

Hat and Black Creek Clean Up Study and Implementation Plan Final Public Meeting

The Nelson Center, Lovingson VA

March 5, 2025

Attendees

Heidi Crandall (landowner)

Isabella O'Brien (TJPDC)

Dick Whitehead (landowner)

Mike Yager (TJSWCD)

Susan McSwain (Master Naturalist)

Anne Witt (VA DOE)

Tara Wyrick (VA DEQ)

Kate Farley (landowner)

C. Weber (CE Stevens Estate LLC)

Peter Farley (landowner)

Jay Palmer (landowner representative)

Robert McSwain (Nelson Co. Service Authority)

Nesha McRae (VA DEQ)

Meeting Summary

The meeting began with a welcome from Ernie Reed (Nelson County Board of Supervisors). Supervisor Reed discussed the importance of the study and implementation plan in helping to improve local water quality and introduced Nesha McRae (Virginia Department of Environmental Quality, Valley Regional Office). Nesha gave a presentation on the clean up study, also known as a Total Maximum Daily Load (TMDL), that was developed for Hat and Black Creek. She shared a timeline of the project and a map of the watersheds included in the project area. Nesha explained the aquatic life use designation that Virginia's waterways must meet and described how attainment of this designated use is determined. Sediment has been identified as the primary pollutant responsible for the impairment of this use in Hat and Black Creeks, while phosphorus was identified as an additional stressor in Black Creek. Nesha reviewed the evidence supporting these conclusions and moved on to describe the TMDL process including how pollutant sources are identified and how reduction scenarios are developed. Nesha presented a pie chart showing the amount of sediment coming from different sources in each watershed in addition to the current land use distribution. Nesha shared sediment and phosphorus reductions called for in each watershed. She noted that typically reductions are not called for from point sources, but that in the case of phosphorus in Black Creek, the TMDL cannot be met without reductions from the Nelson County Regional Sewage Treatment Plant. A participant asked where the phosphorus coming out of the facility's discharge originates from. He noted that he did not think that the facility was the source of the phosphorus in their discharge, and that they were receiving it from areas on well water with high phosphorus concentrations. He suggested that someone do a study to determine the source of the high phosphorus levels to determine how much of it is from groundwater and what portion of the service area is contributing the most phosphorus. Nesha responded that it would be interesting to know that information, but that it is beyond the scope of this study. Another participant noted that a lot of sediment is coming into the facility's reservoir from upstream portions of the watershed, and that there are plans to dredge the reservoir in the future. It would be interesting to see how this impacts phosphorus and sediment concentrations downstream.

Nesha described the components of the clean up plan. She reviewed best management practices included in the plan and discussed the extent of each practice needed in the watersheds along with the challenges and opportunities associated with implementing these practices. A participant noted that a 30% reduction in phosphorus from urban impervious sources in the Black Creek watershed seemed high.

Nesha responded that stakeholders involved in developing reduction scenarios felt that this was a more balanced and fair approach. Additionally, this will not amount to many BMPs since there is not a lot of impervious area in the watershed. She shared cost estimates for implementation efforts along with the estimated project timeline of 12 years. It was noted that streambank restoration costs are very high, but that addressing bank erosion was an important priority to local stakeholders. Participants viewed a map of DEQ monitoring stations in the two watersheds and Nesha explained how monitoring would be conducted to assess progress in meeting clean up goals. A participant suggested adding more monitoring stations further upstream in the Black Creek watershed. Nesha explained that given the size of the watershed, she could really only request one station for the purposes of assessing implementation progress. She suggested that participants consider nominating an additional station through DEQ's Citizen Monitoring Nomination Program. DEQ is currently accepting applications through April 30. More information is available on the DEQ website at <https://www.deq.virginia.gov/our-programs/water/water-quality/monitoring/citizen-monitoring>. Nesha discussed potential roles in the implementation process that local organizations could take on and encouraged participants to reach out to the Thomas Jefferson Soil and Water Conservation District if they are interested in installing best management practices on their property. One participant suggested including James River Association as a potential partner since they have been working on riparian buffer plantings in the James River watershed with the Chesapeake Bay Foundation. Nesha noted funding opportunities available for these efforts and reminded meeting participants about the 30-day public comment period for the study and plan. A participant asked what would be done with public comments submitted. Nesha explained that DEQ will review each comment and determine how best to address it in the study and/or the plan. If the comment suggests a change that is not within the authority or scope of DEQ, a response will be prepared noting the agency's limitations.

Anne Witt (VA Department of Energy) provided a presentation to the group on landslide susceptibility mapping that she and her colleagues conducted in Nelson and Albemarle Counties. She reviewed a series of maps developed as part of this process including a landslide inventory map, a landslide susceptibility map and a landslide pathways map. Anne discussed how these maps can be used for planning purposes in the region. She described how landslides form and identifying characteristics of landslide sites. She summarized landslide data for the Hat Creek watershed (there were very few landslides identified in the Black Creek watershed).

Mike Yager (Thomas Jefferson Soil and Water Conservation District) gave a presentation describing the programs offered by the Soil and Water Conservation District (SWCD). He discussed the VA Agricultural BMP Cost Share Program and the types of practices that agricultural producers can implement through the program. He also described opportunities available to residential property owners through the VA Conservation Assistance Program that the SWCD also administers. Mike also touched on the education and outreach programs that the SWCD runs including Envirothon and Frog Watch.

Nesha thanked participants for their participation in the TMDL process for these streams. A participant asked about next steps. The group discussed implementation opportunities in the future and a participant noted similar implementation projects that have been carried out in the Rockfish River and Tye River watersheds. These are good examples of what to expect out of the process in the future. Nesha explained that the review and approval process may take some time, so there may be a lag period between completion of the study and the plan and implementation. She thanked participants for attending and the meeting was adjourned.