

Jordan Scenic River Report Rappahannock County



Prepared By

Department of Conservation and Recreation
Division of Planning and Recreation Resources

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I. REASON FOR THE STUDY

The Jordan Scenic River study in Rappahannock County was undertaken at the original request of the Rappahannock County Board of Supervisors via their county administrator. The corridor Rappahannock County was interested in evaluating was the entire river within the county to determine if it qualified for inclusion into the Virginia Scenic Rivers System.

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, DCR does an evaluation and writes a report documenting these 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 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 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 stretch of river or 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.

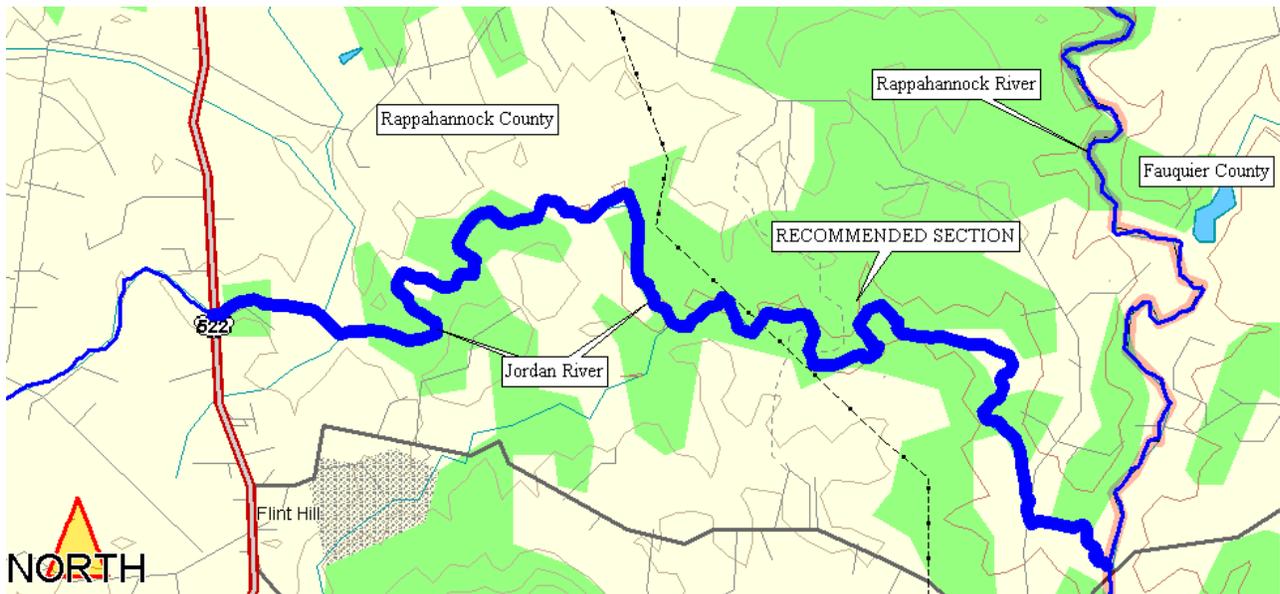
The Act instructs the DCR to conduct "studies of rivers or sections of rivers to be considered for designation" and to "recommend to the Governor and to the General Assembly rivers or sections thereof to be considered for designation as scenic rivers." This report is a fulfillment of this statutory directive.

II. SUMMARY AND FINDINGS

At the request of Rappahannock County, DCR evaluated the Jordan River from its headwaters in Shenandoah National Park to its confluence with the Rappahannock River at the Fauquier County line, a distance of about 12 miles. As a result of the study, the section below Route 522, shown on the following map in a heavy blue line, meets the criteria for designation. DCR therefore recommends the designation of the Jordan River in Rappahannock County, which generally flows southeast and empties into the Rappahannock River, as a designated Virginia Scenic River from the Route 522 crossing to its confluence with the Rappahannock River, a distance of approximately seven miles. It further recommends that DCR be the administering agency.

