

**REPORT OF THE DEPARTMENT OF
CONSERVATION AND RECREATION
DIVISION OF PLANNING AND
RECREATION RESOURCES**

The Guest River State Scenic River

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 15

**COMMONWEALTH OF VIRGINIA
RICHMOND
1990**

B. C. LEYNES, JR.
Director



ADMINISTRATION
NATURAL AREAS CONSERVATION
PLANNING AND RECREATION SERVICES
SOIL AND WATER CONSERVATION
STATE PARKS

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street, Suite 302

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Richmond, Virginia 23219 (804) 786-6124

FAX: (804) 786-6141

November 21, 1989

TO: The Honorable Gerald L. Baliles
Governor of Virginia

and

The General Assembly of Virginia

The 1989 General Assembly, by House Joint Resolution 244, requested the Department of Conservation and Recreation to determine if the lower five miles of the Guest River in Wise County, including the Guest River Gorge, qualifies as a State Scenic River.

Enclosed for your review and consideration is the report that has been prepared in response to this resolution.

Respectfully submitted,



B. C. Leynes, Jr

BCL:ce

Enclosure

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REASON FOR THE STUDY

Enabling legislation for the State Scenic Rivers System was passed by the General Assembly in 1970 in the form of the Scenic Rivers Act, now Title 10.1, Chapter 4 in Sections 10.1-400 through 10.1-418 of the Code of Virginia. Within the Scenic River Act, it is the responsibility of the Director of the Department of Conservation and Recreation to consider rivers, streams, runs and waterways, including their shores and immediate environs, which possess great natural and pastoral beauty. The conservation of these unique natural resources constitutes a beneficial public purpose.

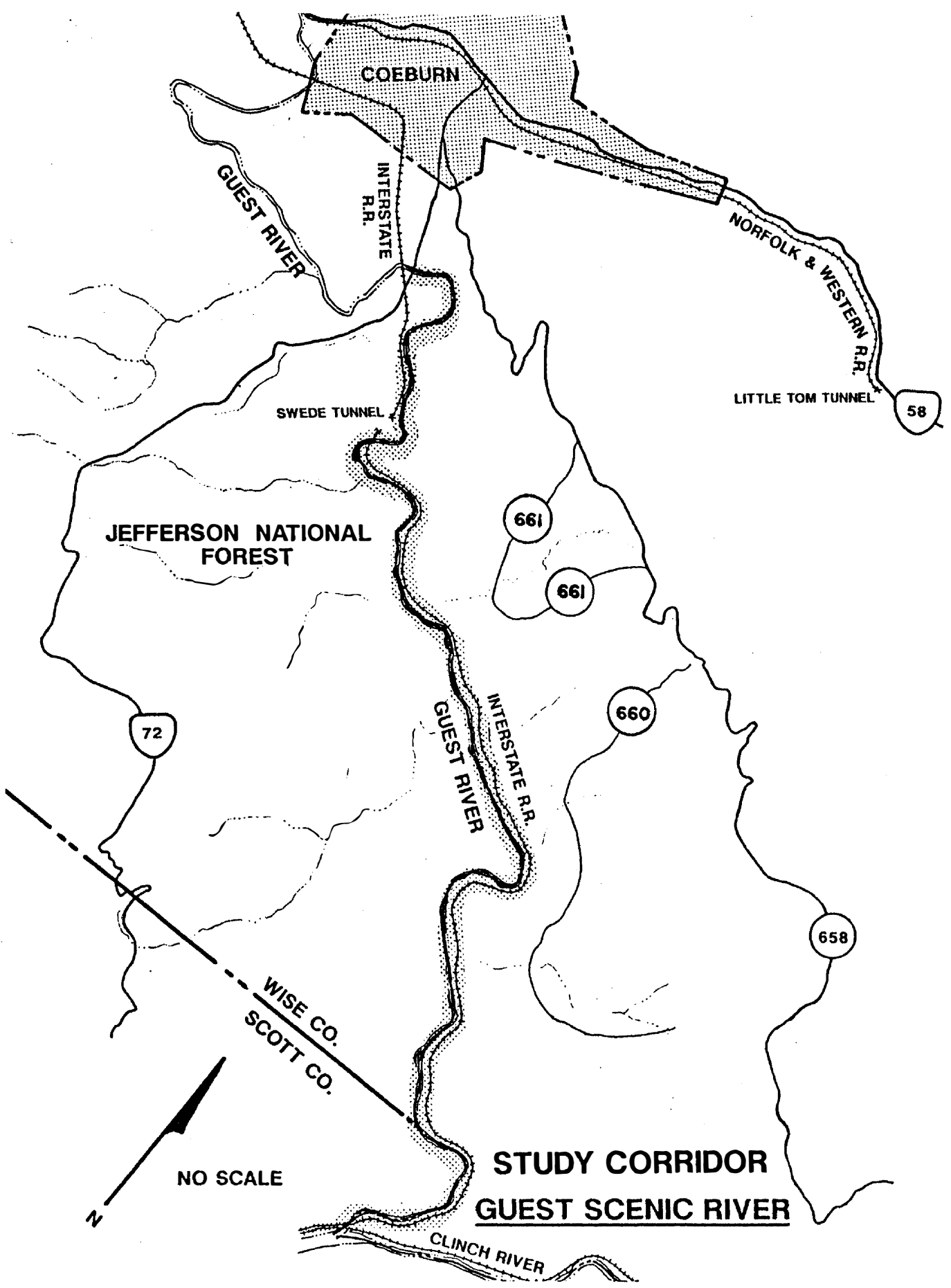
The 1989 General Assembly passed HJR 244 requesting the Department of Conservation and Recreation to conduct a study of the Guest River in Wise County between Swede Tunnel and the confluence with the Clinch River (\pm 5 mi.) to determine if the stream qualifies to be included in the State Scenic River System.

