

Banister Scenic River Report Halifax County



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

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I. REASON FOR THE STUDY

The Banister Scenic River study in Pittsylvania County, Halifax County and the Town of Halifax was undertaken at the request of the Halifax Town Council, and the Halifax and Pittsylvania County Board of Supervisors. Letters to the Department of Conservation and Recreation (DCR) indicated their interest in possible designation of a section of the river starting in Pittsylvania County and going through Halifax County and the Town of Halifax ending at the confluence with the Dan River. The request was made asking DCR to evaluate the Banister to determine if it qualifies for inclusion into the Virginia Scenic Rivers System. The limits of this study are from Anderson Bridge at Route 640 in Pittsylvania County through Halifax County and the Town of Halifax to its confluence with the Dan River.

The Scenic Rivers Act, found in Title 10.1, Chapter 4, Sections 10.1-400 through 10.1-418.1 of the Code of Virginia, was enacted in 1970 as a means of protecting 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 does an evaluation and writes a report documenting these attributes. Since the passage of the Act, 28 river segments, totaling over 656 miles, have received Scenic River designation by the General Assembly. A list of those rivers can be found on the [Virginia Scenic Rivers](#) website.

A. Benefits of Designation

The Virginia Scenic River designation accomplishes the following:

- ⤴ it 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,
- ⤴ it requires all state agencies to consider visual, natural and recreational values of a Scenic River in their planning and permitting process (Section 10.1-402),
- ⤴ it 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 (Section 10.1-406),
- ⤴ it 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 (Section 10.1-407), and
- ⤴ it allows riparian landowners to continue using their land as they did before designation, except for the Section 10.1-407 provision noted above (Section 10.1- 408).

B. Designation Process

Scenic river evaluations involve data collection from state agencies, map surveys, related literature reviews and a field study to validate existing land use information and rank the river according to relative uniqueness or quality. Evaluations for each river or river segment take into consideration thirteen (13) different established factors or criteria, which provide a uniform gauge for all river studies. Field evaluations include physically canoeing or boating 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 Fauna, Water Quality, Parallel Roads, Crossings, Special Features Affecting River Aesthetics, Public Recreational Access and Land Conservation. A summary of the evaluation results is included in Section IV. Environmental Analysis.

The Act instructs the 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 is a fulfillment of this statutory directive.

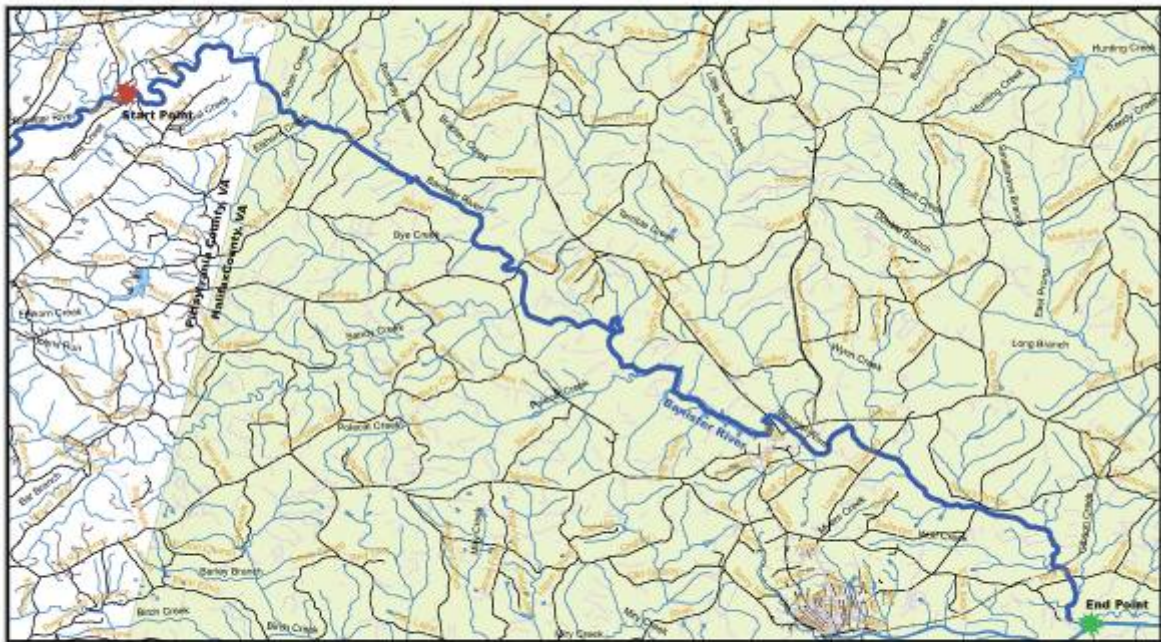
II. SUMMARY AND FINDINGS

At the request of the Halifax Town Council and the Pittsylvania and Halifax County Board of Supervisors, all of which have a boundary along the Banister River, DCR conducted a Scenic River evaluation of the Banister River in Pittsylvania and Halifax Counties from Anderson Bridge at Route 640 in Pittsylvania County to its confluence with the Dan River in Halifax County, a distance of approximately 38.4 miles.

