



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
REGULATORY DIVISION
3701 BELL ROAD
NASHVILLE, TENNESSEE 37214

March 21, 2024

SUBJECT: LRN-2006-1169, NWP 29 Provisional Notification, Regent Development, LLC, Carothers Crossing Phase 5B, Carothers Road, Nolensville, Davidson County, Tennessee

Regent Development, LLC
C/O David McGowan, Jr.
6901 Lenox Village Drive, Suite 107
Nashville, Tennessee 37211

Dear Mr. McGowan:

This correspondence is in regard to your pre-construction notification (PCN) to install a three-sided box culvert with two in-stream piers and the open cut trench installation of a sewer line directly below the culvert in an unnamed perennial tributary to Hurricane Creek in Nolensville, Davidson County, Tennessee (Lat. 35.9835°, Long. -86.6086). This project has been assigned number LRN-2006-01169. Please refer to this number in all communication concerning this matter.

By Federal law, no Department of the Army Permit can be issued until a State Section 401 Water Quality Certification (WQC) has been issued or waived. To date, no Section 401 WQC has been issued or waived for your proposed project. Section 401 of the Clean Water Act requires that, for any federally licensed or permitted project that may result in a discharge of dredged or fill material into waters of the United States, a WQC must be issued to ensure that the discharge complies with applicable water quality requirements. Once you have provided us with a copy of your Section 401 WQC or Section 401 WQC has been waived we will proceed with issuing your NWP 29 verification. Please note that conditions of the Section 401 WQC satisfying 40 CFR 121.7(d) will become conditions of the NWP 29 verification. **This is not a permit; this is a provisional notification. The applicant is not authorized to undertake the activities that require a Department of the Army permit or verification at this point in the review process.**

Information regarding the WQC process and requirements within Tennessee can be found at the following website:

Tennessee:

<https://www.tn.gov/environment/permit-permits/water-permits1/aquatic-resource-alteration-permit--arap-.html>

pre-filing meeting request:

https://stateoftennessee.formstack.com/forms/arap_pre_filing_meeting_request

If the State of Tennessee denies the required Section 401 WQC, the use of the NWP 29 to authorize your proposed activities will be denied without prejudice. If you should then subsequently obtain a Section 401 WQC, you should contact this office to determine how to proceed with your proposed project.

Thank you for your cooperation during the permitting process. If you have any questions, please contact me at 615-308-5434, or via e-mail Benjamin.W.MacIntyre@usace.army.mil.

Sincerely,



Benjamin W. MacIntyre
Biologist, West Branch
Regulatory Division

Electronic Copies Furnished:

TDEC-DWR

Mr. Todd Olsen
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