

STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**DIVISION OF WATER RESOURCES**

Nashville Environmental Field Office  
711 R.S. Gass Boulevard  
Nashville, TN 37219

Phone 615-687-7000    Statewide 1-888-891-8332    Fax 615-687-7078

May 21, 2019

Mr. David McGowan  
6901 Lenox Village Drive  
Nashville, TN 37211  
e-copy: [david.mcgowan@regenthomes-tn.com](mailto:david.mcgowan@regenthomes-tn.com)

CERTIFIED MAIL RECEIPT  
7016 3010 0000 9710 7482

Subject:        NOTICE OF VIOLATION  
                 Carothers Crossing Phase 7 Section 1 Road Crossing (NR1804.315)  
                 La Vergne, Tennessee

Mr. McGowan:

On May 16, 2019, staff from the Division of Water Resources (division) made a site visit to the Carothers Crossing Phase 7 Section 1 development and identified violations that are in need of corrective actions. The violations included failure to properly install the temporary stream crossing. Additional information related to these violations and the requested corrective actions can be found on the following page.

Because unauthorized stream alterations and/or unauthorized discharges may impact the usefulness of the stream and its designated uses, including support of fish and aquatic life, livestock and wildlife watering, recreation, and irrigation they are violations of the *Tennessee Water Quality Control Act of 1977*. Therefore, this letter will serve as a formal Notice of Violation. Failure to remedy these violations within the specified timeframes may result in possible further action, which may include monetary penalties.

In order to begin bringing this site into compliance the division requests that you complete the corrective actions outlined on the following page within the specified timelines. If any corrective actions or stabilization measures have already been implemented please submit photographic documentation of them along with your written response to this letter.

The division does not authorize access to private property and arrangements concerning the removal of sediment or other remediation efforts on adjoining properties must be settled between you and the adjacent landowners. No further work should be done in any stream or wetland areas until you have written authorization from the division.

During our site visit the division observed the following items that are in need of corrective actions:

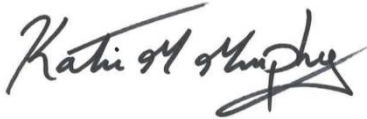
- Current stream crossing is not designed to TDEC standards for temporary stream crossings and is causing impoundment of the stream.

Please submit the following items to the Nashville Environmental Field Office within the specified timeframe:

1. Within 10 days, submit a Corrective Action Plan (CAP) describing how you propose to return the stream to its original condition and/or information on installing a road crossing that meets the terms and conditions of the general permit.

Your prompt attention to these matters is greatly appreciated. If you have any questions regarding this correspondence, please contact me at (615) 687-7115 or by E-mail at [Katie.Murphy@tn.gov](mailto:Katie.Murphy@tn.gov).

Sincerely,


A handwritten signature in black ink that reads "Katie M. Murphy". The signature is written in a cursive style with a large, stylized initial "K" and a long, sweeping underline.

Katie Murphy


cc: Jessica Murphy, DWR Compliance and Enforcement Manager  
Michael Hunt, Nashville/Davidson MS4 Program Manager, [Michael.Hunt@nashville.gov](mailto:Michael.Hunt@nashville.gov)

# Photographic Log

<b>Client or Facility Name:</b> Carothers Crossing Ph. 7 Section 1 Road Crossing		<b>Site Location:</b> 35.984244, -86.613608	<b>Project No.:</b> NR1804.315
<b>Photo No.</b> 1	<b>Date</b> 5/16/2019		
<b>Description</b> Temporary stream crossing			

<b>Photo No.</b> 2	<b>Date</b> 5/16/2019		
<b>Description</b> Culvert not installed correctly, water flowing under pipe.			

## Photographic Log

<b>Client or Facility Name:</b> Carothers Crossing Ph. 7 Section 1 Road Crossing		<b>Site Location:</b> 35.984244, -86.613608	<b>Project No.:</b> NR1804.315
<b>Photo No.</b> 3	<b>Date</b> 5/16/2019		
<b>Description</b>  Culvert not installed properly, rip/rap impounding stream.			