This report covers DCR's findings during the study of the aforementioned Banister River segment in Virginia. The DCR evaluation of the Banister River corridor determines that the 38.4-mile section from Anderson Bridge at Route 640 in Pittsylvania County through Halifax County and the Town of Halifax to its confluence with the Dan River, is eligible for inclusion into 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 Banister River in Pittsylvania County, Halifax County and the Town of Halifax generally flows south east until it meets the Dan River. This report will discuss the river segment proposed for designation from Anderson Bridge at Route 640 in Pittsylvania County to its confluence with the Dan River in Halifax County, a distance of approximately 38.4 miles.



**Scenic River Evaluation
Location Map
Banister River**

IV. Environmental Analysis

In order to determine whether the proposed segment of the Banister River 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. Staff and interested citizens on July 7 and 8th, 2012 conducted a field investigation. The following is a description of the qualities and conditions of the resource that makes it a candidate for the Virginia Scenic Rivers Program.



Image 1: Typical Vegetation along the Banister River

A. River Corridor Vegetation

The Banister River winds through a seemingly remote, forested landscape accented by periodic cliffs, rock outcrops, and historic features. Streamside vegetation is prevalent throughout the corridor with overhanging branches providing plenty of shade (Image 1). In many spots, fallen trees line the river's edge. Navigation is hindered where these fallen trees have encroached into the primary waterway and

are quite common in some sections of the Banister and in-stream and short portages are required, especially when water is low. Some of these areas present strainer hazards in high water conditions (where water pressure against the trees create inescapable traps). Property damage and public safety affected by these log jams should be considered for all water levels and especially in the event of water/debris surge condition.

The land along the river is primarily utilized for timber resources although some areas are open fields used for grazing, growing hay, or for row crops (Image 2). Most of the river has a forested riparian buffer of 100' or more between agriculture and the water's edge, which provide necessary cover to protect water quality and fish habitat (Images 3-8). Approximately 5% of the Banister River has forested riparian buffers less than 100'. Of the areas timbered, most are in the process of being reforested (Images 9-10).

