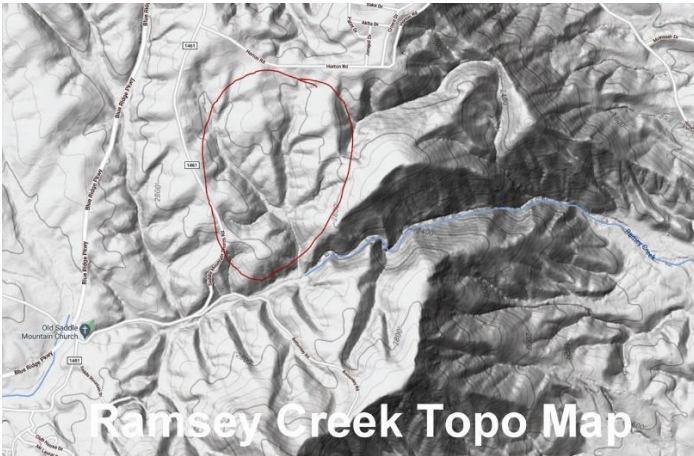


Ramey Creek, Roaring Fork Creek brook trout stream demise along the Blue Ridge Parkway



Sometime last year, Bottomley Evergreens & Farms, Inc. and Bottomley Properties NC LLC (Bottomley Companies) started clearing land in Alleghany and Surry Counties along Ramey creek off the Blue Ridge Parkway. They claimed this an agriculture operation, which in North Carolina exempts them from the requirements of the Sedimentation Pollution Control Act. This exemption means they do not need to file any erosion permits, place any erosion controls, or leave any trees standing anywhere.

The exemption however does not provide a free pass on complying with North Carolina's water quality standards. The Division of Water Resources issued a Notice of Violation (NOV) to the Bottomley Companies in November 2020 and asked them to correct the situation.

The company agreed to fix the problems, but meanwhile continued clearing more, and more land along the parkway, without making any changes to erosion practices. By April of this year (2021) complaints were coming into North Carolina's Wildlife Resources Commission from many sources concerning the massive land clearing spreading for miles. Unfortunately, by that point most of the trout habitat in Ramey creek, Roaring Fork Creek, Big Pine Creek had been destroyed.

Ramey Creek and Roaring Fork are (or were) some of the most pristine waters in the state. Classified as Trout Waters and High-Quality Waters, they held a unique southern brook trout population that the state has used to stock other streams devoid of brook trout.

With spring and early summer rains, and given the substantial clearing activities, Ramey Creek and Roaring Fork filled up with sediment anywhere from six inches to two feet deep. State agencies worked hard monitoring the streams in the field collecting turbidity and benthic macroinvertebrate and sediment data over several months. The populations of brook trout declined so fast that the Wildlife Resources Commission had to mount a rescue operation in June to remove as many brook trout as possible from both streams before they all perished.



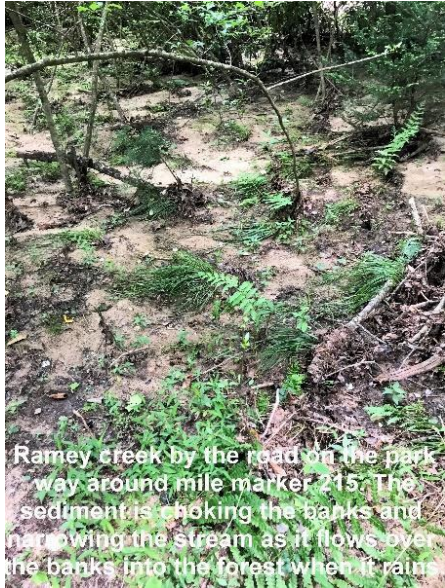
On June 30, DWR issued a new NOV to the Bottomley Companies for failing to comply with the first NOV issued in Nov 2020 and for causing new violations. [Click here to read the first violation notice from the State of NC. Here is the second violation notice from the State of NC](#) DWR asked the Bottomley Companies to put remediation plans in place to correct the situation or face fines and referral to the state attorney's office if they don't comply. Nevertheless, as of June 30th the land clearing has continued.

The Bottomley Companies have put a small herd of cows on a corner of the property, fenced it and seeded it with grass. The rest of the site looks like mountain top removal mining with steep hills denuded of life.

A big concern is Bottomley Companies can use this land for agriculture for few years and then turn it into a real estate development, circumventing all the permitting process, erosion control and scrutiny for such a huge development along the Blue Ridge Parkway. If that happens, other companies may mimic the same tactic: buy a huge swath of land, clear it, put in some cattle or a cornfield to avoid inconvenient environmental rules, and later turn it into multimillion-dollar houses. As long as the agriculture exemption to the Sedimentation Pollution Control Act is on the



books, government agencies will find themselves hamstrung to do anything, except possibly notice violations once the damage is done. This big bowl of deforested land, full of loose soil and rocks on top of the mountain, is at high risk of landslides and mudslides that may threaten properties and communities below. The next time a hurricane or tropical storm passes over the area, it could bring destruction as Hurricane Florence did in 2018. That storm destroyed the dam on the Mitchell and devastated roads and communities below. The Ramey Creek drainage is the next slope over from the Mitchell, and has been deforested with nothing holding the soil and rocks back. This could become the bigger tragedy. The Blue Ridge Chapter is committed to avoiding this outcome. At this time, we are working with other organization to:



Attached are some photos of the barren land, sediment in the streams, and the destruction of buffer zones. Also attached you will find the NOV issued to the Bottomley Companies with more details.

Please support us in stopping the destruction of land and trout streams on the Blue Ridge Parkway.

1. To make as many people and organizations as possible aware of the situation and the harm this agriculture exemption is doing to the environment.
2. To start a writing campaign to legislators and senators, and the governor to overturn or fix the exemption rule.
3. To send letters to the state attorney's office and all involved agencies to provide support and to ask them to enforce the laws of the land and not compromise on mitigation controls.
4. To support an amendment to repeal or change the agricultural exemption in the Sedimentation Pollution Control Act. Blue Ridge TU needs members to help on the Ramey Creek committee along with volunteers to pursue these goals, organize and coordinate with others so we can have the most effect in changing the situation. Please contact us through our website blueridgetu.org, send us an email at blueridgetuws@gmail.com, or volunteer at any of our events.