



DEPARTMENT OF
ENVIRONMENT &
CONSERVATION

PUBLIC NOTICE

File Number: NRS 09.266

Notice Date:
October 7, 2009

Expiration Date:
November 6, 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-76 over flow north of Moscow, TN Fayette County (lat35.0740/long89.3943)

PROJECT DESCRIPTION / PURPOSE: The project would involve the replacement of bridges and approaches along a 0.237 mile segment of SR-76 north of Moscow, TN. Station 117+00: Wetlands. Permanent impact to 0.77 and temporary impact to 0.41 acre of wetlands. Station 122+75(L) to Sta. 125+50.00(L): Wetlands. Permanent impact to 0.09 and temporary impact to 0.13 acre of wetlands. Station 121+08: Wetlands. Proposed 180 ft. of 3-span concrete girder bridge. Station 210+62.00: Unnamed tributary to Hargis Creek. Proposed 74 ft. of 2 @ 12X12 ft. culvert with 24 ft. of riprap at inlet and 24 ft. of riprap at the outlet.

Permanent impacts to 0.86 acre of wetlands would be mitigated by debiting, at a 2:1 ratio, 1.72 acres from available credit at the Wolf River Mitigation Bank. Temporary impacts would be mitigated by returning the site to original elevation and reseeding with native wetland vegetation.

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 unnamed tributaries to Hargis Creek and associated wetlands. The stream flows through a wide channel ~25 feet wide with 6-8 ft. side slopes. The stream varies in depth up to 1 ft. flowing over a sand/gravel substrate and has a canopy of mature hardwoods (80%). The land use in the area is rural residential. The associated wetlands are the typical stream side flood plain overflow wetlands with a mixture of shrub and hardwood vegetation that is common in this area.

Stream Name / ID #: TN08010210020_0100 Hargis Branch

Ecoregion: Loess Plains (HUC12:080102100102)

Stream Dimension: Channel bottom width 8-20'
Chanel top width 20-30'
Water depth ~1'
Bank height 6-8'

Substrate: XXX

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

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