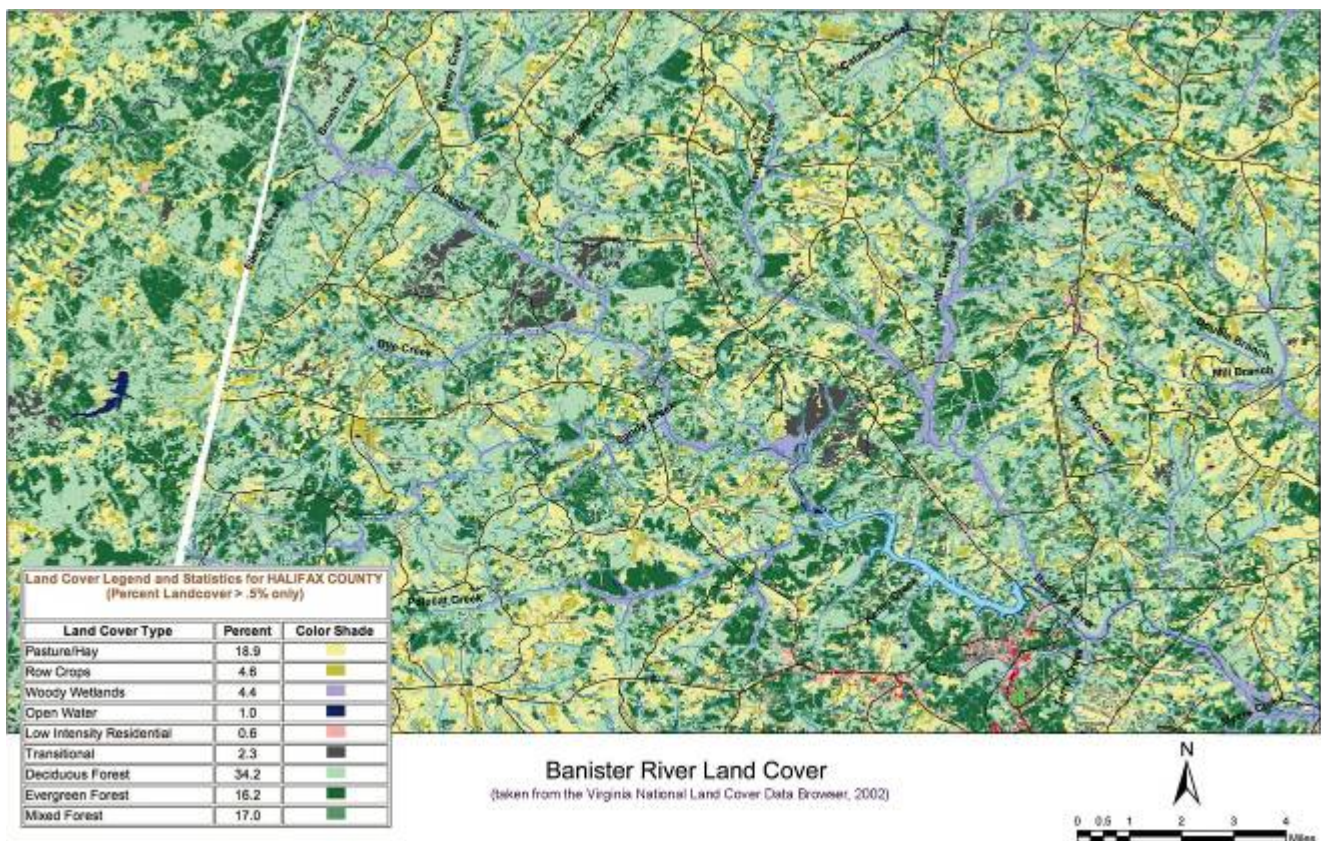


Image 2: Banister River Land Cover

Vegetation along the corridor is generally comprised of eastern hardwood forests. The few evergreen trees along the corridor consist of Eastern White Pine, Loblolly Pine, Mountain Laurel, and a few hemlock species. Several of the understory trees include Paw-paw, Eastern Redbud, Dogwood, Button Bush and Sassafras. The dense herbaceous layer includes River Oats, Virginia Creeper, Phlox, Cardinal Flower, and numerous other species. The vegetation along the corridor provides visually interesting views with a variety of forms, textures, sizes, and colors. This variety provides year-around changes in the cover and views from and along the river.



Image 3: Buffers <100', Banister River Anderson's Bridge to Pittsylvania/Halifax County Line



Image 4: Buffers <100', Banister River Pittsylvania/Halifax County Line to Leda Bridge



