



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

February 13, 2024

Robbie Stephens
Tennessee Department of Transportation
505 Deaderick Street, Suite 900 J.K. Polk Building
Nashville, TN 37243

RE: ARAP Applicant's Responsibility for Public Notification
State Route 222, PIN 132132.04, PE #24S222-S1-003
NRS 23.237, Unnamed Tributaries to Big Muddy Creek and unnamed wetlands
Fayette County

Dear Mr. Stephens:

Thank you for your Aquatic Resource Alteration Permit application submitted to the Division of Water Resources on January 23, 2024. The Division is ready to begin the public notice process to allow for public comment on the proposed activities described below, and will post a public notice on our website within one week of the date of this letter (see <http://tn.gov/environment/topic/ppo-water>).

The Rules of the Tennessee Board of Water Quality, Oil, and Gas require the applicant to publish the enclosed public notice one time in the legal notices section of a local newspaper of general circulation. The applicant bears responsibility for any associated costs. The applicant is also required to post and maintain a state issued sign for 30 days where it is legible from a public road near the proposed activity. The public notice sign may be obtained at the Memphis Environmental Field Office (901-371-3000). Using a permanent marker, complete the blank areas on both sides of the public notice sign with the following information:

Applicant: Tennessee Department of Transportation
File#: NRS 23.237
Proposes to: Impact to two streams and three wetlands for widening of SR 222 for access to Project Blue Oval.
Comment Period: (date posted) through (30 days after date posted)

Please Note: State-issued public notification signs are available at any of the Division's Environmental Field offices.

Once the notice has been posted for the required period of time, you must provide proof the public notification requirements have been met, including proof of newspaper publication and photographic evidence of the sign. Required photographic evidence of the sign includes two photographs, one photograph demonstrating the lettering on the sign is clear and legible and one photograph establishing sign location. Proof of publication should be submitted within 45 days of receipt of this letter, failure to do so will result in suspension of application processing and possible termination of your application. We cannot take final action on your application until after the public comment period has expired (30 days after the public notice has been published).

Thank you for your attention to these details, and fulfilling your obligations in the public notice process. If you have any questions, please contact me at (615) 804-2409.

Sincerely,



Alicia Douglas
Natural Resources Unit

cc: Conner Franklin, Jackson EFO Conner.Franklin@tn.gov
USACE – Memphis District CEMVMRegulatory@usace.army.mil
Brian Lee, Palmer Engineering Co. blee@palmernet.com
File Copy

enc: Legal Notice

SW

240

W

270

NW

300

N

330

0

30

☀ 304°NW (T) ● 35.389202, -89.411596 ±3m ▲ 84m

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
WATER QUALITY PERMIT APPLICATION



PUBLIC NOTICE

Applicant:

Tennessee Department of Transportation

File #

NRS 23.237

Proposes to:

Impact to two Streams and three wetlands for widening of SR 222 for access to Project Blue Oval.

Comment Period:

02 / 15 / 2024

thru

03 / 16 / 2024

For more info:

<http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov

SW 240 W 270 NW 300 N 330 0 30

☀ 303°NW (T) ● 35.389188, -89.411612 ±3m ▲ 84m



VA L510
S183 42743
S184 42743

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
 WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE

Applicant: Tennessee Department of Transportation File # NRS 23.237

Proposes to:
 Impact to two streams and three wetlands for widening of
 SR 222 for access to Project Blue Oval.

Comment Period: 02 / 15 / 2024 thru 03 / 16 / 2024

For more info:
<http://tn.gov/environment/topic/ppo-water>
 To comment on this proposal: water.permits@tn.gov

15 Feb 2024, 7:43:02 AM

SW

240

W

270

NW

300

N

330

0

30

☉ 304°NW (T) ☉ 35.391774, -89.411371 ±3m ▲ 87m

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
 WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE



Applicant: Tennessee Department of Transportation **File #** NRS23.237

Proposes to:

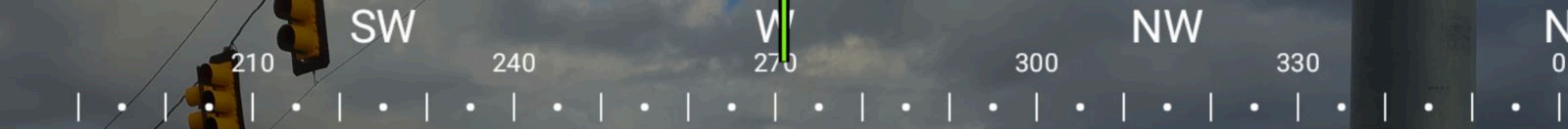
Impact to two streams and three wetlands for widening of SR222 for access to Project Blue Oval.

