



JHD _____
WC-csd _____

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
ENVIRONMENTAL FIELD OFFICE
1301 Riverfront Parkway, Suite 206
Chattanooga, TN 37402
(423)634-5745 STATEWIDE 1-888-891-8332 (423)634-6389

Receipt: EAC-CH-5111 **Date of Receipt:** 31-Aug-2021 6:47 am **Created By:** Karen May (BG55008)
County: Hamilton **EFO/Office:** Chattanooga Field Office

Received From: BDY Environmental, LLC

Company/Affiliation:

Recipient Address: 2607 Westwood Drive
NASHVILLE, TN- 37204

Amount Received: \$500.00 **Method of Payment:** CHECK **Check Number:** 1213

Comments: ARAP-Black Creek Sewer and Irrigation Line Crossing

NR2101.100

Division	Description	TDEC Code	Quantity	Unit Price	Line Total
WPC	WPC-ARAP-\$500 Permit Application	43.340.F02	1	\$500.00	\$500.00

Receipt Total: **\$500.00**



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 Division of Water Resources
 William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor,
 Nashville, Tennessee, 37243
 1-888-891-8332 (TDEC)

Application for Aquatic Resource Alteration Permit (ARAP) & State §401 Water Quality Certification

OFFICIAL STATE USE ONLY	Site #:	Permit #:
--------------------------------	---------	-----------

Section 1. Applicant Information (individual responsible for site, signs certification below)

Applicant Name (company or individual): MBSC Black Creek, LLC		SOS #: 000656867		Status: Active
Primary Contact/Signatory: Andy Stone		Signatory's Title or Position: Partner		
Mailing Address: 4700 Cummings Road		City: Chattanooga	State: TN	Zip: 37419
Phone: 888-821-5551	Fax: 423-821-2582	E-mail: astone@blackcreekliving.com		

Section 2. Alternate Contact/Consultant Information (a consultant is not required)

Alternate Contact Name: Sam Parish				
Company: BDY Environmental, LLC		Title or Position: Senior Scientist		
Mailing Address: 2607 Westwood Drive		City: Nashville	State: TN	Zip: 37204
Phone: 615-460-9797	Fax: 615-460-9796	E-mail: sparish@bdy-inc.com		

Section 3. Fee (Application will be incomplete until fee is received)

No Fee Fee Submitted with Application Amount Submitted: \$ 500

Current application fee schedules can be found at the Division of Water Resources webpage at:
<https://www.tn.gov/environment/permit-permits/water-permits1/aquatic-resource-alteration-permit--arap-.html>
 or by calling (615) 532-0625. Please make checks payable to "Treasurer, State of Tennessee".

Billing Contact Name (if different from Applicant): Name: Email:
 Address: Phone:

Section 4. Project Details (fill in information and check appropriate boxes)

Site or Project Name: Black Creek Sewer and Irrigation Line Crossing		Nearest City, Town or Major Landmark: Chattanooga, TN		
Street Address or Location (include Zip): Black Creek Drive, Chattanooga, TN 37203				
County(ies): Hamilton	MS4 Jurisdiction: Chattanooga	Latitude (dd.ddd): 35.017009		Longitude (dd.ddd): -85.400264

Resource Proposed for Alteration: Stream / River Wetland Reservoir

Name of Water Resource (for more information, access <http://tdeconline.tn.gov/dwr>): Black Creek

Brief Project Description (a more detailed description is required under Section 8):
Installation of sanitary sewer and irrigation water lines across Black Creek

Does the proposed activity require approval from the U.S. Army Corps of Engineers, the Tennessee Valley Authority, or any other federal, state, or local government agency? Yes No

If Yes, provide the permit reference numbers:

Is the proposed activity associated with a larger common plan of development: Yes No

If Yes, submit site plans and identify the location and overall scope of the common plan of development.

Plans attached? Yes No

If applicable, indicate any other federal, state, or local permits that are associated with the overall project site (common plan of development) that have been obtained in the past (e.g., construction general permit and/or other ARAP):

TDEC ARAP Permit Number NR1001.079 was previously obtained for this sewer crossing in 2010 but the line was never installed.

RECEIVED

Application for Aquatic Resource Alteration Permit (ARAP) & State §401 Water Quality Permit

Section 5. Project Schedule (fill in information and check appropriate boxes)	
Proposed Start Date: Fall/Winter 2021	Estimated End Date: 2022
Is any portion of the activity complete now? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, describe the extent of the completed portion:	

The required information in Sections 6-11 must be submitted on a separate sheet(s) and submitted in the same numbered format as presented below. If any question is not applicable, state the reason why it is not applicable.

