



DEPARTMENT OF
ENVIRONMENT &
CONSERVATION

PUBLIC NOTICE

File Number: NRS 09.243

Notice Date:
August 19, 2009

Expiration Date:
September 18, 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: Tennessee Department of Transportation
Attn: Anthony Myers
Suite 900, J.K. Polk Building
505 Deaderick Street
Nashville, TN 37243
615-532-9945

LOCATION: The proposed alterations are located along a proposed new alignment of SR-109 from south of Hollis Chapel Rd. to south of SR-76 in Sumner County.

PROJECT DESCRIPTION / PURPOSE: The applicant proposes to construct approximately 5 miles of SR-109 on a new alignment for public use. The road construction would impact several streams and wetlands. Those impacts are as follows:

Site 1, unnamed tributary to Station Camp Creek (STR-1), 36.4895°N / -86.4954°W

Proposed: V riprap ditch as an outfall structure for stormwater and installation of a spring box over SPG-1 (source of STR-1).

Site #2, wetland (WTL-1 & WTL-4), 36.4911°N / -86.4966°W

Proposed: Permanently fill 0.197 ac. of WTL-1 and temporarily impact 0.007 ac. of WTL-4.

Mitigation: The 0.197 ac. of permanent fill would be mitigated by purchasing, at a 2:1 ratio, 0.39 ac. of available credits from the Harpeth Wetland Mitigation Bank.

Site #3, unnamed tributaries to Red River (STR-2 & STR-3), 36.5045°N / -86.5024°W

-STR-2-

Existing: 411 ft. of stream

Proposed: 333 ft. of 54 in. reinforced concrete pipe (RCP), 35 ft. of riprap lined channel at outlet and 35 ft. of transition at inlet with riprap toe protection.

Mitigation: The 333 ft. of culvert and 8 ft. of stream loss would be mitigated by payment to the Tennessee Stream Mitigation Program (TSMP) in the amount of \$68,200.00.

-STR-3-

Existing: 316 ft. of stream

Proposed: 316 ft. of stream fill

Mitigation: The 316 ft. of stream loss would be mitigated by payment to the TSMP in the amount of \$63,200.00.

Site #4, unnamed tributaries to West Fork Drakes Creek (STR-9 & STR-4) and Wetland (WTL-2), 36.5165°N / -86.5082°W

-STR-9-

Existing: 778 ft. of stream and 21 ft. of existing structure

Proposed: 167 ft. of 36 in. RCP with endwalls, 39 ft. of 36 in. RCP, an 304 ft. of 42 in. RCP with endwalls, 90 ft. of riprap lined channel and 555 ft. of relocated channel. Associated impact is a v riprap ditch as an outfall structure for stormwater

Mitigation: 244 ft. of culverting on STR-9 would be mitigated by payment to the TSMP in the amount of \$48,800.00.

-STR-4-

Existing: 474 ft. of stream

Proposed: 455 ft. of relocated channel

Mitigation: The 19 ft. of stream loss on STR-4 would be mitigated by payment to the TSMP in the amount of \$3,800.00

-WTL-2-

Proposed: Permanently fill 0,229 ac. of wetland

Mitigation: The permanent loss of wetland would be mitigated, at a 2:1 ratio, by debiting 0.46 ac. of available credits from the Harpeth Wetland Mitigation Bank.

Site #5, unnamed tributaries to West Fork Drakes Creek (STR-5 & STR-6) and wetland (WTL-3), 36.5254°N / -86.5113°W

-WTL-3-

Proposed: permanently fill 0.073 ac. of wetland

Mitigation: The permanent loss of wetland would be mitigated, at a 2:1 ratio, by debiting 0.15 ac. of available credits from the Harpeth Wetland Mitigation Bank.

-STR-5-

Existing: 263 ft. of stream

Proposed: 263 ft. of rock fill

Mitigation: The 263 ft of stream loss would be mitigated by payment to the TSMP in the amount of \$52,600.00.

-STR-6-

Existing: 997 ft. of stream

Proposed: 975 ft. of relocated channel with 96 ft. of 48 in. RCP with endwalls and 20 ft. of riprap at outlet and 17 ft. at the inlet

Site #6, unnamed tributary to West Fork Drakes Creek (STR-7), 36.5290°N / -86.5104°W

Existing: 323 ft. of stream

Proposed: 209 ft. of 8 ft. x. 6ft. reinforced concrete box cuvert with 40 ft. of riprap at the inlet and outlet

Mitigation: The 209 ft. of culvert and 34 ft. of stream loss would be mitigated by payment to the TSMP in the amount of \$48,600.00.

