

Minutes:

**Historic Falls of the James Scenic River Advisory Committee
5th Floor Conference Room, City Hall
Richmond VA**

Meeting: September 15, 2022

Greg Velzy: Chair – Presiding

Call to Order: 12:10 PM

Attending Committee Members: Ralph Hambrick(Zoom), Leighton Powell, Greg Velzy, Tricia Pearsall, Jim Hill, John Heerwald, Justin Doyle, Community members present: Giles Garrison (Superintendent, James River Park System), Samantha Wangsgard (Chief Environmental Planner, Virginia DCR)

Minutes: Minutes of August 18, 2022 - Leighton Powell motion to approve, John Heerwald seconded. Approved.

Current Issues:

- **Riverfront Updates:** Kevin Vonck, Director Department of Planning & Review, City of Richmond. (Could not attend)
- **CRLC Updates:** Parker Agelasto couldn't be present
 - Parker will interview 32-year former JRP Superintendent Ralph White in honor of the James River Park's 50th Anniversary at Basic City Brewery, Thursday September 15, 2022 at 7:00pm
 - Since conservation easements on the James River islands into the JRP don't seem to be going anywhere, Greg Velzy suggested that perhaps it would be prudent to move ahead with the larger ones such as Vauxhall Island.
 - The Conservation Games are underway and a new T-shirt has been released.
 - CRLC has purchased a section of land on the Appomattox for FOLAR to add to the River Trail. It was purchased from Josh Greenwood. John Heerwald said that Greenwood thought he could use the Ettrick Mills site to generate electricity (maybe for his Ironworks on the Petersburg side). Scenic River designation prevented dam use for such without approval from Virginia General Assembly.
- **Virginia Scenic Rivers:** Samantha Wangsgard
 - Great to have Samantha with us, as she is now the administrator overseeing Virginia's Scenic River Program. She has had similar administrative positions in Minnesota, South Dakota and more recently Fairfax County. She recently hired a new Planner to help administer programs (She oversees most outdoor programs including Trails, etc.) and in particular to help with master planning and the Virginia Outdoor Plan.
 - She stated that she had received a request to speak about the Virginia Scenic River Program at the King William County Board of Supervisors and did so in June 2022. She has not received any requests for Scenic River field evaluations. Members of our committee stated that we would be happy to help mentor another grass roots effort, if needed.
 - We also stated that we would try to get her a copy of Ralph Hambrick's book, 'Transforming the James River in Richmond' about the James River going from a sewer to the wildly popular James River Park.
 - She is collaborating with VCU to assist with site visits and field evaluations.
- **Scenic Virginia:** Leighton Powell
 - Leighton stated that she had given a talk to James Vonesh's VCU class.
 - She also announced that Lynn Crump will be hired to oversee Special Projects, the first of which is to assemble a statewide Virginia Viewshed List to initiate a register for the most significant views for protection. This would be a voluntary program.

- She also brought up the similarity to historic overlay districts in order to protect important viewsheds. When asked if the Viewshed Zone proposed for the 'View that Named Richmond' before Mark Olinger left the city was still in the works or dead, she said she didn't think it was dead but would talk to Kevin Vonck to see the status.
- **JRA Update:** Justin Doyle
 - The utility work for the River Center should be completed by October, 2022. Working with the engineer. Almost reached the monies necessary for construction which will begin in early 2023. They have had to make some cuts, but the building will still have a green roof with solar panels, a rain garden and such. The Capital Trail will cut through the property as proposed.
 - James River Watch has concluded. The water quality is good and it was a good season. They are preparing numbers, etc. for the 'State of the James'.
 - Education programs are starting up again.
- **James River Park:** Giles Garrison, Superintendent, James River Park.
 - The Friends of the Pumphouse are developing a conceptual plan which will result in a scaled-down plan to ensure educational use and other of the second-floor space. Rob Comet with HRF is helping with code issues, etc.
 - When asked about the missing funds for the Friends of the Pumphouse through EnRichmond, Giles said that they were joining a legal civil complaint.
 - A \$20,000 forestry donation has been given to assist with tree planting on Belle Isle. Ross Newcomb is overseeing the project with Robert Wright (Invasive Plant Task Force) as advisor.
 - Also funding a project adjacent to the JRP at Carillon Woods working with the Invasive Plant Task Force to establish a landscape plant base.
 - Work will start on the Reedy Creek bypass trail this winter.
 - James River Park 50th Celebration will be held on Belle Isle Saturday September 17 from noon – 4. All manner of events from boating to ziplining will be held.
 - The Belle Isle wedge building is being proposed for 2023 Capital Funds. FOJRP is providing monies for a MOB for taking this on.
 - Working to establish a Natural Resource Plan to create a job description for a natural resource manager. It's unclear if this position would be City wide or under Mike Burton (who has now moved up to South Division Maintenance and Operations Manager, Richmond Parks & Recreation).
 - Giles also stated that she has asked for a climbing management plan for Netherwood and other climbing areas. Greg suggested that sensitive natural areas would be greatly impacted.
- **DPU:** Grace LeRose not in attendance
- **Friends of James River Park:** Greg Velzy
 - New President of Friends of the James River Park – Jake Savage
 - Saturday, September 17, 2022 – Friends 50th Party at Legends – 5:00 – 8:00pm. All Falls members welcome.
 - Friends is taking on the financial stewardship of Friends of the Pumphouse, Invasive Plant Task Force and the RVA Film Festival.
 - All jurisdictions in Central Virginia are currently working together on James River safety. FOJRP is purchasing airtime with a local TV station to deliver safety messages regarding the James River. It's hoped that this will spur the remaining stations to offer safety messages as well.
 - Pipeline Trail is being adopted by a local business.
 - JROC will be helping this weekend with the 50th Celebration. Their Manchester Wall Project is being moved to another date.
- **BridgePark:** Jim Hill: No new information.