The Guest River has been evaluated by the Department of Conservation and Recreation and found to qualify for addition to the Virginia Scenic Rivers System.

II. SUMMARY AND FINDINGS

The Guest River qualifies to be added to the State Scenic River System. The Department of Conservation and Recreation completed the evaluation of the stream in July 1989, using criteria established to provide a uniform gauge by which all study streams are measured. The study of the Guest River has led to the following recommendations related to State Scenic River designation, protection, administration and management:

1. The Guest River, between the Route 72 bridge and the confluence with the Clinch River, a distance of approximately 6.5 miles, is recommended for State Scenic River designation.
2. The Department of Conservation and Recreation should be appointed the Administering Agency.
3. The duties of the local Advisory Board, appointed by the Governor, should be to advise the Administering Agency on any federal, state or local plans to approve, license or construct facilities which would alter or destroy the natural, scenic, historic or recreational values which caused the river to qualify for designation.



COEBURN

GUEST RIVER

INTERSTATE R.R.

NORFOLK & WESTERN R.R.

SWEDE TUNNEL

LITTLE TOM TUNNEL

58

JEFFERSON NATIONAL FOREST

661

661

72

GUEST RIVER

INTERSTATE R.R.

660

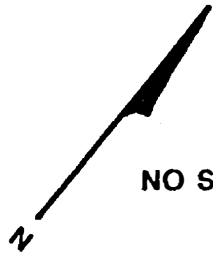
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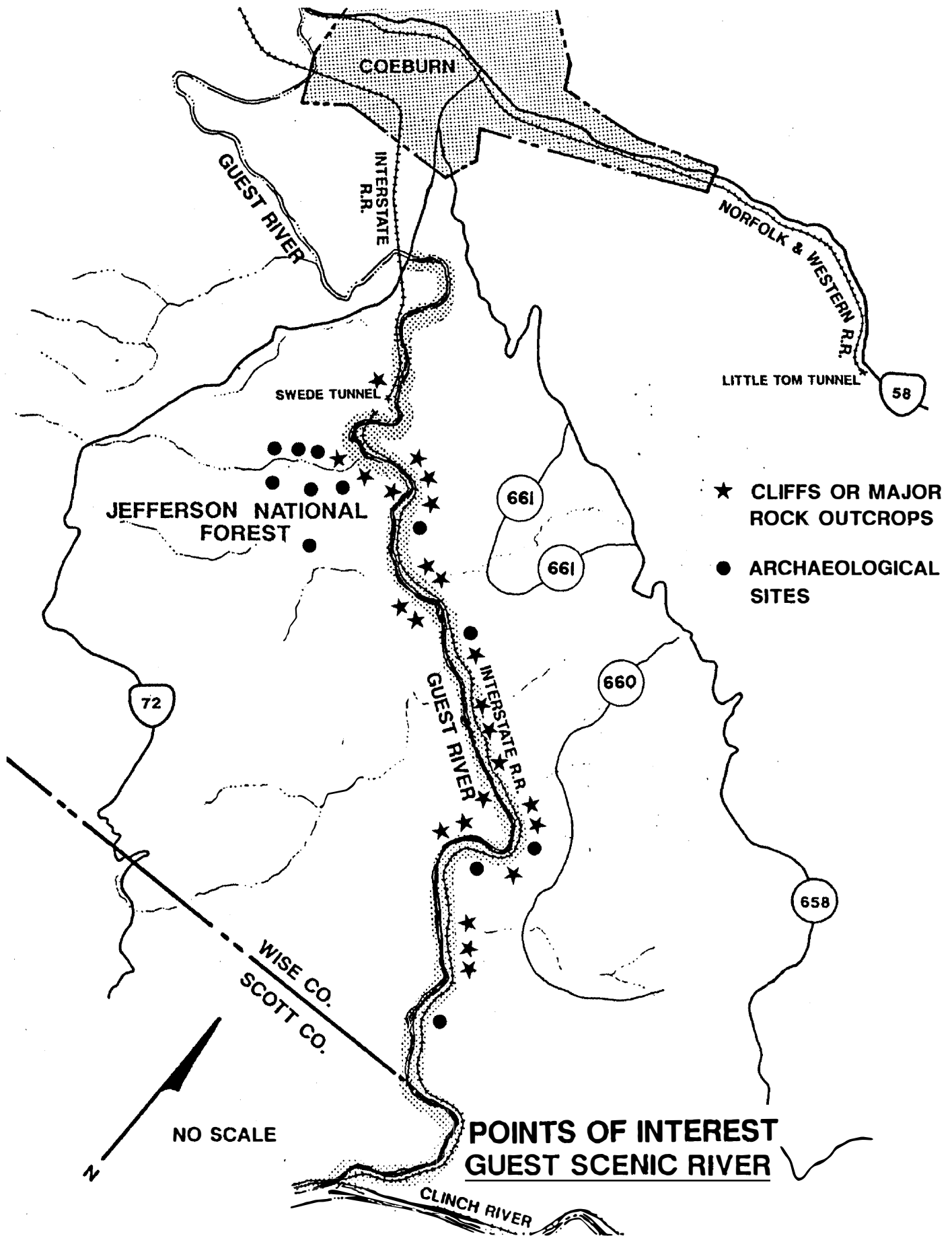
WISE CO.
SCOTT CO.

