PUBLIC NOTICE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243

TO WHOM IT MAY CONCERN: The application described below has been submitted for an Aquatic Resource Alteration Permit under The Tennessee Water Quality Control Act of 1977, T.C.A. §69-3-108. In addition, federal permits may be required from the U. S. Army Corps of Engineers and the Tennessee Valley Authority under §404 of the Clean Water Act and §26a of the Tennessee Valley Authority Act, respectively. Section 401 of the Clean Water Act requires that an applicant obtain a water quality certification from the state when a federal permit is required. This notice may cover applications subject to §401. No decision has been made whether to issue or deny this application. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the Division. 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 Division's address listed above and to the attention of the permit coordinator (indicated below). You may also comment via email to water.permits@tn.gov. After the Division makes a final permit decision, a permit appeal may be filed by the applicant or by any person who participated in the public comment period whose appeal is based on comments given to the Division in writing during the public comment period or in testimony at a formal public hearing. The permit application, supporting documentation including detailed plans and maps, and related comments are available at the Division's address (listed above) for review and/or copying or by visiting the TDEC website at https://www.tn.gov/environment/topic/ppo-water and searching on the Application Number listed below. Interested persons may also request in writing that the Division 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 reason(s) that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the Division shall hold a public hearing in accordance with 0400-40-07-.04(4)(f). In deciding whether to issue or deny a permit, the Division 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 Division shall consider practicable alternatives to the alteration, loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impacts to unique, high quality, or impaired waters. **APPLICATION NUMBER:** NRS 18.072 **PERMIT COORDINATOR:** Adam Kelly, 615-253-5348, Adam.T.Kelly@tn.gov **APPLICANT:** Department of Transportation, 505 Deaderick Street, Nashville, TN 37243, 615-741-3655 **LOCATION:** Sugar Creek/Little Nixon Creek, Haywood County; Latitude: 35.604743 Longitude: -89.292801 **PROJECT DESCRIPTION / PURPOSE:** The applicant proposes to widen the existing two lanes along a portion of SR-19 from East of State Route 87 to west of Windrow Road in Haywood County. Eight streams and seven wetlands will be impacted. Stream impacts will be offset at Sander's Branch Mitigation Site (NRS17.262) and through on site replacement. The wetland impacts will mitigated at the Hatchie River Wetland Mitigation Bank. **POINTS OF IMPACT:** Impact 1: 35.604743 Longitude: -89.292801, Buck's Creek/Little Nixon Creek. 42 linear feet of a 5 foot by 4 foot box culvert will be removed and replaced with 119 linear feet of an 8 foot by 6 foot box culvert. 41 feet of riprap will be added at the outlet of the structure and 34 feet of riprap will be added to the inlet for a total of 194 linear feet of impact. 12 linear feet of existing stream will be lost. Impacts will be offset by re-establishing flow in Sander's Branch Mitigation Site. Impact 2: Latitude: 35.595588 Longitude: -89.288025, Wetland 6. 0.01 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.02 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 3: Latitude: 35.5895 Longitude: -89.288059, Unnamed Tributary to Sugar Creek. 28 linear feet of 6.3 foot by 7.6 foot steel culvert will be removed. 56 linear feet of 2 12 foot by 19 foot box culvert will be extended by 79 feet. 35 feet of riprap will be installed out the outlet and 8 feet of riprap will be installed at the inlet. 135 linear feet of stream will be encapsulated. Impact 4: Latitude: 35.588612 Longitude: -89.281807, Unnamed Tributary. 13 linear feet of 30 inch reinforced concrete pipe will be extended by 128 linear feet. 30 feet of riprap will be installed at the outlet of the culvert. 936 linear feet of stream will be filled and replaced by a 992 linear foot channel designed using Natural Channel Design techniques. Impact 5: Latitude: 35.587055 Longitude: -89.287552, Unnamed Tributary. 63 linear feet of stream will be filled in and 30 feet of stream will be lined with riprap. Impacts will be offset by re-establishing flow in Sander's Branch Mitigation Site. STR-9. Impact 6: Latitude: 35.582821 Longitude: -89.285356, Unnamed Tributary to Sugar Creek. 187 linear feet of 48 inch reinforced concrete pipe will be extended by 85 linear feet for a total of 272 linear feet of encapsulation. A 74 foot 24 inch side drain will be installed for a total impact length of 346 linear feet. Impacts will be offset by re-establishing flow in Sander's Branch Mitigation Site. Impact 7: Latitude: 35.57978 Longitude: -89.28459, Wetland 1. 0.02 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.04 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 8: Latitude: 35.58095 Longitude: -89.28321, Wetland 7. 0.3 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.6 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 9: Latitude: 35.578635 Longitude: -89.280127, Wetland 2. 0.05 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.1 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 10: Latitude: 35.579419 Longitude: -89.280659, Wetland 3. 0.1 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.2 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 11: Latitude: 35.5766 Longitude: -89.280236, Unnamed Tributary to Sugar Creek. 45 linear feet of 60 inch corrugated metal pipe will be replaced by a 82 linear foot 2-barrel 8 foot by 6 foot box culvert. 50 feet of riprap will be installed at the inlet and 20 feet of riprap will be installed at the outlet. Impact 12: Latitude: 35.576316 Longitude: -89.272511, Sugar Creek. A 254 foot long 44 foot wide 4 span bridge will be constructed. 200 linear feet of riprap will be installed along the channel. Impacts will be offset by re-establishing flow in Sander's Branch Mitigation Site. Impact 13: Latitude: 35.576067 Longitude: -89.270617, Wetland 4. 0.02 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.04 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 14: Latitude: 35.574636 Longitude: -89.265904, Wetland 5. 0.06 acres of wetland will be permanently impacted. Impacts will be offset by debiting at a 2:1 ratio, 0.12 acres from available wetland credits at Hatchie River Wetland Mitigation Site. Impact 15: Latitude: 35.573885 Longitude: -89.262882, Unnamed Tributary to Sugar Creek. 80 linear feet of 2, 12 foot by 9 foot box culverts will be extended by 98 linear feet for a total of 178 linear feet of encapsulation. 53 feet of riprap will be installed at the inlet and 54 feet of riprap will be installed at the outlet. 63 feet of channel will be impacted as transition into the inlet. Impacts will be offset by re-establishing flow in Sander's Branch Mitigation Site. **WATERSHED / WATERBODY DESCRIPTION:** The Tennessee portion of the Lower Hatchie River Watershed is located in West Tennessee and includes parts of Chester, Fayette, Hardeman, Haywood, Lauderdale, Madison and Tipton counties. It is approximately 1,461 square miles (1448 square miles in Tennessee) and drains to the Mississippi River. **DETERMINATIONS:** In accordance with the Tennessee Anti-degradation Statement (Rule 0400-40-03-.06), the Division has made a preliminary determination that the proposed impacts will result in greater than *de minimis* degradation to water quality. The applicant proposes to offset lost resource value through permittee responsible compensatory mitigation.