



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

DIVISION OF WATER RESOURCES (DWR)

William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor

Nashville, TN 37243

Toll Free Number: 1-888-891-8332 (TDEC)

**NOTICE OF INTENT (NOI) FOR GENERAL NPDES PERMIT FOR
STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES (TNR100000)**

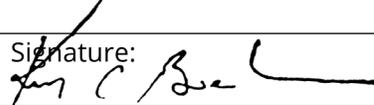
Site or Project Name: Fox Residential Development		NPDES Tracking Number: TNR	
Street Address including city or zip code or Location: 1101 E Main Street Chattanooga, TN 37408		Construction Start Date: 10/1/2022	
		Estimated End Date: 12/31/2024	
Site Description: Multifamily residential redevelopment		Latitude (dd.dddd): 35.0309	
		Longitude (-dd.dddd): -85.2920	
County(ies): Hamilton	MS4 Jurisdiction (if applicable): City of Chattanooga	Acres Disturbed: 3	
		Total Acres: 3	
Are there any streams <input type="checkbox"/> and/or wetlands <input type="checkbox"/> on or adjacent to the construction site? If wetlands are located on-site and may be impacted, attach wetlands delineation report. If an Aquatic Resource Alteration Permit has been obtained for this site, what is the permit number? ARAP Number:			
Receiving waters: City of Chattanooga Closed Storm Sewer draining to <u>Dobbs Branch</u>			
Include the SWPPP with the NOI <input checked="" type="checkbox"/> SWPPP Included		Include a site location map <input checked="" type="checkbox"/> Map Included	

Name of Site Owner or Developer (Site-Wide Permittee): (correct legal name of person, company, or entity that has operational or design control over construction plans and specifications) 1101 Main LLC			
For corporate entities only, provide the Tennessee Secretary of State (SOS) Control Number: 001198759			
Site Owner or Developer Contact Name: (individual responsible for site) Kevin Boehm		Title or Position: (the party who signs the certification below): Owner	
Mailing Address: 201 W Main Street, Suite 105		City: Chattanooga	State: TN Zip: 37408
Phone: () 423-531-0114		E-mail: kevin@boehmre.com	

Optional Contact Name:		Title or Position:	
Mailing Address:		City:	State: Zip:
Phone: ()		E-mail:	

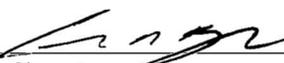
Owner or Developer Certification: (must be signed by president, vice-president or equivalent, or ranking elected official) (Primary Permittee)
 1101 Main LLC

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner or Developer Name: (print or type): Kevin Boehm	Signature: 	Date: 19 Aug 22
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Contractor(s) Certification: (must be signed by president, vice-president or equivalent, or ranking elected official) (Secondary Permittee)

I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this NOI and SWPPP, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements.

Primary contractor name, address, and SOS control number (if applicable): (print or type) Henegar Homes LLC, PO Box 3251, Chattanooga, TN 37404	Signature: 	Date: 8/19/22
Primary contractor name, address, and SOS control number (if applicable): (print or type)	Signature:	Date:
Primary contractor name, address, and SOS control number (if applicable): (print or type)	Signature:	Date:



STORMWATER POLLUTION
PREVENTION PLAN
for

FOX RESIDENTIAL DEVELOPMENT

1101 E Main Street
City of Chattanooga
Hamilton County, Tennessee

Issued: August 2022

Prepared for:
1101 Main LLC
PO Box 2007
Chattanooga, TN 37409

Prepared by:

LaBella Associates
1426 Williams Street, Suite 12
Chattanooga, TN 37408
(423) 241-6575

LaBella Project No. 12153.00

It is a violation of Tennessee State Board of Architecture and Engineering Examiners for any person to alter this drawing or document in any way, unless he or she is acting under the direction of a licensed design professional (professional engineer, land surveyor, architect or landscape architect). If this drawing or document is altered, the altering design professional shall affix to the drawing or document his or her seal, the notation "altered by" followed by his or her signature, the date of such alteration, and a specific description of the alteration.

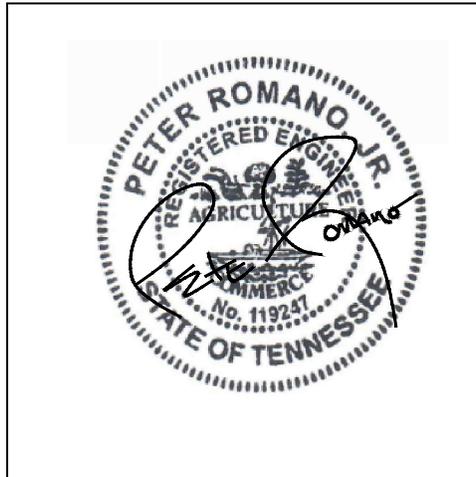
PREPARER OF THE SWPPP

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person(s) who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.”

Name and Title¹: Peter Romano, P.E. - Director, Engineering

Registration Type: Professional Engineer

Date: August 2022

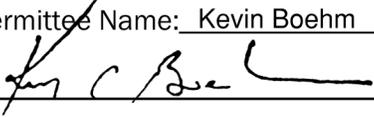


¹ This is a signature of a Tennessee State licensed Professional Engineer that is duly authorized to sign and seal Stormwater Pollution Prevention Plans (SWPPPs), NOIs, and NOTs prepared under their direct supervision. The EPSC measures have been prepared in accordance with good engineering practices and per the latest edition of the Tennessee Erosion and Sediment Control Handbook. In addition, the EPSC measures included on the plans and the supporting SWPPP have been designed to minimize erosion and maximize sediment removal resulting from a 5-year, 24-hour storm event in accordance with the TNR 100000 General NPDES Permit for Discharges of Stormwater Associated with Construction Activities.

Primary Permittee Certification (Owner/Developer):

"I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury."

Primary Permittee Name: Kevin Boehm Title: Owner

Signature:  Date: 19 Aug 22

Secondary Permittee Certification (Contractor):

"I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this NOI and SWPPP, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury."

Secondary Permittee Name: Chris Henegar Title: Owner

Signature:  Date: _____

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- Notice of Intent (NOI)
- SWPPP Preparation Checklist
- Notice of Termination (NOT) (Sample Form)

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- Figure 1: Construction Activity Location Map
- Figure 2: Soils Map
- Figure 3: USGS Outfall Map

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1.0 EXECUTIVE SUMMARY

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared for major activities associated with construction of Fox Residential Development in the City of Chattanooga. This SWPPP includes the elements necessary to comply with the national baseline general permit for construction activities enacted by the U.S. Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) program and all local governing agency requirements. This SWPPP must be implemented at the start of construction.

This SWPPP has been developed in accordance with the "State of Tennessee General NPDES Permit for Discharges of Stormwater Associated with Construction Activities" General Permit Number TNR100000, effective October 1, 2021 through September 30, 2026. The SWPPP and accompanying plans identify and detail stormwater management, pollution prevention, and erosion and sediment control measures necessary during construction.

This report considers the impacts associated with the intended development with the purpose of:

1. Maintaining existing drainage patterns as much as possible while continuing the conveyance of upland watershed runoff; and
2. Mitigating potential stormwater quality impacts and preventing soil erosion and sedimentation resulting from stormwater runoff generated both during construction.

The analysis and design completed and documented in this report is intended to be part of the application made for a residential redevelopment project completed on behalf of the Owner.

1.1 Project Description

1101 Main LLC is proposing a residential redevelopment located at the corner of 1101 East Main Street and 1490 Top Street. The development is comprised of approximately 45 townhome units with garage spaces and limited surface parking. A location map of the construction activity has been provided in Appendix C, as Figure 1.

Project construction activities will consist primarily of site grading, paving, building construction, and the installation of storm drainage, water supply, sewage collection, and public utility infrastructure necessary to support the proposed redevelopment. Construction phase pollutant sources anticipated at the site are disturbed (exposed) soil, vehicle fuels and lubricants, chemicals associated with building construction, and building materials. Without adequate control there is the potential for each type of pollutant to be transported by stormwater.

The project construction activities ultimately discharge to the Dobbs Branch, which is included in the EPA's List of Impaired Waters. The project site is located approximately 4,000 feet from this water body, and the project will disturb less than 5 acres. Construction activities are directed to the stormsewer and flow through the City storm sewer to an interceptor system within Montague Park. From there the stormwater stays in a closed system south and through improved channel intersecting Interstate 24 and ultimately discharging to Dobbs Branch. The total storm sewer distance traveled is approximately 5,000 LF.

Due to the proximity to the impaired segment and the nature of the discharge, it is not likely to cause more than de minimis degradation in the impaired segment. Therefore, the additional Total Daily Maximum Loads (TDML's) and water quality standards set forth by the CGP and EPA do not apply.

This project is located within the City of Chattanooga regulated Municipal Separate Stormwater Sewer System (MS4). City of Chattanooga is not a recognized Qualifying Local Program (QLP) formally approved by the TDEC. Therefore, the NOI, SWPPP and appropriate application fees shall be submitted to the TDEC for permit coverage. The permittee shall send courtesy copies of the NOC and NOT to the City of Chattanooga.

1.2 Stormwater Pollution Controls

The stormwater pollution controls outlined herein have been designed and evaluated in accordance with the following standards and guidelines:

- Tennessee Erosion and Sediment Control Handbook – 4th Edition (August 2012).
- TDEC Stormwater Management Checklist (attached in Appendix A, TDEC Forms)
- Tennessee Permanent Stormwater and Design Guidance Manual – 1st Edition (2015)

Stormwater quality will be enhanced through the implementation of temporary and permanent erosion and sediment control measures and other construction-phase pollution controls outlined herein.

1.3 Conclusion

This project is subject to the requirements of the City of Chattanooga regulated MS4, and this SWPPP has been prepared in conformance with the current NPDES Permit and Erosion & Sediment Control Handbook. As such, TNR100000 coverage will be effective once the permittee receives the notice of coverage NOC unless notified otherwise by the TDEC.

2.0 SWPPP IMPLEMENTATION RESPONSIBILITIES

A summary of the responsibilities and obligations of all parties involved with compliance with the TDEC NPDES General Permit TNR100000 conditions is outlined in the subsequent sections. For a complete listing of the definitions, responsibilities, and obligations, refer to the NPDES General Permit TNR100000 at the following link: [NPDES Stormwater Construction Permit \(tn.gov\)](https://www.tn.gov/npdes/stormwater-construction-permit).

2.1 Definitions

A summary of the responsibilities and obligations of all parties involved with compliance with the TDEC General Permit TNR100000 conditions is outlined in the subsequent sections. For a complete listing of the definitions, responsibilities, and obligations, refer to the TDEC General Permit TNR100000.

- A) **“Site-wide Permittee”** is the first primary permittee to apply for coverage for a construction activity. There may be other primary permittees for a project, but there is only one site-wide permittee.
- B) **“Operator”** for the purpose of this permit and in the context of stormwater associated with construction activity means any person associated with a construction project who meets either or both of the following criteria:
 - 1. This person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person is typically the owner or developer of the project or a portion of the project, and is considered the primary permittee; or
 - 2. This person has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is typically a contractor or a commercial builder who is hired by the primary permittee, and is considered a secondary permittee.

It is anticipated that at different phases of a construction project, different types of parties may satisfy the definition of “operator.” Where there are multiple operators associated with the same project, all operators are required to obtain permit coverage. The following are types of Construction Site Operators:

- 1. **“Owner/Developer”** is a primary permittee. This person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person may include, but is not limited to, a developer, landowner, realtor, commercial builder, homebuilder, etc. and may be an individual, a corporate entity, or a governmental entity.
- 2. **“Commercial Builder”** can be a primary or secondary permittee.
 - (i) A commercial builder is a primary permittee, and is considered a new operator and must submit a new NOI, if he/she:
 - a. purchases one or more lots from a site-wide permittee for the purpose of constructing and selling a structure, and has design or operational control over construction plans and specifications; or
 - b. is hired by an end user, such as a lot owner who may not be a permittee.

- (ii) A commercial builder is a secondary permittee if hired by the primary permittee or a lot owner to build a structure. In this case, the commercial builder signs the primary permittee's NOI and SWPPP as a contractor.
3. **“Contractor”** is considered a secondary permittee. This person has day-to-day operational control of those activities necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g., contractor is authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).
- (i) A contractor may be, but is not limited to, a general contractor, grading contractor, erosion control contractor, sub-contractor responsible for any land disturbing activities and/or erosion prevention and sediment control (EPSC) implementation/maintenance, commercial builder hired by the owner/developer, etc. The contractor may need to include in their contract with the party that hired them specific details for the contractor's responsibilities concerning EPSC measures. This includes the ability of the contractor to make EPSC modifications. The contractor shall sign the primary permittee's NOI and SWPPP associated with the construction project at which they will be an operator.

