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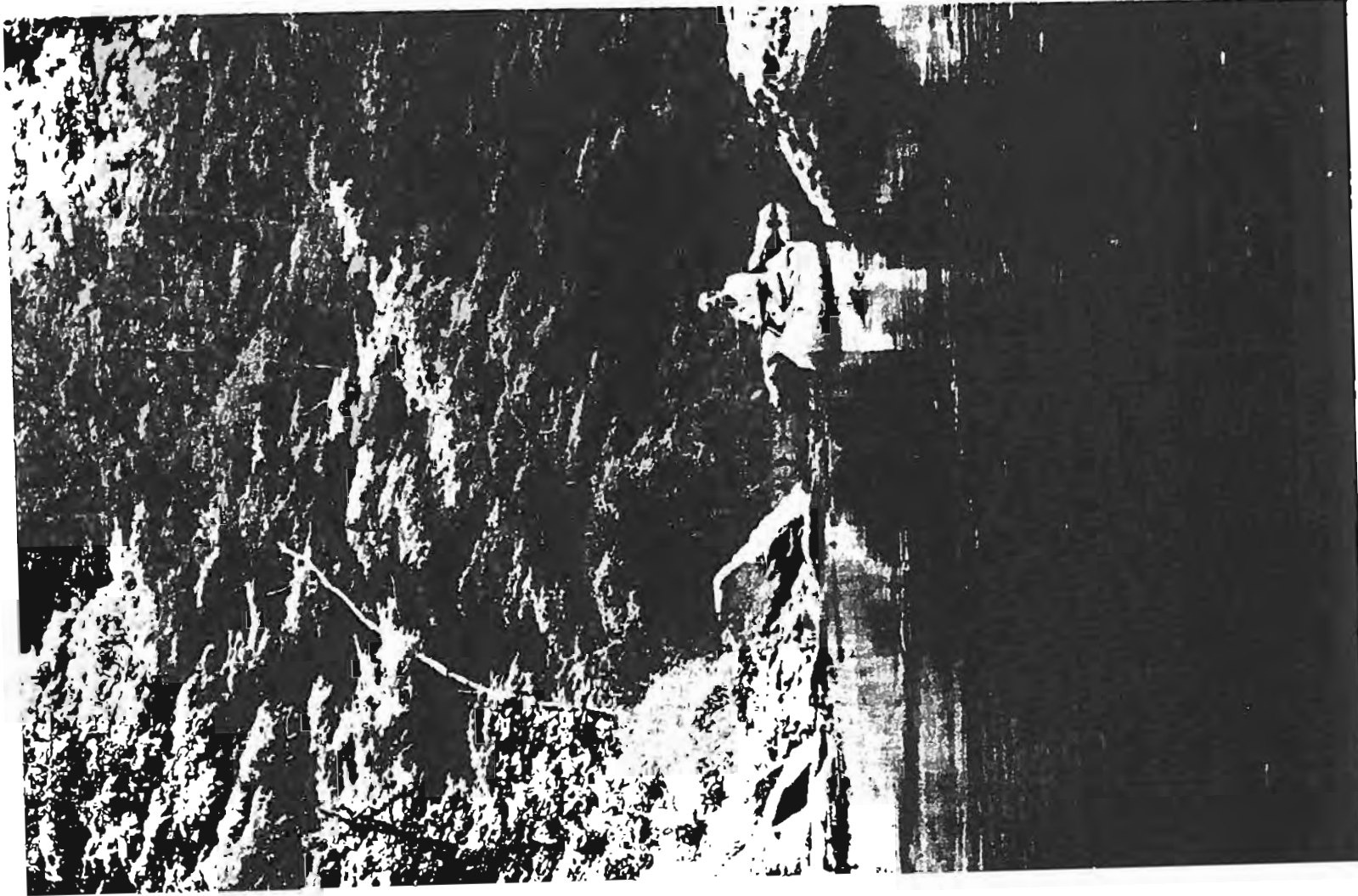
a report by
the commission on outdoor recreation

GOOSE CREEK

a report to the
Governor and General Assembly

an element of the
Virginia Outdoors Plan

December 1975



our special thanks to . . .

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introduction

Goose Creek is a secondary river, having its origin in the Blue Ridge Mountains of both Fauquier and Loudoun Counties. It flows northeasterly through the Piedmont Region of Northern Virginia, emptying into the Potomac River east of Leesburg. A 1969 report by the Commission of Outdoor Recreation entitled "Virginia's Scenic Rivers" identified Goose Creek as a significant State resource and recommended that it be considered for inclusion in a State Scenic River System. The enabling legislation for such a system was enacted by the 1970 General Assembly in the form of the Scenic Rivers Act, Title 10, Chapter 15, Sections 10-167 through 10-175 of the Code of Virginia.

The Scenic Rivers Act states in part: "It is hereby declared to be the policy of the Commonwealth of Virginia that rivers, streams, runs and waterways including their shores and immediate environs which possess great natural and pastoral beauty constitute natural resources, the conservation of which constitutes a beneficial public purpose."

The Act also instructs the Commission of Outdoor Recreation 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 for designation." The following report, which entailed the investigation of 27½ miles of Goose Creek in Loudoun County between the Fauquier-Loudoun County line and the Potomac River, is presented in accordance with the Scenic Rivers Act.

Contents

Introduction	1
Summary	2
Recommendations	4
The Study Region	5
Population & Economics	6
Recreation Resources	6
Open Space	6
Access	6
History	7
The Goose Creek Corridor	8
Water Volume	8
Water Quality	8
Wildlife	8
Current Usage	11
Land - Uses & Physical Setting	11
Resource Use Alternatives	13
A Conservation Plan	14
Agency Comments	16
Virginia Scenic Rivers Act	19

summary

Even though Loudoun County is located next door to the fastest growing section of the State, it has remained predominantly rural with 80% of the land being used for agricultural purposes. The area is well serviced by major State and county roads with access to Goose Creek provided at the many road crossings.

Loudoun County is rich in history, having been settled in the early 1700's by both wealthy plantation owners and the industrious sons of English Quakers, Germans and Irishmen who migrated to the area from West Virginia, Maryland and Pennsylvania. Many of the structures built during the County's early history are still standing, and some are on both the Virginia Landmarks Register and the National Register of Historic Places.