STUDY CORRIDOR
GUEST SCENIC RIVER

CLINCH RIVER

NO SCALE

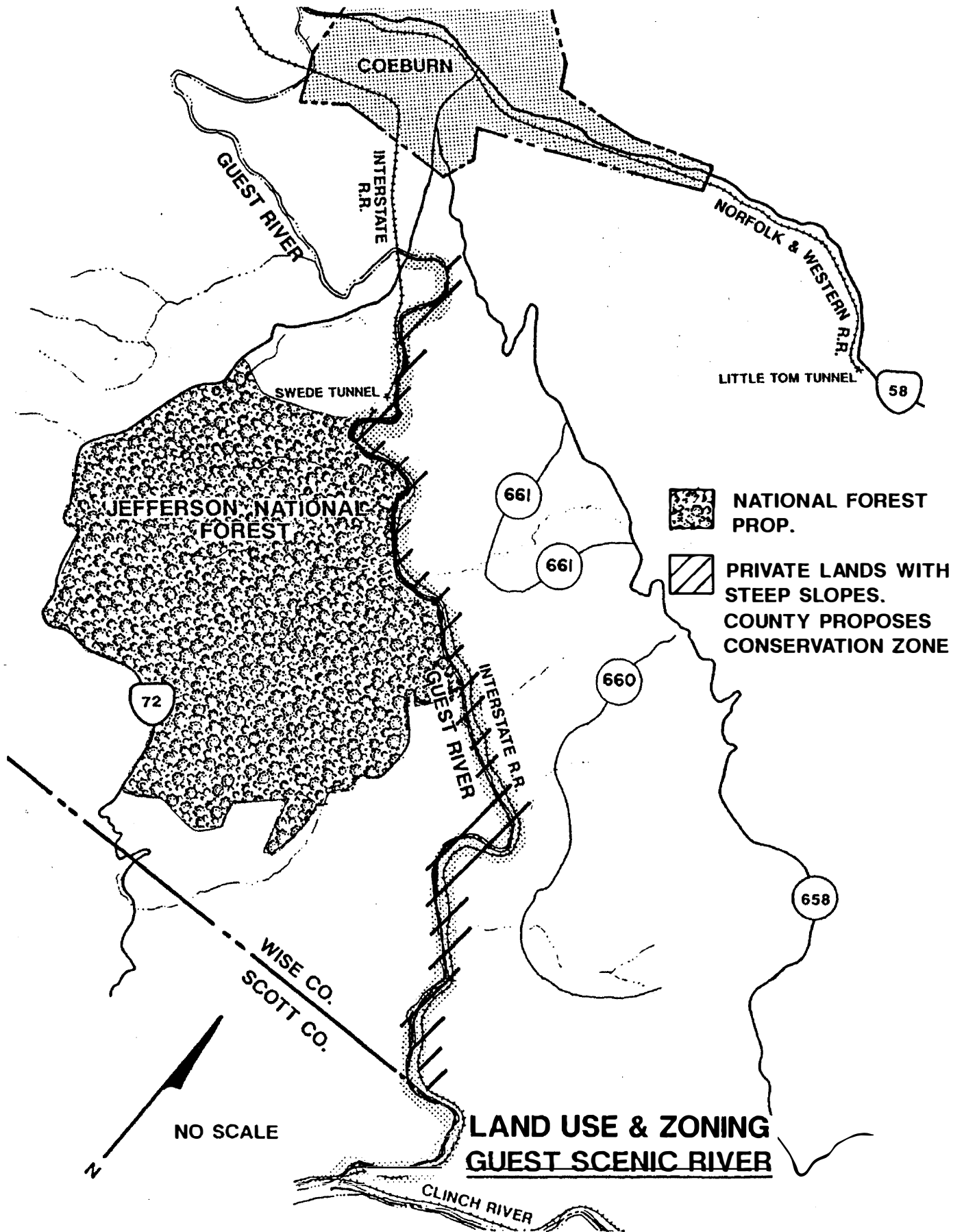




- ★ CLIFFS OR MAJOR ROCK OUTCROPS
- ARCHAEOLOGICAL SITES

NO SCALE

**POINTS OF INTEREST
GUEST SCENIC RIVER**



**LAND USE & ZONING
GUEST SCENIC RIVER**

IV. ENVIRONMENTAL ANALYSIS

The following is a description of those qualities that support the finding that the stream is a prime candidate for the State Scenic River System:

The Guest River traverses Wise County in the upper reaches of the Tennessee Valley watershed. Fed by numerous small creeks and runs, the Guest gathers size and strength as it passes through the Town of Coeburn. East of Route 72, the stream enters a rural valley, then descends for over six miles through a gorge with forested cliffs reaching over 300 feet above the riverbed. From the Route 72 Bridge to its confluence with the Clinch River, the elevation drops 320 feet. Some sections of the stream have a gradient in excess of 100 feet per mile. The water tumbles and falls along its course over and around boulders that are as large as a small house.