Comment Period: 02 / 15 / 2024 **thru** 03 / 16 / 2024

For more info:

<http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov



☀ 271°W (T) ● 35.391752, -89.411346 ±2m ▲ 83m



TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE
Applicant: Tennessee Department of Transportation File # NRS23 237
Proposes to: Impact to two streams and three wetlands for widening of SR222 for access to Project Blue Oval.
Comment Period: 02/15/2024 thru 03/16/2024
For more info: <http://tn.gov/environment/topic/ppo-water>
To comment on this proposal: water.permits@tn.gov

SE

S

SW

W

120

150

180

210

240

270

☀ 195°S (T) ● 35.394741, -89.411824 ±4m ▲ 73m

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION



WATER QUALITY PERMIT APPLICATION

PUBLIC NOTICE



Applicant: Tennessee Department of Transportation **File #** NRS 23.237

Proposes to:

Impact to two streams and three wetlands for widening of SR 222 for access to Project Blue Oval.

Comment Period: 02 / 15 / 2024 **thru** 03 / 16 / 2024

For more info:

<http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov

SE 120 150 S 180 SW 210 240 W 270

☀ 187°S (T) ● 35.394753, -89.411828 ±7m ▲ 74m



TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
 WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE

Applicant: Tennessee Department of Transportation File # NRS 23 237

Proposes to:
 Impact to two streams and three wetlands for widening of SR 222 for access to Pyramid Blue Oval.

Comment Period: 02 / 15 / 2024 thru 03 / 16 / 2024

For more info:
<http://tn.gov/environment/topic/ppo-water>
 To comment on this proposal: water.permits@tn.gov

15 Feb 2024, 7:54:02 AM

South Elevation

☉ 17°N (T) ● 35.389098, -89.411616 ±31m ▲ 83m

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION



WATER QUALITY PERMIT APPLICATION

PUBLIC NOTICE



Applicant:

Tennessee Department of Transportation

File #

NRS 23.237

Proposes to:

Impact to two streams and three wetlands for widening of SR 222 for access to Project Blue Oval.

Comment Period:

02 / 15 / 2024

thru

03 / 16 / 2024

For more info:

<http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov

18 Mar 2024, 10:19:09 AM

South Elevation

☉ 18°N (T) ☉ 35.389134, -89.411633 ±13m ▲ 83m



TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE

Applicant: Tennessee Department of Transportation File # NRS 23-237

Proposes to:
Impact to two streams and three wetlands for widening of
SR 222 for access to Project Blue Oval.

Comment Period: 02 / 15 / 2024 thru 03 / 16 / 2024
For more info: <http://tn.gov/environment/topic/ppo-water>
To comment on this proposal: water.permits@tn.gov

South Elevation

☉ 350°N (T) ● 35.391785, -89.411389 ±10m ▲ 85m

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION



WATER QUALITY PERMIT APPLICATION



PUBLIC NOTICE

Applicant:

Tennessee Department of Transportation

File #

NRS 23.237

Proposes to:

Impact to two streams and three wetlands for widening of SR 222 for access to Project Blue Oval.

Comment Period:

02 / 15 / 2024

thru

03 / 16 / 2024

For more info:

<http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov

18 Mar 2024, 10:23:06 AM

South East Elevation

☉ 325°NW (T) ● 35.391759, -89.411361 ±4m ▲ 86m



TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE

Applicant: Tennessee Department of Transportation File # NRS23.237

Proposes to: Impact to two streams and three wetlands for widening of SR 222 for access to Boyd Blue Oval.

