

**Summary of the Statute
Authorizing Creation of the Rivanna River Basin Commission**

April 25, 2007

The Rivanna Watershed: The Rivanna watershed covers 770 square miles (492,000 acres). The Rivanna constitutes a portion of the larger James River watershed, which is the southernmost drainage of the Chesapeake Bay. Seven localities lie within the Rivanna's boundaries: the City of Charlottesville (100 percent within the Rivanna), and the counties of Albemarle (68%), Greene (57%), Fluvanna (52%), Louisa (2.8%), Orange (2.4%) and Nelson (0.2%).

Genesis of the Concept: In 1998, the Rivanna River Basin Roundtable published the *State of the Basin Report*. The Roundtable was a group of local citizens and elected officials who voluntarily participated in the Rivanna River Basin Project, led by the Thomas Jefferson Planning District Commission. The *State of the Basin Report* originated the concept of a river basin commission for the Rivanna watershed. The following recommendations, developed by the community, are quoted from the report:

- Develop a Corridor Plan to guide decision-making related to preservation and use of the Rivanna River.
- Develop a comprehensive, systematic and coordinated database of all information related to the Rivanna River.
- Establish a comprehensive, multi-disciplinary, interagency data collection and monitoring program, which brings together all interested parties under one umbrella, and names the responsible lead group charged with oversight and stewardship of the Rivanna River and its Basin.
- Implement design practices that promote, preserve and protect the Rivanna River.
- Expand stewardship of the Rivanna River.

Status: On April 12, 2004, Governor Warner signed enabling legislation authorizing the creation of a Rivanna River Basin Commission. The following are highlights of the statute:

- 1) The law enables the creation of the Commission, although the actual formation of the Commission required that three of the four localities that have a majority of their land within the Rivanna watershed (Albemarle, Fluvanna, Greene, and the City of Charlottesville) agree to join by passing a resolution to that effect. All four localities have, in fact, agreed to join the Commission.
- 2) The heart of the legislation is §62.1-69.50, establishing the powers and duties of the Commission.
- 3) The Commission will also “undertake studies and prepare, publish and disseminate information.” Since the Commission itself will not have regulatory authority, this duty provides much of its usefulness to the localities within the watershed. The four Rivanna-majority localities (Albemarle, Fluvanna, Greene and Charlottesville) have made water-related issues such a priority that each has specifically included topics

such as maintenance of water quality, water supply management, and watershed analysis in its individual Comprehensive Plan.

- 4) The Commission is comprised of 14 members:
 - a. Two members of the governing bodies of each of the four localities with major land area in the Rivanna watershed.
 - b. One member of each of the Soil & Water Conservation Districts in the Rivanna watershed (Culpeper and Thomas Jefferson SWCD).
 - c. One private citizen from each of the four localities with major land area in the Rivanna watershed, chosen by the local governing body from recommendations made by the Thomas Jefferson Planning District Commission.

- 5) The legislation allows each locality, and the state, to provide funding. Recognizing existing fiscal constraints, however, The Nature Conservancy raised substantial private funds to initiate the work of the Commission. The private funds can provide much-coveted matching funds for federal and state grants, which additional funding can be used to advance the work of the Commission. In addition, to aid in the creation of data regarding the watershed, the Conservancy has already committed over \$150,000 toward the construction of a computer hydrologic model of the watershed and \$8,000 toward development of a more current land cover map. The model and the land cover map will be given to the Commission, and can also provide match for federal and state grants.

Conclusion: With the inclusion of both elected officials and local citizens, the structure of the Rivanna River Basin Commission provides an excellent opportunity for private and public partnership in addressing critical region-wide water issues. For example, each locality discussed the issue of sedimentation during their deliberations on whether to join the Commission, which is an issue that no locality can tackle on its own. Moreover, finding feasible, long-term management solutions for the Rivanna River watershed is a complex task, requiring input and participation from the governing bodies found within the watershed, private citizens with vested interests in the region, and several independent organizations who have worked hard to make regional watershed issues a priority. The Rivanna River Basin Commission will pool the resources of those working in the watershed, making for a more cost-effective approach to conservation and providing for regional coordination among the four local jurisdictions. And because participation in the Commission is strictly voluntary, localities taking advantage of the Commission will participate only because they want to, not because they have to.