Note: It is encouraged that the contractor responsible for ensuring compliance with SWPPP and permit be “trained” or received previous training, which has been endorsed by the TDEC, from a Soil and Water Conservation District, CPESC, Inc. or other TDEC endorsed entity, in proper erosion and sediment control principles. Or that said contractor to be working under the direction from and individual from the contracting (construction) company that meets the “inspector” qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they meet or exceed TDEC requirements).

- C) **“Inspector”** is a person with the following qualifications:
- 1. a valid certification from the “Fundamentals of Erosion Prevention and Sediment Control Level I” course, or
 - 2. a licensed professional engineer or landscape architect, or
 - 3. a Certified Professional in Erosion and Sediment Control (CPESD), or
 - 4. successfully completed the “Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites” course

An inspector performs and documents the required inspections, paying particular attention to time-sensitive permit requirements such as stabilization and maintenance activities. An inspector may also have the following responsibilities:

- 1. oversee the requirements of other construction-related permits, such as Aquatic Resources Alteration Permit (ARAP) or Corps of Engineers permit for construction activities in or around waters of the state
- 2. update field SWPPPs.
- 3. conduct pre-construction inspection to verify that undisturbed areas have been properly marked and initial measures have been installed.
- 4. inform the permit holder of activities that may be necessary to gain or remain in compliance with the CGP and other environmental permits.

- D) **“Registered Engineer”** and **“Registered Landscape Architect”**: An engineer or landscape architect certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Section 62-202, Tennessee Code Annotated, to practice in Tennessee.

2.2 Operator/Permittee’s General Responsibilities

A) Primary Permittee(s) must:

1. Ensure the project specifications they develop meet the minimum requirements of part 3 of CGP TNR100000 (stormwater pollution prevention plan - SWPPP) and all other applicable conditions;
2. Ensure that the SWPPP indicates the areas of the project where they have design control (including the ability to make modifications in specifications), and ensure all other permittees implementing and maintaining portions of the SWPPP impacted by any changes they make to the plan are notified of such modifications in a timely manner;
3. Ensure that all common BMPs (i.e., sediment treatment basin and drainage structures) that are necessary for the prevention of erosion or control of sediment are maintained and effective until all construction is complete and all disturbed areas in the entire project are stabilized, unless permit coverage has been obtained and responsibility has been taken over by a new (replacement) owner/operator.
4. Ensure that all operators on the site have permit coverage, if required, and are complying with the SWPPP.
5. If parties with day-to-day operational control of the construction site have not been identified at the time the comprehensive SWPPP is initially developed, the primary permittee shall be considered to be the responsible person until such time the supplemental NOI is submitted, identifying the new operator(s) (see section 2.4.3 of CGP). These new operators (e.g., general contractor, utilities contractors, sub-contractors, erosion control contractors, hired commercial builders) are considered secondary permittees. The SWPPP must be updated to reflect the addition of new operators as needed to reflect operational or design control.

B) Secondary Permittee(s) must:

1. Ensure that the SWPPP for portions of the project where they are operators meets the minimum requirements of part 3 of the CGP (SWPPP Requirements) and identifies the parties responsible for implementation of control measures identified in the plan;
2. Ensure that the SWPPP indicates areas of the project where they have operational control over day-to-day activities;
3. Ensure that measures in the SWPPP are adequate to prevent erosion and control any sediment that may result from their earth disturbing activity;
4. Permittees with operational control over only a portion of a larger construction project are responsible for compliance with all applicable terms and conditions of this permit as it relates to their activities on their portion of the construction site. This includes, but is not limited to, implementation of Best Management Practices (BMPs) and other controls required by the SWPPP. Permittees shall ensure either directly or through coordination with other permittees, that their activities do not render another person's pollution control ineffective. All permittees must implement their portions of a comprehensive SWPPP.

- C) Where there are multiple operators associated with the same project, all operators are required to obtain permit coverage. Once covered by a permit, all such operators are to be

considered as co-permittees if their involvement in the construction activities affects the same project site, and are held jointly and severally responsible for complying with the permit.

- D) New Operators should submit a supplemental NOI as soon as practicable before commencing work at a site with existing coverage. The supplemental NOI must reference the project name and tracking number assigned to the primary permittee.
- E) If the primary permittee's company name has changed (but not the site ownership or authorized signators), an updated NOI should be submitted to TDEC within 30 days of the name change.

2.3 Site-Wide/Primary Permittee's (Applicant) Responsibilities

- A) Develop and submit a SWPPP
 - 1. The narrative of the SWPPP shall be prepared by an individual who has a working knowledge of erosion prevention and sediment controls, such as (but not limited to):
 - (i) A Certified Professional in Erosion and Sediment Control (CPESC)
 - (ii) A person that successfully completed the "Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites" course, or
 - (iii) A "Registered Engineer" or "Registered Landscape Architect"
 - 2. Retain the services of a "Registered Professional" or "Registered Landscape Architect" to create and certify a site-specific SWPPP to obtain coverage under the CGP TNR100000. Documents to be prepared, stamped and certified include plans and specifications for any building or structure, including the design of sediment basins or other sediment controls involving structural, hydraulic, hydrologic, or other engineering calculations. Modifications to these documents shall also be prepared, stamped and certified as such.
 - 3. The SWPPP must assign responsibilities to secondary permittees and coordinate all BMPs at the construction site.
- B) When there are multiple primary permittees on a site, separate SWPPPS that cover only their portion of the project may be developed. However, the permittees must ensure the stormwater discharge controls and other measures are compatible with one another and do not prevent another operator from complying with permit conditions.
- C) Have the NOI and SWPPP Primary Permittee certification signed as follows. A copy of the completed NOI is included in Appendix A.
 - 1. For a corporation, by a responsible corporate officer
 - 2. For a general partnership, by each general partner
 - 3. For a sole proprietorship, by the proprietor
 - 4. For a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official
 - 5. A duly authorized representative of any of the above.
- D) Submit the signed NOI, SWPPP and application fee to the appropriate TDEC Environmental

Field Office (EFO). Make checks payable to the "Treasurer, State of Tennessee" The TDEC permit fees are as follows:

- (i) Acres disturbed = or > 1 and < 5 acres, fee = \$250

Note: There are no additional fees for subsequent Operators to obtain permit coverage as long as the Site-Wide Permittee has active coverage at time of subsequent applications.

Attention: Stormwater NOI Processing
EFO Chattanooga
1301 Riverfront Parkway Suite #206
Chattanooga, TN 37402

- E) Submit a copy of the NOC to the following:

City of Chattanooga
Land Development Office
1250 Market St.
Chattanooga, TN 37402

- F) Forward a copy of the NOC to the Owner's/Developers Engineer for project records, and to the Contractor for display at the job site.

- G) Retain the services of individual(s) with one or more of the following qualifications to conduct site assessments:

1. A licensed professional engineer or landscaped architect
2. A CPESC
3. A person who has successfully completed the Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites" course

Site assessments shall cover the entire disturbed area and occur within 30 days of construction commencing at each portion of the site that drains the qualifying acreage. If structural BMPs (or equivalent EPSC measures) are not constructed or construction is in progress at the time of the site assessment, a follow-up monthly assessment(s) are required until the BMPs are constructed per the SWPPP.

- H) Retain the services of individual(s) with one or more of the following qualifications to conduct site inspections:

1. A person with a valid certification from the "Fundamentals of Erosion Prevention and Sediment Control Level I" course,
2. A licensed professional engineer or landscaped architect,
3. A CPESC,
4. A person who has successfully completed the Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites" course.

- I) Prior to the commencement of construction activity:

1. Obtain any permits required by City of Chattanooga.
2. Schedule a pre-construction meeting which shall include the City of Chattanooga representative, Owner's/Developer's Engineer, Contractor, and their sub-contractors to

- discuss responsibilities as they relate to the implementation of this SWPPP.
3. Identify the entity or person(s) responsible for conducting the twice-weekly inspections.
- J) Require the Contractor to fully implement the SWPPP prepared for the site by the Registered Engineer to ensure that the provisions of the SWPPP are implemented from the commencement of construction activity until all areas of disturbance have achieved permanent stabilization and the Notice of Termination (NOT) has been submitted.
- K) Post a notice near the main entrance of the construction site accessible to the public with the following information:
1. A copy of the NOC
 2. Name, address, phone number, and email (if available) of the project site owner/operator or a local contact
 3. Brief description of the project
 4. Location of the SWPPP
- L) Maintain a copy of the current SWPPP and a copy of the permit at the construction site, in a central location for the use of all operators, from the date construction commences to the date of termination of permit coverage. Place documents in a secure location that must be accessible during normal business hours to an individual performing a compliance inspection.
- M) The following items shall also be retained on-site:
1. A rain gauge
 2. A copy of the twice weekly inspection reports
 3. Documentation of quality assurance site assessments, if applicable
 4. A copy of the site inspector's certification
 5. A copy of the Spill Prevention, Countermeasures, and Cleanup ("SPCC") plan
- N) If the site is inactive or does not have an on-site location adequate to store the SWPPP, the location of the SWPPP, along with a contact phone number, shall be posted on-site. If located off-site, reasonable local access to the plan, during normal working hours, must be provided.
- O) Once a definable area has been permanently stabilized, the permittee may identify this area on the SWPPP. No further SWPPP or inspection requirements apply to that portion of the site.
- P) The NOI, SWPPP, and inspection reports required by TNR100000 are public documents that the permittee must make available for review and copying by any person within five (5) business days of the permittee receiving a written request by any such person to review the NOI, SWPPP, or inspection reports. Copying of documents will be done at the requester's expense.
- Q) The Permittee must keep the SWPPP current at all times. At a minimum, the Permittee shall modify and update the SWPPP:
1. Whenever there is a change in the scope of the project that would be expected to have a significant effect on the discharge of pollutants to the waters of the State and which has not otherwise been addressed with the SWPPP;

2. Whenever inspections or investigations by site operators, or local, state or federal officials indicate the SWPPP is proving ineffective in eliminating or significantly minimizing pollutants, or is otherwise not achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity. Where local, state or federal official determine that the SWPPP is ineffective, a copy of any correspondence shall be retained in the SWPPP;
 3. Whenever any new operator (typically a secondary permittee) who will implement a measure of the SWPPP must be identified;
 4. Whenever it is necessary to include measures intended to prevent a negative impact to legally protected state or federally listed fauna or flora;
 5. Whenever a TMDL is developed for the receiving waters.
- R) If project plans and documents require, retain the services of an independent certified materials testing and inspection firm operating under the direction of a licensed Professional Engineer to perform regular tests, inspections, and certifications of the construction materials used in the construction of all post-construction stormwater management practices.
- S) For construction activities that exceed one year, pay the General Permit Annual Maintenance fee:
- (i) Acres disturbed = or > 1 and < 5 acres, fee = \$125
- T) Retain the services of a TN licensed land surveyor to perform an as-built topographic survey of the completed post-construction stormwater management facilities. All applicants are required to submit actual as-built plans for any structures located on-site after final construction is completed. The plan must show the final design specifications for all storm water management facilities and must be sealed by a registered professional engineer licensed to practice in Tennessee. A final inspection by the City of Chattanooga is required before any performance security or performance bond will be released. The City of Chattanooga shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all BMPs have been made and accepted by the City of Chattanooga.
- U) Submit a Notice of Termination (NOT) form (see Appendix A) when the conditions of Section 8.1.1 of the CGP have been satisfied to:
- Attention: Stormwater NOT Processing
EFO Chattanooga
1301 Riverfront Parkway Suite #206
Chattanooga, TN 37402
- City of Chattanooga
Land Development Office
1250 Market St.
Chattanooga, TN 37402
- V) Retain copies of SWPPPs, reports required by the permit, records of all data used to complete the NOI and NOT for a minimum of three (3) years after the NOT is filed.

