PO Box 215
Millboro, VA 24460

Cowpasture River Preservation Association

September 25, 2003

Ms. Jean W. Gregory
Environmental ManagerII
Water Quality Standards and
Biological Monitoring Programs
Department of Environmental Quality (DEQ)
629 East Main Street
Richmond, VA 23240

Dear Ms. Gregory:

Enclosed is the proposed Addendum to the Association's Petition to classify the Cowpasture River as an Exceptional Water under the provisions of 9 VAC 25-260-30A.3.c. This amendment would allow the Simpson Creek, a tributary of the Cowpasture River, to be included in this Petition.

Once again, our thanks to you and your colleagues in DEQ for your assistance and patience in this matter.

With best wishes,

Sincerely yours,

Edward Walters
Vice President

Enclosures: Tier 3 Petition Addendum (original + 2 copies) + attachments

ADDENDUM

To The

PETITION OF THE COWPASTURE RIVER PRESERVATION ASSOCIATION

TO CLASSIFY THE COWPASTURE RIVER AS AN EXCEPTIONAL WATER

UNDER

9 VAC 25-260-30.A.3.c

25 September 2003

Cowpasture River Preservation Association
Edward Walters, Vice President
Cowpasture River Farm
HCR-04, Box 76
Millboro, Virginia 24460
(540) 862-7739

A. Background

On behalf of thirty-one riparian landowners (see Attachment A), representing an estimated 75 percent of all Simpson Creek landowners, the Cowpasture River Preservation Association (CRPA) would like to amend its original Exceptional Water Petition in order to include Simpson Creek. This stream is an important tributary of the Cowpasture River. And these landowners are convincingly in favor of having their stream designated and protected within the Exceptional Waters program. The CRPA, in turn, is pleased to have such a dedicated representation supporting its campaign to protect not only the Cowpasture River itself but also its tributaries. The original strategy was to add tributaries such as Simpson Creek in subsequent stages. However, the Simpson Creek landowners want to move now rather than later. We hope they can be accommodated. See Attachment B for a map of the Simpson Creek area.

B. Simpson Creek and its Environs

The North Branch of the Simpson bubbles to the surface deep within the Rich Hole Wilderness. Descending from Rich Hole, this tributary of Simpson Creek intertwines with a principal hiking trail into the Wilderness Area. Another contributing waterway flows through the Longdale Recreation Area where the stream is dammed in order to provide the swimming pool for this historic park. (See Attachment C). A third tributary provides the water supply for the village of Longdale Furnace. Simpson Creek, as it nears the Cowpasture, runs parallel with I-64, providing the interstate highway with a key part of its award winning beauty. The proposed boundaries for a Simpson Creek Tier 3 designation would be contained within Alleghany County. This addition would leave the boundaries of the Cowpasture River extending from its confluence in Bath County with the Bullpasture River to its confluence with the Jackson River in Botetourt County plus Simpson Creek, including all named and unnamed tributaries, from its headwaters downstream to its confluence with the Cowpasture River in Alleghany County.

Longdale, formerly known as Lucy Selina Furnace, was economically important in the 19th Century with its production of pig iron which -- except when the water level was too low -- was shipped from the mouth of Simpson Creek to the distant port of Richmond (See Attachment D). Tourism, in which Simpson Creek plays a key role, what with the adjoining National Forest, the Longdale Recreation Area, and the Rich Hole Wilderness Area, is now a leading economic activity in this area.

C. Nomination Information

The Association is acting on behalf Simpson Creek riparian landowners who are members of the Association and other landowners who also favor Tier 3 for Simpson Creek.

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Petitioner's Interest: The Association is dedicated to the preservation and protection not only of the Cowpasture River but also its tributaries and watershed.

Justification: These landowners foresee, as growth and development occur in their valley, that there could be a variety of threats to the water quality and environs of Simpson Creek which in turn may well degrade the quality of their rural lifestyle. It should also be noted that what happens to Simpson Creek will also affect the Cowpasture River itself.