New Business:

- **Chesapeake Bay Preservation Area Designation and Management Regulations:** Tricia contacted Heather Mackey, Principal Environmental Planner, DEQ (thanks to Will Isenberg). She had already taken photos and sent me the Chesapeake Bay Act Regulations as well as a Buffer Manual (happy to pass on if anyone wants copies) Her response was as follows (with numerous photos): “Thank you for contacting me Tricia - I saw this guy at work as well (see attached photos) a few days before my vacation - unfortunately I forgot to contact the City. This activity was a violation of the Chesapeake Bay Preservation Act that should have resulted in a stop work order and a Notice of Violation. Although certain activities such as removal of dead, diseased and dying trees, or invasive species; the creation of sightlines and vistas; or the creation of paths for waterfront access are permitted within the Resource Protection Area (that area within a minimum of 100 feet of a waterbody), the review and approval of the local government is required. We recommend that these activities be conducted in the RPA only with the assistance of an arborist, master gardener or other landscape professional. If the process had worked as required, City staff would have reviewed the project in advance and required adjustments to the proposed project to ensure that land disturbance and impervious surfaces were minimized, and indigenous vegetation preserved to the maximum extent practicable. In addition, a Water Quality Impact Assessment with vegetative mitigation for the proposed area of land disturbance should have been required for this project. At this point, it still may be possible for the City to issue an NOV for the land disturbance and addition of impervious surface within the RPA without permission and require vegetative mitigation, potentially inclusive of restoration of the buffer.

In future, I would recommend that the City be contacted when you see activities such as this within an RPA. The City has a new person acting as their Bay Act contact now, Saber Moazamigoodarzi who has been copied on this email. I am the Bay Act liaison for the City of Richmond responsible for oversight of the City's program and assisting the City with program implementation. I will follow this email with additional photos of this site and a copy of the *Riparian Buffers Modification & Mitigation Manual* and the Bay Act Regulations, which are also incorporated into the City Code. In addition, I am happy to provide a presentation on the requirements of the Bay Act to the Falls of the James committee at any time. (She is making a presentation at the November 2022 Falls Meeting)

- **Central Virginia River Safety Stakeholders Meeting:** Greg Velzy. State has begun to put up signs. Three committees were established and Penelope Davenport is helping with communication

Reports:

JRAC: James River Cleanup – September 10, 2022 – 168 bags of trash. All went well.
JRA: New Riverkeeper – Tom Dunlap

Open discussion:

Adjourn: 1:30pm

Next Public Meeting: October 20, 2022

Meetings begin at 12:00 noon in the Conference Room on the 5th floor of Richmond City Hall and conducted via Zoom. Meetings are scheduled for the THIRD Thursday of each month. All meetings are open to the public. If you are not now receiving e-mail meeting notices and wish to receive them, please provide your name and e-mail address to velzyg@verizon.net. If you would like to be removed from the list, so indicate at the above e-mail address.

Tricia Pearsall – Secretary