



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

Knoxville Environmental Field Office
3711 Middlebrook Pike
Knoxville, TN 37921
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July 15, 2024

Mr. Michael Leibowitz
Key Growth Capital, LLC
700 State Street
New Haven, CT 06511
E copy michael@keygrowthcapital.com

Re: Wetland and Stream Evaluation Report (DWR ID No. 33324)
Proposed Planet Fitness
Buffalo Wallow Branch, tributary to Mossy Creek

Mr. Leibowitz:

The Tennessee Department of Environment and Conservation, Division of Water Resources (TDEC-DWR) has reviewed the following report “*Wetland and Stream Evaluation Report, Proposed Planet Fitness- Jefferson City*” in Jefferson County. This report was prepared by BL Companies and submitted to our office on July 1, 2024, in support of jurisdictional hydrologic determinations of water features associated with the above referenced site. These water features are located on property located at Parcel 024 008.01 East Broadway Boulevard in Jefferson City. Please note that all geographic coordinates provided in this letter have a limited precision and should be considered approximate.

Based on the information and documentation submitted report, and the Division’s rules and guidance regarding hydrologic determinations, the Division accepts the jurisdictional determination of the assessed water features as documented in the submitted report. These findings as presented in the report and accompanying information are summarized and displayed in the table below.

**Hydrologic Determination of Assessed Water Features
Proposed Planet Fitness, Jefferson County**

<u>Feature</u>	<u>Determination</u>	<u>Begin</u>	<u>End</u>
Stream 1	stream	36.1229, -83.4704	36.1222, -83.4720

Wetland A	wetland	36.1227, -83.4714	
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It is important to note that the Division's evaluation and concurrence is restricted to only the water feature identified within the submitted report. Only the water features listed above were assessed as part of this hydrologic determination, therefore this correspondence is not intended to represent a comprehensive water resource inventory of the entire site. It is the property owner's responsibility to consider and report any additional water features within the property boundaries that may be affected by any construction activities associated with future development.

Any alterations to jurisdictional streams, wetlands, or open water features may only be performed under the coverage of, and conformance to, a valid *Aquatic Resource Alteration Permit (ARAP)* issued by the Division. ARAP applications and provisions are available on-line at <https://www.tn.gov/environment/permit-permits/water-permits1/aquatic-resource-alteration-permit--arap-.html>.

Alterations to Wet Weather Conveyances typically may be performed without application or notification to the Division, provided they conform to the provisions found under *Tennessee Code Annotated § 69-3-108 (q)*.

Please note that coverage under the *General NPDES Permit for Stormwater Discharges from Construction Activities (CGP)* will be needed if the proposed land disturbance activity for this project is one acre or more in size. Information and applications regarding the Division's construction storm water program can be found [online](#). A completed Notice of Intent form, an application fee, and a storm water pollution prevention plan should be submitted to the above address for review and coverage under this permit prior to any land disturbance.

Discharges and alterations to sinkholes may require the submittal of an application and written authorization under the provisions of TDEC Rules. Information and applications regarding the Underground Injection Control program may be seen online at <https://www.tn.gov/environment/permit-permits/water-permits1/underground-injection-control-permit.html>. Physical alterations or re-routing of surface hydrology to a sinkhole may require coverage under the *Class V Injection Control Permit*.

Hydrologic determinations are advised and governed by Tennessee Department of Environment and Conservation (TDEC) rules and regulations, and therefore only apply to the State's permitting process. Because these and other various water features on-site may potentially also be considered jurisdictional Waters of the United States, any alterations to them should only be performed after consultation with the U.S. Army Corps of Engineers.

We appreciate the opportunity to assess the jurisdictional status of these water features prior to site plan finalization and initiation of construction activities. Because natural variation and human activities can alter hydrologic conditions, the Division reserves the right to reassess the status of the water features in the future.

Thank you for your interest in water quality in Tennessee. Please contact Mr. Leigh Yates at (865) 606-0678 or by email at Leigh.yates@tn.gov. if you have any questions.

Respectfully,

A handwritten signature in cursive script that reads "Michael Atchley".

Michael Atchley
Manager, Knoxville Environmental Field Office
TDEC Division of Water Resources