



## §401 WATER QUALITY CERTIFICATION

### Aquatic Resource Alteration Permit NRS22.270

Pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et seq.) and supporting regulations, a permit is required to alter the properties of waters of the state. Also, pursuant to §401 of the *Clean Water Act* (33 U.S.C. 1341), an applicant for a Federal license or permit which may result in a discharge into the waters of the U.S., shall provide the federal licensing or permitting agency a certification from the State in which the discharge will originate. Accordingly, the Division of Water Resources requires reasonable assurance that the activity will not violate provisions of the *Tennessee Water Quality Control Act of 1977* (T.C.A. §69-3-101 et seq.) or provisions of §§301, 302, 303, 306 or 307 of the *Clean Water Act*.

Subject to conformance with accepted plans, specifications, and other information submitted in support of the application, the state of Tennessee hereby authorizes pursuant to 33 U.S.C. 1341 certifies and T.C.A. §69-3-101 et seq., the activity described below:

**PERMITTEE:** Atmos Energy Corporation  
3275 Highland Point Drive  
Owensboro, KY 42303

**AUTHORIZED WORK:** Atmos Energy Corporation is authorized to cause temporary impacts to water resources while crossing 14 streams utilizing horizontal directional drilling, four wetlands utilizing horizontal directional drilling and three wetlands utilizing open trenching to replace the existing four inch steel pipeline with the installation of approximately 36,100 feet of eight inch steel and 6,500 feet of 6 inch high density polyethylene gas pipeline in Weakley and Obion Counties.

**LOCATION:** North Fork Obion River, Obion and Weakley Counties  
Latitude 36.400185 Longitude -88.994407

**EFFECTIVE DATE:** March 29, 2023

**EXPIRATION DATE:** March 28, 2028

A handwritten signature in black ink that reads "Jennifer Dodd".

Jennifer Dodd Director  
Division of Water Resources

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## PART I

### Authorized Alterations

Crossing Number*	Surface Water Name/ID	County	12 Digit HUC Code	Latitude & Longitude of Impact	Stream Flow Regime	Wetland Type	Type of Crossing	Temporary, Permanent or No Impact (T/P/N)	Stream (ft.) or Wetland Impact (ac.) <sup>1</sup>	Photograph Number/ID
W1	Wetland 7	Obion	80102020202	36.412786, -89.033232	N/A	PEM	HDD	N	N/A	2
S1	Perennial Stream 3	Obion	80102020202	36.412763, -89.030048	Perennial	N/A	HDD	N	N/A	5
S2	Intermittent 3	Obion	80102020202	36.412454, -89.027332	Intermittent	N/A	HDD	N	N/A	8
S3	Intermittent 6	Obion	80102020202	36.400370, -89.014322	Intermittent	N/A	HDD	N	N/A	18
S4	Intermittent 6	Obion	80102020202	36.400370, -89.014322	Intermittent	N/A	HDD	N	N/A	18
W2	Wetland 1	Obion	80102020202	36.400221, -89.012075	N/A	PFO	HDD	N	N/A	24
S5	Intermittent 2	Obion	80102020202	36.403514, -89.008595	Intermittent	N/A	HDD	N	N/A	28
C1	Intermittent 2	Obion	80102020202	36.403514, -89.008595	Intermittent	N/A	construction access	T	20 feet	28
W3	Wetland 2	Obion	80102020202	36.405487, -89.004926	N/A	PEM	trenching	T	0.084 acre	29
W4	Wetland 3	Obion	80102020208	36.403448, -89.003468	N/A	PEM	trenching	T	0.092 acre	30
W5	Wetland 4	Obion	80102020208	36.402763, -89.000341	N/A	PEM	HDD	N	N/A	31
S6	Intermittent 4	Obion	80102020208	36.403197, -89.999922	Intermittent	N/A	HDD	N	N/A	36
W6	Wetland 8	Obion	80102020208	36.401035, -89.995706	N/A	PEM	trenching	T	1.139 acre	38
W7	Wetland 8	Obion	80102020208	36.401035, -89.995706	N/A	PEM	HDD	N	N/A	38
S7	North Fork Obion River (Perennial 2)	Obion	80102020208	36.400185, -89.994407	Perennial	N/A	HDD	N	N/A	39 & 40
S8	Intermittent 11	Obion	80102020208	36.398658, -88.992947	Intermittent	N/A	HDD	T	N/A	34
S9	Intermittent 8	Obion	80102020208	36.398413, -88.993099	Intermittent	N/A	HDD	N	N/A	59
S10	Intermittent 7	Obion	80102020208	36.397023, -88.994104	Intermittent	N/A	HDD	N	N/A	60
C2	Intermittent 7	Obion	80102020208	36.397023, -88.994104	Intermittent	N/A	construction access	T	20 feet	60
S11	Wet Weather Conveyance 4	Obion	80102020208	36.387878, -88.967612	Ephemeral	N/A	trenching	T	47 feet	42
C3	Wet Weather Conveyance 4	Obion	80102020208	36.387878, -88.967612	Ephemeral	N/A	construction access	T	20 feet	42
S12	Intermittent 1	Obion	80102020208	36.384519, -88.959492	Intermittent	N/A	HDD	N	N/A	45
S13	Intermittent 10	Weakley	80102020207	36.379320, -88.946942	Intermittent	N/A	HDD	T	57 feet	48 & 49
S14	Intermittent 9	Weakley	80102020207	36.376145, -88.938276	Intermittent	N/A	HDD	T	57 feet	53
S15	Perennial Stream 1	Weakley	80102020207	36.374522, -88.935338	Perennial	N/A	HDD	N	N/A	55

\*S = pipeline stream crossing, W = pipeline wetland crossing, C = temporary construction access crossing

### Special Conditions

- The work shall be accomplished in conformance with the accepted plans, specifications, data and other information submitted in support of application NRS22.270 and the limitations, requirements and conditions set forth herein.
- Permittee is responsible for obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Construction Activities for construction sites involving clearing, grading or excavation that result in an area of disturbance of one or more acres, and activities that result in the disturbance of less than one acre if it is part of a larger common plan of development or sale.
- Sediment shall be prevented from entering waters of the state. Erosion and sediment controls measures shall be designed according to the size and slope of disturbed or drainage areas to detain runoff and trap sediment and shall be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. Information on erosion and sediment control measures can be found in the department's Erosion and Sediment Control Handbook ([https://www.tnipc.org/wp-content/uploads/2017/10/landscaping\\_2016\\_forweb.pdf](https://www.tnipc.org/wp-content/uploads/2017/10/landscaping_2016_forweb.pdf)).
- All in-stream and/or wetland work shall occur during the low-flow/dry season.
- Permittee is responsible for any permanent reduction or loss of in-stream flow or wetland hydrology resulting from authorized activities.
- Wetland crossings will be installed using both hydrologic directional drill and open trenching.
- Stream crossings will be completed by using hydrologic directional drill.
- Utility line crossings shall be located such as to avoid permanent alteration or damage to the integrity of the stream channel. Large trees, steep banks, rock outcroppings etc., should be avoided.
- The crossing shall be designed to prevent the impoundment of normal or base flows. Base flow is the usual or normal flow of the stream that is supplied primarily by groundwater from springs and seeps, but not affected by rapid runoff during and after rainfall.
- This does not authorize the removal of riparian trees or shrubs along stream banks. Authorization may need to be obtained through the local jurisdiction before riparian zones are modified in any way.
- No blasting will be permitted in the excavation of the trenches that parallel the streams, run through the wetland, and cross the streams at any location.

