

Blackwater Scenic River Report
Isle of Wight and Southampton
Counties
Cities of Franklin and Suffolk



Prepared By

Department of Conservation and Recreation
Division of Planning and Recreation Resources

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I. REASON FOR THE STUDY

At the request of the Boards of Supervisors of Isle of Wight and Southampton Counties and the City Councils of Suffolk and Franklin, the Department of Conservation and Recreation (DCR) conducted a Scenic River evaluation of the Blackwater River from Proctor's Bridge, Route 621, to its confluence with the Nottoway River at the North Carolina line. DCR's background work began during the winter of 2009 and concluded with the completion of the final field evaluation on April 29, 2009.

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 a locality, DCR proceeds with an evaluation and determines if the river section qualifies for designation. If it does, DCR will follow up with a report documenting its attributes. Since the passage of the Act, twenty-four (24) river segments, totaling over 529 miles, have received Scenic River designation by the General Assembly.

A. Benefits of Designation

The Virginia Scenic River designation accomplishes the following:

- it requires the Federal Energy Regulatory 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 impeded 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 (section 10.1-408).

B. Designation Process

Scenic River evaluations involve a map survey, a related literature review and a field study to validate existing land use information and rank the river according to the relative uniqueness or quality. Each river, or river segment, is evaluated on twelve (12) different factors or criteria, which were established to provide a uniform gauge by which all studied rivers are measured. Field evaluations include actually canoeing or boating the river or 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, and

Special Features Affecting River Aesthetics. 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 Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk, all of which have a boundary along the river, DCR conducted a Scenic River evaluation of the Blackwater River from Proctors Bridge, Route 621, continuing to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 miles. After the river leaves Virginia's boundaries and continues its course into North Carolina, it is called the Chowan River. This report covers DCR's findings during the study of the aforementioned Blackwater River segment in Virginia.

The DCR evaluation of the Blackwater River corridor determines that the 56-mile section from Proctor's Bridge at Route 621 to its merger with the Nottoway River at the North Carolina line 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 Blackwater River in southeastern Virginia generally flows southeast and merges with the Nottoway River at the North Carolina line to form the Chowan River in North Carolina. This report will discuss the proposed Scenic River segment from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 miles. This map shows the general location of the river. Note that this map is not to scale.



IV. ENVIRONMENTAL ANALYSIS

In order to determine whether the Blackwater River or any part there of, is eligible for Scenic River designation, personnel from the Division of Planning and Recreation Resources (PRR) of the Department of Conservation and Recreation (DCR), conducted an analysis of the river and the river corridor from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line. Staff gathered information from sister agencies on the attributes of the corridor and then, along with interested citizens and county and city officials, conducted field investigations over the course of March and April 2009. Following is a description of the qualities and conditions of the resource that make it a candidate for the Virginia Scenic Rivers System and recommended for designation by DCR.

A. River Corridor Vegetation

The Blackwater River meanders through a predominantly forested corridor accented by earthen bluffs, dense swamps and occasional development. Evidence of agriculture is rarely visible along the corridor as it is generally more than 100 yards from the river channel. Local agriculture products are hay, timber, some cattle, and other varied crops.



The forest types along the Blackwater River are predominantly tupelo and cypress swamps. Many of these were logged years ago; however, there are a few occurrences of old growth timber -- estimated age is more than 800 years. Local experts have discovered and evaluated about a half dozen trees and shrubs that are champion trees as rated against other state and national records. There are upland pine and hardwood stands along the river and an area of longleaf pine at the Blackwater Ecological Preserve, one of the most northern native longleaf pine sites in Virginia. These forested riparian buffers can range from less than 100 feet to more than 2000 feet and provide necessary cover for high water quality and ecological diversity.

Champion overcup oak

The vegetation along the corridor provides visually interesting views with a variety of forms, textures, sizes and colors. This variation provides year-round changes in the cover and views from and along the river.

B. Riverbed and/or River Flow Modifications

The river section studied is a free-flowing, meandering river with beaver dens and downed trees clogging many of the braided channels in low water seasons. Islands made by the braided river create interesting transitions. Some downed trees create major boating obstructions that may require portaging.



