



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
CHATTANOOGA ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER RESOURCES
1301 RIVERFRONT PARKWAY, SUITE 206
CHATTANOOGA, TN 37402

October 16, 2015

Mr. John Thornton
Thunder Enterprises
210 Battle Creek Road
Kimball, TN 37380

Subject: **General Permit for Construction of Intake and Outfall Structures
Aquatic Resource Alteration Permit (ARAP) NR1501.011
Jasper Highlands
Thunder Enterprises
Kimball, Marion County, Tennessee**

Dear Mr. Thornton:

We have reviewed your application for the proposed construction of two outfalls. 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 Construction of Intake and Outfall Structures*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NR1501.011 and the limitations and conditions set forth in the *General Permit for Construction of Intake and Outfall Structures* (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 authorization under the general permit is only for the construction of the structures and does not authorize water withdrawal or release. These structures may not cause bank erosion due to increased velocity or improper alignment. 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. Jason Dees at (423) 634-5704 or by e-mail at *Jason.Dees@tn.gov*.

Sincerely,



Jennifer Innes

Environmental Program Manager

Encl: NOC and copy of general permit

CC: Chattanooga EFO Permit File
Mr. Mike Hodges, AD Engineering Services



Under the Aquatic Resource Alteration
General Permit for Construction of Intake and Outfall Structures

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 - NR1501.011

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 Construction of Intake and Outfall Structures* 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 NR1501.011 and the terms and conditions set forth in the above referenced general permit.

PERMITTEE: Thunder Enterprises
AUTHORIZED WORK: Construction of two outfalls
LOCATION: Kimball, Marion County
Latitude: 35.07102 Longitude: -85.69109
WATERBODY NAME: West Fork

EFFECTIVE DATE: 16-OCT-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.