12. The alignment of new utility line crossings shall intersect the stream channel as close to 90 degrees or as perpendicular as possible. Alignment shall be no less than 45 degrees angle from the centerline of the stream.
13. Backfill activities shall be accomplished in a manner that stabilizes the wetlands to prevent erosion. All contours shall be returned to pre-project conditions and the completed activities may not disrupt wetland hydrology.
14. The excavation and fill activities associated with the utility line crossing of non-navigable streams shall be kept to a minimum and shall be separated from flowing waters. The crossing shall be constructed in the dry to the maximum extent practicable, by diverting flow utilizing cofferdams, berms, temporary channels or pipes. Temporary diversion channels shall be protected by non-erodible material and lined to the expected high water level.
15. Excavated materials, removed vegetation, construction debris, and other wastes shall be removed to an upland location and properly stabilized or disposed of in such a manner as to prevent reentry into the waterway.
16. The wetland crossings shall be constructed according to standard protocol which consists of the segregation of the top and subsoil, placement of compacted clay plugs or collars within the trench and at each entry or exit of a stream or wetland crossing, replacement of soil in the manner in which it was removed, and reestablishment of pre-existing contours. Trench plugs or check dams shall extend a minimum of 24 inches below the utility line. Annual rye shall be planted as groundcover until native species become established. Following construction, the right of way through the wetlands will not be mowed or maintained.
17. Inspection of the temporarily-impacted wetland areas must be conducted within two years after post-construction restoration. If these areas do not delineate as wetlands using the appropriate Corps of Engineers Regional Supplement, the applicant will be required to supply appropriate resource compensation, either through remedial corrective action or purchase of off-setting credits from the nearest wetland bank. Results of the inspection, and any proposed corrective action shall be submitted to the Division by April 30<sup>th</sup> of the given year.
18. The Permittee is responsible for any loss of instream flow or wetland hydrology.
19. Clay trench plugs will be placed throughout the trench, spaced roughly 200 linear feet apart at a maximum in all trenches that parallel the streams. Clay plugs will be hard packed in 6" lifts to approximately 6" below normal surface elevation. Finally, the trench will be backfilled with typical topsoil and seeded.
20. Temporary or permanent soil stabilization shall be accomplished within 15 days after final grading or other earth work. Permanent stabilization with perennial vegetation or other permanently stable, non-eroding surface shall replace any temporary measures as soon as practicable. Vegetative species must be on approved native species planting list, (*Landscaping with Natives*; [http://www.tneppc.org/pages/landscaping#native\\_plants](http://www.tneppc.org/pages/landscaping#native_plants)).
21. All permanent plantings are to be of *NATIVE* species. Note that native grasses take longer to germinate and mature than invasive exotics such as fescue. Temporary cover of annual winter wheat or rye shall also be sown to quickly establish and maintain cover until native grasses can establish themselves.
22. Streambeds shall not be used as transportation routes for construction equipment. Temporary stream crossings shall be limited to one point in the construction area and EPSC measures shall be utilized where stream banks are disturbed.
23. Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater, should a spill occur.

## General Conditions

1. It is the responsibility of the permittee to convey all terms and conditions of this permit to all contractors. A copy of this permit, approved plans and any other documentation pertinent to the activities authorized by this permit shall be maintained on site at all times during periods of construction activity.
2. All activities must be accomplished in conformance with the approved plans, specifications, data, and other information submitted in support of the ARAP application (form CN-1091) (except where no application is required as specified below) and the limitations, requirements, and conditions set forth herein. Failure to comply with the terms and conditions of this permit is a violation of the Act.
3. Work shall not commence until the permittee has received a 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. The permittee is responsible for obtaining these permits.
4. The permittee is responsible for obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) *General Permit for Storm Water Discharges from Construction Activities* where clearing, grading or excavation results in an area of disturbance of one or more acres, or activities that result in the disturbance of less than one acre if it is part of a larger common plan of development or sale.
5. All work shall be carried out in such a manner as will prevent violations of water quality criteria as stated in Rule 0400-40-03-.03 of the Rules of the Tennessee Department of Environment and Conservation. This includes, but is not limited to, the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of waters of the state for any of the uses designated by Rule 0400-40-04. These uses include fish and aquatic life (including trout streams and naturally reproducing trout streams), livestock watering and wildlife, recreation, irrigation, industrial water supply, domestic water supply, and navigation.
6. Impacts to waters of the state other than those specifically addressed in the plans and this permit are prohibited. All streams, springs and wetlands shall be fully protected prior, during and after construction until the area is stabilized. Any questions, problems or concerns that arise regarding any stream, spring or wetland either before or during construction, shall be addressed to the Division of Water Resource's Johnson City Environmental Field Office (423-854-5400), or the permit coordinator in the division's Natural Resources Unit (615-253-5348).
7. Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat is prohibited.
8. This permit does not authorize adverse impacts to cultural, historical or archeological features or sites.
9. Clearing, grubbing, and other disturbance to riparian vegetation shall be kept at the minimum necessary for slope construction and equipment operations. Unnecessary native riparian vegetation removal, including tree removal, is prohibited. Native riparian vegetation must be reestablished in all areas of disturbance outside of any permanent authorized structures after work is completed. Coverage under this permit does not serve to waive any local riparian buffer protection requirement, and permittees are responsible for obtaining any necessary local approval.

10. To minimize wildlife entanglement and plastic debris pollution, temporary erosion and sediment control products that either do not contain netting, or that contain netting manufactured from 100 percent biodegradable non-plastic materials such as jute, sisal, or coir fiber shall be specified. Netting used in these products should have a loose-weave wildlife-safe design with movable joints between the horizontal and vertical twines, allowing the twines to move independently. Degradable, photodegradable, UV degradable, oxo-degradable, or oxo-biodegradable plastic netting (including polypropylene, nylon, polyethylene, and polyester) are not acceptable alternatives.
11. Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. Any equipment proposed to be used in-stream shall be free of noticeable leaks of fluids; e.g., hydraulic, transmission, crankcase, and engine coolant fluids and oils. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater, should a spill occur.
12. Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat is prohibited.
13. This permit does not authorize adverse impacts to cultural, historical or archeological features or sites.
14. This permit shall not be used incrementally to combine with other activities resulting in an appreciable permanent loss of water resource values.
15. This activity may not result in a disruption or barrier to the movement of fish or other aquatic life and wetland depended species. The completed activities may not disrupt or impound stream flow.
16. The activity may not result in the discharge of waste or other substances that may be harmful to humans or wildlife.
17. This permit does not authorize access to public or private property. Arrangements concerning the use of public or private property shall be made with the landowner. The permittee is responsible for obtaining any additional permitting or maintenance agreements with other government or public agencies or lands.
18. All activities must be carried out in such a manner as will prevent violations of water quality criteria as stated in TDEC Rule Chapter 0400-40-03, or impairment of the uses of streams and wetlands as designated by Rule Chapter 0400-40-04.

## **PART II**

**Permittee Responsible Monitoring** – Inspection of the temporarily-impacted wetland areas must be conducted within two years after post-construction restoration. If these areas do not delineate as wetlands using the appropriate Corps of Engineers Regional Supplement, the applicant will be required to supply appropriate resource compensation, either through remedial corrective action or purchase of off-setting credits from the nearest wetland bank. Results of the inspection, and any proposed corrective action shall be submitted to the Division via [water.permits@tn.gov](mailto:water.permits@tn.gov) by April 30<sup>th</sup> of the given year.

## **PART III**

### **Duty to Reapply**

Permittee is not authorized to discharge or conduct an activity that alters the properties of waters of the

state after the expiration date of this permit. In order to receive authorization to discharge or to conduct an activity that alters the properties of waters of the state beyond the expiration date, the permittee shall submit such information and forms as are required to the director of the Division of Water Resources. Such applications must be properly signed and certified.