2.4 Secondary Permittee(s) (Contractor) Responsibilities:

- A) The contractor shall be the sole secondary permittee responsible for day to day operation control of those activities which are necessary to ensure compliance with the SWPPP for the site or other permit conditions.
- B) Sign the NOI and SWPPP certification associated with the construction project. The Primary Permittee is responsible for all permit application fees unless an agreement stating otherwise has been made.
- C) Provide the names and addresses of all subcontractors working on the project site. Require all subcontractors who will be involved with construction activities that will result in soil disturbance to sign and submit their own NOI to appropriate EFO office for coverage under the CGP. A copy of all NOI's shall be provided to the Primary Permittee.
- D) Maintain a Spill Prevention and Response Plan in accordance with requirements outlined in Section 5.4.4 of this SWPPP.
- E) Participate in a pre-construction meeting which shall include the City of Chattanooga representative, Owner/Developer, Owner's/Developer's Engineer, and all subcontractors to discuss responsibilities as they relate to the implementation of this SWPPP.
- F) If Contractor plans on utilizing adjacent properties for material, waste, borrow, or equipment storage areas, or if Contractor plans to engage in industrial activity other than construction (such as operating asphalt and/or concrete plants) at the site, Contractor shall submit appropriate documentation to the Owner's/Developer's Engineer so that the SWPPP can be modified accordingly.
- G) Implement site stabilization, erosion and sediment control measures, and other requirements of the SWPPP.
 - 1. Begin implementing and finish corrective actions before next rain event if possible or within seven (7) business days of receipt of notification by the Inspector that deficiencies exist with the erosion and sedimentation control measures employed at the site. Corrective actions shall be completed within a reasonable time frame, but in no case later than 14 days after the notification.
- H) The following records shall be maintained on or near site: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; the dates when stabilization measures are initiated; inspection records and rainfall records. Permittees shall maintain a rain gauge and daily rainfall records at the site, or use a reference site for a record of daily amount of precipitation.
- I) Secondary Permittee's shall comply with Owner/Developer Engineer's requests for changes, modifications, and document requests in an effort to keep the SWPPP up to date.
- J) Submit a Notice of Termination (NOT) form (see Appendix A) when no longer an operator at the construction site to:

Attention: Stormwater NOT Processing
EFO Chattanooga
1301 Riverfront Parkway Suite #206
Chattanooga, TN 37402

City of Chattanooga
Land Development Office
1250 Market St.
Chattanooga, TN 37402

2.5 Engineer's/Landscape Architect's Responsibilities

- A) If contracted to do so, conduct a site assessment prior to the commencement of construction and certify in an inspection report that the appropriate erosion and sediment control measures described within this SWPPP have been adequately installed and implemented to ensure overall preparedness of the site.
- B) If contracted to do so, provide on-site inspections to determine compliance with the SWPPP.
- C) Update the SWPPP each time there is a modification per section 3.4.1 of the CGP. Updates shall take place in a timely manner from said modification or alteration, but in no case later than 14 days following the inspection deeming the change appropriate.
- D) Based on the as-built survey and material testing certifications performed by others, perform evaluations of the completed stormwater management facilities to determine whether they were constructed in accordance with this SWPPP and certify such for Owner/Developer.
- E) Conduct a final site assessment and prepare a certification letter to the Owner/Operator indicating that, upon review of the material testing and inspection reports prepared by the firm retained by the Owner/Operator, review of the completed topographic survey, and evaluation of the completed stormwater management facilities, the stormwater management facilities have been constructed substantially in accordance with the contract documents and should function as designed.
- F) Prepare the Notice of Termination (NOT) and forward the NOT to the Owner/Developer (Primary Permittee) for his/her signature to terminate coverage.

2.6 Inspector's Responsibilities

- A) Provide a copy of certification or training record to the primary permittee.
- B) Site inspections shall occur at an interval of at least twice every seven calendar days at least 72 hours apart². Section 3.5.8.2. Schedule of inspections in the permit defines the inspections required during the construction progress. The standard TDEC inspection form is provided in Appendix B.
- C) A written inspection report shall be provided to the Permittees responsible for day to day operational control of the erosion and sediment controls and primary permittee within one

² Sites may reduce frequency of inspections following the written guidelines of Section 3.5.8.2.a) of the TNR100000 permit.

- business day of the completion of the inspection, with any deficiencies identified.
- D) If requested by the division, inspection reports must be submitted within 10 days of the request. The submitted form must contain the printed name of the signature of the trained inspector and person who meets the regulator requirements of Section 7.7.2 of the CGP.

2.7 SWPPP Participants

1. Owner's/Operator's Engineer: Peter Romano, P.E.
LaBella Associates
1426 Williams Street, Suite 12
Chattanooga, TN 37408
(423) 241-6575
Email: promano@labellapc.com

2. Owner/Operator:
(Site-Wide/Primary Permittee) Kevin Boehm, Owner
1101 Main LLC
PO Box 2007
Chattanooga, TN 37409
Phone: (423) 531-0114
Email: kevin@boehmre.com

3. Contractor(s) (Secondary Permittee(s))³:
Name and Title: Chris Henegar
Company Name: Henegar Homes LLC
Mailing Address: PO Box 3251
Chattanooga, TN 37404
Phone: (423) 400-5597
Fax: _____

Name and Title: _____
Company Name: _____
Mailing Address: _____

Phone: _____
Fax: _____

Name and Title: _____
Company Name: _____
Mailing Address: _____

Phone: _____
Fax: _____

³ All contractors/subcontractors etc who meet the definition of an "operator" as defined by the CGP and this SWPPP.

3.0 SITE CHARACTERISTICS

3.1 Land Use and Topography

The overall site is slightly sloping, with slopes ranging from 0 to 3 percent. Site elevations range from approximately 657 feet above mean sea level (MSL) to 665 feet MSL. The site gently slopes from west to east, with a low area in the southern reach at elevation 657 where the catch basin is located. The site stormwater is collected by private closed drainage system and drains to municipal stormsewer.

3.2 Soils and Groundwater

The United States Department of Agriculture (USDA) Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) was used to obtain surficial soil conditions for the study area. Soil data as provided by the SCS is presented in Table 1.

Table 1: USDA Soil Data

Map Symbol & Description	Hydrologic Soil Group	Permeability (inches/hour)	Erosion Factor K	Depth to Water Table (feet)	Depth to Bedrock (inches)
Cdc – Colbert-Urban land complex, 2 to 12 percent slopes	D	1.3	N/A	3.74	55
Ur – Urban land	D	N/A	N/A	>6.56	>78

The Soil Conservation Service defines the hydrologic soil groups as follows:

Type D Soils: Soils having a very low infiltration rate and high runoff potential when thoroughly wet. These soils consist chiefly of clays that have high shrink-swell potential, soils that have a permanent high water table, soils that have a clay pan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very low rate of water transmission.

The soils map for the study area is presented in Appendix C, as Figure 2.

3.3 Watershed Designation and Receiving Water Bodies

According to the interactive GIS “WATERS GeoViewer” mapper contained on the EPA Office of Water’s website, the project site is located in the subbasin Middle-Tennessee-Chickamauga (Hydrologic Unit Code HUC 8 #06020001) and subwatershed Chattanooga Creek HUC12 #060200011202.

The nearest natural classified water body into which runoff from the project site will discharge is the Dobbs Branch, which is classified by EPA as a Section 303(d) list of impaired waters found in Tennessee. The Dobbs Branch is not recognized by the division as Exceptional Tennessee Waters or Outstanding Natural Resource Waters.

The project site discharges upstream of such waters, but because of the proximity to the impaired segment and the nature of the discharge it is not likely to contribute pollutants of concern in amounts measurable in the impaired segment. Therefore, additional Total Daily Maximum Loads (TDML’s) and water quality standards set forth by the CGP and EPA do not apply.

3.4 Aquifer Designation

The project site is located over the Valley and Ridge aquifers – Carbonate-rock Principal aquifer according to the National Atlas Principal Aquifers Map, 2005.

3.5 Waters of the State

Based on the TDEC Water Resources Data and Map Viewer search dated December 17, 2021, no streams were identified on the project site. Additionally, a search on the U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) Resource Mapper December 17, 2021, determined that no regulated wetlands are located on or in the vicinity of the project site.

3.6 Flood Plains

According to the National Flood Insurance Program Flood Insurance Rate Map (FIRM), Hamilton County, Tennessee, Community Panel Number 47065C0343G and 47065C0341G the project site lies within Flood Zone X, areas determined to be outside 500-year floodplain.

3.7 Rare, Threatened, or Endangered (RTE) Aquatic Species

A search was performed on the TDEC Interactive Rare Species Database on December 17, 2021, and determined that the project site watershed contains 8 RTE Aquatic species. The following species, with their RTE status and habitat, are listed for the watershed:

- “Cumberland Monkeyface” Mollusc - endangered – habitat of “shallow riffle and shoal areas of headwater streams and bigger rivers, in coarse sand/gravel substrates; Tennessee River system.”
- “Pink Mucket” Mollusc - endangered – habitat of “generally a large river species, preferring sand-gravel or rocky substrates with mod-strong currents; Tennessee & Cumberland river systems”
- “Orangefoot Pimpleback” Mollusc – endangered – habitat of “Large rivers in sand-gravel-cobble substrates in riffles and shoals in deep flowing water; Cumberland & Tennessee river systems.”
- “Dromedary Pearlymussel” Mollusc – endangered – habitat of “medium-large rivers with riffles and shoals w/ relatively firm rubble, gravel, and stable substrates; Tennessee & Cumberland systems”
- “Snail Darter” Fish – threatened – habitat of “sand and gravel shoals of moderately flowing, vegetated, large creeks; upper Tennessee River watershed”
- “Rough Pigtoe” Mollusc – endangered – habitat of “medium to large rivers in sand, gravel, and cobble substrates of shoals; Tennessee & Cumberland river systems”
- “Nuttall’s Pondweed” Flowering Plant – special concern – habitat of “Lakes And Streams”
- “Tennessee Cave Salamander” Amphibian – threatened – habitat of “aquatic cave obligate; cave streams & rimstone pools; Central Basin, Eastern Highland Rim, & Cumberland Plateau”

Habitat for the RTE Aquatic species is not present (no streams, rivers, pools or watercourses on-site) and the project will implement erosion control measures and post construction stormwater practices during and after construction. Therefore, it appears the project site does not contain suitable habitat for this listed species.

3.8 Historic Places

A National Register of Historic Places search performed on the latest dataset, June 2021, revealed that the property is not located within an archeologically sensitive area and is not listed or eligible for listing on the National Register of Historic Places.

4.0 CONSTRUCTION SEQUENCE

This project requires disturbance that encompasses a total of 3 acres of land and disturbance of additional off-site properties to facilitate construction is not anticipated. As required, two EPSC plans have been developed detailing initial and final grading conditions.

The “Erosion and Sediment Control Plans” and aforementioned “Phasing Plans” in the accompanying drawings identify the major construction activities that are the subject of this SWPPP. The order (or sequence) in which the major activities are expected to begin is presented on the accompanying drawings, though each activity will not necessarily be completed before the next begins. In addition, these activities could occur in a different order if necessary to maintain adequate erosion and sediment control. If this is the case, the secondary permittees (contractors) shall notify the Primary Permittee (Owner’s/Developer’s) or the Registered Engineer overseeing the implementation of the SWPPP.

The Contractor (Secondary Permittee – Operator) will be responsible for implementing the day to day operational control of the erosion and sediment control measures identified on the plans. The Contractor may designate these tasks to certain subcontractors as he sees fit, but the ultimate responsibility for implementing these controls and ensuring their proper function remains with the Contractor.

Refer to the accompanying plans for details and specifications regarding the construction sequencing schedule.

5.0 CONSTRUCTION-PHASE POLLUTION CONTROL

The SWPPP and accompanying plans identify the temporary and permanent erosion and sediment control measures that have been incorporated into the design of this project. These measures will be implemented during construction, to minimize soil erosion and control sediment transport off-site, and after construction, to control the quality and quantity of stormwater runoff from the developed site.

Erosion control measures, designed to minimize soil loss, and sediment control measures, intended to retain eroded soil and prevent it from reaching water bodies or adjoining properties, have been developed in accordance with the following documents:

- Tennessee Erosion and Sediment Control Handbook – 4th Edition (August 2012).
- TDEC Stormwater Management Checklist (attached in Appendix A, TDEC Forms)

The SWPPP and accompanying plans outline the construction scheduling for implementing the erosion and sediment control measures. These documents include limitations on the duration of soil exposure, criteria and specifications for placement and installation of the erosion and sediment control measures, a maintenance schedule, and specifications for the implementation of erosion and sediment control practices and procedures.

Temporary and permanent erosion and sediment control measures that shall be applied during construction generally include:

1. Minimizing soil erosion and sedimentation by stabilization of disturbed areas and by removing sediment from construction site discharges.
2. Preservation of existing vegetation to the greatest extent practical. Following the completion of construction activities in any portion of the site, permanent vegetation shall be established on all exposed soils.
3. Site preparation activities to minimize the area and duration of soil disruption.
4. Establishment of permanent traffic corridors to ensure that “routes of convenience” are avoided.

5.1 Temporary Erosion and Sediment Control Measures

The temporary erosion and sediment control measures described in the following sections are included as part of the construction documents.

