Public Notice

US Army Corps of Engineers®
Nashville District

Public Notice No. **08-81** Date: **December 19, 2008**

Application No. **2008-01425** Expires: **January 19, 2009**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214
Attn: Forrest E. McDaniel

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Discharge of Fill Material into Waters of the United States Associated with the Expansion of South Harriman Baptist Church in an Unnamed Tributary of Caney Creek, Tennessee River Mile 562.3 Right Bank, Roane County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit (DA) pursuant to **Section 404 of the Clean Water Act.** The proposed stream relocation and encapsulation will also require approval from Tennessee Valley Authority (TVA) pursuant to **Section 26A of the TVA Act** and the Tennessee Department of Environment (TDEC). A permit for the described work will not be issued until a certification or waiver of certification, as required under **Section 401 of the Clean Water Act**, has been received from TDEC.

APPLICANT: Charles Kerr, Trustee
South Harriman Baptist Church
626 Ruritan Road
Harriman, TN 37748

AGENT: James Burnham, PE
Lackey & Associates, Inc.
P.O. Box 458
Oliver Springs, TN 37840

LOCATION: Project is located south of Highway 27 and just north of Caney Creek on Ruritan Road in South Harriman, Roane County (Latitude 35.9146° N., Longitude -85.5638° W.).

DESCRIPTION: The proposed work would include the relocation of 150 linear feet and the encapsulation of 300 feet of an unnamed tributary at South Harriman Baptist Church. Surrounding land use is primarily residential and some commercial. The channel flows approximately 760 feet north to south along the west boundary of the property. Immediately

upstream of the subject site the stream is encapsulated in a 36-inch pipe. The typical stream flow is 3 feet in width and 4 inches deep while the overall channel dimensions are 15 feet in width and 4 feet in depth.

MITIGATION: The applicant would provide onsite compensatory mitigation for the loss of stream due to culverting (minus the road crossings). In stream habitat and channel improvements and a riparian buffer would be established on the downstream 310 linear feet of the property. In addition, approximately 50 feet of a storm water conveyance pipe that is discharging silt into the stream would be removed and replaced with grass and native stone. Bio-retention areas would be constructed in three locations around the parking lot. Annual monitoring reports would be submitted to both the Corps of Engineers and Water Pollution Control.

Plans and a location map of the proposed work and mitigation site are included with this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Regulatory Branch Archeologist conducted a file search at the Tennessee Division of Archaeology (TN DOA). Based on the file search conducted at the TN DOA and the level of disturbance from residential and commercial development the Corps has determined that the project as proposed has no potential to affect historic properties eligible for listing in the National Register of Historic Places. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or

properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

a. TVA approval is required under Section 26a of the TVA act for the proposed work. In additional to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

b. Water Quality Certification from the State of Tennessee, Department of Environment and Conservation, is required for the proposed work in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before January 19, 2009 will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Forrest E. McDaniel, at the above address, telephone (615) 369-7511. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal.