If any portion of the permitted activities, including the authorized impacts to water resources, compensatory mitigation requirements, or post-project monitoring is not completed before the expiration date of this permit **the permittee must apply for permit extension or re-issuance**. The permittee shall submit such information and forms as are required to the director of the Division of Water Resources at least ninety (90) days prior to its expiration date. Such applications must be properly signed and certified.

### **Property Rights**

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

### **Water Rights**

The waters of Tennessee are the property of the state and are held in public trust for the use of the people of the state. This permit does not grant or convey any prescriptive rights, appropriation, or allocation of water, nor does it authorize any injury to the riparian rights of others.

### **Other Permits**

This permit does not preclude requirements of other federal, state or local laws. This permit also serves as a state of Tennessee aquatic resource alteration permit (ARAP) pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. §69-3-101 et seq.).

### **Other Information**

If the permittee becomes aware that he/she failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the director, then he/she shall promptly submit such facts or information.

### **Changes Affecting the Permit Transfer/Change of Ownership**

This permit may be transferred to another party, provided there are no activity or project modifications, no pending enforcement actions, or any other changes which might affect the permit conditions contained in the permit, by the permittee if:

1. The permittee notifies the Director of the proposed transfer at least 30 days in advance of the proposed transfer date;
2. The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage, and contractual liability between them; and
3. The Director does not notify the current permittee and the new permittee, within 30 days, of his or her intent to modify, revoke, reissue, or terminate the permit, or require that a new application be filed rather than agreeing to the transfer of the permit.

4. The permittee must provide the following information to the division in their formal notice of intent to transfer ownership:
  - a. the permit number of the subject permit;
  - b. the effective date of the proposed transfer;
  - c. the name and address of the transferor;
  - d. the name and address of the transferee;
  - e. the names of the responsible parties for both the transferor and transferee;
  - f. a statement that the transferee assumes responsibility for the subject permit;
  - g. a statement that the transferor relinquishes responsibility for the subject permit;
  - h. the signatures of the responsible parties for both the transferor and transferee, and;
  - i. a statement regarding any proposed modifications to the permitted activities or project, its operations, or any other changes which might affect the permit conditions contained in the permit.

### **Change of Mailing Address**

The permittee shall promptly provide to the director written notice of any change of mailing address. In the absence of such notice the original address of the permittee will be assumed to be correct.

### **Noncompliance**

#### **Effect of Noncompliance**

All discharges shall be consistent with the terms and conditions of this permit. Any permit noncompliance constitutes a violation of applicable state and federal laws and is grounds for enforcement action, permit termination, permit modification, or denial of permit reissuance.

#### **Reporting of Noncompliance**

##### **24-Hour Reporting**

1. In the case of any noncompliance which could cause a threat to public drinking supplies, or any other discharge which could constitute a threat to human health or the environment, the required notice of non-compliance shall be provided to the Division of Water Resources in the appropriate Environmental Field Office within 24-hours from the time the permittee becomes aware of the circumstances. (The Environmental Field Office should be contacted for names and phone numbers of environmental response personnel).
2. A written submission must be provided within five (5) days of the time the permittee becomes aware of the circumstances unless this requirement is waived by the director on a case-by-case basis. The permittee shall provide the director with the following information:
  - a. A description of the discharge and cause of noncompliance;



- b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. The steps being taken to reduce, eliminate, and prevent recurrence of the non-complying discharge.

### **Scheduled Reporting**

For instances of noncompliance which are not reported under subparagraph a. above, the permittee shall report the noncompliance by contacting the permit coordinator, and provide all information concerning the steps taken or planned to reduce, eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

### **Adverse Impact**

The permittee shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including but not limited to, accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

## **Liabilities**

### **Civil and Criminal Liability**

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the state of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of pollutants to any surface or subsurface waters. Additionally, notwithstanding this Permit, it shall be the responsibility of the permittee to conduct its discharge activities in a manner such that public or private nuisances or health hazards will not be created.

### **Liability under State Law**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or the *Federal Water Pollution Control Act*, as amended.

## **Reopener Clause**

This permit may be modified, suspended, or revoked for cause, including:

1. Violation of any of the terms or conditions of this permit or of T.C.A § 69-3-101 et. seq.;
2. Obtaining the permit by misrepresentation or failing to disclose fully all relevant facts;
3. A change in any condition that requires either a temporary or permanent change in the conditions of this permit.

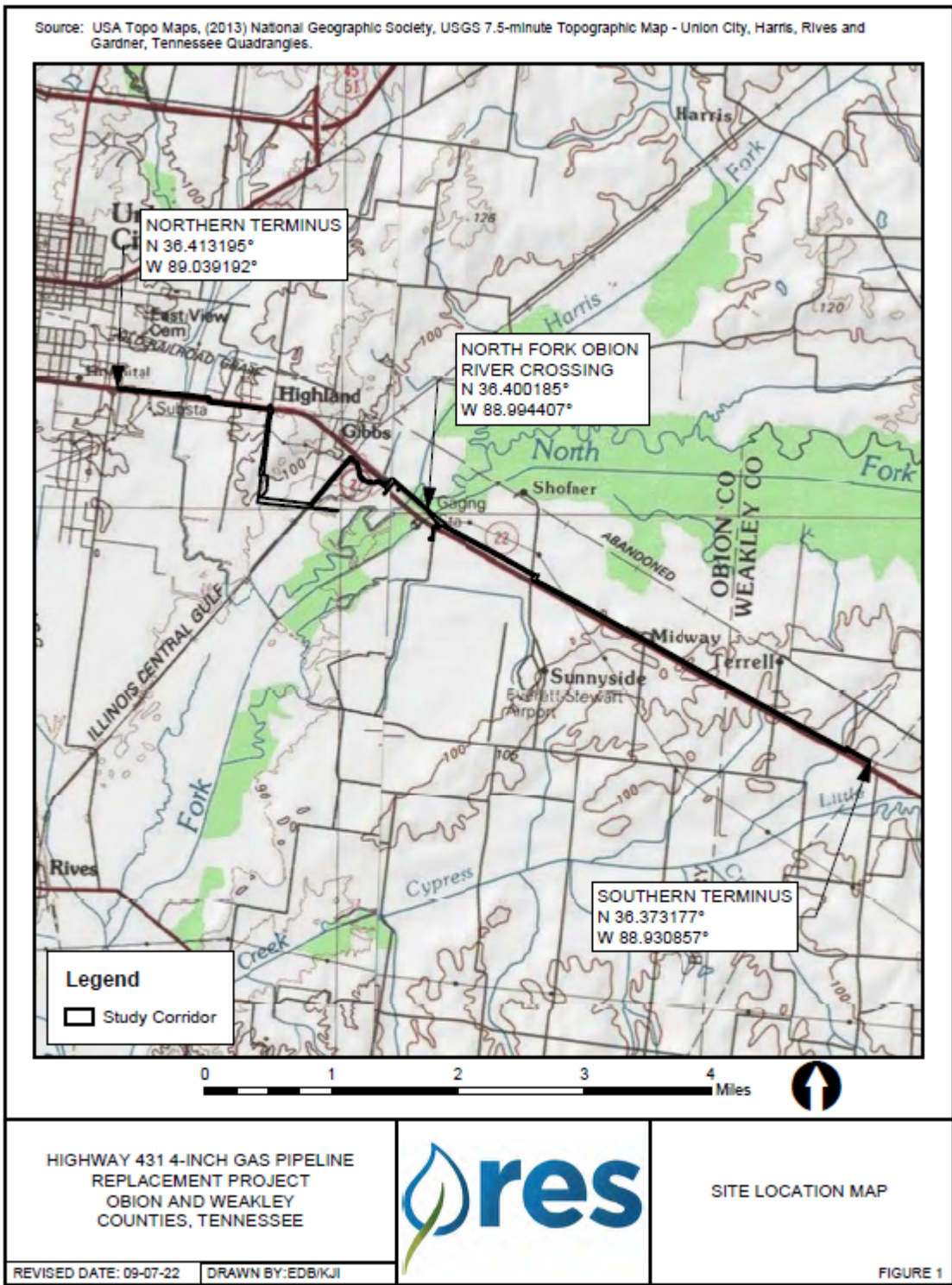
## **Appeal**

An appeal of this action may be made as provided in T.C.A. §69-3-105(i) and Rule 0400-40-05-.12 by submitting a petition for appeal.

