

**CUSHAW HYDROELECTRIC PROJECT RELICENSING**  
**FERC PROJECT NO. 906**  
**RECREATION RESOURCES MEETING**  
**PADDLER ACCESS**  
**MARCH 28, 2006**

**Attendees:**

Bob Munson, Virginia Department of Conservation and Recreation  
Kara Chadwick, US Forest Service  
Al McPherson, US Forest Service  
Ted Coffman, US Forest Service  
Henry Hickerson, US Forest Service  
Jeff Wold, Float Fishermen of Virginia  
Bill Tanger, Friends of the Rivers of Virginia  
David Bernard, Coastal Canoeists  
Dan Mays  
Jim Thornton, Dominion Virginia Power  
Kate Miller, MWH Americas  
Wayne Dyok, MWH Americas

**1. WELCOME AND INTRODUCTIONS**

Jim Thornton welcomed the attendees and reviewed the draft agenda.

**2. DISCUSSION OF GROUND RULES**

Jim briefly discussed the ground rules. The goal of the meeting was to reach consensus, if possible, on paddler access alternatives.

**3. REVIEW OF DRAFT APPLICATION AND RECREATION PROPOSAL**

Jim summarized the key finding from the Recreation Study:

- There is a need for additional paddler access upstream of Cushaw Dam. A paddler take out point is preferred at the upstream end of the headpond.

The goals of the paddler access would be to:

- Reduce trespassing across CSX property
- Ensure user safety at both the CSX railroad and at Route 501
- Create a recreation access that will benefit users

Paddlers prefer not to use the existing formal access at Rocky Row Run boat launch because it requires that they paddle most of the flatwater length of the Cushaw headpond. The informal accesses at the following upstream locations are used to varying degrees:

- Snowden

- CSX Culvert
- Matt's Creek
- VDOT (Iron Man)

Each of these locations could be developed, but there are associated issues and concerns.

### **Snowden Site**

The Snowden site is the furthest downstream access point. This site would need an at-grade crossing. Parking is available and would be relatively abundant if CSX is willing to sell or grant an easement for the “lay-down” area.

### **CSX Culvert Site**

The CSX culvert site has associated engineering and hydrology challenges. The drainage area at the culvert is roughly 320 acres and would have a peak discharge on the order of 64 cfs with a rainfall intensity of 2 inches per hour. Dominion did not see this as a significant concern because flow velocities in the culvert would be on the order of 6 to 8 feet per second with a culvert water depth between 1.5 and 3 feet. Paddlers would likely either continue downstream or wait until flows receded under these high flow conditions.

Dominion noted that wetlands would likely not be an issue. However, land use and land ownership are considerations. The land needed for the access road is owned by CSX and the U.S. Forest Service (USFS). The USFS would need to prepare an environmental assessment prior to issuing a Special Use Permit for the access road. The steepness of the access road and the ability to meet USFS road engineering standards are significant concerns. The road would have an average slope greater than 10 percent. As the access road approaches the CSX culvert there is a 300-foot long segment that has a slope of about 27 percent. It may be possible to add a switchback to reduce the slope, but this would add to the cost of the road. Another consideration is the intersection of the access road with Route 501. A turning lane would probably need to be added for safety reasons. Because of the length of the access road and its steepness, the cost would be considerably higher than other alternatives, although the cost of the CSX railroad crossing would be much less. Lastly, liability concerns would need to be addressed, but these concerns are similar to each alternative.

### **Matt's Creek Site**

An at-grade crossing of the CSX railroad would be needed. There are two small parking areas available at this site (i.e., 4 or 5 cars at each parking area), but both are on the north side of Route 501, thus requiring paddlers to carry their boats across the road. Because of the associated safety concerns, VDOT may need to improve access. Other concerns for this site include the longer distance that paddlers need to traverse, and the cost of a bridge or culvert, if required by CSX.

### **VDOT Picnic/Iron Man Site**

This site already has relatively safe access from Route 501. It would likely require a bridge over the CSX railroad. The bridge could be cantilevered from the north side. A culvert would not be feasible at this location. To get the canoes/kayaks over the railroad,

a “roller ramp” may be needed. The site has ample room for parking and a turn-around area.

#### **Confluence of James and Maury Rivers**

This access is the starting point for the Balcony Falls whitewater run. CSX owns land that must be crossed to access the river. The previous James River Basin Canoe Livery owner had access permission from CSX.

#### **4. DOMINION DRAFT APPLICATION PROPOSAL**

Based on discussions at previous recreation meetings, Dominion had considered the CSX culvert as the number one access priority. For planning purposes, Dominion assumed that the access would be completed within three years after license issuance (e.g., June 15, 2011). The number 2 priority was Matt’s Creek, with the third priority being improvements to the existing Virginia Department of Game and Inland Fisheries (VDGIF) boat landing at the confluence of the James and Maury Rivers. For planning purposes, Dominion assumed that the improvements at the James and Maury rivers would be completed by about June 2017. This would afford time to assess the feasibility of other sites and allow time for grant funding. If the other access sites proved to be infeasible, then the funding would be allocated to the James and Maury rivers access.

