

Appendix D

Tennessee Department of Environment and Conservation  
Water Quality Certification

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STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Water Pollution Control  
7<sup>th</sup> Floor Life and Casualty Annex  
401 Church Street  
Nashville, Tennessee 37243

May 19, 2009

Mr. Mark Hoskins  
PO Box 1729  
110 Wheeler Lane, Suite 3  
Lafollette, TN 37766

Subject: **General Permit for Construction of Launching Ramps and Public Access Structures  
§401 Water Quality Certification NRS09.086  
Pointe Marina, Norris Lake in Campbell County, Tennessee**

Dear Mr. Hoskins:

We have reviewed your application for the proposed construct 20' x 200' launching ramp associated with marina. 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 Construction of Launching Ramps and Public Access Structures*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NRS09.086 and the limitations and conditions set forth in the *General Permit for Construction of Launching Ramps and Public Access Structures* (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.

**Please note that the total width of the structure, including base fill material, shall not exceed 20 feet.** In addition, adequate erosion controls must be installed prior to construction and maintained during construction of the project. All disturbed areas must be revegetated or otherwise stabilized upon completion of construction. Please make the necessary provisions for these circumstances.

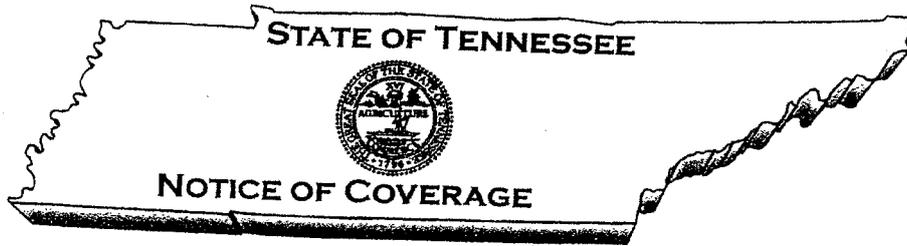
We appreciate your attention to the Aquatic Resource Alteration Permit program. If you have any questions, please contact Robert Baker at (615) 532-0710 or by e-mail at [Robert.D.Baker@tn.gov](mailto:Robert.D.Baker@tn.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel C. Eagar".

Daniel C. Eagar  
Manager, Natural Resources Section

Encl: NOC and copy of general permit  
CC: DWPC, Knoxville Environmental Field Office  
File copy  
U.S. Army Corps of Engineers



Under the Aquatic Resource Alteration

## General Permit for Construction of Launching Ramps and Public Access Structures

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

### ARAP - NRS09.086

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 Construction of Launching Ramps and Public Access Structures* (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 NRS09.086 and the terms and conditions set forth in the above referenced general permit.

**PERMITTEE:**

Pointe Marina

**AUTHORIZED WORK:**

construction of 20' x 200' launching ramp associated with proposed commercial marina

**LOCATION:**

Powell River (Norris Lake), Campbell County

**WATERBODY NAME:**

Powell River (Norris Lake)

**EFFECTIVE DATE:** 19-MAY-09

**EXPIRATION DATE:** 31-OCT-11

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). 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.

A handwritten signature in cursive that reads "Paul E. Davis".

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