



Public Notice

Public Notice No. PM-P-07-01

Start Date: March 7, 2007
End Date: April 7, 2007

US Army Corps of Engineers®

Nashville District Comments To:

Nashville District Corps of Engineers Planning Branch (PM-P) P.O. Box 1070 Nashville, TN 37202-1070 ATTN: Ms. Joy Broach Phone: 615-736-7956	Tennessee Valley Authority NEPA Services 400 W. Summit Hill Drive Knoxville, TN 37902-1499 ATTN: Mr. Harold Draper Phone: 865-632-6889	Tennessee Division of Water Pollution Control Natural Resources Section 401 Church Street; 7 TH Floor L & C Annex Nashville, TN 37134-0343 ATTN: Mr. Dan Eager Phone: 615-532-0708
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JOINT PUBLIC NOTICE

US ARMY CORPS OF ENGINEERS

AND

TENNESSEE VALLEY AUTHORITY

Tennessee State Aquatic Resource Alteration Permit Application: NRS 07.056

(The final comment period for NRS 07.056 ends 30 days after publishing on the State Public Notice Website: <http://state.tn.us/environment/wpc/ppo/arap/>).

APPLICANT: US Army Corps of Engineers, Nashville District
Planning Branch (PM-P)
P.O. Box 1070
Nashville, TN 37202-1070
ATTN: Ms. Joy Broach
Phone: 615-736-7956

WATERSHED and LOCATION: The proposed project is in the Hiwassee River Watershed, Hydrologic Unit Code (HUC) 06020002, between Hiwassee River Miles (HRM) 10 (35°, 21', 13"N; 84°, 52', 00"W) and 18 (35°, 17', 52"N; 84°, 45', 45"W) in McMinn and Bradley Counties, Tennessee (USGS Calhoun and Charleston, Tennessee 7.5 Minute Series Quadrangles). This river segment supports all designated uses except between approximately HRM 13 – 18, which is currently impaired because of coliform bacteria contamination. The surrounding land use is industrial, urban, residential, agriculture, forests, and wildlife management areas.

SUBJECT: Proposed Channel Maintenance Dredging Between Hiwassee River Miles (HRM) 11.5-13.0 and HRM 16.5-17.5; and Open Water Disposal in the Back Chute of Ledford Island between HRM 11.6-12.1 (Chickamauga Lake).

TO ALL CONCERNED: In compliance with Section 404 of the Clean Water Act (CWA) PL 92-500, notice is hereby given that the Nashville District Corps of Engineers (Corps) proposes to discharge dredged and/or fill material associated with channel maintenance in the Hiwassee River in Chickamauga Lake, downstream the cities of Calhoun and Charleston, Tennessee. Before the discharge can be undertaken, certification must be obtained from the State of Tennessee pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the Corps, hereby applies for the required certification. This notice also serves as Notice of Availability of the Environmental Assessment (EA) and supporting documentation for review.

AUTHORITY and BACKGROUND: The Rivers and Harbors Act of July 3, 1930, ch. 847, 46 Stat. L. 927 (1930) authorized the permanent improvement of the Tennessee River to a navigable draft depth of nine feet at low water from the mouth to Knoxville, Tennessee. The Tennessee Valley Authority (TVA) Act of 1933 (16 U.S.C. §§

831-831ee) authorized TVA to provide a nine-foot draft channel in the Tennessee River from Knoxville to its mouth. Since passage of the TVA Act of 1933, the Corps, in cooperation with TVA, has maintained navigation channels on TVA projects by performing necessary maintenance dredging operations. This division of responsibility is outlined in a Memorandum of Agreement between the Corps and TVA dated October 26, 1962. TVA is a cooperating agency for this NEPA process.

According to the Rules of Tennessee Department of Environment and Conservation, Division of Water Pollution Control Amendments, Chapter 1200-4-4, Use Classifications for Surface Water, January, 2004, the designated uses on the Hiwassee River (HRM 0-34.4) are domestic water supply, industrial water supply, fish and aquatic life, recreation, livestock watering and wildlife, irrigation, and navigation. There are no stream postings for contact, fish tissue, or any other contaminant concerns in the proposed dredge or disposal sites between HRM 10-18.

PURPOSE and DESCRIPTION: The purpose of this maintenance dredging work is to maintain a safe and open navigation channel, and to restore an adequate navigational depth of a required 9 feet draft plus 2 feet of overdepth for safety and low winter pool fluctuations in the Hiwassee River. A 2005 bathymetric survey found that shoaling was occurring between HRM 11.5-13.0; and a new site between HRM 16.5-17.5 creating potential navigation hazards. The navigation channel is approximately 150 feet wide. The channel grade elevation in feet mean sea level (EL) between HRM 0.0-16.0 is EL663.0; and between HRM 16.0-20.4 is EL664.0 which averages 11 feet below Chickamauga's winter minimum pool of EL 675.0. The historical maintenance dredge site (HRM 11.5-13.0) has been dredged repeatedly, beginning in 1974 and again in 1980, and 1993-4. The dredged sediment was placed each time in the historic disposal site in the back chute of Ledford Island (HRM 11.6-12.1). The sediment is composed of silt, clay, very fine sand and decomposing plant material. Approximately 25,000 cubic yards of sediment between HRM 11.5-13.0; and 12,000 cubic yards of sediment between HRM 16.5-17.5 needs to be removed from the navigation channel. The sediment would be placed in open-water in the historic disposal area in the back chute of Ledford Island (HRM 11.6-12.1). A clamshell dredge would remove sediment from the proposed dredge sites and place it in a split-hulled dump scow for open-water placement. This type of equipment is used because dredged material descends rapidly through the water column to the bottom, and only a small amount of the material remains suspended, as described in Appendix C of the 1998 Inland Testing Manual (EPA 823-B-98-004).