III. CORRIDOR STUDY MAP

The Jordan River in Rappahannock County generally flows in an easterly direction before combining with the Rappahannock River, a designated scenic river. This report will discuss the river segment proposed for designation from the Route 522 crossing to its confluence with the Rappahannock River, a distance of approximately seven miles. Note that this map is not to scale.



IV. ENVIRONMENTAL ANALYSIS

In order to determine whether the Jordan River or any part thereof, was 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 corridor beginning at the Shenandoah National Park Boundary. Staff gathered information from sister agencies on the attributes of the corridor and conducted a field investigation, along with interested citizens, April 10, 2009. Following is a description of the qualities and conditions of the resource that make a seven-mile section eligible for Virginia Scenic River designation.

Although many of these attributes are present for the entire corridor, the lack of adequate buffers, unscreened parallel roads, frequent wire and driveway crossings, and the large number of visible buildings kept the upper reach of the river from qualifying. This report will focus on the seven-mile section recommended for designation, which is from Route 522 near Flint Hill downstream to the confluence with the Rappahannock River at the Fauquier/ Rappahannock County line.

A. River Corridor Vegetation

The Jordan River meanders through a predominantly forested corridor accented by stone cliffs and open pastures. Where there is agriculture use along the corridor, it is primarily hayfields and cattle pasture fringed in narrow treed river buffers, which are generally less than the 100 feet recommended for water quality.

Young forests with over hanging branches flank much of the corridor. These forested riparian buffers are generally 100 feet or wider, which provide the necessary cover to protect the water quality and fish habitat.



Figure 1 Cobble riffles meander through young forests

Vegetation along the corridor is generally comprised of oak and hickory hardwood forest communities. The few evergreen trees found along the river are primarily Virginia cedars, mountain laurel and a few hemlocks. The vegetation along the corridor provides visually interesting views with a variety of forms, textures, sizes and colors. This variety provides year-round changes in the cover and views from and along the river.

Additional interest along the corridor is provided by a population of *Eupatorium maculatum* var. *maculatum* (spotted Joe-pye weed, G5/T5/S2), a state imperiled plant. Spotted Joe-pye weed is a perennial herb that blooms in late summer. In general this species does best in non-shaded marshes, rich fens, wet fields, ditches, seepage areas, and swamps.

B. Riverbed and/or River Flow Modifications

The river section studied is a free-flowing, meandering river with some cobble fords, gravel bars and sandy islands. A few downed trees create obstructions for boaters, and one particular downed tree necessitated portaging. Situated in a narrow valley with occasional views that open to gentle slopes of open fields, the riverbed has no manmade modifications. Natural rock ledges and outcrops add visual and paddling interest to any journey along the corridor.

C. Human Development of Visual Corridor

The Jordan River corridor from Route 522 downstream is essentially devoid of human development. One can only see three houses or buildings from the river along the proposed section; one is a historic mansion. There are no hamlets or communities visible from the river. Human activity is evident on sites where there are open fields and pastures. Other human interventions show up as bridges and utility line crossings (see Section J. Crossings).

D. Historic Features

There are five historic sites along the proposed segment of the Jordan River; however, none of the sites are on the National Register of Historic Places (NRHP). Included on the list are two of national significance, according to the Department of Historic Resources. The first is a one-lane concrete bridge on private land just below the Route 522 bridge; it is currently used as a horse trail river crossing.

Figure 2 Concrete Bridge of the horse trail



The second site is a truss bridge being considered by the Historic Structures Task Force for historic designation. It too is a narrow bridge, but it is still in use on Route 637, a dirt road.



Figure 3 Truss Bridge, Route 637

E. Landscape

The Jordan River flows east off the Blue Ridge and has its headwaters in Shenandoah National Park. It builds in size as it approaches the Rappahannock River, which was designated as a Scenic River almost 30 years ago. Its unique location in the landscape provides interesting outcroppings and occasional distant views. This variety of landscape types adds to the quality of the river experience.