The narrow valley floor ranges from about 50 to 150 yards in width and is covered with mixed hardwoods and evergreens; the steeper slopes and bluffs appear to have more pines, hemlocks and other evergreen species. Impressive rock outcrops and cliffs are visible all along the lower three quarters of the valley.

The only intrusions into the corridor are one house, which is within 200 yards of the stream near Route 72, and three small weekend cottages clustered together near the confluence with the Clinch. North of Swede Tunnel, there is a small power line which crosses the river. However, due to the topography, the line goes from one cliff to another and is probably in excess of 100 feet above the stream and generally not visible from water level.

An abandoned railroad right-of-way roughly parallels the stream 20 to 50 feet above the water and 50 to 150 feet back from the banks. The two trestles crossing the stream are in good condition and can easily be refitted to provide pedestrian, bicycle and horseback access to the lower sections of the gorge.

Due to the topography and the forest cover, almost all views along the river are short to mid-range. The maximum vista is less than one mile. The spectacular bluffs, the forested valley floor and the rushing river combine to create an ever-changing

landscape that possesses natural beauty almost beyond description. Within this setting, the following evaluation criteria were considered:

1. Stream Corridor Vegetation

Natural vegetation along the corridor has had minimal disturbance. Near the beginning of the study section for a distance of about one half mile there are fields which come to within 50 feet of the water. Three small vacation cottages are located near the confluence with the Clinch River. These structures have disturbed less than five acres of the stream side forest cover. Within the gorge, the mixed hardwood and evergreen forest provides a luxurious, multi-canopied cover which provides year-round changes in the natural landscape along the stream. None of the area visible from the stream has been disturbed by timbering in over 30 years. With the exception of the fields and/or pasture near Route 72, there is no evidence of agricultural practices in the corridor.

The Natural Heritage Program has identified six species of rare, threatened, or endangered plants, and one rare animal in the Guest River Gorge. Three of these are also identified on Federal Lists. (See Appendix 2) The U. S. Forest Service and the U. S. Fish and Wildlife Service have also reported finding rare plants in the gorge.

2. Streambed and/or Stream Flow Modifications

There are four places within the study area that have been altered by streambed modifications. These include: (a) two abandoned railroad bridges which are 150 to 200 feet in length, (b) one concrete wing wall constructed within 60 feet of the railroad, and (c) one concrete retaining wall near the cottages on the lower end.

There is no evidence that any portion of the lower Guest River has ever been impounded or channelized. There are no known plans for any type of channel modification.

3. Human Development of Visual Corridor

Very few intrusions exist within the visual corridor. A large single family house near Route 72 is located approximately 200 yards from the stream. The three

small weekend cottages are clustered together near the confluence with the Clinch River. Near Swede Tunnel, a power line crosses the corridor. However, the line is suspended across the gorge by poles on cliffs 100 feet or more above the stream. Stream side vegetation has not been impacted, and the power line is not visible from the water level.

The only other man made intrusion along the corridor is an abandoned railroad. The Interstate Railroad right-of-way was abandoned in 1987 and is considered a positive feature. The U.S. Forest Service has proposed to acquire the right-of-way through the gorge (about six miles). They are planning to develop a non-motorized trail system along the old right-of-way, which will greatly enhance the recreational values along the lower reaches of the Guest River.

4. Historic Features

According to Virginia Department of Historic Resources' records, the presence of historic sites or structures are not found within the study area; however, a number of archaeological sites have been identified. Most sites are remnants of base camps and transient camps. The rock shelters associated with these camps are well above the floor of the basin and many have been disturbed by artifact hunters over the years. The forested plateau west of Swede Tunnel contains more than a dozen sites that have some archaeological significance. (See Map #3 on Page #4)

5. Landscape

The river corridor contains an abundance of interesting landscape elements. A high diversity of features is found throughout the gorge area. The stream banks are covered with multi canopied forest, including mixed hardwoods and evergreens. Dramatic views of the riverside cliffs, some of which reach more than 300 feet above the stream, coupled with the tumbling and winding course of the river, create breathtaking settings. Because of the confines of the gorge, most views are about three fourths of a mile or less. However, the upstream and downstream vistas throughout the gorge are fantastic.

6. Quality of Fishery

According to the Department of Game and Inland Fisheries, the lower reaches of the Guest River contain a good cool water recreational fishery. Reproducing populations of smallmouth bass, sunfish and several chub species are available to the angler willing to hike into the gorge. Several years ago, the Department unsuccessfully attempted a trout-stocking program on the lower Guest River. Biologists were not sure if water quality problems or high temperature caused the demise of the trout fishery.

The Department of Game and Inland Fisheries will conduct tests this year to reevaluate the overall condition of the Guest River fishery.

7. Additional Natural Features

A variety of wildlife is found in the area. Both game and non-game species can be readily observed along the stream. According to state wildlife biologists, the mature oak hickory forest supports a good population of turkeys and squirrels, as well as a number of non-game bird species such as the woodpecker and warblers. Raccoons, mink and a few muskrats might be observed. Deer herds are rather sparse throughout this area and bear are not known to inhabit this region.