CURRENT SITE CONDITIONS: The current conditions of the project site are described in detail in a Section 404(b)(1) Evaluation for this project. Briefly, the HRM 10-18 segment has been converted by the impoundment of the Chickamauga Reservoir from a riverine to a lake environment. Flows are regulated. The substrate in this river reach is predominantly silt, clay, and very fine sand interspersed with plant detritus.

ALTERNATIVES: Alternatives have been considered and are discussed in the EA. Two alternatives were studied in detail: No Action; and perform maintenance dredging and disposal as described in this notice. A No Action alternative would not allow the continued maintenance dredging of the Hiwassee River. Performing maintenance dredging would maintain the status quo (recommended alternative based on the EA). Other alternatives considered but deemed impractical at this time included upland disposal, changing reservoir operations to raise minimum pool level, open water disposal at a remote site, and privatization of channel maintenance work.

OTHER CONSIDERATIONS: In addition to consideration of other factors of the public interest, the review process includes application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b)(1) of the Clean Water Act (40 CFR Part 230). A copy of the 404(b)(1) evaluation is included with the EA and available for review.

Section 106 of the National Historic Preservation Act requires Federal agencies having direct or indirect jurisdiction over a proposed Federal, or federally assisted undertaking, to take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The State Historic Preservation Officer (SHPO) of Tennessee was consulted and concluded that there are no National Register of Historic Places listed or eligible properties affected by the undertaking, and has no objections to proceeding with the project.

In accordance with Section 7 of the Endangered Species Act, the U.S. Fish and Wildlife Service was consulted. Their records indicated that no threatened or endangered species were located in the project area. This project would have no effect on any listed species.

The Corps and TVA conducted a sediment survey on September 8, 2005 between HRM 10 - 18. The purpose of this sediment survey was to determine if there was a sediment contamination concern within the study area. The Corps and TVA coordinated the sediment survey with the U.S. Environmental Protection Agency (EPA), Region 4. The following constituents were measured: Percent Moisture, Total Organic Carbon, Particle Size, Metals (Total), Mercury (Total), Pesticides, Polycyclic Aromatic Hydrocarbons (PAHs), Polychlorinated Biphenyls (PCBs), Dioxins and Furans. Based on the survey results, TVA historical data, and use of threshold and probable effects concentrations (TEC and PEC) as a guide, data illustrate that the Hiwassee River sediment, in the proposed dredge and disposal sites, do not contain contaminants of concern in concentrations that would likely result in any adverse impacts to the biota. Concurrence with this finding is anticipated from EPA.

Federal, state and local approvals required for the proposed work include the following:

- a. Water quality certification from the State of Tennessee.
- b. 26A Permit from TVA.

PUBLIC PARTICIPATION: This PN serves to request 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 and the environmental issues that should be addressed in the EA. We are also requesting information about resources in the immediate project area and of plans or proposals for any other development that may also influence those resources. Any comments received during the PN comment period will be considered in the NEPA process. Comments are used to assess impacts on fish, wildlife, endangered species, water quality, historic properties, water supply, conservation, economics, aesthetics, wetlands, flood hazards, floodplain values, land use, navigation, sedimentation, recreation, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, general environmental effects, cumulative effects, and in general, the needs and welfare of the people.

An EA, unsigned Finding of No Significant Impact (FONSI), 404(b)(1) Evaluation, and a Sediment Survey Report have been prepared and are being circulated to appropriate agencies, organizations, and the public for review and comment. The EA evaluates the existing environmental conditions, alternatives, and the effects of potential impacts to the region. The EA also incorporates environmental commitments and measures to minimize or reduce environmental impacts to riparian and aquatic habitat to the extent feasible including the use of best management practices (BMPs). Responses received during this comment period will be addressed and incorporated into the EA. Electronic copies of the EA package may be obtained by writing or calling the Corps contact indicated below or at the Nashville District Website: http://www.lrn.usace.army.mil/pmgmt/Environmental/public_notices.htm.

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 should be sent to the Corps or TDEC, Water Pollution Control, Natural Resources Section. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **April 7, 2007**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the U.S. Army Corps of Engineers, Project Planning Branch, Attention: Joy Broach, PO Box 1070 (PM-P), Nashville, TN, 37202-1070, or by calling (615) 736-7956. Comments can also be directed to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Natural Resources Section, Attention: Dan Eager, 401 Church Street, 7th Floor L&C Annex, Nashville, TN 37134-0343, or by calling (615) 532-0708.

Figure 1.
Vicinity and Location Map.

Proposed Dredge and Disposal Sites on the Hiwassee River.
 Maps show the dredging survey (hatched marks within the river) and location of sediment core and grab sampling sites collected on September 9, 2005.