Figure 4 Typical rock outcrops

A horse trail parallels much of the corridor, adding interest to the wonderfully intimate experience. As sunlight penetrates the forested sides dappling the water surface, it creates interesting patterns. A few coves and side creeks catch one's eye, offering respite from the naturally vegetated banks, and the curving alignment of the river keeps the experience fresh and interesting.

The landscape is moderately diverse and contains a variety of interesting natural features, especially in the eastern portion of the river study section. Here the rock cliffs push the river in a series of intricate turns back and forth before it meets the Rappahannock. Due to the vegetated banks, almost all of the sightlines from the river are limited to short and intimate views of less than one-quarter of a mile. There are occasional views in the one-mile range off to the rolling hills over open fields and pastures.

F. Quality of Fishery

Because the Jordan River is a relatively small river, it has a poor rating for its limited fishery. Brook trout are resident in the headwaters, but the population is low due to the size of the stream. However, it is a stream of importance as coldwater habitats are limited to isolated areas of Virginia. As the stream transitions to a warmwater fishery, species like the smallmouth bass, rock bass, and redbreast sunfish make the river home.

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 – the river, the rural nature of the area, the mixture of forest and agricultural lands and the extensive edge effects that are created between the different land types and uses.

The Natural Heritage Program of the Department of Conservation and Recreation identifies areas that have a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain. The Jordan River has some significant natural heritage resources associated with it, including *Elliptio lanceolata*, Yellow Lance (G2G3/S2S3/SC/SOC) and *Lasmigona subviridis*, Green Floater (G3/S2/LT). Other species of interest are: *Eupatorium maculatum var. maculatum*, Spotted Joe-pye Weed (G5T5); and *Speyeria idalia*, Regal Fritillary butterfly (G3).

H. Water Quality

The water quality for the proposed Jordan River section is excellent with no visible pollution. The Jordan fully supports aquatic life, wildlife, and recreation uses. The water quality rates as exceptionally high. The buffers that are in place for more than 75% of its banks and the lack of exposed earth along the banks help control the common effects of stormwater run-off. The Virginia Department of Health has no health hazard advisories for fish consumption on the Jordan. In this section of the river there are no sewage treatment facilities that flow directly into the Jordan River.

I. Parallel Roads

Only a short stretch of the river's entire length has a parallel road along it. That road has a dirt surface, and the boater is only aware of its existence when a vehicle appears.

J. Crossings

There are four crossings along the seven-mile length of the study area; one is a powerline, two are historic bridges, and the fourth is a fence. The only road that crosses the river on this section is Route 637, the dirt road with the aforementioned historical truss bridge. The large powerline crossing is upslope and perpendicular to the river so that the visual impact is limited. Due to the meandering of the river, the visual impact of each crossing is relatively benign.



Figure 5 Here is the fencing that crosses the river

K. Special Features Affecting the Aesthetics

The river has interesting, aesthetic attributes due to a variety of natural features. Though not a river of great gradient change, there are some islands, rock formations, gravel bars, riffles and Class I rapids along the corridor. Different rock formations, outcrops with moss covering and jagged boulders create a sense of anticipation and wonder along the corridor.



Figure 6 riffles, gravel bars and islands offer added interest to the corridor

The largest bluff along the corridor is almost 100 feet high and is not clearly visible during leaf-out. However, most of the bluffs range in height from 15 to 50 feet, adding interest along the corridor.

The river corridor itself contains several large and small bends, or meanders, resulting in the creation of interesting visual perspectives and the anticipation of discovering what views or experiences may be ‘just around the bend.’ In addition, areas of ripples, benches of gravel, fallen trees and stretches of flat water all contribute to an interesting trip down the river. These areas of interest are fewer and farther between below Western Bridge at Route 637.

