



Miller, Kelly <kelly.miller@deq.virginia.gov>

Complaint investigation results on the Russell Fork Adventure Trail

1 message

Miller, Kelly <kelly.miller@deq.virginia.gov>

Thu, Aug 22, 2019 at 10:15 AM

To: Spearhead Trails Director <director@spearheadtrails.com>

Cc: "Williams, Sara (TIC)" <sara.williams@tic.virginia.gov>, Stephen Lawson <slawson@bigstonegap.org>, H E jr mcclellan <hemcclellan@centurylink.net>, Jack McClanahan <jrmccclanahan@comcast.net>, Janet Settle <janet@settleandassociates.com>, "bcampbell@terratecheng.com" <bcampbell@terratecheng.com>, "Bradley C. Ratliff" <brad@ratliffaw.net>, Hurst Jeffrey vno79457 <jeffrey.hurst@deq.virginia.gov>, Kite Jeffery gbb46794 <jeff.kite@deq.virginia.gov>, McCroskey Jason oen37962 <jason.mccroskey@deq.virginia.gov>, Mark Trent <mark.trent@deq.virginia.gov>, crakes@dickensonva.org

Dear SRRRA Board of Directors, Mr. Lindsey, and Mr. Rakes,

Attached please find our correspondence related to our complaint investigation on the Russell Fork Adventure Trail. As you can see, deficiencies exist on the site which require correction under the authority of Dickenson County. Mr. Chris Rakes, copied here, is the Erosion and Sediment Control Administrator for Dickenson County and we encourage you to contact him to work out a plan and timeline for corrective actions.

Please let us know if we can be of further assistance.

Best,
Kelly

Kelly R. Miller
Stormwater & Watershed Planning Manager
Va. Dept. of Environmental Quality
Southwest Regional Office
355 A Deadmore Street
Abingdon, VA 24210
Phone: (276) 676-4879
DEQ Website: www.deq.virginia.gov

 **DEQ Russell Fork Adventure Trail Inspection.pdf**

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Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTHWEST REGIONAL OFFICE

355-A Deadmore Street, Abingdon, Virginia 24210

(276) 676-4800 FAX (276) 676-4899

Matthew J. Strickler www.deq.virginia.gov David K. Paylor Secretary of Natural Resources Director (804) 698-4000

Jeffrey Hurst Regional Director

August 22, 2019

Southwest Regional Recreation Authority
502 Front Street
Coeburn, VA 24230

Re: Inspection Results for the Russell Fork Adventure Trail

Attn: Southwest Regional Recreational Authority Board of Directors and Executive Director, Shawn
Lindsey

Mr. Lindsey,

DEQ Staff, Jonathan Chapman and myself, conducted a site visit at Spearhead Trail's Russell Fork Adventure Trail located in Dickenson County, Virginia on August 5, 2019. We rode most of the main trail from the Haysi Kiwanis Park trailhead to the trailhead near the entrance to Breaks Interstate Park with Spearhead's employee Joe Blevins.

During the ride, DEQ Staff observed several acres of land-disturbing activities associated with trail development, as defined by § 62.1-44.15:51 of the Virginia Erosion and Sediment Control Program (VESCP) Law. Therefore, in accordance with § 62.1-44.15:55 of the VESCP Law, no land-disturbing activities should have occurred until an erosion and sediment control plan for the land-disturbing activity was submitted to the VESCP Authority, Dickenson County, for review and approval.

Spearhead Trails should immediately consult with Dickenson County regarding erosion and sediment control permitting requirements for this project. In the interim, Spearhead Trails is responsible for compliance with all applicable minimum standards defined in section 9VAC25-840-40 of the VESCP Regulations. These include, but are not limited to the following:

MS-1: *Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 14 days. Permanent stabilization shall be applied to areas that are to be left dormant for more than one year.*

MS-3: *A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive and will inhibit erosion.*

MS-4: *Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place.*

MS-8: *Concentrated runoff shall not flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume or slope drain structure.*

MS-12: *When work in a live watercourse is performed, precautions shall be taken to minimize encroachment, control sediment transport and stabilize the work area to the greatest extent possible during construction. Nonerodible material shall be used for the construction of causeways and cofferdams. Earthen fill may be used for these structures if armored by nonerodible cover materials.*

MS-15: *The bed and banks of a watercourse shall be stabilized immediately after work in the watercourse is completed.*

MS-17: *Where construction vehicle access routes intersect paved or public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner. This provision shall apply to individual development lots as well as to larger land-disturbing activities.*

MS-18: *All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization or after the temporary measures are no longer needed, unless otherwise authorized by the VESCP authority. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.*

It appeared from the site visit that the majority of trail construction for the Russell Fork Adventure Trail had been performed on existing roads and trails. Therefore, in accordance with § 62.1-44.15:34.C of the Virginia Stormwater Management act, the said disturbances on existing roads and trails can be considered routine maintenance and are exempt from stormwater permitting requirements. However, as a reminder, if land disturbing activities occur as a result of new trail development or the development of parking lots and other associated facilities, or development that exceeds the footprint of the original trail or road, coverage will be required under the General VPDES Permit for Discharges of Stormwater from Construction Activities, in accordance with the Virginia Stormwater Management Act § 62.1-44.15:34.A.

As always, our office is available as a resource for any questions or consultations. We advise you to consult with Dickenson County to determine an acceptable resolution to the deficiencies identified on site.

Respectfully,



Jeff Kite
Stormwater Compliance Specialist
Southwest Regional Office
Va. Dept. of Environmental Quality

cc: File

Jeffrey Hurst, DEQ SWRO Regional Director
Chris Rakes, ESC Administrator, Dickenson County