Impacts: For Simpson Creek residents Tier 3 would, it is believed, be an effective tool in maintaining the present high quality of water in Simpson Creek and its tributaries. Only those who might wish to use the Creek as a conduit for treated waste or storm waters could justifiably consider the provisions of Tier 3 to be injurious to their interests. No pending point source discharges are known at this time. Farming practices would not be affected.

D. Meeting the Criteria for Exceptional Waters:

I. An Exceptional Environmental Setting

Simpson Creek offers a variety of settings as one journeys along its 11 mile course. First, there is the tributary (North Branch) that springs from the deeply wooded Rich Hole Wilderness Area on Brushy Mountain) and then there are ones (Piney Mountain Branch, Blue Suck Branch and Downy Branch) on the other side of the valley that descend the slopes of North Mountain in the George Washington National Forest. Next, upon converging with Simpson Creek within sight of I-64, the main stream is soon flowing through open farm land and rural homesites. The setting again changes as the creek approaches the Cowpasture River. Now the banks are densely

wooded, almost jungle-like and the shade is abundant. (See Attachment E) For a closer exploration of Simpson Creek, there are a number of well maintained hiking trails in the area.

2. An Exceptional Aquatic Community

Paul Bugas, District Fisheries Biologist of the Department of Game and Inland Fisheries, reports (See Attachment F) that "Simpson Creek begins as a Class II . . . wild trout stream in the George Washington National Forest . . . Data . . shows that the stream supports both wild rainbow and brook trout from its headwaters to approximately 5 miles above its confluence with the Cowpasture River." The North Branch, that originates in the Rich Hole Wilderness Area, is also classified as a Class II wild trout stream. The lower Simpson Creek, because of the "moderating summer water temperatures" is not a trout stream but does support a "normal assemblage" of fish species common to "mountain streams that have become too warm to support trout."

Macroinvertabrate studies conducted from 1993 to 1996 by U.S. Forest Service biologists at four of five different sites on the Simpson or its tributaries resulted in scores of "good" or "very good." (See Attachment G)

Mr. Bugas, impressed by how the Simpson Creek watershed has rebounded from the impacts of I-64 being constructed in the 1970's, notes that water quality today is "very good" and that these streams support "an outstanding array of coldwater and warmwater fish species." (See Attachment F)

3. Exceptional Recreational Opportunities

The number and variety of trails in the Simpson Creek watershed are popular and well utilized by hikers, fishermen, hunters and birders. Recreation is this area is important. Simpson Creek, with its fish population and water for wildlife, is a key part of providing multi-faceted recreational opportunities for visitors and residents alike. The Forest Service has included a substantial portion of this watershed in its Highlands Scenic Byway Tour. Four hiking trails are incorporated within this Tour. (See Attachment H)

The historic Longdale Recreation Area, in the National Forest, was constructed as "Green Acres" by the Civilian Conservation Corps and dedicated in 1940. It was among the first of a small number of "for colored only" recreation areas in the U.S. Blue Suck Branch of Simpson Creek is dammed within the Recreation Area to create a small lake for swimmers and waders. (See Attachment C)

E. Conclusion

Two objectives contained in Alleghany County's current Comprehensive Plan: (1) Promote programs that enhance the value of the National Forest as recreational uses and for its natural beauty; and (2) Preserve areas of unique scenic beauty and environmentally sensitive areas. (See Attachment I) The substance and spirit of the Commonwealth's Exceptional Waters program is certainly in line with and supportive of these worthwhile goals. Protecting the water quality of Simpson Creek is another worthwhile goal.

The National Forest, a National Wilderness Area, and a Tier 3-designated tributary of a Tier 3-designated Cowpasture River. That will be a winning combination!

Respectfully submitted,

Cowpasture River Preservation Association

Edward Walters, Vice President
Cowpasture River Preservation Association
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Dated this 25th day of September, 2003