

VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

CHAPTER 251

An Act to amend and reenact § 10.1-411.1 of the Code of Virginia, relating to the Clinch-Guest State Scenic River.

[H 870]

Approved March 22, 2002

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-411.1 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-411.1. Clinch-Guest State Scenic River; Department of Conservation and Recreation designated to administer.

A. The *Clinch River from the Route 58 bridge in St. Paul to the junction with the Guest River, a distance of approximately 9.2 miles, and a segment of the Guest River in Wise County, from a point 100 feet downstream from the Route 72 bridge to its confluence with the Clinch River, a distance of approximately 6.5 miles, is* are hereby designated a component of the Virginia Scenic Rivers System; however, this description shall not be construed as making the lands along such river unsuitable for underground mining pursuant to § 45.1-252 or regulations promulgated thereunder.

B. The Department of Conservation and Recreation is designated to administer the *Clinch-Guest State Scenic River* in accordance with this section.

C. The Governor, in consultation with the Director, shall appoint the *Clinch-Guest Scenic River Advisory Board*, which shall be composed of ~~seven~~ *nine* area residents, including at least one riparian landowner *on the Clinch River and at least one riparian landowner*; from within the LENOWISCO Planning District Area.

D. Nothing in this chapter shall be construed to prevent the construction, use, operation and maintenance of a natural gas pipeline on or beneath the two existing railroad trestles, one located just south of the Swede Tunnel and the other located just north of the confluence of the Guest River with the Clinch River, or to prevent the use, operation and maintenance of such railroad trestles in furtherance of the construction, operation, use and maintenance of such pipeline. Nothing in this chapter shall be construed to prevent the construction, use, operation and maintenance of a natural gas pipeline traversing the river at, or at any point north of, the existing power line which is located approximately 200 feet north of the northern entrance to the Swede Tunnel.

E. Nothing in this chapter shall preclude the federal government, Commonwealth or a local jurisdiction from constructing or reconstructing any road or bridge.