

Attachment C
Aquatic Resource Alteration Permit



Under the Aquatic Resource Alteration
General Permit for Alteration of Wet Weather Conveyances

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
401 Church Street, 6th Floor, L&C Annex
Nashville, Tennessee 37243-1534

ARAP - NR0803.160

Under authority of the Tennessee Water Quality Control Act of 1977 (TWQCA, T.C.A. 69-3-101 *et seq.*) the Division of Water Pollution Control has determined the activity described below would not violate applicable water quality standards.

This activity is governed by the *General Permit for Alteration of Wet Weather Conveyances* (effective July 1, 2005) issued pursuant to the TWQCA. The work must be accomplished in conformance with accepted plans, specifications, data and other information submitted in support of application NR0803.160 and the terms and conditions set forth in the above referenced general permit.

PERMITTEE: City of Knoxville

AUTHORIZED WORK: alteration of wet weather conveyance

LOCATION: From N. Broadway Street at Chickamauga Avenue to 132 feet north of Emoriland Boulevard, Knoxville TN, Knox County

WATERBODY NAME: Unnamed Tributary to First Creek

EFFECTIVE DATE: 30-JUL-08

EXPIRATION DATE: 30-JUL-09

This does not preclude requirements of other federal, state or local laws. In particular, work shall not commence until the applicant has received the federal §404 permit from the U. S. Army Corps of Engineers, a §26a permit from the Tennessee Valley Authority or authorization under a Tennessee NPDES Storm Water Construction Permit where necessary. This permit may also serve as a federal §401 water quality certification (pursuant to 40 C.F.R. §121.2) since the planned activity was reviewed and the division has reasonable assurance that the activity will be conducted in a manner that will not violate applicable water quality standards (T.C.A. § 69-3-101 *et seq.* or of § § 301, 302, 303, 306 or 307 of *The Clean Water Act*).

The state of Tennessee may modify, suspend or revoke this authorization or seek modification or revocation should the state determine that the activity results in more than an insignificant violation of applicable water quality standards or violation of the TWQCA. Failure to comply with permit terms may result in penalty in accordance with T.C.A. §69-3-115.

Paul E. Davis

Paul E. Davis, P.E.
Director, Division of Water Pollution Control



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER POLLUTION CONTROL
3711 MIDDLEBROOK PIKE
KNOXVILLE, TN 37921

July 31, 2008

Mr. Stephen King
Director of Engineering
City of Knoxville
City/ County Building, 400 Main Street, Room 480
Knoxville, TN 37902

Subject: **General Permit for Alteration of Wet Weather Conveyances
Aquatic Resource Alteration Permit (ARAP) NR0803.160
First Creek
City of Knoxville
Knox County, Tennessee**

Dear Mr. King:

We have reviewed your application for the proposed alteration of wet weather conveyance. Pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et seq.) and supporting regulations the Division of Water Pollution Control is required to determine whether the activity described in the attached notice of coverage will violate applicable water quality standards.

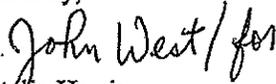
This activity is governed by the *General Permit for Alteration of Wet Weather Conveyances*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NR0803.160 and the limitations and conditions set forth in the *General Permit for Alteration of Wet Weather Conveyances* (enclosed). It is the responsibility of the permittee to ensure that all contractors involved with this project have read and understand the permit conditions before the project begins.

A site review of the proposed development was performed on July 28, 2008; present for the review were John Kenst and David Jordan. The purpose of this review was to determine the presence of waters of the State. The watercourse in question (highlighted in yellow on the attached map) on the proposed site has been determined to be a wet weather conveyance and alterations to this can be authorized under the *General Permit for the Alteration of Wet Weather Conveyances* (enclosed). This was determined to be a conveyance based upon the following: (lack of detectable surface or subsurface flow, presence of vegetation in the channel, lack of evidence of aquatic life with extended life cycles, lack of a defined channel, or lack of associated wetlands.) Please be advised that alterations to wet weather conveyances cannot cause pollution to other waters of the State. A review for potential wetlands within the project area also occurred during this site review. No wetlands were found within the project area.

Please note that changes in long-term weather patterns, as well as physical and geological changes within a watershed, can cause the determination to change. Therefore, the Division of Water Pollution Control reserves the right to change this classification if warranted.

We appreciate your attention to the Aquatic Resource Alteration Permit program. If you have any questions, please contact Mr. Larry Everett at (865) 594-5593 or by e-mail at Larry.Everett@state.tn.us.

