



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

Re: Erosion Control Training

1 message

director spearheadtrails.com <director@spearheadtrails.com>
To: "Miller, Kelly" <kelly.miller@deq.virginia.gov>

Wed, Feb 13, 2019 at 7:50 AM

Any time today

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From: Miller, Kelly <kelly.miller@deq.virginia.gov>**Sent:** Wednesday, February 13, 2019 7:43 AM**To:** director [spearheadtrails.com](#)**Subject:** Re: Erosion Control Training

Hi Shawn! Yes the class is still on. We've been working with Jan to put together the materials. This Friday is our due date for the draft materials. I will be sharing them with you soon. Your folks will need to print them before the class. I hope to invite just a few more people--maybe 5-6. So with our crowd of 5, plus maybe 5-6 more, and your 12, we should have less than 25.

I also need to talk with you. I'm getting hammered with complaints again. And I also need to discuss the connector trail planned for Pocahontas and the recent advertise for bids. We hope to issue an agency position on stormwater permitting for recreational trails.

Do you have time to talk this week?

Thanks,
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

On Tue, Feb 12, 2019 at 4:48 PM director [spearheadtrails.com](#) <director@spearheadtrails.com> wrote:

Dear Kelly:

Just wanted to make sure our ESC class is still on for March 5th at my office in Coeburn? We will have 12 from Spearhead in attendance. I was not sure if you were going to invite others to attend as well.

Thanks,

Shawn Lindsey, Executive Director

Spearhead Trails

5/28/2019

Commonwealth of Virginia Mail - Re: Erosion Control Training

PO Box 1594

502 Front Street E

Coeburn, VA 24230

276 274-6068



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

Fwd: Storm Water Permitting for Southwest Regional Recreation Authority

1 message

Miller, Kelly <kelly.miller@deq.virginia.gov>
To: "Robb, Jaime Lynn B. (DEQ)" <jaime.bauer@deq.virginia.gov>

Fri, Feb 15, 2019 at 11:35 AM

As discussed...

Kelly R. Miller
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----- Forwarded message -----

From: **director** spearheadtrails.com <director@spearheadtrails.com>
Date: Thu, Feb 14, 2019 at 11:24 AM
Subject: Storm Water Permitting for Southwest Regional Recreation Authority
To: Miller, Kelly <kelly.miller@deq.virginia.gov>
Cc: Janet Settle <janet@settleandassociates.com>

Dear Kelly:

Just wanted to give you some of the information we talked about yesterday as you begin to work on these issues. We recognize that all trails have an impact on the environment, but we see our authority as being great stewards of the environment taking over unregulated outlaw trails and cleaning them up installing BMP's and managing them is 90% of what we do. We also help out with other local project to help the environment from fixing storm water issues for US Forest to helping communities with building sustainable walking trails like Wise. Our Vision puts the environment first:

The vision of SRRA for Spearhead Trails

- Utilize and protect Virginia's natural assets, mountains, rivers, forests, vistas and local culture to create safe outdoor adventure opportunities, enhancing visitor experience.
- Develop a mutually beneficial relationship with all partners (including governments, landowners, local entrepreneurs, and other stakeholders).
- Serve as a catalyst to create an environment for diversified and sustainable local jobs.
- Raise the quality of life for all citizens in FSWVA. Generate additional revenues and taxes to support local and State government. Spearhead Trails will be a major economic resource for FSWVA and the Commonweal

Background:

1. The attached is the document you asked for from the Attorney General who determined that we are indeed a Political Subdivision of the Commonwealth of Virginia allowing us to have Immunity and give that immunity to the property owners that we have easements or land use agreements provided that they are given free of charge. Our

employees enjoy the same state retirement plan that others state employees receive and were are tax exempt like other government agencies.

2. We currently don't own property and our recreation is a secondary use to the primary use of typically logging, gas, coal, and hunting. Our process that we go through is to ask property owners if we can take over the existing outlaw trails, logging roads, coal haul roads, and gas well roads to use them as recreationally trails as a secondary use. Then we map them out, propose a few new connections to loop them together and resubmit for their approval to meet the guidelines that regulate them whether it be a forest plan, gas plan, or other plan regulated by State Forest, Oil and Gas Division of DMME.
3. DMME/Oil and Gas or the Forester or State Forest regulates us through periodic inspections in which we have to make modifications to BMP's. In some cases trail are closed for safety or environmental reason permanently and in other cases they need relocated. See attached letter from DMME demonstrating how this relationship works.
4. Our trails are temporary and will occasionally be shut down entirely or relocated often in response to logging, gas extraction, mining, or change in ownership.
5. We follow US Forest Trail Construction and Maintenance Guidelines in their BMP manual. This is currently the most thorough and complete sediment and erosion control manual used across the United States for the largest network of trails in the country and specifically designed for our application.

MOU:- Self Permitting

One of the options we discussed was working under and MOU to self-permit. This seems like a good option since the current BMP Manual you operate under is not meant for temporary linear trails on property that we do not own or have full control of with the addition of having to follow other agency permits. This is because we are only a secondary use. I would suggest allowing an MOU to include the following:

1. We follow the US Forest Service Standards
2. We patrol and inspect the trails at least weekly
3. We make corrections to problems we find according to the standard BMP's agreed upon
4. We utilize existing creek crossing or follow US Forest Service Standards for new or modifying existing crossing to minimize disturbance.
5. Our Rangers and Staff complete Sediment and Erosion Control Training for Trails through DEQ

Exemption:

If you would like for us to work on language to make sure our trail development falls clearly within the 13 exemptions we can work on that language. Please send me a copy of it if you have it handy so I can read over the existing exemption and try and tailor some wording that would exempt part of our operations, but not all trail development. This is my thought for the 14 Exemption:

1. Trail Development and management when done as a secondary use on private property; where as the private property is allowing the trails to be used as a secondary use to extractive industries meeting the other exemptions of this section.