1. The petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit.
2. The petition must specify the provisions subject to appeal and the basis for the appeal.
3. The petition should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Jennifer Dodd, Director, Division of Water Resources, William R. Snodgrass - Tennessee Tower, 312 Rosa L. Parks Avenue, Nashville, Tennessee 37243-1102, or you may submit such petition electronically to [TDEC.Appeals@tn.gov](mailto:TDEC.Appeals@tn.gov). Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

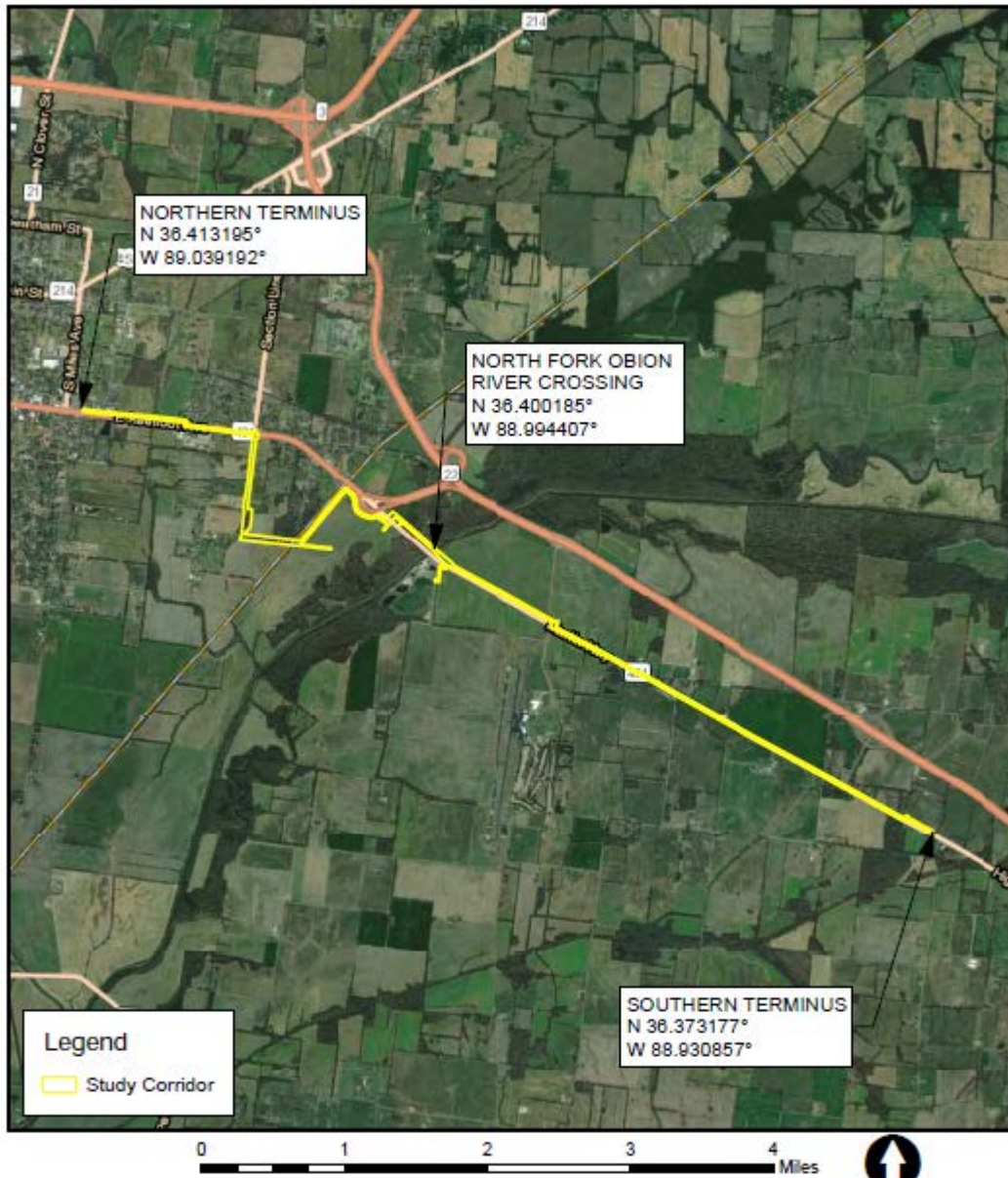
**PART IV**

**APPENDIX I**



R:\Res\GIS\GIS\Projects\103954\_Hwy\_431\_4inch\_Replacement\MXD\SiteLocationMap.mxd, 10-6-2022, Minick

Source: World Imagery - Esri and the GIS User Community (2017).



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HIGHWAY 431 4-INCH GAS PIPELINE  
REPLACEMENT PROJECT  
OBION AND WEAKLEY  
COUNTIES, TENNESSEE