Image 5: Buffers <100', Banister River Leda Bridge to Banister Lake



Image 6: Buffers <100', Banister River Banister Lake



Image 7: Buffers <100', Banister River US360 Dam to US360



Image 8: Buffers <100', Banister River US360 to the Dan Confluence

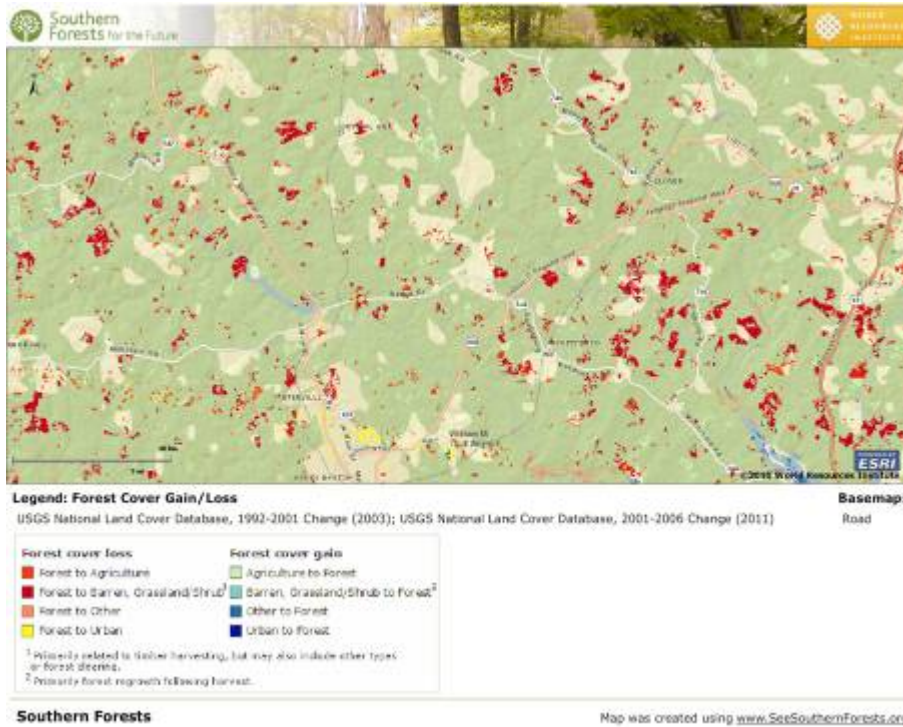


Image 9: Forest Cover Gain/Loss 1992-2001

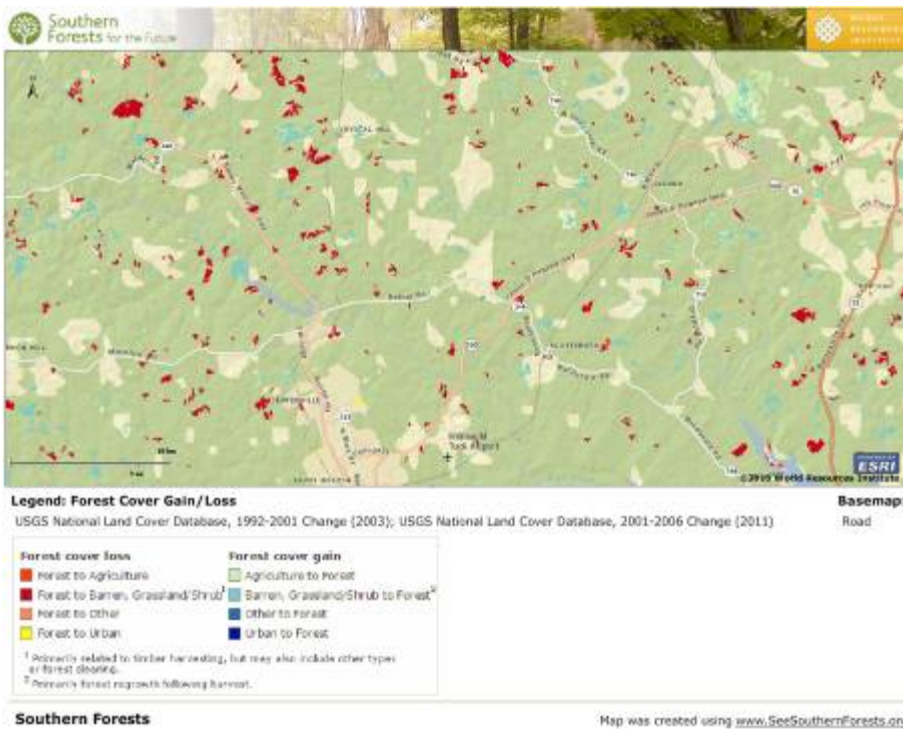


Image 10: Forest Cover Gain/Loss 2001-2006

B. Riverbed and/or River Flow Modifications

The river section studied is a free flowing, meandering river with a number of sand bars and downed trees creating minor obstructions for boaters. Several fallen trees require boaters to lift their vessel over the trunks when the water is low, but do not require extensive portaging (Image 11). Banister Lake, created by a dam, forms the only major obstruction to boaters. Paddlers hoping to travel along the entire length of the river section would have to portage at the dam. In addition, several bateaux wing dams exist along the river, although none interfere with boating (see Section D. Historic Features). Naturally occurring rock ledges and outcrops add visual and paddling interest to the journey.



Image 11: Tree/Debris Obstruction

C. Human Development of Visual Corridor

The Banister river corridor contains few signs of human development. Several houses and cabins may be seen along the route, but they are few and far between. A wildlife viewing platform with picnic tables is located at Molliver Vineyards, which offers a pleasant rest spot for paddlers (Image 12). Several other areas have sitting areas and hammocks along the river's edge, but no buildings are present. The greatest concentration of buildings are a number of houses along the shore of Banister Lake. Other human interventions include bridges and utility line crossings (see Section J. Crossings).



