



TENNESSEE WILDLIFE RESOURCES AGENCY

ELLINGTON AGRICULTURAL CENTER
P. O. BOX 40747
NASHVILLE, TENNESSEE 37204

July 2, 2015

Robert Wayne
Tennessee Department of Environment and Conservation
Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, TN 37243

Re: Public Notice: Aquatic Resource Alteration Permit General Permits

Dear Mr. Wayne:

The Tennessee Wildlife Resources Agency has reviewed the information provided in TDEC Public Notice regarding General Aquatic Resource Alteration Permit Permits for Bank Stabilization and has concerns regarding the preference for soil bioengineering for streams with sharp, cherty substrates with high sediment bedloads. We have found that in these stream types that soil bioengineering is usually unsuccessful in stabilizing stream banks. Soil bioengineering is one tool in the bank stabilization tool box and often can't be used in streams with unsuitable substrates and where other constraints (adjacent roads, structures, etc.) would result in failure if used. We acknowledge that the General Permit is intended to be used on relatively small projects but we are concerned that preference by TDEC may result in soil bioengineering being used in inappropriate conditions that could result in bank failure and property impacts.

The Tennessee Wildlife Resources Agency has reviewed the information provided in TDEC Public Notice regarding General Aquatic Resource Alteration Permit Permits for Recreational Prospecting and provides the following comments. We cannot support the proposed General Permit as written and request that the stream widths for these activities be restored to those widths previously agreed upon by the regulatory and resource agencies when developing this General Permit. It is also our opinion that all Class 2 prospecting activities should be permitted by an Individual Permit due to magnitude of impacts associated with Class 2 prospecting activities

We request that our comments be placed in the written record for this Public Notice. Thank you for the opportunity to comment on these draft General Permits.

Sincerely,

Robert M. Todd
Fish and Wildlife Environmentalist

The State of Tennessee

cc: David McKinney, Chief of Environmental Services Division
Mary Jennings, U.S. Fish and Wildlife Service
Kelly Laycock, Environmental Protection Agency
Jimmy Smith, Tennessee Department of Environment and Conservation