



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
CHATTANOOGA ENVIRONMENTAL FIELD OFFICE  
DIVISION OF WATER POLLUTION CONTROL  
540 MCCALLIE AVENUE, SUITE 550  
CHATTANOOGA, TN 37402

July 29, 2008

Mr. Rex Allen  
4413 Jersey Pike Partners  
1208 Pointe Centre Drive, Suite 260  
Chattanooga, TN 37421

Subject: **General Permit for Construction and Removal of Minor Road Crossings**  
**Aquatic Resource Alteration Permit (ARAP) NR0801.072**  
**Bonny Oaks & Jersey Pike Mass Grading**  
**Chattanooga, Hamilton County, Tennessee**

NOC  
WL-lyj

Dear Mr. Allen:

We have reviewed your application for the proposed Minor Road Crossing. 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 Pollution Control 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 Construction and Removal of Minor Road Crossings*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NR0801.072 and the limitations and conditions set forth in the *General Permit for Construction and Removal of Minor Road Crossings* (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 excavation and fill activities associated with the road crossing must be separated from flowing waters.** This may be accomplished through the utilization of cofferdams (non-erodible materials), berms or temporary channels. Channel widening is expressly prohibited under the terms of the general permit. 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. James Finley at (423) 634-5701 or by e-mail at [Jim.Finley@state.tn.us](mailto:Jim.Finley@state.tn.us).

Sincerely,

Richard D. Urban, Ph.D  
DWPC Manager  
Chattanooga Environmental Field Office

Encl: NOC and copy of general permit  
CC: DWPC, Chattanooga EFO Permit File  
Mr. Wayne McCoy, , Miller-McCoy, Inc., 915 Creekside Road, Chattanooga, TN 37406

RC  
JBF  
JHI 8/5  
SWM 7/29  
PCB ✓  
MRG ✓  
File: Bonny Oak &  
Jersey Pk Grading  
2008  
(Hamilton)



Under the Aquatic Resource Alteration

## General Permit for Construction and Removal of Minor Road Crossings

Tennessee Department of Environment and Conservation

Division of Water Pollution Control

401 Church Street, 6th Floor, L&C Annex

Nashville, Tennessee 37243-1534

### ARAP - NR0801.072

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

This activity is governed by the *General Permit for Construction and Removal of Minor Road Crossings* (effective July 1, 2005) 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 NR0801.072 and the terms and conditions set forth in the above referenced general permit.

**PERMITTEE:** 4413 Jersey Pike Partners

**AUTHORIZED WORK:** Minor Road Crossing

**LOCATION:** 4413 Jersey Pike, Cattanooga, TN, Hamilton County

**WATERBODY NAME:** Unnamed Tributary to Friar Branch

**EFFECTIVE DATE:** 29-JUL-08

**EXPIRATION DATE:** 30-JUN-10

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.

A handwritten signature in cursive script that reads "Paul E. Davis".

Paul E. Davis, P.E.  
Director, Division of Water Pollution Control