A few cultural features give a sense of place, ownership and care to the experience. Among them are a historic mansion, a field of daffodils that cascade down the adjacent slope, the trail that criss-crosses the river section’s entire length and the well-maintained fields throughout.



Figure 7 Naturalized daffodils

V. LAND USE AND OWNERSHIP

Land use in the study corridor is open fields and forest with scattered pasture and very few residences. Currently no concentrated development is along the entire proposed river section. Future planning does not include any development along the corridor that would detract from the scenic value of the river corridor, and much of the corridor is under the protection of conservation easements. The Rappahannock County comprehensive plan maintains the area in agriculture. Many of the adjacent property owners anticipate adding conservation easements to their lands. This Scenic River designation is intended to promote such efforts.

VI. CONCLUSIONS AND RECOMMENDATIONS

The Department of Conservation and Recreation concludes that the Jordan River in Rappahannock County from Virginia Route 522 to the confluence with the Rappahannock River 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 historic sites along the corridor.

Flowing through largely agricultural and forested land, this attractive river segment possesses a number of interesting aesthetic features including rock formations, several islands, sections of riffles, historic bridges, a parallel trail with fords, and a meandering alignment with inviting views downriver. The adjacent landscape consists of interesting natural elements, few manmade features, and varied terrain and vegetation. Human development in the river corridor includes some agriculture and very few residences.

This section of the Jordan River has cold and warm waters with high water quality. The presence of unique flora and fauna along the Jordan River add much to the value of this corridor as a Scenic River.

Considering all the aspects of the Jordan River section in Rappahannock County, DCR recommends it for Virginia Scenic River designation.

It is recommended that:

1. The Jordan River between Virginia Route 522 and the confluence with the Rappahannock River, a distance of approximately seven miles, be recommended for Virginia Scenic River Designation;
2. The Department of Conservation and Recreation should be appointed the Administering Agency;

VII. CONSERVATION PLAN

There are a variety of elements to the conservation plan for the Jordan 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 Jordan 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 additional avenue for formal input into decisions that would impact the river.

A second element of the Conservation Plan involves Rappahannock County. Land use plans should reflect citizens' recognition, appreciation and concern for the river and the valuable role it plays in their community's quality of life. Such plans should be aimed in part at protecting the river and its environs from potential development, or at least 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, the stewardship of the river corridor along with the unique qualities of the river have contributed equally to the river's qualifications for designation. If not for this stewardship, the characteristics necessary for inclusion in the Virginia Scenic River System river might not exist. Through continued stewardship efforts, the scenic and natural character of the river can be protected.

Action by the General Assembly to designate the section of the Jordan River and the carefully coordinated efforts of Rappahannock County should combine to protect the natural and scenic qualities of the recommended section of the Jordan 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 the DCR Divisions, other state agencies, Rappahannock County and RappFLOW. 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. Letter 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	FWS SPECIES OF CONCERN
Elliptio lanceolata	Yellow Lance	G2G3	S2S3	SOC	SC	SOC
Lasmigona subviridis	Green Floater	G3	S2		LT	

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

As the stream transitions to a warmwater fishery, species like the smallmouth bass, rock bass, and redbreast sunfish make the river home, and the increase in size of the stream begins to provide fishing opportunities.

C. Letter and support document
1. Rappahannock County Board of Supervisors Resolution of Support

County of Rappahannock

www.rappahannockcountyva.gov



Board of Supervisors
John W. McCarthy, Administrator

540.675.5330 Fax 540.675.5331
290 Gay Street • P. O. Box 519
Washington, VA 22747

August 4, 2009

Mr. John R. Davy, Division Director
Planning & Recreation Resources
Virginia Dept. of Conservation and Recreation
203 Governor's Street, Suite 203
Richmond, VA 23219-2094

Re: Jordan Scenic River Designation

Dear Mr. Davy:

At their regular monthly meeting of August 3, 2009, the Rappahannock County Board of Supervisors took up the proposed designation of the Jordan as a State Scenic River and, after a public hearing during which strong support for the proposal was expressed, voted unanimously to support its designation as a State Scenic River.