Image 12: Picnic Area at Molliver Vineyards

D. Historic Features

A total of eleven historic features are located along the Banister River. Although none of historic sites are currently documented by the Department of Historic Resources, the Virginia Department of Transportation (VDOT) has listed the “Banister River Navigation Improvements District” (VDHR 041-5311) as eligible for listing on the Virginia and National Register. Features included in this district are 1. Wing dams in the Banister Bridge Project area/US 360, 2. Meadville Canal, 3. King’s Bridge Wing Dams, and 4. Cow Ford Wing Dams (Image 13). Each of these sites is described briefly below:

1. The wing dams in the Banister Bridge Project area/US 360. Wing dams were constructed to channelize water for batteau navigation. Batteaus are wooden, flat bottom boats that were used up until the early 20th century to transport goods and navigate shallow waters in the southeastern United States. The wing dams in the Banister Bridge Project area are located just below US360.
2. Meadville Canal. Meadville was the region’s industrial center and a primary batteau port when it was found in 1797-98.
3. King’s Bridge Wing Dams. Today the King’s Bridge consists of two well-preserved, oval stone piers located 0.1 miles above the VA 360 bridge. The King’s Bridge, once shown as “Banister T. (Toll?) Bridge” (1827), is named on the Halifax Plat Book 1;84, Sept. 28, 1914. The wing dams located slightly above the two piers were probably built two centuries ago and were used to channelize water for batteau navigation.



Image 13: The stone pier from King's Bridge. The wing dams are visible in the background.

4. Cow Ford Wing Dams. According to *The Dan River Atlas* by William E. Trout III, the batteau wing dams above the Cow Ford Bridge are one of the most well-preserved set of batteau wing dams in Virginia. Three series of wing dams interspersed with rock outcrops are extremely evident when the river is low (Image 14).



Image 14: Wing Dams at Cow Ford Bridge.

A number of other wing dams and stone remains (Image 15) of original bridges, canals and mill sluices exist along the corridor, but are not recognized as significant.



Image 15: Original stone abutments of Anderson's Bridge at Riceville "canoe landing"

E. Landscape

The Banister River begins in the mountains west of Chatham, VA flowing southeast through Pittsylvania and Halifax Counties until it meets the Dan River 5-miles upstream of Staunton River State Park. The Banister is part of the Dan River Basin along with the May, the Smith, the Sandy, the Hyco, and the Dan Rivers. Running through the large, level Piedmont Plateau, the Banister is characterized by meandering passages dappled with rock outcroppings and rock ledges.

F. Quality of Fishery

The fisheries rating for the Banister River is fair to good, depending on the season, target species and specific area. The lower section of this Banister designation, below the dam of Banister Lake and within the Banister Wildlife Management Area, is host to a seasonal run of Striped Bass in late April to mid May that push up into the Banister from the confluence with the Dan River. Local fishermen take up position on a bridge crossing (Route 716) and often witness “wall-to-wall” stripers averaging 12-15 pounds. This same access point is used year round for bank fishing. Freshly cleaned and discarded catfish carcasses were witnessed downstream from this access point despite consumption warning postings.



Image 16: Catfish caught by local angler during field evaluation, just below the Banister Lake dam

Banister Lake can produce consistent 5-9 pound large mouth bass as well as sunfish, crappie and catfish (Image 16).

On the whole however, the Banister River does not offer a great deal in the way of angling opportunities. The Banister is bordered by private lands making public access difficult. Overall fishery

potential is generally low for standard targets such as Largemouth bass and sunfish. The most abundant specimens officially surveyed (2001) were chub, bluegill, shiner and darter species. While sunfish were common, the majority of the fish collected were less than 150 mm in length.¹

During the scenic river evaluation and throughout the study corridor, schools of these smaller fish and larger individuals, including catfish, bass, and gar were observed due to the low-water conditions.

The Banister is also considered highly probable habitat for the endangered Roanoke logperch. Despite failing to observe logperch, the Banister appears physically capable of supporting populations of logperch, based on the presence of deep, swift runs and un-embedded gravel substrate. Given the proximity of the Dan to other occupied streams, logperch could conceivably expand into these areas in the future or be translocated there by management agencies seeking to reintroduce logperch.²

Sources:

¹ *RF02-04 – Warmwater Stream Investigations Banister River and Tributaries – 1999-2001 Pittsylvania/Halifax Counties* - Virginia Department of Game and Inland Fisheries Richmond, Virginia

² *Assessment of the distribution and abundance of Roanoke logperch (Percina rex) in the Dan River basin of Virginia*, James H. Roberts Department of Fish and Wildlife Conservation Virginia Polytechnic Institute and State University, Blacksburg, VA 24061, for the Virginia Department of Game and Inland Fisheries Richmond, Virginia