Charles Kerr, Trustee
South Harriman Baptist Church
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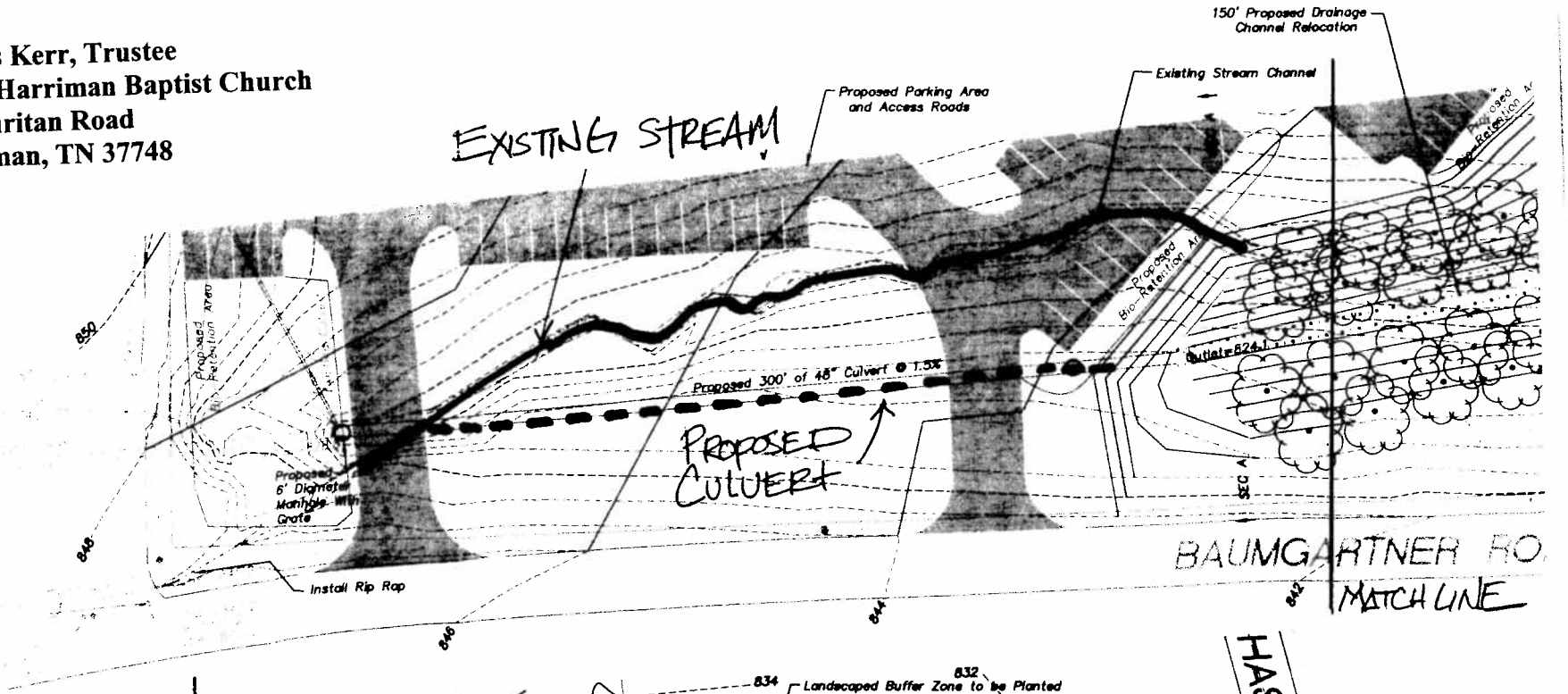
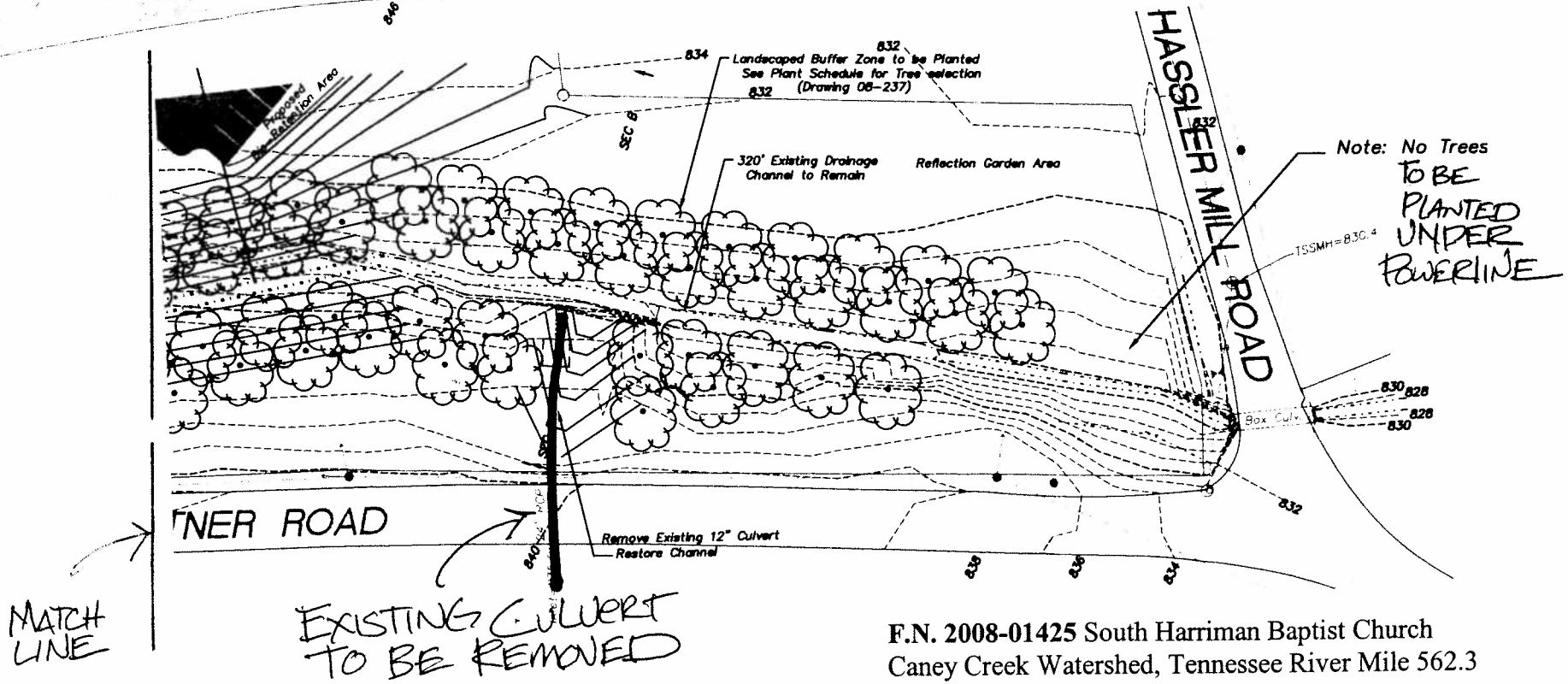
Harriman, TN 37748