Sincerely,

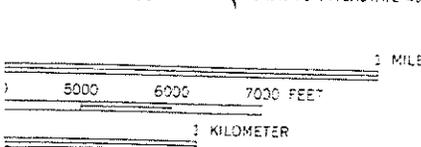
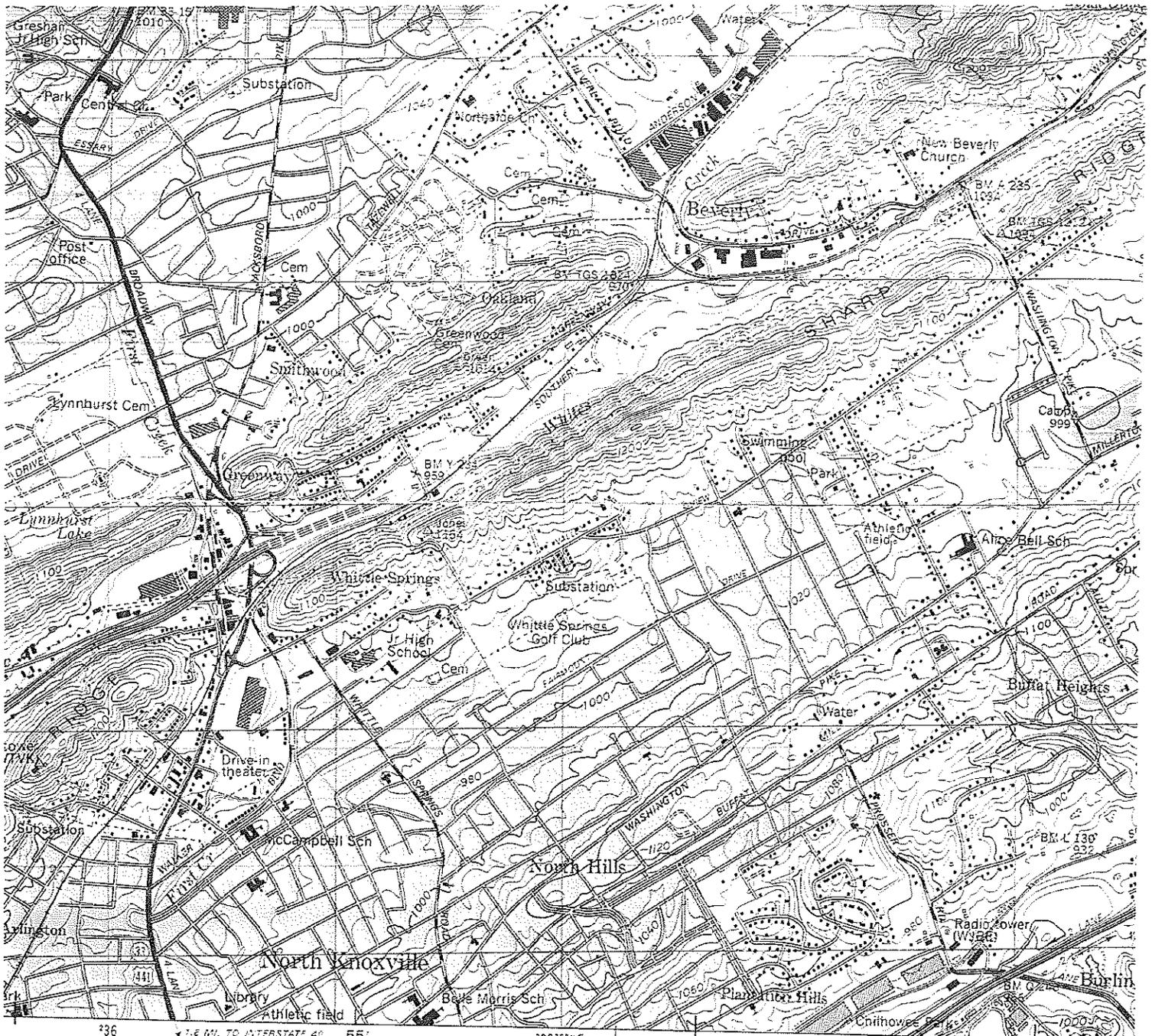
A handwritten signature in cursive script that reads "John West / for".

Natalie Harris

Knoxville Environmental Field Office Manager

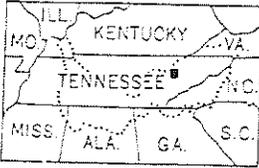
Encl: NOC and copy of general permit

CC: DWPC, Knoxville EFO Permit File



FEET
UM OF 1929

DURACY STANDARDS
STON, VIRGINIA 22092
VILLE, TENN. 37219
. 37401 OR KNOXVILLE, TENN. 37902
LS IS AVAILABLE ON REQUEST



QUADRANGLE LOCATION

INTER OF GEOLOGICAL SURVEY, RESTON, VIRGINIA—1978
3.4 MI. TO INTERSTATE 75
3.4 MI TO U.S.

ROAD CLASSIFICATION

- Heavy-duty ——— Poor motor road
 - Medium-duty ——— Wagon and jeep track
 - Light-duty ——— Foot trail
 - Interstate Route □ U. S. Route ○ S
- In developed areas, only through roads are classified

FOUNTAIN CITY, TENNE
N3600-W8352.5/7.5

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