The waters of Goose Creek are clean and essentially unpolluted. Although the river's canoeability decreases somewhat during the drier summer months, particularly in sections above the confluence with its North Fork, there is nearly always enough water in large pools and riffles for swimming and fishing.

The land along the creek ranges from broad floodplains to high rocky bluffs. There are only two major intrusions along the river corridor, a discontinued quarry operation and the City of Fairfax Dam.

Wildlife is abundant throughout the study region and nearly all species of animals native to this section of the State are found along the creek and its bottom lands. Fishing is good with a large variety of fish inhabiting the stream.

The major alternative use for Goose Creek is municipal water supply. The Creek is considered as one of the possible water supply reservoir sites for the Washington metropolitan area. Goose Creek is not, however, considered to have potential for either hydroelectric production or for major water using industries. Thus, its preservation as a natural and open space area seems to be a viable alternative.

The conservation plan for Goose Creek requires a minimum amount of effort on the part of State and local governments coupled with continued good stewardship on the part of local riparian landowners. Preservation of the outstanding natural, historical and scenic resources is the primary purpose of designation of Goose Creek as a scenic river and the development of use facilities will be limited. Loudoun County's floodplain zoning ordinance will provide adequate protection of the river corridor. Management of the river area and supervision of river uses will be provided by the Northern Virginia Regional Park Authority.

A number of land use controls are available to help preserve the stream in its present state. Among them are local zoning, use value tax assessment, easements, lease, and fee acquisition. All of these methods are available to the county and could be applied in any number of combinations to obtain the desired degree of protection.



recommendations

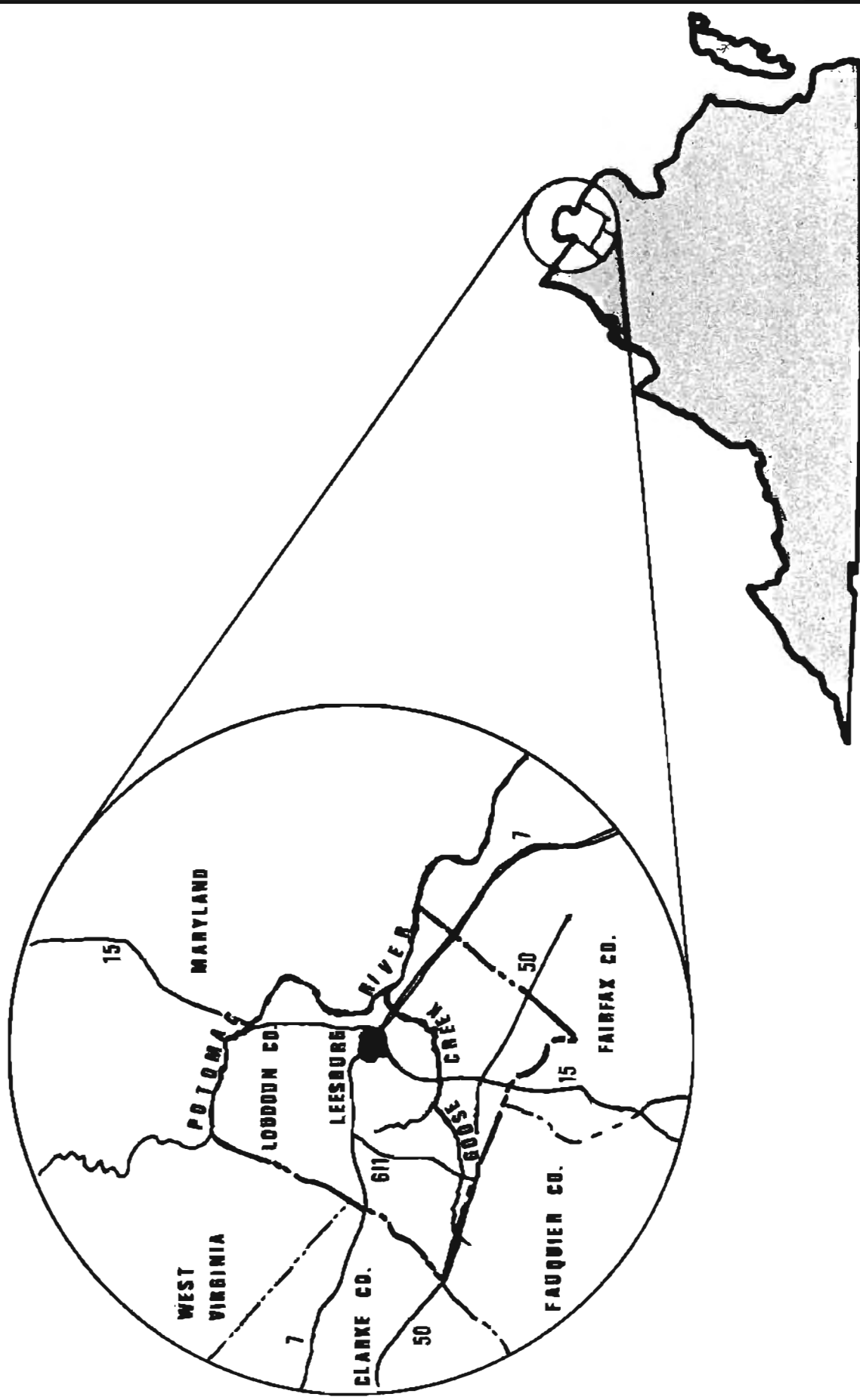
The Commission of Outdoor Recreation finds that the section of Goose Creek in Loudoun County is scenic, essentially unpolluted and currently used for outdoor recreation. It qualifies for inclusion in the Virginia Scenic Rivers System.

The Commission recommends that:

1. The General Assembly designate all of Goose Creek in Loudoun County from the Loudoun/Fauquier County line to the Creek's junction with the Potomac River, a distance of approximately 27½ miles, as a Virginia Scenic River.
2. The Northern Virginia Regional Park Authority be designated as the administering agency.
3. The Northern Virginia Regional Park Authority, with assistance from the Commission of Outdoor Recreation, prepare a plan for river management which will consider the developments as illustrated on the map on page 9. The developments include:

Three new public access only areas. One to be in the vicinity of the 611 bridge crossing, one to be in the vicinity of the confluence of Goose Creek and its North Fork and one to be close to the 621 bridge crossing.
4. The Northern Virginia Regional Park Authority make use of the existing access point at the Fairfax City Dam site.