5.1.1 Stabilization with Straw Mulch

Application of a temporary protective blanket of straw to seeded areas immediately. Areas that cannot be seeded because of the season should be mulched to provide temporary protection of the soil surface. The straw should come from wheat or oats (“small grains”) and spread by hand or a mulch blower. Recommended application rate = 2 tons per acre. If spreading by hand, divide the area into 1000 SF sections and place 70-90 lbs of straw in each section to facilitate uniform distribution. No more than 25% of the soil surface should be visible after spreading. Anchor the mulch with either a mulch anchoring tool, liquid mulch binders, or a mulch netting.

Inspect all mulched locations periodically and after rainstorms until vegetation is firmly established or construction activities resume in the area. If erosion is observed apply additional mulch. If washout occurs, repair the slope, reseed and reinstall mulch.

Alternates to straw mulch include wood chips, bark chips/shredded bark, or wood fiber.

5.1.2 Temporary Seeding

Within 14 days after construction activity ceases on any particular area of the site, any disturbed areas shall be temporarily seeded and mulched to minimize erosion and sediment loss. Temporary seeding shall be performed in accordance with the Tennessee Erosion and Sediment Control Handbook. The table below provides temporary seeding guidelines:

Species	Rate (lb/acre)
Rye	120
Seeding dates	
East	Above 2500 feet: Feb. 15 - May 15
	Below 2500 feet: Feb. 1 - May 1
Middle	Jan. 1 - May 1
West	Dec. 1 - Apr. 15
Soil amendments	
Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.	
Mulch	
Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
Maintenance	
Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.	

Figure 7.8-1 Temporary Seeding Recommendation for Late Winter and Early Spring

Species	Rate (lb/acre)
Oats	60
Brown top millet	30
Seeding dates	
East	May 15 - Aug. 15
Middle	May 1 - Aug. 15
West	Apr. 15 - Aug. 15
Soil amendments	
Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.	
Mulch	
Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
Maintenance	
Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.	

Figure 7.8-2 Temporary Seeding Recommendation for Summer

Species	Rate (lb/acre)
Oats	30
Winter wheat	30
Seeding dates	
East	Aug 15 - Dec 15
Middle	Aug. 15 - Dec 30
West	Aug. 15 - Dec 30
Soil amendments	
Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.	
Mulch	
Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
Maintenance	
Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage. If necessary to extend temporary cover beyond June 15, overseed with 50 lb/ac crimson clover in late February or early March.	

Figure 7.8-3 Temporary Seeding Recommendations for Fall

5.1.3 Stabilized Construction Entrance

Prior to construction, stabilized construction entrance(s) will be installed, per accompanying plans, to reduce the tracking of sediment onto public roadways.

Construction traffic must enter and exit the site at the stabilized construction entrance(s). The intent is to trap dust and mud that would otherwise be carried off-site by construction traffic.

The entrance(s) shall be maintained in a condition that will prevent tracking or flow of material onto public rights-of-way, streets, and/or storm drain systems. When necessary, additional aggregate will be placed atop the filter fabric to assure the minimum thickness is maintained. All sediment and/or soil spilled, dropped, tracked or washed from vehicles or site onto public rights-of-way or into storm drains

must be removed immediately. Periodic inspection and needed maintenance shall be provided after each substantial rainfall event.

5.1.4 Dust Control

Water trucks shall be used as needed during construction to reduce dust generated on-site. Dust control must be provided by the Contractor(s) to a degree that is acceptable to the Owner, and in compliance with the applicable local and state dust control requirements.

5.1.5 Temporary Soil Stockpile

Materials, such as topsoil, will be temporarily stockpiled (if necessary) on the site during the construction process. Stockpiles shall be located in an area away from storm drainage, water bodies and/or courses, and will be properly protected from erosion by a surrounding silt fence barrier. Stockpiles should be temporarily seeded within 15 days after formation. Permanent seeding should be considered when a stockpile is to be inactive for a longer period of time.

5.1.6 Silt Fencing

Prior to the initiation of and during construction activities, a woven geotextile fabric (or silt fence) will be established downgradient of all disturbed areas. These barriers may extend into non-impact areas to provide adequate protection of adjacent lands.

Clearing and grubbing will be performed only as necessary for the installation of the sediment control barrier. To facilitate effectiveness of the silt fencing, daily inspections and inspections immediately after significant storm events will be performed by the Contractor(s). Maintenance of the fence will be performed as needed.

5.1.7 Tubes and Wattles

Tubes and Wattles shall be installed, in accordance with the manufacturer's recommendations and with stakes on the downstream side, to minimize erosion by reducing velocity of stormwater in areas of concentrated flow. They can be installed within a ditch or on a steep slope.

5.1.8 Inlet Protection

Inlet protect, via a manufactured or non-manufactured device, prevents sediment from entering a storm drain system prior to stabilization of the contributing disturbed area. Types of inlet protection include manufactured devices, excavated, hardware cloth and gravel, block and gravel, rock ring, and rock pipe. Silt fence inlet protection is not allowed.

5.1.9 Dewatering Operations

Dewatering will be used to intercept sediment-laden stormwater or pumped groundwater and allow it to settle out of the pumped discharge prior to being discharged from the site. Water from dewatering operations shall be treated to eliminate the discharge of sediment and other pollutants. Water resulting from dewatering operations shall be directed to temporary sediment traps or dewatering devices. Temporary sediment traps and dewatering bags will be provided, installed, and maintained at downgradient locations to control sediment deposits to downstream surfaces.

5.2 Permanent Erosion and Sediment Control Measures

The permanent erosion and sediment control measures described in the following sections are included as part of the construction documents.

5.2.1 Establishment of Permanent Vegetation

Disturbed areas that will be vegetated must be seeded in accordance with the contract documents. The type of seed, mulch, and maintenance measures as described in the contract documents shall also be followed.

All areas at final grade must be seeded and mulched within 14 days after completion of the major construction activity. All seeded areas should be protected with mulch.

Permanent site stabilization is achieved when all soil-disturbing activities at the site have been completed and a uniform, perennial vegetative cover with a density of at least 70 percent has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed on all unpaved areas and areas not covered by permanent structures.

Permanent stabilization includes sod and or seeding based on the requirement of the Tennessee Erosion & Sediment Control Handbook Chapter 7.9, and as outlined in the table below. The project site is located within Region III.

Zone	Best	Marginal	Preferred Rate/Mix (lb/ac PLS)	
Region III	>2500 ft elevation; steep slopes	Mar 20 – Apr 30	Aug 15 – Aug 30 Mar 1 – Mar 20 Apr 20 – June 15	15 Browntop millet* (nurse crop) 5 Agrostis perennans 10 little bluestem
	<2500 ft elevation; steep slopes	Aug 15 – Sept 1 Mar 1 – Apr 1	Sept 1 – Sept 15 Apr 1 – June 10	2 black-eyed susan 0.5 monarda (bergamot) 4 Maryland senna
Region III cont'd	>2500 ft elev.; Shallow soils	Mar 20 – Apr 20	Aug 15 – Aug 30 Mar 5 – Mar 20 April 20 – June 15	15 Browntop millet* (nurse crop) 4 purpletop 10 little bluestem
	<2500 ft elev.; Shallow soils	Aug 15 – Sept 1 Mar 1 – Apr 1	Sept 1 – Sept 15 Apr 1 – June 10	2 partridge pea 2 black-eyed susan 0.5 monarda (bergamot)
	>2500 ft. elev.; Moderate slopes	Mar 20 – Apr 20	Aug 15 – Aug 30 Mar 5 – Mar 20 Apr 20 – June 15	15 Browntop millet* (nurse crop) 5 Agrostis perennans 10 little bluestem
	<2500 ft. elev.; Moderate slopes	Aug 15 – Sept 1 Mar 1 – Apr 1	Sept 1 – Sept 15 Apr 1 – June 10	2 black-eyed susan 0.5 monarda (bergamot) 4 Maryland senna
(Allowable)	>2500 ft elev.; High maintenance	Mar 20 – Apr 20	Aug 15 – Aug 30 Mar 5 – Mar 20 Apr 20 – June 15	15 Browntop millet* (nurse crop) 45 Red fescue* 100 hard fescue*
	<2500 ft elev.; High maintenance	Aug 15 – Sept 1 Mar 1 – Apr 1	Sept 1 – Sept 15 Apr 1 – June 10	50 chewing fescue*

5.2.2 Rock Outlet Protection

Rock outlet protection shall be installed at the locations as indicated and detailed on the accompanying plans. The installation of rock outlet protection will reduce the velocity and energy of water, such that the flow will not erode downstream surfaces.

5.2.3 Permanent Turf Reinforcement

Permanent turf reinforcement mats (TRMs) provide long-term erosion protection and vegetation establishment assistance while permanently reinforcing vegetation. TRMs shall be installed on slopes/channels where specified. TRM's provide two key advantages. First, their unique fiber shape and 3-D pattern create a thick matrix of voids that trap seed, soil, and water in place for quicker, thicker vegetation growth. Secondly, they provide additional reinforcement that doubles your vegetation's

natural erosion protection abilities by remaining a permanent part of the application and anchoring mature plants to the soil for superior, long-term erosion resistance.

5.3 Other Pollutant Controls

Other necessary pollutant controls are listed below:

5.3.1 *Solid and Liquid Waste Disposal*

No solid or liquid waste materials, including building materials, shall be discharged from the site with stormwater. All solid waste, including disposable materials incidental to any construction activities, must be collected and placed in containers. The containers shall be emptied periodically by a licensed trash disposal service and hauled away from the site.

Substances that have the potential for polluting surface and/or groundwater must be controlled by whatever means necessary in order to ensure that they do not discharge from the site. As an example, special care must be exercised during equipment fueling and servicing operations. If a spill occurs, it must be contained and disposed of so that it will not flow from the site or enter groundwater, even if this requires removal, treatment, and disposal of soil. In this regard, potentially polluting substances should be handled in a manner consistent with the impact they represent.

5.3.2 *Sanitary Facilities*

Temporary sanitary facilities will be provided by the Contractor throughout the construction phase. They must be utilized by all construction personnel and will be serviced by a licensed commercial Contractor. These facilities must comply with state and local sanitary or septic system regulations.

5.3.3 *Water Source*

Non-stormwater components of site discharge must be clean water. Water used for construction, which discharges from the site, must originate from a public water supply or private well approved by the Health Department. Water used for construction that does not originate from an approved public supply must not discharge from the site; such water can be retained in temporary ponds/sediment traps until it infiltrates and/or evaporates.

5.4 Construction Housekeeping Practices

During the construction phase, the Permittees (Contractors) will implement the following measures:

5.4.1 *Material Stockpiles*

Material resulting from clearing and grubbing operations that will be stockpiled on-site, must be adequately protected with downgradient erosion and sediment controls.

5.4.2 *Equipment Cleaning and Maintenance*

The Contractor(s) will designate areas for equipment cleaning, maintenance, and repair. The Contractor(s) and subcontractor(s) will utilize those areas. The areas will be protected by a temporary perimeter berm, and located a minimum of 50 feet from downstream drainage facilities/watercourses. Areas should be covered and paved wherever practical.

5.4.3 Detergents

The use of detergents for large-scale washing is prohibited (i.e., vehicles, buildings, pavement surfaces, etc.)

5.4.4 Spill Prevention and Response

A Spill Prevention and Response Plan shall be developed for the site by the Contractor(s). The plan shall detail the steps required in the event of an accidental spill and shall identify contact names and phone numbers of people and agencies that must be notified.

The plan shall include Material Safety Data Sheets (MSDS) for all materials to be stored on-site. All workers on-site will be required to be trained on safe handling and spill prevention procedures for all materials used during construction. Regular tailgate safety meetings shall be held and all workers that are expected on the site during the week shall be required to attend.

5.4.5 Concrete Wash Areas

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in specifically designated washout areas, which have been prepared to prevent contact between the concrete wash and stormwater. Waste generated from concrete wash water shall not be allowed to flow into drainage ways, inlets, receiving waters, or highway right of ways, or any location other than the designated concrete wash areas. Proper signage designating the "Concrete Wash Areas" shall be placed near the facility. Concrete wash areas shall be located at minimum 100 linear feet from drainage ways, inlets, and surface waters.

The hardened residue from the concrete wash areas will be disposed of in the same manner as other non-hazardous construction waste materials. Maintenance of the wash area is to include removal of hardened concrete. Facility shall have sufficient volume to contain all the concrete waste resulting from washout and a minimum freeboard of 12 inches. Facility shall not be filled beyond 95% capacity and shall be cleaned out once 75% full unless a new facility is constructed. The Contractor will be responsible for seeing that these procedures are followed.

