

Attachment 1



ALABAMA DEPARTMENT OF TRANSPORTATION  
1409 Coliseum Boulevard, Montgomery, Alabama 36110



Bob Riley  
Governor

May 5, 2009

Joe McInnes  
Transportation Director

Tennessee Valley Authority  
Pickwick-Wheeler Watershed Team  
P.O. Box 1010  
SB 1H  
Muscle Shoals, AL 35662-1010

ATTN: Mr. Kenley Austin

RE: Project No. STPAA-0053(509)  
Additional Lanes On S.R. 53 From North Of  
Nick Fitchard Road To South Of C.R. 19 (Jeff Road)  
Madison County

| Pickwick - Wheeler Watershed Team |       |
|-----------------------------------|-------|
| JKA                               | JDS   |
| CLC                               | SJS   |
| SAH                               | SST   |
| WRM                               |       |
| RLM                               |       |
| SDM                               |       |
| HLM                               |       |
| RJM                               |       |
| JGP                               |       |
| RLP                               |       |
| AMP                               |       |
| DJS                               | Files |
| Received: 5/7/09                  |       |

To Whom It May Concern:

Enclosed is a copy of a Joint Application for the referenced project. This is a high priority project that is scheduled to be let for construction in July 2009.

Your assistance in this matter is appreciated. If further information is needed, please contact Tony Shaddix, telephone number (334) 242-6145.

Sincerely,

William F. Adams, P. E.  
Design Bureau Chief

By: Tony Shaddix  
for Alfredo Acoff, Coordinator  
Environmental Technical Section

ts

Enclosures/Attachments

cc: Mr. Johnny Harris  
Mr. Ronnie Baldwin  
Mr. Terry McDuffie  
file 2

# JOINT APPLICATION FORM

## Department of the Army/TVA

**Paperwork Reduction Act Statement** - Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.

The Department of the Army (DA) permit program is authorized by **Section 10 of the Rivers and Harbors Act of 1899** and **Section 404 of the Clean Water Act (P.L. 95-217)**. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. **Section 26a of the Tennessee Valley Authority Act**, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

|  |  |  |     |     |     |     |     |     |     |     |     |     |     |     |     |                            |     |                            |
|--|--|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------------|-----|----------------------------|
| <p>Name and Address of Applicant:</p> <p>ALABAMA DEPARTMENT OF TRANSPORTATION<br/>1409 COLISEUM BLVD.<br/>MONTGOMERY, AL 36110</p> <p>Telephone Number: Home _____<br/>Office (334) 242-6145</p> | <p>Name, Address, and Title of Authorized Agent:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%; text-align: center;">Richnick - Wheeler<br/>Watershed Team<br/>Office</td> <td style="width:10%; text-align: center;">JKA</td> <td style="width:10%; text-align: center;">JDS</td> <td style="width:10%; text-align: center;">SJS</td> <td style="width:10%; text-align: center;">SST</td> <td style="width:10%; text-align: center;">CJC</td> <td style="width:10%; text-align: center;">SAI</td> <td style="width:10%; text-align: center;">WRM</td> <td style="width:10%; text-align: center;">RLM</td> <td style="width:10%; text-align: center;">SDM</td> <td style="width:10%; text-align: center;">ELM</td> <td style="width:10%; text-align: center;">RJM</td> <td style="width:10%; text-align: center;">RGP</td> <td style="width:10%; text-align: center;">RFP</td> <td style="width:10%; text-align: center;">AMP</td> <td style="width:10%; text-align: center;">DJS</td> <td style="width:10%; text-align: center;">Files<br/>Received: 5/17/09</td> </tr> </table> <p>Telephone Number: _____</p> | Richnick - Wheeler<br>Watershed Team<br>Office | JKA | JDS | SJS | SST | CJC | SAI | WRM | RLM | SDM | ELM | RJM | RGP | RFP | AMP                        | DJS | Files<br>Received: 5/17/09 |
| Richnick - Wheeler<br>Watershed Team<br>Office   | JKA  | JDS  | SJS | SST | CJC | SAI | WRM | RLM | SDM | ELM | RJM | RGP | RFP | AMP | DJS | Files<br>Received: 5/17/09 |     |                            |

(df)  
 203 fee waived / df

Location where activity exists or will occur (include Stream Name and Mile, if known):  
 S.R. 53 AT DRY CREEKS, DENTON BR., AND UNNAMED TRIBS

Application submitted to  DA  TVA

Date activity is proposed to commence: 07/31/2009      Date activity is proposed to be completed: 07/31/2012

Describe in detail the proposed activity, its purpose and intended use (private, public, commercial, or other). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

This project is the addition of lanes on S.R. 53 from north of Nick Fitchard Road to south of C.R. 19 (Jeff Road). The project will require the placement of fill in streambeds and wetlands at eight sites for construction of roadbed, culverts, riprap, etc. Material will be clean fill, concrete, riprap, etc.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. **I agree that, if this application is approved by TVA, I will comply with the attached terms and conditions and any special conditions that may be imposed by TVA at the time of approval. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.**

05/04/2009  
 \_\_\_\_\_  
 Date

  
 Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

001 GZGK

191665

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway:

SEE ATTACHED SHEET.

List of previous DA/TVA permits/approvals

DA 2005-01779 tva 168731  
Permit Number

TVA 10/31/2005  
Date

Is any portion of the activity for which authorization is sought now complete?  Yes  No (If "Yes" attach explanation)  
Month and year the activity was completed:                     . Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

| Issuing Agency | Type Approval | Identification No. | Date of Application | Date of Approval |
|----------------|---------------|--------------------|---------------------|------------------|
|                |               |                    |                     |                  |
|                |               |                    |                     |                  |
|                |               |                    |                     |                  |
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|                |               |                    |                     |                  |
|                |               |                    |                     |                  |

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?  
 Yes  No (If "Yes" attach explanation)

**Privacy Act Statement**

This information is being requested in accordance with Section 26a of the TVA Act as cited on the front page of this form. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.

Project plans or drawings should accompany the application. These should be on paper suitable for reproduction no larger than 11 x 17 inches or contained on a 3-1/2 inch floppy computer disc in "dxf" format, and should be submitted to the appropriate TVA and U.S. Army Corps of Engineers offices. An application that is not complete will be returned for additional information.

| U.S.A.C.E. Offices   |  | TVA Office Location        |
|--|--|----------------------------|
| U.S. Army Corps of Engineers<br>Eastern Regulatory Field Office<br>P.O. Box 465<br>Lenoir City, Tennessee 37771-0465<br>(865) 986-7296 | U.S. Army Corps of Engineers<br>Savannah District<br>The Plaza, Suite 130<br>1590 Adamson Parkway<br>Morrow, Georgia 30260-1763<br>(678) 422-2729          | Tennessee Valley Authority |
| U.S. Army Corps of Engineers<br>Nashville District<br>P.O. Box 1070<br>Nashville, Tennessee 37202-1070<br>(615) 736-5181               | U.S. Army Corps of Engineers<br>Western Regulatory Field Office<br>2042 Beltline Road, SW, Bldg C, Suite 415<br>Decatur, Alabama 35602<br>(256) 350-5620   |                            |
| U.S. Army Corps of Engineers<br>Norfolk District<br>P.O. Box 338<br>Abingdon, Virginia 24212<br>(276) 623-5259                         | U.S. Army Corps of Engineers<br>Asheville Regulatory Field Office<br>151 Patton Avenue, Room 208<br>Asheville, North Carolina 28801-5006<br>(828) 271-4856 |                            |

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