5. The river corridor be the area lying within the boundary of the 100-year floodplain. Primary reliance for protection of the river corridor will be on local land use controls.
6. Proposed legislation will indicate that the continued operation and maintenance of the existing Fairfax Reservoir and Dam will not be affected by designation of Goose Creek as a scenic river.
7. An Advisory Committee be appointed by the Commission of Outdoor Recreation in consultation with the administering agency designated by the General Assembly. The Advisory Committee will have seven members including at least three riparian landowners. The duties of the Advisory Committee will be to advise the Commission of Outdoor Recreation on matters pertaining to the administration, management and development of recreational use plans developed by the administering agency. The Committee shall also consider and comment on any federal, State or local governmental plan to approve, license or construct facilities which would alter the natural scenic or historic values which qualify Goose Creek for scenic designation.
8. The power of eminent domain shall not be used to further the intent of this act.



GOOSE CREEK STUDY REGION

the study region

For the purposes of this report, any physical descriptions, land use patterns, recreational resources and other pertinent data will be in reference to lands adjacent to Goose Creek in Loudoun County, unless otherwise stated.

Population and Economics

Approximately 48,000 people now live in Loudoun County. Residential patterns are both rural and suburban in nature with many small historic villages and towns scattered throughout. The heaviest concentration of people occurs in the eastern portion of the County. A moderate 3.6% growth rate is predicted with a projected population of 115,000 by the year 2000.

Most employment opportunities for Loudoun County residents are in the fields of public administration, construction, retail sales and personal and educational services. As a whole the area has one of the highest per capita incomes of any area in the State.

Recreation Resources

The study area has approximately two-thirds of the local public recreation land needed to meet the standards recommended in the 1974 Virginia Outdoors Plan. A large portion of the recreation land is in Loudoun County parks composed mainly of softball, baseball and tennis complexes and in the activity fields associated with the County's school system. The County has two larger park areas, the 83-acre Seneca Falls

Palisades and the newly acquired Algonkian Regional Park in eastern Loudoun. The latter site is administered by the Northern Virginia Regional Park Authority.

Open Space

Although the County contains considerable recreational lands, there is still a need for the preservation of open space. Such areas maintained in a natural condition help to buffer against urban development and preserve green areas. The County currently contains three areas which provide for such land preservation, namely Oatlands, a 262-acre plantation site owned by the National Trust For Historic Preservation, Furnace Mountain, a 28-acre natural area owned by The Nature Conservancy, and the quasi-public 1200-acre Morven Park.

Goose Creek is also an open space resource. Preservation in it's natural state would provide a green belt corridor of considerable scenic, natural and historic value.

Access

The study region is served by State highways as well as primary and secondary roads. The area is traversed along east-west lines by Route 7 and along north-south lines by Route 15, both of which are major State highways. State Route 7 links the study area with the Washington Metropolitan Area and Interstate 95 to the east and Interstate 81 to the west. State Route 15 provides connections into Maryland to the north and to the south links with Interstates 66 and 64 and State Highways 17 and 19.

History

Loudoun County is a part of the Fairfax Proprietary granted by King Charles II in 1649. Although settlement of the area in that was to become Loudoun County started in the early 1700's, the County was not officially formed until 1757. At that time Loudoun County was separated from what was then Fairfax County.

The County's settlement was basically of two different types. From the east came the sons of the plantation owners who established large tobacco plantations in the County similar to those established by their fathers in Tidewater Virginia. Into the western portions of the County came English Quakers, Germans and Irishmen from Pennsylvania, New Jersey and Maryland. They were hard working farmers, merchants, tradesmen and millers owning smaller tracts of land varying from 40 to a few hundred acres.

The first of the Quaker settlements was established by Jacob Janney in 1742 along Goose Creek and called the Quaker Settlement of Goose Creek. Later, this village was named Lincoln, in honor of President Lincoln. Baptists also settled in the area and in 1784 erected a brick meeting house at North Fork which is still in use today.

As the population increased, so did the need for blacksmiths, tanners, wheelwrights, merchants, tradesmen and millers. Between the 1730's and early 1800's, thirteen mills were constructed along the main stem of Goose Creek and eight along the North Fork. Many

of the old mill sites and a few of the mills themselves still exist as reminders of this part of the river's history.

As the need for better transportation to the city markets increased, George Carter of "Oatlands Mill" and Charles Mercer of "Aldie Mill" founded the Goose Creek and Little River Navigation Company which was chartered by the General Assembly of Virginia in 1832. Their plan was to build locks at the existing mill dams, using the mill ponds and a few miles of canal to provide navigation on Goose Creek from Snickersville Pike to the Potomac River and for five miles up Little River. Construction on the project began in 1849 with some locks being completed before the collapse of the company in 1857. The project failed due to the coming of the Washington and Old Dominion Railroad.

The County saw its share of activity during the Civil War with the famous Confederate Calvary unit, "The Laurel Brigade," and Colonel John S. Mosby's "Rangers" riding through the Goose Creek area.

Today, there remain many remnants of Loudoun's rich history. Homes have been restored and family traditions are carried on. Some fences are on the original patent property lines of the early 1700's. Some families are living on land patented to their ancestors generations ago. For this reason, a Goose Creek Historic Preservation Area District has been proposed.

the goose creek corridor

Water Volume

Water volume and variability of flow are two factors of considerable importance when looking at the recreational uses of Goose Creek. The Creek is canoeable on a regular basis until mid-June. Later, the water becomes too low in the upper area for good canoeing except for short periods after summer rains. The lower section of the river from the confluence with its North Fork down to the Potomac is canoeable for all but the driest parts of the summer. Swimming and fishing take place in the deeper pools all summer long.