Located in the coastal plain, the river channel is wide and not clearly defined. At Burdette, an abandoned railroad bridge and a water pipeline cross the river. The pipeline can be a deterrent to river flow in low-flow seasons. Work is continuing in an attempt to lower the pipeline so it will not be a safety hazard to boaters. Naturally occurring rock formations and cut embankments add visual and paddling interest to the journey.

C. Human Development of Visual Corridor

The Blackwater River corridor from Proctor's Bridge at Route 621 downstream is essentially devoid of human development, with the exception of the community of Zuni and the City of Franklin. There are less than two dozen individual buildings or clusters visible along the entire river section of 56 miles. Human activity is evident primarily at

the intersections of bridges where small communities have developed. (See Section J. Crossings). Most of the separate buildings are small recreational cottages.



D. Historic Features

In the 1700s and 1800s, goods were shipped on the Blackwater River to and from the South Quay and Franklin areas. Steamboat operations along the river ceased in the early 1900s. Most consider the river upstream from Franklin as non-navigable, especially during low water levels. The Neely sawmill built on the Blackwater River across from Franklin in 1856 was bought by members of the Camp family in 1887; and this marked the beginning of the Camp Manufacturing Company. Tugboats used the Blackwater River to bring barges to the sawmill and later to the papermill which was started in 1937. Barge operations ceased in 1998.

Where the Blackwater and Nottoway Rivers merge to form the Chowan River at the Virginia and North Carolina border, Fort Dillard was built to prevent Union gunships from traveling upriver to Franklin. Confederate troops scuttled ships in the river, which deterred the Union ships from coming up the Blackwater.

Despite the rich history of the river, there are few written records, and only one site is recorded by the Department of Historic Resources.

E. Landscape

The Blackwater River flows south and east from its headwaters along the fall line that separates Virginia's Piedmont and Coastal plain. It builds in size as it approaches the North Carolina line, becoming a large river more than 200 feet wide when it intersects with the Nottoway River. Its unique landscape provides interesting views downriver as it transitions between huge cypress trees in the wetlands and spring flowering trees and shrubs higher up the slopes. This variety of landscape types adds to the quality of the river experience.



The use of the river forests and the fluctuation of the river are evident throughout the corridor, as the natural challenges of the river are displayed in the intricate web of trees and shallows.

Sunlight dapples the water surface and creates interesting patterns as it filters through the forests along the river. Side channels beg one to enter and explore the mystery of this unique landscape. Often these dead ends require turning around in a very narrow space before returning to the main channel. These channels and the curving alignment of the river keep the boating experience fresh and interesting.



The landscape is moderately diverse and consists of varied, interesting

natural features such as like champion trees, cut slopes full of ancient shells and a series of open and closed canopies. Due to the heavily vegetated banks of the river, almost all of the views are up and down the river channel rather than to the side; however, many of the sightlines can approach a quarter of a mile.

F. Quality of Fishery

The fisheries rating for the Blackwater River ranges from poor to excellent, depending on the sections. The river hosts runs of striped bass, river herring (alewives and blueback), and American and hickory shad in the spring. Angling for redbreast sunfish ("red throats" or "red robins") is also quite good in the spring. The river also provides habitat for largemouth bass, bluegill, crappie, flier, and chain pickerel populations. Bowfin and gar are common in the lower main stem. Angling for bowfin provides a great opportunity to catch many hard-fighting fish in a short amount of time. The possibility also exists to land a trophy bowfin over ten pounds.



Tied fishing lines are left by locals to catch fish when they are not present

G. Special Natural Fauna

A number of factors combine to create an environment for supporting a diversity of wildlife species in the area. These include the presence of water and wetlands, the remote nature of the area, the mixture of forest and agricultural lands, and the edge effects that are created between the different land types and uses. The difficulty of human access has been another deciding factor in the preservation of key vegetation, as

exemplified by the large number of state and national champion trees found along this stretch of the Blackwater. The National champion trees are: Overcup Oak, 26 ft. 1 in. CBH (diameter breast height); Turkey Oak, 6 ft. 9 in. CBH; Water Tupelo, 33 ft. 10 in. CBH, and Swamp Cyrilla, 4 ft. 7 in. CBH. There are six state Champion trees such as the American Holly and the Sand Post Oak.