Comment Period: 03/15/2024 thru 03/16/2024

For more info: <http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov

North Elevation

☀ 169°S (T) ● 35.394726, -89.41185 ±6m ▲ 70m

TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION WATER QUALITY PERMIT APPLICATION



PUBLIC NOTICE



Applicant:

Tennessee Department of Transportation

File #

NRS 23.237

Proposes to:

Impact to two streams and three wetlands for widening of SR 222 for access to Project Blue Oval.

Comment Period:

02 / 15 / 2024

thru

03 / 16 / 2024

For more info:

<http://tn.gov/environment/topic/ppo-water>

To comment on this proposal: water.permits@tn.gov

18 Mar 2024, 10:14:42 AM

North West Elevation

☉ 164°SE (T) ● 35.394749, -89.411848 ±9m ▲ 71m



TENNESSEE DEPT OF ENVIRONMENT & CONSERVATION
WATER QUALITY PERMIT APPLICATION
PUBLIC NOTICE

Applicant: Tennessee Department of Transportation File # NRS 23-237

Proposes to:
Impact to two streams and three wetlands for
widening of SR 222 for access to Prand Blue Oval.

Comment Period: 02 / 15 / 2024 thru 03 / 16 / 2024
For more info: <http://tn.gov/environment/topic/ppo-water>
To comment on this proposal: water.permits@tn.gov

18 Mar 2024, 10:14:52 AM

Brian Lee

From: Brian Lee
Sent: Tuesday, February 13, 2024 5:59 PM
To: Randall E. Mann; Jared McCoy; 'Jared W. Davidson'; R4 EnvTechOffice
Cc: Robbie Stephens; Traci Smith; Joshua Ferguson
Subject: Public Notice Posting, PIN 132132.04 Fayette County
Attachments: NRS23.237 Appl Ltr 2 13 24 (Highlighted).pdf

PIN 132132.04

NRS23.237

State Route 222, From near Hebron Drive to near Thorpe Drive and I-40 Exit 42

Fayette County

Please post the Public Notice Signs at the beginning, middle, and end of the proposed project. The "From Date" is the date the sign was placed in the field and the "To Date" is 30 days after the date posted.

TDEC requires a minimum of two (2) pictures from both the beginning and end of the posting duration. Pictures are required to show both the sign location and to demonstrate the lettering on the sign is clear and legible. Please respond to this email with pictures of the posted signs at the beginning and another picture end of the 30 days period. Those pictures will be forwarded to TDEC to meet Public Notice requirements.

Attached is the *Responsibility Letter* received from TDEC for your use. I have highlighted the section which needs to be written on the Public Notice Sign. The information written on the sign must match the highlighted wording exactly.

If you have any questions please let me know. Thank you for your help!

Thanks,
Brian

Brian Lee, PE, CPESC, CPSWQ
Vice President

office: [615-297-8957](tel:615-297-8957)
mobile: 615-406-3160
2817 Erica Place
Nashville, TN 37204
blee@palmernet.com





Public Notice
**Tennessee Department of Environment and
Conservation (TDEC)**
Division of Water Resources (DWR)
**Notice Requesting Public Comments on Draft
Permit Actions**
FILE # NRS23.237

The purpose of this notice is to advise the public of the following proposed permit action and solicit comments and information necessary to evaluate the potential impact of the proposed activities on the aquatic environment.

Pursuant to The Tennessee Water Quality Control Act of 1977, T.C.A. §69-3-108 and Tennessee Rules, Chapter 0400-40-07, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and Section 401 Water Quality Certification. Section 401 of the Clean Water Act requires that an applicant obtain a water quality certification from the state when a federal permit is required. This notice is intended to inform interested parties of this permit application and draft permit and rationale, and to ask for comments and information necessary to determine possible impacts to water quality. At the conclusion of the public notice period a final determination will be made whether to issue or deny the permit.

PERMIT COORDINATOR

Alicia Douglas
Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243
615-804-2409
Alicia.Douglas@tn.gov

APPLICANT

Tennessee Department of Transportation
c/o Robbie Stephens
505 Deaderick Street, Suite 900 J.K. Polk Building
Nashville, TN 37243
(615) 253-7693

LOCATION

State Route 222, from near Hebron Drive to near Thorpe Drive and 1-40 Exit 42, Fayette County
Unnamed Tributaries to Big Muddy Creek and Unnamed wetlands
Latitude 35.3941, Longitude -89.4115

To view the proposed location of these impacts and the watershed condition, visit the Division's map viewer at <http://tdeconline.tn.gov/dwr/> and search on the permit number or coordinates listed in this Public Notice.

