

**From:** Stewart Bryan <[buildtrail@gmail.com](mailto:buildtrail@gmail.com)>  
**Sent:** Thursday, April 1, 2021 10:07 AM  
**To:** Drew Blake <[drew.blake@chathamcountync.gov](mailto:drew.blake@chathamcountync.gov)>  
**Cc:** Caroline Siverson <[cwsiverson@gmail.com](mailto:cwsiverson@gmail.com)>; Kimberly Tyson <[kimberly.tyson@chathamcountync.gov](mailto:kimberly.tyson@chathamcountync.gov)>; Rachael Thorn <[rachael.thorn@chathamcountync.gov](mailto:rachael.thorn@chathamcountync.gov)>; [allison.weakley@gmail.com](mailto:allison.weakley@gmail.com)  
**Subject:** Re: question

Hi Drew,

I would say that this stream has a well-defined channel at the top and then lower where it joins the adjacent stream to the west. In the middle, the logging equipment and the slash left behind have caused braiding so it is not clear there. If an inspection in summer did not score high enough at that point then it sounds like, under the Chatham ordinance, it will not get buffer protection. My concern is that water does flow in the stream not just in rain events but for quite a while after during much of the year and those small streams join Meadow Branch in 400-500' and then on to the Haw River. This plan, without any buffer protection, would allow the three effluent pump lines to be trenched right up the channel and the three septic drainfields they serve would extend down to the channel. That does not seem like a reasonable plan to me. Maybe the cumulative effects of this along with all the other buffer and wetland impacts that having to pump untreated effluent from so many of the lots across those streams and wetlands will cause the BOC to turn down this plan. I am guessing that if this plan is allowed on this critical watershed somewhere around 80% of the land will be disturbed. Given the flooding we have seen since the logging happened a few years ago I can't imagine how it will look after all this clearing and impervious surface goes in.

Thank you,  
Stewart Bryan

On Wed, Mar 31, 2021 at 4:17 PM Drew Blake <[drew.blake@chathamcountync.gov](mailto:drew.blake@chathamcountync.gov)> wrote:

Mr. Bryan,

Thank you for providing pictures of the current conditions. You are not misinformed about ephemeral streams in the broader meaning and your points are not without merit. The Chatham County criteria for "claiming" an ephemeral stream for riparian buffer purposes is limited to Section 109 of the Chatham County Watershed Protection Ordinance. The criteria for an ephemeral stream must have a well-defined channel **and** score a minimum of 10 points on the NC DWQ Stream Identification Form. At the time of our site visit in July 2019, the feature did not meet both criteria. It's possible that a visit to the same site today would yield a slightly different result, but the stream form and the surface water identification training are designed to consider that conditions on a site change throughout the seasons. I appreciate your concerns and observations and if you have any additional questions, don't hesitate to ask.

**Drew Blake, CESSWI**

Senior Watershed Specialist

Chatham County Government

Watershed Protection Department

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**From:** Stewart Bryan <[buildtrail@gmail.com](mailto:buildtrail@gmail.com)>

**Sent:** Tuesday, March 30, 2021 10:26 AM

**To:** Drew Blake <[drew.blake@chathamcountync.gov](mailto:drew.blake@chathamcountync.gov)>

**Cc:** Caroline Siverson <[cwsiverson@gmail.com](mailto:cwsiverson@gmail.com)>; Kimberly Tyson <[kimberly.tyson@chathamcountync.gov](mailto:kimberly.tyson@chathamcountync.gov)>; Rachael Thorn <[rachael.thorn@chathamcountync.gov](mailto:rachael.thorn@chathamcountync.gov)>; [allison.weakley@gmail.com](mailto:allison.weakley@gmail.com)

**Subject:** Re: question

Hi Drew,

Maybe I have always been misinformed about what constitutes an ephemeral stream, I thought it was a drainage that carries surface water from a rain event. The bowl at the top has a number of significant seeps around the perimeter with ferns and grasses but that might not be wetland related. The stream is flowing now from the top to the point where the channel joins the larger stream to the west and Sunday was the last time it rained here. I will attach a couple of pictures.