8. Water Quality

The visual quality of water in the Guest River appears to be good. It is a Class IV mountainous zone stream. The Virginia Water Control Board's 305 B report reveals that there have been bacteria standard violations of water quality parameters from the Coeburn Wastewater Treatment Plant. Although fecal coliform bacteria sometimes exceeds acceptable levels, the report did not reveal any additional water quality problems.

The Norton/Wise/Coeburn Regional Wastewater Treatment Plant, a modern waste treatment facility, is under construction. This new system should not be viewed as a panacea for the myriad of water quality problems facing the region. Background levels of contamination from point and non-point sources outside the plant's service

area are likely to continue. However, once this plant begins operation in 1990-91, an appreciable increase in overall water quality is expected.

9. Parallel Roads

Map 1 shows that there are no roads paralleling the study corridor. The Route 72 crossing is the beginning of the study section. Low volume secondary roads approach the rim of the gorge from the east side at three or four locations providing fantastic views of the gorge. However, none of these roads, or the vehicles on them will be visible from water level.

10. Crossings

The Interstate Railroad, which was abandoned almost three years ago, crosses the Guest in two locations. As stated elsewhere in the report, the U.S. Forest Service is working to acquire the abandoned right-of-way between the Swede Tunnel and the confluence with The Clinch River. The two trestles are in good condition and can serve as the critical link for pedestrian access into the gorge. Because of the potential recreational value of the abandoned railroad as a future trail from Swede Tunnel to the confluence with the Clinch River, these crossings are considered a valuable resource.

A small power line crosses the study area north of Swede Tunnel. This line spans the entire gorge with the closest poles located on rock outcrops over 100 feet above the stream. The height of the crossing and its careful siting prevent this power line from visually intruding into the scenic river setting.

An active Norfolk Southern rail line is located along the Clinch River at the confluence. As it is located at the lower terminus of the designation, this railroad does not constitute a significant intrusion into the study area.

11. Canoeability

The Guest River is considered useable as a recreational boating stream. However, due to the steep gradient, the rock formations and highly fluctuating water levels, it is only canoeable under certain conditions when water levels are high. Because of the difficulty level of

this stream, it should not be considered a runnable stream except for advanced canoeists and rafters under ideal conditions.

V. LAND USE AND OWNERSHIP

Most of the land between Route 72 and the Clinch River is part of the Jefferson National Forest. (See Map 2) Some property near the Route 72 bridge and at the lower end of the gorge is privately owned. The Norfolk-Southern Railroad owns much of the land along the valley floor, especially south of Swede Tunnel. The remainder of the corridor consists of the forested slopes of the gorge which are in private ownership; however, most are literally vertical and generally inaccessible.

The U.S. Forest Service is proposing to extend its proclamation boundary to include the cliffs along the east side of the gorge. If this plan comes to fruition, almost all of the property between the tunnel and the confluence will be in public ownership.

North of the tunnel, the corridor is in private ownership. Low density single-family residential development has occurred along Route 72, on the south side of the river. The north banks of the stream are buffered by a line of rock formations that extend more than 100 feet above the water, effectively excluding encroachment along the north shoreline north of the tunnel.

VI. CONCLUSIONS AND RECOMMENDATIONS

The Department of Conservation and Recreation concludes that the Guest River below Route 72 in Wise County qualifies for inclusion in the State Scenic River System. The river rates high in most of the categories described above, making it a desirable candidate for addition to the State Scenic River system. The U.S. Forest Service, a major riparian owner, and the Wise County Board of Supervisors concur with this recommendation and support the designation effort.

It is recommended that:

1. The Guest River, beginning at a point 100 feet downstream from the Route 72 bridge and ending at the confluence with the Clinch River, a distance of approximately 6.5 miles, be considered for State Scenic River designation.

2. The Department of Conservation and Recreation should be the Administering Agency.
3. The local Advisory Board, which is appointed by the Governor, should advise the Administering Agency of any federal, state or local plans to approve, license or construct facilities which would alter or destroy the natural, scenic, historic or recreational values relating to the river's qualifications for designation as a component of the State Scenic River System.

VII. CONSERVATION PLAN

There are a variety of elements included in the conservation plan for the Guest River. These elements require action on the part of the General Assembly, local, state and federal units of government, individuals and riparian landowners.

Legislation establishing State Scenic River designation for the Guest 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 identify the river as being a natural resource of statewide significance. This increased awareness resulting from the State Scenic River designation will ensure a greater scrutiny of plans or proposals which have the potential to significantly impact those resource qualities that make the river worthy of designation. A Citizen Advisory Committee will be appointed subsequent to the designation. This committee will give local residents an avenue for formal input into decisions that may impact the river.

A second element of the Conservation Plan involves local government. Local citizens' recent recognition of the river's valuable contribution to the overall quality of life in their community, as well as their appreciation and concern for the river and the role that it plays in their way of life should be reflected in local land use decisions. Land use plans should protect the river and its environs from potential development. Increased evidence of the river's socio-economic value to the community exists enhancing the awareness of river-related values and the long-term protection of the corridor.

A third element of the Conservation Plan is the continued individual stewardship of riparian landowners. In general, this stewardship has been good over the years, as evidenced by the characteristics which qualify the Guest River for inclusion in

Guest River Report to
Governor and General Assembly
November, 1989

the Scenic Rivers System. The U.S. Forest Service is the single largest landowner along the stream. Their policies and practices contribute to the preservation of the environs of the stream. If the Forest Service's long range plan for the Guest River gorge is approved, the railroad right-of-way will provide controlled recreational opportunities, and the steep bluffs will become forest property which will provide almost total protection of the corridor.