G. Special Natural 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. The Banister River contains one state and globally significant natural heritage resource: *Marshallia obovata* var. *obovata*, Spoonshape Barbara's buttons, ranked G4G5[Global - Apparently Secure-to-Secure Subspecies Status]/S2[Subnational - Imperiled Status] (Image 17)



Image 17: *Marshallia obovata* var. *obovata*

Expected species of some frequency along the river include deer, turkey, rabbit and quail. Other species expected along the corridor include diverse populations of small mammals, amphibians, reptiles and insects. Muskrats and probable muskrat den entrances along the banks were also observed during the field evaluation. Varieties of bird species found in the corridor include a moderate level of water-associated fowl, such as blue heron, wood duck and kingfishers. Resident Bald Eagles are reported by locals but none were witnessed during the field evaluation. Halifax County is defined as Bald Eagle “occupied” by the Virginia Bald Eagle Nest And Productivity Survey: Year 2011 Report produced by the Center for Conservation Biology, College of William and Mary and Virginia Commonwealth University, Williamsburg, VA.

H. **Water Quality**

Water levels during the field investigation were extremely low and the general impression due to these low water conditions was that the water was less turbid than is typically experienced. Below waterline river features could easily be seen and a variety of aquatic wildlife was witnessed including many fish and several mature Painted Turtles.

Periodic evidence of consumer trash was consistently recorded and increased at informal public access points along the study corridor. Significant snags, requiring canoe portage, are locations where trash also accumulates.

The Banister River fully supports aquatic life, wildlife, and recreation uses. The water quality rating is low for most of the activities related to the river as there are health hazard advisories for fish consumption on the Banister. Along the designation study area, free-ranging cattle are often provided access to the Banister for water and this contributes to sedimentation and turbidity. Despite agricultural land use nearby, vegetative buffers are ample. In total, the buffers on the banister are a positive attribute to maintaining visual water quality.

Turbidity increases in the study corridor in the both the backwaters of Banister Lake and with the confluence of the Dan as downstream impoundment propagates sedimentation in these deeper and slower waters. Underwater hazards, such as stumps and strainers can loom into view just below the

surface (Image 18).



Image 18: Turbidity and below water obstructions

I. Parallel Roads

No parallel roads were predetermined by way of roadway map analysis nor was any evidence of parallel roads witnessed along the entire length of the study area.

J. Crossings

Crossings consist of roads, railroads, pipelines and power/communication lines; most cross perpendicular to the Banister, thereby having limited visual impact on the river experience. Moreover, in nearly every case of a roadway and wire crossing, these happen together, therefore the visual proximity of two crossings is witnessed as one occurrence.

Visual crossings are unique. As experienced from the river, these crossings are attributed to below grade and below waterline pipeline utilities. The crossings are easily determined by large breaks in the buffer on both sides of the river. Signage (to warn boaters of anchor hazards) and visible utility markers are typically present and further define this type of crossing (Image 19).



Image 19: Typical sub-grade utility crossing

K. Special Features Affecting River Aesthetics

The Banister River under consideration offers an isolated experience defined by remoteness. Besides the occasional crossing, evidence of human activity is limited to modestly sized and appropriately sited private interventions that are few and far between. This is an intimate corridor with ample canopy which contributes to a high percentage of foreground and middle ground views. This is in stark contrast to when the canopy opens and the river widens at Banister Lake and at the convergence with the Dan. These are the only two areas where long views are afforded (Image 20-21).

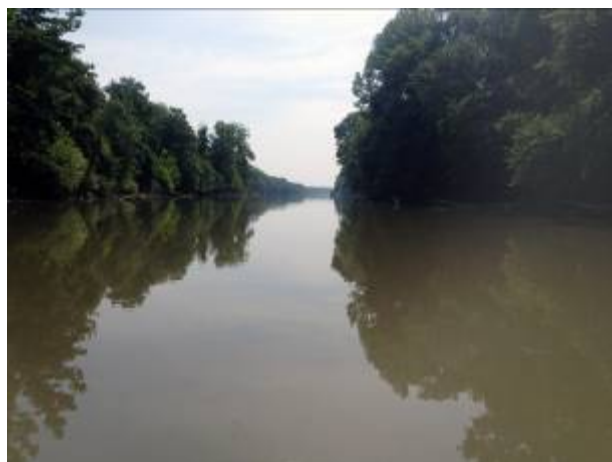


Image 20: View of the Banister and Dan Convergence



Image 21: View of Banister Lake

The generous buffers and stream canopy contributes to a wildlife experience that can not only be seen but also heard. The predominant acoustical experience besides the sound of water is that of song birds.

