



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

June 2, 2015

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) NR1503.049  
Newfound Gap Road Improvements, Project PRA-GRSM National Park  
Federal Highway Administration - Eastern Federal Lands Highway Division  
Gatlinburg, Sevier County, Tennessee**

Dear Mr. Rose:

We have reviewed your application for the proposed rehabilitation of a 6.3 mile segment of New Found Gap Road in the Great Smoky Mountains National Park. 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 permit may also serve as a federal §401 water quality certification (pursuant to 40 C.F.R. §121.2).

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 NR1503.049 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. Excavation cannot in any circumstance exceed a cumulative maximum of 100 linear 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.

## Annual Maintenance and Coverage Termination

Permittees will be assessed an annual maintenance fee of \$350 for coverages that exceed one year. Please note that this maintenance fee does not grant the right to extend coverage past the expiration date of the General Permit itself.

Permittees may terminate coverage prior to the expiration date by submitting a completed notice of termination form (NOT), which is available on the division's webpage at <http://www.tn.gov/environment/permits/arap.shtml>. A complete NOT should include photodocumentation of the finished project area. The division will notify the permittee that either the NOT was received and accepted, or that the permit coverage is not eligible for termination (due to existing deficiencies) and has not been terminated.

We appreciate your attention to the terms and conditions of this general permit for aquatic resource alteration. If you have any questions, please contact Mr. Robert Fulwood at (865) 594-5587 or by e-mail at *Robert.Fulwood@tn.gov*.

Sincerely,



Michael Atchley  
Environmental Program Manager

Encl: NOC and copy of general permit

CC: File: Sevier County ARAP

Ms. Lisa Landers, Federal Highway Administration (e-copy)

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

SW, RHF



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 - NR1503.049**

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 April 7, 2015) 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 NR1503.049 and the terms and conditions set forth in the above referenced general permit.

**PERMITTEE:** Federal Highway Administration - Eastern Federal Lands Highway Division

**AUTHORIZED WORK:** Rehabilitation of a 6.3 mile segment of New Found Gap Road in the Great Smoky Mountains National Park

**LOCATION:** Newfound Gap Road from MP0.0 to MP 6.3 Great Smoky Mountains National Park, Sevier County  
Latitude: 35.631      Longitude: -83.459

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

**EFFECTIVE DATE:** 02-JUN-15      **EXPIRATION DATE:** 06-APR-20

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 33 U.S.C. §1341) 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 should the state determine that the activity results in more than an insignificant degradation of applicable water quality standards or violation of the TWQCA. Failure to comply with permit terms may result in penalties in accordance with T.C.A. §69-3-115.