A clear policy of intent should be established by the General Assembly, along with carefully coordinated efforts of Wise County and the U.S. Forest Service to protect the natural and scenic qualities of the Guest River for the enjoyment of future generations.

VIII. ANTICIPATED COST OF DESIGNATION

The only direct costs associated with the designation will be the costs incurred by the Virginia Department of Conservation and Recreation as the Administering Agency for the river which average between \$1,000 and \$1,500 per year. The U.S. Forest Service's activities may result in congressional appropriations which will directly benefit the river. However, these costs will be borne by the federal government.

IX. AGENCY COMMENTS

The draft report was circulated to local, state, and federal agencies, and private organizations interested in the river. Responses from commenting agencies are presented on the following pages.

Wise County Board of Supervisors

SEP 26 1989



Office of County Administrator

TELEPHONE: 703/328-2321

COURTHOUSE

P.O. BOX 570

WISE, VIRGINIA 24293

August 31, 1989

Mr. Art Buehler, Director
Virginia Division of Planning
and Recreation Resources
203 Governor Street, Suite 326
Richmond, VA 23219

Dear Mr. Buehler:

I have reviewed your report regarding the Guest River senic gorge and find it very thorough and complete. As you pointed out in the report, the Wise County Board of Supervisors is supportive of this project and has officially requested the property be donated to the Forestry Service.

We share the concerns expressed by Mr. Bruce Robinette regarding the Regional Wastewater Treatment Plant. I do not believe that as stated in Section II-8, the facility will appreciably increase the overall water quality in the gorge. There will still remain the original sources of continuation for the river and it would be disasterous to the localities for the various environmental agencies to try to use the new wastewater facility to cure all of the problems of the river. Tighter environmental controls on the discharge from the plant would cripple its operation and the ability of the authority to serve the needs of the County. If you have any questions or if I can be of any assistance please do not hesitate to contact me.

Sincerely,

William P. Varson
William P. Varson
County Administrator

WPV/srw

cc: Mr. Bruce Robinette



SEP 12 1989

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, 23219

RAY D. PETHTEL
COMMISSIONER

JACK HODGE
CHIEF ENGINEER

September 8, 1989

Guest River
Scenic River Study

Mr. Art Buehler
Department of Conservation and Recreation
203 Governor Street, Suite 326
Richmond, Virginia 23219

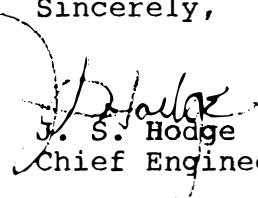
Dear Mr. Buehler:

This is in response to your letter dated August 24 regarding the above subject.

We do not anticipate any construction projects in the foreseeable future that would impact the Guest River's picturesque beauty. However, road and bridge improvements will be required in the future. To avoid a conflict, we will appreciate your beginning the scenic river designation a hundred feet south of Route 72. We have no objection to adding this stream to the State Scenic River System.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,


J. S. Hodge
Chief Engineer

cc: Mr. Ray D. Pethtel

AUG 30 1989

August 28, 1989

Mr. Art Buehler, Director
Virginia Division of Planning
and Recreation Resources
203 Governor Street, Suite 326 RE: A-PL-ZWR-89 Guest River
Richmond, VA 23219 Scenic River Study

Dear Art:

I appreciate the opportunity to comment on the draft report to the Governor and the General Assembly on the proposed designation of Guest River between Coeburn and Bangor as a State Scenic River. In general, we are highly supportive of this initiative since we have been aware of the scenic and environmental qualities in that particular area for many years.

However, we have some concerns regarding what such a designation might potentially do to future water quality standards. At the present time, we are being confronted with increasingly difficult to meet effluent standards for our municipal wastewater treatment plants.

As stated in the report, the C-N-W Regional Wastewater Treatment Authority will soon construct a modern wastewater treatment facility near Coeburn to serve the Coeburn-Norton-Wise area. According to your report, once this plant goes on line, an appreciable increase in overall water quality is expected. The cost for this system is staggering when measured against the economic problems we have in the region. Average sewage bills in the service area are already slated to increase substantially.

Based on our experience, the C-N-W Authority could prove to be the "whipping boy" for any water quality problems along the Guest which would impact the quality of the water for fishing and/or other recreational usage. This designation might unwittingly provide the means for agencies such as the Department of Game and Inland Fisheries to press for more stringent effluent limits for the new plant. This, in turn, could lead to additional capital outlays and even higher sewage bills.

We are on a collision course in the Commonwealth, and indeed in the nation, between the environmental movement and arbitrary and undue regulation of those localities that are trying to do a good job in wastewater treatment. In the case of the Guest River, you should understand that a good

Mr. Art Buehler
August 28, 1989
Page 2

deal of the "background" water contamination, such as fecal coliform contamination, is often due to numerous direct discharges of residences into the river. The C-N-W system will not be a panacea to these problems, since large numbers of these small contaminators will continue to dump untreated domestic sewage into the river. However, the C-N-W Authority could be the recipient of any additional regulatory standards. Due to the relatively low flow of the Guest River, C-N-W is already faced with unusually stringent effluent limits, which has increased the cost of the plant considerably. If further standards are enacted, some type of advanced waste treatment might have to be installed, and in my opinion, the communities involved could not afford it.