Sawcut Portland Cement Concrete (PCC) slurry shall not be allowed to enter drainage ways, inlets, and/or surface waters. Sawcut residue should not be left on the surface of pavement or be allowed to flow over and off pavement.

The Project may require the use of multiple concrete wash areas. All concrete wash areas will be located in an area where the likelihood of the area contributing to stormwater discharges is negligible. If required, additional BMPs must be implemented to prevent concrete wastes from contributing to stormwater discharges. Please refer to Section 7.16 "Concrete Washout" in the TDEC handbook for more information.

5.4.6 Material Storage

Construction materials shall be stored in a dedicated staging area. The staging area shall be located in an area that prevents negative impacts of construction materials on stormwater quality.

Chemicals, paints, solvents, fertilizers, and other toxic material must be stored in waterproof containers. Except during application, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste or chemical disposal facility.

6.0 INSPECTIONS, MAINTENANCE, AND REPORTING

6.1 Inspection and Maintenance Requirements

6.1.1 Pre-Construction Site Assessment and Certification

Prior to the commencement of construction, the Owner's Engineer shall conduct an assessment of the site and certify that the appropriate erosion and sediment control measures have been adequately installed and implemented per Section 3.1.2 of the CGP. The Contractor shall contact the Owner's/Developer's Engineer once the erosion and sediment control measures have been installed to perform site assessment before grading activities begin. The site assessment should be performed with the inspector and should include a review and update (if applicable) of the SWPPP.

6.1.2 Construction Phase Inspections and Maintenance

An Inspector, as defined in the General Permit TNR100000, shall conduct regular site inspections between the time this SWPPP is implemented and permanent site stabilization. Site inspections shall occur at an interval of twice every seven calendar days at least 72 hours apart. Inspection requirements do not apply to definable areas that have been permanently stabilized, as defined in section 3.1 of the CGP.

Subsequent primary permittees (such as a home builder) who have obtained coverage under this permit shall conduct separate twice weekly inspections on their respective portion of the site, unless their portions have been temporarily stabilized as described below. The initial primary permittee is no longer required to inspect such portions of the site.

The purpose of site inspections is to assess disturbed areas of the construction site that have not been permanently stabilized for performance of pollutant controls. Based on these inspections, the Inspector will decide whether it is necessary to modify this SWPPP, add or relocate sediment barriers, or whatever else may be needed in order to prevent pollutants from leaving the site via stormwater runoff. The general contractor has the duty to cause pollutant control measures to be repaired, modified, maintained, supplemented, or whatever else is necessary in order to achieve effective pollutant control.

Examples of particular items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection the inspector must evaluate overall pollutant control system performance as well as particular details of individual system components. Additional factors should be considered as appropriate to the circumstances.

1. Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction entrance will be constructed where vehicles enter and exit. This entrance will be maintained or supplemented as necessary to prevent sediment from leaving the site on vehicles.
2. Sediment barriers must be inspected and, if necessary, they must be enlarged or cleaned in order to provide additional capacity. All material from behind sediment barriers will be stockpiled on the up slope side. Additional sediment barriers must be constructed as needed.
3. Inspections will evaluate disturbed areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system. If necessary, the materials must be covered or original covers must be repaired or supplemented. Also, protective berms must be constructed, if needed, in order to contain runoff from material storage areas.

4. Grassed areas will be inspected to confirm that a healthy stand of grass is maintained. The site has achieved permanent stabilization once all areas are covered with building foundation or pavement, or have a stand of grass with at least 80 percent density. The density of 80 percent or greater must be maintained to be considered as stabilized. Areas must be watered, fertilized, and reseeded as needed to achieve this goal.
5. All outfall points must be inspected to determine whether erosion control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected.

An important aspect of the inspection report is the description of additional measures that need to be taken to enhance plan effectiveness. The inspection report must identify whether the site was in compliance with the SWPPP at the time of inspection and specifically identify all incidents of non-compliance.

Based on the results of the inspection, any inadequate control measures or measures in disrepair shall be replaced, modified or repaired as necessary before the next rain event but in no case more than seven (7) days after the need is identified. If necessary, the site description identified in the SWPPP and pollution prevention measures defined in the SWPPP shall be revised as appropriate, but in no case later than seven (7) days following the inspection. Such modifications shall provide for timely implementation, but in no case later than 14 days following the inspection.

In addition to the inspections performed by the Owner's Engineer, the Contractor shall perform routine inspections that include a visual check of all erosion and sediment control measures. All inspections and maintenance shall be performed in accordance with the inspection and maintenance schedule provided on the accompanying plans. Sediment removed from erosion and sediment control measures will be exported from the site, stockpiled for later use, or used immediately for general non-structural fill.

It is the responsibility of the general contractor (secondary permittee) to assure the adequacy of site pollutant discharge controls. Actual physical site conditions or contractor practices could make it necessary to install more structural controls than are shown on the accompanying plans. (For example, localized concentrations of runoff could make it necessary to install additional sediment barriers, sediment traps, etc.) Assessing the need for additional controls and implementing them or adjusting existing controls will be a continuing aspect of this SWPPP until the site achieves permanent stabilization.

6.1.3 Temporary Suspension of Construction Activities

Where sites or portion(s) of construction sites have been temporarily stabilized, or runoff is unlikely due to winter conditions (e.g., site covered with snow or ice) or due to extreme drought, such inspection only has to be conducted once per month until thawing or precipitation results in runoff or construction activity resumes. Inspection requirements do not apply to definable areas that have been permanently stabilized, as described in subpart 3.1 of the CGP. Written notification of the intent to change the inspection frequency and the justification for such request must be submitted to the local Environmental Field Office, or the division's Nashville Central Office for projects of the Tennessee Department of Transportation (TDOT) and the Tennessee Valley Authority (TVA). Should the division discover that monthly inspections of the site are not appropriate due to insufficient stabilization measures or otherwise, twice weekly inspections shall resume. The division may inspect the site to confirm or deny the notification to conduct monthly inspections.

6.2 Reporting Requirements

6.2.1 Inspection Reports

Inspections shall be completed in accordance with and documented on the Construction Stormwater Inspection Certification form provided by TDEC. A blank form is provided in Appendix B. This form must be completed entirely and additional remarks should be included if needed to fully describe a situation.

Inspection forms shall be maintained on-site and made available to TDEC upon request. If requested, the reports must be submitted to the division within 10 days of the request.

6.2.2 Post Construction Records and Archiving

Following construction, the permittee shall retain copies of the SWPPP(s), required reports (eg. inspections and site assessments), and records of all data used to complete the NOI and NOT for at least three (3) years from the date the NOT is submitted.

**Appendix A:
TDEC Forms**

NOTICE OF INTENT (NOI) FOR GENERAL NPDES PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES (TNR100000)

Purpose of this form - A completed notice of intent (NOI) must be submitted to obtain coverage under the Tennessee General NPDES Permit for Discharges of Stormwater Associated with Construction Activity (permit). **Requesting coverage under this permit means that an applicant has obtained and examined a copy of this permit, and thereby acknowledges applicant's claim of ability to be in compliance with permit terms and conditions.** This permit is required for stormwater discharge(s) from construction activities including clearing, grading, filling and excavating (including borrow pits) of one or more acres of land. This form should be submitted at least 30 days prior to the commencement of land disturbing activities, or no later than 48 hours prior to when a new operator assumes operational control over site specifications or commences work at the site.

The appropriate permit application fee must accompany the NOI and is based on total acreage to be disturbed by an entire project, including any associated construction support activities (e.g., equipment staging yards, material storage areas, excavated material disposal areas, borrow or waste sites):

(i) Projects equal to or greater than 150 acres	\$10,000
(ii) Projects equal to or greater than 50 acres and less than 150 acres	\$6,000
(iii) Projects equal to or greater than 20 acres and less than 50 acres	\$3,000
(iv) Projects equal to or greater than 5 acres and less than 20 acres	\$1,000
(v) Projects equal to or greater than 1 acre and less than 5 acres	\$250
(vi) Projects seeking subsequent coverage under an actively covered larger common plan of development or sale	\$100

There is no fee for sites less than 1 acre. A separate annual maintenance fee is also required for construction activities that exceed 1 year under general permit coverage. Tennessee Rules, Chapter 0400-40-11-.02(b)(12)).

Who must submit the NOI form? Per Section 2 of the permit, all site operators must submit an NOI form. "Operator" for the purpose of this permit and in the context of stormwater associated with construction activity means any person associated with a construction project who meets either or both of the following two criteria: (1) The person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person is typically the owner or developer of the project or a portion of the project (e.g. subsequent builder), or the person that is the current landowner of the construction site. This person is considered the primary permittee; or (2) The person has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is typically a contractor or a commercial builder who is hired by the primary permittee and is considered a secondary permittee.

Owners, developers and all contractors that meet the definition of the operator in subsection 2.2 of the permit shall apply for permit coverage on the same NOI, insofar as possible. After permit coverage has been granted to the primary permittee, any separate or subsequent NOI submittals must include the site's previously assigned permit tracking number and the project name. The site-wide site-specific SWPPP shall be prepared in accordance with the requirements of part 5 of the permit and must be submitted with the NOI unless the NOI being submitted is to only add a contractor (secondary permittee) to an existing coverage. Artificial entities (e.g., corporations or partnerships excluding entities not required to register) must submit the TN Secretary of State, Division of Business Services, control number. The Division reserves the right to deny coverage to artificial entities that are not properly registered and in good standing with the TN Secretary of State.

Notice of Coverage - The division will review the NOI for completeness and accuracy and prepare a notice of coverage (NOC). Stormwater discharge from the construction site is authorized as of the effective date of the NOC.

Complete the form - Type or print clearly, using ink and not markers or pencil. Answer each item or enter "NA," for not applicable, if a particular item does not fit the circumstances or characteristics of your construction site or activity. If you need additional space, attach a separate piece of paper to the NOI form. **The NOI will be considered incomplete without a permit fee, a map, and the SWPPP.**

Describe and locate the project - Use the legal or official name of the construction site. If a construction site lacks street name or route number, give the most accurate geographic information available to describe the location (reference to adjacent highways, roads and structures; e.g. intersection of state highways 70 and 100). Latitude and longitude (expressed in decimal degrees) of the center of the site can be located on USGS quadrangle maps. The maps can be obtained at the USGS World Wide Web site: <http://www.usgs.gov/>; latitude and longitude information can be found at numerous other web sites. Attach a copy of a portion of a 7.5 minute topographic map, a city map, or a county map showing location of site, with boundaries at least one mile outside the site boundaries. Provide estimated starting date of clearing activities and completion date of the project, and an estimate of the number of acres of the site on which soil will be disturbed, including borrow areas, fill areas, stockpiles and the total acres. For linear projects, give location at each end of the construction area.

Give name of the receiving waters - Trace the route of stormwater runoff from the construction site and determine the name of the river(s), stream(s), creek(s), wetland(s), lake(s) or any other water course(s) into which the stormwater runoff drains. Note that the receiving water course may or may not be located on the construction site. If the first water body receiving construction site runoff is unnamed ("unnamed tributary"), determine the name of the water body that the unnamed tributary enters.

An ARAP may be required - **If your work will disturb or cause alterations of a stream or wetland, you must obtain an appropriate Aquatic Resource Alteration Permit (ARAP).** If you have a question about the ARAP program, contact your local Environmental Field Office (EFO).

Submitting the form and obtaining more information - Note that this form must be signed by the company President, Vice-President, or a ranking elected official in the case of a municipality, for details see subpart 2.5. For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC). Submit the completed NOI form (keep a copy for your records) to the appropriate EFO for the county(ies) where the construction activity is located, addressed to **Attention: Stormwater NOI Processing** or use MyTDEC Forms for electronic submittal.

EFO	Street Address	Zip Code	EFO	Street Address	Zip Code
Memphis	8383 Wolf Lake Drive, Bartlett	38133-4119	Cookeville	1221 South Willow Ave.	38506
Jackson	1625 Hollywood Drive	38305-4316	Chattanooga	1301 Riverfront Parkway, Suite 206	37402-2013
Nashville	711 R S Gass Boulevard	37243	Knoxville	3711 Middlebrook Pike	37921
Columbia	1421 Hampshire Pike	38401	Johnson City	2305 Silverdale Road	37601



Notice of Intent (NOI) & Stormwater Pollution Prevention Plan (SWPPP) Checklist for Construction General Permit Activities (CGP)

Date Received: _____ **Staff Review Completion Date:** _____ **New NPDES Tracking Number:** _____ **MS4 Jurisdiction:** City of Chattanooga
Reviewer: _____ **# of Disturbed Acres:** _____ **Site/Project Name:** Fox Residential Development
Unavailable Waters: Yes No **Exceptional Waters:** Yes No **T & E Species:** Yes No **USACE/EPA JD:** Yes No **Fee Collected:** Yes No

This checklist pertains to the current CGP and is used during the NOI review process to help determine whether the submittal provides enough information to grant a Notice of Coverage under the permit. This checklist does not specifically address every condition of the permit or preclude the Division from asking for additional information.

