



# Albemarle County

## Legislation Text

---

**File #:** 19-418, **Version:** 1

---

**AGENDA DATE:** 8/7/2019

**TITLE:**

State Scenic River designation for the James River

**SUBJECT/PROPOSAL/REQUEST:** Review the Virginia Scenic River Program. Direct staff to request a study to determine if the James River meets requirements to qualify for designation as a Virginia Scenic River.

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Graham, Hannah

**PRESENTER (S):** David Hannah

**LEGAL REVIEW:** Not Required

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Virginia State Scenic River program began in 1970. It is administered by the Virginia Department of Conservation and Recreation (VDCR). The designation recognizes the scenic, natural, historic, and recreational values of rivers. It provides a small amount of protection when state and federal projects are being considered. The designation does not provide any regulatory authority or land use controls, or give the public any right to use or access privately-owned land.

The State Scenic River Program celebrates its 50<sup>th</sup> anniversary in the year 2020. A number of rivers throughout the state will be under consideration for designation in 2020. No section of the Middle James River carries the designation at this time. Attachments A, B, C, D, and E provide information from VDCR about the program.

**STRATEGIC PLAN:** Natural Resources Stewardship: Thoughtfully protect and manage Albemarle County's ecosystems and natural resources in both the rural and development areas to safeguard the quality of life of current and future generations

**DISCUSSION:** Before a river or river segment can be designated as State Scenic, VDCR staff must evaluate it to determine if it qualifies. VDCR must receive a request from all affected localities before it conducts a study to evaluate the river segment. In addition to Albemarle County, three other localities are affected: Town of Scottsville, Fluvanna County, and Buckingham County. Each of these three localities have made a request of VDCR to conduct a study.

The Virginia General Assembly must pass legislation to create State Scenic Rivers. If VDCR determines a segment of James River qualifies as State Scenic, it is incumbent upon the localities to show support for the designation. Support is typically demonstrated by adopting a resolution. In making a request for a study, localities are signaling their intent to support the designation. Attachment F is a draft letter to VDCR requesting that they conduct a study of the James River. A community meeting to explore the topic, with a

presentation by VDCR, is scheduled for July 26 in the Scottsville Town Hall.

Three State Scenic Rivers are located in Albemarle County (Attachment A). The Moormans and Rivanna Rivers are State Scenic. The entire stretch of the Rivanna River, from the South Fork Rivanna River dam to the confluence with the James River in Fluvanna County, is State Scenic. A segment of the Rockfish River that forms the Albemarle County boundary with Nelson County is also State Scenic.

**BUDGET IMPACT:** There is no budget impact in requesting a study or in the designation of the James River as a State Scenic River.

**RECOMMENDATION:**

Staff recommends the Board authorize the County Executive to send a request to VDCR to conduct a study to determine if a segment of the James River meets the requirements to qualify as a State Scenic River.

**ATTACHMENTS:**

- Attachment A - List of Scenic Rivers-Va DCR
- Attachment B - Brochure for Scenic Rivers-Va DCR
- Attachment C - What Designation Does-Va DCR
- Attachment D - Benefits of Scenic Rivers-Va DCR
- Attachment E - Criteria for Scenic Rivers-Va DCR
- Attachment F - Draft Letter to Va DCR Requesting Study