On Mon, Mar 29, 2021 at 4:50 PM Drew Blake <[drew.blake@chathamcountync.gov](mailto:drew.blake@chathamcountync.gov)> wrote:

Mr. Bryan,

Based on the conditions that I observed during the onsite buffer review it was my opinion that no feature meeting the minimum requirements of an ephemeral stream was present in this area. Additionally, the area lacked hydric soils preventing it from being a wetland. During our site visit, the lack of hydric soils was confirmed by the private consultant and the Chief of the US Army Corps of Engineers Raleigh Regional Office.

Please let me know if you have any additional questions.

## **Drew Blake, CESSWI**

Senior Watershed Specialist

Chatham County Government

Watershed Protection Department

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***In keeping with the NC Public Records Law, e-mails, including attachments, may be released to others upon request for inspection and copying.***

**From:** Stewart Bryan <[buildtrail@gmail.com](mailto:buildtrail@gmail.com)>

**Sent:** Sunday, March 28, 2021 10:00 AM

**To:** Kimberly Tyson <[kimberly.tyson@chathamcountync.gov](mailto:kimberly.tyson@chathamcountync.gov)>

**Cc:** Drew Blake <[drew.blake@chathamcountync.gov](mailto:drew.blake@chathamcountync.gov)>; [allison.weakley@gmail.com](mailto:allison.weakley@gmail.com); Caroline Siverson

[<cwsiverson@gmail.com>](mailto:cwsiverson@gmail.com)

**Subject:** Re: question

Hi Drew,

I wanted to follow up about Kirk Metty's plan for the Chestnut Creek subdivision off of Jones Ferry Rd. I raised the question in the zoom meeting about a missing stream and Kirk said the property had been fully inspected and there was no missing stream but I beg to differ. While I think there are a number of problematic issues with this plan I will just ask you to take a look at this one stream at this point. It is just on the right side of Walnut Branch Rd about 100' after you turn off Jones Ferry. The septic drain fields for lots 9,10, and 11 extend pretty much down to the channel and those pump lines look like they will be installed running up the stream channel, as well as the line for 8 having to cross the stream before going under Walnut Branch Rd. I do not know if this will be classified as intermittent but it is at least an ephemeral stream and there may be some wetland features around the bowl at the upper end of it.

I do not know how you might handle this but if you come back out to take a look I would like to hear what you think. I think I am looking at this accurately and if not it would be good for me to understand what I am misjudging. The stream is clear to see on the topo map of this site.

I am copying Allison and Caroline because they were curious about this stream as well.

Thank you,

Stewart Bryan

On Fri, Mar 26, 2021 at 1:55 PM Kimberly Tyson <[kimberly.tyson@chathamcountync.gov](mailto:kimberly.tyson@chathamcountync.gov)> wrote:

Hi Stewart,

I've included Drew Blake on this email and his phone number is 919-548-6715.

Sincerely,

*Kimberly Tyson*

Planner II/Subdivision

Chatham County

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**From:** Stewart Bryan <[buildtrail@gmail.com](mailto:buildtrail@gmail.com)>  
**Sent:** Friday, March 26, 2021 1:35 PM  
**To:** Kimberly Tyson <[kimberly.tyson@chathamcountync.gov](mailto:kimberly.tyson@chathamcountync.gov)>  
**Subject:** question

**WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Kim,

Can you please send me the contact info for Drew? The Chatham staff search function is out of order. I would like to ask him about the missing stream on Kirt Mehti's Chestnut Creek plan. As it stands he has three sewage pump lines running not across but directly up the stream channel as well as three drainfields that extend down to the channel into the buffer.

Thank you,

--

Stewart Bryan

Native Trails, Inc

919-619-133