

Attachment B
USACE Nationwide Permit Approval Letter



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
Eastern Regulatory Field Office
501 Adesa Blvd., Suite 250
LENOIR CITY, TENNESSEE 37771

September 4, 2008

REPLY TO

Eastern Regulatory Field Office

SUBJECT: File No. 2000-00709; Proposed Construction of a Low Flow Channel and Replacement of Minor Road Crossing at First Creek Mile 4.3, Tennessee River Mile 647.9L, Knox County, TN (Fairmont Blvd)

City of Knoxville
c/o Mr. Stephen J. King, PE
Director of Public Works
City-County Bldg, 400 Main Street, Room 480
Knoxville, TN 37902

Dear Mr. King:

This is in regard to your recent application for a Department of the Army (DA) permit for the subject work. Your project has been assigned File No. 2000-00709.

To the extent the U.S. Army Corps of Engineers has jurisdiction over discharge of dredged or fill material associated with your project, the proposed activity meets the criteria for a Nationwide Permit (NWP) # 14 Linear Transportation Projects as described under the March 12, 2007, Federal Register, Reissuance of Nationwide Permits (72 FR 11092) provided you comply with all terms and conditions of the enclosed material. This permit expires two years from the date of this letter. This nationwide permit authorization does not obviate the requirement to obtain state or local assent required by law for the activity. **Please sign and return the enclosed "Certification of Work" form upon completion of the work.**

With regard to the construction of the low flow channel, since this work does not involve deposition of dredged or fill material in waters of the United States no DA permit is required.

It should be noted that if you fail to comply with any of the conditions, this authorization may be modified, suspended, or revoked and an individual permit may be required pursuant to 33 CFR 330.5(d).

The notification that the work is approved under the Nationwide Permit mentioned above is valid until two years from date of letter unless the NWP is modified, suspended, or revoked. If the work has not been completed by that time, you should

contact this office to obtain verification that the permit is still valid.

The State of Tennessee denied without prejudice 401 certification for the nationwide permits. In order for this Nationwide Permit to be valid, you must obtain an individual water quality certification from the state. You must provide our office with a copy of the required certification or waiver of certification from the state prior to proceeding with the work. You must also comply with all conditions of the state certification.

Before you begin construction, you may also need to obtain approval from the Tennessee Valley Authority.

If changes in the location or plans of the work are necessary, revised plans should be submitted promptly to this office. No deviation should be made in the approved plans without first obtaining approval from this office.

If you have any questions, please contact me at the above address or telephone (865)986-7296.

Sincerely,

Catherine Elliott
Manager, Eastern Field Office
Operations Division

Enclosures

Copy Furnished:

TVA - Little Tennessee Team
260 Interchange Park Drive
Lenoir City, TN 37772

TDEC
Water Pollution Control
3711 Middlebrook Pike
Knoxville, TN 37921

Vaughn & Melton
c/o John Kenst, P.E.
1909 Ailor Avenue
Knoxville, TN 37921