The Banister also boasts a variety of in-stream and stream-side rock formations. The “Rock House” is a

large undercut that in lower water becomes an overhang that looms up and over the water's edge and captures reflected light from the water below (Image 22). The "Rock House" has been admired locally for generations and is culturally significant as a location for family reunions and marriage ceremonies. Fishermen are known to "park" their boats inside the exposed undercut when lake levels rise.



Image 22: The "Rock House" rock formation on the Banister River

At the confluence of Polecat Creek, the river takes on a special primitive character. An adjoining area, locally known as "the swamp" is noted by local guides to provide migratory birds a temporary respite from their migrations. This area also has multiple islands, backwater coves and spits of land that continue into Banister Lake offering a stream-bank character very different than the alternating dual-condition of small sand bars and rock banks common throughout the study corridor.

Along the lower Banister, another diverse primitive area is recorded. From Terry's Bridge to the confluence with the Dan, the Banister Wildlife Management Area fans and expand out along both sides of the river. This area features a mature lowland forest offering an aesthetic experience much different than much of the corridor banks – typically characterized by dense undergrowth.

L. Public Recreational Access

The river allows for wet season recreational paddling. During dry seasons, navigation becomes hindered and short in-stream portages are common in shallow sections. Paddlers and tubers obtain access at public bridge crossings and by permission of private land holders. The Banister Scenic River segment includes public access at a developed boat launch located at Banister Lake. Additional boat access sites are being considered and extensive planning has already occurred for public access at the Route 360 crossing.

M. Land Conservation

There is a combination of protections within the Banister River study corridor. The linkage of the John H Kerr Reservoir, Wolftrap Wildlife Management Area, and Banister Wildlife Management Area creates miles of unbroken protection on the lower Banister River and confluence with the Dan River. The Virginia Outdoor Foundation also holds several land conservation easements in the area. The most relevant to the study corridor is a 2 mile stretch of shoreline at the head of Banister Lake (Image 23).

V. LAND USE AND OWNERSHIP

Lands in the study corridor are primarily in private ownership. Adjacent land use within the corridor is agricultural, interrupted by occasional second homes and industry. Most of the land use, other than forested, is not visible, or if it is, it is only visible for very short spurts of time. The only concentrated development is at Banister Lake/Hydro-electric impoundment, which is a relatively short piece of the 38.4-mile segment, and its impact is minimal. Future planning has most of the corridor in agriculture, open space/forest, or conservation lands, thereby limiting development along the corridor and ensuring protection of the corridor's scenic values.

VI. CONCLUSIONS AND RECOMMENDATIONS

The Department of Conservation and Recreation concludes that the Banister River in Pittsylvania and Halifax Counties from Anderson Bridge at Route 640 in Pittsylvania County to its confluence with the Dan River in Halifax County, a distance of approximately 38.4 miles, is hereby designated a component of the Virginia Scenic Rivers System. Scenic River Designation is warranted because of the aesthetic and recreational qualities of the river section, its environs, the unique flora and fauna, and its historic setting.

Flowing through largely agricultural and forested land, this river segment possesses a number of interesting aesthetic features including in-stream and stream-side rock formations and a stunning view in time to early river navigation and settlement. Its meandering alignment and ample canopy provides interesting foreground views and offers a sense of remoteness and isolation. The adjacent landscape consists of few man-made features and variations in terrain and vegetation. The Banister River is a Piedmont Plateau river that meanders through large forested and agricultural tracks of level land with unique qualities that add much to the Scenic River value of this corridor.

Considering all aspects of the Banister River within the Town of Halifax, Halifax County and Pittsylvania County as described in this report, DCR recommends it as a good candidate for Virginia Scenic River designation.

It is recommended that:

1. The Banister River in Pittsylvania and Halifax Counties from Anderson Bridge at Route 640 in Pittsylvania County to its confluence with the Dan River in Halifax County, a distance of approximately 38.4 miles, be recommended for Virginia Scenic River Designation;
2. The Department of Conservation and Recreation be appointed the Administering Agency;

VII. CONSERVATION PLAN

A variety of elements contributes to the conservation plan for the Banister 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 Banister 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 State Scenic River Advisory Board will give local residents an avenue for formal input into decisions that would impact the river.

A second element of the Conservation Plan involves the Town of Halifax, Halifax County and Pittsylvania County. Land use plans should 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 at least to make sure that the development that does occur utilizes low impact development strategies as much as possible.