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. Varieties of bird species found in the corridor include a moderate level of water-associated fowl, such as blue heron, wood ducks and kingfishers. Bald eagles and barred owls were seen during the field evaluation. Two bald eagle nests have been identified along this stretch of the Blackwater. There are also several species of mussels of interest to the Department of Game and Inland Fisheries, including, but not limited to, gravid eastern lamp mussels, gravid eastern pond mussels and gravid tidewater muckets.

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 Blackwater River has some many state and globally significant natural heritage resources associated with it. See the complete DCR Natural Heritage list in the appendix.

H. Water Quality

Although the tannic aspect of the river water limits views through the water, its quality is good with no visible pollution. The Blackwater River fully supports aquatic life, wildlife, and recreation uses. The water quality rating is low for most of the activities related to the river due to mercury and dissolved oxygen and because there are health hazard advisories for fish consumption on the Blackwater. In this section of the river, several sewage treatment facilities flow directly into the Blackwater River.

I. Parallel Roads

Only a short stretch of parallel roads exist along the entire length of the river. That segment is a dirt road, and it is not noticeable unless a vehicle appears.

J. Crossings

There are relatively few crossings, which are evenly spread out, along the entire length of the 56-mile corridor. There is a slightly higher concentration at the City of Franklin; below Franklin, they are fewer and farther between. The crossings consist of roads, pipelines and powerlines; most cross perpendicular to the flow, thereby having limited visual impact on the river experience. Because of the length and remoteness of the river, these crossings actually help the boater “get his bearings” by providing necessary points of reference while traveling the river. Due to the meandering of the river and heavy vegetation along its flanks, the visual impacts of each crossing are limited.



Crossings include road and these pipes

K. Special Features Affecting the Aesthetics

The river has interesting, aesthetic attributes due to a variety of natural environments. Though not a river of great gradient change, there are numerous islands, wetlands and swamps, and beaver dams along the corridor. Occasional earthen banks, ranging in height from 15 to 50 feet, show off variations in soil and flora and create added interest and wonder along the corridor.

The river corridor itself contains numerous large and small bends, or meanders, resulting in the creation of interesting visual perspectives and heightening eagerness to discover what may be ‘just around the bend.’ In addition, gravel and sand benches, fallen trees, and flat water running through cypress knees all contribute to an interesting river trip. These areas of interest are fewer and farther between below the City of Franklin.

At Franklin, the river widens appreciably and some industrial development towers over the river. However, Franklin is also where one has a view of the city’s waterfront park, which has gazebo seating, an elevated boardwalk, and boat launching facilities. Shortly after passing through the city, development diminishes and then disappears as the meandering river opens up for motor boating and limited barge traffic. Extensive wetlands flank the river, creating habitat for numerous species, including a nesting site for bald eagles.

Early spring in a cypress swamp



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 the industry of Franklin. 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 Franklin, which is a relatively short piece of the 56-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 Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk, from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 miles, qualifies for inclusion in the Virginia Scenic River 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 islands, earthen bluffs and a selection of national and state Champion trees. Its meandering alignment provides interesting and inviting views downriver. The adjacent landscape consists of few man-made features and variations in terrain and vegetation. The Blackwater River is a tannic river that travels

through large swamps with unique flora and fauna that add much to the Scenic River value of this corridor.

Considering all aspects of the Blackwater River within Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk as described in this report, DCR recommends it as a good candidate for Virginia Scenic River designation.

It is recommended that:

1. The Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk, from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 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 Blackwater 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 Blackwater 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 Counties of Isle of Wight and Southampton and the Cities of Franklin and Suffolk. 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 Blackwater River and the carefully coordinated efforts of the Counties of Isle of Wight and Southampton and the Cities of Franklin and Suffolk should combine to protect the natural and scenic qualities of the recommended section of the Blackwater 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, Isle of Wight and Southampton Counties, and the Cities of Franklin and Suffolk. 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. Department of Game and Inland Fisheries List
 - C. Letters and other comment and support documents
 - D. Proposed Legislation

