



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES  
CHATTANOOGA Environmental Field Office  
1301 RIVERFRONT PARKWAY, SUITE 206  
CHATTANOOGA, Tn 37402

April 7, 2022

Mr. Bill C Payne, P.E.  
Public Works Administrator  
City of Chattanooga Public Works Department  
e-copy: bpayne@chattanooga.gov  
1250 Market St., Ste. 2100  
Chattanooga, TN 37402

Subject: **General Permit for Maintenance Activities  
Aquatic Resource Alteration Permit (ARAP) NR2201.023  
Hixson Park - Stream Alterations  
City of Chattanooga  
Hixson, Hamilton County, Tennessee**

Dear Mr. Payne:

We have reviewed your application for the proposed headwall replacement. 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 33 U.S.C. §1341).

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 section 401 water quality certification (pursuant to 33 U.S.C. § 1341) and shall become effective when the applicable federal agency has established a reasonable period of time pursuant to 40 CFR §121.16.

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 NR2201.023 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 is 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. Adequate erosion controls must be installed prior to construction and maintained during construction. 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.

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://tdec.tn.gov/etdec/DownloadFile.aspx?row\\_id=CN-1450](http://tdec.tn.gov/etdec/DownloadFile.aspx?row_id=CN-1450). 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) 497-6125 or by e-mail at [Jason.Dees@tn.gov](mailto:Jason.Dees@tn.gov).

Sincerely,



Jennifer Innes  
Environmental Program Manager

Encl: NOC and copy of general permit  
CC: Chattanooga EFO Permit File