F.N. 2008-01425 South Harriman Baptist Church
Caney Creek Watershed, Tennessee River Mile 562.3
Right Bank, Roane County, Tennessee
Sheet 1 of 3 Date: 8/22/2008

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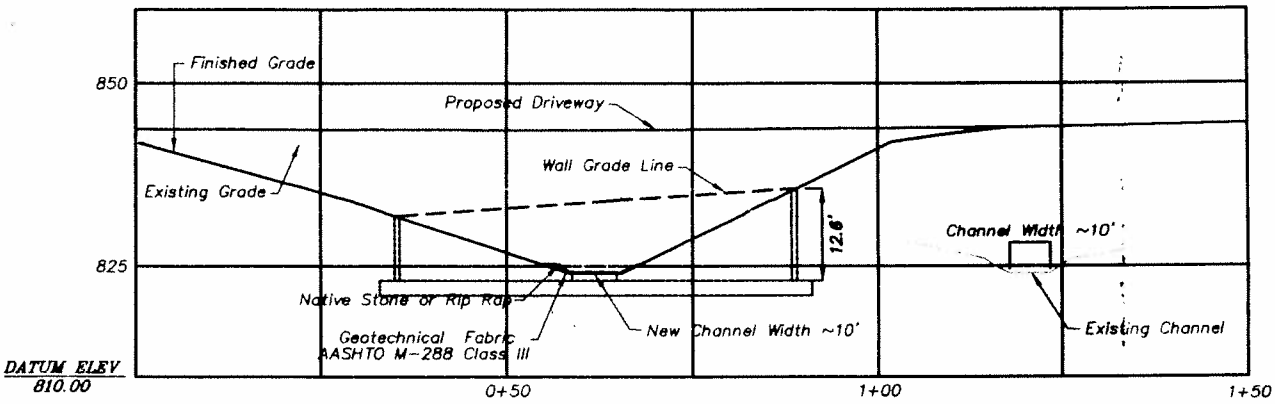
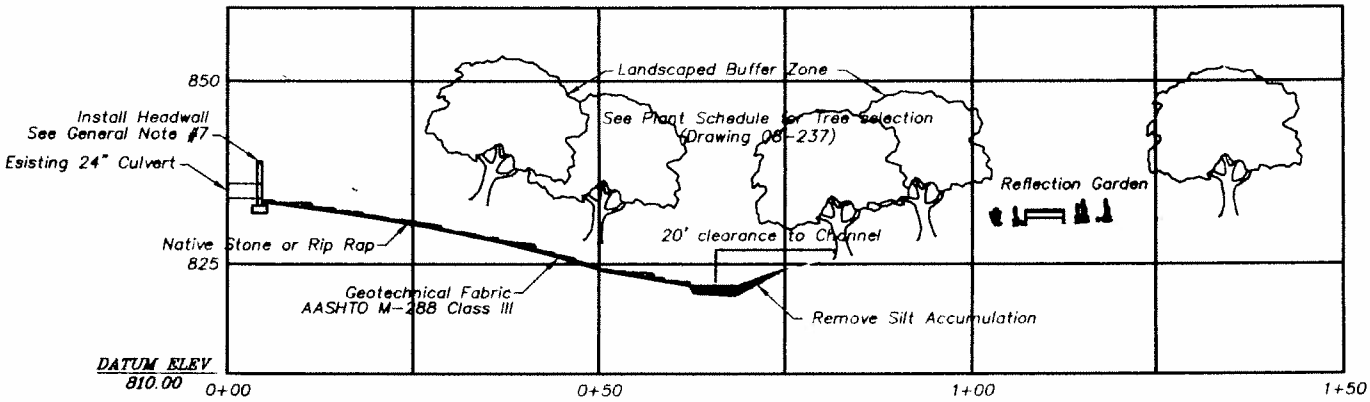


SECTION "A"

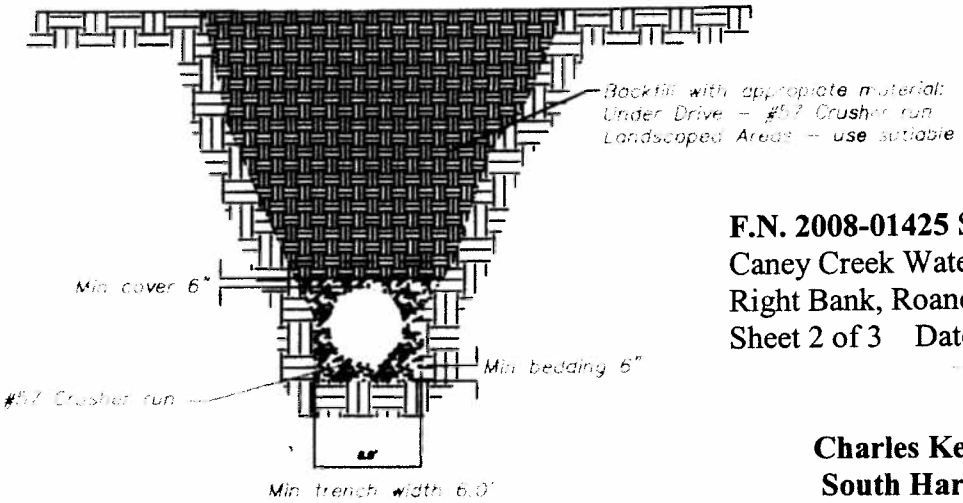
1 INCH = 20 FEET

See General Note #7



SECTION "B"

1 INCH = 20 FEET



TYPICAL CULVERT INSTALLATION

F.N. 2008-01425 South Harriman Baptist Church
Caney Creek Watershed, Tennessee River Mile 562.3
Right Bank, Roane County, Tennessee
Sheet 2 of 3 Date: 8/22/2008