PROJECT DESCRIPTION / PURPOSE

Proposed work is permanent and temporary impacts to two streams and three wetlands associated with the widening of State Route 222 to accommodate access to Project Blue Oval. Stream impacts due to encapsulation and fill and replacement result in the loss of 522.9 functional feet of stream and are to be offset through the Big Muddy Permittee Restoration Site (NRS23.094). Wetland fill totaling 0.036 acres in

the Lower Hatchie Watershed shall be offset at a 2:1 ratio by purchase of 0.070 credits from Hatchie Wetland Mitigation Bank. Temporary impacts to 0.111 acres of wetland are to be restored to existing conditions and monitored for two years and 1,206 linear feet of relocated stream channel will be monitored for five years.

ANTIDEGRADATION

The affected waters have unavailable parameters for habitat. As described in the accompanying permit rationale, the Department has made a preliminary determination that the proposed activity will result in no significant degradation because the applicant proposes mitigation to offset any appreciable permanent loss of resource values.

FACTORS CONSIDERED

In deciding whether to issue or deny this permit, the Division will consider all comments of record and the requirements of applicable federal and state laws. The division will consider the nature, scale and effects of proposed impacts. The Division will consider practicable alternatives to the alteration, loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impacts to unique, high quality, or impaired waters. In making this decision, a final determination will be made evaluating appreciable permanent loss of resource values and proposed compensatory mitigation to ensure the project will not result in no overall net loss of state water resources values.

HOW TO COMMENT

TDEC is requesting public comment on this proposed permit action. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure appropriate decisions. Persons wishing to comment on the proposal are invited to submit written comments to the Division. Written comments must be received within **thirty days following distribution of the approved public notice materials** (including signage and newspaper ad). Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the Division's address listed below to the attention of the permit coordinator. You may also comment via email to water.permits@tn.gov.

After the Division makes a final permit determination, a permit appeal may be filed by the applicant or by any person who participated in the public comment period whose appeal is based on comments given to the Division in writing during the public comment period or in testimony at a formal public hearing. If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Alisha Looper at 615-571-4470 or alisha.looper@tn.gov.

Si le resulta difícil leer, hablar o comprender inglés, TDEC puede proporcionarle servicios de traducción o interpretación sin cargo comunicándose con Alisha Looper al 615-571-4470 o alisha.looper@tn.gov.

PUBLIC HEARING

Interested persons may request in writing that the Division hold a public hearing on this application. The request must be received by the Division within the comment period, indicate the interest of the party requesting it, the reason(s) a hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the Division will hold a public hearing in accordance with 0400-40-07-.04(4) (f). Send all public hearing requests to the attention of the permit coordinator at the address listed below or via email to water.permits@tn.gov. Any scheduled public hearings will be advertised through a similar public notice process.

FILE REVIEW

The permit application, supporting documentation, including detailed plans and maps, draft permit and rationale, and related comments are available for review on the internet at the Division's data viewer at [Report on Permits \(tn.gov\):::::](#) by entering the permit file number listed in the title of this Public Notice. The file may be viewed and copied at the address listed below.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243



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AFFIDAVIT

Shene Toliver
State of Tennessee
Department of Transportation
Office of General Counsel
James K. Polk Building
505 Deaderick Street, Suite 300
Nashville, TN 37243

To Whom It May Concern:

The enclosed itemized statement is for publication of “**Public Notice/Notice Requesting Public Comments on Draft Permit Actions (FILE #NRS23.237)**” in the list of newspaper(s) on invoice **S24.5729** on the date (s) stated therein as authorized by your office.

As requested, tearsheets are submitted herewith as further proof of publication.

I, *Alisa Subhakul*, Junior Media Buyer of Tennessee Press Service, Inc., do hereby certify that the attached is true and correct.

This Twenty-first day of February, 2024

Alisa Subhakul, Junior Media Buyer

Sworn before me this 21st day of February, 2024

Earl Goodman, Notary Public

My commission expires July 1, 2024



