



# PUBLIC NOTICE

**File Number: NRS 10.058**

Notice Date:  
**June 30, 2010**

Expiration Date:  
**July 30, 2010**

Pursuant to Chapter 1200-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit (this also includes §401 Water Quality Certifications). This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**APPLICANT:** Ricky Troutt  
Troutt's Construction  
457 Keen Hollow Road  
Westmoreland, TN 37186  
615-888-2907

**LOCATION:** The proposed alterations are located in Westmoreland on Dutch Creek in Sumner County (Coordinates: 36.5994, -86.3147)

**PROJECT DESCRIPTION:** The applicant proposes to remove gravel on a commercial basis from a gravel deposit in the creek. The gravel bar is approximately 60 feet wide and 150 feet long.

**DEGRADATION:** In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activities will not result in degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** The proposed alterations are located in the Barren River Watershed HUC #05110002. The Barren River Watershed is located in Middle Tennessee and includes parts of Clay, Macon, and Sumner Counties. Is approximately 1,661 square miles (432 square miles in Tennessee) and drains to the Green River. More information on this watershed can be found at <http://tn.gov/environment/watersheds/wsmplans/>

**Stream Name / ID #:** Dutch Creek (#TN05110002009\_0100)  
**Ecoregion:** Eastern Highland Rim (#71g)  
**Substrate:** Gravel

Designated Use	Use Support	Causes
Fish and aquatic life	fully supporting	NA
Recreation	not assessed	
Irrigation	fully supporting	
Livestock watering & wildlife	fully supporting	
<b>Assessment Date:</b> 12-14-2006		

**PERMIT COORDINATOR:** Benjamin Brown

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

**PUBLIC HEARING:** Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing requests to the department's address listed below and to the attention of the permit coordinator.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

**APPEAL:** A petition for permit appeal may be filed, pursuant to T.C.A. §69-3-105 by the permit applicant or by any aggrieved person who participated in the public comment period whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application. Any petition for permit appeal shall be filed with the board within thirty (30) days after public notice of the commissioner's decision to issue or deny the permit. Such petition must state in numbered paragraphs the basis of the appeal as required by the Administrative Procedures Act and promulgated regulations. The petition must be prepared on 8½" x 11" paper, addressed to the Water Quality Control Board and filed in duplicate at the address listed below.

Tennessee Department of Environment & Conservation  
Division of Water Pollution Control, Natural Resources Section  
7th Floor L & C Annex  
401 Church Street  
Nashville, TN 37243