A Memorandum of Understanding (MOU) among Dominion, Virginia Department of Conservation and Recreation (VDCR), and VDGIF was presumed. Dominion proposed \$100,000 as their contribution to site development.

#### **4. DISCUSSION, CONSENSUS, FINAL AGREEMENT**

Dominion reported that CSX Railroad had stated that it is willing to work with any alternative site. CSX recommends that a new culvert be constructed at any site involving a crossing of CSX railroad tracks. CSX is very reluctant to approve any at grade crossing.

VDCR noted that an independent consultant is currently investigating what needs to be done to indemnify railroad owners when recreation sites are developed that require a crossing of the railroads.

The USFS stated that one of their goals is to minimize risk and liability. The USFS is willing to continue to look at the CSX culvert site, but would prefer to consider other sites. The feasibility of developing the CSX culvert site is disconcerting to the USFS because of the potential environmental impact. The USFS was concerned about their liability for public safety at the CSX culvert site.

The participants agreed to drop the CSX Culvert Site provided that another suitable alternative was identified. The Friends of the River identified a new potential access site, named the “Lock 14” Site.

### **“Lock 14” Site**

The “Lock 14” Site is located downstream from the CSX culvert site and upstream of the VDOT/Iron Man site (about ¼ mile west). The canal locks located near the river access site are part of an historic site. A culvert or bridge could be constructed at this site. The participants agreed that a cost estimate for the culvert or bridge is needed. **Action Item.** Dominion will conduct a preliminary assessment of the bridge and culvert options. At this time, the culvert is preferred over the bridge. The participants asked ~~if CSX~~if CSX had the construction equipment to construct the culvert.

The Lock 14 Site would be located on USFS lands. The Friends of the River stated that VDOT had already looked at the site and okayed it. This is the preferred site of Friends of the Rivers of Virginia and the Float Fishermen of Virginia.

The following concerns were identified for the Lock 14 Site:

- Road alignment
- Traffic (safety of ingress and egress onto Route 501)
- Parking
- Road slope (The road would have to be cut in but slopes are not as difficult as the existing CSX culvert site.)
- Construction of a culvert or bridge
- Environmental impact

It was thought that the access road slope issue could be resolved. Parking limitations near the railroad crossing may require vehicles to go down to the take out site, load, and then drive back up the hill. Additional parking could be accommodated closer to Route 501. Additionally, there could be a “drop off” site with parking developed at the VDOT picnic area site.

The USFS would require a Special Use Permit for this site and the Virginia State Historic Preservation Officer would need to be involved in any design effort to protect the integrity of the historic lock.

Friends of the River stated that they had developed an independent cost estimate for a culvert. The cost for construction of a culvert was estimated at \$300,000. It was thought that if CSX had the requisite equipment, the cost estimate could be lower. Friends of the River also stated that Dominion should increase their contribution for an access site from \$100,000 to \$165,000.

Dominion recommended that an at-grade crossing be put in at Lock 14 Site (instead of a culvert) to reduce costs. Dominion would also like to preserve the VDOT/Iron Man site as an alternative. Should the Lock 14 Site be infeasible, there is the possibility that a partnership could be entered into with VDOT.

### **Revised Access Proposal**

The participants agreed to establish the Lock 14 Site alternative as the number one access priority. An at-grade crossing is preferred to a culvert or bridge. The participants agreed that they would need to work closely with CSX railroad, particularly for an at-grade crossing. Additional consultation with VDOT would also be needed to address issues associated with a turning lane, safety, and special access needs for van and trailer access for private boat outfitters.

The VDOT Picnic Area / Iron Man take-out is to be the second access priority. It has existing parking and a road entrance, but the development costs would need to be determined. The third funding priority would be the access improvements at the confluence of the James and Maury rivers. Any remaining funds would be used for access upgrades.

### **ACTION ITEMS**

- Dominion will prepare GIS maps illustrating the “Lock 14” Site. Dominion will e-mail the maps to meeting participants as a PDF file.
- Dominion will conduct a preliminary assessment of the bridge and culvert option.
- Meeting participants agreed to have a follow up conference call or a reconnaissance of the Lock 14 Site. The invited participants include CSX Railroad, VDOT, USFS, Friends of the River, Float Fishermen, VDCR and Dominion.
- USFS will provide Friends of the River with USFS road construction standards.

### **Note**

Dominion reminded participants that comments on the draft application are due to Dominion by May 1, 2006.