Yes	No		Yes	No	
		Correct site-wide permittee (Owner/Developer) entity name included			Start/End dates listed
		Proper signature for the owner/developer provided			Disturbed acreage given
		Receiving waters listed			Latitude/Longitude given and is correct
		ARAP Required? ARAP #(s):			Secretary of State Control # (if applicable)
		Appropriate portion of USGS topo map provided showing the boundaries of the construction			County(ies):

Yes	No	N/A	SWPPP Requirements	CGP pg #
			For comprehensive SWPPPs - All foreseeable construction-related activities are addressed [1.4.2]	1
			Plans and specs for structural control measures have been prepared and stamped by Professional Engineer or Landscape Architect [3.1.1]	14
			Includes engineering design of sediment basin/controls for projects 10 acres or greater (5 acres if impaired/exceptional waters) [3.1.1]	14
			Includes Quality Assurance Site Assessment requirement criteria if applicable [3.1.2]	14
			Signed by the operator(s) [3.3.1]	15
			Includes multi-phase sheets: <5 ac. – 2-phase plan min.; ≥5 ac. – 3-phase plan min. [3.5.2]	18
			Depicts disturbance limits, buffer zones, watershed drainage patterns, and drainage area serving each outfall [3.5.1; 4.1.1]	17, 26
			Includes a description of all construction activities (not just grading and street construction) [3.5.1.a]	17
			Includes a description sequence of major activities (e.g., grubbing, excavation, grading, utilities, and infrastructure installation, etc.) [3.5.1.b]	17
			Includes estimates of the total site area versus the total area of the site to be disturbed [3.5.1.c]	17
			Includes a complete inventory of aquatic resources (including any stream, sinkhole or wetland) on or adjacent to the project [3.5.1.i]	17
			Includes a description of appropriate erosion prevention and sediment controls (EPSCs) and the general timing of implementation [3.5.2]	18
			Specifies which permittee is responsible for implementation of which EPSC [3.5.2]	18
			Specifies removal of trapped sediment from sediment controls at or before 50% design capacity [3.5.3.1.e]	19
			Specifies EPSCs will be implemented before earth-moving begins [3.5.3.1.f]	20
			Specifies stabilization within 14 days (7 days for ≥35% slopes) on site areas where construction has temporarily/permanently ceased [3.5.3.2]	21
			Specifies inspections of outfalls/EPSC measures at least twice weekly and at least 72 hours apart [3.5.8.2.a]	24
			Specifies that vegetation, EPSCs & other protective measures are repaired, replaced, or modified within 7 days [3.5.7] [3.5.8.2.f]	24, 25
			Depicts the proposed location of all major structural/nonstructural controls and all proposed stabilization practices [3.5.1.g] [3.5.3.3]	18
			Identifies all outfall locations intended for coverage under the CGP [3.5.1.g]	17
			Includes the name of the receiving water(s), and approximate size and location of affected wetland acreage at the site [3.5.1.j]	17
			Identifies construction phasing for activities that will disturb >50 acres [3.5.1.m] [3.5.3.1.k]	17, 20
			EPSCs have been designed to control the rainfall and runoff from a 2-year, 24-hour return interval storm [3.5.3.3]	21
			Specifies sediment basins for construction sites with drainage areas >10 acres [3.5.3.3]	21
			Specifies a 30' natural riparian buffer zone adjacent to all streams, lakes, wetlands on/adjacent to the construction site [4.1.2]	26
			Specifies a 15' natural riparian buffer zone adjacent to wet weather conveyances identified as WOTUS by the USACE or EPA [4.1.2] [5.4.2]	26, 32

Notice of Intent (NOI) & Stormwater Pollution Prevention Plan (SWPPP) Checklist for Construction General Permit Activities (CGP)

Yes	No	N/A	Additional SWPPP Requirements for Discharges into Impaired or Exceptional TN Waters	CGP pg #
			Specifies that EPSCs proposed for the site have been designed to control storm runoff generated by a 5-year, 24-hour storm event [5.4.1.a]	30
			Specifies sediment basins for construction sites with drainage areas >5 acres that discharge to impaired or exceptional waters [5.4.1.f]	31
			Specifies a 60' natural riparian buffer zone adjacent to all impaired or exceptional waters on/adjacent to the construction site [5.4.2]	32
			SWPPP Requirements for Permanent (Post-Development) Stormwater Management	CGP pg #
			Specifies velocity dissipation devices at discharge locations and along the length of any outfall channel [3.5.4]	22
			Includes technical basis used to select velocity dissipation devices where flows exceed predevelopment levels [3.5.4]	23

Identification indicators of possible streams or wetlands utilizing site information and resources include:

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Contour and stream indicators on USGS TOPO maps 2. Drainage area to a defined conveyance (20 acres east TN/40 middle TN/75 west TN), 3. Aerial photography identifying a sinuous tree line or grouping of remaining forest in an agricultural setting 4. Springhouse/box 5. Comparable nearby drainage that has previously been determined to have a stream | <ol style="list-style-type: none"> 6. Onsite or adjacent ponds or impoundments 7. Check EFO HD GIS for previous determinations 8. NRCS soil maps or Web Soil Survey:
http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx 9. Wetlands on National Wetlands Inventory:
http://www.fws.gov/wetlands/data/mapper.HTML |
|--|--|

If sufficient indicators exist, a stream determination may need to be performed. Stream determinations must be performed by a Qualified Hydrologic Professional: (<http://tnhdt.org/>).

Comments



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC)
 DIVISION OF WATER RESOURCES (DWR)
 William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor
 Nashville, Tennessee 37243
 1-888-891-TDEC (8332)

**NOTICE OF TERMINATION (NOT) FOR
 GENERAL NPDES PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES (CGP)**

This form is required to be submitted when requesting termination of coverage from the CGP. The purpose of this form is to notify the TDEC that either all stormwater discharges associated with construction activity from the portion of the identified facility where you, as an operator, have ceased or have been eliminated; or you are no longer an operator at the construction site. Submission of this form shall in no way relieve the permittee of permit obligations required prior to submission of this form. Submit this form to the local DWR Environmental Field Office (EFO) address (see table below) or using MyTDEC Forms electronic submittal process. For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC).

Site or Project Name: Fox Residential Development	NPDES Tracking Number: TNR
Street Address or Location: 1101 E Main Street	County(ies): Hamilton

Name of Permittee Requesting Termination of Coverage:			
Permittee Contact Name:	Title or Position:		
Mailing Address:	City:	State:	Zip:
Phone:	E-mail:		

Check the reason(s) for termination of permit coverage: (check only one)

<input type="checkbox"/>	Primary permittee termination: all requirements for termination under Permit Part 9.1.1. a) through c) have been met. This includes, but is not limited to, for areas the primary permittee has control all earth-disturbing activities at the site are complete and permanent stabilization as defined in Part 10 of the CGP has been achieved. (attach photo documentation).
<input type="checkbox"/>	When applicable, and you are a primary permittee seeking termination, list who is responsible for ongoing maintenance of stormwater controls left on the site subject for long-term use following termination of coverage:
<input type="checkbox"/>	Secondary permittee termination: all requirements for termination under Permit Part 9.2.1. have been met (no longer an operator at the construction site).

Certification and Signature:

(must be signed by president, vice-president or equivalent ranking elected official)

I certify under penalty of law that either: (a) all stormwater discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge stormwater associated with construction activity under this general permit, and that discharging pollutants in stormwater associated with construction activity to waters of the state is unlawful under the Tennessee Water Quality Control Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Tennessee Water Quality Control Act. I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Permittee name (print or type):	Signature:	Date:
---------------------------------	------------	-------

EFO	Address	EFO	Street Address
Memphis	8383 Wolf Lake Drive, Bartlett, TN 38133	Cookeville	1221 South Willow Ave., TN 38506
Jackson	1625 Hollywood Drive, TN 38305	Chattanooga	1301 Riverfront Parkway, Ste. 206, TN 37402
Nashville	711 R S Gass Boulevard, TN 37243	Knoxville	3711 Middlebrook Pike, TN 37921
Columbia	1421 Hampshire Pike, TN 38401	Johnson City	2305 Silverdale Road, TN 37601

**Appendix B:
TDEC Inspection Report**



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC)
 DIVISION OF WATER RESOURCES (DWR)
 William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor
 Nashville, Tennessee 37243
 1-888-891-8332 (TDEC)

**GENERAL NPDES PERMIT FOR STORMWATER DISCHARGES FROM
 CONSTRUCTION ACTIVITIES (CGP) CONSTRUCTION STORMWATER
 INSPECTION CERTIFICATION (INSPECTION FORM)**

Site or Project Name: Fox Residential Development		NPDES Tracking Number: TNR
Primary Permittee Name:		Date of Inspection:
Current approximate disturbed acreage:	Has rainfall been checked/documentated daily? <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Inspector:
Current weather/ground conditions:	Rainfall total since last inspection:	Inspector's TNEPSC Certification Number:
Site Assessment <input type="checkbox"/> Yes <input type="checkbox"/> No	Assessor's TN PE registration number:	Assessor's TNEPSC Level II/CPESC number:

Check the box if the following items are on-site:	
<input type="checkbox"/>	Notice of Coverage (NOC)
<input type="checkbox"/>	Stormwater Pollution Prevention Plan (SWPPP)
<input type="checkbox"/>	Weekly inspection documentation
<input type="checkbox"/>	Site contact information
<input type="checkbox"/>	Rain Gage
Off-site Reference Rain Gage Location	

Best Management Practices (BMPs):

Are the Erosion Prevention and Sediment Controls (EPSCs) functioning correctly?				
If "No," describe below in Comment Section				
1.	Are all applicable EPSCs installed and maintained per the SWPPP per the current phase?	<input type="checkbox"/>	<input type="checkbox"/>	
		Yes	No	
2.	Are EPSCs functioning correctly at all disturbed areas/material storage areas? (permit section 4.1.5)	<input type="checkbox"/>	<input type="checkbox"/>	
		Yes	No	
3.	Are EPSCs functioning correctly at outfall/discharge points such that there is no objectionable color contrast in the receiving stream, and no other water quality impacts? (permit section 5.3.2)	<input type="checkbox"/>	<input type="checkbox"/>	
		Yes	No	
4.	Are EPSCs functioning correctly at ingress/egress points such that there is no evidence of track out?	<input type="checkbox"/>	<input type="checkbox"/>	
		Yes	No	
5.	If applicable, have discharges from dewatering activities been managed by appropriate controls? (permit section 4.1.3) If "No," describe below the measure to be implemented to address deficiencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		N/A	Yes	No
6.	If construction activity at any location on-site has temporarily/permanently ceased, was the area stabilized within 14 days? (permit section 3.5.3.2) If "No," describe below each location and measures taken to stabilize the area(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		N/A	Yes	No
7.	Have pollution prevention measures been installed, implemented, and maintained to minimize the discharge of pollutants from wash waters, exposure of materials and discharges from spills and leaks per section 4.1.4? If "No," describe below the measure to be implemented to address deficiencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		N/A	Yes	No

Construction Stormwater Inspection Certification Form (Inspection Form)

Purpose of this form instructions

An inspection, as described in subsection 5.5.3.9. of the General Permit for Stormwater Discharges from Construction Activities ("Permit"), shall be performed at the specified frequency and documented on this form. Inspections shall be performed at least 72 hours apart. Where sites or portion(s) of construction sites have been temporarily stabilized, or runoff is unlikely due to winter conditions (e.g., site covered with snow or ice), such inspection only has to be conducted once per month until thawing results in runoff or construction activity resumes.

Inspections can be performed by:

- a) a person with an valid certification from the "Fundamentals of Erosion Prevention and Sediment Control Level I" course,
- b) a licensed professional engineer or landscape architect,
- c) a Certified Professional in Erosion and Sediment Control (CPESC), or
- d) a person who has successfully completed the "Level II Design Principles for Erosion Prevention and Sediment Control for Construction Sites" course.

Qualified personnel, as defined in subsection 5.5.3.10 of the Permit (provided by the permittee or cooperatively by multiple permittees) shall inspect disturbed areas of the construction site that have not been permanently stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, locations where vehicles enter or exit the site, and each outfall.

Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the site's drainage system. Erosion prevention and sediment control measures shall be observed to ensure that they are operating correctly.