A. Species Ranking definitions of DCR Natural Heritage

SCIENTIFIC NAME	COMMON NAME	GLOBAL RANK	STATE RANK	FEDERAL STATUS	STATE STATUS
Southern Reach beginning at Surry/IWC					
Eleocharis baldwinii	Baldwin Spikerush	G4G5	S1		
Epitheca semiaquea	Mantled Baskettail	G5	S1		
Mitreola petiolata	Lax Hornpod	G5	S1		
Hemicarpha micrantha	Dwarf Bulrush	G5	S1		
Micranthemum umbrosum	Shade Mudflower	G5	S1		
Vaccinium crassifolium	Creeping Blueberry	G4G5	S1		
Rhexia petiolata	Ciliate Meadowbeauty	G5?	S1		
Ranunculus laxicaulis	Mississippi Buttercup	G5?	S1		
Haliaeetus leucocephalus	Bald Eagle	G5	S2S3B,S3N		LT
Paspalum distichum	Joint Paspalum	G5	S2		
Zenobia pulverulenta	Dusty Zenobia	G4?	S1		
Desmodium strictum	Pineland Tick-trefoil	G4	S2		
Chelone cuthbertii	Cuthbert Turtlehead	G3	S2		
Rhynchospora pallida	Pale Beakrush	G3	SH		
Lilium catesbaei	Southern Red Lily	G4	S1		
Scleria minor	Slender Nutrush	G4	S2		
Stillingia sylvatica ssp. sylvatica	Queen's Delight	G5T5	S1		
Rhynchospora scirpoides	Long-beaked Baldrush	G4	S1		
Xyris platylepis	Tall Yellow-eyed-grass	G5	S2		
Quercus incana	Blue Jack Oak	G5	S2		
Eriocaulon parkeri	Parker's Pipewort	G3	S2		
Cleistes divaricata	Spreading Pogonia	G4	S1		
Crotalaria rotundifolia	Prostrate Rattle-box	G5	SH		
Zanclognatha gypsalis	A Noctuid Moth	G4	S1S3		
Sarracenia flava	Yellow Pitcher-plant	G5?	S1		
Crotalaria rotundifolia	Prostrate Rattle-box	G5	SH		
Zigadenus glaberrimus	Large-flowered Camass	G5	S1		
Vaccinium crassifolium	Creeping	G4G5	S1		

	Blueberry		
<i>Quercus incana</i>	Blue Jack Oak	G5	S2
<i>Kalmia angustifolia</i>	Sheep-laurel	G5	S2
	Southern		
<i>Sarracenia purpurea</i> ssp. <i>venosa</i>	Purple Pitcher- plant	G5T3T5	S2
	Grass-like		
<i>Cuthbertia graminea</i>	Roselings	G5	S1
	Narrow-leaved		
<i>Trichostema setaceum</i>	Blue-curly	G5	S2
<i>Ilex coriacea</i>	Bay-gall Holly	G5	S2
	Pale Grass- pink	G4G5	S1
<i>Calopogon pallidus</i>	Coastal False- asphodel	G5	S1
<i>Tofieldia racemosa</i>	Wedge-leaf		
<i>Eupatorium glaucescens</i>	Thoroughwort	G5	SH
	Long-leaf		
<i>Sphenopholis filiformis</i>	Wedgescale	G4?	S1
	Coastal-plain		
<i>Cirsium repandum</i>	Thistle	G5	SH
	Straight		
<i>Sphagnum strictum</i>	Peatmoss	G5	S2
<i>Sphagnum molle</i>	Soft Peatmoss	G4	S2
	Cottony		
<i>Chrysopsis gossypina</i>	Golden-aster	G5	S1
	Pale Grass- pink	G4G5	S1
<i>Calopogon pallidus</i>	Woolly		
<i>Carphephorus tomentosus</i>	Chaffhead	G4	S1
	Carolina		
	Yellow-eyed- grass	G4G5	S1
<i>Xyris caroliniana</i>	Savannah		
<i>Rhynchospora debilis</i>	Beakrush	G4?	S1
<i>Zenobia pulverulenta</i>	Dusty Zenobia	G4?	S1
	Carolina		
<i>Kalmia carolina</i>	Sheep-laurel	G4	S2
	Blood		
<i>Dichanthelium consanguineum</i>	Witchgrass	G5	S1?