Particular Project Questions:

1. Stone Mountain Trail in Pennington Gap- There is a question about the temporary bailey bridge installed. This trail was part of a grant I believe it was a DCR RTP Grant in part and part may have been a Tobacco Grant. The town managed part of the grant and at the time we only had two employees and I believe the bridge was installed under a design build contract with Estes Brothers. Sorry I don't have any more information on it as it was done

before I arrived. I would imagine that Estes as the designers and builders would have worked with a permitting agency.

2. Ridgeview Trail at Haysi- There is a creek crossing at trail 9 we shut down earlier this year, but this was a 50 year old road bed used by the forester and other property owners and they still use it, but we placed do not enter signs up to remove it from our trail system.
3. Original Pocahontas Trail- This trail was started by the County and finished by us and any permitting they received. One of the biggest issue we have had is a water crossing were mine drainage comes on top of the ground and then goes back underground. This is on Commonwealth property managed by the prison and the state dictated the location of the trail in this wet area. At the time I understand no water was coming out on the ground. We are looking for better solutions for this section, but like many of our trails we are limited to the area we can work sometimes only having an 8 foot section we are allowed to maintain a trail.

Current and Future Expansions:

1.Scott County Clinch Equestrian Trail- This trail is in Dungannon and runs along an existing roadway next to the Clinch. We will begin final construction real soon, but it won't involve over a acre of disturbance as the road way currently exist. Let us know if you like to look at the area before we begin.

2. Haysi To Breaks Equestrian Trail- We are about 50 percent complete with a trail going from Haysi to the Breaks some uses existing roads and some is new construction. We were going to cross Bar lick with a ford, but we are now looking at a bridge that we like to install in the next month or two and I believe Chris has asked for any permitting information he needs on it. It will also be a temporary 70 foot spanning bridge like in Pennington with temporary abutments.

3. Dante Expansion- We were notified yesterday that we can expand our Mountain View Trail from Saint Paul to Dante- This will be a 20-30 mile expansion plus a 12 mile mountain bike trail. This is federal funds and will probably require us to get a Categorical Exclusion and NEPA before beginning.

4. Jaw Bone Jeep Trail- This is a new trail in Richlands that will more than likely use primarily existing roads the first year and then new development in the second year. The trailhead area is already and excavated site that just needs graveled. Additional trailhead will be added in the future. This year we hope to take over about 50-75 existing trails and next year add 50 more including both new construction and additional take over as easements increase.

5. Original Pocahontas Expansion to Cavitts Creek- We are working on easements currently, but hope to begin and expansion of 15-30 miles of trails to Cavitts Creek. Some of the miles like in Laurel will be taking over existing roads and we expect 14 miles of new trials on mainly permanent easements to Cavitts Creek.

6. Powell River Blue Trail and Pound Blue Trail- This involves 8 parking areas and kayak launches 6 in Lee County and 2 in Pound area and we are using federal funds and going through regularly permitting.

7. Haysi ATV expansion- We plan 20-30 miles expansion of the Ridgeview Trail System some on existing roads and outlaw trails and some new trails. We like to expand to the John Flanagan Marina and looking at ways to cross the Russell Fork with a bridge or at an existing crossing.

Please let me know how we can help in any way.

Thanks,

Shawn Lindsey, Executive Director

Spearhead Trails

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5 attachments



18-56i McClanahan issued.pdf

246K



HOUSE BILL NO 846 - Copy.pdf

66K



CHAPTER 648 SRRA Established 2008.pdf

92K



FLG MV Signed Agreement (email) - Copy.pdf

1980K



DMME Letter.pdf

175K



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

Re: Class

1 message

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

Fri, Mar 8, 2019 at 12:03 PM

To: "director spearheadtrails.com" <director@spearheadtrails.com>

Hi Shawn! So glad you are feeling better! I'm glad everyone liked the class. We threw a lot of information at them and ended up having a really long day.

Yes, I've been meaning to respond to your last email regarding next steps and how we can craft language or an MOU. I am tasked with writing a position paper on how the agency wants to handle the development of trails and permitting. I hope to get that done ASAP.

Also, I think Tuesday's class really highlighted the disconnect between what requires erosion & sediment control planning and what requires permitting. Let me get started on this position paper then maybe we can have a sit down to discuss.

Also, congratulations on receiving the grants announced by the Governor yesterday! When we meet, lets talk about what will be needed from us prior to construction.

Best,
Kelly

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On Fri, Mar 8, 2019 at 9:08 AM director [spearheadtrails.com](mailto:director@spearheadtrails.com) <director@spearheadtrails.com> wrote:

Dear Kelly:

Just now getting back to the office. I hated I missed your class. This flu really got me and I am still not fully recovered. I just wanted to let you know that I got a lot of good feedback from the class and that many of the staff that attended learned a great deal. I think it will make everyone more conscience of what we need to do in the field to improve.

Lets get together to talk about the MOU soon or other method you mentioned on moving forward.

Thanks,

Shawn Lindsey, Executive Director

Spearhead Trails

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5/29/2019

Commonwealth of Virginia Mail - Re: Class

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