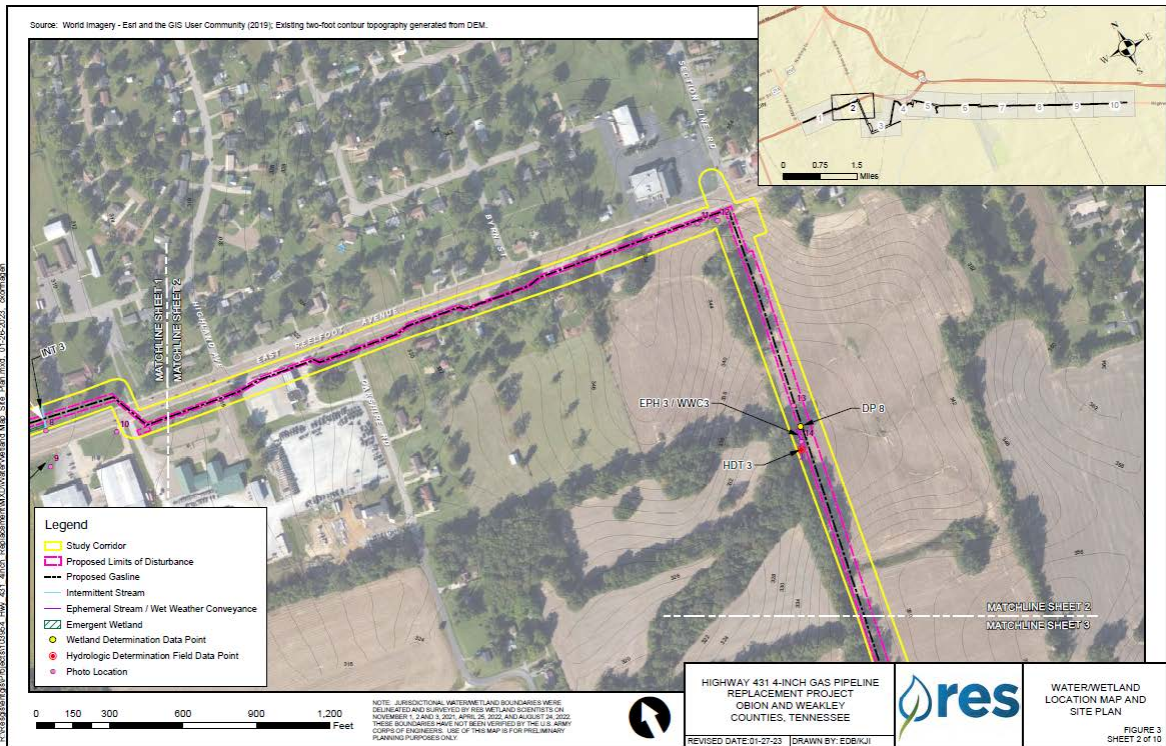
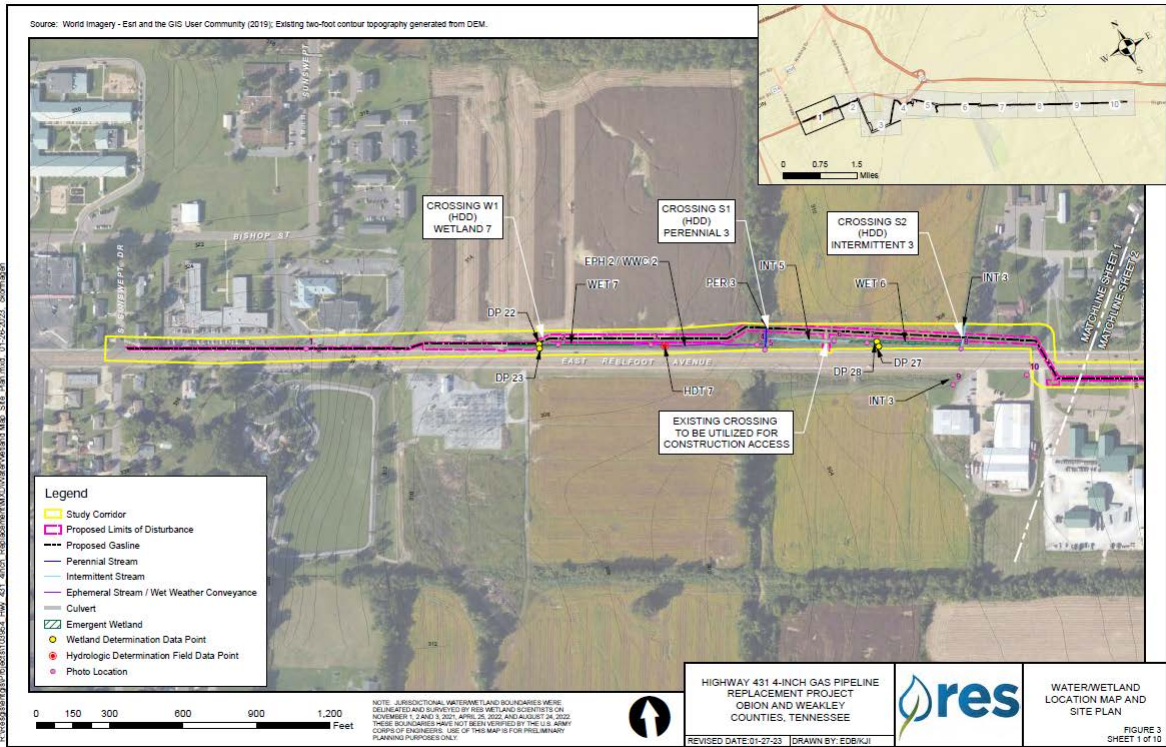


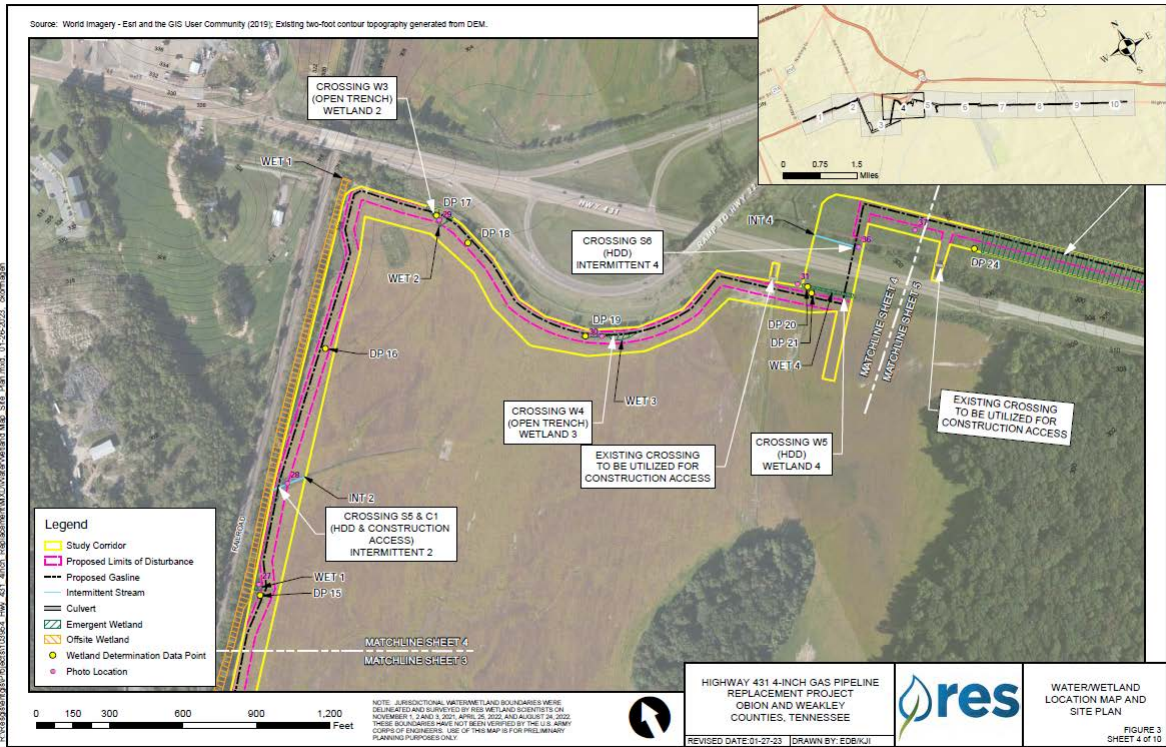
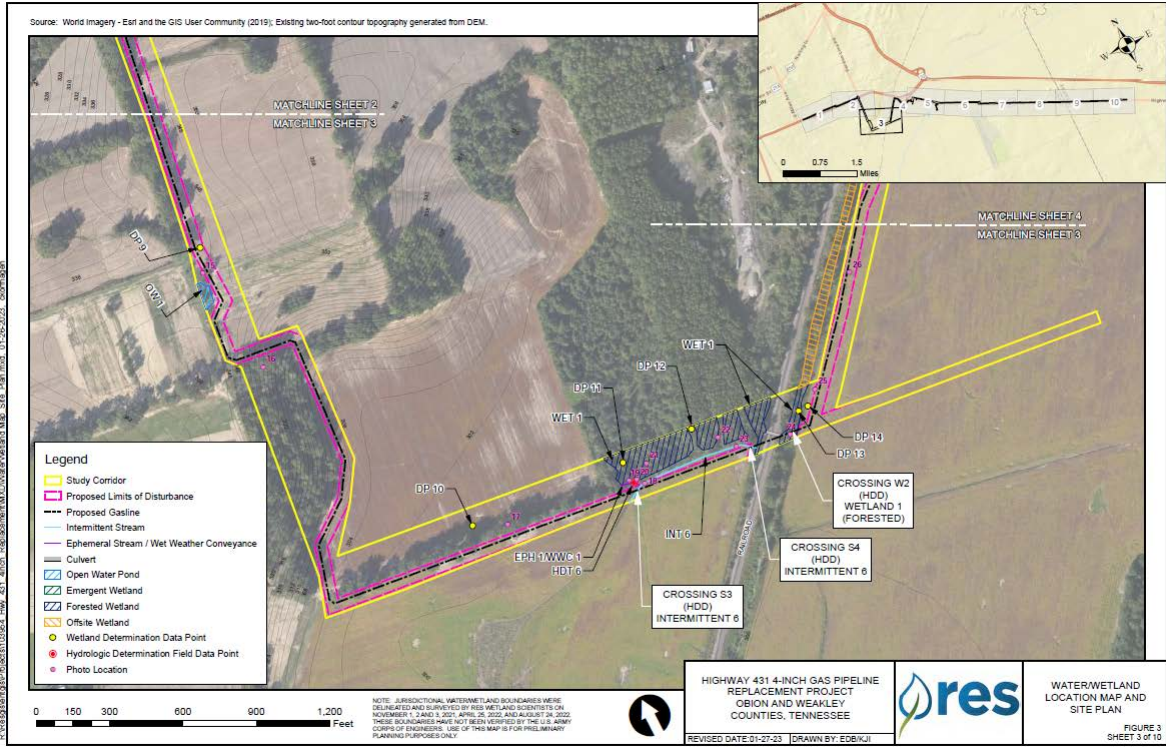
AERIAL PHOTOGRAPH MAP