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

B. Department of Game and Inland Fisheries List

Section	Fisheries Points	Important Fish Spp	Bonus Points	Bonus Site
Rt 620 - Rt 460	10	Largemouth bass Sunfish Shad/Herring		
Rt 460 - Rt 603	10	Largemouth bass	10	Rasnake Property - Longleaf pines Zuni Pine
		Sunfish	10	Barrens
		Shad/Herring	10	Blackwater Ecological Preserve
Rt 603 - Rt 619	10	Largemouth bass Sunfish		
Rt. 619 - Rt 611	10	Shad/Herring Largemouth bass Sunfish		
Rt. 611 - Rt. 258	20	Shad/Herring Largemouth bass		
Rt. 258 - NC Line	20	Shad/Herring Striped bass Largemouth bass Shad/Herring White perch Crappie Striped bass Catfish	10 10	International Paper - Longleaf pines The Nature Conservancy - eagle nest

C. Letters and other comment and support documents

1. From the Scenic River Advisory Board Meeting Minutes of May 14, 2009

Since the evaluation of the Blackwater meets the criteria for designation, the Scenic River Advisory Board passed unanimously a motion endorsing the designation of the following river segment:

- Blackwater; from Proctor's Bridge, Route 621 to the North Carolina line, a total of approximately 56 miles.

2. Isle of Wight and Southampton County Boards of Supervisors Resolutions of support

RESOLUTION REQUESTING THE VIRGINIA GENERAL ASSEMBLY TO AMEND THE CODE OF VIRGINIA TO DESIGNATE A SEGMENT OF THE BLACKWATER RIVER AS A VIRGINIA SCENIC RIVER

WHEREAS, the Department of Conservation and Recreation (DCR) conducted an evaluation of the Blackwater River from Proctor's Bridget, Route 621, to its confluence with the Nottoway River at the North Carolina line; and

WHEREAS, on the basis of the field evaluation that was completed from March 25th and ending April 29th, 2009 a total of 56 miles was found to qualify as a Virginia Scenic River; and

WHEREAS, DCR staff along with local government representatives from Isle of Wight County, Southampton County, and the Cities of Suffolk and Franklin, as well as citizens paddled the entire Blackwater River study corridor during the field evaluation; and

WHEREAS, Isle of Wight County is in support of the designation of the Blackwater River as a Virginia Scenic River;

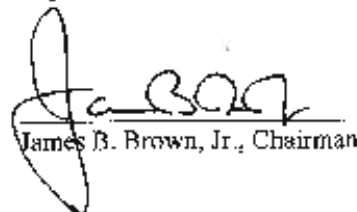
NOW THEREFORE, BE IT RESOLVED, that the Isle of Wight County Board of Supervisors requests the General Assembly of Virginia to amend the Code of Virginia to include Chapter 4 of Title 10.1 a section numbered 10.1-418.8 as follows:

10.1-418.8 Blackwater State Scenic River

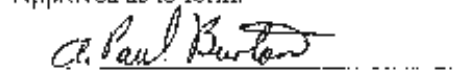
The Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk, from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 miles, is hereby designated a component of the Virginia Scenic Rivers System. Nothing in this section shall preclude the Commonwealth or a local governing body from construction, reconstructing, or performing necessary maintenance on any road or bridge.

Adopted this 20th day of August, 2009.


Carey Mills Storm, Clerk


James B. Brown, Jr., Chairman

Approved as to form:


A. Paul Burton, Interim County Attorney



BOARD OF SUPERVISORS RESOLUTION

WHEREAS, Southampton County and her neighboring localities each requested the Department of Conservation and Recreation (DCR) to conduct an evaluation of the Blackwater River from Proctor's Bridge, Route 621, to its confluence with the Netoway River at the North Carolina line, and

WHEREAS, the Department of Conservation and Recreation completed a river evaluation during the months of March and April of 2009 and concluded that a total of 56 miles of the Blackwater River meets the designation criteria of the Virginia Scenic Rivers Program; and