Water Quality

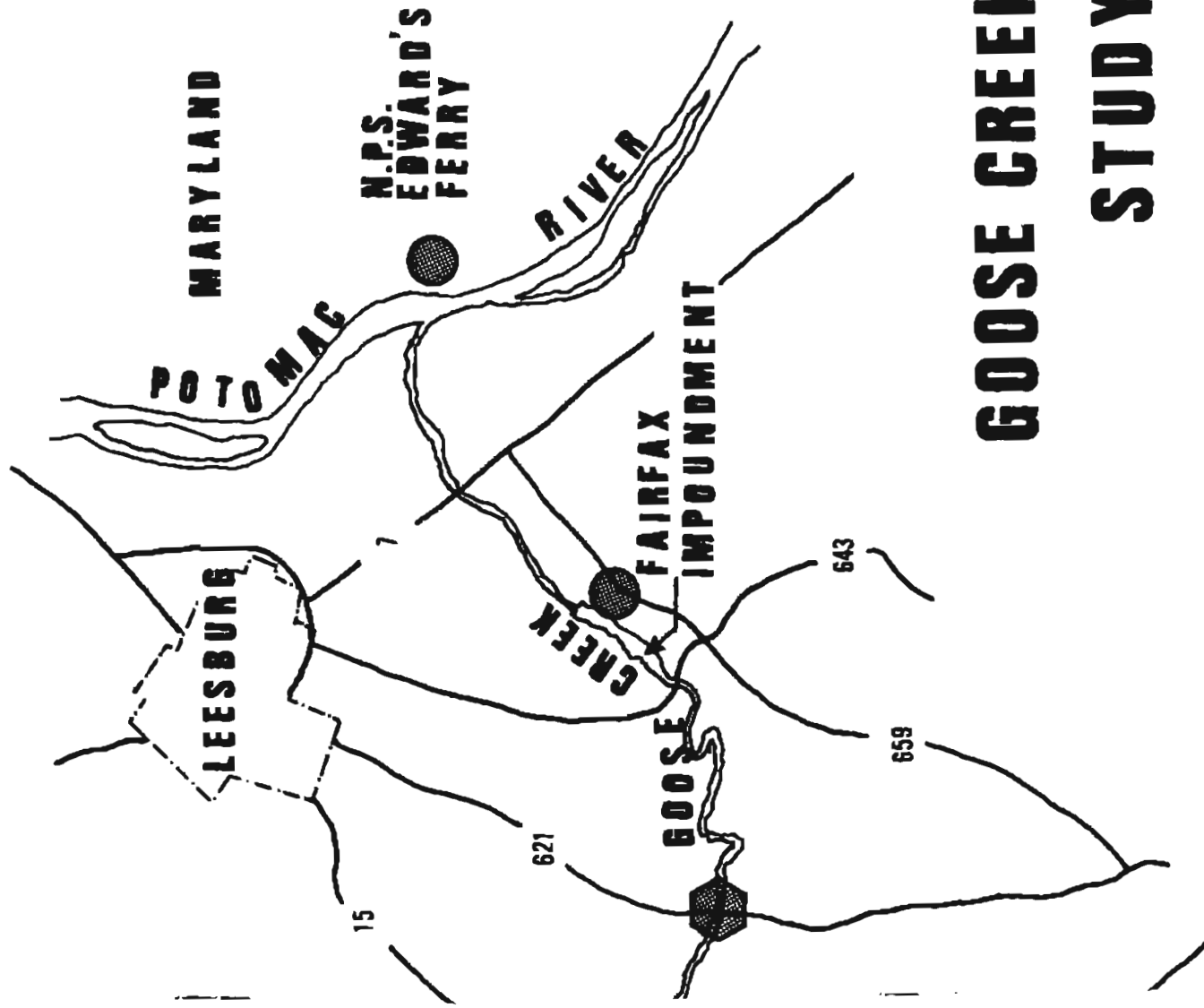
Latest available water quality data indicates that Goose Creek is an essentially unpolluted stream. It is classified by the State Water Control Board as Class III-B: "Waters generally satisfactory for use as public or municipal water supply, primary contact recreation, propagation of fish and other aquatic life and other beneficial uses."

Although Goose Creek itself receives no direct sewage discharge, there is sewage discharge into some of the tributaries which empty into Goose Creek. However, it has been determined that the impact of this discharge is slight and not of any significance. The major source of pollution to Goose Creek comes from surface runoff and this is mostly in the form of sedimentation. This problem will be reduced as better farming techniques are applied to surrounding lands.

