



Michael F. Easley, Governor

William G. Ross Jr., Secretary  
North Carolina Department of Environment and Natural Resources

Coleen H. Sullins, Director  
Division of Water Quality

December 18, 2008

DWQ Project # 05-0732v9  
Chatham County

**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

Mr. Mitch Barron  
Newland Communities  
5850 Fayetteville Road, Suite 201  
Durham, North Carolina 27713

Subject Property: **Briar Chapel – Phase 5 South**

**STORMWATER MANAGEMENT PLAN APPROVAL**

Dear Mr. Barron:

On January 11, 2008, the Division of Water Quality (DWQ) issued a revised 401 Water Quality Certification to temporarily impact 339 linear feet of stream and 0.157 acre of 404 wetlands and to permanently impact 1,666 linear feet of stream and 0.590 acre of 404 wetlands in order to construct the Briar Chapel Subdivision in Chatham County.

In order to meet Condition 10 of the 401 Certification for this project, a stormwater management plan for Briar Chapel – Phase 5 South, dated June 2, 2008, was received by the DWQ on June 3, 2008. This plan was approved on June 13, 2009. A revised stormwater management plan that depicts a wet detention pond to serve only the "A" portion of this site, dated November 28, 2008, we received by the DWQ on November 28, 2008. The stormwater management plan for the A portion of the Briar Chapel Phase 5 South has been reviewed and satisfies the stormwater management conditions of the 401 Water Quality Certification. When the entire Phase 5 South site is constructed, then the stormwater management plan that was approved by the DWQ on June 13, 2008 must be in place prior to occupation of any of the homes in the "B" portion of this site.

The structural stormwater practices as approved by DWQ as well as drainage patterns must be maintained *in perpetuity*. No changes to the structural stormwater practices shall be made without written authorization from the DWQ. Stormwater easements shall be recorded for a distance of at least ten feet on each side of all storm water conveyances on all lots containing these structures including future access for maintenance. The stormwater easements shall allow for the ability to maintain the structures, perform corrective actions as described above and shall provide protection of the structures from potential alternations by future property owners.

This letter completes the review of the DWQ under Section 401 of the Clean Water Act. If you have any questions, please contact me at 919-715-3425.

Sincerely,

A handwritten signature in black ink that reads "Annette Lucas". The signature is written in a cursive style with a large, prominent initial "A".

Annette Lucas, Environmental Engineer III  
401 Oversight/Express Review Permitting Unit

AML/aml

cc: Becky Fox, EPA  
Monte Matthews, USACE, Raleigh  
Lauren Witherspoon, DWQ Raleigh Regional Office  
Nicole Thomson, S&EC, P.A., 11010 Raven Ridge Road, Raleigh, 27614  
Fred Royal, Director, Chatham County Environmental Resources, Public Works  
Department, P.O. Box 1550, Pittsboro, NC 27312  
Allison Weakley, Chair, Chatham County Environmental Review Board, 311 Boothe  
Road, Chapel Hill, NC 27517  
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Newland Communities  
 Attn: Mr. Mitch Barron  
 5850 Fayetteville Road Suite 201  
 Durham, NC 27713  
 DWQ# 05-0721-v9-Chatham

2. Article Number

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401 Oversight/Express Unit  
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