Site #7, unnamed tributary to West Fork Drakes Creek (STR-8), 36.5375°N / -86.5084°W

Proposed: 146 ft. of 3 -12ft. x 12 ft. slab bridge

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activities at sites #3, 4, 5 and 6 will result in degradation to water quality. The streams at these sites have not been assessed to determine if they are Exceptional Tennessee Waters. If they are determined to be ETWs and the applicant wishes to degrade them, the project will be noticed again.

WATERSHED / WATERBODY DESCRIPTION: The proposed alterations are located in the Barren River watershed (HUC 05110002) and the Red River watershed (HUC 05130206). More information on both watersheds can be found on the department's website: <http://www.state.tn.us/environment/wpc/watershed/wsmplans/>. Land use in the immediate area is a mixture of residential and agriculture.

Streams #7 has been assessed as fully supporting its classified uses and stream #8 has been assessed as not supporting its classified uses. Both streams have the following classified uses fish and aquatic life, recreation, livestock watering and wildlife and irrigation. All other streams have not been assessed.

PERMIT COORDINATOR: Trent Thomas

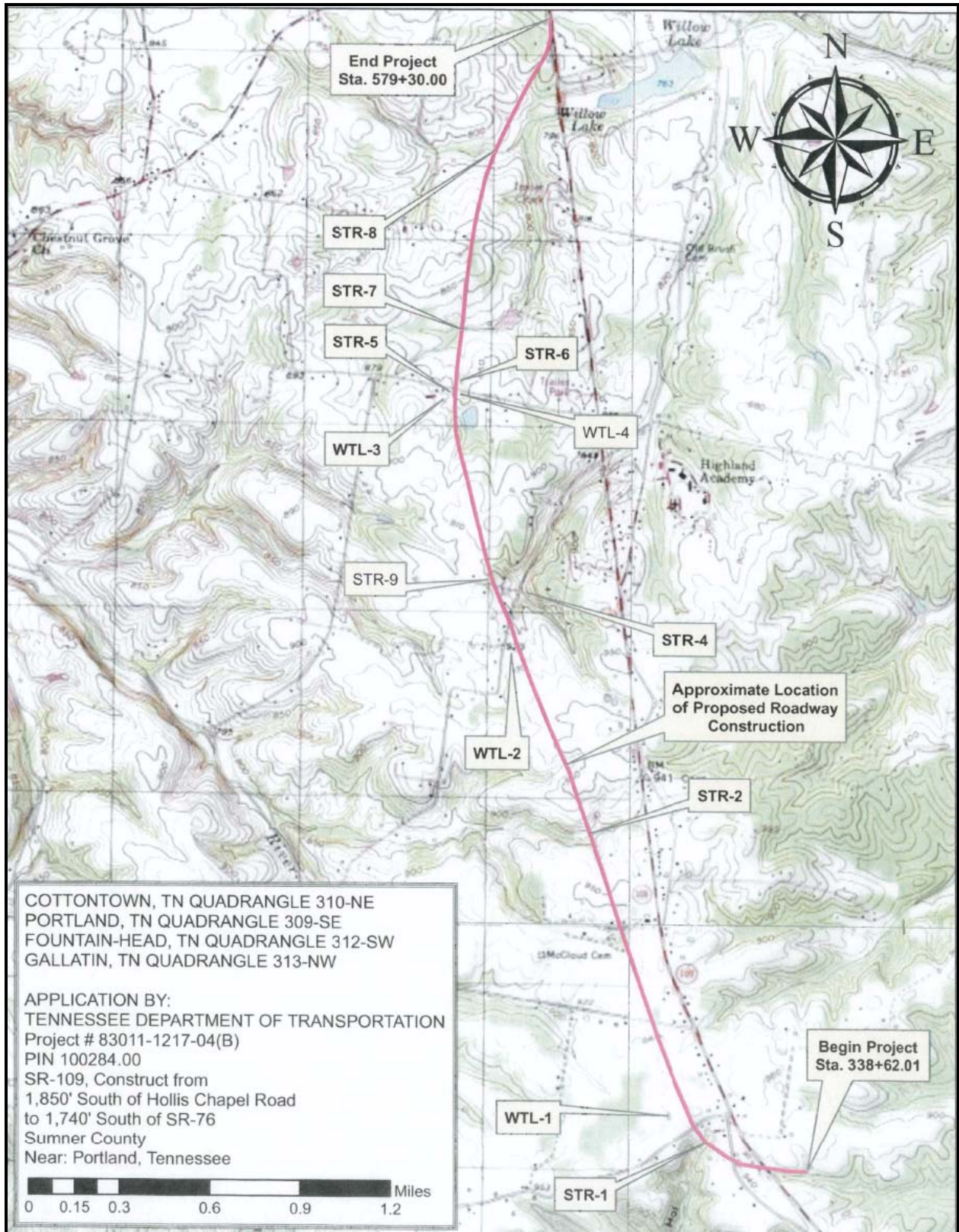
FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any 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



Approximate location of proposed alterations