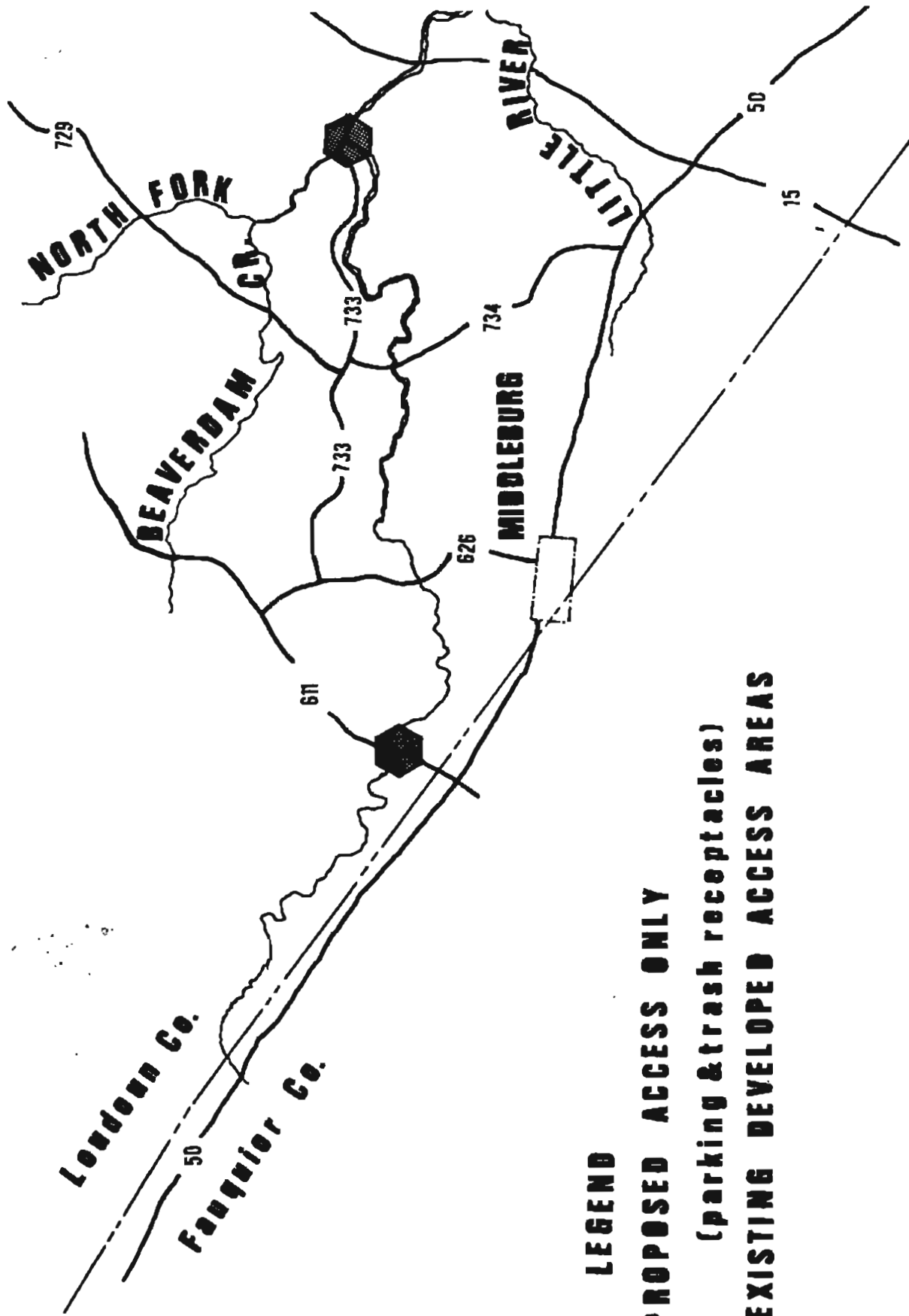
Wildlife

Semi-wilderness species of animals such as black bear and wild turkey find suitable habitat along the bottoms of Goose Creek. Deer are found searching for browse and acorns. Bobcat and grey fox are major mammal predators. Great horned owls and Coopers hawks are common. Game birds such as quail, dove, woodcock, turkey and wood ducks, as well as skunk, raccoon, opossum, mink, muskrat, rabbit, grey squirrel, river otter, and an occasional beaver are found along the Cree. Many smaller species of mammals, such as moles, shrews, rats, bats, and mice, find homes along the river bottom. Wading birds such as great blue herons, green herons, and night herons may be seen foraging along shallow edges. Woodpeckers, thrushes, cardinals, and kingfishers are conspicuous residents of the forest. Hundreds of other species and sparrows use the productive bottomland forest for feeding during migration. No endangered species are known to be present.

The river itself provides habitat for a great variety of fish including redear sunfish, pickerel, rock bass, bluegill, largemouth and smallmouth bass, stone-rollers, rosieside dace, several varieties of minnows and shiners, creek chub, white sucker, northern hogsucker, catfish, darter and mottled sculpin.



GOOSE CREEK SCENIC RIVER STUDY CORRIDOR



LEGEND

PROPOSED ACCESS ONLY

(parking & trash receptacles)

EXISTING DEVELOPED ACCESS AREAS

Current Usage

Agricultural operations are the most predominant activities along Goose Creek. Little recreational use is made of the resource with the exception of local residents taking a cool dip in the summer or trying for a stringer of blue gill or other species. Goose Creek provides attractive open space and if protected could continue to provide such for this section of the State. There is only one industrial withdrawal system on Goose Creek, the municipal water system operated by the City of Fairfax at the dam site on the lower portion of the stream. Other than this, there are no significant withdrawals anywhere along the study section of the stream.

Land--Uses and Physical Setting

The shores of Goose Creek range from large flat floodplains to gently rolling hills to steep bluffs with rocky outcrops. About 60-70 percent of the area visible from the river corridor is in forest cover with the remainder devoted to several types of more intensive agricultural use. In most cases vegetation isolates the river from the surrounding land.

Typical bottom land hardwood trees found along Goose Creek are willow, river birch, red maple, sweet gum, white ash, buckeye, pin oak, elm, box elder and sycamore. The understory of dogwood, spirea, spicebush, shrub willows, jewelweed, greenbriar, honeysuckle, loosestrife, joe-pye, and the rare cardinal flower contribute to a many layered eco-system. Common in the watershed area are white oak, hickory, yellow poplar, wild cherry, locust, sugar maple, black and red oaks and walnut.

A canoeist putting in at the Route 50 bridge and traveling downstream spends the first two miles in fairly open country. The floodplains and lesser slopes are cleared for pasture and only the steep slopes and river banks are in forest cover. For the next three miles a transition occurs along the adjacent lands as forests become dominant with only occasional views of pastured land. The southern bank becomes quite steep and rocky and is almost entirely in forest cover.

The next seven miles of the river continue in the same land use with interspersed pastures on the wider floodplains and forests everywhere else. The banks of the Creek are fairly high and in most cases inland views are restricted. However, where you are permitted to see inland, it is pleasant and allows for a change in the scenery. All of the steeper slopes are forested and sections where the banks are steep on both sides of the Creek give the visitor a feeling of solitude and wilderness.

At approximately 12 miles from the put-in several buildings are located adjacent to the stream and trash is strewn along the banks and in the waters.

Once past this point the river returns to the same pastoral setting as before. For the next eight miles the river winds among forested slopes and open farmland. The cleared land areas are somewhat larger than before but in most cases they are well screened by a combination of high banks and bank top vegetation. Farm buildings are occasionally visible from the river but are set far back and are by no means intrusive.

As you approach river mile 21, the river becomes nearly slack as you encounter backwater from the Goose Creek Reservoir. The reservoir is approximately 2½ miles in length and ends at the Goose Creek Dam site. The land on both sides of the reservoir is forested.

Below the reservoir for about one mile, the stream returns to alternating forest and field areas. After this point, however, the stream flows into an industrial zone and its character has been somewhat altered by intensive quarry operations.

After leaving the industrial zone the river again returns to a natural and pastoral setting until it joins with the Potomac a few miles farther downstream.



resource use alternatives

The major alternative uses for Goose Creek include municipal water supply, industrial use and energy production.

