



Tiffany Qualls <tiffanyqualls@jacksonnc.org>

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**FW: [External] Notice of Violation WCU Millennial Campus Apartments Jackson County**

1 message

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**Mitchell, Robert K** <kevin.mitchell@ncdenr.gov>

Fri, Jul 12, 2019 at 3:10 PM

To: Steve Beasley <stevebeasley@jacksonnc.org>, Tiffany Qualls <tiffanyqualls@jacksonnc.org>

Steve and Tiffany,

Hope you are well. This is just an fyi regarding the Millennial Campus Apartments. See email below. Thanks for your help.

Kevin Mitchell

Environmental Specialist – Asheville Regional Office

Water Quality Regional Operations Section

NCDEQ – Division of Water Resources

828-296-4650 Office

Email [Kevin.mitchell@ncdenr.gov](mailto:Kevin.mitchell@ncdenr.gov)

2090 U.S. Hwy. 70

Swannanoa, N.C. 28778



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**From:** Fox, Tim

**Sent:** Friday, July 12, 2019 2:51 PM

**To:** Gregory Hoffman <[ghoffman@cdcgo.com](mailto:ghoffman@cdcgo.com)>

**Cc:** Davidson, Landon <[landon.davidson@ncdenr.gov](mailto:landon.davidson@ncdenr.gov)>; Price, Zan (George) <[Zan.Price@ncdenr.gov](mailto:Zan.Price@ncdenr.gov)>; Aiken, Stan E

<[stan.aiken@ncdenr.gov](mailto:stan.aiken@ncdenr.gov)>; Mitchell, Robert K <[kevin.mitchell@ncdenr.gov](mailto:kevin.mitchell@ncdenr.gov)>; Brooks, Richard C <[rick.brooks@ncdenr.gov](mailto:rick.brooks@ncdenr.gov)>

**Subject:** RE: [External] Notice of Violation WCU Millennial Campus Apartments Jackson County

Greg,

Thank you for the communication and the oversight of the work that has been accomplished to install erosion control measures as per the approved erosion control plan.

Please note that Division of Water Resources (DWR) will not issue a Notice of Violation Closure until the sediment violation is addressed. Sediment in the two un-named tributaries is still leaving the site during rain events and causing high turbidity downstream of the site. Please evaluate if there is adequate ground cover in conformity with your approved plan or sufficient beyond the plan but warranted by the site conditions (i.e., measures beyond your approved plan are often necessary to avoid non-compliance with water quality standards) both temporary and permanent ground cover is necessary.

DWR understands that you are requesting a letter be provided to the county requesting that we have no objection to the issuance of building permits. The Division does not wish to delay site progress, however, violations need to be addressed and DWR needs confidence that future water quality standards will not be violated.

Once the sediment violation is addressed we will evaluate the sediment clean-up efforts and can discuss site construction schedules at that time.

Please let me know if you have any further questions or need any further clarification.

Thanks,

Tim

Tim Fox - [tim.fox@ncdenr.gov](mailto:tim.fox@ncdenr.gov)

North Carolina Dept. of Environmental Quality

Asheville Regional Office

Division of Water Resources – Water Quality Programs

2090 U.S. 70 Highway

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Tim Fox - [tim.fox@ncdenr.gov](mailto:tim.fox@ncdenr.gov)

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**From:** Gregory Hoffman <[ghoffman@cdcgo.com](mailto:ghoffman@cdcgo.com)>

**Sent:** Thursday, July 11, 2019 5:08 PM

**To:** Fox, Tim <[tim.fox@ncdenr.gov](mailto:tim.fox@ncdenr.gov)>

**Cc:** Robert Jones <[robertjones@zdc.com](mailto:robertjones@zdc.com)>

**Subject:** [External] Notice of Violation WCU Millennial Campus Apartments Jackson County

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Tim,

Following up on our conversation earlier today and approximately 2 weeks ago, attached is documentation that Land Quality's NOV has been lifted for the WCU Millennial Campus Apartments project in Jackson County. We are looking forward to having DWR's NOV lifted after sediment is removed from the stream per the approved plan. A sub-contractor was scheduled to begin clean up of the stream today, but backed out yesterday. The site contractor is working on finding

a substitute that is experienced in stream remediation and we feel very confident that the sediment will be removed from the stream before the August 3 deadline that is part of the sediment removal plan approval.

After the NOV was issued, work on the project stopped except for what was necessary to immediately install erosion control measures to prevent ongoing sedimentation and to stabilize the areas of the site that are at finished grade. Now the project team would like to move forward with construction of the remainder of the project concurrently with sediment removal from the stream. The entire site has been cleared, so no additional disturbances will be performed.

A significant amount of earthwork needs to occur as part of the project. Resuming the earthwork will improve the ability to control runoff. To that end, a retaining wall needs to be constructed to continue with earthwork and that retaining wall needs a building permit that Jackson County will not issue because of the NOV. The contractor would also like to begin construction on buildings and has 1 pad nearly ready. Installation of the building foundation will allow for near immediate stabilization of a significant area. We are requesting a letter or e-mail from you to Jackson County that would state that you have no objection to issuance of building permits while the stream cleanup is ongoing. We understand that the NOV is still in place and will continue to be until the sediment has been removed from the stream in accordance with the approved plan.

Thank you for your consideration of this matter. Please don't hesitate to call or e-mail me to discuss this further.

Sincerely,

Greg

**Gregory Hoffman, PE**

**Civil Design Concepts, P.A.** o. (828) 252-5388 c. (828) 707-1334

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