WHEREAS, Southampton County intends to recognize, designate and protect its environmental treasures including the Blackwater River for future generations; and

WHEREAS, Southampton County desires to develop and strengthen its partnerships between our citizens, adjoining localities and the Commonwealth of Virginia;

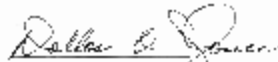
NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Southampton County, Virginia supports the scenic river designation for the Blackwater River and hereby requests that the General Assembly of the Commonwealth of Virginia amend the Code of Virginia by adding in Chapter 4 of Title 10.1 a section numbered 10.1-418.8, relating to Scenic Rivers:

10.1-418.8 Blackwater State Scenic River

The Blackwater River in the County of Wight and Southampton Counties and the Cities of Franklin and Suffolk, from Proctor's Bridge at Route 621, to its confluence with the Netoway River at the North Carolina line, a distance of approximately 56 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 construction, reconstruction, or performing necessary maintenance on any road or bridge.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to delegates and senators representing Southampton County in the General Assembly of the Commonwealth of Virginia for inclusion in the 2010 General Assembly legislative session.

Adopted this 22nd day of August, 2009.


Dallas O. Jones, Chairman

Attest:


Michael W. Johnson, Clerk

3. Franklin and Suffolk City Councils Resolutions of support



WHEREAS, the Department of Conservation and Recreation (DCR) conducted an evaluation of the Blackwater River from Proctor's Bridget, Route 621, to its confluence with the Nottoway River at the North Carolina line; and

WHEREAS, on the basis of the field evaluation that was completed from March 25th and ending April 29th 2009 a total of 56 miles was found to qualify as a Virginia Scenic River; and

WHEREAS, DCR staff along with local government representatives from Isle of Wight County, Southampton County, and the City of Franklin, as well as citizens paddled the entire Blackwater River study corridor during the field evaluation; and

WHEREAS, the City of Franklin is in support of the designation of the Blackwater River as a Scenic River;

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Franklin, Virginia requests the General Assembly of Virginia to amend the Code of Virginia to include Chapter 4 of Title 10.1 a section numbered 10.1-418.8 as follows:

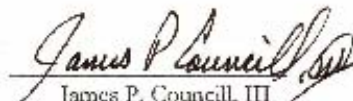
10.1-418.8 Blackwater State Scenic River

The Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk, from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 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 construction, reconstructing, or performing necessary maintenance on any road or bridge.

Adopted this 27th day of July, 2009

City of Franklin, Virginia


June D. Fleming
City Manager


James P. Council, III
Mayor

RESOLUTION NUMBER 09-R-076

A RESOLUTION OF SUPPORT FOR THE DESIGNATION OF THE
BLACKWATER RIVER AS A STATE SCENIC RIVER

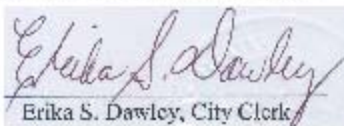
WHEREAS, the Suffolk City Council at their meeting of March 4, 2009, passed Resolution Number 09-R-031 endorsing Southampton County's request to study the Blackwater River to determine if it qualifies as a designated state scenic river; and

WHEREAS, the Commonwealth of Virginia, Department of Conservation and Recreation has requested the Isle of Wight County and the Southampton County Boards of Supervisors and the City Councils of Franklin and Suffolk to pass Resolutions of support for the designation of the Blackwater River as a component of the Virginia Scenic Rivers System.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, that it hereby endorses the designation of the Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 miles, as a component of the Virginia Scenic Rivers System.

READ AND ADOPTED: AUGUST 19, 2009

TESTE:



Erika S. Dawley, City Clerk

Proposed Legislation

Proposed Legislation for the scenic river designation of the Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk

A BILL to amend the Code of Virginia by adding in Chapter 4 of Title 10.1 a section numbered § 10.1-418.8. , 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 10.1-418.8 as follows:

§ 10.1-418.8. Blackwater State Scenic River.

The Blackwater River in Isle of Wight and Southampton Counties and the Cities of Franklin and Suffolk, from Proctor's Bridge at Route 621, to its confluence with the Nottoway River at the North Carolina line, a distance of approximately 56 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.