



PUBLIC NOTICE

File Number: NRS 09.205

Notice Date:
July 15, 2009

Expiration Date:
August 14, 2009

Pursuant to Chapter 1200-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit (this also includes §401 Water Quality Certifications). This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: State of Tennessee
Department of Transportation
Environmental Division
Suite 900, J. K. Polk Bldg.
505 Deaderick Street
Nashville, TN 37243-0334
615-253-2477

LOCATION: SR-29 from near SR-68 east to Spring City North City limits.
Rhea County (lat35.6677/long84.8775)

PROJECT DESCRIPTION / PURPOSE: This application is for the renewal of NRS04-055/055B. The permits expired prior to completion and TDOT wishes to renew them to finalize the project. The remaining impacts are on Town Creek and unnamed tributary along SR-29. Station 26+840+/- to 27+220+/-: Unnamed tributary. Relocation. Remaining activity involved is tree plantings and bank stabilization. Station 27+220+/- to Sta. 27+250+/-: Town Creek. Bridge crossing. Remaining activity involves completion of the structure. Station 27+640+/- to 28+730+/-: Town Creek. Relocation and culvert. Remaining activity involves completion of the west side overflow and tree plantings. Station 27+913: Unnamed tributary. Culvert. Remaining activity involves completing the structure. Station 28+505: Unnamed tributary. Activity remaining involves completing cross drain. Station 28+809+/-: Kemmer Road: Unnamed tributary. Activity remaining involves installation of spring box and box bridge.

All required mitigation for this project was previously carried out under NRS04.055.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activities **will not** result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: The proposed impacts would affect Town Creek and unnamed tributaries. Town Creek is a wide, perennial stream flowing through a channel 30 ft. wide with variable 6-8' banks. The stream varies in depth up to 1 ft. flowing over a

bedrock/cobble substrate and has a few mature hardwoods and grasses. The land use in the area is rural residential.

Stream Name / ID #: Town Creek/ TN06010201462_1000
Ecoregion: S. Limestone/Dolomite Valley and Low Rolling Hill /HUC12: 060102010503
Stream Dimension: Channel bottom width 15-18'
Chanel top width 30'
Water depth 1-2'
Bank height 6-8'

Substrate: Bedrock/Cobble

Designated Use	Use Support
fish and aquatic life	Not Assessed
recreation	Not Assessed
industrial water supply	Not Assessed
irrigation	Not Assessed
livestock watering & wildlife	Not Assessed

Assessment Date: N/A

USGS TOPOGRAPHIC QUADRANGLE: Pennie, TN (118-NW) and Spring City, TN (118-NE)

PERMIT COORDINATOR: Brian Canada

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section
7th Floor L & C Annex
401 Church Street
Nashville, TN 37243