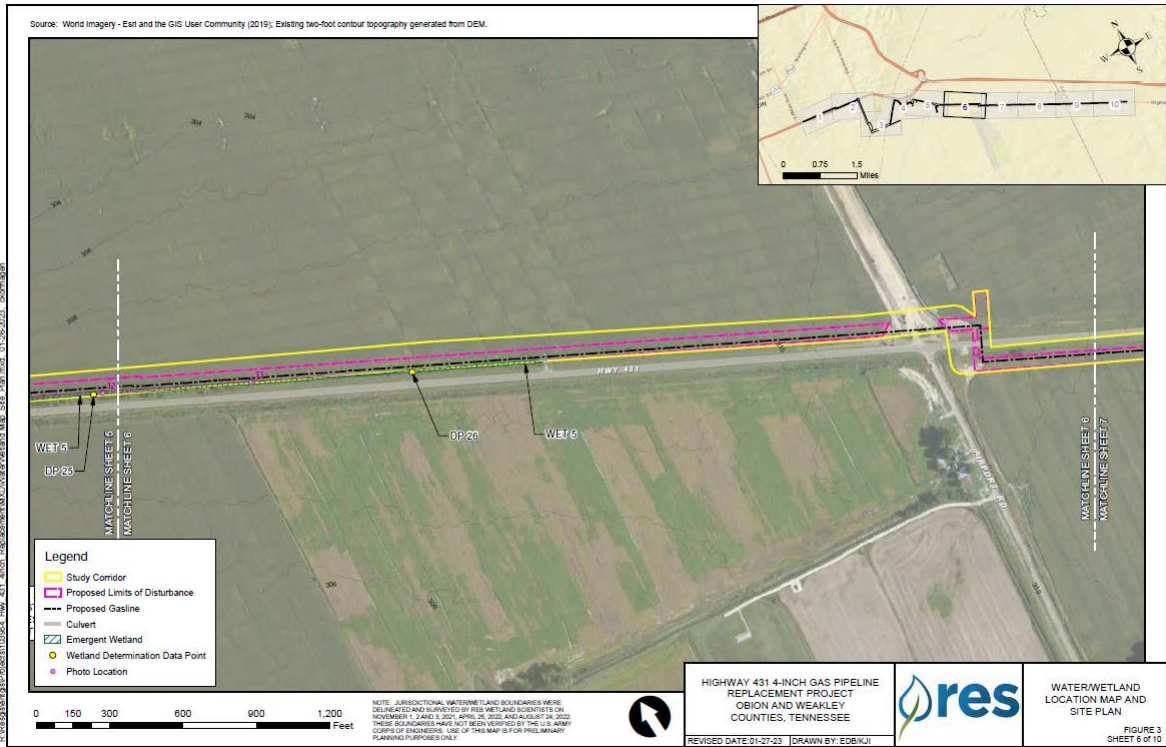
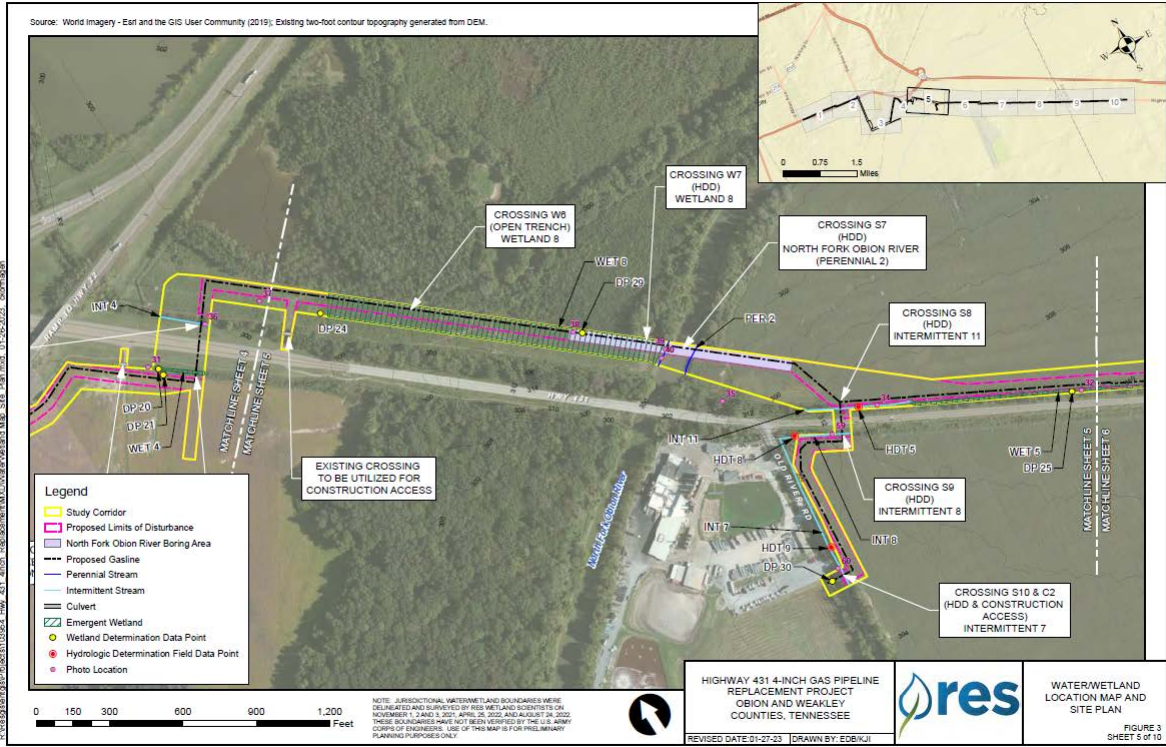
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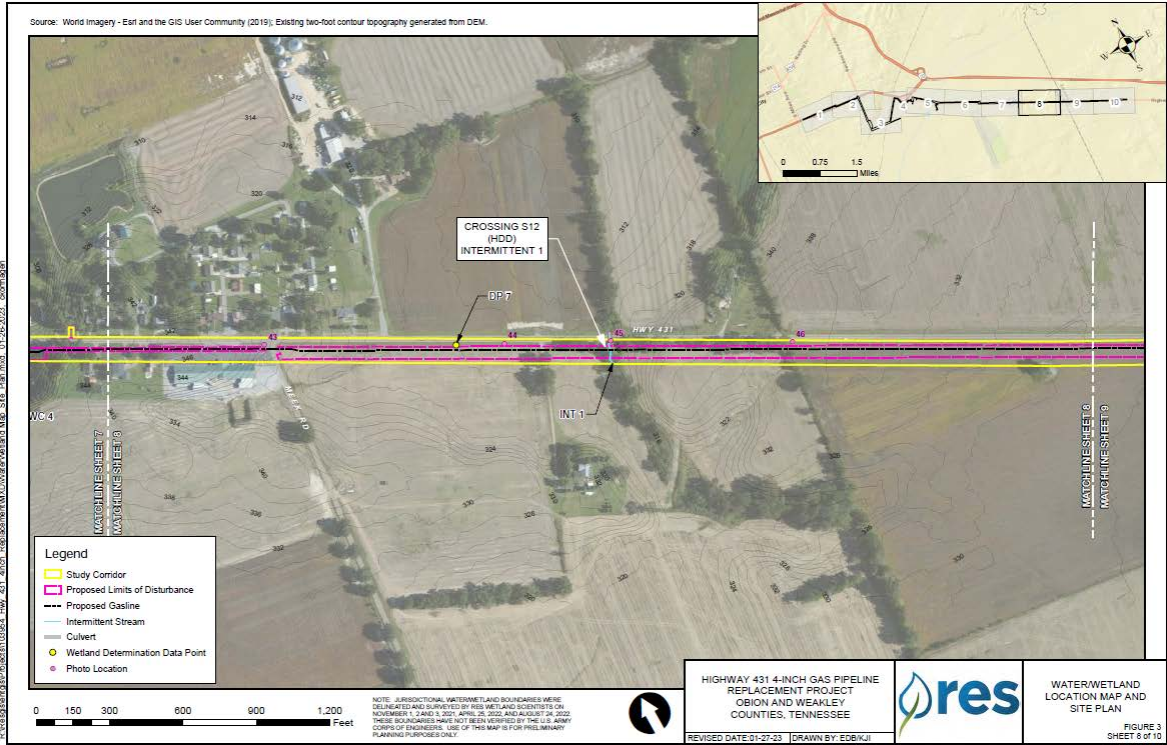
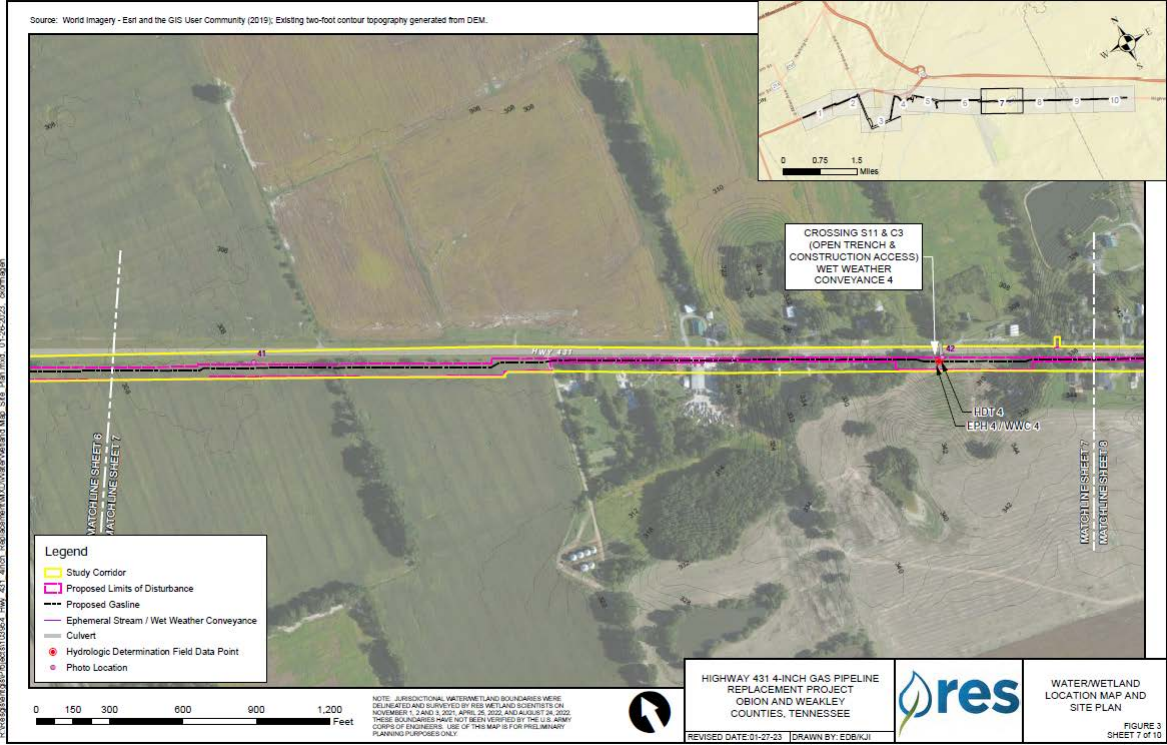
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FIGURE 2