Outfall points (where discharges leave the site and/or enter waters of the state) shall be inspected to determine whether erosion prevention and sediment control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

Based on the results of the inspection, any inadequate control measures or control measures in disrepair shall be replaced or modified, or repaired as necessary, before the next rain event if possible, but in no case more than 7 days after the need is identified.

Based on the results of the inspection, the site description identified in the SWPPP in accordance with section 5.5.1 of the Permit and pollution prevention measures identified in the SWPPP in accordance with section 5.5.2 of the Permit, shall be revised as appropriate, but in no case later than 7 days following the inspection. Such modifications shall provide for timely implementation of any changes to the SWPPP, but in no case later than 14 days following the inspection.

All inspections shall be documented on this Construction Stormwater Inspection Certification form. Alternative inspection forms may be used as long as the form contents and the inspection certification language are, at a minimum, equivalent to the division's form and the permittee has obtained a written approval from the Division to use the alternative form. Inspection documentation will be maintained on site and made available to the Division upon request. Inspection reports must be submitted to the Division within 10 days of the request.

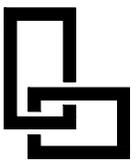
Trained certified inspectors shall complete inspection documentation to the best of their ability. Falsifying inspection records or other documentation or failure to complete inspection documentation shall result in a violation of this permit and any other applicable acts or rules.

Appendix C:
Figures



**PROJECT
LIMITS**

ALTERATION OF THIS DRAWING, EXCEPT BY A LICENSED P.E., IS ILLEGAL. ANY ALTERATION BY A P.E. MUST BE INDICATED AND BEAR THE APPROPRIATE SEAL, SIGNATURE AND DATE OF ALTERATION.



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(423)241-6575

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FOX RESIDENTIAL

**CONSTRUCTION ACTIVITY
LOCATION MAP**

CITY OF CHATTANOOGA, HAMILTON COUNTY, TN

drawn MAW	checked MF
date 08/17/22	scale 1"=1000'
project no. 12153.00	
sheet no. FIG 1	

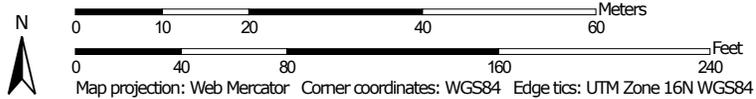
FIGURE 2

Soil Map—Hamilton County, Tennessee



Soil Map may not be valid at this scale.

Map Scale: 1:867 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hamilton County, Tennessee

Survey Area Data: Version 18, Sep 10, 2021

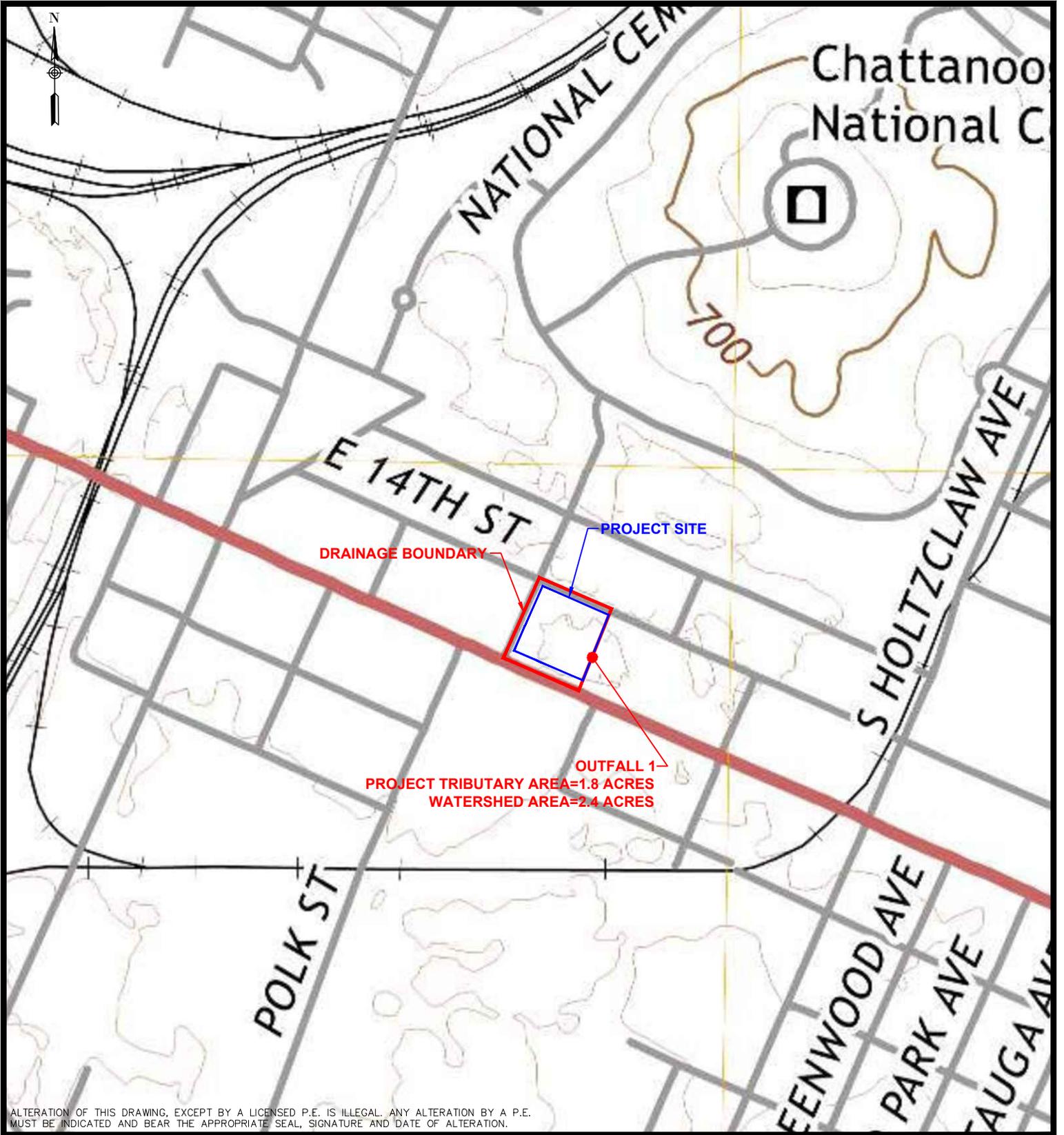
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 20, 2021—Apr 27, 2021

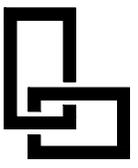
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CdC	Colbert-Urban land complex, 2 to 12 percent slopes	0.1	5.9%
Ur	Urban land	1.7	94.1%
Totals for Area of Interest		1.8	100.0%



ALTERATION OF THIS DRAWING, EXCEPT BY A LICENSED P.E. IS ILLEGAL. ANY ALTERATION BY A P.E. MUST BE INDICATED AND BEAR THE APPROPRIATE SEAL, SIGNATURE AND DATE OF ALTERATION.



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 Chattanooga, TN 37408
 (423)241-6575
 labellapc.com

FOX RESIDENTIAL

USGS OUTFALL MAP

CITY OF CHATTANOOGA, HAMILTON COUNTY, TN

drawn MAW	checked MF
date 08/17/22	scale 1"=500'
project no. 12153.00	
sheet no. FIG 3	

Appendix D:
Erosion and Sediment Control Plans and Details



CONCEPT PLAN - NOT FOR CONSTRUCTION

FOX RESIDENTIAL DEVELOPMENT
1101 EAST MAIN STREET

CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

- LEGEND:**
- EXISTING FEATURE TO BE REMOVED
 - EXISTING PAVEMENT & SIDEWALK TO BE REMOVED
 - EXISTING BUILDING FOUNDATIONS TO BE REMOVED
 - WORKLIMITS
 - PAVEMENT SAWCUT LINE
 - WATTLES
 - DROP INLET PROTECTION
 - STABILIZED CONSTRUCTION ENTRANCE
 - SPOILS STORAGE AREA
 - CONCRETE WASH OUT AREA
 - MILL AND FILL AREA

NOTE:
BASE MAP INFORMATION TAKEN FROM THE R.L.S. GROUP LAND SURVEYING DRAWING TITLED "LOT 1 PEGASUS SUBDIVISION (PLAT BOOK 118, PAGE 192)" LAST REVISED JUNE 13, 2022.
SINCE TIME OF SURVEY ADDITIONAL SITE WORK AND DEMOLITION HAS OCCURRED AND PLANS MAY NOT REPRESENT CURRENT FIELD CONDITIONS.

- CHATTANOOGA LDO NOTES:**
1. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, STORAGE, OR DISTURBANCE OF VEGETATION WITHIN THE WATER QUALITY BUFFERS EXCEPT AS PERMITTED IN WRITING BY THE CITY OF CHATTANOOGA'S SITE DEVELOPMENT MANAGER.
 2. THERE WILL BE NO PARKING, STORAGE, STOCKPILING, CONCRETE WASHOUT, OR DISTURBANCE WITHIN TREE CONSERVATION AREAS, WATER QUALITY BUFFERS, ETC.
 3. PRIOR TO CLEARING OR GRADING, ALL WATER QUALITY BUFFERS (STREAM WETLAND, ETC.), FLOODWAYS, AND OTHER UNDISTURBED AND ASSOCIATED BUFFERS SHALL BE STAKED IN THE FIELD AT 50' O.C. (MAX) BY A PROFESSIONAL LAND SURVEYOR.
 4. ALL AREAS NOT TO BE DISTURBED (INCLUDING WATER QUALITY BUFFERS) ARE TO BE CLEARLY STAKED AND MARKED BY A LICENSED SURVEYOR (50' O.C. MIN) IN THE FIELD WITH HIGH-VISIBILITY-FENCE (CHATTANOOGA ORDINANCE 31-323.2(1)) AND APPROVED BY THE CITY OF CHATTANOOGA STORMWATER INSPECTOR PRIOR TO ANY CLEARING OR GRADING.
 5. PRIOR TO FINAL ACCEPTANCE BY THE CITY ENGINEER AND/OR ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE OWNER OR OWNER'S AGENT SHALL:
 - SUBMIT AN INVENTORY OF THE CONSTRUCTED STORMWATER DRAINAGE SYSTEM, WHETHER PUBLIC OR PRIVATE, TO THE CITY OF CHATTANOOGA IN ELECTRONIC FORMAT. ELECTRONIC COORDINATES SHALL BE SUBMITTED IN AUTOCAD AND PDF FORMAT AND SHALL SHOW PLAINLY THE APPROVED AND CONSTRUCTED LAYOUT OF THE STORMWATER SYSTEMS. THE AS-BUILT DRAWING(S) SHALL INCLUDE ALL STORMWATER FEATURES, WHETHER NEW OR EXISTING, INCLUDING THE OUTFALL TO THE CITY DRAINAGE SYSTEM (EX: CATCH BASINS, CONDUITS, HYDROLOGIC FEATURES INCLUDING PONDS, STREAMS, CULVERT INLETS AND OUTFALLS, ALL PERVIOUS SURFACES, ETC.).
 - COMPLY WITH ALL PERMANENT LANDSCAPE REQUIREMENTS AND SCHEDULE A LANDSCAPE INSPECTION WITH THE CITY OF CHATTANOOGA'S STORMWATER INSPECTOR. AN APPOINTMENT MAY BE MADE BY CALLING THE STORMWATER INSPECTOR A MINIMUM OF TWO BUSINESS DAYS BEFORE THE DESIRED INSPECTION APPOINTMENT.
 - ALL EROSION AND SEDIMENT CONTROL PRACTICES MUST COMPLY WITH THE CURRENT EDITION OF THE TN EROSION & SEDIMENT CONTROL MANUAL, THE CITY OF CHATTANOOGA BMP MANUAL, AND THE TDEC CONSTRUCTION GENERAL PERMIT (IF APPLICABLE).