The final element 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 river might not still possess the attributes necessary for inclusion in the Virginia Scenic River System. 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 Banister River and the carefully coordinated efforts of the Town of Halifax, Halifax County and Pittsylvania County should combine to protect the natural and scenic qualities of the recommended section of the Banister 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 for review among DCR Divisions, other state agencies, the Town of Halifax, Halifax County and Pittsylvania County. Their comments and any support documents are included in the Appendix of this report.

X. APPENDIX

A. Species Ranking definitions of DCR Natural Heritage

B. Letters of support

C. Proposed Legislation

Appendix A

Species Ranking Definitions of DCR Natural Heritage

SCIENTIFIC NAME	COMMON NAME	GLOBAL RANK	STATE RANK	FEDERAL STATE STATUS	FEDERAL STATE STATUS
Marshallia obovata var. obovata	Spoonshape Barbara's buttons	G4G5T3T5	S2	NL	NL

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.

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 documents

Sent: Monday, October 22, 2012 3:12 PM

To: Rhur, Robbie (DCR)

Cc: **Watkinson, Tony (MRC)**

Subject: Proposed Scenic River Designation of Segments of the Dan, Bannister and Meherrin Rivers

Dear Ms. Rhur,

Per the October 15, 2012 memorandum from Danette Poole requesting comments on the proposed Scenic River Designations for certain segments of the Dan, Banister and Meherrin Rivers, VMRC would like to offer the following:

The Virginia Marine Resources Commission Habitat Management Staff has no comment on the local requests to designate the subject segments of the three rivers described as "Scenic Rivers." The VMRC would continue to assume our proprietary responsibility in the management of any impact to or encroachment upon the beds of these river segments below the ordinary high water line through the Joint Permit Application process. We would continue to seek comments from DCR, DGIF and other state agencies, as well as any stakeholders or members of the public at large for such activities involving the submerged lands along the proposed river segments during the standard public interest review process, as required by the Code of Virginia.

Thank you for the opportunity to comment on this issue and we look forward to working with you as this process develops.

Jay Woodward, Environmental Engineer, Habitat Management Division

Virginia Marine Resources Commission

(757) 247-8032 office, (757) 504-7009 mobile

jay.woodward@mrc.virginia.gov Website: www.mrc.virginia.gov

From: Ray, Alfred C. (VDOT)

Sent: Friday, November 16, 2012 9:55 AM

To: Poole, Danette (DCR); Reed, Beth (DCR)

Cc: Cromwell, James R. (VDOT); Jordan, Elizabeth (VDOT); Newman, Regina K. , E.I.T. (VDOT)

Subject: FW: Potential Virginia Scenic River Designations

Ms. Poole,

Thank you for providing VDOT with the opportunity to review these recommendations. Typically we do not see these until they are submitted as bills during a General Assembly session. In most cases, at that time 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."

If you have any questions please give me a call. Thank-you

Chip

A.C. (Chip) Ray, Environmental Program Planner
Virginia Department of Transportation
1401 East Broad Street, Richmond, VA 23219
804/371-2605 (office), 804/814-0603 (cell)
alfred.ray@vdot.virginia.gov



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
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Georgis W. Damensch
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-0020
1-800-592-5482

January 15, 2013

David A. Johnson, Director
Department of Conservation and Recreation
203 Governor's Street
Richmond, VA 23219-2094

Dear Mr. Johnson:

Thank you for requesting input from the State Water Control Board (Board) on the three Scenic River designation proposals for portions of the Dan, Banister and Meherrin Rivers, as noted in your November 27, 2012, letter. DEQ has reviewed its files and the reports on the three proposals. Based on the reports, General Assembly designation of the above as scenic rivers will not impact existing Board programs. Therefore, DEQ, acting on behalf of the Board, has no comment on the proposed designations.

Sincerely,

David K. Paylor

cc: Danette Poole, DCR
David Dowling, DCR
Michelle Vucci, DCR
Cindy Berndt, DEQ
Melanie Davenport, DEQ

Appendix C

Proposed Legislation

Proposed Legislation for the scenic river designation of the Banister River in the Town of Halifax, Halifax County and Pittsylvania County

A BILL to amend the Code of Virginia by adding in Chapter 4 of Title 10.1 a section numbered § 10.1-XXX.X. , relating to Scenic Rivers.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 4 of Title 10.1 a section numbered 10.1-XXX.X as follows:

§ 10.1-XXX.X. Banister State Scenic River.

The Banister River in Pittsylvania and Halifax Counties from Anderson Bridge at Route 640 in Pittsylvania County to its confluence with the Dan River in Halifax County, a distance of approximately 38.4 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.