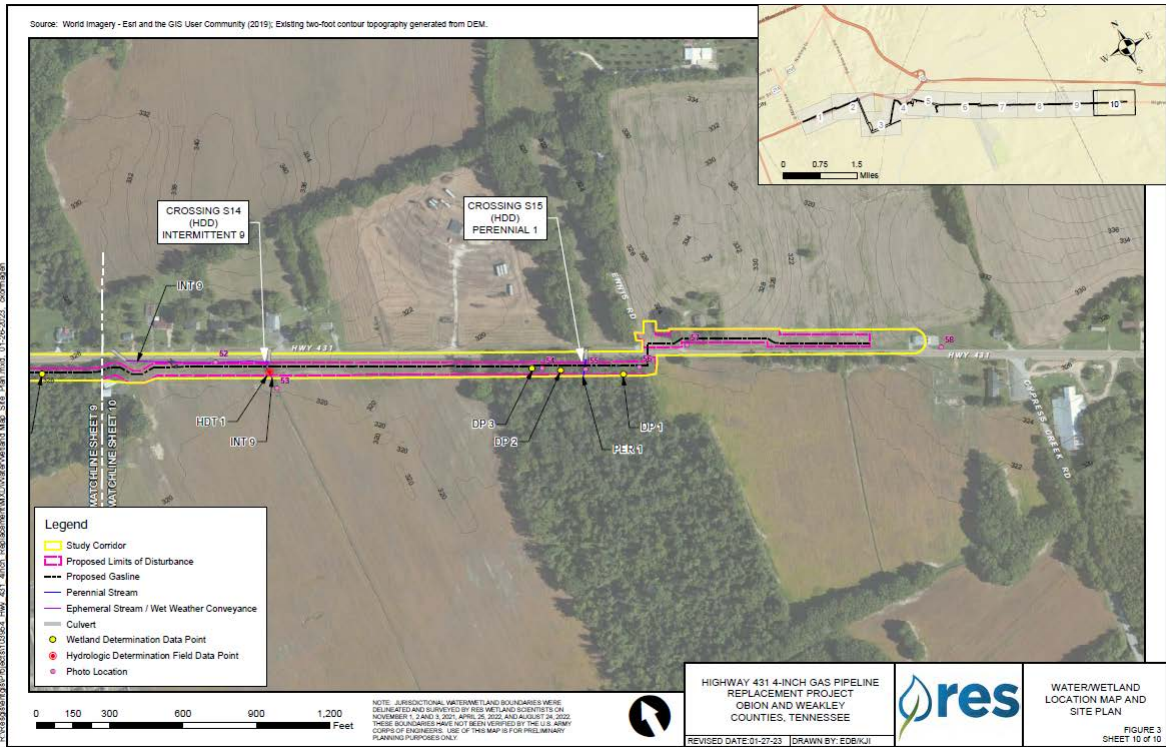
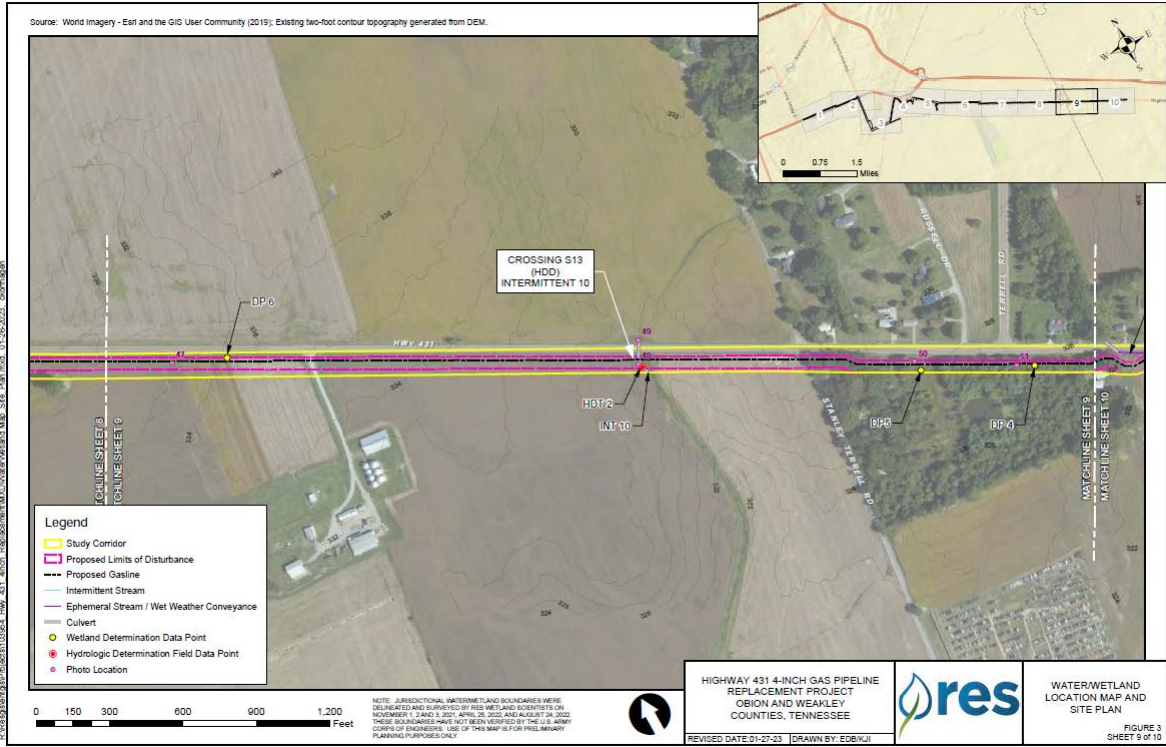