The Board's action took the form of a voice vote, and I will provide a copy of the minutes of the meeting when they are available. We will be contacting our representatives in the General Assembly to request that they introduce legislation creating this designation.

Thank you and your staff for your careful evaluation of the river's qualifications for the program.

Sincerely,

John W. McCarthy
County Administrator

AT THE REGULAR MEETING OF THE RAPPAHANNOCK COUNTY BOARD OF SUPERVISORS HELD ON THE 3rd DAY OF AUGUST, TWO THOUSAND AND NINE AT TWO O'CLOCK P.M. AT THE COURTHOUSE IN WASHINGTON, VIRGINIA

<u>Present</u>	<u>Present</u>	<u>Absent</u>
Robert P Anderson, Chm. Ronald L Frazier, V-Chm. S. Bryant Lee Roger A Welch Edward D. Wayland	John McCarthy, Co. Adm. Peter H. Luke, Co. Attorney Diane Bruce, Clerk	None

There being no further business, the meeting recessed at 3:45 o'clock p.m. and reconvened at 7:00 o'clock p.m. to conduct the following public hearings. Chairman Anderson called the meeting to order. All members were present.

(1) **Jordan River Scenic Designation**: (Jordan River was historically known as the Burgess River): Mr. McCarthy explained that the application process has been underway for many months and after evaluation, the Department of Conservation and Recreation has found that the Jordan meets the criteria for Scenic River Designation. He called the Board's attention to the letters that have been received supporting the designation. (Letters filed with papers of meeting.) If the Board votes to approve a resolution supporting the designation, the application will go to the General Assembly for approval at its 2010 session.

Chairman Anderson opened the public hearing.

Speaking in favor of recommending approval were Lynn Crump, Dennis Lieberson of the Scenic River Advisory Board, Stephanie Ridder on behalf of the Ridder and duBois families, Todd Benson of PEC, Bob Dennis, a riparian owner, Judy Tole who submitted John Tole's historical narrative on the river, Joyce Harmon, Ashley Matthews, Director of RCCA, B.J. Valentine on behalf of RAPPFlow and Jackie Burke.

Ms. Crump explained that this designation does not give the state control over land use; it carries no land use controls and does not give the public any right to use privately owned land. It does impose a restriction on dams without designation by the General Assembly.

There being no other speakers, Chairman Anderson closed the public hearing. On motion of Mr. Welch, seconded by Mr. Lee, the Board voted unanimously to approve a resolution requesting the General Assembly to designate the Jordan River a Scenic River. The vote was recorded as follows: AYE: Anderson, Lee, Welch, Wayland, Frazier. NAY: None.

(2) **Virginia Scenic River Advisory Board Support:**

The minutes of the May 14, 2009, Virginia Scenic River Advisory Board meeting state that the Board recommends that selected portions of the Hughes, Jordan and Blackwater Rivers be advanced for designation as Virginia Scenic Rivers. Specifically, the Jordan River segment is identified as from the Route 522 bridge crossing to its confluence with the Rappahannock River, a distance of seven miles.

D. Proposed Legislation

Proposed Legislation for the scenic river designation of the Jordan River in Rappahannock County

VIRGINIA ACTS OF ASSEMBLY – 2010 SESSION

CHAPTER 4

An Act to amend the Code of Virginia by adding in Chapter 4 of Title 10.1 a section numbered § 10.1-418.7, relating to designation Jordan River as a State Scenic River.

To be it enacted by the General Assembly of Virginia:

10.1-418.7 as follows:

§ 10.1-418. Jordan River State Scenic River.

The Jordan River within Rappahannock County, from the Route 522 bridge at Flint Hill to the confluence with the Rappahannock River, a distance of approximately 7 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.