



Public Notice
Tennessee Department of Environment and Conservation (TDEC)
Division of Water Resources (DWR)
Notice Requesting Public Comments on Draft Permit Actions
FILE # NRS21.178

The purpose of this notice is to advise the public of the following proposed permit action and solicit comments and information necessary to evaluate the potential impact of the proposed activities on the aquatic environment.

Pursuant to The Tennessee Water Quality Control Act of 1977, T.C.A. §69-3-108 and Tennessee Rules, Chapter 0400-40-07, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and Section 401 Water Quality Certification. Section 401 of the Clean Water Act requires that an applicant obtain a water quality certification from the state when a federal permit is required. This notice is intended to inform interested parties of this permit application and draft permit and rationale, and to ask for comments and information necessary to determine possible impacts to water quality. At the conclusion of the public notice period a final determination will be made whether to issue or deny the permit.

PERMIT COORDINATOR

Mike Lee
Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243
(615) 532-0712
Mike.lee@tn.gov

APPLICANT:

Pudzer Family Trust
Andy Pudzer, Property Owner
5102 Pickney Drive
Brentwood, TN 37027
(805) 452-9973

LOCATION :

5540 Wilkins Brach Road
Leiper's Fork, Williamson County
Latitude 35.90013; Longitude -87.01289

To view the proposed location of these impacts and the watershed condition, visit the Division's map viewer at <http://tdeconline.tn.gov/dwr/> and search on the permit number or coordinates listed in this Public Notice.

PROJECT DESCRIPTION / PURPOSE

An approximate 0.6-acre manmade farm pond is located on the east half of the Puzder Property, and a 0.2-acre wetland is located at the head (north end) of the pond opposite from the levee. The pond is over 40-years old, and the condition of the levee is deteriorating. The project will involve stabilizing and reinforcing an existing pond levee to address safety concerns. During this process, the height of the levee will be raised approximately 6 feet. As a result, the size of the pond will increase to approximately 2.5-acres. The area of the 0.2-acre wetland at the head of the pond will be inundated with open water. A stream channel is located downstream from the existing pond. The area of disturbance as part of the pond expansion will not encroach within the stream or its required buffer. Erosion prevention measures will be implemented prior to any earth-moving activities.

Prior to construction and raising of the levee, the 0.2-acre wetland will be excavated using mechanized equipment and the excavated material placed in an upland area within the limits of the Puzder property. The levee will not be breached. Dewatering is proposed through use of a pump system to stabilize the upslope side of the levee impoundment. Surface water from the existing pond will be dewatered and filtered through a filter bag. The filter bag will be surrounded by a stone check dam and silt fencing. No fill material will be placed in the area of the wetland at the head of the pond.

ANTIDegradation STATEMENT

In accordance with the Tennessee Anti-Degradation Statement (Rule 0400-40—03-.06) the Division has determined that the proposed activities will result in no more than de minimis degradation to water quality (No mitigation required). For more information, please reference Tennessee's Antidegradation Statement which is found in Chapter 0400-40-03 of the Rules of the Tennessee Department of Environment and Conservation.

FACTORS CONSIDERED

In deciding whether to issue or deny this permit, the Division will consider all comments of record and the requirements of applicable federal and state laws. The division will consider the nature, scale, and effects of proposed impacts. The Division will consider practicable alternatives to the alteration, loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impacts to unique, high quality, or impaired waters.

HOW TO COMMENT

TDEC is requesting public comment on this proposed permit action. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure appropriate decisions. Persons wishing to comment on the proposal are invited to submit written comments to the Division. Written comments must be received within **thirty days following distribution of the approved public notice materials** (including signage and newspaper ad). 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 Division's address listed below to the attention of the permit coordinator. You may also comment via email to water.permits@tn.gov.

After the Division makes a final permit determination, a permit appeal may be filed by the applicant or by any person who participated in the public comment period whose appeal is based on comments given to the Division in writing during the public comment period or in testimony at a formal public hearing. If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Saul Castillo at 615-532-0462 or saul.castillo@tn.gov for more information.

FILE REVIEW

The permit application, supporting documentation, including detailed plans and maps, draft permit and rationale, and related comments are available for review on the internet at the Division's dataviewer at [DWR Permits in TN](#) by entering the permit file number listed in the title of this Public Notice. The file may be viewed and copied at the address listed below.

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