**PERMIT RATIONALE**  
**NRS22.270**

**Atmos Energy Corporation**  
**Highway 431 4-inch Replacement Project**  
**North Fork Obion River, Obion and Weakley Counties**  
**March 29, 2023**  
*Permit Writer: Adam Kelly*

**I. SUMMARY**

Atmos Energy Corporation  
3275 Highland Point Drive  
Owensboro, KY 42303

Contact: Ryan Austin

Activity Location: North Fork Obion River, Obion and Weakley Counties  
Latitude 36.400185      Longitude -88.994407

Nature of Business: Pipeline Replacement

Authorized Activity: Cross 14 streams utilizing horizontal directional drilling, four wetlands utilizing horizontal directional drilling and three wetlands utilizing open trench while replacing the existing four inch steel pipeline with the installation of approximately 36,100 feet of eight inch steel and 6,500 feet of 6 inch high density polyethylene gas pipeline in Weakley and Obion Counties.

Waterbody Name: North Fork Obion River

**II. PERMIT STATUS**

ARAP NRS22.270 issued: March 29, 2023

ARAP NRS22.270 expires: March 28, 2028

Application for ARAP received: January 30, 2023

Complete Application: February 11, 2021

**I. Status of Affected Waters**

**North Fork Obion River / Waterbody Catalog ID**      TN08010202009\_1000

Classified Uses	Use Support	Causes	Sources
Livestock watering & wildlife	Fully Supporting		

Irrigation	Fully Supporting		
Recreation	Not Supporting	ESCHERICHIA COLI (E. COLI)	MUNICIPAL (URBANIZED HIGH DENSITY AREA)
Fish and aquatic life	Not Supporting	PHYSICAL SUBSTRATE HABITAT ALTERATIONS	CHANNELIZATION
Domestic water supply	Not assessed		
Industrial water supply	Not assessed		
Navigation	Not assessed		

The affected waters have unavailable parameters for habitat alteration.  
The affected waters are not known Exceptional Tennessee Waters.

**Unnamed Trib to North Fork Obion River/** Waterbody Catalog ID TN08010202009\_0100

Classified Uses	Use Support	Causes	Sources
Livestock watering & wildlife	Fully Supporting		
Irrigation	Fully Supporting		
Recreation	Not Supporting	ESCHERICHIA COLI (E. COLI)	MUNICIPAL (URBANIZED HIGH DENSITY AREA)
Fish and aquatic life	Not supporting	CHANNELIZATION	PHYSICAL SUBSTRATE HABITAT ALTERATIONS
Domestic water supply	Not assessed		
Industrial water supply	Not assessed		
Navigation	Not assessed		

The wetlands are determined to be of low to moderate resource value wetlands

### Authorized Alterations

Cross 14 streams utilizing horizontal directional drilling, four wetlands utilizing horizontal directional drilling and three wetlands utilizing open trench while replacing the existing four inch steel pipeline with the installation of approximately 36,100 feet of eight inch steel and 6,500 feet of 6 inch high density polyethylene gas pipeline in Weakley and Obion Counties.

## II. Alternatives Analysis and Selection of Least Impactful Practicable Alternative

The stated goal of the project for which unavoidable impacts to water resources are necessary is to replace the existing infrastructure. The applicant has analyzed practicable alternatives to avoid or minimize impacts, and has provided the following discussion:

No permanent impacts to jurisdictional waters will occur as a result of the project. Impacts have been minimized to include only temporary impacts to two intermittent streams for temporary construction access, one wet weather conveyance crossing for open trench pipeline installation and temporary construction access, and three emergent wetlands for open trench techniques. All of the perennial streams, including North Fork Obion River, and all of the intermittent streams will be crossed utilizing HDD methods and will result in no permanent or temporary impacts for the pipeline installation, except the two intermittent streams with temporary construction access crossings. The forested portion of Wetland 1 will be avoided along with emergent Wetlands 5 and 6 and these features will be protected by silt fence during construction. The temporary impacts are described in detail in Section 6.5, depicted on the Figure 3 in Appendix A, the EPSC plans (to be submitted separately), and Table 4 in Appendix C.

Alternatives that were assessed for the project included open trench techniques for intermittent stream crossings. However, open trenching is not feasible based on the size and depth of these intermittent streams. Thus, these streams will be crossed using HDD methods and, therefore, avoid permanent or temporary impacts to those stream channels. Additionally, some crossings currently proposing open trench techniques may actually utilize HDD boring once active construction begins and equipment is in place, but the impacts proposed are worst case scenario if open trench techniques are utilized.

Based on its review of available information, the Division has made a final determination that the applicant has demonstrated that the practicable alternative that would have the least adverse impact on resource values consistent with the overall purpose of the authorized activity is the applicant's proposal.

### **III. Antidegradation**

In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the Division has made a final determination that the authorized activities will result in no significant degradation in a waterbody with unavailable parameters for habitat because the authorized activities will not result in an appreciable permanent loss of resource values.

For more information please reference Tennessee's Antidegradation Statement which is found in Chapter 0400-40-03 of the Rules of the Tennessee Department of Environment and Conservation.