



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

Nashville Central Office
Davy Crockett Tower
500 James Robertson Parkway
Nashville, TN 37243

April 2, 2024

Adam Lightbody
NEWMARK
27725 Stansbury Blvd., Suite 300
Farmington Hills, MI 48334
e-copy: adam.lightbody@nmrk.com

Jean Brown Yeargan
Jean Brown Yeargan Trust
1030 Joanne Court
Bloomfield Hills, MI 48302-2417

Re: REVISED Hydrologic Determination (DWR ID No. 31172) Yeargan Property

Dear Landowner:

On February 1, 2024 the Division of Water Resources (“Division”) received an application for an Aquatic Resource Alteration Permit submitted on your behalf by Steven Pierce with Middle Tennessee Developers, Inc. These water features are located on property located at 35.772114, -86.515329 (Lat/Long), in Rockvale, Rutherford County, Tennessee. Please note that all geographic coordinates provided in this letter have a limited precision and should be considered approximate.

In response to the permit application, I conducted a site visit on March 25, 2024. During the site visit, new and compelling information was available that necessitated a revision to an existing state Hydrologic Determination on this property issued in 2022 (DWR ID No. 31172).

Please see the table below for a summary of the jurisdictional determinations made by the Division for the water features on site. These determinations are based on the previous concurrence letter for this site issued in 2022 by the Nashville Environmental Field Office, documentation in the submitted report, and the Division’s observations, rules, and guidance regarding hydrologic determinations. Notably, the feature PND-1 was determined by the Division to be a non-jurisdictional open water feature based on new and compelling evidence gathered in-person on the March 25, 2024 site visit.

Feature	Size (approx.)	Determination	Location/Begin	End
STM-1	1609'	Stream	35.775244, - 86.515567	35.772140, - 86.518589
STM-2	121'	Stream	35.774493, -	35.774600, -

			86.516941	86.516632
WWC-1/ephemeral	64'	WWC	35.774544, - 86.516112	35.774681 - 86.516078
WWC-2/intermittent	171'	WWC	35.773448, - 86.517611	35.773803, - 86.517810
WWC-3/ephemeral	48'	WWC	35.773688, - 86.517921	35.773763, - 86.517814
WWC-4	30'	WWC	35.774661, - 86.516762	35.774614, - 86.516701
WWC-5/ephemeral	360'	WWC	35.774489, - 86.517579	35.774668, - 86.516514
WWC-6	119'	WWC	35.775522, - 86.523414	35.775604, - 86.523652
WWC-7	110'	WWC	35.775809, - 86.524031	35.775604, - 86.523652
WWC-8	136'	WWC	35.775288, - 86.528214	35.775060, - 86.527915
WWC-9	214'	WWC	35.775516, - 86.527016	35.775079, - 86.527273
WWC-10/WTL-1	0.10 acre	Wetland	35.773029, - 86.522474	35.773432, - 86.520049
PND-1	0.30 acre	Non-jurisdictional pond/open water feature	35.773811, - 86.528339	

It is important to note that the Division's evaluation and concurrence is restricted to only the water features identified within the submitted report and as depicted on the attached map. Only the water features listed above were assessed as part of this hydrologic determination, therefore this correspondence is not intended to represent a comprehensive water resource inventory of the entire site. It is the property owner's responsibility to consider and report any additional water features within the property boundaries that may be affected by any construction activities associated with future development.

Discharges and alterations to sinkholes may require the submittal of an application and written authorization under the provisions of TDEC Rules. Information and applications regarding the Underground Injection Control program may be seen online at <https://www.tn.gov/environment/permit-permits/water-permits/underground-injection-control-permit.html>. Physical alterations or re-routing of surface hydrology to a sinkhole may require coverage under the Class V Injection Control Permit.

Alterations to streams, wetlands, or other waters may only be performed under the coverage of, and conformance to, a valid *Aquatic Resource Alteration Permit (ARAP)* issued by the Division, except where authorized by Rule. ARAP applications and provisions are available on-line at <http://www.tn.gov/environment/article/permit-water-aquatic-resource-alteration-permit>.

Any alterations to wet weather conveyances must be made in accordance with the requirements of Tenn. Code Ann. § 69-3-108(q).

Hydrologic determinations are advised and governed by Tennessee Department of Environment and Conservation (TDEC) rules and regulations, and therefore only apply to the State's permitting process. Because these and other various water features on-site may potentially also be considered jurisdictional Waters of the United States, any alterations to them should only be performed after consultation with the U.S. Army Corps of Engineers.

If you have any questions or need additional information, please contact me at 615-476-3450 or by email at Claire.wainwright@tn.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Claire Wainwright".

Claire Wainwright

Division of Water Resources, Natural Resources Unit

cc: Steven Pierce, Middle Tennessee Developers, LLC: Steve.Pierce@midtenndev.com

Billy Plant, Site Engineering Consultants, Inc.: bplant@sec-civil.com