



PUBLIC NOTICE

**File Number: TND0001109–
TND0001116**

**Notice Date:
January 24, 2012**

**Expiration Date:
February 23, 2012**

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: Jackson County Highway Department
450 Baugh Hollow Lane
Gainesboro, Tennessee 38562
931-268-9914

LOCATION: seven sites on Jennings Creek and one on Pine Lick Creek in Jackson County

TND0001109	Jennings Creek, N 36.426691 W -85.665125
TND0001110	Jennings Creek, N 36.462939 W -85.747686
TND0001111	Jennings Creek, N 36.464310 W -85.757775
TND0001112	Pine Lick Creek, N 36.470697 W -85.692272
TND0001113	Jennings Creek, N 36.426998 W -85.664981
TND0001114	Jennings Creek, N 36.460718 W -85.719767
TND0001115	Jennings Creek, N 36.465481 W -85.772707
TND0001116	Jennings Creek, N 36.449722 W -85.694112

These sites are shown on maps and aerial images in later pages.

PROJECT DESCRIPTION / PURPOSE: The applicant is requesting a §401 water quality certification that would authorize instream commercial gravel mining. Gravel mining would be done on an as needed basis for use on county roads. The applicant proposes to leave a berm of at least ten feet between the excavation and the water with no excavation deeper than the adjacent water surface.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activities will result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION:

Stream Name / ID #: Jennings Creek TN05130106021_1000
Pine Lick Creek TN05130106021_0900

Ecoregion: Outer Nashville Basin, 71h

Watershed: 05130106 Cumberland-Upper-Cordell Hull Lake

Hydrologic Unit Code: HU_12 051301060303

Assessment Date: 1/11/07

Permit Coordinator: Robert Baker

Designated Use	Use Support	Causes	Sources
fish and aquatic life	fully supporting		
irrigation	fully supporting		
recreation	not assessed		
livestock watering and wildlife	fully supporting		

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.

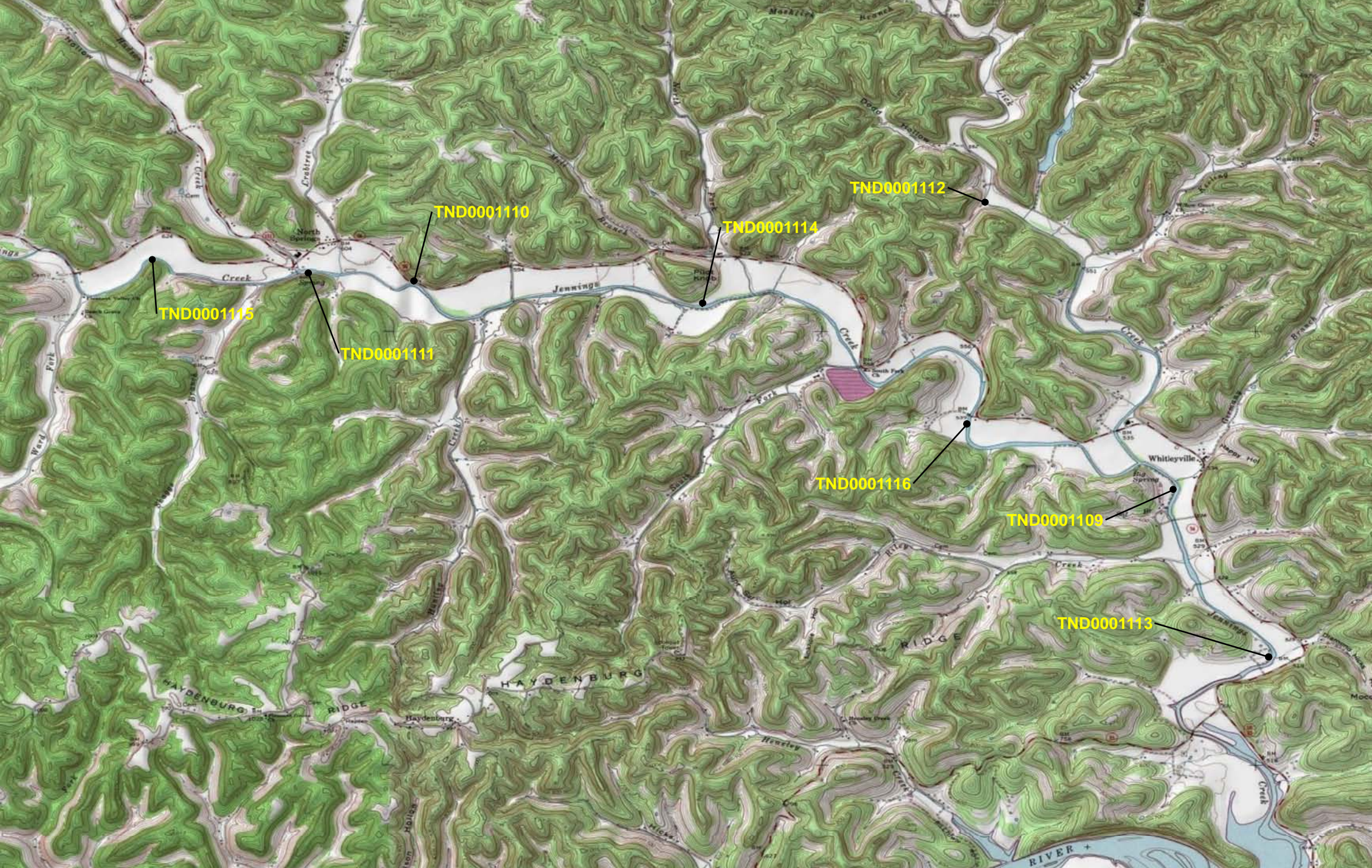
COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's 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 request 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.

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

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 regulations promulgated there.



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