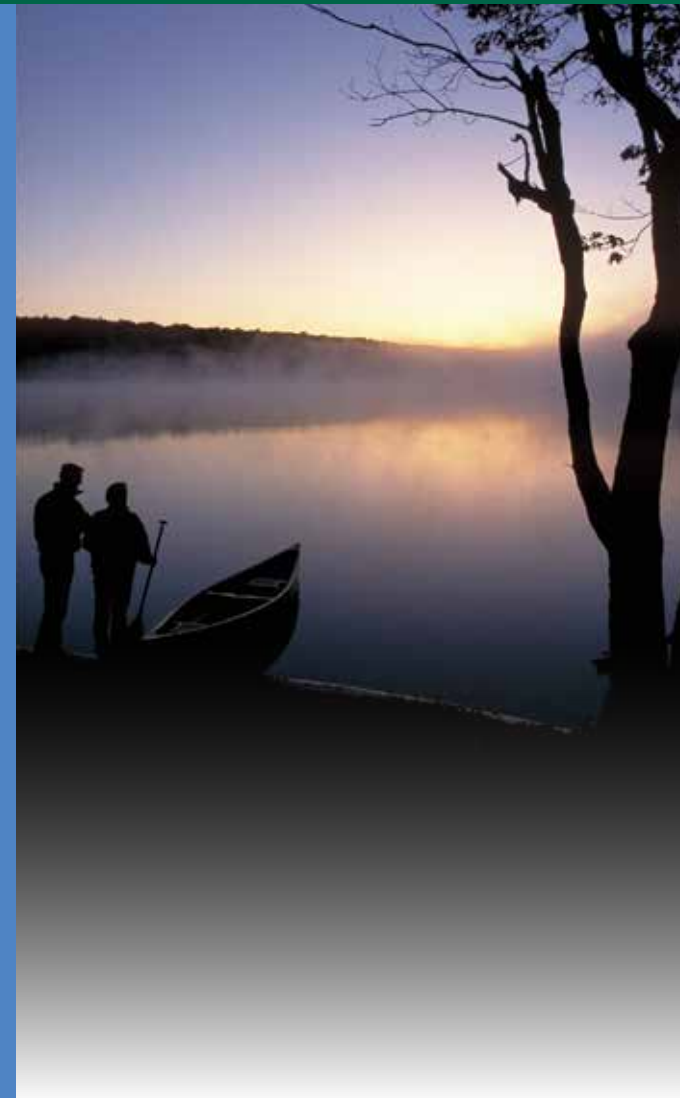


## VIRGINIA SCENIC RIVER DESIGNATION

### *Does Not*

- ✗ Impose any land-use controls or regulations. Land-use controls are the jurisdiction of the locality. DCR provides technical assistance to localities to help protect river corridors, though any such measures are implemented at the discretion of local government.
- ✗ Affect a riparian landowner's right to use the river or its banks for grazing, irrigation, fishing, etc.
- ✗ Impose any restrictions on fishing or boating on the river or adjacent lands.
- ✗ Give the general public the right to use privately owned riparian lands. Landowners maintain all lawful rights, including the right to post their property against trespass.
- ✗ Promote increases in recreational use of the river.
- ✗ Bring any federal or state control, rules or regulation.
- ✗ Provide for the use of eminent domain, which is specifically prohibited by the Scenic River Act.
- ✗ Affect tributary streams or branches.

*Photos by: left, Bill Crabtree Jr., courtesy of Virginia Tourism Corp., inside top, Gerald DeLong, inside right, Irvine T. Wilson.*



### For more information

804-786-5054

[www.dcr.virginia.gov/scenicrivers](http://www.dcr.virginia.gov/scenicrivers)

Full text of the Virginia State Scenic River Act is in the Code of Virginia, Sections 10.1-400 through 418.





**The intent** of the Virginia Scenic Rivers Program is to identify, recognize and provide a level of protection to rivers with significant scenic, historic, recreational and natural values. The program began in 1970 when the General Assembly passed the Virginia State Scenic River Act. Since then, more than 700 river miles have received state scenic river designation. The Virginia Department of Conservation and Recreation administers the program.

*“The Virginia Scenic Rivers Program brings awareness and protection to our quality water resources. The designation ensures we have opportunities to experience beautiful landscapes, a variety of plant and animal life, and a serenity that is only found in nature.”* — Byron Carmean, River Enthusiast

### What is a scenic resource?

Scenic resources are visually or aesthetically pleasing and reflect healthy natural areas or attractive historical or cultural landscapes. They define our sense of place — where we live, work and recreate. — Virginia Outdoors Plan

### STUDY REQUEST

Before a river or river segment can be designated, DCR staff must conduct a study to determine if it qualifies for scenic river status. Studies are usually initiated at the request of local governments.

For a river segment to be studied, it must:

- Be at least 5 miles long.
- Be publically accessible or listed in a standard canoeing guide.
- Have identifiable start and end points.

### EVALUATION PROCESS

Upon receiving a request, DCR conducts a river evaluation that includes a map survey and literature review. DCR staff and a team of local residents then canoe or boat the stretch of river to rate its scenic characteristics. Each river or river segment is evaluated on 14 criteria. These were established to provide a uniform gauge by which all waterways are measured.



### Virginia Scenic Rivers Program Evaluation Criteria

- Stream corridor vegetation
- Streambed and stream flow modifications
- Human development of visual corridor
- Historic features
- Landscape
- Quality of fishery
- Rare, threatened or endangered species
- Water quality
- Parallel roads
- Crossings
- Special features affecting aesthetics
- Recreational access
- Land conservation
- Overall aesthetic appeal

### QUALIFICATION PROCESS

If a river qualifies for scenic status, the local governing body would show support for designation by approving a resolution. The final step is for the General Assembly to pass a bill designating the waterway a state scenic river.

### ADMINISTERING AGENCY

As the administering agency for the program, DCR periodically assesses conditions along each scenic river segment and comments on projects that may impact a designated scenic river.

Seven of Virginia’s major river basins contain at least one state-designated scenic river. Exceptions are the York and New basins.