6. ANY EARTH RETAINING STRUCTURE SHOULD BE PERMITTED & READY TO INSTALL AT TIME OF EXCAVATION.
7. RETAINING WALLS FOUR FEET HIGH OR HIGHER (FROM THE BOTTOM OF FOOTING TO THE TOP OF THE WALL) OR WALLS WITH A SURCHARGE MUST HAVE DESIGN DRAWINGS AND CALCULATIONS BY A LICENSED ENGINEER SUBMITTED FOR REVIEW TO THE CITY OF CHATTANOOGA. RETAINING WALLS 4 FEET OR HIGHER REQUIRE A SEPARATE BUILDING PERMIT.
8. PROPERTY LINES MUST BE STAKED (50' O.C. MAX) BY A PROFESSIONAL LAND SURVEYOR WHERE RETAINING WALLS OR SLOPES STEEPER THAN 3:1 WILL BE WITHIN 10' OF PROPERTY.
9. ANY EXCAVATED SLOPE 3:1 OR STEEPER IS TO BE STABILIZED WITHIN 7 DAYS.
10. THE CONTRACTOR SHALL STABILIZE THE PROJECT SITE WITHIN 14 DAYS AFTER CONSTRUCTION HAS CEASED.
11. ANY SLOPES STEEPER THAN 3:1 SHALL BE ANALYZED BY A GEOTECHNICAL ENGINEER FOR STABILITY. THE POND EMBANKMENT DESIGN MUST BE REVIEWED BY A GEOTECHNICAL ENGINEER FOR STRUCTURAL STABILITY AND EROSION POTENTIAL.
12. SCMS SHALL NOT BE INSTALLED UNTIL THE SITE IS SUBSTANTIALLY STABILIZED, OR UNLESS THE CONTRIBUTING DRAINAGE AREA IS SUBSTANTIALLY STABILIZED.
13. CONTRACTOR SHALL NOTIFY SURVEYOR & CITY STORMWATER INSPECTOR AT LEAST 48 HRS PRIOR TO ANY COVER PLACED ON UNDERGROUND SYSTEMS. FAILURE TO DO SO MAY RESULT IN RE-EXCAVATION AND/OR RE-CONSTRUCTION AT THE OWNER/CONTRACTOR'S EXPENSE.
14. THE CITY OF CHATTANOOGA SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY PROPOSED INFILTRATION TESTS.
15. THE STORMWATER CONTROL MEASURES (SCMS) AND/OR DETENTION PONDS SHALL BE MAINTAINED BY THE PROPERTY OWNER(S)/HOMEOWNER'S ASSOCIATION AND WHEN IN A RESIDENTIAL SUBDIVISION SHOWN ON ITS OWN COMMUNITY LOT.
16. CONTRACTOR SHALL ARRANGE A FIELD RAIN AS-BUILT SURVEY DURING CONSTRUCTION AND PROVIDE AS-BUILT DRAWINGS BY A LICENSED LAND SURVEYOR TO THE CITY PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

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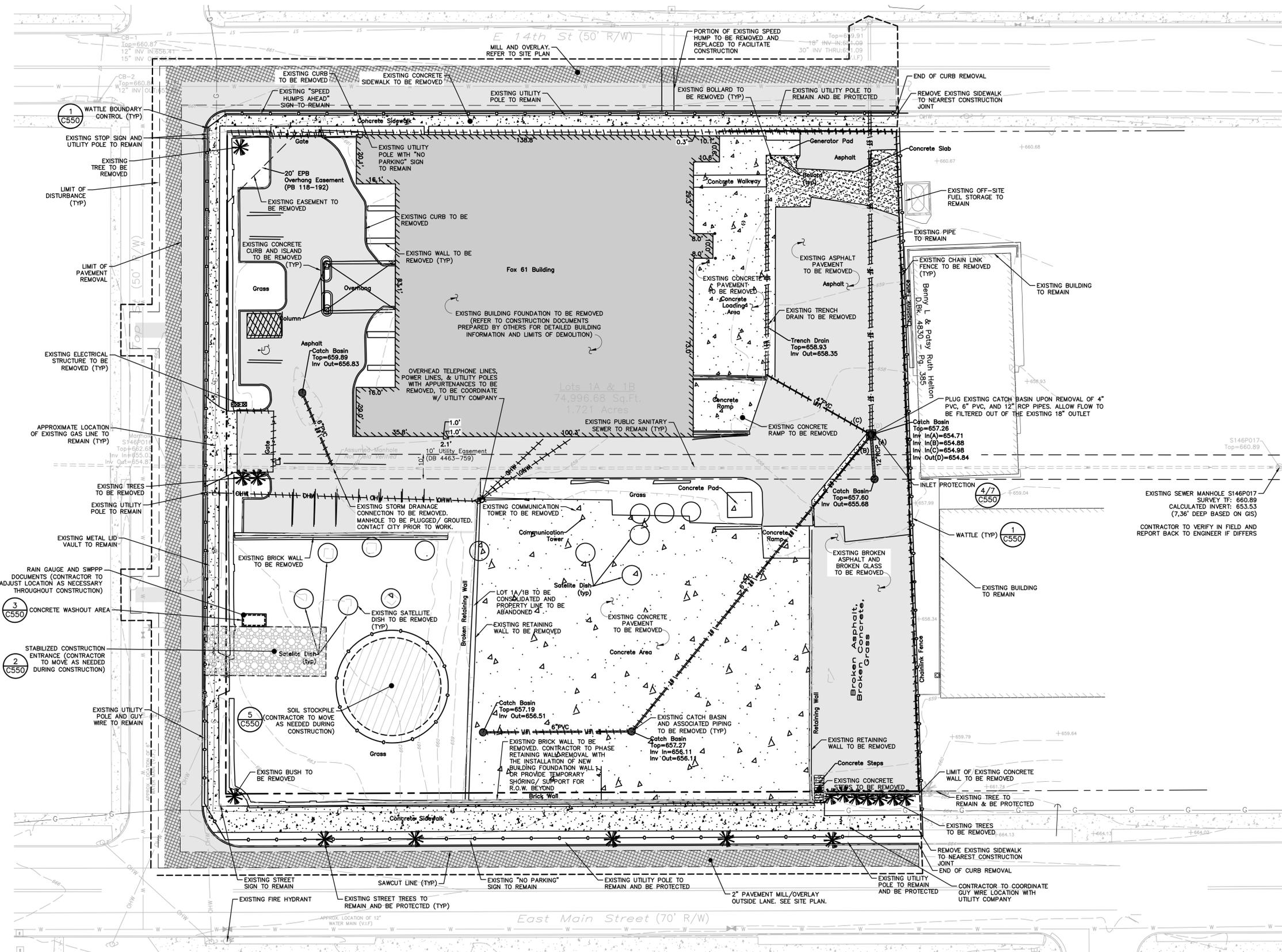
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Tennessee811
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Revisions	
#	Description

INITIAL EROSION SEDIMENT CONTROL & DEMOLITION PLAN

drawn	checked
DAS	MMF
date	scale
08/23/22	1"=20'
project no.	12153.00
sheet no.	C120



1 INITIAL EROSION SEDIMENT CONTROL & DEMOLITION PLAN
C120 SCALE: 1" = 20'



Drawing Name: \\uslab\Projects\2100-1919\12153.00 - Fox Residential\DWG\C120_12153.00.dwg Date Plotted: 08/23/22 8:02am User: p103-02; 8/23/22 8:02am Plotter: HP DesignJet 2400; 8/23/22 8:02am

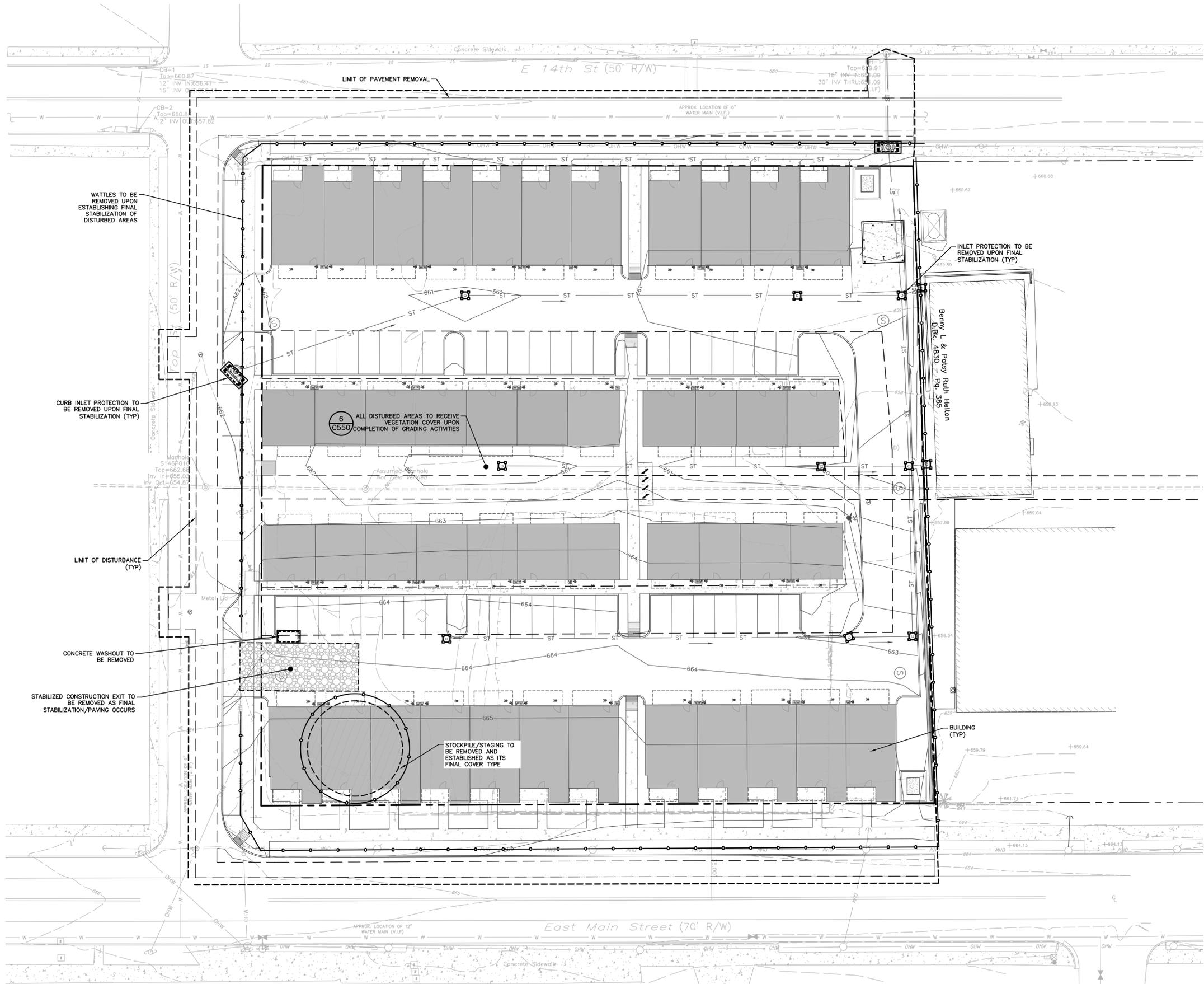


EROSION CONTROL LEGEND:

- PROPERTY LINE
- BUILDING
- 10 FT CONTOUR
- 2 FT CONTOUR
- WATTLE
- DROP INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE
- CONCRETE WASH OUT AREA
- CURB INLET PROTECTION

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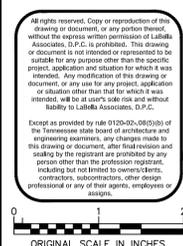
1 FINAL EROSION & SEDIMENT CONTROL PLAN
SCALE: 1" = 20'



CONCEPT PLAN - NOT FOR CONSTRUCTION

FOX RESIDENTIAL DEVELOPMENT
1101 EAST MAIN STREET

CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE



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Revisions	
#	Description

FINAL EROSION & SEDIMENT CONTROL PLAN

drawn	checked
DAS	MMF
date	scale
08/23/22	1"=20'
project no.	
12153.00	
sheet no.	
C180	

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Date Printed: Aug 23, 2022 8:06am
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[EXTERNAL] Fox Residential Development SWPPP

Flanagan, Michael <mflanagan@LaBellaPC.com>

Tue 8/23/2022 1:21 PM

To: Cali Dobbins <Cali.Dobbins@tn.gov>; Barbara Russell <Barbara.Russell@tn.gov>

Cc: Chris Henegar <chris@henegarhomes.com>; Kevin Boehm (kevin@boehmre.com) <kevin@boehmre.com>; Lynn Beatty (lynntaylorbeatty@gmail.com) <lynntaylorbeatty@gmail.com>; Sims, Kaitlin <ksims@LaBellaPC.com>; Wasson, Melissa <mwasson@LaBellaPC.com>

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Cali/Barbara,

Hope you are having a great day.

Please find attached the compiled SWPPP document for Fox Residential Development, located in Chattanooga. There is no ARAP necessary for this project. The \$250 fee will be mailed or dropped at your office.

Please let me know if you have any questions or require any additional information.

Please also confirm receipt of this email, as the file is around 11+ MB.

Thank you,
Mike

Michael M. Flanagan, PE

LaBella Associates | Senior Civil Engineer



607-316-3891 cell

labellapc.com