



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

May 30, 2014

Mr. Kevin S Rose  
Environmental Compliance Specialist  
Federal Highway Administration  
21400 Ridgetop Circle  
Sterling, VA 20166

Subject: **General Permit for Maintenance Activities  
Aquatic Resource Alteration Permit (ARAP) NR1403.050  
Newfound Gap Road Improvements, Project PRA-GRSM National Park  
Federal Highway Administration-EFLHD  
Gatlinburg, Sevier County, Tennessee**

Dear Mr. Rose:

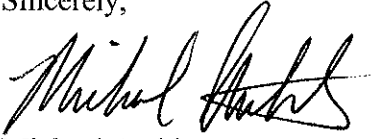
We have reviewed your application for the proposed repaving and maintenance/repair of culverts as needed on a 6.3 mile segment of Newfound Gap Road. Pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et seq.) and supporting regulations, the Division of Water Resources is 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 Maintenance Activities*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NR1403.050 and the limitations and conditions set forth in the *General Permit for Maintenance Activities* (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 dredging or excavation of sediment shall be limited to the *minimum necessary* to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot in any circumstance extend further than 100 feet in any direction of the structure.** 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 Mr. Robert Fulwood at (865) 594-5587 or by e-mail at *Robert.Fulwood@tn.gov*.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Atchley". The signature is fluid and cursive, with the first name "Michael" being larger and more prominent than the last name "Atchley".

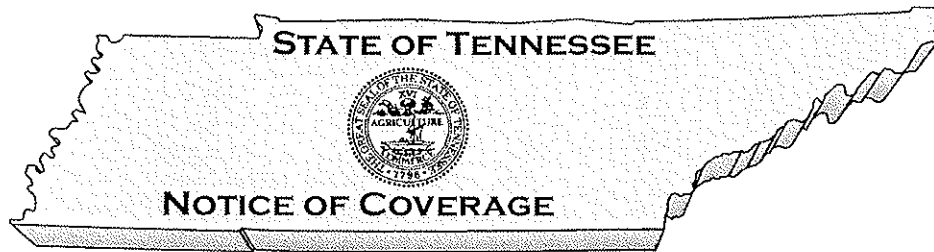
Michael Atchley  
Environmental Program Manager

Encl: NOC and copy of general permit

CC: File: ARAP, Sevier County NR1403.050

Mr. Jay Horner, City of Gatlinburg Stormwater Program (e-copy)

RHF, LEE, GEK, SW



Under the Aquatic Resource Alteration  
**General Permit for Maintenance Activities**

Tennessee Department of Environment and Conservation  
Division of Water Resources  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville TN 37243

**ARAP - NR1403.050**

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

This activity is governed by the *General Permit for Maintenance Activities* (effective July 1, 2010) 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 NR1403.050 and the terms and conditions set forth in the above referenced general permit.

**PERMITTEE:** Federal Highway Administration-EFLHD

**AUTHORIZED WORK:** Replace pavement and culverts as needed on 6.3 mile segment of Newfound Gap Road

**LOCATION:** Newfound Gap Road from MP 6.3 to MP 12.4, Great Smoky Mountains National Park, Sevier County

**WATERBODY NAME:** West Prong, Little Pigeon River; Two Mile Branch; Sugarland Branch; Critter Branch; Hickory King Branch; Steep Branch

**EFFECTIVE DATE:** 30-MAY-14 **EXPIRATION DATE:** 29-MAY-15

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.