Again, we are quite supportive of the concept of designation of that particular reach of the Guest River as a Scenic River. However, it would be extremely unwise to see this designation as a carte blanche to all agencies involved with environmental regulation to place any undue constraints on the C-N-W Regional Sewage System. Although the intentions at this time are good, these things tend to get lost as time goes by. The identification of endangered species in the Guest might, for instance, add a new tier of water quality standards which would be virtually impossible to meet from a fiscal standpoint.

I hope these comments are viewed as constructive, since we are again in total support of this designation. However, there should be some way to add our concerns to the record so that future generations of regulatory officials do not cause any undue financial harm to the new wastewater authority.

Sincerely,



BRUCE K. ROBINETTE
Executive Director

BKR/mr

CC: E. E. Brooks
Terry Gibson
E. W. Ward
Joel Sikes
William P. Varson
Delegate Jack Kennedy



COMMONWEALTH of VIRGINIA

Department of Game and Inland Fisheries

4010 WEST BROAD STREET
BOX 11104
RICHMOND, VA 23230
1-800-252-7717 (V/TDD)
(804) 387-1000 (V/TDD)

SEP 12 1989

September 7, 1989

Mr. Art Buehler, Director
Dept. of Conservation and Recreation
Div. of Planning and Recreation Resources
203 Governor Street, Suite 326
Richmond, VA 23219

Dear Art:

Staff has reviewed the draft of the Guest River study report and considers it well done.

We concur in the report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim", written over the printed name and title.

James A. Remington
Director

JAR/H/a

cc: J. M. Hoffman
J. W. Raybourne
Col. G. Simmons



SE - 14 1989

COMMONWEALTH of VIRGINIA

Council on the Environment

KEITH J. BUTTLEMAN
ADMINISTRATOR

903 NINTH STREET OFFICE BUILDING
RICHMOND 23219
804-786-4500

September 11, 1989

MEMORANDUM

TO: Art Buehler

FROM: Hannah P. Crew *HC*

Thank you for the opportunity to review the draft Guest River scenic river study report. Based on the analysis included in the study, designation of this river as a State Scenic River is clearly appropriate and this agency supports its inclusion into the State Scenic River System.

I would like to note that the draft report did not address the strip mines within the watershed to the east of the river which appear on the U.S. Geological Survey's topographical map. The report should address the status of this mining activity and its effect on water quality and aesthetics in the river valley. The conservation plan should include an element that addresses this as well.



SEP 15 1989

COMMONWEALTH of VIRGINIA

C.M.G. BUTTERY, M.D.
COMMISSIONER

Department of Health
Richmond, Virginia 23219

September 11, 1989

Mr. Art Buehler, Director
Division of Planning and Recreation Resources
Department of Conservation and Recreation
203 Governor Street, Suite 326
Richmond, Virginia 23219

Dear Mr. Buehler:

Thank you for the opportunity to comment on the proposed Scenic River designation for the Guest River in Wise County. The proposed designation would not impact any of the programs of this Department.

The Scenic River Designation Program provides excellent opportunities for natural resources in the Commonwealth.

Sincerely,

A handwritten signature in black ink, appearing to read "C. M. G. Buttery", written over a horizontal line.

C. M. G. Buttery, M.D., M.P.H.
State Health Commissioner

RICK BOUCHER
9TH DISTRICT, VIRGINIA

COMMITTEES:
ENERGY AND COMMERCE

JUDICIARY

SCIENCE, SPACE, AND TECHNOLOGY

ASSISTANT MAJORITY WHIP



Congress of the United States
House of Representatives
Washington, DC 20515

September 7, 1989

WASHINGTON OFFICE:
428 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
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CONSTITUENT SERVICE OFFICE:
188 EAST MAIN STREET
ABINGDON, VA 24210
(703) 628-1145

311 SHAWNEE AVENUE, EAST
BIG STONE GAP, VA 24218
(703) 523-6450

112 NORTH WASHINGTON AVENUE
P.O. BOX 1288
PULASKI, VA 24301
(703) 980-4310

Art Buehler, Director
Department of Conservation and Recreation
Division of Planning and Recreation Resources
203 Governor Street, Suite 326
Richmond, Virginia 23219

SEP 15 1989

Dear Art:

Thank you for sending me a copy of the current draft of the study to add the Guest River to the Commonwealth's Scenic River System. I appreciate hearing from you.

I wholeheartedly support the inclusion of the Guest River in the Scenic River System. As your report mentions, this area has many recreational qualities. I have been supportive of the Forest Service's efforts to acquire the Interstate Railroad right-of-way. The scenic river, combined with the proposed trail, will provide Southwest Virginia with a unique recreation and conservation area.

Art, thank you again for writing. I hope you will keep me informed about the status of the study. If you have questions, please give me a call. With kind regards and best wishes, I remain

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Boucher".

Rick Boucher
Member of Congress

RB/mes

Guest River Report to
Governor and General Assembly
November, 1989

U. S. FOREST SERVICE
JEFFERSON NATIONAL FOREST
ROANOKE, VIRGINIA

Thank you for providing us a Draft of the Guest River State Scenic River Report to review. Generally, the report looks good to us and we concur with its findings and recommendations.