Section 6. Description		Attached	
		Yes	No
6.1	A narrative description of the scope of the project	<input type="checkbox"/>	<input type="checkbox"/>
6.2	USGS topographic map indicating the exact location of the project (can be a photographic copy)	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Photographs of the resource(s) proposed for alteration with location description (photo locations should be noted on map)	<input type="checkbox"/>	<input type="checkbox"/>
6.4	A narrative description of the existing stream and/or wetland characteristics including, but not limited to, dimensions (e.g., depth, length, average width), substrate and riparian vegetation	<input type="checkbox"/>	<input type="checkbox"/>
6.5	A narrative description of the proposed stream and/or wetland characteristics including, but not limited to, dimensions (e.g., depth, length, average width), substrate and riparian vegetation	<input type="checkbox"/>	<input type="checkbox"/>
6.6	In the case of wetlands, include a wetland delineation with delineation forms and site map denoting location of data points	<input type="checkbox"/>	<input type="checkbox"/>
6.7	A copy of all hydrologic or jurisdictional determination documents issued for water resources on the project site	<input type="checkbox"/>	<input type="checkbox"/>

Section 7. Project Rationale	Attached	
	Yes	No
Describe the need for the proposed activity, including, but not limited to, the purpose, alternatives considered, and what will be done to avoid or minimize impacts to water resources	<input type="checkbox"/>	<input type="checkbox"/>

Section 8. Technical Information		Attached	
		Yes	No
8.1	Detailed plans, specifications, blueprints, or legible sketches of present site conditions and the proposed activity. Plans must be 8.5 x 11 inches. Additional larger plans may also be submitted to aid in application review. The detailed plans should be superimposed on existing and new conditions (e.g., stream cross sections where road crossings are proposed)	<input type="checkbox"/>	<input type="checkbox"/>
8.2	For both the proposed activity and compensatory mitigation, provide a discussion regarding the sequencing of events and construction methods	<input type="checkbox"/>	<input type="checkbox"/>
8.3	Depiction and narrative on the location and type of erosion prevention and sediment control (EPSC) measures for the proposed alterations	<input type="checkbox"/>	<input type="checkbox"/>

Section 9. Water Resources Degradation (degree of proposed impact) Note that in most cases, activities that exceed the scope of the General Permit limitations are considered greater than de minimis degradation to water quality.

Please provide your basis for concluding the proposed activity will cause one of the following levels of water quality

degradation:

- a. De minimis degradation
- b. Greater than de minimis degradation (if greater than de minimis complete Sections 10-11)

For information and guidance on the definition of de minimis and degradation, refer to the Antidegradation Statement in Chapter 0400-40-03-.06 of the Tennessee Water Quality Criteria Rule at: <http://publications.tnsofiles.com/rules/0400/0400-40/0400-40.htm>

For information on specifics on what General Permits can cover, refer to the Natural Resources Unit webpage at:

<http://www.tn.gov/environment/permit-permits/water-permits/aquatic-resource-alteration-permit-arap/permit-water-aquatic-resource-alteration-list-of-general-permits.html>

Application for Aquatic Resource Alteration Permit (ARAP) & State §401 Water Quality Permit

Section 10. Detailed Alternatives Analysis		Attached	
		Yes	No
10.1	Analyze all reasonable alternatives and describe the level of degradation caused by each of the feasible alternatives	<input type="checkbox"/>	<input type="checkbox"/>
10.2	Discuss the social and economic consequences of each alternative	<input type="checkbox"/>	<input type="checkbox"/>
10.3	Demonstrate that the degradation associated with the preferred alternative will not violate water quality criteria for uses designated in the receiving waters, and is necessary to accommodate important economic and social development in the area	<input type="checkbox"/>	<input type="checkbox"/>

Section 11. Compensatory Mitigation		Attached	
		Yes	No
11.1	A detailed discussion of the proposed compensatory mitigation	<input type="checkbox"/>	<input type="checkbox"/>
11.2	Describe how the compensatory mitigation would result in no net loss of resource value	<input type="checkbox"/>	<input type="checkbox"/>
11.3	Provide a detailed monitoring plan for the compensatory mitigation site	<input type="checkbox"/>	<input type="checkbox"/>
11.4	Describe the long-term protection measures for the compensatory mitigation site (e.g., deed restrictions, conservation easement)	<input type="checkbox"/>	<input type="checkbox"/>

Certification and Signature			
<p>An application submitted by a corporation must be signed by a principal executive officer; from a partnership or proprietorship, by the partner or proprietor respectively; from a municipal, state, federal or other public agency or facility, the application must be signed by either a principal executive officer, ranking elected official, or other duly authorized employee.</p> <p><i>I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.</i></p>			
Andrew M. Stone <hr style="border: 0; border-top: 1px solid black;"/> Printed Name	Managing partner <hr style="border: 0; border-top: 1px solid black;"/> Official Title	 <hr style="border: 0; border-top: 1px solid black;"/> Signature	8/24/21 <hr style="border: 0; border-top: 1px solid black;"/> Date

Submitting the form and obtaining more information. Note that this form must be signed by the principal executive officer, partner or proprietor, or a ranking elected official in the case of a municipality; for details see **Certification and Signature** statement above. For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC). Submit the completed ARAP Application form (keep a copy for your records) to the appropriate EFO for the county(ies) where the ARAP activity is located, addressed to **Attention: ARAP Processing**. You may also electronically submit the complete application and all associated attachments to water.permits@tn.gov.

EFO	Street Address	Zip Code	EFO	Street Address	Zip Code
Memphis	8383 Wolf Lake Drive, Bartlett	38133-4119	Cookeville	1221 South Willow Ave.	38506
Jackson	1625 Hollywood Drive	38305-4316	Chattanooga	1301 Riverfront Pkwy., Ste. 206	37402
Nashville	711 R S Gass Boulevard	37243	Knoxville	3711 Middlebrook Pike	37921
Columbia	1421 Hampshire Pike	38401	Johnson City	2305 Silverdale Road	37601