Municipal water supply is, and will remain, the major alternative use for waters within the study region. As mentioned in the current uses section, Goose Creek already has one impoundment which is used for this purpose.

According to the State Water Control Board, there is no urgent demand for water in the study area itself; however, the area is considered as a source of water for the Washington and Northern Virginia metropolitan area. This section of the State, due to its rapid growth, is expected to need additional water supplies before the year 2000. In anticipation of this, many potential sources in the vicinity are being studied and proposals are being made. It should be noted that while no site has been selected, there are several which appear physically suitable for development as water supply sources.

Goose Creek is one of the considered alternatives and could supply the water if necessary. However, due to its scenic, natural and historical qualities, this stream should be preserved in its current state and used for water supply only as a last resort.

Loudoun County has industrial growth potential and has zoned some 6,000 acres for industrial use. However, only a small section of this area lies along Goose Creek, below the City of Fairfax impoundment.

The only industry currently having an impact on Goose Creek is the rock quarrying operations which occur adjacent to the stream between the dam and the Route 7 bridge. In addition, there are three other locations along the corridor where industrial development could occur.

Electrical energy production is another possible use of Goose Creek. The Creek's flow, however, is not great enough for hydroelectric production. The only type of plants which could be established would be steam generation units. There are, at present, no chosen sites for such generation facilities.

a conservation plan

The conservation plan for Goose Creek requires only a minimum of effort on the part of State and local governments and riparian landowners.

State Scenic River designation is the first component of the plan. In addition to directing public attention to the river as being something of unusual value, official designation precludes the damming or other impediment of natural flow without the express authorization of the General Assembly. This restriction of damming and increased public attention assures a greater scrutiny of any private or governmental plans which might alter the natural character of Goose Creek.

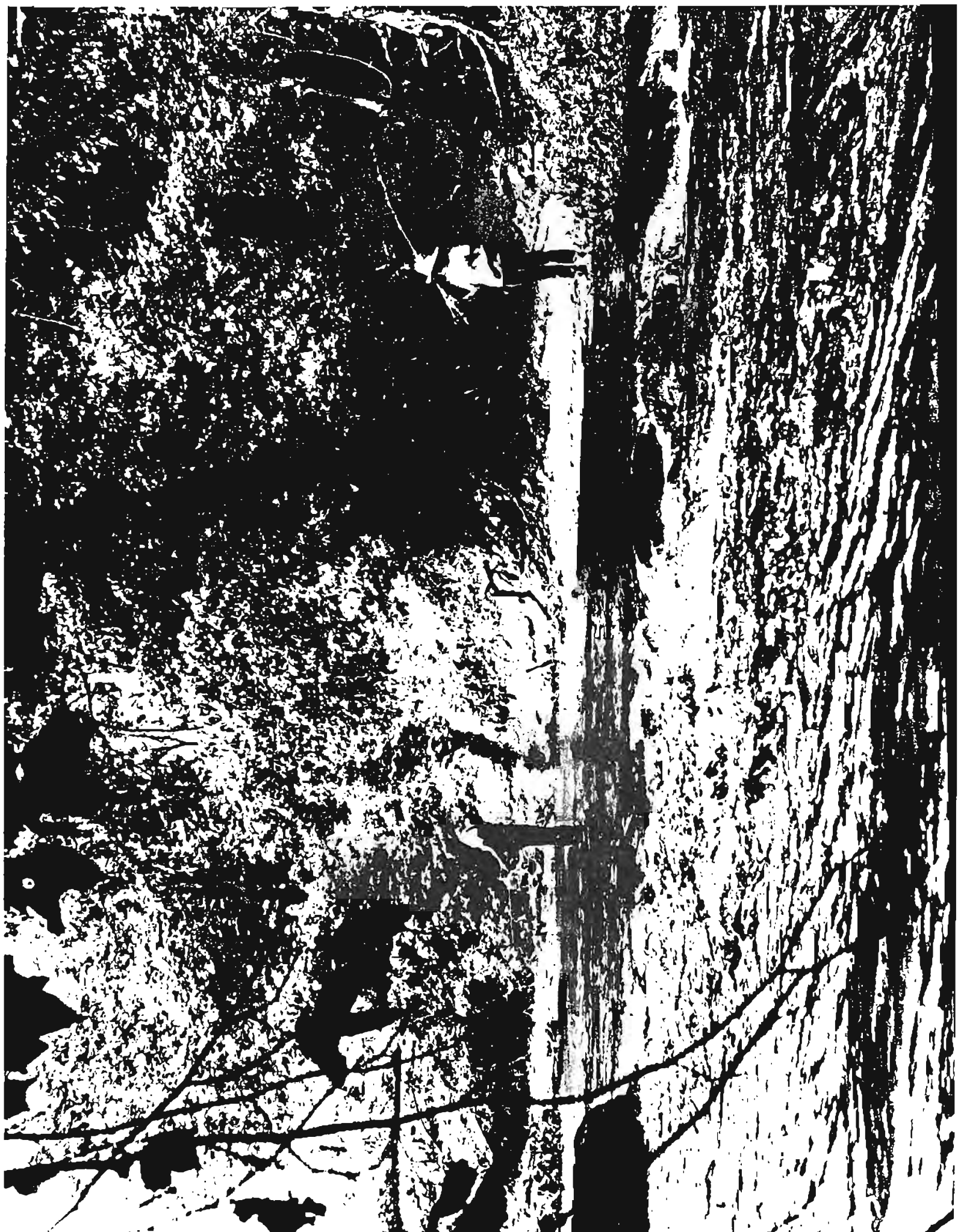
The second component of the conservation plan involves the use of Loudoun County's existing floodplain zoning ordinance. All of the floodplain adjacent to Goose Creek is controlled by this ordinance which restricts the construction or placement of dwellings within the floodplain and limits floodplain useage primarily to agriculture, conservation and recreation. It is felt that conscientious enforcement of this ordinance will result in adequate protection of the river corridor.

Continued good stewardship on the part of riparian landowners is the key to success for the conservation plan. Their conscientious efforts are essential in maintaining an adequate vegetative buffer strip between the river and adjacent land.