There is, however, one concern that we have. The report fails to discuss the Guest River as a boating and canoeing stream. While the stream is canoeable, it should only be run by experts with full safety equipment. The fluctuating water levels, the steep gradient and the large rock out crops make the Guest River an extremely difficult stream to negotiate except under ideal conditions.

Thank you for providing us an opportunity to comment on this report.

Sincerely,
Charles R. Blankenship

NOTE: This is a transcription of a telephone comment.

X. APPENDIX

- 1. HOUSE JOINT RESOLUTION 244**
- 2. NATURAL HERITAGE PROGRAM
LIST OF RARE PLANTS**
- 3. SUGGESTED LEGISLATION**

APPENDIX 1

HOUSE JOINT RESOLUTION NO. 244

*Requesting the Department of Conservation and Recreation
to study designating the
Guest River Gorge as a scenic river.*

Agreed to by the House of Delegates, January 27, 1989
Agreed to by the Senate, February 14, 1989

WHEREAS, it is the policy of the Commonwealth that the protection of rivers, streams, runs and waterways, including their shores and immediate environs, which possess great natural and pastoral beauty constitutes a beneficial public purpose; and

WHEREAS, the Scenic Rivers Act provides for the identification, preservation and protection of the Commonwealth's rivers so as to assure their use and enjoyment for their scenic, recreational, geologic, fish and wildlife, historic and other values; and

WHEREAS, the Guest River Gorge in Wise County, with its rock outcrops and rushing river water and falls, represents a remote haven for fishermen, canoeists and hikers; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Conservation and Historic Resources study the suitability of designating approximately five miles of Wise County's Guest River, known as "Guest River Gorge," as a scenic river; and, be it

RESOLVED FURTHER, That upon completion of its study the Department of Conservation and Recreation shall report its findings to the Governor and the 1990 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

APPENDIX 2

DEPARTMENT OF CONSERVATION AND RECREATION
NATURAL HERITAGE PROGRAM

We have reviewed our databases for occurrences of rare, threatened or endangered plants and animals known from the Guest River from Route 72 to its confluence with the Clinch River. The following have been reported to date:

	GLOBAL RANK	STATE RANK	FEDERAL STATUS	STATE STATUS
<u>Cymophyllus fraseri</u> Fraser's Sedge	G4	S2S3	3C	
<u>Aster surculosus</u> Creeping Aster	G3G5	S1		RSC
<u>Spiraea virginiana</u> Virginia Spiraea	G1	S1	C2	LE
<u>Cleistes divaricata</u> Spreading Pogonia	G4	S2		RSC
<u>Anemone minima</u> Dwarf Anemone	G3	S3	3C	RSC
<u>Spartina pectinata</u> Prairie Cord Grass	G5	S1S2		RSC
<u>Aneides aenus</u> Green Salamander	G3	S3	3C	

APPENDIX 3

SUGGESTED SCENIC RIVER LEGISLATION DESIGNATING THE
GUEST RIVER A SYSTEM COMPONENT

A Bill to amend and reenact §§2.1-20.4, of Chapter 4 of the Scenic River Act to add Section §10.1- _____ providing for the designation of the *Guest Scenic River* and to authorize the *Department of Conservation and Recreation* to administer the Scenic River in accordance with the Scenic Rivers Act.

Patron _____

Referred to the Committee on _____

Be it enacted by the General Assembly of Virginia:

1. That §10.1- _____ of Chapter 4 of the Code of Virginia be amended and reenacted as follows:

1. A. Consistent with the public policy of the Commonwealth of Virginia that the conservation of portions of rivers, streams, runs and waterways, including their shores and immediate environs which possess great natural and pastoral beauty constitutes a beneficial public purpose, the *Guest River* in *Wise County* from a point 100' downstream of the *Route 72 Bridge* to the confluence with the *Clinch River* is hereby designated a component of the Virginia Scenic Rivers System; subject to the provisions of the Scenic Rivers Act of the Code of Virginia.

B. The purpose of this legislation is to provide for the identification, preservation and protection of the above section of the *Guest River* to assure its enjoyment for its scenic, geologic, fish and wildlife, historic, cultural, or other values and to encourage the continuance of existing agricultural, horticultural, forestry and open

space land and water uses, provided such uses are in compliance with all applicable laws and regulations.

2. The *Department of Conservation and Recreation* hereinafter referred to as the *Department*, is designated to administer the *Guest River State Scenic River* in accordance with this act.

3. The Governor shall appoint a 7- member *Scenic River Advisory Board*. The *Advisory Board* shall be composed of local residents, to include a riparian landowner from within the designated section. The *Advisory Board* shall advise the Director of the Department of Conservation and Recreation, Administering Agency, and the local governing body on matters pertaining to the administration and management of the river. The *Advisory Board* shall also consider and comment on any federal, state or local governmental plans to approve, license, fund or construct facilities that would alter the natural, scenic, historic or recreational values which qualified the river for scenic designation.

4. The *Department* as administering agency, shall periodically survey the river and its immediate environs and monitor existing and proposed uses of the river and related land resources. The agency, in cooperation with the Director of the Department of Conservation and Recreation, the *Advisory Board* shall work with local units of government to solve problems associated with the river.

5. No dam or other structure impeding the natural flow of the river shall be constructed, operated, or maintained unless specifically authorized by an Act of the General Assembly.

6. All existing riparian land and water uses along or in the designated section of the *Guest River* which are permitted by law shall not be restricted by this Act.