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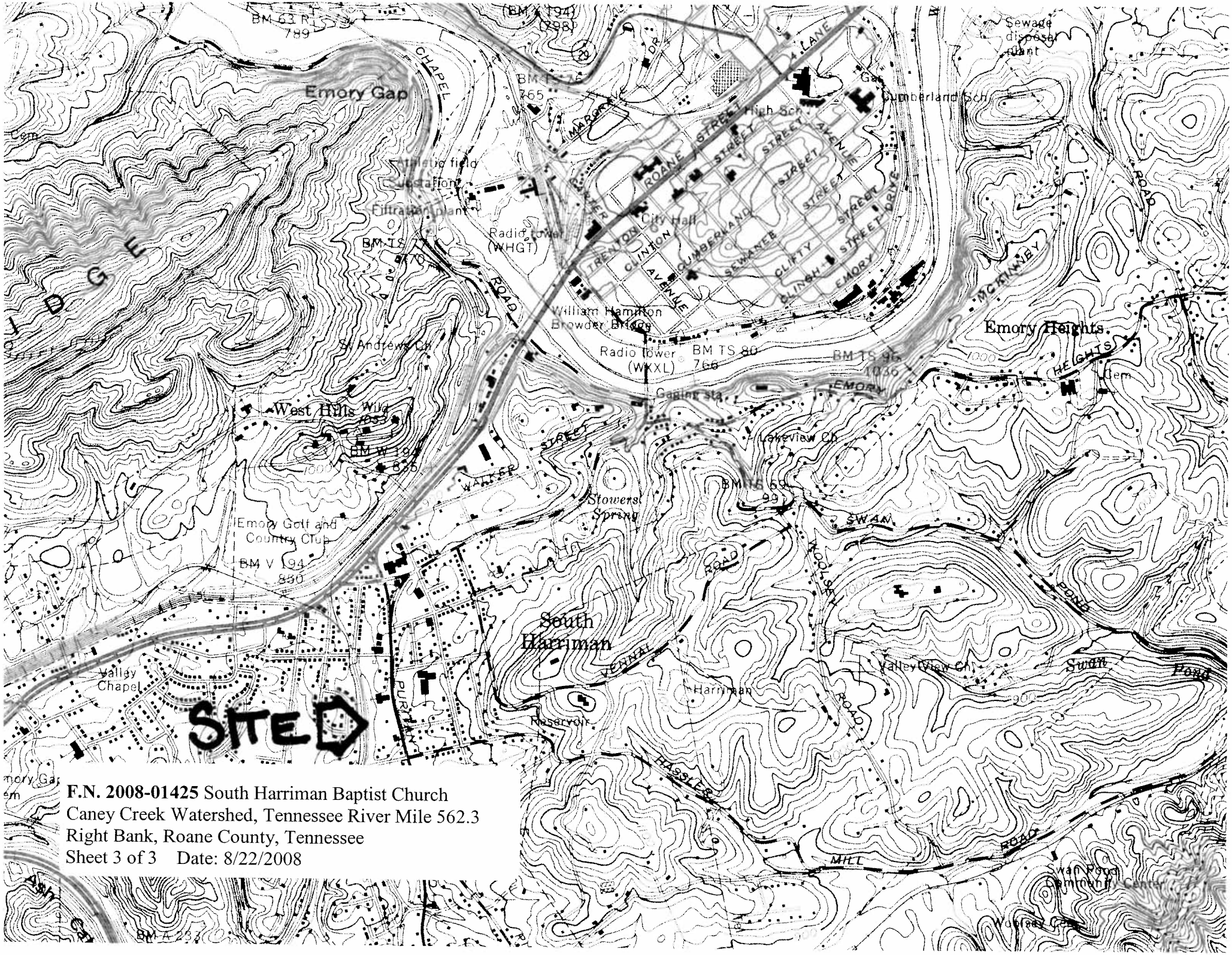

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