ROY COOPER
*Governor*
MICHAEL S. REGAN
*Secretary*
LINDA CULPEPPER
*Director*

NORTH CAROLINA
***Environmental Quality***

July 3, 2019

**CERTIFIED MAIL**
**RETURN RECEIPT REQUESTED**

Zimmer Development Company
Attn: Mr. Jeffery L. Zimmer
111 Princess Street
Wilmington, NC 28401
**Return Receipt #**
**7017 2620 0000 9759 4131**

Western Carolina University
Attn: Mr. Joe Walker, PE
Associate Vice Chancellor of Facilities Management
3476 Old Cullowhee Road
Cullowhee, NC 28723
**Return Receipt #**
**7017 2620 0000 9759 6777**

Subject: **Notice of Violation Response and Sediment Removal Plan Approval**
**WCU Millennial Campus Apartments**
NOV-2019-PC-0470
Jackson County
**Deadline within 30 days of Approval Notice**

Dear Mr. Zimmer and Mr. Walker:

The Division of Water Resources (DWR) received correspondence from ClearWater Environmental, dated June 28, 2019, in response to the Notice of Violation (NOV) noted above. The correspondence indicates that sediment will be removed from two unnamed tributaries to Long Branch, including a small section of Long Branch Creek by hand via the use of shovels and buckets. Removed sediment will be relocated to upland locations approximately 30 feet from jurisdictional waters.

Sediment removal will begin upstream of the un-named tributaries and continue toward Long Branch Creek. Please be aware that any additional sediment that enters the stream from the site or flushes downstream must be removed per the methods outlined in the removal plan. DWR requests that the work be supervised by a consultant experienced with sediment removal techniques.

To further clarify, sediment removal is necessary at the confluence of each un-named tributary and Long Branch Creek and sediment migration must be assessed in Long Branch Creek during the clean-up efforts.

The Sediment Removal Plans presented in the response have been found satisfactory and are approved.

Activities involved in the approved plan, as well as submittal of the final report, are to be completed within thirty (30) days of this approval letter. Please contact me at (828) 296-4664 or tim.fox@ncdenr.gov should you have any further questions.

Sincerely,

DocuSigned by:
Jim Fox
CEDC103ECC2B496...

Tim Fox
Senior Environmental Specialist
Water Quality Regional Operations Section
Asheville Regional Office

cc: Britt Yant – ClearWater Environmental (via email)
Clement Riddle, PWS – ClearWater Environmental (via email)
David Brown – USACE (via email)
Andrea Leslie – NCWRC (via email)
Stan Aiken – DEMLR (via email)
Rick Brooks – DEMLR (via email)
Tony Elders – Jackson County (via email)
Steve Beasley – Jackson County (via email)
Tiffany Qualls – Jackson County (via email)
Greg Hoffman PE – Civil Design Concepts (via email)
Andy Brogdon – West River Construction (via email)

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