The development on the river itself must indeed be minimal if the scenery and integrity of the area are to be preserved. Needed access-only facilities should be provided at the Route 611 bridge crossing and at the Route 621 bridge crossing (Evergreen Mills). These facilities should include a graveled parking area for 10 cars, a trash receptacle and a launch area. Another access site of slightly larger size, parking for 14-18 cars, should be provided in the area of the confluence of Goose Creek and its North Fork (vicinity of Route 733 bridge crossing). (See map on page 9 for approximate locations of facilities.)

Appropriate protection of scenic qualities within the river corridor will involve approximately 1,800 acres, all of which will remain on local tax rolls. If individual landowners desire to negotiate recreational or open space easements over portions of their land, the value of development rights granted would be tax-deductible, yet the land may continue to be actively managed for grazing, agriculture, timber or residential use.

The management plan should also include the utilization of existing public access facilities at the Fairfax Dam site. Preliminary estimates indicate that development of the facilities mentioned above would cost between \$15,000 and \$20,000. It is estimated that the administrative costs would run around \$20,000 for the first two years, but this would depend upon the actual management plan developed by the administering agency--the Northern Virginia Regional Park Authority--in cooperation with a local advisory committee.



STATE AGENCY COMMENTS--Agency comments are part of the public record and may be reviewed at the office of the Commission of Outdoor Recreation.

OFFICE OF THE GOVERNOR
COUNCIL ON THE ENVIRONMENT

On behalf of the Council I want to add our support to your recommendation for designating Goose Creek as a State Scenic River. This seems especially appropriate because it reflects the desires of the area's citizens as well as the natural suitability of the river for scenic designation.

Gerald P. McCarthy
Administrator
November 24, 1975

OFFICE OF THE GOVERNOR
DIVISION OF INDUSTRIAL DEVELOPMENT

Thank you for the opportunity to review the final draft of the Goose Creek Scenic River Study.

We have studied the various sites along Goose Creek and believe that they have limited value for the purpose of industrial development. Therefore, it is our opinion that the inclusion of Goose Creek in the Scenic River System would not hamper the industrial development potential of Loudoun County.

J. Frank Alsbaugh
Director
September 26, 1975

DIVISION OF PARKS

Thank you for the opportunity to review the final draft of your study of Goose Creek as a candidate for the State Scenic Rivers System. We find it to be complete and well structured. The recommendation that the Northern Virginia Regional Park Authority be designated as the administering agency is well founded and should contribute to local support for the program.

Ben H. Bolen
Commissioner
September 22, 1975

DEPARTMENT OF
AGRICULTURE AND COMMERCE

After a review of this study, it appears that only an insignificant amount of agricultural land will be removed from agricultural production or forest use by such a designation. In the long run, I believe this designation will encourage agricultural production to remain in the area. This is certainly one means of attempting to preserve prime agricultural lands.

Based on information contained in this study and our Department's philosophy of preserving prime agricultural land, when and where possible, our Department supports this designation.

Berkwood Farmer
Director and Chief Economist
Planning and development
September 26, 1975

WATER CONTROL BOARD

The Northern Regional Office of the State Water Control Board has reviewed the final draft of the Goose Creek Scenic River Study and has the following comment:

The excellent water quality which has been preserved in Goose Creek makes it an excellent candidate for State Scenic River designation, and also makes it very desirable for use as a public water supply. The Washington Metropolitan area is rapidly reaching a crisis stage as available water supplies become insufficient to meet an ever-increasing demand from the growing population.

Two independent studies of the water supply situation for the Washington area have been conducted in recent years. One was prepared by the consulting firm of Black and Veatch upon the request of the Fairfax County Water Authority, the District of Columbia, and the Washington Suburban Sanitary Commission, and was completed in April of 1974. The other study is being done by the Army Corps of Engineers as part of the Northeastern United States Water Supply Study, and appeared in preliminary draft form in May, 1975. Both studies listed Goose Creek as one of several alternatives for water supply.

Thus, it is important to keep in mind the alternative use of Goose Creek as a public

water supply, and to weigh the benefits of this use against those derived from recreational use.

Stephen L. Hogye
Planner
October 20, 1975

VIRGINIA SOIL AND WATER CONSERVATION COMMISSION

I have reviewed the September, 1975 draft of your study report of the Goose Creek Scenic River Study concerning its suitability for inclusion in the Virginia Scenic Rivers System. The Commission of Outdoor Recreation is commended for the preparation of an excellent report. We were represented on the State Agency Advisory Committee for the study and we have no further recommendations to offer.

This designation proposal is compatible with policies and programs of the Virginia Soil and Water Conservation Commission. The area included in the proposed designation will not conflict with any proposed small watershed project, and water quality should be improved by ongoing local soil and water conservation district programs and erosion and sediment control programs. Both of these programs are conducted to meet goals of reducing erosion to keep heavy sediment loads out of the water.

Joseph B. Willson, Jr.
Director
November 6, 1975

DEPARTMENT OF HEALTH

This letter is in response to your memo dated 12 September 1975 which transmitted a copy of Goose Creek Scenic River Study - Final Draft. The study, dated September 1975, was made by the Commission of Outdoor Recreation and outlines the recommendation of the Commission that Goose Creek from the Fauquier County/Loudoun County line to the Potomac River, a stretch of approximately 27.5 miles, be designated as a scenic river and included in the State Scenic Rivers System.

The study recognizes the existing City of Fairfax raw water impoundment and dam and recommends that proposed legislation indicate that the continued operation and maintenance of the reservoir and dam would not be affected by the designation of the stream as a scenic river. The study also recognizes that Goose Creek is considered as a possible future drinking water supply source for the Metropolitan Washington area which will need additional water supply sources in the near future, but the study points out that the stream should be preserved for its scenic and recreational qualities and used for raw water impoundment only as a last resort.

It is our understanding of the Scenic Rivers Act of 1970 that if Goose Creek is included in the State Scenic Rivers System, then the use of the stream as an additional source of public drinking water supply would be prevented unless authorized by the General Assembly. Therefore, this Department objects to this proposal which would jeopardize the possible future expansion of the existing City of Fairfax raw water impoundment and dam or any future consideration of Goose Creek as a source of public drinking water. Since this is our only concern, our objection would be withdrawn if the designation of Goose Creek as a scenic river could be made compatible with future

use of the stream as a public drinking water supply.

