



For further information:

(804) 786-5054

www.dcr.virginia.gov/prt/srmain

Va. Dept. of Conservation & Recreation
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Richmond, Virginia 23219

TECHNICAL ASSISTANCE AND LANDOWNER MANAGEMENT PROGRAMS

*In addition to the Scenic Rivers program,
Virginia offers a number of programs
to assist riparian landowners.*

Virginia Outdoors Plan:

www.dcr.virginia.gov/prt/vopfiles

Virginia Office of Land Conservation:

www.dcr.virginia.gov/olc

Virginia Land Conservation Foundation:

www.dcr.virginia.gov/vlcf

Conservation Reserve

Enhancement Program (CREP):

www.dcr.virginia.gov/sw/crep

Riparian Forest Buffer Tax Credits:

www.dof.virginia.gov/rfb



Virginia Department of Conservation & Recreation
State Parks • Soil & Water Conservation • Natural Heritage
Chesapeake Bay Local Assistance • Land Conservation
Outdoor Recreation Planning • Dam Safety & Floodplains

SCENIC RIVER DESIGNATION DOES NOT ...

- ✗ provide additional authorization to any state agency to condemn land or to acquire real property or interest therein for the purpose of providing additional access to the river. In fact, use of the power of eminent domain is specifically prohibited (section 10.1-405).
- ✗ impose any land use controls or regulations. Land use controls are the discretion of the locality. While DCR may assist in the development of river corridor protection measures, any such measures are implemented at the discretion of the local government (section 10.1-405).
- ✗ affect a riparian landowner's right to use the river or its banks for grazing, irrigation, hunting, fishing, etc. (section 10.1-408).
- ✗ bring any federal control, rules or regulations.

- ✗ affect tributary streams or branches.
- ✗ promote increases in the recreational use of the river.
- ✗ give the general public the right to use privately owned riparian lands. Landowners maintain all their lawful rights, including the right to post their property against trespass.
- ✗ impose any restrictions on hunting, fishing and boating on the river or adjacent lands.



VIRGINIA'S SCENIC RIVERS PROGRAM

... its mission and process

HISTORY

The Virginia Scenic Rivers program began in 1970 with passage by the General Assembly of the Virginia State Scenic River Act (Code of Virginia: Title 10.1, Chapter 4 Sections 10.1-400 through 10.1-418). Since then, 20 river segments totaling approximately 474 miles have been designated state scenic rivers. The Virginia Department of Conservation and Recreation (DCR) administers the Virginia Scenic Rivers program and it is assisted and advised by the Board of Conservation and Recreation.



PROGRAM INTENT

The intent of the Virginia Scenic Rivers program is to identify, recognize and provide a level of protection to those rivers whose scenic beauty, historic importance, recreational value and natural characteristics make them resources of particular importance. State designated scenic rivers possess these outstanding characteristics.

STUDY REQUEST

Before a river or river segment can be designated, DCR staff must first study the waterway to determine if it qualifies for scenic

river status. Scenic river studies are usually initiated at the request of local governments. However, the General Assembly and state agencies can also request an evaluation.

EVALUATION PROCESS

Upon receiving a request, DCR conducts a river evaluation, beginning with an assessment that includes a map survey, related literature review and field study to validate existing land use or quality. A field evaluation is then conducted—staff, local residents and others canoe or boat the stretch of river and rate its characteristics. Each river or river segment is evaluated using 11 factors or criteria; these were established to provide a uniform gauge by which all waterways are measured. Some of the major factors include water quality, corridor development, historic features, natural features, visual appeal, quality of fisheries and the presence or habitat of unique species.

QUALIFICATION PROCESS

If a river qualifies, DCR staff then prepare a scenic river report describing the waterway. The report includes resolutions of support from local governments and comments from state agencies. The report also serves as a multi-purpose planning document for future stewardship of the river. The final step is passage by the General Assembly of a bill designating the waterway a state scenic river.



ADMINISTERING AGENCY

As the administering agency for the Virginia Scenic Rivers program, DCR periodically assesses conditions along each scenic river segment. DCR prepares comments on projects that may impact a designated scenic river. DCR also serves as the support agency for the program's advisory board, informing the board on issues related to the Virginia Scenic Rivers program.

VIRGINIA SCENIC RIVER DESIGNATION DOES ...

- ✓ require the Federal Energy Regulatory Commission 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.
- ✓ require all state agencies to consider the visual, natural and recreational values of a scenic river in their planning and permitting process (section 10.1-402).
- ✓ 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 (section 10.1-406).
- ✓ require authorization by the General Assembly for the construction, operation and/or maintenance of a dam, or similar structure, that will impede the natural flow of the river (section 10.1-407).
- ✓ allow riparian landowners to continue using their land as they did before designation, except for the section 10.1-407 provision (section 10.1-408).