Eric H. Bartsch
Director
Bureau of Sanitary Engineering
October 2, 1975

COMMISSION OF GAME AND INLAND FISHERIES

The final draft of the Goose Creek Scenic River study has been reviewed as desired. We are in agreement with the major aim of the study; that is, inclusion of Goose Creek into the State Scenic Rivers System. Action by the local Government to bring about such a designation is to be commended. We are in complete agreement with the need to provide as much protection for stream environments as is possible.

Our only reservation is whether zoning alone, without more restrictive regulation, will provide adequate scenic river protection.

Raymond V. Corning
Fish Management Coordinator
November 10, 1975

DIVISION OF FORESTRY

We have read with interest the report on the Goose Creek Scenic River Study. We agree in principle with the concepts in this report and have no further comments at this time.

W. F. Custard
State Forester
September 25, 1975

NOT FOR CIRCULATION

As Act to amend the Code of Virginia by adding in Title 10 a chapter numbered 15, containing sections numbered 10-167 through 10-175, to provide for a Virginia scenic and recreational rivers system; additional duties of the Commission of Outdoor Recreation.

[H 27]

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia be amended by adding in Title 10 a chapter numbered 15, containing sections numbered 10-167 through 10-175, as follows:

CHAPTER 15 Scenic Rivers Act

Sec. 10-167.

- a. This chapter shall be known and may be cited as the "Scenic Rivers Act."
- b. It is hereby declared to be the policy of the Commonwealth of Virginia that rivers, streams, runs and waterways including their shores and immediate environs which possess great natural and pastoral beauty constitute natural resources, the conservation of which constitutes a beneficial public purpose. It is further declared that preservation of certain rivers or sections of rivers for their scenic values is a beneficial purpose of water resource policy.
- c. The purpose of this legislation is to provide for the identification, preservation, and protection of certain rivers or sections of rivers which possess natural beauty of high quality, and therefore should be included in a Virginia Scenic River System to assure their use and enjoyment for their scenic, recreational, geologic, fish and wildlife, historic, cultural, or other values.
- d. In all planning for the use and development of water and related land resources including the construction of impoundments, diversions, roadways, crossings, channelization, locks, canals, or other uses which change the character of a stream or waterway or destroy its scenic values, full consideration and evaluation of the river as a scenic resource shall be given before alternative plans for use and development are approved.

Sec. 10-168.

As used in this chapter, the following words and terms shall have the following meanings:

- a. "River" shall mean a flowing body of water, or a section or portion thereof.
- b. "Scenic River System" shall mean and include those rivers or sections of rivers designated as a Scenic River by an Act of the General Assembly.
- c. "Commission" shall mean the Commission of Outdoor Recreation.

Sec. 10-169

In addition to other duties conferred by Chapter 2.1 of this title, the Commission shall have the following duties:

- a. To make studies of rivers or sections of rivers to be considered for designation by the General Assembly as scenic rivers.
- b. To recommend to the Governor and to the General Assembly rivers or sections thereof to be considered for designation as scenic rivers.

Sec. 10-170.

- a. Studies by the Commission of rivers to be considered for designation as wild, scenic, or recreational rivers shall be conducted in cooperation with appropriate agencies of the State and of the United States.

- b. When the General Assembly acts to include a river or section of river in the Scenic River System, the Commission shall appoint an Advisory Committee of residents, including at least one riparian landowner, in the locality or localities of the river or river section and other qualified persons. The Advisory Committee shall elect a chairman from among its members. Members of the Advisory Committee shall serve at the will of the Commission. The duties of the Advisory Committee shall be to assist and advise the Commission concerning the protection or management of such river. Members of the Advisory Committee shall receive no compensation.

Sec. 10-171.

A recommendation to the Governor and General Assembly that a river or section thereof be designated a scenic river shall be submitted with:

- a. The views and recommendations of the Division of Water Resources of the Department of Conservation and Economic Development, the Water Control Board, and other affected agencies; and
- b. A report showing the proposed area and classification, the characteristics which qualify the river or section of river for designation, the general ownership and land use in the area, and the estimated costs of acquisition and administration in the Scenic River System.

Sec. 10-172.

Prior to submitting recommendations to the Governor and the General Assembly, the Commission shall upon request of any interested State agency or political subdivision, or upon its own motion, hold a public hearing on a proposal to designate a scenic river.

Sec. 10-173.

The agency designated by the General Assembly shall administer a river or section thereof to achieve the purposes of this chapter, and in accordance with its powers and duties conferred elsewhere by law.

Sec. 10-174.

After designation of any river or section of river as a scenic river by the General Assembly, no dam or other structure impeding the natural flow thereof shall be constructed, operated, or maintained in such river or section of river unless specifically authorized by an act of the General Assembly.

Sec. 10-175.

The Commission is authorized to acquire in the name of the Commonwealth, either by gift or purchase, any real property or interest therein which the Commission considers necessary or desirable for the protection of any scenic river, and to transfer such property to any State agencies; provided that the Commission may not exercise the right of eminent domain in acquiring any such property or interest. (1970, c. 468)

public hearings

In compliance with provisions of the Scenic Rivers Act of 1970 (Title 10, Chapter 15 of the Code of Virginia), the Commission of Outdoor Recreation of the Commonwealth of Virginia conducted a series of Public Hearings around the State in October of 1975, to receive statements concerning the conservation of Goose Creek as a State Scenic River.

Two hearings were held each night, starting October 6. The schedule was as follows: October 6--George Mason University in Fairfax and Maury Elementary School in Fredericksburg; October 7--Catocin Elementary School in Leesburg and Culpeper County High School in Culpeper; October 8--Harrisonburg High School in Harrisonburg and Virginia Department of Highways and Transportation Auditorium in Richmond; October 9--Virginia Western Community College in Roanoke and the City Hall Building in Norfolk.

The Public Record on Goose Creek remained open until October 23, 1975, to allow all interested persons an opportunity to comment. Statements made at the hearings or received through that date are a part of the Public Record and are available as a supplement to this report.

Full tape recordings of the proceedings of the Public Hearings, as well as written statements, may be reviewed by contacting Director, Virginia Commission of Outdoor Recreation, 803 E. Broad Street, Richmond, Virginia 23219.

